

2002

PAPERS IN REVERSE ORDER

Department of External

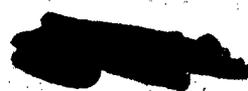
ACKK

CLASSIFIED

File No.

25-5-7-2-SALMON-1

ACRI



Subject:

BOUNDARIES - WATER - HIGH SEAS

INTERNATIONAL PACIFIC SALMON

FISHERIES COMMISSION - CANADA-USA

Vol. 3 /
From 21 October
To 73-12-31

References to Related Files

File No.

Subject

CLOSED

File No. 25-5-7-2-SALMON-1

file
MA 4/13
Proy

25-5-7-2-5A/mor-1
11

C O N F I D E N T I A L

FM WSHDC 1232 APR 12/73

TO EXTOTT PDM*****FLASH

INFO TT ITCOTT/DELAGE DE OTT

ENVOTT/MIN/YOUNG JUSTICEOTT DE OTT

DISTR MIN FLP FLO GWU ECS (ECL)

REF MEMO TO CABINET MAR23 AND BEESLEY/LAPOINTE-APPLEBAUM TELECON

APR 12

---CDA-USA RECIPROCAL FISHERIES AGREEMENT NEGOTIATIONS

AT BEESLEYS REQUEST FOLLOWING IS SITREP FOR MINISTER.REF MEMO (PARA3 (C)

(IV) ON PAGE4) WARNED OF PROBLEM REGARDING CDN TROLL FISHERY FOR SALMON OF STATE OF WASHINGTON AND EXPLAINED IMPORTANCE OF THIS FISHERY AND UNACCEPTABILITY OF LIKELY USA PROPOSAL TO CURTAIL IT IN ADVANCE OF SEPARATE SALMON TALKS TO BE HELD IN SEATL MAY2-4.MEMO ACCORDINGLY REQUESTED AUTH TO EXTEND AGREEMENT 90 DAYS TO PERMIT COMPLETION OF SALMON TALKS AND FURTHER CONSIDERATION OF QUESTIONS INVOLVED.

2.PROBLEM COVERED IN MEMO HAS MATERIALIZED ALMOST EXACTLY AS FORE-SEEN,EXCEPT THAT USA IS AT THIS POINT INSISTING THAT EXTENSION BE LTD TO MAY10,DESPITE RPTD INSISTENCE BY CANDEL THAT THIS DEADLINE POSES VIRTUALLY INSUPERABLE PROBLEMS REGARDING PREPARATION OF POSITIONS, CONSIDERATION BY CABINET ETC.MAY10 IS OPENING DATE OF HALIBUT FISHERY AND USA HOPES BY INSISTENCE ON THIS DATE TO PRESSURE CDN GOVT TO EXTEND AGREEMENT,WITHOUT THE SALMON FISHERY,TO ALLOW CDN HALIBUT FISHERY TO COMMENCE OPERATIONS IN USA CONTIGUOUS ZONE.

3.ALTERNATIVE TO EXTENSION OF AGREEMENT IS OF COURSE THAT IT LAPSES

...2

PAGE TWO 1232 CONFD

AUTOMATICALLY ON APR23. MEMO TO CABINET AND CABINET DECISION DID NOT/
NOT CONTEMPLATE LAPSE. IN ACCORDANCE WITH INSTRUCTIONS FROM LPAOINTE,
FLO, CANDEL WILL CONTINUE TO INSIST UNTIL FURTHER INSTRUCTIONS
RECEIVED ON EXTENSION OF AGREEMENT FOR REASONABLE PERIOD BEYOND MAY10.
IT MAY BE ADVISABLE TO BREAK UP MTG FRI ON THIS NOTE AND DECIDE NEXT
WEEK WHETHER TO TAKE UP USA OFFER OF MAY10, IF OFFER THEN STILL STANDS.
ALTERNATIVE IS, AS INDICATED BEFORE, LAPSE OF AGREEMENT ON APR23, AND
LIKELY EXCLUSION OF CDN FISHERMEN FROM USA CONTIGUOUS ZONE, AND
NECESSITY FOR CONSIDERATION OF EQUIVALENT ACTION BY CDA. GRATEFUL FOR
INSTRUCTIONS BY 12 NOON FRI APR13.

4. IF REASONABLE EXTENSION OF AGREEMENT CANNOT/NOT BE ACHIEVED, CANDEL
HAS DEVELOPED TWO ALTERNATIVE PROPOSALS (A) ESTABLISHMENT OF A TRADE-
OFF ITEM OF VALUE TO USA, TO BE DROPPED FROM AGREEMENT IF CDN SALMON
TROLL FISHERY IS DROPPED AND NO/NO SUITABLE AGREEMENT IS REACHED IN
SEATL MAY2-4. RECIPROCAL AGREEMENT COULD THEN CONTINUE WITH BALANCED
LOSSES ON BOTH SIDES (B) EXTENSION OF AGREEMENT TO MAY10 IF NECESSARY
AND NEGOTIATIONS BEFORE THAT DATE TO DISCUSS PHASING OUT, RATHER THAN
IMMED EXCLUSION, OF FISHERIES IN ALL WATERS UNDER NATL JURISDICTION. AS
CABINET DECISION DID NOT/NOT INCLUDE THESE PROPOSALS IN CANDELS
TERMS OF REF BUT PROVIDED FOR MINISTERIAL AUTHORIZATION BY SSEA AND
MIN OF ENV IN THESE CIRCUMSTANCES, GRATEFUL FOR APPROPRIATE
INSTRUCTIONS BY 12 NOON FRI APR13.

5. FOR YOU FURTHER INFO, INDUSTRY ADVISERS PRESENT HAVE UNANIMOUSLY
ENDORSED TERMINATION OF AGREEMENT IF APPROPRIATE COMPROMISE CANNOT/
NOT BE REACHED.

12 1948Z 500

000006

FLO/P.A. LAPOINTE/FD

EXTERNAL AFFAIRS



AFFAIRES EXTÉRIEURES

s.23

TO
À GWU

SECURITY
Sécurité

FROM
De P.A. LAPOINTE (FLO)

DATE April 13, 1973

REFERENCE
Référence

NUMBER
Numéro

SUBJECT
Sujet Negotiations with the United States on salmon problems of mutual concern.

FILE	DOSSIER
OTTAWA	
25-5-7-2-Salmon-1	
MISSION	
11	/

ENCLOSURES
Annexes

1

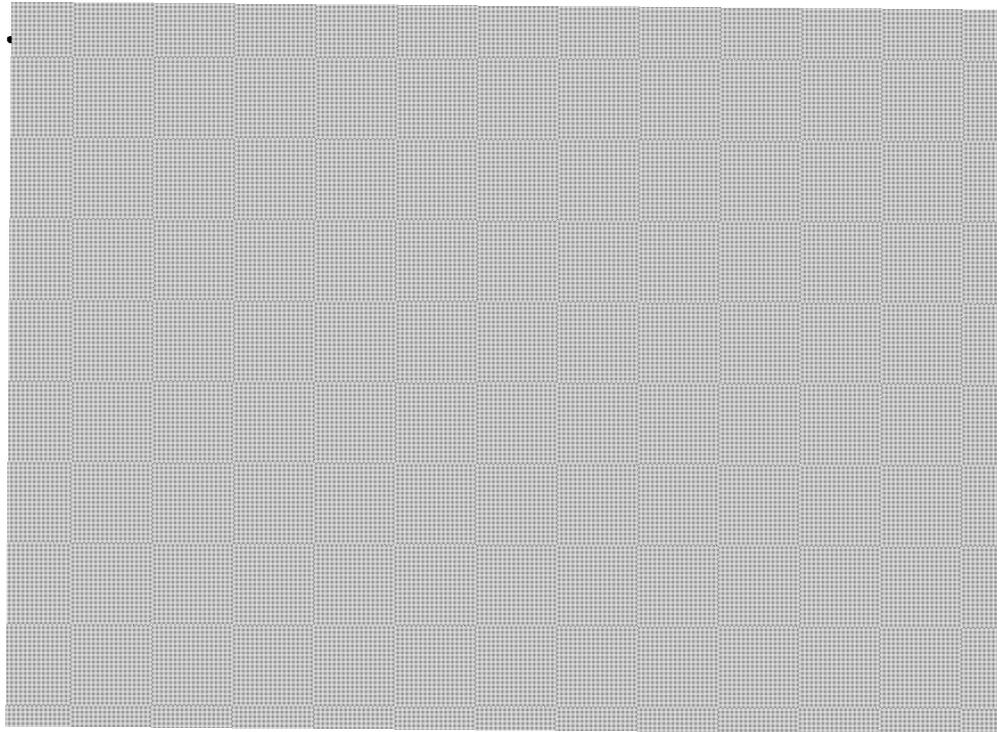
DISTRIBUTION

ECT
ECS

APR 16 1973

U.S.A. DIV.

BW	PC
2	2
3	3
4	4
5	5



Comments? + return please.
(Fraser River Convention seems key, & like Skagit, we have to start from our earlier signature.)

[Signature]
for Legal Operations Division.

It seems we have to negotiate around the Fraser shoals as you suggested. Perhaps it would be worthwhile (if possible?) to try to bring our figures into balance. (Pl. para 4) JP.

Spoke FLO ("OK by GWU")
+ file R

25-5-72-SALMON-1

THIS DOCUMENT IS THE PROPERTY OF THE GOVERNMENT OF CANADA

CONFIDENTIAL

MEMORANDUM TO THE CABINET

*(attached to CWN memo)
8/13/4/73*

Discussions with the United States on
Salmon Problems of Mutual Concern

SUMMARY

Problem

Canadian and United States fishermen intercept salmon bound for rivers in the other country. Canada suffers a net loss from such interceptions. The situation is complicated by the Fraser River Convention which provides for equal sharing the catches from sockeye and pink runs to the Fraser. In 1971, agreement was reached on the principle of avoiding interceptions but in subsequent discussions, agreement could not be reached on its implementation.

Objectives

To obtain the necessary authority to discuss this problem with representatives of the United States in Seattle on May 2-4 and to prepare a draft agreement for submission to the two governments.

Factors

- (i) Historically, many more Canada-bound salmon (mainly pink and sockeye in the Fraser River Convention Area) have been intercepted by United States fishermen than United States-bound salmon by Canadian fishermen (mainly chinook and coho in the troll fishery off the west coast of British Columbia and Washington).
- (ii) The difference in the value of these interceptions has been reduced appreciably in recent years to about \$3 million in favour of the United States based on Canadian data and \$0.5 million in favour of Canada based on United States data.
- (iii) Many of the intercepting fisheries by both countries could be eliminated while still permitting a maximum harvest of the stocks involved by the country of origin.
- (iv) Immediate minimization of interceptions would benefit Canada's inshore net fishermen operating on pink and sockeye and United States sport and commercial fishermen operating on chinook and coho but would cause hardships on Canadian troll fishermen and on United States net fishermen, particularly those fishing on approaches to the Fraser.
- (v) Most (\$7.9 million of \$11.1 million) of the interceptions by the United States are taken as the United States 50% share of the Fraser catch under the Fraser River Convention. It would therefore be impossible to reduce interceptions, or even to achieve a balance while limiting interceptions to their present level, without modifications in this Convention.
- (vi) Long-term benefits from the proposed Fraser River enhancement program, estimated at \$14.7 million annually, should appreciably exceed any short-term gains in increased production from Columbia River and Puget Sound hatcheries, thus aggravating the present imbalance.

Conclusions

It would be to Canada's advantage to achieve agreement on the limitation and progressive minimization of salmon interceptions while maintaining a balance in value between interceptions by the two countries. Modifications would be required in the present Fraser River Salmon Convention to implement the broader objectives of such an agreement.

Recommendations

Authority is sought to negotiate an agreement with the United States representatives along the above lines and for the head of the Canadian delegation to sign an instrument of agreement subject to approval by the Government.

THIS DOCUMENT IS THE PROPERTY OF THE GOVERNMENT OF CANADA

CONFIDENTIAL

MEMORANDUM TO THE CABINET

Discussions with the United States on
Salmon Problems of Mutual Concern

1. Problem

Canadian and United States fishermen intercept salmon bound for rivers in the other country. Canada suffers a net loss from such interceptions which could become even greater in the future. The situation is complicated by the Fraser River Convention, ratified in 1937, which provides the United States with a 50 percent share of the catch of Fraser River sockeye and pink salmon.

In 1971, agreement was reached with the United States on the principle of avoiding interceptions but in subsequent discussions agreement could not be reached on the implementation of this principle. Further negotiations have been scheduled for May 2-4 in Seattle.

2. Objectives

To obtain the necessary authority to discuss with representatives of the United States of America in Seattle on May 2-4, the reduction or, as a less satisfactory solution, limitation of salmon interceptions by both countries, and in situations where this is not possible, the attainment of an equal balance in the value of interceptions on the two countries, and to prepare a draft agreement for submission to the two governments.

3. Factors

(a) Previous Consideration by Cabinet

Cabinet has not previously considered this subject in connection with the forthcoming negotiations, except for a brief reference in the Memorandum to Cabinet dated March 23, 1973, concerning the Agreement on Reciprocal Fishing Privileges between Canada and the United States. Authorization for the exploratory discussions held earlier was provided by the Minister of Fisheries in consultation with the Minister of External Affairs.

(b) Background

(i) In international discussions, Canada has consistently maintained that, in the interests of conservation and equity, countries should harvest the salmon bred in their own rivers - in the interest of conservation because management can be most effective when stocks are exploited separately close to their home streams - in the interests of equity because the brunt of the fishery restrictions to assure spawning escapement, of the costs of maintaining or improving the conditions for reproduction, and of the cost to the economy involved in refraining from other water uses, are borne by the countries where the salmon spawn. These arguments have been made in attempts to discourage development of the high seas fishery for Atlantic salmon off West Greenland, to encourage continued adherence by Japan to the North Pacific Convention which prohibits Japanese high seas fishing for Pacific salmon in the eastern part of the North Pacific Ocean, to support Canada's proposal at preparatory sessions for the 1973 Law of the Sea Conference that the producing state should have the sole right to harvest anadromous species bred in its own rivers, and to provide a basis for dealing with problems between Canada and the United States stemming from interceptions of each other's salmon runs on the Pacific Coast.

CONFIDENTIAL

- 2 -

(ii) Since 1964, Canada and the United States have held a series of discussions on Pacific Coast salmon problems of mutual concern. The United States, intercepting a greater value of Canadian salmon than vice versa, has been unwilling to accept the principle that each country should harvest its own salmon. At meetings held in Vancouver on March 31 - April 1, and in Seattle on June 17-18, 1971, the United States indicated willingness to consider a general agreement which would provide for some restriction on interceptions and for a balancing of the remaining interceptions so that fisheries which have historically intercepted salmon bound for the other country would be perpetuated. As a possible basis for agreement, the meeting developed the following statement of principles:

(a) Subject to the considerations outlined below, each country should fish the salmon bound for its own rivers and should seek to avoid interception of salmon bound for their rivers of origin in the other country.

(b) Recognizing, however, that it is not now possible to harvest some stocks without, at the same time, catching salmon bound for rivers of the other country and that some long-established fisheries in both countries depend to a considerable degree on catching such salmon, it is agreed that there shall be an equitable balance (in dollar value) between the interceptions by the two countries.

(c) This equitable balance should be achieved, where possible, by reducing rather than increasing interception, and each country shall seek to make adjustments in the techniques and economics of its fisheries which will make reduction of interceptions possible.

(d) These adjustments must take into consideration the overriding requirements of conservation.

(iii) Detailed implementation of these principles was considered at another meeting of the representatives of the two governments on January 24-26, 1972. This meeting became deadlocked when it became apparent that the United States was not willing to reduce its intercepting fisheries in the event that Canada reduced hers and when Canada was insistent that future development of the Fraser should be a unilateral Canadian venture with Canada receiving all of the increased catch.

(iv) During the two years of meetings, technical staff of the two countries have been unable to agree on estimates of the numbers of salmon intercepted and on methods of valuing intercepted salmon. It is felt, however, that further discussions could develop acceptable compromises.

(c) Factors Relating to the Problem

(i) United States and Canadian fishermen intercept large numbers of Pacific salmon bound for rivers of the other country. Near the British Columbia-Alaska border, United States fishermen intercept a much larger number of salmon (mainly sockeye and pink) migrating to Canadian streams than Canadian fishermen intercept from runs to Alaska. In the south, United States fishermen intercept nearly half of the sockeye and pink salmon runs to the Fraser River. On the other hand, the Canadian troll fishery along the outer coast of both countries intercepts far more United States bound salmon (mainly chinook and coho) than their United States counterparts intercept from Canada-bound runs.

(ii) Historically, the value of interceptions of Canadian salmon by the United States has greatly exceeded the value of interceptions of United States salmon by Canadian fishermen. However, the difference in the value of interceptions has been reduced appreciably in recent years and, in the short term, may be reduced further as the result of increased production from United States hatcheries. Moreover the average value per fish of the main species intercepted by Canadian fishermen (chinook and coho) is appreciably greater than that for the main species intercepted by United States fishermen (pink and sockeye). Canadian scientists have estimated that

CONFIDENTIAL

- 3 -

from 1969 through 1972 interceptions by United States fishermen averaged about \$11.1 million per year, compared to about \$8.7 million by Canadian fishermen, based on prices paid to the fishermen. United States scientists, using somewhat different pricing and abundance data, estimate that interceptions by Canadians exceed those by United States fishermen by a small margin. Nevertheless the potential of Canadian salmon stocks subject to interception by United States fishermen is considered to be appreciably greater than that of United States salmon stocks subject to interception by Canadian fishermen. Thus Canada would gain in the long run by implementation of the principle that each country should harvest its own salmon.

(iii) Many of the intercepting fisheries by both countries could be eliminated while still permitting a maximum harvest of the stocks involved by the country of origin. These include the United States fisheries near the Alaska-British Columbia border in the north and on Fraser-bound salmon in the south. Canadian fisheries near the Alaska border in the north and in Juan de Fuca Strait (except for coho) in the south could likewise be eliminated. Chinook and coho salmon migrating to streams in both countries would be more difficult to harvest fully if the offshore troll fishery (mainly Canadian) were eliminated.

(iv) Minimization of interceptions would require some adjustments on the part of fishermen of both countries. While minimization of interceptions would bring immediate benefits to Canada's inshore net fishermen who depend mainly on sockeye and pink salmon, and United States fishermen (both sport and commercial) depending on chinook and coho stocks, it would cause immediate hardships on Canadian troll fishermen and on United States net fishermen, particularly those fishing on the approaches to the Fraser. In the short term such disruption would be undesirable for Canada and would probably be totally unacceptable to the United States.

(v) The most important stocks subject to interception by United States fishermen are the sockeye and pink salmon runs originating in the Fraser River (accounting for about \$7.9 million of the total of \$11.1 million of salmon intercepted by United States fishermen). Reduction of interceptions by the United States would therefore inevitably entail reduction of the United States catch from the Fraser runs. However, under the terms of the Fraser River Convention, the United States shares equally in the costs of the Commission established by the Convention and in the catch in the Convention Areas. The shared costs arising out of the Convention represent, however, only part of the cost of producing salmon. Much of the cost of regulation and protection of the watershed, and all the losses of potential benefits involved on foregoing alternate uses of water, are borne by Canada alone. The inequity of the situation is likely to be exacerbated as a result of the enhancement program proposed for the Fraser. This program, involving total capital expenditures of \$14.0 million over 16 years (beginning in 1973-74), should ultimately provide annual benefits in the order of \$14.7 million (more than double the present Fraser yield). The Commission staff estimate that the benefit-cost ratio for the program will be in the order of 9.5 to 1. Although this assessment of the future success of the program may be somewhat optimistic, there is no question that of all the salmon rivers in British Columbia, the Fraser offers the greatest promise for substantial and economically attractive opportunities for enhancing sockeye and pink salmon runs. Under terms of the present Fraser River Convention, the United States would continue to share in the investment and benefits of such an enhancement program. If, as Canada has advocated, each country harvested only its own salmon, Canada alone would net the entire benefit of the Fraser River production. If it were so agreed, the present Convention would have to be amended or replaced by a new agreement.

(vi) Apart from its direct impact on fisheries, the Fraser River Convention has sovereignty implications. Canada invited this arrangement in the 1930's in recognition of the practice of the United States fishing Fraser-bound salmon in its own territorial waters. Although Canada now fishes, in its territorial seas, chinook and coho salmon bound for the United States streams in Puget Sound and the Columbia River, the United States has never invited a similar convention for these runs. A restructuring of this situation would therefore seem to be in order.

CONFIDENTIAL

- 4 -

4. Alternatives

If no agreement is reached on the reduction or limitation of interceptions, or if, as the United States has previously proposed, agreement is limited to achieving a balance in value, interceptions are bound to escalate. Such escalation would be undesirable, particularly in offshore fisheries, because it is not compatible with sound conservation and management principles, and would probably result in a decrease in overall yield. Escalated interceptions, even though they might provide Canada with a fair exchange, would allow the United States to catch increasing numbers of Fraser and Skeena River salmon, reinforcing their "historic" participation in fisheries on our salmon. In the event that United States production collapsed in the long-term future, the United States, in order to save its fisheries, might lean heavily on the "long-established" clauses of an agreement and refuse to reduce their intercepting fisheries even if such were required to provide a balance.

While termination of the Fraser River Convention might appear to be a possible alternative means of reducing interceptions by terminating United States rights to catch Fraser River salmon, it would provide no solution to the interception problem. United States fishermen would continue to fish for these salmon on United States waters without the restraints imposed under the Convention and a new agreement would have to be negotiated to regulate the fishery on this resource which would otherwise quickly be exhausted.

5. Financial Considerations

Achievement of a balance in interceptions would result in an annual increase in the Canadian catch of \$2 million at present levels of abundance and prices. Benefits from the proposed Fraser River enhancement program have been estimated by the International Pacific Salmon Commission at \$14.7 annually. If the Fraser River Convention is amended as proposed, Canada would gain all, instead of half, of these benefits. This would involve Canada assuming all, instead of half, of the capital expenditures involved (\$14 million over 16 years) and the costs of management investigations now being carried out by the Commission (\$0.5 million annually).

6. Federal-Provincial Relations Considerations

The Province of British Columbia is involved through its interest in the use of the Fraser River for all purposes. It is also concerned with the welfare of its recreational resources and of its commercial fishermen. Provincial representatives have taken part in the discussions to date and support the position outlined above. Provincial representation is proposed in the advisors to the Canadian delegation.

7. Interdepartmental Consultations

This memorandum has been prepared jointly by the Departments of the Environment and External Affairs and was referred in draft form to the Departments of Energy, Mines and Resources and Industry, Trade and Commerce for comments prior to its final preparation.

8. Public Relations Considerations

There is a deep-seated conviction on the part of all levels of the industry that the United States has taken advantage of British Columbia salmon production and that Canada must get a better "deal" in the future. This is especially so for the Fraser River runs. Conclusion of an appropriate agreement would provide assurance that the Government of Canada is moving in this direction.

CONFIDENTIAL

- 5 -

In addition, the Canadian policy that the state of origin should have the sole right to harvest anadromous species bred in its own rivers has already received wide publicity and public attachment to this principle is likely to increase. This will inevitably bring in its wake resentment regarding United States interceptions, if a suitable agreement is not reached.

Further, public opinion is likely to be aroused at some stage regarding the sovereignty implications of the Fraser Convention if the operation of the Convention is not suitably amended.

9. Caucus Consultation

10. Conclusions

It would be in Canada's interest to obtain an agreement implementing the principle that each country should harvest the salmon from its own streams. Practical problems mitigate against early elimination of all interceptions but the agreement should provide for their reduction as much and as quickly as is practicable with the outstanding amounts balanced between the two parties. This approach would require adjustments in the present Fraser River Salmon Convention, especially with regard to the benefits from the proposed enhancement program.

11. Recommendations

It is recommended that:

(i) Authority be granted to negotiate an agreement with the United States on the limitation and balancing of interceptions of salmon migrating to the streams of one country by fishermen of the other country.

(ii) The Canadian delegation be instructed to negotiate this agreement along the lines outlined above and to endeavour to achieve agreement on the following:

(a) Minimizing and balancing interceptions;

(b) In the alternative, reducing interceptions to a lesser extent and balancing their values;

(c) In the alternative, limiting interceptions to their present level subject to adjustments to achieve a balance.

It should be clearly understood that agreement on any of the above alternatives will require subsequent adjustments in the Fraser River Salmon Convention.

000013

CONFIDENTIAL

- 6 -

(iii) Authority be granted to the Ministers of the Environment and External Affairs to authorize amendment of the terms of reference of the Canadian delegation should any major unforeseen items be raised during the course of negotiations.

(iv) The head of the Canadian delegation be authorized to sign an instrument of agreement subject to approval by the Government.

(v) The Canadian Delegation be the following:

Head of Delegation

C.R. Levelton - Director-General of Operations,
Fisheries and Marine Service,
Department of the Environment,
Ottawa, Ontario.

Members of the Delegation

P.A. Lapointe - Legal Operations Division,
Department of External Affairs,
Ottawa, Ontario.

B. Applebaum - Legal Operations Division,
Department of External Affairs,
Ottawa, Ontario.

M.P. Shepard - Director,
Resource Management Branch,
Fisheries and Marine Service,
Department of the Environment,
Ottawa, Ontario.

W.M. Sprules - Director,
International Fisheries Branch,
Fisheries and Marine Service,
Department of the Environment,
Ottawa, Ontario.

A.S. Hourston - Scientific Advisor,
International Fisheries Branch,
Fisheries and Marine Service,
Department of the Environment,
Ottawa, Ontario.

W.R. Hourston - Regional Director of Fisheries,
Pacific Region,
Fisheries and Marine Service,
Department of the Environment,
Vancouver, B.C.

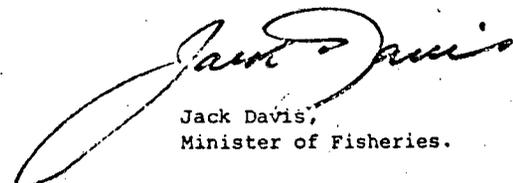
K.S. Ketchen - Assistant Director,
Pacific Biological Station,
Fisheries and Marine Service,
Department of the Environment,
Nanaimo, B.C.

Advisors

Other experts including representatives of the fishing industry and the Government of the Province of British Columbia.

I concur

Mitchell Sharp,
Secretary of State for
External Affairs.


Jack Davis,
Minister of Fisheries.

000014

Mr. Applebaum

cc: Messrs Lee & Miller

3/3/7/73

*File
Jul 4/73*

f. Applebaum

ACTION COPY

C0739

25-5-7-2-Salmon-1
9 | 7

R E S T R I C T E D

FM WSHDC 2301 JUN29/73

TO EXTOTT FLO

INFO ENVOTT/LEVELTON DE OTT

DISTR. PDM GWP GWU ECS FLA

REF OURTEL 2269 JUN27

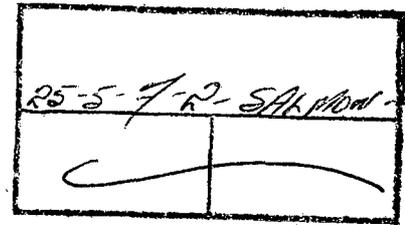
~~FRASER RIVER CONVENTION~~ *52*

WE WERE CALLED TO STATE DEPT TODAY AND INFORMED BY AMB MCKERNAN THAT USA GOVT WAS UNABLE TO AGREE TO CDN PROPOSAL RE SPAWNING CHANNEL ON CHILLIWACK TRIBUTARY. TEXT OF AIDE MEMOIRE GIVEN TO US GOING FORWARD BY AIRMAIL.

2. WITH REGARD TO SUGGESTED QUOTE NONPREJUDICE STATEMENT UNQUOTE MCKERNAN SAID THAT US COULD NOT/NOT ENVISAGE A STATEMENT WHICH WOULD MEET USA CONCERNS AND YET NOT/NOT DAMAGE CONVENTION. IN ANY EVENT HE SAID CDN PROPOSAL WENT TO HEART OF CDA-USA SALMON NEGOTIATIONS.

292026Z 150

AIIDE-MEMOIRE



The Department of State refers to the recent proposal of the Canadian Government that the construction of a new spawning channel on the Chilliwack tributary to the Fraser River be a wholly Canadian investment with the returns correspondingly Canadian.

The United States Government has given careful consideration to this proposal and its relationship to pertinent provisions of the Fraser River Salmon Convention. While it can be argued that Article III of the Convention does not prevent either Contracting Party from carrying out an improvement project, it certainly appears to have been the intent of the negotiators that the International Pacific Salmon Fisheries Commission should be responsible for planning and carrying out the various kinds of works described in that Article, with the costs to be shared equally by the two Governments. In any event there can be no question as to the meaning of Article VII, which requires the equal sharing of the catch as nearly as practicable.

Accordingly, the United States Government is unable to agree to the proposal of the Canadian Government. At the same time, as has previously been stated on several

occasions, the United States Government is prepared to consider amendments of the present Convention on a fair and equitable basis.

DM

Department of State,

Washington, June 29, 1973

000017

W. J. Mahoney



File
July 19/73
B. Applebaum
Pauline Salmon
Commission

RECEIVED	
OFFICE OF THE PRIME MINISTER & CABINET DU PREMIER MINISTRE	
25-5-7-2- <i>Salmon</i> -1	
9	In Legal Operations Division

Ottawa, Ontario.
K1A 0A2.

July 4, 1973.

The Honourable Mitchell Sharp, P.C., M.P.,
Secretary of State for External Affairs,
House of Commons,
Ottawa, Ontario.

PDH
PDS
FEP for
letter to

C 0739

Dear Mitchell:

Towards the last part of May, the Prime Minister sent a personal letter to leading organizations in Western Canada encouraging these groups to document their views on subjects to be discussed at the Western Economic Opportunities Conference in July. This letter has precipitated a small, but steady flow of responses from interested groups.

FLOK

The briefs we have received demonstrate a sincere attempt on the part of industry, farm, fishing, labour and political organizations to come to grips with fundamental issues. We must respect this effort. We must be certain our proposals reflect, in a general way, the kind of problems these groups have dealt with in their submissions.

After these briefs are received and acknowledged by the Prime Minister's Office, it is my intention to pass along to you all those submissions that relate, either in whole or in part, to the work of the Department of External Affairs. I trust that these briefs will be scrutinized carefully by those working on the Conference material.

I appreciate having the Department of External Affairs apply their time and talent to this matter.

Best regards,

Sincerely,

Pat
52

Pat Mahoney.

13.7.38/55



CANADA

PRIME MINISTER • PREMIER MINISTRE

Ottawa K1A 0A2,
June 29, 1973.

BEST ORIGINAL AVAILABLE
MEILLEUR ORIGINAL

COPY
COPIE

Dear Mr. Harrison:

I have received the comments and recommendations the Fisheries Association of British Columbia wishes the federal government to consider, with the four Western provinces, in our examination of the subjects to be discussed at the Western Economic Opportunities Conference at the end of next month.

The Association's contribution to our deliberations is most appreciated; my colleagues and I intend to make full use of your helpful observations. In the event that some clarification is needed on a given point, the minister concerned or one of his officials will get in touch with you.

Please convey my warmest thanks to those of your associates who worked with you in the preparation of your statement.

Very sincerely,

Original signed by

Original signed by

P. E. TRUDEAU

Mr. E.L. Harrison,
Chairman,
Fisheries Association of
British Columbia,
Room 400 - 100 W. Pender Street,
Vancouver, B.C.

c.c.: The Honourable P. Mahoney —
Mr. J. Foote
Mr. H.P. Connor

Honourable



FISHERIES ASSOCIATION OF BRITISH COLUMBIA

Room 400-100 W. Pender Street, Vancouver, B.C. Tel. (604) 684-6454



June 19 1973

WEC

The Right Honourable
Pierre Elliott Trudeau, P.C., Q.C., M.P.,
Prime Minister of Canada,
Ottawa, Ontario.

Dear Mr. Prime Minister:

Thank you for your invitation to contribute some views on the subjects that will be discussed at the Conference on Western Economic Opportunities. As you have suggested a condensed statement, our comments are restricted to several important matters affecting the fishing industry of British Columbia. Our views on the general subjects that will be discussed at the Conference will be included in the submissions made by other organizations in this area.

This Association believes that there is an opportunity for the Federal Government to make an increased contribution to the development of the fisheries resources of the Province and, in so doing, improve the life in our coastal communities.

The ocean fisheries of our internal waters and adjacent Continental Shelf constitute a renewable natural resource, publicly owned and managed for both commercial and recreational purposes by the Federal Government. Expanding Canada's rights to the fisheries resources off its coasts must be pursued vigorously. We urge the strongest possible Federal initiative and support in endeavouring to achieve control over all the fisheries resources above our Continental Shelf and Slope. This includes as a matter of urgency, a commitment to apply to United States nationals the fishery closing lines which are already a part of Canadian law.

We urge further, and just as strongly, the need to establish international recognition that the country in whose waters salmon are spawned, including the Fraser River system, has the sole right to harvest them. As the survival of salmon depends on the quality of water in our rivers and lakes, compatible Provincial policies of watershed management are also required.

.....2/

Environment
External
Affairs
TAA

2.

We recognize that much is being done negotiating fishing agreements, exclusive fishing zones, fishery management areas, reciprocal fishing rights and salmon interceptions, but we wish to emphasize the importance of complete success.

While these objectives are being sought, no time should be lost in increasing the British Columbia salmon resource. Because of its constitutional authority, only the Federal Government can do so. Therefore, we recommend that the Federal Government agree with the Province of British Columbia that it will -

1. Take advantage of the known opportunities for increasing salmon stocks through artificial spawning channels, hatcheries and stream improvement, by providing the necessary funds for investment in these techniques.
2. Step up salmon stream maintenance programmes using coastal Indians for this work wherever practicable.

The techniques for increasing the salmon production of this coast are well known to the Federal Fisheries Service in British Columbia, having been developed by its scientists and engineers. The benefit-cost ratio of salmon enhancement projects is highly favourable, and investments in such projects produce returns in perpetuity with small annual operating expense. They are investments that any businessman would gladly make if there were a way of securing the resultant benefits. Increased production is new wealth that will increase not only the incomes of fishermen but also the incomes of all those involved in the labour-intensive processing and servicing segments of the industry and its suppliers. If the salmon production of British Columbia were doubled through enhancement projects, it could be caught, processed, and marketed without Government assistance.

The economic life of coastal British Columbia outside of the major cities depends on the success of basic industries, particularly fisheries and forestry. A large proportion of the population in this area is composed of native Indians, a group requiring special assistance. Not only is fishing the major source of income for these Indians, it is a traditional way of life. Increasing the supply of salmon would greatly benefit these people, and direct participation in stream maintenance programmes in areas near their villages would provide needed off-season productive and meaningful work.

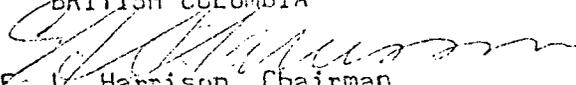
.....3/

3.

We respectfully submit that all that is required to realize these substantial benefits is agreement by the Federal Government to make the investments and Ministerial direction to carry them out as rapidly as possible. The proven know-how is in the Government Service, and support for the projects would come from citizens from many areas and interests. The Canadian taxpayer would get good value from his investment.

Yours very truly,

FISHERIES ASSOCIATION OF
BRITISH COLUMBIA


E. L. Harrison, Chairman

CABLE:
FFHCOUNCIL



TELEPHONE 233-8844
AREA CODE 613

50-5

FISHERIES COUNCIL OF CANADA
CONSEIL CANADIEN DES PÊCHERIES

SUITE 209, 77 METCALFE STREET
OTTAWA, ONTARIO
K1P 5L6

June 25, 1973.

W E O C

①

The Right Honourable
Pierre Elliott Trudeau, P.C., Q.C., M.P.,
Prime Minister of Canada,
Parliament Building,
Ottawa, Ontario.

Dear Mr. Prime Minister,

Your invitation to submit views for consideration of the Conference on Western Economic Opportunities is appreciated.

Checking with our main member organization in the western area - the Fisheries Association of British Columbia, Vancouver - we were advised that its views have been expressed directly to you, under date of June 19, 1973.

We have read the proposals outlined in that letter.

We are pleased to advise that the views expressed by the Fisheries Association of B.C. have the endorsement of the Fisheries Council of Canada, as they relate to the west coast fisheries.

