



Agenda Item 11 *NPFMC*

U.S. DEPARTMENT OF COMMERCE Aug. 1977
National Oceanic and Atmospheric Administration
National Marine Fisheries Service
P. O. Box 1668, Juneau, Alaska 99802

August 16, 1977

Mr. Elmer Rasmuson, Chairman
North Pacific Fishery Management Council
P.O. Box 3136DT
Anchorage, Alaska 99510

Dear Elmer:

The National Marine Fisheries Service (NMFS) is in the process of amending the preliminary management plans (PMP's) for 1978. As a contingency, we are amending the PMP's for the Gulf of Alaska trawl fishery and the king and tanner crab fishery so that updated PMP's will be available in case implementation of the Council's management plans for these fisheries is delayed. We have asked that PMP revisions be included in the Council's August meeting agenda in order to give the Council an opportunity to comment. For your review attached is a table reflecting the changes in OY, U.S. capacity, and surplus and following is an outline of the proposed changes to the plans. The changes represent NMFS's thinking and have not been reviewed or approved by NOAA or Department of Commerce. We are hopeful that such approval will be given prior to the Council meeting so that if any further changes are made we can inform you of such by the beginning of the meeting.

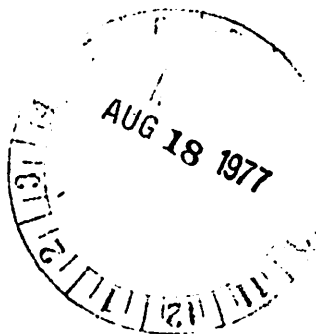
In addition to changes in OY, U.S. capacity, and surplus we are suggesting other changes. Those changes are as follows:

Shrimp of the Eastern Bering Sea and Gulf of Alaska

No change.

Snails of the Eastern Bering Sea

No change.



Trawl and Herring Gill Net Fishery of the Bering Sea and Aleutian Islands

Changes in OY, U.S. capacity, and surplus ^{1/} are shown in the attached table. A reserve equivalent to 30 percent of the surplus of sablefish is created to allow for development of a United States fishery. By October 1 we will reappraise the U.S. capacity to harvest the reserve. If it is determined a balance will remain, there will be a reallocation to foreign nationals. The area closed to foreign herring fishing is expanded to include all waters east of 168°W Longitude.

Trawl Fishery of the Gulf of Alaska

Changes in OY, U.S. capacity, and surplus are shown in the attached table. The figures do not include adjustments for joint ventures. Reserves equivalent to 30 percent of the surplus for each species are established for development and expansion of U.S. fisheries. By October 1 we will reappraise the U.S. capacity to harvest the reserves. If it is determined balances will remain, there will be reallocations to foreign nationals.

Sablefish of the Bering Sea and Northeastern Pacific Ocean

Changes in the OY, U.S. capacity, and surplus ^{1/} are shown in the attached table. The OY for the Bering Sea and Aleutian Islands is subdivided to 1,500 metric tons for the Aleutian Island region and 5,000 metric tons for the Bering Sea region. The OY for the Gulf of Alaska is subdivided to 6,000 metric tons for southeastern Alaska and 16,000 metric tons for the remainder of the Gulf of Alaska. The U.S. capacity in the Gulf of Alaska is subdivided to 3,200 metric tons for the southeastern Gulf and 400 metric tons for the remainder of the Gulf of Alaska. The surplus is subdivided to 2,800 metric tons for the southeastern Gulf and 15,600 metric tons for the remainder of the Gulf of Alaska. A reserve equivalent to 30 percent of the sablefish OY in both the Bering Sea and Aleutian Islands and the Gulf of Alaska is established to allow for development and expansion of U.S. fisheries. By October 1 we will reappraise the U.S. capacity to harvest the reserves. If it is determined balances will remain, there will be reallocations to foreign nationals.

