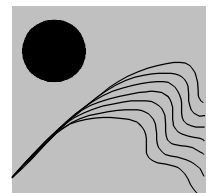


INQUIRIES For a Sustainable Future

*A Decision-making Approach
to the Study of Selected Canadian Issues*

THE WEST COAST SALMON FISHERIES



Learning for a
Sustainable Future

A QUESTION OF RESOURCES

Human life depends on natural resources and how wisely we use them. Today's urgent challenge is to identify the stresses put on resources by human activity and what must be done to ensure their future. The state of the world's fisheries is a clear example of this challenge.

Rising populations, increasing consumption of fish and expanding markets have made the fisheries a target for ever-growing numbers of nations. New technologies that allow the fish to be vacuumed out of the sea have brought hundreds of fish species close to exhaustion. As fish stocks decline around the world, competition and conflict increase. International efforts to provide solutions, such as the Law of the Sea Treaty and *Agenda 21*, set the framework for negotiation and cooperation but, so far, few nations have responded by limiting their fishing industries. Without international action, millions of people whose prime source of protein is fish or who depend on the fisheries for their livelihood, face a bleak future.

Long before humans came to the West Coast of North America, the salmon made their annual journey up the great rivers of the Columbia and the Fraser, and their tributaries to spawn. For thousands of years the first peoples centred their lives and activities on the plentiful harvest. By the beginning of this century, salmon fishing had become a major industry, now worth more than 500 million dollars and employing thousands. In recent years, the seemingly inexhaustible supply of salmon has begun to disappear. Industrial activity and pollution have added to the difficulties that nature has always placed in the way of the salmon going upriver to spawn. In 1994, over a million salmon disappeared, unaccounted for even by sophisticated measuring mechanisms. Scientists cannot explain this massive loss.

The difficulties involved in planning for sustainable management of the salmon resource are compounded by the international dispute between the United States and Canada over how many fish can be harvested by each country's industry. As commercial fishers haggle with the Native harvesters and governments contest sovereignty, the salmon quietly disappear. The question as to whether this is another ecological disaster, like the collapse of the East Coast cod fisheries, or a temporary, resolvable problem, is now being raised.

THE WEST COAST SALMON FISHERIES

INQUIRY AND RECOMMENDATIONS

To ensure the future of the West Coast salmon, we must ask:

- Why is the decline of the salmon an urgent social, environmental and economic issue?
- What are the causes of the decline in the number of salmon?
- If the salmon stock is to be conserved and renewed, what changes must take place in:
 - government policies;
 - the contribution of science:
 - business practices;
 - the attitudes and behaviours of fishing communities;
 - international negotiations and enforcement?

Prepare a set of recommendations for the future sustainability of the West Coast salmon fishery.

BACKGROUND FOR THIS INQUIRY

Readings:

- 1 The Pacific Salmon
- 2 Great Spawning Rivers (map)
- 3 The Threats to Salmon Stocks
- 4 The Native Fisheries
- 5 The Native Fisheries Today
- 6 Building the British Columbia Salmon Fishing Industry
- 7 The Salmon Fisheries at the Turn of the Century
- 8 A Conflict of Rights?
- 9 to 12 Sharing the Resource

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Learning for a Sustainable Future

45 Rideau St., Suite 303, Ottawa, Ontario K1N 5W8 Canada

Tel. (613) 562-2238, fax (613) 562-2244

www.schoolnet.ca/vp/learning/ — lsf.org@sympatico.ca



THE PACIFIC SALMON

The Five Species

The five species of Pacific salmon [chinook, chum, coho, sockeye and pink], found along the west coast of North America, are anadromous — they migrate from the ocean to freshwater to spawn. Spawning completes their life cycle begun in the same freshwater stream two to six years earlier. Homing of Pacific salmon to their stream of origin results in important biological characteristics for groups or stocks of fish. Each stock is genetically adapted to the environment in which it resides, and exhibits unique characteristics such as migration route, migration timing, and productivity. Such biological traits make consideration of individual stocks an important part of salmon management.

Handbook of the Pacific Salmon Commission,
PACIFIC SALMON COMMISSION, 1988

GREAT SPAWNING RIVERS

THE THREATS TO SALMON STOCKS

Natural and Man-made Hazards

Constant danger is the rule of life for salmon. Attack by a myriad of enemies is relentless and the death toll is staggering. Of the 3 000 eggs deposited by a sockeye, about 100 will become fingerlings and travel to the sea. Of these, 20 per cent will return as adults under the best conditions. If ocean survival rates are poor, as few as two or three per cent will return.

