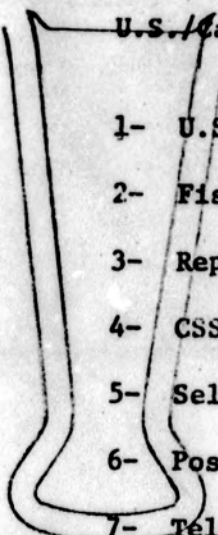


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U.S./Canada Salmon Treaty Information Packet Index

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TREATY BETWEEN THE GOVERNMENT OF CANADA
AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA
CONCERNING PACIFIC SALMON
(Negotiator's Draft of December 1982)

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TREATY BETWEEN THE GOVERNMENT OF CANADA
AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA
CONCERNING PACIFIC SALMON

The Government of the United States of America and the
Government of Canada,

Considering the interests of both Parties in the
conservation and rational management of Pacific salmon stocks
and in the promotion of optimum production of such stocks;

Recognizing that States in whose waters salmon stocks
originate have the primary interest in and responsibility
for such stocks;

Recognizing that salmon originating in the waters of
each Party are intercepted in substantial numbers by the
nationals and vessels of the other Party, and that the
management of stocks subject to interception is a matter of
common concern;

Desiring to cooperate in the management, research and
enhancement of Pacific salmon stocks;

Have agreed as follows:

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Article I

DEFINITIONS

As used in this Treaty,

1. "enhancement" means man-made improvements to natural habitats or application of artificial fish culture technology that will lead to the increase of salmon stocks;
2. "fishery" means the activity of harvesting or seeking to harvest salmon;
3. "fishery regimes" means the fishing limitations and arrangements adopted by the Parties pursuant to Article IV, paragraph 6;
4. "interception" means the harvesting of salmon originating in the waters of one Party by a fishery of the other Party;
5. "overfishing" means fishing patterns which result in escapements significantly less than those required to produce maximum sustainable yields;

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6. "stocks subject to this Treaty" means Pacific salmon stocks which originate in the waters of one Party and
 - (a) are subject to interception by the other Party;
 - (b) affect the management of stocks of the other Party;
or
 - (c) affect biologically the stocks of the other Party;
and
7. "transboundary river" means a river that rises in Canada and flows to the sea through the United States.

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Article II

COMMISSION AND PANELS

1. The Parties shall establish a Pacific Salmon Commission, hereinafter referred to as "the Commission", to be composed of two national sections, a Canadian Section and a United States Section.
2. The Commission shall have legal personality and shall enjoy in its relations with other organizations and in the territories of the Parties such legal capacity as may be necessary to perform its functions and achieve its ends. The immunities and privileges which the Commission and its officers shall enjoy in the territory of a Party shall be subject to agreement between the Commission and the Party concerned.
3. The Commission shall consist of not more than eight Commissioners, of whom not more than four shall be appointed by each Party. Each Party may also appoint not more than four alternate Commissioners, to serve in the absence of any Commissioner appointed by that Party.

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4. The Commissioners and alternate Commissioners shall hold office at the pleasure of the Party by which they were appointed.
5. At the first meeting of the Commission one section shall select from its members a Commission Chairman, and the other section shall select from its members a Vice-Chairman, each of whom shall hold office for the calendar year in which the Treaty enters into force and for such portion of the subsequent year as the Commission may determine. Thereafter the Chairman and Vice-Chairman shall hold office for a term of twelve months and shall be selected by their respective sections. The section which selects the first Chairman shall be determined by lot and thereafter the offices of Chairman and Vice-Chairman shall alternate between the sections. If either office becomes vacant before the end of a term, the appropriate section shall select a replacement for the remainder of the term.
6. Each section shall have one vote in the Commission. A decision or recommendation of the Commission shall be made only with the approval of both sections.
7. Subject to the approval of the Parties, the Commission shall make such by-laws and procedural rules,

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for itself, for the Panels established pursuant to paragraph 18, and for the committees established pursuant to paragraph 17, as may be necessary for the exercise of their functions and the conduct of their meetings.

8. The Commission may make recommendations to or advise the Parties on any matters relating to the Treaty.
9. Unless otherwise agreed by the Parties, the seat of the Commission shall be at New Westminster, British Columbia.
10. The Commission shall hold an annual meeting and may hold other meetings at the request of the Chairman or of either Party. The Chairman shall notify the Commissioners of the time and place of meetings. Meetings may be held at the seat of the Commission or at such other place as may be determined in accordance with the by-laws and procedural rules of the Commission.
11. Each Party shall pay the expenses of its own section.
12. The Commission shall prepare an annual budget of joint expenses and submit it to the Parties for approval.

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The Parties shall bear the costs of the budget in equal shares unless otherwise agreed, and shall pay their shares as the by-laws may specify after the budget has been approved by both Parties.

13. The Commission shall authorize the disbursement of funds contributed by the Parties pursuant to paragraph 12, and may enter into contracts and acquire property necessary for the performance of its functions.
14. The Commission shall submit to the Parties an annual report on its activities and an annual financial statement.
15. The Commission shall appoint an Executive Secretary, who, subject to the supervision of the Commission, shall be responsible for the general administration of the Commission.
16. The Commission may engage staff or authorize the Executive Secretary to do so. The Executive Secretary shall have full authority over the staff subject to the direction of the Commission. If the office of the Executive Secretary is vacant, the Commission shall determine who shall exercise that authority.

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17. The Commission shall establish a Committee on Research and Statistics and a Committee on Finance and Administration. The Commission may eliminate or establish committees as appropriate.
18. The Commission shall establish Panels as specified in Annex I. The Commission may recommend to the Parties the elimination or establishment of Panels as appropriate.
19. The Panels shall provide information and make recommendations to the Commission with respect to the functions of the Commission and carry out such other functions as the Treaty may specify or as the Commission may direct.
20. In cases where fisheries intercept stocks for which more than one Panel is responsible, the appropriate Panels shall meet jointly to carry out the functions specified in paragraph 19. If the Panels cannot agree, each may make an independent report to the Commission.
21. Each Panel shall consist of not more than 6 members from each Party. Each Party may designate alternate Panel members to serve in the absence of any Panel member appointed by that Party.
22. Except as otherwise provided in the Treaty, paragraphs 4, 5, 6, 10 and 11 apply, mutatis mutandis, to each

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Article III

PRINCIPLES

1. With respect to stocks subject to this Treaty, each Party shall conduct its fisheries and its salmon enhancement programs so as to:
 - (a) prevent overfishing and provide for optimum production; and
 - (b) provide for each Party to receive benefits equivalent to the production of salmon originating in its waters.
2. In fulfilling their obligations pursuant to paragraph 1, the Parties shall cooperate in management, research and enhancement.
3. In fulfilling their obligations pursuant to paragraph 1, the Parties shall take into account:
 - (a) the desirability in most cases of reducing interceptions;

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- (b) the desirability in most cases of avoiding undue disruption of existing fisheries; and
- (c) annual variations in abundance of the stocks.

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Article IV

CONDUCT OF FISHERIES

In order to facilitate the implementation of Articles III, VI and VII:

1. Each Party shall submit an annual report on its fishing activities in the previous year to the other Party and to the Commission. The Commission shall forward the reports to the appropriate Panels.
2. The Panels shall consider the reports submitted pursuant to paragraph 1 and shall provide their views to the Commission. The Commission shall review the reports of the Panels and shall provide its views to the Parties.
3. Each year the State of origin shall submit preliminary information for the ensuing year to the other Party and to the Commission, including:
 - (a) the estimated size of the run;
 - (b) the interrelationship between stocks;

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- (c) the spawning escapement required;
- (d) the estimated total allowable catch;
- (e) its intentions concerning management of fisheries in its own waters; and
- (f) its domestic allocation objectives whenever appropriate.

The Commission shall forward this information to the appropriate Panels.

4. The Panels shall examine the information submitted pursuant to paragraph 3 and report their views to the Commission with respect to fishery regimes for the following year.
5. The Commission shall review the reports of the Panels and shall recommend fishery regimes to the Parties.
6. On adoption by both Parties, the fishery regimes referred to in paragraph 5 shall be attached to this Treaty as Annex IV.

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7. Each Party shall establish and enforce regulations to implement the fishery regimes adopted by the Parties. Each Party, in a manner to be determined by the Commission, shall notify the Commission and the other Party of these regulations and shall promptly communicate to the Commission and to the other Party any in-season modifications.

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Article V

SALMON ENHANCEMENT PROGRAMS

1. Salmon enhancement programs that may be established by the Parties shall be conducted subject to the provisions of Article III.
2. Each year each Party shall provide to the other Party and to the Commission information pertaining, inter alia, to:
 - (a) operations of and plans for existing projects;
 - (b) plans for new projects; and
 - (c) its views concerning the other Party's salmon enhancement projects.

The Commission shall forward this information to the appropriate Panels.

3. The Panels shall examine the information and report their views to the Commission in light of the obligations set forth in Article III.

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4. The Commission shall review the reports of the Panels and may make recommendations to the Parties.

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Article VI

FRASER RIVER

1. This Article applies to Fraser River sockeye and pink salmon harvested in the area specified in Annex II.
2. Notwithstanding the provisions of Article IV, paragraph 7, on adoption by the Parties of the fishery regime for the stocks covered by this Article, the Fraser River Panel shall propose regulations to the Commission for the harvest of salmon referred to in paragraph 1.
3. The Fraser River Panel shall review with other appropriate Panels the fishery regimes and the information provided pursuant to Article IV, paragraph 3, with respect to salmon other than Fraser River sockeye and pink salmon before proposing regulations pursuant to paragraph 2. The Fraser River Panel and the Commission shall ensure that regulatory proposals and recommendations, to the extent practicable, meet the requirements of the Parties with respect to the management of stocks other than Fraser River sockeye and pink salmon.

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4. In implementing this Article, the Fraser River Panel and the Commission shall take into account and seek consistency with existing aboriginal rights, rights established in existing Indian treaties and domestic allocation objectives.
5. On the basis of the proposals made by the Panel, the Commission shall recommend regulations to the Parties for approval. The Parties shall review the recommendations for, inter alia, consistency with domestic legal obligations. The regulations shall become effective upon approval by the Party in whose waters such regulations are applicable.
6. During the fishing season, the Fraser River Panel may make orders for the adjustment of fishing times and areas stipulated in the annual regulations in response to variations in anticipated conditions. The Parties shall review the orders for consistency with domestic legal obligations. The Parties shall give effect to such orders in accordance with their respective laws and procedures.
7. The Parties shall not regulate their fisheries in areas outside the area specified in Annex II in a manner that would prevent achievement of the objectives of the fishery regime for the salmon referred to in paragraph 1.

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Article VII

TRANSBOUNDARY RIVERS

1. This Article applies to salmon originating in trans-boundary rivers.
2. Notwithstanding Article IV, paragraph 3(c), whenever salmon originate in the Canadian portion of a trans-boundary river, the appropriate Panel shall provide its views to the Commission on the spawning escapement to be provided for all the salmon stocks of the river if either section of the Panel so requests.
3. On the basis of the views provided by the Panel pursuant to paragraph 2, the Commission shall recommend spawning escapements to the Parties.
4. Whenever salmon originate in the Canadian portions of transboundary rivers, or would originate there as a result of enhancement projects, salmon enhancement projects on the transboundary rivers shall be undertaken co-operatively, provided, however, that either Party, with the consent of the Commission, may separately undertake salmon enhancement projects on the trans-boundary rivers.

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Article VIII

YUKON RIVER

1. Notwithstanding Articles III, paragraph 1(b), and VII, arrangements for consultation, recommendation of escape-ment targets and approval of enhancement activities on the Yukon River require further development to take into account the unique characteristics of that River.
2. The Parties consider it important to ensure effective conservation of stocks originating in the Yukon River and to explore the development of co-operative research and identification of potential enhancement opportunities.
3. The Parties shall initiate in 1983, and conclude, as soon as possible, negotiations to, inter alia:
 - (a) account for United States harvests of salmon originating in the Canadian section of the River;
 - (b) develop joint management procedures taking into account United States management programs for stocks originating in the United States section of the River;

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- (c) consider co-operative research programs, enhancement opportunities, and exchanges of biological data; and
 - (d) develop an organizational structure to deal with Yukon River issues.
- 4. Prior to the entry into force of this Treaty, the Parties shall agree upon:
 - (a) the range within which the accounting of United States interceptions referred to in paragraph 3(a) shall be established;
 - (b) arrangements for exchange of available data on the stocks; and
 - (c) proposals for research.

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Article IX

STEELHEAD

In fulfilling their functions, the Panels and Commission shall take into account the conservation of steelhead.

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Article X

RESEARCH

1. The Parties shall conduct research to investigate the migratory and exploitation patterns, the productivity and the status of stocks of common concern and the extent of interceptions.
2. The Commission may make recommendations to the Parties regarding the conduct and coordination of research.
3. Subject to normal requirements, each Party shall allow nationals, equipment and vessels of the other Party conducting research approved by the Commission to have access to its waters for the purpose of carrying out such research.

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Article XI

DOMESTIC ALLOCATION

1. This Treaty shall not be interpreted or applied so as to affect or modify existing aboriginal rights or rights established in existing Indian treaties and other existing federal laws.
2. This Article shall not be interpreted or applied so as to affect or modify any rights or obligations of the Parties pursuant to other Articles and Annexes to this Treaty.

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Article XII

TECHNICAL DISPUTE SETTLEMENT

1. Either Party may submit to the Chairman of the Commission, for referral to a Technical Dispute Settlement Board, any dispute concerning estimates of the extent of salmon interceptions and data related to questions of overfishing. The Commission may submit other technical matters to the Chairman for referral to a Board. The Board shall be established and shall function in accordance with the provisions of Annex III. The Board shall make findings of fact on the disputes and the other technical matters referred to it.
2. The findings of the Board shall be final and without appeal, except as provided in paragraph 3, and shall be accepted by the Commission as the best scientific information available.
3. Either Party may, by application in writing to the Chairman of the Commission, request reconsideration of a finding of a Board, provided that such request is based on information not previously considered by the Board and not previously known to or reasonably

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discoverable by the Party requesting such reconsideration. The Chairman shall, if possible, refer the request to the Board which made the finding. Otherwise, the Chairman shall refer the request to a new Board constituted in accordance with the provisions of Annex III.

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Article XIII

ANNEXES

1. All references to this Treaty shall be understood to include the Annexes.
2. The Commission, whenever appropriate, shall review the Annexes and may make recommendations to the Parties for their amendment.
3. The Annexes may be amended by the Parties through an Exchange of Notes between the Government of Canada and the President of the United States of America.
4. The Commission shall publish the texts of the Annexes whenever amended.

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Article XIV

IMPLEMENTATION

Each Party shall:

- (a) enact and enforce such legislation as may be necessary to implement this Treaty;
- (b) require reports from its nationals and vessels of catch, effort and related data for all stocks subject to this Treaty and make such data available to the Commission; and
- (c) exchange fisheries statistics and any other relevant information on a current and regular basis in order to facilitate the implementation of this Treaty.

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Article XV

ENTRY INTO FORCE AND TERMINATION
OF TREATY

1. This Treaty is subject to ratification. It shall enter into force upon the exchange of instruments of ratification at _____.
2. At the end of the third year after entry into force and at any time thereafter, either Party may give notice of its intention to terminate this Treaty. The Treaty shall terminate one year after notification.
3. Upon the entry into force of this Treaty, the Convention between Canada and the United States of America for the Protection, Preservation and Extension of the Sockeye Salmon Fishery in the Fraser River System, as amended, signed May 26, 1930, shall be terminated. Following the termination of the Convention, the transfer of responsibilities from the International Pacific Salmon Fisheries Commission to the Commission, the Fraser River Panel and the Government of Canada shall be as agreed by the Parties.

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Annex I

PANELS

The following panels shall be established pursuant to Article II, paragraph 18:

- (a) a Southern Panel for salmon originating in rivers , with mouths situate south of Cape Caution, except as specified in sub-paragraph (b);
- (b) a Fraser River Panel for Fraser River sockeye and pink salmon harvested in the area specified in Annex II; and
- (c) a Northern Panel for salmon originating in rivers with mouths situate between Cape Caution and Cape Suckling.

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Annex II

FRASER PANEL AREA

The area comprises the waters described in Article I of the Convention between Canada the the United States of America for the Protection, Preservation and Extension of the Sockeye Salmon Fishery in the Fraser River System, as amended, signed May 26, 1930.

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Annex III

TECHNICAL DISPUTE SETTLEMENT BOARD

1. Each Technical Dispute Settlement Board shall be composed of three members. Within 10 days of receiving a request under Article XII to refer a matter to a Board, the Chairman of the Commission shall notify the Parties. Within 20 days of this notification, each Party shall designate one member and the Parties shall jointly designate a third member, who shall be Chairman of the Board.
2. The Board shall determine its rules of procedure, but the Commission or the Parties may specify the date by which the Board shall report its findings. The Board shall provide an opportunity for each Party to present evidence and arguments, both in writing and, if requested by either Party, in oral hearing. The Board shall report its findings to the Commission, along with a statement of its reasons.
3. Decisions of a Board, including procedural rulings and findings of fact, shall be made by majority vote and shall be final and without appeal except as provided in Article XII, paragraph 3.

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4. Remuneration of the members and their expense allowances shall be determined on such basis as the Parties may agree at the time the Board is constituted. The Commission shall provide facilities for the proceedings.

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Annex IV

Chapter 1

TRANSBOUNDARY RIVERS

1. Notwithstanding Article III, paragraph 1(b), 37.5 percent of the harvest by the United States of each species of salmon originating in Canadian sections of transboundary rivers, except those with mouths situate in the Bering Sea and Arctic Ocean, shall be deemed to be of United States origin.
2. As it is not yet possible to determine with accuracy the extent of exploitation by fisheries of the two Parties and the spawning escapement requirements of salmon bound for Canadian sections of the transboundary rivers in the southeastern Alaska area, the Parties during 1983 shall form a Technical Working Group to:
 - (a) assemble available information on the migratory patterns (including consideration of recent stock separation studies based on examination of scales), extent of exploitation and spawning escapement requirements of the stocks; and
 - (b) identify potential increases in stocks that can be achieved through enhancement.

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3. The following arrangements shall apply to the United States and Canadian fisheries which harvest salmon stocks bound for the Stikine River.

(a) Sockeye Salmon

- (i) In 1983 the run of sockeye is anticipated to be 70,000 pieces. Given this expected run size, subject to agreed adjustments in the event that analysis of available data (which shall be made available for joint review) indicates that the run size differs significantly from that projected, and based on the data base available to each side:

(A) the United States shall manage its fisheries to allow approximately 55,000 sockeye to reach the Canadian section of the River; and

(B) Canada shall manage its food and commercial fisheries to allow a spawning escapement of approximately 40,000 to 47,000 sockeye.

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(ii) In 1984 the run of sockeye is anticipated to be 40,000 pieces. Given this expected run size, subject to agreed adjustments in the event that analysis of available data (which shall be made available for joint review) indicates that the run size differs significantly from that projected, and based on the data base available to each side:

(A) the United States shall manage its fisheries to allow approximately 33,500 sockeye to reach the Canadian section of the River; and

(B) Canada shall manage its food and commercial fisheries to allow a spawning escapement of approximately 28,000 sockeye.

(iii) In 1983 and 1984, taking into account the low anticipated run sizes and difficulties in achieving precise spawning escapements, the foregoing provisions may result in the Canadian share of the Stikine River sockeye harvest exceeding 35 percent of the Total Allowable Catch. It is the United States view that the allowable catch should be divided between the countries so that the United States would receive 65 percent and Canada 35 percent.

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(b) Coho Salmon

Given the prevailing rates of harvest of Stikine River coho salmon in United States troll fisheries and in net fisheries targeting on other species, it may not be possible in 1983 and 1984 for the United States to provide an upriver escapement sufficient to meet spawning requirements and a Canadian in-river harvest of 35 percent of the total expected catch. It is also expected that the 1983 and 1984 runs will be poor. In light of these circumstances the Parties shall monitor the runs in and on the approaches to the Stikine River throughout the season, with a view to providing Canada with an in-river harvest as close as possible to a 35 percent share of the total catch while, at the same time, meeting spawning requirements.

(c) Other Species

Canadian catches and United States terminal catches of chinook, pink and chum salmon bound for the Canadian section of the River will be taken as an incidental harvest in the directed fishery for sockeye.

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- 4.(a) In 1983, Canada shall limit its in-river fishery so that catches of sockeye and pink salmon originating in the Taku River do not exceed 3,000 and 5,000 pieces, respectively.
- (b) The Parties shall meet during 1983 to re-evaluate the fishery regime for the fisheries on Taku bound salmon for 1984, taking into account the report of the working group described in paragraph 2 of this Chapter. At the same time the Parties will also give consideration to improving procedures for co-operative management of the fisheries on transboundary river stocks in the southeast Alaska area, and to the question of future sharing of allowable harvests, taking into account potential enhancement opportunities.
5. Chinook and early sockeye salmon runs originating in the Alsek River are depressed and require special protection in 1983 and 1984. Fisheries for other species originating in the Alsek River shall be conducted in the same manner as in recent years.
6. Considering that stocks of salmon originating in Canadian sections of the Columbia River form only a

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small proportion of the total populations of Columbia River salmon, the arrangements for consultation and recommendation of escapement targets and approval of enhancement activities set out in Article VII are not appropriate to the Columbia system as a whole. Nevertheless, the Parties consider it important to ensure effective conservation of upriver stocks which extend into Canada and to explore the development of mutually beneficial enhancement activities. Therefore, notwithstanding Article VII, paragraphs 2, 3 and 4, during 1983 the Parties shall consult with a view to developing, for the transboundary sections of the Columbia, more practicable arrangements for consultation and setting escapement targets than those specified in Article VII, paragraphs 2 and 3. Such arrangements should seek to:

- (a) ensure effective conservation of the stocks;
- (b) facilitate future enhancement of the stocks on an agreed basis; and
- (c) avoid interference with United States management programs on the extensive salmon stocks existing in the non-transboundary tributaries and the main stem of the Columbia River.

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Annex IV

Chapter 2 Northern British Columbia-Southeastern Alaska

Boundary Area

1. Considering that the chum salmon stocks originating in streams in Portland Canal and harvested in the mixed stock and target fisheries in the Dixon Entrance, Portland Inlet and Portland Canal are depressed and require protection:
 - (a) in 1983 and 1984 neither Party shall allow target fisheries on these stocks in Portland Canal unless it is determined that a harvestable surplus exists; and
 - (b) in 1983, assessments shall be made to identify possible measures (including enhancement and regulatory programs) to restore the stocks. On the basis of such assessments, proposals shall be prepared for a long term plan to bring about such restoration.

2. (a) With respect to sockeye salmon, the United States shall:
 - (i) limit its purse seine fishery in the Noyes Island area (District 4) in a manner that will result in an annual average harvest of 160,000 sockeye salmon during the period 1983-86; and

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(ii) limit its drift gill net fishery at Tree Point (Districts 1A and 1B) in a manner that will result in an annual average harvest of 130,000 sockeye salmon during the period 1983-86.

(b) These harvest levels shall be reviewed during the negotiation of fishery regimes for 1985 and 1986.

3. Canada shall limit its fisheries for pink salmon in the sub-areas of Areas 3 and 5 that were described in the interim arrangements for 1981 and 1982 and in the area 1 troll fishery in a manner which will result in a total catch in the 1983 and 1984 pink salmon cycles of 2 million fish. Of this total, in 1983, no more than a total 650,000 pink salmon shall be taken, and of that, the area 1 troll fishery shall take no more than 125,000 pink salmon. In 1984, no more than a total 1,350,000 pink salmon shall be taken, and of that, the area 1 troll fishery shall take no more than 275,000 pink salmon. These harvest levels shall be reviewed during the negotiation of fishery regimes for 1985 and 1986.

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4. The Parties shall exchange preliminary management plans for the fisheries described above at the earliest possible date. Such exchange shall include determination of the intended pattern of the Canadian troll fishery in area 1 which will reflect the understanding of the interim arrangement for 1982 pending the development of new regulatory lines in area 1.

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Annex IV

Chapter 3

CONSERVATION MEASURES FOR CHINOOK SALMON

For the past several years, escapements for many naturally spawning chinook salmon stocks originating from the Columbia River northward to southeastern Alaska have declined and are now at levels substantially below production goals. These stocks cannot sustain recent rates of exploitation in the following fisheries: Georgia and Johnstone Straits, central and northern British Columbia, and southeastern Alaska.

The Parties agree to undertake the following actions to stabilize and rebuild depressed stocks of naturally spawning chinook salmon.

1. In 1983, the Parties will jointly develop and initiate a coordinated salmon management program designed to meet the following objectives:
 - (a) at least prevent further declines in spawning escapements from recent levels for depressed chinook salmon stocks; and

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- (b) restore the production of naturally spawning chinook salmon stocks by achieving escapement goals within a ten year period (approximately 2 cycles, beginning in 1983) which will provide the maximum sustainable harvest.

