



COLUMBIA RIVER INTER-TRIBAL FISH COMMISSION

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SYSTEM OPERATIONAL REQUEST: 2002 C-2

TO: Brigadier General Fastabend COE-NWD
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Witt Anderson COE-NWD-CM-F (Pacific Salmon Coord. Office)
Col. Randall Butler COE-Portland District
G. Delwiche, T. Lamb, R. MacKay BPA-PG-5 and BPA-PGPO

FROM: Don Sampson, *Executive Director*

DATE: April 12th, 2002

SUBJECT: **Operation of the Lower Columbia Pools for the Spring 2002 Treaty Fishery**

The Columbia River Inter-Tribal Fish Commission, on behalf of its member tribes the Nez Perce Tribe, the Yakama Nation, the Confederated Tribes of the Umatilla Reservation, and the Confederated Tribes of the Warm Springs Reservation, requests the following reservoir operations in Zone 6 (Bonneville to McNary dams) during the 2002 spring ceremonial Treaty fishery. Implement the following hydro-system operations during the ceremonial and subsistence Treaty fishery times as established by the tribes.

SPECIFICATIONS:

Implement the following pool operations as follows:

April 15th, 2002, 6 am, Monday, through 6 pm, April 20th, 2002, Saturday

- **Bonneville Pool. Operate the pool within 1.0 foot from full pool (msl elevation 77 – 76)**
- **The Dalles (Celilo) Pool. Operate the pool within 1.0 foot (msl elevation 159.5 - 158.5)**
- **John Day Pool. Operate the pool within 1.0 foot (msl elevation 264.5 - 263.5)**

Additional pool operations may be requested for the ceremonial, subsistence, and commercial fishery established through the Columbia River Compact later in April. Specific requests for pool operations during these fisheries will be sent to the federal operators at that time.

JUSTIFICATION:

The 2002 spring Treaty fishing season is of high importance to CRITFC member tribes. The anticipated escapement of over 333,000 adult spring chinook will create harvest opportunities that tribal fishers realized only one other time in the last 25 years, and many fishers will be exercising their treaty rights by participating in this harvest. Many cultural and religious ceremonies and practices will occur with the harvest of these salmon.

During a meeting at CRITFC's Law Enforcement Division in Hood River on September 2, 1999, tribal fishers explained the impacts of unstable pools and pools below full to the Treaty fishery to Colonel Mogren and Lt. Colonel Harshbarger. The tribal fishers explained that a pool fluctuation of 1.0 foot or more disrupts tribal fishery operations. Specific problems include: (1) increased local currents that sweep debris into fishing nets, (2) rapid 1-2 hour drops in water level will lead to entanglement of nets, (3) boat access problems, and (4) nets torn from their anchors. Nets and gear are costly to replace.

The fishers also stressed to Corps officials that much of the tribal fishers' income and food is generated during the brief treaty fishing season, so that any delays or disruptions to their fishing operations caused by the excessive pool fluctuations in Zone 6 negatively impact tribal incomes, food resources and cultural practices.

Implementing this request will insure that the Federal operating agencies meet their federal trust responsibilities to the Columbia Basin treaty tribes. If this SOR cannot be accommodated, CRITFC's member tribes request a detailed written response from the federal operators with justification by April 19th, 2002.