

7-9-1973

## **Docket Entry 283 - Filed Defendant Department of Fisheries List of Exhibits**

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JUL 4 4 07 PM '73

EDGAR SCOFIELD, CLERK  
U.S. DISTRICT COURT  
W.D. OF WASHINGTON  
BY *lh* DEPUTY CLERK

SLADE GORTON  
Attorney General

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Assistant Attorney General  
Temple of Justice  
Olympia, WA 98504  
Attorneys for Defendant  
Department of Fisheries  
AC 206 753-2772

1  
2 UNITED STATES DISTRICT COURT  
3 WESTERN DISTRICT OF WASHINGTON  
4 AT TACOMA

5 UNITED STATES OF AMERICA, et al., )  
6 Plaintiffs, )  
7 -vs- )  
8 STATE OF WASHINGTON, et al., )  
9 Defendants. )

CIVIL NO. 9 2 1 3

DEFENDANT DEPARTMENT OF  
FISHERIES' LIST OF EXHIBITS

\* \* \*

10 The following list of exhibits is submitted by defendant  
11 Department of Fisheries in support of its direct testimony. This  
12 defendant reserves the right to submit additional exhibits in support  
13 of the direct testimony to be submitted at a later date, in accordance  
14 with the Pre-Trial Order, dated April 4, 1973, and any other exhibit  
15 to be submitted in support of testimony in rebuttal to testimony intro-  
16 duced by the plaintiffs.

17 For convenience the Department of Fisheries' exhibits'  
18 numbers are preceeded by the letter "F" for identification. A complete  
19 copy of Exhibit F-3 is being furnished to the court and plaintiffs'  
20 liason counsel. For convenience a copy of the table in Exhibit F-3  
21 referred to in Mr. Lasater's direct testimony has been reproduced and  
22 is furnished to each of plaintiffs' counsel. Exhibits F-6 and F-18  
23 are being furnished to the court. Copies of these exhibits have  
24 previously been furnished to plaintiffs' liason counsel for reproduc-  
25 tion and distribution among plaintiffs, and therefore copies of these  
26 exhibits are not at this time being furnished to plaintiffs' counsel.  
27 Upon specific request a copy of Exhibits F-6 and F-18 will be provided  
any plaintiff counsel.

203

- 1 F-1 Schematic Drawing of Typical River
- 2 F-2 Comparison of the Effects of a Quota and of a Percent of
- 3 Harvest Upon a Treaty Indian Fishery
- 4 F-3 1970 Fisheries Statistical Report
- 5 F-4 The Catch of Fall Chinook by Puyallup Indians and Correspond-
- 6 ing Return of Adults to the Puyallup River Salmon Hatchery
- 7 F-5 Outline of Steps Followed to Establish Annual Puget Sound
- 8 Commercial Salmon Regulations
- 9 F-6 Catches of Salmon from Indian Fishery Rivers of Puget Sound,
- 10 Coastal Washington, and the Strait of Juan de Fuca
- 11 F-7 Salmon Catch & Escapement for Several Rivers on which Treaty
- 12 Indian Fisheries Occur in P.S. & Coastal Areas
- 13 F-8 Salmon Catch & Escapement for Hoh River
- 14 F-9 Salmon Catch & Escapement for Hoko River
- 15 F-10 Salmon Catch & Escapement for Nisqually River
- 16 F-11 Salmon Catch & Escapement for Nooksack River
- 17 F-12 Salmon Catch & Escapement for Puyallup River
- 18 F-13 Salmon Catch & Escapement for Quillayute River
- 19 F-14 Salmon Catch & Escapement for Skagit River
- 20 F-15 Salmon Catch & Escapement for Skokomish River
- 21 F-16 Salmon Catch & Escapement for Snohomish-Stillaguamish Rivers
- 22 F-17 Salmon Catch & Escapement for Southern Puget Sound
- 23 F-18 Salmon Escapement and Desired Escapement Levels to Certain
- 24 Puget Sound Systems Containing Indian Fisheries
- 25 F-19 Skokomish River Indian Chinook Catches
- 26 F-20 Hatchery Surplus Salmon Given to Indian Tribes in 1972
- 27 F-21 1971 Puget Sound Coho - All Gear Combined, excluding Troll
- 28 Strait of Juan de Fuca - computer run, pages 1-4
- 29 F-22 Ozette River Indian Sockeye Catches, 1948-1972
- 30 F-23 Quinalt River Sockeye Indian Catches, 1935-1972
- 31 F-24 Letter to Thor Tollefson from Quinalt Tribal Council 6/13/73
- 32 F-25 Letter to Muckleshoot Tribal Council from A. Dennis Austin,
- 33 Fisheries Management Biologist, 6/21/73

1 DATED this 9th day of July, 1973.

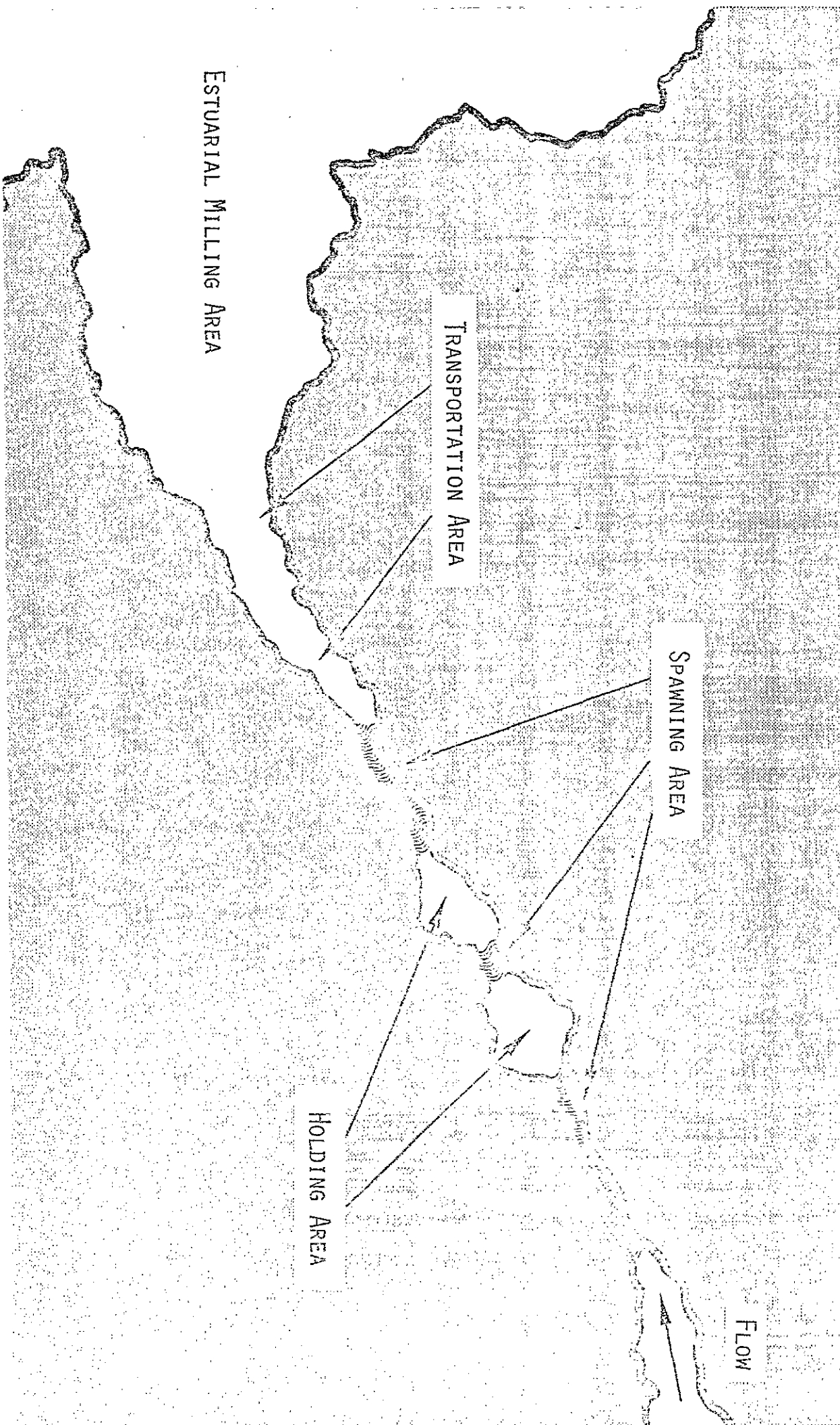
2 SLADE GORTON  
3 Attorney General

4 *Earl R. McGimpsey*

5 EARL R. MCGIMPSEY  
6 Assistant Attorney General  
7 Attorneys for Defendant  
8 Department of Fisheries

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SCHEMATIC DRAWING OF TYPICAL RIVER SHOWING  
ESTUARIAL MILLING AREA, TRANSPORTATION AREA,  
HOLDING AREA, AND SPAWNING AREAS