Some of the hazards are man-made. These include water pollution, hydro-electric dams, logging operations and, of course, fishing. Nature herself is the salmon's most cruel enemy, for lethal changes in fresh and salt water environments take the greatest toll of young fish. Before humans became one of salmon's most effective predators, nature kept a balance in the salmon runs through periodic disasters such as floods, droughts and land-slides and, even without these equalizing forces, the runs were kept at reasonable levels by the sheer weight of numbers on the spawning grounds: when too many fish returned, lack of available gravel beds forced large numbers to die without spawning. . .

Salmon return to spawn in the same stretch of river in which they were born.

DEPARTMENT OF FISHERIES AND OCEANS

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Salmon is a sensitive creature, and some species are more susceptible than others to injury through environmental changes. . . abnormally high or low water temperatures can be lethal, as can an inadequate amount of oxygen in the water. The rate of growth of embryos from the egg to alevin stage is set in part by the temperature of the water in the stream, and unusual temperatures can result in emergence of fry from the gravel at an unsuitable time. High water temperatures on the spawning grounds can be fatal. The ideal temperature is 13.4°C. The volume of water flowing in a stream regulates the number of fish it can support. In low flow periods, fewer fish survive, because of fierce competition for food and living space. Shallow water is far more susceptible to extremes in temperature, and oxygen concentrations can be rapidly reduced. Abnormally high stream flows can be equally harmful, for floods can eliminate stream bank vegetation which contributes shade and is a source of food, destroy food organisms in the stream, and disturb spawning gravel. When floods subside, fish are frequently stranded and lost in isolated pools.

Availability of suitable spawning gravel is also of critical importance. It is essential that the gravel remains clean and porous through the winter so that water can seep through and bring adequate supplies of oxygen to the embryonic fish within the eggs. In many areas there is a shortage of suitable gravel in water of sufficient depth and flow. It is common to see a number of spawning salmon fighting for the same nesting site and often when this happens the first eggs deposited are destroyed by succeeding nest-diggers. Silt and other organic matter such as bark, wood chips and leaves, can also be harmful. Food and oxygen can be reduced because of poor light penetration and resulting slow growth of plant life, and eggs can be suffocated and bottom-dwelling fish food organisms smothered by these foreign elements.

Knowledge of the salmon's life in the ocean is scanty, and scientists find it very difficult to predict ocean survival with any degree of accuracy. Salmon enjoy their period of greatest growth in the sea because of the relative stability of the environment and the tremendous abundance of food, but dangers which threaten the fish in fresh water are also present in the ocean. These include abnormal water temperatures, poor light penetration, and the presence of predators. In addition, variations in the salt content of the water in the estuaries can have an influence on growth and survival. If the salmon survives these environmental hazards, it must then face the ogre of predation. Not only man enjoys the rich taste of salmon — seals, sea lions, killer whales and bears all take their share of adult salmon, and birds and larger fish prey on fry and fingerlings.

Salmon: The Living Resource,
FISHERIES ASSOCIATION OF BRITISH COLUMBIA, nd

THE NATIVE FISHERIES

The Indian fishery has a special place in Canada. It is quite distinct from the commercial and sport fisheries in its historical origins, legal foundation, manner and location of fishing. The Indian fishery is rooted in the ancient dependence of aboriginal people on fish and their traditional practice of fishing for food and other purposes. Salmon are particularly important to this fishery, especially on the Fraser River. . . Under Canadian law, aboriginal people who have historically used resources such as wildlife and fish have the right to continue to do so. Prior to European settlement, Indians throughout the Fraser Basin depended heavily upon salmon. Most of their villages were located where fish could be taken with traditional technology, such as dip-nets, gaffs, gillnets and traps. Salmon, cured in traditional fashion, was their staple food. The routine of life was geared to the annual salmon runs. Elaborate arrangements governed tenure over fishing places among clans and families. Fish were currency in trade.

Managing Salmon in the Fraser,
by Peter H. Pearse,

DEPARTMENT OF FISHERIES AND OCEANS, 1992

THE NATIVE FISHERIES TODAY

With white settlement and development of the fish-canning industry in the last century, the federal government took steps to regulate Indian fisheries. Around the end of the last century Indian fishers were required to obtain licences, confine their fishing to prescribed times and places, use only certain types of gear, and refrain from sale or trade in the fish they caught.

