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A U.S. Supreme Court victory for tribes and treaty rights in the long-running culvert case was a highlight of 2018. The state of Washington must now repair hundreds of fish-blocking culverts under state roads in western Washington. The ruling will open hundreds of miles of stream habitat, resulting in hundreds of thousands more salmon available for harvest by everyone.

State and tribal salmon co-managers reached an agreement on a fisheries package this past spring for western Washington that will provide limited harvest while protecting weak salmon stocks. Indian and non-Indian fishermen put aside differences and pledged to work together to address habitat loss, seal and sea lion predation and the need for increased hatchery production. The Billy Frank Jr. Salmon Coalition was formed to facilitate this effort.

Tribal efforts to improve Washington’s water quality standards were dealt a blow when the U.S. Environmental Protection Agency agreed to reconsider the hard-fought improvements achieved two years ago. The agency bowed to demands from industry to re-examine the new rules because of claims of increased business costs.

Tribes ended 2018 on a positive note, releasing a tribal habitat strategy called gw∂dzadad (pronounced gwa-zah-did), which translates to “Teaching of our Ancestors” in the Lushootseed language.

Culvert Case

June 11, 2018 was a great day for salmon, tribes, treaty rights and everyone who lives in western Washington.

In a 4-4 ruling, the U.S. Supreme Court let stand a lower court decision requiring the state of Washington to repair hundreds of fish-blocking culverts that violate tribal treaty-reserved fishing rights.

The Supreme Court affirmed that treaty rights require fish to be available for harvest and that the state can’t needlessly block streams and destroy salmon runs.

The Supreme Court’s ruling shows that treaties are living documents, equally as valid today as the day they were signed. It was the eighth time that the state has gone all the way to the Supreme Court to avoid living up to the treaties’ promise, and the eighth time they have lost.

The U.S. government filed the case in 2001 on behalf of the 20 treaty tribes in western Washington and the Yakama Indian Nation in eastern Washington. Federal court Judge Ricardo Martinez ruled earlier in the case that the tribal treaty-reserved right to harvest salmon also includes the right to have those salmon protected so they are available for harvest.

The court gave the state Department of Transportation 17 years to reopen about 450 of its 800 most significant barrier culverts in western Washington. The salmon resource is priceless. Fixing culverts and doing the other work needed to save that resource will require significant investment, but will pay off for generations to come.

Tribes remain eager to continue our efforts with our co-managers and others to protect and restore the salmon resource for every Washingtonian.

Southern Resident Orcas

The Salish Sea’s southern resident killer whales declined in 2018 to a low of 74. Treaty tribes have been calling for years for bold actions to recover chinook salmon, the orcas’ preferred prey, including increased hatchery production, habitat restoration and protection, and determining predation impacts from seals and sea lions.

Tribes are participating in a statewide Southern Resident Killer Whale Task Force, which in November provided Gov. Jay Inslee with 36 recommendations to increase chinook abundance, decrease vessel disturbance, reduce water contamination, and ensure that orca recovery efforts receive enough support, funding and accountability.

The task force will continue to refine its recommendations in the coming year, with plans to evaluate progress in October 2019.

Atlantic Salmon

Escaped Atlantic salmon continued to be found in western Washington rivers more than eight months after a floating fish farm collapsed in northern Puget Sound in August 2017.

As a result of the Cooke Aquaculture fish spill near Cypress Island, production of the non-native fish in Washington waters will be phased out by 2025.

Treaty tribes in western Washington and the Affiliated Tribes of Northwest Indians have adopted a policy rejecting Atlantic salmon aquaculture and praised the state for following the lead of California, Oregon and Alaska in banning Atlantic salmon production.

Tribes will continue to support the use of net pens for short-term marine rearing of Pacific salmon or culturing of other species when exercising our tribal treaty rights.

Quinault Indian Nation President Fawn Sharp speaks during the Billy Frank Jr. Pacific Salmon Summit.
Water Quality Standards

In an unfortunate reversal, the U.S. Environmental Protection Agency (EPA) decided to reconsider Washington state’s new water quality standards – the most protective in the nation – based on an industry trade group petition that argued the rules will increase their cost of doing business.