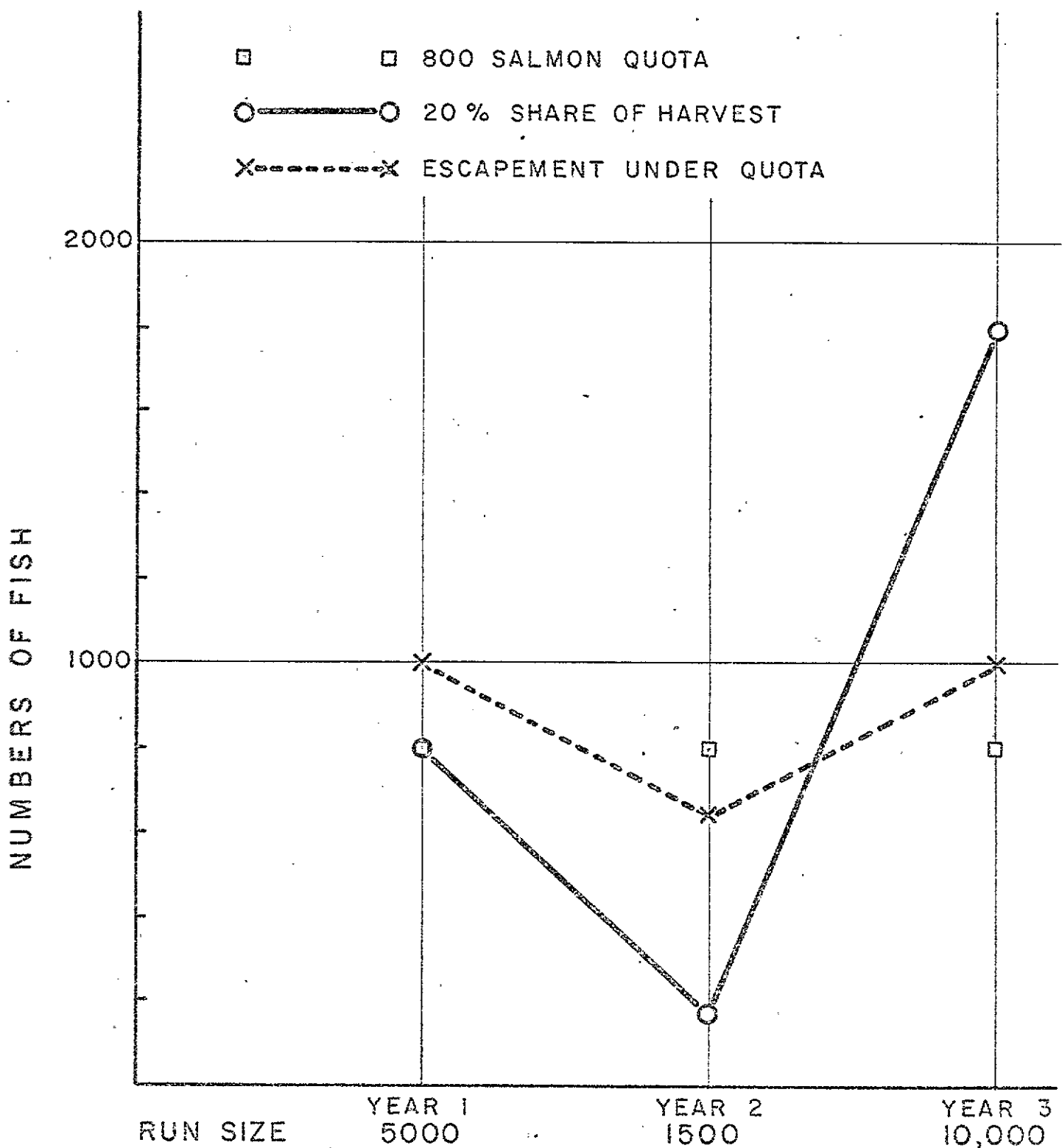
ESTUARIAL MILLING AREA

TRANSPORTATION AREA

SPAWNING AREA

HOLDING AREA

FLOW



COMPARISON OF THE EFFECTS OF A QUOTA AND OF A PERCENT OF HARVEST UPON A TREATY INDIAN FISHERY

# 1970 FISHERIES STATISTICAL REPORT

By  
Dale Ward  
Robert Robison  
Gene Nye  
Don Reed



## WASHINGTON Department of FISHERIES

Department of Fisheries  
State of Washington

DANIEL J. EVANS  
Governor

THOR C. TOLLEFSON  
Director

### Catch of Salmon on Puget Sound, Excluding Offshore Catches In Numbers of Fish

YEAR	Chinook	Chum	Pink	Silver	Sockeye	Total
1913.....	290,044	604,857	15,907,710	1,225,315	21,588,964	39,626,840
1914.....	435,979	1,656,187	15,907,710	1,490,360	3,451,962	7,138,515
1915.....	361,105	1,834,144	7,367,312	1,108,306	804,357	11,457,310
1916.....	801,178	1,834,147	65,009	1,068,399	504,387	4,165,739
1917.....	440,861	1,695,615	13,315,389	1,536,212	4,081,933	20,179,422
1918.....	477,845	1,156,531	17,778,499	1,837,525	1,521,431	3,910,422
1919.....	317,765	1,475,091	4,657,879	1,323,153	706,664	8,600,534
1920.....	371,696	1,475,091	10,195	1,630,408	652,513	2,199,326
1921.....	238,362	232,193	4,407,316	752,221	1,132,413	2,338,236
1922.....	238,362	232,193	4,407,316	752,221	1,132,413	2,338,236
1923.....	238,362	232,193	4,407,316	752,221	1,132,413	2,338,236
1924.....	238,362	232,193	4,407,316	752,221	1,132,413	2,338,236
1925.....	238,362	232,193	4,407,316	752,221	1,132,413	2,338,236
1926.....	238,362	232,193	4,407,316	752,221	1,132,413	2,338,236
1927.....	238,362	232,193	4,407,316	752,221	1,132,413	2,338,236
1928.....	238,362	232,193	4,407,316	752,221	1,132,413	2,338,236
1929.....	238,362	232,193	4,407,316	752,221	1,132,413	2,338,236
1930.....	238,362	232,193	4,407,316	752,221	1,132,413	2,338,236
1931.....	238,362	232,193	4,407,316	752,221	1,132,413	2,338,236
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1968.....	238,362	232,193	4,407,316	752,221	1,132,413	2,338,236
1969.....	238,362	232,193	4,407,316	752,221	1,132,413	2,338,236
1970.....	159,750	217,619	1,796	819,933	1,362,163	2,359,465

Puget Sound includes all American waters inside and east of Neah Bay, Cape Flattery purse seine, gill net and trawl catches are excluded from this table.

### Admiralty Inlet-Discovery Bay Salmon Catches In August

YEAR	Pink	Silvers	Chinooks
1949.....	318,839	18,837	106
1951.....	40,545	4,281	97
1953.....	237,621	10,971	1,207
1955.....	122,630	7,583	796
1957.....	13,973	1,638	113
1959.....	17,823	23	17
1961.....	719,079	8,007	619
1962.....	28,718	2,130	2,139
1967.....	37,334	1,664	3,635
1969.....	1,128	1,205	6,734

Figures are for the special August odd-year pink salmon season only and do not include silver salmon and chinook salmon taken after August 31.

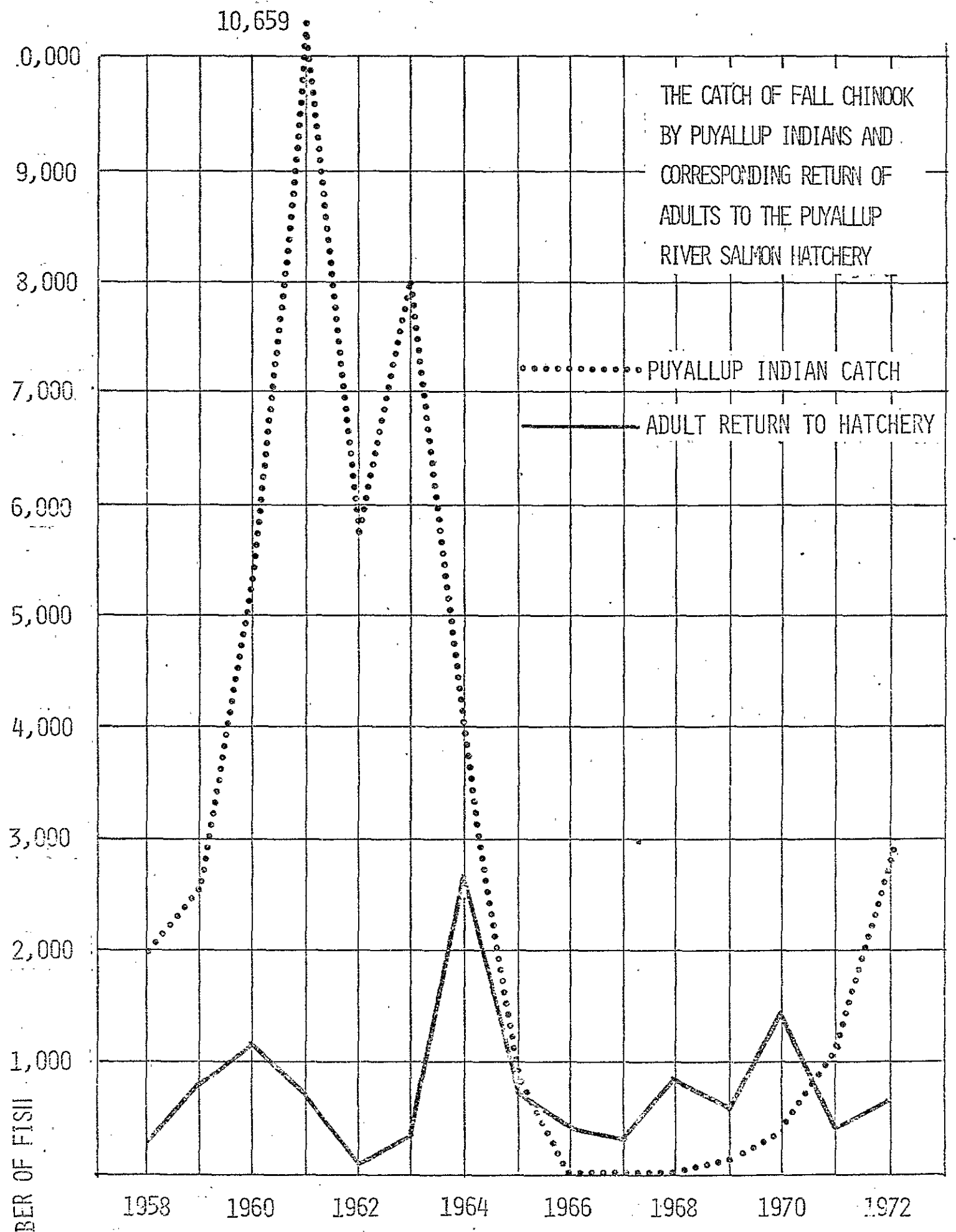


EXHIBIT F-4



# OUTLINE OF STEPS FOLLOWED TO ESTABLISH ANNUAL PUGET SOUND COMMERCIAL SALMON REGULATIONS BY THE WASHINGTON STATE DEPT. OF FISHERIES

DEC. - JAN.



JAN.



FEB.



EARLY MARCH



LAST WEEK OF MARCH TO FIRST WEEK OF APRIL  
(20 DAYS AFTER PROPOSALS MAILED OUT.)



