

SJR

10

REQUESTING REJECTION AND RENEGOTIATION OF THE PROPOSED
U.S.-CANADA SALMON INTERCEPTION TREATY

SJR 10

ELIASON, ZIEGLER, RAY

Urges rejection of the U.S.-Canada salmon interception treaty by Governor of Alaska and Congress, and reopening of the treaty negotiations.

The resolution is premised on the belief that the treaty would require Southeast Alaska's salmon fishermen to further reduce harvest, while Canadian fishermen would make only "minimal cutbacks". Also, that the treaty is based on inappropriate catch statistics, does not address high seas foreign interception of salmon, and would have a severe economic impact on many Alaskan fishermen.



Official Business

Alaska State Legislature

Senate

RESOURCES SUBCOMMITTEE ON FISHERIES

Pouch V
State Capitol
Juneau, Alaska 99811

February 10, 1983

TO: Senator Bettye Fahrenkamp, Chairman
Senate Resources Committee

FROM: Senate Resources Subcommittee on Fisheries

SUBJ: SJR 10

The subcommittee has taken testimony and recommends replacing SJR 10 with CS SJR 10(Res) and reports CS SJR 10(Res) back to the committee as a whole with the following recommendations.

Members		Recommendation
Senator Mulcahy	<i>Bob Mulcahy</i>	<i>No Pass</i>
Senator Eliason	<i>Don Eliason</i>	<i>Do Pass</i>
Senator Gilman	<i>Don Gilman</i>	<i>No Pass</i>

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

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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

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 situated 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 situated 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 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.

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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 situated 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 targetting 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 Soecies

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.

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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Annex IV

Chapter 6

GENERAL OBLIGATION

With respect to intercepting fisheries not dealt with elsewhere in this Annex, the Parties shall not permit interceptions to increase above the levels of recent years, nor initiate new intercepting fisheries, except as may be agreed. ,

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Exchange of Notes

I have the honor to refer to the discussions between representatives of our two ^{1/16 M.P.S} 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 Government the understanding set out below that has been reached between our two ^{OC OCA M.P.S.} Governments concerning the implementation of 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 responsibilities consistent with the Treaty:

(a) review and evaluate information provided by the Parties, pursuant to Article IV, paragraph 3, in order to provide recommendations 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} ~~the~~ ^{MPS} 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 ^{to 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: 1144 MRC
 - (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 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 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.

M.P.

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.