Since the early 1970s, as a matter of policy, the Department has ascribed priority to the Indian fisheries over commercial and sport demands. The Department interpreted its primary responsibility (as spelled out in the Fisheries Act) as ensuring enough fish are left to spawn to sustain the stocks. Any surplus would be allocated first to the Indian fishers; any surplus beyond that to the commercial and sport sectors. In practice, this order of priorities was and is difficult to achieve as Indian fishers have access to stocks only after commercial and sport fishers.

Over the years, catches in the traditional Indian fishery declined as the Indians themselves were devastated by European diseases. As populations revived in recent decades, however, their catches have grown also. Today, there are about 90 000 status and 65 000 non-status Indians in British Columbia, of which some 25 000 are associated with 93 bands along the Fraser. But Indians on the Fraser are not the only ones that depend on this river's salmon. Bands along the coast also catch fish bound for the Fraser, as do commercial and sport fishers.

Through seemingly endless litigation and court judgements, the rights of Indians were strengthened. In 1990, in the landmark Sparrow case (which involved a Musqueam Indian charged with using a net longer than permitted) the Supreme Court of Canada clarified the law significantly: Indians have an aboriginal right to fish, at least for food, social and ceremonial purposes, whether they signed treaties or not. The traditional restrictions on gear, fishing time and so on cannot be applied to Indian fisheries unless the fishing threatens the stocks or other aboriginal peoples' access to fish. The Court said nothing about the right to sell fish, but ruled that the government had a duty to consult with Indians to determine how these aboriginal fishing rights could be satisfied while meeting conservation objectives. More recently, courts have supported the right of Indians to sell at least small amounts of fish consistent with amounts involved in traditional use. While these decisions have been appealed, they strengthened the determination of some Indian groups to assert their rights, if necessary by direct confrontation.

As the changing law narrowed the scope for regulating Indian fisheries, the Department switched its enforcement efforts to large-scale sales of fish and flagrant abuses of Indian fishing rights. Because of the legal uncertainty the Department adopted a cumbersome policy of referring cases to the Department of Justice for guidance before laying charges. The Sparrow decision forced the government to respond to a partly-defined and evolving aboriginal right to fish, protected by the Constitution, without prejudicing the ultimate resolution of the issue through comprehensive claims settlements. A means of achieving effective regulation in this new legal environment was sought in negotiated agreements with Native communities. These would meet the requirement to consult and allow agreed-upon regulations to be enforced.

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In 1991, the government launched its Aboriginal Fisheries Cooperative Management Program which enabled Native groups to become involved in fisheries management, enhancement and habitat improvement activities. Some 150 agreements, costing \$11 million, were entered into with Indian communities across Canada. This program was considered successful in providing experience for both government and Indians in cooperative management and evidence of Native capabilities in this activities.

Managing Salmon in the Fraser,
by Peter H. Pearse,
DEPARTMENT OF FISHERIES AND OCEANS, 1992

BUILDING THE BRITISH COLUMBIA

SALMON FISHING INDUSTRY

It was the Hudson's Bay Company which first exported salmon from the waters of British Columbia. Endowed with the exclusive right to trade with the Indians of the area since the year 1821, the Company at first obtained salmon from them, mainly to augment the food supplies of its various fur trading posts. When the fur catches failed to equal the rich harvest reaped in the Northern departments of the Company, cured salmon became a welcome addition to the articles of trade. To secure its position, the Company claimed the same monopoly over the fishing grounds which it held east of the Rocky Mountains, though in strict terms its Charter did not include such rights. . .

By 1858, the year the territory became a crown colony, christened British Columbia by Queen Victoria, the Hudson's Bay Company had lost its monopoly standing, just one year prior to the expiry of its second license period from the Crown. Their trading posts, however, did not close down. By the time the last barrel of cured salmon was shipped by the Hudson's Bay Company on the Pacific, some fifty years had elapsed since salting had begun on the San Juan Island. Local settlers entered the fisheries and private traders began to make shipments of salt-cured salmon. . .