LESS THAN ONE WEEK FOLLOWING FIRST HEARING



LATE MAY

PREVIOUS SEASON'S FISHERY IS REVIEWED AND ANALYZED

PREDICTIONS OR FORECASTS OF RUN SIZE ARE PREPARED FOR THE COMING SEASON

REGULATION PROPOSALS ARE PREPARED AND REVIEWED BY PROJECT STAFF PERSONNEL

PROPOSALS ARE REVIEWED BY THE MANAGEMENT AND RESEARCH DIVISION AND PATROL DIVISION

REVISED PROPOSALS ARE PRESENTED TO ADMINISTRATION FOR REVIEW AND SUBSEQUENT APPROVAL MODIFICATION OR REJECTION

FINAL PROPOSALS ARE MAILED TO ALL SEGMENTS OF COMMERCIAL INDUSTRY, SPORT INTERESTS, INDIAN TRIBES, ALL PREVIOUS SEASON LICENSE HOLDERS, AND NEWS MEDIA.

PUBLIC HEARING IS HELD. PROPOSALS ARE ORALLY PRESENTED WITH DETAILED JUSTIFICATIONS. PUBLIC COMMENTS ARE RECEIVED IN PERSON OR BY LETTER.

PUBLIC COMMENTS RELATED TO PROPOSED REGULATIONS ARE REVIEWED BY STAFF AND RECOMMENDATIONS ARE MADE TO DIRECTOR WHO APPROVES OR REJECTS ALL OR PARTS THERE OF.

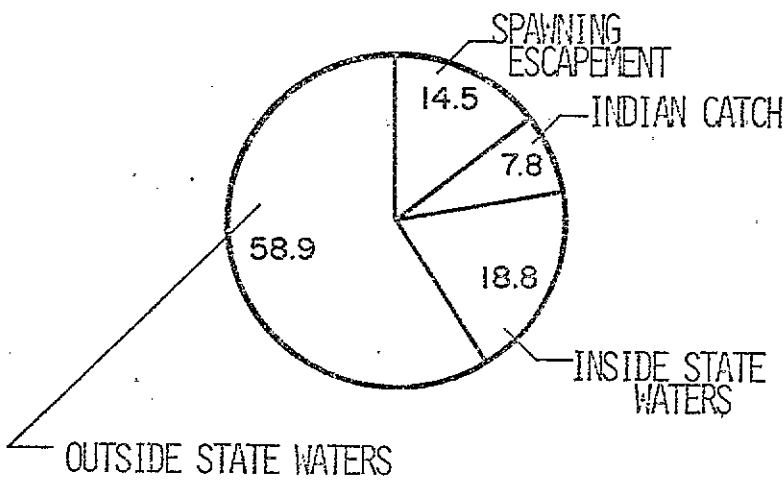
REVISED REGULATION PROPOSALS ARE ADOPTED AT PUBLIC HEARING

REGULATION SUMMARIES ARE SENT TO THOSE RECEIVING ORIGINAL PROPOSALS

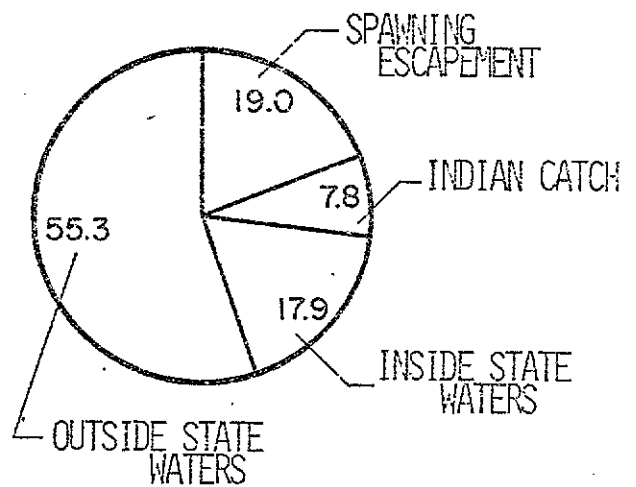
AS SEASONS DEVELOP REGULATIONS ARE MODIFIED BY EMERGENCY ORDER OF THE DIRECTOR AS MORE CURRENT DATA BECOMES AVAILABLE.

# SALMON CATCH & ESCAPEMENT FOR SEVERAL RIVERS ON WHICH TREATY INDIAN FISHERIES OCCUR IN P.S. & COASTAL AREAS

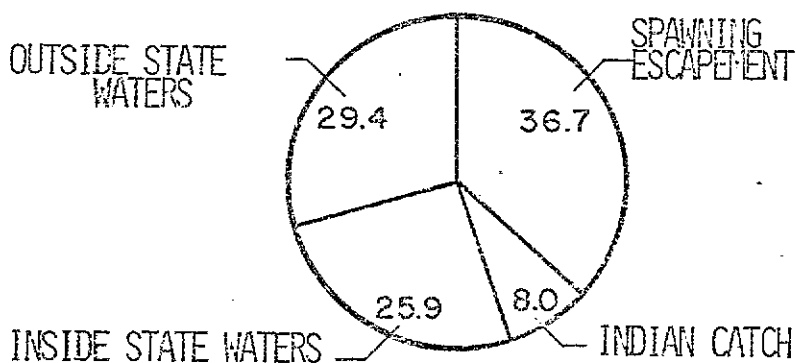
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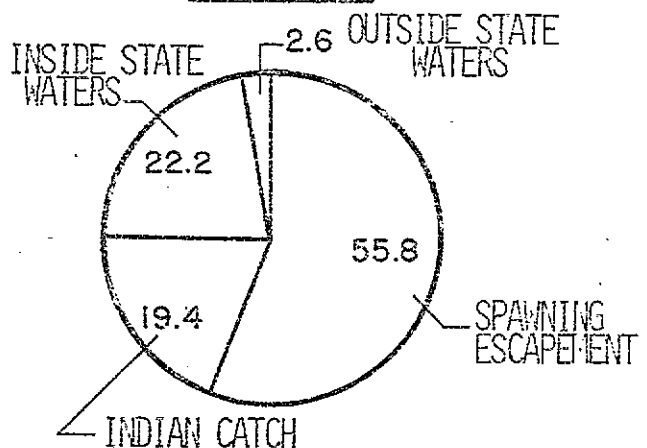
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## PINK



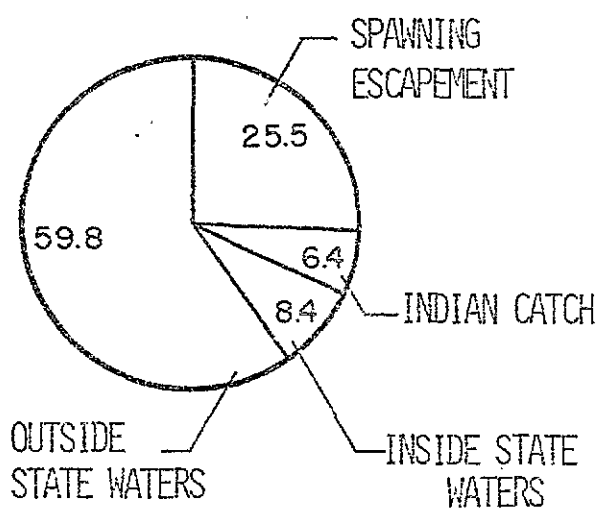
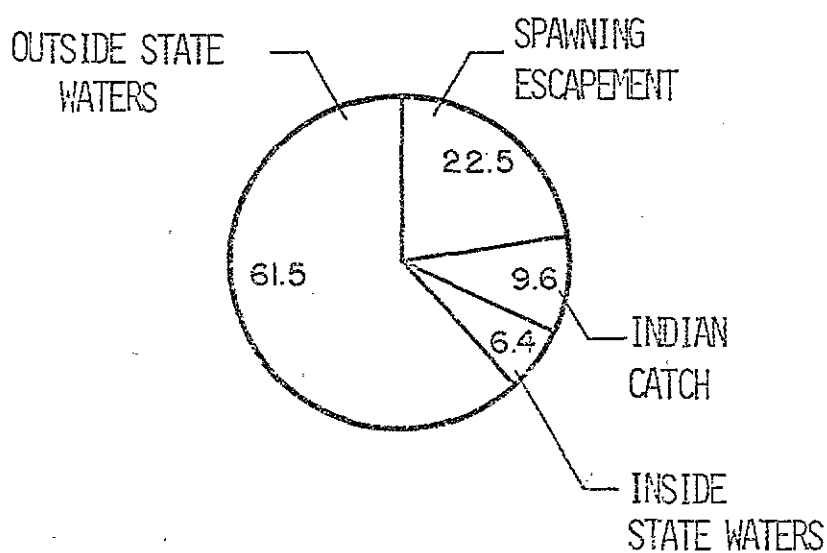
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# SALMON CATCH & ESCAPEMENT FOR HOH RIVER

