

*24<sup>th</sup> Annual Report of the*

**PACIFIC MARINE  
FISHERIES COMMISSION**

FOR THE YEAR 1971

TO THE CONGRESS OF THE UNITED STATES AND  
TO THE GOVERNORS AND LEGISLATURES OF  
WASHINGTON, OREGON, CALIFORNIA, IDAHO,  
AND ALASKA

*In Memoriam*

James E. Bolin  
Harold C. Gramson  
Clarence F. Pautzke

*24<sup>th</sup> Annual Report of the*

**PACIFIC MARINE  
FISHERIES COMMISSION**

**FOR THE YEAR 1971**

To the Congress of the United States and the Governors and Legislatures of the Five Compacting States, Washington, Oregon, California, Idaho and Alaska, by the Commissioners of the Pacific Marine Fisheries Commission in Compliance with the State Enabling Acts Creating the Commission and Public Laws 232; 766; and 315 of the 80th; 87th; and 91st Congresses of the United States Assenting Thereto.

Respectfully submitted,

PACIFIC MARINE FISHERIES COMMISSION

H. JACK ALVORD	J. PAT METKE
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JOHN D. CALLAGHAN	WALLACE H. NOERENBERG
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# 24th Annual Report — 1971

## INTRODUCTION

### International

The first preliminary meeting for the 1973 Law of the Sea Conference was held in March 1971 at Geneva, Switzerland. Sub-committees were formed and instructed to prepare preliminary agenda for the 1973 Conference. At the second preliminary meeting in July and August the U. S. delegation presented a draft Article III, proposing that fisheries be managed under three categories: coastal, anadromous, and highly migratory.

In the United States there was much concern about the lack of fishing industry representatives on the U. S. delegation to the Law of the Sea meetings, and about the delegation's recommendation that fish resources more than 12 miles offshore should be managed by international commissions similar to the International Commission for the Northwest Atlantic Fisheries (ICNAF). Fishermen and officials from Atlantic Coast States have questioned the effectiveness of ICNAF and other international commissions. Some countries have suggested establishment of economic zones extending offshore a reasonable distance where the coastal state would have a preferential position as alternative to 12- or 200-mile or other fishing limits.

In regard to the first concern, the *National Fisherman* on page 3 of its Yearbook Issue 1972 states, "American Fisherman can look forward to the 1973 Law of the Sea Conference with perhaps more optimism now that four men from their ranks will represent their industry at Geneva. Jacob Dykstra of Rhode Island, August J. Felando of California, William Neblett of Florida, and Walter Yonker of Seattle have been chosen as delegates to the conference . . ." Each of these men is a nationally respected spokesman for the fishing industry. Their divergent backgrounds (Dykstra - bottomfish, Felando - tuna, Neblett - shrimp, Yonker - salmon) provide reasonably balanced views for the total industry. However, they will need to exert extraordinary statesmanship and persuasiveness if U.S. fishing interests are to receive equal consideration at the Law of the Sea Conference along with defense, global politics, mineral extraction, and other interests.

The problems of competition between domestic fishing fleets and distant-water fleets promise to become more intense and to generate overfishing of the most sought after stocks with increasing frequency, e.g., Pacific ocean perch, haddock, yellowtail flounder, yellowfin sole, herring, etc. A recent directive of the Congress of the Communist Party of the Soviet Union calls for a 47% increase in the production of food fish products during 1971-75. The Indian and Pacific Oceans are the potential resource bases for this increase.

The United States and the Soviet Union on February 12, 1971 entered into a new 2-year agreement which permits Soviet supply ships to enter the Pacific Coast ports of Portland and Seattle up to 4 times per month for fuel, food and water. The agreement reduces the quotas on king and snow crabs caught by the Soviets, allows the Soviets to fish within the contiguous zone off the Aleutian Islands and to off-load in 3 new areas within the contiguous zone off Alaska. Additional protection for Pacific ocean perch and other rockfish off

California, Oregon and Washington is provided. A meeting of U.S. and U.S.S.R. representatives was held aboard a Russian trawler on June 8 off Neah Bay, Washington to discuss Soviet fishing off those States.

Canada has agreed to permit Soviet vessels to enter certain British Columbia ports at will for services and supplies. A conference was held at Nanaimo in the fall of 1971 between Canadian and Soviet fishery representatives as a sequel to earlier conferences, and for the purpose of closer cooperation in research programs.

Canada and the United States in December 1971 issued a statement calling for immediate cessation of Atlantic salmon fishing on the high seas. In addition the U.S. Congress passed a bill which the President signed into law on December 23, which prohibits importation of fishery products from nations "conducting fishing operations in a manner or under circumstances which will diminish the effectiveness of an international fishery conservation program."

Nearly 20 years of harassment of U.S. tuna boats by South American nations claiming 200-mile territorial limits seemed to have reached a crisis in late November 1971 when within a 5-day period U.S. tuna boats were fined \$510,762 and subjected to other harassment, such as shots across the bow and ramming; and when Congress had before it H. R. 7111, a bill making it mandatory for the Secretary of State to demand reimbursement within 120 days from foreign countries for illegally levied fines. During 1971, Ecuador seized 53 American vessels and collected fines totalling over \$2 million. Some American vessels were buying Ecuadorian fishing permits in preparation for the 1972 tuna season as an interim measure to avoid seizure until something could be done at the International Law of the Sea Conference in 1973- In June 1971, Brazil began harassing U.S. shrimp boats within its 200-mile territorial limit.

### National

The "Fourth Governor's Conservation Congress" sponsored by Oregon's Governor Tom McCall was held in Portland from December 13 to 15. This national discussion of marine fishery resources attracted participants from many nations as well from all sections of the United States. A summary of the Congress' proceedings will be available from the Oregon Division of Continuing Education, Salem, Oregon 97310.

President Nixon declared 1971 the Fisheries Centennial Year, marking 100 years since founding of the U.S. Fish Commission. The Fish Commission in 1903 evolved into the Bureau of Fisheries, thence along with the Biological Survey into the Fish and Wildlife Service; thence into the Bureau of Commercial Fisheries, while its sister agency the former Biological Survey became the Bureau of Sport Fisheries and Wildlife, with both Bureaus being arms of the Fish and Wildlife Service. Then in 1970 the Bureau of Commercial Fisheries was renamed the National Marine Fisheries Service and was transferred from the Department of the Interior to the Department of Commerce as part of the latter Department's newly formed National Oceanic and Atmospheric Administration.

Secretary of Commerce Maurice H. Stans in mid-March began selection of a 27-member marine fisheries advisory committee to assist the Department of Commerce and its National Oceanic and Atmospheric Administration and the latter's National Marine Fisheries Service (NMFS). Through 1971, the following West Coast residents had been appointed: Dr. James A. Crutchfield, Associate Professor of Economics, University of Washington, Seattle; Earl E. Engman, Washington Sportsmen's Council and an Advisor of the Pacific Marine Fisheries Commission (PMFC), Tacoma; John D. Isaacs III, Professor of Oceanography, Scripps Institution of Oceanography, La Jolla; Harold E. Lokken, Manager of Fishing Vessel Owners' Association and a Commissioner of PMFC, Seattle; John J. Royal, Secretary-Treasurer, Local 33, Fishermen's Union, International Longshoremen's and Warehousemen's Union, San Pedro; William G. Saletic, Executive Manager, Seiners Association, Seattle; C. Arnholt Smith, President, Westgate-California Corporation, San Diego; Robert M. Thorstenson, President, Petersburg Fisheries and Seward Fisheries, Petersburg; Lowell A. Wakefield, President, Wakefield Fisheries, Port Wakefield; and W. Horace Witherspoon, a conservationist and investigator of oceanic big-game fish, Corona del Mar.

NMFS' research laboratories and vessels were reorganized under four regional Research Centers whose directors report to Washington, D.C., rather than to NMFS' Regional Directors. In 1971, the Northwest Fisheries Center was headed by Dr. Dayton Lee Alverson; the South Atlantic-Gulf Center by Harvey Bullis; the Central Pacific Fisheries Center by Dr. Alan R. Longhurst; and the North Atlantic Center by Dr. Robert L. Edwards.

President Nixon on April 3 signed into law a bill authorizing the Secretary of the Interior, the Coast Guard and other federal, state and interested groups to set standards of marine sanitation equipment and practices aboard recreational as well as commercial vessels. Public hearings were held during June on this matter in San Francisco, Chicago, Miami and New York.