Treaty Indian tribes in western Washington believe that a pollution-based economy is not sustainable and no price can be placed on human health or the resources that sustain us.

Water quality standards include human health criteria based on how much fish and shellfish we eat. The more we eat, the cleaner the water must be. Two numbers drive the standards: our fish consumption rate and our cancer risk rate from eating local seafood.

For more than 25 years, the state used a fish consumption rate of only 6.5 grams per day – or about one big bite – to determine water quality standards. The cancer risk rate from consuming toxins in seafood was retained at one in 1 million.

With EPA’s support, Washington’s water quality standards were revised to include a more realistic fish consumption rate of 175 grams (about 6 ounces) per day. The cancer risk rate remained unchanged.

The updated water quality standards were the result of years of extensive public processes at the state and federal levels, involving tribal governments as well as industry representatives, environmental groups and other stakeholders.

There is no new science or law that justifies EPA’s reconsideration or that would lead to a different result.

We agree with Maia Bellon, director of the state Department of Ecology, who told EPA that she opposes any reconsideration of the current water quality rules.

“What Washington state’s communities and businesses need the most right now is predictability, certainty and flexibility to meet clean water requirements,” Bellon said.

Salmon Recovery

Hundreds attended the inaugural Billy Frank Jr. Pacific Salmon Summit in March for a day of talks to inspire, enlighten and ignite cooperative efforts to restore salmon and their ecosystems.

A call to action was made to convene work sessions to explore what’s working and what’s not, determine pathways forward, and generate new approaches to longstanding problems in salmon recovery.

Another event that boosted hopes for salmon recovery was a public information session for sport fishermen held in April during the annual North of Falcon salmon season negotiations. The ongoing decline of the salmon resource has frustrated all fishermen – treaty tribal, sport and commercial – with steadily decreasing harvest opportunities.

Instead of pointing fingers, sport anglers, commercial fishermen, and tribal and state fisheries co-managers focused their discussion on areas of common ground and shared pain.

They agreed that the real culprits are not fishermen or their harvest methods, but the ongoing loss of salmon habitat and an overpopulation of seals and sea lions.

To that end, a coalition of tribal, sport and commercial fishermen, state, federal and local governments, conservation groups and others has been created to begin addressing the most pressing issues. Several meetings have taken place.

Tribal Habitat Strategy

The treaty tribes have developed a new habitat strategy to identify and protect the lands, waters and natural processes that are central to our rights, resources and homelands.

The effort is called gʷədə́dəd and is based on what we know is needed to achieve ecosystem health, not what we think is possible to achieve given current habitat conditions. It is not a retreat to the past, but a long-term vision for a future with healthy resources for everyone.

gʷədə́d builds on two other important tribal initiatives from the past decade.

The first is the Treaty Rights at Risk initiative begun in 2011, which calls for the federal government to meet its obligation to uphold treaty rights through better coordination of agencies and programs.

The second is the State of Our Watersheds, updated in 2012 and again in 2016, a comprehensive report on the ongoing and increasing loss of habitat for salmon and other treaty-protected resources.

It takes a long view to solve century-old problems, and that’s what gʷədə́d does. It offers a long-term, multi-generational approach that can help us achieve the future we want for ourselves and create accountability for the decisions we are making today for those who will come after us.

A copy of gʷədə́d, along with a story map, can be found at nwtreatytribes.org/habitatstrategy.

Lorraine Loomis

NWIFC Chair
Net Pens Support Salmon Fisheries

Net pens that are used to release native species of salmon have provided sustainable fisheries in western Washington for decades. A good example is the Peale Passage net pen facility operated jointly by the state and the Squaxin Island Tribe in deep South Sound.

Every winter as many as 1.8 million coho are trucked from state hatcheries around the region and transported by barge to a series of floating net pens between Harstine and Squaxin islands, which are managed by the tribe.

