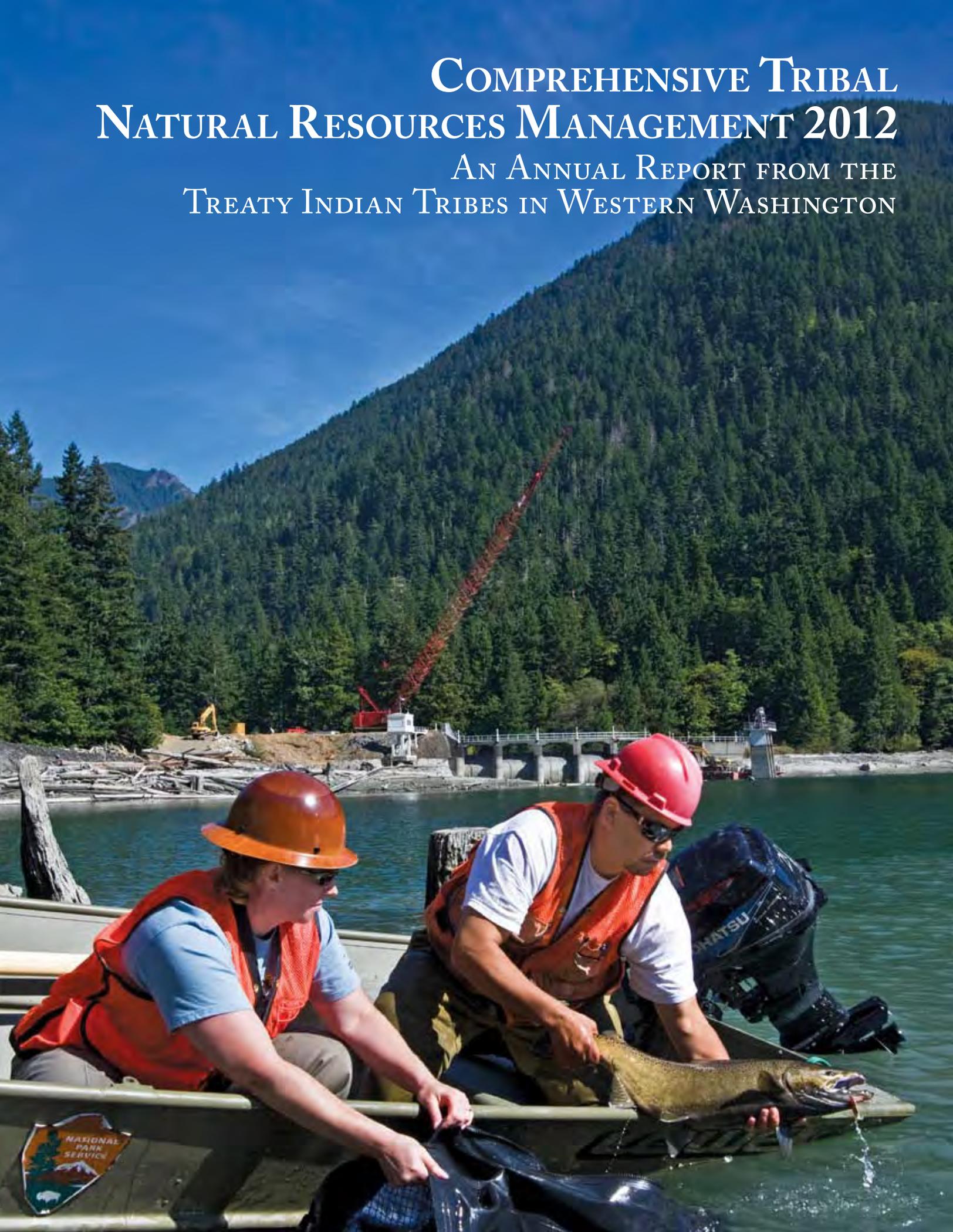


COMPREHENSIVE TRIBAL NATURAL RESOURCES MANAGEMENT 2012

AN ANNUAL REPORT FROM THE
TREATY INDIAN TRIBES IN WESTERN WASHINGTON



Treaty Indian Tribes in Western Washington



On the cover: NOAA Fisheries research biologist Kinsey Frick and Lower Elwha Klallam Tribe project biologist Ray Moses release a chinook salmon into the upper Elwha River. Two fish-blocking dams have prevented salmon from migrating up the river for nearly a century. Dam removal efforts began September 2011 and are expected to continue through 2014. It is the largest dam removal project in the country. *Photo: Debbie Preston. Map: Ron McFarlane.*

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FROM THE CHAIRMAN



NWIFC Chairman
Billy Frank Jr.

We are the salmon people. We are the treaty Indian tribes in western Washington and we have lived here for many thousands of years. We depend on natural resources to sustain our cultures, economies and communities.

For more than 150 years, we have fought countless battles to protect the salmon and our rights to harvest them, rights that we reserved in treaties with the United States. We believe that we have a sacred covenant to protect, preserve and enhance our precious natural resources for generations to come.

As co-managers, our fight continues every day in every watershed as we struggle to address the effects of development, water use, pollution and many other threats.

Our treaties reserved our right to harvest fish, not just the right to put our nets in the water. Despite massive harvest reductions and careful use of hatcheries, the salmon continue to decline because of lost and damaged habitat. As a result, our treaty rights are threatened as never before. We are left with few avenues, outside the courts, to protect them.