The fire which began on Shell Oil Company's drilling platform in the Gulf of Mexico on December 1, 1970 was finally extinguished on April 12, 1971 at a cost of more than \$43 million, a record for an offshore blaze. On April 26, a spill of 260,000 gallons of diesel oil occurred in inshore marine waters at Anacortes, Washington. Texas Instruments, Inc., of Dallas was awarded a contract to study and report the effects of the spill. The *National Fisherman* (February, 1972, p. 13-c) states that the report described the spill's effect as devastating. The fate of the proposed Alaska pipeline from Prudhoe Bay to Valdes was still undecided and a Canadian route was being proposed as an alternative in 1971. Meanwhile construction of large tankers to transport oil continues.

An unfortunate byproduct of public concern for environmental quality has been undue public apprehension regarding heavy metal contamination of fishery products. Amid continuing debate over appropriateness of existing FDA guidelines for mercury, the 1971 announcement by Great Britain's Minister of Agriculture, Fisheries, and Food is reassuring: "there is no evidence of harm to health from present levels of mercury in food for the average consumer."

The first large-scale experiment-demonstration plant in the United States for the production of fish protein concentrate

(FPC) was dedicated April 17, 1971 at Aberdeen, Washington. The plant can convert 50 tons of raw fish to 6 tons of FPC daily. By year's end 150 tons of FPC had been made, but economic feasibility data were not yet available. It is felt that a product acceptable to the Food and Drug Administration (FDA) can also be made from menhaden and anchovies. NMFS' petition to FDA to amend its code to permit use of anchovies (*Engraulis* sp.) if granted could rekindle interest in FPC, of which the manufacturing and marketing is presently dormant.

## PMFC and Local Events

Dr. John P. Harville succeeded Leon A. Verhoeven as PMFC's Executive Director effective July 1, 1971. In a move to generate more state-level action in the preparation of resolutions, PMFC compressed its annual meeting schedule from 4 to 3 days, and called for advance-in-state meetings to consider proposals for resolutions. PMFC's 1971 annual meeting in Seattle, November 16-18, included a preparatory day of special committee meetings and the annual meeting of the International Groundfish Committee (formerly the International Trawl Fishery Committee).

The National Oceanic and Atmospheric Administration via the Sea Grant Program awarded \$1.1 million to the University of Washington for a new project called NORFISH. The project is an "attempt to develop a total systems analysis of the Pacific fisheries."

The Western Fish Boat Owners Association (WFBOA) formed the American Fishermen's Research Foundation (AFRF) to provide means for initiation of a coastwide albacore research program. According to Robert Insinger, General Manager, WFBOA, the Foundation will be working with the National Marine Fisheries Service and hopefully with Sea Grant. He noted that more needs to be known about this fishery which extends from Canada to Mexico, and therefore in October, 4 jig boats and their skippers departed San Diego to search for and tag albacore. Over 900 albacore or 20% of the catch of these boats were tagged during a 31-day period. A \$5 reward will be paid for each recaptured tagged albacore and then a grand prize will be awarded by drawing from the total recovered tags. Useful information regarding temperature inversions and the presence of albacore was obtained through these studies.

Dr. Lauren Donaldson, Professor of Fisheries, University of Washington was the recipient of two honors: the 1971 Sea Grant National College Award and the Marine Technology Society's Award. He is a leading expert on fish breeding and culture, and the effects of radioactivity on aquatic animals. Clarence F. Pautzke, former Assistant Secretary of the Interior in charge of fisheries, wildlife and parks, and a longtime fishery biologist on the Pacific Coast died in mid-August.

## Pacific Coast Fisheries

Detailed accounts of the status of the albacore, Dungeness crab, trawl, troll salmon, shrimp, and sport salmon and steelhead fisheries are contained in Appendix 1. The following notes provide highlights of developments in Pacific Coast fisheries during 1971.

**Dungeness crab:** The National Marine Fisheries Service on June 23 officially declared Dungeness crabs (*Cancer magister*) creatures of the continental shelf, and therefore the exclusive property of the nation on whose shelf the crabs live.

**Halibut:** The 1971 halibut catch by American and Canadian fishermen in areas managed by the International Pacific Halibut Commission was only 47 million pounds. This was the smallest catch since 1935 and was a decrease from the 54.9 million pounds caught in 1970.

**Shrimp:** The rapidly increasing shrimp fishery in Alaska, principally in the Kodiak area, landed over 94 million pounds of the total 107 million pounds reported for the entire Pacific Coast in 1971. A new Model PCA Laitran shrimp peeling machine has led to striking increases in the processing of pink shrimp (*Pandalus borealis*, *P. jordani*, etc.) in Alaska and elsewhere in the temperate-subarctic marine areas of the northern hemisphere.

**Tuna:** Entry of 67 jig boats into the 1971 yellowfin tuna fishery saw a resurgence of jig gear into the yellowfin fishery where it had been used in the early 1900's before the Japanese introduced live-bait fishing. The 1971 catch of yellowfin tuna within the Inter-American Tropical Tuna Commission's (IATTC) regulatory area was 114,200 tons compared to 142,700 tons in 1970 and was 35,800 tons below the quota of 140,000 tons. However, skipjack tuna landings are increasing both in the United States, and especially in Japan where the traditional pole and line fishery is becoming mechanized. The catch of skipjack in IATTC's convention area exceeded the catch of yellowfin and made the combined catch for those two tunas the best on record.

The Pacific coast albacore catch of about 50 million pounds, exclusive of the Canadian catch, was below 1970's 56 million pounds; but for the 5th consecutive year, the 1971 catch exceeded the previous 2 5-year average of 43 million pounds. The catch off California exceeded that off the Pacific Northwest for the first time since 1964. For further details see "Status of the 1971 Pacific Coast Albacore Fishery" in Appendix 1.

**Salmon** in 1971 as fish were prominent in fishery news. Alaska's 1968 limited entry program for commercial salmon fisheries was declared a violation of that State's constitution by the Alaska Superior Court. Pen-reared, pan-sized salmon from Puget Sound increased interest in aquaculture. Canada began a 5-year program of hatchery construction with the first hatchery at the Capilano River near Vancouver to be ready in 1971 at a cost of nearly \$8 million. Canada's Fisheries Minister Jack Davis spoke out against the proposed Moran Dam on the Fraser River. Donald R. Johnson, Director of the Pacific Northwest Region, NMFS, Seattle, was appointed a U.S. member of the International Pacific Salmon Fisheries Commission, an American-Canadian treaty organization. This is the first time in 32 years that a federal member has been from the Pacific Coast instead of from Washington, D. C.

Canada and the United States agree that salmon and other anadromous species can be most efficiently managed and fully utilized in or near their rivers of origin. Only there have the

fish realized their maximum growth potential and only there have the individual spawning stocks or races begun to segregate into discrete units on which individual management measures can be appropriately applied. On this concept, Canadian and U.S. fishery managers agree with their Soviet counterparts that harvesting salmon on the high seas is a wasteful practice.

However, the United States further believes, where salmon and other anadromous fish stocks of one nation are intermixed with those of a second nation as they pass through the territorial seas or adjacent coastal waters of the second nation, and where these stocks have been historically subjected to fishing by the second nation as it sought to harvest its own stocks, that the management and shared harvests of the intermixed stocks should be subject to negotiations between the nations concerned. For a discussion of this, see "Salmon Harvesting Rules: Bones in Canada-U.S. Fisheries' Throat," by De Witt Gilbert in *National Fisherman Yearbook Issue 1972*.

Progress in the rehabilitation of salmon runs in the Merced, Stanislaus, and Tuolumne tributaries of California's San Joaquin River is encouraging (see "A Salmon River Is Re-Born," *National Fisherman Yearbook Issue 1972*). Other progress of particular note was the dedication of a new, modern fishway at the falls on the Willamette River at Oregon City on October 8, 1971.

The contract for the first fishway at these falls was let in 1885. In 1971, 44,600 spring chinook, 4,480 fall chinook, 17,410 coho, 26,300 winter steelhead and 2,300 summer steelhead were counted ascending the falls via the new fishway. The winter steelhead count was 26,300 from October 1970 through the spring of 1971 when 2,300 steelhead from the introduced summer run began to appear. None of the foregoing counts include jacks. PMFC takes pride in having been a consistent campaigner for funds for construction of the fishway (see Resolutions No. 9 of 1965 and No. 6 of 1966). PMFC's support was made part of the hearing record of the U. S. Senate Committee on Appropriations for fiscal year 1968. PMFC continues to urge improved downstream passage at the falls for juvenile salmonids.

In former years the lower Willamette River was impassable to salmon during the summer due to oxygen deficiency caused by domestic and industrial pollution. Now the river's water quality is better than it was in the 1920's. Increased river flow from Corps of Engineers' reservoirs and curtailment of industrial effluents during normally low flow periods in addition to pollution abatement contribute to the water-quality enhancement program. The "Willamette Greenway," an ambitious project to make this major Columbia River tributary and much of its banks accessible to the public for recreation, is progressing. Most of Oregon's population and industry are concentrated in the Willamette Valley.