Sincerely,

FISHERIES COUNCIL OF CANADA

H. P. Connor
H.P. Connor,
President.

FLO/B. Applebaum 2-6692/ash

EXTERNAL AFFAIRS



AFFAIRES EXTÉRIEURES

s.23

TO
À FILE

SECURITY
Sécurité SECRET

FROM
De B. Applebaum

DATE August 14, 1973

REFERENCE
Référence

NUMBER
Numéro

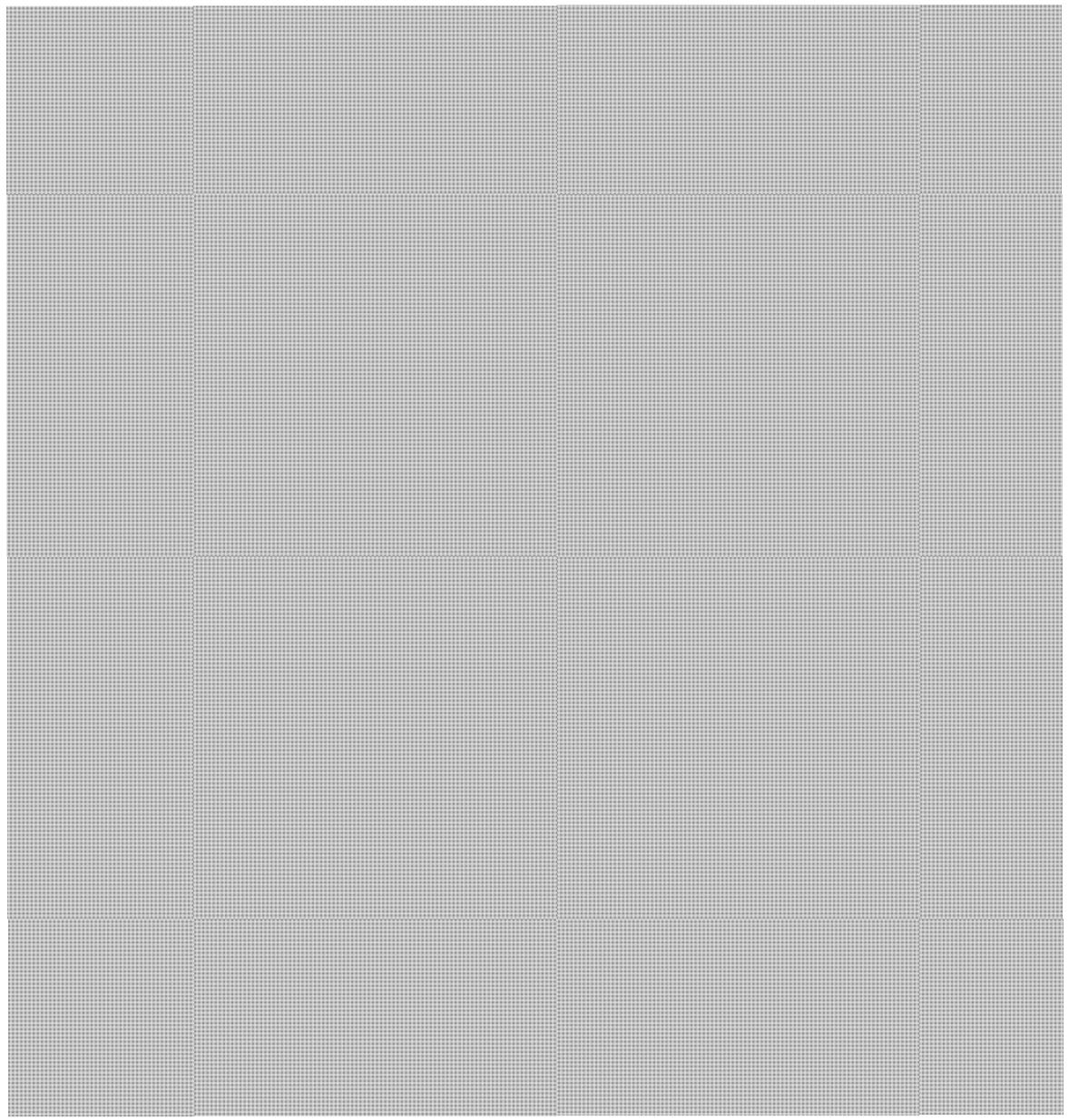
SUBJECT
Sujet Canada-U.S. Salmon Talks
Vancouver, September 25 - October 5, 1973

FILE	DOSSIER
OTTAWA	Salmon 25-5-7-2-1
MISSION	9

ENCLOSURES
Annexes

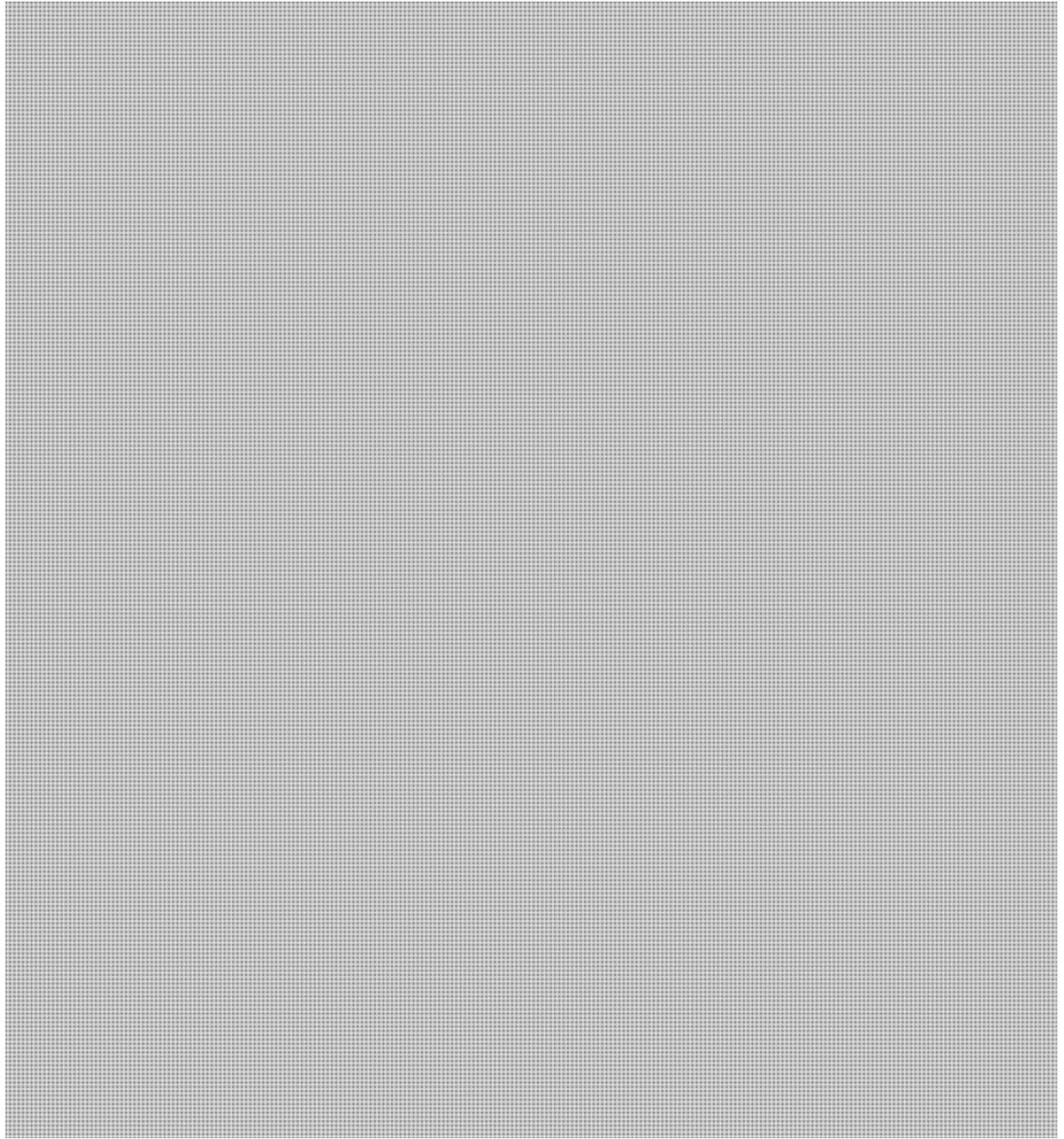
DISTRIBUTION

GWU



... 2

s.23



B. Applebaum
B. Applebaum.

SEEN BY THE MINISTER
9 signed Sept. 17/73

CONFIDENTIAL

September 13, 1973

25-5-7-2-Salmon
9 | —

Reproduced, 125
copies, delivered
to PCO Sept 18/73,
including original
for External
Policy Mtg
Sept 19/73.

MEMORANDUM FOR THE MINISTER

Discussions with the United States
September 26 - October 5, Vancouver
Salmon Problems of Mutual Concern

File
Sept 14/73

B. Appleton

...

I attach a Memorandum to Cabinet on this subject, signed by the Minister of the Environment, for your concurring signature if you agree.

2. In May of this year you received an earlier version of this same Memorandum, which did not reach Cabinet. However, on the authority of yourself and the Minister of the Environment, Canadian negotiators met with United States representatives in Seattle, but the negotiations were not successful. As you know, this led to a further round of negotiations on the broader questions involved in the Canada-U.S.A. Reciprocal Fishery Agreement, which led to a further extension of the Agreement for one year.

3. The attached Memorandum is essentially an updating of the previous Memorandum, but with extensive changes to the Conclusions and Recommendations sections. These changes are quite significant, as they involve a considerable move on the Canadian side towards a compromise, and, in addition, recommendations for action which would likely result in some degree of confrontation if no other manner of shifting from the status quo, which is unacceptable to Canada, can be achieved. Authority to the Canadian Delegation to reply in kind to any United States threats to terminate the Canada-U.S.A. Reciprocal Fishery Agreement is, of course, essential if any progress from the status quo is to be achieved.



A. E. R.

FLO

2445

14-9-73

Your file Votre dossier

Our file Notre dossier



Environment Canada Environnement Canada

Fisheries Pêches

s.23

Ottawa, Ontario
K1A 0H3

September 18, 1973

Mr. R. Applebaum,
Legal Operations Division,
Department of External Affairs,
Lester B. Pearson Building,
Ottawa, Ontario
K1A 0G2

GWA

<i>25-5-7-2-Salmon-1</i>	
<i>30</i>	

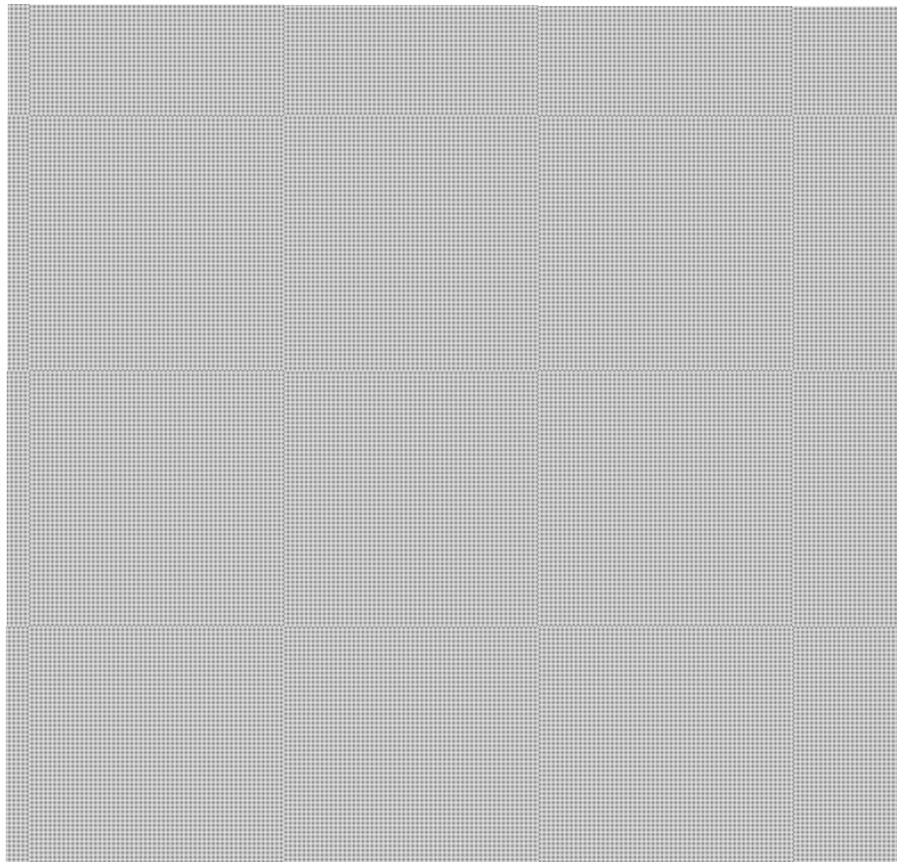
Following our telephone discussion of yesterday, I felt it might be useful to set down some of my thoughts with respect to the timing of the west coast salmon negotiations with the United States. I think we should go forward with the negotiations commencing on September 26, 1973, for a number of reasons:

*file
AM*

(1)

(2)

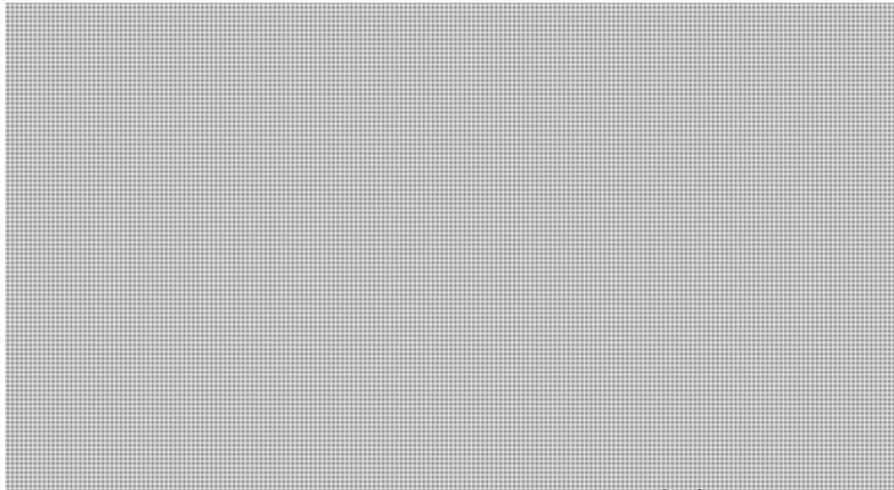
(3)



s.23

-2-

(4)



(5)



C.R. Levelton

MIN
PDM
Parl Sec
FAI
FPR

CONFIDENTIAL

September 18, 1973

25-5-7-2-SALMON-1
19

MEMORANDUM FOR THE MINISTER

Salmon Negotiations with the U.S.A.
September 26 to October 5, 1973

FLO (Mr. Applebaum)

You concurred on September 13, 1973 with the Minister of the Environment's proposals for the above negotiations which are to be discussed in Cabinet Sub-Committee on Wednesday, September 19, 1973. However you may now wish to suggest some procedural modifications. The object of the proposed negotiations with the U.S.A. is to correct the imbalance in salmon fisheries with the United States and to modify the Fraser River Convention so as to limit United States participation and obtain all benefits from new enhancement programmes for Canada.

2. The tactics are comparatively simple. If the United States is unwilling to accede to the minimum acceptable Canadian position, Canada would extend its salmon net fishing to waters off the west coast of Vancouver Island within the territorial sea but beyond the area covered by the Fraser River Convention. This would considerably increase Canadian interceptions and probably provoke retaliation by the United States.

3. The U.S. response might include:

(a) withdrawal from the Reciprocal Fishing Privileges Agreement which we concluded in June. Canadian fishermen would then be excluded from the U.S. contiguous zone on both coasts in the spring of 1974. Canada would presumably have to respond by excluding U.S. fishermen from her territorial sea and from exclusive fishing zones. A confrontation would likely ensue with implications for the Law of the Sea conference which might encourage both governments to seek a solution,

(b) the U.S. as a second step might abrogate the Fraser River Convention causing a fishing free-for-all off Vancouver Island where it is anticipated Canada could "outfish" the United States as occurred in a similar confrontation in 1955. Our fisheries authorities consider that within two seasons Canada would then be able to negotiate an improved agreement including the sole right to develop the fisheries of the Fraser River.

- 2 -

4. Fisheries negotiations are traditionally conducted in a hard-nosed manner often accompanied by a high level of publicity. Their proceedings are closely followed by the industry and have considerable political impact on the east and west coasts. You may accordingly wish to remind your colleagues of the possible implications of these negotiations for Canada/U.S. relations. It is not so much the salmon negotiations themselves which could cause problems but it is the contribution they might make to the cumulative impression of stress in our relations with the U.S.A. at this time.

5. We have looked into the possibility of rescheduling these meetings but from a fisheries viewpoint the end of September is the optimum time for the initiation of a confrontation unless this is to be postponed one year. However, the negotiators are reasonably confident they may reach their objective without a public confrontation with the U.S.A. You may accordingly wish to propose that if the delegation is unable to reach agreement with the U.S. during the course of the negotiations they should refer back to you before implementing points iii and iv (confrontation) in the recommendations of the attached Cabinet memorandum.

A. E. RITCHIE
A.E.R.

file ✓
diary
circ

Mr. K.W. MacLellan

CONFIDENTIAL

September 20, 1973

Miss A. Leahy

Memo to Cabinet, September 12, 1973

Negotiations on Salmon Problems of Mutual Concern

25-5-7-2-SALMON -1	
19	—

There are two observations that have come to mind upon reading on this matter:

2. I - the main objective of these negotiations seems to be the development of the Fraser River as a sole Canadian concern. The unbalance in the value of interceptions does not pose a real problem since Canada is quickly restoring the balance by fishing chinook and coho salmon bound for the U.S. streams in Puget Sound and the Columbia River which species are not presently covered under any convention.

3. As the Fraser River Convention would require adjustments in the event the U.S. accepted Recommendation -ii- (c) there is a danger they would seek to regulate Canadian interceptions of chinook and coho and the imbalance in the value of interceptions between Canadian and U.S. fisherman would not be corrected.

4. II - the instinctive reaction to the encroachment of Canadian sovereignty inherent in the continuation of the status and should not lead Canada to embark on a course in which she would be physically and legally unable to carry out her commitments.

5. Recommendation -iv- has been warned against in memos to the Minister of May 17 and 18, 1973 from FLO and FLP. Mention was made in the first memo of "overriding political and legal need on the Canadian side to maintain the agreement" and of the "worth (of) making concessions on the Canadian salmon troll fishery in the U.S.A. West Coast fishing zones in spite of the unpopularity of such a move to Canadian industry". The second memo warns of a "fish war" between the U.S. and Canada in the absence of a reciprocal agreement, a war in which Canada would clearly be the victim.

.../2

- 2 -

6. The present memo suggests that this confrontation might be resolved if the Law of the Sea Conference is successful. What if it isn't? Negotiations will resume, the U.S. will acknowledge Canada wants to develop the Fraser River on its own and it will ask adequate compensation - Canada has to convince the U.S. that she possesses the means to enforce the exclusion of U.S. fisherman from her territorial waters in the event the U.S. does not recognize this right.

A. Leahy.

A. Leahy

September 20, 1973

*See Applebaum to see
OK
2*

MEMORANDUM FOR THE MINISTER

Salmon Negotiations with the United States
September 26 to October 5, 1973

25-5-7-2
Salmon-1
9

*File
Nov/5/73
B. Applebaum*

It is our understanding that the decision of the Cabinet Committee on Wednesday, September 19 was that if the Canadian Delegation is unable to reach agreement with the United States during the course of the negotiations, a report should be made to Mr. Davis who would then consult with you as to whether or not to implement the confrontation recommendations in the Memorandum to Cabinet on this subject. This is in line with Mr. Ritchie's last recommendation to you on this subject. PCO's understanding was that this question should be referred once again to Cabinet for a decision and it has been so stated in the PCO Minute on the subject. In fact a further reference to Cabinet would be extremely awkward, as implementation of the recommendations, if it is to take place, would have to take place on very short notice i.e. one or two days, sometime during the last week of the two-week negotiations, in order to have any degree of effectiveness. You may wish to examine the Minute and provide for any clarification required.

WJ

*J. Gaer
PCO*

*Seen by SSEA
in cabinet
- A Malome
Sept 21/73*

FL0
2526
24-9-73

Mr Applebaum
Plse send me a short tel. in ldn
(Inco Rel ldn - for kee) reporting on what
happened at negotiation
Ethee
Oct 2

File

CONFIDENTIAL

September 25, 1973

25-5-7-2
Salmon 1
9 Oct 4/73

- tel sent
Ethee
Oct 4/73

B Applebaum

MEMORANDUM FOR: FLP FLO GWU

cc: PDM

Subject: Discussions with the United States on
Salmon Problems of Mutual Concern

On September 19, 1973 the Cabinet agreed that:

- (a) authority be granted to negotiate an agreement with the United States on the limitation and balancing of interceptions of salmon migrating to the streams of one country by fishermen of the other country;
- (b) the Canadian Delegation be instructed to negotiate this agreement along the lines outlined in Cabinet Document 880-73 and to endeavour to achieve agreement on the following:
 - i) minimizing and balancing interceptions;
 - ii) in the alternative, reducing interceptions to a lesser extent and balancing their values;
 - iii) in the alternative, limiting interceptions basically to their present level subject to adjustments to achieve a balance, and allowing Canadian development of the Fraser River as a solely Canadian concern;

agreement on any of the above alternatives will require subsequent adjustments in the Fraser River Salmon Convention;
- (c) should negotiations fail or reach an impasse to the extent that a major confrontation might arise, the Minister of Fisheries and the Secretary of State for External Affairs should return to Cabinet with a report on the situation and recommendations as to how next to proceed;
- (d) the head of the Canadian Delegation be authorized to sign an instrument of agreement subject to approval by the Government;

...2

CONFIDENTIAL

- 2 -

(e) the Canadian Delegation comprise the following:

Head of Delegation - C.R. Levelton, Director General,
Regional Operations,
Fisheries Service,
Department of the
Environment.

Members of the Delegation -

L.H.J. Legault, Director,
International Fisheries
Branch, Department of
the Environment.

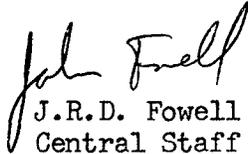
B. Applebaum, Environmental and Fisheries
Law Section,
Legal Operations Division,
Department of External
Affairs.

M.P. Shepard, Director, Resource
Management Branch,
Department of the
Environment.

W.R. Hourston, Regional Director, (Pacific),
Fisheries and Marine Service,
Department of the Environment.

Advisers -

Other experts including representatives of
the fishing industry and the provincial
governments.


J.R.D. Fowell
Central Staff

Applebaum
O.R.

SEPTEMBER 28, 1973

CONFIDENTIAL

FROM: VANCOUVER

TO: EXTOTT, FLO (AUGER) G.W.U.
ENVOTT, YOUNG

INFO: ITC/DELAGE

SUBJ: CDA -USA SALMON TALKS

FOLLOWING ARE CDN OPENING STATEMENT AND PROPOSAL. U.S. DEL.
OPENING STATEMENT DELIVERED ORALLY AND COPY OF RECORD OF STATEMENT
WILL FOLLOW.

255-7-2
Salmon-1
9/28

O d a / 73
B Applebaum

OPENING STATEMENT BY C. R. LEVELTON,
CHAIRMAN OF THE CANADIAN SECTION,
SEPTEMBER 26, 1973

It gives me great pleasure to welcome you and your delegation to Vancouver to renew our discussions on salmon problems of mutual concern. We come here today with an attitude of conciliation and goodwill, involving proposals aimed at arriving at a harmonious agreement. Unfortunately, our practise session involving spreading oil on troubled waters got a bit out of hand with the result that we have a major spill at the entrance to Vancouver harbour. Seriously, though, we are most pleased that you are here today. I hope that the fact that we have scheduled our discussions over a longer period than usual will permit the talks to proceed in a more relaxed atmosphere, and will allow us to deal in greater depth with the problems that divide us. I also hope that the more relaxed timetable will give you and your delegation more opportunity to enjoy the City of Vancouver and its surroundings. If there is anything we can do to make your stay more pleasant, please do not hesitate to ask any of us for help.

This is the fifth meeting we have held in the recent round of talks. During past discussions we developed a set of principles to which we both subscribe, even though there may be serious differences between us in the interpretation of these principles. We still believe that each country should harvest only salmon produced in its own rivers and therefore we should both be working to minimize interceptions of salmon bound for the other country. Where it is not possible to avoid

intercepting each other's salmon, there should be an equitable balance in value of such interceptions. We believe that we should continue to work toward achieving a long-term solution which fully embodies these principles and we are fully prepared to do so at this present session. However, we do not underrate the problems that lie before us and believe that successful conclusion of such negotiations will take considerable time. We are still deeply divided in our concept of valuation of salmon. We are optimistic that we will eventually be able to come together on such matters, but in the meantime we face great difficulties in bringing order to the conduct of fisheries which depend on intercepting each other's salmon. Uncertainties regarding the future are hindering effective planning of resource enhancement projects on both sides of the international boundary. In the light of these difficulties, we believe that, pending a long-term solution to our problems, we should seek an interim understanding, consistent with our basic principles, which will provide a temporary regime permitting both sides to proceed with confidence in developing the tremendous potential of our respective salmon resources.

At our last meeting, Canada proposed such an interim solution which would bring interceptions under control and which would give each country the right to invest in enhancement of salmon in its own rivers with the exclusive right to harvest all incremental production. Both during that meeting and in conversations later it is apparent that there was considerable misunderstanding on the U. S. side regarding the intent of the Canadian proposal. Particularly, there was apparent concern that Canada was proposing complete elimination of the United States Puget Sound fishery on Fraser-bound salmon. We were not

BEST ORIGINAL AVAILABLE
MEILLEUR ORIGINAL

proposing such elimination. In an attempt to clarify the original Canadian proposal and to make our presentation of ideas more comprehensive, later today we would be pleased to present a revised proposal for your consideration.

In my opening remarks, I jokingly stated that we were practising the art of spreading oil on troubled waters and were approaching these meetings in a spirit of conciliation. I was only half joking, for I believe that we have reached the stage in our discussions where both sides have fully explored the difficulties facing us and have felt despair at ever finding our way out. Having reached these depths, we hope you share our determination to overcome these frustrations. The benefits to be gained are so great that it is incumbent upon both sides to explore every avenue within the next ten days to develop conditions for the 1974 fishing season which will assure fishermen of both countries a firm future dependent on each country's abilities to produce salmon in its own rivers.

September 26, 1973

CANADIAN PROPOSAL

Canada, in discussions with the United States on Pacific salmon problems of mutual concern, has consistently maintained that in the interests of conservation and equity each country should, to the degree possible, harvest only those salmon which are produced from its own rivers. Canada believes therefore that the ultimate solution to the problem lies in each country as far as possible minimizing catches of salmon bound for the other country. Where such reductions in interceptions are not practical, there should be an equitable balance in the value of interceptions. Negotiations should be continued to this end. The problems are very complicated and will take time to resolve. In the meantime, the Canadian Section proposes that the two countries seek to reach an interim agreement which will recognize the desire of both countries to limit interceptions and to begin a mutual reduction of interceptions on both sides. To this end the Canadian Section proposes that, until a final agreement is reached:

- (1) For each species in each category as defined in the reports of the Technical Committee on Salmon Interceptions, allowable annual levels of interception shall be calculated in numbers of fish.
- (2) The allowable annual level of interception for each species in each category shall be calculated by using the annual average catches recorded during the years 1967 to 1972, inclusive, and by using the average of the Canadian and United States estimates

of rates of interceptions as listed in the first report of the Technical Committee on Salmon Interceptions. Allowable annual levels of interceptions for pink salmon shall be calculated separately for runs in odd-numbered and even-numbered years.

- (3) The allowable annual levels of interception shall be placed into effect in the calendar year following the year in which agreement is reached, and shall remain in effect for three consecutive years thereafter. At the commencement of the fifth year of this agreement and annually thereafter, the allowable annual levels of interception shall be reduced by five percent of the initial levels until interceptions are reduced to 50 percent of the initial allowable annual level. Representatives of the two countries will meet annually thereafter to implement further reductions in interceptions in specific areas on a mutually agreed basis.
- (4) Deviations from the allowable annual level of interceptions which occur in any one year shall be added to or subtracted from the allowable annual levels of interceptions in succeeding years, but in any event deviations from the allowable annual levels of interceptions as closely as possible must reach zero at the end of the fourth year of this agreement. Methods for bringing deviations to zero will be the responsibility of the country concerned. If at the end of any such four year period the sum of the actual annual interceptions deviates from the sum of the allowable annual levels of interceptions, such deviations will be applied to the allowable annual levels of interception during the subsequent four year period, subject to a _____ percent penalty.

- (5) In the Fraser River Convention Area the U.S. catch of sockeye and pinks shall not exceed 50 percent of the total catch allowable in any year; further, the Government of Canada will reimburse the U.S. for its recent investments, and this will be taken into account in calculating the allowable annual levels of interceptions. In all other respects this agreement will apply to the Fraser River stocks and the Convention will be amended to conform.
- (6) Should stocks of either country which are subject to major interception by the other country decline to the point that the intercepting country is unable, over a four year period, to obtain its agreed upon annual allowable level of interception, all annual allowable levels of interception shall be adjusted by both countries so as to distribute the effects of such reduction in stock strength over the salmon fisheries of both countries; however all increments attributable to specific enhancement projects built after the commencement of this agreement shall accrue to the state of origin.
- (7) United States fisheries which are exploiting salmon stocks originating in the Canadian sections of the Columbia River, and rivers which drain to the sea through Alaska (including the Yukon River) will not be restricted to annual allowable levels of interceptions, subject to the requirements of existing Canadian fisheries and to the requirements of conservation. Should Canada decide to increase its fisheries on these rivers allowable annual levels of interceptions will be placed on United States fisheries based on the catch levels at that time, reduced by the amount required to permit excesses of the

Canadian fisheries, and an annual reduction of 10 percent shall commence in the following year and shall be applied annually so long as the Canadian fisheries are capable of harvesting such additional fish or until interceptions are reduced to 20 percent of the original allowable annual level.

- (8) An international commission or other administrative body whose duties will be defined by the two Governments will be established to facilitate the implementation of this agreement.

CONFIDENTIAL
OCTOBER 1, 1973

*File
Oct 10 1973
B. Appleton*

FROM: VANCOUVER
CAMEL TO SALMON TALKS

TO: EXTERNAL AFFAIRS OTTAWA (AUKER)
IT & C. OTT. (DELAGRE)
ENVIRONMENT OTT (YOUNG)

REF. OUR TELEGRAM VIA TELECOPIER SEPTEMBER 28, 1973

25-5-7-2	
Salmon	
9	

SUBJECT: CDA-US SALMON TALKS

- (1) ATTACHED IS CDN RECORD OF U.S. OPENING STATEMENT, U.S. COUNTER PROPOSAL AND U.S. COUNTER PROPOSAL REVISED SEPTEMBER 28, 1973.
- (2) PRIMARY DIFFERENCES FROM CDN PROPOSAL LIE IN PROVISION FOR ALLOWABLE ANNUAL RATES OF INTERCEPTION ON PERCENTAGES RATHER THAN ALLOWABLE LEVELS OF INTERCEPTION ON NUMBERS OF FISH. U.S. PROPOSAL, COULD MEAN ACTUAL INCREASE IN INTERCEPTIONS.
- (3) TECHNICAL TEAM MEETING TO WORK OUT DETAILED EXAMPLES FOR EACH PROPOSAL AND TO ANALYZE IMPLICATIONS.

RECEIVED

OCT 2 1973

In Legal Operations Division
Department of External Affairs

BEST ORIGINAL AVAILABLE
MEILLEUR ORIGINAL

Mr. McKernan in his reply, thanked Mr. Levelton for the welcome to Vancouver and said that the U.S. was looking with anticipation to progress in the present round of talks. The U.S. shares Canada's view that the need for stabilization is a prerequisite for the enhancement programs of both countries. The U.S. delegation welcomes Canada's defining the Canadian viewpoint, and will look carefully and positively at the Canadian proposal. He stated that while there are some areas of disagreement, the two countries are agreed on summary principles, more or less. He said that the U.S. approached these meetings with a conciliatory attitude, as evidenced by the U.S. concession that benefits of the enhancement by either country should go entirely to that country. In the U.S. view both countries are better served if provision is made for some limited interception, and we continue to share the benefits of enhancement projects, because it is so difficult to separate the stocks and to manage the fishery to avoid interceptions. He conceded that, on the Fraser, it was

comparatively easy to manage stocks to avoid interceptions, but this was not so in other areas where interceptions occur, nevertheless, the U.S. accepts the principle that Canada proposes.

Mr. McKernan then touched on the question of the value of interceptions, and agreed that it was unlikely agreement would be reached during these meetings. He stated our delegations should avoid argument on this issue as it will impede progress in other areas. The U.S. believes the imbalance remains in the Canadian favor. The U.S. feels that progress may be achieved by discussing more specific issues, e.g., the differences in estimates of interceptions by U.S. and Canadian technical staffs that, in the south are very small, but in the north are miles apart. He stated that he considered this is one area where progress might be achieved, and again emphasized that the suggestions he was advancing are designed to achieve progress.

He stated that the U.S. recognizes that implementing some of the suggestions from both sides will entail profound changes in salmon management on the Pacific Coast, and that the U.S. was prepared to examine alternate arrangements and the need for new or revised international agreements. He agreed that interceptions in some fisheries could be reduced and that a balance in interceptions must be maintained, but emphasized that interceptions will continue. He stated that the basis for any future agreement must recognize the concept that the U.S. will continue to intercept Canadian fish and vice versa. Hopefully we can find the basis for agreement that will not increase interceptions, but will actually reduce the rate of interceptions. The U.S. is also prepared to accept

the Canadian stand that any enhancement after agreement is reached must accrue to the country of origin, but enhancement that occurs simply by sound management practices may deserve special consideration.

Mr. McKernan also stated that both Canada and U.S. must recognize that data on northern interceptions are not good, and estimates of interceptions are open to question.

In closing Mr. McKernan emphasized that the U.S. approaches these meetings without any fixed plan, but hopes to find openings that can lead to agreement by both parties, realizing that the negotiations are complicated, both economically and politically.

~~Mr. McKernan then introduced the American delegation and its~~
~~advisors.~~

UNITED STATES COUNTER PROPOSAL

Canada, in discussions with the United States on Pacific salmon problems of mutual concern, has consistently maintained that in the interests of conservation and equity each country should to the degree possible, harvest only those salmon which are produced from its own rivers. Canada believes therefore that the ultimate solution to the problem lies in each country, as far as possible minimizing catches of salmon bound for the other country. Where such reductions in interceptions are not practical, there should be an equitable balance in the value of interceptions. Negotiations should be continued to this end. The problems are very complicated and will take time to resolve. In the meantime, the Canadian Section proposes that the two countries seek to reach an interim agreement which will recognize the desire of both countries to limit interceptions and to begin a mutual reduction of interceptions on both sides.

The United States also recognizes that as a practical matter it is impossible to completely avoid interceptions and recognizing moreover the existence of long-established fisheries dependent to a considerable degree on the harvest of intermingled or migrating stocks, agrees that there should be an equitable balance between interceptions by the two countries.

In achieving this equitable balance there should be taken into account the relative contribution, of whatever kind, made by either country to the maintenance and development of individual stocks of salmon. Measures to achieve the balance must also take ^{JN70} ~~int~~ consideration the over-riding requirements of conservation.

In view of the time obviously required to reach an

ultimate resolution of these problems, both countries agree to seek an interim agreement based on the following measures:

- (1) For each species in Categories A, C, D and E, as defined in the reports of the Technical Committee on Salmon Interceptions, allowable annual rates of interception shall be calculated as percentages of total catch of each species in each category.
- (2) The allowable annual rate of interception for each species in each of the above categories shall be calculated by using the annual average percentages of total catch of each species in each category recorded during the years 1967 to 1972, inclusive, and by using the average of the Canadian and United States estimates of rates of interceptions as listed in the first report of the Technical Committee on Salmon Interceptions, except that the base period used for calculating the rates for Fraser River sockeye and pink salmon shall be _____ and _____ respectively. Allowable annual rates of interceptions for pink salmon shall be calculated separately for runs in odd-numbered and even-numbered years. It is understood that the estimates listed in the first report may be revised.
- (3) The allowable annual rates of interception shall be placed into effect in the calendar year following the year in which agreement is reached, and shall remain in effect for three consecutive years thereafter, except that the rates for Fraser River sockeye and pink salmon shall remain in effect through a 12-year period. At the commencement of the fifth year of this agreement and

annually thereafter, the allowable annual rates of interception, except for Fraser River sockeye and pink salmon, shall be reduced by five per cent of the initial rates until interceptions are reduced to 35 percent of the total allowable annual harvest. Representatives of the two countries will meet after two years of the interim agreement to review the operation of the agreement and will meet annually after four years to consider further reductions in interceptions in specific areas on a mutually agreed basis.

(4) (Subject to further consideration)

Deviations from the allowable annual level of interceptions which occur in any one year shall be added to or subtracted from the allowable annual levels of interceptions in succeeding years, but in any event deviations from the allowable annual levels of interceptions as closely as possible must reach zero at the end of the fourth year of this agreement. Methods for bringing deviations to zero will be the responsibility of the country concerned. If at the end of any such four year period the sum of the actual annual interceptions deviates from the sum of the allowable annual levels of interceptions, such deviations will be applied to the allowable annual levels of interception during the subsequent four year period, subject to a percent penalty.

(5) (Either omit or re-write as follows)

For each species and each category listed in paragraph (1) interceptions shall not exceed 50 percent of the total catch allowable in any year.

- (6) Should stocks of either country which are subject to major interception by the other country decline to the point that the intercepting country is unable, over a four year period, to obtain its agreed upon annual allowable rate of interception, all annual allowable rates of interception shall be adjusted by both countries so as to distribute the effects of such reduction in stock strength over the salmon fisheries of both countries; however, all increments attributable to specific enhancement projects which occur after the commencement of this agreement shall accrue to the state of origin.
- (7) United States fisheries which are exploiting salmon stocks originating in the Canadian sections of the Columbia River, and rivers which drain to the sea through Alaska (including the Yukon River) will not initially be restricted to annual allowable catch levels, subject to the requirements of existing Canadian fisheries and to the requirements of conservation. Should Canada decide to increase its fisheries on those rivers, allowable annual percentage levels of catches will be placed on United States fisheries based on relative U.S.-Canada catch levels at that time, and United States percentage levels will be reduced by _____ percent commencing in the following year and subsequent years to accommodate the Canadian fisheries until United States harvests are reduced to percentages of the total allowable catch which will be negotiated separately for each river system. Reductions in United States catches, as described above, will not be required, however, in excess of those necessary to accommodate the Canadian harvest and conservation. Conservation responsibilities of stocks in these rivers must be shared by

both countries

- (6) An international commission or other administrative body whose duties will be defined by the two Governments will be established to facilitate the implementation of this agreement. The two Governments will agree on appropriate means of settlement of disputes which may arise between them in the application of the foregoing measures.

