



March 21, 2022

Governor Jay Inslee
Office of the Governor
PO Box 40002
Olympia, WA 98504-0002

Dear Governor Inslee:

RE: Columbia River Non-Tribal Gillnet License Buyback, ESSB 5693 Section 308(65)

We are writing in strong support of the voluntary buyback program for Columbia River non-tribal gillnet licenses found in Section 308(65) of the Legislature's proposed 2022 Supplemental Operating Budget for the Washington Department of Fish and Wildlife (WDFW). This voluntary buyback builds on the proposal in your 2022 supplemental budget request -- which was just one part of a historic investment in salmon recovery -- and fulfills a long-overdue component of bi-state reform efforts to improve the management and conservation of Columbia River non-tribal salmon and steelhead fisheries. We greatly appreciate your leadership and ask for your continued support.

The \$14.4 million non-tribal buyback proposal reflects a thoughtful approach that incentivizes voluntary participation while ensuring the buyback benefits the conservation and recovery of wild and endangered salmon populations, carefully navigates the legal complexities of managing Columbia River fisheries, and incorporates guidance you have provided in past letters and through your proposed 2022 supplemental budget.

Focused on conservation. Section 308(65) builds on the buyback request included in your proposed 2022 supplemental operating budget by requiring that the reduced fishery mortalities associated with purchased gillnet licenses be reserved for conservation to benefit wild and Endangered Species Act (ESA)-listed salmon and steelhead populations through increased wild fish escapement or the mark-selective harvest of hatchery-reared salmon. This language is critical to establishing an intent for the buyback that is consistent with fishery reform efforts to improve the conservation of ESA-listed salmon and steelhead populations.

Provides a framework for successful implementation. Section 308(65) incorporates language in your proposed buyback establishing a five-year average of harvest for calculating the reduced harvest impacts associated with the buyback. This is important to establish a baseline for the gillnet fleet and provides accountability that the buyback will benefit conservation. Section 308(65) also incentivizes voluntary participation by providing a higher buyback amount for licenses purchased prior to November 20, 2022 and signaling legislative intent.

Requires compliance with state-tribal fishing agreements, tribal treaty rights. Section 308(65) also includes language requiring that any changes to non-tribal fisheries resulting from the buyback be made consistent with state-tribal fishery agreements, which would include the *U.S. v. Oregon* Management Agreement. The voluntary, non-tribal buyback will have no impact on tribal treaty rights or apply to tribal fisheries. It is also important to note that a non-tribal gillnet buyback was identified as a key action in Columbia River fishery policies adopted by the

Fish and Wildlife Commission in 2013, 2017, and again in 2020. Columbia River Treaty Tribes provided input on these past policy decisions. Claims that the buyback will result in increased tribal harvest levels through “forgone opportunity” fail to recognize that the five-year baseline results in conservation savings for stocks where this is unlikely to be an issue (lower Columbia River fall Chinook and Coho and B-run steelhead).

Years in the making. Section 308(65) is the culmination of years of effort to advance a voluntary gillnet buyback, including differing proposals unsuccessfully advanced by WDFW and the Legislature in 2020 and 2021. We believe the proviso language included in the final supplemental operating budget considers the lessons learned from these past efforts, incorporates important guidance provided by you Governor, and likely represents the last chance to advance this important fishery reform issue.

Finally, while Section 308(65) does not require the Fish and Wildlife Commission to abandon its controversial policy (C-3630) to undermine the bi-state limitations on mainstem non-tribal gillnetting in place since 2017, it will go a long way towards restoring and maintaining concurrent management of Columbia River fisheries with the State of Oregon under the Columbia River Compact -- an interstate compact dating back to 1915.

Again, we appreciate your leadership and support for the conservation and recovery of Washington’s iconic wild salmon and steelhead. We ask for your continued support for a voluntary buyback of non-tribal Columbia River gillnet licenses.

Sincerely Yours,

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