2. The chinook salmon management program will include at least:

- (a) identification of indicator stocks representative of naturally spawning populations of chinook salmon;
- (b) procedures to obtain reliable estimates of spawning escapements;
- (c) establishment of criteria to evaluate the effectiveness of conservation actions;
- (d) exchange of information necessary to analyze the effectiveness of alternative fishery regulatory measures to satisfy conservation objectives;
- (e) recommendations for research required to implement this program effectively; and

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(f) development of necessary measures for monitoring and enforcing compliance with the terms of this Treaty.

3. In 1983, the Parties shall enact regulations designed to ensure that:

(a) the combined catch by all southeastern Alaskan salmon fisheries does not exceed 263,000 chinook, and of that, the catch taken by the commercial salmon fisheries does not exceed 243,000 chinook; and

(b) the combined catch by all Canadian salmon fisheries in Georgia and Johnstone Straits and central and northern British Columbia does not exceed 868,000 chinook.

4. In 1983 and 1984, the Parties shall implement management measures for fisheries in other areas as required to ensure that chinook salmon from depressed stocks that are conserved by the imposition of harvest ceilings accrue principally to spawning escapement.

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5. Following the 1983 season and prior to the development of fishery regimes for the 1984 season, the Parties shall establish a Technical Committee, representative of the Northern and Southern Panels, to evaluate the effectiveness of management actions taken in 1983 with respect to:
 - (a) consistency of actual catches with corresponding harvest ceilings;
 - (b) the effect of the management measures described in paragraph 3; and
 - (c) the degree to which the decline in spawning escapement levels has been affected.
6. The Technical Committee shall also re-examine, and if appropriate, propose changes to the extent of reductions in exploitation required to meet the objective specified in sub-paragraph 1(a), and contained in the Report entitled Joint United States/Canada Technical Response to the Canadian Proposal for Chinook Conservation, dated November 30, 1982 (appended to this Annex). On the basis of the findings of the Technical Committee, the Parties shall adopt measures in 1984 which will result

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in reductions in catches to achieve the objective specified in paragraph 1(a). According to present agreed scientific analysis of the status of the stocks of concern contained in the Report, this would require a reduction in catches by the affected fisheries of approximately 25 percent from the 1981-82 harvest of chinook levels (paragraph 2 of the Report).

7. The Parties agree that enhancement efforts designed to increase artificial production of chinook salmon would be beneficial to the rebuilding program. Maintenance of harvest ceilings, combined with increased availability of enhancement fish, provides the opportunity to accelerate the stock rebuilding process by significantly reducing exploitation rates of naturally spawning stocks. The United States is initiating a program under section 4h of the Northwest Power Act as a national commitment to rehabilitation of Columbia River salmon stocks and is developing additional cooperative enhancement plans for southeastern Alaska. Efforts to increase chinook stocks are also under development by the States of Idaho, Oregon, Washington and Alaska, and federal agencies of the United States. Production from Canada's Salmonid Enhancement Program

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will continue to increase its contribution to the available harvest of chinook salmon in the affected fisheries.

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Annex IV

Chapter 4

FRASER RIVER SOCKEYE AND PINK SALMON

1. In order to increase the effectiveness of the management of fisheries in the Fraser Panel Area and in fisheries outside the Area which harvest Fraser River sockeye and pink salmon and to permit effective implementation of Article III, the negotiations for the 1985 and 1986 fishery regimes shall include development of:
 - (a) agreed adjustments in the limits of the Area to simplify domestic management in the two countries; and
 - (b) formulae for providing the United States with agreed harvests of Fraser River sockeye and pink salmon in the Area which take into account:
 - (i) within the context of Article III, the implications of potential increases in the production of Fraser River sockeye and pink salmon, and of benefits provided to the United States through Canadian management actions in fisheries

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for stocks other than Fraser River sockeye and pink salmon;

(ii) the need to provide flexibility in management of fisheries outside the Area which harvest Fraser River sockeye and pink salmon; and

(iii) the total harvest of Fraser River sockeye and pink salmon wherever they occur.

2. In the interim, in 1983, on the basis of IPSFC projections regarding the abundance of the returning runs (of approximately 6.5 million sockeye and approximately 21.0 million pinks), escapement requirements (including the spawning escapement and estimates of the Native Indian food catch) and normal patterns of fishing outside the Area, it is anticipated that the Total Allowable Catches of sockeye and pink salmon within the Area will be 3.5 million and 10 million, respectively.
3. In 1983, the United States shall be provided 50 percent of the Total Allowable Catches of each species within the Area less 150,000 sockeye and 300,000 pinks.

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4. In 1984, based on an expected run of 3.75 million sockeye and an Area Total Allowable Catch of approximately 1.75 million sockeye, the United States shall be provided with 50 percent of the Total Allowable Catch within the Area of sockeye less 50,000 fish.
5. The IPSFC or the Commission shall develop regulatory programs in the Area to give effect to the provisions of this Annex.

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Annex IV

Chapter 5

SOUTHERN BRITISH COLUMBIA - WASHINGTON COHO AND CHUM FISHERIES

1. Anticipated returns of some natural coho and chum salmon stocks originating in Johnstone Strait, the Strait of Georgia and the Fraser River in 1983 and 1984 are expected to be weak and therefore not likely to have a harvestable surplus. Some enhanced stocks of coho and chum originating in the above areas are anticipated to have harvestable surpluses and locally directed fisheries on these enhanced stocks are expected.
2. The Parties shall meet and develop agreed fishery regimes by April 30, 1983 for the 1983 and 1984 fishing season in response to the conservation status of the resources.
3. If at a later date it is determined that harvestable surpluses of Canadian or United States coho and chum salmon exist the Parties will consult to identify and agree on fishing opportunities.

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Exchange of Notes

I have the honor to refer to the discussions between
representatives of our two ^{1/10 MPS} Governments and to the Treaty
between the Government of the United States of America and
the Government of Canada concerning Pacific salmon (the
Treaty) and to confirm on behalf of the United States Govern-
ment the understanding set out below that has been reached
between our two Governments concerning the implementation
of ^{20 JUN MPS} ARTICLE XVII, paragraph 3 of the Treaty.

A. Prior to the first anniversary of the date of entry
into force of the Treaty:

1. The Fraser River Panel established pursuant
to the Treaty shall assume the following respon-
sibilities consistent with the Treaty:

(a) review and evaluate information provided
by the Parties, pursuant to Article IV,
paragraph 3, in order to provide recommenda-
tions to the Commission on the fishery
regime to be included in Annex IV;

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- (b) on adoption by the Parties of the fishery regime, make proposals to the Commission regarding regulations for the harvest of Fraser River sockeye and pink salmon within the Fraser Panel Area (the Area);
- (c) collect in-season information on catches within the Area; review information on escapements within the Area; collate information provided by the Parties pursuant to paragraphs D, 2 and 3 for fisheries outside the Area; conduct test fishing on Fraser River sockeye and pink salmon; and collect data on upriver escapements by observation at Hell's Gate and through the conduct of a hydroacoustic program at Mission Bridge;
- (d) make orders for the adjustment of the fisheries pursuant to Article VI, paragraph 6, on the basis of information garnered under subparagraph (c); and
- (e) provide the Commission, at the end of each fishing season, with an accounting of the catches, wherever made, of Fraser

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River sockeye and pink salmon and with an appraisal of the extent to which the Panel achieved ^{the MPS} the objectives set by the Parties.

2. Canada shall assume all responsibilities of the International Pacific Salmon Fisheries Commission (IPSFC) except for those responsibilities specified in subparagraph 1.
- B. The IPSFC will continue to discharge its responsibilities in the interval between the entry into force of the Treaty ^{the MPS} and, pursuant to paragraph A, the assumption of responsibilities by Canada and the Fraser River Panel.
- C. Prior to the fourth anniversary of the entry into force of the Treaty, the Commission shall review the division of responsibilities set out above.
- D. Canada and the United States shall provide to the Commission:
 1. the information required by Article IV, paragraph 3;

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2. information on in-season catches and estimated catches of Fraser River sockeye and pink salmon by time, area, species, and gear type;
 3. post-season statistical information regarding Fraser River sockeye and pink salmon catches by area, gear type, species and time;
 4. data on spawning escapements for all sockeye and pink stocks which migrate through the Area; and
 5. information on any problems identified in achieving national goals resulting from in-season regulation of the Area fisheries.
- E. The following administrative arrangements shall apply to the transfers of staff from IPSFC:
1. Appropriate members of the existing Fishery Management Division and of other Divisions of the IPSFC shall be transferred to the Commission so that it shall have the capability to perform the following duties:
 - (a) the discharge of the responsibilities of the Commission and of the Fraser River Panel as specified inter alia in paragraph A 1; ~~by~~ **MAS**
 - (b) interpretation of statistical and biological data and other information referred to in paragraph D;

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- (c) collection and assembly of such data as may be required by the Commission and its Panels; and
 - (d) preparation of such publications as may be decided upon by the Commission.
2. The staff shall be under the direction of the Executive Director pursuant to Article II, paragraph 16.
3. The Operations Division shall be transferred to the Department of Fisheries and Oceans (DFO), Canada, to the extent practicable, and shall continue to carry out upriver work on pink and sockeye salmon in coordination with the staff of the Fraser River Panel. While there will be some duplication of work in the spawning areas during this initial period, it is anticipated that the Operations Division will eventually be integrated into DFO's Fraser River Management and Enhancement Operations to streamline upriver operations and to avoid duplication. The close working

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relationship that now exists at the staff level between the IPSFC Fishery Management Division and Operations Division should be maintained between the Fraser River Panel staff and the appropriate DFO responsibility centers.

4. The Environment Conservation Division, Biology Division, and Engineering Division shall be transferred to DFO and integrated as practicable

5. The transfers of the Fishery Management Division and the Operations Division of the IPSFC referred to in paragraphs 1 and 2 shall occur during the period November to March. The transfer of the Environment Conservation Division, the Biology Division and the Engineering Division referred to in paragraph 3 may occur at any time within the year after the date ^{e mps. 1/1/71} of entry into force of the Treaty. Officials of the Parties shall consult with each other and with the IPSFC staff to seek agreement on the specific timing of these transfers, taking into account the need for continued sound management of the fishery resource and ^{mps. not 2/1/71} ~~the~~ administrative and budget cycles of the two Governments.

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F. In order to ensure continuity in the methodology of collection of upriver data required for the management of Fraser River sockeye and pink salmon:

1. Pending the entry into force of the Treaty, DFO staff shall participate with IPSFC staff in IPSFC upriver activities.
2. In the first two years following entry into force of the Treaty former IPSFC staff members whose responsibilities included upriver work, and who become employees of DFO, shall participate in the carrying out of Canada's upriver responsibilities, as practicable. With respect to upstream spawning escapement work, the advice of the new Commission's staff shall be sought as appropriate.
3. On request of either Party, opportunities shall be provided for technical experts to observe the data collection operations of the Parties related to the activities of the Fraser River Panel.

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G. The Parties shall consult with each other and with the IPSFC staff, with a view, inter alia, to offering employment to IPSFC employees in the new Commission, the Fraser River Panel, or within government agencies of the two Parties on terms and conditions comparable, to the extent practicable, with those they enjoy in IPSFC.

H. The IPSFC library in New Westminster, B.C., which contains irreplaceable historical records, shall be transferred to the new Commission and shall be readily accessible to the new Fraser River Panel, the Commission, and others whose professional needs require use of these library facilities.

Other IPSFC assets necessary for the work of the Commission and the Fraser River Panel shall be transferred to the Commission.

The remaining assets shall be transferred to Canada.

I have the honor to propose that if the understanding set out in this Note is acceptable to the Government of Canada, this Note and your reply to that effect, shall constitute an Agreement between the Government of the United States of America and the Government of Canada regarding the implementation of the Treaty and shall enter into force

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At the end of the third year after entry into force and at any time thereafter, either Party may give notice of its intention to terminate this Agreement. The Agreement shall terminate one year after notification.

I avail myself of this opportunity to renew to you, Sir, the assurance of my highest consideration.

Subject to change by mutual agreement on receipt of views provided by IPSFC.

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LETTER OF UNDERSTANDING BETWEEN THE NEGOTIATORS
REGARDING IMPLEMENTATION OF ARTICLE III 1(b)

In submitting our recommendations to governments, the negotiators hold the view that the principal goals of the treaty are to enable both countries, through better conversation and enhancement, to increase production of salmon and to ensure that the benefits resulting from each country's efforts accrue to that country. In this regard, we believe that research on the migratory movements of stocks subject to interception must be continued for several years. Such research is required not only to determine with more precision the extent of interceptions by both sides, but also to provide an improved basis for conservation and enhancement. The negotiators believe that resultant long term increases in production of salmon will fully justify the short term expenditures on research.

With respect of the obligation to provide each Party with benefits equivalent to the production of salmon originating in its rivers (contained in Article III, paragraph 1(b) of the Draft Treaty), it must be recognized that data on the extent of interceptions in some areas are imprecise and that it is therefore not possible to determine with certainty the total production of salmon from each country's rivers. It must also be recognized that methods of evaluating benefits accruing within each country may differ. For these reasons, it is anticipated that it will be some time before the Commission can develop programs to implement the provisions of Article III, paragraph 1(b) in a complete and comprehensive manner. Nevertheless, in the short term, it is essential that the Commission ensure that the annual fishery regimes and understandings regarding enhancement be developed in an equitable manner

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taking into account the principle outlined in Article III 1(b). In particular, the Commission's decisions should take into account changes in the benefits flowing to each of the Parties through alteration in fishing patterns, conservation actions, or as the result of changes in the abundance of the runs.

In the longer term, if it is determined that one country or the other is deriving substantially greater benefits than those provided from its rivers, it would be expected that within the Commission, the Parties would develop a phased program to eliminate the inequity within a specified time period, taking into account the provisions of Article III paragraph 3. Since correction of imbalances is a national responsibility and may involve differential fishery adjustments or enhancement projects on a regional basis within either country, it would be incumbent on the Party with the advantage to submit appropriate proposals to the Commission for consideration. The plan would be discussed within the Commission and be reflected in the agreed fishery regimes and coordinated enhancement planning in ensuing years.

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EXCHANGE OF NOTES

Pending entry into force of the Treaty and the Agreement regarding the implementation of Article XVII, paragraph 3 of the Treaty, the Parties shall seek to implement the Treaty and the Agreement on a provisional basis.

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SELECTED INFORMATION AND BACKGROUND DATA ON
PROPOSED UNITED STATES/CANADA PACIFIC SALMON TREATY
WITH SPECIAL EMPHASIS ON FISHERIES OF SOUTHEAST ALASKA
AND NORTHERN BRITISH COLUMBIA

February 1983

Prepared for
Governor Sheffield's Treaty Review Task Force
by

Division of Commercial Fisheries
Alaska Department of Fish and Game
Juneau, Alaska

- NOTE -

The selected information and background data contained in this informational pamphlet have been compiled to assist Governor Sheffield's Treaty Review Task Force in evaluating the proposed United States/Canada salmon treaty. No attempt has been made in this document to assess potential benefits and costs associated with the proposed treaty. Rather it provides some general statements of principles, objectives and fishery arrangements proposed in the treaty plus some pertinent data. Persons are encouraged to carefully read the actual draft treaty, copies of which are available at ADF&G offices.

This information has been excerpted from various management agency records and numerous documents used during past negotiations. While it represents some important basic data, it should be emphasized that there is a substantial amount of additional detailed information and data relating to the fisheries dealt with in the negotiations and the proposed treaty.

Persons are cautioned that salmon catch and escapement data shown for the most recent years should be considered preliminary.

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I. Overview of Proposed United States/Canada Pacific Salmon Treaty

After some twenty years of complex negotiations, the United States and Canada have developed a draft treaty for public consideration. The draft treaty proposes a regime to manage salmon fisheries which, while operating in domestic waters, intercept stocks bound for the other country's spawning streams. Following a November negotiating session in Seattle between full U.S. and Canadian delegations at which numerous aspects of the treaty were discussed, the two Chief Negotiators, Dr. Dayton Alverson for the United States and Dr. Michael Sheppard for Canada, have finalized draft treaty language. A draft treaty has been presented to the respective governments for consideration. This starts the process of general public review, State and Federal agency review and finally consideration by the U.S. Senate and Canadian Parliament.

The draft treaty contains provisions for a U.S./Canada Commission to oversee fishing arrangements jointly developed by the two countries. Actual fishery management authority would remain with the respective State and Federal agencies. The Commission would operate under a set of agreed upon principles including priorities for resource conservation and provisions for each country to receive major benefits from salmon production in its own streams. A framework would be provided by the treaty for management, enhancement and allocation between the two countries. It is intended to provide incentive for each country to enhance its own stocks without fear of uncontrolled interceptions.

The Commission would be composed of four Commissioners from each country supported by separate panels for (1) the Fraser River, (2) Southern B.C./Washington and Oregon and (3) Northern B.C./ Southeast Alaska. The panels would be composed of representatives from government agencies and the fishing industry who would review data and advise the Commission as to whether its objectives were being met. Decisions to change elements of the initial treaty could only be made by consensus between the two countries. Within the United States, implementing legislation would specify two U.S. Commissioners from Alaska and two from the Pacific Northwest. Each country would receive one vote in the Commission and a positive action within the U.S. section would require a majority consensus.

In addition to general principles, the proposed treaty includes a series of "annexes" governing catch limits and initial conduct of a number of fisheries of joint concern. The draft treaty implies these annexes would have to be re-negotiated after the dates specified or earlier if both parties agree.

The proposed treaty contains provisions for coastwide chinook salmon management intended to reverse the declining trend in many natural stocks of this species. The treaty specifies fisheries limits in both Canadian and U.S. fisheries which are judged necessary to rebuild the stocks. Reductions would be shared in a specified fashion between the countries and savings would be passed to spawning grounds rather than simply reallocated to other fisheries. Both countries would make a strong commitment to increase hatchery production of this species to benefit both U.S. and Canadian fishermen.

Fisheries in the Dixon Entrance boundary area would generally be managed at recent harvest levels. This is intended to minimize disruption of traditional fisheries while preventing escalation of interceptions or initiation of new intercepting fisheries on either side of the border. Provisions would be made to conserve certain depressed stocks through joint management.

Canadian fisheries operating in the Canadian portion of the Taku River in 1983 would be restricted to the 1982 levels for subsistence use and relatively minor commercial and recreational harvest. Canadian fisheries on the Alsek River would be managed to limit catches to recent levels. Stikine River fisheries would be cooperatively managed to provide for a Canadian directed in-river sockeye and coho harvest. Unresolved problems in the draft language still exist with respect to the percentages specified for Canadian harvest of sockeye and coho salmon. Statements are made on conservation of depressed stocks, achievement of escapement goals and joint salmon enhancement in these drainages.

The basic treaty intent is to provide the mechanism to achieve rational management, conservation and enhancement of coastal salmon stocks. It is also intended to prevent uncontrolled interceptions of the other country's stocks and the type of "fish wars" that can develop when fleets on each side of the border operate without established principles and ground rules.

Much work remains to be done regarding language for implementing legislation and explanatory notes between the governments to assure that proposed treaty language meaning is clear between the parties.

Implementing language would accompany the treaty through the U.S. ratification process and would deal with arrangements needed to internally implement the agreement within the United States. Items to be covered include:

1. Federal funding to insure support for Commission operation; needed research and management; and enhancement projects to support treaty obligations - for example upgrade of chinook enhancement to alleviate the conservation burden of rebuilding natural stocks. Both countries have agreed that without commitment of adequate financial support the treaty will not function.

2. Operational procedures for the U.S. section of the Commission (panels and Commission members) including makeup, appointment and voting procedures.

An example of the type of explanatory note that may be required to clarify the intent of the two countries as to how the Commission will function is attached at the end of the treaty draft. Entitled "Letter of understanding between the negotiators regarding implementation of article III 1 (b)" this letter clarifies that equity is something to be structured for over time, not on a short term year by year basis, and that equity will be measured in terms of substantial imbalances not on minor accounting differences. It also spells out the negotiators support of needed research.

Following are brief descriptions of fishery arrangements proposed by the treaty for a number of Canadian and Alaskan fisheries. Some basic background data is also provided.

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II. Transboundary Rivers (Annex IV - Chapter 1)
(Stikine, Taku and Alsek Rivers)

II. Transboundary Rivers

"Transboundary" rivers are rivers which originate in one country but flow to the sea through the other country. Three such rivers originating in Canada but flowing to the sea through Southeast Alaska are dealt with specifically in the treaty. These are the Stikine, Taku and Alsek Rivers whose locations are shown in Figure 1.

Salmon spawned in and migrating to the sea through Alaskan portions of the transboundary rivers are considered to be Alaskan stocks. However, salmon stocks which spawn in Canadian portions of the rivers and migrate to the sea, rearing enroute, through Southeast Alaskan portions of the rivers and Alaskan estuaries and State waters are considered to be "shared" by the two countries. Cooperative management and harvest sharing arrangements for these stocks are included in the proposed treaty. A brief description of the proposed arrangements for each of the three rivers is provided.

Taku River

Prior to 1979 no Canadian commercial fishery existed in the Taku River drainage. Beginning in 1979 the Canadian government permitted a three year experimental fishery in the Taku River for 11-14 fishermen. During the years 1979-1981 the salmon catches by these fishermen ranged from 30,000 to 75,000 as shown in Table 1. These catches were transported to Prince Rupert via aircraft for processing. In 1982, under the terms of the 1981-1982 interim agreement, the Canadian fishery was to be held to 3,000 sockeye and 5,000 pinks. This limit was adhered to for sockeye, but the 2-4 fishermen involved in 1982 did not harvest the allowed number of pinks due to their limited markets in the Yukon Territory and transportation costs. The limits for the Canadian Taku commercial fishery in 1983 under the proposed treaty are the same as for 1982 (3,000 sockeye and 5,000 pinks). At this low level of sockeye harvest, 1983 management of the U.S. drift gillnet fishery in Taku Inlet would not be affected.

Stikine River

Although the Canadian commercial fishery on the Stikine River has been provided for by regulation since 1975 no significant

harvests occurred until 1979. A substantial food fishery that has harvested 2000-5000 salmon per season has historically been conducted in the Telegraph Creek area. During the 1979-82 period, commercial catches by 15-22 Canadian fishermen ranged from 25,000 to 35,000 fish as shown in Table 2.

Equitable resolution of the manner in which salmon originating from the Canadian portion of the Stikine River would be shared between U.S. and Canadian Fishermen proved to be a difficult issue during the negotiations. This problem is complicated by the lack of an agreed to data base to establish the numbers of these fish harvested by U.S. fishermen outside the Alaskan District 8 terminal fishery.

The treaty draft implies a 65% U.S. and 35% Canadian harvest sharing of Stikine red salmon as a U.S. goal, but this division has not been agreed to by Canada. During the expected poor red runs in 1983 and 1984, Annex IV provides for a Canadian harvest of red salmon that is expected to somewhat exceed 35% of the total harvest. The language in Annex IV would establish a working group to review available information on the Transboundary Rivers and potential enhancement opportunities. Unless an agreed to data base for management purposes can be developed, the actual catch division achieved will remain in question.

Proposed Annex IV language indicates that the Canadian fishery would be provided 35% of the coho harvest originating from the Canadian portion of the Stikine if possible given the nature of the intercepting fisheries that share in the harvest of this species. The U.S. negotiator has indicated that this wording would have to be clarified to be acceptable to both sides. The final draft will probably reflect the inability of either side to determine or control the amount of Stikine coho taken in troll fisheries. At the negotiations it was assumed that this section would probably deal only with terminal area and inriver harvests.

Regarding other salmon species, Annex IV provides that in 1983 and 1984 both countries' fisheries will not target effort on Stikine spawning run chinook salmon as these stocks are currently depressed and a rebuilding program is in progress. Pink and chum salmon runs to the Canadian portion of the Stikine River are small and the fisheries of both countries will harvest them only to the extent they are harvested while targetting on other salmon stocks. Problems exist with the current language in this section.

Alsek River

Chinook and early sockeye salmon runs originating in the Alsek river are depressed and require special protection in 1983 and 1984 to provide for rebuilding. Specific management arrangements would be developed cooperatively by the two countries. Under the proposed treaty, fisheries for stocks of other species originating in Canadian portions of the river would be conducted in the same manner as in recent years. Canadian salmon catches in the Alsek River since 1976 are shown in Table 3.

SOUTHEAST

Alaska's Panhandle



Figure 1. Location Map for Southeast Alaska Transboundary Rivers

Table 1. Canadian Commercial Salmon Harvests in the Taku River,
1978-82 and Proposed Treaty Level catches in 1983.

Year	Chinook	Sockeye	Coho	Pink	Chum	SteelHead	Total
1978	0	0	0	0	0	0	0
1979	97	13,578	6,006	13,661	15,474	254	49,070
1980	225	22,602	6,405	26,321	18,516	456	75,025
1981	154	10,922	3,612	10,621	5,495	94	30,898
1982	45	3,044	51	82	1	0	3,223
Treaty Proposal for 1983	0	3,000	0	5,000	0	0	8,000

Note: Catch data for most recent years should be considered preliminary.

Table 2. Canadian Commercial and Food Salmon Harvests in the Stikine River, 1975-82.