## CHINOOK

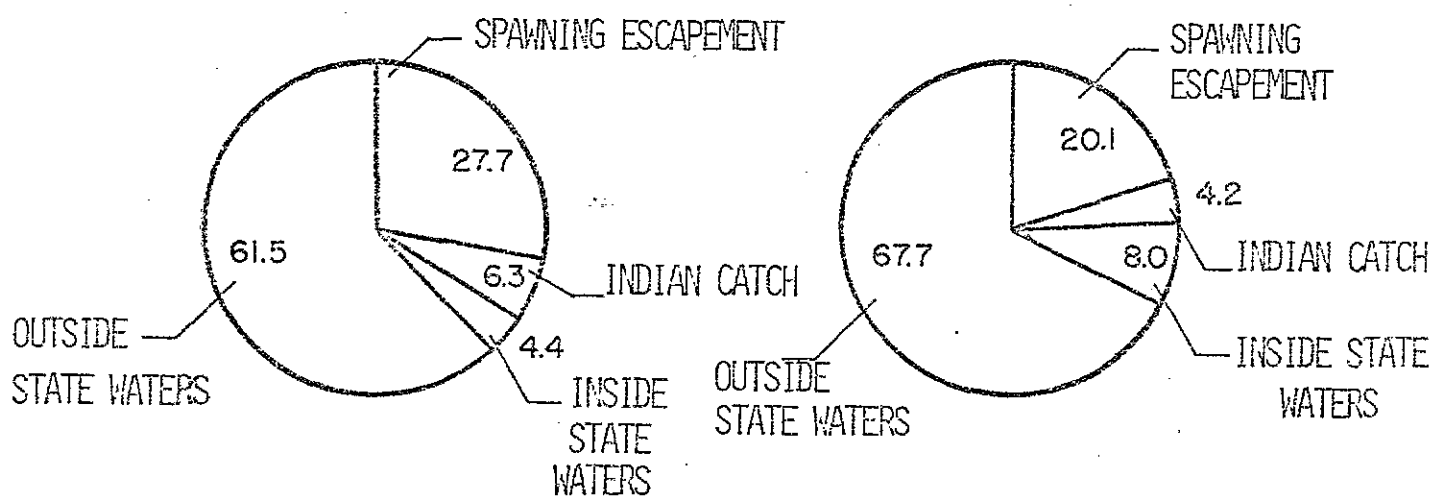
## COHO



# SALMON CATCH & ESCAPEMENT FOR HOKO RIVER

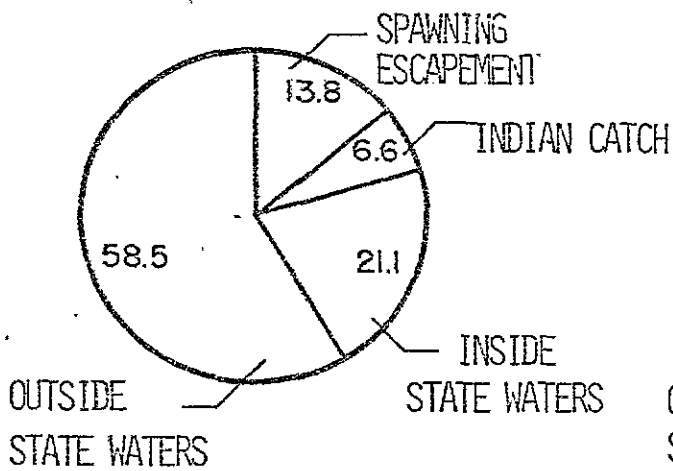
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## COHO

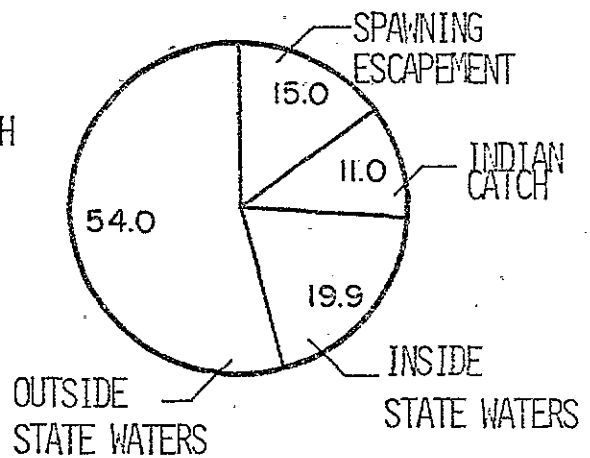


# SALMON CATCH & ESCAPEMENT FOR NISQUALLY RIVER

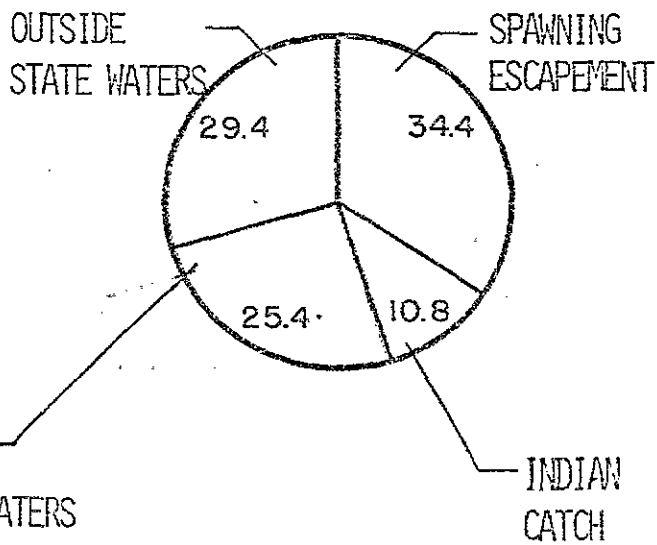
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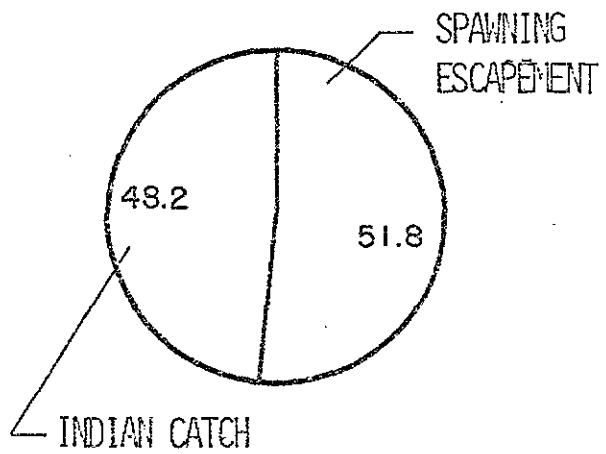
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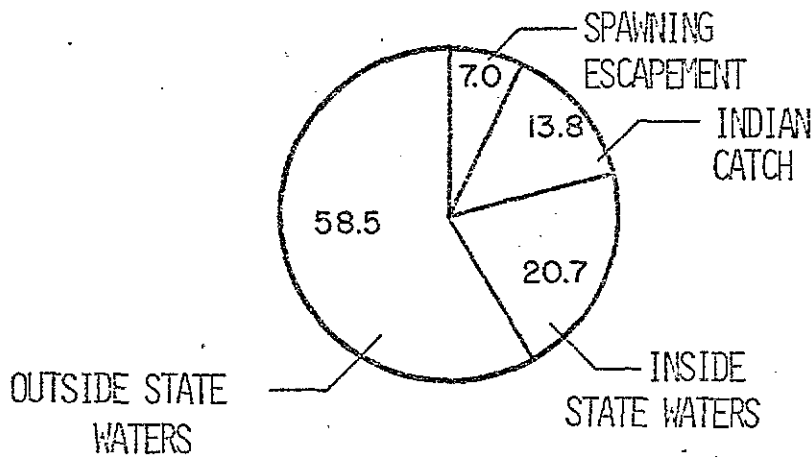


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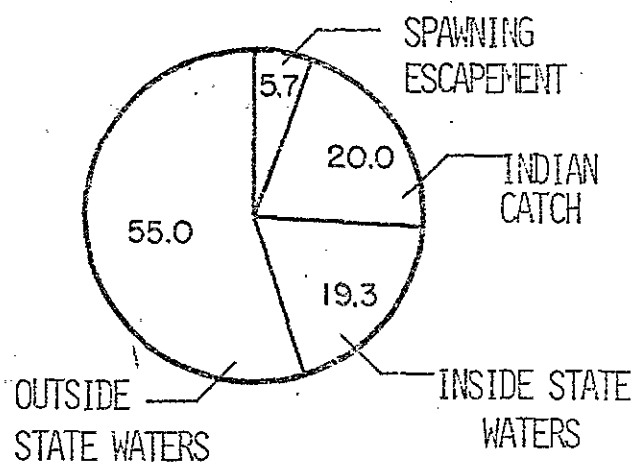


# SALMON CATCH & ESCAPEMENT FOR NOOKSACK RIVER

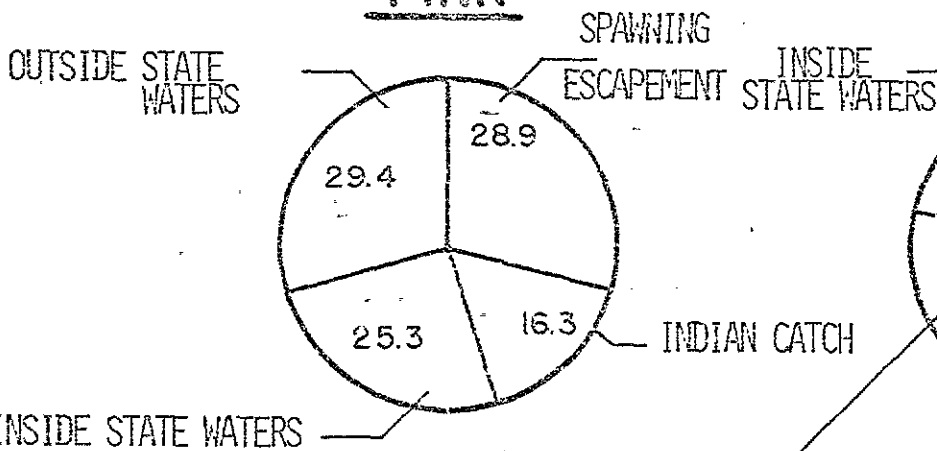
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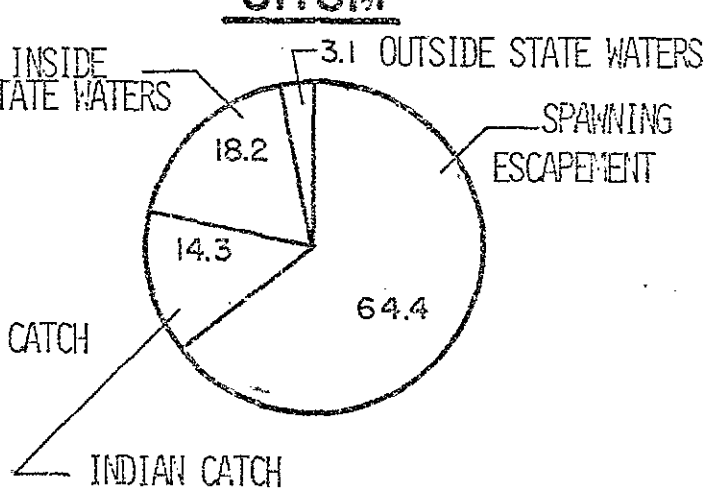
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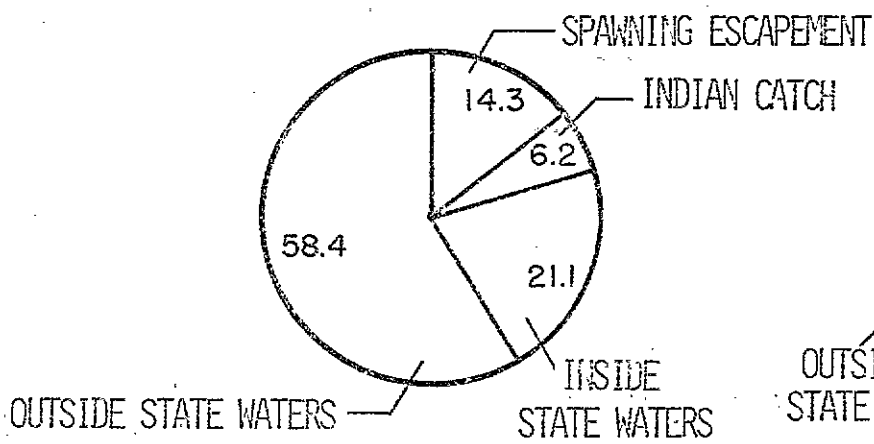