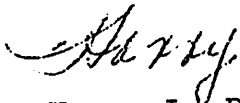
^{1/} Stated sablefish surplus applicable to both the trawl and the longline - pot fisheries.

King and Tanner Crab of the Eastern Bering Sea

Changes in OY, U.S. capacity, and surplus are shown in the attached table. The United States has the capacity to harvest the entire OY of C. bairdi, thus the foreign fishing is restricted to that area north of a line beginning at the U.S.-Russia convention line of 1867 and extending eastward along 56°N Latitude to 173°W Longitude, then north along 173°W Longitude to 58°N Latitude, then east along 58°N Latitude to 164°W Longitude, then northward along the line 12 nautical miles off shore from the baseline used to measure the U.S. territorial sea (the area north and west of Area B in the original PMP).

The foregoing information and the attached table summarize NMFS's proposed revisions to the PMP's. We again point out that the changes have not been reviewed by NOAA and the Department of Commerce. We are hopeful, however, that higher level approval will be given prior to the Council meeting and that we will be able to make you aware of any additional or new changes at that time.

Sincerely,



Harry L. Rietze
Director, Alaska Region

Attachment

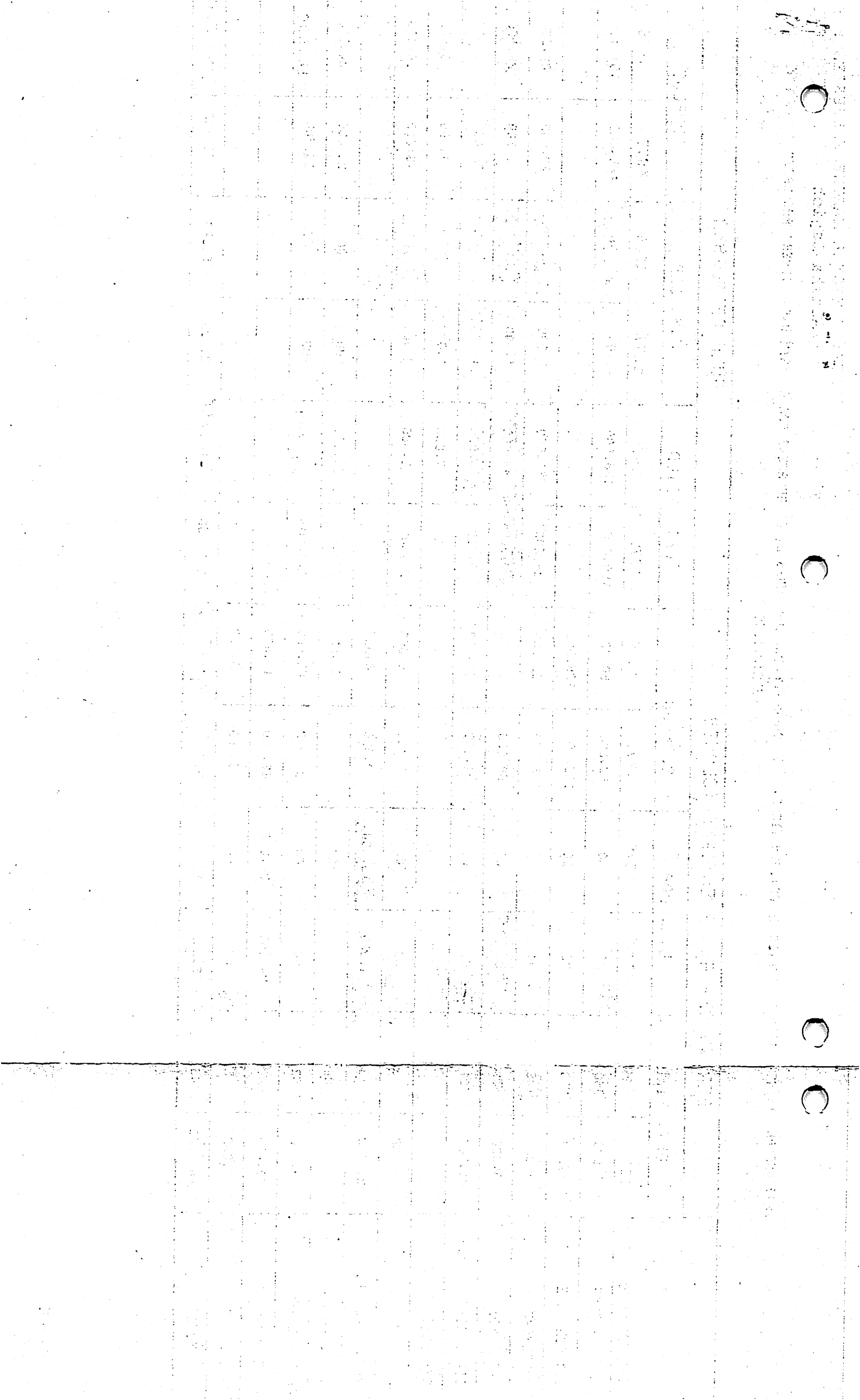
cc: All NPFMC members
Jim Branson

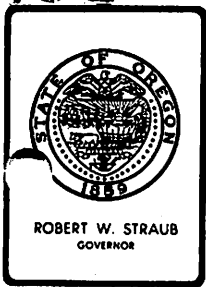
CAPACITY, AND SURPLUSES BY OCEAN AREAS FOR CERTAIN U.S. FISHERY RESOURCES
(METRIC TONS)

S GULF OF ALASKA						
_US	OPT. YEILD		U.S. CAP		SURPLUS	
	1977	1978	1977	1978	1977	1978
1978						
950,000	150,000	168,800	1,000	17,700	149,000	161,100
106,000						
138,000	23,500	33,500	3,000	9,200	20,500	24,300