Net pen facilities allow the tribe to craft fisheries that protect wild-spawning coho populations.

“Those fish that we released from the floating net pens tend to stay out by the islands when they return, so that’s where we fish,” said Joe Peters, fisheries management biologist for the Squaxin Island Tribe.

The Squaxin Island Tribe fishes for fall coho in deep South Sound, avoiding bays and inlets where wild coho congregate. More than 90 percent of the tribe’s commercial fishery is hatchery fish, according to catch samples.

“The reason we manage our fishery the way we do is to protect weak wild runs of coho, while harvesting hatchery fish,” Peters said. “Wild coho in the deep South Sound have been on a decline for decades, and through the way we manage our fishery, we’re trying to make sure they’re protected.”

Net pen coho also contribute to sport fisheries in Puget Sound.

“Thousands of these fish are caught by sports fishermen each year,” Peters said.

The tribe consistently explores ways to improve management of the coho net pens.

Studies have tracked a gradual decrease in coho populations in deep South Sound, and suggest that the problem lies with marine habitat.

Tribal hatchery managers experiment with release timing to see if survival improves.

“Managing operations like these means we have to constantly learn more about how these fish survive and the conditions we’re putting them in,” said Andy Whitener, the tribe’s natural resources director. “Once these coho are released, they depend on the same habitat that all other salmon do.”

Hatcheries must remain a central part of salmon management in western Washington as long as lost and degraded habitat prevent watersheds from naturally producing abundant, self-sustaining salmon runs of sufficient size to meet tribal treaty fishing rights.

- Treaty Indian tribes released more than 34 million salmon and steelhead in 2017, including 12.8 million chinook, 14 million chum and 6.2 million coho, as well as sockeye salmon.
- Most tribal hatcheries produce salmon for harvest by both Indian and non-Indian fishermen. Some serve as wild salmon nurseries that improve the survival of juvenile fish and increase returns of salmon that spawn naturally in our watersheds.
- Tribes conduct an extensive mass marking and coded-wire tag program. Young fish are marked by having their adipose fin clipped before release. Tiny coded-wire tags are inserted into the noses of juvenile salmon. The tags are recovered when fish return, providing important information about marine survival, migration and hatchery effectiveness.
A lack of holding pools in the South Fork Nooksack River continues to limit the recovery of spring chinook salmon populations.

In 2018, the Lummi Nation completed the second phase of a restoration project near Skookum Creek to improve habitat complexity, connectivity and climate change resilience for threatened salmon species.

Fifteen engineered logjams created shaded pools for migrating adult and over-wintering juvenile chinook salmon and bull trout. Both species are listed as threatened under the federal Endangered Species Act.

Several of the logjams were placed downstream from a known cooler water stream, Edfrö Creek, to provide temperature refugia in cool deep pools with woody cover.

“Temperature is a limiting factor for salmonid production in the South Fork during the hot, low-flow summer and early fall months, primarily July through October,” said Alex Levell, deputy restoration program manager for Lummi. “During this time, adult chinook are migrating upriver and spawning, and eggs are incubating. Temperature-borne diseases such as _columnaris_ cause pre-spawn mortalities.”

In the first phase of the project, Lummi Natural Resources constructed four logjams and removed 600 feet of riprap to open up additional woody cover. The restoration was less limited by permitting restrictions than previous projects downstream.

“The logjams have been designed to be as close to the active river channel as possible to induce the most habitat response,” Levell said.

The restoration aims to improve floodplain connectivity, which will provide refugia for juveniles and adults. Logjams also increase nearby riverbed elevations and slow velocities to protect incubating eggs from scouring floods.
For decades, state and tribal salmon co-managers have reduced harvest in response to declining salmon runs. Tribes have cut harvest by 80 to 90 percent since 1985.

- Under U.S. v. Washington (the Boldt decision), harvest occurs only after sufficient fish are available to sustain the resource.

- The tribes monitor their harvest using the Treaty Indian Catch Monitoring Program to provide accurate, same-day catch statistics for treaty Indian fisheries. The program enables close monitoring of tribal harvest levels and allows for in-season adjustments.

