

Washington Salmon Co-management/North of Falcon

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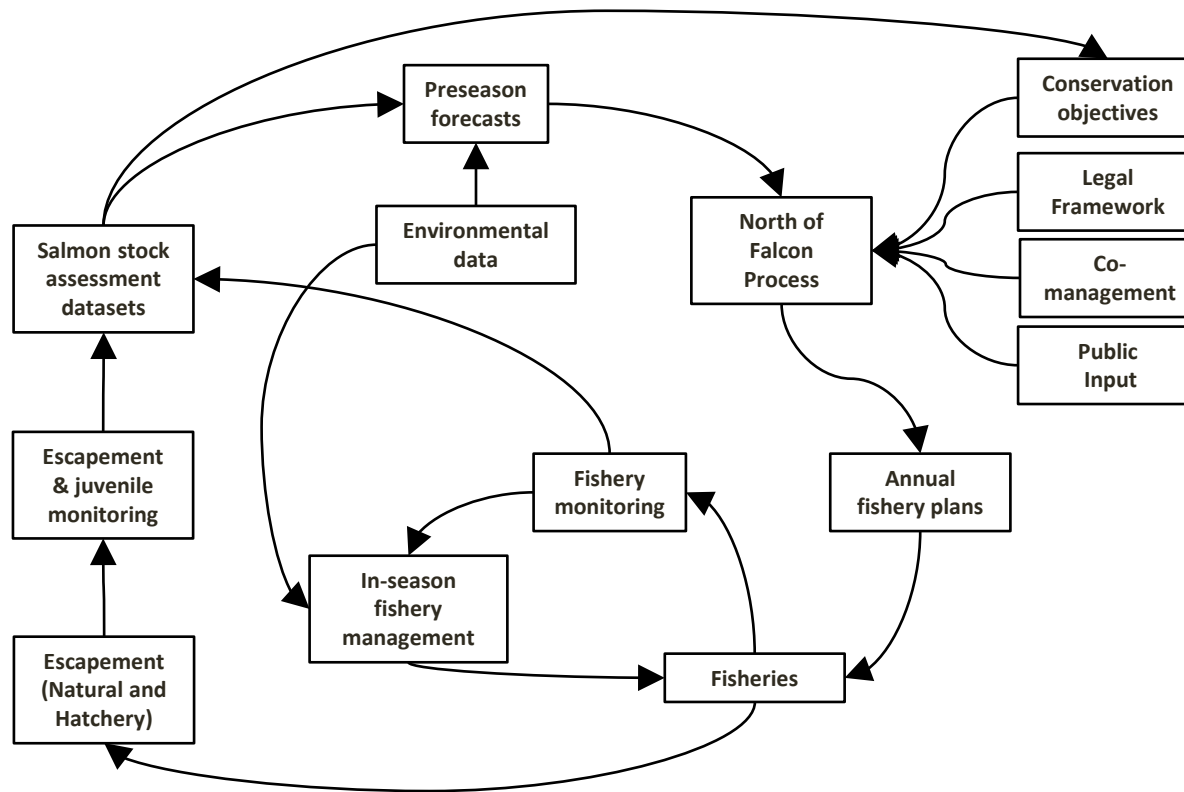


Outline

- Annual Cycle / Jurisdictions
- Pacific Salmon Treaty
- Pacific Fishery Management Council
- Co-management Framework
 - US v Oregon
 - US v Washington
- Fish and Wildlife Commission Policy



