



COLUMBIA RIVER INTER-TRIBAL FISH COMMISSION

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SYSTEM OPERATIONAL REQUEST: 2003 C-5

TO: Brigadier General Grisoli COE-NWD
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Cindy Henriksen, Rudd Turner COE-NWD-NP-WM-RCC
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Greg Delwiche, Scott Bettin BPA-PG-5 and BPA-PGPO
Stan Speaks, Keith Hatch BIA, Portland Area Office

FROM: Olney Patt, Jr., *Executive Director*

DATE: July 18th, 2003

SUBJECT: **Operation of the Lower Columbia Pools for the Summer 2003 Treaty Fishery**

The Columbia River Inter-Tribal Fish Commission, on behalf of its member tribes the Confederated Tribes of the Warm Springs Reservation, Nez Perce Tribe, the Confederated Tribes of the Umatilla Reservation, and the Yakama Nation, requests the following reservoir operations in Zone 6 (Bonneville to McNary dams) during the 2003 summer Treaty fishery. Implement the following hydro-system operations during the ceremonial, subsistence, and commercial Treaty fishery times as established by the tribes and the Columbia River Compact.

SPECIFICATIONS: Implement the following operations as a hard system constraint as follows:

July 21st, 2003, 6 am, Monday, through 6 pm, July 23rd, 2003, Wednesday.

**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).**

JUSTIFICATION:

The 2003 summer Treaty fishing season is of critical importance to CRITFC's member tribes. The anticipated escapement of an estimated **120,000** adult summer Chinook will create harvest opportunities that tribal fishers have not realized in the last 39 years. If realized, this forecast will be the second highest count at Bonneville dam since 1957. 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. Any delays or disruptions to tribal fishing operations caused by the excessive pool fluctuations in Zone 6 negatively impacts tribal incomes, food resources and cultural practices.

The fishers also stressed to Corps officials that the loss of fishing opportunity during the extremely limited treaty fishery cannot be replaced. Much of the tribal fishers' income and food is generated during the brief treaty fishing season, thus, any delays or disruptions to their fishing operations caused by the excessive pool fluctuations in Zone 6 negatively impacts 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 Friday, July 25th, 2003.