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**PACIFIC SALMON:
THE CANADA-UNITED STATES DISPUTE**

**Claude Emery
Political and Social Affairs Division**

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PACIFIC SALMON: THE CANADA-UNITED STATES DISPUTE

BIOLOGICAL CONTEXT

The five species of Pacific salmon (along with steelhead trout)⁽¹⁾ differ in terms of their life cycle, size, productivity, dependence on freshwater habitat, behaviour and susceptibility to fishing gear.⁽²⁾ Flesh colour, oil content and flesh texture are other distinguishing characteristics. Some species are preferred by consumers, while others are not as valued. Salmon, like other fish species on the West Coast, are known by a variety of local names.⁽³⁾

Pacific salmon from Canada and the United States intermingle extensively during their migrations along the coasts of both countries and with stocks from Asia on the high seas.⁽⁴⁾ Different species, however, exhibit widely different migratory patterns. Sockeye (the first type of salmon to be canned) and chum salmon migrate great distances within the Gulf of Alaska. Pink salmon stay closer to their rivers of origin. Coho (a favourite among saltwater anglers) are the least migratory, remaining close to their home streams throughout their lives. Chinook (the

(1) Scientists have recently reclassified steelhead as belonging to the genus *Oncorhynchus* (Pacific salmon), instead of the genus *Salmo* (Atlantic salmon). The fish, which spawns more than once, are highly prized by anglers. Although a minor species in terms of catch statistics, steelhead have a disproportional recreational value because of their "fighting" ability.

(2) Peter H. Pearse, *Turning the Tide: A New Policy for Canada's Pacific Fisheries*, Final Report, The Commission on Pacific Fisheries Policy, Vancouver, September 1982, p. 10.

(3) For example, chinook salmon is also called the king, spring or blackmouth. Standing Senate Committee on Fisheries, *The Marketing of Fish in Canada: Interim Report II on the West Coast Fisheries*, December 1987.

(4) A "stock" of salmon is the salmon of one species that inhabit a particular stream. There are about 300 stocks of sockeye, 700 stocks of pink, 970 stocks of chinook and 880 stocks of chum salmon in British Columbia. Each stock is a genetically distinct population and, ideally, should be managed separately to ensure conservation. This can be a problem because stocks often mingle and migrate together on the fishing grounds.

largest salmon) stay close to the shore but migrate long distances along the coast of Oregon, Washington, British Columbia and Alaska (rather than entering the North Pacific Ocean).⁽⁵⁾

Pacific salmon begin to migrate toward their ancestral streams in order to spawn in the late spring and summer of their last sea year.⁽⁶⁾ As the fish travel upstream in freshwater, they cease to feed and live off their stores of body fat and protein. Their bodies alter because of hormonal changes and assume various spawning colours. Travelling through opposing currents and waterfalls, encountering predators along the way, the fish arrive battered on the gravel beds where they themselves were spawned and where they pair off to spawn and soon afterward die.

The eggs are covered by gravel and incubate over the winter before hatching into alevin and emerging as fry in the spring. Pink and chum salmon fry head for the ocean right away, while the other species feed and grow in freshwater for up to two years before finding their way to saltwater. At this stage of development, the fish are called smolt and can measure up to 12 cm in length. Depending on the species, salmon spend between one and seven years in the ocean.

SALMON INTERCEPTIONS

The salmon fishery -- the most valuable commercial fishing activity on the West Coast -- sustains an important industry in both Canada and the United States.⁽⁷⁾ The fish also have great cultural and economic significance for Native people. Sport or recreational salmon fishing in the region also makes a significant and valuable contribution to the local economies of many coastal communities.

