

Pacific Salmon Treaty Overview



January 2025

RC #3, Tab #25

Outline

1. Treaty overview
2. Treaty role in Alaska's fisheries
3. Alaska's obligations under the Treaty
4. Endangered Species Act considerations
5. Magnuson-Stevens Act considerations
6. Summary of management constraints

Why do we have a Treaty?

PACIFIC SALMON COMMISSION

Treaty Between the Government of Canada and the
Government of the United States of America Concerning
Pacific Salmon



Prepared by the
Pacific Salmon Commission
January 2020



U.S. and Canada entered into the Pacific Salmon Treaty in 1985 to **conserve** and **allocate** salmon harvests of inter-jurisdictional fish.

Treaty Principles

- Conservation & sustained yield
- Prevent overfishing
- Provide for optimum production
- Fair sharing (the equity principle)
- Avoid undue disruption of existing fisheries
- Reduce interceptions

Scope of the Treaty



Stocks and fisheries from
Cape Falcon, OR to Cape Suckling, AK
= 1,276 linear miles

2019 PST Agreement

8 Chapters:

1. Transboundary Rivers
2. Northern BC & Southeast Alaska Boundary Area
3. Chinook Salmon
4. Fraser River Sockeye and Pink Salmon
5. Coho Salmon
6. Southern BC and Washington Chum Salmon
7. General Obligations
8. Yukon River

Pacific Salmon Commission

Pacific Salmon Commission
4 U.S. and 4 Canadian Commissioners

Chinook Technical Committee

Northern and Southern
Restoration and Enhancement
Fund Committees

Transboundary
Panel

Northern Panel

Fraser Panel

Southern Panel

Transboundary
Technical
Committee

Northern Boundary
Technical
Committee

Fraser Panel
Technical
Committee

Joint Technical
Committee on
Coho

Joint Technical
Committee on
Chum

Yukon does not report to Commission; they have their own bylaws

Alaska Treaty Delegation

PSC Commissioner: Doug Vincent-Lang
Alternate Commissioner: Bill Auger

Treaty Advisor: Dani Evenson
Treaty Coordinator: Darion Jones

Chp 1: Transboundary Rivers



Chp 2: Northern Boundary



Chp 3: Chinook



Misc.



35 ADF&G staff
 7 NOAA staff
 17 Industry Reps

Fisheries Subject to the Treaty

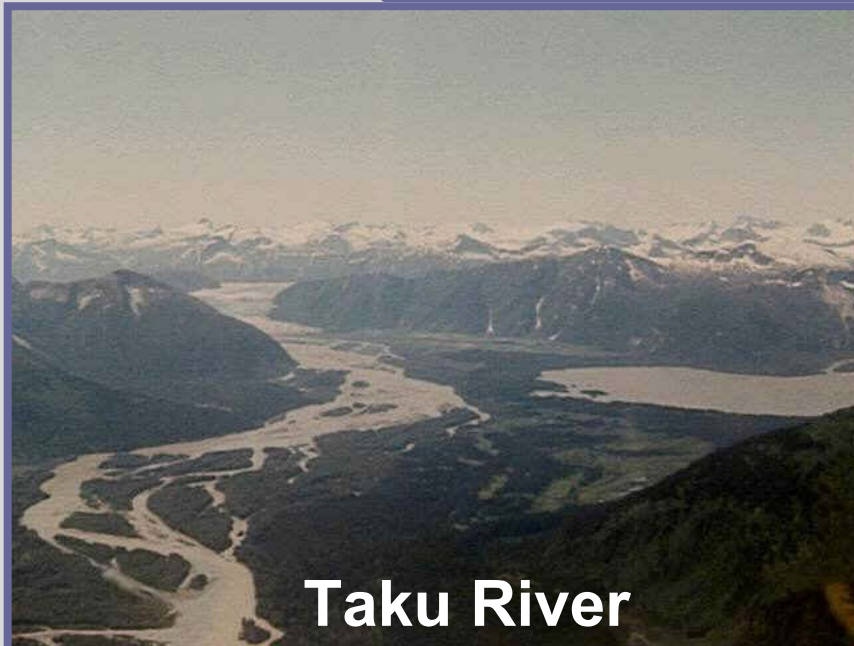
- Troll and Sport
 - Chinook Catch Limit
 - Dixon Entrance Coho Trigger
 - Purse Seine
 - District 104
 - Drift Gillnet
 - Taku (D111)
 - Stikine (D108)
 - Prince of Wales (D106)
 - Tree Point (D101)
 - Set Gillnet
 - Alsek River
-
- *Annette Island Reserve*
 - *Taku & Stikine Federal Subsistence*

PST General Obligations

1. Manage to achieve bilaterally-agreed to escapement goals for Chinook, coho, and sockeye stocks.
2. Manage consistent with catch sharing arrangements.
3. Conduct fishery and stock assessments.
4. Bilateral coordination & cooperation.