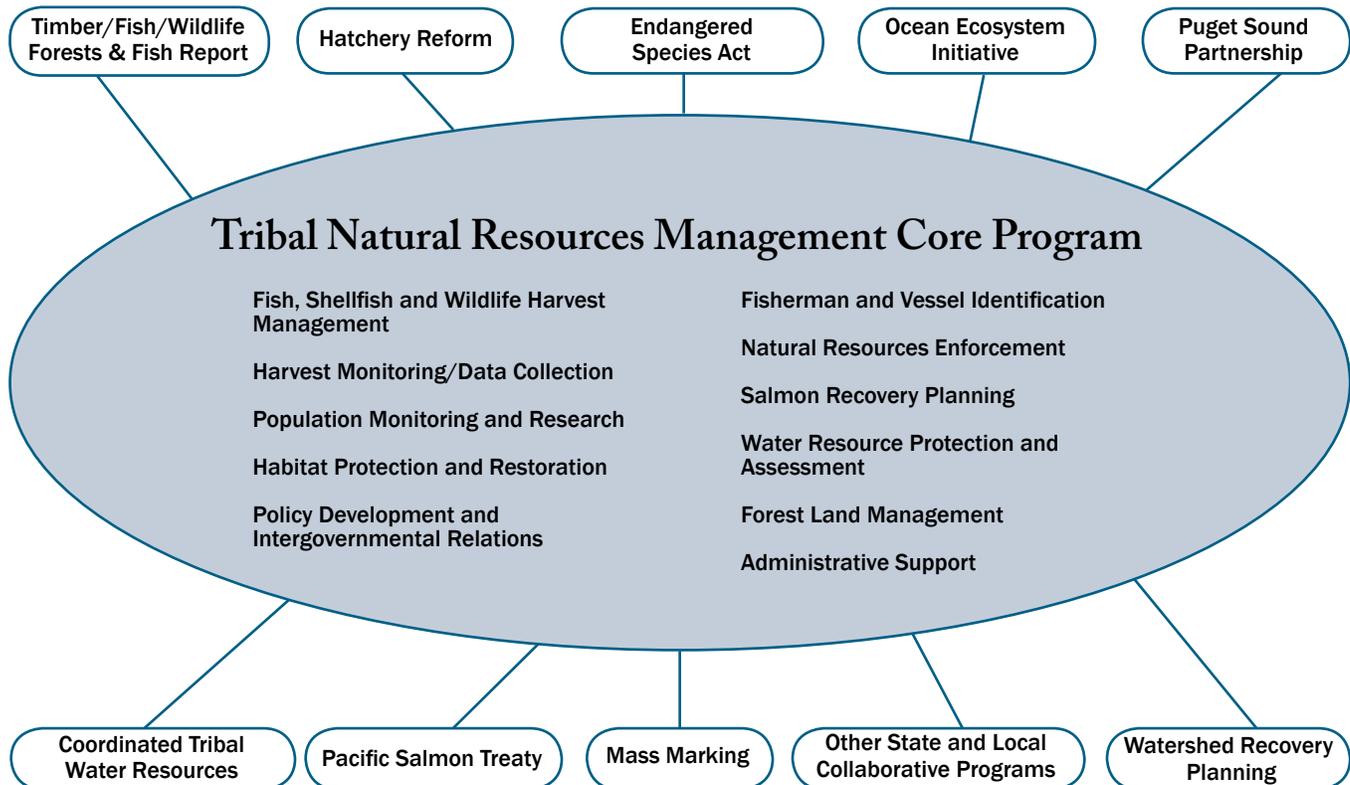
We believe that salmon recovery begins and ends with good salmon habitat. Harvest restrictions and hatchery production can never make up for the loss of natural salmon production caused by lost and damaged salmon habitat in western Washington.

That's why we are moving aggressively to:

- ◆ Protect and restore critical salmon habitat;
- ◆ Demand better coordination of habitat management and other salmon recovery efforts; and
- ◆ Forge partnerships by promoting collaboration wherever possible.

We have one goal and one standard for salmon recovery: return all wild salmon populations to sustainable levels that can again support harvest.

We are a fishing people. We need healthy salmon runs and other natural resources so we can continue to live as we have for thousands of years. This is our home. We want to keep it a good place to live for everyone.



YEAR IN REVIEW

Treaty rights were threatened by ongoing habitat loss, a state budget crisis worsened and climate change affected tribal cultures in western Washington in 2011. A bright spot on the horizon was the beginning of the removal of two fish-blocking dams on the Elwha River, one of the largest habitat restoration projects ever undertaken in the Pacific Northwest. Despite massive efforts such as this, we continue to lose salmon habitat faster than it can be restored. A net gain of good salmon habitat must be achieved if salmon recovery efforts are to be successful.



Kari Neumeier (2)

Upper Skagit tribal member Larry Peterson harvests coho salmon in the Skagit River during a fall fishery.



Swinomish tribal members Clay Day, left, Hawk Wilbur and Joe McDonald prepare to release the remains of a wild Skagit River chinook during the tribe's annual Blessing of the Fleet and First Salmon Ceremony.

Treaty Rights at Risk

The treaty Indian tribes in western Washington found themselves at a legal and biological crossroads in 2011 as they continued efforts to recover salmon and preserve their cultures, treaty rights, spirituality and economies. Tribal treaty fishing rights have become almost meaningless because the salmon are disappearing. The main cause is that federal and state governments are allowing salmon habitat to be damaged and destroyed faster than it can be restored.

Salmon recovery is failing despite millions of dollars and decades of focused, cooperative work. While progress has been made in some areas, the overall quality and quantity of salmon habitat continues to decline. Four species of salmon in western Washington are listed as threatened under the Endangered Species Act, some for more than a decade. It is clear by every measurement that we are steadily losing habitat throughout the region, and the trend shows no sign of improvement.

Leadership, commitment and coordination toward a set of salmon recovery goals are essential if we are going to recover salmon.

The tribes have called on the federal government to fulfill its trust responsibility by:

- ◆ Holding the degradation of habitat to the same standard applied to tribal harvest;
- ◆ Beginning to protect treaty-reserved rights by better protecting habitat; and
- ◆ Providing direction and oversight to ensure alignment and harmonization of federal programs with salmon recovery efforts.

In failing to protect salmon habitat, the U.S. government is failing in its trust responsibility to honor its treaties with the tribes. For our treaties to have meaning, we must have salmon to harvest.

To learn more about this issue and what the tribes are doing about it, visit the Northwest Indian Fisheries Commission's Web site, nwifc.org/treatyrightsatrisk.