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- (5) See L.S. Parsons, *Management of Marine Fisheries in Canada*, National Research Council and Department of Fisheries and Oceans, Ottawa 1993, p. 100, 336-337.
- (6) Salmon are "anadromous" by nature; this means they hatch in freshwater, swim to the ocean to grow and mature, and only return to freshwater to reproduce. See Department of Fisheries and Oceans, *Pacific Salmon: Underwater World*, Supply and Services Canada, 1990.
- (7) Three basic gear types are used in the commercial fishery: gill nets, purse seines and trolling gear. Gill nets (which capture passing salmon by entangling their gills) have traditionally been used mainly in or near the mouths of rivers or at the head of inlets (wherever salmon concentrate on their migrations towards the spawning grounds). Purse seiners (using nets which surround salmon) usually fish in straits or passages along migration routes where salmon are concentrated. Commercial vessels using multiple lines and baited hooks (the troll fishery) generally fish in open waters in nearshore areas.

The migratory patterns of salmon allow American fishermen to “intercept” (i.e., catch) Canadian stocks and Canadian fishermen to intercept those of U.S.-origin. Because American and Canadian stocks mix with each other in the ocean, these interceptions are unavoidable. Major intercepting fisheries have been identified through research conducted by the two countries: Alaskan fishermen catch salmon bound for British Columbia, Washington and Oregon; Canadian fishermen off the west coast of Vancouver Island capture salmon bound for rivers of Washington and Oregon; and fisheries in northern British Columbia intercept salmon returning to Alaska, Washington and Oregon; United States fishermen catch Fraser River salmon as they travel through the Strait of Juan de Fuca and the San Juan Islands towards the Fraser River.⁽⁸⁾

As well, there are the Pacific region’s “transboundary” rivers, whose systems originate in Canada but flow into United States coastal waters. Major transboundary rivers in northern British Columbia include the Taku, the Stikine and the Alsek, which have approximately 95% of their drainage systems within Canadian territory.⁽⁹⁾ As well, the 1,980-mile long Yukon River originates in the Yukon Territory, crosses the Canada-U.S. border and flows through Alaska to the Bering Sea.⁽¹⁰⁾

The problem of salmon interceptions has been discussed by the two countries since the early part of this century. The earliest disputes in the late 1800s concerned U.S. catches of Canadian-origin sockeye returning to the Fraser River to spawn. From then on, the scope and magnitude of interceptions broadened considerably, to include all interceptions in the areas mentioned above.⁽¹¹⁾

(8) Pacific Salmon Commission, *1995/96 Eleventh Annual Report*, Vancouver B.C., p. xi.

(9) Smaller rivers include the Unuk, Whiting and Chilkat.

(10) The Yukon River supports a substantial U.S. commercial fishery, mainly conducted by local native people, in the lower reaches of the river. Subsistence fisheries by natives are important on both sides of the border. There is also a relatively smaller Canadian commercial fishery. The PST proposed separate negotiations commencing in 1985 to develop an organizational structure to deal with Yukon River issues. Parsons (1993), p. 342.

(11) Parsons (1993), p. 337.

THE 1985 CANADA-U.S. PACIFIC SALMON TREATY

The Canada-United States Pacific Salmon Treaty (PST) entered into force upon the exchange of instruments of ratification in 1985. The result of almost 15 years of negotiation, the Treaty established a Pacific Salmon Commission (PSC) to advise each country on matters pertaining to it and to serve as a forum for annual management plans for major intercepting fisheries (Article II).⁽¹²⁾ Three Panels, assigned to particular regional fisheries along the coast, were also created to provide management advice to the Commission for development of annual fisheries plans. These are: a Southern Panel (for salmon originating in rivers south of Cape Caution in B.C., except for Fraser River sockeye and pink salmon); a Northern Panel (for salmon originating in rivers between Cape Caution and Cape Suckling in Alaska, including the transboundary rivers); and a Fraser River Panel for Fraser River sockeye and pink salmon in southern B.C. and northern Puget Sound. The fisheries plans, once adopted by the PSC and the governments, are implemented by the management agencies in each country.⁽¹³⁾

The Treaty includes, in the form of an annex, a group of short-term management plans directed at six specific sets of fisheries.⁽¹⁴⁾ The primary function of the Commission and its panels is to negotiate new management plans as the old ones expire. It is noteworthy that the