UNITED STATES COUNTER PROPOSAL (Revised Sept. 28, 1973)

Canada, in discussions with the United States on Pacific salmon problems of mutual concern, has consistently maintained that in the interests of conservation and equity each country should, to the degree possible, harvest only those salmon which are produced from its own rivers. Canada believes therefore that the ultimate solution to the problem lies in each country as far as possible minimizing catches of salmon bound for the other country. Where such reductions in interceptions are not practical, there should be an equitable balance in the value of interceptions. Negotiations should be continued to this end. The problems are very complicated and will take time to resolve. In the meantime, the Canadian Section proposes that the two countries seek to reach an interim agreement which will recognize the desire of both countries to limit interceptions and to begin a mutual reduction of interceptions on both sides.

The United States also recognizes that as a practical matter it is impossible to completely avoid interceptions and recognizing moreover the existence of long-established fisheries dependent to a considerable degree on the harvest of intermingled or migrating stocks, agrees that there should be an equitable balance between interceptions by the two countries. In achieving this equitable balance there should be taken into account the relative contribution, of whatever kind, made by either country to the maintenance and development of individual stocks of salmon. Measures to achieve the balance must also take into consideration the overriding requirements of conservation.

In view of the time obviously required to reach an ultimate resolution of these problems, both countries agree to seek an interim agreement based on the following measures:

- (1) For each species in Categories A, C, D and E, as defined in the reports of the Technical Committee on Salmon Interceptions, allowable annual rates of interception shall be calculated as percentages of total catch of each species in each category.
- (2) The allowable annual rate of interception for each species in each of the above categories shall be calculated by using the annual average percentages of total catch of each species in each category recorded during the years 1967 to 1972, inclusive, and by using the average of the Canadian and United States estimates of rates of interceptions as listed in the first report of the Technical Committee on Salmon Interceptions, except that the base period used for calculating the rates for Fraser River sockeye and pink salmon shall be 1970 through 1973 and 1969 through 1973 respectively, and provided that further consideration shall be given the estimates of rates of interception in Category A. Allowable annual rates of interceptions for pink salmon shall be calculated separately for runs in odd-numbered and even-numbered years. It is understood that the estimates listed in the first report may be revised.
- (3) The allowable annual rates of interception shall be placed into effect in the calendar year following the year in which agreement is reached, and shall remain in effect for three consecutive years thereafter, except that the rates for Fraser River sockeye and pink salmon shall remain in effect through a 12-year period. At the commencement of the fifth year of this agreement and annually thereafter, the allowable annual rates of interception, except for Fraser River sockeye and pink salmon, shall be reduced by five per cent of the initial rates until interceptions are reduced to 35 percent of the total allowable annual harvest. In the case of Fraser River sockeye and pink salmon, annual reductions

of five percent of the initial allowable annual rates of interception will be made commencing in the thirteenth year of this agreement and continuing until interceptions are reduced to 35 percent of the total allowable annual harvest. In no case will allowable annual rates of interception be increased.

Representatives of the two countries will meet after two years of the interim agreement to review the operation of the agreement and will meet annually after four years to consider further reductions in interceptions in specific areas on a mutually agreed basis.

(4) (Subject to further consideration)

Deviations from the allowable annual level of interceptions which occur in any one year shall be added to or subtracted from the allowable annual levels of interceptions in succeeding years, but in any event deviations from the allowable annual levels of interceptions as closely as possible must reach zero at the end of the fourth year of this agreement. Methods for bringing deviations to zero will be the responsibility of the country concerned. If at the end of any such four year period the sum of the actual annual interceptions deviates from the sum of the allowable annual levels of interceptions, such deviations will be applied to the allowable annual levels of interception during the subsequent four year period, subject to a percent penalty.

(5) (Either omit or re-write as follows)

For each species and each category listed in paragraph (1) interceptions shall not exceed 50 percent of the total catch allowable in any year.

(6) All increments, attributable to specific enhancement projects, which occur after the commencement of this agreement shall accrue to the country of origin.

(7) United States fisheries which are exploiting salmon stocks originating in the Canadian sections of the Columbia River, and rivers which drain to the sea through Alaska (including the Yukon River) will not initially be restricted to annual allowable catch levels, subject to the requirements of existing Canadian fisheries and to the requirements of conservation. Should Canada decide to increase its fisheries on those rivers, allowable annual percentage levels of catches will be placed on United States fisheries based on relative U.S.-Canada catch levels at that time, and United States percentage levels will be reduced by percent commencing in the following year and subsequent years to accommodate the Canadian fisheries until United States harvests are reduced to percentages of the total allowable catch which will be negotiated separately for each river system. Reductions in United States catches, as described above,

will not be required, however, in excess of those necessary to accommodate the Canadian harvest and conservation. Conservation responsibilities of stocks originating in the Canadian sections of these rivers must be shared by both countries.

- (8) An international commission or other administrative body whose duties will be defined by the two Governments will be established to facilitate the implementation of this agreement. The two Governments will agree on appropriate means of settlement of disputes which may arise between them in the application of the foregoing measures.

MESSAGE

FM/DE	PLACE	DEPARTMENT	ORIG. NO.	DATE	FILE/DOSSIER	SECURITY SÉCURITÉ
	LIEU	MINISTÈRE	N ^O D'ORIG.		25-5-7-2-SALMON-1	
	OTT	EXTER	FLO-1076	9 OCT 73	9	RESTD
TO/A IMCODEL LDN/LEE						PRECEDENCE
INFO WASH DC ENVT ENVOTT/LEVELTON/LEGAULT						OCT 10 14 14 '73
DISTR. PDM GWU EGS ECL						

REF

SUB/SUJ

CDA-USA SALMON TALKS, VANCOUVER, SEPT 26-OCT 5

PROGRESS MADE AT TALKS. CDN PROPOSAL BASICALLY FOR CEILINGS IN NUMBERS OF INTERCEPTED SALMON ON AREA-CATEGORY-SPECIES BASIS, AND REDUCTIONS FROM CEILINGS, MET WITH US COUNTER PROPOSAL FOR FREEZE IN TERMS OF PERCENTAGES OF CATCH ON AREA-CATEGORY-SPECIES BASIS AND SELECTIVE AND MINOR REDUCTIONS IN PERCENTAGES. US THEN OFFERED PROPOSAL DESCRIBED AS COMPROMISE, DESIGNED BASICALLY TO SPLIT THE DIFFERENCE IN NUMBERS OF FISH EACH PROPOSAL WOULD HAVE PRODUCED, AND INCORPORATING CDN PROPOSALS FOR SOLELY CDN FUTURE DEVELOPMENT OF THE FRASER AND BUY-OUT OF BENEFITS NOT YET RECEIVED FROM RECENT INVESTMENTS. MTG ~~ADJOURNED~~ ADJOURNED TO DEC 8-14 IN SEATTLE ON BASIS US PROPOSAL, IMPLICATIONS ETC WOULD BE STUDIED BY JOINT TECHNICAL GROUPS IN INTERIM, AND WITH HOPE THAT SEATTLE ~~MTG~~ MTG WILL PRODUCE AGMT. HOWEVER, SEVERAL HURDLES REMAIN, INCLUDING FACT US PROPOSAL AS PRESENTLY FRAMED SEEKS EXORBITANT PRICE FOR BUY-OUT OF BENEFITS FROM RECENT ENHANCEMENT, AND APPEARS TO PROVIDE FOR MORE REDUCTIONS IN INTERCEPTIONS ON CDN SIDE THAN ON US SIDE.

DRAFTER/RÉDACTEUR	DIVISION/DIRECTION	TELEPHONE	APPROVED/APPROUVÉ
SG..... <i>B. Applebaum</i> B. Applebaum/dah	FLO	2-6692	SG..... <i>S. D. Miller</i> D.M. Miller

SEEN BY THE MINISTER

CONFIDENTIAL

October 10, 1973

file
25-57-2
Salmon-1
9
B. Appleton
Oct 15/73

MEMORANDUM FOR THE MINISTER

Discussions with the United States
on Salmon Problems of Mutual Concern,
Vancouver, September 26 - October 4, 1973

On September 19, 1973 you presided over the meeting of the Cabinet Committee on External Policy and National Defence which discussed a Memorandum to Cabinet on this subject, and which deferred approval of certain recommendations for actions designed to bring about a confrontation if our negotiations with the Americans reached an impasse.

2. As you know, the problem concerns interceptions by Canadian and United States fishermen of salmon bound for each other's rivers. In terms of values placed on each country's total annual interceptions Canada suffers a net loss, and negotiations have taken place over a period of several years to achieve an equitable balance. The negotiations have also concerned the necessity for changes to the Fraser River Convention, under which the United States is entitled to share equally with Canada in the development of salmon runs on the Fraser River, and their harvest within the Convention Area: it has been Canadian policy that future salmon development of the Fraser, and resulting benefits, should be free of foreign participation.

3. Unlike the previous discussions with the United States in Seattle in May of this year that resulted in an impasse, some progress was made at the Vancouver meeting, and there is some reason therefore to hope that an agreement may now be reached at the next meeting scheduled to take place in Seattle, December 8-14, 1973. This progress involved, basically, agreement by the United States; (1) to the Canadian principle that future salmon development of the Fraser River should be entirely in Canadian hands, with all resulting benefits accruing to Canada; and (2) to the Canadian proposal that future returns from recent United States investments should be "bought out" at a fixed price in terms of numbers of fish. The American side also

... 2

*Noted
This is at least
emergency
11.10.10(05)am 2*

CONFIDENTIAL

agreed to the principle that interceptions should be frozen, in some sense, and then reduced in a balanced manner. After the Canadian side had suggested ceilings on interceptions expressed in numbers of fish and subsequent reductions from those ceilings, and the Americans had countered with ceilings in terms of percentages of the harvest, the United States side tabled a "compromise" proposal, incorporating the principles outlined above and providing a formula which would appear to provide, in the case of increased runs apart from those resulting from enhancement, a number of fish, varying with the size of the runs, exactly half-way between the quantities which the original Canadian and United States proposals would have provided. Unfortunately the "compromise" has certain undesirable implications, for, while it incorporates the United States principle that interceptions should increase in numbers whenever the runs increase, it is contrary to the Canadian position that the actual quantity of interceptions should not increase. Nonetheless, the proposal appeared to involve significant concessions on the part of the United States, and it was on this note that both sides agreed to adjourn the meeting until December, to allow, in the interim, detailed studies of its implications. There is some reason to hope that, with adjustments, and further agreement on details, this new proposal may ultimately prove acceptable from the Canadian point of view, and that it may be possible therefore to reach agreement at the December meeting.



A. E. R.

RECORD OF DISCUSSION

UNITED STATES - CANADA CONSULTATIONS ON
SALMON PROBLEMS OF MUTUAL CONCERN

Vancouver, B.C. September 26 - October 4 , 1973

Representatives of the United States and Canada met at Vancouver, B.C. from September 26 through October 4 to consider further the problems of mutual concern related to the fisheries for Pacific salmon, specifically the problems of interceptions by fishermen of one country of salmon bound for the streams of the other.

The representatives continued in agreement that there should be an equitable balance in value of interceptions between the two countries. Recognizing, however, the complexity of the problems to be overcome before reaching an ultimate solution, they agreed to seek an interim agreement which would impose limits on interceptions of each species in major categories. The Canadian representative presented a proposal (Appendix 1) under which allowable annual levels of interceptions, in numbers of fish, would be calculated using the period 1967-72 as a base. These levels would remain in effect for four years and would thereafter be reduced annually by five percent of the initial levels until interceptions were reduced to 50 per cent of the initial levels. The United States representative made a counter-proposal (Appendix 2) under which allowable annual rates of interception would be calculated as percentages of total catch of each species in major categories, using for chinook and coho salmon of United States origin in the southern area the base period 1967-72 and for Fraser River sockeye and pink salmon the base periods 1970-73 and 1969-73 respectively. Provision was made for annual reduction of the interception rates after a four-year period by five percent of the initial rates until they were reduced to 35 percent of the total allowable annual harvest.

- 2 -

An exception would be made for Fraser River sockeye and pink salmon for which the annual reductions would begin only after the expiration of three four-year cycles (six two-year cycles in the case of pink salmon).

Subsequently the United States representative introduced a new proposal (Appendix 3) which would combine the concept of limiting interceptions in terms of numbers and that of limitations in terms of percentages of the allowable catch. In connection with this proposal, the United States representative also presented proposals (Appendix 4) for the treatment of the increased benefits resulting from enhancement projects in the calculation of the total allowable catch for measuring interceptions, both for Fraser River stocks and for others, including proposals for realization within a fixed period of time of future increases from recent enhancements.

In view of the complexities of the matter and the need to assess fully the implications of the proposal it was agreed to defer further consideration pending a detailed examination by a Technical Committee, to be headed by Mr. D.R. Johnson of the United States and Mr. W.R. Hourston of Canada. The Technical Committee's terms of reference are attached as Appendix 5. A sub-committee, the terms of reference of which are attached as Appendix 6, will be established for studies of Yukon River salmon stocks.

It was also agreed that a joint Administrative Committee to consider the implementation of an agreement, including the organizational structure, is required, such committee to be composed of fishery administrators from both countries and other appropriate officials of the two Governments and to be headed by Mr. W.R. Hourston of Canada and Mr. D.R. Johnson of the United States. The Administrative Committee's terms of reference are attached as Appendix 7.

000064

It was decided to recommend to the two Governments that a further meeting of representatives of Governments be held in December, 1973. The representatives of the two Governments agreed that significant progress had been made, and specifically on the following principles:

- (1) Each country should be able to proceed unilaterally with enhancement projects on its own rivers or portions of rivers, and bearing in mind that there remain certain problem areas which require special consideration, all continuing increments in salmon production attributable to specific enhancement projects and occurring after the commencement of an interim agreement should accrue to the country of origin.
- (2) The U.S. should in addition obtain a suitable fixed return from its recent investments on the Fraser River in terms of catches of salmon, to realize within a fixed period future benefits which would otherwise have accrued to it.
- (3) Efforts should be made to improve the data base for estimates of interception in the area of Southeastern Alaska and Northern British Columbia.
- (4) If agreement can be reached at the meeting proposed for December, in view of the desire of both sides to take certain actions early in 1974 and in advance of the coming into force of the agreement, appropriate interim arrangements will be made.

DISCUSSIONS BETWEEN THE GOVERNMENT OF CANADA AND
THE GOVERNMENT OF THE UNITED STATES OF AMERICA
ON SALMON PROBLEMS OF MUTUAL CONCERN

VANCOUVER, B.C.
SEPTEMBER 26, 1973

CANADIAN DELEGATION:

Clifford R. Levelton
Head of Delegation

Director-General
Operations Branch,
Fisheries & Marine Service,
Department of the Environment,
Ottawa, Ontario

Bernard Applebaum

Legal Operations Division,
Department of External Affairs,
Ottawa
Director, Int. Fish. Br. DOE, Ottawa.

L. H. J. Legault

Dr. M.P. Shepard

Director, Resource Management Branch,
Department of the Environment,
Ottawa.

Phillip D. Murray

Resource Management Branch,
Department of the Environment,
Ottawa

W. R. Hourston

Regional Director of Fisheries,
Department of the Environment,
Vancouver, B.C.

Dr. Keith S. Ketchen

Assistant Director,
Pacific Biological Station,
Fisheries & Marine Service,
Department of the Environment,
Nanaimo, B.C.

Ian S. Todd

Fisheries & Marine Service,
Department of the Environment
Vancouver, B.C.

ADVISERS
GOVERNMENT OF CANADA

Robert F.A. Roberts

Pacific Region,
Fisheries & Marine Service,
Department of the Environment,
Vancouver, B.C.

K. Victor Aro)
Harold Godfrey)
Jack McDonald)

Pacific Biological Station,
Fisheries & Marine Service,
Department of the Environment,
Nanaimo, B.C.

PROVINCE OF BRITISH COLUMBIA

Lloyd Brooks

Deputy Minister, Department of
Recreation & Conservation, Victoria

J. Kemp

Department of Recreation &
Conservation, Victoria

INDUSTRY ADVISERS

K. M. Campbell	Fisheries Association of B.C.
D. F. Miller	" " " "
E. L. Harrison	" " " "
J.A. Garcia	Pacific Trollers' Association
R. Williams	" " "
G. Hewison	United Fishermen & Allied Workers' Union
E. Neish	" " " " "
J. W. Tickson (alternate)	" " " " "
C. Jager	Prince Rupert Fishermen's Cooperative Association.
K. Marki	" " " "
G.C. McKenzie	Fishing Vessel Owners' Assoc. of B.C.
P.B. Wilson	Independent Fish Processors Assoc.
H. English	Sport Fish Representative
Robert H. Wright	" " "
G. Jeffrey	Native Brotherhood of B.C.
A. Kusick	" " " "

UNITED STATES DELEGATION

U.S.-Canada Fisheries Negotiations

Starting September 26, 1973
Vancouver, B. C., Canada.

U. S. GOVERNMENT

Ambassador Donald L. McKernan	Coordinator of Ocean Affairs and Special Assistant to the Secretary for Fisheries and Wildlife, U. S. Department of State.
Stuart Blow	Office of the Coordinator of Ocean Affairs, Department of State
Dr. Ken Henry	National Marine Fisheries Service
Donald R. Johnson	" " " "
H. A. Larkins	" " " "
Harry L. Rietze	" " " " Juneau
Larry L. Snead	Office of International Affairs, National Oceanic & Atmospheric Administration, Dept. of Commerce
Fredrik V. Thorsteinson	National Marine Fisheries Service, Juneau

Experts and Advisors (Industry)

Jim Beaton	United Fishermen of Alaska
A. A. (Pete) Boxford	West Port Charter Boat Association
Françis E. Caldwell	Northwest Trollers Association
Robert Christensen	Puget Sound Gillnetters Association
Earl E. Engman	Washington State Sports Council
Jay Gage	New England Fish Company
Robert Gay	Halibut Producers Cooperative
John R. Gilbert	Bumble Bee Seafoods
Ernie Haugen	Fisherman, Alaska State Representative

Experts and Advisors (Industry) (Cont'd)

Ole Haynes	S.E. Alaska Seiners
Hilary Irving	Makah Tribal Council
William Iach	Washington Salmon Association
Edward P. Manary	Seattle Poggie Club
Tak Miyahara	Peter Pan Seafoods
Charles Nelson	S.E. Alaska Seiners
Jesse Orme	Fishermen's Marketing Association of Washington
John Plancich	Fishermen's Packing Corporation
Mike Rose	S.E. Alaska Trollers , SITKA, ALASKA
William G. Saletic	Seiners Association
Gerald D. Simmons	West Coast Trollers Association
Don D. Taggart	Olympic Peninsula Charter Boat Association
Walter V. Yonker	Association of Pacific Fisheries
Glen Schuler	Washington Reef Net Owners Association

Experts and Advisors (States)

Dr. Peter K. Bergman	Washington Department of Fisheries
Harold Z. Hansen	Director of International Fisheries, Office of the Governor, Juneau
Dr. John Harville	Pacific Marine Fisheries Commission
Edgar J. Huizer	Deputy Commissioner, Alaska Department of Fish and Game, Juneau
Earle D. Jewell	Washington Department of Fisheries
Norman Johnson	Alaska Depaatment of Fish and Game
Dr. Eugene Kruse	Fish Commission of Oregon

Experts and Advisors (States) (Cont'd)

Robert E. Loeffel

Fish Commission of Oregon

Ronald Regnart

Alaska Department of Fish and Game

Carl Rosier

Alaska Department of Fish and Game

Melvin C. Seibel

Alaska Department of Fish and Game

Thor C. Tollefson

Washington Department of Fisheries

Henry O. Wendler

Washington Department of Fisheries

Samuel G. Wright

Washington Department of Fisheries

September 26, 1973

CANADIAN PROPOSAL

Canada, in discussions with the United States on Pacific salmon problems of mutual concern, has consistently maintained that in the interests of conservation and equity each country should, to the degree possible, harvest only those salmon which are produced from its own rivers. Canada believes therefore that the ultimate solution to the problem lies in each country as far as possible minimizing catches of salmon bound for the other country. Where such reductions in interceptions are not practical, there should be an equitable balance in the value of interceptions. Negotiations should be continued to this end. The problems are very complicated and will take time to resolve. In the meantime, the Canadian Section proposes that the two countries seek to reach an interim agreement which will recognize the desire of both countries to limit interceptions and to begin a mutual reduction of interceptions on both sides. To this end the Canadian Section proposes that, until a final agreement is reached:

- (1) For each species in each category as defined in the reports of the Technical Committee on Salmon Interceptions, allowable annual levels of interception shall be calculated in numbers of fish.
- (2) The allowable annual level of interception for each species in each category shall be calculated by using the annual average catches recorded during the years 1967 to 1972, inclusive, and by using the average of the Canadian and United States estimates

of rates of interceptions as listed in the first report of the Technical Committee on Salmon Interceptions. Allowable annual levels of interceptions for pink salmon shall be calculated separately for runs in odd-numbered and even-numbered years.

- (3) The allowable annual levels of interception shall be placed into effect in the calendar year following the year in which agreement is reached, and shall remain in effect for three consecutive years thereafter. At the commencement of the fifth year of this agreement and annually thereafter, the allowable annual levels of interception shall be reduced by five percent of the initial levels until interceptions are reduced to 50 percent of the initial allowable annual level. Representatives of the two countries will meet annually thereafter to implement further reductions in interceptions in specific areas on a mutually agreed basis.
- (4) Deviations from the allowable annual level of interceptions which occur in any one year shall be added to or subtracted from the allowable annual levels of interceptions in succeeding years, but in any event deviations from the allowable annual levels of interceptions as closely as possible must reach zero at the end of the fourth year of this agreement. Methods for bringing deviations to zero will be the responsibility of the country concerned. If at the end of any such four year period the sum of the actual annual interceptions deviates from the sum of the allowable annual levels of interceptions, such deviations will be applied to the allowable annual levels of interception during the subsequent four year period, subject to a _____ percent penalty.

- (5) In the Fraser River Convention Area the U.S. catch of sockeye and pinks shall not exceed 50 percent of the total catch allowable in any year; further, the Government of Canada will reimburse the U.S. for its recent investments, and this will be taken into account in calculating the allowable annual levels of interceptions. In all other respects this agreement will apply to the Fraser River stocks and the Convention will be amended to conform.
- (6) Should stocks of either country which are subject to major interception by the other country decline to the point that the intercepting country is unable, over a four year period, to obtain its agreed upon annual allowable level of interception, all annual allowable levels of interception shall be adjusted by both countries so as to distribute the effects of such reduction in stock strength over the salmon fisheries of both countries; however all increments attributable to specific enhancement projects built after the commencement of this agreement shall accrue to the state of origin.
- (7) United States fisheries which are exploiting salmon stocks originating in the Canadian sections of the Columbia River, and rivers which drain to the sea through Alaska (including the Yukon River) will not be restricted to annual allowable levels of interceptions, subject to the requirements of existing Canadian fisheries and to the requirements of conservation. Should Canada decide to increase its fisheries on those rivers allowable annual levels of interceptions will be placed on United States fisheries based on the catch levels at that time, reduced by the amount required to permit expansion of the

Canadian fisheries, and an annual reduction of 10 percent shall commence in the following year and shall be applied annually so long as the Canadian fisheries are capable of harvesting such additional fish or until interceptions are reduced to 20 percent of the original allowable annual level.

- (8) An international commission or other administrative body whose duties will be defined by the two Governments will be established to facilitate the implementation of this agreement.

UNITED STATES COUNTER PROPOSAL (Revised Sept.28,1973)

Canada, in discussions with the United States on Pacific salmon problems of mutual concern, has consistently maintained that in the interests of conservation and equity each country should, to the degree possible, harvest only those salmon which are produced from its own rivers. Canada believes therefore that the ultimate solution to the problem lies in each country as far as possible minimizing catches of salmon bound for the other country. Where such reductions in interceptions are not practical, there should be an equitable balance in the value of interceptions. Negotiations should be continued to this end. The problems are very complicated and will take time to resolve. In the meantime, the Canadian Section proposes that the two countries seek to reach an interim agreement which will recognize the desire of both countries to limit interceptions and to begin a mutual reduction of interceptions on both sides.

The United States also recognizes that as a practical matter it is impossible to completely avoid interceptions and recognizing moreover the existence of long-established fisheries dependent to a considerable degree on the harvest of intermingled or migrating stocks, agrees that there should be an equitable balance between interceptions by the two countries. In achieving this equitable balance there should be taken into account the relative contribution, of whatever kind, made by either country to the maintenance and development of individual stocks of salmon. Measures to achieve the balance must also take into consideration the overriding requirements of conservation.

In view of the time obviously required to reach an ultimate resolution of these problems, both countries agree to seek an interim agreement based on the following measures: 000075

- (1) For each species in Categories A, C, D and E, as defined in the reports of the Technical Committee on Salmon Interceptions, allowable annual rates of interception shall be calculated as percentages of total catch of each species in each category.
- (2) The allowable annual rate of interception for each species in each of the above categories shall be calculated by using the annual average percentages of total catch of each species in each category recorded during the years 1967 to 1972, inclusive, and by using the average of the Canadian and United States estimates of rates of interceptions as listed in the first report of the Technical Committee on Salmon Interceptions, except that the base period used for calculating the rates for Fraser River sockeye and pink salmon shall be 1970 through 1973 and 1969 through 1973 respectively, and provided that further consideration shall be given the estimates of rates of interception in Category A. Allowable annual rates of interceptions for pink salmon shall be calculated separately for runs in odd-numbered and even-numbered years. It is understood that the estimates listed in the first report may be revised.
- (3) The allowable annual rates of interception shall be placed into effect in the calendar year following the year in which agreement is reached, and shall remain in effect for three consecutive years thereafter, except that the rates for Fraser River sockeye and pink salmon shall remain in effect through a 12-year period. At the commencement of the fifth year of this agreement and annually thereafter, the allowable annual rates of interception, except for Fraser River sockeye and pink salmon, shall be reduced by five per cent of the initial rates until interceptions are reduced to 35 percent of the total allowable annual harvest. In the case of Fraser River sockeye and pink salmon, annual reductions

-3-

of five percent of the initial allowable annual rates of interception will be made commencing in the thirteenth year of this agreement and continuing until interceptions are reduced to 35 percent of the total allowable annual harvest. In no case will allowable annual rates of interception be increased.

Representatives of the two countries will meet after two years of the interim agreement to review the operation of the agreement and will meet annually after four years to consider further reductions in interceptions in specific areas on a mutually agreed basis.

(4) (Subject to further consideration)

Deviations from the allowable annual level of interceptions which occur in any one year shall be added to or subtracted from the allowable annual levels of interceptions in succeeding years, but in any event deviations from the allowable annual levels of interceptions as closely as possible must reach zero at the end of the fourth year of this agreement. Methods for bringing deviations to zero will be the responsibility of the country concerned. If at the end of any such four year period the sum of the actual annual interceptions deviates from the sum of the allowable annual levels of interceptions, such deviations will be applied to the allowable annual levels of interception during the subsequent four year period, subject to a percent penalty.

- (5) (Either omit or re-write as follows)
- For each species and each category listed in paragraph (1) interceptions shall not exceed 50 percent of the total catch allowable in any year.
- (6) All increments, attributable to specific enhancement projects, which occur after the commencement of this agreement shall accrue to the country of origin.
- (7) United States fisheries which are exploiting salmon stocks originating in the Canadian sections of the Columbia River, and rivers which drain to the sea through Alaska (including the Yukon River) will not initially be restricted to annual allowable catch levels, subject to the requirements of existing Canadian fisheries and to the requirements of conservation. Should Canada decide to increase its fisheries on those rivers, allowable annual percentage levels of catches will be placed on United States fisheries based on relative U.S.-Canada catch levels at that time, and United States percentage levels will be reduced by percent commencing in the following year and subsequent years to accommodate the Canadian fisheries until United States harvests are reduced to percentages of the total allowable catch which will be negotiated separately for each river system. Reductions in United States catches, as described above,

- 5 -

will not be required, however, in excess of those necessary to accommodate the Canadian harvest and conservation. Conservation responsibilities of stocks originating in the Canadian sections of these rivers must be shared by both countries.

- (8) An international commission or other administrative body whose duties will be defined by the two Governments will be established to facilitate the implementation of this agreement. The two Governments will agree on appropriate means of settlement of disputes which may arise between them in the application of the foregoing measures.

U.S. COMPROMISE PROPOSAL

The U.S. proposes a solution to the interception problem that incorporates both the Canadian view that U.S. interception of Canadian fish should be reduced to some absolute number and the U.S. view that such interceptions should be reduced but on the basis of a percentage of the total allowable catch rather than to an absolute number. Fundamental to this proposal are:

- 1) That interception rates should, where possible, be reduced, but in no case would interception rates be increased;
- 2) That all future enhancement increments due to unilateral investment be for the sole benefit of the investing country with full consideration of the need for each country to harvest its own salmon stocks;
- 3) That suitable base periods and associated levels of interception for each major species category, can be agreed upon.

Attached are examples of this proposal as it would apply to four major species categories. As a first step the proposal calls for averaging the numbers generated by the Canadian absolute ceiling, the average annual number of fish intercepted in the base period, and the U.S. percentage interception ceiling, the average annual percent of fish intercepted in the base period, for each species for each category. The individual national formulae would be in agreement for runs of the size of those of the base period - they diverge as the run size deviates from the base period.

The average of the two national values - the compromise level of interception - would then be divided by the total allowable catch, giving an allowable rate of interception for each size of run. The

result of this system would be that in years of large runs (excluding recent enhancement returns), the intercepting nation would take a number of fish greater than during the base period but the rate of interception would be less than that of the base period. At levels of total allowable catch much higher than that of the base period the decrease in interception rate with increases in catch size would cease.

As a second step, after a four year stabilization period, the initial rate of interception in those cases would, where it exceeds 35 percent, be phased down to that level in 5 percent per year decrements. Again, when catches exceed those of the base level, the interception rates would be less than 35 percent but the number of fish intercepted would increase.

In the case of Fraser River sockeyes additional considerations are given for United States investments in recent enhancement programs from which the U.S. has had little or no benefit. These are explained in a separate document.

United States proposals for base periods and estimates of interception rates and total catches during those periods are:

<u>Category</u>	<u>Base Period</u>	<u>(Approximate) Average Total Catch</u>	<u>(Approximate) Average Inter- ception Rate</u>
Fraser River sockeye	1970-73	5,000,000	.42 (U.S.)
Fraser River pink	1969-73 (odd yrs. only)	5,000,000	.35 (U.S.)
Southern area chinook	1967-72	1,500,000	.40 (Can.)
Southern area coho	1967-72	3,000,000	.41 (Can.)

(Base level: Total average catch = 5,000,000; average U.S. interception rate = .42)

<u>Total allow- able catch</u>	<u>Allowable U.S. Interception</u>	<u>Percent Interception</u>	
		<u>Initial</u>	<u>Ultimate</u>
	U.S. 1.1		
2.5	→ 1.1	42	35
	Can. 2.1		
	U.S. 2.1		
5.0 (base)	→ 2.1	42	35
	Can. 2.1		
	U.S. 4.2		
10.0	→ 3.1	31	26
	Can. 2.1		
	U.S. 6.3		
15.0	→ 4.2	28	23
	Can. 2.1	↓	↓

PINK ('69-73 odd year only base)

(Base level: Total average catch = 5,000,000; average U.S. interception rate = .35)

	U.S.	.9	
2.5	→	.9	35
	Can.	1.8	
	U.S.	1.8	
5.0 (Base)	→	1.8	35
	Can.	1.8	
	U.S.	3.5	
10.0	→	2.6	26
	Can.	1.8	
	U.S.	5.2	
15.0	→	3.5	23
	Can.	1.8	↓

CHINOOK ('67-72 base)

Base level: Total average catch = 1,500,000; average Canadian interception rate = .40)

<u>Total allow- able Catch</u>	<u>Allowable Can. interceptions</u>	Percent Interception	
		<u>Initial</u>	<u>Ultimate</u>
1.0	U.S. .400		
	→ .400	40	35
	Can. .600		
1.5 (base)	U.S. .600		
	→ .600	40	35
	Can. .600		
2.0	U.S. .800		
	→ .700	35	30
	Can. .600		
2.5	U.S. 1.000		
	→ .800	32	28
	Can. .600		
3.0	U.S. 1.200		
	→ .900	30	26
	Can. .600		

COHO ('67-72 base)

(Base level: Total average catch = 3,000,000; average Canadian interception rate = .41)

	U.S.	1.015		
2.5	→	1.015	41	35

Can. 1.287

••

	U.S.	1.218		
--	------	-------	--	--

3.0 (approx. base)	→	1.218	41	35
--------------------	---	-------	----	----

Can. 1.287

U.S. 1.624

4.0	→	1.456	36	31
-----	---	-------	----	----

Can. 1.287

U.S. 2.030

5.0	→	1.659	33	28
-----	---	-------	----	----

Can. 1.287

ENHANCEMENT

It is the U.S. position that a base period be selected for each species category for which the interceptions during that period would be calculated as a percentage of the total allowable catch. For all species and categories, other than for Fraser River pink and sockeye salmon, any increases in production occurring after an agreement resulting from recent enhancement projects would be determined and these increases would not become part of the total allowable catch for that particular species category. Such increases would not be used in determining the total allowable catch for measuring interceptions based on established rates of interception.

For the Fraser River pink and sockeye salmon, it is the U.S. view that the U.S. is entitled to any increased catches which accrue during the base period resulting from recent enhancement projects jointly undertaken under terms of the Fraser River Salmon Treaty. However, the average annual increased production from these recent enhancement projects that have accrued during the base period will be subtracted from the expected total increment from recent enhancement projects. The difference between the average annual increase during the base period and the total potential would be considered by the U.S. as the annual amount of enhancement benefits due the U.S. over a 12 year period. These enhancement benefits would be kept separate from and would not be a part of the total allowable catch of which the U.S. is entitled to a predetermined percentage.

For purposes of measuring the increment of the catch due to recent enhancement, the U.S. considers recent enhancement projects as those which result in return increments of fish for each major species category after the commencement of an agreement and including any increments which result from recent improvements in existing projects.

- 2 -

In the attached tables the U.S. has calculated the catches of salmon which can be attributed to recent enhancement projects and which will be available within the next few years. We have done this for Puget Sound and Washington Coastal chinooks and coho, Columbia River chinooks and Fraser River pink and sockeye salmon.

For Puget Sound and Washington Coastal hatchery chinooks and coho the level of catches in the Canadian troll fishery can be estimated for the years 1967-72. This level of catches is then compared with the projected level of catches of hatchery fish in this same fishery for the years 1974-76 based on increases in actual poundages of Washington State hatchery fish released which would directly contribute to the Canadian troll fishery during these years. This procedure produces an estimated increased Canadian catch of considerable magnitude which, in our opinion, is directly attributable to recent U.S. enhancement efforts and would be kept separate from the total allowable catches.

For the Columbia River we have listed only two projects which we feel can be clearly shown to be recent enhancement projects - transplant of fall chinook to the Willamette River and increased chinook production from the Kalama #1 hatchery.

These projects will produce enhancement catches of about 40,400 fish annually, which again would not be included in the total allowable catch based upon computing allowable Canadian interception estimates.

For Fraser River pink salmon enhancement projects, Seton Creek (lower and upper), in a preliminary analysis it appears that the returns to the U.S. during the base period may already have almost equalled the annual amount the U.S. could expect from these projects and if this is so, no additional enhancement catches would be added to the total allowable catch for Fraser River pink salmon.

With Fraser River sockeye salmon we have listed the calculated returns to the U.S. from the four spawning (incubation) channels and from Fennel Creek egg transplants during the years 1970-72. We have compared the average annual returns to the U.S. during these years with the expected annual returns to the U.S. for each project. The difference between the annual returns received and the annual expected returns - about 265,000 sockeye salmon - is the number of fish attributable to recent enhancement projects that would be due to the U.S. for the first 12 years of an agreement. These fish would be in addition to the interceptions permitted as a percentage of the total allowable catch.

TERMS OF REFERENCE FOR A WORKING GROUP ESTABLISHED
TO EXAMINE AND CLARIFY THE U.S. PROPOSAL TO ESTABLISH
A BASIS FOR REDUCING THE RATE OF INTERCEPTIONS OF
SALMON CAUGHT BY CANADIAN AND U.S. FISHERMEN.

1. To examine the statistical data used as a basis for the base levels for various species in the categories which have been used to estimate interception.
2. To review the basis for establishing base levels for the stocks which are intermingled and intercepted.
3. To examine proposals of how reductions or limitations of interceptions by each country might be made and to study the most likely effect these reductions or limitations might have on catches in specified fisheries.
4. To indicate such technical refinements of the proposal as might improve its effectiveness.
5. To examine the data and basis for enhancement estimates, and to refine these estimates, recognizing that each side has its own obligation to improve such estimates.

The Working Group, in undertaking the assignments outlined above is not required to reach any agreements and is not expected to negotiate with respect to adjusting their respective points of view.

October 4, 1973.,
Vancouver, B.C.

