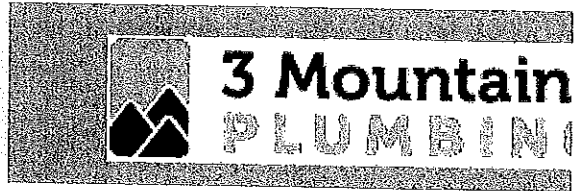
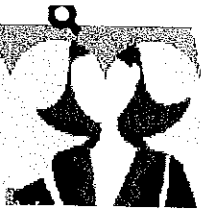


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Sandy River Hatchery salmon releases in lawsuit by wild fish advocates

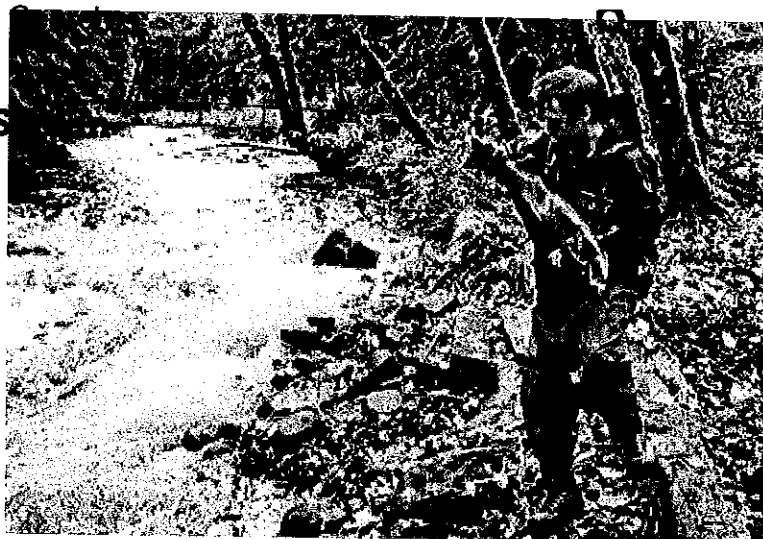


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Two wild fish advocacy groups have gone back to federal court in Portland to stop releases of juvenile salmon and steelhead from the **Sandy Hatchery**.

(http://www.dfw.state.or.us/resources/visitors/sandy_hatchery.asp)



In filing the lawsuit, the
Native Fish Society

Justin Zweifel of the Oregon Department of Fish and Wildlife returns an adult coho salmon into Cedar Creek upstream from the Sandy Fish Hatchery two years ago. Cedar Creek flows into the Sandy River. Wild fish advocates are challenging the state's release of hatchery fish into the Sandy and nearby streams because the hatchery fish compete with endangered wild salmon.

Brent Wojahn/The Oregonian

(<http://nativefishsociety.org/>) and **McKenzie Flyfishers**

(<http://www.mckenzieflyfishers.org/>) rejected a state settlement offer that would have reduced releases of two species of hatchery salmon and eliminated all spring chinook releases by 2024 if they couldn't be kept out of wild salmon spawning areas.

The groups contend the hatchery operation violates the Endangered Species Act and the National Environmental Policy Act. The suit also says the recent federal approval of hatchery operations is flawed.

The lawsuit was filed Oct. 22 in U.S. District Court, three days after the deadline to accept a settlement offer from the **Oregon Department of Fish and Wildlife**.

(<http://www.dfw.state.or.us/>) It amends a similar action filed in April, but put on hold while the **National Marine Fisheries Service**

(<http://www.nmfs.noaa.gov/>) reviewed the hatchery's operating plan. The federal agency, a branch of the National Oceanic and Atmospheric Administration, approved the plan Sept. 29. The lawsuit names NOAA and ODFW as defendants.

Core issues in the 34-page filing are:

– The number of wild salmon and steelhead ODFW is killing to gather eggs and sperm to create the fish incubated at the hatchery,

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– The use of weirs in two tributaries to block and sort returning wild and hatchery fish,

Sign in

– The release of 1 million to 1.3 million hatchery smolts each year that compete with wild juveniles for food and shelter.

"Our focus is on the recovery of all wild fish in the Sandy River basin, not just spring Chinook," said Kaitlin Lovell, co-president of the Oregon City-based Native Fish Society. "If we can't do it there, then we can't do it anywhere."

The hatchery releases summer and winter steelhead, and coho and spring Chinook salmon to offset damage caused by dams in the Columbia River and by the city of Portland's Bull Run water system. But the Sandy River basin is also home to wild runs of salmon and steelhead, which are listed as threatened under the Endangered Species Act.

That means the hatchery has to follow special operating protocols to try to protect wild fish while at the same time producing hatchery salmon and steelhead for commercial and sports fisheries.

But the wild fish advocacy groups say too many hatchery salmon, especially spring chinook, are straying onto wild fish spawning beds in the Salmon and Zigzag rivers. Winter steelhead numbers are declining too, it said.