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- (12) The PSC is divided into two national sections, with commissioners appointed by each nation. Enabling legislation in the United States prescribes that the U.S. section has one member from Alaska, one from Oregon or Washington, one representing treaty tribes, and one non-voting federal official. The Canadian section is led by the federal Department of Fisheries and Oceans and includes representatives from First Nations, recreational and commercial fisheries, and the Province of British Columbia. The Treaty also established several scientific and technical committees which provide the Commission with data on stocks and fisheries. See the Fraser River Sockeye Public Review Board, *Fraser River Sockeye 1994: Problems and Discrepancies*, Public Works and Government Services Canada, 1995, p. 5.
- (13) The Fraser River Panel, in addition, is accorded special responsibility for in-season regulation of Fraser River sockeye and pink fisheries of Canada and the U.S. in an area designated as Fraser River Panel Area Waters.
- (14) The short-term management plans are contained in Annex 4. The fisheries covered by the plans are: Fraser River sockeye and pink salmon fisheries; fisheries based on salmon which spawn in the transboundary rivers, defined as those that rise in Canada and flow to the sea through the United States; fisheries based on salmon from the boundary area between British Columbia and Alaska; chinook fisheries; coho fisheries; and chum fisheries of southern B.C. and Washington. The Treaty also contains a Memorandum of Understanding on the parties' interpretations of certain terms. In mid-1985, the two parties carried out an Exchange of Notes covering their understandings with respect to the phasing out of the International Pacific Salmon Fisheries Commission.

Commission is not empowered to negotiate the Treaty articles; these were agreed to by both countries and can be changed only by governments. Annual negotiations revolve around revisions to the Annexes and addition of Memorandums of Understanding that clarify specific activities.

The Preamble of the Treaty recognises "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." The second paragraph of the Preamble reflects the provisions of Article 66 of the Law of the Sea Convention concerning anadromous stocks, recognising "that States in whose waters salmon stocks originate have the primary interest in and responsibility for such stocks."

Article III requires each country to conduct its fisheries and enhancement programs to prevent over-fishing and provide optimum production⁽¹⁵⁾ of Pacific salmon (the *conservation* principle) and to ensure that each country receives benefits "equivalent to the production of salmon originating in its waters" (the *equity* principle). On this latter principle, there is an obligation on the party that has disadvantaged the other party to propose ways to remedy the imbalance. The Treaty acknowledges "the desirability in most cases of reducing interceptions."

In regard to transboundary rivers in Southeast Alaska, where most spawning areas for salmon are located in Canadian territory, the Treaty provides for co-operative management of the stocks (Article VII).⁽¹⁶⁾ There is also a separate provision establishing a schedule for negotiation related to Yukon River fisheries (Article VIII). Although steelhead are of little interest to commercial fishermen, the Treaty requires the PSC and Treaty Panels to take into account the conservation of these fish in fulfilling their functions (Article IX).

Although there is a dispute settlement procedure in the Treaty (Article XII, Annex III), this is confined to technical matters: either party may submit to the Chairman of the PSC any dispute concerning estimates of interception or data related to questions of over-fishing. The Chairman then submits a dispute to a Technical Dispute Settlement Board, whose findings are to be binding.

(15) The PST, however, does not define "optimum production."

(16) Lower river spawning grounds and estuary rearing areas are in U.S. sections of the rivers. The Columbia River is exempt because the salmon stocks originating in Canadian portions of the river are a very small proportion of the total population.

THE IMPASSE

Under the PST, arrangements dealing with specific management measures are to be re-negotiated periodically. In 1992 and 1993, the two countries relied on one-year bilateral agreements without having resolved any of their outstanding differences on issues; negotiations in 1994 or 1995, both within the PSC and on a government-to-government basis, were unsuccessful in producing agreement on fishery regimes or the equity issue.⁽¹⁷⁾ In conjunction with multi-year fishing arrangements, Canada has sought an agreement to ensure the implementation of the equity principle.