Annual cycle of salmon fishery planning & implementation



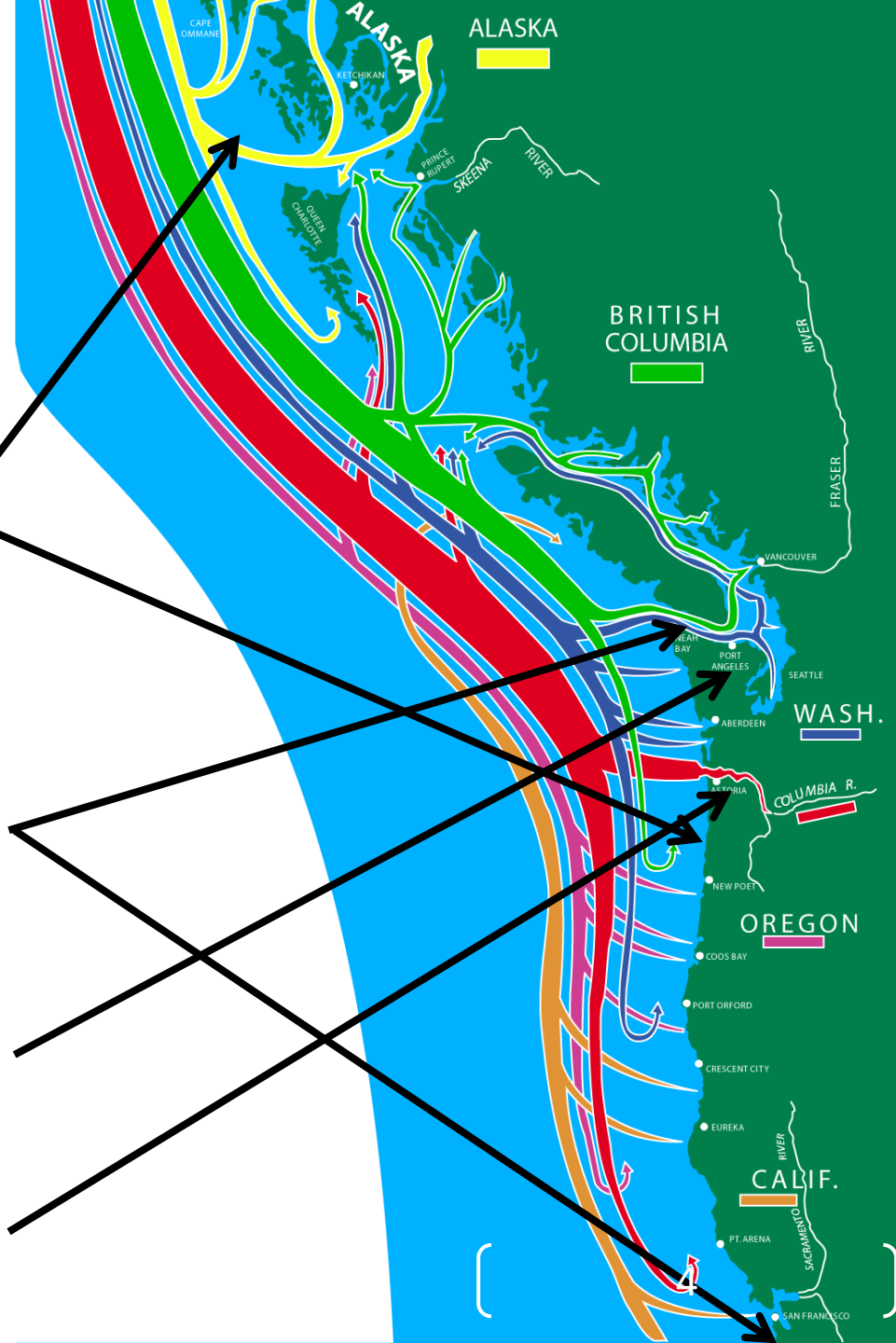
Complex, multi-jurisdictional processes

Pacific Salmon Treaty

Pacific Fishery Management Council

U.S. v Washington

U.S. v Oregon



Pacific Salmon Treaty

- U.S. – Canada salmon fishery issues historically focused on Fraser River sockeye
 - After decades of negotiation, the sockeye salmon convention was ratified in 1937, forming the International Pacific Salmon Fisheries Commission with the purpose of restoring Fraser River sockeye
- By 1980's, interception of Southern U.S. Chinook and coho off the west coast of Vancouver Island was of increasing concern, as was Alaskan interception of Canadian and Southern U.S. stocks



Pacific Salmon Treaty

- 1985 Pacific Salmon Treaty (subsequently modified & renewed)
 - Established the Pacific Salmon Commission
 - » Conserve the Pacific Salmon in order to achieve optimum production
 - » Divide the harvests so that each country reaps the benefits of its investment in salmon management.
- Commission includes representatives of Federal, State, Tribal and First Nations governments
- 4 Bilateral Panels, each assigned responsibility for salmon stocks originating in a specific geographic area
- 12 Committees of scientists from the U.S. and Canada
- Panels provide recommendations on fishery regimes to the Commission