The federal permit says only 10 percent of spring chinook spawning in upriver tributaries can be hatchery-raised fish; but in 2010 the rate reached 78 percent. That prompted the use of weirs stretched across the two streams in 2011 and this summer, blocking all upstream migration until state workers hand-sorted wild and hatchery fish.

The lawsuit contends the use of weirs modifies critical habitat and harms fish – violations of the Endangered Species Act.

In its Oct. 12 settlement offer, ODFW proposed reducing juvenile spring chinook releases from 300,000 to 200,000 and coho releases from 500,000 to 300,000. And if spring chinook stray rates exceeded 10 percent, it also offered to keep trimming back releases until the standard was met – or eliminate all releases in 2024.

The Native Fish Society never replied to the state's offer, Lovell said, because the 10

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percent standard already exists in the new federal approval and her group was unwilling to stretch out hatchery release adjustments for 12 years.

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"The lawsuit is our response," she said.

The issues have exposed a difference among fish conservation groups.

The Portland-based Pacific Rivers Council was part of the original lawsuit, but dropped out of the latest filing and was replaced by McKenzie Flyfishers of Eugene. The council still has legal standing of its own and will look at the state's settlement offer to see if something can be negotiated, said executive director John Kober.

"Our interests are in spring chinook," Kober said, and that the state seems to be making a good faith effort to address the high numbers of straying hatchery fish.

"I do think the Native Fish Society would like to see the hatchery gone," Kober said. "That's just not a road we are going to go down."

– Quinton Smith

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
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Nez Perce Department of Fisheries Resources
Management

Hatchery smolts are marked before release into Johnson Creek.

(http://www.oregonlive.com/environment/index.ssf/2011/12/nez_perce_hatche

Supplementation programs try to amp up salmon runs by releasing young hatchery fish into streams, then allowing them to spawn in the wild when they return from the ocean years later. Normally, hatchery managers try to keep returning hatchery fish out of wild spawning grounds for fear of weakening wild runs.

The peer-reviewed study also contradicts earlier work, including **influential genetic studies of hatchery steelhead in Hood River**

(http://www.oregonlive.com/environment/index.ssf/2011/12/study_of_hood_ri that indicated hatchery fish are less likely to succeed in the wild and that they water down the genetic stock of wild fish when they mate with them.

"Our results, at least so far, suggest supplementation programs can be effective with minimal effects to wild fish," said lead author Maureen Hess, a conservation geneticist with the **Columbia River InterTribal Fish Commission** (**<http://www.critfc.org/>**)'s Hagerman lab.

The concern that hatchery fish could pass on negative traits makes sense under the rules of Darwinian natural selection.

Young fish that succeed in hatcheries, the thinking goes, are the ones that adapt best to an artificial environment -- fed by humans, not fighting for food in streams, thriving in **Sign in** tanks, not open rivers.

If they return to mate in the wild, they can pass those feeble "domesticated" traits to wild fish, reducing their productivity, or ability to successfully reproduce in the wild.

Hess and colleagues at the Hagerman Lab and with the **Nez Perce Tribe** (<http://www.nezperce.org/>)'s Department of Fisheries Resources Management tested that hypothesis by taking genetic samples from 7,726 Johnson Creek summer chinook, covering 12 years and two generations of returning fish.

The Johnson Creek fish are among spring and summer chinook listed under the Endangered Species Act in the Columbia River basin, and travel 700 miles to get back to the stream. Their numbers dipped to roughly 15 returning adults in 1995, prompting the Nez Perce to set up the supplementation program in 1998.

The researchers looked at the productivity -- measured by the number of returning adults per parent pair -- for hatchery pairs, wild pairs and hybrid pairs, those with one hatchery parent and one wild parent.

The big finding: The productivity of hatchery fish mating with wild fish and of hatchery fish mating with each other was generally equivalent to that of wild fish mating with wild fish. Those results argue against hatchery fish damaging the run's fitness.

The study also found a population boost through the second generation by adding hatchery fish -- the Johnson Creek managers add about 100,000 year-old hatchery fish to the stream each year.

A hatchery parent produced nearly five times more returning adults than a wild parent on average. That's expected, given that far more young fish survive in a hatchery than in the wild.

But that advantage also lasted into the second generation, with an original hatchery parent producing about 30 percent more returning adult "grand-offspring" on average than an original wild parent.

The results may indicate that chinook are less likely to accumulate negative traits in the

~~Search~~ Hatchery than steelhead, the subject of most of the earlier studies, Hess said.

Sign in in the hatchery for chinook smolts is similar to the time wild chinook spend in their natal streams before heading to sea. Steelhead, by contrast, are raised for a year in hatcheries, then released to migrate to sea; in the wild, they spend two years in their native streams before migrating.

But it's not clear how much the results can be applied to other chinook supplementation programs.

Johnson Creek's small supplementation program uses only local, wild fish for its hatchery broodstock. Managers bypass returning hatchery fish, marked with wire tags and a bright plastic spot by their eye before leaving the hatchery, and gather eggs and male "milt" for breeding purposes from only wild fish.

