

JUDGE UPHOLDS MCKENZIE SALMON HATCHERY PLAN

On Friday March 13, 2015 Eugene Magistrate Judge Thomas Coffin upheld the Oregon Department of Fish and Wildlife's (ODFW) plan to release up to 604,750 spring Chinook salmon smolts per year from the McKenzie Fish Hatchery into the McKenzie River. In his ruling, the Judge denied a request for an injunction against the release of more than 360,000 smolts in 2015. Smolts (5-8 inch/ 10-15 month old fish ready to migrate to the ocean) are reared in the McKenzie Fish Hatchery near Leaburg and are usually released by March 15th. They are intended to supplement the McKenzie's wild, naturally reproducing spring Chinook salmon population which has been adversely affected by dams on the McKenzie

The Judge's rule came in response to a December 2, 2013 lawsuit filed by the Western Environmental Law Center on behalf of the McKenzie Flyfishers and the Steamboaters (plaintiffs). The suit alleged that ODFW and its employees and the Army Corps of Engineers (COE) and its employees were in violation of the Endangered Species Act (ESA) in operation of the McKenzie Fish Hatchery. In an August 26, 2014 consent decree the plaintiffs and the COE agreed that smolt releases should be limited to 360,000/year in order to limit the number of hatchery adult Chinook salmon straying into wild fish breeding areas that could harm wild fish. ODFW did not agree and the suit continued between plaintiffs and ODFW.

While Judge Coffin not find ODFW in violation of the ESA, he did give it 90 days to submit a proposal to the Court to reduce straying of hatchery adults into wild Chinook breeding areas to an acceptable level within a time certain.

The McKenzie River Guides Association (MRGA) along with its partners the National Sportfishing Industry Association and the Northwest Steelheaders participated in the lawsuit as Amicus partners (friends of the court) in support of ODFW. MRGA argued that many of its members who guide salmon anglers and the local economy would be significantly harmed by an unnecessary reduction in the annual release of Chinook salmon smolts from the McKenzie Fish Hatchery.