Chp 1: Transboundary Rivers



Chp 1: Scope

Scope: “salmon that originate in the **Canadian** portion of a *Transboundary river*”

Species: Chinook, Sockeye, Coho

Fisheries: confined to Canadian and U.S. in-river fisheries and U.S. fisheries in Districts 106, 108, and 111

- Cooperative development & implementation of abundance-based management programs
- TBR sockeye enhancement program

Chapter 2: Northern Boundary



Chp 2: Scope

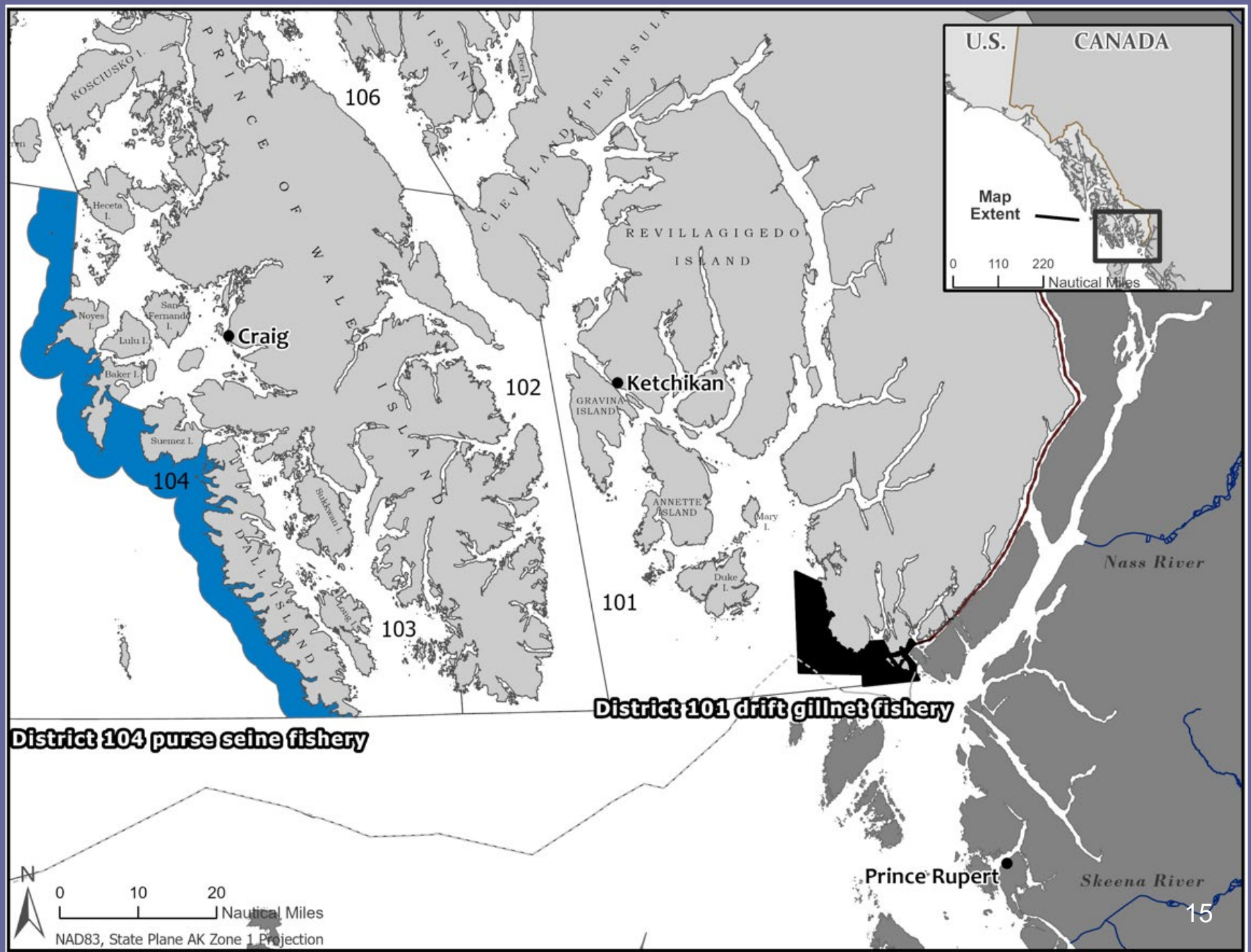
Scope: Northern B.C + Southern Southeast Alaska