58,000	6,300	40,600	4,000	15,500	2,300	25,100
21,500	30,000	25,000	1,000	1,100	29,000	23,900
	5,000	7,600	1,000	2,000	4,000	5,600
6,500	22,000	22,000	2,500	3,500	19,500	18,400
8,800						
24,800	22,000	24,800	00	00	22,000	24,800
92,800	16,200	14,500	00	500	16,200	14,000
12,500						
3,000						
412,900	275,000	336,800	12,500	49,600	262,500	287,200

1977 AND PRELIMINARY 1978 ESTIMATES OF OPTIMUM YIELD, U.S. CAPACITY, AND SURPLUSES BY OCEAN AREAS FOR CERTAIN U.S. FISHERY RESOURCES
(METRIC TONS)

	BERING SEA AND ALEUTIANS ISLANDS						GULF OF ALASKA					
	OPT. YIELD		U.S. CAP		SURPLUS		OPT. YIELD		U.S. CAP		SURPLUS	
	1977	1978	1977	1978	1977	1978	1977	1978	1977	1978	1977	1978
FISHERY RESOURCE												
CLLOCK-ALASKA	950,000	950,000	00	00	950,000	950,000	150,000	168,800	1,000	17,700	149,000	151,100
BLOWFIN SOLE	106,000	106,000	00	00	106,000	106,000						
OUNDERS-OTHER	105,000	139,000	00	00	105,000	139,000	23,500	33,500	3,000	9,200	20,500	24,300
AD-PACIFIC	58,000	58,000	00	00	58,000	58,000	26,300	40,600	4,000	15,500	2,300	25,100
PACIFIC OCEAN PERCH	21,500	21,500	00	00	21,500	21,500	30,000	25,000	1,000	1,100	29,000	23,900
CKFISHES-OTHER							5,000	7,600	1,000	2,000	4,000	5,600
BLEFISH	7,400	6,500	00	00	7,400	6,500	22,000	22,000	2,500	3,600	19,500	18,400
ERRING-PACIFIC	21,000	18,800	1,000	10,000	20,000	8,800						
CKEREL-ATKA		24,800		00		24,800	22,000	24,800	00	00	22,000	24,800
OTHER SPECIES	93,600	82,800	00	00	93,600	82,800	16,200	14,500	00	500	16,200	14,000
ANNER CRAB	37,400	42,000	24,900	29,500	12,500	12,500						
AILS:(MEAT)	3,000	3,000	00	00	3,000	3,000						
TOTAL	1,402,900	1,452,400	25,900	39,500	1,377,000	1,412,900	275,000	336,800	12,500	49,600	262,500	287,200