SUGGESTED TERMS OF REFERENCE
FOR STUDIES OF YUKON RIVER
SALMON STOCKS

- (1) A Technical Sub-committee of the Committee on Salmon Interceptions be established to exchange information or arrange for collection of new information to improve the basis for estimating of harvest by United States fishermen of salmon bound for Canadian sections of the Yukon River, including information on the development of fisheries in the river on both sides of the international boundary.

- (2) Technical representatives of the two countries be instructed to meet beginning at the present meeting to exchange information on the status of the Yukon River stocks, including exchange of information on spawning escapements, catches, timing of runs, and other data pertinent to assessing the production of Yukon River chinook and chum salmon runs originating in each country and discuss methods of improving the quality of such data. In connection with such an exchange, examine among other matters, the impact of the Japanese high seas fisheries on these stocks as background for submissions to be made by either or both governments at the 1973 Annual Meeting of the International North Pacific Fisheries Commission.

October 4, 1973.
Vancouver, B.C.

ADMINISTRATIVE COMMITTEE

TERMS OF REFERENCE

It shall be the task of the Administrative Committee:
To consider alternatives regarding the form and nature
of an interim agreement, including the organizational
structure which would be needed to implement such an
agreement, the functions to be assigned to any commission
or other administrative body which may be established,
and the relevant legal implications.

October 4, 1973
Vancouver, B. C.



Environment Environnement
Canada Canada

news release communiqué

FOR IMMEDIATE RELEASE

SEPTEMBER 26, 1973.

VANCOUVER, B.C. - United States and Canadian fishery experts opened discussions in Vancouver, B. C. today on matters of mutual concern related to the fisheries for Pacific salmon conducted by fishermen of the two countries. These discussions are the fifth in the current round of talks stemming from the "Agreement between the Government of Canada and the Government of the United States of America on Reciprocal Fishing Privileges in Certain Areas off their Coasts," signed in Ottawa on April 24, 1970.

The previous consultations developed draft principles which might serve as a basis for a possible agreement on the future conduct of salmon fisheries in general. These draft principles are designed to provide an equitable balance of the interception by each side of salmon bound for the streams of the other and wherever possible to reduce such interceptions.

The Canadian delegation is headed by Mr. C. R. Levelton, of the Department of the Environment, Fisheries and Marine Service and consists of advisers from the Fisheries and Marine Service, the Department of External Affairs, the Provincial Government of British Columbia and the Commercial and sport fishing interests in British Columbia.

The United States delegation is headed by Ambassador D. L. McKernan of the United States Department of State,

..... 2

and includes representation from the National Marine Fisheries Service, the Governments of Oregon, Washington and Alaska, and the commercial and sport interests of the Pacific area.

It is expected that the meeting which will be reviewing reports and investigations carried out since the last meeting will continue for ten days.

news release communiqué

 Environment Canada
Environnement Canada

FOR IMMEDIATE RELEASE

OCTOBER 4, 1973

VANCOUVER, B.C. - Canadian and United States fishery experts concluded discussions today in Vancouver, British Columbia on matters of mutual concern related to the fisheries for Pacific salmon conducted by fishermen of the two countries. These discussions were the latest in a series of such meetings between representatives of the two Governments.

The Canadian delegation was headed by Clifford R. Levelton, Director-General (Operations) Fisheries and Marine Service, Department of the Environment, Ottawa, and consisted of advisers from the Department of the Environment, the Department of External Affairs, the Government of the Province of British Columbia, and commercial and sport fishing interests in British Columbia.

The United States delegation was headed by Ambassador Donald L. McKernan, Coordinator of Ocean Affairs and Special Assistant to the Secretary, U. S. Department of State, and included representatives from the National Marine Fisheries Service, the State Governments of Oregon, Washington and Alaska, and the commercial and sport fishing interests of the Pacific area.

The two delegations reviewed the problem of interceptions by each side of salmon bound for the streams of the other and the question of the balance of such interceptions, and considered various possible solutions. Considerable progress was made in isolating areas of agreement and establishing principles which would be implemented in the interim agreement which both sides agreed would be necessary, pending final solution of the problems related

-2-

to achieving equity. Constructive proposals were made as to the form this interim agreement might take, and it was agreed to adjourn the meeting to allow technical committees to study the possible impact and ramifications of these proposals. The delegations agreed to meet again in December to consider the studies resulting from these committees and to endeavour to make further progress leading to the conclusion of an agreement.

-30-

EXTERNAL AFFAIRS



AFFAIRES EXTÉRIEURES

s.23

TO
A FILE

SECURITY
Sécurité RESTRICTED

FROM
De B. Applebaum

DATE October 18, 1973

REFERENCE
Référence Lunch-October 16, 1973; Institutional arrange-
ments for West Coast Salmon Agreement

NUMBER
Numéro

SUBJECT
Sujet

FILE	DOSSIER
OTTAWA	
25-5-7-2-SALMON-1	
MISSION	

ENCLOSURES
Annexes

DISTRIBUTION

DOE/K.C.Lucas
/J.G.Carton
/M.P.Shepard

8 Messrs. Lucas, Carton, Shepard and I met for lunch on Tuesday, October 16 at Mr. Lucas' invitation, to discuss matters related to my attendance on September 24-25 in Seattle at a meeting of the Administrative Committee struck at the recent salmon negotiations in Vancouver, September 26 to October 4, and charged with consideration of institutional arrangements which will be necessary for implementation of the kind of agreement envisaged to cover west coast salmon interceptions. The working lunch was intended to sketch out a policy input from Ottawa and generally to discuss the kind of institution it would be in the Canadian interest to favour.

2. It was agreed as follows:

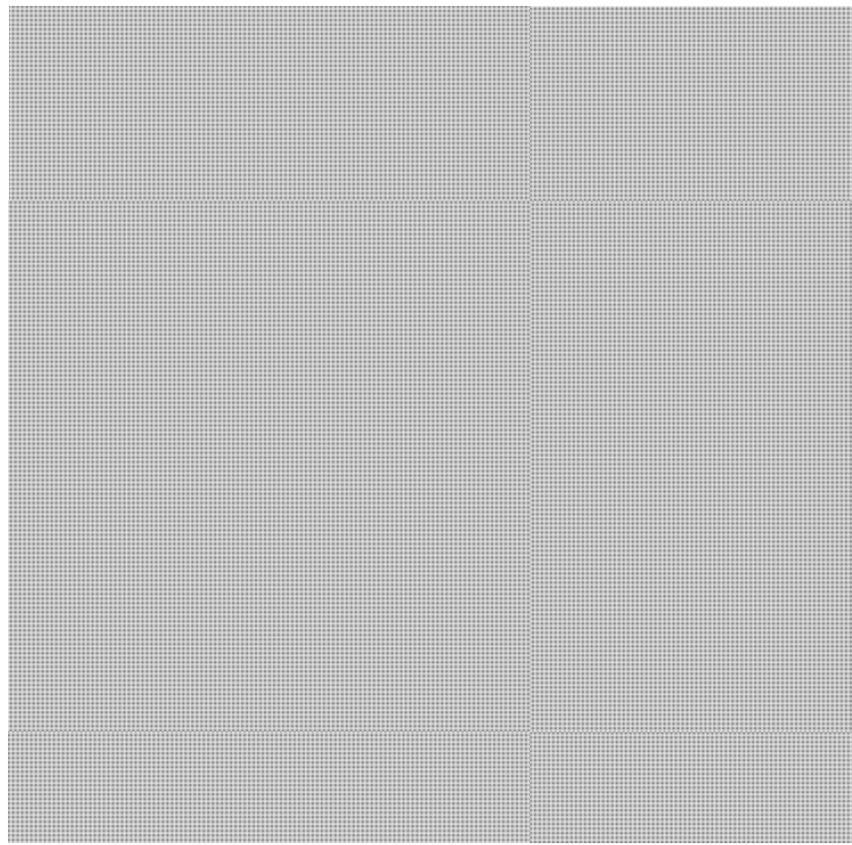
(a)

(b)

(c)

(d)

(e)



s.23

- 2 -

(f)

(g)

(h)

(i)

(j)

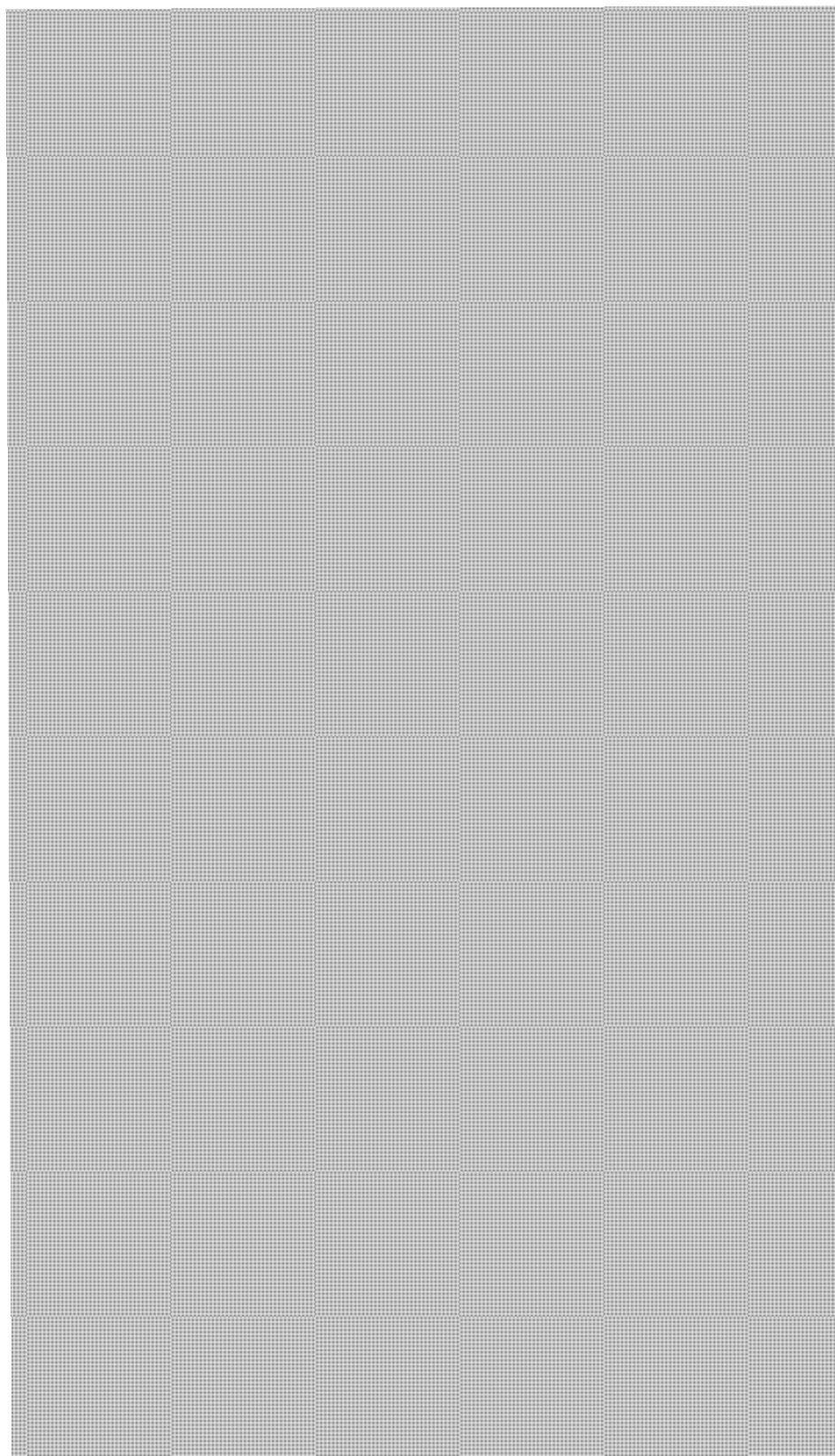
(k)

(l)

3.

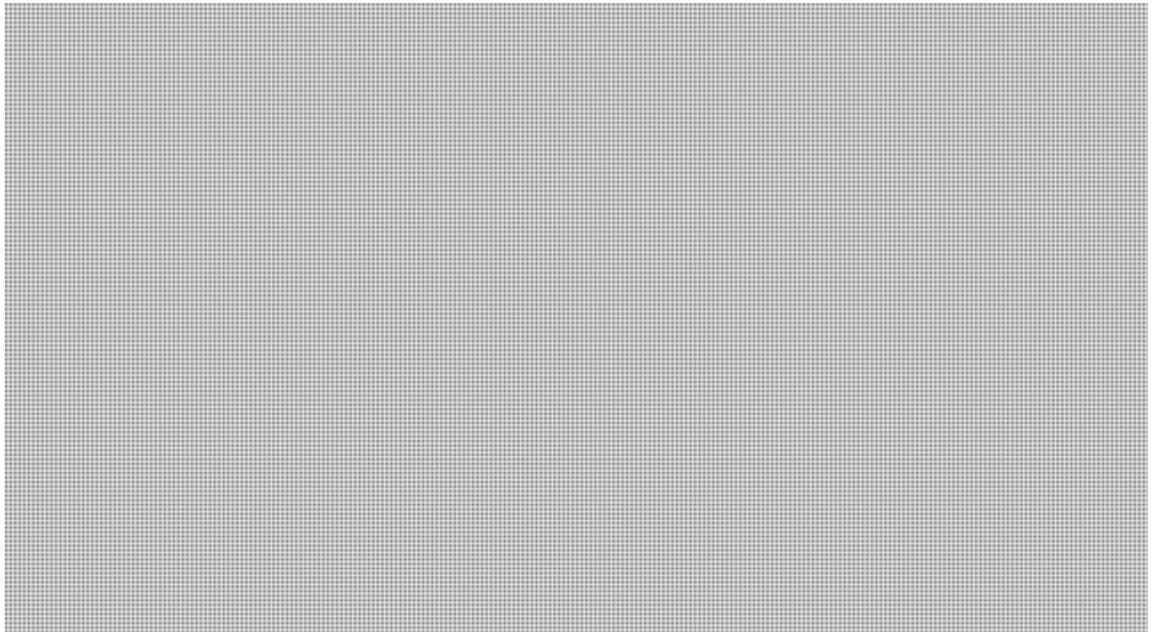
(A)

(B)



s.23

- 3 -



B. Applebaum
B. Applebaum.

Environment Canada Environnement Canada

TO/A FLD
 FROM/DE ACRD
 NOV 7 1973
 ATTN M. Applebaum

CONFIDENTIAL

MEMORANDUM NOTE DE SERVICE

DATE October 26, 1973

Our file / Notre référence 1030-2

FROM: Mr. W. R. Hourston
DE:

J-42

~~25-5-5-2 USA~~
 25-5-7-2 Salmon-1
 9

Your file / Votre référence

25-5-7-2 Salmon-1
File
Nov 1 73
B. Applebaum

TO: Mr. C. R. Levelton
A:

SUBJECT: MEETING OF A CANADA-U.S. ADMINISTRATIVE COMMITTEE
SUJET: SEATTLE - OCTOBER 24-25

Enclosed please find a compilation of the points that were agreed to by Canada and the U.S. at the above meeting.

You will note that there were some issues that the committee could not resolve without further time for consideration. It is expected that some attempt will be made to resolve these issues before the December meeting of the technical committee.

The minutes of this meeting (including this enclosure) will be issued through Mr. D. R. Johnson's Seattle office at a later date.

W. R. Hourston
W. R. Hourston

Enclosure

- cc: T. Andrews
- B. Applebaum
- R. A. Crouter
- G. Hewison
- D. Larden
- D. F. Miller
- D. MacKinnon
- I. Todd

RECEIVED
NOV 1

POSSIBLE FORM AND NATURE OF AN INTERIM AGREEMENT
ON SALMON INTERCEPTIONS AND ORGANIZATIONAL STRUCTURE

I. General:

- A. There should be a new Treaty.
- B. The U.S. would not participate in research or development in the Fraser River watershed.
- C. The new Commission staff would not undertake research or development projects.

II. Structure (Figure 1)

There would be a Commission consisting of an umbrella group composed of [5] commissioners from each country. There also would be a Southern Panel, a Northern Panel and a Convention Area Panel (basically similar to present Fraser River Convention Area), each of these panels having [3] commissioners from each country. In addition there would be a secretariat with services for finance and administration and scientific and statistical needs.

III. Duties

A. Secretariat

1. Shall compile statistics, run size predictions, and proposed regulations provided by each country and keep records of various catches which have occurred.
2. Shall analyze these data and advise and report to the appropriate panel, where circumstances warrant, of unforeseen conditions within seasons and deviations from allowed catches following the season.
3. Shall perform a liaison and administrative role to bring about cooperation between the two countries on scientific research.

B. Northern-Southern Panels

1. The panels shall review past years interceptions and establish levels for the next year's interceptions taking into account the formula provided for by the agreement and the proposals by the country of origin for escapement needs for the coming year.
2. The panels shall make appropriate recommendations to the national sections when circumstances suggests changes in regulations within seasons.
3. The panels shall make appropriate recommendations in case of conservation needs.

C. Convention Area Panel

1. Shall review past years interceptions and establish levels for the next year's interceptions for Convention Area pink and sockeye salmon, taking into consideration the formula provided for by the Agreement and the proposals by the country of origin for escapement needs for the coming year.
2. Shall perform the role of the present Pacific Salmon Commission in the regulation of Convention Area pink and sockeye salmon and conduct short range management practices such as test fishing, determination of run size, and stock composition of the run and have a technical staff to perform these duties.
3. Regulations for pink and sockeye salmon shall take into consideration the management needs for chinook, coho, and chum salmon as communicated by the appropriate management agencies or Southern Panel.

D. Umbrella Group

1. Shall meet at least once a year to review the operation of the Agreement and the panels, and shall meet as needed to resolve panel differences or other matters.
2. Shall establish policy guidelines.
3. Shall report to the two governments and make such recommendations as are necessary.

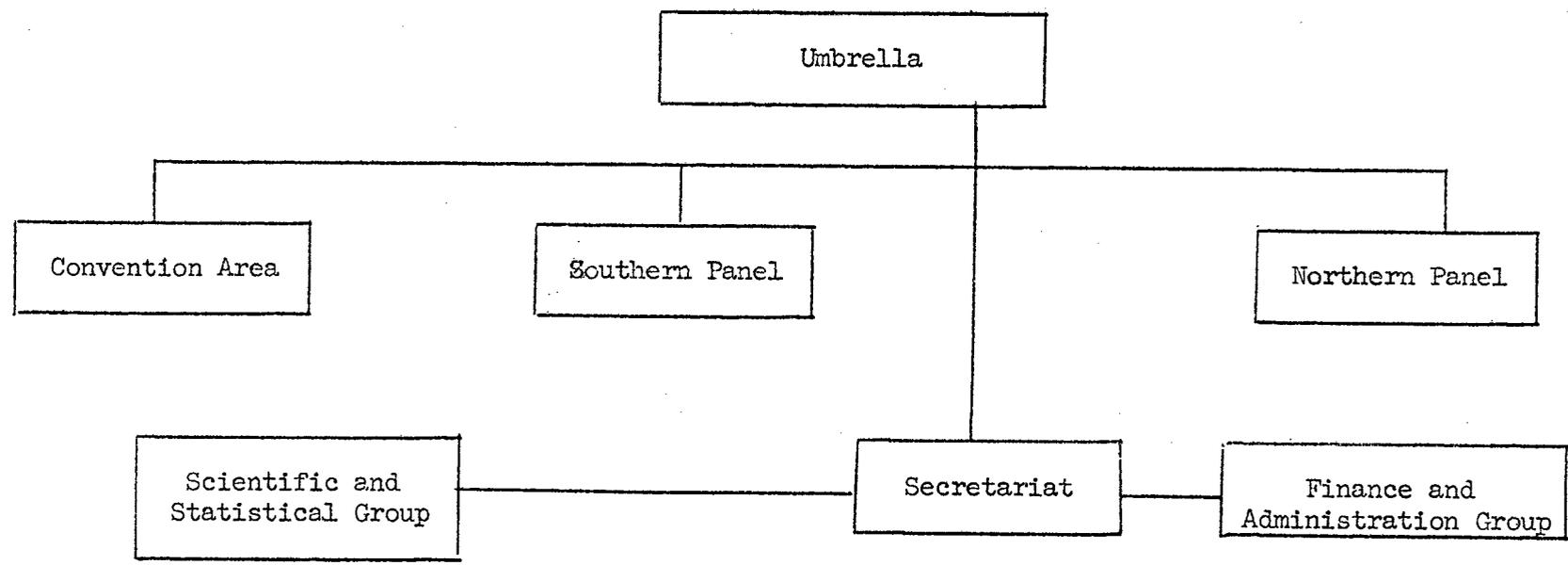
IV. Miscellaneous

- A. The staff and/or representatives of each country shall be permitted to examine fishing operations and catch recording systems and audit or assess management data and field operations of either country.
- B. An arbitration procedure will be established to resolve differences.
- C. The development and research staff of the present Pacific Salmon Commission would all be offered positions by the Canadian Government, while the statistical and salmon management staff would be offered positions by the new Commission.
- D. Conservation problems shall be construed as emergencies and in these circumstances recommendations of the panels must be given overriding consideration by the regulatory agencies involved. ^{RIDING.}

Unresolved Matters

- A. Possible modification of present Fraser River Convention Area in the interest of improving management.
- B. Possible creation, role, and composition of an Advisory Committee(s).
- C. Organization and reporting relationship of the Convention Area technical staff within the general staff structure.
- D. Voting procedures of Commissioners.
- E. Whether chinook, coho, chum, and non-Fraser pink and sockeye salmon should be included in Fraser River Convention Area management responsibilities.
- F. Whether funding for research projects should be through the Commission.

Figure 1



Southern Panel: Concerned with interception categories D. E.

Northern Panel: Concerned with interaction categories A. B. and C.

FLO/B. Applebaum 2-6692/dgh

EXTERNAL AFFAIRS



AFFAIRES EXTERIEURES

s.23

TO
À

FILE *C through P.A. [Signature]*

SECURITY
Sécurité

RESTRICTED

FROM
De

B. Applebaum

DATE October 29, 1973

REFERENCE
Référence

My memorandum to File of October 18, 1973

NUMBER
Numéro

SUBJECT
Sujet

Institutional arrangements for west coast
Salmon agreement.

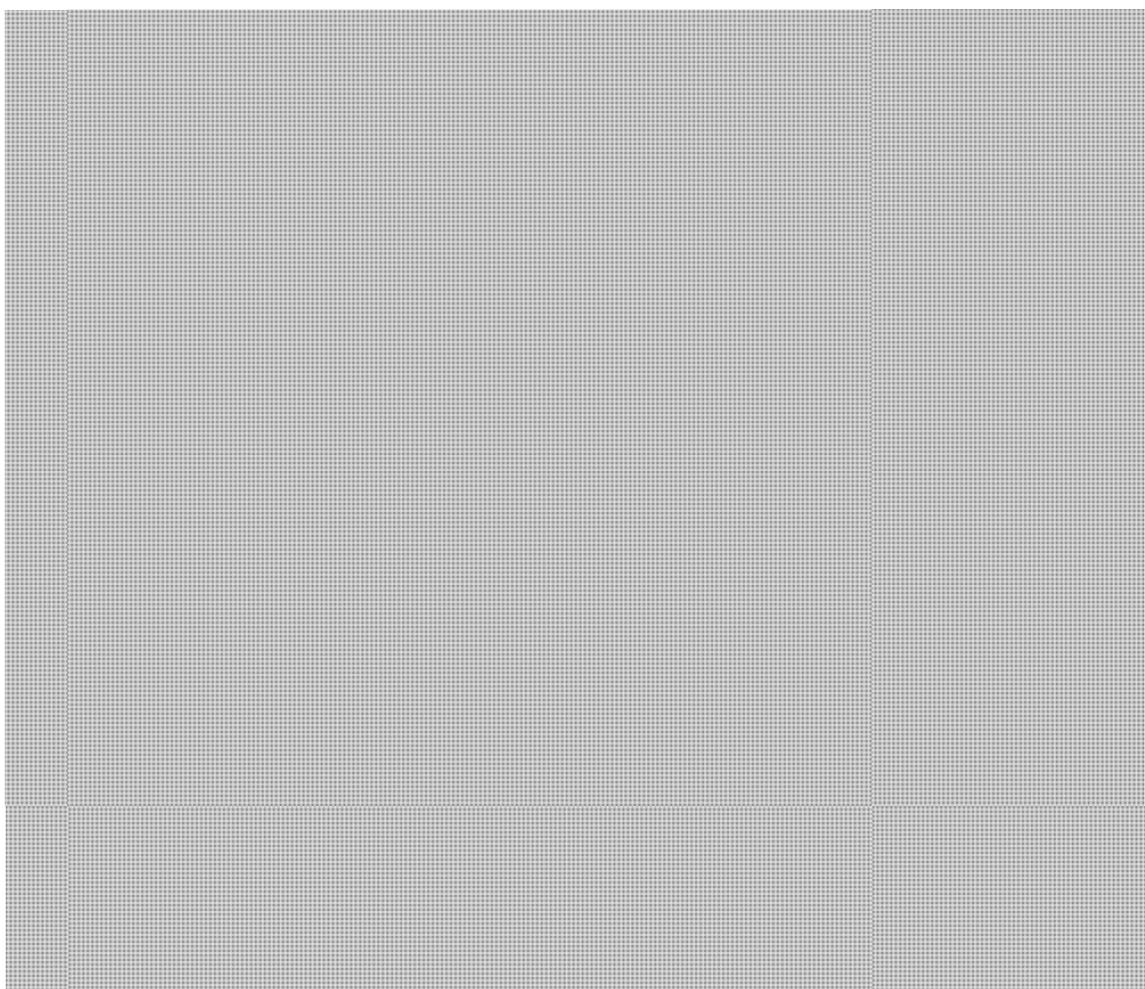
FILE	DOSSIER
OTTAWA	25-5-7-2-SALMON-1
MISSION	9 _____

ENCLOSURES
Annexes

DISTRIBUTION

DOE/K.C. Lucas
/J.G. Carton
/M.P. Shepard

GWU
ECS



B. Applebaum
B. Applebaum.

P.S. Copies of the initial documents tabled by each of the two groups are attached for reference. Jottings which were made in the course of discussion, may be disregarded.

POSSIBLE FORM AND NATURE OF AN INTERIM AGREEMENT
ON SALMON INTERCEPTIONS AND ORGANIZATIONAL STRUCTURE

I. General:

- A. There should be a new Treaty.
- B. The U.S. would not participate in research or development in the Fraser River watershed.
- C. The new Commission staff would not undertake research or development projects.

II. Structure (Figure 1)

There would be a Commission consisting of an umbrella group composed of [5] commissioners from each country. There also would be a Southern Panel, a Northern Panel and a Convention Area Panel (basically similar to present Fraser River Convention Area), each of these panels having [3] commissioners from each country. In addition there would be a secretariat with services for finance and administration and scientific and statistical needs.

III. Duties

A. Secretariat

1. Shall compile statistics, run size predictions, and proposed regulations provided by each country and keep records of various catches which have occurred.
2. Shall analyze these data and advise and report to the appropriate panel, where circumstances warrant, of unforeseen conditions within seasons and deviations from allowed catches following the season.
3. Shall perform a liaison and administrative role to bring about cooperation between the two countries on scientific research.

B. Northern-Southern Panels

1. The panels shall review past years interceptions and establish levels for the next year's interceptions taking into account the formula provided for by the agreement and the proposals by the country of origin for escapement needs for the coming year.
2. The panels shall make appropriate recommendations to the national sections when circumstances suggests changes in regulations within seasons.
3. The panels shall make appropriate recommendations in case of conservation needs.

C. Convention Area Panel

1. Shall review past years interceptions and establish levels for the next year's interceptions for Convention Area pink and sockeye salmon, taking into consideration the formula provided for by the Agreement and the proposals by the country of origin for escapement needs for the coming year.
2. Shall perform the role of the present Pacific Salmon Commission in the regulation of Convention Area pink and sockeye salmon and conduct short range management practices such as test fishing, determination of run size, and stock composition of the run and have a technical staff to perform these duties.
3. Regulations for pink and sockeye salmon shall take into consideration the management needs for chinook, coho, and chum salmon as communicated by the appropriate management agencies or Southern Panel.

D. Umbrella Group

1. Shall meet at least once a year to review the operation of the Agreement and the panels, and shall meet as needed to resolve panel differences or other matters.
2. Shall establish policy guidelines.
3. Shall report to the two governments and make such recommendations as are necessary.

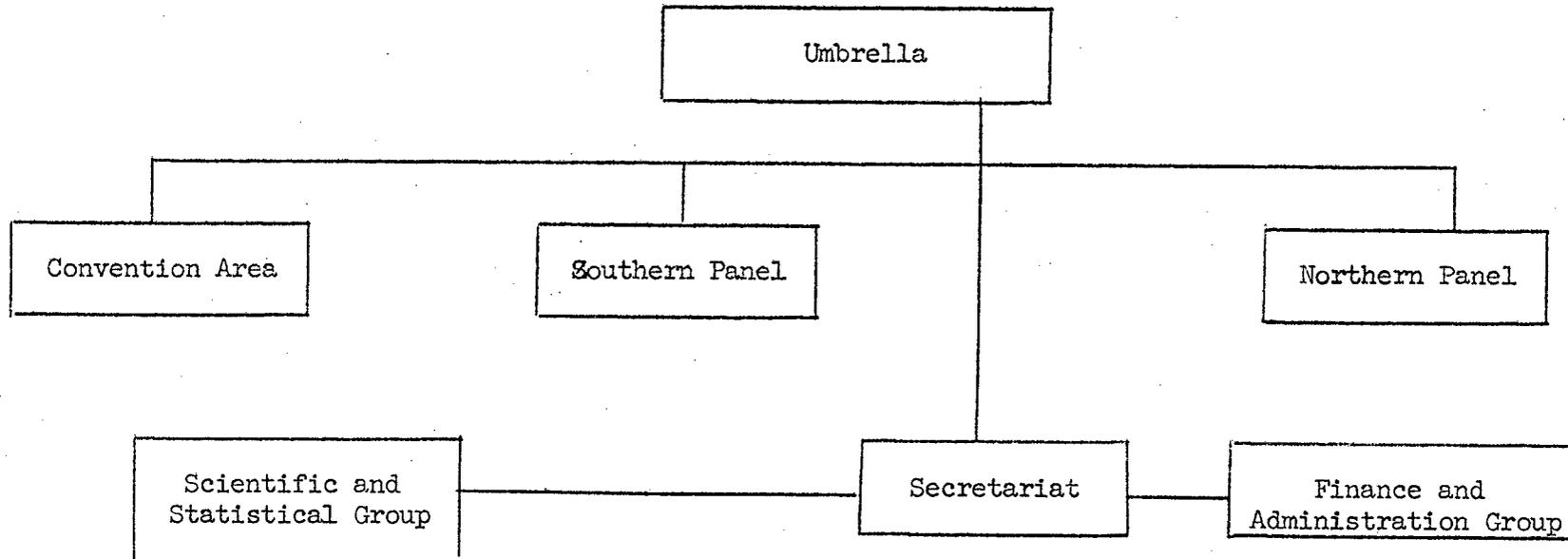
IV. Miscellaneous

- A. The staff and/or representatives of each country shall be permitted to examine fishing operations and catch recording systems and audit or assess management data and field operations of either country.
- B. An arbitration procedure will be established to resolve differences.
- C. The development and research staff of the present Pacific Salmon Commission would all be offered positions by the Canadian Government, while the statistical and salmon management staff would be offered positions by the new Commission.
- D. Conservation problems shall be construed as emergencies and in these circumstances recommendations of the panels must be given overruling consideration by the regulatory agencies involved.

V. Unresolved Matters

- A. Possible modification of present Fraser River Convention Area in the interest of improving management.
- B. Possible creation, role, and composition of an Advisory Committee(s).
- C. Organization and reporting relationship of the Convention Area technical staff within the general staff structure.
- D. Voting procedures of Commissioners.
- E. Whether chinook, coho, chum, and non-Fraser pink and sockeye salmon should be included in Fraser River Convention Area management responsibilities.
- F. Whether funding for research projects should be through the Commission.

Figure 1



Southern Panel: Concerned with interception categories D. E.

Northern Panel: Concerned with interaction categories A. B. and C.

INSTITUTIONAL ARRANGEMENTS FOR WEST COAST SALMON AGREEMENT

If institutional arrangements to implement a possible agreement are to be made, Canada submits the following points for consideration.

- (a) The staff of a future Commission should not conduct any research, and should have no management role or responsibility for any developmental work.
- (b) The staff should be restricted to the maintenance of statistics provided by each country including the keeping of records of the various catches which have occurred.
- (c) The staff should also have the duty to analyze this data and report deviations to the two governments.
- (d) The institutional arrangements should make provision for the staff to examine each country's fishing operations and catch recording systems.
- (e) The Commission staff should have a liaison role regarding cooperation between the two sides on scientific research, a role which would include convening of meetings of scientists, making the necessary preparations, etc. The Commission staff would have the duty to effect coordination, but not to coordinate.
- (f) The Commission itself would consist of no more than four officers from each country. There would be a series of committees or panels made up of Commissioners, some with supporting technical advisors from each country, to consider various aspects of the agreement.
- (g) The Commission would meet once a year and receive reports from each country on their fishing catches, etc. for year. The Commission would also review the level of each country's interceptions, taking into account the formula provided for by the agreement and the proposal by the country of origin for escapement *needs for the coming year.* The Commission would make recommendations to the two governments.

- (h) A sub-unit of the new Commission would perform the role of the present Pacific Salmon Commission in the regulation of the Fraser River runs of pink and sockeye salmon minus the responsibility of the present Commission for research and development.
- (i) The development and research side of the present Pacific Salmon Commission staff would all be offered positions by the Canadian Government, while the statistical and salmon management staff would be taken over by the new Commission.
- (j) Provision would be made for an arbitration procedure to resolve differences.

Submitted October 24, 1973.

Administrative Committee
(U.S. Section only)
U.S.-Canada Salmon Discussion
1700 Westlake Ave. N.
Seattle, WA

October 18, 1973

I. Attending the meeting were: D. R. Johnson, W. Yonkers, W. G. Saletic, E. Jewell, W. Luch, R. Thompson, J. Harville, W. Lewis, G. Simmons, and K. Henry.

II. Some general conclusions were:

1. We should have a new treaty.
2. We should agree to reduction in Salmon Commission involvement in the Fraser River headwaters. *- mean about same as Cdr proposal*
3. A new Commission should have an "umbrella" group and two regional groups. Each regional group to have 3-4 commissioners from each country.
4. The "umbrella" group might have 1 or 2 additional members, otherwise it would be formed from the regional groups acting together. (Attached figure shows a diagrammatic portrayal of the possible structure for a new Commission.)

III. Duties or role of new Commission would be:

1. Regional groups:

a. Preseason action:

1. Compile run size predictions.

2. Compile proposed regulations. *X all into FR R commitments*

b. Within season review of data.

c. Within season actions:

1. To review status of landings as they relate to overall annual commitments. *mem OK for N/A*
2. To ^{revised plan} act in case of conservation needs.
3. To ^{review} revise allocations of catches when current data dictate changes in expected harvest.

2. "Umbrella" group

- a. Overall review and stewardship.
- b. Policy guide-line.
- c. Annual pattern of adjustments.

Specific examples of these duties would be:

1. Monitor data on the interceptions of fish by each country.
2. Evaluate results of prior recommendations.
3. Review run size predictions developed through the Regional groups.
- X 4. Review proposed regulations developed through the Regional groups.

3. General:

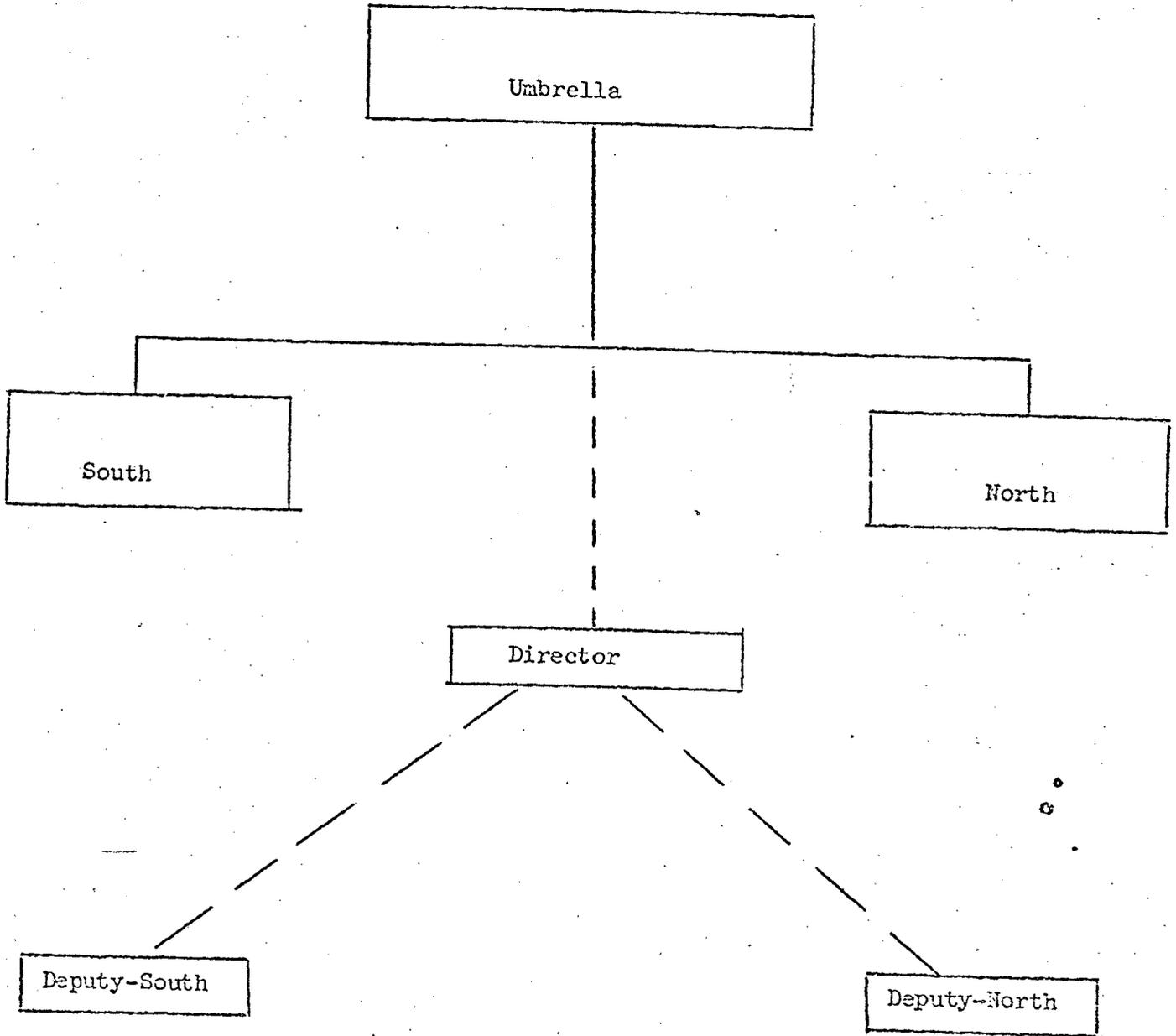
- a. The new Commission staff to be large enough to handle current management responsibilities, but not research. ?
- b. Special management functions to determine size of runs and composition of stocks on short range basis (test fishing, etc.) to be by Commission staff. X
- c. Overall statistical cognizance by Commission staff. ?

relate primarily to Fraser

- d. Research programs related to responsibilities of the Commission would be by national entities (except in certain specified cases) with funds for such research needs to be appropriated through the Commission.
- e. Inequities in interceptions would be balanced within areas (regions) (south being separate from north).

