January 16, 2002
Ed Bowles
Fish Division Director
ODFW

Dear Ed,

This letter provides some of the IMST's general comments on the proposed Native Fish Conservation Policy and Guidelines (NFCP). The Team will prepare a more detailed review after our discussion with you at our January meeting. We endorse development of policies that include the landscape approach, emphasis on native fish communities, and goals "to provide for ecological health of watersheds and sustainable fish populations living and reproducing in natural environments". These are consistent with the Oregon Plan. Science and monitoring are essential to the success of the NFCP. However, we believe that the limited quantity and quality of the scientific data and available resources seriously jeopardize the plan.

Our major concern is the general lack of scientific information on native fish species, for both salmonids and non-salmonids. This plan depends on scientific knowledge. We do not believe that data are available to accurately assess important biological and ecological factors, such as the abundance, distribution, productivity, connectivity and life history strategies of native fishes, as well as their habitat requirements.

The last line in footnote 1 on page 3 has a serious omission. It states that "By definition, all wild fish are native. .". This is incorrect. Under this definition, carp, bullhead, bass, bluegill, and other exotic species would be considered native fish. This clearly contradicts the first line of the footnote, which noted that native fish are wild and hatchery fish indigenous to Oregon. The last line should be modified to read "By definition, all wild fish and hatchery fish are native only if they are indigenous to Oregon." Naturalized species (i.e., exotic species that have established stable wild populations) that are not indigenous to Oregon should be managed under other state polices and should not be considered to be native fish.

"Based on state statute, native fish are wild and hatchery fish indigenous to Oregon and not introduced ORS 496.171, ORS 541.351); native stocks means those anadromous fish that naturally propagate in a given watershed (ORS 496.455). Based on state administrative rule (OAR 635-007-0501), a hatchery fish is any fish incubated or reared under artificial conditions for at least a portion of its life; a wild fish is any naturally spawned fish in the taxonomic classes Agnatha," Chondrichthyes, and Osteichthyes, belonging to an indigenous population. By defmition, all wild fish are native, whereas hatchery fish are native only if they are indigenous to Oregon."

Under *Step 1: Identify Species Boundaries, Characteristics and Existing Statewide Status*, ODFW will "develop initial statewide recommendations for: 1) general species attributes defining sustainability, 2) general geographic boundaries of species management units across the state, and 3) a checklist to evaluate existing basin plans and management activities for appropriate conservation measures". This is an ENORMOUS task. The State has previously said that it could not complete a 5-yr review of status and trends of all native species. How can it take on this larger task if it cannot complete a simpler task? A review of the status and trends of all species should be completed first prior to implementing this conservation policy.

An additional concern is the NFCP's dependence on Science Teams. Under *Step 2: Determining Desired and Existing Species Status: Identify Factors Separating Existing from Desired Status*, ODFW will invite tribal, federal, and state management partners to participate in collaborative scientific teams designated for each management unit. The document continues to describe what each Science Team will be expected to develop for each management unit. Each team will have a formidable task ahead of them. Given the number of possible management units, the number of experts available in the State, and the number of similar teams already in existence, it is difficult to see how this can be accomplished by the State.

In *Step 5: Implement Long-term Monitoring and Evaluation Programs* ODFW will develop research projects to address information gaps and pursue funding from outside sources including Bonneville Power Administration, NMFS, USFWS, and OWEB. It appears that the only commitment to research is through OWEB, and that OWEB is becoming the sole mechanism for state funding in research on aquatic resources. This is an area the Team would like to address in more detail during our January 30 meeting.

The IMST has advocated (see IMST Technical Report 2001-1 on hatcheries) a strategic plan for Oregon's hatcheries that provide a master plan and the long-term direction for management of Oregon's salmonids and other native fishes. We believe that such as master should consider broad landscapes and encompass all basins within ecoregions. For example, some basins should be managed for minimal or no hatchery programs. Basins or watersheds that encompass the priority area designations that include expansion of Core Areas and Salmonid Diversity Watersheds (ODFW Measure IV .A.9 in the Steelhead Supplement) should have priority for conservation uses.

As it stands, the NFCP is more policy than guidelines. Reliable data are required by ODFW and the Commission in order to establish rules "defining sustainability with scientific criteria and standards" (both the "bar" and the "sideboards'). Without clear definition and explanation of these rules, local basin planning may not be compatible with the goals of the NFCP or the Oregon Plan.

We also believe that the NFCP should precede and have priority over the Hatchery Management Policy and Guidelines. Under Expected Outcomes in the NFCP, ODFW states that they will "optimize hatchery programs to enhance fisheries". The word

"optimize" is vague and can lead to continued practices that have been deleterious to wild fish but have increased or maintained harvest rates. We suggest that "optimize" be deleted and be replaced with "hatchery operations will be consistent with native fish management goals and objectives".

We also direct your attention to our letter to you of June 11, 2001 that identified challenges for implementing the NFCP previously noted by the IMST. We feel that habitat management requiring the cooperation and collaboration among federal, state, and tribal co-managers is still not adequately addressed in the NFCP and will be critical for the Policy's long-term success. We also stressed the importance of a new status review of wild freshwater and estuarine fish species in Oregon, and evaluation of the factors that may limit their sustainability of wild fish on a regional basis. In the letter we suggested that ODFW should take a lead role in implementing the policy--this is also true with regards to funding monitoring and research.

The document has several semantic issues that will make implementation more difficult. Several terms with closely related but different meanings are used throughout the document. In several places, it is difficult to know exactly what is meant. For example, "population aggregate", "gene conservation group", and "species management unit" are not clearly defined. The policy then talks about "basin management plans", which implies that the plans are for basins, not population aggregates or species management units that are the topic of the policy. It is not clear how existing basin management plans would be included or superceded by the spatial management boundaries identifies in this document.

The policy refers to risk assessments yet does not indicate how is " risk" determined and how it would be applied to all native species. Inherent in the concept of risk is the nature of outcomes for which risk is measured. What criteria or outcomes would be evaluated (e.g., extinction, decline, loss of harvest capacity)? The document does not identify the state entity that would establish the level of "acceptable risk" and does not describe how the risk assessment process would be established by the state. Risk assessment and application of the precautionary principle are important for the Native Fish Conservation Policy, but the guidelines do not provide enough information to understand how risk assessment will be used.

Please consider these as preliminary and general comments as you prepare to take the policy to the Commission in February. The IMST looks forward to discussing both the draft Native Fish Conservation and Hatchery Management Policies with you and will provide a more detailed evaluation of the two at a later date.

Sincerely,
W. Pearcy and S. Gregory
IMST Co-Chairs