	Chinook	Sockeye	Coho	Pink	Chum	Total
1975	1,024	2,252	50	0	0	3,326
1976	1,160	3,644	13	0	0	4,817
1977	162	6,310	32	0	0	6,504
1978	500	5,000	0	0	0	5,500
1979 ¹	1,625	13,534	10,720	1,994	424	28,297
1980	2,231	20,919	6,769	756	771	31,446
1981	1,322	26,786	2,566	3,831	1,114	35,619
1982 ²	2,334	20,342	16,000	1,808	710	41,194

Treaty

Proposal - Dependent on run sizes (refer to Annex IV - Chapter 1).

¹Inception of major Canadian Commercial fishery

²Preliminary

Table 3. Canadian Salmon Catches in the Alsek River, 1976-82

Year	Chinook	Sockeye	Coho	Total
1976	300	4,100	100	4,500
1977	400	12,200	200	12,800
1978	500	8,200	200	8,900
1979	300	4,000	100	4,400
1980	300	1,500	200	2,000
1981	300	2,600	100	3,000
1982	300	5,500	100	5,900

Treaty Proposal: (Refer to Annex IV - Chapter 1, p.37)

Notes: (1) Catch data for most recent years should be considered preliminary.

(2) Catches of pink and chum salmon are thought to be negligible.

III. Northern British Columbia - Southeast Alaska
Boundary Areas (Annex IV - Chapter 2)

III. Northern British Columbia - Southeast Alaska Boundary Areas

In Annex IV - Chapter 2 of the treaty, catch limits and coordinated fishery management arrangements are proposed for a number of fisheries on both sides of the International Boundary in Dixon Entrance. Following are brief descriptions of the fisheries and the management arrangements. (A location map is shown in Figure 2.)

Portland Canal Chum Salmon Fisheries

Conservation problems currently exist for chum salmon stocks originating in Portland Canal and harvested by both countries in a number of mixed stock and target fisheries in Dixon Entrance, Portland Inlet and Portland Canal. Under the proposed treaty the two countries would agree not to allow target fisheries on these stocks in the Portland Canal area in 1983 and 1984 unless it is jointly agreed that harvestable surpluses exists.

In addition, in 1983 the two countries would agree to develop a cooperative long term plan of regulatory and enhancement measures to rehabilitate these chum salmon runs.

Southeast Alaska Noyes Island Sockeye Fishery

The Noyes Island purse seine fishing area consists of Southeast Alaska Regulatory District 4 on the outside coast of southern Southeastern from the entrance of Sumner Strait south to Dixon Entrance. The fishery occurs off the string of islands including Noyes, Baker, Suemez and Dall.

Sockeye and pink salmon are the two main species harvested. Pink salmon are considered to be primarily of Alaskan origin while sockeye are of mixed Canadian and Alaska origin.

Table 4 gives the catch by species by year in this fishery and Figure 3 shows the sockeye harvest. A major increase in effort in 1979 and 1980 resulted in very high harvest levels. Interim 1981 and 1982 fishing arrangements reduced the overall effort but larger than average sockeye returns again led to high harvest levels.

The proposed treaty average limitation of 160,000 sockeye per year for 1983-86 is slightly above the average catch of 154,000 since 1960 for this fishery. The limit is an average

figure to be achieved over a four year period which takes into account annual run size fluctuations.

Southeast Alaska Tree Point Sockeye Fishery

The Tree Point gillnet area is composed of two regulatory sections. Section 1-A is located north of Hattie Island in Portland Canal and extends to the northern terminus of the canal. Section 1-B includes all waters south of section 1-A in Portland and Pearce Canals and an area extending approximately three miles offshore from Foggy Point south to the International Boundary. This fishery generally targets on chum and sockeye salmon early, pink salmon in the middle and coho salmon at the end of the season. Historical catch statistics for the Tree Point gillnet fishery are shown in Table 5 and Figure 4 shows the sockeye harvest.

The "Tree Point" gillnet fishery was initiated in Portland Canal in 1957, expanded outward from the Canal in 1960 and by 1963 had been extended approximately to the current boundaries. The average sockeye salmon catch in this fishery since 1960 is about 90,000 fish. Management for Alaska stock concerns has limited the sockeye salmon catch in this fishery in recent years (1976-82) to an average level of 136,000. This is close to the 130,000 limit proposed for 1983-86 in the treaty draft. The treaty limit is an average level to be achieved over a four year period to allow for annual run size fluctuations.

Canadian Pink Salmon Fisheries in Areas 3X, 3Y, 3Z-Delta and 5-1 For All Gear and Area 1 Troll Gear

These Canadian fisheries occur in Dixon Entrance. The net fisheries are restricted generally to the inner portion of the entrance.

Catches of pink salmon were generally low in the early 1970's when Alaskan runs were at an all time low. They increased in the late 1970's with a peak annual net catch of 1.9 million in 1978 (Figure 5 and Table 6). In 1980 the Canadian fleet initiated a major new troll effort off Capes Chacon and Muzon that took a reported 722,000 pink salmon (Figure 6). This fishery was limited in 1981 and 1982 by mutual agreement. Potential Canadian harvest by all gear types based on recent experience exceeds 2,000,000 pink salmon per year and could approach 3,000,000 pink salmon on years of high Southeastern runs.

The proposed treaty limitation is for an all gear catch of 650,000 in 1983 and 1,350,000 pink salmon in 1984. In addition maximum ceilings of 125,000 for 1983 and 275,000 for 1984 are proposed for the Canadian troll harvest in Area 1.

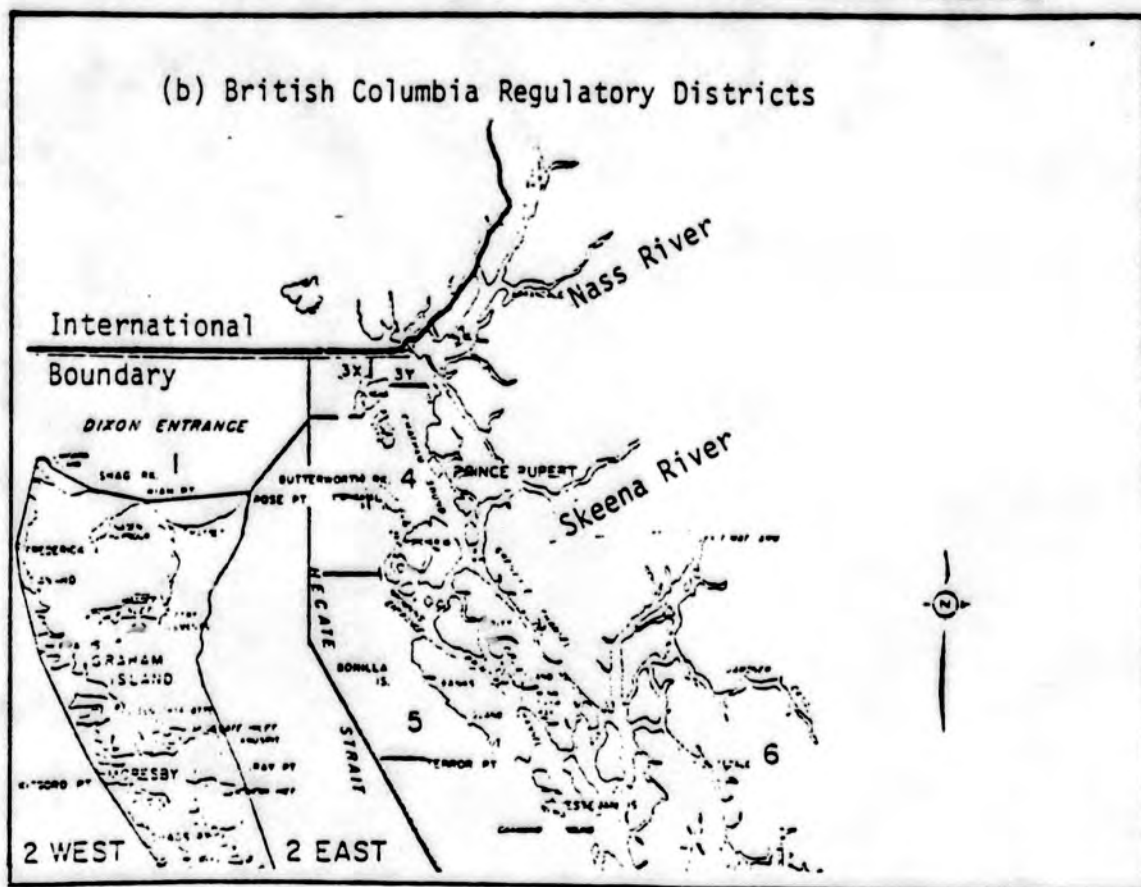
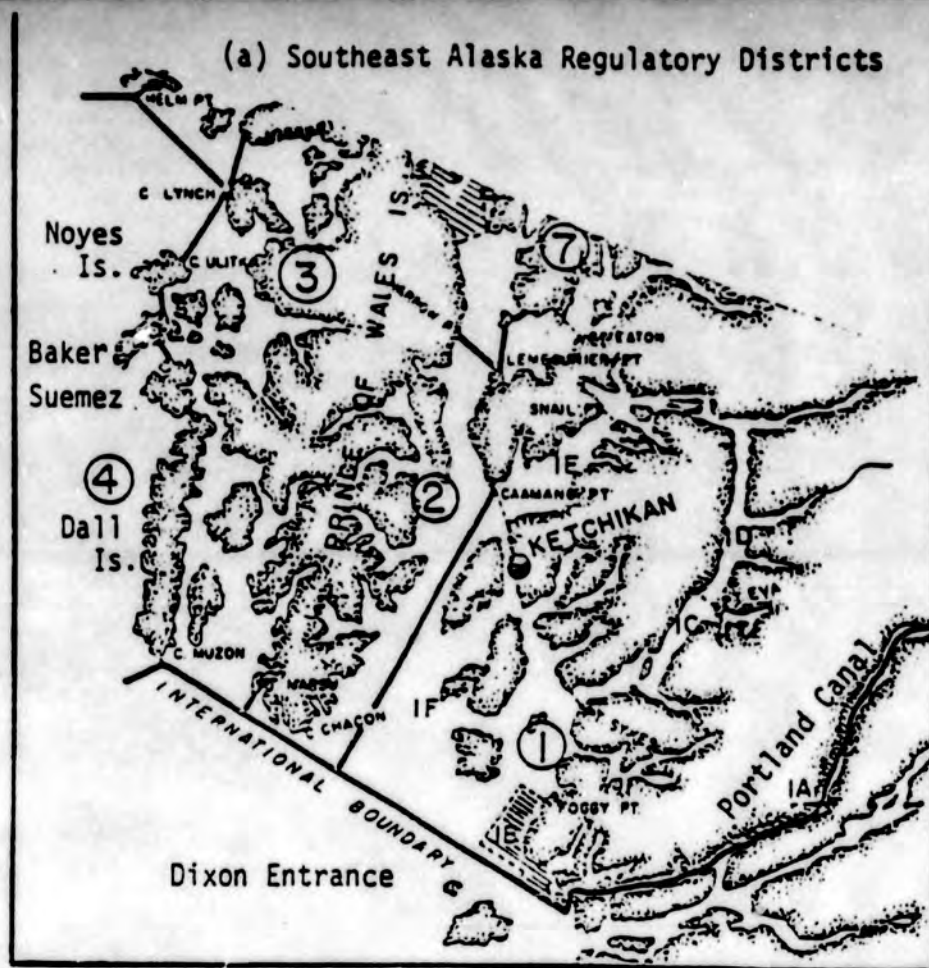


Figure 2. Southeast Alaska and British Columbia Regulatory Districts in the Vicinity of Dixon Entrance (Different Scales)

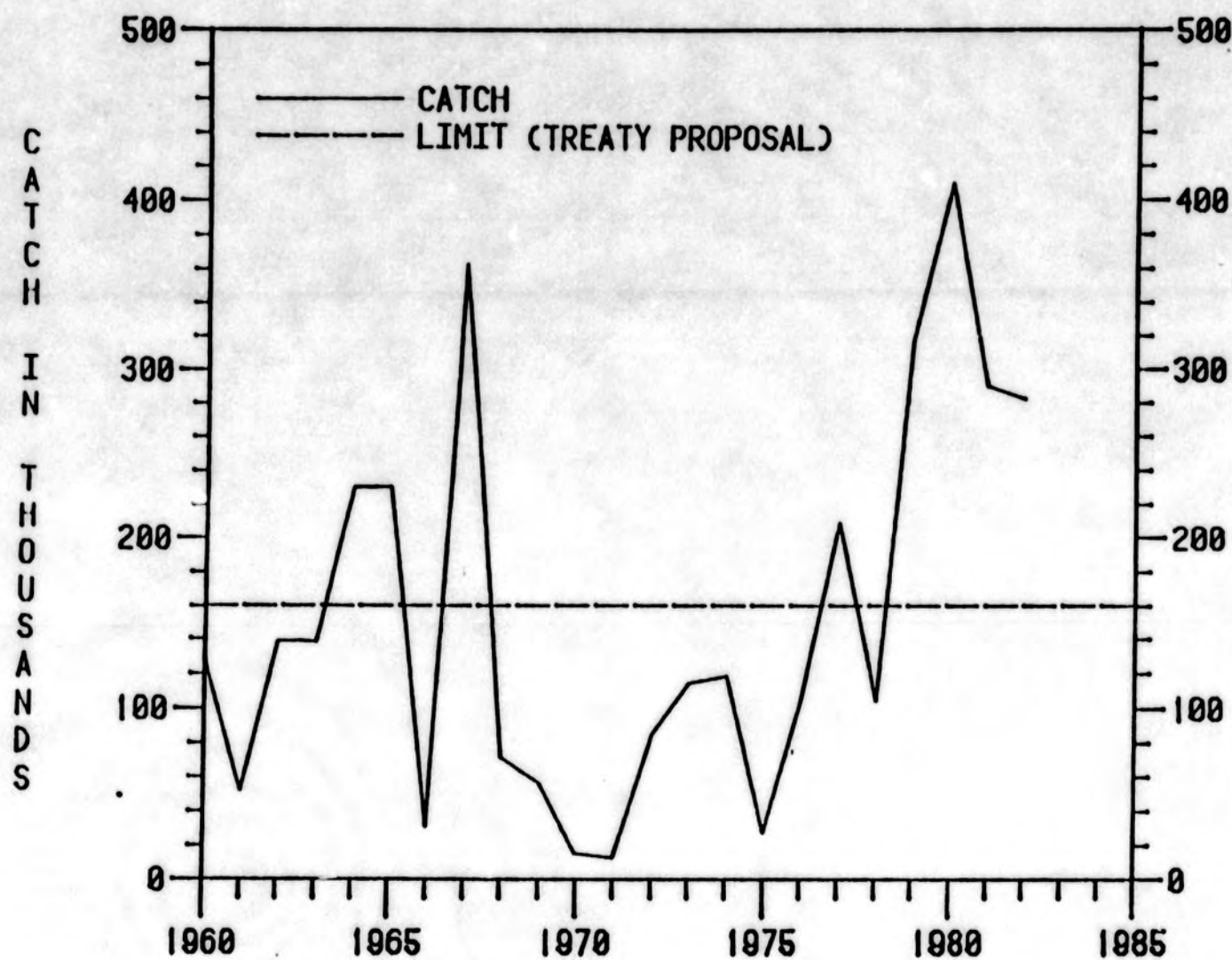


FIGURE 3. SOUTHEAST ALASKA NOYES IS. (DIST. 4) PURSE SEINE FISHERY
SCKEYE SALMON CATCHES, 1960-82 (ADF&G 1/83)

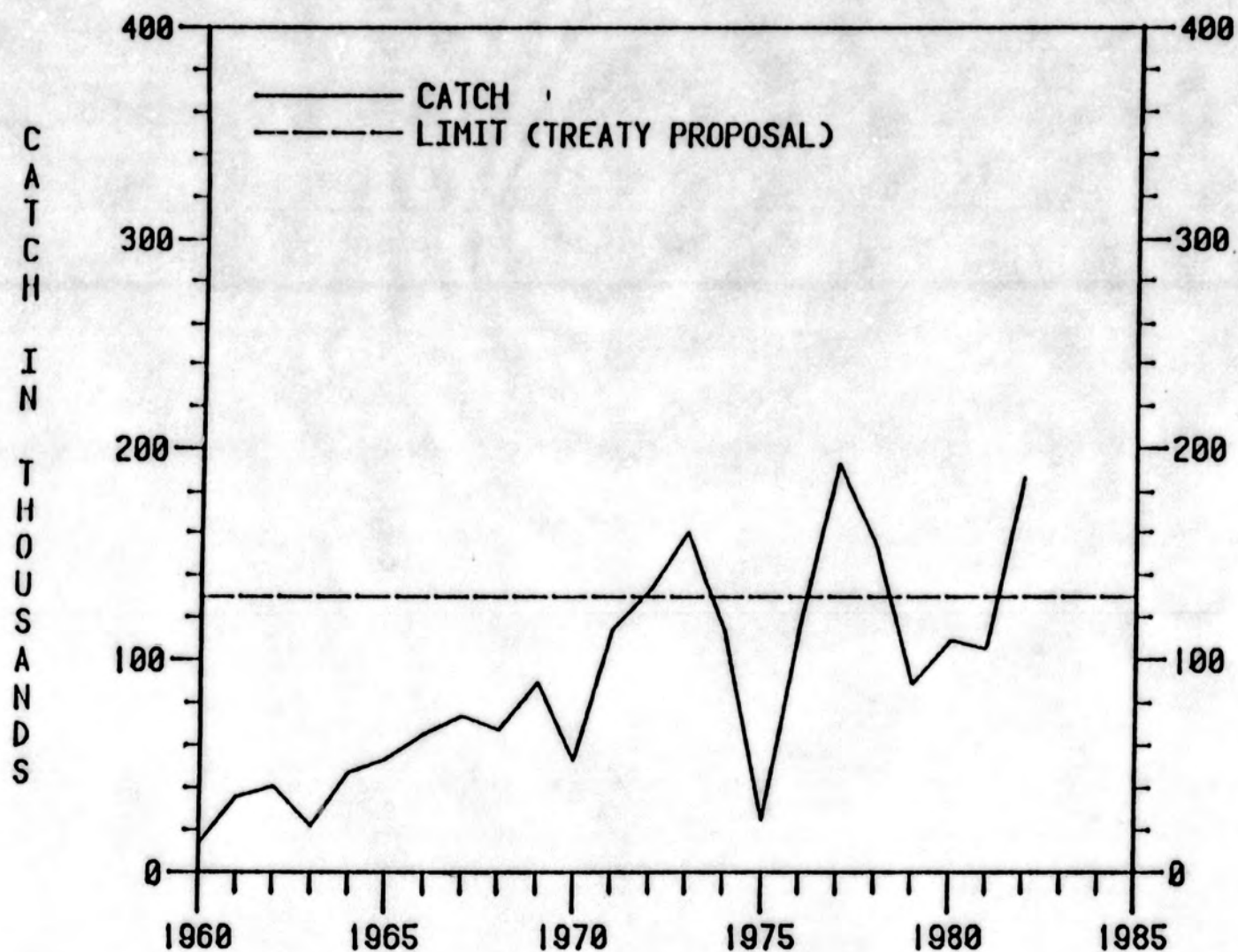


FIGURE 4. SOUTHEAST ALASKA TREE POINT (DIST. 1-A, 1-B) GILLNET FISHERY SOCKEYE SALMON CATCHES, 1960-82 (ADF&G 1/83)

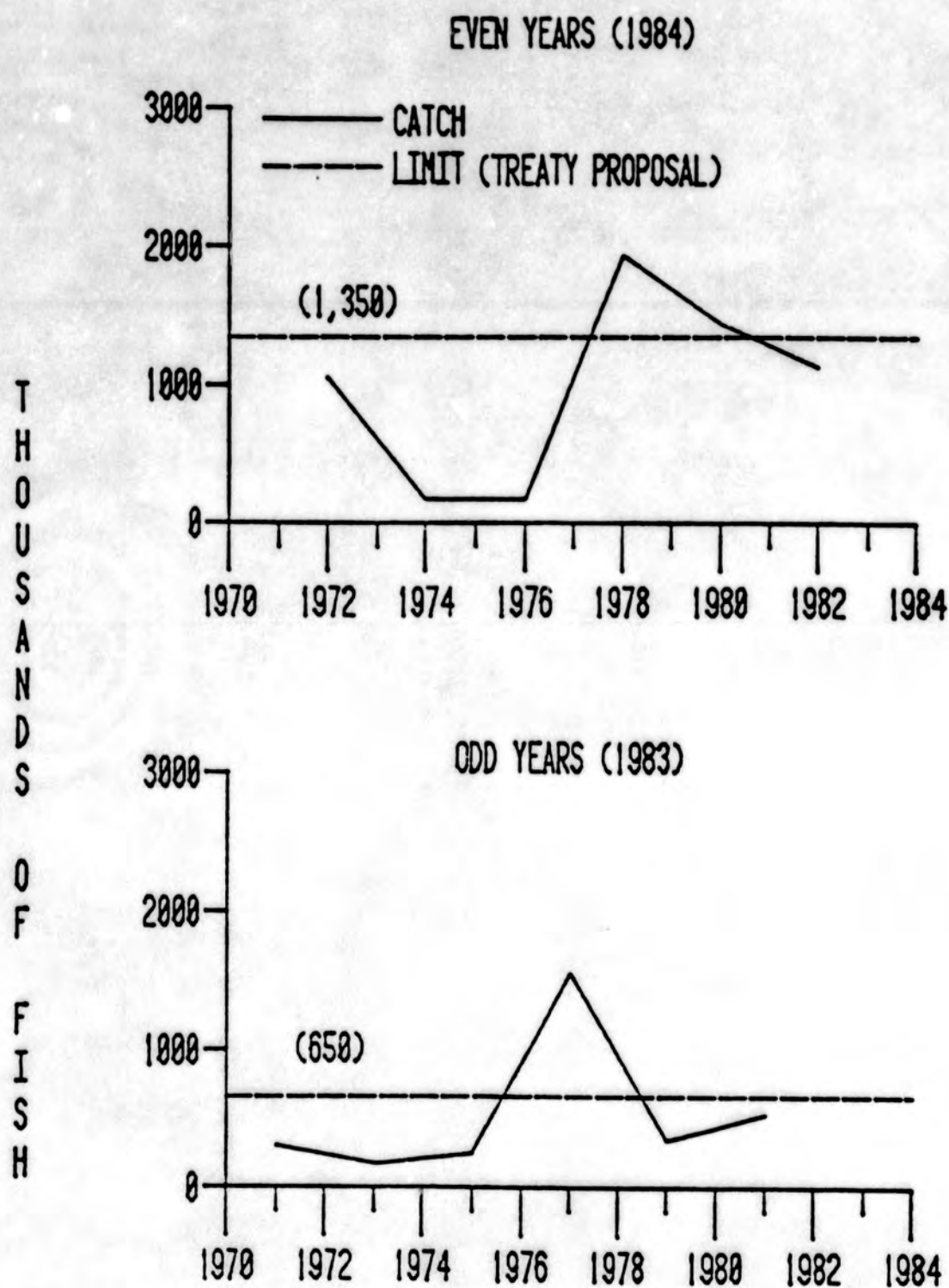


FIGURE 5. 1971-82 PINK SALMON CATCHES AND CATCH LIMITS PROPOSED FOR 1983 AND 1984 UNDER THE DRAFT U.S./CANADA SALMON TREATY FOR CANADIAN AREAS 3X, 3Y, 3Z-DELTA, AND 5-1 FOR ALL GEAR AND AREA 1 TROLL GEAR