Salmon runs along the Pacific Coast in 1971 were good on the average but were generally late in arriving in the fishing areas. The Alaskan catch of all species was slightly below the 20-year mean. The total 1971 Pacific North American canned salmon pack was equivalent to 4,772,251 48-lb. cases, valued at \$207,959,507. The following more detailed notes are arranged by species.

*Red or sockeye* The Bristol Bay red salmon run although 7 to 10 days late in arriving in the fishing areas due to unusually cold spring weather yielded a catch of 9-1 million

fish and an escapement of 6.1 million, approximately. The 21-year mean catch is 8.1 million. The sockeye catches in other parts of Alaska and in British Columbia and the Puget Sound area of Washington were generally good. The first full-scale harvest of Lake Washington's rapidly increasing sockeye population yielded approximately 264,000 from a specially opened area in Puget Sound and 81,000 from the Strait of Juan de Fuca, plus several thousand harvested within the Lake by anglers and a special gillnet fishery permitted the Muckelshoot Indians.

*Pink or humpback* The Alaskan pink salmon catch was 23.3 million fish or 51% of the total Alaskan salmon harvest, and exceeded the 20-year "odd-numbered-year" mean of 20.2 million. The Southeastern Alaska catch was 12.2 million pinks, the largest odd-year harvest since 1965, but slightly below the average 14.5 million for the preceding 20 odd-numbered years. The Prince William Sound pink catch was 7.4 million fish, the best since 1947. The runs to British Columbia's Fraser River and Johnstone Strait streams and to Washington's Puget Sound streams while not large were more than double the predicted poor runs.

*Chum or keta* The runs of chum salmon were highly variable along the entire North American coast. The Yukon River catch of about 290,000 fish was the second best on record, but the Kuskokwim River catch was below normal, while the Kodiak Island area had a 1.5-million catch of chums, and the Prince William Sound catch was above average. Chums in British Columbia and Washington were disappointing.

*Coho or silver and chinook or king salmon* Coho salmon were below normal in Alaska's Kuskokwim River but above average in Prince William Sound and Copper River. In Southeastern Alaska they were up sharply over the two previous very poor seasons. Chinook salmon catches in the Yukon, Kuskokwim and Copper Rivers were above average. For more information on these two salmon which are the main objectives of the troll and sport fisheries, see Appendix 1 of this report. The total sport catch of salmon in the State of Washington in 1971 was estimated to be substantially over 1 million fish. A record State of Oregon sport catch of just over 469,100 salmon and nearly\* 199,000 steelhead trout occurred in 1971.

**Underutilized species:** In regard to anchovy and other underutilized Pacific Coast species California's anchovy fishery for reduction purposes continues to expand. The August 1 to December 31, 1971 catch was about 151 million pounds compared to about 118 million pounds for the similar portion of the 1970-71 season. The total reduction catch for the 1970-71 season which closed May 15, 1971 was 161.5 million pounds. There was no significant U.S. fishery for Pacific hake (*Merluccius productus*) and Alaska pollock (*Theragra chalcogramma*) although pollock are being imported from Japan. In 1968 the Japanese caught 1.47 billion pounds of Alaska pollock in Bering Sea east of 180° longitude plus an additional 14 million pounds in the Northeastern Pacific Ocean. Preliminary data for the 1969 Japanese catches are nearly the same magnitude. In 1970 the Soviets caught 368.6 million pounds of Pacific hake in the Northeastern Pacific Ocean.

## ADMINISTRATION

### Personnel

The following served as Commissioners during 1971:

#### Alaska

Wallace H. Noerenberg, Juneau, Third Vice-Chairman  
 Frank Peratrovich, Klawock (successor to R. L. Ret-  
 «g) \*T. E. Thompson,  
 Petersburg

#### California

G. Ray Arnett, Sacramento, Secretary  
 Harold F. Cary, San Diego Vincent  
 Thomas, San Pedro

#### Idaho

H. Jack Alvord, Pocatello (successor to R. J. Holmes)  
 Joseph C. Greenley, Boise, Second Vice-Chairman  
 (successor to John R. Woodworth)  
 Paul C. Keeton, Lewiston

#### Oregon

John D. Callaghan, Salem • Joseph I. Eoff,  
 Salem, First Vice-Chairman  
 Edward G. Huffschmidt, Portland  
 Allan L. Kelly, Portland (successor to George L.  
 Hibbard)  
 J. Pat Metke, Bend  
 Frank A. Moore, Idlewild Park (successor to John P.  
 Amacher)

A

McKee A. Smith, Portland  
 \*James Whittaker, Pilot Rock

^ ^

#### Washington

Harold E. Lokken, Seattle  
 Ted G. Peterson, Seattle (successor to Dwight S.  
 Hawley) Thor C. Tollefson,  
 Olympia, Chairman

The Advisory Committee functioned under the "ADVISORY COMMITTEE RULES AND PROCEDURE" of November 1971. Its members in keeping with Article X of PMFC's Rules and Regulations were reappointed for 2-year terms beginning January 1, 1971 or were appointed during 1971 for the unexpired remainders of 2-year terms as vacancies occurred. The membership during the year was as follows:

#### Alaska

J. B. Cotant, Ketchikan, Section Chairman  
 Richard I. Eliason, Sitka Ben Engdal,  
 Wrangell  
 Harold Z. Hansen, Juneau (successor to C. A.  
 Weberg)

\*Mr. Thompson for the 1971 annual meeting, delegated his responsibilities to Advisor Ben Engdal. Mr. Eoff delegated his responsibility for representing Oregon as First Vice-Chairman and Member of PMFC's Executive Committee to Dr. T. E. Kruse, Acting Director, Fish Commission of Oregon. Mr. Whittaker likewise delegated his responsibility for representing the Oregon Game Commission to its Director, John W.I. McKean.



Lewis Hasbrouck, Cordova (successor to Charles Wells)

Charles A. Powell, Kodiak

Norman A. Riddell, Juneau

### California

Earl Carpenter, Bodega Bay (successor to Charles V. Williams)

Charles R. Carry, Terminal Island Clifton D. Day, San Francisco Peter T. Fletcher, Rancho Santa Fe

John P. Gilchrist, San Francisco Robert Hetzler, Terminal Island (successor to

Anthony Nizetich) Paul McKeehan, Santa Clara, Section Chairman

### Idaho

John Eaton, Cascade

Jack Hemingway, Sun Valley (successor to Glenn Stanger) Robert G. Kalb, Sandpoint, Section Chairman

### Oregon

H. C. Buckingham, Newport

David B. Charlton, Portland, Section Chairman

Charles S. Collins, Roseburg

Harold C. Gramson, Warrenton, deceased, June 19, 1971

J. F. Hoagland, Astoria Arthur

Paquet, Astoria Phillip W.

Schneider, Portland

### Washington\*\*

Jim Bolin, Seattle, Deputy Chairman, deceased July 13, 1971

Earl E. Engman, Tacoma, Over-all Chairman

Warren H. Johnson, Arlington Nick Mladinich,

Tacoma Bjarne Nilsen, Westport Jesse Orme,

Seattle John N. Plancich, Anacortes D. E.

Reinhardt (successor to Jim Bolin)

Alternates were approved for those members who were unable to attend the annual meeting. These alternates serve only during the designated meeting.\*

The permanent staff comprised:

Leon A. Verhoeven, Executive Director to June 30 Dr.

John P. Harville, Executive Director effective July 1

Gerald L. Fisher, Treasurer Mrs. Evelyn Korn, Office Secretary

They were assisted for short periods by: Alphonse

Kemmerich, Consultant Leon A. Verhoeven,

Consultant, effective August 15, 1971

Temporary clerical employees were utilized as needed.

## Conferences and Meetings

The Executive Director represented the Pacific Marine Fisheries Commission at the following meetings and conferences in 1971:

American Fisheries Society, Oregon Chapter, Corvallis, February 12-13; Portland, April 12;

North American Wildlife and Natural Resources Conference, Portland, March 7-10;

Pacific Fishery Biologists, Gearhart, Oregon, March 24-26;

U.S. House of Representatives Committee on Merchant Marine and Fisheries hearing on problems of United States fisheries and their offshore conservation, (prepared statement) Seattle, April 14;

National Marine Fisheries Service *ad hoc* Committee on Surveillance (of foreign fishing), Seattle, April 15 and November 30;

Dedication of fish protein concentrate plant, Aberdeen, Washington, April 17;

Columbia River Fishermen's Protective Union (Hell's Canyon, Snake River and estuary problems), Portland, April 28;

Pacific Northwest River Basins Commission, Seattle, June 9-10; Cody, Wyoming, September 8; Portland, December 2-3;

International Trawl Committee's Technical Subcommittee; Vancouver, B. C., June 12-18;

California Advisory Commission on Marine and Coastal Resources, Sacramento, August 20; San Francisco, September 28; San Diego, November 19-20;

U.S. Senate Committee on Interior and Insular Affairs, Subcommittee on Parks and Recreation, (prepared statement) Washington, D. C., September 16-17;

Willamette Falls Fishway dedication, West Linn, Oregon, , October 7;

Fourth Governor's Conservation Congress (a national discussion forum on marine fisheries resources), Portland, December 13-15.