- Tribal and state managers work cooperatively through the Pacific Fishery Management Council and the North of Falcon process to develop fishing seasons. The co-managers also cooperate with Canadian and Alaskan fisheries managers through the U.S./Canada Pacific Salmon Treaty.

- More information about fisheries management can be found in the Tribal Fishing 201 video series at nwtt.co/fishing201.

Conservative Fisheries Management Pays Off

The Stillaguamish River coho that survived to spawn during 2015’s drought proved their resilience as substantial numbers returned in fall 2018.

In September, the Stillaguamish Tribe opened a commercial coho fishery targeting 1,600 fish. Even without the low flows and high temperatures that accompanied the drought, the coho run was challenged three years ago by low returns of smaller-than-usual adult fish.

“We just shut our fishery down completely that year, before the fish even hit the river,” said Stillaguamish Chairman Shawn Yanity, who is also the tribe’s fisheries manager.

The tribe has a long history of voluntarily reducing fisheries to help ensure that adult salmon will be able to spawn. The tribe ceased chinook fishing for decades beginning in 1980 for that same reason.

Thanks to conservative harvest management and the tribe’s hatchery operations, Stillaguamish resumed small ceremonial and subsistence chinook fisheries a couple of years ago. In July, the tribe served Stillaguamish River chinook at its First Salmon Ceremony for the first time since the celebration was revived 10 years ago.

Those chinook were harvested in a set net fishery that Yanity invited summer youth interns to witness. He is concerned that diminished opportunities to fish have deprived tribal youth of a key part of their identity.

“They may hear the stories, but the salmon doesn’t become an important part of their life if they’re not fishing,” he said. “If it isn’t important to them, then they won’t fight for it.”

“Our ancestors signed a treaty. They made sacrifices for us to have this life, to have the salmon. To forget the things they passed on, you lose your heritage, you lose all those gifts that come with it.”
Treaty tribes are co-managers of the marine fish resource, working closely with the state, federal agencies and in international forums to develop and implement species conservation plans for all marine fish stocks in Puget Sound and along the Pacific coast.

- Many areas of Puget Sound have experienced a stark drop in marine fish populations. Herring and smelt, historically the most plentiful forage fish, have sharply declined over the past two decades. Several species of rockfish are listed as threatened or endangered under the federal Endangered Species Act. Human activity, such as pollution and development, is believed to be a leading cause of the overall decline.

- The Pacific Fishery Management Council, which includes the tribal and state co-managers, regulates the catch of black cod, rockfish and other marine fish. Halibut are managed through the International Pacific Halibut Commission, established by the U.S. and Canadian governments. Tribes are active participants in season-setting processes and the technical groups that serve those bodies.

- Treaty tribes manage marine fisheries that include purse-seining for sardines and anchovy, midwater fisheries for rockfish and Pacific whiting, and groundfish fisheries that include sole, Pacific cod and rockfish.

- The coastal tribes and state support ocean monitoring and research leading to an ecosystem-based management of fishery resources. This includes integrating all coastal ocean research into a common database called the Habitat Framework Initiative. The initiative puts available habitat data into a common catalog for state, federal and tribal managers who often share jurisdictions and manage resources jointly.

Herring Possibly Affected by Contaminated Sediment

Pacific herring populations in Port Gamble Bay have dropped dramatically in recent years, and the Port Gamble S’Klallam Tribe and state agencies want to know if contaminated sediment is to blame.

The bay was home to a sawmill for nearly 150 years. Creosote pilings, wood waste and polluted stormwater runoff were the site’s legacies until the area was cleaned up in 2015-2017.

Prior to the cleanup, the tribe and state conducted a baseline study that documented high levels of contamination in herring embryos in the bay around the mill site.

Funded by the state Department of Ecology, the tribe and state Fish and Wildlife Department (WDFW) are following up with a study of the levels of contamination in the sediment relative to the contamination levels found in herring embryos since the cleanup.