Elwha Dams Removal Begins

Due to the persistence of the Lower Elwha Klallam Tribe, two 100-year-old dams built without fish ladders on the Elwha River are being torn down in the largest dam removal project to date in the United States.

The two privately built dams blocked salmon from all but the lower 5 miles of the Elwha River. Before the dams were built, the river was famous for producing chinook salmon as large as 100 pounds, as well as strong runs of coho and other salmon. The dams drastically reduced the fisheries of the Lower Elwha Klallam Tribe, denying treaty-reserved fishing rights.

Decades of work by the tribe and others led to the Elwha River Restoration Act in 1992, which led to the federal government acquiring the dams and authorizing funds for their removal. In September 2011, the tribe's dream became a reality with the start of demolition work on the 210-foot Glines Canyon Dam and the 108-foot Elwha Dam. The project is expected to cost an estimated \$350 million.

The removal efforts will result in a free-flowing Elwha River and open more than 70 miles of high-quality salmon habitat in the upper reaches of the river, which are protected in Olympic National Park.

Tiffany Royal



Lower Elwha Klallam Tribe project biologist Ray Moses releases a coho into the Elwha River.



Debbie Preston

Lower Elwha Klallam singers and dancers pass some time before the Elwha River dam removal ceremony with the river behind them.

State Budget Crisis Worsens

The state of Washington's budget crisis continued to worsen in 2011. The deficit stands at about \$1.4 billion and could climb higher, budget analysts warn. Hatchery closures are anticipated, along with large reductions in enforcement, habitat protection and many other basic fish and wildlife management functions.

State spending on natural resources already has declined sharply in recent decades. As the budget situation worsens, tribes are concerned that the state will be unable to fulfill its role as natural resources co-manager with the tribes.

Climate Change

The earth's changing climate is a pressing issue for indigenous cultures around the world. In the Pacific Northwest, glaciers are disappearing as temperatures increase, reducing stream flows critical to salmon survival. In the ocean, dead zones of low oxygen are becoming more frequent and widespread, killing many types of marine life. Ocean acidification is increasing rapidly as our seas absorb growing levels of carbon dioxide from pollution.

Coastal treaty Indian tribes will host a climate change symposium July 17-20, 2012 in Washington, D.C. The symposium will bring together hundreds of leaders, tribal elders, scientists and others from around the nation to discuss traditional tribal ecological knowledge and what it can teach about past, present and future adaptation to climate change. The symposium seeks to identify ways indigenous cultures may increase their resilience and adaptability to climate change and incorporate indigenous ecological knowledge into U.S. climate change science, policy making and governance.

Integration of habitat, harvest and hatcheries (the three H's) at the watershed level is the key to salmon recovery. These efforts must be coordinated and based on sound science. As co-managers, treaty tribes have worked with the state for decades to consider the needs of both people and fish in refining fishery and hatchery practices to ensure that they contribute to salmon recovery. To make the most of these efforts, a similar commitment to habitat protection, restoration and recovery is absolutely essential if the tribes and the state are to succeed in recovering the salmon.



Emmett O'Connell

Nisqually tribal members Rachel Simons and Eddie Vilegas plant willow stakes along Ohop Creek.

SALMON HABITAT MANAGEMENT

The key to sustaining strong salmon populations is habitat restoration and protection.

Salmon habitat has degraded steadily for the past 150 years as the non-Indian population in western Washington has increased. Forests have been cleared, fish passage blocked by dams and culverts, and the entire region crisscrossed with roads. The tribes believe watershed- and stock-specific limiting factors must be addressed to restore and improve the productivity of naturally spawning salmon.

The treaty Indian tribes are working hard to restore some of that lost habitat, including building engineered logjams to return natural processes to rivers and streams and help form new spawning and rearing habitat.

Tribes extensively monitor water quality for pollution and to ensure factors such as dissolved oxygen levels are adequate for salmon and other fish. Tribes also collaborate with property owners to improve salmon-bearing stream habitat.

To make limited federal funding work to its fullest, the tribes partner with state agencies, environmental groups, industries and others through collaborative habitat protection, restoration and enhancement efforts.

Cooperation has been the key-stone of natural resources co-

management in western Washington for decades. Nowhere is the need for cooperation greater than in habitat restoration and protection, because of the enormity of the task.

The Salmon and Steelhead Habitat Inventory and Assessment Program (SSHIAP) began in 1995 as a partnership with the state to provide a "living database" for local and regional habitat analyses. The program documents and quantifies past and current habitat conditions, assesses the effect of habitat loss and degradation on salmon and steelhead stocks, and assists in development of strategies to protect and restore salmon habitat.

The federal government has aided tribes in their salmon recovery efforts through the Pacific Coastal Salmon Recovery Fund (PCSRF). These monies support projects that make significant contributions to the recovery of wild salmon throughout the region. In western Washington alone, the PCSRF has helped restore thousands of acres of forest, protect hundreds of acres of habitat and remove more than 100 fish passage barriers. PCSRF funding for most of these projects goes further because tribes leverage the funding through cooperation with local governments, conservation groups and others.

Habitat provides jobs

Salmon always have been an important part of the Nisqually Tribe's economy. Every year tribal fishermen help make ends meet by selling a portion of their catch.

For the past five years, some tribal members have made a living not only from harvesting salmon, but from restoring salmon habitat. The Nisqually Tribe employs a handful of tribal members on a planting crew that brings salmon habitat back to life.

"Our jobs are to plant the trees and the shrubs that allow the salmon to thrive," said Sam Stepetin, a member of the tribe's planting crew.

"This will ultimately impact the fishermen that catch the fish. We get paid to restore habitat, which helps our families, and it goes on down the line," Stepetin said. "Our work eventually leads to more fish for fishermen."

The tribe is the lead entity in a salmon recovery effort that includes other local governments and non-profit organizations.

"The tribe has led the way in some of the most successful salmon restoration efforts of the past 10 years," said Georgiana Kautz, the tribe's natural resources manager. "Because they ensure the long-term success of habitat restoration, the planting crew has been the backbone of those salmon restoration efforts."