If progress was slow, it was not for the lack of fish. Each year, the rivers were crowded with salmon fighting their way upstream to the spawning grounds. But it takes more than availability of a natural resource to turn potential wealth into an industry. With a product as highly perishable as fish, the question of marketing becomes one of proper preservation. Canning seemed the answer, but production processes and containers were not nearly as readily available as the fish. Tin cans were made by hand with thick seams of solder to seam the body and attach can bottoms and tops. Those who embarked on building the new industry did most of the ground work themselves, devising production methods and equipment. Harvesting the sea may have offered fortunes, but success came to those who invested their lives in the founding of the new industry. . .

Backing up the entrepreneurs who built the canneries, supplied boats, gear, and credit, and searched for new markets and better production methods, was the large force of men and women who worked long hours ashore, and the fishermen who brought in the catch. Together, they built the British Columbia fisheries, yet most of them remain nameless. At sea, particularly in the northern areas, the crews were largely Indians. The men quickly adapted their own fishing skills to the gill net skiffs of the canneries, while ashore their women worked on the production line, cleaning and putting the fish into cans made and soldered by Chinese workmen. Few whites could be found who would stay on for long. As soon as news of a new "strike" reach town, they rushed off to the latest gold diggings.

The picture changed once the gold fever cooled. There were jobs, even fortunes to be had in the fisheries. White settlers, Norwegians, Newfoundlanders, Scots and Nova Scotians, joined the Indians in the job of bringing in the precious harvest from the sea: Finns founded Sointula and

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became gill-netters and seine fishermen. Germans, French, Irish, Greeks, Yugoslavs and Portuguese also entered the ranks of the fishermen, while many of the American prospectors who had come north to find gold stayed to prospect the sea instead. Then, the Japanese started to flock to Steveston, later spreading to other settlements as well. . .

British Columbia's Commercial Fishing History,
by Joseph E. Forester and Anne D. Forester,
HANCOCK HOUSE, 1975

THE SALMON FISHERIES AT THE TURN OF THE CENTURY

NATIONAL ARCHIVES OF CANADA

This photograph, taken at the mouth of the Fraser River in the late 19th Century, shows that the large number of fishermen participating in the salmon fishing season was balanced by the relatively small size of the catch that each could manage. In these early years, few rules applied to the salmon fisheries, even fewer to the taking of other fish species. As growing numbers of boats and more efficient fishing gear increased the pressure on the salmon, stricter measures of conservation were applied. Today, the fisheries are the most highly controlled privately-owned industry in British Columbia.

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A CONFLICT OF RIGHTS?

Commercial Fishers VS The Native Fishery

Commercial fishers . . . claim they are slowly being squeezed out of their livelihood by the federal government's controversial Aboriginal Fisheries Strategy (AFS). Now they say the Department of Fisheries and Oceans (DFO) has found a new way to hasten their exit — create surpluses by reducing salmon allotments to commercial fishers, then grant special permits for Indian bands to harvest the excess. Last year, DFO awarded British Columbia Native bands about 20 special Excessive Salmon to Spawning Requirements (ESSR) licences. Commercial fishers note there would not have been excessive salmon had the agency not arbitrarily closed their fishery for three weeks last August [1993] — during the peak harvest season. The unprecedented move, they say, cost them anywhere from \$20 million to \$30 million.

ESSR licences are not new — DFO has granted them for years. They generally go to commercial fishers because the law provides Native Indians with ample supplies of food fish. In fact, the number of sockeye granted to British Columbia's Indian food fishery has jumped from 70 000 in 1950 to 900 000 in 1990, prompting some Natives to sell surpluses illegally.

Since the federal government introduced the AFS in 1992, and allowed bands to sell their catches legally, Natives have been given first crack at the ESSR licences. "It is most bizarre," says Phil Eidsvik, research director for the 2 500-member British Columbia Fisheries Survival Coalition. "This is just one more way of reallocating the resource to Native Indians." . . .

However, the courts have clearly said that aboriginal rights do not include the right to sell fish. In five rulings last June [1993], the British Columbia Court of Appeal confirmed that there was no historical evidence to support the claim that traditional Indian bartering in fish constituted a market-driven, commercial enterprise. . . Mr. Justice Alan Macfarlane noted, "that is not to say persons of aboriginal ancestry are precluded from taking part, with other Canadians, in the commercial fishery. But they must be subject to the same rules as other Canadians who seek a livelihood from that resource."