## Administrative and Service Activities

**Executive Committee Actions:** The Committee met in Portland on April 26 to interview three final candidates for the position of Executive Director. Dr. John P. Harville was selected to succeed Leon A. Verhoeven, effective July 1.

The Committee met again in Portland on July 14 and took the following significant actions:

1. Approved plans for 1971 annual meeting at the Washington Plaza Hotel, Seattle, including the following details:

- a. Scheduled a 3-step review of proposals for resolutions 1) 45 days before annual meeting, each State's Executive Committee member, assisted by representa-

tives from the State's advisory committee, will screen all proposals originating within the State, and forward approved proposals to PMFC's office prior to the 30-day deadline;

- 2) within the 3 weeks prior to the annual meeting, each state section (composed of Advisors, Commissioners and Scientific Staff) will review all proposals and develop comments on each;
  - 3) at annual meeting Advisory Committee and Scientific Staff will conduct final reviews of all proposals and comments, and will make recommendations to the Commission on each proposal;
- b. Shortened annual meeting to 2VI days (Tuesday, November 16 through Thursday, the 18th)
- c. Reviewed and selected panel topics for annual meeting
- 1) Indian fishing problem (review and analysis)
  - 2) State-Federal coordination in research and management of fishery resources
  - 3) Deferred panel on Limited Entry, since Fourth Governor's Conservation Congress in December would discuss the subject in detail
2. Reinstated newsletter as a communication mechanism
  3. Approved the 1971 operating budget and the budget for the July 1971-June 1973 biennium as amended, obligating all available funds for the biennium
  4. Increased per diem to \$25; mileage for personal cars to 9¢ per mile; and PMFC's contributions for health plan to \$10 per month per full-time employee
  5. Approved revised rules and regulations (see Appendix 3 for text)
  6. Attended to reappointment of Advisors and to appointment of new or replacement Advisors
  7. Deferred action regarding troll salmon fishery, nitrogen supersaturation in Columbia and Snake River, Danish high-seas fishing of Atlantic salmon, USC data bank, oil pollution problems relative to the Alaskan pipeline, and PMFC's participation in Pacific Northwest River Basins Commission
  8. Endorsed present procedure for distributing resolutions
  - 9- Discontinued maintenance in PMFC's office of a "Meeting Register" which had been instituted in response to Resolution 16 of 1963.

The Executive Committee met a third time in 1971 in Seattle on November 16 and took the following actions:

1. Approved minutes of July 14 meeting, and agenda and arrangements for the Annual Meeting;
2. Authorized consideration by the Advisory Committee and Scientific Staff of emergency proposals for Resolutions Nos. 8 (Marine Mammals Management) and 9 (Immediate Reimbursement of Fines for Unlawful Vessel Seizure by Foreign Nations);

3. Recommended to the Commission: Ben Engdal as alternate for Commissioner T. E. Thompson, and new or alternate Advisors;
4. Revised Sections II, III and X of PMFC's Rules and Regulations and discussed the role of the PMFC Coordinator (Section XI);
- 5- Approved revision of Advisory Committee Rules and Operating Procedures;
6. Increased Consultant fee to \$50 per day;
7. Reviewed reports of the Executive Director and Treasurer;
8. Nominated members to the Executive Committee for 1972;
9. Recommended to the Commission for its 1972 Annual Meeting the Cosmo Airtel, Portland, November 14 through 16.

#### **PMFC Standing Committees and Working Groups: The**

Executive Director on February 4 in Portland convened the annual meeting to coordinate allocating and recording salmon and steelhead fin-marks for Pacific Coast fishery agencies. Requests and information from agencies that could not send representatives were considered. Subsequently, PMFC's office distributed a 57-page 1971 Mark List, and during the remainder of the year distributed 3 correction memoranda regarding additions and revisions to the List.

The Salmon-Steelhead and Groundfish Committees of PMFC's Scientific Staff met independently in Portland on March 22-23. Spring meetings of the Albacore and Shellfish Committees were considered unnecessary for 1971.

The Coordinators, Research Directors and their assistants met May 12-13 in Portland, with Donald E. Kauffman of Washington as chairman, to consider recommendations from the Salmon-Steelhead and Groundfish Committees and other matters of mutual concern to the scientists of PMFC member agencies, and took the following actions:

#### 1., Concerning Salmon-Steelhead:

- a. Approved asking Mark Recovery Center, which is administered by Fish Commission of Oregon and financed cooperatively with other west coast agencies, to include coded-wire tag data as part of its functions;
- b. Recommended that requests for fin-mark allocations be in conformance with the general principles developed in Executive Director's letter of February 23, 1971, and that reports on marking experiments be encouraged and exchanged among the various agencies within one year of an experiment's completion;
- c. Agreed that it was desirable that NMFS take over and reactivate the statistical program of the Pacific Salmon Interagency Council (NMFS subsequently agreed to do so, provided PMFC coordinate collection of data from the participating agencies);
- d. Recommended that the Executive Director work with Coordinators and Research Directors to consolidate structures and functions of overlapping committees concerned with salmon and steelhead;

- e. Recommended development of procedure whereby PMFC funding for travel could help support such programs as negotiations between the United States and Canada in regard to mutual salmon problems;
  - f. Recommended clarification of State, PMFC, and Federal roles in United States-Canada negotiations and in other negotiations;
  - g. Agreed that the three reports on the salmon troll fishery, which were presented at the 1970 annual meeting, should be published in that year's annual report.
2. Concerning Groundfish (trawl or bottomfish):
    - a. Recommended to Executive Committee that PMFC's financial support of the otolith-reading technician on the federal-state unit at NMFS's Seattle laboratory be continued through June 30, 1973;
    - b. Endorsed Groundfish Committee's request for permission to meet in Seattle at PMFC's expense the day before the 1971 annual PMFC meeting, for purposes of establishing uniform procedures for collecting and recording trawl effort data;
    - c. Recommended that each coastal state send a technical advisor to the INPFC Biology Committee meetings in Anchorage, Alaska in October (in light of the impact of foreign fishing fleets on the resource).
  3. Concerning PMFC's Bulletin series, suggested establishment of formal guidelines to be considered to guide selection and refereeing of papers;
  4. Concerning albacore tuna, concluded that establishment of an albacore section to PMFC's Data Series was unnecessary at this time;
  5. Concerning Dungeness crab, recommended inclusion of Tegelberg's shell-condition paper in the 1970 annual report;
  6. Concerning the 1971 annual PMFC meeting: suggested panel topics and rescheduling of panels, special reports, voting on proposals, and other business; and approved existing assignments for preparation of fishing status reports;
  7. Recommended review by state agencies of relationships between research and management with respect to PMFC's meetings and activities.

**Special Committee Responsibilities and Service Activities:**

The Executive Director serves as liaison officer for the United States Section of the Trawl Fishery Committee of the Conference on Coordination of Fishery Regulations Between the United States and Canada. He attended the 12th annual meeting of the Committee's Technical Subcommittee in Vancouver, B. C., June 16-18 and participated in the 13th annual meeting of the Committee, which was held in conjunction with PMFC's annual meeting in Seattle, November 17, 1971. The words trawl fishery in the Committee's name have been changed to groundfish, and the scope of the Committee's concern has been broadened to include pot and longline harvesting of groundfish, with the exception of halibut.

The Executive Director prepared a written statement and made a verbal presentation for PMFC at the hearing on fisheries problems and offshore conservation held by the House of Representatives' Committee on Merchant Marine and Fisheries in Seattle, April 14. This hearing was held at the request of Representative Pelly of Washington to permit an expression of views regarding a wide range of fisheries problems in the Pacific Northwest. PMFC's testimony supported the need for effective surveillance of offshore foreign fishing, and quoted Resolution 13 which calls for greater authority by coastal nations over the fishery resources adjacent to their coasts. Testimony also cited other PMFC 1970 resolutions concerning nitrogen supersaturation (No. 10) and the Peripheral Canal in California (No. 7).

