



Tolowa Dee-ni' Nation

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January 25, 2024

Tina Bartlett
Northern Regional Manager
California Department of Fish and Wildlife
601 Locust Street
Redding, CA 96001

Re: Hatchery Chinook Harvest on the Smith River

Dv-laa-ha~ Ms. Bartlett:

The Tolowa Dee-ni' Nation (TDN; Nation) is a federally recognized, self-governance Nation of Tolowa people. The Nation's government and Reservation are located in Smith River, California; both are centered on the *Xaa-wvn'-taa-ghii~-li~* (Smith River) and dependent on the resources it provides. This letter addresses the omission of a hatchery Chinook harvest bag limit for the Smith River in California's 2023-2024 fishing regulations, likely due to the emergency closure of California's ocean and in-river salmon fisheries which prohibited all Chinook Salmon harvest for the first time in our river's history.

The Nation, as co-managers of the Smith River, requests to work with the California Department of Fish and Wildlife (CDFW) and California Fish and Game Commission to ensure future Chinook Salmon fishery restrictions on the Smith River do not prohibit the take of adipose-clipped, hatchery-produced Chinook Salmon, regardless of whether the take of wild Chinook is permitted in a given year. TDN recognizes that 2023-2024 Chinook Salmon harvest restrictions were adopted on an emergency timeline that may not have accommodated this exception. However, the omission of a daily bag limit for hatchery Chinook Salmon on the Smith River in 2023-2024 does not work towards the management or conservation goals of the Nation and the Rowdy Creek Fish Hatchery.

In 2013 the Nation purchased the Rowdy Creek Fish Hatchery for the purpose of ensuring tribal subsistence harvest, enhancing sport fishing opportunity, supporting local economic development, and to provide local environmental education opportunities. The Nation, in partnership with the non-profit Rowdy Creek Fish Hatchery Board of Directors, operates NOAA/NMFS-approved propagation programs to enhance Smith River's harvestable populations of Chinook Salmon and steelhead under the Nation's Hatchery and Genetic Management Plans (HGMPs) for the facility. All Chinook Salmon and steelhead are marked with an adipose-fin clip prior to release, and all Chinook Salmon are also tagged with a Coded Wire Tag (CWT) identifying their origin.

It has been over a decade since CDFW and the Commission prohibited wild steelhead retention on the Smith River while permitting retention of steelhead produced at the Rowdy Creek Fish Hatchery, identified by a healed adipose fin clip (adipose fin is absent). The Nation is requesting the Department and the Commission enact similar regulations to Chinook Salmon produced at the Rowdy Creek Fish Hatchery.

The importance of these hatchery-supported fisheries extend beyond the Tribal community. They are vital to community and family traditions throughout the watershed, and are essential to local economic opportunities in our disadvantaged region. Prohibiting their retention works directly against the reason for

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their rearing and release. The Nation requests a response from the Department prior to 2024-2025 rulemaking, and will work to support these regulatory considerations in any way possible.

Shu' shaa nin-la (Thank you),



Jeri Lynn Thompson
Chairperson
On behalf of Tribal Council

CC: Charlton Bonham, Melissa Miller-Henson