Alaskan interceptions of Canadian-origin stocks, in particular, have been consistently larger and more valuable than Canadian interceptions of Alaskan stocks, especially since 1985. In the south, Canadian interceptions of U.S.-origin salmon from Washington and Oregon have declined steadily since the 1980s. Both countries agree that the United States intercepted 2.4 million more salmon than Canada in 1985 (the year when the PST was ratified), a figure that has since more than doubled to 5.3 million fish (worth about C\$70 million wholesale, according to Canadian estimates).⁽¹⁸⁾ The accumulated imbalance in interceptions has been estimated to be approximately 35 million fish in 1996 (worth about C\$500 million) in the U.S.'s favour.

As it stands, there is no formula for calculating "equity" when investments are made in salmon enhancement⁽¹⁹⁾ or in terms of forgone fishing opportunity.⁽²⁰⁾ Moreover, there is no formula to calculate equity for interceptions of different species of fish. Canada has proposed a

(17) Pacific Salmon Commission, *1995/96 Eleventh Annual Report*, Vancouver B.C., p. iii. The Fraser River Chapter in Annex IV expired in 1992, and agreed provisions coastwide for chinook and coho, for southern and northern boundary chum salmon also expired following the 1992 fishing season.

(18) Department of Fisheries and Oceans, "The Pacific Salmon Treaty: An Overview," *Backgrounders*, May 1996.

(19) Without equity, it makes little economic sense for either country to enhance the resource, forgo catches or rehabilitate fish habitat. Canada's Pacific Salmonid Enhancement Program (SEP) was introduced in 1977 to rebuild salmon populations, conserve threatened stocks, raise public awareness of the resource, generate employment and economic benefits to coastal and aboriginal communities, and improve scientific understanding of salmonid populations. The program operates hatcheries, spawning channels and fishways, and provides technical expertise and financial support for volunteer projects, participates in habitat improvement projects, funds lake enrichment programs, and distributes educational packages to school children.

(20) For example, since 1987, Canada has assisted the United States in addressing the conservation problem for southern U.S. coho stocks by closing its net fisheries at the southern end of Vancouver Island because of high concentrations of U.S.-origin coho salmon in the area.

system based on a "sockeye equivalents" formula, a method used in Canada to help resolve conflicts among the country's different gear types.

...Under this system, salmon of all species are given a value relative to sockeye. If a certain gear type or management area exceeds its catch, the amount of fish it would have to forgo in subsequent years could be determined by calculating the catch relative to the value of sockeye. In Southeast Alaska, for example, this might mean allowing more pinks to flood into northern B.C. in a year following high interception of Fraser River sockeyes.⁽²¹⁾

Negotiations with the United States on the Treaty principles of conservation and the fair balance of interceptions have been frustrated by divergent and conflicting positions within the U.S. delegation. While the federal Department of Fisheries and Oceans manages salmon in British Columbia, separate state departments of fish and game oversee salmon fishing in Alaska, Washington and Oregon. Washington and Oregon both want a reduction of the Canadian catch of their depleted chinook and coho, but Canadian interceptions for the region have declined steadily over the last decade. Put simply, issues relevant to one of these U.S. states are not typically of concern to the other and each negotiates independently of the U.S. federal government.⁽²²⁾ Canada has voiced its displeasure at having to negotiate on a nation-to-state basis, rather than as one sovereign country to another.

KEY SALMON STOCKS

A. Sockeye

Fraser River sockeye salmon are the economic backbone of Pacific commercial fisheries in both Canada and the United States. The Fraser is the largest producer of sockeye in the world, supporting some 100 distinct stocks. The fish usually represent 50% of the total

(21) T.J. Doherty, "An End to Coastwide Salmon Skirmishes?" *Pacific Fishing*, April 1994, p. 33.