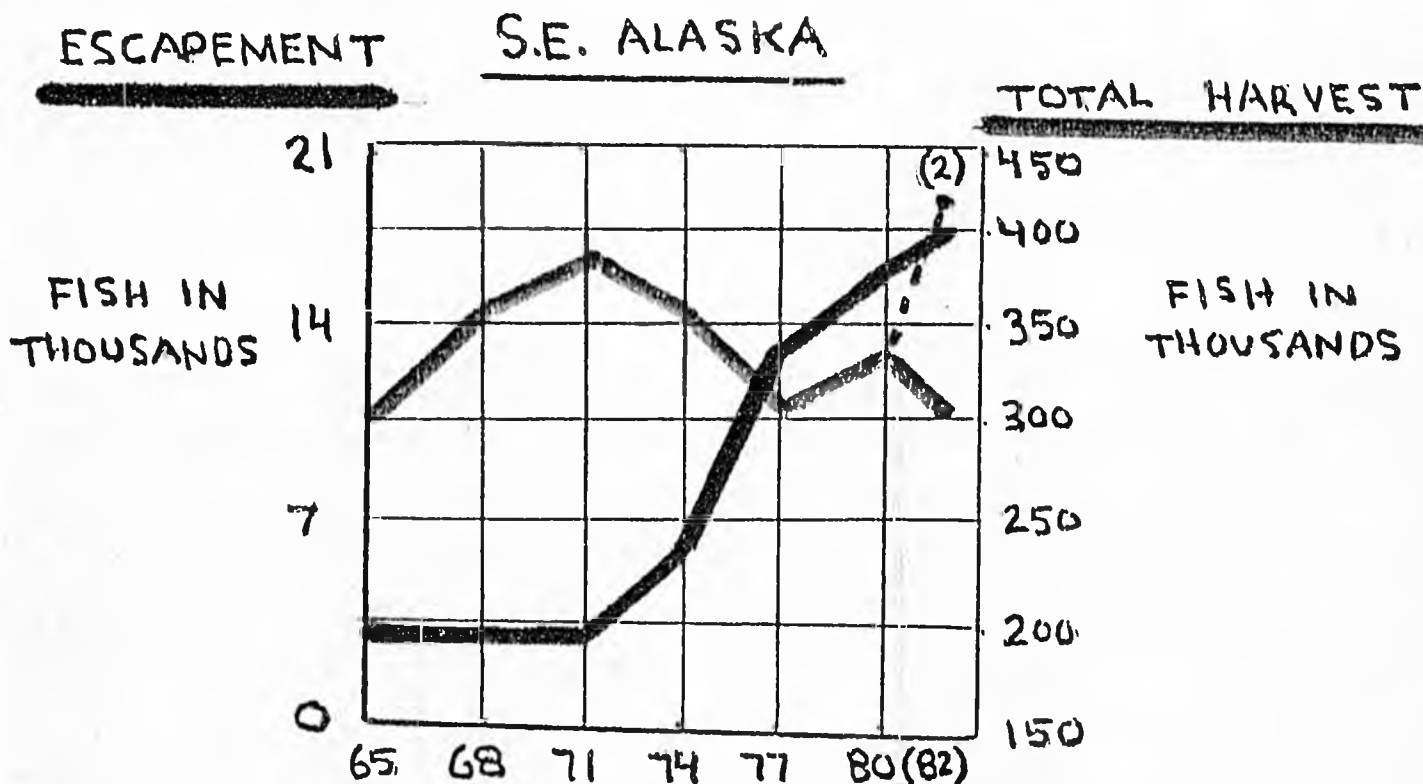
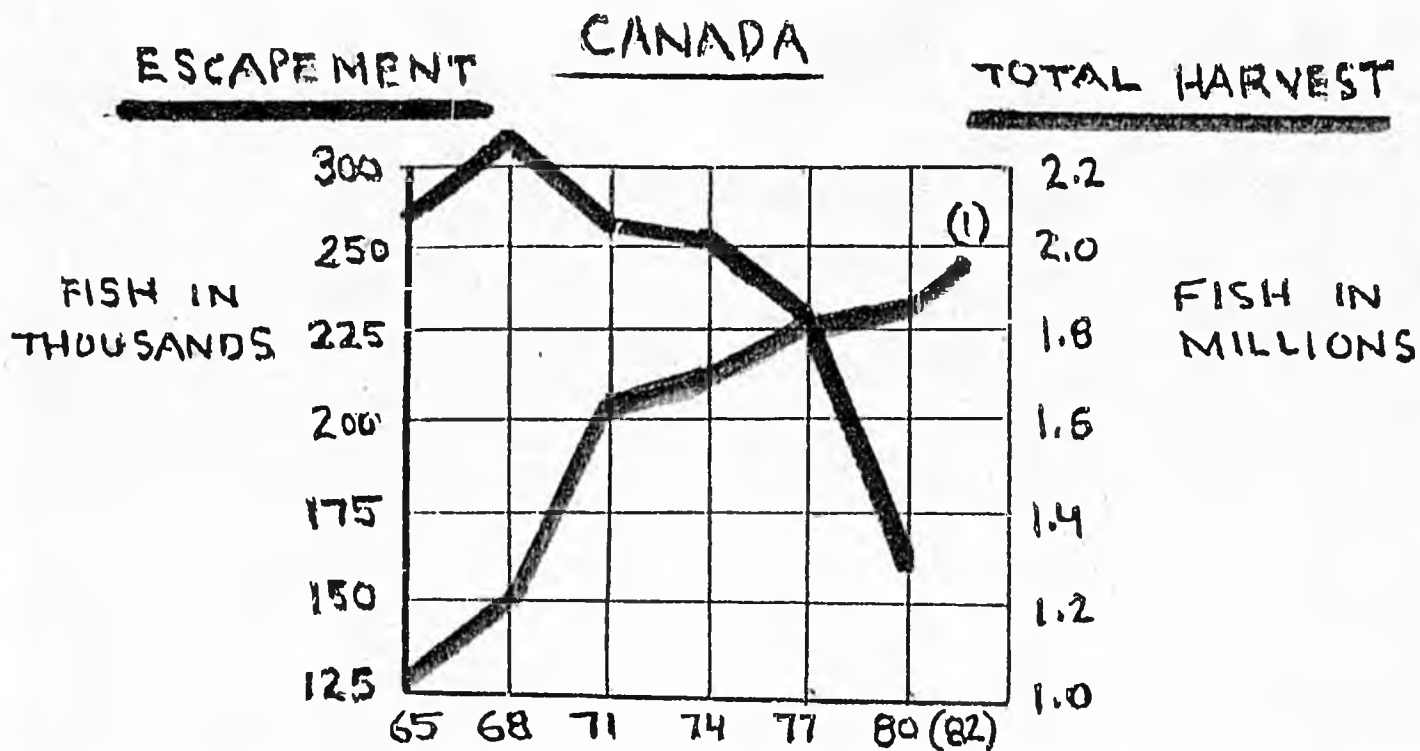
Other IPSFC assets necessary for the work of the Commission and the Fraser River Panel shall be transferred to the Commission.