Species: sockeye, pink (*coho)

Fisheries: D104 seine, D101 gillnet, (*troll, *sport)

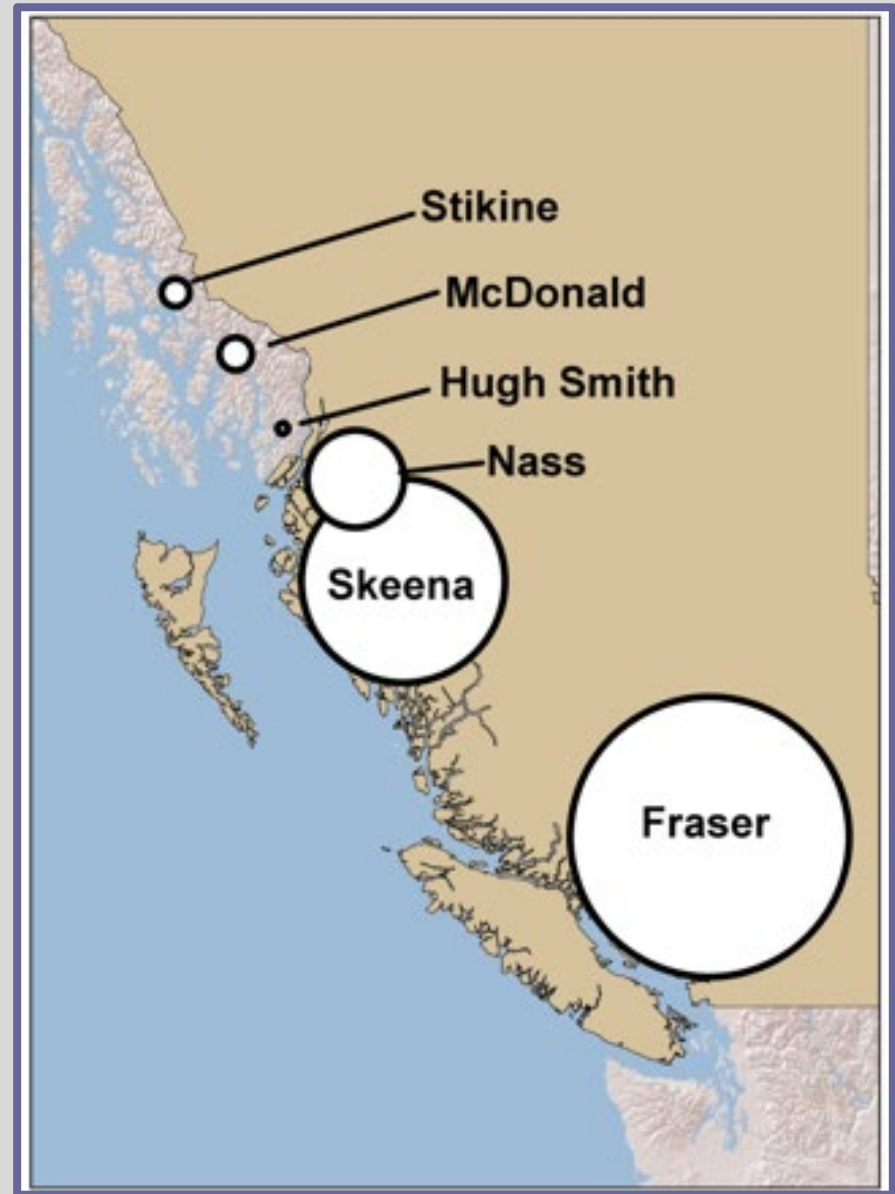
- Primarily focused on sockeye management of Northern B.C. stocks

* Panel also oversees Attachment B of the Treaty which focuses on Northern Boundary Coho Management



Why is sockeye an issue?

High % of Canadian sockeye in District 4 catch because Nass and Skeena run size vastly exceeds small southern SEAK stocks.