(22) In contrast to the Canadian system where management of marine fisheries rests exclusively with the federal government, the American system grants considerable management powers to individual states; hence, in negotiations, one could think of the states of Washington, Oregon and Alaska, and the U.S. federal government as separate players.

salmon catch from the Fraser River⁽²³⁾ and are known to have a four-year life-cycle, resulting in four distinct year classes which vary in abundance (the 1992 brood year being the smallest). In 1996, more sockeye than forecast returned to spawn.⁽²⁴⁾

In northern British Columbia, Nass and Skeena River sockeye, which mature in the high seas, usually account for about 50% of the value of the catch. The return migration of the fish takes them through Southeast Alaskan fisheries where more than 60% of the sockeye harvested are believed to be of Canadian origin. Over 25% of the Skeena River catch and 50% of the Nass River catch are believed to be harvested in Southeast Alaska.⁽²⁵⁾

B. Chinook

Chinook salmon tend to migrate along the coast of Oregon, Washington, British Columbia and Alaska, rather than through the North Pacific Ocean. This migration route, which passes through a sequence of fisheries, has led to over-harvesting of many stocks. Under the 1985 Pacific Salmon Treaty, Canada and the United States agreed on a chinook conservation program to rebuild stocks from both countries by 1998. Since then, the impact of all Canadian fisheries on U.S. stocks has been substantially reduced in accordance with the rebuilding program; the same, however, cannot be said for Alaskan fisheries.

Many Canadian-origin chinook stocks are severely depleted, in particular those on the west coast of Vancouver Island. In Southeast Alaska, an area where 90% of the fish originate in Canada and the states of Washington and Oregon, the impact of fishing Canadian

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- (23) The fishery in Johnston Strait accounts for most of the Canadian catch, followed by the fishery in Juan de Fuca Strait, the Strait of Georgia (including the in-river fishery) and off the west coast of Vancouver Island. Smaller amounts of sockeye are taken on B.C.'s north coast. American fishermen harvest Fraser River sockeye mainly in the Juan de Fuca Strait and, to a lesser extent, in Southeast Alaska; on average, U.S. catches account for about 18% of the total.
- (24) Department of Fisheries and Oceans, "1996 Fraser River Salmon Season Exceeds Expectations," *News Release*, 27 September 1996; Mark Hume, "Sockeye Return Exceeds Forecast by Three Million," *The Vancouver Sun*, 1 October 1996, p.4. Prior to the start of the fishing season, scientists believed that the year-class had experienced high rates of ocean mortality because of warmer water temperature and a higher level of predation by mackerel.
- (25) Department of Fisheries and Oceans, "The Pacific Salmon Treaty: An Overview," *Backgrounders*, May 1996.

stocks is said to have been almost equal to that of Canadian fisheries.⁽²⁶⁾ It is noteworthy that in 1995 Alaskan authorities were unwilling to cooperate on measures to conserve chinook salmon and unilaterally set a catch limit outside the bilateral procedures provided in the PST. A U.S. District Court, however, closed the commercial chinook fishery earlier than planned as a result of legal proceedings initiated by U.S. Pacific Northwest tribal groups, along with the States of Washington and Oregon.⁽²⁷⁾ The groups maintained that Alaska's fishery was inconsistent with a 1985 court order requiring Alaska to comply with the chinook rebuilding program under the PST.

While Canada closed all targeted chinook fisheries and all sport and aboriginal fisheries on the west coast of Vancouver Island for the 1996 season, the U.S. unilaterally announced chinook catch limits that were two and a half times larger than levels recommended by Canadian scientists.⁽²⁸⁾

C. Coho

Under the PST, Canada's coho fishery off the west coast of Vancouver Island has been subject to a specified catch limit. Canadian troll catches have been well below the ceiling and, since 1985, Canadian interceptions have been reduced by more than half. As well, at the southern end of Vancouver Island, where there are high concentrations of U.S.-origin coho, the Canadian net fishery has been closed. Thus, coho stocks originating in the southern U.S. have benefited from Canada's measures to conserve the stock. Despite these restrictions on fishing, however, conservation has been difficult: poor ocean conditions and deteriorating freshwater habitat are believed to have been major impediments.

