



Pacific Salmon Treaty (PST)- Fraser River Sockeye & Pink Salmon Chapter Renewal

***February 26, 2013
First Nations Consultations
Saanichton, BC***



Renewal Context

- Annex IV, Chapter 4 (Fraser River Sockeye and Pink Salmon) will expire at the end of 2013.
- Bi-lateral instructions to the Fraser Panel from the Commissioners – Oct. 2012.



Commissioner Instructions

- *The Fraser River Panel (the Panel) will draft a revised Chapter 4, Annex IV of the Pacific Salmon Treaty, which will include changes reflecting the February 12, 2010 Commission Guidance to the Panel, and other changes identified and agreed to by the Panel. The Panel will provide an update to the Commission at the beginning of the February 2013 Annual Meeting. The Panel will notify the Commission during the January 2013 Post Season meeting, should they detect difficulties with reaching agreement by May 2013.*



First Nations Consultations

- DFO continues to build on consultations sessions started in 2009.
- After discussing with Russ Jones, lead for First Nation Caucus of PST, and First Nations participants on Fraser Panel we set a series sessions with marine approach areas and Fraser FN to occur before first meetings with U.S., after the January PST meeting and after the February PST meeting. In addition a letter was sent to FN regarding interest in bi-lateral meeting.



Recent Changes/Issues

- Priority to conservation. Reflected in overall Treaty changes since 1999.
- Climate change. Reflected in Management Adjustment used to assist in achieving spawning objectives.
- How AFE is calculated. Reflected in Guidance.
- How and when US catch is calculated relative to TAC for payback provisions. Reflected in Guidance.



Recent Changes/Issues

- Proportion of U.S. catch across management groups. Reflected in Guidance
- Responding to management groups with little or no TAC. Reflected in Guidance.
- Additional management groups used in 2003- 2009 (Birkenhead) and in 2011(Harrison) and re-aligning stocks to reflect changes in their timing.



Issues Reviewed

- **Item #1)** Distribution of Fraser River Aboriginal Fishery Exemption (AFE) – exemption remains at 400,000.
- Recent changes allow for updating to actual catches by stock group in season and reapportioning across remaining groups. Also reflecting available surpluses by stock group. Proposed wording is same as Commission Guidance with addition that Panel shall develop procedures for implementing potential AFE redistribution as part of preseason planning.



Issues Reviewed

- **Item #2)** Stock Management Groupings – re-alignment of stocks included in current management groups, changes to the number of groups, flexibility in the longer term to respond to changes.
- Canada has developed a process to guide when stocks (Conservation Units) could be realigned and used this process in 2012, supported by the Panel.
- New wording that Panel may adopt 5 or more management groupings in order to address specific conservation or management objectives and procedures to implement.



- in order to address specific conservation and harvest objectives in any given year the Panel may by agreement assign Fraser River sockeye stocks to five or more management groups. In the event the Panel adopts more than four Fraser River sockeye stock management groups, the TAC calculation, overlapping stock harvest approach, and incidental harvest provisions would apply in a similar fashion as per the four stock management groupings as in paragraph 3(e). As part of the decision to adopt more than four stock management groups the Panel will agree on how the AFE would be apportioned amongst the stock management groups.



Issues Reviewed

- **Item #3)** Proportional Sharing across management groupings – Issue is U.S. is expected to spread harvest across management groups with TAC to the extent practicable –U.S. has made this a key principle that they maximize their share after conservation.
- Current Guidance acknowledges U.S. may exceed 16.5% of some management groups despite its best efforts to focus harvest to those groups with TAC due to overlapping timing of management groups of lesser abundance. Also that a small but acceptable rate of incidental harvest may occur on one or more overlapping management groups that have little or no TAC. Wording was adopted into Chapter.



Issues Reviewed

- **Item #4** – Sockeye/pink management principles.
Wanted wording to reflect principles where sockeye or pink create management challenges, i.e. only a few sockeye and lots of pinks. Canada wants each party to manage their available sockeye TAC and pink TAC to best use.



- To the extent practicable, the Fraser River Panel shall develop and implement a fishing plan that provides the U.S. fishery with the opportunity to harvest its 25.7% share of the Fraser River pink salmon TAC. To accomplish this, the Panel shall take into consideration the availability of both the sockeye salmon TAC and pink salmon TAC, through the entire fishing season, while to the extent practical, minimizing the impacts on overlapping sockeye management groups with little or no TAC. It is understood that the overlapping of sockeye and pink salmon migrations may result in a small but acceptable rate of incidental harvest on one or more overlapping sockeye management groups that have little or no TAC as defined in this Chapter.



Issues Reviewed

- **Item #5** : Payback provisions. Wording from Commission Guidance defining how overages and underages are defined and when each party is held accountable was used in Chapter.
- Addition of clarity of any Alaskan harvest not forming any part of underage or overage.



Issues Reviewed

- **Item #6**: Term of new Agreement. The new term is recommended at 6 years. Working from the idea of a shorter vs longer agreement four years was our objective but the idea of having the agreement end before a large return cycle year (2018) raised many concerns for some of you and others. There was little or no support for 5 years and ending with other Chapters. So 6 years keeps the arrangement relatively short but takes into account the issues with 4 and 5 year arrangements. The U.S. was seeking as long an arrangement as possible (10 or more years) and would not accept 1-3 years..



Issues Reviewed

- **Item #7)** Treatment of Alaska catch in TAC calculations— Alaskan catch has not been included in in-season TAC calculations since 1999. Since 2005 the Alaskan catch has not been included in determining the U.S. share.
- Wording was changed in Chapter to reflect current practice of not including Alaskan catches in TAC also for further clarity that it would not be used in pay back considerations.
- In addition a clause was added that lays a marker for Canada if the Alaskan fishery changes from present we will raise this issue further.



Alaskan wording

- The Parties agree that:
- Fraser River sockeye are caught incidental to fisheries in Alaska District 104 directed at pink salmon;
- Fraser River sockeye comprise a minor portion of the catch in that fishery and are not the target stock in that fishery;
- the extent of these incidental catches is unpredictable from year to year; and
- paragraph 8(c)(v) is premised along with other considerations between the Parties, on these circumstances continuing.



Next Steps

- Draft language was concluded last week and presented to Commissioners, building on all work done since 2009.
- Canada and the U.S. are taking to their domestic consultations processes.
- Goal remains to have concluded on or before May to allow for ratification process in each country.