Indeed, the fact the aboriginals already make up nearly 30 per cent of the commercial fleet suggests there is no need for a special Native fishery, says industry spokesmen. Commercial fishers also dispute the image of Natives as the environmentally sensitive stewards of fishing resources that they claim to be. After 23 Fraser River bands were granted AFS licences in 1992 to catch and sell 395 000 sockeye, a half-million spawners died or mysteriously disappeared, according to a report by University of British Columbia resource management specialist, Dr. Peter Pearse. The non-partisan Pacific Salmon Commission put the number of missing spawners even higher, at 713 000.

Yet, despite the five appeal court rulings plus DFO's admission that the 1992 Native fishery on the Fraser had been mismanaged, the federal government expanded the AFS in 1993. Last summer, more the 620 000 sockeye and smaller numbers of other species were allotted for sale purposes to

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29 Fraser River bands, representing 5 127 members. According to the Survival Coalition, the allotments work out to 365 kilograms of fish for every Indian man, woman and child.

Ernie Cry, executive director of the Lower Fraser Aboriginal Fisheries Commission, says that by last month, six million sockeye spawners had already made it to upstream beds. Yet DFO counted only five million spawners, indicating that its echo-sounding equipment at Mission Bridge is inaccurate. In other words, the missing spawners in 1992 were not due to Indian overfishing. . .

A Licence to Kill Livelihoods,
by Dave Cunningham,
BRITISH COLUMBIA REPORT, March 7, 1994

SHARING THE RESOURCE (1)

Background of the Pacific Salmon Treaty, 1985

The controversial Treaty, signed [in 1985], is the result of a peculiar characteristic of the salmon. When they come out of West Coast rivers, some ineluctable force causes them to turn right and swim north. Millions of dollars in salmon enhancement programs spent in British Columbia ends up benefiting American fishers of the Alaska panhandle, while the British Columbia fishery, in turn, gains at the expense of commercial fishers in Washington and Oregon.

Artificial spawning channels, such as this one in Weaver Creek, British Columbia, were created as part of an ongoing salmon fishery enhancement program. Opening into the natural waterways of the province, it is hoped that channels like this will give salmon a safe area in which to be born and, eventually, spawn.

DEPARTMENT OF FISHERIES AND OCEANS

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Efforts to solve the problem of interceptions" have failed since 1936, when a treaty covering sockeye salmon was ratified. In 1957, Canada and the United States agreed to a treaty allowing a 50-50 split of sockeye and pink salmon in what became known as the convention area, the approaches to the Fraser River around the south end of Vancouver Island. As the 1970s wore on, the Americans became increasingly unhappy with Canadian catches of west coast chinook and coho salmon.

Meanwhile, British Columbian fishers became upset that the Americans were allowed to take half the convention area catch without having to pay anything like half the costs. Negotiations were begun to bring about a comprehensive treaty covering interceptions along the entire West Coast. After 13 years of talks, it looked as though agreement could be reached in 1983, but Alaska, which, because of the salmon's peculiar migratory patterns had the most to lose, initially balked at signing. The treaty was signed in March 1985 only after it became apparent that already depressed stocks of chinook salmon would fall another ten to 20 per cent unless restrictions were imposed.

In the interests of conservation, the Pacific Salmon Treaty imposed limits on amounts of all species of salmon, with the exception of coho, that could be caught. A total of 28 temporary closures around prime chinook areas were announced by then [Canadian] Fisheries Minister John Fraser, who at the same time set the allowable chinook catch in the Georgia Strait at 275 000. Commercial trollers were granted just 50 000 chinook, or 18 per cent of the allowable catch, far less than their traditional 45 per cent, prompting them to complain that they were making the most of the sacrifices in the name of conservation. . .

Broiling Over Salmon,
by David Philip,
ALBERTA REPORT, June 22, 1987

SHARING THE RESOURCE (2)

The Americans Ask for More

The 1985 Pacific Salmon Treaty was designed to manage the fishery along the Pacific Coast from Oregon to the Yukon River. The document sets catch limits for the United States and Canada and upholds the 1982 Law of the Sea Convention, which gives the right to manage and effectively own fish to the country where the fish spawn. Catch limits for particular species expire and are renegotiated on a regular cycle. Last month [December 1992], as a new round of talks on salmon limits began in Vancouver, sparks flew between American and Canadian negotiators. At the core of the dispute was the American demand for more Fraser River salmon while at the same time placing more of their fish off-limits to Canadians. Ottawa is placing a high priority on what happens in the salmon talks. So high, in fact, that on January 8 [1993] it named Yves Fortier, former Canadian Ambassador to the United Nations, as chief negotiator for the Canadian delegation. . . .