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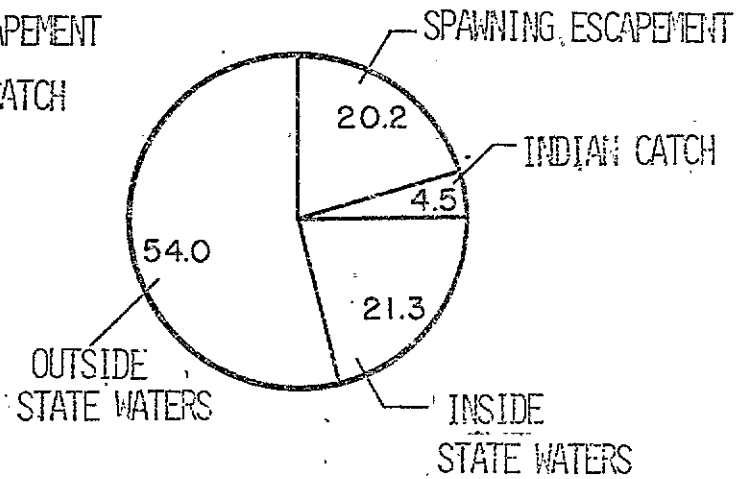


# SALMON CATCH & ESCAPEMENT FOR PUYALLUP RIVER

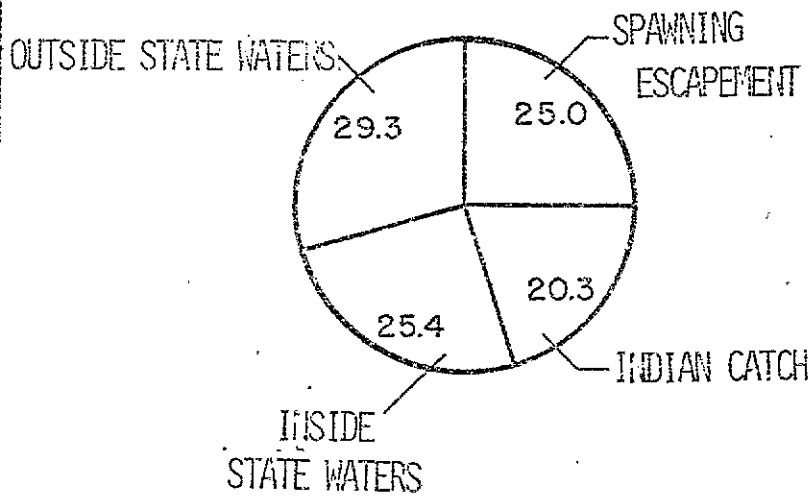
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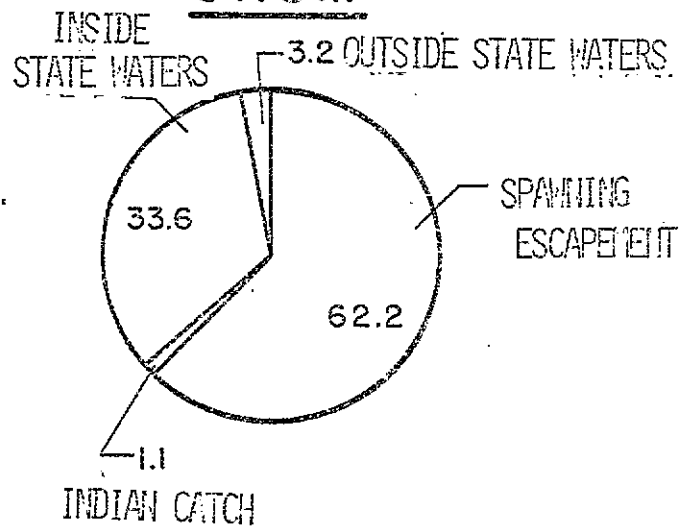
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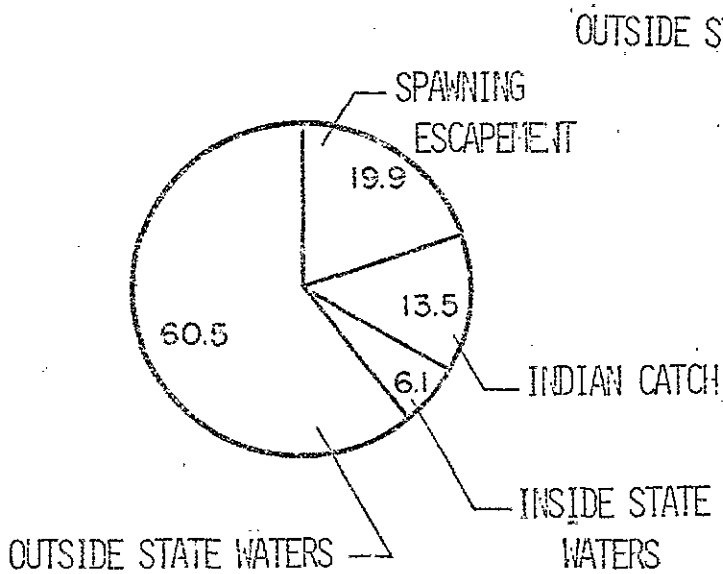


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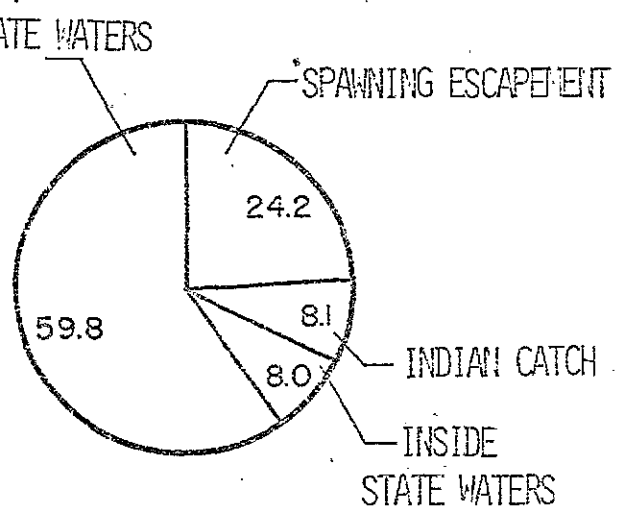


# SALMON CATCH & ESCAPEMENT FOR QUILLAYUTE RIVER

## CHINOOK



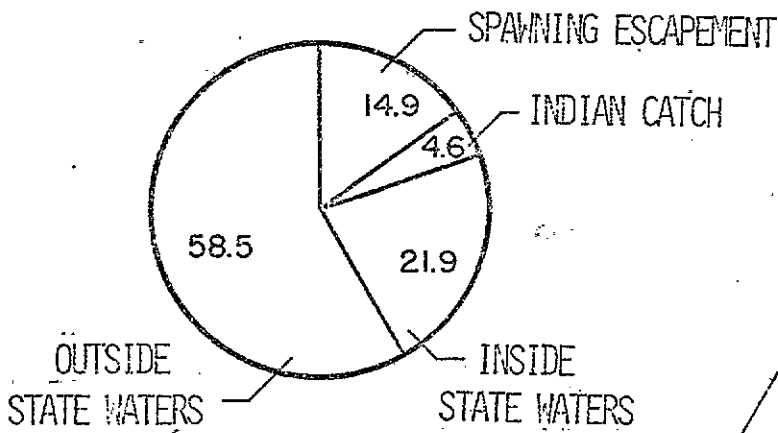
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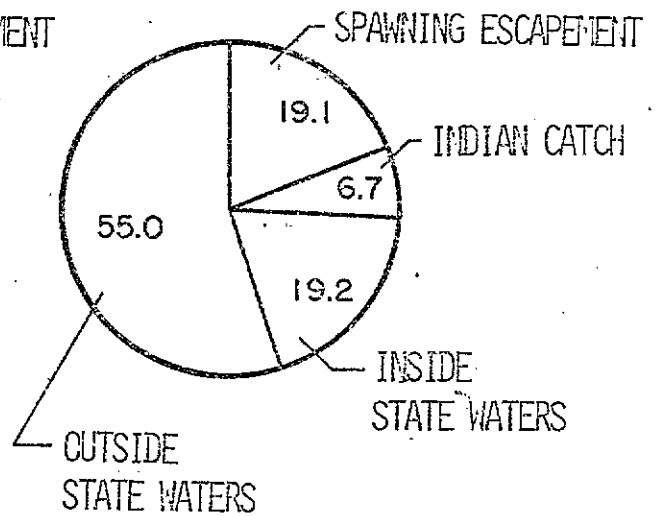