Department of Fish and Wildlife
OFFICE OF THE DIRECTOR
506 S.W. MILL STREET, PORTLAND, OREGON 97208

August 19, 1977

Mr. Elmer Rasumson
Chairman
North Pacific Fishery
Management Council
P.O. Box 3136DT
Anchorage, Alaska 99501

Dear Elmer:

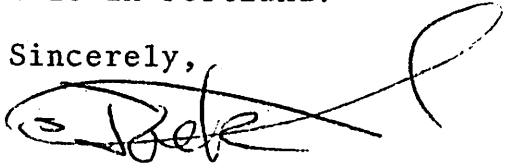
In response to your letter of June 29, suggesting that our two councils take the initiative and develop joint involvement in United States/Canadian negotiations on transboundary stocks, the Pacific Council established a committee of John Harville, John Martinis and myself as chairman to carry the issue forward. We met in Portland on August 18 and prepared the following recommendations for your consideration.

1. We endorse the general concept, as developed at recent U.S./Canadian negotiations, of a new U.S./Canada convention to establish a bipartite Commission for implementation of U.S./Canadian agreements concerning conservation and management of West Coast salmonid stocks subject to significant levels of interception by fishermen of one nation upon stocks originating in the waters of the other. We note that, pursuant to P.L. 94-265, the Regional Fishery Management Councils are assigned responsibility for development of management plans for U.S. conservation and management of fisheries within the purviews of those Councils as defined in that Act, and that this management responsibility includes transboundary stocks of concern to the proposed new bipartite Commission. To assure smooth interaction of that Commission with the Regional Councils, we emphasize the need for effective representation of the responsible Councils on the proposed new Commission. We therefore recommend that the North Pacific and Pacific Councils be accorded the responsibility to designate representatives for appointment as Commissioners to that Commission, as well as to each of the three regional panels and that the United States Government be guided by those recommendations.

2. We believe that full and free discussion of conservation and management problems and of options for their solution should take place at the technical and scientific levels, between U.S. and Canadian scientists and managers during the period of preparation of fishery management plans impinging upon stocks of mutual concern. We therefore propose that informal arrangements be established by the North Pacific and Pacific Councils, in cooperation with NMFS, to facilitate these technical and scientific reviews. The procedure might be similar to that by which the informal Chinook and Coho Committee and the International Groundfish Committee have operated in the past.
3. We emphasize that while it is operationally effective to address U.S./Canadian problems concerning Pacific salmon separate from those of other transboundary stocks and of U.S./Canada boundary issues, in final analysis these issues will be considered together in arriving at national decisions. We therefore urge closest possible coordination among individuals and groups involved in these operational separate negotiations, and again emphasize the importance of Regional Council representation throughout.

We hope that you will be able to assign the review of these recommendations at your upcoming Kodiak meeting and that those responsible will communicate their feelings to us prior to our joint meeting on September 15 in Portland.

Sincerely,



John R. Donaldson, PhD
Director

aj

cc: Dr. John Harville
Mr. John Martinis
Mr. Lorry Nakatsu

U.S.-CANADA PACIFIC SALMON
GOVERNMENT-TO-GOVERNMENT TALKS
LAKE WILDERNESS, WASHINGTON
AUGUST 11-12, 1977

Agenda Item #13
Aug. 1977

DRAFT SUMMARY RECORD

Canadian and United States officials met in Lake Wilderness, Washington on August 11-12 to assess the status of negotiations for an agreement on Pacific salmon problems of mutual concern. A list of participants is attached (Appendix 1).