Almost every habitat restoration project – from opening more than 800 acres of estuary to new logjams on an important tributary to the Nisqually – has some element of planting and plant care. Over the lifetime of the crew, they've planted more than 200,000 trees and shrubs. In 2011, the planting crew:

- ◆ Restored 49 acres with native plants;
- ◆ Planted more than 37,000 plants along Tanwax and Ohop creeks and the Mashel River; and
- ◆ Maintained more than 100 acres of plantings.

The planting crew's work directly impacts the natural salmon productivity of the watershed.

"If salmon don't have the trees and shrubs they need, where are they going to go?" Stepetin said. "They aren't going to have any food when they get back."

The outdoor work in all weather – from plant care in 116-degree temperatures to planting next to a frozen creek – is rewarding.

"Compared what I've done in the past, and what I'm doing now, I wouldn't trade this job for anything in the world," Stepetin said. "I love it."

SALMON HARVEST MANAGEMENT

Kari Neumeier



Lummi Nation purse seiner *Oceanaire* harvests sockeye during the 2011 fishery.

Fishermen learn skills to stay in industry

Keeping fishermen on the water exercising their treaty-reserved right to harvest salmon is a constant struggle in an era of lost and degraded salmon populations. Even in good years, when salmon are abundant, tribes can't take full advantage of the run because their fleets have diminished after years of poor fishing. The commercial fishermen who do manage to support themselves during part of the year might have no income at all after the season ends.

In 2011, the Lummi Fishers Project helped tribal members develop skills and business plans that allow them to remain in the fishing industry and still earn a living.

"We're not training them out of the industry," said Elden Hillaire, chairman of the Lummi Nation Fisheries Commission. "Our fishermen are always going to be fishermen."

With the help of a \$3.4 million U.S. Department of Labor grant, Lummi Fishers worked individually with commercial fishermen to match them with training and careers that are linked to their existing skills. For example, some tribal members trained at Skagit Valley College's Marine Manufacturing and Technology Center to get certified in all phases of boat building.

"A lot of our guys are interested in boat building," said Kathy Pierre, project director for Lummi Fishers. "That's the skill set they already have, but they just might not be certified. Gaining the certification opens up a whole set of doors to other jobs."

Others have been trained to participate in the commercial squid, sardine and herring industries in Alaska, California and Oregon. They've acquired new skills such as hanging different nets, working with hydraulics and repairing boats.

Because Lummi Fishers keeps tribal members in the fishing industry, they should be able to take advantage of future harvest opportunities. A historic run of Fraser River sockeye salmon in 2010 was more than the tribal fishing fleets could handle, because after almost 20 years of little to no fishing, many of the large purse seine vessels had fallen out of service. They were replaced by smaller gillnet boats, which were easier to run during low return years.

Conservation comes first.

More than 30 years ago, state and tribal salmon co-managers began sharply reducing harvest in response to declining wild salmon runs. Today's harvest levels are only 80-90 percent of those in 1985.

Under *U.S. v. Washington* (the Boldt decision), harvest can be shared only after sufficient fish are available to sustain the resource. Harvest management must be comprehensive and coordinated to limit mortality of weak wild stocks throughout their migratory range. While ensuring conservation, harvest management enables appropriate harvest of healthy stocks.

Harvest management must be based on the best available science and includes evaluating the status of stocks and impacts of fisheries, while helping inform future decisions.

Treaty Indian tribes and the Washington Department of Fish and Wildlife co-manage salmon fisheries in Puget Sound, the Strait of Juan de Fuca and nearshore coastal waters.

Tribal and state managers work cooperatively through the Pacific Fishery Management Council (PFMC) and the North of Falcon process to develop fishing seasons that protect weak salmon stocks. Tribal and state co-managers also work with Canadian and Alaskan fisheries managers through the U.S./Canada Pacific Salmon Treaty (PST).

The PFMC is a public forum established by the federal government that

develops a comprehensive ocean fisheries plan. While the PFMC is planning coastwide ocean fisheries, treaty tribes and the states of Oregon and Washington are outlining inshore and coastal fisheries. This North of Falcon process is named for the geographic region it covers – north of Cape Falcon, Ore., to the Canadian border.

The PST was created in 1985 to coordinate fisheries between tribes, state governments, and the U.S. and Canadian governments. The Pacific Salmon Commission implements the treaty and establishes fishery regimes, assesses each country's performance and compliance with the treaty, and is a forum for fisheries issues. Fisheries annexes contained in the treaty have been periodically updated.

All proposed fisheries must comply with requirements of the federal Endangered Species Act (ESA) to ensure protection of listed stocks. In western Washington, Puget Sound chinook and steelhead, Hood Canal summer chum and Lake Ozette sockeye are listed as "threatened" under the ESA.

The Treaty Indian Fishery Catch Monitoring Program is a key part of tribal harvest management. Managed by the Northwest Indian Fisheries Commission, the program provides accurate, same-day catch statistics for treaty Indian fisheries in the *U.S. v. Washington* case area. The program enables close monitoring of tribal harvest levels and allows in-season adjustments.

SALMON HATCHERY MANAGEMENT

More than 100 salmon enhancement facilities operate in western Washington, managed by treaty tribes, the state Department of Fish and Wildlife, and the U.S. Fish and Wildlife Service. It is the largest salmon hatchery system in the world. More than 100 million salmon and steelhead are released annually from these hatcheries; more than 35 million of those by the tribes.

While tribal hatcheries have been producing fish for nearly 40 years, federal funding has not kept pace, threatening the tribes' ability to implement vital hatchery reform projects and produce hatchery salmon for harvest. At the same time, budget pressures have resulted in cuts in state hatchery production, leaving tribes as the only hatchery operators in some watersheds.

Hatcheries help meet treaty tribal harvest obligations when wild salmon stocks cannot sustain harvest. Hatchery-produced salmon relieve pressure on wild stocks. Tribal hatcheries also provide additional fish for harvest by non-Indian fishermen, and help build natural runs that are culturally and spiritually important to the tribes.

