

CANADA

Fisheries: Pacific Salmon

*Agreement extending Annex IV to the treaty of January 28, 1985,
as amended.*

Effected by exchange of letters

Signed at Washington August 24 and September 8, 1993;

Entered into force September 8, 1993.

The Acting Secretary of State to the Canadian Ambassador

DEPARTMENT OF STATE
WASHINGTON

AUG 24, 1993

Excellency:

I have the honor to refer to the Treaty between the United States and Canada concerning Pacific Salmon, signed at Ottawa January 28, 1985,¹ and to the recommendations made by the Pacific Salmon Commission (PSC) in their letter of June 25, 1993, in accordance with Article XIII, paragraphs 2 and 3 of the Treaty.

In accordance with Article XIII, paragraph 3 of the Treaty, I have the honor to propose that the present Annex IV of the Treaty be extended for the 1993 fishing season consistent with the PSC letter of June 25, 1993.

I have the further honor to propose that if these proposals are acceptable to the Government of Canada, that this note and Your Excellency's reply shall constitute an agreement between our two Governments, which shall enter into force on the date of Your Excellency's note in reply.

Accept Excellency, the renewed assurances of my highest consideration.

For the Acting Secretary of State:

David A. Colson

Enclosure:

Pacific Salmon Commission Letter of June 25, 1993

His Excellency

John G. D. de Chastelain,
Ambassador of Canada.

¹ TIAS 11091.

PACIFIC SALMON COMMISSION
ESTABLISHED BY TREATY BETWEEN CANADA
AND THE UNITED STATES OF AMERICA
MARCH 18, 1985

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Your File:

June 25, 1993

The Honorable Warren M. Christopher
Secretary of State
U.S. Department of State
2201 C Street N.W.
Washington, D.C. 20520

Dear Sir:

I have the honor to report to you on understandings reached by the Pacific Salmon Commission regarding certain of the fishery regimes specified in Annex IV of the Pacific Salmon Treaty.

In accordance with Article XIII, Paragraph 2 of the Treaty, the Commission recommends implementation of the following arrangements for 1993:

1. Transboundary Rivers – Annex IV, Chapter 1.

With respect to the Transboundary rivers, Canada and the U.S. agree to continue the expired annex provision through 1993. Discussions directed towards adjusting agreed fishing regimes to improve access to enhance sockeye returns will continue prior to the 1994 season.

2. Northern B.C. and S.E. Alaska – Annex IV, Chapter 2.

With respect to Portland Canal chum salmon, Canada and the U.S. agree to prohibit net fisheries in relevant areas as recommended by the bilateral Northern Panel on February 15, 1993. In addition, they agree to continue discussion of restoration and enhancement programs for northern boundary chum salmon.

TIAS 12162

3. **Fraser River Sockeye and Pink Salmon – Annex IV, Chapter 4.**

Canada and the U.S. agree that the management regime for the Fraser sockeye and pink salmon fishery in 1993 is as follows:

- a) For sockeye salmon:
 - i) When the estimated TAC is less than 12.062 million fish, the U.S. catch in the Panel area shall not exceed 20 percent of the TAC;
 - ii) When the estimated TAC is between 12.062 and 15 million fish, the U.S. catch in the Panel area shall not exceed 2.412 million fish plus 10 percent of the TAC between 12.062 and 15 million fish;
 - iii) When the estimated TAC is greater than 15 million fish, the U.S. catch in the Panel area shall not exceed 2.706 million fish plus 5 percent of the TAC above 15 million fish, but the catch shall not exceed 2.806 million fish;
 - iv) Differences concerning catches of Fraser sockeye caught outside of the Panel area remain unresolved and will be addressed in connection with negotiations on 1994 arrangements.
 - v) The U.S. will not fish in 1993 on the early Stuart run in order to provide adequate escapement and viable fisheries in the upper portion of the Fraser River drainage.
- b) For pink salmon the total U.S. catch shall be 25.7% of the TAC, but shall not exceed 3.6 million fish.
- c) Calculation of 1993 TACs for Fraser River sockeye and pink salmon, and any catch overages or underages in 1993, shall be as specified in Annex IV, Chapter 4 of the Treaty and as specified in previous agreements by the Fraser Panel.
- d) The dispute referred to in Canada's note 189 of November 24, 1992 and the Department of State's Note of December 8, 1992 remains unresolved and will be addressed in connection with negotiations on 1994 arrangements.
- e) Based on these arrangements, the Fraser Panel shall develop fishery management plans for the Fraser Panel area as soon as possible.

4. **Coho Salmon – Annex IV, Chapter 5.**

For 1993, Canada will limit its WCVI coho troll fishery to 1.7 million. Other coho Chapter provisions remain unchanged.

5. **Southern B.C. and Washington State Chum Salmon – Annex IV, Chapter 6.**

With respect to southern chum, Canada and the U.S. agree to continue the expired Annex provisions through 1993.

The Commission expects that the relevant management agencies will manage fisheries under their responsibility consistent with these agreements.

The Commission respectfully requests your early approval of these recommendations.

Yours truly,

Yves Fortier

Chair

Pacific Salmon Commission

*The Canadian Ambassador to the Deputy Assistant Secretary,
Oceans and Fisheries Affairs, Department of State*

CANADIAN EMBASSY

AMBASSADE DU CANADA

501 Pennsylvania Avenue, N.W.
Washington, DC. 20001

September 8, 1993

H.E. David A. Colson
Deputy Assistant Secretary
Oceans and Fisheries Affairs
Oceans and International Environmental
and Scientific Affairs
Department of State
2201 C Street N.W.
Washington, D.C. 20520

Dear Ambassador Colson,

Thank you for your letter of August 24, 1993 concerning the Pacific Salmon Treaty and the recommendations for extending Annex IV of the Treaty as reflected in the June 25, 1993 letter from the Pacific Salmon Commission.

In accordance with Article XIII, paragraph 3, of the Pacific Salmon Treaty, I am pleased to inform you of Canada's acceptance of these recommendations. You should know that Canada has already indicated its acceptance in a letter to the Pacific Salmon Commission from the Honourable Ross Reid, Minister of Fisheries and Oceans, dated August 26, 1993.

I agree with your proposal that your note of August 24, 1993, and this reply shall constitute the agreement between our two governments effective from the date of this letter.

Accept, sir, the assurances of my highest consideration.

Yours sincerely,

John de Chastelain
Ambassador