Both sides agreed that principles established and recorded during 1976 at negotiations, government-to-government consultations, and meetings of the Ad Hoc Technical Committee should form the basis for continued negotiations without prejudice to any modifications deemed necessary.

There was extensive discussion of the last Ad Hoc Technical Committee report of September 14-15, 1976, especially the lists of fisheries considered by the Technical Committee for inclusion in a numerical interception limitation mechanism (discrepancies between the U.S. and Canadian lists in the north are illustrated in Appendix 2; there was no disagreement in the list for southern fisheries.) The Committee was asked to accomplish several new tasks. The new terms of reference are enclosed (Appendix 3).

Regarding the rivers of joint concern, which rise in Canada and flow through the United States, the United States presented Canada with an alternative

draft convention article (revising the draft article done by Canada for the August 1976 meetings.) Canada will study the U.S. draft (Appendix 4) and respond at the next meeting.

Both sides agreed that a new treaty should, consistent with the need to limit interceptions, insure that any interception limitation scheme developed create positive incentives (not disincentives) for both countries to receive maximum benefits from their salmon enhancement programs.

The draft treaty done during the May 1976 negotiations in Vancouver was reviewed article-by-article. Areas where redrafting is required, or close review desirable, were identified. Legal experts from both sides will attempt to redraft articles where we agree in substance before the next negotiation, to facilitate our work. Their terms of reference are listed in Appendix 5. It was emphasized that both sides reserve the right to make changes deemed necessary after consultation with advisors.

Considerable progress was made during these discussions, and subsequent meetings, with full delegations to include advisors, are planned for October 5-7 in Seattle, and November 28-30 in Vancouver.

U.S.-CANADA SALMON DISCUSSIONS

AUGUST 11-12, 1977

LAKE WILDERNESS, WASHINGTON

CANADIAN DELEGATION

CHAIRMAN

Dr. M. P. Shepard Fisheries and Marine Service
Ottawa

DELEGATES

K. V. Aro Fisheries and Marine Service
Nanaimo

T. R. Collins-Williams External Affairs
Ottawa

R. C. Graham Canadian Consulate-General
Seattle

W. R. Hourston Fisheries and Marine Service
Vancouver

J. McDonald Fisheries and Marine Service
Nanaimo

I. Todd Fisheries and Marine Service
Vancouver

U.S., CANADA SALMON DISCUSSIONS

AUGUST 11-12, 1977

LAKE WILDERNESS, WASHINGTON

U.S. DELEGATION

CHAIRMAN

D. L. McKernan

Expert - Consultant (Ambassador)
U.S. Department of State

DELEGATES

D. Colson

U.S. Department of State
Washington, D.C.

E. D. Evans, Jr.

National Oceanic and Atmospheric
Administration, Seattle

I. Frohne

Alaska Department of Fish & Game
Juneau

K. Henry

National Marine Fisheries Service
Seattle

S. Hvalsoe

U.S. Department of the Interior
Washington, D.C.

D. R. Johnson

National Marine Fisheries Service
Seattle

T. Kronmiller

National Oceanic and Atmospheric
Administration, Washington, D.C.

T. E. Kruse

National Marine Fisheries Service
Seattle

R. U. Mace

Oregon Department of Fish and Wildlife
Portland

W. H. MacKenzie

National Marine Fisheries Service
Washington, D.C.

H. J. McDevitt

Pacific Fishery Management Council

C. H. Meacham

Office of Governor, State of
Alaska

L. M. Nakatsu

Pacific Fishery Management Council
Portland

J. Negroponte

U.S. Department of State
Washington, D.C.

S. J. Powell

National Oceanic and Atmospheric
Administration, Washington, D.C.