Some hatcheries support wild runs through broodstock programs where native fish are captured and spawned. Their progeny then are released to help support naturally spawning salmon runs.

The Tribal Fish Health Program operated by the Northwest Indian Fisheries Commission assists tribes in rearing and releasing healthy fish that will help sustain a tribal fishery or restore a wild population. The program provides services in preventive fish health care, disease diagnostics and treatment, and also provides training and educational opportunities for tribal hatchery staff.

Tribes conduct extensive "mass marking" and operate a research-based coded-wire tag program for hatchery salmon. Young salmon are marked by removing their fleshy adipose fins at the hatchery before release. Coded-wire tags are inserted into the noses of young salmon. When tagged salmon are harvested and sampled as adults, the tags provide important information about survival, migration and hatchery effectiveness. The tribes annually mass mark more than 18 million fish and insert coded-wire tags into nearly 4 million fish.



Tiffany Royal

Port Gamble S'Klallam natural resources technician Ben Ives Sr. adjusts a net on the tribe's net pen in Port Gamble Bay.

Net pen boosts harvest and economy

The Port Gamble S'Klallam Tribe's Little Boston hatchery and net pen operation have been around for more than 30 years, consistently providing coho and chum salmon for fishermen to harvest in Port Gamble Bay and Hood Canal.

The success of the small fisheries program is a testament to how hatcheries contribute to the local and regional economy. Tribal hatchery programs today are supporting almost all fisheries in western Washington. These fisheries are a source of subsistence for the tribe and create jobs for fishermen.

"The responsibility of this hatchery is to provide fish for tribal members to live on, both for subsistence and for selling to fish buyers," said Tim Seachord, the Port Gamble S'Klallam Tribe's hatchery manager. "A lot of people don't have jobs and the tribe puts out fish for them to catch and make a living. Hatcheries today are more viable than ever because a lot of these native stocks

are dwindling. Hatcheries help subsidize the runs, keeping fish out there for people to harvest."

The facility on Point Julia creates jobs for tribal members, including those who stopped fishing the past few years due to the economy.

In the 1970s and 1980s, Ben Ives Sr.'s primary career was working for the Pope and Talbot mill, but fishing supplemented his income and brought food home to his family.

Ives no longer fishes but is a hatchery technician at Little Boston, where he's still able to provide for his family, as well as pass down traditional methods to his children. His grandparents fished the rivers near Seabeck and taught Ives and his siblings how to preserve salmon.

"I still do that today, I smoke fish and can it," Ives said. "As long as I can remember, my family always used salmon to supplement their food supply through the winter."

During the past 30 years, the spirit of cooperation in western Washington has prospered between the co-managers of Washington's natural resources: the tribes and the state. The co-managers are active in a variety of collaborative conservation processes, including the Ocean Ecosystem Initiative, Puget Sound Partnership, Forest Management, and the Tribal Environmental Protection and Water Resources Program.



Debbie Preston

Quinault Indian Nation shellfish and marine biologist Scott Mazzone and Melissa Minder of the Multi-Agency Rocky Intertidal Network set up an intertidal survey plot on the tribe's reservation north of Taholah.

Ocean Ecosystem Initiative

Coastal treaty Indian tribes always have relied on the ocean's resources. Salmon, groundfish, whales, clams and crab are central to tribal cultures. The treaty Indian tribes believe that these and all natural resources are connected. Only a holistic ecosystem management approach can meet the needs of those resources and the people who depend upon them.

The state of Washington, Hoh Indian Tribe, Makah Tribe, Quileute Tribe and the Quinault Indian Nation are working with the National Oceanic and Atmospheric Administration to integrate common research goals to understand changing ocean conditions and create the building blocks for managing these resources. The tribes and state support ocean monitoring and research

leading to ecosystem-based management of fishery resources.

Effective management of the ocean ecosystem requires development of baseline information against which changes can be measured. Achieving research goals will mean utilizing, expanding on and collaborating with existing physical and biological databases.

In recognition of the challenges facing the Olympic coast ecosystem, tribes and the state established the Intergovernmental Policy Council to guide management of Olympic Coast National Marine Sanctuary.

The tribes and the state already have developed ocean research and planning goals, many of which mirror the recommendations of the U.S. Ocean Policy.

Fishermen active in setting policies for resources



Debbie Preston

Quileute fisherman Lonnie Foster stresses the importance of having tribal members involved in management decisions.

The coastal treaty tribes apply traditional values and knowledge to ocean management and research to protect and enhance the treaty-reserved resources that always have sustained their culture and economy.

Lonnie Foster, Quileute fisherman, tribal council member and fish policy representative, has worked on an ocean fishing boat since he was a young boy. As a fisherman and policy representative, Foster knows the importance of protecting treaty fishing rights.

"If we aren't at the meetings, somebody else makes decisions without us," Foster said.

Coastal tribes are involved in a myriad of scientific com-

mittees and are participating in research that looks at everything from the effects of climate change on ocean resources to national efforts to improve ocean data gathering.

"It's important we stay on top of many of these scientific committees," said Andrew Mail, Quinault Indian Nation vice chairman and fisherman.

"The ocean was put here by the Creator to take care of us," Mail said. "Ocean resources are one of the main contributors to our tribal economy and the economies of surrounding communities. We manage conservatively to make sure those resources will always be there for us."

Puget Sound Partnership

The treaty Indian tribes have a high standard for the recovery of Puget Sound – they want it clean enough so they can harvest and eat fish and shellfish every day. That’s why the tribes are active participants in the Puget Sound Partnership (PSP), created by Gov. Chris Gregoire in 2005 with the aim of recovering the sound’s health by 2020. Tribal involvement in the PSP is vital to its success.

Tribes helped develop the PSP Action Agenda in 2008 to serve as a guide to Puget Sound restoration and protection efforts. The Action Agenda provides a strategy for tackling threats to the waters in and around Puget Sound. Goals include: protecting remaining habitat, restoring damaged and polluted sites, stopping water pollution at its source, and

coordinating all protection, restoration and cleanup efforts.