Chapter 3: Chinook



Chp 3: Scope

Scope: Cape Suckling to Cape Falcon

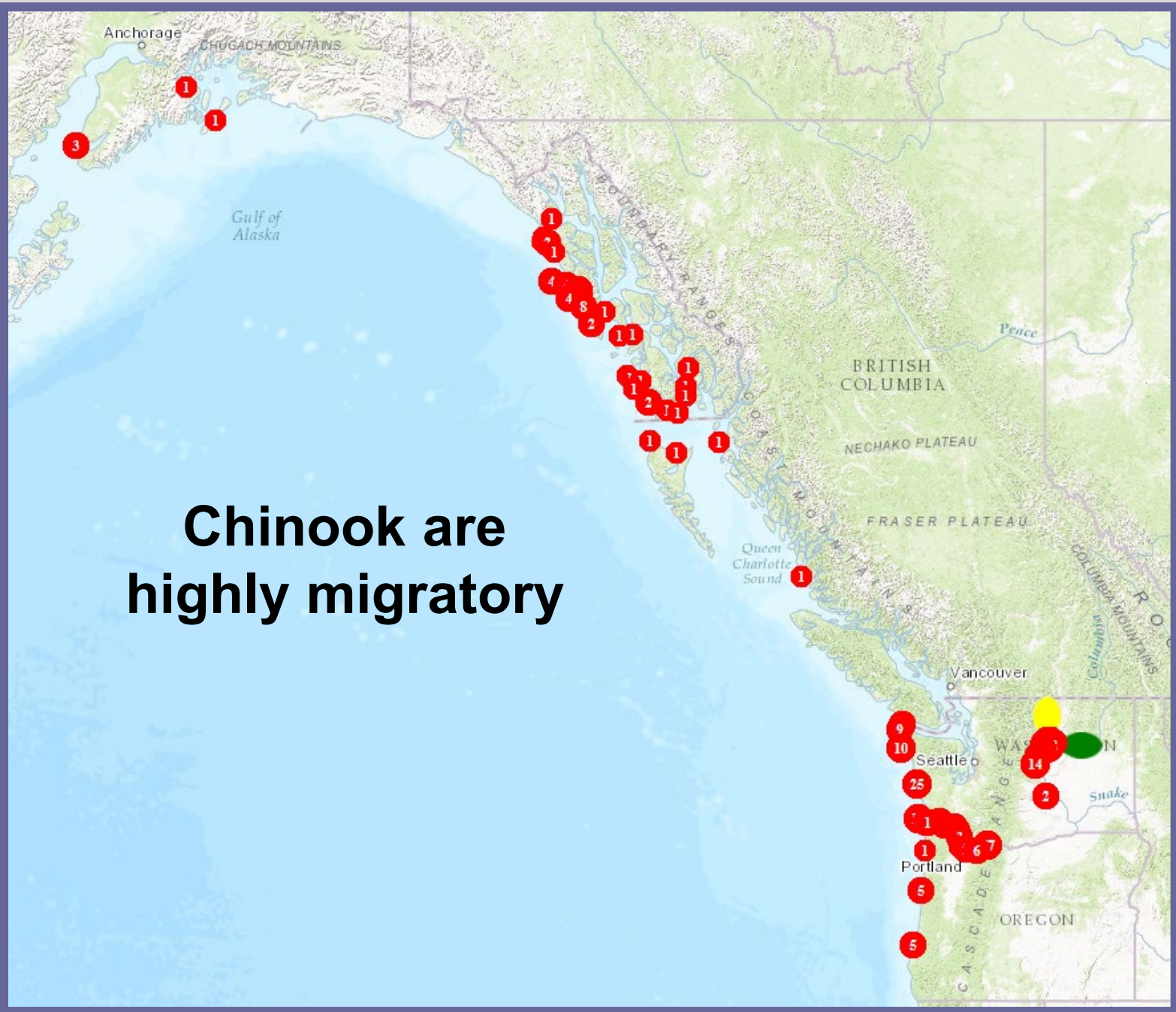
Fisheries: SEAK troll, sport, gillnet, seine