In April, WDFW deployed herring embryo cages in five areas in the bay for approximately 10 days to analyze the eggs’ contamination levels.

After the cages were removed, the tribe took sediment samples from the same locations to test for dioxins and other chemicals.

“We’ll always gather more data to help track the recovery efforts,” said Christine Raczka, the tribe’s environmental scientist. “The outcomes are expected to show if there are any contaminants remaining in the sediment that could be harmful to shellfish and marine life.”
Treaty tribes harvest native littleneck, manila, razor and geoduck clams, Pacific oysters, Dungeness crab, shrimp and other shellfish throughout the coast and Puget Sound.

- Tribal shellfish programs manage harvests with other tribes and the state through resource-sharing agreements. The tribes are exploring ways to improve management of other species, including sea cucumbers, Olympia oysters and sea urchins.

- Tribal shellfish enhancement results in bigger and more consistent harvests that benefit both tribal and non-tribal harvesters.

- Shellfish harvested in ceremonial and subsistence fisheries are a necessary part of tribal culture and traditional diet.

- Shellfish harvested in commercial fisheries are sold to licensed buyers. For the protection of public health, shellfish are harvested and processed according to strict state and national standards.

- Tribes continue to work with property owners to manage harvest on non-tribal tidelands.

- In 2017 (the most recent year for which data are available), tribes harvested more than 1.1 million pounds of manila and littleneck clams, nearly 2.6 million pounds of geoduck clams, 2.9 million oysters, more than 8.2 million pounds of crab, 272,387 pounds of sea cucumbers and 393,632 pounds of shrimp.

Underwater Cameras Shed Light on Shellfish

The Jamestown S’Klallam Tribe is using cameras to see how critters interact with shellfish-growing equipment on tidelands at high tide. The tribe has various shellfish-growing operations on its tidelands in Sequim Bay, including clam nets and a tumble bag system for oysters, so it’s an ideal place to study this concept, said Liz Tobin, the tribe’s shellfish biologist.

“We want to know how the marine life interacts with, and perhaps benefits from, these structures,” Tobin said. “The cameras show observations that we can’t get from snorkeling, beach seining or other methods of collecting information underwater.”

A waterproof camera was secured on a post within an aquaculture area. A second camera was placed at a control site. Throughout the summer, the cameras recorded everything in view for two minutes, every 10 minutes, over three hours of the peak of a high-tide cycle over a two-day period.

“The tribe aims to grow shellfish in a sustainable manner that balances economic viability and conservation,” Tobin said. “The footage that we collect will help us better understand the ecological interactions with shellfish cultivation gear and inform future growing activities.”

The research is part of a project overseen and funded by the National Oceanic and Atmospheric Administration, Washington Sea Grant and The Nature Conservancy.
The treaty Indian tribes are co-managers of wildlife resources in western Washington, including deer, elk, bear, cougars and mountain goats.

- Tribal wildlife departments work with state agencies and citizen groups on wildlife forage and habitat enhancement projects, regularly conducting wildlife population studies using GPS collars to track migration patterns.

- Tribes implement occasional hunting moratoriums in response to declining populations because of degraded and disconnected habitat.

- Western Washington treaty tribal hunters account for a small portion of the total combined deer and elk harvest in the state. In the 2017-2018 season, treaty tribal hunters harvested a reported 357 elk and 611 deer, while non-Indian hunters harvested a reported 5,465 elk and 26,537 deer.

- Tribal hunters hunt for sustenance and most do not hunt only for themselves. Tribal culture in western Washington is based on extended family relationships, with hunters sharing game with several families. Some tribes have designated hunters who harvest wildlife for tribal elders and others unable to hunt for themselves, as well as for ceremonial purposes.

- As a sovereign government, each treaty tribe develops its own hunting regulations and ordinances for tribal members. Tribal hunters are licensed by their tribes and must obtain tags for animals they wish to hunt.

- Many tribes conduct hunter education programs aimed at teaching tribal youth safe hunting practices.