Pacific Salmon Treaty

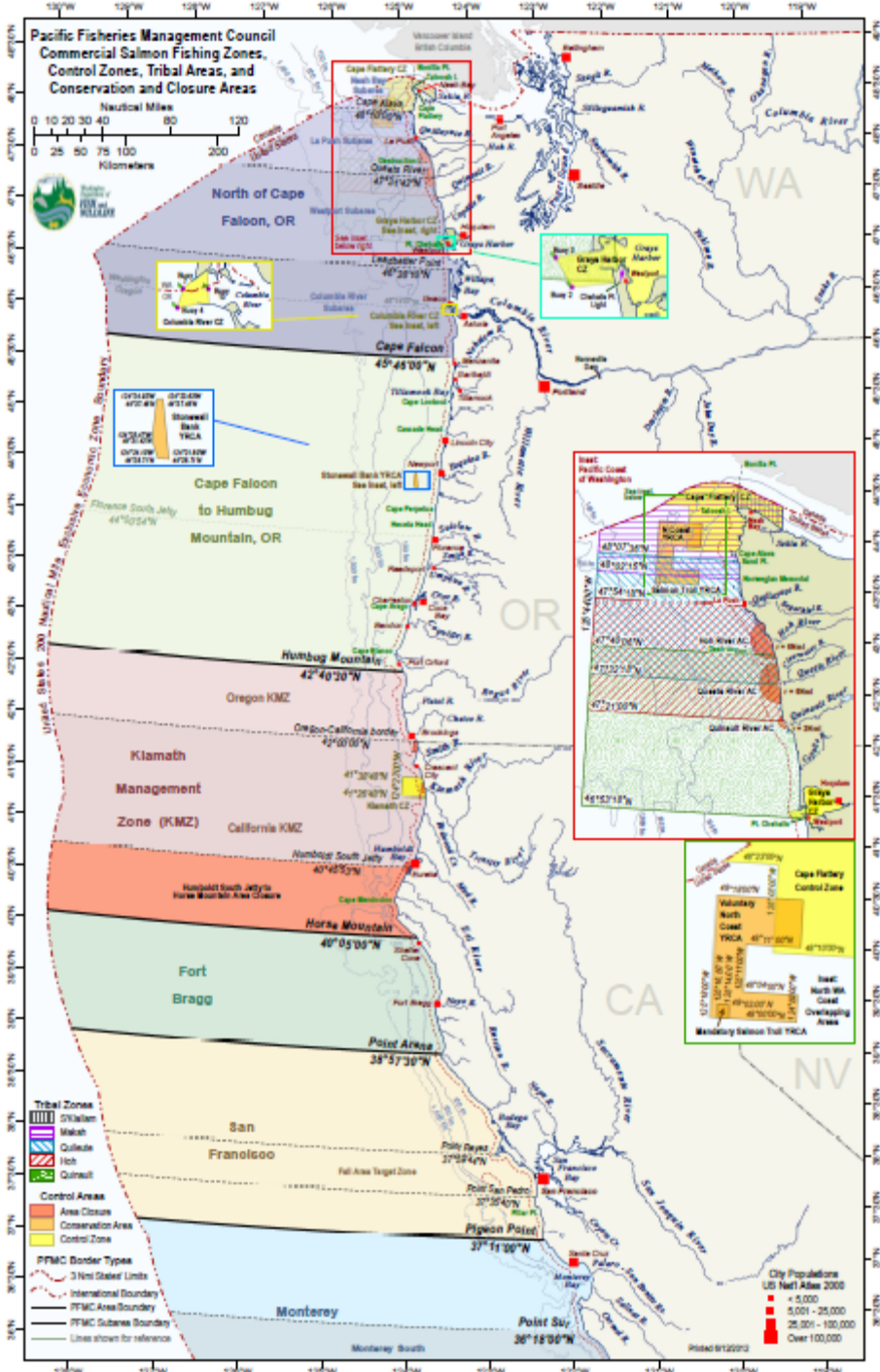
- Allowable catch levels of Chinook in SE Alaska and British Columbia ocean fisheries are determined annually using science-based predictions of numbers of fish returning coupled with allowable fishing rates specified in the treaty
- 2019 Chinook agreement also included limits on Southern US harvest of individual stocks
- Management regimes for other species established in various chapters of the treaty
- Fraser River Panel responsible for in-season management of fisheries on sockeye and pink salmon in U.S. and Canadian Panel waters



Pacific Fishery Management Council

- Regional Councils established by Magnuson-Stevens Fishery Conservation and Management Act in 1976
 - Prevent overfishing
 - Rebuild overfished stocks
 - Increase long-term economic and social benefits
 - Ensure a safe and sustainable supply of seafood
 - Protect habitat for fish
 - Extended U.S. jurisdiction from 12 to 200 miles offshore
- Pacific Council has jurisdiction over fisheries in the EEZ
 - 3-200 miles offshore of the west coast
- Oregon, Washington, California and Idaho have government and constituent representatives on the Council
- Tribes, NOAA, USFWS, PSMFC, State of Alaska, US Coast Guard and the State Department are also represented

