

Fish & Wildlife Commission Co-Manager Hatchery Policy – Briefing January 27, 2023

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From FWC Hatchery Policy (C-3624)

*“Upon adoption of this Policy by the Commission, the Director is tasked to **begin development of a joint policy agreement on salmon and steelhead hatchery programs with Tribal Co-Managers**”*

*“When completed and approved by Tribal Co-Managers and the Commission, new Tribal Co-Manager joint policy agreements shall **supersede the provisions of this Policy** in the geographic area applicable to the particular agreement.”*



Development of Co-Manager Hatchery Policy

- September 15, 2021: Initial meeting among Co-Manager policymakers and technical staff
 - Instructed technical staff to draft outline based on objectives from the policymakers
 - Technical staff: WDFW, Tribal, NWIFC, and CRITFC
- January – November 2022: Meetings and many drafts
- November 4, 2022: Final DRAFT policy approved for comprehensive review by policymakers
 - Policymaker Team: Representatives from the WDFW FW Commission, and Puget Sound, Coastal, and Columbia River Tribes.



Point of Emphasis

- This draft policy was designed by WDFW and Tribal policymakers, who guided its production throughout its development.
- Staff's presentation today is to:
 - Summarize the policymakers' agreed-upon draft policy
 - Answer questions about the draft policy
 - Describe the public review and SEPA processes and schedules



Foundational Values of the Policy

- Joint commitment to work as Co-Managers to develop and implement hatchery management plans.
- Conservation of natural-spawning populations and their habitats.
- Hatcheries managed on a watershed or regional basis.
- Legacy habitat degradation, ongoing habitat loss, and changing environmental conditions and ecosystem functions requires ongoing mitigation.
- “[Hatchery programs] are designed essentially to replace natural fish lost to non-Indian degradation of the habitat and commercialization of the fishing industry.” *United States v. State of Wash.*, 759 F.2d 1353, 1360 (9th Cir. 1985).



Scope of the Policy

- Applies to all Co-Managed anadromous salmon and steelhead hatchery programs operated within Washington State by Co-Managers who are signatories to the policy.
- Specific hatchery program plans that are consistent with this policy will supersede direction FWC Policy C-3624.
- Hatchery program plans (e.g., HGMPs) agreed to by Co-Managers as of the date this policy is signed, will remain in place until agreed to otherwise in accordance with this policy.



Guiding Principles

- **Optimal balance of benefits and risks** of hatchery production.
- **Co-Manager regional and watershed plans** (e.g., HGMPs) are the main vehicles for the planning and management of hatchery operations. Many of these plans already exist.



Guiding Principle #1

- **Tribal Treaty Rights** are supreme law of the land.
- Co-Managers acknowledge that hatchery programs are essential components of regional salmonid management plans that support natural resource management responsibilities in **sustaining Treaty Rights**.



Guiding Principle #2

- **Hatchery fish support Treaty Right fishing obligations** that cannot be provided by natural-origin salmonid populations alone.
- Harvest of hatchery fish is managed within Co-Manager harvest management processes.
- Hatcheries support the **four basic values recognized by the federal courts associated with tribal treaty-reserved fishing**:
 1. Conservation of the resource to ensure a future supply,
 2. Ceremonial, religious, and spiritual values,
 3. Subsistence values, and
 4. Commercial values.



Guiding Principle #3

- Hatcheries produce fish for **state-regulated recreational and commercial fishing opportunities** beyond that provided by natural-origin salmonid populations.
- Such fisheries, and the infrastructure support they entail, provide important cultural socio-economic **benefits to key fishery-dependent communities.**



Guiding Principle #4 (Part 1)

- The Co-Managers will develop hatchery program plans and/or operate in accordance with existing hatchery program plans that include:
 - Clearly defined **hatchery goals**
 - Describe hatchery operations at the **regional or watershed level**
 - **All-H approach** - explicit integration of hatcheries with habitat, harvest, and hydropower management
- Hatcheries support **ecosystem functions** (e.g., SRKW prey)
- Hatchery programs **sized and hatchery-releases timed** with consideration of ecosystem constraints & changing conditions.



Guiding Principle #4 (Part 2)

- Hatchery production contributes to productive natural-spawning populations that are **locally adaptive, and genetically diverse** to maintain adaptability in the face of changing conditions.
- Hatchery operations should maintain or enhance the **genetic diversity and adaptability of hatchery broodstock**.
- Hatchery program goals should **balance benefits and risks**.
- Benefits and risks reflect **perspectives, values, and biological factors** that should be considered in **both social and ecological contexts**.



Guiding Principle #5

- Hatcheries are to be designed and operated in a **scientifically sound and defensible manner**, including **adaptive management** processes for informing decisions that include **monitoring, evaluation, and research** programs.



Guiding Principle #6

- Co-Managers shall work to secure **adequate financial resources** to meet current and future challenges to the successful use of salmonid hatcheries in accomplishing the purpose of this Policy. **This includes planning for the negative effects of climate change on salmonid survival** and the resources needed to support them.



Dispute Resolution and Disclaimers

- Standard language for these sections



High-level Comparison between C-3624 and Co-Manager Policy

Subject	C-3624	Draft Co-Manager Policy
Applicable to:	All WDFW anadromous salmon and steelhead facilities and programs not covered by the Co-Manager Policy	Co-Managed anadromous salmon and steelhead facilities and programs operated by Co-Managers who are signatories to the policy
Hatchery operation plans	Hatchery Management Plans (HMPs) required for all programs	Existing and future Co-Manager agreed-to documents (e.g., HGMPs) that are regional or watershed-based
Management of risks (R) and benefits (B)	Balance of R & B achieved through a WDFW decision making process described in forthcoming Technical Procedures Document	Balance of R & B achieved through decisions made mutually between WDFW and specific Tribes and codified in Co-Manager agreed-to hatchery plans



Updated Proposed Schedule

DATE	MEETING	OUTCOME
January 27, 2023	Fish Committee and Full Commission Webinar	Decision concerning public review and SEPA process. The following assumes FWC decided to approve public review and SEPA process
January 30, 2023		Commission website for distribution of draft policy and to receive public comment. Public comment period open until close of SEPA comment period. See below
Jan 30 – Feb 28, 2023		WDFW staff conducts SEPA review and makes determination
March 1 – 15, 2023		Public comment period on SEPA determination.
March 16 – 18, 2023	Fish Committee and full Commission Meeting Wenatchee, WA	Staff discusses SEPA determination. Progress report on process.
March 15 – 31, 2023		Staff review of SEPA and public comments
April 6 – 8, 2023	Fish Committee and full Commission Meeting Anacortes, WA	Report to the Fish Committee and full Commission on the results of the public review and SEPA review processes.
June 22 – 24, 2023 (or sooner)	Fish Committee and full Commission Meeting Seattle, WA	Staff presents the final draft of the Co-Manager Hatchery Policy to the Fish Committee and full Commission. Commission makes a decision on adoption of the policy.



Commission's Decisions Today

- Decide if the draft policy is ready for formal public review
- Decide if the draft policy is ready for SEPA review and evaluation
- Decide if the proposed schedule is appropriate





Questions and Discussion