Possible Structure of New U.S.-Canada

Commission for Salmon



South: Concerned with interception categories D. E.

North: Concerned with interaction categories A. B. and C.

*not needed - better
to have
Director and
for both*

Your file Votre dossier

Our file Notre dossier 1030-2



Environment Environnement
Canada Canada

Fisheries Pêches
1090 West Pender Street,
Vancouver 1, B.C.

November 1, 1973

RECEIVED

NOV 5 1973

In Legal Operations Division
Department of External Affairs

25-5-7-2
Salmon-1

File
Nov 5 1973
B Applebaum

Mr. B. Applebaum,
Department of External Affairs, Operations Division
Ottawa, Ont.

25-5-7-2-salmon-1	
9	28

Dear Mr. Applebaum:

Re: U.S.-Canada Salmon Discussions -
Administrative Committee

Enclosed please find a draft of the minutes of our October 24-25 meeting in Seattle.

I would appreciate any comments you may have. If you can look this over in the next week or so I will send our comments (if any) to Mr. Johnson by November 15th.

Yours very truly,

W. R. Hourston,
Director of Fisheries,
Pacific Region

Encl.

DRAFT

U.S.-CANADA SALMON DISCUSSIONS
Administrative Committee
NMFS, Northwest Fisheries Center - Seattle, WA
October 24-25, 1973

- I. Agenda: A copy of the Agenda is attached (#1)
- II. Attendees: A list of attendees is attached (#2)
Mr. D. Johnson was designated Chairman of the meeting
and Dr. K. Henry, Recorder
- III. Terms of Reference

The terms of reference for the Committee were reviewed. It was agreed that the legal implications would be left to the attorneys; the Committee should examine what an international group would do and how it would function.

- IV. Review of Prior Positions

It was agreed that the prior positions had been adequately reviewed within each national section, and that there was no need for further review at this meeting.

- V. Possible International Structures and Duties

- A. Canada presented a document entitled "Institutional Arrangements for West Coast Salmon Agreement" (Attachment #3), which included a graph showing the possible organizational arrangement of a Commission.

Mr. Hourston made some comments on their paper. Concerning item (b) he said they have not yet resolved how other stocks or species should be handled in the Convention Area. However, the management regulations they discuss would be restricted to present Convention Areas--would not include outside areas such as Johnston Straits. Fraser River fish caught outside the Convention Area would, however, be fed into the system for bookkeeping purposes.

Regarding the Northern Panel, Mr. Hourston said they did not see the need for Fraser type management in this area since the levels of interception were much different than in the south. They felt that this panel would mainly review interceptions and methods proposed for reductions and inequities.

Mr. Hourston said Canada felt that the southern area was much more complex and the panel would need to consider the Fraser River, Puget Sound and troll fisheries; review enhancement programs, and consider proposals for handling interceptions. Canada considered the Fraser River unit as part of the Commission--not part of the Southern Panel and it would regulate much the same way as they do today.

It does

The Research Committee essentially would review research work that needed to be done. Canada envisioned these panels as being formed from Commissioners--including Finance and Administration--in much the same manner as in INPFC. The Fraser River unit might have different people than the Southern Panel.

- B. Mr. Johnson briefly reviewed the points in a U.S. paper which summarized some U.S. views on possible structure and duties of a new International Commission (attachment #4).
- C. Each section then asked some clarifying questions concerning the papers submitted by the other section:

U.S. Paper: Mr. Hourston referred to item III, 1-C-2 and asked how much authority the word "act" implied. Mr. Johnson said the U.S. felt that when the Commission agreed that there were conservation needs, these should be given overriding consideration by the regulatory agencies.

Canadian Paper: In response to U.S. inquiries, the Canadian Section made the following clarifications:

- Item (a) - Canada means "No direct management in the fisheries except for the Fraser River Unit in the south as included in item (h).
- Item (b) - The Fraser River management unit would be excluded from this item.
- Item (c) - Canada had considered this as a post season review, but agreed that there could also be within-season reviews.
- Item (e) - Canada agreed that the last sentence could be eliminated.
- Item (f) - The Fraser River unit would not necessarily be Commissioners. Committees would be set up as in INPFC with Commissioners and technical staff--would recommend funds, personnel, etc. The Research Unit would consider research projects to be carried out by the national entities.
- Item (g) - It would clarify Canadian intent if the words "needs for the coming year" were added after the word "escapement" at the end of the second sentence.
- Item (j) - Differences to be considered would be such things as "differences in estimates of escapement needs."

The Committee then broke into two separate national sections for discussions of these two papers.

7
D. After reconvening, Dr. Henry presented a revised organizational structure suggested by the U.S. The composition of the U.S. Commission, for the various panels and overall groups are shown in Attachment 5. He also listed some specific duties for the staff, panels, and Convention Area Management Unit as well as an additional statement concerning conservation problems.

agencies from which would be drawn

VI. Joint Report

It was then agreed by the two sections that it would be desirable to have a joint report indicating areas where the sections were in agreement as well as areas that were still unresolved. This is appended as Attachment 6, and includes a diagram showing the possible structural arrangement of a new Commission.

Concerning the unresolved matters (item V, Attachment 6) some additional comments were made:

- A. Mr. E. Jewell (WDF) suggested some possible changes in a new Fraser River Convention Area to help resolve some management problems. He suggested there be no Convention Area outside the Bonilla-Tatoosh line; also, Discovery Bay, Bellingham Bay and some area north of the Fraser River be excluded. No conclusion was reached concerning this suggestion, but it was agreed that the Salmon Commission would be consulted for their views on this matter.
- B. The Committee considered the merits of having an advisory committee to the Commission and/or one or more of its panels. It was recognized that each section would no doubt choose to have an advisory committee to its national section. It also was recognized that the present advisory committee to the existing International Pacific Salmon Fisheries Commission, consisting of Canadian and U.S. members, is a useful mechanism for interaction with the concerned public and industry on both sides. On the other hand such a joint committee might be somewhat unwieldy. In any event the matter was deferred for further consideration.
- C. There was considerable discussion within Committee on whether the technical staff for the Convention Area Panel should be an independent unit working directly under the Convention Area panel, or whether it should be a section of the Scientific and Statistical Group under the Secretariat.

No conclusions were reached and it was agreed to defer this matter to a later date.

it may be desirable to give each section only one vote, leaving the section to decide on what basis this vote would be cast

- D. The voting procedure in the present Salmon Commission (2 affirmative votes from each side required for approval) was discussed. However it was suggested that a national section may wish to have unanimous agreement from its commissioners. Therefore, this question was deferred for the present.
- E. Neither section was prepared at this time to reach a decision as to whether the Convention Area Management responsibilities should be restricted to only Fraser River pink and sockeye salmon, or should include all species caught in the Convention Area.
- F. The U.S. section felt that funding of some research projects through the Commission was very desirable--in fact, without such a funding the U.S. felt it would be very difficult ~~for the agreement to function.~~ Canada, on the other hand, felt that such an arrangement was contrary to their current thinking on Commission responsibilities, so the V problem was left unresolved.

for the U.S. needs to obtain research funds.

It was agreed that there was not sufficient time left before the December 10 formal meeting in Seattle to have another Administrative Committee meeting. Therefore, the possibility was left open for another meeting concurrent or after the December meeting.

Meeting adjourned.

K. Henry
Recorder

AGENDA

U.S.-Canada, Administrative Committee

October 24 & 25, 1973

Northwest Fisheries Center - Seattle, Washington

1. Purpose for Meeting.
2. Review of prior position of Hourston and Johnson.
3. Consideration of actions we need from a new international mechanism in order properly to manage salmon fisheries of mutual concern.
4. Consideration of structure, including alternatives.
5. Consideration of possible mode of operations of new international mechanism.
6. Hoped-for actions by Administrative Committee (U.S. and Canada).
7. Consideration of report for next negotiation in December 1973.

<u>Name</u>	<u>Organization</u>
D. Johnson	NMFS, Seattle
K. Henry	NMFS, Seattle
E. Jewell	Washington Department Fisheries - Olympia
John R. Gilbert	Association of Pacific Fisheries - Seattle
Harold Z. Hansen	State of Alaska, Governor Office
Doug Larden	Pacific Trollers Association
T. R. Andrews	Government of B.C. Fisheries
Dixon MacKinnon	Canada - Dept. of Env. Fisheries
R. A. Crouter	Canada - Dept. of Env. Fisheries
W. R. Hourston	Canada - Dept. of Env. Fisheries
B. Applebaum	Department of External Affairs
D. F. Miller	Fisheries Association of B.C.
G. D. Simmons	West Coast Trollers Assn., Inc.
John P. Harville	Pacific Marine Fisheries Commission
Bill Luch	Washington Salmon Association
Robert N. Thompson	Fish Commission of Oregon
Harry L. Rietze	NMFS, Juneau, Alaska
George Hewison	UFAWU, Vancouver

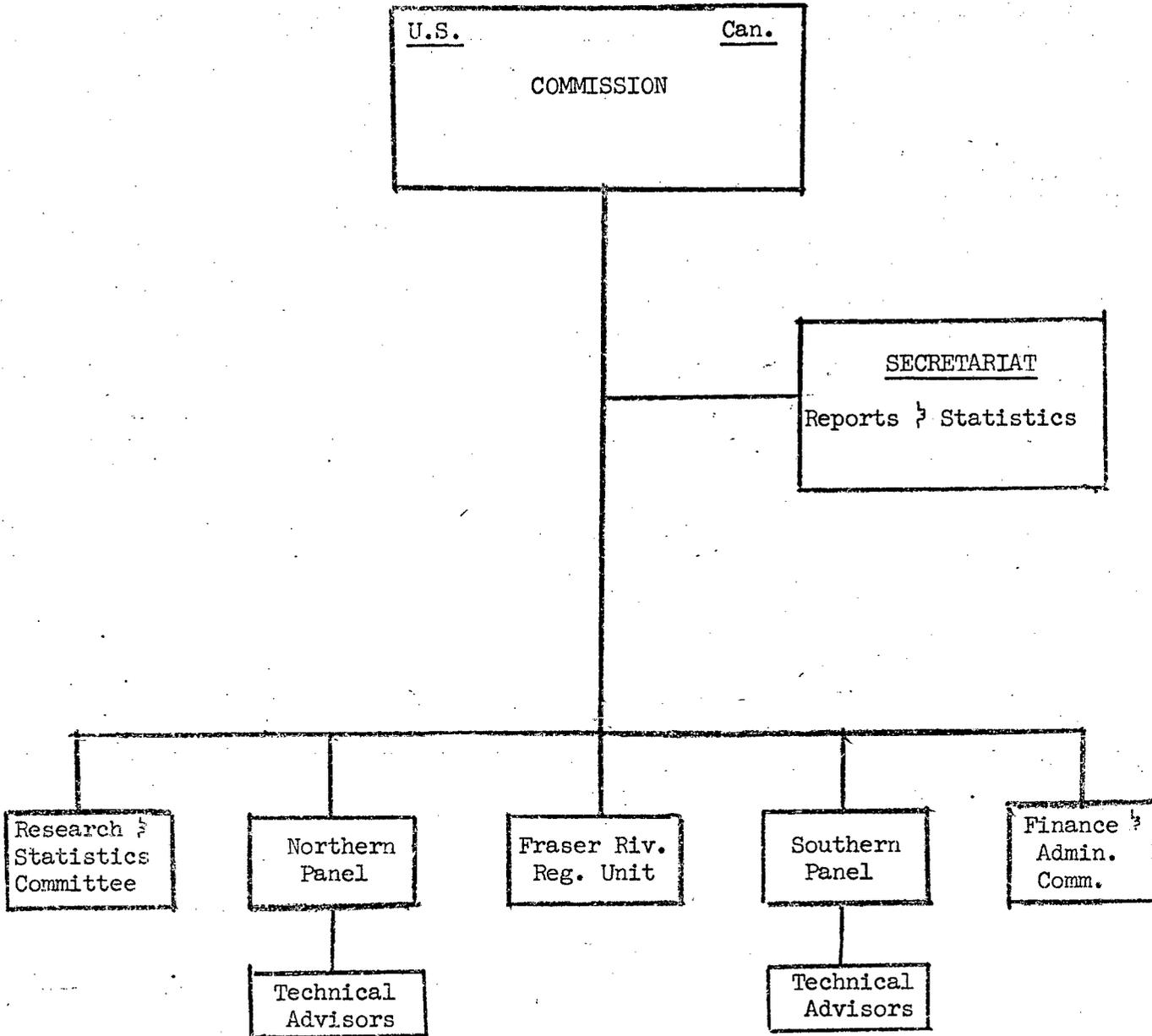
INSTITUTIONAL ARRANGEMENTS FOR WEST COAST SALMON AGREEMENT

If institutional arrangements to implement a possible agreement are to be made, Canada submits the following points for consideration.

- (a) The staff of a future Commission should not conduct any research, and should have no management role or responsibility for any developmental work.
- (b) The staff should be restricted to the maintenance of statistics provided by each country including the keeping of records of the various catches which have occurred.
- (c) The staff should also have the duty to analyze this data and report deviations to the two governments.
- (d) The institutional arrangements should make provision for the staff to examine each country's fishing operations and catch recording systems.
- (e) The Commission staff should have a liaison role regarding cooperation between the two sides on scientific research, a role which would include convening of meetings of scientists, making the necessary preparations, etc. The Commission staff would have the duty to effect coordination, but not to coordinate.
- (f) The Commission itself would consist of no more than four officers from each country. There would be a series of committees or panels made up of Commissioners, some with supporting technical advisors from each country, to consider various aspects of the agreement.
- (g) The Commission would meet once a year and receive reports from each country on their fishing catches, etc. for year. The Commission would also review the level of each country's interceptions, taking into account the formula provided for by the agreement and the proposal by the country of origin for escapement. The Commission would make recommendations to the two governments.

- (h) A sub-unit of the new Commission would perform the role of the present Pacific Salmon Commission in the regulation of the Fraser River runs of pink and sockeye salmon minus the responsibility of the present Commission for research and development.
- (i) The development and research side of the present Pacific Salmon Commission staff would all be offered positions by the Canadian Government, while the statistical and salmon management staff would be taken over by the new Commission.
- (j) Provision would be made for an arbitration procedure to resolve differences.

Submitted October 24, 1973.



Administrative Committee
(U.S. Section only)
U.S.-Canada Salmon Discussion
1700 Westlake Ave. N.
Seattle, WA

October 18, 1973

I. Attending the meeting were: D. R. Johnson, W. Yonkers, W. G. Saletic, E. Jewell, W. Luch, R. Thompson, J. Harville, W. Lewis, G. Simmons, and K. Henry.

II. Some general conclusions were:

1. We should have a new treaty.
2. We should agree to reduction in Salmon Commission involvement in the Fraser River headwaters.
3. A new Commission should have an "umbrella" group and two regional groups. Each regional group to have 3-4 commissioners from each country.
4. The "umbrella" group might have 1 or 2 additional members, otherwise it would be formed from the regional groups acting together. (Attached figure shows a diagrammatic portrayal of the possible structure for a new Commission.)

III. Duties or role of new Commission would be:

1. Regional groups:
 - a. Preseason action:
 1. Compile run size predictions.
 2. Compile proposed regulations.
 - b. Within season review of data.

c. Within season actions:

1. To review status of landings as they relate to overall annual commitments.
2. To act in case of conservation needs.
3. To revise allocations of catches when current data dictate changes in expected harvest.

2. "Umbrella" group

- a. Overall review and stewardship.
- b. Policy guide-line.
- c. Annual pattern of adjustments.

Specific examples of these duties would be:

1. Monitor data on the interceptions of fish by each country.
2. Evaluate results of prior recommendations.
3. Review run size predictions developed through the Regional groups.
4. Review proposed regulations developed through the Regional groups.
5. Make recommendations to the two governments concerning regulations.

3. General:

a. Fraser River Convention Area

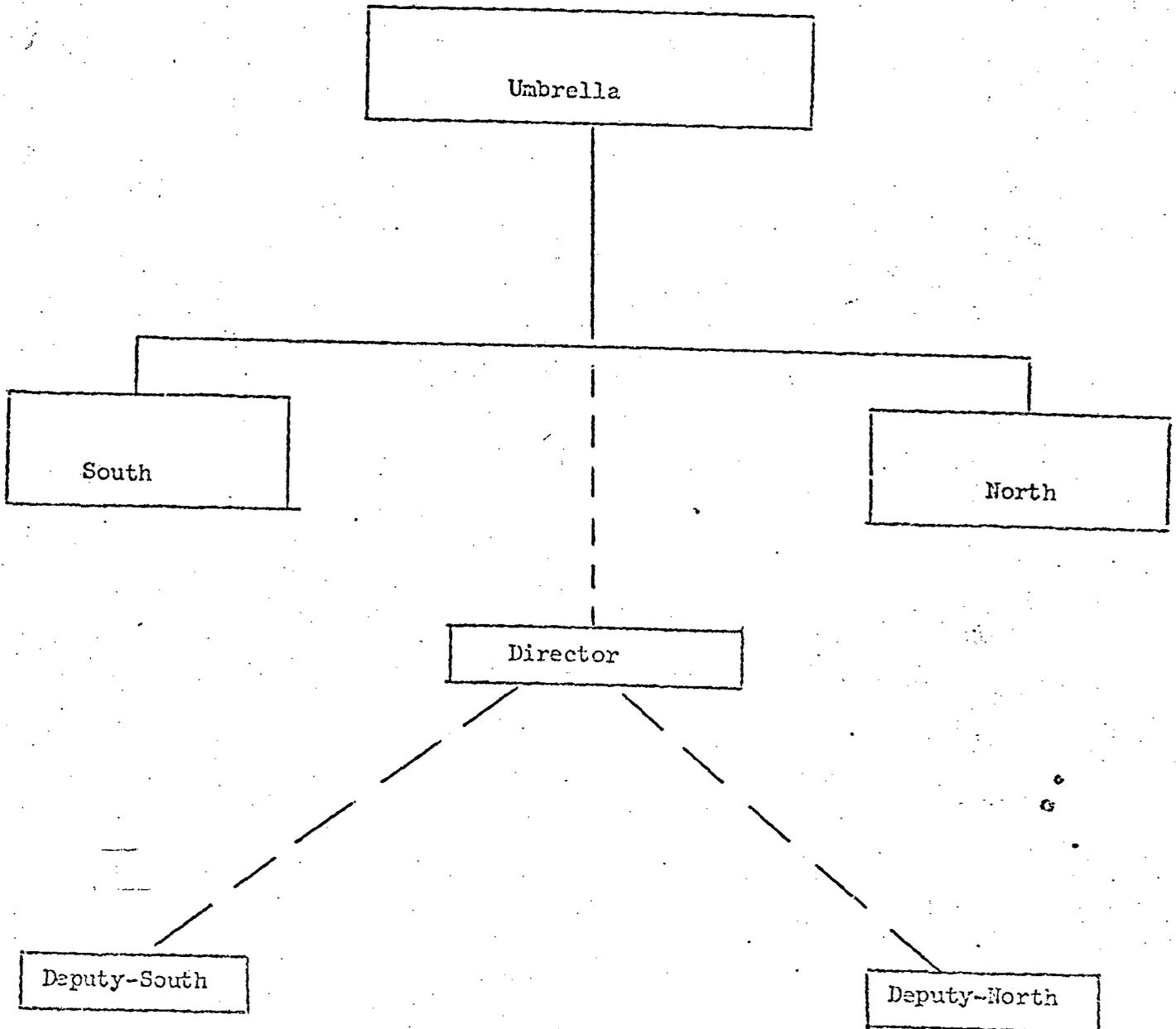
1. The new Commission staff to be large enough to handle current management responsibilities, but not research.
2. Special management functions to determine size of runs and composition of stocks on short range basis (test fishing, etc.) to be by Commission staff.

b. Overall statistical cognizance by Commission staff.

- c. Research programs related to responsibilities of the Commission would be by national entities (except in certain specified cases) with funds for such research needs to be appropriated through the Commission.
- d. Inequities in interceptions would be balanced within areas (regions) (south being separate from north).

Possible Structure of New U.S.-Canada

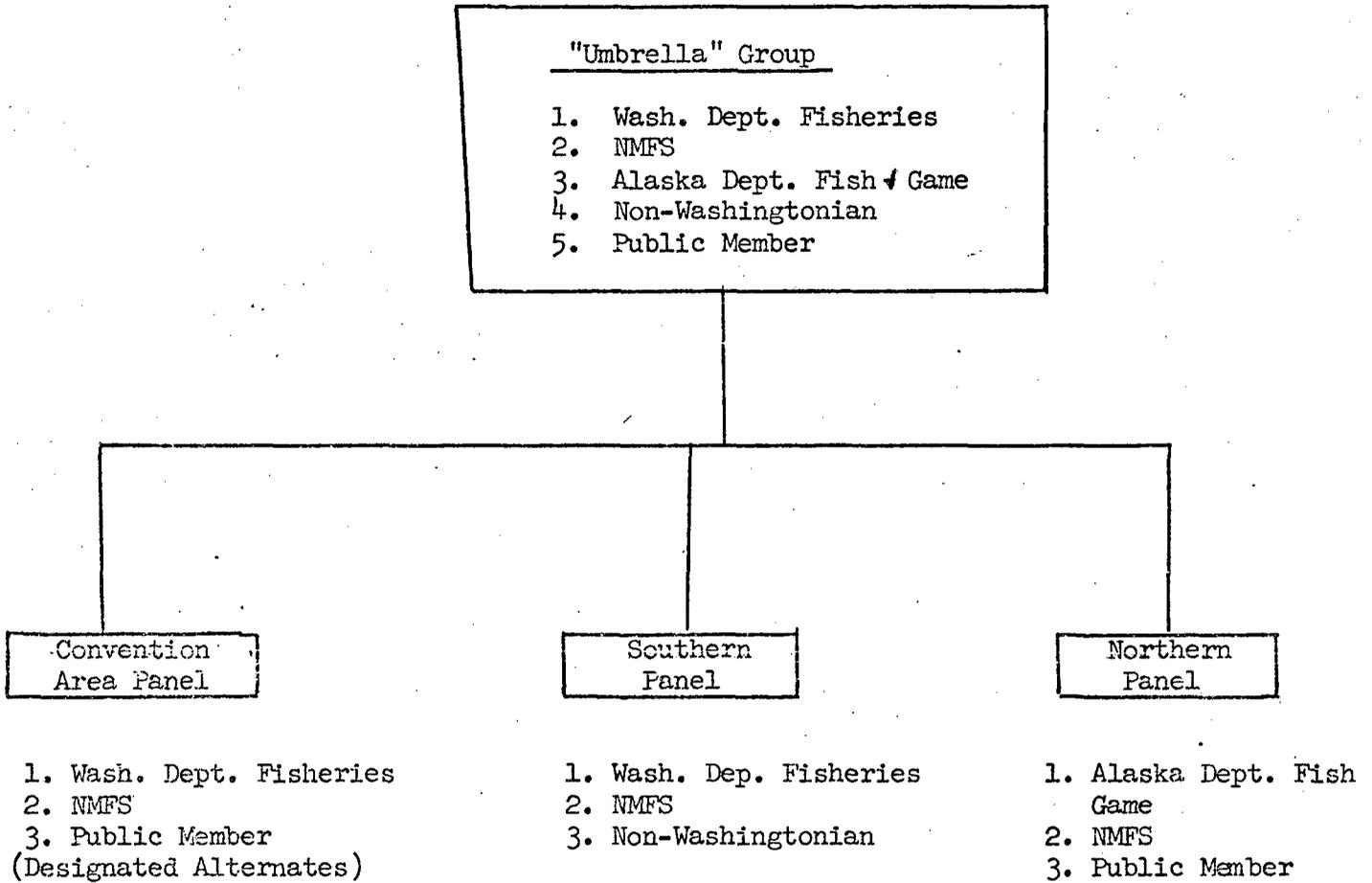
Commission for Salmon



South: Concerned with interception categories D. E.

North: Concerned with interaction categories A. B. and C.

COMPOSITION OF U.S. COMMISSIONERS FOR POSSIBLE NEW
U.S.-CANADA INTERNATIONAL SALMON COMMISSION



POSSIBLE FORM AND NATURE OF AN INTERIM AGREEMENT
ON SALMON INTERCEPTIONS AND ORGANIZATIONAL STRUCTURE

I. General:

- A. There should be a new Treaty.
- B. The U.S. would not participate in research or development in the Fraser River watershed.
- C. The new Commission staff would not undertake research or development projects.

II. Structure (Figure 1)

There would be a Commission consisting of an umbrella group composed of [5] commissioners from each country. There also would be a Southern Panel, a Northern Panel and a Convention Area Panel (basically similar to present Fraser River Convention Area), each of these panels having [3] commissioners from each country. In addition there would be a secretariat with services for finance and administration and scientific and statistical needs.

III. Duties

A. Secretariat

1. Shall compile statistics, run size predictions, and proposed regulations provided by each country and keep records of various catches which have occurred.
2. Shall analyze these data and advise and report to the appropriate panel, where circumstances warrant, of unforeseen conditions within seasons and deviations from allowed catches following the season.
3. Shall perform a liaison and administrative role to bring about cooperation between the two countries on scientific research.

B. Northern-Southern Panels

1. The panels shall review past years interceptions and establish levels for the next year's interceptions taking into account the formula provided for by the agreement and the proposals by the country of origin for escapement needs for the coming year.
2. The panels shall make appropriate recommendations to the national sections when circumstances suggests changes in regulations within seasons.
3. The panels shall make appropriate recommendations in case of conservation needs.

C. Convention Area Panel

1. Shall review past years interceptions and establish levels for the next year's interceptions for Convention Area pink and sockeye salmon, taking into consideration the formula provided for by the Agreement and the proposals by the country of origin for escapement needs for the coming year.
2. Shall perform the role of the present Pacific Salmon Commission in the regulation of Convention Area pink and sockeye salmon and conduct short range management practices such as test fishing, determination of run size, and stock composition of the run and have a technical staff to perform these duties.
3. Regulations for pink and sockeye salmon shall take into consideration the management needs for chinook, coho, and chum salmon as communicated by the appropriate management agencies or Southern Panel.

D. Umbrella Group

1. Shall meet at least once a year to review the operation of the Agreement and the panels, and shall meet as needed to resolve panel differences or other matters.
2. Shall establish policy guidelines.
3. Shall report to the two governments and make such recommendations as are necessary.

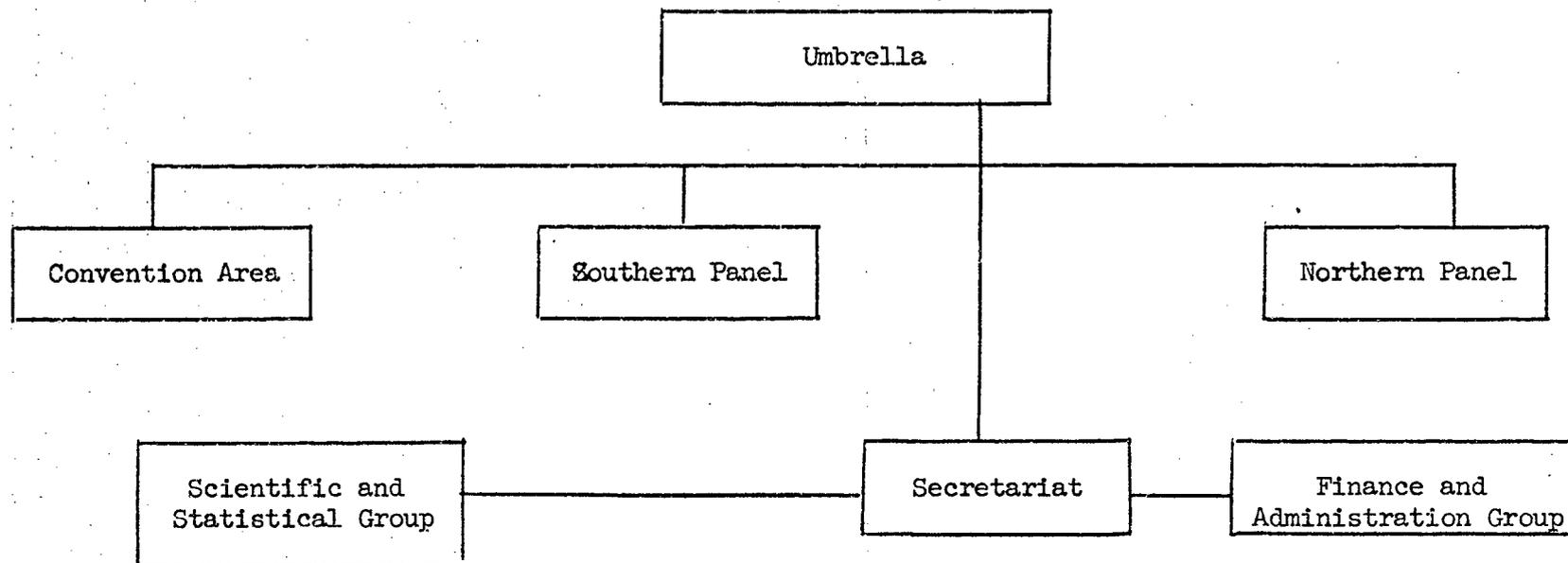
IV. Miscellaneous

- A. The staff and/or representatives of each country shall be permitted to examine fishing operations and catch recording systems and audit or assess management data and field operations of either country.
- B. An arbitration procedure will be established to resolve differences.
- C. The development and research staff of the present Pacific Salmon Commission would all be offered positions by the Canadian Government, while the statistical and salmon management staff would be offered positions by the new Commission.
- D. Conservation problems shall be construed as emergencies and in these circumstances recommendations of the panels must be given overriding consideration by the regulatory agencies involved.

Unresolved Matters

- A. Possible modification of present Fraser River Convention Area in the interest of improving management.
- B. Possible creation, role, and composition of an Advisory Committee(s).
- C. Organization and reporting relationship of the Convention Area technical staff within the general staff structure.
- D. Voting procedures of Commissioners.
- E. Whether chinook, coho, chum, and non-Fraser pink and sockeye salmon should be included in Fraser River Convention Area management responsibilities.
- F. Whether funding for research projects should be through the Commission.

Figure 1



Southern Panel: Concerned with interception categories D. E.

Northern Panel: Concerned with interaction categories A. B. and C.

FLO/B. Applebaum 2-6692/dah

FILE ✓
DIARY
DIV.
CIRC.

BEST ORIGINAL AVAILABLE
MEILLEUR ORIGINAL

Ottawa, K1A 0G2
November 6, 1973

Our File:

25-5-7-2-Salmon-1 ✓	
9	28

Mr. W.R. Hourston,
Director of Fisheries,
Pacific Region,
Department of the Environment,
1090 West Pender Street,
Vancouver 1, British Columbia.

Dear Mr. Hourston:

Re: U.S.-Canada Salmon Discussions -
Administrative Committee

I am writing in reply to your letter of November 1, 1973 addressed to Mr. B. Applebaum of this office, which enclosed a draft of the minutes of the October 24-25 meeting in Seattle, and requested our comments.

Our suggested changes, for both editorial and substantive reasons, with new parts underlined, are as follows:

1. Page 1, last clause should read as follows - "not part of the Southern Panel—and it would regulate much the same way as it does today."
2. Page 3, top of the page, second sentence - "the agencies from which the United States Commissioners for the various panels and the 'umbrella' group would be drawn are shown in attachment 5."
3. Page 4, top of the page, second sentence - "However it was suggested that it may be desirable to give each national section only one vote, leaving to the sections to decide on what basis this vote would be cast."

... 2

- 2 -

4. Page 4, paragraph F., second clause - "in fact, without such a funding the U.S. felt it would be very difficult for U.S. agencies to obtain research funds."

(Mr. Applebaum does not recall any statement that the U.S. felt it would be difficult for the agreement to function without funding through the Commission. If this was a point the U.S. side wished to make, and if the other members of the Canadian Delegation who were present at the meeting understand the point and see no objection to including it, we would agree. However, the point we have inserted, that the U.S. side felt that U.S. agencies would find it difficult to obtain research funds, was made and should be included as well.)

5. Page 4, paragraph F., second last line - "responsibilities" misspelled.
6. Page 4, second last paragraph, second line - remove comma after "Seattle".
7. Page 4, second last paragraph, third line - "concurrent with or after the December meeting."

We trust these comments will be helpful. The editorial comments are only made in passing, as we found we had substantive comments to make.

Yours sincerely,

P. A. LAPOINTE

 D.M. Miller,
Director,
Legal Operations Division.

MIN (Follow up to Minister's
letter to Mr. Lenk
dated Oct. 24, 1973)
DOE/E.B.Young

FLO/B.Applebaum 2-8872/dan

FILE
DIARY
DIV.
CIRC.

739

BEST ORIGINAL AVAILABLE
MEILLEUR ORIGINAL

Ottawa, K1A 0G2
November 16, 1973

Our Files: 25-5-7-2-Salmon ✓

9	—
---	---

Mr. David M. Lenk,
President,
The Atlantic Salmon Association,
1405 Peel Street, #409,
Montreal 110, Quebec.

Dear Mr. Lenk:

The Secretary of State for External Affairs has asked me to write to you further to his letter of October 24, 1973 concerning the Law of the Sea Conference and the question of Management Rights over Anadromous Fish.

I am aware that the Minister of the Environment has written to you inviting you to attend the open hearing on fisheries matters which was held in Halifax on October 26, 1973. I trust you were able to attend, and received a copy of the Department of the Environment's discussion paper which was distributed at that meeting. The discussion paper contained the Canadian Government's policy proposal on anadromous fish and we would repeat the invitation of Mr. Davis for your organization to forward a brief on the subject to this Department and to the Department of the Environment if there are any comments your organization would wish to make. The enclosed copy of the paper recently tabled in Parliament on the Law of the Sea Conference may be useful to you in assessing the anadromous species question in relation to the many other issues with which the Conference will have to deal.

...

Yours sincerely,

P. A. LAPOINTE

for
D.M. Miller,
Director,
Legal Operations Division.

copies to: DOE/Levelton,
 /Legault
 GWU

Our File:	25-5-7-2-Salmon-1
	9 28
"Return to ELO"	

CONFIDENTIAL

Ottawa K1A 0G2

November 16, 1973

Bob

Dear Mr. Shaw,

I am writing with respect to the Canada-USA salmon interception negotiations, the next round of which are scheduled for December of this year, and, more particularly, with regard to the confidentiality of these negotiations and the breach of this confidentiality by certain Canadian advisers. You will no doubt have seen the item which appeared on this subject in the Vancouver Sun on November 2, 1973 and I am attaching a copy for ease of reference.

I know that you will share my concern about what must be regarded as a flagrant breach of the undertaking most solemnly given by members of the United Fishermen and Allied Workers Union, who were allowed to attend these negotiations on the basis of this pledge, to respect the confidentiality of the discussions and to refrain from divulging any details until the negotiations were completed when, of course, they would be quite free to object and to endeavor to persuade the government not to approve the agreement involved. This is, of course, more than an undertaking by this group to the Government of Canada: it is part and parcel of the same undertaking by the Canadian delegation to the U.S. delegation and this is, of course, reciprocated. Breach of this undertaking by members of the Canadian delegation must consequently be considered a breach by the Canadian delegation as a whole.

Apart from the embarrassment this has caused, I am concerned that prospects for a successful conclusion to these negotiations may have been damaged. Certainly the Canadian delegation has been placed in a rather invidious position.