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

M.A.

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.

R E S O L U T I O N

JANUARY, 1983

FEB 3 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.

FEB 4 1983



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
National Marine Fisheries Service
P.O. Box 1668
Juneau, Alaska 99802

NEWS RELEASE
Robert W. McVey
(907) 586-7221

February 2, 1983

For Immediate Release

PROPOSED U.S.-CANADA SALMON TREATY
PROMISES BENEFITS TO ALASKAN FISHERMEN

Robert W. McVey, Alaska Regional Director, National Marine Fisheries Service, urged the Alaska fishing community to take a close look at both the many potential benefits of the proposed U.S.-Canada salmon treaty as well as what the future might hold for southeast Alaska's salmon fisheries if the treaty is not ratified.

McVey noted that the proposed treaty follows more than twenty years of negotiations between the United States and Canada. During this time, discontent mounted as fishermen of one country continued to harvest salmon produced in the other. In recent years, the problem assumed more urgency as Canada initiated new intercepting fisheries and increased the level of others. Informal agreements to stabilize interceptions were helpful during the last couple of years but longer-term agreements could not be reached, partly because of the uncertain abundance of salmon from year to year. The treaty now proposed includes short term arrangements governing intercepting fisheries and creates an international commission and regional panels to develop and recommend future fishery controls.

The proposed treaty sets out principles intended to ensure that each country will receive benefits in relation to its own salmon production with minimal disruption of existing fisheries. Within the new commission, Alaskan fishermen will have a strong voice in determining the future of intercepting fisheries in both countries. McVey identified



some of the more important potential benefits to Alaska that the treaty would provide:

1. Interceptions of southeast Alaskan pink salmon by Canadian net and troll fisheries in Dixon Entrance will be controlled and stabilized. Alaskan fishermen will receive the primary benefits of recent increases in southeast Alaska pink salmon production.