E. Rasmuson

North Pacific Fishery Management
Council, Anchorage

H. L. Rietze

National Marine Fisheries Service
Juneau

R. M. Schoning

National Marine Fisheries Service
Washington, D.C.

F. Thorsteinson

National Marine Fisheries Service
Juneau

S. Wright

Washington Department of Fisheries
Seattle

A. F. Ryan

National Oceanic and Atmospheric
Administration, Washington, D.C.

C. Price

U.S. Department of State
Washington, D.C.

Appendix 2

Fisheries in Categories A¹ and C² listed by Canada and the United States for technical consideration of implementation of numerical interception limits

<u>Fishery</u>			<u>Listed by</u>		<u>Average</u> <u>Catch</u>	<u>Estimate of</u>	
<u>Species</u>	<u>Area</u>	<u>Gear</u>	<u>Canada</u>	<u>USA</u>	<u>1971-74</u> <u>(x 10³)</u>	<u>% interception</u> <u>Canada</u>	<u>USA</u>
<u>Category A¹</u>							
Sockeye	1B	All	x	x	130.9	75	19
Sockeye	4	All	x	x	83.2	60	54
Odd Pink	4	All	x		767.8	70	60
Chum	4	Net	x		79.9	25	15
Coho	1AB	All	x		20.2	55	44
Coho	2	Net	x		43.8	35	18
Coho	1	Troll	x		86.4	25	13
Coho	4	All	x		160.8	35	17
Coho	13.54	Troll	x		77.3	45	9
Coho	150	Troll	x		*	*	*
Chinook	4	Troll	x		51.6	50	35
Chinook	13.54	Troll	x		63.9	35	35
Chinook	16.57	Troll	x		63.9	25	35
Chinook	150	Troll	x		*	*	*
Chinook	Other	Troll	x		114.4	50	50
<u>Category C²</u>							
Even pink	1	Troll	x	x	84.6	32	32
Even pink	5	Troll	x	x	48.4	55	26
Even pink	3X	All	x	x	61.2	36	54
Even pink	5-1	Net	x	x	131.3	43	40
Chum	3Z	All	x	x	162.2	22	22
Chum	3X	All		x	17.2	43	48
Coho	1.2W	Troll		x	177.9	15	16

1/ Category A - Interceptions by Alaska fisheries of salmon originating in British Columbia coastal rivers. (Panhandle rivers not included)

2/ Category C - Interceptions by Canadian fisheries of salmon originating in Alaska rivers.

INSTRUCTIONS TO THE AD-HOC COMMITTEES U.S.-CANADA DISCUSSIONS
ON SALMON, ARISING FROM THE AUGUST 11 AND 12, 1977, SEATTLE,
WASHINGTON MEETING OF U.S. AND CANADIAN GOVERNMENT OFFICIALS

1. Outline salmon enhancement projects underway or planned in each country which would contribute to the other countries' fisheries and examine the implications of such projects to fisheries where interception limits may be applied.
2. Attempt to develop and incorporate into an interception limitation scheme, a mechanism which would allow the intercepting country to benefit more fully from its own enhancement projects by increased catches in its intercepting fisheries where the proportions of the other countries' salmon are low.
3. For intercepting fisheries where implementation of a numerical interception limit would pose serious management problems, examine alternate methods of limiting interceptions such as time-area closures.

August 12, 1977
~~September 3, 1976~~

DRAFT

U.S. Draft

PANHANDLE, YUKON, AND COLUMBIA RIVERS

Terminal U. S. Fisheries harvesting salmon stocks originating in the Canadian portion of rivers which rise in Canada and flow to the sea through the United States shall be listed in Annex ___ to this agreement. While small proportions of the catch of ^{some} nonterminal U. S. and Canadian fisheries may consist of such stocks, it is recognized that the management regimes established in ^{those} these fisheries must be concerned primarily with the regulation of predominant stocks. ^{Such} Nonterminal fisheries will not be listed in Annex ___ until such time as adequate data are available to determine estimates of the relative abundance and significance of stocks originating in Canadian sections of the Panhandle, Yukon, and Columbia Rivers. Annex ___ will set forth the principles for the allocation of ^{SUCH} ~~the various~~ stocks to each country. Using these principles, as the acquisition of appropriate knowledge permits, allocation formulas for the fisheries of each country will be jointly developed for the designated stocks.

