



Nez Perce Tribe Fish and Wildlife Commission

2020 Fall Report to the General Council

Nez Perce Tribal Members & Guests:

Nez Perce Tribe Fish and Wildlife Commission (FWC) extends a warm welcome during the time of UNCERTAINTY amongst this PANDEMIC that affects us all. My deepest condolences to the FAMILIES who lost "loved ones" from the COVID-19 and to the families still fighting the virus, my heartfelt prayers to your circles during this time of healing.

As chairman of the FWC, I truly appreciate this unique opportunity to gather (although it is by virtual webinar) that provides us with the ability to share our issues and concerns with one another.

We, as a TRIBE, face many challenges and the majority of the time, it is being fought where Tribal concerns and issues are NOT the priority, yet we forge ahead to ensure we are engaged in protecting our inherent rights and resources.

Again, I want to express my deepest condolences to all those that have lost loved ones as this has been a tough year for many and we need to look after one another and help each other as we were taught, "to ALWAYS GIVE Back TO THE CIRCLE as it will take care of you."

Members

Erik Holt, Chairman

Nickles Twomoons, Secretary

Andre Picard, Jr., Member

Vice Chairman – Vacant

Michael McFarland, Member

Staff Member Nancy McAllaster

Meetings Regular meetings are the 2nd & 4th Monday of each month at 5PM, and special meetings called when necessary (with only one paid meeting per month). Meetings are open to all members of the NPT and conference call lines are available for each meeting.

Liaisons for specific areas the FWC is obliged to administer to assist the NPTEC (FWC Chairman involved with each)

FISHERY: Freezer – Erik, Nickles & Andrea; CRZ6, CRITFC & CRITFE (fish/lamprey) – Nickles, Erik & Andre; Tributary Fishery – Andre, Michael & Erik; Guide & Outfitting – Nickles, Michael & Erik; Fish Distribution – Erik, Nickles & Andre; NATURAL RESOURCES – WILDLIFE/HUNTING/ACCESS MANAGEMENT: BUFFALO Hunt – Erik, Andre & Nickles; Bighorn Sheep/Moose/Elk – Nickles, Michael & Erik; AGREEMENTS with Other ENTITIES – Erik, Andre & Nickles; FORESTRY/GATHERING, Firewood, Roots, Berries & Other – Michael, Andre & Nickles; LAND & ACCESS MANAGEMENT – Erik, Michael & Nickles; TREATY, TRIBAL CODE & BY-LAWS – Erik, Andre & Nickles; YOUTH ACTIVITIES – Andre, Erik & Michael.

P.O. Box 365, 315 "B" Street, Lapwai, ID 83540 ✈ 208-843-9376

FAX: 208.843-7381 ✈ nancymac@nezperce.org

EAH/nkm II-16-20

The Covid-19 pandemic certainly changed our lives. Since it was declared a National Emergency, the outbreak has caused tremendous change and on how we conduct day-to-day operations, including our meetings. As with other tribal programs, the FWC implement safety protocols to ensure the safety of everyone involved and conduct meetings via telephone conference calls.

JUNE

Spring Salmon Fishery After reports and recommendations from the Department of Fisheries Resources Management (DFRM) regarding the low spring fishery predictions and the estimated broodstock needs, the commission had a difficult decision to make about closing spring salmon fishing to the Nez Perce (NP) in certain areas. The FWC vote barely passed to close those particular fishing areas, especially since other tribes and the State remained open and our people rely on fishing to supplement their food source; however, as commissioners, we were mindful of our oath office to stand in the best interest of protecting our resources for future returns.

Columbia River Inter-Tribal Fish Commission I made a request to the Columbia River Inter-Tribal Fish Commission during the June meeting to have Levi Holt, my gravely ill uncle and former NPTEC member, address the CRITFC meeting for the last time. Those were, literally, his last words he was able to speak, and in those accounts, he still had the spirit of the Wolf and all his PEOPLE in his heart as he offered his insights, his experiences, and his optimism for the future for the last time.

JULY

Commission received regular season updates from the DFRM on our Snake River Basin and subbasin as well as acquiring broodstock needs, which fell short on many areas.

The following are concerns/issues brought before the commission:

- The commission looked into concerns of the Confederated Tribes of the Umatilla Indian Reservation (CTUIR/Umatilla) access management and encroachment of Nez Perce usual and accustomed fishing areas.
- NPTEC and the FWC convened to discuss concerns of the NP fishing closure of the South Fork Salmon River because of low returns, while the Shoshone Bannock Tribes and the State continue to allow fishing.
- FWC received numerous complaints of the Rainbow Gathering outside of Riggins. We were moderately self-limited by manpower, funding, and by not surpassing our directives as the commission.
- The commission discussed the budget at length with tribal officials.

- Discussion regarding the Memorandum of Agreement (MOA) for Fishing below Bonneville Dam to make it user-friendly language and to transfer year-to-year.
- Bridge of the Gods/Hood River Toll Bridge – FWC advocated by produced a letter and speaking out during meetings to get “treaty language for travel” as fundamental reserved right for allowing NP fishers to cross without paying the toll fee. Subsequently, there is no longer a fee for NP fishers to cross the toll bridge.
- 15 Mile Creek area – FWC advocated to get language established to allow Tribal members to access and fish at this site.
- July 14, the NPT met broodstock needs at the Raid River and backfilled shortages in the Clearwater River with stock.
- Fisher (Zone 6) Clifford Shippentower drift net fishery only try to separate with little to no impacts on steelhead.
 - o Wes Oatman – Fish landing tickets to describe how many steelhead are being caught by ‘driftnets vs. set nets”. Disappointed that State of Idaho reopened fishery (We voiced our concerns whole heartedly with the DFRM.)
- Michael Sean McConville – Week-to- week number need them immediately so tribes can adjust as needed.
- CRITFC swore in new officers – Ferris Paisano, Vice Chairman, also new CRITFE Jason Allman, Nez Perce.