It is clear from public statements that Canada is prepared to stand firm. "The Americans are taking an unsupportable position, demanding increases in their catches of Canadian-origin fish and decreases in Canadian catches of United States-origin fish," says John Crosbie, [then] federal Minister of Fisheries and Oceans. "The United States' position wilfully ignore the provisions of the [Treaty]."

The 1985 Treaty replaced a score of agreements in place for 80 years to peacefully manage salmon catches between the United States and Canada. The Treaty is administered by the 16-member Vancouver-based Pacific Salmon Commission, whose commissioners are drawn from government, industry, labour and Native groups. Specific species and geographical areas are covered in separate agreements lasting one to four years. Most of these agreements are about to expire, which makes the current spate of negotiations the largest and most complex ever. The latest round covers trans-boundary rivers such as the Stikine and Taku, all chinook and coho salmon, and Fraser River sockeye and pinks.

The Americans arrived at the talks with a demand for 28 per cent of all Fraser River sockeye and 31 per cent of Fraser pinks, up from a maximum of seven million. In the case of the valuable sockeye resource, this could translate into as many as 16 million fish per year over the next four years. The Americans argue that they are entitled to more fish because the Treaty has allowed Canada "to increase production and plan its own fisheries" and because the success of Canada's conservation efforts mean that "more Fraser River fish are caught incidentally in American fisheries".

At the same time, the Americans are demanding that Canada cut back on chinook and coho catches along the west coast of Vancouver Island. According to Bud Graham, head of international and intergovernmental affairs for the [Canadian] Department of Fisheries and Oceans (DFO), up to 80 per cent of the chinooks and a large portion of the coho caught off Vancouver Island spawn in American waters and are therefore considered American fish. Canadians have

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traditionally caught these salmon to offset the American take of Fraser River fish. However, the Americans insist Canada reduce its chinook and coho catches because the United States, "can no longer be expected to shoulder the entire burden of the conservation of these stocks," according to a position paper.

In other words, because Canada has done such a good job protecting sockeye, the Americans want more: since the Americans have done a lousy job protecting coho and chinooks, Canadians must take less. Jack Nichol, president of the United Fishermen and Allied Workers' Union (UFAWU), calls the American demands nothing short of "piracy". Canada's position is simple: any American catch must be offset by Canadian catches of American fish. "You cannot have it both ways," Mr. Graham adds.

The Americans say they under-estimated the number of Fraser River salmon caught in Alaska when they agreed to the sockeye limits during the 1989 to 1992 cycle. Meanwhile, they took advantage of good runs in the Strait of Juan de Fuca to increase their take to more than two million fish a year. The result left them with just 360 000 sockeye (of the seven-million allowance) for 1992. Washington State fishers were allowed to overfish to take 500 000 extra sockeye in direct violation of the Treaty. "It was like taking \$600 000 out of the pockets of Canadian fishers," Mr. Graham says.

Bringing in the Big Guns,
by Fred McCague,
BC REPORT, January 25, 1993

SHARING THE RESOURCE (3)

Canada Stands Firm

The United States has a huge conservation problem. It has destroyed fish habitat on a massive scale. Historically, 100 million salmon a year came from rivers in Washington, Oregon and California. Today, these rivers produce only 15 million salmon, most from hatcheries. 107 stocks are extinct; 89 are at risk of extinction. That is the United States conservation record. That record bears little resemblance to the recent American conservation rhetoric. What went wrong? Development and dams. Lots of dams. On its main stem, the Columbia River has 30 dams and the Fraser River has none. Several Columbia River stocks are endangered. Fraser River sockeye have more than doubled in the past 15 years.

What does the United States do? Does it hang its head in shame? No. It wants more. It wants to catch more Canadian salmon from the Fraser River. It wants Canadians to catch fewer American salmon from the Columbia River. On the Southern boundary, Canada has borne a heavy burden of conservation . . . and the United States has reaped a rich reward of increased catches.

The same is true on the Northern boundary. The Americans want to take even more Canadian fish returning to the Skeena, Nass and Fraser rivers. In 1994, the Americans want to change the rules to increase sockeye catches at Noyes Island. They have been unwilling to help conserve Skeena coho, where Alaskan catches tripled in three years. Where the United States has shown precious little restraint in the past, they want to show less in the future.