# SALMON CATCH & ESCAPEMENT FOR SKAGIT RIVER

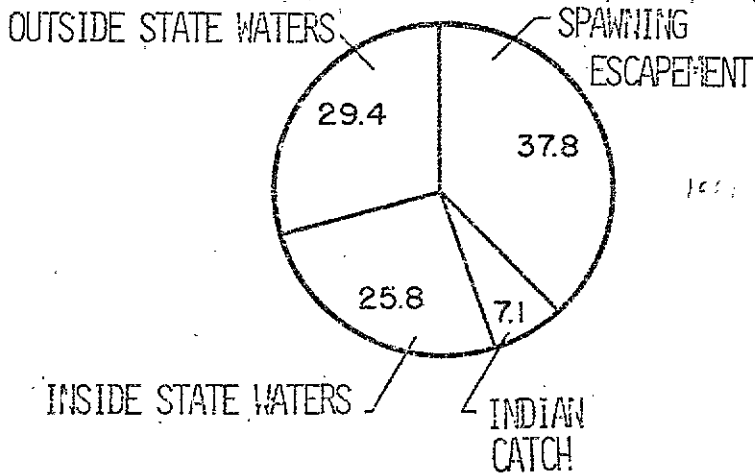
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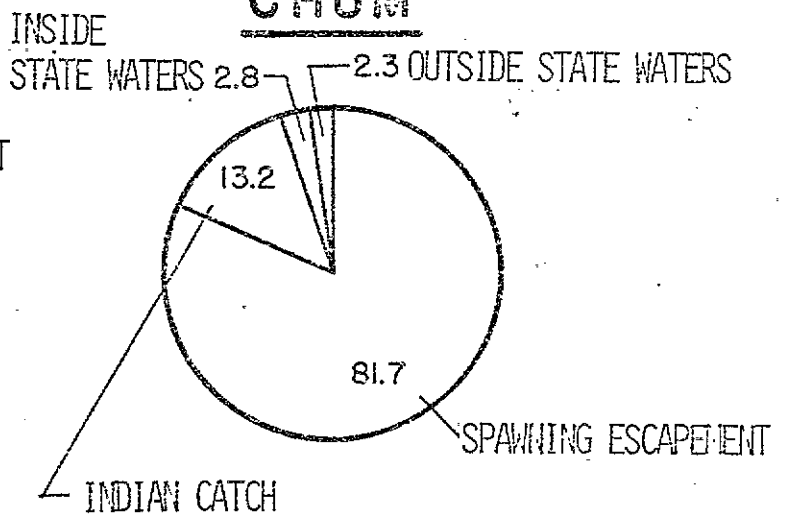
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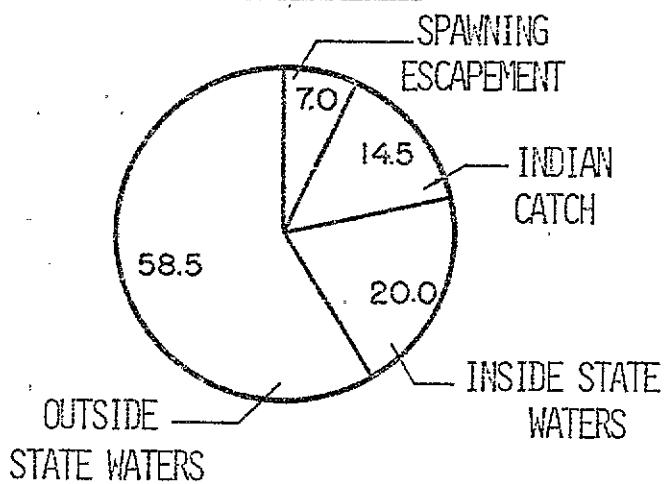


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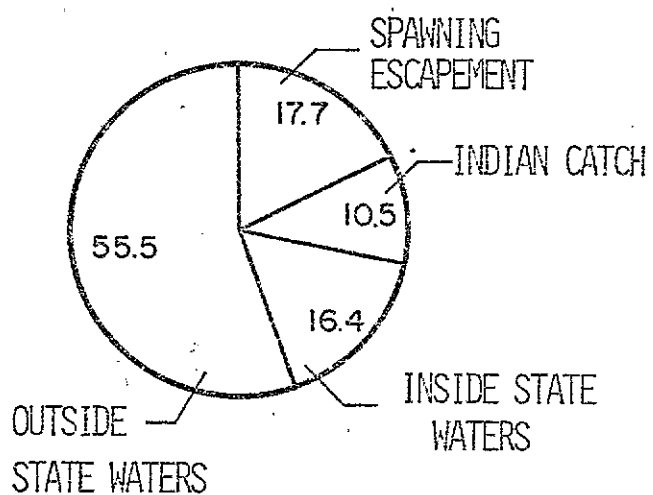


# SALMON CATCH & ESCAPEMENT FOR SKOKOMISH RIVER

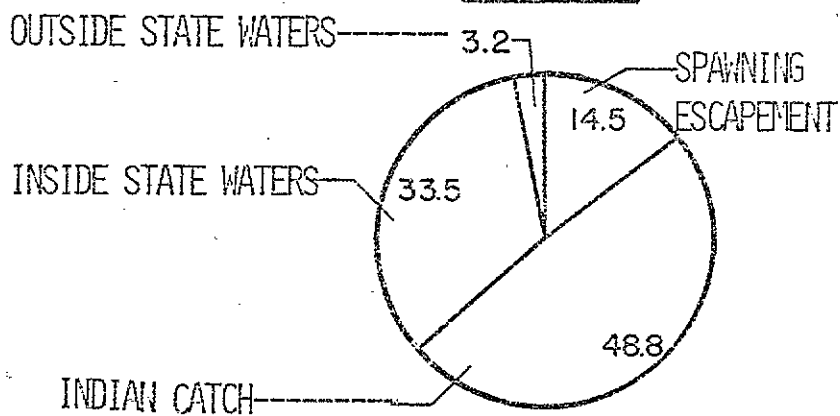
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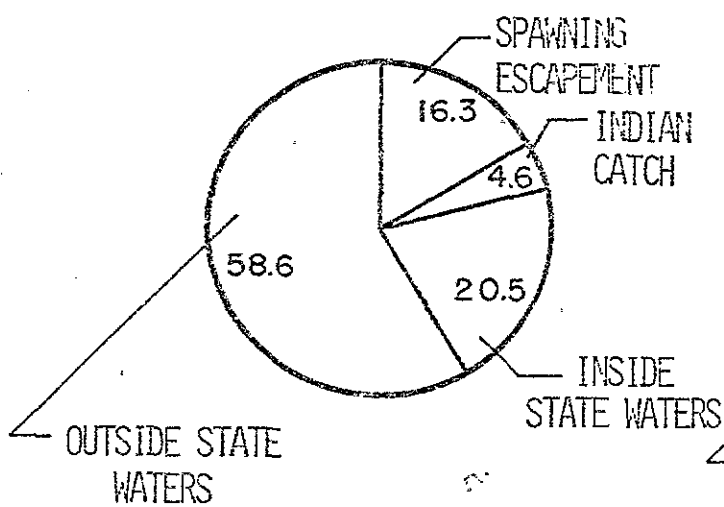


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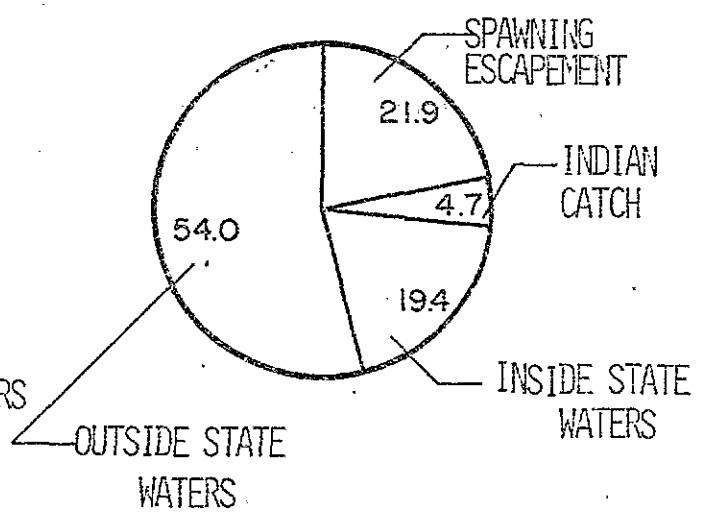


# SALMON CATCH & ESCAPEMENT FOR SNOHOMISH - STILLAGUAMISH RIVERS

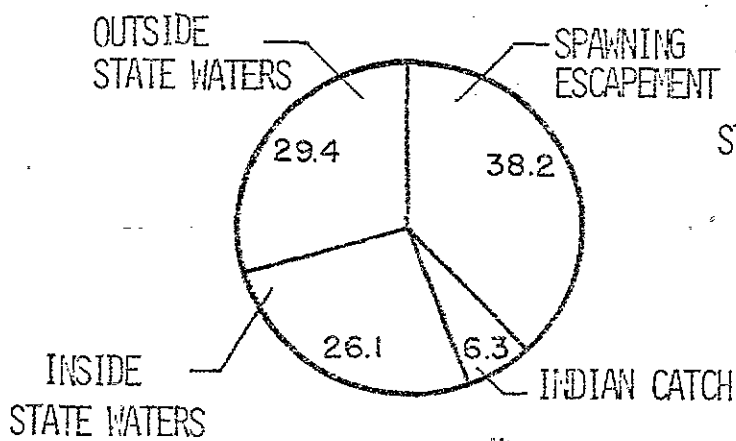
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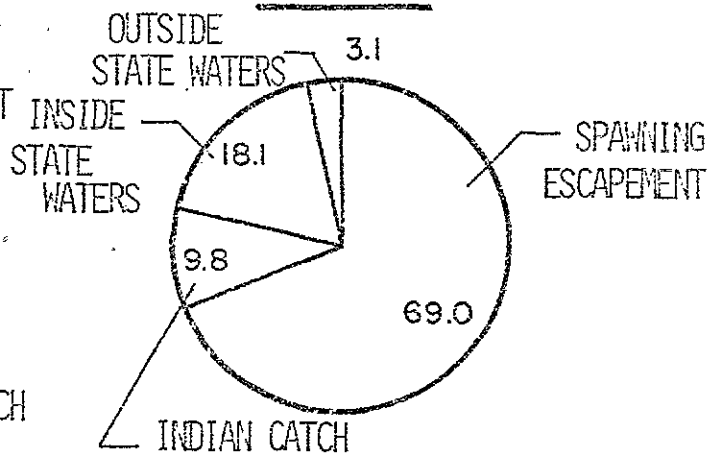
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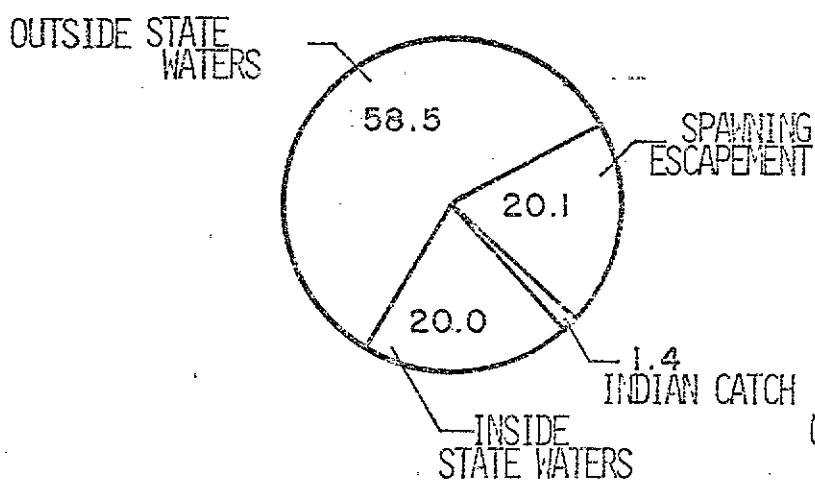