Although poor ocean survival may also have adversely affected coho salmon originating in northern B.C. rivers, a long-standing and serious conservation concern for

(26) *Ibid.*

(27) Canada joined the legal action as an "amicus curiae" (friend of the court).

(28) For the 1995 season, Canada imposed severe restrictions on the harvest of chinook salmon in domestic fisheries, including a 50% reduction in harvest rate for chinook originating on the west coast of Vancouver Island. The states of Washington and Oregon took similar actions. See Department of Fisheries and Oceans, "Canada Criticizes U.S. Chinook Management Plans for 1996," *News Release*, 27 June 1996.

Canada has been the escalation of U.S. interceptions in Southeast Alaska, an area where there have been no agreed limits to protect Canadian-origin coho salmon⁽²⁹⁾ and where interceptions reportedly increased four-fold for the period between 1987-1994.⁽³⁰⁾

On the Skeena River, the number of spawning coho has declined steadily since the early 1970s to reach record lows in 1992 and 1993. Fisheries in Southeast Alaska reportedly take over 65% of the ocean catch and account for 50-70% of total mortality. In 1984, Canada began unilaterally to introduce measures such as fisheries closures, to conserve the fish, expanding these measures in recent years to apply to all sectors of its industry.⁽³¹⁾ Since 1990, however, the impact of Alaskan troll fisheries on Canadian coho is said to have almost doubled.

CONCLUSION

In sum, 11 years after the signing of the Canada-U.S. Pacific Salmon Treaty, the equity principle has still not been fully implemented, and serious conservation problems are apparent. For the many groups who rely on Pacific salmon for sustenance, pleasure or profit, the challenge is to ensure that the cornerstone principles of the Treaty are developed and implemented to their full potential.

CHRONOLOGY

- 1820s - The Hudson's Bay Company began to export salted Fraser River salmon to Hawaii.
- 1892 - The first formal bilateral discussions between Canadian and American officials on matters pertaining to Fraser River sockeye were held.
- 1908 - The Bryce-Root Treaty was signed by Canada (represented by Great Britain) and the United States, establishing a Fisheries Commission to

(29) No catch ceilings are used, rather fisheries are managed on an in-season assessment of salmon run strength.

(30) Department of Fisheries and Oceans, "The Pacific Salmon Treaty: An Overview," *Backgrounders*, May 1996.

(31) *Ibid.*

address the problem of interceptions of Fraser River sockeye. The Commission soon ceased to function, however.

- May 1926 - The Convention for Protection, Preservation and Extension of the Sockeye Salmon Fishery in the Fraser River System was signed by Canada and the United States.
- 1946 - The International Pacific Salmon Fisheries Commission (IPSFC) began to regulate the Fraser River fishery. Initially, a 50/50 sharing of sockeye was set in the Convention area. By means of a protocol, the scope of the Fraser River Sockeye Treaty was later broadened (in 1956) to include pink salmon.
- 1957 - Canada and the United States reached an informal agreement whereby each country voluntarily established administrative lines ("surflines"), seaward of which fishing by nets was prohibited.
- 1970 - Canada and the United States negotiated a Reciprocal Fishing Agreement under which access by troll fishermen of both countries was curtailed within the 3-to-12 mile zone of the other country. This was renegotiated in 1973. The 1970 agreement provided that the two countries would begin negotiations on all matters of mutual concern related to the Pacific salmon fisheries.
- June 1971 - The two countries tentatively agreed upon a set of general fisheries principles in support of avoiding interceptions and equitably balancing interceptions.
- 15 December 1984 - Canadian and U.S. representatives reached an agreement on a new Pacific Salmon Treaty.
- 18 March 1985 - The Canada-United States Pacific Salmon Treaty entered into force when Prime Minister Mulroney and President Reagan exchanged instruments of ratification at the "Shamrock Summit" in Quebec City.
- February 1989 - A Memorandum of Understanding established an *ad hoc* Joint Interceptions Committee to investigate and attempt to resolve the differences in the interception estimates put forward by each country.
- June 1993 - Canada and the United States agreed to government-to-government negotiations aimed at achieving an agreement on implementing the equity principle. A series of negotiating sessions followed, starting in August 1993.