The PSP also serves as the regional coordinating body for implementation of the Puget Sound Salmon Recovery Plan. On a regional scale, an overarching set of priorities, strategies, and actions help direct salmon recovery. In addition, representatives from each of the 14 watershed areas covered in the plan also meet as a regional body to guide plan implementation.

In 2011, tribes worked with the PSP to develop 20 specific targets and indicators to gauge the health of Puget Sound and track progress of the initiative. They include factors ranging from marine water quality and the abundance of fish and wildlife to a Puget Sound quality of life index.



Tiffany Royal (2)

Skokomish Tribe natural resources staff beach seine the Skokomish tidelands to check for marine life.

Tidelands, fish habitat restored

The Skokomish Tribe works to preserve its small reservation in southern Hood Canal. This area always has been the tribe’s home, providing tribal members with a rich history of culture, food and jobs for generations.

“The tribe is wholly devoted to restoring the Skokomish watershed and its resources – not just for the next five years, not just for another 40 years but forever,” said Joseph Pavel, the tribe’s natural resources director. “We must continue to heal the environment that we depend upon for survival. The health and well-being of the Skokomish watershed is vital to the tribe’s culture, traditions, subsistence and economy.”

To ensure a healthy future, the tribe has been working with the Puget Sound Partnership (PSP) to restore a significant portion of the reservation – nearly 400 acres of tidelands. It is one of the largest restoration projects in Puget Sound.

The estuary was once a source of fish, shellfish and traditional plants for the tribe before it was converted into farmland in the 1930s. In 2007 and 2010, with the help of PSP funding, the tribe started restoring the tidelands to their natural state. The tribe also is monitoring the tidelands to check for salmon using the new habitat, as well as a resurgence of native plants.

Forest Management



Squamish forestry manager David Mills marks a timber stand boundary.

Treaty tribes in western Washington manage their forestlands in ways that benefit people, fish, wildlife and water. Healthy forests support healthy streams for salmon and enable wildlife to thrive. Forests are also a source of food, medicine and materials for cultural items. Tribes that harvest timber on their reservations have extensive reforestation programs to ensure trees for the future.

On reservation lands in recent years, tribes thinned forests, planted seedlings and

enhanced meadows to provide better habitat for wildlife such as elk, deer and bear. Areas that were once lacking wildlife now support healthy populations.

Tribes manage their forests through the Timber/Fish/Wildlife (TFW) Agreement and the Forests and Fish Report (FFR).

The TFW Agreement is an adaptive management process that encourages evaluation and modification to better protect natural resources and improve forest practices. In 1996, TFW participants came together to update forest practices in the FFR, which was completed in April 1999 and adopted by the state Legislature.

TFW and FFR have brought together tribes, state and federal agencies, environmental groups and private forest landowners in a process to protect salmon, wildlife and other species while providing for the economic health of the timber industry.

A tribal representative serves on the state’s Forest Practices Board, which sets standards for activities such as timber harvests, road construction, and forest chemical applications. Tribes also are active participants in the FFR Cooperative Monitoring, Evaluation and Research (CMER) Committee.

Forest plan protects resources

Squamish tribal member David Mills has been his tribe’s forestry manager since 1999, overseeing hundreds of acres of timber, managing the tribe’s reservation forestlands, and fulfilling a desire for a lifelong career in natural resources management.

Mills updates and implements the tribe’s forestry plan and works with landowners to responsibly manage timber. Money from timber sales benefits tribal landowners and helps support the tribal forestry program.

Mills believes that managing forests is an important part of supporting tribal treaty rights and culture. As a young man, he watched his great-grandmother Cecelia Jackson weave traditional baskets.

“Through forest management, we’re protecting the resources, wildlife, streams and wetlands,” Mills said. “By having good clean water for our salmon and trout, plus keeping the estuaries and beaches clean, it helps protect the salmon, which is one of the most important jobs of the tribe.”

Tribal Environmental Protection and Water Resources Program

Water Quality and Quantity

Tribal treaty resources continue to be threatened by declining water quality and quantity. In western Washington, climatic changes and urban development are having profound effects on water resources and aquatic ecosystems. This situation will worsen with an expected doubling of the population in the Puget Sound region during the next 20 years.

Goals of tribal water resources programs include establishing instream flows to sustain viable and harvestable populations of fish, identifying limiting factors for salmon recovery, protecting existing ground and surface water supplies, and participating in federal, state and local planning processes for water quantity and quality management.

Tribes are supporting the state's effort to update its default fish consumption rate. Fish consumption rates are used to determine water quality standards to protect people from health effects from toxic substances in fish. Current state water quality standards are based on a seafood consumption rate of 6.5 grams of fish a day.

Fish consumption studies of Northwest Indian tribes and Asian and Pacific Islanders reported consumption rates ranging from 100 to nearly 500 grams of fish per day. Non-Indian citizens also eat more than 6.5 grams a day, making this an important human health issue for all residents. Member tribes of the Northwest Indian Fisheries Commission are encouraging the state of Washington to adopt a more protective fish consumption rate in their water quality standards.

Also in 2011, tribes continued to operate the NWIFC Water Quality Exchange Network, which stores, shares, manages and analyzes tribal data.

For nearly 20 years, tribes have partnered with the

U.S. Geological Survey. It is the pre-eminent authority among governments for water resources, providing valuable expertise, oversight and guidance to the tribal effort toward data collection and resource management.

EPA Partnership

Twenty years ago, Pacific Northwest tribes partnered with the federal Environmental Protection Agency (EPA) to address water quality issues under the Clean Water Act. The unprecedented relationship, called the Coordinated Tribal Water Quality Program, has improved tribal water quality management and protection of tribal lands and treaty-reserved resources.

Partnerships between the EPA and individual tribes have energized and focused meaningful environmental protection activities in watersheds throughout the region and enabled the leveraging and partnering of county, state and federal funds.