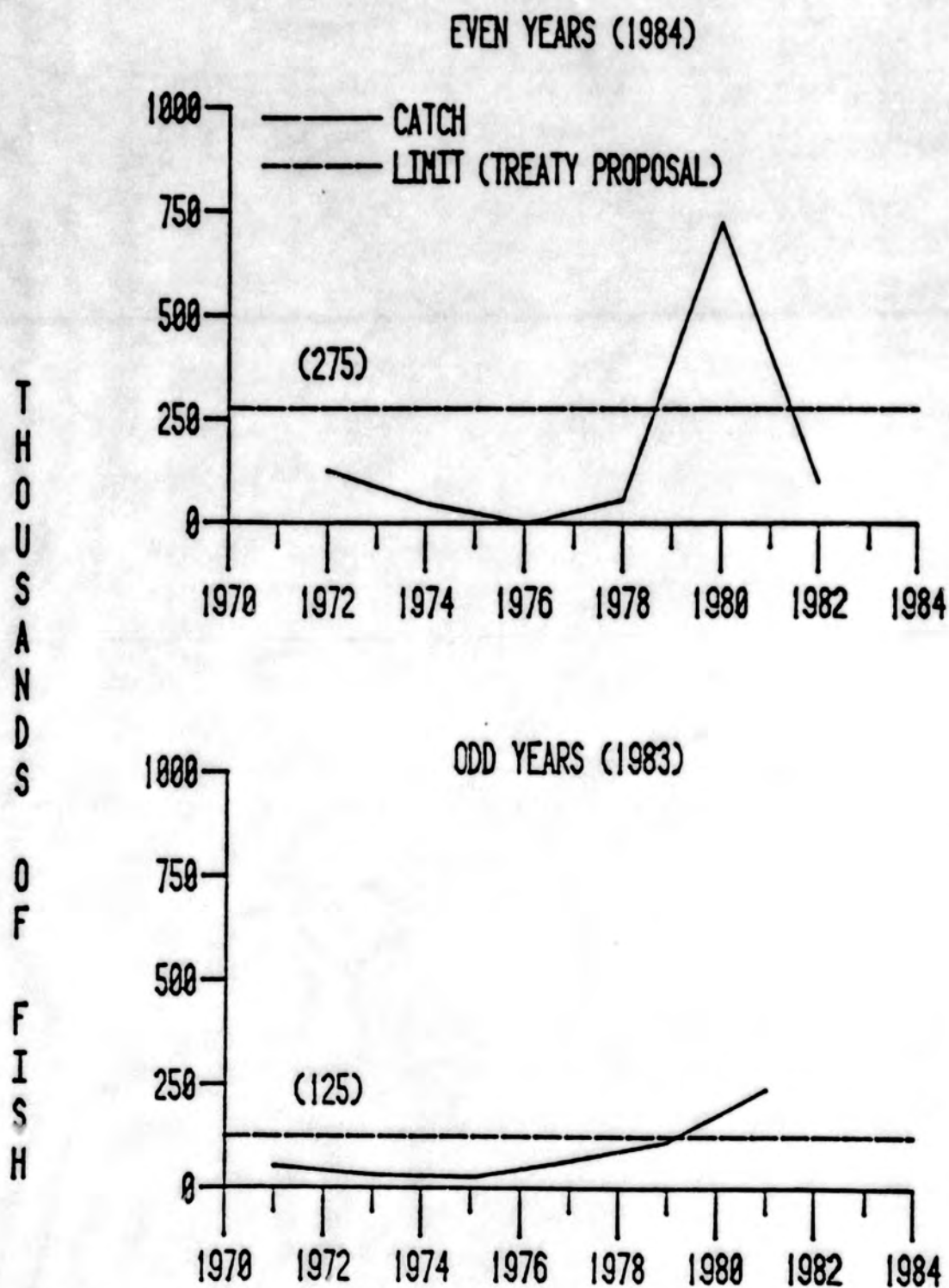


FIGURE 6. 1971-82 PINK SALMON CATCHES AND CATCH LIMITS PROPOSED FOR 1983 AND 1984 UNDER THE DRAFT U.S./CANADA SALMON TREATY FOR CANADIAN AREA 1 TROLL FISHERY

Table 4. Southeast Alaska Noyes Island (Dist. 4) Seine Fishery Salmon Catches, 1961-82. (ADF&G 1/83)

Year	Chinook	Coho	Sockeye	Pink	Chum	Total
1961	1,990	30,557	52,038	436,846	80,293	601,724
1962	2,952	59,282	139,357	1,086,199	65,458	1,353,248
1963	1,935	73,461	138,368	2,065,497	99,566	2,378,827
1964	4,470	103,809	231,245	1,245,826	214,818	1,800,168
1965	6,530	124,684	231,420	763,911	45,723	1,172,268
1966	3,933	56,858	31,150	1,856,451	100,268	2,048,660
1967	6,497	56,485	362,605	324,020	36,028	785,635
1968	5,274	81,668	71,097	3,287,531	139,821	3,585,391
1969	2,378	12,448	56,180	473,949	15,657	560,612
1970	809	5,876	14,597	137,736	17,043	176,061
1971	1,151	28,217	11,588	672,759	53,817	767,532
1972	2,170	71,062	84,946	1,627,527	133,333	1,919,038
1973	2,531	21,673	115,416	806,261	57,507	1,003,388
1974	3,145	51,029	119,105	1,017,798	74,801	1,265,878
1975	1,124	7,797	27,163	71,410	7,646	115,140
1976	1,107	14,684	105,255	317,182	31,437	469,665
1977	4,211	23,523	209,455	917,529	48,703	1,203,421
1978	7,651	71,517	104,232	2,050,555	74,749	2,308,704
1979	7,302	102,596	316,730	941,319	88,562	1,456,509
1980	10,644	113,091	410,107	2,355,437	177,960	3,067,239
1981	6,048	130,887	290,571	3,745,077	68,832	4,241,415
1982	21,447	153,533	283,383	4,557,867	352,800	5,369,030

Footnotes: (1) Most recent years data should be considered preliminary.

Table 5. Southeast Alaska Tree Point/ Portland Canal (Dist. 1-A, 1-B) Gillnet Fishery
Salmon Catches, 1960-Present (ADF&G 1/83)

Year	Chinook	Coho	Sockeye	Pink	Chum	Total
1960	1,213	4,309	14,278	19,824	99,062	138,686
1961	917	4,219	36,159	95,959	37,174	174,428
1962	1,499	12,550	41,189	157,288	37,065	249,591
1963	508	3,110	22,037	93,650	41,642	160,947
1964	1,098	15,707	47,070	162,476	79,156	305,507
1965	1,709	10,675	53,566	60,772	21,753	147,845
1966	642	9,362	66,063	275,634	32,818	384,519
1967	2,186	3,111	74,071	82,312	29,017	190,697
1968	589	17,044	67,106	272,351	96,352	453,442
1969	676	3,159	89,801	87,690	20,602	201,928
1970	340	16,425	52,765	516,105	68,097	653,732
1971	772	5,169	115,032	66,988	31,238	219,199
1972	1,294	35,689	134,493	178,318	156,711	506,505
1973	1,007	18,454	159,764	269,741	109,976	558,942
1974	776	21,327	113,299	166,637	81,770	383,809
1975	1,961	12,155	25,352	123,753	30,341	193,562
1976	1,807	16,275	117,965	210,061	36,262	382,370
1977	1,182	12,173	192,728	769,841	84,321	1,060,245
1978	2,591	47,804	153,444	532,291	116,764	852,894
1979	3,663	6,444	89,290	73,421	60,896	233,722
1980	1,531	19,995	108,610	675,466	155,118	960,720
1981	1,284	15,348	104,607	416,920	35,778	573,937
1982	2,787	27,189	187,064	347,247	82,359	646,646

Footnotes: (1) Most recent years data should be considered preliminary.

Table 6. Pink Salmon Catches in Canadian Areas 3X, 3Y, 3Z-Delta and 5-1 for All Gear and Area 1 Troll Gear for 1971-82 (ADF&G 1/83).

(Numbers of Fish in Thousands)

YEAR	ALL GEAR CATCHES				TROLL 1	TOTAL
	3X	3Y	3Z-DELTA	5-1		
1971	44	170	18	12	50	294
1972	90	502	107	222	125	1,046
1973	40	54	32	11	31	168
1974	32	46	9	40	45	172
1975	78	76	3	67	24	248
1976	54	85	6	25	1	171
1977	638	563	234	48	67	1,550
1978	615	935	290	35	57	1,932
1979	151	69	2	10	113	345
1980	54	441	72	145	722	1,434
1981	111	149	32	(5)	237	534
1982	303	462	249	(5)	(100)	1,119

Notes: (1) All 1982 data preliminary.

(2) 3Z-Delta catch equal to 25 percent of 3Z catch.

IV. Conservation Measures for Chinook Salmon
(Annex IV - Chapter 3)

IV. Conservation Measures for Chinook Salmon

The proposed U.S./Canada salmon treaty contains a plan for addressing a major conservation problem which has developed in recent years for a large number of important natural chinook salmon stocks. The stocks involved originate in coastal streams and rivers from the Columbia River to Southeast Alaska. (Location map shown in Figure 7.) They enter numerous fisheries in this same area both as juveniles or immatures during northwesterly coastal migrations to the Gulf of Alaska and again on return migrations bound for the spawning grounds. (Total coastwide chinook salmon catches since 1965 are shown in Figure 8 and Table 7). While both countries have taken some conservation measures, these actions have not been fully coordinated on a coastwide basis and, in total, do not appear to have been adequate to rebuild the depressed stocks.

Under the proposed treaty, catch limits would be imposed on certain chinook salmon fisheries in both countries which are major harvestors of these natural stocks to stop the decline in escapements and stabilize the stocks. The two countries would also proceed with planned chinook salmon enhancement and rehabilitation projects. By maintaining catch limits on the fisheries, the harvest of natural stocks would be expected to decrease as the proportion, and hence harvest, of hatchery stocks increased. This would allow a greater proportion of the natural stock runs to reach the spawning grounds.

As natural stocks were rebuilt, catch limits could be raised by mutual agreement within the Commission commensurate with increased production from both natural and supplemental stocks. Increased production would be shared in a manner consistent with the basic principles of the treaty.

Under the proposed treaty, Canadian fisheries in all B.C. areas except the west coast of Vancouver Island (Statistical Areas 20-27) would be reduced in 1983 to 868,000 fish. This represents a reduction of 290,000 fish or 25 percent from average 1978-81 catches in the specified areas (Table 8). Comparative catches since 1965 are shown in Figure 9 and Table 9.

Fisheries off the west coast of Vancouver Island were excluded from reductions under the proposed treaty since the largest percentage (roughly 85%) of catches are estimated to be from hatchery stocks with only a small percent coming from natural stocks. However, the treaty would require that Canada

manage the fisheries off Vancouver Island to ensure that catches would not increase as a result of transfers of fish saved by reductions in other fisheries.

Reductions in Canadian catches would be expected to increase escapements of Canadian natural chinook salmon stocks which have experienced substantial declines during the last two decades (Figure 10). Total estimated escapements averaged about 150,000 in 1981-82 or about 40 percent of the current management goal of 350-375,000 fish (excluding Canadian portions of the transboundary rivers).

The Canadian reductions would also be expected to benefit spawning escapements of depressed natural chinook salmon stocks bound for Washington coastal streams and the Columbia River. These stocks are also harvested extensively in Canadian fisheries.

During 1983, the proposed treaty would also limit chinook salmon catches in all Southeast Alaska fisheries to 263,000 and to 243,000 in all commercial fisheries. This would represent a reduction of 94,000 fish or 26 percent from the average 1978-81 all gear catch of 357,000 (Table 8). Comparative catches since 1965 are shown in Figure 11 and Table 10.

The proposed reductions in Southeast Alaska catches would be expected to benefit spawning escapements of natural chinook salmon stocks in Southeast Alaska (Figure 12), British Columbia and Washington and Oregon coastal streams including the Columbia River. Under the conditions of the treaty, fisheries in the more southern areas would have to be managed to insure that for depressed natural stocks, savings from the proposed harvest reductions in Southeast Alaska would be passed on to the spawning grounds rather than merely reallocated to other fisheries.

Following the 1983 season, the proposed treaty would require that the management performance relative to treaty obligations and the effect of the 1983 catch reductions on escapements be evaluated. Based on this evaluation, if escapements stabilized in 1983, the proposed 1983 catch limits would remain in effect for 1984. If escapements continued to decline even though both parties met their 1983 regulatory obligations, further reductions would be required.

The manner in which additional reductions would be made in 1984 or subsequent years, if necessary, is not specified. In particular, references to average 1981-82 catches as base levels for reductions are confusing and specific provisions are not made to take into account the fact that the full effect of 1983 catch reductions on escapements probably

cannot be adequately evaluated in time for the 1984 season.

A number of chinook salmon enhancement and rehabilitation programs would be supported under the proposed treaty. In Southeast Alaska, combined state and federal programs would contribute an estimated additional 160-260,000 fish to fisheries by the mid-1990s.

In Canada, existing plans for expanded supplemental production would be continued. One such program is the Robertson Creek hatchery where expanded smolt production from 1.5 to 9.0 million is planned.

In addition to continuation of present hatchery production in Washington and Oregon, a major salmon rehabilitation program is being developed for the Columbia River. Resolution of inriver problems, such as adult and juvenile migrant survival and habitat degradation, has recently received considerable impetus via legislation and court decisions. The Northwest Power Planning and Conservation Act (PL-96-501) provides fishery needs with equal status to power, irrigation, and navigation in allocating flows and overall management to the river.

As part of the Act, the Northwest Power Planning Council has recently circulated a draft of its fish and wildlife program designed to "protect, mitigate, and enhance" the fish and wildlife resource as affected by the hydroelectric system. This program, which is estimated to cost \$600 million in capital expenditures and \$150 million annually, will provide, among other things, a flow regime for juvenile outmigrants, improvement in fish passage facilities, and new enhancement efforts.

Under the proposed treaty, the objective would be to rebuild depressed natural chinook salmon stocks over a period of approximately two cycles or ten years through a combination of the fishery harvest limits and planned supplemental production and rehabilitation programs described above.

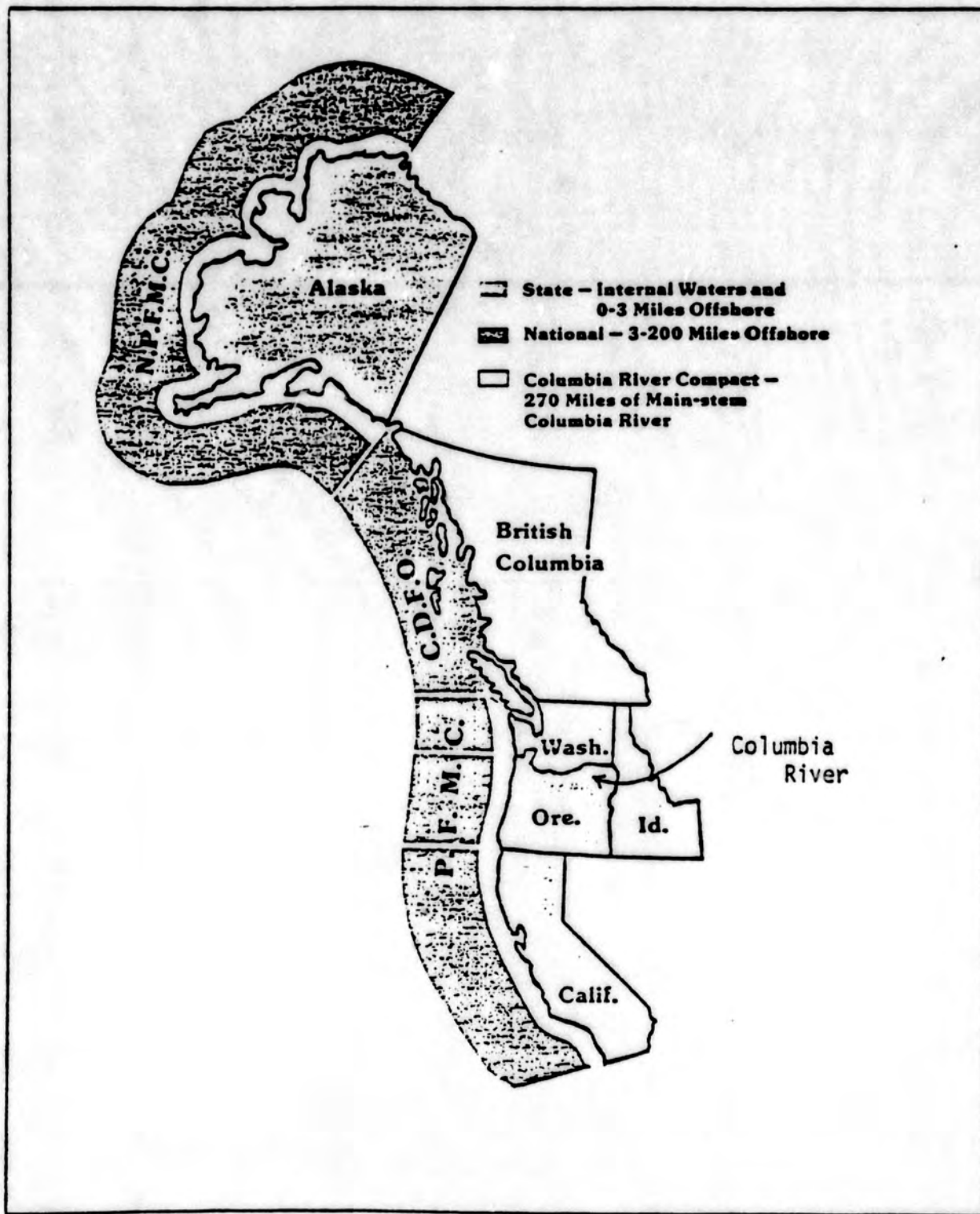


FIGURE 7 . PACIFIC COASTAL FISHERY MANAGEMENT JURISDICTIONS

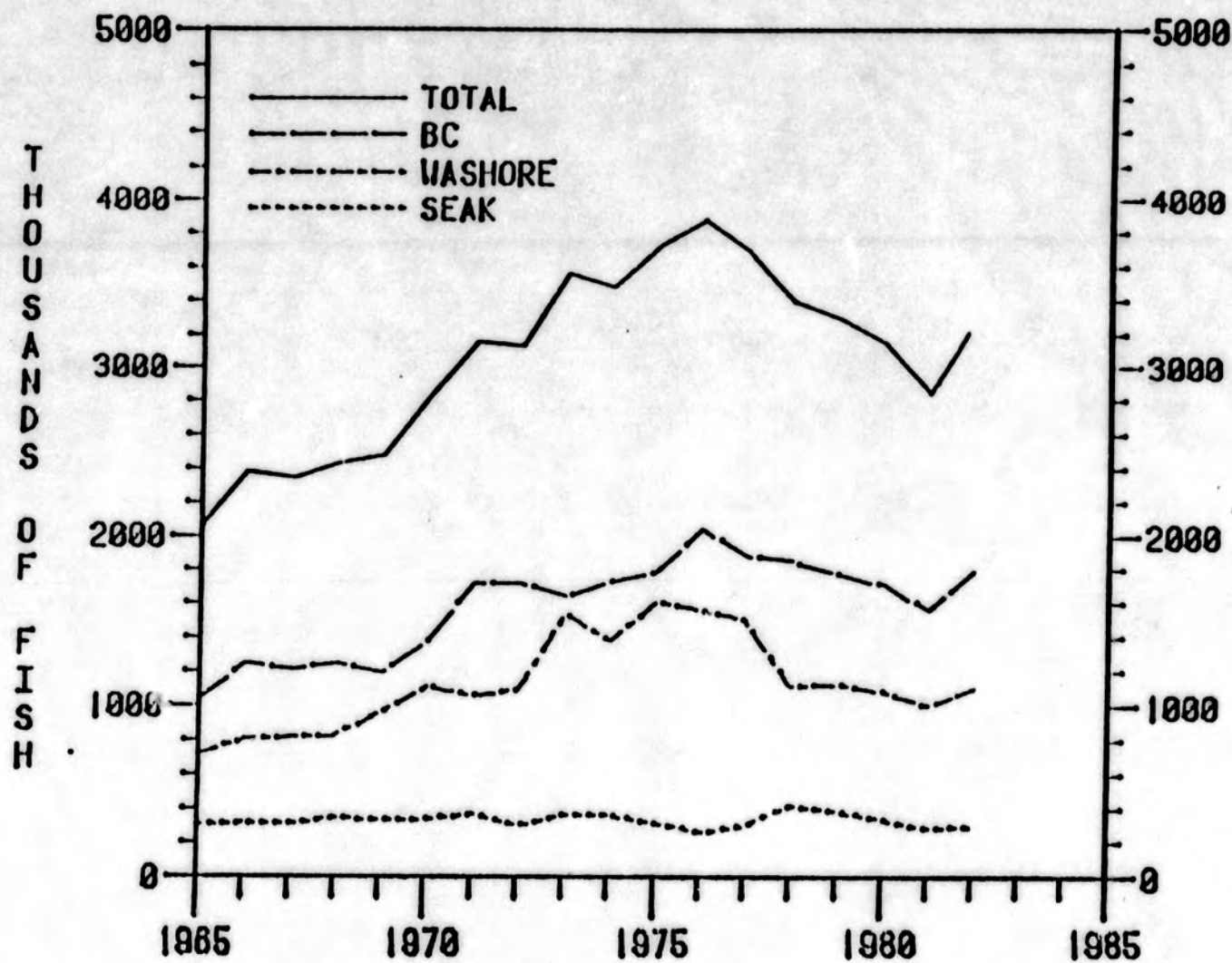


FIGURE 8 . TOTAL CHINOOK SALMON CATCHES BY ALL GEAR TYPE FISHERIES
IN WASHINGTON AND OREGON (INCLUDING THE COLUMBIA RIVER),
BRITISH COLUMBIA AND SOUTHEAST ALASKA, 1965-PRESENT

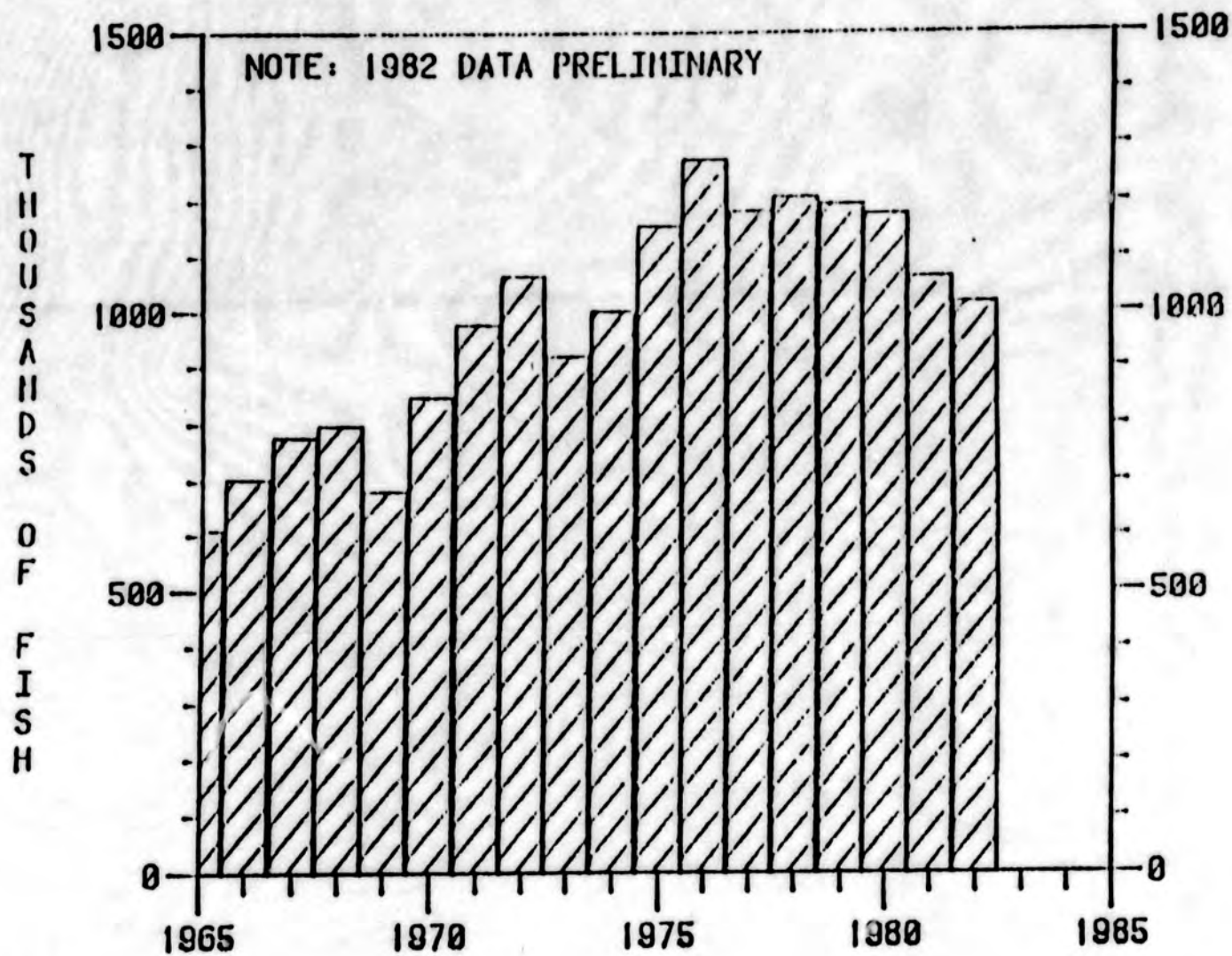


FIGURE 9 . CHINOOK SALMON CATCHES BY ALL GEAR IN BRITISH COLUMBIA AREAS EXCLUDING WEST COAST VANCOUVER IS. (STAT. AREAS 20-27), 1965-82