AUGUST

FISHERY

- FWC received continued harvest reports and recommendations from the DFRM for the spring/summer salmon treaty fishery.
- FWC took action to opened Snake River basin fall seasons that include a steelhead, fall chinook and coho salmon ceremonial and subsistence fishing and a commercial permit season with usual closure dates.
- The four CRITFC tribes authorized commercial gillnet fishing seasons throughout the fall with consideration to the fishery returns.
- Our Nez Perce fishers were unable to sell or barter their fish due to the COVID-19; so, the FWC requested financial assistance for them from the Coronavirus Aid, Relief, and Economic Security (CARES) Act Funding.
- In addition, there were several discussions of hunting wild game for Tribal families with financial assistance from the CARES Act funding.

SEPTEMBER

- After a series of meetings, the FWC CARES Act Hunt was establish and funded for hunters to hunt for wild game for distributions to Tribal families in

need. This included developing regulations and appropriate documents while following stringent guidelines. We are confident that all participants keep a good heart for a successful project for the good of the people.

- **FWC POTENTIAL BUILDING HEALTH HAZARDS** FWC staff member has been addressing concerns of the probable health hazards of the FWC building including black mold in the basement, asbestos within the building structure and the lead paint.
- **4 CHAIR'S MEETING** As FWC Chairman, I was delegated to attend the 4 Chair's (CTUIR, YAK, WS & NP) meeting at the Wildhorse Resort & Casino in Pendleton. Discussion included Tribal visions of salmon, steelhead and lamprey recovery; the NP bullet points that were developed based on federal agencies and the proposals including questions and comments; Proposed Accord Extension, options and alternatives, and what is missing as well as the Nez Perce perspective (NP was the only one of the four tribes that did not sign the accords).
- **FISHERY** Again, the DFRM provided regular updates on the tributary fishery from their monitoring efforts and biological data gathered.
- **FISHERY** FWC received a special donation of salmon fillets from Clifford Shippentower, NP Zone 6 fisher. We wish to commend him for his effort, heart and spirit.

OCTOBER

Department of Natural Resources Wildlife division and the Natural Resources subcommittee made some changes to the Montana Interagency Bison Management Plan (IBMP). Nez Perce Tribe will host virtual IBMP meeting December 2.

- **TREATY BUFFALO HUNT** FWC requested the NPT to open the West Yellowstone treaty buffalo hunt, and it opened .
- As required and in coordination with the NPTEC, Office of Legal Counsel, and the DNR Wildlife division, the team will work together to adopt the 2020-21 season regulations for the Gardiner area.
- will begin to go through the process of getting hunting regulations approved for the Gardiner area. However, we first wanted input from Tribal members on our treaty reserved right to hunt other species during the buffalo hunt; Montana sells permits on those other species. We will schedule the Buffalo Hunt Orientation sessions once the regulation is finalized.
- **ENDANGERED SPECIES ACT (ESA)** DFRM reported the necessity of protecting through the ESA threatened or endangered species listed fish, in particular fall chinook while spawning; thereby, the FWC acted accordingly to address this issue through fishing regulations.

- **COHO UPDATE** DFRM also updated the FWC on coho project. Coho was caught in the Lostine River for the first time in over 40 years!! FWC appreciates the DFRM Coho project efforts of outplaning and taking measure to raise and monitor coho from the early broodstock stage through their release. Their efforts paid off and it is a job well done. We hope for continued success of the project and projections of good future returns again where they were once abundant.
- **CARES ACT HUNT** FWC CARES Act Hunt funding solidified after a series of meetings to quickly develop the hunt project. The hunt season is from October 9 through November 20, 2020.
- **BIRDS of PREY** NPTEC, Tribal staff and the FWC participated in the "Birds of Prey" Eagle Repository retrieval of birds and feathers. Nez Perce Tribe was first to be recognized by the federal government for approval.
- **CONFEDERATED TRIBES of WARM SPRINGS DONATION** NPTEC Chairman Wheeler received a call from the Chairman of the Confederated Tribes of Warm Springs, Ron Suppah requesting donations of salmon from the Nez Perce due to the loss of fish from their cold storage. FWC agreed to assist and fisheries staff assisted on the amount we could offer on behalf of the Nez Perce donation.

NOVEMBER

- **FWC CARES ACT HUNT** The hunt is on-going and at this time 10 big boxes of elk and deer meat are ready to be picked up from the Clarkston 4 Frenz Meat Market. Wild game is still be harvested and will continue being processed for the NPT. FWC will work on a distribution plan for the processed meat from this project.
- **FISHING GEAR SALE** Columbia River Inter-Tribal Fisheries Enforcement rotated abandoned of confiscated fishing gear from Zone 6 and after it is through the court system, the gear is given to the four tribes on a rotation basis. An announcement will be made once the FWC has a plan and date for the sale of that gear.
- **FWC MEMBER VACANCY** FWC opted to recommend to the NPTEC to authorize a letter of interest to temporarily fill that vacancy, making a full commission of 5 members.

In closing, I would like to reiterate that this has been a tough year with the pandemic and the loss of some of our people. My heartfelt prayers go out to all the families during this time. As we move forward during the holiday season be mindful of those in need and help whenever you can as we all need each other to get through this trying time.

I am humbled to give you this report. Qe'ciyew'yew'