* Includes Metlakatla Indian Community Annette Island Reserve catches

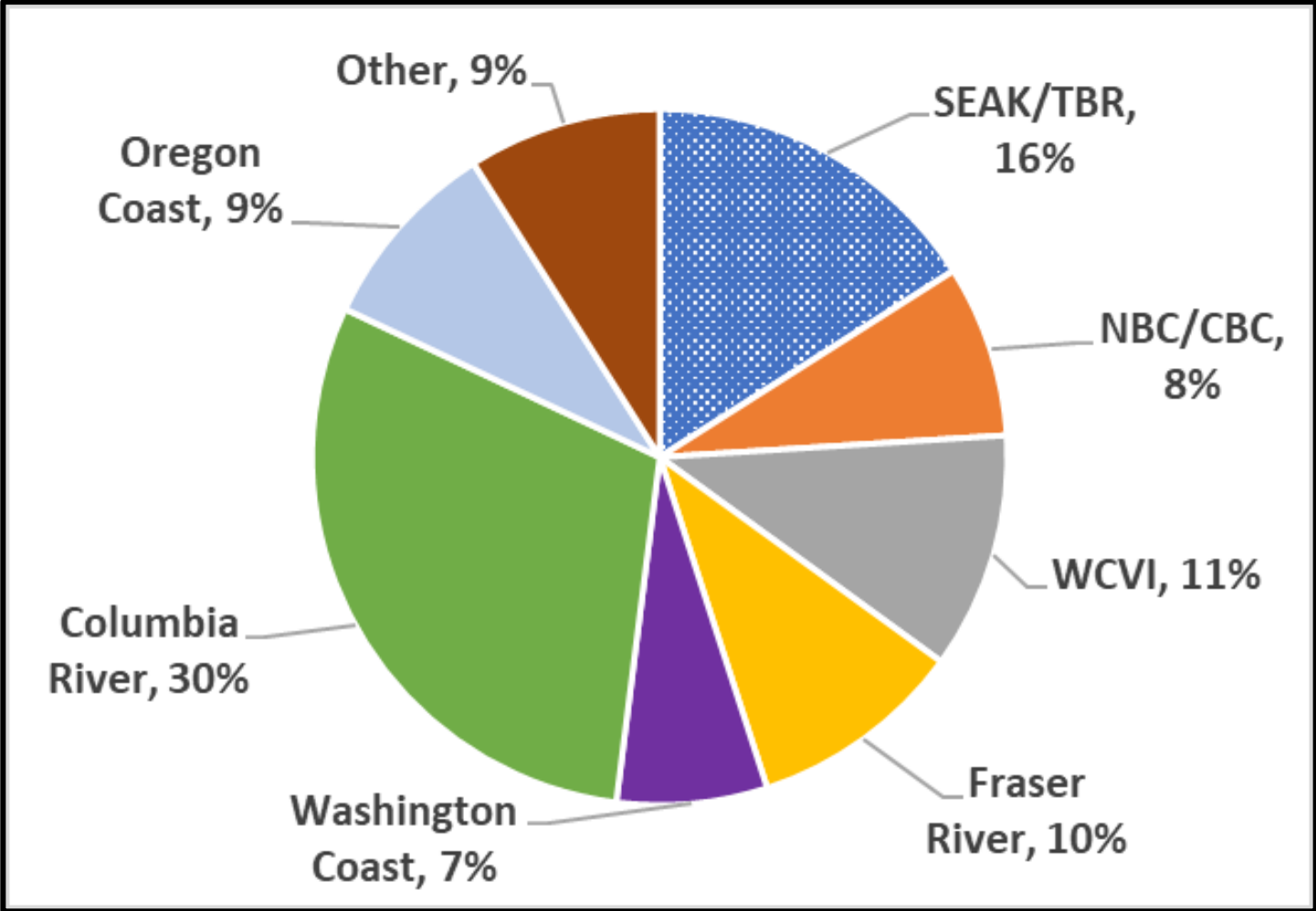
Unique Attributes:

- Shared resource coastwide
- Treaty rules most stringent for SEAK
- Highly complex and contentious
- North/south sharing – Baldrige stipulation
- Only salmon fishery in Alaska managed to a harvest limit

Chinook are highly migratory



SEAK Troll Stock Composition

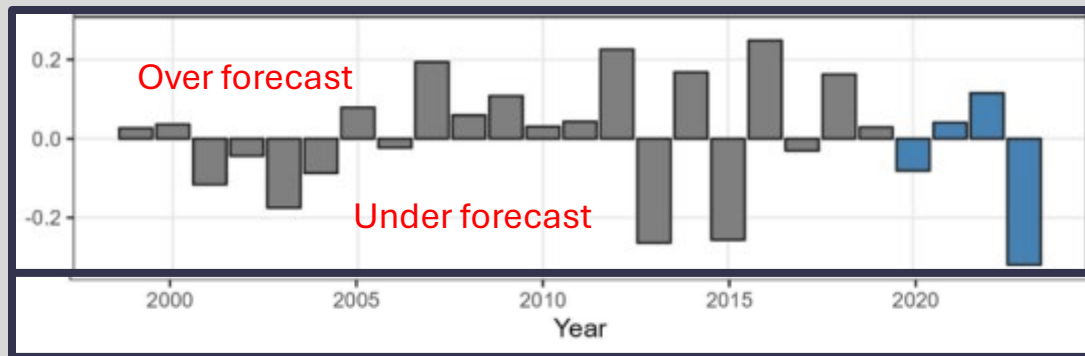


Chp 3: Alaska Obligations

1. Manage to preseason catch limit
2. Payback any overages the following year.
3. Manage to achieve escapement goals for 6 SEAK and TBR stocks
4. Manage incidental mortality to not exceed 59,400
5. Commitment to discuss significant management changes that may alter the stock and/or age composition or incidental mortality of the catch

New SEAK Catch Limits

- Based on PSC Chinook Model outputs
- Multi-stock, multi-fishery cohort analysis
- Produces an abundance index (AI)
 - Metric by which catch limit is determined
 - Influenced by run forecasts of driver stocks, recent average survival, projected maturation rates.