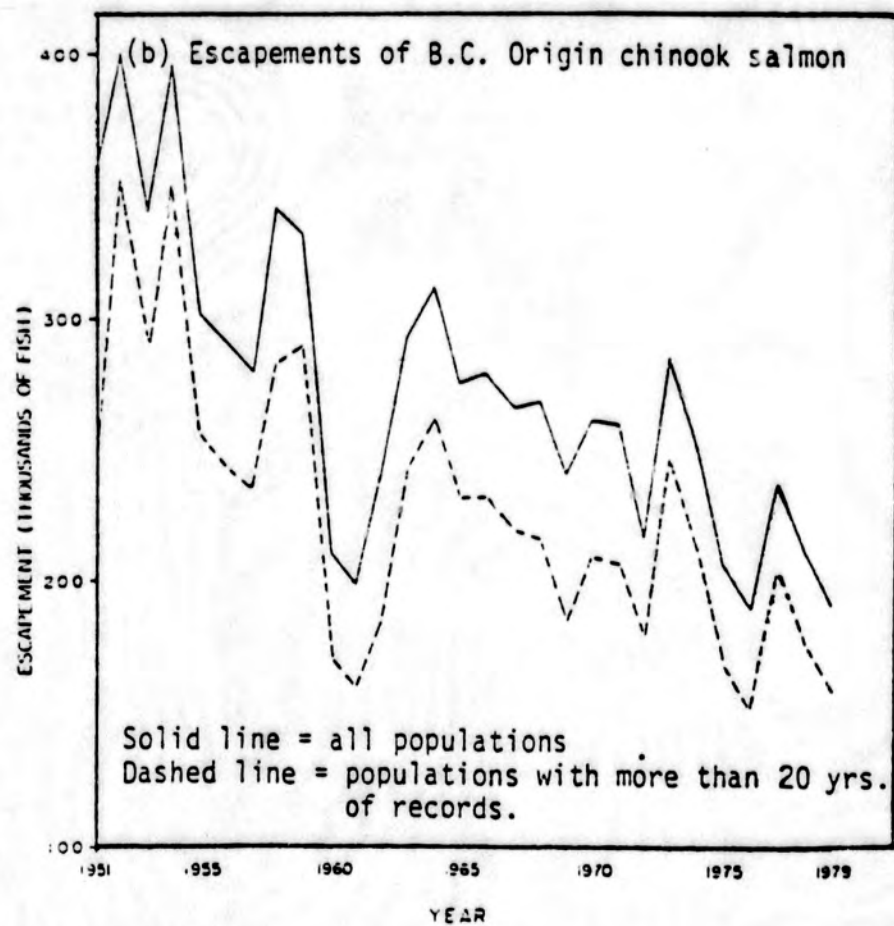
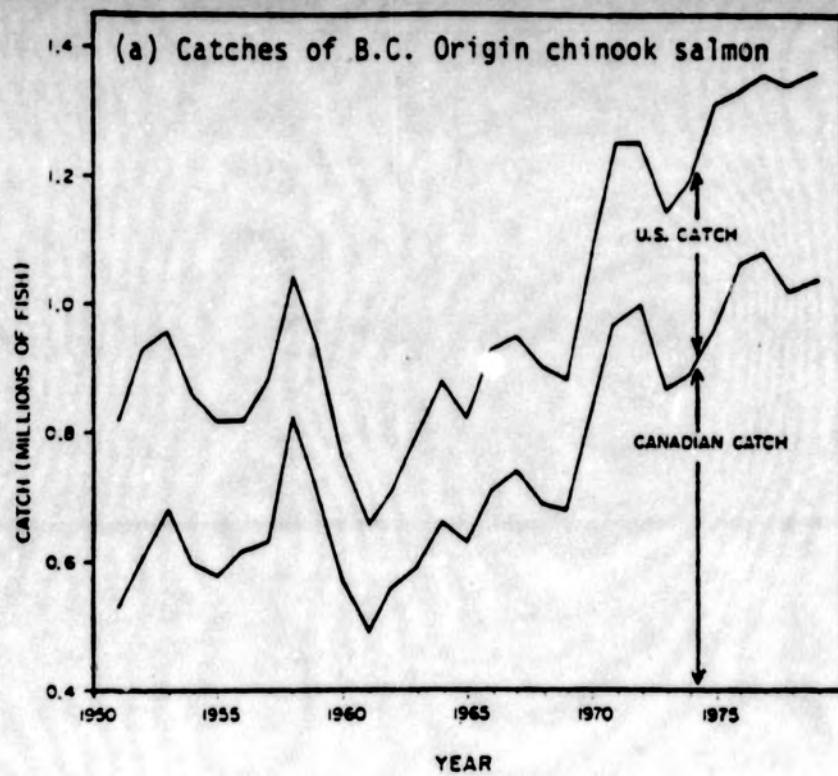


Figure 10. Estimated catches (a) and escapements (b) of British Columbia origin chinook salmon (After Healey, 1982)

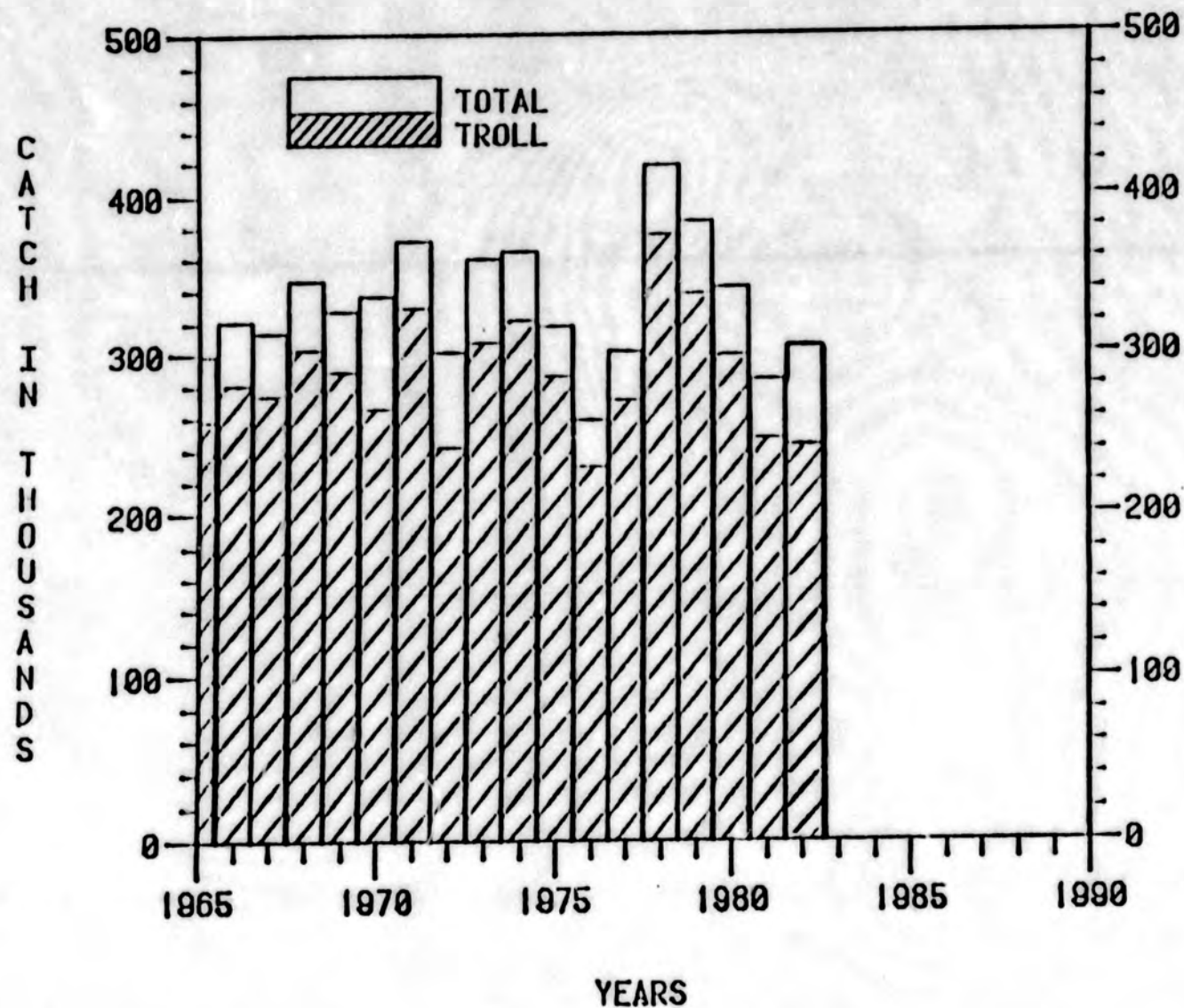


FIGURE 11. SOUTHEAST ALASKA REGION TOTAL CHINOOK SALMON CATCHES BY COMMERCIAL AND RECREATIONAL FISHERIES, 1965-82. (ADF&G 11/82)

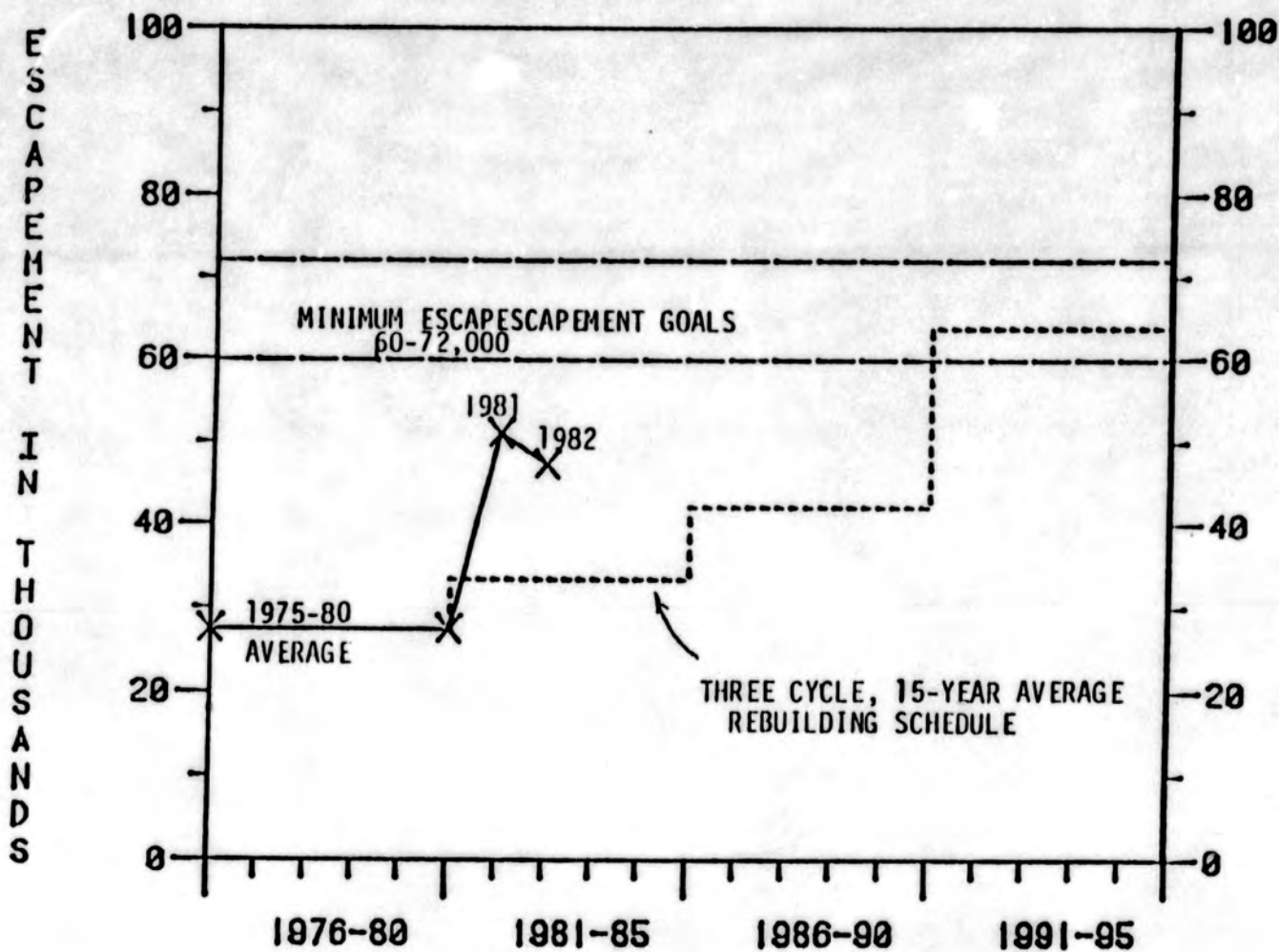


FIGURE 12. CURRENT STATUS OF SOUTHEAST ALASKA NATURAL CHINOOK SALMON ESCAPEMENTS COMPARED TO 15-YEAR REBUILDING SCHEDULE. (ADF&G 10/82)

Table 7. Total Chinook Salmon Catches by all Gear Types in Washington, Oregon, British Columbia and Southeast Alaska, 1965 - Present

(Numbers of Fish in Thousands)

Year	--- Washington & Oregon ---				B. C.		SE Alaska		Total
	Wash.	Oregon	Subtotal No. %		No.	%	No.	%	
1965	558	(167)	725 35		1,042	50	300	15	2,067
1966	633	174	807 34		1,254	53	321	13	2,382
1967	630	191	821 35		1,208	52	314	13	2,343
1968	657	179	836 34		1,251	51	346	14	2,433
1969	717	246	963 39		1,190	48	328	13	2,481
1970	842	274	1,116 39		1,372	48	337	12	2,829
1971	878	181	1,059 34		1,726	55	371	12	3,156
1972	888	216	1,104 35		1,725	55	302	10	3,131
1973	1,089	458	1,547 44		1,648	46	360	10	3,555
1974	1,082	299	1,381 40		1,735	50	364	10	3,480
1975	1,277	338	1,615 43		1,792	48	318	9	3,725
1976	1,259	301	1,560 40		2,047	53	259	7	3,866
1977	1,058	446	1,504 41		1,879	51	302	8	3,685
1978	844	271	1,115 33		1,853	55	418	12	3,386
1979	820	313	1,133 34		1,770	54	384	12	3,287
1980	873	228	1,101 35		1,718	55	342	11	3,161
1981	722	189	911 33		1,561	57	285	10	2,757
1982	(880)	(272)	(1,152) 35		(1,792)	55	(305)	10	(3,249)

- Data Sources: (1) Jurisdictional reports in NPFMC Salmon Plan Development Team report 'North-Migrating Natural Chinook Salmon Stocks from Oregon to Southeast Alaska'.
 (2) PFMC Draft Proposed Plan for Managing the 1983 Salmon Fisheries off the Coasts of California, Oregon and Washington. Feb. 1983.
 (3) Preliminary 1982 catch reports by managing agencies.

Table 8. Reductions proposed during November 1982 U.S.-Canada salmon interception negotiations for 1983 chinook salmon harvests in selected fisheries in Southeast Alaska and British Columbia with comparisons for recent years. (ADF&G 12/7/82).
(Numbers of fish in 1000's)

1/ ----- Southeast Alaska Fisheries -----								
Period	Total Commercial & Sport				Commercial Troll & Net			
	Average Catch	Proposed 1983 Catch ceiling	Reduction Number	Percent	Average Catch	Approx. 1983 Target ceiling	Reduction Number	Percent
1978-81 (Base period)	357	263	94	26	340	(243)	97	29
1981-82	295	↓	32	11	278	↓	35	13
1982 Actual	305	↓	42	14	287	↓	44	15
1982 Target	(277)	↓	14	5	257	↓	14	5

2/ ----- British Columbia Fisheries -----								
Period	Total Commercial & Sport				Commercial Troll & Net			
	Average Catch	Proposed 1983 Catch ceiling	Reduction Number	Percent	Average Catch	Approx. 1983 Target ceiling	Reduction Number	Percent
1978-81 (Base Period)	1,158	868	290	25	808	(468) ^{4/}	340	42
1981-82	1,044	↓	176	17	644	↓	176	27
1982 (Prelim)	(1,053) ^{3/}	↓	185	18	653	↓	185	28

1/
Includes all commercial and recreational fisheries in the Southeast Alaska region. Harvest ceilings applied only to commercial fisheries in 1980-82. The 1982 target shown for commercial and sport fisheries including an estimated 20,000 sport catch. A similar sport catch is expected in 1983. Catch data provided by ADF&G.

2/
Includes all commercial and recreational fisheries in British Columbia except troll and net fisheries along the west coast of Vancouver Island in statistical areas 20-27. Catch data provided by CDFO.

3/
1982 catch data for Canadian fisheries is very preliminary. Upward revision of this figure is expected.

4/
Approximate target ceiling required for commercial fisheries if Georgia St. recreational harvest were limited to recent levels but not reduced. Canadian estimate of average 1981-82 sport harvest is 400,000 fish. Canada has not indicated exactly how the reduction will be allocated to the various fisheries.

Table 9. Comparative Chinook Salmon Catches by all British Columbia Fisheries and by all Fisheries except those on the west coast of Vancouver Island (Statistical Areas 20-27), 1965-82.

Numbers of Fish in 1,000's

YEAR	TOTAL COMMERCIAL AND RECREATIONAL CATCH	WEST COAST VANCOUVER IS. CATCH	DIFFERENCE = ALL B.C. FISHERIES EXCEPT W. COAST VANCOUVER
1965	1,042	432	610
1966	1,254	550	704
1967	1,208	431	777
1968	1,251	454	797
1969	1,190	507	683
1965-69 Average	1,189	475	714
1970	1,372	523	849
1971	1,726	750	976
1972	1,725	662	1,063
1973	1,648	727	921
1974	1,735	733	1,002
1970-74 Average	1,641	679	962
1975	1,792	638	1,154
1976	2,047	776	1,271
1977	1,879	699	1,180
1978	1,853	648	1,205
1979	1,770	576	1,194
1975-79 Average	1,868	667	1,201
1980	1,718	543	1,175
1981	1,561	500	1,061
1982 PRELIM.	(1,792)	(775)	(1,017)
1980-82 Average	1,690	606	1,084

Table 10. Southeast Alaska Commercial and Recreational Chinook Salmon Harvest, 1965 - Present. (ADF&G 1/83)

(Numbers of Fish in Thousands)

Year	-- Commercial Fisheries --			Recreational Fisheries 1/	Total
	Troll	Net	Subtotal		
1965	259	28	287	(13)	(300)
1966	282	26	308	(13)	(321)
1967	275	26	301	(13)	(314)
1968	304	28	332	(14)	(346)
1969	290	24	314	(14)	(328)
1965-69 Ave.	282	26	308	13	322
1970	305	18	323	(14)	(337)
1971	334	22	356	(15)	(371)
1972	242	45	287	(15)	(302)
1973	308	36	344	(16)	(360)
1974	322	25	347	(17)	(364)
1971-74 Ave.	302	29	331	15	347
1975	287	14	301	(17)	(318)
1976	231	11	242	(17)	(259)
1977	272	13	285	17	302
1978	376	25	401	17	418
1979	338	29	367	17	384
1975-79 Ave.	301	18	319	17	336
1980	300	22	322	20	342
1981	248	20	268	17	285
1982 2/	(242)	(45)	(287)	(18) 3/	(305)
1980-82 Ave.	263	29	292	18	311

1/ Estimates of recreational catches for 1977-81 based on mail surveys. Estimates for 1965-76 based on 1977-80 average catch per capita of 0.332 fish applied to population estimates.

2/ Preliminary data.

3/ Projection equal to 1980-81 average catch.

V. Yukon River (Article III)

V. Yukon River

Arrangements between the two countries for dealing with Yukon River salmon management and harvest sharing issues of joint concern are not specified in the proposed treaty. The institutional framework for the Yukon is also left open - whether it is to be handled under a separate Commission and panels or as part of the system outlined in the draft treaty under Article III. The two countries would, however, commit to negotiating Yukon River issues as soon as possible. They would also have to agree on a range of percentages which would apply to Canadian origin salmon caught in the U.S. when determining how many fish are actually produced by each country in this drainage. In other words, not every fish which would have spawned in Canada would be counted 100% Canadian due to the large part of the drainage in Alaska and U.S. management of these stocks. Actual numbers would not be derived until further research was conducted. Draft treaty language in this section requires further clarification.

Comparative harvest statistics are shown in Table 11.

Table 11. Yukon River Commercial and Subsistence Salmon Catches in Alaska and the Yukon Territory, 1960-82

(Numbers of Fish in Thousands)

Year	-----Alaska-----			-----Yukon Territory-----			-----Total-----		
	Chinook	Other	Subtotal	Chinook	Other	Subtotal	Chinook	Other	Total
1960	68	*	*	11	14	25	79	*	*
1961	142	453	595	14	9	23	156	462	618
1962	106	425	531	15	10	25	121	435	556
1963	142	402	544	11	28	39	153	430	583
1964	110	492	602	10	6	16	120	498	618
1965	135	473	608	5	12	17	140	485	625
1966	105	296	401	5	12	17	110	308	418
1967	146	335	481	5	17	22	151	352	503
1968	119	259	378	5	12	17	124	271	395
1969	104	415	519	3	8	11	107	423	530
1970	94	581	675	5	4	9	99	585	684
1971	136	531	667	6	16	22	142	547	689
1972	113	454	567	3	11	14	106	465	571
1973	100	769	869	4	9	13	104	778	882
1974	118	1,217	1,335	6	12	18	124	1,229	1,353
1975	77	1,286	1,363	6	21	27	83	1,307	1,390
1976	106	1,026	1,132	5	4	9	111	1,030	1,141
1977	114	1,094	1,208	7	13	21	121	1,107	1,228
1978	125	1,608	1,733	6	10	16	131	1,618	1,749
1979	160	1,622	1,782	10	22	32	170	1,644	1,814
1980	198	1,830	2,028	25	24	49	223	1,854	2,077
1981	187	2,120	2,307	17	23	40	204	2,143	2,347
1982	145	1,211	1,356	*	*	*	*	*	*

* Data not available.

Note: Catch data for most recent years should be considered preliminary.

Representative Adelheid Herrmann
Chairman, Special Committee on Fisheries,
Alaska House of Representatives
Pouch V
Juneau Alaska 99811

January 6 1983

Dear Representative Herrmann:

Although I recognize you will have some organizational matters that will take the committee's time soon after we go into session on January 17, I respectfully request that the special committee on Fisheries conduct a series of special hearings on the proposed settlement of the U.S. - Canadian Bilateral Treaty within two weeks after the session begins. I would suggest that this be conducted through the teleconference system, that the federal negotiator and representatives of the Alaska Department of Fish and Game be requested to make a presentation on the proposed draft, and then the committee open the system to comment from affected fishermen and other interested individuals. It also might be best to conduct such a hearing jointly with the Senate Special Committee on Fisheries. I would specifically request that the Ketchikan, Petersburg, and Wrangell teleconference centers be included in these hearings.

Based upon the information available at this time, I consider it in the interest of the State of Alaska to oppose the proposed settlement. It is important and appropriate for the legislature to develop and express its position on the proposal and to encourage a United Alaskan position with the Sheffield Administration. I must admit that I am surprised at the recent statements coming out of the Alaska Department of Fish and Game in support of the proposed settlement prior to such a review by the legislature and administration being conducted.

I look forward to presenting my concerns to your committee and consider it important that such a hearing be conducted.

Sincerely,



Rep. Ron Wendte

cc: Representative Jack McBride
Senator Bob Ziegler
Senator Bob Mulcahy

Original sponsors: Eliason, Ziegler
and Ray

1
2 IN THE SENATE

BY THE RESOURCES COMMITTEE

3 CS FOR SENATE JOINT RESOLUTION NO. 10 (Resources)

4 IN THE LEGISLATURE OF THE STATE OF ALASKA

5 THIRTEENTH LEGISLATURE - FIRST SESSION

6 Requesting rejection and renegotiation
7 of the proposed United States-Canada
8 salmon interception treaty.

9 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

10 WHEREAS the commercial salmon industry is an integral and important
11 part of the economy of Alaska; and

12 WHEREAS the proposed treaty between the United States and Canada
13 concerning Pacific salmon calls upon Southeast Alaska's salmon fishermen to
14 take further reductions in harvest, while calling upon Canadian fishermen
15 to take only minimal cutbacks; and

16 WHEREAS the Southeast Alaska trollers have already made considerable
17 unilateral reductions in their harvests of chinook salmon for the sake of
18 conservation, while Canadian fishermen have been allowed unrestricted
19 harvest of the same stocks; and

20 WHEREAS chinook salmon conservation measures proposed in the treaty
21 are based on catch statistics for years in which Canadian catches were at
22 record high levels and their fishery was expanding, while during the same
23 years the Alaskan fishery was already being restricted; and

24 WHEREAS under the proposed treaty a substantial portion of Scikine
25 River salmon, which traditionally has been harvested by United States
26 gillnetters, would be allocated to a recently established Canadian fishery
27 without compensation to United States gillnetters; and

28 WHEREAS the proposed treaty does not preclude the possibility of an
29 expansion of the Canadian gillnet fishery on the Taku River and a reduction
in allowable harvest by United States gillnetters; and

1 WHEREAS, though the provisions of the proposed treaty addressing Yukon
2 River salmon require an accounting of United States and Canadian interests
3 in those salmon prior to the effective date of the treaty, the United
4 States and Canada possess virtually no biological information upon which to
5 base such an accounting; and

6 WHEREAS there are no guarantees in the proposed treaty that United
7 States fishermen will automatically and directly benefit from their own
8 successful fisheries enhancement projects; and

9 WHEREAS all commercial salmon gear groups have expressed opposition to
10 certain provisions in the proposed treaty; and

11 WHEREAS the proposed treaty does not address the issue of high seas
12 foreign interception of all species of salmon; and

13 WHEREAS the language in the proposed treaty is not sufficiently speci-
14 fic to insure the conservation and rational management sought by the par-
15 ties to the treaty; and

16 WHEREAS implementation of the proposed treaty would have a disastrous
17 economic impact on many Alaskan fishermen; and

18 WHEREAS it is vitally important that a treaty transferring significant
19 management authority from the state to an international commission include
20 clear safeguards to protect Alaska's fisheries; and

21 WHEREAS the Alaska State Legislature recognizes the value of a coast-
22 wide agreement and the need to work towards the development of a fair
23 treaty;

24 BE IT RESOLVED that the Alaska State Legislature respectfully requests
25 the Governor of the State of Alaska to reject the proposed United States-
26 Canada salmon interception treaty; and be it

27 FURTHER RESOLVED that the Alaska Senate delegation in Congress is
28 respectfully requested to use its best efforts to prevent ratification of
29 the United States-Canada salmon interception treaty by the United States

1 Senate; and be it

2 FURTHER RESOLVED that the Legislature respectfully requests the Secre-
3 tary of State to seek reopening of United States-Canada salmon treaty
4 negotiations.