- 26-27 May 1994 - Canada's Minister of Fisheries and Oceans and B.C.'s Minister of Agriculture, Fisheries and Food met with U.S. Senators, Members of Congress, and U.S. federal officials in Washington D.C.
- 9 June 1994 - Canada's Minister of Fisheries and Oceans announced the creation of a special 20-member Minister's Advisory Panel on Pacific Salmon. It includes representatives of Canadian sport, commercial and aboriginal fisheries to ensure thorough consultation and to facilitate support for the approaches taken by Canada. The Advisory Panel held its first meeting on 15 June.
- 15 June 1994 - A new licence requirement was announced by Canada's Minister of Fisheries and Oceans and B.C.'s Minister of Agriculture, Fisheries and Food: all U.S. commercial fishing vessels traversing key water passages along the coast of British Columbia (between Vancouver Island and the mainland, Fitzhugh Sound, Finlayson, Princess Royal Channel, Principe Channel, Grenville Channel and Laredo Sound) would be required to purchase a licence at a fee of \$1,500 for each trip, effective 15 June.
- 23 June 1994 - Canada's Ambassador to the United States met with the U.S. Vice-President Al Gore. The Marine Commission of the State of Washington decided not to impose a fee on Canadian ships sailing through the Strait of Juan de Fuca.
- 30 June 1994 - The House Merchant Marine and Fisheries Committee of the United States House of Representatives approved legislation to reimburse U.S. fishermen for the transit fee charged by Canada.
- 2 July 1994 - Canada and the United States announced that they were resuming negotiations on the conservation and management of the Pacific salmon resource. Canadian officials announced the lifting of the licence requirement for U.S. fishing vessels (in effect since 15 June) in response to a commitment from U.S. Vice-President Al Gore that the United States would resume negotiations in good faith.
- 7 July 1994 - The U.S. Ambassador for Oceans (David Coulson) met with Canada's Deputy Minister of Fisheries (Bill Rowat) to set up a framework for future meetings to discuss the management of Pacific salmon stocks.
- 16 July 1994 - Canada's Deputy Fisheries Minister and the U.S. Deputy Secretary of Commerce (Douglas Hall) met but failed to reach an agreement.
- 20 July 1994 - The Pacific Salmon issue was raised by the Prime Minister and the Minister of Fisheries and Oceans during a visit by the U.S. Vice-President to Ottawa.

- 22 July 1994 - Canada's Minister of Fisheries and Oceans announced that there was sufficient progress to continue negotiations with the United States.
- 28 July 1994 - Canada's Minister of Fisheries announced a "stand-alone" fishing plan for 1994; although two high-level government-to-government meetings were held in July 1994, Canada had been unable to negotiate a bilateral arrangement with the United States. The Minister stated that Canada's strategy would be to maintain conservation as the top priority, to ensure that constitutional obligations to the First Nations were met, and to recognise the importance of achieving allocation objectives for commercial fisheries.
- 2 February 1995 - Canada responded to a U.S. proposal which acknowledged, for the first time the imbalance in Pacific salmon catches in favour of the United States and which offered cash compensation for certain past imbalances. The compensation offer was linked to the adoption of an "abundance-based" management system, with each country entitled to catch, in intercepting fisheries, agreed percentages of the harvest (total run less spawner escapement). The proposal would have set percentage limits; the Pacific Salmon Treaty recommends numerical limits. Canada's counter-proposal was intended to achieve the following objectives: meet the conservation needs of both countries; provide for long-term stability in the Pacific salmon fisheries; reduce the imbalance in interceptions which now favours the United States; and provide fair returns to the fishers of both countries.
- 3 February 1995- Canada's Minister of Fisheries and the Minister of Foreign Affairs announced that Canada and the United States had signed an interim three-year agreement on Yukon River salmon (in effect until 31 December 1997). This established a program to stabilize and rebuild Canadian-origin chinook and chum salmon; set Canadian catch levels and U.S. border escapement requirements (i.e., the number of salmon that must be allowed to cross into Canada) during the stabilization and rebuilding program; and created a fund, financed by the United States, to rebuild Canadian-origin stocks in order to offset American catches of Canadian-origin Yukon salmon (pending conclusion of a long term catch-sharing agreement).
- The agreement, which took ten years to negotiate and which is consistent with the interim agreement signed by the two countries under the PST, established a Yukon River Panel comprising six members from each country to make recommendations on the management and conservation of Canadian-origin Yukon salmon. Negotiations on a long-term agreement (e.g., dealing with catch allowances once stocks are rebuilt) were expected to resume in the fall of 1995.