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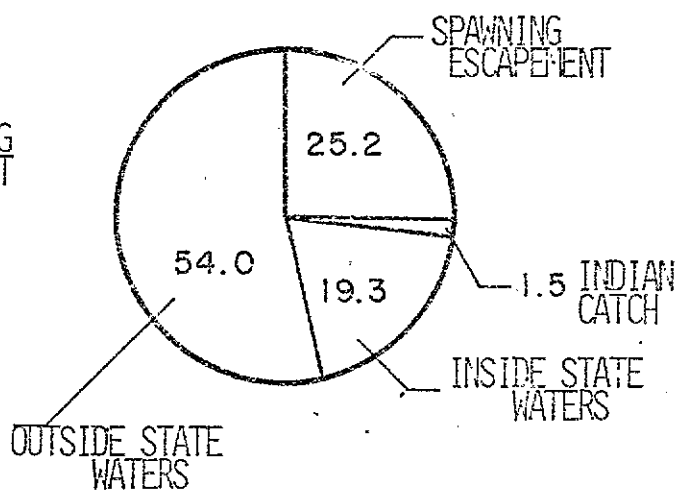


# SALMON CATCH & ESCAPEMENT FOR SOUTHERN PUGET SOUND

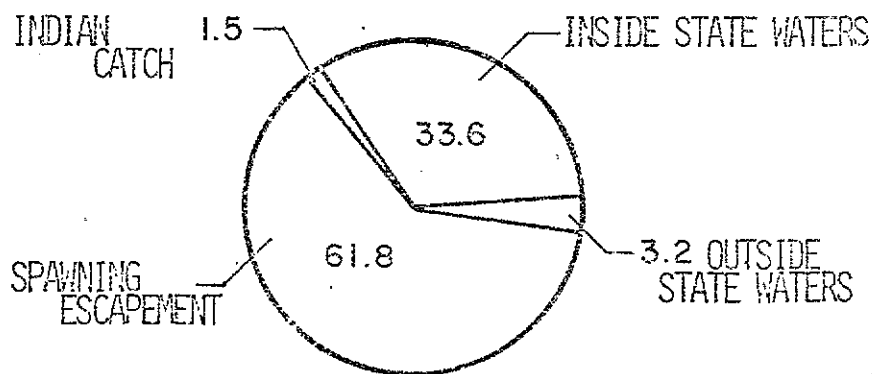
## CHINOOK

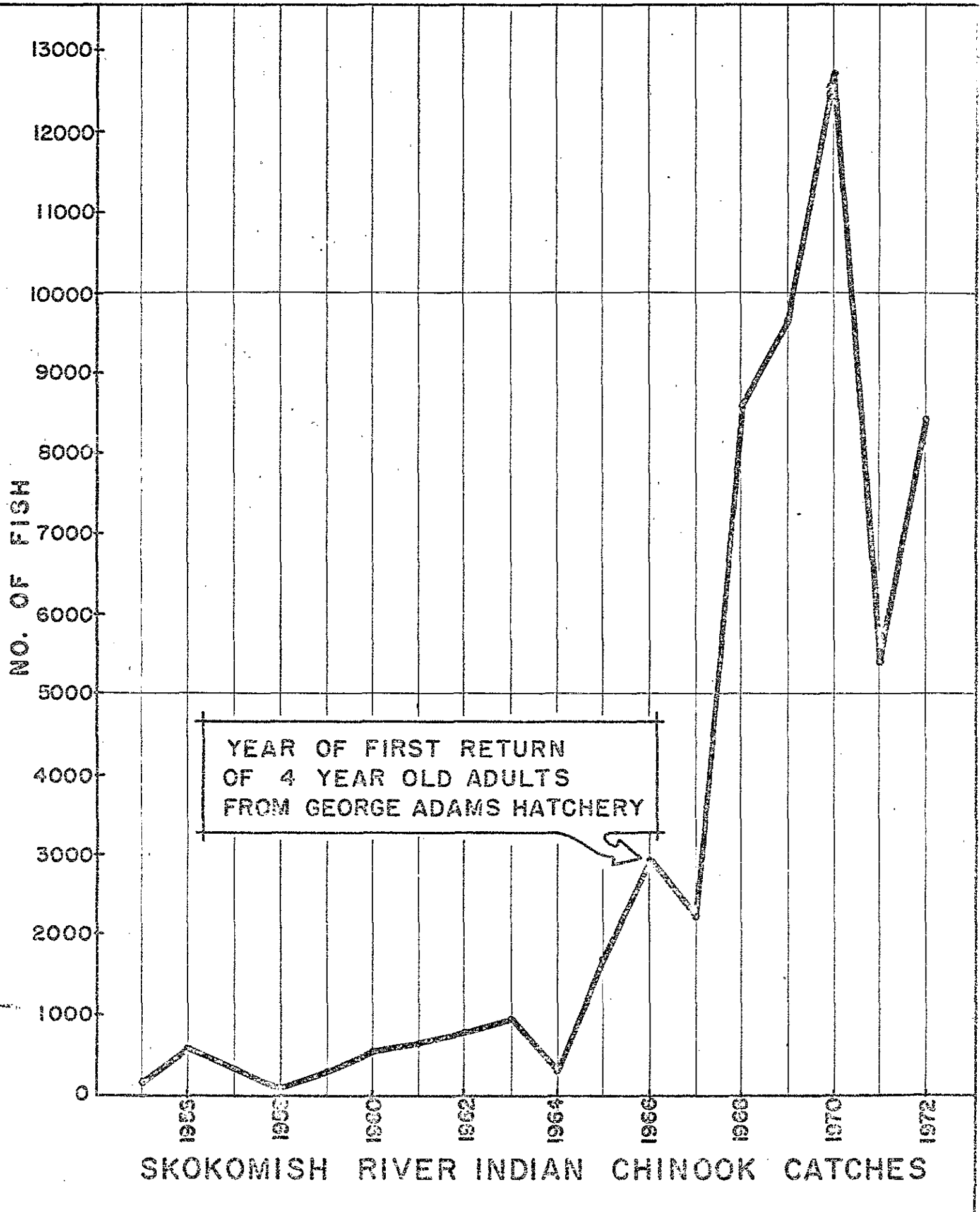


## COHO



## CHUM





HATCHERY SURPLUS SALMON GIVEN TO INDIAN TRIBES IN 1972

TRIBE	CHINOOK		COHO		CHUM	
	NOS.	LBS.	NOS.	LBS.	NOS.	LBS.
CLALLAM	214	3,005	3,028	6,700	43	311
MAKAH (NEAH BAY)			600	1,020		
MUCKLESHOOT	1,184	18,944	2,031	12,186		
NISQUALLY	100	1,600				
NOOKSACK	836	7,075	285	1,055		
PORT GAMBLE	287	4,302	538	1,614		
PUYALLUP	1,393	20,480	1,280	8,080		
PUYALLUP INDIAN CHURCH	600	9,600	200	1,200		
QUILEUTE			1,000	1,700		
QUINULT - CHINOOK	4	60	17	95	6	45
SAMISH	50	500				
SHOALWATER BAY					25	250
SKOKOMISH	3,938	55,844	3,467	14,588	628	4,981
SNOHOMISH	60	900				
SQUAXIN	266	3,192	102	714	10	70
STEILACOOM	125	640				
SUQUAMISH	561	8,415	1,055	3,735		
SWINOMISH	974	15,452	2,621	21,814		
UPPER SKAGIT			870	5,320		
WANAPUM	271	4,093				
YAKIMA	1,469	16,603				
<b>TOTAL</b>	<b>12,332</b>	<b>170,705</b>	<b>17,094</b>	<b>79,851</b>	<b>712</b>	<b>5,657</b>

WASHINGTON STATE DEPARTMENT OF FISHERIES  
1971 PUGET SOUND COHO  
ALL GEAR COMBINED, EXCLUDING TROLL  
STRAIT OF JUAN DE FUCA

FOUR  
SCALE- 100 UNITS PER \*

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1971 PUGET SOUND COMB  
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WASHINGTON STATE DEPARTMENT OF FISHERIES  
1971 PUGET SOUND COHO  
ALL GEAR COMBINED - EXCLUDING TROLL  
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Foot Printed on 9/12/72

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WASHINGTON STATE DEPARTMENT OF FISHERIES  
1971 PUGET SOUND COHO  
ALL GEAR COMBINED, EXCLUDING TROLL  
SOUTH SOUND