5 COPIES of this resolution shall be sent to the Honorable George
6 Shultz, Secretary of State; and to the Honorable Ted Stevens and the Hon-
7 orable Frank Murkowski, U. S. Senators, members of the Alaska Senate dele-
8 gation in Congress; and to the Honorable William Sheffield, Governor of the
9 State of Alaska.

1977. Bruce said that on top of all the other losses the gillnetters have suffered over the years, the U.S.-Canada agreement just squeezes in a little more. Combined with what it does to the trollers, "the net will be to heighten gear conflicts in Southeast."

"We don't get much out of this act," he added. During his testimony before the subcommittee, Alverson said the act largely takes the Canadians the Taku. The 1984 season wasn't noticed because the Canadians made a strong argument that during 84 they'd like an opportunity to look to the Juneau area fishermen to see if they could get a better

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History of the treaty talks

The U.S. and Canada have spent about fourteen years hammering out a new treaty governing shared salmon. The old treaty dated back to 1930, when rebuilding sockeye runs was the main order of business.

In 1930, both countries faced drastically declining sockeye salmon runs on the Fraser River; it was in their mutual interest to restore the resource. On May 28, 1930, they signed the Sockeye Salmon Fisheries Convention, better known as the Fraser River Treaty. Under the Treaty (ratified in 1937), Canada and the U.S. agreed to share the cost, management, and rehabilitation of the dwindling sockeye runs; the International Pacific Salmon Fisheries Commission governed the rebuilding program.

The Fraser River Treaty proved to be a good idea as the sockeye runs began to increase with each passing year. In 1957, the Treaty was amended to include pink salmon as well. That year also saw the first fishing restrictions placed on U.S. and Canadian net fishermen who caught salmon off of the western coastline of Canada and off of the Washington and Oregon coastlines. Offshore fishing lines were established that prohibited net fishing outside of such lines. One of the results of the new regulations was the creation of the Bonilla-Tatoosh line, marking waters at the entrance to the Strait of Juan de Fuca as off-limits to U.S. net fishermen.

Territorial waters again became a key issue in 1964 when Canada imposed a 12-mile sovereign fishing zone extending from its coastline, and the U.S. followed suit in 1966 by extending its fishery jurisdiction to 12 miles.

Shortly after the 12-mile fishery conservation zones were established, Canada and the U.S. began discussions on a wide variety of fishery issues that included Pacific salmon. The result of the discussions was a bilateral fisheries agreement (not a treaty) that was signed by both countries at Ottawa, Canada on April 24, 1970. At that time, the Fraser River treaty was still the only treaty governing salmon shared by both countries.)

The bilateral agreement allowed U.S. fishermen to troll for salmon within the 3- to 12-mile fishery zone off of the west coast of Vancouver Island; Canadian fishermen were permitted to troll for salmon within the 3- to 12-mile zone off of Washington state's coast. The agreement remained in force for two years, and in 1972 it was extended for an additional year.

In 1973 the reciprocal fishing rights were reduced dramatically when the bilateral agreement was revised; the new restrictions were extended annually until April 24, 1977. In 1977 both countries established 200-mile fisheries conservation zones, which precluded any reciprocal fishing agreements until a new treaty could be worked out.

A new treaty began taking shape

in 1970, when the U.S. and Canada were in the process of phasing each other out in newly protected fishery zones. Don McKernan, a former State Department employee, was hired as the chief U.S. negotiator. McKernan's goal was to reach agreement on equity between salmon intercepted by both countries that were destined for transboundary river systems and streams. U.S. fishermen were catching large numbers of salmon bound for Canadian streams while Canadian fishermen caught primarily chinook and coho bound for Columbia River hatcheries.

On a mission to China in 1979 McKernan died suddenly of a heart attack. He was replaced by Dayton Lee Alverson, a private consultant on fisheries matters and a former employee of the National Marine Fisheries Service.

Alverson was handed a negotiating text that set the general structure of a new Salmon Commission and Treaty, general operating procedures, and commitments that each side would benefit from each other's enhancement programs. Still unresolved were the basic fishing regimes that would govern the Fraser and other transboundary Alaskan/Canadian rivers, and the rules for resolving disputes within the Salmon Commission.

The treaty talks unravelled in May 1981 when neither side could agree on the accuracy of catch data that would be used to set harvest quotas for transboundary salmon. After the talks collapsed, Alverson threatened to resign. Alverson faced what he called "conflicts over the data base that would be used to establish escapement goals and set interception quotas. The negotiating process was further complicated by two lists of fish, A and B, which were covered under the treaty. Fish stock lists A and B were dropped, and the new draft treaty includes a regime and redress process governing all species of salmon that are intercepted by either country in significant numbers.

Alverson resigned his post as U.S. chief negotiator in November 1982 so his consulting firm could take on new salmon contracts without facing accusations of conflict of interest. He stayed on as an advisor to the U.S. delegation. "I don't think it's a good or an excellent treaty," he says. "I do think it's far better than no treaty at all, and it has a basis to turn into something good."

Without the treaty, Alverson says the Canadians will stop spending around \$100 million annually on their Fraser River hatchery program, which could jeopardize the Columbia River Chinook enhancement program. According to Alverson, the results could be "fish war", and the abrogation of Fraser River Treaty. "I don't think they'll (Canadians) have a choice."

The "choice" now rests in the hands of U.S. State Department and politicians from Alaska, Washington, and Oregon. □

—Robert H. Mann

Rough water ahead for salmon treaty

Fishermen: 'We got the shaft.'
Negotiators: 'It's not perfect,
but give it a chance.'

by Karl Ohls

Negotiators will have a tough sales job ahead of them trying to convince Alaskan fishermen that the recently completed Pacific salmon treaty between the United States and Canada is in their best interest. Already, at least two fishermen's associations have voiced adamant opposition to the agreement as presently written, and Governor Bill Sheffield has asked to review it before he'll offer his support.

The situation calmed down, however, after initial cries of horror at a joint meeting in Juneau Jan. 4-6 between the Alaska Board of Fisheries and the North Pacific Fishery Management Council (NPFMC), where the treaty was the main topic of discussion.

In an unprecedented appearance before the board and council Jan. 6, Alaska Gov. Bill Sheffield asked the bodies to hold off making a recommendation on the treaty until he could turn it over to a special committee for a thorough review of its effect on Alaska. "I don't want to make any observations at this point," he said. "I just want to review it and make sure it's a

business. "When I showed them the treaty draft, I figured they'd say 'No,'" Ed Wojcik. "They said, 'Hell no.'"

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worthy document that we can live up to."

The committee—composed of acting Alaska Department of Fish and Game commissioner Don Collinsworth, National Marine Fisheries Service Alaska Region deputy director Jim Brooks, and Anchorage banker Elmer Rasmuson (a former chairman of the NPFMC)—will report back to Sheffield Feb. 20. Sheffield will forward his comments to chief U.S. negotiator Dr. Lee Alverson March 1.

Sheffield also asked the Board and Council to hold off until their March joint meeting taking any action on proposed regulations (mainly dealing with troll quotas and management plans) related to the treaty. The board and the NPFMC complied with his request.

The day before, Dr. Alverson explained the treaty to the two bodies and outlined the reasons why he thought they should support it.

"I hope you would judge the treaty proposal as one that lacks perfection, as one that has some problems, but that opens the door for a new form of resolving problems and getting this out of the fish war area," Alverson said.

Alverson said he felt the treaty reversed the deteriorating fisheries management relationship between the United States and Canada (as demonstrated by new Canadian fisheries on the Stikine and Taku Rivers, the threat of an upper Yukon River fishery, the escalation of boundary area fisheries, and the further decline of coastwide chinook stocks).

Alverson described the main points of the treaty:

- It attempts to establish a framework for future dialogue while leaving, as close as possible, the status quo in a number of fisheries.

- It makes conservation and the enhancement of weak stocks a priority of the two nations. ("Without a treaty, I doubt that will occur," he said.)

- It makes a commitment for reasonable equity in the quantity of fish each side intercepts.

- It tries to minimize the disruption of existing fisheries.

"How well we achieve (all) that, I guess, is a judgment that's under discussion today," Alverson said.

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But according to the testimony and comments of the members of several Southeast Alaska fishermen's groups, the treaty falls far short of what would be acceptable to them.

The strongest opposition, so far, comes from the Alaska Trollers Association.

"The problem is the Canadians just totally out-negotiated us," said ATA executive director Ed Wojeck in an interview.

The trollers' main problem is the years—1978 through 1981—selected as a base period for reductions in the king salmon catch. Wojeck said the Canadian chinook fishery averaged around 730,000 from 1961 to 1970, then exploded to well over a million in 1971-80 while the Alaska trollers stayed at 325,000.

"See, as they've increased their edge over the last 20 years and we've stayed where we are, the end

result is going to be a disproportionate reduction in our fishery and eventually the elimination of a directed troll fishery on salmon," Wojeck said.

In testimony before the Board of Fisheries and the NPFMC, Wojeck said that Canada's depressed spawning stocks are "self-inflicted" and that since the Alaska trollers were not "responsible for the increased fishing effort . . . we should not be equal partners in rebuilding their stocks."

The treaty calls for a total 1983 Southeast commercial chinook harvest of 243,000 (with an additional 20,000 allowed for the sport fishery), as opposed to 287,000 in 1982, 268,000 in 1981 and 322,000 in 1980. Meanwhile, the Canadian catch in Georgia and Johnstone Straits and central and northern British Columbia will not exceed 868,000, compared to over a million

in recent years.

The Alaska trollers also were worried by language in the treaty that appeared to say the 1984 season "would require a reduction . . . of approximately 25 percent from the 1981-82 harvest . . .," according to present agreed scientific analysis of the status of the stocks of concern . . .

Other ATA complaints were that the Canadians are allowed an unrestricted troll fishery in the parts of British Columbia not mentioned in the treaty (the southwest side of Vancouver Island being the prime concern) and that the Canadians don't have the technical expertise to perform in-season management.

"The perpetual Canadian program of overfishing cannot be allowed the status of international law," Wojeck concluded.

The Canadian troll fishery did



expand rapidly in the 1970's, officially because Canada wanted to get more benefit out of its native stocks. (Others charge Canada just wanted to strengthen its bargaining position for the salmon interception talks.) Kenneth Petri of Canada's Department of Fisheries and Oceans told the joint Board/Council meeting that up until two years ago there were management problems with the troll fishery. Rigorous management was lacking mainly because there was no mechanism, such as a U.S.-Canada agreement, to assure that the Canadians could catch their own stocks, he added.

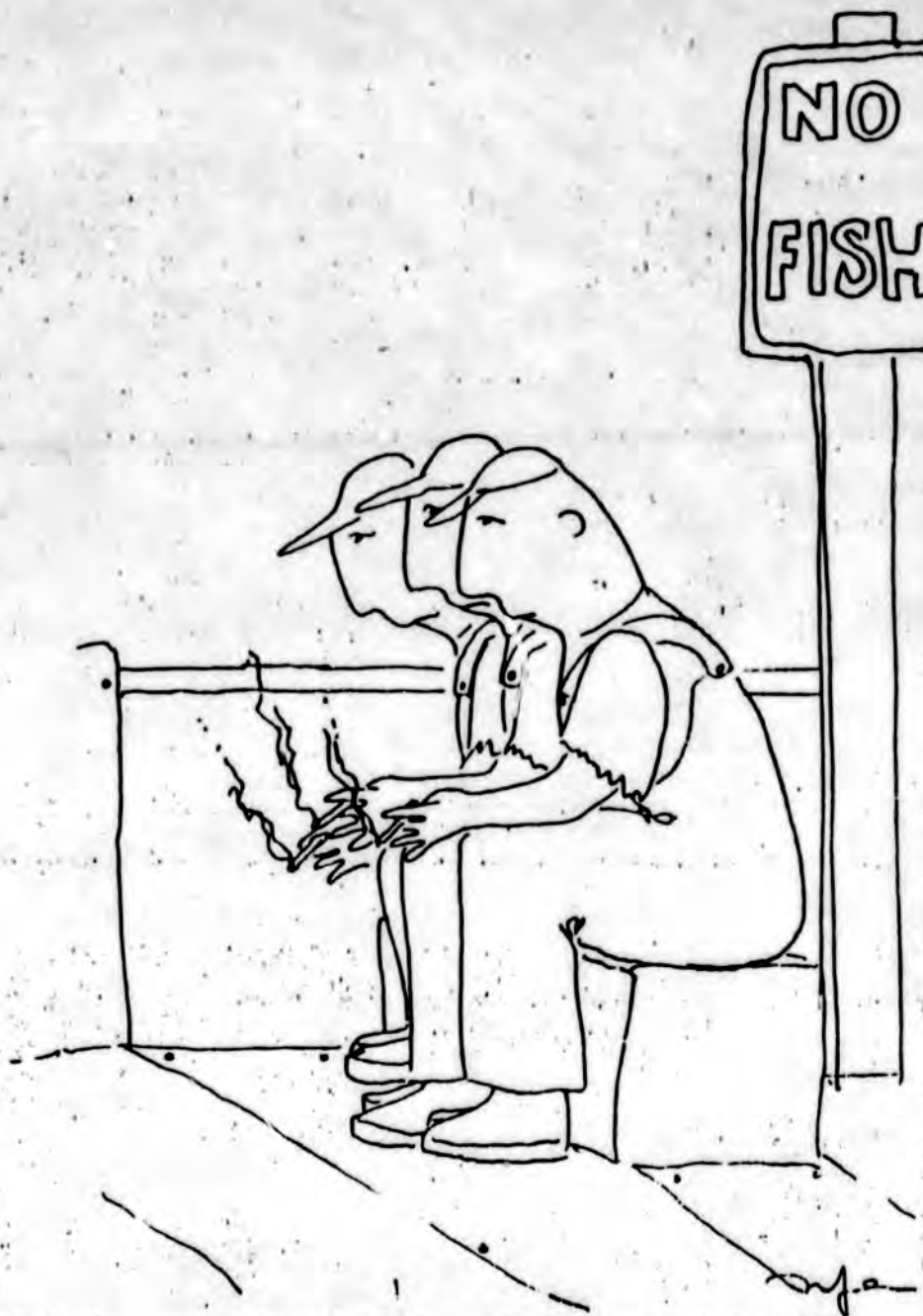
Petri also said, to the scoffs of some members of the audience, that the endangered Columbia River chinook stocks aren't vulnerable to troll gear when they leave northern British Columbia. The Canadians contend that the fish, as "matures," largely stop feeding when they migrate south. The southern British Columbia catch is overwhelmingly made up of native stocks, they say.

In his presentation, Alverson said the king salmon harvest figures and the base period were worked out by a technical committee composed of representatives of Oregon, Washington, the Pacific Northwest Indian tribal groups, Alaska and Canada. "They unanimously agreed that the majority of the chinook stocks, from Southeast south, were in difficulty and required significant reductions in the fisheries if we were going to slow up a downward trend in escapement."

Alverson described both nations' reductions as "equitable" and said the reductions imposed on Alaskan trollers in recent years were figured into the percentages.

As to the concerns about the 1984 harvest, Alverson said there really was no commitment to go to a specific number in 1984. He said the

only requirement is for each nation to adjust its catch downward if a scientific team determines that the escapement pattern is still



declining. The amount of the cut has not been decided, and one country or the other might have to shoulder the larger burden.

He stressed, however, that the treaty means an obligation exists to take, if necessary, a further cut. "And if you can't accept a cut that may go from 243,000 down to even 220,000 or 210,000, you're probably right in objecting to this treaty."

Another important point Alverson made was that the decisions on these and other continuing issues would be made by the eight-member "Pacific Salmon Commission", on which Alaska would have two members. The Commission would be established by the treaty, if ratified. It would decide on the numbers, but it would be up to the management bodies in the two countries to decide how to implement them.

Under questioning, Alverson said this means the Board and the Council would lose the power to set the troll fishery's optimum yield level.

Another Southeast gear group—the gillnetters—also has expressed opposition to the agreement.

"There's very little support in our association for the treaty," said United Southeast Alaska Gillnetters executive director Geron Bruce.

In an interview, he listed the problems:

- The gillnetters are limited to an average annual harvest of 130,000 sockeyes at Tree Point for 1983-86 with no consideration given to the results of enhancement programs. Bruce cited a lake fertilization program at Hugh Smith Lake that is contributing many reds to the

fishery. He said the same situation is true for chums. "We don't get any credit for it."

• The Canadians were allowed a subsistence level fishery (3,000 sockeye and 5,000 pinks) on the Taku, but nothing was said about the Canadians' long term intentions.

• The 1983 sockeye run on the Stikine River is estimated at 70,000 fish. The agreement says the run shall be managed to allow 55,000 sockeye to reach Canada, of which 40,000 to 47,000 will become spawning escapement. Out of 1984's estimated 40,000 run, 33,500 are supposed to reach Canada for a final escapement of 28,000. This leaves roughly a 50/50 harvest split in 1983 and 1984, which is to switch to 35% for Canada and 65% for the U.S. in the following years. Bruce said this arrangement jeopardizes the gillnetters' 1983 and 1984 district six fisheries. To survive, he said, the most the gillnetters could give up in those years was 35%. The only reason the gillnetters agreed to that much, Bruce added, was to get the Canadians to protect the runs and

not escalate their fishery. "The run was being fully utilized by us, and they just jumped in without warning."

• The Canadians are to get a Stikine coho harvest as close as possible to 35% of the total catch. Bruce said the trollers take an estimated 70% of the Stikine cohos, leaving a deficit and no gillnet fishery.

Bruce said that on top of all the other losses the gillnetters have suffered over the years, the U.S.-Canada agreement just squeezes them a little more. Combined with what it does to the trollers, "the net effect will be to heighten gear conflicts in Southeast."

"We don't get much out of this treaty," he added.

During his testimony before the joint meeting, Alverson said the treaty largely takes the Canadians off the Taku. The 1984 season wasn't mentioned because the Canadians made a strong argument that during 1984 they'd like an opportunity to talk to the Juneau area fishermen to see if they could get a better

arrangement. If there's no agreement, the 1983 provisions will continue.

On the Stikine provisions, Alverson conceded the criticisms were legitimate. "Unfortunately, it was the best we could ultimately come out with."

In his summation, Alverson asked where Alaska's advantage would be

on the trans-boundary rivers without a treaty: "Are you going to get a better deal with no treaty? Are the Canadians going to take less than 35%? Are they going to stay out of the Taku?"

In the interview, Bruce said the gillnetters would be "silly" to accept "something that's not really in our
See Treaty page 35

History of the treaty talks

The U.S. and Canada have spent about fourteen years hammering out a new treaty governing shared salmon. The old treaty dated back to 1930, when rebuilding sockeye runs was the main order of business.

In 1930, both countries faced drastically declining sockeye salmon runs on the Fraser River. It was in their mutual interest to restore the resource. On May 26, 1930, they signed the Sockeye Salmon Fisheries Convention, better known as the Fraser River Treaty. Under the Treaty (ratified in 1937), Canada and the U.S. agreed to share the cost, management, and rehabilitation of the dwindling sockeye runs; the International Pacific Salmon Fisheries Commission governed the rebuilding program.

The Fraser River Treaty proved to be a good idea as the sockeye runs began to increase with each passing year. In 1957, the Treaty was amended to include pink salmon as well. That year also saw the first fishing restrictions placed on U.S. In 1970, when the U.S. and Canada were in the process of phasing each other out in newly protected fishery zones, Don McKernan, a former State Department employee, was hired as the chief U.S. negotiator. McKernan's goal was to reach agreement on equity between salmon intercepted by both countries that were destined for transboundary river systems and streams. U.S. fishermen were catching large numbers of salmon bound for Canadian streams while Canadian fishermen caught primarily chinook and coho bound for Columbia River hatcheries. On a mission to China in 1979 McKernan died suddenly of a heart attack. He was replaced by Dayton Leó Alverson, a private consultant on fisheries matters and a former employee of the National Marine Fisheries Service. Alverson was handed a negotiating text that set the general structure of a new Salmon Commission and Treaty, general procedures and

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seem like such a bad sort. (A pretty good dancer, too.) The Bombshell got up to powder her nose, and I noticed a couple of high ranking senators looking over at our booth and whispering. They must recognize who I am. Pretty soon they got up and headed toward me. I decided I'd at least listen to anything they had to offer—anything, say, over \$30,000 with an expense account. (Probably they had read my articles—my 'commentaries' on the fishing industry.) William Butler Yeats wasn't too proud to go into politics. He wore a long, flowing velvet cape. Maybe I'd wear one, too.

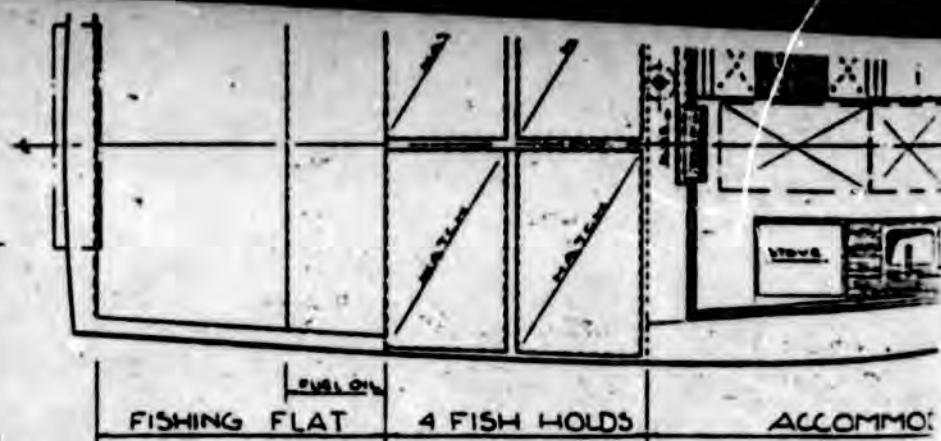
"Excuse us, but we were just wondering if you wouldn't mind our asking . . . Who's that blonde you're with?" □

Treaty

continued from page 20

best interest" just because they were afraid something worse might happen.

The seiners have adopted a skeptical attitude toward the treaty even though they are affected less than other gear groups. The seiners will be limited to an annual average harvest of 160,000 sockeyes at Noyes Island during 1983-86. In return, the Canadians will take only 650,000 pinks in Dixon Entrance in 1983 and 1,350,000 in 1984, with the following years subject to



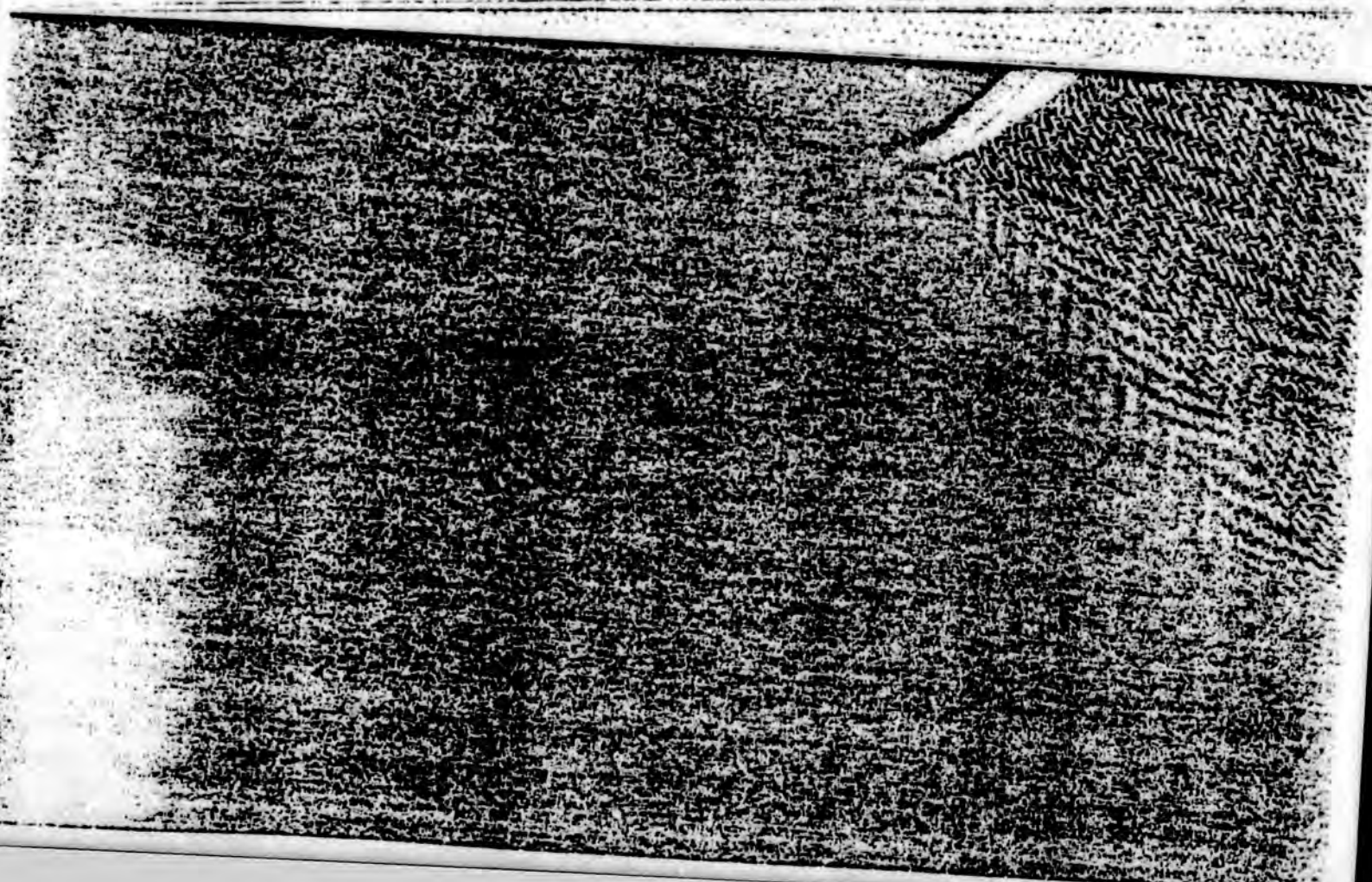
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breaking up. Can you read me? I can barely hear you now . . . Roger and out."