Chinook Model performance

2024 Catch Limit & Allocation

Abundance Index =
1.44

Catch Limit =
211,400

Fishery	Allocation
Set gillnet (1,000)	1,000
Purse seine (4.3% of all-gear)	9,090
Drift gillnet (2.9% of all-gear)	6,131
Sport (20% after net gear subtracted)	39,036
Troll (80% after net gear subtracted)	156,143
Total all-gear catch limit	211,400

2024 Treaty Catch by Gear

Fishery	Allocation	Actual	Difference
Set gillnet (1,000)	1,000	105	-895
Purse seine (4.3% of all-gear)	9,090	9,598	+508
Drift gillnet (2.9% of all-gear)	6,131	1,394	-4,736
Sport (20% after net gear subtracted)	39,036	52,759	+13,723
Troll (80% after net gear subtracted)	156,143	143,955	-12,188
Total all-gear catch limit	211,400	207,811	-3,589

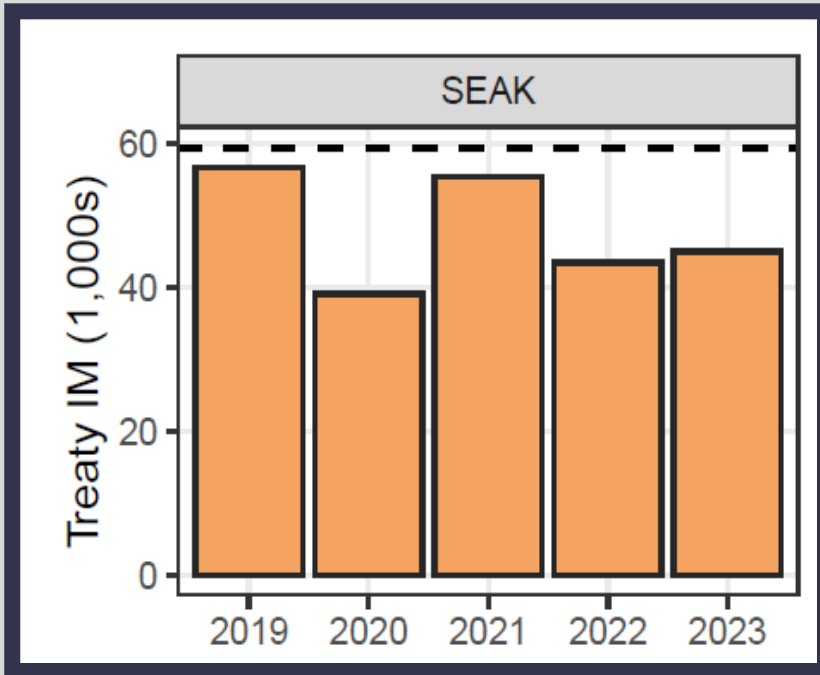
* Includes Annette Island Reserve catch of 261 troll, 717 seine, and 152 gillnet

SEAK Treaty Catch

$$\begin{array}{|c|} \hline \text{Total} \\ \text{All-gear} \\ \text{Catch} \\ \hline \end{array} - \begin{array}{|c|} \hline \text{Alaska} \\ \text{Hatchery} \\ \text{Add On} \\ \hline \end{array} - \begin{array}{|c|} \hline \text{Terminal} \\ \text{Exclusion} \\ \text{Catch} \\ \hline \end{array} = \begin{array}{|c|} \hline \text{SEAK} \\ \text{Treaty} \\ \text{Catch} \\ \hline \end{array}$$

* Most Alaska hatchery fish do not count against Treaty catch limit

SEAK Incidental Mortality



- New obligation
- IM Limit = 59,400
- Actively managed

Accountability Provisions

- If post-season catch limit exceeded for 2 consecutive years...
- If incidental mortality limit exceeded...

- The PSC will determine if fishery adjustments are needed and recommend remedial action.