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SCALE- 100 UNITS PER \*

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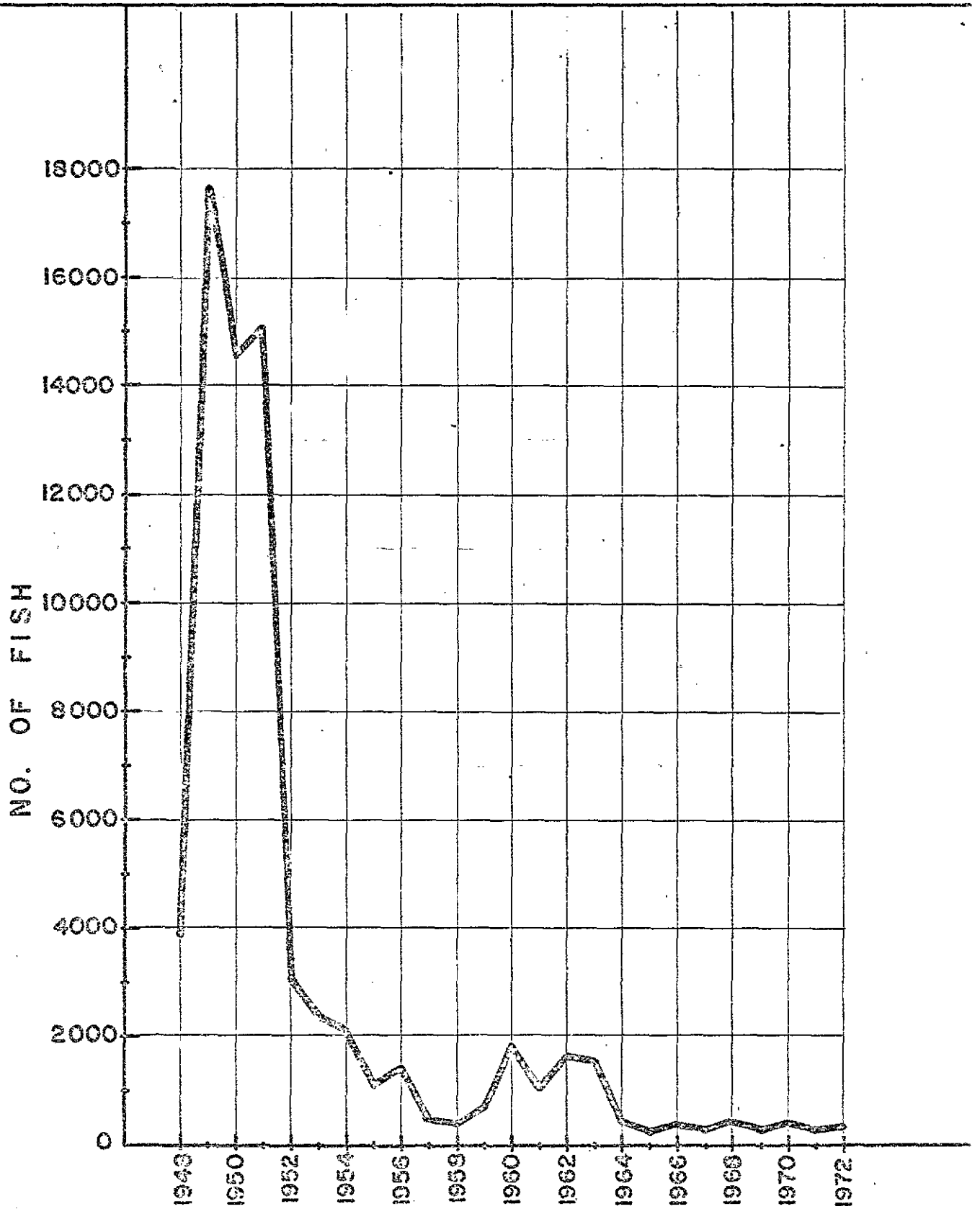
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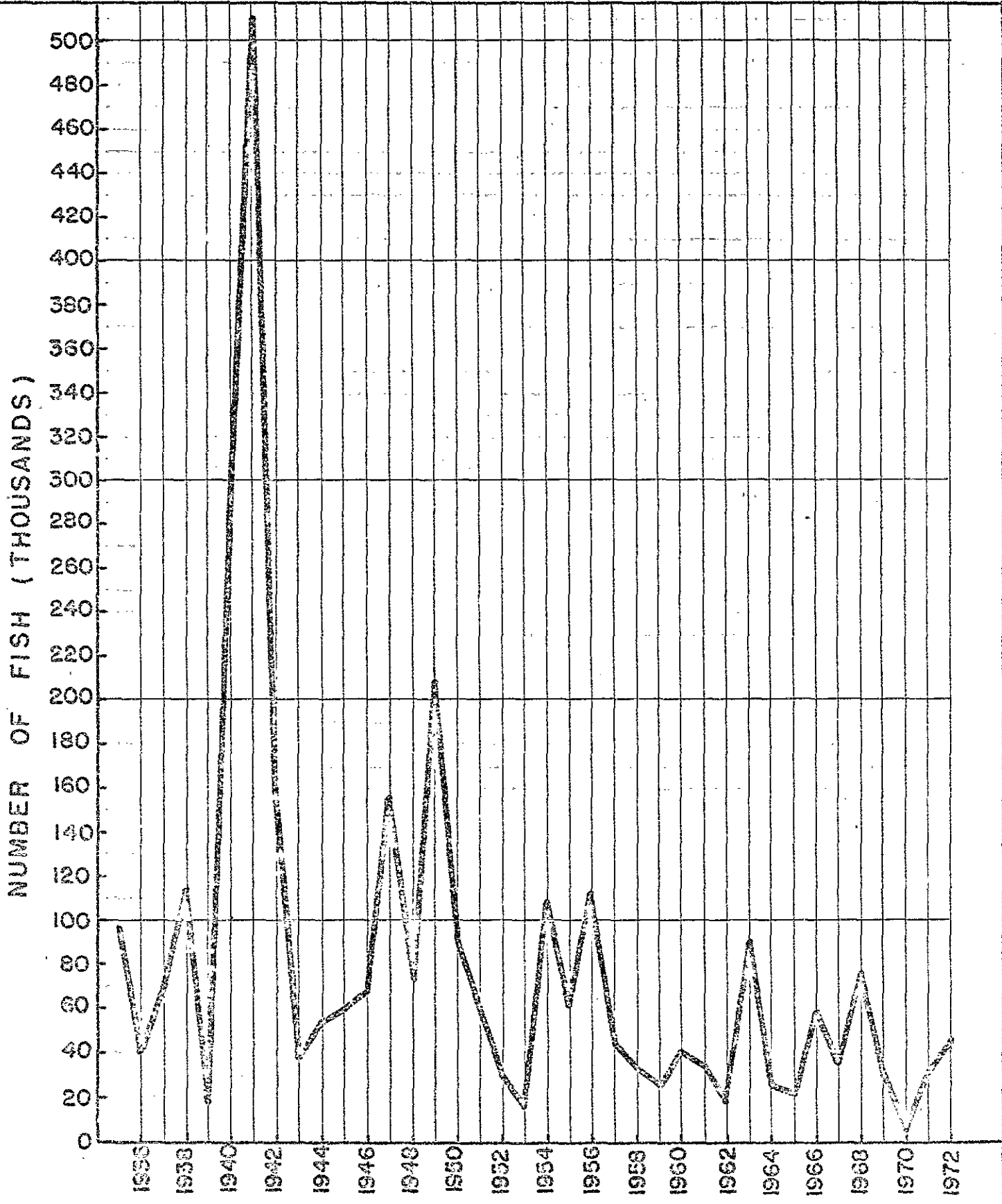
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OZETTE RIVER INDIAN SOCKEYE CATCHES,  
1948 - 1972



QUINALT RIVER SOCKEYE INDIAN CATCHES ,  
1935 — 1972

**ADM: INDIAN AFFAIRS**

**X: RES: EXP-TAGGING  
QUINAUT TRIBAL COUNCIL**

Joseph B. DeLaCruz  
*Chairman*  
Justine James. Sr.  
*Vice-Chairman*  
Everetta L. Corwin  
*Secretary*  
Francis McCrory, Sr.  
*Treasurer*

P. O. Box 1118  
**TAHOLAH, WASHINGTON 98587**  
Phone 276-4446

**COUNCILMEN:**  
Francis O. Rosander  
Robert W. Law  
Carl S. Sotomish  
Gerald L. Ellis  
Horton Capoeman  
James Harp  
Phillip Martin

June 13, 1973

Mr. Thor Tollefson, Director  
Washington Department of Fisheries  
Room 115 Administration Building  
Olympia, Washington 98504

Dear Mr. Tollefson:

On behalf of the Quinault Tribe I would like to thank the Department of Fisheries for their fine cooperation in providing materials and expertise for the coded wire tagging of our experimental group of Quinault steelhead. Special thanks should be extended to Harry Senn and Bob Haggar. Bob provided an exceptionally fine demonstration of field operations and requisite tagging techniques.

We are strongly interested in continuing an evaluation procedure for our steelhead releases and would like to explore the possibility of similar tagging operations in the future. Some satisfactory arrangement such as the tribe buying the tagging materials and providing manpower with your department supplying the machine could be discussed. Moreover, this could be scheduled at a time when your needs for the machine are not critical. Perhaps Brian Atlee, our tribal fisheries scientist could coordinate this arrangement with Harry Senn if this meets with your approval.

**RECEIVED** Again, thanks for your help with our fisheries effort.

JUN 15 1973

Sincerely yours,

*Joe De La Cruz*  
Joe DeLaCruz  
Chairman

CENTRAL FILES


EXHIBIT F-24



*Admin*  
*W*

NIEL J. EVANS  
GOVERNOR

ROOM 115, GENERAL ADMINISTRATION BUILDING • PHONE 753-6600  
OLYMPIA, WASHINGTON 98504

THOR C. TOLLEFSON  
DIRECTOR

June 21, 1973

Mrs. Florence Harnden, Chairman  
Muckleshoot Tribal Council  
P.O. Box 263  
Auburn, Washington 98002

Dear Mrs. Harnden:

It has come to my attention that Muckleshoot people were responsible for alerting the Department of Fisheries to the very low flow conditions in the White River. We were immediately able to contact those responsible for controlling the White River's flow and obtained 100 cfs of water through Friday, June 22, 1973.

Of course, this small amount of water is not the solution to the White River's flow problems. However, the additional water should provide passage for those spring chinook which were blocked below the diversion. Department of Fisheries personnel will continue to attempt to work with all parties concerned to alleviate the White River's flow problems.

Thank you.

Very truly yours,

*A. Dennis Austin*

A. Dennis Austin  
Fisheries Management Biologist

ADA:vc

cc: Administration ✓  
Kauffman  
Wendler  
Stream Improvement  
Phinney  
Laramie

EXHIBIT F-25