I was never meant to be a political pundit. Covering politics always seemed to me like making love to a *Playboy* centerfold: nothing there but paper. When I left Juneau it was like I was set free, but this is not the usual attitude. This is Alaska's most beloved city as there are more people crying as they leave this town than anywhere else in the state. I guess it's that Alaska has a lot of money and Juneau is where they dish it out. Anyway, I enjoyed looking at it through the fog.

During a change of administration, such as the one going on at present, a lot of new people were coming in and a lot of old people were going out, all part of the ebb and flow of political life. Some, however, didn't know whether they were coming or going, as many of the positions in the administration remained to be filled. Who would fill them added a titillating element to the festivities. At one of the receptions, I stationed myself behind the governor (in the thick of the action) overhearing political aspirants describe to the governor his performance that afternoon in one of the native dances. I will be the first to say that the governor made a pretty spry showing on the stage after he was invited to join in, though it amounted to no more than a couple of rapid knee bends, but the compliments — "Did you study native dancing at the University, sir?" — were enough to make you blush!

I could have danced all night, but I didn't. Instead I headed for the saloons (for old times' sake) and had a few drinks with my old friend, Jim Beaton, former head of the Board of Fisheries who was about to leave town. I bought him one for the road.

The next morning I had breakfast at the Baranof where the Bombshell

negotiation.

Bruce Wallace, the executive director of the Southeastern Alaska Seine Boat Owners and Operators Association, said that from talking with his membership he came up with four issues that need to be settled:

1) Are all three gear types treated equitably?

2) Is the impact on northern British Columbia and Southeast Alaska relatively equal?

3) Will there be enough time for all Southeast fishermen to review the treaty and voice their opinions in a constructive manner?

4) Can language changes still be made?

"If we get a positive response on all four, then we can support it," Wallace said. "If not, no."

The treaty is broad enough that it even includes an article on the Yukon River. Alverson said the Yukon was not involved "in any depth" in the negotiations until a year ago, when the Canadians began emphasizing a need for the inclusion of a Yukon article.

The article says that before the

treaty is implemented, the countries must exchange information on joint management concepts and research proposals. They also must find the range of numbers to consider when accounting for United States harvests of salmon originating in Canada.

Henry Mitchell, the executive director of the Bering Sea Fishermen's Association, preferred to have the Yukon dealt with in a separate treaty. He concedes the Canadians do "have an interest in the river. It's very minimal, though."

Noting the lack of biological data on Yukon River stocks, Mitchell wondered how the range will be established when no information is available to base it on.

Alaskan fishermen aren't the only west coast fishermen upset with the treaty. In a telephone interview, George Hewison, the secretary-treasurer of British Columbia's 8,000-member United Fishermen and Allied Workers Union, said his organization's perception is that the treaty "sanctifies the imbalance" in the U.S. interception of Canadian

stocks.

"I frankly wonder about what they're (Alaskan fishermen) protesting," he said.

Hewison believes the treaty's stated principles of reducing interceptions and avoiding the disruption of existing fisheries are "almost contradictory."

During his presentation to the Board of Fisheries and the North Pacific council, U.S. chief negotiator Alverson described the Frazier River article as a cornerstone of the agreement. He said it controls the "unbridled situation" that has existed on the Frazier for years and assures the Canadians that they will get the most benefits from their investment in enhancement projects.

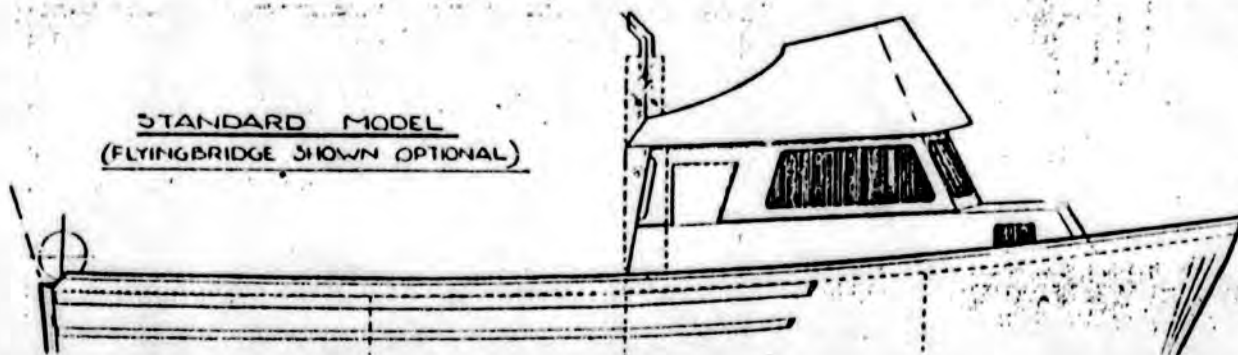
"Our inability to do that (control the Frazier), in my opinion, has largely led to the aggravation of the situation on the Taku and the Stikine, the escalation of fishing activity on the boundary area, and the unfortunate escalation of chinook fishing on the west coast."

Alverson also told the assembled

See Treaty page 37

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STANDARD MODEL
(FLYINGBRIDGE SHOWN OPTIONAL)



or appears to be the real causes of declining fishing time—a continually upgrading fleet and increasing catch per unit effort. □

Treaty

continued from page 35

fisheries managers and audience that "if, in the end, you decide to spite whatever the negotiator has told you, that your interest lies elsewhere, then I will live with my original commitment not to recommend a treaty to the Senate of the United States that the State of Alaska won't support."

But, he added, he hoped this would not happen and the policy-makers would consider carefully what their ability to improve the resource would be without a treaty and with a treaty.

The treaty itself is now before the U.S. Department of State. The State Department and other federal agencies will take 60 to 90 days to evaluate it. Whether it goes to the Senate or not probably will depend

on Alverson's final recommendation.

At this time, no one can say what kind of reception it would receive in the Senate. Kevin Coyner, a legislative assistant who handles fisheries issues for Alaska Sen. Frank Murkowski, said Murkowski won't make a decision until all the facts are in. "The Senator does want to see a treaty," but not one that doesn't have the support of the North Pacific Fishery Management Council, the Board of Fisheries and the governor.

As for renegotiation, Geron Bruce, for one, said: "I'm not convinced we wouldn't get a better deal with a different negotiator and a different team."

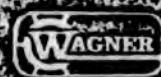
Alverson said this certainly is an option. "The lines of communication are not closed . . . You can find an articulate negotiator that may do a better job than it's obvious I have in terms of the response I've gotten here.

"You can sit at a negotiating table again and try to find another solution." But remember, he added, "it took 13 years to get here." □

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UNALASKA

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Fish treaty 'better than nothing'

Still, fishers criticize proposed salmon pact

BELLINGHAM, Wash. (AP) — A proposed treaty to divide Pacific Ocean salmon between the United States and Canada is better than no treaty at all, says Bill Wilkerson, acting director of the Washington Department of Fisheries.

Despite widespread criticism from commercial fishermen, Wilkerson says the pact signed last month is "reasonably acceptable," although it's too soon to determine the long-term effect on the U.S. catch of Fraser River salmon.

The proposal "has to be measured in terms of what happens if there is no treaty," he added.

Without an international agreement, added U.S. negotiator Lee Alverson, Canadian trollers could wipe out Washington chinook and coho stocks and then would have no reason to allow any U.S. harvest of Fraser fish.

The treaty, which requires Senate

ratification to take effect, is being reviewed by State Department.

Fraser fish, the biggest source of income for most northwest Washington salmon fishermen, has been regulated for 28 years by the International Pacific Salmon Fisheries Commission, composed of three representatives from each nation. Pink and sockeye stocks have increased steadily.

Under the new treaty, the commission would be replaced by a "Fraser River panel" appointed by a new binational group, the Pacific Salmon Commission. The panel would study Fraser salmon runs and make recommendations to the new commission, which in turn would recommend fishing times and catch limits for both nations.

Barry Collier, manager of the Purse Seine Vessel Owners Association, says the treaty "would be the downfall of the Puget Sound net fishermen."

Buck Meloy, president of the local chapter of the Puget Sound Gillnetters' Association, called the proposal an example of "the feds getting mixed up in something they don't understand and don't care to."

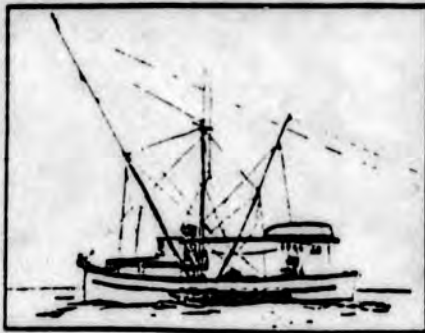
Alverson, however, denied that the new system would mean much of a change in management of the fishery and said most of the old commission's staff would be transferred to the new regulatory bodies.

He conceded that the United States would have far less influence on upriver salmon management in British Columbia but said such a development probably was unavoidable.

"The Canadian position is that in every river in the United States, Canada doesn't have any say," Alverson said. "The Canadians are saying, 'We want the same rights in our river.'"

The treaty also would cut Canadian catches of Washington-bound chinook and coho by 200,000 fish in 1983 and another 100,000 in 1984, Alverson noted.

Meanwhile, Wilkerson added, there are provisions to retain the 50-50 split of Fraser fish, except that 150,000 sockeye and 300,000 pinks would be subtracted from the U.S. share this year and 50,000 sockeye would be deducted from the U.S. share next year.



Alaska Trollers Association

REPRESENTING ALASKA POWER TROLLERS

205 North Franklin Street
Juneau, Alaska 99801
(907) 586-9400

POSITION PAPER REGARDING THE PROPOSED UNITED STATES-CANADA SALMON TREATY

We have recently been presented with a proposal for U.S. and Canadian salmon management. After a thorough review by both the Board of Directors and interested membership, the Alaska Trollers Association has reached the conclusion that this document is totally unacceptable. The management regime proposed by the negotiators presents a serious threat to the continued existence of the troll fishery, Alaska's largest, and to those communities in Southeastern it supports.

The primary thrust of the agreement as it relates to chinooks is the recognition of a conservation problem in the fisheries of Georgia and Johnstone Straits, Central and Northern British Columbia, and Southeast Alaska. The agreement states that these stocks cannot maintain present rates of exploitation and that joint actions should be taken to develop and implement a rebuilding program.

ATA recognizes Canada's self inflicted problem of overexploitation with resultant depressed spawning stocks. We must however, point out that Alaskan stocks have been responding well to what has been a unilateral rebuilding program designed by the Alaska Department of Fish and Game and implemented by our Board of Fisheries. Alaska's natural runs have seen significant improvement over the past two seasons at current reduced rates of exploitation. Outside Alaska our program has been used by the Canadians to merely increase their catch and thus better their bargaining position. Management measures contemplated by the proposed treaty give no credit for actions taken by Alaskan fishermen. In fact, Alaskan fishermen lose ground by the adoption of base periods that allow Canadians to gain from unrestricted fishing while Alaskans reduced their catches pursuant to conservation practices.

With respect to the rebuilding of natural stocks, the treaty contemplates a mutual 25% reduction in catch for 1983 with a further Alaskan reduction of 16% in 1984. The Canadian reduction for 1984 would only amount to 10%. These reductions would continue throughout a 10 year period and allow an Alaskan troll fishery of 201,000 chinook in 1983 and 179,000 in subsequent years.

The inequity of this scheme is twofold. The initial reduction based on 1978-80 catches ignores the fundamental problem that



Alaska
Trollers
Association

Canada has been seriously overfishing chinook resources for the past 10-12 years. The proposal that reductions for 1984 on be based on 1981-82 catches adds to Alaska's loss by penalizing us for our own conservation actions taken during those years. In effect, this treaty institutionalizes Canadian overfishing, allowing Canada to benefit from its reckless disregard of the resource while penalizing Alaska for its conservation measures.

Chinook salmon have been historically harvested by Alaskan fishermen at around the 325,000 fish level for the last 25 years. At this level of exploitation the Alaskan troll fishery has been able to prosper as a mixed stock fishery with insignificant impacts on discreet runs. This "lifestyle" fishery had produced a small but active fleet that has brought stability to the Southeast economy. The history of the Canadian fishery, however, does not reflect the stability that has characterized our fishery over the past quarter century. Canada changed its approach to the chinook fishery about 10 years ago when, with freezer boats and crews of 4-5, its historic catch (in waters sought to be controlled by this agreement) jumped from 730,000 ('61-'70 average) to 1,235,000 ('71-'80 average). While overcapitalizing their newly developed chinook fishery the Canadians increased their catch some 69%. To sustain this new giant, the Canadians have sacrificed their escapement. Present levels are at best 1/3 of what was previously observed. Now, at the bargaining table, the Canadians indicate that we all have to share in rebuilding stocks up and down the coast. ATA's position is that since we, in Alaska, were not responsible for the increased fishing effort that destroyed Canadian runs, we should not be equal partners in rebuilding their stocks. Alaska has its own program which we endorse and will continue to follow. It must be noted that next year's fishing regime, which significantly reduces the Alaskan troll fishery to a level where bankruptcy and economic dislocation will be apparent in the Southeastern economy, allows the Canadian fishery to continue far in excess of historical levels. We feel that the Canadian cut will do little more than slow the rate at which reductions to spawning escapement are occurring. To follow a course of equal reduction with Canada guarantees the virtual termination of a directed chinook fishery in Alaska. This is a position we cannot accept.

Apart from our underlying conceptual non-acceptance of this agreement are several technical deficiencies which should be addressed. First, the treaty provides a significant loophole for the Canadians. While actions are to be taken to reduce the catch in 2/3 of the Canadian fishery, the remaining area will be allowed to continue, and possibly to increase, its already extremely high level of exploitation. This poses two problems. First, the question of whether the fish will behave in the way they are expected to (fish from depleted stocks are supposed to bite only outside of this area). And secondly, because there is no lid to this fishery



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(only a statement that effort should be made to see that fish saved elsewhere "accrue principally to spawning escapement"), fish which are caught in the restricted area may end up being reported as having come from the unrestricted area in order to keep both areas open as long as possible.

The second major technical problem is that there is no evidence to support the belief that Canada will be able to provide the in-season management which will be required of them under this treaty. Over the past years Canadian catch totals have not been available for 3 to 6 months after the close of the summer fishery. Now we are expected to believe that they will be able to manage in-season for a fixed quota. The Alaskan troll fishery is managed with current data available on a weekly basis. The Canadians, even now, do not have a final catch figure for the 1982 season. We believe our reduction would surely occur while Canadians reductions are questionable.

Additionally, the treaty has generated a great deal of discussion concerning a federal hatchery at Little Port Walter. This facility may alleviate problems with natural stocks in Canada, as well as those in Alaska. Funding for this project, however, must follow the normal budgetary process and its approval is far from guaranteed. ATA believes this sort of project should have been initiated long ago to mitigate for loss of natural habitat. Its inception should not be tied to a treaty.

In summary, the final treaty provisions relating to chinook management create a situation that jeopardizes the continued existence of Alaska's troll fishery. This same agreement acknowledges and sanctions Canada's 10 year program of overfishing which had devastated natural chinook runs coast wide. The Alaska Trollers Association cannot accept a treaty that raises these inequities to the level of international law. We urge you to help stop its ratification in the U.S. Senate.

Attachments

- (1) Proposed catches under treaty '83-'84
- (2) Canada map
- (3) ATA 1983 Management Options

12/1/82

TABLE 1. ESTIMATED 25 PERCENT REDUCTIONS FROM AVERAGE 1978-81 CHINOOK SALMON CATCHES AND
AVERAGE 1981-82 CATCHES FOR SELECTED FISHERIES IN S.E. ALASKA AND BRITISH COLUMBIA

(NUMBERS OF FISH IN 1000's)

SOUTHEAST ALASKA FISHERIES

Period	VITAL COMMERCIAL & SPORT			COMMERCIAL TROLL & NET		
	AVERAGE HARVEST	25 PERCENT PRODUCTION	DIFFERENCE	AVERAGE HARVEST	25 PERCENT PRODUCTION	DIFFERENCE
1978-81	357	89	268	340	85	255
1981-82	295	74	221	278	70	208

BRITISH COLUMBIA FISHERIES*

Period						
1978-81	1157.5	289.4	868.1	707.0	177.0	530.0
1981-82	1043.5	260.9	782.6	643.5	160.9	482.6

* fisheries include: Northern troll areas 1-11
Northern net " 1-10
Georgia strait troll 12-19, 28, 29
Southern nets (11-19, 28, 29)
coastal sport.



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OPTIONS FOR MANAGEMENT OF THE 1983 CHINOOK SALMON FISHERY IN SOUTHEAST ALASKA

The Alaska Trollers Association has prepared the following alternatives for chinook salmon management in the commercial fishery off Southeast Alaska. The alternatives recognize the necessity for rebuilding native Alaskan chinook stocks. Option Number 1 contemplates an expanded season yet still addresses conservation concerns. Option Number 2 incorporates a reduced harvest guideline proposed by the Alaska Department of Fish and Game and originally implemented in the 1981 season. This reduction allows for a 15 year rebuilding program that is already in progress.

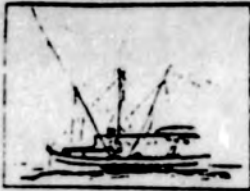
Alaska's unilateral conservation program has shown excellent returns since 1981. Either policy option below will continue this successful rehabilitation program while limiting interception of the troubled Canadian and Columbia River stocks. This in turn allows Canada, Washington, and Oregon to take their own conservation actions to rehabilitate their devastated natural runs. In the meantime, Alaska's largest commercial fleet will still be able to survive economically and most importantly, Alaska will be permitted to manage biologically rather than politically.

Option Number 1:

The Department of Fish and Game will manage the Southeast Alaskan chinook salmon fishery with a summer season occurring from April 15 through September 20. During this time period the following closures will be imposed to address conservation requirements in Alaska and regions outside the state: 1) April 15 to May 15 the season will remain closed to benefit Alaskan stocks, 2) The season will close 7 days in June to benefit stocks originating in the lower 48, 3) The season will close for 10 days in August to benefit stocks destined for Canadian streams.

Option Number 2:

The Department of Fish and Game will design a season using historical catch data that results in a commercial catch of approximately 285,000 to 288,000 chinook salmon. After the designed season commences, the fishery will proceed, without interruption, through its termination. In this manner fishermen will benefit with higher catches if increased stock availability is observed or correspondingly have lower catches if the run exhibits lower than average availability; thus, providing a built-in



Alaska
Trollers
Association

mechanism for protection of the run.

This option would probably require a closure from April 15 to May 15 to benefit Alaskan systems, a closure in June to benefit systems in the lower 48, and a closure in August to benefit Canadian systems.

The catch of 285,000-288,000 chinooks represents a reduction from the 1971-1980 ten year average catch of 325,000. This reduction is pursuant to a management scheduled plan to rebuild Southeast Alaskan stocks without increasing efforts on stocks with origins outside the state. The plan, designed by the Alaska Department of Fish and Game, is already 2 years into its 15 year term with observed progress well ahead of schedule.

We believe both management options address sound conservation practices in the State of Alaska without major effort shifts to stocks originating outside the state. They allow areas outside Alaska experiencing depressed stock conditions to implement their own programs to rebuild runs as they deem appropriate.



P.O. BOX 1186

JUNEAU, ALASKA 99802

"DEDICATED TO THE PROFESSIONAL FISHERMAN"

January 10, 1983

Honorable Bill Sheffield
Governor, State of Alaska
Pouch A
Juneau, Alaska 99811

Dear Governor Sheffield:

The membership of USAG, Inc. was extremely pleased to see you take control of the decision as to whether it is in the State of Alaska's, and its fishermen's, interest to enter into the proposed treaty between the United States and Canada regarding Pacific Salmon. Such active involvement and leadership from the Governor was lacking in the previous administration. The representative from Governor Hammond's Office, Mr. Clem Tillion, did not actively engage in the negotiations, but deferred to the biological staff of the Alaska Department of Fish and Game. It is questionable that this was a wise decision, as there are many factors to be considered in such negotiations in addition to biological matters.

Your request to Board of Fisheries and the North Pacific Fisheries Management Council to not make any recommendations on the rejection or acceptance of the treaty in order that your Office, through a Special Task Force, might review and make recommendations to you for the final decision was good news to the gillnetters of Southeastern Alaska; particularly since our members fish in four areas where the United States and Canada are in conflict over fishing rights in the proposed treaty: at Tree Point in Dixon Entrance, in the Petersburg and Wrangell areas, where Stikine River salmon stocks are harvested, and near Juneau, where Taku River stocks are harvested. The terms of the proposed treaty will have a major influence on the future of the gillnet fishery in Southeastern, which has historically depended, in the case of the Taku and Stikine Rivers, for nearly a hundred years, on these runs.

The economic performance of the drift gillnet fishery in Southeastern is already below that of all other salmon fisheries in the State, except possibly the troll fishery. Any decrease in the allocation or natural productivity, due to Canadian overfishing, of salmon

stocks contributing to the four gillnet fishing areas described in the previous paragraph, will further deteriorate the economic condition of this already distressed fishery, as well as reduce the economic well-being of the Alaskan communities, where the gillnet fleet is based. Such factors were given very little attention during the negotiations, and as far as I know, the State of Alaska has not even quantified the probable social and economic impacts on the Alaskan communities such as Wrangell, Petersburg, Juneau and Ketchikan, which would be directly affected by fishing agreements that reduce the gillnet fishery in these areas.

Our major concerns with the proposed treaty are the following. In the case of the Tree Point fishery, no consideration is given to the enhancement programs that are already on-stream to raise the sockeye and chum production contributing to the gillnet catch in that area. If the present document were approved, the gillnet fishery would be penalized, in the case of sockeye, because the 130,000 per year limit, does not reflect the increases from Alaskan stocks coming from the lake fertilization program underway at Hugh Smith Lake. In the Taku and Stikine Rivers, our association has long held the position that before any agreement is reached the Canadians must limit their in-river catches to a mutually agreed level, until such time as enhancement programs are producing more salmon. In the present document, the Canadians have managed to evade making that clear commitment. In fact, they have increased their demands on the Stikine to 35% of the total allowable catch of cohos. This would have the effect of eliminating the drift gillnet fishery for cohos in the Petersburg and Wrangell areas. We cannot accept this.

Besides these major obstacles to an agreement, there are a number of issues that need to be clarified, before the full longrange impact on the gillnet fishery can be assessed. One thing is clear, however, and that is a decrease in the salmon available for gillnetters. Something that needs to be clarified is the measures that could be taken in Southeastern to provide more salmon for gillnetters in other areas to make up for the losses that can be expected in these "traditional" fisheries. Representatives from the Department of Fish and Game have indicated that such adjustments could be made. These off the record assurances need to be formalized and the planning begun to implement the proposed adjustments.

USAG, Inc., the representative organization of Southeastern gillnetters, is ready and willing to work with the members of the Task Force you have appointed to conduct the review of the treaty and its impacts on Alaska. I look forward to working with you and your Task Force, and feel that, under your leadership, Alaska will assert its interests in a manner that has been lacking until now.

Governor Sheffield
January 10, 1983
Page 3

Sincerely,

Geron Bruce

Geron Bruce
Executive Director



P.O. BOX 1186

JUNEAU, ALASKA 99802

"DEDICATED TO THE PROFESSIONAL FISHERMAN"

January 25, 1983

Mary Levan
Legislative Aide
Senator Richard Eliason
State Capitol
Pouch V, Mailstop 3100
Juneau, Alaska 99811

Dear Mary:

I am sending you my suggestions on two whereas clauses to be added to the Senate Joint Resolution that Senator Eliason has introduced recently regarding the proposed treaty between the United States and Canada regarding pacific salmon.