2. The proposed treaty offers some control over the level of Canadian fisheries in the Taku, Stikine, and Alsek Rivers. In 1979 and 1980 Canada dramatically expanded its fisheries in the Taku and Stikine Rivers, taking a catch of more than 100,000 salmon from these rivers in 1980. Without the treaty, Alaskan fishermen on the approaches to those rivers could be faced with catch reductions to allow for both an uncontrolled Canadian fishery in the rivers as well as spawning escapement. Although the treaty arrangements are not totally satisfactory, they offer southeast Alaskan fishermen some assurance about the short-term future and a role in determining the long-term future of Canadian fisheries in those rivers. Further, the treaty offers the opportunity to consider joint enhancement projects such as hatcheries on these transboundary rivers. Such projects would benefit fishermen on both sides of the border.

3. A badly needed coastwide chinook salmon conservation program would be initiated, with Canada doing its share to rebuild depressed, natural runs of chinook salmon. At least 80 percent of the chinook salmon harvested by southeast Alaskan fishermen are estimated to originate outside of Alaska. About half of these come from Canada and the other half from the states of Washington and Oregon. Recently, southeast Alaskan fishermen have sacrificed to conserve depressed chinook salmon

stocks up and down the coast. They have felt their sacrifices were largely futile due to unregulated catches in Canada. The treaty would impose on most Canadian chinook fisheries the same levels of catch reductions that the southeast Alaska chinook salmon fishery has sustained since 1981. Furthermore, Canada would be obligated to stabilize chinook catches off the West Coast of Vancouver Island.

In addition, the countries agreed to make the chinook rebuilding process as painless to fishermen as possible. Increased hatchery operations and other enhancement efforts would produce fish to replace those from depressed natural stocks. Without such enhancement, rebuilding would have to be accomplished solely by catch reductions which would, of necessity, be larger than would be necessary under the treaty. As natural stocks rebuild, catch limits could be gradually raised by agreement within the Commission.

4. Other benefits include creation of a favorable environment for each country to proceed with planned enhancement projects without fear that the other country will intercept most of the fish produced. The large-scale joint research program would continue, yielding data about salmon interceptions that will be invaluable to the management of southeast Alaska's own salmon stocks.

Some Alaska fishermen have expressed opposition to the proposed treaty because they see the short-term sharing arrangements as favoring the Canadians. Further, they are uncertain that the new commission will be able to protect Alaskan's interests by assuring equity in future fisheries regimes. The dilution or erosion of the State's fishery management jurisdiction under the treaty is also of concern to Alaska fishermen.

McVey emphasized that the basic intent of the treaty is to provide a mechanism to achieve rational management, conservation, and enhancement of coastal salmon stocks and to prevent uncontrolled interceptions of each country's salmon production. He said that when fishing fleets on both sides of the border operate without agreed principles and ground rules, escalation of interceptions are certain to occur, with further deterioration of salmon stocks already in need of conservation. Under such conditions, there is a possibility that U.S. negotiating leverage would progressively weaken.

Any decision to support or oppose the proposed treaty should be based on careful consideration of its many potential benefits to Alaska versus those features that are seen as adverse. Furthermore, careful consideration should be given to what the future holds for southeast Alaska's salmon fisheries in the absence of treaty.

McVey urged that anyone with questions concerning the details of the treaty contact either the National Marine Fisheries Service Regional Office or the Alaska Department of Fish and Game.

and they aren't running, but just

rs have anything to say about resident, the field will be cluttered with improbable choices. Except for a few proven leaders, the rest of the field is in a shabby dressing.

Rep. Kemp and former Gov. Bill Brock are possible candidates who we are watching in the way leadership.

Quarterback, told a meeting of the Managing Editors late last week that the economy was working.

The editors, most of whom are struggling under a recession in the oil industry, couldn't believe what he was talking about.

Following Rep. Kemp's speech, the consensus was he did not have the authority to do what he was talking about.

Mr. Brown set forth the platform which is based on industrial development. "Oh, wow" school of government.

Mr. Brown set forth the platform which is based on industrial development. "Oh, wow" school of government.