The Executive Director prepared a written statement for PMFC for transmittal to Congressman Glenn Anderson of California in support of national legislation to control ocean dumping. PMFC's letter endorsed the general principles of the legislation proposed, but stressed the importance of cooperative action between coastal states and the federal government in the management of ocean affairs. Congressman Anderson thanked PMFC for "support for bringing about an effective measure." He cited H. R. 9727, cosponsored by Anderson and McCloskey of California, Pelly of Washington and 21 other Congressmen, as an "accomplishment of our objectives and the strongest possible legislation we could hope for." The bill would establish the Marine Protection, Research and Sanctuaries Act of 1971, to regulate all transportation and dumping of materials: a) into oceans and coastal waters within U.S. jurisdiction; b) from the U.S. into oceans anywhere; c) by U.S. agencies or instrumentalities. The Act would provide for related oceanic monitoring and research, and for establishment of marine sanctuaries where no dumping would be permitted.

The Executive Director prepared a written statement for PMFC in favor of a Hells Canyon-Snake National River bill and delivered a verbal presentation at the hearings of the Parks and Recreation Subcommittee of the Senate Committee on Interior and Insular Affairs in Washington, D. C., September 16. PMFC's testimony stressed contributions of the Middle Snake River to the Columbia system's anadromous fisheries; the recreational values of the intrinsic fisheries of the Hells Canyon area, and the obvious alternatives that exist to further damming of the Snake for hydroelectric purposes. Most testimony at the hearings concerned ultimate use of water, with irrigation and reclamation interests opposed to the Hells Canyon-Snake National River bill as a threat to their demands for water diversion for irrigation purposes. The bill was strongly supported by recreation and conservation groups. PMFC's testimony was the only commentary primarily fisheries oriented.

The Executive Director maintained correspondence with national leaders in support of PMFC's Resolution No. 10 to seek alleviation of the nitrogen supersaturation problem. Congressman Pelly and Senators Hatfield, Packwood, and Church have taken strong supportive positions, calling for immediate action by the federal government. The Executive Director also has attended a series of joint public hearings held August 6, 20 and 24 by the Fish Commission of Oregon and the Washington Department of Fisheries to review the status of Columbia River salmon and steelhead runs.

The Executive Director met with Dr. Ernest Salo and Ed Holmberg of the Fisheries Research Institute, University of Washington, and Harvey Moore of NMFS, to expedite completion of Phase 2 of the Salmon Compendium project, which phase covers salmon literature from 1960 through 1964.

Executive Director John Harville, with the approval of the Executive Committee, met with agency scientists, PMFC advisors, and representatives of the fishing industry when the opportunity afforded, in order to become familiar as quickly as possible with fisheries matters and personnel in the compact states. For reasons of time and financial economy, these meetings were concentrated in California and Oregon during 1971. They have been highly productive, and will be expanded as time and funds permit to the other compact states. Major meetings have included the following:

- Humboldt Bay Fisheries Association, Eureka, Calif., May 31
- Humboldt State College-California Fish and Game Sea Grant salmon project, Eureka, May 31
- California Department of Fish and Game scientific staff, Long Beach, June 15; Sacramento, July 6; Menlo Park, July 26
- Washington fishing industry meeting with NMFS' officials, Seattle, June 22
- Oregon section of PMFC's Advisory Committee, Portland, July 28 and September 14
- Fish Commission of Oregon scientific staff, Newport, August 30; Portland, July 19, August 16, and October 18
- Washington section of PMFC's Advisory Committee, Seattle, November 6.

The Executive Director continued to serve as one of the two United States members of the Informal Committee on Chinook and Coho. The Canadian and American Scientists of the Committee's Technical Working Group communicated frequently, exchanged data, met twice during the year, and compiled information for the parent Committee. The Committee did not meet officially during the year but its members attended the United States-Canada Consultations on Salmon Problems of Mutual Concern which were held March 30-April 1 in Vancouver, B. C., and June 17-18 in Seattle. The Consultations are a requirement of the "Agreement Between the Government of the United States of America and the Government of Canada on Reciprocal Fishing Privileges in Certain Areas off Their Coasts" which was signed April 24, 1970. The Committee presented a report at the June Consultations and has been instructed to continue its Chinook and coho work.

**Publications in 1971:** The 22nd Annual Report for the Year 1969 was distributed in September 1971. Newsletters 14 and 15 were published in August and October respectively. The 1971 Salmon and Steelhead Mark List was issued in February (57 p.), and three supplemental correction memos were mailed (March, April, July). Revised and supplemental pages providing 1970 catch statistics for the Dungeness Crab and Shrimp and the Bottom or Trawl Fish Sections of PMFC's Data Series were distributed to holders of copies of the Sections.

## COMMISSION ACTIONS

### Action on 1970 Resolutions

Copies of the 1970 resolutions were sent to all attendants of the Annual Meeting in Palo Alto, as part of the minutes of the meeting. In addition copies of each resolution were mailed or distributed via an explanatory or supporting letter to specific addressees as directed or deemed pertinent. Newsletter 14 of August 1971 summarized the actions taken on those resolutions of most general interest. The following in numerical order is a summary of the actions taken on and the comments received on each of the 16 resolutions of 1970. Numbers 6, 9, 14, 15 and 16 are omitted as they were the numbers assigned to proposals that failed to be adopted as resolutions.

**Resolution 1, In Memory of Charles F. Henne:** Charles' brother and sister were each sent a copy of the resolution and were told that a moment of silence in memory of Charles had been held at the annual meeting.

**Resolution 2, 30-Day Deadline for Submission of Proposals:** This resolution was implemented by initiation of the following schedule for 1971:

October 1 — All new proposals must be in the hands of the PMFC Executive Committee member or designated Coordinator of the originating State for screening and approval;

October 15 — All screened proposals due in PMFC's office;

October 22 to November 15 — Each State Review Committee (PMFC Commissioners, Advisors and agency scientists) reviews proposals from all States and develops positions and alternatives in preparation for inter-state discussion when proposals are considered by PMFC at annual meeting.

**Resolution 3, Salmon Compendium:** A copy of the resolution was sent to the Director of the National Marine Fisheries Service. The Director replied that the Service agrees "that the Salmon Compendium' is valuable to the proper management of the anadromous fisheries of the west coast and the United States," and is "aware of the desirability for the Compendium to be continued on a current basis," but because of increasing budget restriction it would be impossible for the Service to provide funds in the near future for continuation of the Compendium. As an alternative, the Service's Director suggested that the Pacific Salmon Inter-Agency Council might wish to submit a formal project proposal under the Anadromous Fish Act (P.L. 89-304) as amended.

This information was relayed to the directors of PMFC's member agencies which agencies are represented on PMFC's Executive Committee and also the presently inactive Pacific Salmon Inter-Agency Council. Nothing further has developed in regard to continuation of the Compendium on a current basis (Phase 3). Phase 2, compilation of salmon literature of the period 1960 through 1964 which was funded by an Anadromous Fish Act project agreement between the Pacific Salmon Inter-Agency Council and the National Marine Fisheries Service has been completed except for microfiche reproduction and notification of interested parties that microfiche card sets of Phase 2 will be available for purchase.

**Resolution 4, Uniform Opening for Dungeness Crab Fishery:** This was directed primarily at correlating the crab season for northern California, Oregon and Washington. California's Governor Reagan noted in response to the resolution that he believed on the basis of information received, "that present and proposed dates on which the crab season might open will have no significant effect on the well-being of the resource, but does affect the economics of the fishery." He further noted that the resolution would be taken into consideration if and when the industry or the California Department of Fish and Game saw fit to propose changes to existing regulations.

PMFC's Executive Director, when reporting on the action taken on this resolution stated, "It would appear that if this resolution is to be submitted again, three elements would improve it:

- a. establishment of biological and optimal management premises (if these exist);
- b. strengthened and documented economic arguments;
- c. consensus within the industry that proposed changes are advantageous (in order to avoid the minority report which weakened the PMFC position in 1970)."

**Resolution 5, Information Retrieval System for Reports on Projects Partially Financed by Federal Acts:** The Director of the National Marine Fisheries Service replied to the resolution that the Service was presently unable to provide funds for the proposed retrieval system, but fortunately many state agencies have seen fit to report on their projects by publication in scientific journals. By this means the results have been made widely available. There is no further action to report on this resolution except that Oregon State University has expressed interest in establishing a retrieval system.