For the next three years, the Lower Elwha Klallam Tribe and the University of Idaho will find out the size of the cougar population on the North Olympic Peninsula, and use GPS collars to observe migration and population patterns, socialization with other animals and eating habits.

The tribe also has contracted with Conservation Canines from the University of Washington to use dogs to survey cougar and bobcat scat for genetic studies. Tribal member and University of Idaho research assistant Cameron Macias will analyze the scat to identify individual cats, and conduct a population estimate for both cougars and bobcats in the tribe’s historic use area.

The work is part of a bigger effort to develop a comprehensive wildlife management plan that includes all of the tribe’s wildlife studies from the past decade, said Kim Sager-Fradkin, the tribe’s wildlife manager.

Joining the tribe is Mark Elbroch, a cougar researcher from Panthera, a nonprofit dedicated to studying all 40 wild cat species around the world.

“What the tribe is doing is cutting-edge connectivity research,” he said. “Combining genetics and GPS movement data has shown to have the best results for insights that are so much richer than if the two components were looked at separately.”

Last winter, the tribe collared one male cougar with a GPS collar, with the goal to collar at least a dozen cougars locally, and more across the peninsula.

Elbroch also will set up a camera system to monitor wildlife in the tribe’s hunting area, using 64 motion-triggered game trail cameras.

The tribe and Panthera also hope to collaborate with other tribes, universities and museums to learn how cougars move across the Olympic Peninsula and ultimately, the Interstate 5 corridor.

The genetic and GPS-tracking work is funded by a grant from the Administration for Native Americans, and the camera grid system work is funded by a National Geographic grant.
A streamside forest will become more salmon-friendly because of work by the Nisqually Indian Tribe and Tacoma Public Utilities.

The municipal utility owns a 90-acre stretch of streamside forest along the Nisqually River. Working with the tribe’s salmon habitat restoration crew, the partners are planting conifers in the mostly deciduous forest.

“There is a slow, natural evolution of forests from deciduous trees like alders to more conifers, ” said David Troutt, the tribe’s natural resources director. “We’re helping speed up that process. ”

Conifers like Douglas fir and Western red cedar are harder than deciduous trees and form more durable logjams after they fall into the river. The logjams create important habitat like deep pools where salmon rest and feed.

“While conifers stay inside a logjam for hundreds of years, deciduous trees rot away much quicker,” Troutt said. “In places where we’ve gone in and built logjams, we’ve seen larger populations of juvenile salmon. ”

The city-owned forest is hard to access. The planting crew carried young trees for miles, sometimes scaling down bluffs. The tribe’s full-time planting crew has been a driving force behind habitat restoration projects in the Nisqually for more than a decade. They have planted and maintained more than 500 acres of forest.

The Tacoma property makes up the majority of the shoreline in an important stretch of the Nisqually near the mouth of the Mashel River, a vital chinook tributary. Nisqually chinook are part of a Puget Sound-wide population that are listed as threatened under the federal Endangered Species Act.
Ocean Resources

The state of Washington, the Hoh, Makah and Quileute tribes, and the Quinault Indian Nation work 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.

- In recognition of the challenges facing the Olympic coast ecosystem, the tribes and state of Washington established the Intergovernmental Policy Council (IPC) to guide management of Olympic Coast National Marine Sanctuary. Many of the research and planning goals established by tribes and the state support U.S. Ocean Policy. The tribes recently worked with their partners to reauthorize the IPC through 2022.

- Climate change, ocean acidification and hypoxia have been top priorities the past several years. Because of their unique vulnerability, coastal indigenous cultures are leaders in societal adaptation and mitigation in response to events driven by climate change. As ocean conditions change due to climate change and disruptions such as the Pacific decadal oscillation, El Niño, the “Blob” and seasonal upwelling, it will be important to understand the changes that are occurring and how they affect the ecosystem.

- The tribes continue to work with the state of Washington and federal partners to respond to the findings of the state’s Blue Ribbon Panel on Ocean Acidification.