Most supplementation programs use a mix of wild fish and hatchery fish in their broodstock to try to increase the number of smolts they produce and drive up returns. Adding that second-generation of hatchery fish to the broodstock could make the hatchery adaptations more likely to pass on.

But the results do indicate that supplementation shouldn't be written off as harmful simply because it uses hatcheries to boost returns, Hess said.

"As long as we have dams, there's always going to be a need for some form of artificial production," she said. "What we can learn from this study is how to best manage supplementation programs to have minimal impacts on wild fish."

-- **Scott Learn** (<mailto:slearn@oregonian.com>); Twitter: [@slearn1](https://twitter.com/slearn1)
(<https://twitter.com/slearn1>)

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Quinton Smith/Special to The Oregonian

Oregon Department of Fish and Wildlife season employee Justin Zweifel checks a weir on the lower Salmon River to sort out hatchery and wild spring chinook salmon. Wild fish are allowed to proceed upriver to spawn; hatchery fish are killed and placed back in the river.

Although the hatchery puts 1 million juvenile salmon and steelhead into Sandy basin streams, the main point of contention is over spring chinook salmon.

Wild spring chinook salmon in the lower Columbia River basin are listed as threatened under the Endangered Species Act. The Sandy's wild spring chinook – an average of 1,650 return each year – is part of that listing but considered by the **National Marine**

Fisheries Service (<http://www.nmfs.noaa.gov/aboutus.htm>) as the strongest run in the basin.

A challenge to recovering runs of wild salmon, most scientific studies agree, is keeping wild and hatchery fish apart when they spawn. If hatchery fish spawn in the same areas as the wild fish, the genetics of the stock can be diminished, potentially reducing the vitality of wild runs.

The Sandy Hatchery provides fish to offset losses in wild fish resulting from damage to the basin by the city of **Portland's Bull Run**

(<http://www.portlandoregon.gov/water/29784>) water system, which helps support the hatchery.

Until five years ago hatchery salmon straying into the upper Sandy River's tributaries was not a problem because all fish were stopped by Marmot Dam above the hatchery. At the dam, Oregon Department of Fish and Wildlife workers hand-sorted wild and hatchery fish, allowing wild fish to proceed upriver. But Marmot was removed in 2007 - opening clear paths for all fish to miles of spawning ground in tributaries like the Salmon and Zigzag.

The Sandy Hatchery's previous operating plan called for allowing 10 percent of hatchery

Spring chinook to stray into wild chinook spawning areas. But 78 percent strayed in 2010, prompting ODFW to put temporary weirs in the Salmon and Zigzag rivers where **Signin**s could stop and sort fish.

It also prompted the Native Fish Society to seek a federal court injunction to stop all hatchery operations on the Sandy River. Their legal work stopped while the group waited for the NMFS's decision this month on a new operating plan.

Agency ruling

In its 88-page biological opinion and ruling, NMFS concluded that the Sandy Hatchery's operations would not jeopardize listed species of salmon and steelhead or their habitat. But it attached four major conditions, including:

- A limit of 100 to 400 on the number of wild salmon and steelhead it can collect for hatchery breeding and up to 2,750 wild Spring chinook it can trap and handle at weirs;
- Limiting the fish stray rate into tributaries and spawning grounds to 5 percent for hatchery summer steelhead and 10 percent for hatchery winter steelhead and other hatchery salmon.
- Ensuring that within 21 days of their release, hatchery fish make up no more than 10 percent of all juvenile fish in the lower Sandy River, allowing wild fish to compete for shelter and food.
- Yearly monitoring to see if the temporary tributary weirs cause more than a 20 percent change in spawning distribution above and below the structures.

Rob Jones, head of inland fisheries for NMFS in Portland, said the agency recognizes the Sandy basin disputes, especially the use of weirs, and placed conditions in the permit to trigger another review if problems arise.

"Weirs are becoming an important management tool," said Jones, with use and experience operating them increasing throughout the Northwest. "It's very important to operate them carefully. We understand the risks."

Todd Alsbury, the biologist who oversees ODFW's work in the Sandy basin, said weirs in the Salmon and Zigzag will come out this week after heavy rainfall, and have helped

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drop stray rates to 25 percent so far this fall. Alsbury said he is confident the rate will drop even lower once all releases of 300,000 juvenile spring chinook are moved to the **Sign In** in River starting next spring.

Wild fish advocates are not impressed.

Kaitlin Lovell, co-president of the Native Fish Society board, said her group will decide within weeks whether or how to proceed with its lawsuit to stop hatchery operations. Lovell said she doesn't see how ODFW can meet the new standards and worries there is not enough money in the agency's budget to pay for the additional work and monitoring.

The Pacific Rivers Council dropped out of the original hatchery lawsuit, but will consider its own legal action directed solely at the spring chinook issue, said executive director John Kober.

"We think the biggest problem is with the (hatchery) spring chinook stray rates, and we think that makes the state vulnerable legally," Kober said. "We know that stray rates of 70 percent are not scientifically sound, and we're not confident they can lower it."

– **Quinton Smith (mailto:smiths44@comcast.net)**

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