"Whereas, the proposed treaty will prevent Alaskan gillnetters from benefiting from their own, already existing enhancement projects at Hugh Smith Lake and Nakat Inlet; and

Whereas, the proposed treaty does not obligate the Canadian fishermen on the Stikine and Taku Rivers to limit their catch to a previously agreed level, until enhancement provides more salmon from these rivers, and..."

It is the hope of my membership that these clauses, addressing two of the major inequities falling on gillnetters as a consequence of adoption of this treaty, can be included in the resolution during the Senate Fisheries Subcommittee mark-up.

We are very grateful for Senator Eliason's support of Alaskan fishermen at this crucial time.

Sincerely,

Geron
Geron Bruce, Executive Director

Juneau Chapter
TrollPAC
P.O. Box 754
Juneau, Alaska 99802

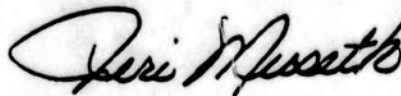
December 30, 1982

Mr. Jim Beaton, Chairman
Board of Fisheries
P.O. Box 3-2000
Juneau, Alaska 99811

Dear Mr. Beaton:

Enclosed is a copy of a letter sent to Governor Bill Sheffield by members of this organization. It expresses some of our concerns of the recently negotiated U.S. - Canadian Treaty. We would appreciate it if you would review our letter prior to making your decision. Thank you.

Sincerely,

A handwritten signature in cursive script, reading "Jeri Museth".

Jeri Museth
Vice Chairman

Encl:

Juneau Chapter
TrollPAC
P.O. Box 754
Juneau, Alaska 99802

RECEIVED
JAN 1 1983

December 30, 1982

RECEIVED
JAN 1 1983

Governor Bill Sheffield
State of Alaska
Pouch A
Juneau, Alaska 99811

Dear Governor Sheffield:

In recent weeks, negotiators for the governments of Canada and the United States have agreed to terms of a bilateral treaty relating to the conservation and management of the several salmon species that transit the waters off the Pacific coast of both countries. This event has been hailed by the news media as the seemingly "successful conclusion of 20 years effort on the part of negotiators for both sides". Included within this proposed treaty is an Annex management plan for the Chinook salmon species, upon which members of this organization rely for a significant part of their income. For reasons that follow, the membership of this organization strongly oppose approval of this incomplete treaty and urge you to work toward its rejection until more equitable provisions can be incorporated. Perhaps someday the entire Pacific rim countries can be participants.

1. The treaty would remove management of Chinook salmon stocks within State waters (as far as quota is concerned) from the State of Alaska and vest management of that species with an International Commission composed of members appointed by our Federal and the Canadian governments. We would basically lose all powers of appeal.
2. The treaty would establish permanent (ten-year minimum) management of Chinook salmon stocks by means of a quota system. That is the Commission would determine specific numbers of fish each country could take, but not exceed, during a given year. This system has two important disadvantages. First, in the case of a very weak run the stock would be overfished, resulting in further depletion of the year class. Second, in the case of a very strong run the stock would be underfished, resulting in waste of an economic asset. The membership of this organization prefers a State in-season management approach where the numbers of fish allowed caught during any given season is dependent upon the numbers of fish actually available.

3. The Canadian waters outside Vancouver Island from Queen Charlotte Sound to the Straights of Juan de Fuca are not included in the proposed agreement. While we do not disagree with the exclusion of those waters, we do, however, insist that precise language be incorporated in the treaty which would prevent Canadian fishermen from misreporting catch areas. Simply stated, each Chinook salmon reported taken in the uneffected district which was in fact taken in treaty waters would be an additional fish on their quota. This "loophole" must be dealt with firmly.

4. The Canadian troll fleet is comprised largely of freezer boats which often hold their catch well past the fishing season in hopes of locating more lucrative markets. This situation creates a serious problem concerning the timely gathering of data. For example, the Canadian catch figures for the 1982 season are unavailable at the time of this writing.

5. The proposed treaty mandates that our annual Chinook catch limit decrease until such time that Canadian sustained escapement figures increase sufficiently to permit the gradual restoration of historical catch. The suggested time frame for this plan is approximately ten years--provided all goes very well. Each year as the Canadian quota is filled they have the option of moving down to continue fishing Chinooks in the waters adjacent Vancouver Island. Alaskan trollers have no option at all, unless the waters West of Cape Suckling are made available to us once again. We strongly urge your review of the 1975 Westward closure. The closure was seriously questionable and so "slickly" accomplished that we still have wool in our eyes.

6. We feel that all Chinook salmon harvested in our waters should be accurately documented if a treaty which establishes numerical limits is to perform fairly. This is not possible so long as the Governing International Fishing Agreement (GIFA) Section of the Federal Conservation Management Act (FCMA) is ignored. Foreign fishing vessels operating within our management zone should be denied permits unless at least one qualified host observer is on board. So long as the number of Chinook salmon intercepted by the foreign fleet is not genuinely known, we can logically have no accurate catch limit by which to abide.

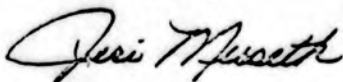
7. We are also concerned about the Chinook sport catch being added to the U.S. allocation. We recognize this was done in order to consider the Canadian sports catch figures within the Treaty, however, this adds a potential conflict between commercial fishermen, charter vessels and sports fishermen, with whom we have had no quarrel to date.

As commercial fishermen we have the utmost regard for the health of the resource. As predominately trollers we have participated in a life-style fishery versus the Canadian industrial-type fishing. (Two-people crewed boats versus four to six-people crewed boats). We recognize a need to rebuild the Chinook stocks and have been involved in the State of Alaska's fifteen (15) year program. We recognize the problems of the Columbia River Brite stocks and certainly hope for better policies, a vigorous rebuilding program and action on the inter-dam losses. We have also voluntarily participated in a three percent (3%) assessment aquaculture tax.

We do not want to engage in a "race to Armeggedon" with our neighboring fishermen. Our desire is to equitably harvest a shared resource. We would be completely willing to do so under the direction of treaty which accounts for potential abuses and which is provided with data sufficient enough to lend numerical credence.

We emphatically encourage the dismissal of the present design and hope that you will study the facts and sympathize with our aforementioned grievances. A healthy, thorough treaty can, even should, be adopted. With several significant International as well as internal adjustments, we feel that such a plan could be detailed satisfactorily.

Respectfully,



Ms. Jeri Museth
Vice Chairman
Juneau TrollPAC

cc: Honorable Ted Stevens
Honorable Frank H. Murkowski
Honorable Donald E. Young
Juneau Rep. Duncan
Juneau Rep. Miller
Juneau Sen. Ray
Sitka Sen. Eliason
Sitka Rep Gressendorf
Atty Gen. Norm Gorsuch
Alaska Trollers Assn.
Director, Div. Comm. Fish
Mr. Lee Alverson
Board of Fisheries
Juneau Empire

RESOLUTION

JANUARY, 1983

Relating to the proposed U.S.-Canada
Salmon Interception Treaty.

BE IT RESOLVED:

WHEREAS the base period to be used under the proposed treaty to set the harvest quota for 1983 and subsequent years is inequitable because of the salmon harvest quota already imposed upon Alaska fisheries while Canadian fisheries have been unrestricted; and

WHEREAS the West Coast of Vancouver Island will have no ceiling or quota limits under the proposed treaty; and

WHEREAS Canada has not demonstrated its ability to assemble seasonal catch statistics in a timely manner, thus making questionable its capability for in-season monitoring to keep the Canadian catch within the harvest levels to be required under the treaty; and

WHEREAS the proposed treaty does not address the problem of salmon interception by foreign fleets; and

WHEREAS the Alaska Department of Fish and Game will be seriously limited in its in-season management ability of Alaska river systems; and

WHEREAS the Alaska salmon catch has been regulated downward through a quota system since 1980, while Canada has had no catch ceiling; and

WHEREAS, although we have a self-imposed three percent aquaculture assessment, under the proposed treaty we will be prohibited from harvesting those hatchery stocks for another 10 years; and

WHEREAS Southeast Alaska fishermen will be penalized in order to facilitate the compromise between Canada and Washington State concerning the Fraser River stocks; and

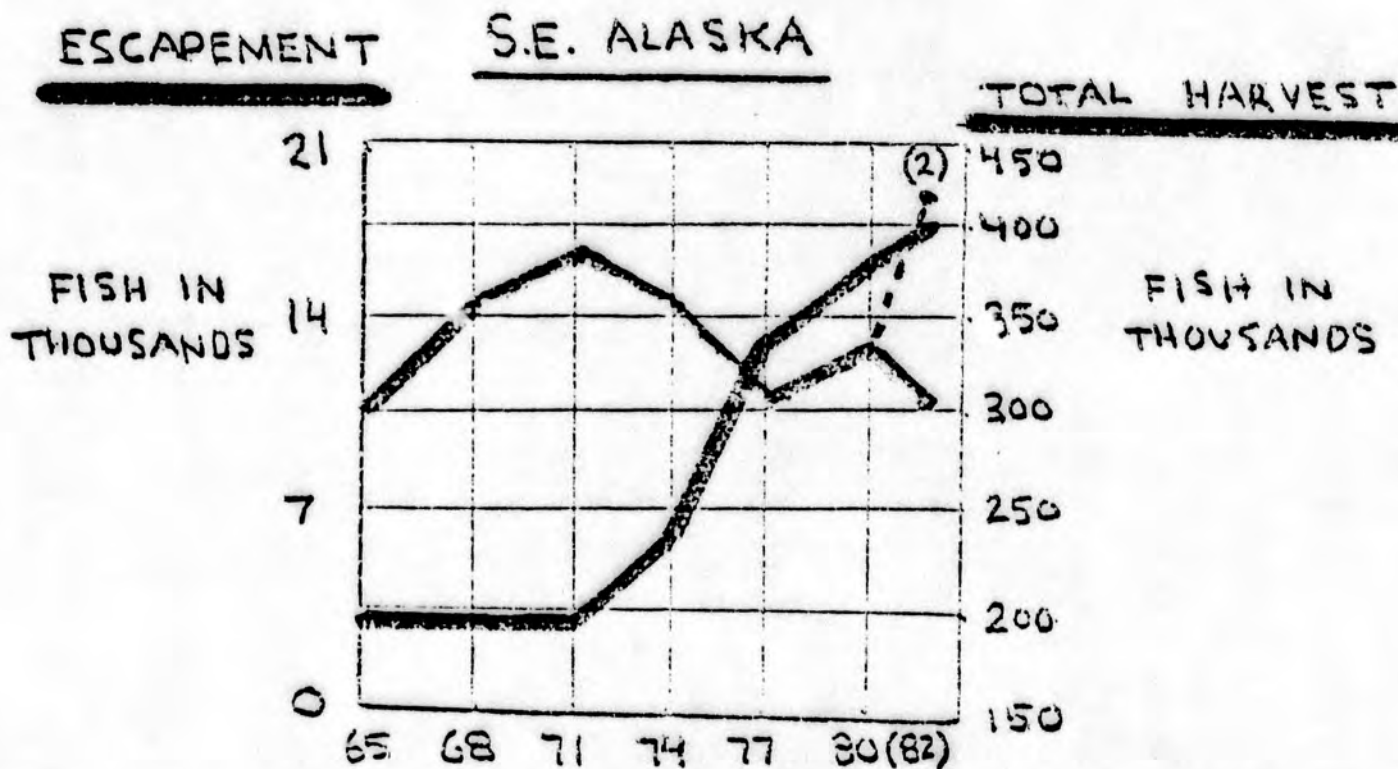
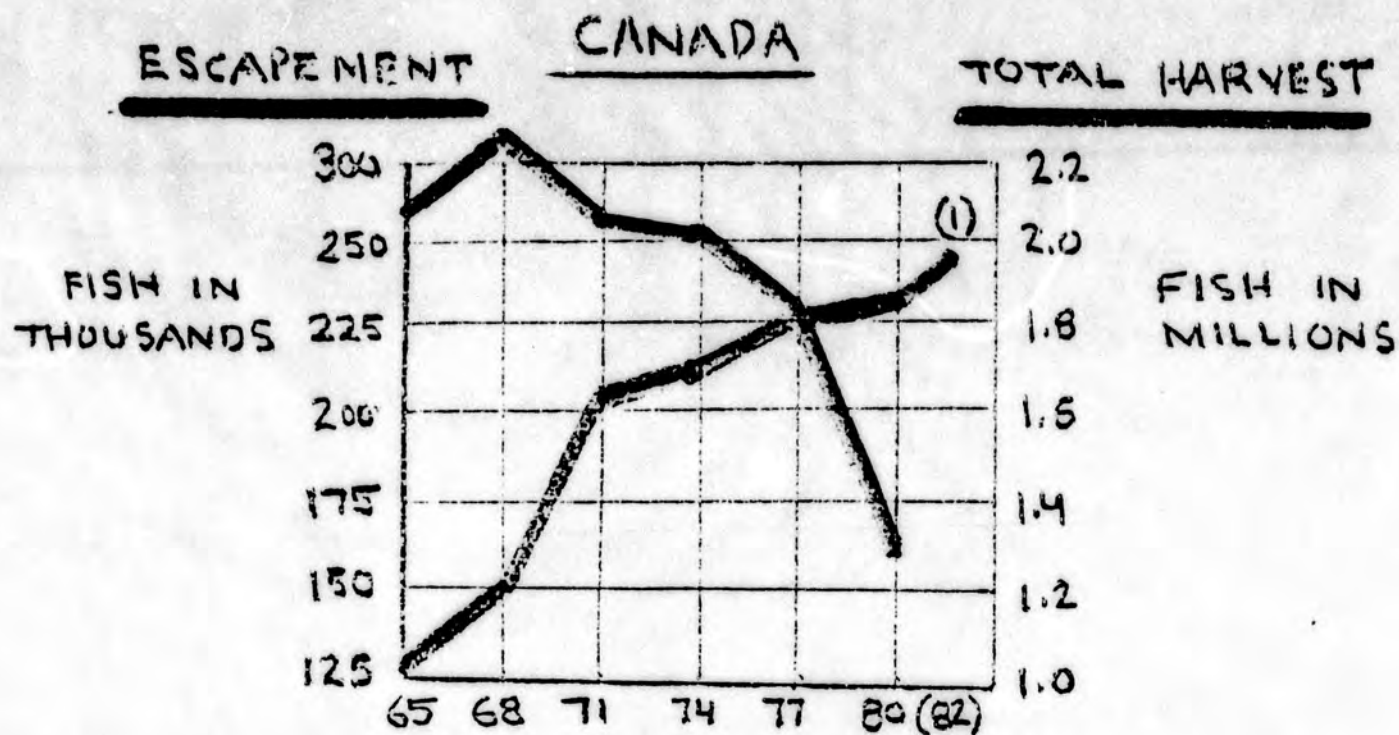
WHEREAS the Southeast Alaska troll fleet is already enduring serious economic hardship; and

WHEREAS, after open negotiations were closed, and the Alaska delegation excused, parts of the proposed treaty were rewritten, favoring the Canadian position;

BE IT RESOLVED that the membership of the Juneau Troll P.A.C. respectfully requests the Governor of the State of Alaska, and the U.S. Congress, to reject the proposed U.S.-Canada Salmon Interception Treaty, and we urge re-opening of negotiations to address these grievances.

COPIES of this Resolution shall be sent to the Honorable Ted Stevens and the Honorable Frank Murkowski, U.S. Senators, and to all other members of the U.S. Senate; to the Honorable Don Young, U.S. Representative; to the members of the Governor's Treaty Task Force; to the Honorable Bettye Fahrenkamp, Chairman of the Senate Resources Committee; and to the Honorable Adelheid Herrmann, Chairman of the House Special Committee on Fisheries.

COMPARATIVE CANADA — S.E. ALASKA CHINOOK SALMON HARVEST AND ESCAPEMENT BEHAVIOR 1965 — 1982



- (1) PRELIMINARY FIGURES — DEVELOPED 1-25-83
 (2) AK. DEPT. F&G PROJECTION IF NO HARVEST
 LIMIT AND NO TOTAL CLOSURES

Graph sources:

Canadian table, Appendix #2, "Coast-wide Chinook Catches Since 1953", Salmon Plan Development Team report to North Pacific Fisheries Management Council, 11/3/82.

Canadian table, Appendix #2, "B.C. Escapements by Region 1965-81" Ibid.

Table 1, Appendix "Southeast Alaska Commercial and Recreational Chinook Salmon Harvest 1965-82" Ibid.

Alaska Department of Fish and Game formal projections for 1981-1982 domestic Chinook harvest. ADF&G.

January 17, 1983

The Honorable Bill Sheffield
Governor
State of Alaska
Juneau, AK 99811

Dear Governor Sheffield:

Subject: U.S. - Canadian Treaty and NMFS Salmon Management
Proposals

The salmon management program as proposed cannot be acceptable unless data is complete. There are many problem areas:

1. The Washington Department of Fisheries computer model numbers are generated from incomplete data and delete affecting input.
2. ADF&G Chinook catch numbers are unsubstantiated, as far as numbers of Chinook harvested from 1965-1978.
3. Enormous numbers of chinook harvested on the high seas by foreign nets are not included in statistics reflecting resource strengths or impacts.
4. NMFS states recreational fisheries statistics be included to give overall statistical picture. Maybe so, but foreign catch must be included to lend credibility to intent of treaty negotiations, NMFS management options, MFCMA, and ADF&G basis of theory for quota management procedures.

Our conclusion is that management should proceed to protect returning spawners and eliminate quota theory from management procedure. Quota theory cannot reflect conservation motive, harvest guidelines, or actual strength of the resource to be managed. Quota theory ignores socio-economic impact on American communities and citizens (fishermen and dependents) as called for by the MFCMA.

Coastwide simultaneous closures should be imposed to facilitate returning spawners. Attention should be paid to enhancement of Chinook stocks, i.e., protection on return, aquaculture enhancement from wild stocks (local migrators), international protection for highly migratory species and major effort by the federal government to rectify problems they themselves have caused on Columbia River Chinook stocks. The power development on the Columbia River is the major and perhaps sole culprit in the demise of the Chinook salmon stocks. This problem has to be worked out by the parties responsible (WDF, U.S. Government, BPA, Washington Treaty Indian representatives). There are studies available to show Columbia Up-River Chinook stocks are not in bad shape. The U.S. Government has to address the problem of farm Chinook from Scandinavian countries, being imported fresh to traditional U.S. troll caught markets. These farm fish are economically impacting the troll salmon industry. (Which makes justification of strict regulations by the government on the troll industry substantially easier to implement.)

In order to substantiate questions with the WDF model, may we submit a request for an objective and unbiased evaluation of the WDF computer model, this study to be done by a person or persons educated in computer modeling from outside the influence of Northwest fisheries management and politics. There are names available. We would like the option and opportunity to contact someone from the scientific sector. A study of this nature is vital to facilitate an objective, rational and unbiased management program for Chinook salmon coastwide.

These are but a few examples of the loopholes in the present management and treaty proposals.

- Dec. 1980 OREGONIAN

The Yakima River has been used for massive land reclamation for farming. In the process, 600,000 Chinook spawners a year were sacrificed.

- June, 1981 LONGVIEW NEWS

Over 20,000 surplus Chinook spawners were sold by WDF at 50¢ a lb. from a single hatchery in the Longview, Kelso area because nobody is harvesting them.

- Established proof shown of in-river loss of up to 40,000 Chinook spawners a year to illegal fishing. Losses occurred between Bonneville and McNary Dams on Columbia River.

- 1981, SEATTLE P.I.

In- depth documentary on massive impact on salmon stocks caused by construction and presence of numerous dams on the Columbia River from 1950 to present. (Up to 90% kill on down- river migration of small salmon).

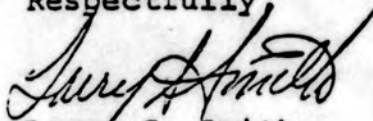
- 1980 (one instance) Tag recoveries in the Bering Sea of Steelhead tagged in Snake River, Idaho; Chinook salmon tagged in Southeast Alaska recovered in Bering Sea. This shows phenomenal migratory range of species. Tags recovered by American trawler. This leaves a great void on the impact caused by unobserved foreign fishing in the past 30 years.

In order to reflect comprehensive concern for salmon stocks coastwide, the resource status should be dealt with. No deals or trade-offs between areas or gear types should be a part of any negotiations.

The present management procedures proposed by the NMFS and the U.S. - Canadian Treaty negotiations inclusive of all the inequities stated above, would lead to unwarranted control of an independent American fishing industry by the government.

We recommend, as strongly as humanly possible, rejection of the presently submitted U.S. - Canadian Treaty and the National Marine Fisheries Service options for the Southeast Alaska commercial and recreational fishing season, 1983.

Respectfully,



Larry S. Smith

Chairman

North Pacific Fishermen's

Federation

P.O. Box 3020

Juneau, AK 99803

789-9923

Apt. 2
305 6th St.
Juneau, Alaska 99801

February 8, 1983

Adelheid Herrmann
House Fisheries Subcommittee
Room 212
Behrends
Juneau, Alaska 99801

Dear Adelheid:

I urge your committee recommend to the Governor that the fisheries treaty with Canada not be ratified unless the Canadian effort on the Stikine River is set at a maximum of 20% of the catch after allowances for escapement have been calculated.

Past sacrifices on our part have satisfied the Canadians about as much as the martyrs thrown to the lions satisfied the Roman Emperors.

In particular, since the Canadians started fishing on the Stikine in 1978, their catch and demands for a share of the catch have escalated every year.

Our Department of Fish and Game has cut back fishing effort as a consequence, claiming that many of these reductions were for protection of our stocks-- a point which we have rebutted (we have evidence).

In 1982, the Department closed area 6&8 during a heavy coho and sockeye run and crowded the fleet in one area. AS A DIRECT RESULT OF CANADIAN DEMANDS TO HAVE MORE COHO TO MAKE UP FOR SOCKEYE WHICH THEY DID NOT CATCH. This Department policy resulted in an over harvest of Coho on the river and loss of many fish to our fishery. Gillnetters in Petersburg soundly criticized the Department for exceeding the limits set even in the interim agreement last year.

The point is the Canadians once we make a concession have repeatedly asked for more and it is therefore in my opinion necessary to roll back their demands with a threat to them-- either stick to the lower figure agreed to last year or we will only allow for escapement on the Stikine and you can then whip it out if you want.

This latter position was what ten gillnetters meeting with the Department in October of 1982 agreed to. In negotiations unfortunately, one does not send one's best specimens to the lions.

Sincerely yours,


Alan Stein



Official Business

Alaska State Legislature

House of Representatives

REPRESENTATIVE ADELHEID HERRMANN

Pouch V
State Capitol
Juneau, Alaska 99811

January 31, 1983

Don Collingsworth, Acting Commissioner
Alaska Department of Fish & Game
P.O. Box 3-2000
Juneau, Alaska 99802

Dear Don:

The House Special Committee on Fisheries will be holding teleconferences on the proposed U.S./Canada Salmon Treaty and would like to invite the participation of the Governor's Task Force.

These hearing are at the request of Rep. Wendte and will be held at the following dates and times:

February 8th, Tuesday - 2:45pm-4:45pm (PST)
February 14th, Monday - 5:00pm-6:45pm (PST)

The sites scheduled to be on line for the teleconferences are:

Cordova	Galena	Fairbanks
Haines	Hoonah	Juneau
Ketchikan	Mt. Village	Petersburg
Sitka	Wrangell	Washington, D.C.
Yakutat		

The teleconferences will be based from the Special Committee on Fisheries Committee room on the lower level of the Behrends Building.

If you have any questions please feel free to contact my office at 465-4924.

Sincerely,

Adelheid Herrmann
Representative, District 26

cc: Jim Brooks, NMFS

FISH TELECONFERENCE

HEL. WE HAVE NOTIFIED THE FISHERIES STAFF OF OUR DELEGATION IN CONGRESS. THE INFO OFFICE IS NOTIFIED OF ALL TELECONFERENCES SO YOUR EST ERROR WAS NOT A PROBLEM.

IF THERE ARE SPECIFIC AGENCIES OR PERSONS WHOM YOU WOULD LIKE TO HAVE NOTIFIED ABOUT THE SALMON TREATY TELECONFERENCE, WE'D BE HAPPY TO DO THAT IF YOU WILL GIVE US SOME DIRECTION. AS OUR TELECONFERENCE NETWORK IS NOT WIDELY KNOWN OR UTILIZED BY MEMBERS OF CONGRESS (BESIDES THE DELEGATION) OR MEMBERS OF THE REAGAN ADMINISTRATION, A FORMAL INVITATION FROM THE COMMITTEE MIGHT BE THE MOST EFFECTIVE WAY OF GETTING THEIR ATTENTION.

WE HAVE MANY COMMUNICATIONS TOOLS AT OUR DISPOSAL AND SHOULD NOT BE HAMPERED BY THE SHORT LEAD TIME INVOLVED.

IF YOU'D PREFER TO DISCUSS THIS OVER THE TELEPHONE, I'D BE HAPPY TO CALL YOU ON THE WATS LINE.

EDM/KIM

John B. Brewster