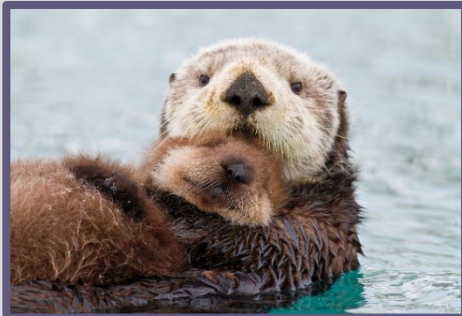
Treaty Next Steps

- Upcoming Treaty renegotiation
 - Current Treaty expires in 2028
 - New Treaty agreement for 2029-2038
 - Development of an Alaska position
- Development of a new model to set catch limits



Endangered Species Act (ESA)

- **Aim:** to conserve species listed as endangered or threatened and their habitat.
- Endangered species: in danger of extinction throughout all or a significant portion of its range.
- Threatened species: is likely to become an endangered species within the foreseeable future.
- No ESA-listed fish species in Alaska!



Endangered Species Act - SEAK

- ESA-listed species of salmon & marine mammals occur in SEAK which requires permits for take of ESA-listed species.
- Biological Opinion (BiOp) is the document that provides ESA coverage
 - Covers all SEAK gear types and salmon species
 - BiOp revised in 2024 with new requirements

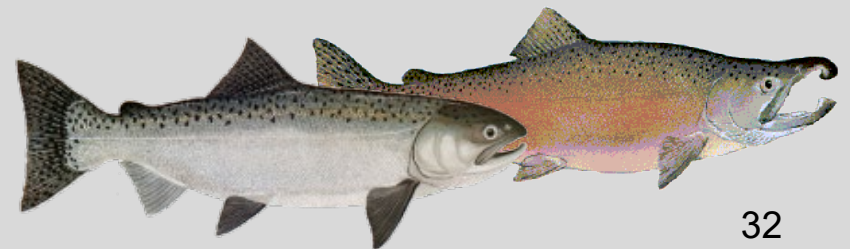


SEAK Biological Opinion

- Provides coverage for incidental take of ESA-listed fish and marine mammals:
 - Puget Sound Chinook salmon
 - Lower Columbia Chinook salmon
 - Upper Willamette Chinook salmon
 - Snake River Fall Chinook salmon
 - Southern Resident killer whale (SRKW)
 - Mexico Humpback whales
 - Western Steller sea lions
- **Take** = “to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, collect, or to attempt to engage in any such conduct”

Incidental Take Statement: Chinook

- Compliance with the provisions of Chapter 3 that define the limits of catch & total mortality.
- **NEW** hard cap limits on exploitation rates of ESA-listed Chinook.
 - Limit = highest observed ER from 1999-2018.
 - Uses 6 specific ER Indicator stocks.



Incidental Take Statement: SRKW

1. Extent of allowable take for SRKW is the same as the extent of take for Chinook as described by the provisions of Chapter 3
2. **NEW** limit: % prey reduction cannot exceed the maximum of the range estimated from 2009 to 2018.

