



October 13, 2018

Jim Fredericks
Fishery Bureau Chief
Idaho Department of Fish and Game
P.O. Box 25
Boise, ID 80707

Delivered Via Email

Dear Mr. Fredericks:

The organizations who last week filed legal notice of intent to sue Idaho for authorizing and implementing a sport fishery for steelhead without an exemption from the Endangered Species Act (ESA) take prohibition believe that Idaho should close the fishery entirely, as Oregon and Washington have. We would welcome the opportunity to discuss this with you and other IDFG officials at your earliest convenience.

If Idaho proceeds with the steelhead fishery despite its potential legal liability, then, at the very least, in light of the record-low returns of steelhead in 2018, Idaho should immediately enact conservation angling rules to protect wild steelhead in Idaho waters.

The reduced bag-limit currently in force, while possibly helpful, will not reduce encounters with wild steelhead now in the Clearwater, Snake and Salmon Rivers. Those wild fish will experience the impact of the "catch-and-kill" fishery scheduled to begin on Monday, October 15. Anglers with valid harvest tags will still be able to harvest the same number of hatchery steelhead but will reach tag and possession limits only half-as-fast.

By licensing and authorizing anglers to fish in Idaho waters and in waters concurrently managed with Oregon and Washington without some form of exemption from the ESA take prohibition makes Idaho liable to enforcement by federal authorities for violating the ESA. By allowing anglers to "take" a listed species (unclipped Snake River summer steelhead) Idaho is subject to federal civil and criminal penalties and fines. More importantly, Idaho is putting one its iconic wildlife species at further risk of extinction through an unauthorized and unpermitted fishery.

Should Idaho chose not to immediately close its sport fishing season for steelhead and salmon, Idaho should enact specific conservation measures that could be immediately implemented that reduce the impact of sport fishing on ESA-listed wild Snake River Basin Steelhead. These measures would include the following:

1. Bait would be prohibited.
2. Barbless hook requirements would be extended.
3. Prohibit wild steelhead from being removed from the water.
4. Prohibit fishing from floating devices.
5. Close specific holding and staging areas in the Clearwater, Snake and Salmon Rivers to all fishing or fishing from floating devices.
6. Close the Steelhead season statewide on January 1, 2019.
7. Require collection of every hatchery-origin steelhead at all hatchery facilities, weirs and traps.
8. Prohibit collection of wild-origin steelhead for broodstock purposes.

All of these measures would either reduce the rate of mortality and sub-lethal impacts on wild steelhead during encounters by the fishery, reduce the overall encounter rate and the otherwise unauthorized take of wild steelhead in Idaho fisheries. Furthermore, they will result in more wild fish reaching their spawning grounds and provide a greater chance of achieving river-specific spawning and egg-deposition criteria despite the low number of wild-origin steelhead returning to Idaho waters.

These measures and action are enforceable, easy to communicate to the angling public, still provide angling opportunities and maximize wild-origin spawning productivity.

Our organizations are available for productive and frank conversations with you on these matters.

Respectfully,

David A. Moskowitz
Executive Director

Also emailed to: Virgil Moore (IDFG), Derick Attebury (IFGC), Joe Dupont (IDFG), Allyson Purcell (NOAA), Brett Bowersox (IDFG),

cc: Kurt Beardslee, Wild Fish Conservancy
Gary Macfarlane, Friends of the Clearwater
Buck Ryan, Snake River Waterkeeper
Kevin Lewis, Idaho Rivers United