EPA's General Assistance Program (GAP) was established to build capacity for environmental protection programs at every federally recognized tribe in the country. Many tribes have successfully built basic operational capacity with GAP funds and are ready to move to the next step of implementing those environmental programs.

The tribes have proposed a pilot project, called "Beyond GAP," to build on the investments of the past 20 years by implementing environmental programs locally, while providing leadership in shaping the next steps in EPA's Indian Program development nationally.

Bait fishery keeps tribes digging

In spring 2011, the Swinomish Tribe held its first bait fishery to allow tribal members to continue to exercise their treaty rights even though water pollution has taken away the ability to eat one of their traditional foods.

Tribal members harvested clams by Monroe Landing on Whidbey Island, near a sewage outfall. While not safe for human consumption, the shellfish can be used for crab bait. Any trace of bacteria ingested by crab is destroyed when it is cooked.

"We've lost so much of our traditional gathering areas to development and

habitat degradation," said Swinomish fisheries manager Lorraine Loomis. "We wanted to provide a harvest opportunity for fishermen who don't have boats."

At the end of each day of the bait fishery, tribal diggers brought their harvest to shellfish biologist Julie Barber and fisheries technician Dora Finkbonner, who dunked the bags of butter clams and cockles in blue dye, like Easter eggs. The blue dye is required by the state Department of Health to let buyers know that the clams are not for human consumption.



Kari Neumeyer

Swinomish fisheries technician Dora Finkbonner dyes clams blue so buyers know they are to be used as bait and are not for human consumption.

WILDLIFE MANAGEMENT

The treaty Indian tribes are co-managers of wildlife resources in western Washington. Species such as deer, elk, bear and mountain goats always have been important to the tribes both culturally and as a source of food.

Western Washington treaty tribal hunters account for a very small portion of the total combined deer and elk harvest in the state.

According to statistics for 2010-2011, treaty tribal hunters harvested 393 elk and 696 deer, while non-Indian hunters harvested 7,060 elk and 33,391 deer.

Tribal hunters do not hunt for sport and most do not hunt only for themselves. Tribal culture in western Washington is based on extended family relationships. A tribal hunter usually shares his game with several families. In some cases, tribes may designate a hunter to harvest one or more animals for elders or families that are unable to hunt. All tribes prohibit hunting for commercial purposes.

As a sovereign government, each treaty tribe develops its own hunting regulations and ordinances for tribal members. Tribes set seasons based on the ability of the resource to support harvest. Before opening an area to hunting, many tribes share their regulations with the state Department of Fish and Wildlife for review and comment. Tribes also share their harvest data with the agency.

Each tribe maintains an enforcement program to ensure compliance with tribal regulations. Tribal hunters are licensed by their tribes and must obtain tags for game animals they wish to hunt. Tribal members found in violation of tribal hunting regulations must appear in tribal court. Penalties can include fines and loss of hunting privileges.

In most cases, tribal hunting regulations address the same harvest and safety concerns as state rules, such as prohibiting the carrying of loaded firearms in vehicles. Many tribes also conduct hunter education programs aimed at teaching tribal youth safe hunting practices and the cultural importance of wildlife to the tribe.



Debbie Preston

Makah tribal member Gary Ray has been a longtime participant on the tribe's hunting committee. Harvesting deer, elk and other wildlife is an important part of tribal culture.

Hunting nourishes families, culture

Implementing a wildlife management plan more than two decades ago has paid off for the Makah Tribe in the form of a comprehensive database that protects the tribe's treaty-reserved wildlife resources. Deer, elk and other wildlife always have been important to the tribe as a source of food and cultural items such as traditional regalia.

"It was especially important to manage the elk resource," said Gary Ray, a Makah tribal member and longtime participant on the tribe's hunting committee. "There are both tribal and non-tribal efforts off the reservation, so the data we provide is important to managing the hunting effort. We haven't had a cow harvest for a number of years, for instance, based on our inventory of the herds. As the inventory improves, we can look at the possibility of changing that regulation, but it's all based on the reliable research."

Ray is gratified to see his nephew, Jeremiah Johnson, working as a technician for the Makah Wildlife Division management team.

"The staff there are doing groundbreaking work. We can co-manage with the state because we're on top of the resources in our traditional hunting grounds," Ray said.

Those traditional hunting grounds include thousands of acres of forestlands lying outside the tribe's remote reservation on Neah Bay, where employment opportunities are

scarce and fish and wildlife provide an important source of nutrition to tribal members. The tribe's treaty rights and co-management responsibilities play an important role in the health of the tribe and the wildlife resources in western Washington.

When Quileute tribal member Tony Foster thinks of the treaty hunting right, he considers the importance of wildlife in cultural ceremonies and helping youth learn the ways of the ancestors. Foster is also director of Quileute Natural Resources Law Enforcement and a member of tribal council.

"When my kids and I go hunting, we share with our families and extended families. It gives them traditional food," Foster said. "We utilize these foods for our ceremonies and potlatches."

The tribe offers a hunter safety course for young people so they can learn about the treaty right, the rules and regulations and how to take care of their animal, he said.

"When they bring that first animal home, they can have pride in their success. They are contributing to their family and that builds confidence and self-esteem," Foster said. "There is a misconception about tribal hunters being able to hunt everything all the time and harvest as many as we want. I take time to let people know our regulations – that we are managing wildlife for our grandchildren and their children."

SHELLFISH MANAGEMENT

Shellfish have been a mainstay of western Washington Indian tribes for thousands of years and remain important today for economic, subsistence and ceremonial purposes.

As co-managers of the shellfish resource, each treaty Indian tribe maintains a shellfish program and manages its shellfish harvest cooperatively with other tribes and the state through resource-sharing agreements.

Tribal shellfish enhancement results in higher and more consistent harvest levels and benefits both tribal and non-Indian diggers. Tribes also conduct research on underutilized species, such as Olympia oysters and sea urchins, to develop better management systems and an understanding of the marine ecosystem.