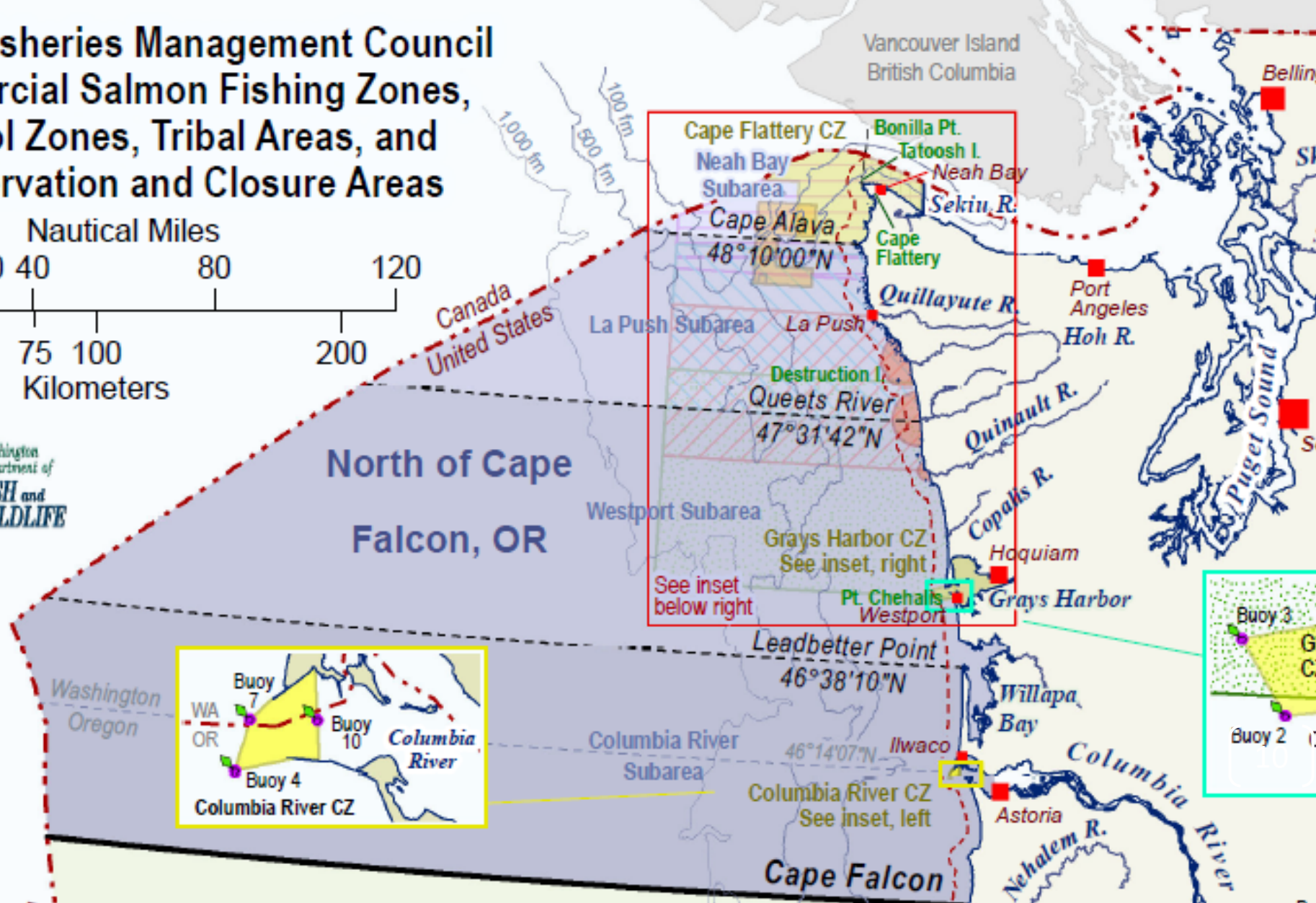




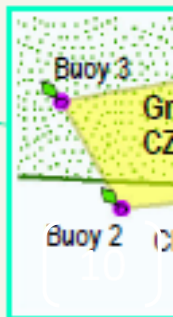
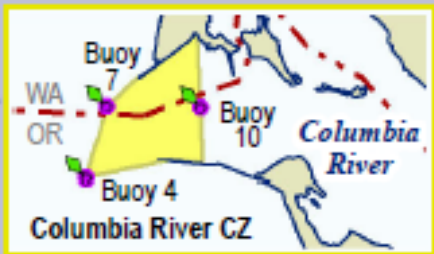
129°W 128°W 127°W 126°W 125°W 124°W 123°W

Commercial Fisheries Management Council Commercial Salmon Fishing Zones, Control Zones, Tribal Areas, and Conservation and Closure Areas