ANNEX

List of terminal fisheries

The allocation of the total available catch will be determined on a river system basis by the Panel based on escapement requirements and the harvestable surplus available to the two countries. New or expanded fisheries may be provided for by the appropriate managing entity commensurate with the agreed upon proportion allocated to each country.

The following principles shall be taken into consideration in developing formulas to allocate the catch between the two countries:

- A. Spawning areas and number of spawners required for proper conservation of stocks.
- B. Rearing areas utilized by the stocks of concern duly considering the varying requirements of the different species for freshwater, estuarine, and marine habitats.
- C. Migration routes for both adults and juveniles, duly considering the varying requirements of the different species for freshwater, estuarine, and marine habitats.
- D. Exploitation
 1. Historical and existing levels of commercial, subsistence, and recreational fisheries.
 2. Potential levels of commercial, subsistence, and recreational fisheries.

E. Associated factors requiring joint consideration:

1. Habitat protection costs.
2. Management and research costs.
3. Annual consultations on management and conservation.
4. Rehabilitation and enhancement.

September 21, 1973

Northern area position is based on the following considerations:

1. Some interceptions will continue to occur as salmon of all species are intermingled in some fisheries and management emphasis must be placed on proper harvest of particular species or stocks.
2. Only the country involved in salmon enhancement programs should benefit from such enhancement.
3. Increases in natural salmon runs resulting from management practices should also only benefit the managing country.*
4. Interceptions should not be increased.
5. Data on which to base interception estimates are extremely poor in the Northern Area.

As a consequence the U.S. Northern Area position is:

1. The Southern Area should receive first consideration in current negotiations since data base is better.
2. While negotiations on Southern Area are progressing U.S. and Canadian scientists should meet to try and resolve differences in interception estimates that still exist and document basis for estimates. Specific areas of concern are:
 - a. Cape Fox Fishery
 - b. Estimates of coho interceptions.
 - c. Canadian ocean troll fishery - Fairweather Ground
3. Management agencies of both countries should meet before and during fishing seasons to insure that adequate consideration is given to joint conservation needs, particularly in the Northern British Columbia - Southeast Alaska area.

4. We believe interceptions of Panhandle salmon must be resolved by negotiations.
5. Yukon River escapement data are so scarce that reliable interception estimates cannot be made at this time.
6. In areas where agreement cannot be reached due to lack of adequate data, studies should be undertaken by both countries.

TERMS OF REFERENCE
FOR REVIEW OF DRAFT TREATY

Contacts:

USA - David Colson, Dept. of State
- Steve Powell, NOAA, Dept. of Commerce

Canada - Georges Leger, Ministry of External
Affairs
Alan Willis, Dept. of Fisheries and
Environment

With reference to Appendices 7 and 10 of the Agreed Record of May 17-21, 1976, and the discussions of August 11-12, 1977, the two sides should review the following and draft common language.

Article 1:

- define "enhancement"
- review "optimum sustainable yield"
- define "river of joint concern"
- review "management entity"

Article 2-6:

Review

Draft an article that addresses the issue of avoiding the initiation of new intercepting fisheries.

Article 11:

Review

Article 12:

Review

Article 13:

-- Review with view of providing for a governmental obligation for reporting of technical information to the Commission/Panels.

Article 16:

-- Provide new draft, recognizing that there may need to be bracketed language to take account of substantive differences.

Article 17:

Review

Article 18:

-- Provide new Draft

Article 19:

-- Provide new Draft

Article 20

-- Discuss

Article 21:

-- Review