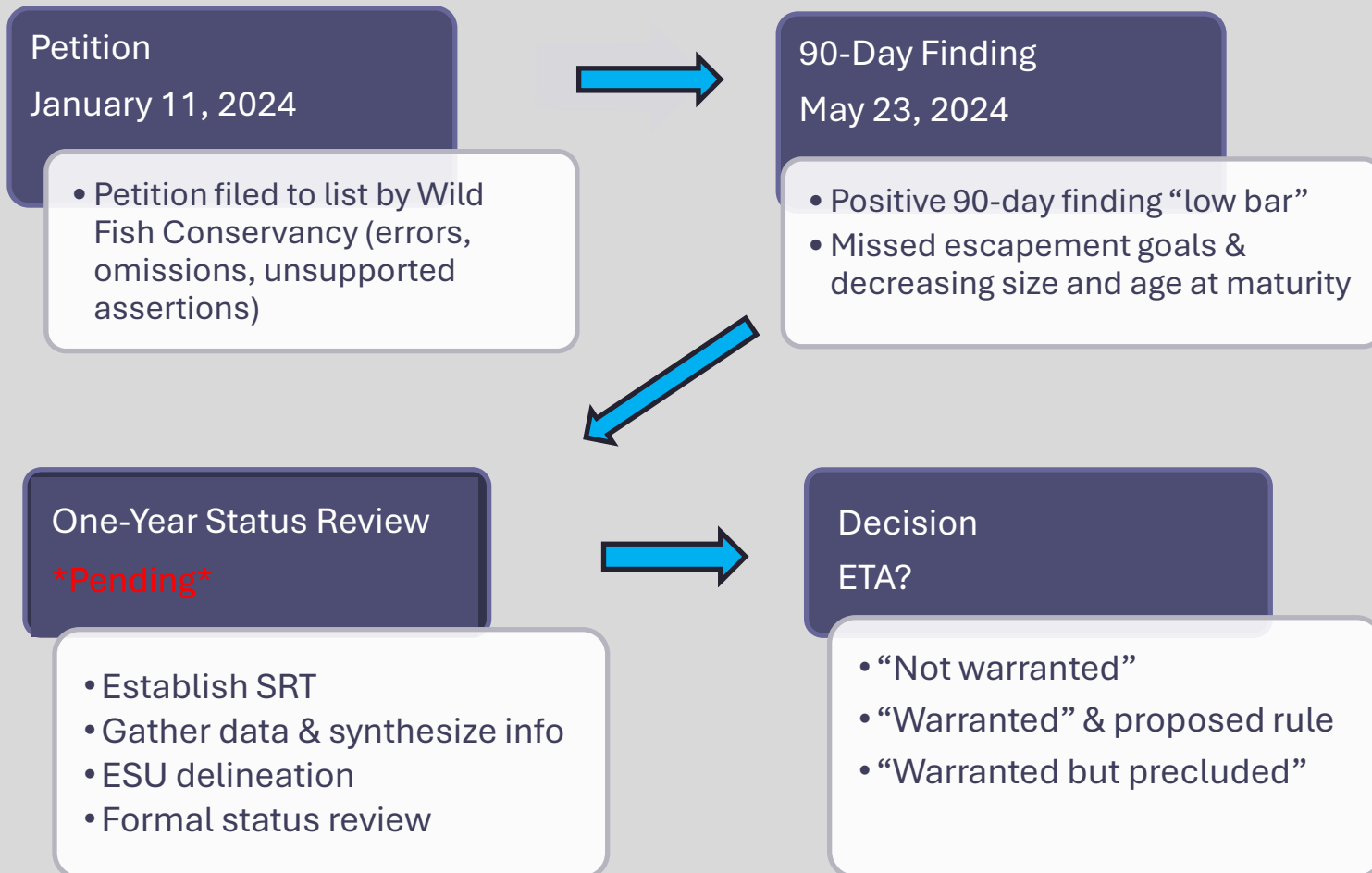


ESA Key Points



- BiOp covers all SEAK gear types and salmon species.
- 2024 BiOp is more stringent than the 2019 BiOp.
 - **New** ER limits on ESA-listed Chinook
 - **New** limits on SRKW
 - **New** sampling requirement
- Without ESA coverage, few salmon fisheries could be prosecuted by the State.
- Limits the State's authority to significantly adjust the timing or location of fisheries.
- It is to Alaska's advantage to comply with all provisions of the PST & BiOp to maintain ESA coverage.

ESA - Gulf Of Alaska Petition



Magnuson-Stevens Act (MSA)

- Principal law governing marine fisheries in the U.S.
- Applicable to all fisheries in the EEZ (3-200 NM)
 - Does not apply to State waters (0-3 NM), which includes all internal waters of SEAK
- Requires management to be consistent with several provisions, including 10 national standards
- Alaska has delegated management authority for SEAK salmon

See RC 3, Tab #17

MSA National Standard 4: Allocations

Conservation and management measures shall not discriminate between residents of different states. If it becomes necessary to allocate or assign fishing privileges among various United States fishermen, such allocation shall be (a) fair and equitable to all such fishermen; (b) reasonably calculated to promote conservation; and (c) carried out in such manner that no particular individual, corporation, or other entity acquires an excessive share of such privilege.

MSA Key Points

- It is in Alaska's best interest to comply with MSA to retain the ability to management fisheries in the EEZ
 - ESA nexus
- In federal waters, non-resident and resident limits must be the same
 - Applies to recreational, personal use, & subsistence
- The Board may continue to provide a priority for residents in state waters

* See proposal #105

Summary of Chinook Constraints

- Manage to meet Treaty escapement goals – PST, ESA
- Manage to preseason catch limit – PST, ESA
- Manage to not exceed incidental mortality limit of 59,400 – PST, ESA
- Sample fisheries consistent with coast-wide standard – PST, ESA
- Avoid substantial changes to fishery timing & area beyond those observed between 1999 and 2018 – PST, ESA
- Resident and non-resident limits in federal waters must be the same – MSA, ESA