**Resolution 7, Delta Facilities of the California Water Plan:** The Bureau of Reclamation replied that the resolution was compatible with the Bureau's findings regarding the proposed peripheral canal project, and that the Bureau was grateful for PMFC's support. PMFC's Executive Director at the Congressional hearing on April 14 called attention to Resolution 7. In late 1972, the Department of the Interior was reviewing its environmental impact report, Congressional authorization for federal participation in the canal project was pending, and water rights were being questioned in court.

**Resolution 8, In Memory of Harry F. Linse:** A copy of the resolution was sent Mrs. Linse and family via a letter of sympathy.

**Resolution 10, Urge Corps of Engineers and Public Utility Districts to Take Necessary Steps to Reduce Nitrogen Supersaturation Levels in Snake and Columbia Rivers:** PMFC's Executive Director at the April 14 Congressional hearing also called attention to this resolution. Senator Packwood, Governors McCall, Andrus, and Evans have been active in seeking correction of this problem. The Corps of Engineers is installing slotted bulkheads in skeleton bays at Little Goose and Lower Monumental Dams on the Snake River; ultimate planned cost is \$8 million. The Corps also is testing models of spillways and gates and is studying other procedures for allevi-

ation of the problem. President Nixon added \$12.2 million to his FY 1972 budget for slotted bulkheads on three lower Snake River dams. NMFS in April 1971 began experimental trapping of downstream migrants at Little Goose Dam for transport and release below Bonneville Dam to bypass the more seriously affected section of the river.

**Resolution 11, Oppose Construction of Asotin Dam, Snake River:** The Corps of Engineers in response to the resolution supplied a "Fact Sheet," which indicated the Corps still feels the dam is desirable and needed, but in view of uncertainties surrounding development of the Middle Snake, no planning was being done on the Asotin project and no funds for it were included in the President's Budget for FY 1972.

**Resolution 12, Moratorium on Dam Construction, Middle Snake River:** The Federal Power Commission's examiner has recommended licensing of Low Mountain Sheep and Pleasant Valley Dams. Both are in the moratorium area but are upstream from the valuable Salmon and Imnaha Rivers. A bill, S. 488, by Senators Jordan and Church on June 28, 1971 passed the Senate. It would provide a moratorium to September 30, 1978 only instead of a 10-year period as requested in PMFC's resolution. At the close of 1971, S. 488 was still with the House of Representatives' Committee on Interstate and Foreign Commerce, awaiting assignment to subcommittee.

On February 10, 1971 Senator Packwood and Congressman Saylor reintroduced Hells Canyon-Snake National River bills (S. 717 and H. R. 4249). These bills would remove permanently the threat of more dams on the Middle Snake River. The Subcommittee on Parks and Recreation of the Senate Committee on Interior and Insular Affairs held hearings on S. 717 in Washington, D. C. on September 16 and 17. PMFC's Executive Director testified before the Subcommittee and presented a written statement in support of S. 717. On November 6, the Sport Fishing Institute adopted a resolution urging the Federal Government to support and Congress to pass the Hells Canyon-Snake National River Bill.

For PMFC's continuing action in 1971 to safeguard the fishery resources of this river area, see Resolution No. 4, Establish Minimum Flows for Fisheries — Snake and Columbia Rivers which is presented herein on page 14 under the heading "1971 Resolutions."

**Resolution 13, Extend Fishery Jurisdiction of the United States:** Thanks to the combined efforts of Senators Hatfield and Packwood and Congressmen Dellenback and Wyatt, Congress authorized a new \$2.5 million Coast Guard air station at North Bend, Oregon. This station on Coos Bay will increase the Coast Guard's surveillance and search and rescue capabilities off southern Oregon and northern California.

There were numerous other bills introduced in the 1st Session of the 92nd Congress related to extended fishery jurisdiction, straight base-line method for establishing boundaries of fishery zones, prohibition of high seas fishing for Atlantic salmon, fishing industry representation on the United States delegation to the 1973 United Nations Law of the Sea Conference, amendment of the Fishermen's Protective Act of 1967 (regarding illegal seizures of U. S. tuna vessels), etc.

On April 14 Congressmen Pelly and Leggett of the House

Committee on Merchant Marine and Fisheries held a hearing, in Seattle accompanied by Congressmen Don Clausen and Hicks, on fisheries and offshore conservation. PMFC's Executive Director testified at the hearing and presented a written statement stressing the need for increased surveillance of foreign fishing, for increased conservation authority by coastal nations over fishery resources off their coasts, and for prohibition of high seas salmon fishing. The National Federation of Fishermen at its meeting in June in San Francisco recommended that three categories of fishes be recognized at the forthcoming Conference on Law of the Sea, and that these categories be managed separately: 1. Coastal species, 2. Anadromous species, and 3. High Seas species. For continuing action, see PMFC's Resolution No. 1, In Support of Fisheries Management by Coastal, Anadromous, High Seas Groupings, on page 13.

**Resolution 17, Trial Regulation of the Troll Fishery to Reduce the Catch of Coho Shakers:** Advisory Committee members from California filed a minority report at the 1970 annual meeting, in opposition to the resolution. Subsequently California indicated that the resolution should not be sent to its Legislature, which has responsibility for state laws regulating commercial fisheries, pending further study of the fishery.

The California Department of Fish and Game in 1971, in cooperation with Humboldt State College, began tagging legal and sublegal (shaker) size cohos off Northern California in order to study growth and migrations of cohos as basis for possible changes in the troll fishing season. Also included was a study of techniques that might allow selective fishing for chinooks without catching cohos. The tagging program is funded partially by Sea Grant money. A Sea Grant review board in May 1971 designated this a pilot program, with expansion of tagging effort required to provide a strong statistical base, and a 3-state tag recovery effort needed for ultimate success. Investigation of the many facets of coordinated management of the troll salmon fishery is being continued by PMFC's member States.

**Resolution 18, Commendation to State of California and Its sFJsh and Game Commission:** Copies of this resolution, via letters of thanks, were sent to Governor Reagan of California and to United Cannery and Industrial Workers of the Pacific (Terminal Island); Star-Kist Foods, Inc.; California Wildlife Federation; Fishermen and Allied Workers Division, Local 33, I.L.W.U.; Del Monte Corporation; American Tuna-boat Association; Tuna Research Foundation; California Seafood Institute; Washington Fish and Oyster Company of California; Fishermen's Wharf Merchants Association, Inc. (San Francisco); Salmon Unlimited; Westgate-California Food, Inc.; Bumble Bee Seafoods, Inc.; and California Fish and Game Commission.

**Resolution 19, In Memory of Wilbert M. Chapman: A** copy of the resolution was sent via a letter of condolence to Mrs. Chapman and family.

**Resolution 20, In Memory of Milner B. Schaefer:** A copy of the resolution was sent via a letter of condolence to Mrs. Schaefer.

**Resolution 21, Appreciation and Thanks to leon Verhoeven:** A copy of the resolution was given Leon. He has been retained as a Consultant and Special Assistant to the Executive Director with particular concern for editing Commission publications.

## General Actions at the 1971 Annual Meeting

The 24th annual meeting of the Commission was held in Seattle, Washington on November 17 and 18, and was preceded by ancillary committee meetings on the 16th. The Commission took the following actions at the meeting:

1. Accepted the delegation to Dr. T. E. Kruse by Joseph I. Eoff of his responsibility for representing Oregon on PMFC and on its Executive Committee;
2. Confirmed the appointment of Ben Engdal as an alternate for Commissioner T. E. Thompson (Alaska) for the meeting, and welcomed new Commissioners H. Jack Alvord (Idaho), Joseph C. Greenley (Idaho), Frank A. Moore (Oregon), Frank Peratrovich (Alaska), and Ted G. Peterson (Washington);
3. Confirmed appointments to the Advisory Committee of Harold Hansen and Lewis Hasbrouck of Alaska, Earl Carpenter and Robert Hetzler of California, Jack Hemingway of Idaho, and Don E. Reinhardt of Washington; Approved as alternates for three Advisors who could not attend the meeting: Adam Greenwald for J. B. Cotant, Ed Johnson for Norman A. Riddell, and Moss Ballo for Clifton D. Day;
4. Reviewed and approved actions by the Executive Committee since the 1970 annual meeting;
5. Received and approved reports by the Executive Director and Treasurer; (The financial report for the year 1971 is presented on pages 15-16 of this report.)
6. Distributed written annual status reports on albacore, Dungeness crab, salmon commercial troll, salmon and steelhead sport, shrimp, and trawl fisheries; (Verbal summaries were omitted to free time for discussion of other subjects at the meeting. These fishery status reports, updated through December 31, are printed in Appendix 1.)
7. Participated in a panel presentation of the Indian Fishing Problem, organized and moderated by Carl N. Crouse, Director, Washington Game Department. Panelists were:  
Wallace H. Noerenberg, Commissioner,  
Alaska Department of Fish and Game  
Larry Coniff, Assistant Attorney General,  
State of Washington  
Jack E. Tanner, Attorney and frequent representative for  
Indian groups, Tacoma, Washington.  
See Appendix 2 — Panel Summaries for information from this panel.
8. Participated in a panel presentation of State-Federal Coordination in Research and Management of Fishery Stocks, moderated by Dr. William F. Royce, Professor of Fisheries, University of Washington. Panelists were:

Robert W. Schoning, Deputy Director,  
National Marine Fisheries Service, Washington, D.C.