.../2

16.11.34(us)

- 2 -

CONFIDENTIAL

I know that a situation like this one is most difficult for your department committed as we are, and must be, to the inclusion of industry advisers in negotiations of this nature. I must, however, emphasize, that a breach of confidence of this kind by members of a Canadian delegation is unacceptable to this department and I hope you will agree that action should be taken to indicate to those involved the unacceptability of their action, and to ensure that no similar incidents occur in future.

Yours sincerely,

A. E. RITCHIE

Under-Secretary.

Mr. R. F. Shaw,
Deputy Minister,
Department of the Environment,
Fontaine Building,
Hull, Quebec,
K1A 0H3

I would be grateful to know what you think might be done.
This is all most regrettable. Ed R.

000138

DEPARTMENT OF EXTERNAL AFFAIRS
MINISTÈRE DES AFFAIRES EXTÉRIEURES

Subject Fisheries
Sujet

Date NOV 2, 1973 Publication VANCOUVER SUN

Canada-U.S. negotiations on salmon feared big 'sellout' for B.C. fishermen

By ROD MICKLEBURGH

A member of the United Fishermen and Allied Workers Union warned Thursday that the greatest sellout in B.C. history is looming in the current round of salmon talks between Canada and the United States.

Walter Tickson of UFAWU Local 15 told the annual convention of the B.C. Federation of Labor the latest proposal in the talks gives United States fishermen 2.1 million of each five million Fraser River sockeye salmon.

And when spawning channels are enhanced to the extent of a 15-million salmon run, the U.S. will claim 4.2 million.

This compromise proposal by the U.S. which originally asked for 42 per cent of the entire Fraser River catch, is based on Canada financing a new \$14-million spawning channel program for the river.

Since 1937, Americans have been entitled to half of the catch in recognition of financial contributions toward rehabilitation measures such as the Hell's Gate fishways, spawning channels and other programs.

Tickson said the U.S. also wants an additional 265,000 sockeye each year for 12 years to retire this earlier debt.

"They want all this for an original investment of \$790,000. It will be a greater sellout than the Columbia River treaty," he added.

UFAWU business agent George Hewison said later the figures are being made public by the union to pressure the external affairs department to support its negotiators in the talks.

The next series of meetings between Canadian and U.S. fishery experts will be held Dec. 10-14.

"This is a critical thing and external affairs has refused to give the Canadian negotiators any support, despite the tough talk by (Fisheries Minister) Jack Davis," said Hewison. "This will be a very, very bad deal if we are forced to accept it."

Tickson said all salmon should belong to the country of their origin.

"American fishermen are intercepting Fraser River fish in the waters adjacent to Puget Sound and intercepting other Canadian fish off the Alaskan panhandle," he said.

Convention delegates passed a resolution urging immediate steps be taken "to enforce Canada's claims and to what is rightfully hers and to overcome the U.S. arrogant claim to Canadian salmon."

The resolution noted that

Canada's negotiators have been handicapped by a lack of federal government decisiveness in laying down a firm position consistent with Canada's national interests and, in fact, have been retreating in face of concerted American pressure.

Delegates also approved a mild report from the federation's political education committee which made no reference to the government's opposition to the federation's new labor code.

Mike Kramer of Canadian Union of Public Employees Local 402 called on trade unionists to become involved in the NDP and make it "our party."

He said it is important to have many trade union delegates at the NDP's next convention.

"We've sent four lobbies to Victoria recently and it's a hell of a lot less expensive to buy memberships in the party and influence it at the constituency level," Kramer said.

"This is our party and we can make it work on our behalf if we make a political commitment and get involved.

"If we let the academics take over, we have no room for criticism. We let them take over," he declared.

Following the afternoon session of the convention, about 200 delegates took part in information picketing at three Super-Valu stores in the West End to protest the chain's sale of California and Arizona grapes.

Although the delegates were defying a court injunction prohibiting protest activities at Super-Valu stores in B.C., Federation secretary-treasurer Ray Haynes said the action was in keeping with their role as trade unionists.

The federation is supporting the United Farm Workers Union in its efforts to secure contracts with California and Arizona grape growers by declaring a boycott of their produce.



Environment Canada
Environnement Canada
Fisheries and Marine
Pêches et sciences de la mer

→ Mr. R. Applebaum - copy sent to C. R. Levelton

25-5-7-2 Salmon-1
9
November 22, 1973
Fraser River 2/73
R. Applebaum

RECEIVED

Your file / Votre référence

Our file / Notre référence 1030-2

NOV 26 1973

In Legal Operations Division
Department of External Affairs
Mr. D. Johnson
Regional Director,
National Marine Fisheries Service,
1700 Westlake Avenue North,
Seattle, Washington,
98109, U.S.A.

re: U. S. - Canada Salmon Discussions
Administrative Committee

Dear Mr. Johnson:

We have looked over the draft minutes of our October 24-25 meeting in Seattle prepared by Dr. Henry. Our suggested changes for both editorial and substantive reasons, with the new parts underlined, are as follows:

- (1) Page 1, Item V. A. second paragraph, second sentence, I would revise as follows:

Concerning item (h) he said they have not decided whether salmon species other than sockeye or pink should be managed by the Fraser River unit. Also the management area of this unit would be the convention area of the present International Pacific Salmon Fisheries Commission. It would not include areas such as Johnstone Strait and the west coast of Vancouver Island north of the 49th Parallel. Fraser River sockeye and pinks, caught outside the convention area would, however, be fed into the system for bookkeeping purposes.

./.

-2-

2. Page 1, last clause should read as follows -
"--not part of the Southern Panel--and it would regulate much the same way as it does today."
3. Page 3, top of the page, second sentence - "the agencies from which the United States Commissioners for the various panels and the 'umbrella' group would be drawn are shown in attachment 5."
4. Page 4, top of the page, second sentence - "However it was suggested that it may be desirable to give each national section only one vote, leaving to the sections to decide on what basis this vote would be cast."
5. Page 4, paragraph F, second clause - "in fact, without such a funding the U.S. felt it would be very difficult for U.S. agencies to obtain research funds."

(Our delegates cannot recall any statement that the U.S. felt it would be difficult for the agreement to function without funding through the Commission. If this was a point that the U. S. side wished to make, we have no objection to including it. However, the point we have inserted, that the U. S. side felt that U.S. agencies would find it difficult to obtain research funds was made and should be included as well.)
6. Page 4, paragraph F., second last line - "responsibilities" misspelled.
7. Page 4, second last paragraph, second line - remove comma after "Seattle".
8. Page 4, second last paragraph, third line - "concurrent with or after the December meeting."

We trust the foregoing comments will be helpful.

I think we should also try and have an agreed-upon statement covering discussions that we had with Messrs. Cooper and Roos in Seattle on November 20 with reference to Item VI A. I am attaching a draft which summarizes the points I noted in this discussion. It would be helpful to us if we could reach agreement on this and have it attached to our report so that we could present it at the December meeting.

Yours very truly,

W. R. Hourston
Director of Fisheries,
Pacific Region.

Enc.

DRAFT

U.S.-CANADA SALMON DISCUSSIONS
Administrative Committee
NMFS, Northwest Fisheries Center - Seattle, WA
October 24-25, 1973

- I. Agenda: A copy of the Agenda is attached (#1)
- II. Attendees: A list of attendees is attached (#2)
Mr. D. Johnson was designated Chairman of the meeting
and Dr. K. Henry, Recorder

III. Terms of Reference

The terms of reference for the Committee were reviewed. It was agreed that the legal implications would be left to the attorneys; the Committee should examine what an international group would do and how it would function.

IV. Review of Prior Positions

It was agreed that the prior positions had been adequately reviewed within each national section, and that there was no need for further review at this meeting.

V. Possible International Structures and Duties

- A. Canada presented a document entitled "Institutional Arrangements for West Coast Salmon Agreement" (Attachment #3), which included a graph showing the possible organizational arrangement of a Commission.

Mr. Hourston made some comments on their paper. Concerning item (b) he said they have not yet resolved how other stocks or species should be handled in the Convention Area. However, the management regulations they discuss would be restricted to present Convention Areas--would not include outside areas such as Johnston Straits. Fraser River fish caught outside the Convention Area would, however, be fed into the system for bookkeeping purposes.

Regarding the Northern Panel, Mr. Hourston said they did not see the need for Fraser type management in this area since the levels of interception were much different than in the south. They felt that this panel would mainly review interceptions and methods proposed for reductions and inequities.

Mr. Hourston said Canada felt that the southern area was much more complex and the panel would need to consider the Fraser River, Puget Sound and troll fisheries; review enhancement programs, and consider proposals for handling interceptions. Canada considered the Fraser River unit as part of the Commission--not part of the Southern Panel and it would regulate much the same way as they do today.

The Research Committee essentially would review research work that needed to be done. Canada envisioned these panels as being formed from Commissioners--including Finance and Administration--in much the same manner as in INPFC. The Fraser River unit might have different people than the Southern Panel.

- B. Mr. Johnson briefly reviewed the points in a U.S. paper which summarized some U.S. views on possible structure and duties of a new International Commission (attachment #4).
- C. Each section then asked some clarifying questions concerning the papers submitted by the other section:

U.S. Paper: Mr. Hourston referred to item III, 1-C-2 and asked how much authority the word "act" implied. Mr. Johnson said the U.S. felt that when the Commission agreed that there were conservation needs, these should be given overriding consideration by the regulatory agencies.

Canadian Paper: In response to U.S. inquiries, the Canadian Section made the following clarifications:

- Item (a) - Canada means "No direct management in the fisheries except for the Fraser River Unit in the south as included in item (h).
- Item (b) - The Fraser River management unit would be excluded from this item.
- Item (c) - Canada had considered this as a post season review, but agreed that there could also be within-season reviews.
- Item (e) - Canada agreed that the last sentence could be eliminated.
- Item (f) - The Fraser River unit would not necessarily be Commissioners. Committees would be set up as in INPFC with Commissioners and technical staff--would recommend funds, personnel, etc. The Research Unit would consider research projects to be carried out by the national entities.
- Item (g) - It would clarify Canadian intent if the words "needs for the coming year" were added after the word "escapement" at the end of the second sentence.
- Item (j) - Differences to be considered would be such things as "differences in estimates of escapement needs."

The Committee then broke into two separate national sections for discussions of these two papers.

- D. After reconvening, Dr. Henry presented a revised organizational structure suggested by the U.S. The composition of the U.S. Commission, for the various panels and overall group are shown in Attachment 5. He also listed some specific duties for the staff, panels, and Convention Area Management Unit as well as an additional statement concerning conservation problems.

VI. Joint Report

It was then agreed by the two sections that it would be desirable to have a joint report indicating areas where the sections were in agreement as well as areas that were still unresolved. This is appended as Attachment 6, and includes a diagram showing the possible structural arrangement of a new Commission.

Concerning the unresolved matters (item V, Attachment 6) some additional comments were made:

- A. Mr. E. Jewell (WDF) suggested some possible changes in a new Fraser River Convention Area to help resolve some management problems. He suggested there be no Convention Area outside the Bonilla-Tatoosh line; also, Discovery Bay, Bellingham Bay and some area north of the Fraser River be excluded. No conclusion was reached concerning this suggestion, but it was agreed that the Salmon Commission would be consulted for their views on this matter.
- B. The Committee considered the merits of having an advisory committee to the Commission and/or one or more of its panels. It was recognized that each section would no doubt choose to have an advisory committee to its national section. It also was recognized that the present advisory committee to the existing International Pacific Salmon Fisheries Commission, consisting of Canadian and U.S. members, is a useful mechanism for interaction with the concerned public and industry on both sides. On the other hand such a joint committee might be somewhat unwieldy. In any event the matter was deferred for further consideration.
- C. There was considerable discussion within Committee on whether the technical staff for the Convention Area Panel should be an independent unit working directly under the Convention Area panel, or whether it should be a section of the Scientific and Statistical Group under the Secretariat.

No conclusions were reached and it was agreed to defer this matter to a later date.

- D. The voting procedure in the present Salmon Commission (2 affirmative votes from each side required for approval) was discussed. However it was suggested that a national section may wish to have unanimous agreement from its commissioners. Therefore, this question was deferred for the present.
- E. Neither section was prepared at this time to reach a decision as to whether the Convention Area Management responsibilities should be restricted to only Fraser River pink and sockeye salmon, or should include all species caught in the Convention Area.
- F. The U.S. section felt that funding of some research projects through the Commission was very desirable--in fact, without such a funding the U.S. felt it would be very difficult for the agreement to function. Canada, on the other hand, felt that such an arrangement was contrary to their current thinking on Commission responsibilities, so the problem was left unresolved.

It was agreed that there was not sufficient time left before the December 10 formal meeting in Seattle, to have another Administrative Committee meeting. Therefore, the possibility was left open for another meeting concurrent or after the December meeting.

Meeting adjourned.

K. Henry
Recorder

AGENDA

U.S.-Canada, Administrative Committee

October 24 & 25, 1973

Northwest Fisheries Center - Seattle, Washington

1. Purpose for Meeting.
2. Review of prior position of Hourston and Johnson.
3. Consideration of actions we need from a new international mechanism in order properly to manage salmon fisheries of mutual concern.
4. Consideration of structure, including alternatives.
5. Consideration of possible mode of operations of new international mechanism.
6. Hoped-for actions by Administrative Committee (U.S. and Canada).
7. Consideration of report for next negotiation in December 1973.

<u>Name</u>	<u>Organization</u>
D. Johnson	NMFS, Seattle
K. Henry	NMFS, Seattle
E. Jewell	Washington Department Fisheries - Olympia
John R. Gilbert	Association of Pacific Fisheries - Seattle
Harold Z. Hansen	State of Alaska, Governor Office
Doug Larden	Pacific Trollers Association
T. R. Andrews	Government of B.C. Fisheries
Dixon MacKinnon	Canada - Dept. of Env. Fisheries
R. A. Crouter	Canada - Dept. of Env. Fisheries
W. R. Hourston	Canada - Dept. of Env. Fisheries
B. Applebaum	Department of External Affairs
D. F. Miller	Fisheries Association of B.C.
G. D. Simmons	West Coast Trollers Assn., Inc.
John P. Harville	Pacific Marine Fisheries Commission
Bill Luch	Washington Salmon Association
Robert N. Thompson	Fish Commission of Oregon
Harry L. Rietze	NMFS, Juneau, Alaska
George Hewison	UFAWU, Vancouver

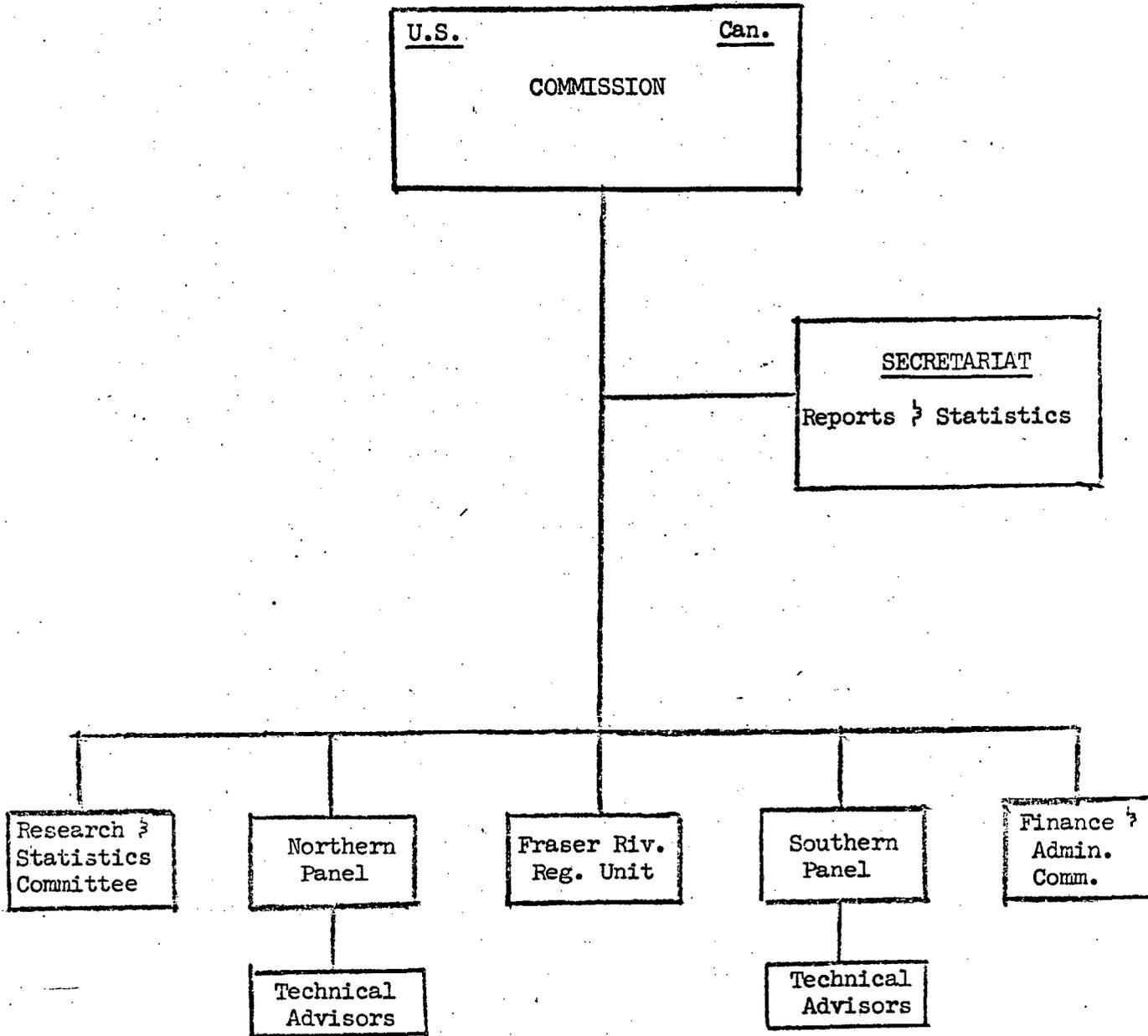
INSTITUTIONAL ARRANGEMENTS FOR WEST COAST SALMON AGREEMENT

If institutional arrangements to implement a possible agreement are to be made, Canada submits the following points for consideration.

- (a) The staff of a future Commission should not conduct any research, and should have no management role or responsibility for any developmental work.
- (b) The staff should be restricted to the maintenance of statistics provided by each country including the keeping of records of the various catches which have occurred.
- (c) The staff should also have the duty to analyze this data and report deviations to the two governments.
- (d) The institutional arrangements should make provision for the staff to examine each country's fishing operations and catch recording systems.
- (e) The Commission staff should have a liaison role regarding cooperation between the two sides on scientific research, a role which would include convening of meetings of scientists, making the necessary preparations, etc. The Commission staff would have the duty to effect coordination, but not to coordinate.
- (f) The Commission itself would consist of no more than four officers from each country. There would be a series of committees or panels made up of Commissioners, some with supporting technical advisors from each country, to consider various aspects of the agreement.
- (g) The Commission would meet once a year and receive reports from each country on their fishing catches, etc. for year. The Commission would also review the level of each country's interceptions, taking into account the formula provided for by the agreement and the proposal by the country of origin for escapement. The Commission would make recommendations to the two governments.

- (h) A sub-unit of the new Commission would perform the role of the present Pacific Salmon Commission in the regulation of the Fraser River runs of pink and sockeye salmon minus the responsibility of the present Commission for research and development.
- (i) The development and research side of the present Pacific Salmon Commission staff would all be offered positions by the Canadian Government, while the statistical and salmon management staff would be taken over by the new Commission.
- (j) Provision would be made for an arbitration procedure to resolve differences.

Submitted October 24, 1973.



Administrative Committee
(U.S. Section only)
U.S.-Canada Salmon Discussion
1700 Westlake Ave. N.
Seattle, WA

October 18, 1973

- I. Attending the meeting were: D. R. Johnson, W. Yonkers, W. G. Saletic, E. Jewell, W. Luch, R. Thompson, J. Harville, W. Lewis, G. Simmons, and K. Henry.

- II. Some general conclusions were:
 1. We should have a new treaty.
 2. We should agree to reduction in Salmon Commission involvement in the Fraser River headwaters.
 3. A new Commission should have an "umbrella" group and two regional groups. Each regional group to have 3-4 commissioners from each country.
 4. The "umbrella" group might have 1 or 2 additional members, otherwise it would be formed from the regional groups acting together. (Attached figure shows a diagrammatic portrayal of the possible structure for a new Commission.)

- III. Duties or role of new Commission would be:
 1. Regional groups:
 - a. Preseason action:
 1. Compile run size predictions.
 2. Compile proposed regulations.
 - b. Within season review of data.

c. Within season actions:

1. To review status of landings as they relate to overall annual commitments.
2. To act in case of conservation needs.
3. To revise allocations of catches when current data dictate changes in expected harvest.

2. "Umbrella" group

- a. Overall review and stewardship.
- b. Policy guide-line.
- c. Annual pattern of adjustments.

Specific examples of these duties would be:

1. Monitor data on the interceptions of fish by each country.
2. Evaluate results of prior recommendations.
3. Review run size predictions developed through the Regional groups.
4. Review proposed regulations developed through the Regional groups.
5. Make recommendations to the two governments concerning regulations.

3. General:

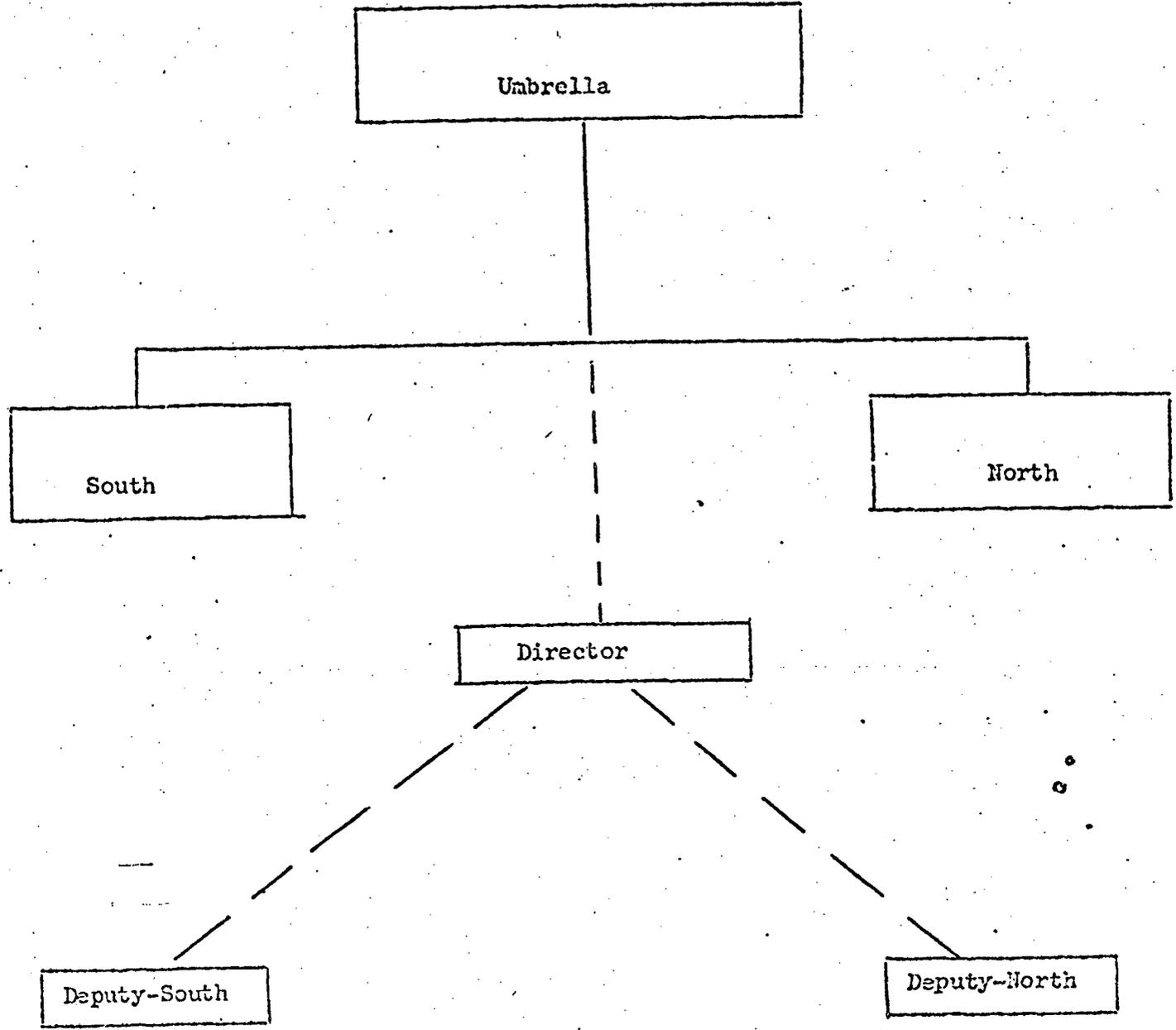
a. Fraser River Convention Area

1. The new Commission staff to be large enough to handle current management responsibilities, but not research.
2. Special management functions to determine size of runs and composition of stocks on short range basis (test fishing, etc.) to be by Commission staff.

b. Overall statistical cognizance by Commission staff.

- c. Research programs related to responsibilities of the Commission would be by national entities (except in certain specified cases) with funds for such research needs to be appropriated through the Commission.
- d. Inequities in interceptions would be balanced within areas (regions) (south being separate from north).

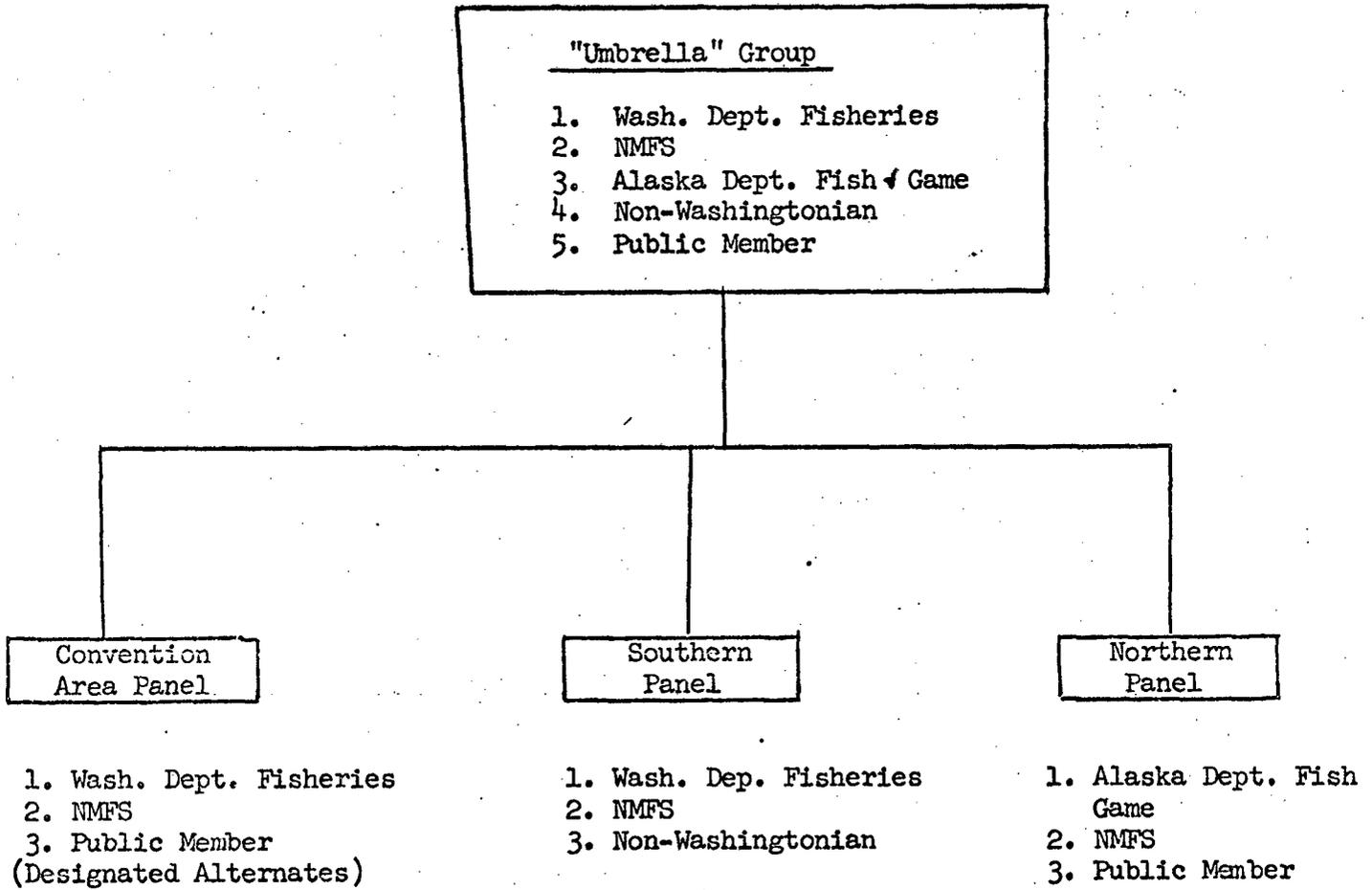
Possible Structure of New U.S.-Canada
Commission for Salmon



South: Concerned with interception categories D. E.

North: Concerned with interaction categories A. B. and C.

COMPOSITION OF U.S. COMMISSIONERS FOR POSSIBLE NEW
U.S.-CANADA INTERNATIONAL SALMON COMMISSION



ATTACHMENT # 6
10/25/73

POSSIBLE FORM AND NATURE OF AN INTERIM AGREEMENT
ON SALMON INTERCEPTIONS AND ORGANIZATIONAL STRUCTURE

I. General:

- A. There should be a new Treaty.
- B. The U.S. would not participate in research or development in the Fraser River watershed.
- C. The new Commission staff would not undertake research or development projects.

II. Structure (Figure 1)

There would be a Commission consisting of an umbrella group composed of [5] commissioners from each country. There also would be a Southern Panel, a Northern Panel and a Convention Area Panel (basically similar to present Fraser River Convention Area), each of these panels having [3] commissioners from each country. In addition there would be a secretariat with services for finance and administration and scientific and statistical needs.

III. Duties

A. Secretariat

1. Shall compile statistics, run size predictions, and proposed regulations provided by each country and keep records of various catches which have occurred.
2. Shall analyze these data and advise and report to the appropriate panel, where circumstances warrant, of unforeseen conditions within seasons and deviations from allowed catches following the season.
3. Shall perform a liaison and administrative role to bring about cooperation between the two countries on scientific research.

B. Northern-Southern Panels

1. The panels shall review past years interceptions and establish levels for the next year's interceptions taking into account the formula provided for by the agreement and the proposals by the country of origin for escapement needs for the coming year.
2. The panels shall make appropriate recommendations to the national sections when circumstances suggests changes in regulations within seasons.
3. The panels shall make appropriate recommendations in case of conservation needs.

C. Convention Area Panel

1. Shall review past years interceptions and establish levels for the next year's interceptions for Convention Area pink and sockeye salmon, taking into consideration the formula provided for by the Agreement and the proposals by the country of origin for escapement needs for the coming year.
2. Shall perform the role of the present Pacific Salmon Commission in the regulation of Convention Area pink and sockeye salmon and conduct short range management practices such as test fishing, determination of run size, and stock composition of the run and have a technical staff to perform these duties.
3. Regulations for pink and sockeye salmon shall take into consideration the management needs for chinook, coho, and chum salmon as communicated by the appropriate management agencies or Southern Panel.

D. Umbrella Group

1. Shall meet at least once a year to review the operation of the Agreement and the panels, and shall meet as needed to resolve panel differences or other matters.
2. Shall establish policy guidelines.
3. Shall report to the two governments and make such recommendations as are necessary.

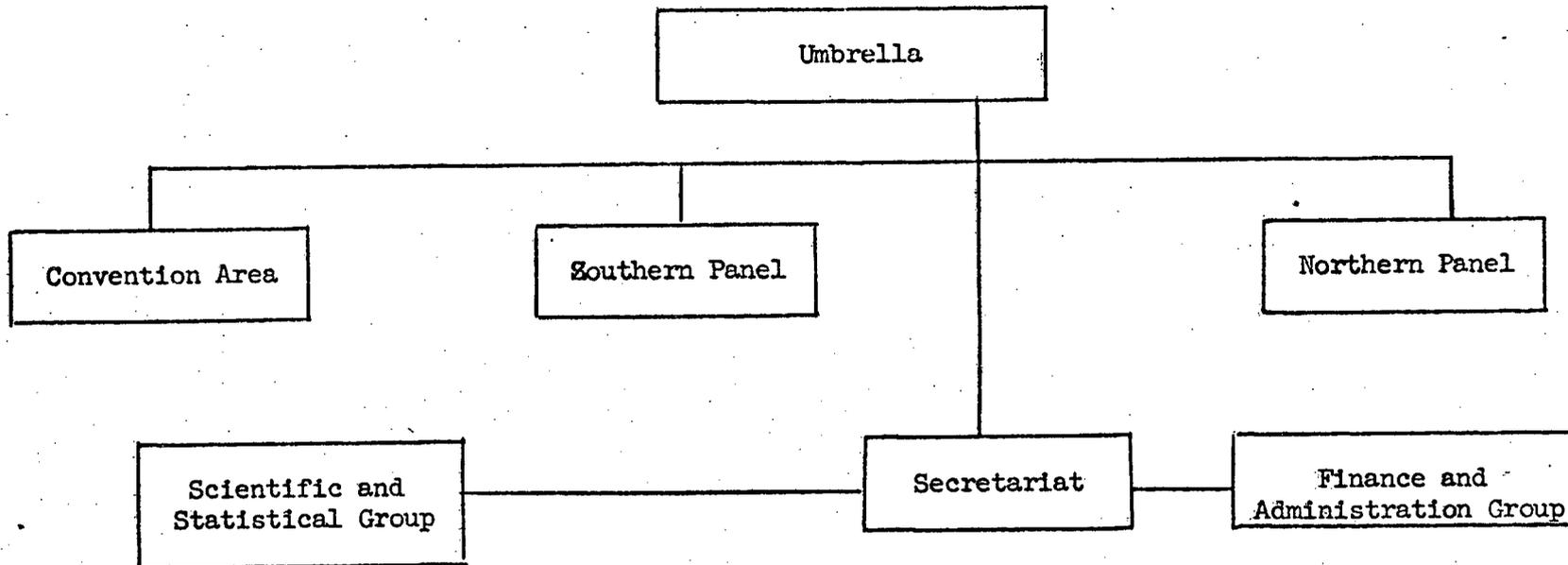
IV. Miscellaneous

- A. The staff and/or representatives of each country shall be permitted to examine fishing operations and catch recording systems and audit or assess management data and field operations of either country.
- B. An arbitration procedure will be established to resolve differences.
- C. The development and research staff of the present Pacific Salmon Commission would all be offered positions by the Canadian Government, while the statistical and salmon management staff would be offered positions by the new Commission.
- D. Conservation problems shall be construed as emergencies and in these circumstances recommendations of the panels must be given overriding consideration by the regulatory agencies involved.

V. Unresolved Matters

- A. Possible modification of present Fraser River Convention Area in the interest of improving management.
- B. Possible creation, role, and composition of an Advisory Committee(s).
- C. Organization and reporting relationship of the Convention Area technical staff within the general staff structure.
- D. Voting procedures of Commissioners.
- E. Whether chinook, coho, chum, and non-Fraser pink and sockeye salmon should be included in Fraser River Convention Area management responsibilities.
- F. Whether funding for research projects should be through the Commission.

Figure 1



Southern Panel: Concerned with interception categories D. E.

Northern Panel: Concerned with interaction categories A. B. and C.

NOTES OF MEETING WITH
MR. A. COOPER, DIRECTOR, IPSFC AND MR.
J. ROOS, ASST. DIRECTOR
SEATTLE, WASHINGTON, U.S.A.
NOVEMBER 20, 1973

On November 20 Mr. W. R. Hourston and Mr. D. R. Johnson met with Mr. Al Cooper, Director, and Mr. John Roos, Assistant Director, of the International Pacific Salmon Fisheries Commission. The purpose of the meeting was to obtain their comments on some suggested changes in the existing Fraser River Convention area that were raised at a meeting of the Administrative Committee which was formed at the Canada-U.S.A. meeting held in Vancouver September 26 - October 4, 1973.

After some brief background information on the above subject, Messrs. Cooper and Roos were asked whether, in their opinion, if the following areas were removed from the existing convention area it would have any appreciable effect on the management of the Fraser River sockeye and pink salmon stocks:

- (1) Ocean part of the convention area west of the Bonilla-Tatoosh line
- (2) Discovery Bay
- (3) West Beach
- (4) Bellingham and Samish Bays
- (5) Northern boundary excluding the Gulf Islands

The following comments were received:

- (1) This matter would require some study.
- (2) This would not be a problem and is already being done at the present time.
- (3) While pink salmon caught there are totally U.S., Fraser River sockeye are harvested in that area and this could create problems.
- (4) This would create no problems but would require some agreement on location of the line excluding them.
- (5) There could be some changes in this boundary. It was suggested that it could be modified to run from Gower Point to Thrasher Rock.

It was also suggested that Canadian Statistical Area 17 could be eliminated from Convention area management prior to August 15. However, this would require further study.

W. R. Hourston

Vancouver, B. C.
November 22, 1973.

000160



Environment Canada / Environnement Canada

FISHERIES & MARINE SERVICE

TO/A FLO
FROM/DE ACRD
DEC 5 1973
ATTN

*DA m to see
+ File
Dec 4/73
B. Applebaum*

Ottawa, Ontario,
K1A 0H3,

November 26, 1973.