Nautical Miles
0 30 40 80 120
Kilometers
50 75 100 200



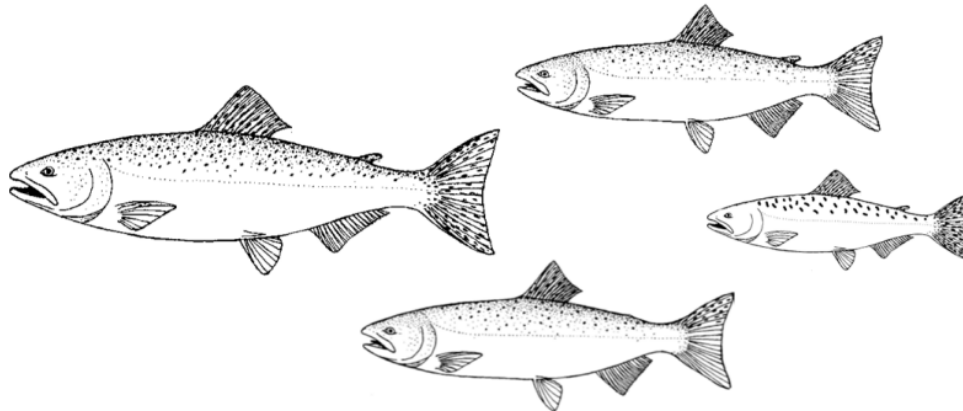
North of Cape Falcon, OR



Pacific Fishery Management Council

PACIFIC COAST SALMON FISHERY MANAGEMENT PLAN

*FOR COMMERCIAL AND RECREATIONAL SALMON FISHERIES
OFF THE COASTS OF WASHINGTON, OREGON, AND CALIFORNIA
AS REVISED THROUGH AMENDMENT 21
(Effective September 2021)*



Pacific Fishery Management Council

- Pacific Coast Salmon Fishery Management Plan
 - Establishes conservation criteria, harvest controls, fishery objectives, allocation frameworks, etc.
 - Council sets ocean salmon fishing seasons annually consistent with FMP and annual abundance forecasts
 - Amendment 21 incorporated management measures for ocean fisheries to enhance protection for SRKW in years of low Chinook abundance



Pacific Fishery Management Council

- Amendment 21
 - PFMC formed its SRKW Ad-Hoc Workgroup and adopted draft terms of reference for the group in April 2019
 - The Workgroup held 15 meetings between May 2019 and September 2020
 - The Workgroup developed a new model of Chinook salmon distribution to quantify salmon abundance by ocean area and time of year (FRAM + Shelton et al (2019))
 - Correlative relationships between SRKW demographic parameters and indices of Chinook abundance were examined



Pacific Fishery Management Council

- Amendment 21
 - Workgroup produced a Risk Assessment in May 2020 that summarized its work, available on the [PFMC website](#)

Agenda Item E.2.a
SRKW Workgroup Report 1 (*electronic only*)
June 2020

**Pacific Fishery Management Council
Salmon Fishery Management Plan Impacts to
Southern Resident Killer Whales**

Risk Assessment

May 2020



Pacific Fishery Management Council

- Amendment 21
 - Workgroup produced a Risk Assessment in May 2020 that summarized its work, available on the [PFMC website](#)