Every fine speaker, but few if any in the hall could tell what he was talking about.

Among our presidential choices, but at the same time we see the armor rushing to the aid of President Reagan likely to run for an obvious choice; none of his competitors even come close.

The nation deserves a choice, but of having one, but because the nation can prosper is by electing a field of strong candidates from all viewpoints.

What field developing.

World

World

World

World

Treaty SJR 10

Gentlemen:

I am writing to urge that interested Alaska residents indicate now their opposition to the proposed treaty between the United States and Canada regarding salmon. If adopted, we will have a foreign nation, Washington and Oregon, Federal bureaucrats, and Washington treaty Indians controlling our lives and making decisions that affect our State and fisheries and it will be nearly impossible to try and extricate ourselves from the mess once you are in it.

The negotiators for the United States could not have had much concern for the Alaska troll fishery—you take the facts at face value. We have a treaty that proposes to allow the Canadians to harvest about 880,000 kings per year at onset while the Alaska troll, gillnet, sport quota would be slightly over 200,000 kings. (The historic Canadian king fishery was about 700,000 kings for about 40 years until a tremendous increase in effort in recent years raised their catch to about 1.2 million kings and decimated their escapement stocks.) The Alaska troll/gillnet catch of about 350,000 kings was reduced to about 250,000 kings over the past few years. In a rebuilding/conservation effort that is succeeding. Now the negotiators have proposed reductions that let the Canadians use their high years as a

base line; and ask us to use a base line of the 1980 and 1981 seasons when our OY (quota) was already under restriction; to about 200,000 kings including the sport and gillnet catch. To boot the Canadians still get to have a large area outside Vancouver Island left open and not included in their quota!!! (Now wouldn't you like to have the Canadians negotiate your deal!) Why wasn't the Fairweather Grounds left open (It's much smaller than the Vancouver Island area) just to project a semblance of fairness.

The Canadians have shown a willingness to decimate their king stocks in recent years when our troll fishery has had severe curtailment. Let them finish the job and let them stew in their own juice if that's what they want.

The Washington State, State of Oregon, and the Treaty Indians have systematically devastated their respective areas. The "river dammers" especially in Washington are killing 80-90% of their hatchery production in the turbines going down stream. The citizens of the State of Alaska will never be able to ball them out of the mess they have created in their own backyard even if we give them our last king salmon.

We can solve our own problems. The fishermen and public have funded hatcheries with bonding and aquaculture assessment programs. We can forge ahead with these—

increasing our coho runs, where good technology is in place, until we can build up our own king stocks in Alaska rivers.

The whole world—Norwegians, Japanese, New Zealanders and Chileans are raising king salmon mostly from technology we have developed and roe and spawn from our rivers. Isn't it time for the State of Alaska to raise its own chinooks and let the rest of the southern and Federal entities try to solve their own problems without involving us. They are all lining up at our door each year lobbying to get our last fish

THE GOOD NEWS IS THE ECONOMY'S GOIN' TO HELL IN A HANDCART AND TAKING RONALD REAGAN WITH IT!!



THE BAD NEWS IS THE ECONOMY'S GOIN' TO HELL IN A HANDCART AND TAKING US WITH IT!!



and it will never solve their problem even if we gave them all of our fish. Don't let these people (in Canada, Washington, Oregon and Federal bureaucrats) give our troll fishery and the final coupe de grace via the treaty. Please let our Governor and congressional delegation know you oppose the United States/Canada Salmon Treaty. If the bureaucrats hook us on this treaty it will be a pathetic day for every Alaskan that fishes for a sport or commercial salmon.

We have the resources and the will to help our own state,

our fish and fishermen. Use your influence for a NO vote on the United States/Canada Salmon Treaty.

Sincerely,
Joseph D. Riederer
4000 N. Douglas
Juneau 99801

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Baker quits but keeps eye on Reagan