Dr. Dayton L. Alverson, Acting Director,  
North Pacific Fisheries Center, National  
Marine Fisheries Service, Seattle

Ed J. Huizer, Deputy Commissioner,  
Alaska Department of Fish and Game, Juneau

Walter Yonker, Executive Vice-President,  
National Cannery Association, Seattle

Harold E. Lokken, Manager, Fishing  
Vessel Owners Association, Seattle

See Appendix 2 — Panel Summaries for information from  
this panel.

## 1971 Resolutions

The Advisory Committee and Scientific Staff at the annual meeting conducted final reviews and made recommendations to the Commission on each of nine proposals before it. The Commission adopted as resolutions seven of the proposals; rejected proposal no. 3, "United States Food and Drug Administration Investigations of Heavy Metals in Foods"; and tabled proposal No. 5, "Changes in Ocean Troll Fishery Regulations to Increase Fishing Opportunity and Yields from Chinook Salmon Stocks." The following are text and record of voting on each of the resolutions:

### 1. In Support of Fisheries Management by Coastal, Anadromous, High Seas Groupings

WHEREAS, an International Conference on the Law of the Sea is scheduled to be held in 1973; and

WHEREAS, any agreement reached" by the Conference will have a deep and profound influence on American fisheries for generations to come; and

WHEREAS, the preliminary proposals by the United States offer little or no protection for American fisheries; and

WHEREAS, our coastal fishery resources are being depleted, due largely to effect of foreign fishing conducted without regard to sound conservation principles; and

WHEREAS, conservation is urgently needed, both to maintain our fishery resources on a sustainable yield basis and to secure our economic future in the fisheries;

NOW BE IT THEREFORE RESOLVED, that the Pacific Marine Fisheries Commission urge the United States Government to adopt the following proposals as its objective in the coming conference:

*Coastal Species* — Fish and shellfish resources which live on or above the continental shelf and slope and/or in the waters above the shelf and slope for reproduction and/or survival during the major part of their lives shall belong to the country off whose coast the continental shelf and slope occurs.

*Anadromous Species* — Anadromous fish shall be the property of and subject to control by the coastal state of origin. Where anadromous fish are harvestable in the territorial waters and contiguous fishery zone of a country other than the country

of origin, the nations involved shall work out harvesting rules consistent with adequate conservation principles and with due regard to the right of each nation to its proper share of the allowable catch.

*High Seas Species* — All species of fish of oceanic origin and habitat shall not be subject to control by the coastal nation. The conservation and management of such species shall be the responsibility of multi-national control to be exercised jointly by the harvesting countries including countries whose coasts border the waters frequented by such species.

*Underharvested Species* — Where stocks of fish are underharvested by the coastal nations to which they belong, provision shall be made by the coastal state for harvesting by other nations where such harvesting would not be unduly harmful to the conservation of other species in the area of harvest. Such harvesting shall be conducted under appropriate nondiscriminatory conservation rules promulgated by the controlling countries who shall be entitled to charge non-punitive fees of those engaged in the harvesting.

BE IT FURTHER RESOLVED, that the United States Department of State be requested to include on its official delegation at the coming Conference, including preliminary meetings, adequate representation from the United States fishing industry; and

BE IT LASTLY RESOLVED, that copies of this resolution be forwarded to the President of the United States, the Secretaries of State, Interior, Commerce, and Defense, to members of the House Merchant Marine and Fisheries Committee, to members of the Senate Committee on Commerce, to members of the Senate Committee on Foreign Affairs and to the Governors of all coastal States of the United States.

Adopted unanimously by the five Compact States of  
Alaska, California, Idaho, Oregon, and Washington

### 2. Opposition to Certain Federal Documents Provisionally Delimiting the Territorial Sea, Contiguous Zone, and Certain Internal Waters of the United States

•WHEREAS, in early 1971 the federal Government caused to be issued documents purported to delimit provisionally the territorial sea, contiguous zone, and certain internal waters of the United States; and

WHEREAS, these documents or charts were prepared by an interdepartmental committee of federal officials without holding any public hearings or obtaining any input from the several affected States; and

WHEREAS, some waters previously defined as internal waters of the State of Alaska are now provisionally defined as contiguous zone waters or high seas waters in which foreign fishing may be conducted; and

WHEREAS, the State of Alaska since statehood and the federal Government in prior years have managed and protected the fisheries resources in these waters for the benefit of their citizens; and

WHEREAS, these documents have been distributed to certain foreign Governments; and

WHEREAS, the United States Coast Guard in Alaska is

under orders to use these charts as a guide for units assigned law enforcement missions, to aid in the determination of jurisdiction in the coastal waters of Alaska; and

WHEREAS, the United States Government needs to protect the historic internal waters of the State against foreign fishing encroachment because of the existence of these documents;

NOW BE IT THEREFORE RESOLVED, that the Pacific Marine Fisheries Commission respectfully requests the President of the United States to order that these documents be withdrawn from public and foreign distribution and that they be disregarded for all purposes in determining the delineation of the internal waters, territorial sea or contiguous zone of Alaska; thereby allowing public authorities to proceed in the enforcement of the laws according to previously established practices; and

BE IT FURTHER RESOLVED, that public hearings by an impartial body in the affected States be held to consider establishment of lines delineating territorial, internal, contiguous, and international waters using an appropriate legal basis.

Adopted unanimously by the five Compact States

#### **4. Establish Minimum Flows for Fisheries — Snake and Columbia Rivers**

WHEREAS, the Snake River and tributaries are major contributors to Columbia River anadromous fish runs; and

WHEREAS, the Snake and Columbia River anadromous fish runs are of international significance and contribute significant socio-economic benefits to the States of Idaho, Oregon, Washington, other coastal States and the Province of British Columbia; and

WHEREAS, the Columbia and Snake\* River salmon and steelhead runs are totally dependent upon adequate minimum flows for upstream and downstream migrations, spawning, hatching and rearing; and

WHEREAS, minimum flows are directly affected by river regulation for power and flood control and by upstream depletion"

NOW BE IT THEREFORE RESOLVED, that the Pacific Marine Fisheries Commission goes on record as urging all Federal, State, and regional water planning, development and regulating agencies to establish minimum flows for fisheries on the Columbia and Snake Rivers; and

BE IT FURTHER RESOLVED, that in ongoing and future planning efforts the necessary studies to determine desirable minimum and optimum flows for fisheries be given equal priority with studies of other water uses; and

BE IT FURTHER RESOLVED, that copies of this resolution be sent to all federal water planning, development and regulatory agencies, the Water Resources Boards of Idaho, Oregon and Washington, the Governors of the States of Idaho, Oregon and Washington, to members of appropriate Congressional Committees, and the Congressional Delegation from member States of the Pacific Marine Fisheries Commission.

Adopted unanimously by the five Compact States

#### **6. Recommend Easing of Alien Fishing Act Provisions in Relation to Boundary Trespass by Canadian Fishermen in the Strait of Juan de Fuca**

WHEREAS, fishermen from Canada and the United States fish in the Strait of Juan de Fuca on co-mingled stocks; and

WHEREAS, fishermen of both countries fishing close to the international boundary may inadvertently cross over the line; and

WHEREAS, fines imposed under Public Act #88-308 may be excessive, considering the nature of the violation; and

WHEREAS, impositions of such fines may lead to the degradation of relations between the two countries;

NOW BE IT THEREFORE RESOLVED, that we respectfully petition appropriate committees of Congress to study possible amendment of Public Act #88-308 to ease boundary trespass penalty upon Canadian fishermen from the provisions of this law in the Strait of Juan de Fuca; and

BE IT FURTHER RESOLVED, that the proper committees in Congress be advised of this resolution;

BE IT FINALLY RESOLVED, that upon adoption of this resolution by the Pacific Marine Fisheries Commission, this resolution be forwarded to the President of the United States, Department of State, Department of the Interior, National Oceanic and Atmospheric Administration, Members of the Merchant Marine and Fisheries Committee of the House of Representatives and Members of the Committee on Commerce of the Senate.