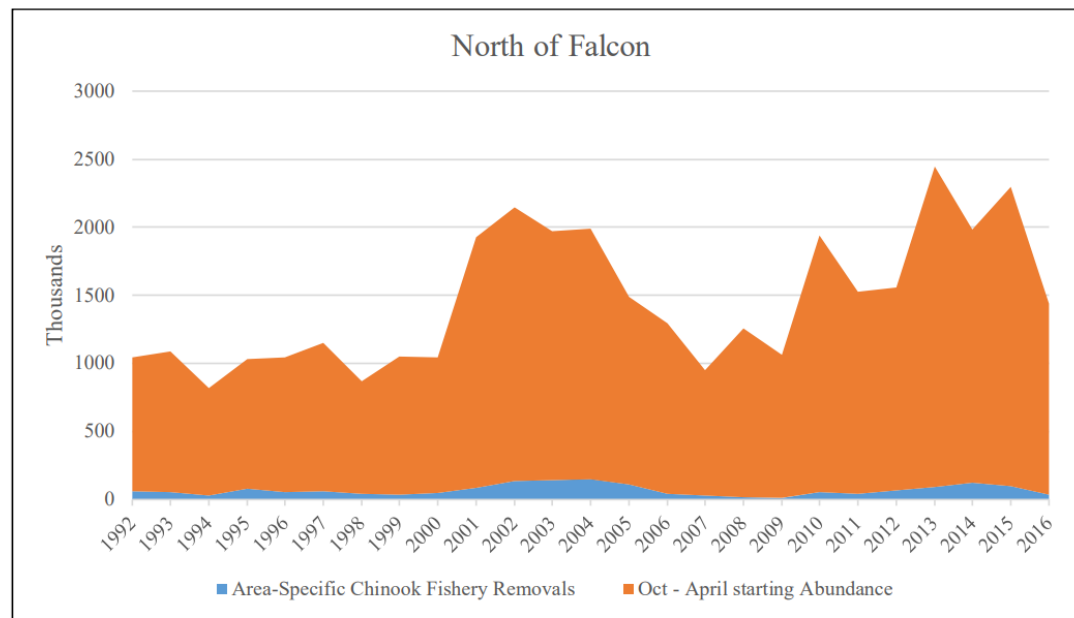


Figure 4.5.a. North of Cape Falcon 1992-2016 trends in annual adult abundance (estimated annually to be present on October 1) and area-specific reduction in adult abundance modeled to result from all PFMC salmon fisheries (from October through the following September).



Pacific Fishery Management Council

- Amendment 21
 - Workgroup developed proposed alternatives for management thresholds for the Council's consideration, available on the [PFMC website](#)
 - Workgroup also developed a list of potential responses should Chinook abundance fall below a threshold, also available on the [Council website](#)

Agenda Item F.2.a
Workgroup Report 1
November 2020

Pacific Fishery Management Council Salmon Fishery Management Plan Impacts to Southern Resident Killer Whales

Draft Range of Alternatives and Recommendations
With Section 3.1.2.e strikeout

October 2020

Agenda Item F.2.a
Workgroup Report 2
November 2020

SOUTHERN RESIDENT KILLER WHALE WORKGROUP REPORT 2: UPDATED LIST OF POTENTIAL RESPONSES

At the September 2020 Pacific Fishery Management Council (Council) meeting, the Southern Resident Killer Whale (SRKW) Workgroup (Workgroup) provided a [draft range of alternatives and recommendations](#) for Council consideration. The Council directed the Workgroup to provide additional information at the November 2020 Council meeting. The following is an update to Section 3.1.2.e of that report which described a list of potential responses if a Chinook abundance fell below a certain threshold. The updates in this report provide clarity on implementing the responses.

The Workgroup recommends replacing language that is struck in Agenda Item F.2.a SRKW Workgroup Report 1, currently beginning on page 11 and ending on page 14 with the following:

3.1.2.e – List of potential responses if a year's preseason projection fall below a threshold:

The goal of management response(s) would be to benefit SRKWs while still providing some fishing opportunity in years when Chinook abundance is deemed low by surpassing a defined threshold (see 3.1.2).



Pacific Fishery Management Council

- Amendment 21
 - The Council adopted a threshold and corresponding management measures in November 2020.
 - The threshold and management measures were subsequently incorporated as Amendment 21 to the [Pacific Coast Salmon Fishery Management Plan](#) (2 unrelated additional amendments made since 2020)



Pacific Fishery Management Council

- Salmon Technical Team (agency and tribal technical staff) and Salmon Advisory Subpanel (constituents) provide support and recommendations to the Council
- Washington's current representatives are:
 - STT:
 - » Dr. Alexandra Safiq, WDFW
 - SAS:
 - » Steve Sohlstrom, Washington charter boat
 - » Bryce Divine, Columbia River commercial
 - » Ryan Johnson, Washington commercial troll
 - » Dave Johnson, Washington sport fisheries



Pacific Fishery Management Council

- Salmon season planning process occurs around the March and April Council meetings
 - March meeting – Fishing alternatives for ocean developed based on preseason forecasts, allocation formulas and management objectives
 - Late March – Public hearings in each state (in Westport for Washington)
 - April meeting– Final fishing package developed and approved, transmitted as recommendation to the Secretary of Commerce for adoption



Pacific Fishery Management Council

- Salmon season planning process occurs around the March and April Council meetings
 - Final package of planned fisheries must be consistent with PST, ESA, FMP, etc., to be adopted
 - Salmon regulations / seasons generally concurrent in adjacent state ocean waters



North of Falcon process

- Planning process that runs concurrently with the PFMC process
- Started as part of the move towards cooperative management between the state and tribes in the mid-1980's
- Washington state works with tribal comanagers and constituents to plan 'inside' fisheries that meet conservation objectives for each stock when linked with PST and PFMC fisheries
 - US vs Washington - Puget Sound, Strait of Juan de Fuca and Washington Coast
 - US vs Oregon – Columbia River



Comanagement framework

- US v OR Management Agreement
 - Renewed in 2018 for a 10-year term
 - NOAA completed biological opinion that considers the effects of the action on 15 ESA-listed salmonid species, SRKWs, eulachon and green sturgeon
 - Very prescriptive on state-tribal allocation
 - Includes tables with agreed hatchery production levels
 - Schedule for technical advisory committee, production advisory committee and policy committee's annual activities