- The tribes and the federal government are using a new marine habitat analytical tool called the “Coastal and Marine Ecological Classification Standard” to improve management of treaty-protected natural resources. This new standard defines habitat by translating existing data sets into four components – water column, geoform, substrate and biotic attributes – that together provide a more comprehensive understanding of habitats and their ecosystem function. Learn more at nwtt.co/oceanmaps.

Water Resources

The tribes and the federal Environmental Protection Agency (EPA) work to address water quality issues important to the protection of tribal rights and resources.

- The EPA/Coordinated Tribal Water Quality Program is designed to support tribes in addressing water quality issues affecting their rights and resources. It is designed to support individual tribal programs as part of a statewide coordinated program.

- EPA’s General Assistance Program (GAP) was established in 1992 to improve capacity for environmental protection programs for all tribes in the country. Many tribes are now participating in the “Beyond GAP” project to build on the investments of the last 25 years by creating environmental implementation programs locally while supporting national environmental protection objectives.

- These programs are essential to combat threats to tribal treaty resources such as declining water quality and quantity. In western Washington, climate change and urban development negatively affect water resources and aquatic ecosystems and are further threatened with a state population expected to increase by nearly 1 million people in the next 10 years.

- Tribal water resource goals include establishing and maintaining instream flows to sustain harvestable populations of salmon, addressing limiting factors to salmon recovery, protecting existing groundwater and surface water supplies, and participating in multi-agency planning processes.
With southern resident orcas at their lowest numbers in decades, the world’s attention has been focused on the decline of their preferred prey of Puget Sound chinook salmon. The treaty tribes in western Washington have been calling for years for bold actions to recover chinook salmon, including increased hatchery production, habitat restoration and protection, and determining predation impacts from seals and sea lions.

Treaty tribes are participating in a statewide Southern Resident Killer Whale Task Force, which provided Gov. Jay Inslee with specific recommendations to help the southern resident orcas. The treaty tribes in western Washington have been calling for years for bold actions to recover chinook salmon, including increased hatchery production, habitat restoration and protection, and determining predation impacts from seals and sea lions.

Treaty tribes are participating in a statewide Southern Resident Killer Whale Task Force, which provided Gov. Jay Inslee with specific recommendations to help the southern resident orcas. The southern residents of the Salish Sea – known as the J, K and L pods – were down to 75 orcas from a high of 98 in 1995. Unlike transient orcas that eat other marine mammals, these orcas eat only fish – mostly chinook salmon – and whale researchers believe that they’re starving to death.

Worldwide media caught on to the story of the threatened population last summer when a mother orca named Tahlequah, or J35, carried the body of her dead newborn calf around the Salish Sea for 17 days. At about the same time, an unprecedented rescue effort began to save a 4-year-old orca known as J50, or Scarlet.

J50 was emaciated with the shape of her cranium visible through her blubber, a condition known as “peanut head,” and she was lagging behind her pod.

Members of the Lummi Nation collaborated with the National Oceanic and Atmospheric Administration, Washington Department of Fish and Wildlife, and whale researchers to get medicine and nourishment to the young orca.

“Lummi Nation is just stepping up to do the right thing and do what we can to help,” said Lummi Chairman Jay Julius. “We are answering the call of Xa Xalh Xechning, our sacred obligation.”

After several attempts during the summer to feed J50 with live hatchery chinook salmon and administer antibiotics, she was declared dead on Sept. 13 by the Center for Whale Research. Her death brings the total number of southern resident orcas down to 74.

Puget Sound Recovery

Puget Sound is the second largest estuary in the United States and its health has been declining for decades. Recognizing this, Congress designated Puget Sound as an Estuary of National Significance, further acknowledging the critical contributions that Puget Sound provides to the environmental and economic well-being of the nation. Through the National Estuary Program, the U.S. Environmental Protection Agency (EPA) works with tribal, state and local partners to help restore and protect this iconic and ecologically important place.