The facts are completely different for Canadian catches of Washington and Oregon salmon. The United States wants Canada to show more restraint off the west coast of Vancouver Island. The United States wants more help from Canada on conservation. We have given that help in the past. For example, in 1993 we reduced the ceiling for catches of American coho off the west coast of Vancouver Island from 1.8 million to 1.7 million; then we managed the fishery conservatively so that only one million American salmon were taken. The United States response is that Canada should cut back more. . .

Notes for an address by Brian Tobin, Minister of Fisheries and Oceans,
to the Second Annual Coastal Communities Conference on Fisheries, British Columbia, 1994,
DEPARTMENT OF FISHERIES AND OCEANS, 1994

SHARING THE RESOURCE (4)

A New Canadian - United States Agreement?

After years of increasing conflict over the salmon resource, including outright confrontation by some BC fishermen, and frustrated attempts to reach agreement by all stakeholders, 1998 brings new hope for a settlement.

Canada expects to reach an interim deal with the United States on salmon fishing before the next season opens, largely because of impetus from a new report on the long-standing feud. Fisheries Minister David Anderson said Monday [January 12] that an interim deal is possible because the report by David Strangway and William Ruckleshaus has changed the tenor of talks and brought fresh hope for conciliation. A deal for 1998 would buy time, allowing Canada and the United States to review the report and model a new approach to deal with the more complex issues that have prevented agreement over what the Treaty means when it says how salmon should be shared. Anderson said there is new optimism because the envoys, acting for Prime Minister Jean Chretien and United States President Bill Clinton, reached three important conclusions that significantly altered the ground rules for negotiations. The envoys said:

- the Canada-US Pacific Salmon Treaty is important and should be upheld;
- US fishermen have been taking too many Canada-bound fish;
- the industry stakeholders' process has little chance of success and should be abandoned in favour of government-to-government talks.

American State Secretary Madeleine Albright said in a statement that her government will work towards implementing the recommendations — marking the first time the United States has agreed the controversial stakeholders' process would not be the key forum for resolving the dispute. The federal and BC governments had said earlier that a deal was not possible under that process because it pitted one fishing interest against another. Ruckleshaus and Strangway indicated at a Seattle press conference Monday that they had reached the same conclusion. "The chances of success were too low to risk recommending to the governments that they reconvene the stakeholder groups," Ruckleshaus said. Both envoys indicated that the Treaty is too important to the conservation and economic management of the fish to continue managing the resource without an agreement. They said recognition plus the high level attention the dispute has received in both countries will improve the chances of attaining an agreement, despite so many past failures. "You get a sense that people are willing to compromise," Strangway told reporters.

[British Columbia] Premier Glen Clark said he was also pleased with the recommendation for government-to-government negotiations and agreed that an interim deal is now possible. "The next fishing season starts in the spring so we don't have a lot of time here, but hopefully British Columbia and Canada can agree on the next step in the next couple of weeks," he told reporters in Mexico City during the first leg of the Team Canada mission to Latin America. "We'll see if we can't use the impetus of this report and the fact that the Americans have accepted it as well as

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Canada so there is the basis here for renewed negotiations and hopefully we'll reach a settlement soon." He said he wants to talk to Anderson soon to see if it is possible to develop a Canadian position that includes British Columbia.

Anderson told a new conference he is anxious to work with Clark, whom he has feuded with in the past over the best tactics for bringing the Americans to the table. The minister predicted tough bargaining in the years ahead as the two countries try to reach a deal on an industry worth up to one billion dollars a year, and he cautioned that Canada will not get everything it wants. "We will have to negotiate and negotiate hard with tough negotiators on the other side, but I believe this [report] has changed the dynamics of the negotiations so that we have the opportunity of doing much better than we have in the past."

Even Alaska, which is usually portrayed as the State least interested in compromise, was somewhat positive about the future. Bob King, press secretary to Alaska Governor Tony Knowles, said Alaska still favours the stakeholders process, but is anxious to see the dispute settled. "We don't want to see the types of unfortunate situations that took place last year. None of us here like the continuing attention that this results in." He also noted the envoys urged Canada not to be so hard line. "If they're willing to do that, coupled with Alaska's willingness to compromise that we've shown in the past, perhaps this vexing problem can be resolved".

Canada Expects Deal on Fish This Season,
By Janet Steffenhagen and David Hogben,
VANCOUVER SUN, January 13, 1998