Puget Sound

Comanagement framework

- Puget Sound Salmon Management Plan (1985)
- Hood Canal Salmon Management Plan (1986)
- Stipulation on Mass Marking (1997)
- Comprehensive Coho Management Plan (1998)
- Puget Sound Chinook Harvest Management Plan (2004, 2010, 2022)
- Summer Chum Salmon Conservation Initiative (2000)
- Equilibrium/Future Brood Document
- Annual List of Agreed Fisheries
- Annual watershed management plans / MOUs
- Misc. MOUs



Puget Sound Salmon Management Plan (1985)

- *" This plan is intended to ensure that treaty and non-treaty fishermen, subject to their respective regulatory authorities, shall be afforded the opportunities to harvest their shares as determined in United States v. Washington..."*
- Formalized general salmon fishery management structure – allocation units, regions of origin, procedures for determining escapement goals, schedule for annual management cycle.
- Established Equilibrium Brood Document – procedures for documenting and modifying base hatchery production



Puget Sound Salmon Management Plan (1985)

- Established procedures for calculating and allocating shares, for maintaining coordinated data systems, for providing fishing regulations to other parties, and for settling preseason and inseason technical disputes.
- While the comanagers still adhere to many of the principles & procedures of the Plan, others have become outdated, and there is general interest in revising the Plan to be more consistent with current reality.



Hood Canal Salmon Management Plan (1986)

- Similar to Puget Sound Salmon Management Plan, but with more detailed information specific to Hood Canal



Stipulation on Mass Marking (1997)

- State planned to mass mark (adipose fin clip) 1995 brood year coho for release in 1997, tribes objected, requested TRO
- Resolution reached in 1997 with the *"Stipulation and Order Concerning Co-Management and Mass Marking"*



Stipulation on Mass Marking (1997)

- Describes the comanagement relationship and principles
- *"No party shall take any action regarding the management of its fisheries which would reasonably be expected to affect another party's management of its fisheries without agreement of that party..."*



Stipulation on Mass Marking (1997)

- Requires an annual meeting between the WDFW Director and tribal representatives each year by May 15 (unless otherwise agreed) to:
 - Evaluate effectiveness of previous year's management
 - Coordinate new or ongoing management activities
 - Establish priorities for the coming year
 - Identify disagreements to be resolved
 - Identify ways to improve the cooperative working relationship
 - Discuss other issues



Stipulation on Mass Marking (1997)

- Also included an implementation plan for coho mass marking and selective fisheries, and a work plan for a comprehensive coho management plan



Comprehensive Coho Plan

- *"Develop and implement improved coho management approaches that support the maintenance and restoration of wild stocks in a manner that reflects the region's fisheries objectives (resource protection, allocation and harvest stabilization), production constraints, and production opportunities."*



Comprehensive Coho Plan

Comprehensive Coho management guidelines for Puget Sound region primary natural coho management units.

In November 2009, the values below were adopted as updated conservation objectives by the Pacific Fishery Management Council (PFMC) under the Salmon Fishery Management Plan (FMP). These were based on analysis provided by the Puget Sound salmon co-managers and the Pacific Salmon Treaty (PST, January 2009).

	Strait of Juan de Fuca	Hood Canal	Skagit	Stillaguamish	Snohomish
Critical abundance US exploitation rate ceiling ¹	0.10	0.10	0.10	0.10	0.10
Critical/Low spawning escapement breakpoint	7,000	10,750	16,000	6,100	31,000
Critical/Low Run Size (OA3) breakpoint	11,679	19,545	22,857	9,385	51,667
Low abundance exploitation rate ceiling	0.40	0.45	0.35	0.35	0.40
Low/Normal spawning escapement breakpoint	11,000	14,350	25,000	10,000	50,000
Low/Normal Run Size (OA3) breakpoint	27,400	41,000	62,500	20,000	125,000
Normal abundance exploitation rate ceiling	0.60	0.65	0.60	0.50	0.60



Comprehensive Coho Plan

2023 Puget Sound Primary Natural Coho Management Units - Status and Exploitation Rates				
Management Unit	2023 Preseason Forecast (Ocean Age Three)	CC Management Status ^c	PST Management Status ^{c,3}	Total Exploitation Rate (ER) Ceiling
Strait of Juan de Fuca (Eastern and Western Natural Stocks)	15,625	Low	Moderate	40%
Hood Canal (12/12B, 12C/12D, and Skokomish River Natural Stocks)	37,888	Low	Moderate	45%
Skagit (Skagit and Baker Natural Stocks)	43,146	Low	Moderate	35%
Stillaguamish	30,238	Normal	Abundant	50%
Snohomish	76,500	Low	Moderate	40%