- In 2007, the state of Washington created the Puget Sound Partnership, a state agency dedicated to working with tribal, state, federal and local governments and stakeholders to clean up and restore the environmental health of Puget Sound by the year 2020. This diverse group continues to work toward a coordinated and cooperative recovery effort through the Partnership’s Action Agenda, which is focused on decreasing polluted stormwater runoff, and protecting and restoring fish and shellfish habitat.

- The Tribal Management Conference was created in 2016 through EPA’s model for the National Estuary Program for Puget Sound. It increases the ability of tribes to provide direct input into the program’s decisional framework.

- The Tribal Management Conference is working with the Partnership to implement a list of “bold actions” that can turn around salmon recovery in Puget Sound. The bold actions fall under several broad categories: Protect remaining salmon habitat, create a transparent and open accountability system on habitat, stop all water uses that limit salmon recovery, reduce salmon predation, improve monitoring, and increase funding for habitat restoration.

- Treaty tribes participate in Puget Sound Day on the Hill, a two-day advocacy effort each spring in Washington, D.C. The tribes join their partners to raise awareness about the important work to restore Puget Sound.

Tribes Support Killer Whale Task Force

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The Northwest Indian Fisheries Commission (NWIFC) was created in 1974 by the 20 treaty Indian tribes in western Washington that were parties to U.S. v. Washington. The litigation 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 75 full-time employees and is headquartered in Olympia, Wash., with satellite offices in Forks, Poulsbo and Burlington.

It provides broad policy coordination as well as high-quality technical and support services for member tribes in their efforts to co-manage the natural resources in western Washington. 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.

Fisheries Management
- Long-range planning, salmon recovery efforts and federal Endangered Species Act implementation.
- Develop pre-season agreements, pre-season and in-season run size forecast monitoring, and post-season fishery analysis and reporting.
- Participate in regionwide fisheries management processes with entities such as the International Pacific Halibut Commission and Pacific Fisheries Management Council.
- Marine fish and shellfish management planning.
- Facilitate tribal participation in the U.S./Canada Pacific Salmon Treaty including organizing inter-tribal and inter-agency meetings, developing issue papers and negotiation options for tribes, serving on technical committees and coordinating tribal research associated with implementing the treaty.

Quantitative Services
- Administer and coordinate the Treaty Indian Catch Monitoring Program.
- Provide statistical consulting services.
- Conduct data analysis of fisheries studies and develop study designs.
- Update and evaluate fishery management statistical models and databases.

Habitat Services
- Coordinate policy and technical discussion between tribes and federal, state and local governments, and other interested parties.
- Coordinate and monitor tribal interests in the Timber/Fish/Wildlife and Forest and Fish Report processes, Coordinated Tribal Water Resources, and Cooperative Monitoring, Evaluation and Research Committee ambient monitoring programs.
- Analyze and distribute technical information on habitat-related forums, programs and processes.
- Implement the Salmon and Steelhead Habitat Inventory and Assessment Project.

Enhancement Services
- Assist tribes with production and release of an average of 34 million salmon and steelhead each year.
- Coordinate coded-wire tagging of more than 4 million fish at tribal hatcheries to provide information critical to fisheries management.
- Analyze coded-wire tag data.
- Provide genetic, ecological and statistical consulting for tribal hatchery programs.
- Provide fish health services to tribal hatcheries for juvenile fish health monitoring, disease diagnosis, adult health inspection and vaccine production.

Information and Education Services
- Provide internal and external communication services to member tribes and NWIFC.
- Develop and distribute communication products such as news releases, newsletters, videos, photos, social media and web-based content.
- Respond to public requests for information about the tribes, their natural resources management activities, and environmental issues.
- Work with federal and state agencies, environmental organizations and others in cooperative communication efforts.

Wildlife Management
- Manage and maintain the inter-tribal wildlife harvest database and the collection of tribal hunting regulations.
- Provide assistance to tribes on wildlife issues.
- Respond to and facilitate tribal discussions on key management, litigation and legislation issues.
- Provide technical assistance, including statistical review and data analysis, and/or direct involvement in wildlife and habitat management projects.