Tribes have two distinct types of shellfish harvest – commercial and ceremonial/subsistence. Shellfish harvested during a commercial fishery are sold to licensed shellfish buyers who either sell directly to the public or to other distributors. Along with state co-managers, tribes closely monitor beaches to make sure harvested shellfish are safe to eat.

Treaty tribes in western Washington commercially harvest manila, native little-neck and geoduck clams, oysters, crab and shrimp throughout Washington coastal areas and Puget Sound.

Ceremonial and subsistence harvests of shellfish, which have a central role in tribal gatherings and daily nutrition, are for tribal use only.



Kari Neumeyer (2)

Upper Skagit natural resources technician Tim Shelton harvests oysters in Samish Bay.

Shellfish program provides food, jobs

The Upper Skagit Tribe is cultivating shellfish beds in Samish Bay to meet ceremonial needs, with the intention of expanding eventually into a multi-faceted shellfish growing operation that will provide jobs for tribal members.

“We want to develop these beaches to provide resources and jobs for tribal members,” said Scott Schuyler, Upper Skagit’s natural resources director. “Our goal is to have a self-sustaining operation within the next five to 10 years.”

Tribal natural resources staffers planted 20 acres with Pacific oysters and manila clams. The oysters are grown two ways: on long lines and in flip bags. Long lines are the more traditional way of growing oysters commercially. Oysters grow in large clusters on seeded “mother” shells strung between posts in the tidelands. Flip bags are a newer technology that produces a higher-value oyster. Seeds are placed in bags that tumble with the tides, breaking off the rough edges

of the shell. The result is a smoother shell, deeper cup and more consistent shape of the oyster.

“We’re experimenting with the flip bags and hope to branch out to grow other species, like geoducks,” Schuyler said. “I’m proud of how much progress we’ve made with the site.”

Oysters and clams from the tribe’s beds were served at the 2011 Upper Skagit Blessing of the Fleet. Future plans include developing a site near Larrabee State Park near the border between Skagit and Whatcom counties.

Shellfish harvest in Samish Bay frequently is closed because of potential fecal coliform pollution from stormwater runoff and nearby farms.

“Shellfish closures caused by water pollution violate our treaty right to gather shellfish,” Schuyler said. “These continual closures are an issue that needs to be seriously addressed at all levels of government.”



Spot prawns are one of several species of shellfish important to traditional tribal diets.

“We, the Indians of the Pacific Northwest, recognize that our fisheries are a basic and important natural resource and of vital concern to the Indians of this state, and that the conservation of this natural resource is dependent upon effective and progressive management. We further believe that by unity of action, we can best accomplish these things, not only for the benefit of our own people, but for all of the people of the Pacific Northwest.”

– Preamble to the NWIFC Constitution

The Northwest Indian Fisheries Commission was created in 1974 by the 20 treaty Indian tribes in western Washington that were parties to the *U.S. v. Washington* litigation that affirmed their treaty-reserved salmon harvest rights and established the tribes as natural resources co-managers with the state.

The NWIFC is an inter-tribal organization that assists member tribes with their natural resources co-management responsibilities. Member tribes select commissioners who develop policy and provide direction for the organization. The commission employs about 70 full-time em-

ployees and is headquartered in Olympia, Wash., with satellite offices in Forks, Kingston and Mount Vernon.

The NWIFC provides broad policy coordination as well as high-quality technical and support services for its member tribes in their efforts to co-manage the natural resources of western Washington. The NWIFC serves as a clearinghouse for information on natural resources management issues important to member tribes. The commission also acts as a forum for tribes to address issues of shared concern, and enables the tribes to speak with a unified voice.

NWIFC Activities

Fisheries Management

- ◆ Long-range planning, wild salmon recovery efforts and federal Endangered Species Act implementation.
- ◆ Annual fisheries planning: developing pre-season agreements; pre- and in-season run size forecasts; monitoring; and post-season fishery analysis and reporting.
- ◆ Marine fish management planning.
- ◆ Shellfish management planning.

Habitat Services

- ◆ Coordinating policy and technical discussion between tribes and federal, state and local governments, and other interested parties.
- ◆ Coordinating, representing and monitoring tribal interests in the Timber/Fish/Wildlife Forests and Fish Report process, Coordinated Tribal Water Resources and Ambient Monitoring programs, analyzing and distributing technical information on habitat-related forums, programs and processes.
- ◆ Implementing the Salmon and Steelhead Habitat Inventory and Assessment Project.

Quantitative Services

- ◆ Administering and coordinating the Treaty Indian Catch Monitoring Program.
- ◆ Providing statistical consulting services.
- ◆ Conducting data analysis of fisheries studies and developing study designs.
- ◆ Updating and evaluating fishery management statistical models and databases.

U.S./Canada Pacific Salmon Treaty

- ◆ Facilitating inter-tribal and inter-agency meetings, developing issue papers and negotiation options.
- ◆ Informing tribes and policy representatives on issues affected by the treaty implementation process.
- ◆ Serving on the pink, chum, coho, chinook, Fraser sockeye and data-sharing technical committees, as well as other work groups and panels.
- ◆ Coordinating tribal research and data-gathering activities associated with implementation of the Pacific Salmon Committee.

Enhancement Services

- ◆ Coordinating coded-wire tagging of more than 4 million fish at tribal hatcheries to provide information critical to fisheries management.
- ◆ Analyzing coded-wire data.
- ◆ Providing genetic, ecological and statistical consulting for tribal hatchery programs.
- ◆ Providing fish health services to tribal hatcheries in the areas of juvenile fish health monitoring, disease diagnosis, adult health inspection and vaccine production.

Information and Education Services

- ◆ Providing internal and external communication services to member tribes and NWIFC.
- ◆ Developing and distributing communication products such as news releases, newsletters, videos, photos and web-based content.
- ◆ Responding to public requests for information about the tribes and their tribal natural resources management activities.
- ◆ Working with state agencies, environmental organizations and others in cooperative communication efforts.



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