Puget Sound Chinook Harvest Management Plan

- Comanager joint fishery management plans submitted under Limit 6 of the salmon 4(d) rule, our mechanism for obtaining ESA authorization
- First long-term resource management plan (RMP) covered 2004-2009
- 2010 fisheries covered by a one-year section 7 consultation (BIA)
- Comanagers submitted plan in 2010 to cover 2011-2014, later modified to 2011-2013 due to NOAA concerns with SRKW



Puget Sound Chinook Harvest Management Plan

- 2014-2023 fisheries have been covered by one-year Section 7 consultations (BIA)
- 2016 – Comanagers did not reach agreement on fisheries at conclusion of NOF, ESA coverage for non-treaty fisheries delayed
- Comanagers completed and submitted another long term RMP in February 2022, currently being evaluated by NOAA



Puget Sound Chinook Harvest Management Plan

Table 4-1. Exploitation rate ceilings, low abundance thresholds and critical exploitation rate ceilings for Puget Sound Chinook management units. Exploitation Rates are Total ER's, unless specified (i.e. SUS or Pre-terminal SUS).

Management Unit	Upper Exploitation Rate Ceiling	Upper Management Threshold	Exploitation Rate Ceiling or Moderate Management Exploitation Rate	Low Abundance Threshold	Critical Exploitation Rate Ceiling	Point of Instability
Nooksack River ⁴						
North/Middle Fork		1,000 ²		400 ²	10.9% SUS ER,	
South Fork		500 ²		200 ²	14.1% SUS ER ¹	
Skagit Summer/Fall		14,500 ²	52%	7,844 ²	15% SUS even-	4,800
Upper Skagit summer-run				2,200 ²	years/17% SUS	
Sauk summer-run				400 ²	odd-years	
Lower Skagit fall-run				900 ²		
Skagit spring-run		2,000 ²	36%	1,024 ²	10.7% SUS	470
Upper Sauk				130 ²		
Upper Cascade				170 ²		
Suiattle				170 ²		
Stillaguamish River ³	13% SUS	1,500	9% SUS	900	see MUP ³	
Snohomish River	10.3% SUS	4,900 ²	9.3% SUS	3,250 ²	8.3% SUS	
Skykomish summer-run		3,600 ²		2,015 ²		1,745
Snoqualmie fall-run		1,300 ²		1,132 ²		700
Lake Washington – Cedar River fall-run ⁴	14%-15% PT SUS ⁵	500	18% SUS	200	12% SUS	
Green River fall-run ⁴	14%-15% PT SUS ⁵	4,500	18% SUS	1,098	12% SUS	
White River spring-run		1,000	22% SUS	400	15% SUS	
Puyallup fall-run ⁴	14%-15% PT SUS ⁵	1,538	30% SUS	468	15% SUS	
Nisqually			47%	6,300 ⁶	see MUP ⁶	
Skokomish fall-run ⁷		3,650	50% ⁷	1,300	12% PT SUS	
Skokomish River spring-run ⁸						
Mid-Hood Canal ⁹		1,250	See MUP	200	See MUP	
Dungeness		925	10% SUS	500	6% SUS	
Elwha		5,789	10% SUS	2,000	6% SUS	1,500
Western Strait of Juan de Fuca – Hoko River		916	10.6% SUS	633	6.3% SUS	



Annual List of Agreed Fisheries

- Documents annual agreement on state and tribal fisheries in Puget Sound
- Includes detailed plans for mark-selective fisheries, including sampling/monitoring plans and limits on catch or encounters
- Since 2016, has included detailed information on in-season update methods, test fishery plans, etc.



Annual List of Agreed Fisheries

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2018 – 2019 Co-Managers' List of Agreed Fisheries (May 1, 2018 – April 30, 2019)

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Key North of Falcon Issues from recent years

- Conservation of critical stocks
- Mark-selective recreational fisheries
 - Monitoring requirements
 - “In-season Management”
- Monitoring of freshwater recreational fisheries
- Chum fisheries
- Conservation burden
 - At low salmon abundances
 - SRKW
- State-Tribal NOF vs WDFW-public NOF



FWC North of Falcon Policy C-3608

- Guides Department staff in considering conservation, allocation, in-season management, and monitoring issues associated with the annual North of Falcon process.
- Current policy expires December 31, 2023
- October presentation to full Commission will walk through the existing policy in detail



FWC North of Falcon Policy C-3608

- Staff must ensure decisions are made consistent with:
 - The Department's statutory authority
 - U.S. v. Washington and U.S. v. Oregon
 - Endangered Species Act
 - Puget Sound Chinook RMP
 - Pacific Salmon Treaty
 - PFMC's Salmon Management Plan
 - State/Tribal agreements
 - FWC policies



Questions?