- 27 July 1995 - A harvesting agreement on Fraser River Sockeye fisheries was reached between Canada and the U.S.; a pre-season fishing plan was developed on 28 July. The Fraser River Panel assumed regulatory control on 2 August. Between late June and 2 August, when the Panel was not functioning, each country unilaterally managed its respective fisheries.
- 11 August 1995 - A U.S. District Court judge granted a temporary injunction halting Alaskan commercial chinook fishing earlier than planned. The legal proceedings were initiated by U.S. Pacific Northwest tribal groups, along with the States of Washington and Oregon who maintained that Alaska's fishery was inconsistent with a 1985 court order requiring the State of Alaska to comply with the chinook rebuilding program under the PST. The injunction was subsequently sustained on 7 September.
- 25 August 1995 - Canada and the United States announced the appointment of an independent mediator, Ambassador Chris Beeby of New Zealand, a reknowned international diplomat who assumed his duties in October 1995. Resolution of the equity issue was not achieved through this process, and the Ambassador resigned in March 1996.
- 16-18 April 1996 - The Yukon River Panel held its inaugural meeting in Whitehorse and agreed to the first six years of a rebuilding plan for Canadian chinook. A Joint Technical Committee was charged with developing options for consideration at a meeting of the Panel scheduled to meet in November 1996.
- 26 June 1996 - U.S. officials announced that Alaska's catch of chinook salmon would be set at 150,000 pieces, more than double the limit recommended by Canada.
- 15 July 1996 - Canada announced that it was referring the dispute with the U.S. over chinook salmon catches in Southeast Alaska to a technical dispute settlement board to be established under the Pacific Salmon Treaty. Also announced were regulations requiring U.S. fishing vessels wishing to travel through Canadian waters (i.e., on their way to or from Alaska) to notify the Department of Fisheries and Oceans in order to obtain clearance for their passage. Such vessels would also be required to show their fishing gear when in Canadian waters.
- 22 July 1996 - The terms of a one-year agreement between Canada and the United States on the management of Fraser River sockeye salmon was announced by Canada's Minister of Fisheries and Oceans. Under the agreement, both countries agreed not to conduct a commercial fishery for Fraser River sockeye in 1996 and to transfer management responsibility for managing

Fraser River sockeye to the Fraser Panel of the PSC. However, a commercial fishery would be allowed in the event of larger than expected returns, with the U.S. share of any harvest set, by agreement, at 16.1%. The allowable catch was defined as the portion of the Fraser River sockeye run remaining after spawning escapements and the Canadian aboriginal fishery exemption of 400,000 sockeye. The agreement also allowed for a limited fishery for 50,000 summer run sockeye for aboriginal people in the United States. In exchange for limits on the U.S. catch of Fraser River sockeye, Canada agreed to reduce the catch ceiling for coho salmon stocks off the west coast Vancouver Island to 1.0 million fish, down from the 1.1-1.4 million level outlined in the 1996 management plan for those stocks.

27 September 1996 - The PSC provided its final in-season report on the Fraser River sockeye run at a meeting of the Fraser Panel: the run turned out to be much better than expected. Spawning escapements were reportedly increased and limited Canadian and U.S. fisheries were conducted.

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