Your file / Votre référence

Our file / Notre référence 721-19-25

Mr. B. Applebaum,
Legal Operations Division,
Department of External Affairs,
Ottawa, Ontario.
K1A 0G2.

25-5-7-2-salmon-1
9 6

Dear Mr. Applebaum:

Re: Pacific Salmon Negotiations

Last week Ambassador McKernan phoned C.R. Levelton requesting that the Canada-U.S. meeting on Pacific coast salmon problems be postponed until January, 1974. McKernan's reason was that the U.S. Section, especially their technical people, had not had sufficient time to prepare for the meeting. McKernan hoped that if the meeting were postponed until January, the U.S. could have a new written proposal in our hands in advance of the meeting. Mr. Levelton will be phoning McKernan to advise him that the delay is acceptable to Canada. Tentatively, the meetings are set to begin on January 14.

You will note that we have scheduled a meeting with our advisors in Vancouver on December 5. We would appreciate if you could attend this meeting. Dick Roberts and I are going out a day in advance for briefings with our technical people. Depending on your desires, we would be happy to see you there also. You will also note that we have made hotel reservations for you on the nights of December 4 and 5. The reason that Mr. Levelton wishes to have a meeting with our advisors is to allay any fears that they may have that we are allowing the U.S. to back out of a new agreement, and to brief them on progress towards development of a firm Canadian position.

Didn't go →

Yours sincerely,

M. P. Shepard

M. P. Shepard,
Director,
International Fisheries Branch.

FROM: ACR
Dec 4 1973
8-28



Deputy Minister
Environment Canada

Sous-ministre
Environnement Canada

TO/A.F.L.O.
FROM/DE ACRD
DEC 5 1973
M. Applebaum

NOV 29 1973

Ottawa, Ontario.
K1A 0H3

RECEIVED

DEC 6 1973

Mr. A.E. Ritchie,
Under-Secretary of State for
External Affairs,
Department of External Affairs
Ottawa, Ontario.
K1A 0G2

25-5-7-2-salmon - 1
9 4

*File
Dec 20/73
M. Applebaum*

Dear Mr. Ritchie:

Re: Breach of Undertaking by U.F.A.W.U. Delegates
regarding Confidentiality of Canada-U.S.
Discussions on Pacific Coast Salmon Problems.

We deeply regret the actions of Mr. Walter Tickson of the U.F.A.W.U. in releasing confidential details of the Canada-U.S. Discussions on Pacific Coast Salmon Problems to the press. I have asked our Minister to write a letter to Mr. Homer Stevens of the U.F.A.W.U. expressing his deep concern concerning Mr. Tickson's actions.

In advance of the next meeting with the United States (now scheduled for January rather than December), Mr. Levelton will discuss the question of the Union's actions with Mr. Stevens and attempt to gain further assurances from him regarding the confidential nature of the discussions.

Failure to give such assurances would probably lead to the undesirable alternative of excluding the Union from our advisory group. This would be an undesirable action, but one we would be prepared to take if the Union continued to pursue such an irresponsible course.

Yours sincerely,

R.F. Shaw

R.F. Shaw,
Deputy Minister.

FROM: ACR
DEC 6 1973
J-29

Mr. Applebaum
J 30

25-5-7-2-SALMON-1	
Your file / Votre dossier	12
Our file / Notre dossier	721-19-2



Environment Canada / Environnement Canada

Fisheries / Pêches

Ottawa, Ontario,
K1A 0H3,
December 17, 1973.

TO/A	PRO
FROM/DE	ACRD
DEC 24	
ATTN <i>Miller</i>	

Lynch
Action please
file of Lynch

Mr. D.M. Miller,
Director,
Legal Operations Division,
Department of External Affairs,
Ottawa, Ontario.
K1A 0G2

Dear Mr. Miller:

Attached please find a self-explanatory exchange of correspondence between this office and the International Pacific Salmon Fisheries Commission with respect to handling of the Commission's funds. The proposal advanced by the International Pacific Salmon Fisheries Commission is perfectly in order and we would request that you contact the United States Government to arrange for the change in the method of payment of the Commission's expenses.

Yours sincerely,

L. H. Legault

L.H. Legault,
Director-General,
International Fisheries and Marine
Directorate.

Attach.

RECEIVED

DEC 27 1973

In Legal Operations Division
Department of External Affairs

721-19-2

Ottawa, Ontario, Canada,
K1A 0H3,
December 17, 1973.

Mr. Thor C. Tollefson,
Chairman,
International Pacific Salmon Fisheries
Commission,
General Administration Building,
Olympia, Washington,
U.S.A.

Dear Mr. Tollefson:

This is in reply to your letter of November 21, 1973 concerning the method of handling the Commission's funds. The proposal that the Canadian Government transfer the Commission's appropriation in a lump sum quarterly to the account of the Commission for disbursement by the Commission in payment of one-half of the divisible expenses of the Commission subject to post audit is perfectly satisfactory to the Canadian Government.

This proposal requires simply a change in our administrative procedure and we would hope that as suggested it could be implemented by April 1, 1974. Formal approval of this change will await the necessary arrangements being made with the Government of the United States which will be handled through this office and the Department of External Affairs.

Yours sincerely,

L.H. Legault,
Director-General,
International Fisheries and Marine
Directorate.

THOR TOLLEFSON, CHAIRMAN
RM. 115, GENERAL ADMINISTRATION BUILDING
OLYMPIA, WASHINGTON
W. JOURSTON, VICE-CHAIRMAN
DEPARTMENT OF THE ENVIRONMENT
VANCOUVER, B.C.
RICHARD NELSON
BOX 2204
VANCOUVER, B.C.
DONALD R. JOHNSON
NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
SEATTLE, WASHINGTON
RODERICK HAIG-BROWN
2250 CAMPBELL RIVER ROAD
CAMPBELL RIVER, B.C.
DE WITT GILBERT
2852-44TH AVENUE WEST
SEATTLE, WASHINGTON

INTERNATIONAL PACIFIC SALMON FISHERIES COMMISSION

ESTABLISHED BY CONVENTION
BETWEEN CANADA
AND THE UNITED STATES
FOR THE PROTECTION
PRESERVATION AND EXTENSION OF THE
SCKEYE AND PINK SALMON FISHERIES
OF THE FRASER RIVER SYSTEM

A. C. COOPER
DIRECTOR

OFFICE AND LABORATORY
P. O. BOX 30
NEW WESTMINSTER, B.C.
TELEPHONE
521-3771

V3L 4X9

November 21, 1973

Mr. K.C. Lucas
Senior Assistant Deputy Minister
Fisheries and Marine Services
Department of the Environment
Ottawa, Ontario K1A 0H3

10745

721-19-2
S

Dear Mr. Lucas:

At present, under provisions of an exchange of notes between Canada and the United States, in December 1937, copies of which are attached, the Canadian Government pays all expenses of this Commission and recovers one half later from the United States Government. Under this arrangement, which now apparently is applied only to this Commission, the Canadian Government disburses the Commission's funds under Canadian Government voucher regulations.

In recent years suggestions have been made to the Director of the Commission by Canadian Government financial officers and also by the United States State Department that the method of handling this Commission's funds should be changed to correspond with the method used for the Halibut, North Pacific, Northwest Atlantic and Great Lakes Commissions, whereby each government makes payment directly to the account of the Commission. The Commissions then disburse the funds with a post-audit.

At its meeting on November 20, 1973, the Commission unanimously agreed that the governments of Canada and the United States be requested to revise the method of disbursement of the Commission funds by the adoption of the system whereby each government would deposit funds for its share of the Commission's appropriation in a New Westminster bank, from which the Commission's expenditures could be drawn, all transactions subject to audit.

I therefore submit for your consideration, the proposal that the Canadian Government transfer the Commission's appropriation in a lump sum, quarterly to the account of the Commission for disbursement by the Commission in payment of one half of the divisible expenses of the Commission. If the proposal is received favorably, I would request that consideration be given to an implementation date of April 1, 1974, with an advance of 40% in the first quarter, and 20% in each of the following three quarters.

Yours very truly,

INTERNATIONAL PACIFIC SALMON
FISHERIES COMMISSION

Thor C. Tollefson
Thor C. Tollefson
Chairman

RECEIVED
DEC 4 1973
THOR A.D.M.
FISHERIES & MARINE

M I N U T E S
of the
INTERNATIONAL PACIFIC SALMON FISHERIES COMMISSION

"Ottawa, November 19th, 1937

Dear Mr. Read,-

The International Pacific Salmon Fisheries Commission appointed under the provisions of the Convention between Canada and the United States for the protection, preservation and extension of the Sockeye Salmon Fisheries of the Fraser River System, recently met and organized and made all feasible preliminary arrangements for carrying out the duties entrusted to it.

As you will note, Article II of the Treaty provides that while each High Contracting Party shall pay the salaries and expenses of its own Commissioners, the joint expenses incurred by the Commission shall be paid by the two High Contracting Parties in equal moieties. This provision is similar to one in the Convention for the protection and development of the Pacific Halibut Fishery. In order to simplify the payment of accounts, it was arranged at the time that the Commission under the last above cited Treaty was appointed that the accounts, after being properly approved by the Commission, should be submitted to this Department when they would be paid in full and, at intervals, a statement of the accounts as paid would be submitted to the United States Department of State through your Department, when this Department would be reimbursed by the State Department to the extent of half the amount of the accounts paid. This method has worked satisfactorily, and the International Pacific Salmon Fisheries Commission desires that, if feasible, the same method of paying accounts should be followed in connection with its work.

This Department will be obliged if you will have the matter taken up with the United States Department of State and proper arrangements made in the premises.

Yours truly,

Wm. A. Found
DEPUTY MINISTER

J. E. Read, Esq., K. C.,
Acting Under-Secretary of State
for External Affairs,
O T T A W A."

MINUTES

of the

INTERNATIONAL PACIFIC SALMON FISHERIES COMMISSION

Department of Fisheries Library, Hunter Building

Ottawa, Ontario

2:00 p.m., Wednesday, January 26, 1938

PRESENT:

A. L. Hager, Chairman
Charles E. Jackson
William A. Found
Edward W. Allen
Tom Reid
B. M. Brennan, Secretary
W. F. Thompson, Director of Investigations

The meeting was called to order by the Chairman.

Mr. Brennan read the minutes of the previous meeting.
It was moved by Mr. Jackson and seconded by Mr. Reid
that there be incorporated in the minutes of November 29th
after the third paragraph the following:

"Resolved further that the two governments be
requested to handle the payment of accounts in
the same manner now employed by the International
Fisheries Commission, namely, that Canada pay
all accounts and bill the United States for one-
half the accumulated joint expenses." (a)

The motion was unanimously adopted.

Mr. Found read correspondence between the two govern-
ments arranging the payment of accounts under date of
November 19, 1937, and December 10, 1937. It was moved
by Mr. Allen and seconded by Mr. Reid that the corres-
pondence as read be incorporated into the minutes. The
motion was unanimously adopted. This correspondence
follows:

M I N U T E S

Page 3.

of the

INTERNATIONAL PACIFIC SALMON FISHERIES COMMISSION

"Ottawa, November 22nd, 1937

No. 468

Sir,-

I have the honour to enclose herewith a copy of a letter from the Deputy Minister of Fisheries, containing the information that the International Pacific Salmon Fisheries Commission, appointed under the provisions of the Convention between Canada and the United States, has now been organized and made all feasible preliminary arrangements for carrying out the duties entrusted to it.

You will observe that Dr. Found wishes to gain the consent of the United States Government to a method of handling the expenses of the Commission similar to that already employed in the case of the Pacific Halibut Fishery.

I shall be very much obliged if you will take up with the State Department the suggestions made by Dr. Found and let me know in due course whether or not the United States Government would be willing to cooperate in this matter.

I have the honour to be,

Sir,

Your obedient servant,

J. E. Read

for Secretary of State for
External Affairs

The Hon. Sir Herbert Marler, K. C. M. G.,
Canadian Minister to the United States,
Washington."

MINUTES

Page 4

of the

INTERNATIONAL PACIFIC SALMON FISHERIES COMMISSION

"December 10, 1937

The Secretary of State presents his compliments to the Honorable the Minister of Canada and has the honor to refer to the Legations's note no. 240 dated December 3, 1937, in which the suggestion is made that the joint expenses of the International Pacific Salmon Fisheries Commission, which under Article II of the Convention of August 4, 1937, are payable in equal moities, be paid in the same manner as the expenses of the International Fisheries Commission.

This method by which the Canadian authorities are paying in full all accounts properly approved by the Commission and are subsequently reimbursed for the share of the United States is entirely satisfactory, and consequently, vouchers for one-half of the joint expenses of the International Pacific Salmon Fisheries Commission should be forwarded to the Department for reimbursement, in the same manner as the vouchers for the expenses of the International Fisheries Commission, and the Department will take such action as may be necessary to facilitate the payment of expenses thus incurred.

DEPARTMENT OF STATE

Washington, December 10, 1937

711.428/2175"

CC:

- FDM
- PDG
- PDH
- PDF

Handwritten signatures and initials:
 [Signature]
 [Signature]
 m

Handwritten notes:
 File 95-5-72 Salmon
 Jan 21 1973
 P. Affleck

RECEIVED
 DEC 31 1973

S E C R E T In Legal Operations Division
 Department of External Affairs

December 28, 1973

25-572-SALMON-1
 12

MEMORANDUM FOR: ECT ECL FLO UNS

The Government's Program

On December 18, 1973 Cabinet agreed that the Chairman of each Cabinet Committee should ensure that:

- a) first priority is given to the items shown on the attached lists so that policy consideration by Cabinet is completed in January, 1974;
- b) second priority is given to essential items with an approaching and unavoidable deadline;
- c) to the extent that further committee time is available third priority is given to other items which would lead to legislation in the next session and which would not involve significant costs;

The Committee also agreed to establish a special committee of officials under the chairmanship of the Secretary to the Cabinet to review the items contained in the attached list entitled "Food Supply":

- a) to determine whether a cohesive, reasonably complete package of proposals could be developed in time for the next Speech from the Throne;
- b) to consider the merits of the proposals including the cost, the international supply and federal-provincial aspects, and the relationship to the government's anti-inflation program;

SECRET

- 2 -

- c) to identify the basic objectives to which all of the proposals could be related and to develop a coherent framework of policy on food generally;

the special committee to report to Cabinet as soon as possible in January, 1974.



R.C.D. Looye
Central Staff

CONFIDENTIAL

Energy & Resources

Pricing policy

(including cross-subsidization and contingency plan for isolating Canadian prices from an international standard) (ECON)

National Petroleum Company (ECON)

Further processing of resource exports (ECON)
(including Export-Import Permits Act)

Tar Sands development
(including tax implications of Syncrude agreement) (ECON)

Mackenzie Valley Pipeline (ECON)

Frontier energy resource development
(including offshore resources and Arctic Islands as Canadian preserve) (ECON)

Hydro development
(including James Bay, Fundy, Mackenzie, Inter-regional and Trans-Canada Electricity Grid, Lower Churchill Falls and Newfoundland interconnection) (ECON)

Oil and Gas Land Regulation (ECON)

Uranium Ownership Policy (GO)

Transportation

Review the objectives of the National Transportation Act (P&P)

Subject to further review by the Minister of Transport and consideration by Cabinet early in January, the following items may also warrant priority:

- Follow-on to WEOC (GO)
- Harbours Policy (GO)
- Air Charter policy (general) (GO)
- Continuity of Ferry Services (GO)
- Highways (GO)

CONFIDENTIAL

Food Supply

Subject to further consideration by Cabinet after review
by the Special Committee of Officials

- Amendments to the Prairie Grain Advance Payments Act (GO)
- Cash advance payment systems (GO)
- Prairie Grain Stabilization Act (grain market insurance plan) (GO)
- Agricultural Stabilization Act (GO)
- Assistance to young farmers - Farm Credit Act (GO)
- Feed grain marketing program (GO)
- National Livestock Program (GO)
- National storage programs (GO)
- National transportation program (GO)
- National marketing program (GO)
- National commodity boards (GO)
- Livestock insurance (GO)
- Veterinary training facilities (GO)
- Integrated multiple use processing facilities (GO)
- Farm labour supply (GO)
- Further Processing of Agricultural Products (GO)
- Prairie rape seed marketing (GO)
- Canada's position at Law of Sea Conference (Ex.D)
- Fisheries, farm and small business loans (ECON)
- Amendments to Fisheries Development Act (introduced this session) (GO)
- Salmon Convention - agreement with U.S. (Ex.D)

CONFIDENTIAL

Canadian Identity

Bank Act Amendments (ECON)
Canadian control in computer/communications field (SCI)
Control of export of Works of Art (SCI)
Small Craft Harbours (SCI)
Environmental Contaminants Act (SCI) (mentioned in last SFT)
Ownership of Land by Non-Canadians and Non-Residents (ECON)
Establishment of ethnic communications capability (SCI)

Concern for the Individual

Omnibus Bill re Women's Rights (SOC)
- Canada Election Act
- Criminal Code
- Immigration Act
- Unemployment Insurance Act
- Pension Act
- War Veterans Allowance Act
- Civilian War Pensions and Allowances Act
The Indian Act (women's rights aspects only) (SOC)
Citizenship Act (includes women's rights) (SOC)
Canada Pension Plan (basically women's rights) (SOC)
Cabinet Directive to Crown Corporations re women's rights (SOC)
Rights and Freedoms Legislation (includes women's rights aspects) (SOC)
Unemployment Insurance Act and Manpower Policies (SOC)
Community employment program (SOC)
White Paper on Health (SOC)
Housing Quality - Consumer Protection (mentioned in last SFT) (SOC)

CONFIDENTIAL

Urban Environment

National Urban Transportation Development Agency

Assistance to Municipal Sewage Treatment (LHP)

Railway Relocation Act (mentioned in last SFT) (LHP)

Other Items

Carry-over items from current session which were introduced
for the first reading only

- Combines Investigation Act

- Canada Business Corporations Act

The redistribution process (LHP)

Response to the Lamontagne Report (SCI)

The Canada Elections Act (LHP)

file A. Bui

EXTERNAL AFFAIRS

AFFAIRES EXTÉRIEURES



RECEIVED
JAN 3 1974
Legal Operations Division
Department of External Affairs

TO
À

PDM

SECURITY RESTRICTED
Sécurité

FROM
De

FLO

DATE December 31, 1973

REFERENCE
Référence

Mr. Looye's call December 31/73

NUMBER
Numéro

SUBJECT
Sujet

Note for PDM: Meeting Wednesday, Jan. 2
US-Cda Salmon Talks

FILE	DOSSIER
OTTAWA	
25-5-7-2-SALMON-1	
MISSION	121

ENCLOSURES
Annexes

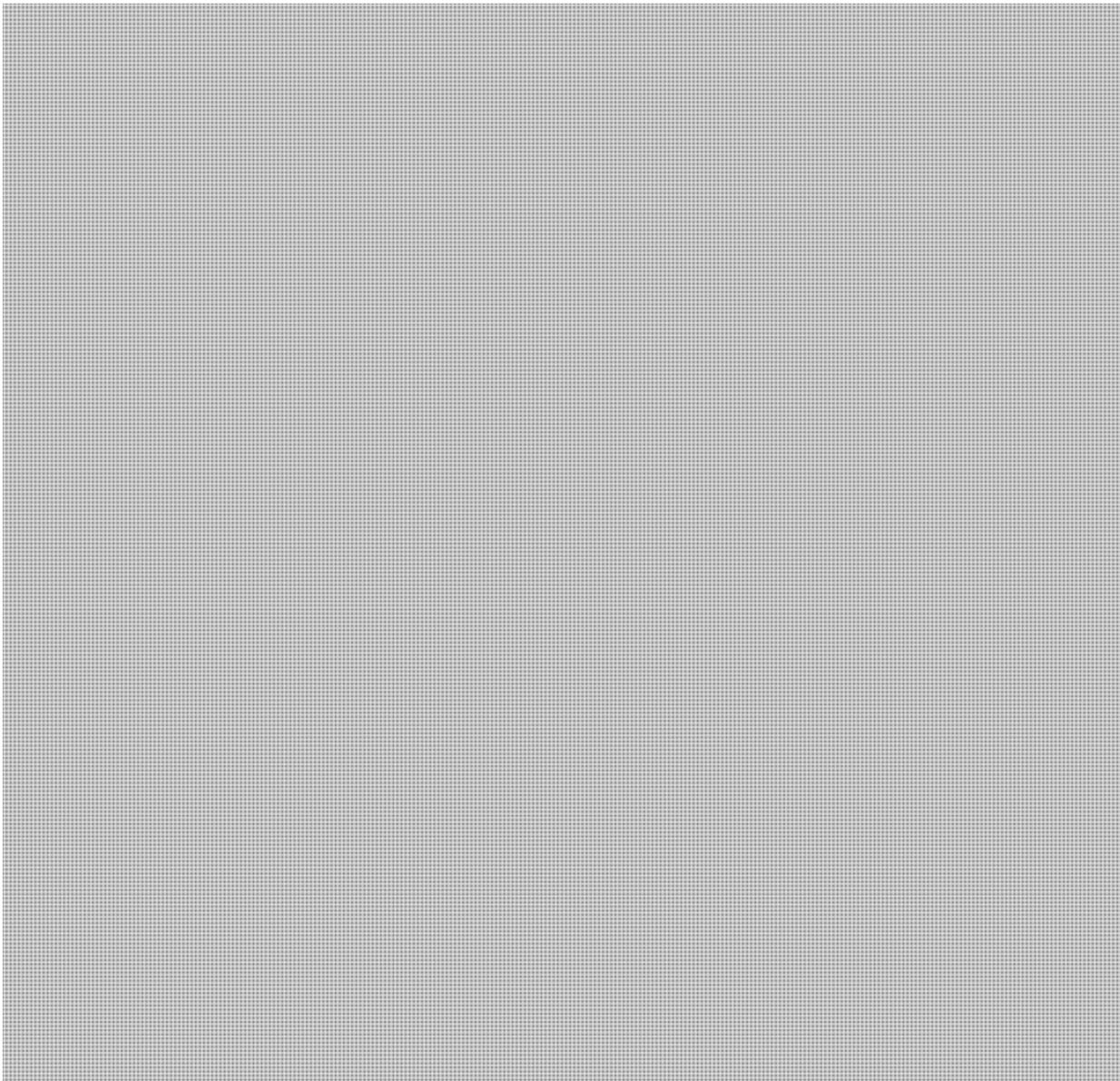
DISTRIBUTION

ENVOTT/Levelton
Legault

ECS

GWU

FLA



J. M. [Signature]

Legal Operations Division

3.1.9(us)

CHECKLIST - PREPARATION OF SUBSTANTIVE FILES FOR MICROFILMING
 LISTE DE CONTROLE - EXAMEN DE DOSSIERS - MATIERES POUR FINS DE MICROPHOTOGRAPHIE

Date
APR 11 1978

File No./Dossier no

Subject/Sujet
R5-5-7-2-SALMON-1

Vol. No.

3

Boundaries - Water - Fish Gas - International Pacific Salmon Fisheries Commission - Canada - USA

Date From/De
October 21, 1970

Date To/À
December 31, 1972

CLERK/COMMIS

ANALYST/ANALYSTE

Transmital slips, action request forms and envelopes destroyed	Items misfiled sent to ACRC	Straight copies destroyed	Ephemeral items sent to ACRR	Items reclassified	Copies of drafts etc. destroyed	Notes d'envoi, fiches de service et enveloppes détruites	Erreurs, de classement - ACRC	Doubles détruits	Items éphémères - ACRR	Items reclassifiés	Doubles de projets, etc. détruits	BOOKLETS, PAMPHLETS, RECORDINGS, LEGAL DOCUMENTS, CLIPPINGS, BRIEFINGS, NATO, U.N. AND SPECIALIZED AGENCIES DOCUMENTS, ETC. PHOTOGRAPHS								Size and clarity		
												LIVRETS, PAMPHLETS, ENREGISTREMENTS MAGNÉTIQUES, DOCUMENTS JURIDIQUES, COUPURES DE JOURNAUX, CAHIERS D'INFORMATIONS GÉNÉRALES, DOCUMENTS DE L'OTAN, DES N.U. ET D'AGENCES SPÉCIALISÉES, ETC. PHOTOGRAPHIES									Dimension et qualité	
												ACL	ACLC	ACLL	ACLN	ACRC	ACRD	FAH	FAI	Cut Réduction	ACRE	Retyped Retapé
<i>5</i>		<i>5</i>	<i>6</i>									<i>1</i>	<i>4</i>							<i>6</i>	<i>7</i>	

WORK COMPLETED BY ACRX
 TRAVAIL COMPLETÉ PAR ACRX
 APR 31 1978

CLERK COMMIS
 Stripping completed: Première épuraison complétée:

ANALYST ANALYSTE
 Revision completed: Examen complété:

ACRX
 Microfiling completed: Microfilmage complété.

APR 11 1978
 Date

APR 11 1978
 Date

[Signature]
 Signature

[Signature]
 Signature

Signature

25-5-7-2-SALMON-1

FORM "A"
FORMULAIRE "A"

Vol. 3 Box: 56

RECORDS IMPROVEMENT UNIT ACTION FORM
FICHE DE SERVICE DE L'UNITE DE PERFECTIONNEMENT DES ARCHIVES

..... Please take action on the attached items as indicated:
S.V.P. donner suite aux items ci-joints tel qu'indiqué ci-dessous:

ACRC

- 1. File/ Classer
- 2. Keep in appropriate file pocket in Randtriever.
Retenir au Randtriever dans pochette appropriée.
- 3. Keep in special container for tapes.
Retenir dans classeur spécial pour bandes magnétiques.

ACRD

- 1. Amend index and refer to ACRC for filing.
Modifier index et transmettre à ACRC pour mise au dossier.

ACRA

- 1. Open new file as follows and advise Division concerned.
Ouvrir nouveau dossier selon les directives ci-dessous et aviser Direction concernée.

No.

TITLE/TITRE

ACRR

- 1. Ephemeral material for disposal.
Suite à donner à correspondance éphémère.

ACRX

- 1. Trailer fiche to be made.
Préparer fiche auxiliaire.
- 2. CAUTION: Flagged item typed on both sides.
ATTENTION: papillon indique texte dactylographié sur deux côtés.

ACRE

- 1. For reproduction - one copy.
A reproduire - une copie.

TYPIST
DACTYLO

- 1. Retype, check and return.
Redactylographier, vérifier et retourner.

APR 11 1978

25-5-7-2

DRAFT

Salmon-1

CONFIDENTIAL

25-5-7-2-SALMON-1	
12	—

file
Jan 8/73

B. Appleton

Effect of the United States Compromise Proposal on
 Number and Balance of Interception with special note of
 Effects on Canadian Fisheries

Fisheries and Marine Service
 Vancouver, B.C.
~~November~~ ^{DECEMBER} 4, 1973

Effect of the United States Compromise Proposal
on the Balance of Interceptions

E Both countries have agreed that the questions of valuation and differences between estimates of interception cannot be resolved at the present time; both have agreed to set these questions aside and work toward an interim agreement that does not require immediate resolution of these two questions. An interim agreement acceptable to both countries should, therefore, maintain the existing imbalance in interceptions at least in a relative sense. It should not result in a shift of the imbalance in either direction. ✓

L The effect of the United States compromise proposal on the balance of interceptions has been calculated on the following basis:

- (a) The proposal has been applied to actual catches recorded by both countries during the years 1967-72 inclusive;
- (b) The proposal has been applied using the assumption that fisheries, subject to reduction in interception, had reached their reduced level effective 1967;
- (c) Estimates of interceptions used are the averages between the United States and Canadian estimates;
- (d) Canadian landed values have been used throughout.

1. Effect of Compromise Proposal on United States Catches of Fraser River Sockeye

The basis for calculation was as follows:

(a) Total Allowable Catch:

As contained in the United States proposal, includes Canadian non-convention area catches (West Coast Vancouver Island,

1. (a) Cont'd.

Johnstone Strait, and Fraser River Indian subsistence catches) of Fraser River sockeye. Data for 1967-72 was taken from catches listed in January 11, 1972 letter Cooper-Johnson. Data for 1973 was estimated from preliminary catch figures.

<u>Year</u>	<u>Total Allowable Catch</u>	<u>United States Catch</u>	<u>Percentage</u>
1967	5,438,597	2,086,930	38.4
1968	2,325,713	882,490	37.4
1969	3,917,453	1,575,331	40.2
1970	4,183,111	1,350,217	32.3
1971	6,865,631	2,761,209	40.2
1972	2,807,059	1,128,512	40.2
1973	5,750,000	2,600,000	45.2

Based on catches recorded during the period 1970-73, which is the base period suggested in the United States proposal, the average catch by the United States of 1,959,984 represents 39.4% of the average total allowable catch of 4,901,450. The figures presented by the United States in the proposal are 2,100,000 and 42%.

For the purposes of calculating effects of the proposal on catches, the corrected figures of 1,960,000 and 39.4% have been used as follows:

(a) Canadian base allowable level of interception = 1,960,000

$$\text{Canadian reduced allowable level: } 1,960,000 \times \frac{35}{39.4} = 1,741,100$$

(b) At T.A.C. levels below 4,901,500, the U.S. is allowed to take 35%; at T.A.C. levels above 4,901,500, the U.S. is allowed to take the average of 35% of the T.A.C. and the Canadian level of 1,741,100.

<u>Year</u>	<u>T.A.C.</u>	<u>Compromise Level</u>	<u>Actual U.S. Catch</u>	<u>Difference</u>
1967	5438.6	1822	2086	-264
1968	2325.7	814	884	- 70
1969	3917.5	1371	1584	-213
1970	4183.1	1464	1348	+116
1971	6865.6	2072	2758	-686
1972	2807.1	982	1127	-145
1973	5750.0	1877	2600	-723

In the final column of the above table, negative signs indicate the amount by which United States catches should have been reduced under the terms of the proposal.

2. Effect of Compromise Proposal on United States Catches of Fraser River Pink Salmon

The United States proposal does not include reduction of pink salmon catches below present levels since U.S. calculations indicate that the existing "rate of interception" approximates 35%. In years when the United States catch exceeds 1,800,000 (the average for the years 1969-71-73), the allowable catch would be calculated as the average between 35% of T.A.C. and the Canadian base level (in this case, 1,800,000).

<u>Year</u>	<u>T.A.C.*</u>	<u>Compromise Level</u>	<u>Actual U.S. Catch</u>	<u>Difference</u>
1967	10,818	2793	4131	-1338
1969	2,410	844	1020	- 176
1971	7,606	2231	2336	- 105
1973	5,000	1750	2300	- 550

* All figures preliminary and subject to correction.

3. Effects of Compromise Proposal on Canadian Catches of United States Coho

Data provided by the United States at the November 8-9 meeting of the Technical Working Group has been used as the basis for calculation.

<u>Year</u>	<u>T.A.C.</u>	<u>Compromise Level</u>	<u>Actual Canadian Level</u>	<u>Difference</u>
1967	3007.5	1053	1121.5	- 68.5
1968	3205.4	1122	1564.5	-442.5
1969	2206.2	772	892.5	-120.5
1970	3737.1	1218	1339.0	-121.5
1971	4629.3	1375	1933.5	-558.5
1972	2563.4	897	872.5	+ 24.5

$$\bar{X} = 3225$$

$$\bar{X} = 1287$$

(a) Base Canadian Level = 1287 = 41% of T.A.C.

(b) Ultimate Canadian Level = $35/41 \times 1287 = 1129$

4. Effect of Compromise Proposal on Canadian Catches of United States Chinook

Data provided by the United States at the November 8-9 meeting of the Technical Working Group has been used as the basis for calculation.

Year	T.A.C.	Compromise Level	Actual Canadian Level		Difference
			No.	%	
1967	1279.2	447.7	515.0	40.3	- 67.3
1968	1280.0	448.0	536.5	41.9	- 88.5
1969	1447.9	506.8	580.0	40.1	- 73.2
1970	1600.4	558.7	581.0	36.3	- 22.3
1971	1987.4	626.4	824.5	41.5	-198.1
1972	1772.8	588.9	784.5	44.3	-195.6
$\bar{X} = 1561.2$			$\bar{X} = 636.9$	$\bar{X} = 40.7$	

(a) Base Canadian Level = $636.9 = 40.7\%$ of T.A.C.

(b) Ultimate Canadian Level = $35/40 \times 636.9 = 557.3$

The United States has used 40% of T.A.C. of 1500 = 600 as base for Canadian interceptions. The above corrected figures have been used for this analysis.

5. Effect of Compromise Proposal on other United States and Canadian Interceptions

For the purpose of this study, it has been assumed that no changes would have occurred in other intercepting fisheries.

6. Effect of Compromise Proposal on Balance of Interceptions

The effect of the U.S. compromise proposal on the balance of interceptions for the years 1967-72 inclusive has been calculated on the basis of (a) averaging the estimates of interception calculated by the two countries, and (b) applying Canadian landed values to the estimates of interceptions.

Average landed values on a per fish basis were calculated from data provided by Aro and was as follows:

Average Value/Fish *

<u>Year</u>	<u>Sockeye</u>	<u>Coho</u>	<u>Pinks</u>	<u>Chums</u>	<u>Chinooks</u>
1967	2.17	2.21	.74	1.31	6.25
1968	2.17	2.02	.42	1.67	6.34
1969	2.25	2.71	1.00	2.23	6.70
1970	2.51	3.71	.56	1.82	7.41
1971	2.46	2.28	.85	1.73	6.50
1972	2.55	3.53	.49	1.96	7.12

* prices based on ^{prices in} ~~interception~~ ^{interception} categories affected by changes (F.B. catch & pinks; South West chin. chums)

Balances of interceptions, in numbers of fish by species, based on actual catches recorded during the years 1967-72, were as follows:

<u>Year</u>	<u>Sockeye</u> <u>(U.S.)</u>	<u>Coho</u> <u>(Can.)</u>	<u>Pinks</u>	<u>Chums</u>	<u>Chinooks</u> <u>(Can.)</u>
1967	2381	736	3629(U.S.)	11(U.S.)	269
1968	1018	1090	28 (C.)	84 (C.)	281
1969	1751	578	1255(U.S.)	36(U.S.)	346
1970	1474	807	275 (C.)	109(U.S.)	321
1971	2923	1399	2366(U.S.)	107(U.S.)	530
1972	1392	383	217 (C.)	307(U.S.)	524

Balances of interceptions in dollars by species during the 1967-72 period were:

<u>Year</u>	<u>Sockeye (U.S.)</u>	<u>Coho (Can.)</u>	<u>Pinks</u>	<u>Chums</u>	<u>Chinooks (Can.)</u>	<u>Total (U.S.)</u>
1967	5167	1877	2685(U.S.)	14(U.S.)	1681	4208
1968	2209	2202	12 (C.)	140 (C.)	1781	-1926
1969	3940	1566	1255(U.S.)	80(U.S.)	2318	1391
1970	3699	2994	154 (C.)	198(U.S.)	2378	-1629
1971	7336	3190	1986(U.S.)	185(U.S.)	3575	2742
1972	3549	1352	106 (C.)	601(U.S.)	3731	-1039

Total(U.S.) = 3747

\bar{X} (U.S.) = 624

The effects of the compromise proposal on balances in numbers of fish were as follows:

<u>Year</u>	<u>Sockeye (U.S.)</u>	<u>Coho (Can.)</u>	<u>Pinks</u>	<u>Chums</u>	<u>Chinooks (Can.)</u>
1967	2117	667.5	2491(U.S.)	11(U.S.)	201.7
1968	948	647.5	28 (C.)	84 (C.)	192.5
1969	1538	457.5	1079(U.S.)	36(U.S.)	272.8
1970	1590	685.5	275 (C.)	109(U.S.)	298.7
1971	2237	840.5	2261(U.S.)	107(U.S.)	331.9
1972	1247	407.5	217 (C.)	307(U.S.)	328.4

The effects of the compromise proposal on balances in value were as follows:

<u>Year</u>	<u>Sockeye (U.S.)</u>	<u>Coho (Can.)</u>	<u>Pinks</u>	<u>Chums</u>	<u>Chinooks (Can.)</u>	<u>Total (U.S.)</u>
1967	4594	1475	1843(U.S.)	14(U.S.)	1261	3715
1968	2057	1308	12 (C.)	140 (C.)	1220	- 623
1969	3461	1240	1079(U.S.)	80(U.S.)	1828	1552
1970	3991	2543	154 (C.)	198(U.S.)	2213	- 721
1971	5503	1916	1922(U.S.)	185(U.S.)	2157	3537
1972	3180	1438	106 (C.)	601(U.S.)	2338	- 101

Total(U.S.) = 7359

\bar{X} (U.S.) = 1226

The average balance, therefore, would shift in favour of the United States from \$624,000.00 per year to \$1,226,000.00 per year.

Effects of Enhancement on Intercepting Fisheries

The United States compromise proposal and the Canadian proposal both include the provision that benefits from future enhancement programs will be reserved for the country of origin. The following tables analyze the probable effects of this proposal on the major intercepting fisheries of both countries.

1. Effect of Enhancement on Canadian Catch of United States Coho

United States hatchery production of coho has been reviewed elsewhere. The conclusion has been reached that, if present trends in hatchery production continue, the total contribution of United States coho available to the Canadian fishery could double within the next ten years.

<u>Category</u>	<u>Total Allowable Catch</u>	<u>Total Canadian Catch</u>	<u>Canadian Catch (Can. Fish)</u>	<u>Canadian Catch (U.S. Fish)</u>
1	3.225	2.938	1.651	1.287
2	3.225	2.577	1.448	1.129
3	6.450	4.225	1.651	2.574
4	6.450	1.853	.724	1.129
5	6.450	5.876	3.302	2.574
6	6.450	2.577	1.448	1.129

Category 1 - Under existing conditions, the Total Allowable Catch is 3.225 million coho. For the period 1967-72 inclusive, the total catch by Canadian fishermen of United States and Canadian coho has averaged 2.938 million coho. Based on the average between Canadian and United States estimates of interception (as listed in the Report of the Technical Committee on Interceptions), the Canadian

Category 1 - Cont'd.

catch of United States coho has averaged 1.287 million fish annually. By subtraction, the Canadian catch of Canadian coho, therefore, is $2.938 - 1.287 = 1.651$ million. The Canadian interception, expressed as a percentage of T.A.C., is 40%.

Category 2 - Assuming that both Canadian and United States stocks remain at the 1967-72 levels after the United States compromise proposal is put into effect, Canadian interception would be reduced to 35/40 of initial levels. Because stocks of United States and Canadian coho apparently are intermingled in a uniform manner (both in time and place), catches of Canadian coho would likewise be reduced to 35/40 of present levels. The total Canadian catch would, under these circumstances, be reduced from the existing average of 2.938 to 2.577 million, a reduction of 361,000 coho.

Category 3 - Assuming that the United States, through enhancement, doubled the number of coho above present production levels, the Total Allowable Catch would become 6.450 million U.S. fish. If no agreement was in effect, and if Canadian stocks remained at current levels, the Canadian catch would total 4.225 million (1.651 million Canadian fish plus 2.574 million United States fish).

Category 4 - Under the conditions explained for Category 3, the effects of imposing the United States compromise proposal (i.e., that all benefits from enhancement accrue to the country of origin, and that interceptions of base level stocks be reduced to 35/40 of the base level), would be as follows:

(a) The Canadian catch of United States coho would be limited to 1.129 million.

(b) In order to meet the above limitation, the Canadian catch of Canadian coho would be limited to

$$\left(\frac{1.129}{2.574}\right) 1.651 = 0.724 \text{ million coho.}$$

(c) The total Canadian catch would average 1.853 million (1.129 million United States fish plus 0.724 million Canadian fish).

Under these circumstances, the total Canadian catch would be reduced from the present level of 2.938 million to 1.853 million, a loss of 1.085 million coho of which 158,000 would be of United States origin ($1.287 - 1.129 = .158$) and 927,000 would be of Canadian origin ($1.651 - .724 = .927$).

Category 5 - Assumptions in this category are that (a) the United States, through enhancement, doubled the Total Allowable Catch; and Canada, through enhancement, also doubled production of Canadian fish. If no agreement was implemented, the Canadian catch would rise to a total of 5.876 million fish (2.574 million United States coho

Category 5 - Cont'd.

plus 3.302 million Canadian coho).

Category 6 - Under the stock conditions listed in Category 5, the effects of implementing the United States compromise proposal would be as follows:

- (a) The Canadian catch of United States coho would be limited to 1.129 million coho.
- (b) The Canadian catch of Canadian coho would then be limited to:

$$\left(\frac{1.129}{2.574}\right) 3.302 = 1.448 \text{ million fish.}$$

- (c) The total Canadian catch would average 2.577 million - the same as under existing conditions after implementation of the U.S. proposal including reduction to 35/40 of base levels (see Category 2). In this situation, however, the West Coast fishery would forego the opportunity to catch 1.854 million coho of Canadian origin ($3.302 - 1.448 = 1.854$).

Prospects of Canadian enhancement filling the gap are very remote. In order to double the catch of Canadian fish by the Canadian West Coast fishery, assuming that this fishery is capable of exploiting 50% of the fish available, would require an additional 3.302 million coho. In terms of hatchery production, this would mean installation of

approximately 16 Quinsam-size hatcheries. At 1972 prices, this would mean a capital investment of over 83 million dollars. The actual cost would probably exceed 100 million dollars if funds were forthcoming for such development.

The United States expects the contribution of hatchery-produced chinooks and coho to continue increasing. Based upon data supplied subsequent to the November 8 - 9 meeting of the Technical Working Group, it is expected that the following increases in contribution of hatchery-produced coho to all fisheries (both United States and Canadian) will occur in 1973 - 1975:

1967-72 - average annual contribution to all fisheries = 1,949,357

1973-75 - average annual contribution to all fisheries = 2,827,164

During the 1967 - 72 period, the hatchery contribution represented about 60 percent of the Total Allowable Catch ($\frac{1.949}{3.225} \times 100$)

The situation that might be expected to occur in the Canadian West Coast fishery during 1973 - 75 is:

<u>Situation</u>	<u>T.A.C.</u>	<u>Total Can. Catch</u>	<u>Can. Fish</u>	<u>U.S. Fish</u>
1967-72	3.225	2.938	1.651	1.287
1973-75 (No Agreement)	4.103	3.286	1.651	1.635
1973-75 (Stabilize)	4.103	2.587	1.300	1.287
1973-75 (Agreement)	4.103	2.269	1.140	1.129

...6

- 6 -

Under this situation, implementation of the United States compromise proposal would result in a reduction of total catch from its present level of 2.938 million to 2.269 million - a "loss" of 669,000 coho. Of this "loss", 511,000 would be of Canadian origin. Under the situation that interceptions would be stabilized at the 1967 - 72 level, the total Canadian catch would be reduced from 2.938 million to 2.587 million - a "loss" of 351,000 coho, all of which would be of Canadian origin.

2. Effect of enhancement on Canadian catch of United States chinooks

Chinook catches have been treated in the same manner as coho catches (Section 1 above).

Category	Total allowable catch	Total Canadian catch	Canadian catch (Can. fish)	Canadian catch (U.S. fish)
1	1.5	1.068	.428	.640
2	1.5	.935	.375	.560
3	3.0	1.708	.428	1.280
4	3.0	.748	.188	.560
5	3.0	2.136	.856	1.280
6	3.0	.935	.375	.560

Category 1. Figures presented in Row 1 of the above table present the situation as it has existed over the years 1967-72, inclusive.

Category 2. The United States compromise proposal has been applied to the existing situation. Under this scheme, the Canadian catch would be reduced to 935,000 which is a loss of 133,000 chinooks. This loss would be composed of 80,000 United States fish and 53,000 Canadian fish.

Category 3. Under the condition that Canadian stocks remain at their existing levels and United States stocks are doubled through enhancement, the Canadian catch would rise to 1.668 million (1.280 U.S. fish plus .428 Canadian fish).

Category 4. Application of the United States compromise proposal to the stock circumstances described in Category 3 would result in a Canadian catch of 560,000 U.S. fish plus 188,000 Canadian fish ($\frac{.560}{1.280} \times .428$) for a total of 748,000. Under these circumstances the Canadian fishery would suffer a

loss of 320,000 chinooks from present catch levels, all of which would be of Canadian origin.

Category 5. Under circumstances in which both Canada and the United States doubled production, Canadian catches would double.

Category 6. Application of the United States compromise proposal to the stock conditions described in Category 5 would result in a Canadian catch of 1.068 million, comprising 640,000 U.S. fish and 428,000 Canadian fish. In order to meet these conditions, however, the West Coast fishery would forego the opportunity to catch 428,000 chinooks of Canadian origin (856,000-428,000).

The contribution of hatchery-reared chinook salmon to Canadian West Coast fisheries is expected to increase substantially during the 1973 - 75 period. Based on United States hatchery production data, the increase will be:

1967-72 - average annual contribution to all fisheries = 874,246

1973-75 - average annual contribution to all fisheries = 1,504,098

During the 1967 - 72 period, the hatchery contribution represented about 56 percent of the Total Allowable Catch ($\frac{.874}{1.561} \times 100$)

The situation that might be expected to occur in the Canadian West Coast fishery in 1973 - 75 if the United States compromise proposal is implemented, is:

<u>Situation</u>	<u>T.A.C.</u>	<u>Total Can. Catch</u>	<u>Can. Fish</u>	<u>U.S. Fish</u>
1967-72	1.561	1.068	.428	.640
1973-75 (No Agreement)	2.191	1.326	.428	.898
1973-75 (Stabilize)	2.191	.945	.305	.640
1973-75 (Agreement)	2.191	.787	.267	.560

Under this situation, implementation of the United States compromise proposal would result in a reduction of total catch from its present level of 1.068 million to .787 million - a "loss" of 281,000 chinooks. Of these, 161,000 would be of Canadian origin. Under the situation that interceptions would be stabilized at the 1967 - 72 level, the Canadian catch would be reduced from 1.068 million to .945 million - a "loss" of 123,000 chinooks, all of which would be of Canadian origin.

3. Effect of enhancement on United States catches of Canadian Fraser River sockeye

The United States catch of Fraser River sockeye has averaged 1,960,000 fish over the 4-year period 1970-73. This base level catch would, on implementation of the compromise proposal, be reduced to 1,741,000 fish annually. This base catch would not be influenced by enhancement (other than the additional number of fish required to "pay out" recent U.S. investments) and, since there is no significant number of United States sockeye intermingled with Fraser River fish, would not result in the United States having to forego catches of United States fish.

In the event that natural production doubled, however, the United States allowable catch would increase from 1,741,000 to 2,614,000 (if allowable catch doubled, U.S. catch would be $2 \times 1,960 = 3,920$. Apply reduction, U.S. catch would be $\frac{35}{39.4} \times 3,920 = 3,488$. Compromise catch would be $\frac{3,488 + 1,741}{2} = \frac{5,229}{2} = 2,614$).

4. Effect of enhancement on United States catches of Canadian Fraser River pink salmon

The United States catch of Fraser River pink salmon has averaged

1,800,000 for the three cycle years proposed as the base level (1969-71-73). During the years 1967-69-71 (data for 1973 as yet unavailable) the United States also caught, on the average, 66,000 pinks of Puget Sound origin and 33,000 pinks of Canadian non-Fraser origin.

The United States base catch of 1,800,000, since it does not exceed 35% of the total allowable catch as presented in the United States proposal, would not be subject to further reduction. In years when 35% of the total allowable catch was less than 1,800,000, the United States allowable catch would be 35% of the total allowable catch. In years when 35% of the total allowable catch was greater than 1,800,000 based on increases in natural production, however, the compromise aspects of the proposal would be implemented. For example, if 35% of the total allowable catch was 3.6 million, the United States allowable catch would be $\frac{3,600 + 1,800}{2} = 2.700$ million.

Pinks of Puget Sound and Canada non-Fraser origin, since both enter the fishery during the earliest part of the pink salmon run, could be fished independently from the main run of Fraser River pink salmon. At the time that these stocks are present, however, management regulations are usually directed toward exploitation of major Fraser River sockeye stocks. It appears unlikely, overall, that these relatively minor stocks could be regulated independently without creating substantial disruption of both Canadian and United States fisheries.

If enhancement of Fraser River pink salmon was implemented, the United States total allowable catch would be limited to 1,800,000. Reduction of United States effort to adhere to this limitation would not result in a significant loss to the United States of fish of United States origin.

Alternative approach to calculation of total allowable catch

In the United States compromise proposal, two approaches to calculation of total allowable catch have been taken:

- (a) in the case of Canadian interception of Columbia River coho, that segment of the catch which is taken by United States fishermen operating to the south of the Columbia, plus 60% of the catch in the Columbia was eliminated from the calculations since that segment does not enter intercepting fisheries.
- (b) in the case of United States interception of Fraser River sockeye and pink salmon, all fish caught regardless of location of migration route were included in calculation of total allowable catch.

Analyses presented in foregoing sections of this report have been based upon the provisions of the United States Compromise Proposal. The following analysis presents a comparison between the two approaches.

1. Effect on interception rates for United States catches of Fraser River sockeye

A segment of the Fraser River sockeye run approaches the Fraser River from the north through Johnstone Strait, and is therefore not subject to interception by the United States. Data used for calculation of this proportion are presented in the following table:

Year	Total catch (1)	Area 29 catch (2)	Indian catch (3)	Johnstone St. catch (4)	% J.S. (5)	No. J.S. (6)	U.S. catch (7)	Rate of int. (8)
1967	5,438	878	107	1,209	27.2	1,477	2,087	52.7
1968	2,331	831	129	355	25.9	604	882	51.1
1969	3,918	965	159	465	16.6	652	1,575	48.2
1970	4,183	575	151	1,000	28.9	1,210	1,350	45.4
1971	6,865	1,317	153	500	9.3	637	2,761	44.3
1972	2,807	527	135	519	24.2	679	1,128	<u>53.0</u>
								$\bar{x} = 49.1$

Calculations

$$(5) \% \text{ entering through Johnstone St.} = \frac{(4)}{(1) - [(2) + (3)]} \times 100$$

$$(6) \text{ number entering through Johnstone St.} = ((5) \times [(2) + (3)]) + (4)$$

$$(8) \text{ Rate of interception} = \frac{(7)}{(1) - (6)} \times 100$$

The United States proposal (when actual catch figures are used) indicates that the rate of interception on Fraser River sockeye is 39.4%. Using the approach that a segment of the stock does not enter into intercepting fisheries, based on the above calculations, the rate of interception has averaged 49.1% over the 1967-72 period. This would have the following effect on United States catches, if the compromise proposal was implemented:

	Initial level	Initial rate	Final rate	Final level	Difference
Total approach	1.960	39.4	35.0	1.741	.219
Partial approach	1.960	49.1	35.0	1.397	.563
Difference between approaches					.344

Under the approach advanced by the United States, base level catches would be reduced from 1,960 annually to 1,741; a "loss" to the United States fishery of 219,000 per year. Under the approach used by the United States to calculate total allowable catch and rates of interception for Columbia River coho (hereinafter referred to as the "partial" approach), base level catches would be reduced from 1,960 sockeye annually to 1,397; a "loss" to the United States of 563,000 fish annually. The choice of approaches therefore means an annual difference of 344,000 sockeye to the United States fishery.

2. Effect on interception rates for United States catches of Fraser River pink salmon

The partial approach to calculation of rates of interception was applied to United States catches of Fraser River pink salmon in the same manner as described above for sockeye. Data and results were as follows:

Year	Total catch	Area 29	J.S. catch	% J.S.	No. J.S.	U.S. catch	Rate of int.
1967	10,711	532	2,631	25.8	2,768	3,855	48.5
1969	2,330	255	360	17.3	404	927	48.1
1971	<u>7,521</u>	625	2,831	41.0	3,087	2,232	<u>50.3</u>
	\bar{x} 2,382						\bar{x} 48.9

A comparison between the two approaches demonstrates the following effects on United States catches of Fraser River pinks:

	Initial level	Initial rate	Final rate	Final level	Difference
Total approach	2,382	35.0	35.0	2,382	0
Partial approach	2,382	48.9	35.0	1,730	652

Under the total approach, base level catches would not be changed; under the partial approach, United States base level catches of Fraser River pink salmon would be reduced from 2.382 to 1.730 in each odd-numbered year; a "loss" to the United States of 652,000 fish annually.

3. Effect on interception rates for Canadian catches of United States

Puget Sound pink salmon

The United States, in its approach, has tended to deal with identifiable individual stocks (e.g., Fraser River sockeye; Columbia River coho) where possible, rather than dealing with total interceptions recorded across all fisheries and stocks in each category (i.e., Categories A- as defined in the Reports of the Technical Committee on Interceptions). For the purpose of this exercise Puget Sound pink salmon stocks caught by Canada have been treated as an identifiable stock unit. The following analysis has been prepared from data provided by E. Zyblut:

Year	Catch by Canada	United States	Total	Rate of int.
1967	651.8	254.4	906.2	71.9
1969	137.3	53.8	191.1	71.8
1971	428.0	192.0	620.0	69.0
	\bar{x} 405.7			\bar{x} 70.9

The interception rate by Canada of Puget Sound pinks has averaged 70.9% over the years 1967-69-71. Under both approaches, Canada's interception would have to be reduced to $\frac{35}{70.0}$ (405.7) = 200,300 pinks per year, since all segments of the Puget Sound stock are subject to interception. This reduction would, therefore, represent a "loss" to Canada of 205,400 pink salmon in each odd-numbered year.

Puget Sound pinks migrate through Canadian fishing areas at a time when Fraser River sockeye abundance is high. Reduction of interception of this stock to the required level could be accomplished only through closure of the Area 20 net fishery during the time that these fish are present.

4. Effect on interception rates for United States catches of Canadian non-Fraser River pink salmon

Pink salmon bound for Canada non-Fraser streams located in the Strait of Georgia are subject to United States interception in Puget Sound. A substantial proportion of these stocks also migrate through Johnstone Strait, but this segment is not subject to interception by the United States. Using the partial approach, rates of interception would be:

Year	Canadian catch	United States catch	Total	Rate of int.
1967	73.7	61.5	135.2	45.5
1969	16.4	15.3	31.7	48.3
1971	55.2	23.5	78.7	29.9
		\bar{x} 33.4		\bar{x} 41.2

The Canadian catch listed above comprises estimates of non-Fraser fish caught in the West Coast troll fishery; Convention Area catch; and Georgia Strait catch, as provided by Zyblut.

On this basis, the United States catches of Canada non-Fraser pink salmon would have to be reduced from 33,400 per odd-numbered year to $\frac{35}{41.2} (33.4) = 28,400$ per cycle; a "loss" to the United States catch of 5,000 fish per cycle.

Effects on Interception Rates for United States Catches of
Skeena and Nass River Sockeye and Pink Salmon and for
Canadian Catches of Southeast Alaska Pinks

Two cases were considered:

Case I - all fish caught, regardless of location of migration route, were included in calculation of "total allowable catch".

Case II - only the catches of those fish available to interception were included in calculation of "total allowable catch".

Estimated effects are summarized in the accompanying table (based on average of 1967-72 period). Important features are:

Case I - according to the U.S. compromise proposal, only Skeena River pinks in the odd year would qualify for reduction of interception from 38% to 35% or 308,000 fish/year; a decrease of 21,000 fish/year from the current level.

Case II - applying the 35% rate proposed in the U.S. compromise proposal to the Case II "total allowable catch" would result in reduction of both Canadian and U.S. interceptions to 48-53% of current levels.

SUMMARY OF EFFECTS

Effect of U.S. Compromise Proposal
 Using Case II

Stock	CASE I			CASE II		No. Inter- cepted (35% T.A.C.)	Decrease From Current Level	
	*Total Catch (T.A.C.)	No. Intercepted	**Rate of Interception	Total Catch (T.A.C.)	Rate of Interception		No.	%
SKEENA								
Sockeye	807	67	7	100	67	35	32	48
Pink(even)	779	148	20	198	75	69	79	53
Pink(odd)	880	329	38	439	75	154	176	53
NASS								
Sockeye	274	33	12	49	67	17	16	48
Pink(even)	1,066	12	1	19	67	7	6	48
Pink(odd)	345	10	3	14	67	5	10	48
SKEENA & NASS								
Sockeye	1,081	99	9	149	67	52	47	48
Pink(even)	1,844	160	9	214	75	75	85	53
Pink(odd)	1,225	339	28	452	75	158	181	53
S. E. ALASKA								
Pink(even)	10,398	476	5	714	67	250	236	48
Pink(odd)	2,741	45	5	68	67	24	21	48

* thousands
 ** average of annual rates

Effects of different base periods on current balance
 of interceptions

1. 1967-72 period vs 1970-73 period

Species	Use of 1970-73:
Sockeye	favours U.S. by 298,000 fish/yr. worth ¹ \$700,300
Pink	favours Canada by 470,000 fish/yr. worth \$319,600
Chum	favours U.S. by 92,000 fish/yr. worth \$164,680
Coho	favours Canada by 5,000 fish/yr. worth \$18,210
Chinook	favours Canada by 83,000 fish/yr. worth \$586,120
All	favours Canada by \$58,950

2. Using base periods of U.S. compromise proposal (1967-72 except for 1970-73 for Category D and E sockeye and chums, and 1969, 1971, 1973 for Category D and E pinks)

Species	These revisions to the 1967-72 period:
Sockeye	favours U.S. by 331,000 fish/yr. worth \$777,850
Chum	favours U.S. by 56,000 fish/yr. worth \$100,240
Pink	favours Canada by 604,000 fish/yr. worth \$410,720
All	favours U.S. by \$467,370

¹Using average Canadian prices 1967-72, sockeye @ \$2.35, pink @ \$0.68, chum @ \$1.79; for coho and chinook, change in value of balance of interceptions calculated on \bar{x} Canadian price/piece, 1967-72, for Categories A + B + C and Categories D + E.

Effects of different base periods on current balance
of interceptions

1. 1967-72 period vs 1970-73 period

<u>Species</u>	<u>Use of 1970-73:</u>
Sockeye	favors U.S. by 298,000 fish/yr. worth ¹ \$745,000
Pink	favors Canada by 470,000 fish/yr. worth \$282,000
Chum	favors U.S. by 92,000 fish/yr. worth \$147,000
Coho	favors Canada by 5,000 fish/yr. worth \$14,000 18,000
Chinook	favors Canada by 83,000 fish/yr. worth \$747,000 586,100
All	favors Canada by \$111,000/yr.

2. Using base periods of U.S. compromise proposal (1967-72 except for 1970-73 for Category D and E sockeye and chums, and 1969, 1971, 1973 for Category D and E pinks)

<u>Species</u>	<u>These revisions to the 1967-72 period:</u>
Sockeye	favors U.S. by 331,000 fish/yr. worth \$828,000
Chum	favors U.S. by 56,000 fish/yr. worth \$90,000
Pink	favors Canada by 604,000 fish/yr. worth 362,000
All	favors U.S. by \$556,000/yr.

¹Using average Canadian prices 1967-72, sockeye @ \$2.50, pink @ \$0.60, chum @ \$1.60, coho @ \$2.75, chinook @ \$9.00.

Enhancement Scenarios

1. No agreement	- Babine minus U.S. interceptions		
	- joint Fraser		
	- U.S. hatch enhance so as to double T.A.C.	20,230	17,238
	(1.786 chum, 1.655 coho)		
	<i>Chinook</i>	<i>factor</i>	
2. No agreement	- Babine minus U.S. interceptions	<i>Chum</i>	US
	- joint Fraser		
	- U.S. hatch enhance to 73-75 level	15,626	10,434
	(.721 chum, .451 coho)		
	<i>Chinook</i>	<i>factor</i>	
3. No agreement	- Babine minus U.S. interceptions	<i>Chum</i>	US
	- no Fraser	9,417	12,549
	- U.S. hatch enhance so as to double T.A.C.		
4. No agreement	- Babine minus U.S. interceptions	<i>Chum</i>	U.S.
	- no Fraser	4,807	3,750
	- U.S. hatch enhances to 73-75 level		
5. Agreement	- Babine	<i>Chum</i>	US
	- Fraser	18,963	6,097
	- U.S. hatch enhances to 73-75 level		
6. Agreement	- Babine	<i>Chum</i>	US
	- Fraser	17,865	17,500
	- U.S. hatch enhances so as to double T.A.C.		
7. Agreement	- Babine	<i>Chum</i>	US
	- one-half Fraser		
	- U.S. hatch enhances so as to double T.A.C.	9,212	17,500

Assumptions

1. 1971 prices per fish	Sockeye	2.46
	Pink	.85
	Chinook	6.50
	Coho	2.28
	Chum	1.73

2. Under no agreement

- (a) Canada maintains present level of U.S. interception and U.S. agrees to this.
- (b) 56% of Canadian interceptions of U.S. chinook are of U.S. hatchery origin.
- (c) 60% of Canadian interceptions of U.S. coho are of U.S. hatchery origin.

Under agreement

- (a) Canada gets all of Canadian sockeye and pink enhancement.
- (b) (b) and (c) as above.
- (c) Canada regains 50% of own chinook lost by maintaining present numbers of Canadian interceptions.
- (d) Canada regains 25% of own coho lost by maintaining present numbers of Canadian interceptions.

4. Calculation of enhancement factors:

(a) 73-75 levels

Chinook

$$\frac{1.504 - .874}{.874} = .721$$

expected
present contribution to all fisheries

*as new (Canadian) catch = $\frac{1}{2} \times (.721)$
 $600 \times .50 \times .721$
 $= 216.3$*

Coho

$$\frac{2.827 - 1.949}{1.949} = .451$$

(b) Double T.A.C.

Chinook

$$\text{T.A.C.} = 1.561 \quad \frac{1.561}{.874} = 1.786$$

Coho

$$\text{T.A.C.} = 3.225 \quad \frac{3.225}{1.949} = 1.655$$

\$ Benefits to Canada based on 1971 values and scenarios 1-6.

	Babine	Fraser	U.S. hatcheries	Total
1.				
	<u>Numbers per year</u>			
Sockeye	950,000	2,850,000		
Pink		2,050,000		
Chinook			640,000	
Coho			1,278,000	
	<u>Dollars per year</u>			
Sockeye	2,337,000	7,011,000		
Pink		1,743,000		
Chinook			4,160,000	
Coho			2,914,000	
	2,337,000	8,754,000	7,074,000	\$18,165,000 (13,788,000)
2.				
	<u>Numbers per year</u>			
Sockeye	950,000	2,850,000		
Pink		2,050,000		
Chinook			258,000	
Coho			348,000	
	<u>Dollars per year</u>			
Sockeye	2,337,000	7,011,000		
Pink		1,743,000		
Chinook			+677,000	
Coho			-793,000	
	2,337,000	8,754,000	2,470,000	\$13,561,000 (9,184,000)

	Babine	Fraser	U.S. hatcheries	Total
3.				
	<u>Numbers per year</u>			
Sockeye	950,000	-		
Pink		-		
Chinook			640,000	
Coho			1,278,000	
	<u>Dollars per year</u>			
Sockeye	2,337,000			
Pink				
Chinook			-4,160,000	
Coho			2,914,000	
	2,337,000		7,074,000	\$9,411,000

4.				
	<u>Numbers per year</u>			
Sockeye	950,000	-		
Pink		-		
Chinook			258,000	
Coho			348,000	
	<u>Dollars per year</u>			
Sockeye	2,337,000			
Pink				
Chinook			1,677,000	
Coho			793,000	
	2,337,000		2,470,000	\$4,807,000

	Babine	Fraser	Loss of Canadian chinook and coho	Total
5.				
	<u>Numbers per year</u>			
Sockeye	1,000,000	5,700,000		
Pink		4,100,000		
Chinook			- 62,000	
Coho			-264,000	
	<u>Dollars per year</u>			
Sockeye	2,460,000	14,022,000		
Pink		3,486,000		
Chinook			-403,000	
Coho			-602,000	
	2,460,000	17,508,000	-1,005,000	\$18,963,000

6.				
	<u>Numbers per year</u>			
Sockeye	1,000,000	5,700,000		
Pink		4,100,000		
Chinook			-107,000	
Coho			-619,000	
	<u>Dollars per year</u>			
Sockeye	2,460,000	14,022,000		
Pink		3,486,000		
Chinook			- 696,000	
Coho			-1,411,000	
	2,460,000	17,508,000	-2,107,000	\$17,861,000

	Babine	Fraser	Loss of Canadian chinook and coho	Total
7.				
	<u>Numbers per year</u>			
Sockeye	1,000,000	2,850,000		
Pink		2,050,000		
Chinook			-107,000	
Coho			-619,000	
	<u>Dollars per year</u>			
Sockeye	2,460,000	7,011,000		
Pink		1,743,000		
Chinook			- 696,000	
Coho			-1,411,000	
	2,460,000	8,754,000	-2,107,000	\$9,107,000

1 - 2 = \$16,000,000 (12,000,000)

3 - 4 = \$ 7,500,000

6 = \$17,900,000

6 - 7 = \$13,500,000

7 = \$ 9,100,000

Comments on the U.S.-Canada Columbia River Hatchery Evaluation Program
Relative to Canadian Estimates in Category (d) - Chinook Salmon

Some concern has been expressed recently concerning the Canadian estimates of rates of interception by Canadian fishermen of U.S. chinook and coho salmon in the west coast of Vancouver Island troll fishery (i.e., rates as they appear for Category d in the reports of the Technical Committee on Salmon Interceptions).

The purpose of this Memorandum is not to attempt to justify those estimates, but to provide some background information and some comments that might be useful at this time, with particular reference to the use of data obtained from the U.S.-Canada hatchery evaluation studies.

1. Canada did not use data from this program directly (or solely) to derive estimates. The data were valuable when used in conjunction with tagging data, information on stock size and composition, and timing of runs.

The hatchery evaluation formula that could be very useful if certain assumptions were valid, is as follows:

$$\begin{array}{l} \text{Location-Ocean Fishery} \qquad \qquad \qquad \text{Terminal=Columbia River Fishery} \\ \text{A} = \frac{\text{Est. catch of hatchery fish}}{\text{Est. catch of non-hatchery fish}} = \text{C} = \frac{\text{Est. catch of hatchery fish}}{\text{Est. catch of non-hatchery fish}} \end{array}$$

The United States employed the formula "directly" in some instances, but not in others. For example, it was used to estimate the contributions of Puget Sound and Washington coastal coho (natural and hatchery) to Canadian fisheries. This was done with some justification; however, Canada queried the assumption that age compositions in the two kinds of fisheries were the same -- that is, of maturing 3-year-old fish only

(there was evidence that possibly significant numbers of 2-year-old jacks had been included in the catches used in the formula for the terminal fisheries, but not in the ocean fisheries).

2. The U.S. did not use the "hatchery formula" to estimate the contribution of Columbia River non-hatchery fall chinooks to the Canadian west coast Vancouver Island troll fishery, because, they contended, there were significant differences between natural and hatchery stocks in growth rate, age at maturity, ocean migrations and, subsequently, in exploitation rates in specific fisheries. The U.S. pointed out, for example, that the natural fall chinook stocks of the Columbia were predominantly up-river, relatively slow-growing and late-maturing, as compared with the predominantly lower river hatchery stocks. They also noted that 26" legal size limit exposed the larger hatchery fish to a greater harvest rate than the smaller non-hatchery fish. On the basis of these and additional arguments and data, the U.S. reasoned that the hatchery formula might be valid for estimating the total coastal catch of Columbia River natural fall chinooks, but not catches in individual fisheries. This particular U.S. rationale appeared reasonable.

3. The 1963-1969 hatchery evaluation program provided estimates of contributions of Columbia River fall chinook (and of two broods of coho) salmon to the fisheries. For four broods of fall chinook salmon, the average annual total contribution to Canadian and United States fisheries (excluding some terminal fisheries on local stocks) amounted to roughly 10 percent of the total average annual Canada-United States catch, as shown:

Average annual Canada-U.S. chinook catch	2,670,000
Average annual contribution of Columbia River hatcheries	250,000
Percent contribution by hatcheries	9.6%

In the Canadian west coast of Vancouver Island troll fishery, the Columbia River hatchery chinooks amounted to roughly 10 percent of the annual catch. Thus, because about 90 percent of this annual catch was made up of fish from other stocks (Canadian natural stocks, and other United States natural and hatchery stocks, including "summer" and "spring" types of Columbia River chinooks), it can be seen that the evaluation data could hardly provide the total necessary information needed to derive the estimates in question. Furthermore, as mentioned above, it could not be assumed that the migrations and subsequent ocean distributions of naturally produced chinook salmon (including Columbia River fish) were the same (or nearly so) as those of the hatchery fish. If they were not the same (as appeared to be the case with the Columbia River salmon), then the rates of exploitation of the hatchery fish (as determined from recoveries of marked fish) in particular locations could not be used as the rates of exploitation of the wild U.S. fish (the Puget Sound fish, for example, but including even the wild Columbia River fall chinooks).

4. During 1964-1968, the years when the Columbia River hatcheries being evaluated were contributing 3- and 4-year-old chinook salmon to the fisheries (the contributions of 2-, 5- and 6-year-old fish were very small), the Canadian sampling for marked fish in the Canadian troll catch off the west coast of Vancouver Island ranged from 29.5% to 41.0% of the total Canadian troll catch in that fishery. Sampling was done mainly on frozen fish trucked to Vancouver, but with additional sampling done at Victoria (Oakland Industries) and Namu (B.C. Packers). In Vancouver, sampling was conducted at B.C. Packers, Canadian Fish, McCallum's and the Co-op, with effort being distributed as well as possible according to shipments arriving.

For purposes of the evaluation study, the west coast of Vancouver

Island was treated as a single unit or area (Area 40). Among other considerations, it was appreciated that truckloads going to Vancouver would contain mixtures of fish caught and/or landed from more than one Statistical Area. However, information was received at the canneries on the origin of the fish according to landing location recorded on saleslips. A review of the sampling data made after the completion of the evaluation study provided information on the distribution of the sampling effort and the distribution of the numbers of marks recovered, in comparison with the distribution of the total catch, in the several Statistical Areas of the west coast of Vancouver Island. The accompanying table summarizes the data for the years 1964-1968 individually, and for those years combined.

The table shows that the distributions of sampling effort and total catch were quite similar. Considering this, and the fact that the annual sample averaged roughly 33% of the total catch, it is evident that the recovery of marked hatchery fish could not have been biased significantly in favour of the southern half of Vancouver Island as opposed to the northern half.

5. In summary, then, we conclude that use of the hatchery evaluation data did not contribute to error in deriving the Canadian estimates of interception of U.S. chinook salmon for the west coast of Vancouver Island troll fishery as given in Category d.

A. F.

29 Dec / 73

Chinook sampling in West Coast Vancouver Island Troll Fishery
 1964-1968

Area	1964	1965	1966	1967	1968	Combined	Percent
<u>Catch</u>							
21	11,761	12,602	17,966	11,388	5,328	59,045	2.8
23	234,728	264,821	366,718	252,878	256,663	1,375,808	65.9
24	58,495	83,058	81,783	53,994	72,882	350,212	16.8
25	7,382	12,827	13,876	14,192	18,325	66,602	3.2
26	19,062	23,222	26,090	40,018	34,543	142,935	6.9
27	12,117	8,363	16,565	22,844	31,779	91,668	4.4
Total	343,545	404,893	522,998	395,314	419,520	2,086,270	100.0

<u>Fish sampled^a</u>							
21	141		80		802	1,023	0.2
23	97,596	57,803	87,161	80,279	59,536	382,375	73.8
24	8,559	8,021	8,900	11,972	11,257	48,709	9.4
25	2,624	2,962	5,540	5,223	4,314	20,663	4.0
26	2,623	1,877	7,036	11,138	6,350	29,024	5.6
27	3,503	1,032	10,309	13,721	7,423	35,988	7.0
Total	115,046	71,695	119,026	122,333	89,682	517,782	100.0

<u>Marks recovered</u>							
21	4				3	7	0.1
23	1,720	668	1,114	975	349	4,826	83.5
24	71	58	124	113	74	440	7.6
25	15	28	75	44	20	182	3.2
26	6	7	42	83	37	175	3.0
27	13	2	57	42	34	148	2.6
Total	1,829	763	1,412	1,257	517	5,778	100.0

Total Area 40 sample as percent of total Area 40 catch

41.0 24.3 29.8 40.1 29.5 32.5

^aSampling done on frozen fish trucked to Vancouver and Victoria (few at Namu); at: 1. B.C. Packers; 2. Canadian Fish; 3. McCallum's; 4. Co-op; 5. Oakland Industries, Victoria (mainly ex-boats, but for Area 24, mostly from trucks).

Some comments relative to the U.S. "Compromise Proposal"

(Based on table presented by U.S. at Nov. 9/73 meeting of Working Party)

1. Coho salmon - re Total Allowable Catch

(1) Base period used by U.S. is 1967-72.

(2) The U.S. assigns to the T.A.C. only 40% of the Oregon Columbia River sport and commercial (net and troll) catches. Their rationale is that 60% of the Columbia River coho (i.e., all coho smolts that migrate out of the Columbia) migrate southward, so that as adults they do not contribute to Canadian fisheries; therefore neither the Oregon coastal catches, nor 60% of the catch in the Oregon fisheries (net, troll and sport) in the Columbia River, should be included in the T.A.C.

(3) However, in the years 1967-1969, Canadian trollers did fish off the Oregon coast (including within 12 miles of shore), so that for those years, presumably, the relevant 60% deductions should not be made.

The following tabulations give the calculated T.A.C. and the rates of Canadian interception for: A - using the 60% deductions for all years; B - using the 60% deductions for 1970-72 only, and C - not using the 60% deductions in any year of 1967-1970.

A - 60% Deductions in All Years (Catch in 1000's)

Year	T.A.C.	Canadian Interception	Percent
1967	2,778.1	1,121.5	40.4
1968	3,125.8	1,561.5	50.0
1969	2,087.5	892.5	42.8
1970	3,415.3	1,339.0	39.2
1971	4,466.3	1,933.5	43.3
1972	2,482.4	872.5	35.2
	$\Sigma = 18,355.4$	7,720.5 = 42.1%	$\bar{x} = 41.8$

B - 60% Deductions in 1970-1973 only (Catch in 1000's)

Year	T.A.C.	Canadian Interception	Percent
1967	3,218.3	1,121.5	34.9
1968	3,342.5	1,561.5	46.7
1969	2,284.4	892.5	39.1
1970	3,415.3	1,339.0	39.2
1971	4,466.3	1,933.5	43.3
1972	2,482.4	872.5	35.2
$\Sigma = 19,209.2$		7,720.5 = 40.2%	$\bar{x} = 39.7$

C - No Percentage Deduction in Any Year (Catch in 1000's)

Year	T.A.C.	Canadian Interception	Percent
1967	3,218.3	1,121.5	34.9
1968	3,342.5	1,561.5	46.7
1969	2,284.4	892.5	39.1
1970	3,858.7	1,339.0	34.7
1971	4,822.3	1,933.5	40.1
1972	2,693.2	872.5	32.4
$\Sigma = 20,219.4$		7,720.5 = 38.2%	$\bar{x} = 38.0$