Adopted unanimously by the five Compact States

#### **7. In Support of Strengthening Troll Salmon Enforcement Procedures**

WHEREAS, there is a serious problem of enforcement of pre-season fishing violations in the troll salmon fishery; and

WHEREAS, this creates hardship and bitterness in law abiding fishermen; and

WHEREAS, this causes unnecessary problems in price negotiations; and

WHEREAS, harmony is desired within the industry;

NOW BE IT THEREFORE RESOLVED, that the Pacific Marine Fisheries Commission recommends that the fishery agencies of Oregon and Washington give consideration to strengthening enforcement provisions in the troll salmon fishery and to instituting such other proceedings as would lead to a solution of the problem.

Adopted unanimously by the five Compact States

#### **8. Marine Mammal Management**

WHEREAS, federal legislation has been introduced that would place all marine mammals under federal jurisdiction; and

WHEREAS, the Submerged Lands Act of 1953 confirms



state title to and ownership of natural resources, including marine animals; and

WHEREAS, the Pacific Coast States are engaged in active management and research programs to protect and manage animal populations within state boundaries; and

WHEREAS, authority to manage resident marine mammal populations is essential for comprehensive planning and development of the coastal zone by the States; and

WHEREAS, sea otters, elephant seals, land breeding harbor seals and sea lions are normally within state boundaries and are properly under jurisdiction of the respective Pacific Coast States;

NOW BE IT THEREFORE RESOLVED, that the Pacific Marine Fisheries Commission recommends that sea otters, elephant seals, land breeding harbor seals and sea lions be excluded from the proposed federal legislation.

Adopted unanimously by the five Compact States

**9. Immediate Reimbursement of Fines for Unlawful Vessel Seizure by Foreign Nations**

WHEREAS, the policy of the United States is to support the principle of the freedom of the seas, and to this end this country at the present time does not recognize claims to jurisdiction over waters greater in breadth than 12 miles from the baseline of the territorial sea, and it is the view of the United States, acting through the Department of State, that under international law, it is not required to recognize such claims; and

WHEREAS, seizures of American-Flag vessels have taken place as the result of territorial sea claims in excess of 12 miles from the baseline of the territorial sea by naval forces of foreign countries, claims which are strictly contrary to the position of the United States and other major nations with regard to the seaward limits of national jurisdiction; and

WHEREAS, such actions may cause fishing vessels of the United States to be driven from the high seas with resulting critical, if not fatal damage to the United States fishing industry;

NOW BE IT THEREFORE RESOLVED, that the Pacific Marine Fisheries Commission strongly recommends the Senate of the United States to enact pending legislation amending the "Fisherman's Protective Act of 1967" providing for immediate reimbursement of fines imposed by foreign nations on U.S.-flag vessel owners relative to the unlawful seizure of U.S. fishing vessels in international waters by foreign countries;

BE IT FURTHER RESOLVED, that the Pacific Marine Fisheries Commission submit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States, and to the Honorable Senator Warren G. Magnuson, Chairman, Senate Commerce Committee, and to the Honorable Representative Edward A. Garmatz, Chairman, Committee on Merchant Marine and Fisheries.

Adopted unanimously by the five Compact States

**Election of Officers; 1972 Meeting Location**

The following were elected officers for 1972:

Executive Committee:

- Chairman — T. E. Kruse, Acting Director,  
Fish Commission of Oregon 1st Vice-Chairman
- Joseph C. Greenley, Director,  
Idaho Fish and Game Department 2nd Vice-Chairman
- Wallace H. Noerenberg,  
Commissioner,  
Alaska Department of Fish and Game 3rd Vice-Chairman
- G. Ray Arnett, Director,  
California Department of Fish and Game
- Secretary — Thor C. Tollefson, Director,  
Washington Department of Fisheries

Steering Group of Advisory Committee:

- Overall Chairman — David B. Charlton, Oregon
- Deputy Chairman — Phillip W. Schneider, Oregon
- Sectional Chairman — Richard I. Eliason, Alaska
- Sectional Chairman — Robert Hetzler, California
- Sectional Chairman — Robert G. Kalb, Idaho
- Sectional Chairman — Earl E. Engman, Washington

The new Chairman, Dr. Kruse, announced that the 1972 annual meeting would be held in Portland, Oregon, November 16-18, at the Cosmo Airtel. Before adjourning the 1971 meeting he thanked out-going Chairman Thor Tollefson and the State of Washington's delegation for the excellent meeting arrangements. Mr. Tollefson earlier had given special thanks for the Social Hour to Earl Engman, out-going overall chairman of the Advisory Committee, and to William G. Saletic, representing the fishing industry. He also had complimented the secretarial pool for its efficient processing of resolutions and other materials.

**\* FINANCIAL AND AUDIT REPORTS**

**Financial Support, 1971**

The Commission receives its financial support from legislative appropriations made in accordance with Article X of the interstate Compact in which the signatory States have agreed to make available annual funds for the support of the Commission as follows: eighty percent (80%) of the annual budget is shared equally by those member States having as a boundary the Pacific Ocean; and five per cent (5%) of the annual budget is contributed by each other member State; the balance of the annual budget is shared by those member States, having as a boundary the Pacific Ocean, in proportion to the primary market value of the products of their commercial fisheries on the basis of the latest 5-year catch records.

**STATEMENT OF RECEIPTS AND DISBURSEMENTS**

**January 1, 1971 to December 31, 1971**

CASH BALANCE December 31, 1970	
(Ending Balance 23rd Annual Report).....	\$ 48,259.12

**RECEIPTS:****Contributions by Member States:**

Alaska .....	\$ 15,500.00	
California .....	14,600.00	
Idaho .....	2,900.00	
Oregon .....	12,300.00	
Washington .....	12,700.00	58,000.00

**OTHER:**

U.S. Gov. Printing Office—refund .....	2.00	
Interest on Savings Certificates .....	2,255.90	
Washington Dept. Fisheries—reimbursement of 75% of Otolith Reader Cost .....	2,687.32	

**DISBURSEMENTS:****Salaries and Wages:**

Executive Director, Consultants, Treasurer, Office Secretary and Temporary .....	\$ 30,684.52	
Office Supplies .....	1,853.12	
Telephone and Telegraph .....	469.91	
Postage, Freight, Express .....	886.66	
Printing of Publications .....	2,272.98	
Rents, Office .....	1,708.00	
Bond and Insurance Premiums .....	298.43	
Audit Fees .....	375.00	
Private Car Mileage .....	232.20	
Plane, Railroad, Bus Fares .....	1,649.57	
Meals and Lodging .....	639.13	
Medical Insurance .....	200.00	
Library Supplies .....	8.60	
Retirement Annuity .....	600.23	
Social Security .....	991.73	

**Annual and Research Meetings:**

Advisory Com. ....	\$3,413.98	
Commissioners .....	1,771.61	
Admin. & Research Staff .....	5,706.85	
Meeting Rooms, etc. ....	450.24	11,342.68

Cooperative Research—PMFC's 25% share of Otolith Reader Cost .....	2,053.15	
Capital Outlay .....	1,306.40	
Establish Petty Cash Fund for Office .....	15.00	
Washington Dept. Fisheries—75% of Otolith Reader Cost .....	3,863.95	
All Other .....	97.00	

Total Disbursements ..... \$ 61,548.26

**CASH ON DEPOSIT December 31, 1971**

(U.S. National Bank of Portland, Oregon)....	49,656.08	
	\$111,204.34	\$111,204.34

**Audit Report**

ADAMS, RAYMOND & CO.  
Certified Public Accountants  
Portland, Oregon

August 31, 1971

The Board of Commissioners Pacific Marine Fisheries Commission State  
Office Building Portland, Oregon 97201

Gentlemen:

We have examined the books and records of the Pacific Marine Fisheries Commission for the fiscal year ending June 30, 1971. The examination was made in accordance with generally accepted auditing standards and, accordingly, included such procedures as were considered necessary in the circumstances.

The accounting procedures of the Commission reflect revenue in the accounts when it is received rather than at that date when appropriated by member states to the Commission and reflect expenditures in the fiscal period in which they arise irrespective of when paid, i.e., the accrual basis.

The following exhibits are submitted:\*

- Combined Balance Sheet, as at June 30, 1971, of the General Fund and the Property Fund, and Notes to Balance Sheet.
- Statement of Revenue and Expenditures, with Budgetary comparisons, for the period July 1, 1970, to June 30, 1971.
- Analysis of changes in Unappropriated Surplus and in the Property Fund for the period July 1, 1970, to June 30, 1971.
- Reconciliation of changes in the cash balance with Revenues and Expenditures for the period July 1, 1970, to June 30, 1971.
- Audit Comments.
- Scope of the Audit.

In our opinion, the accompanying statements present fairly the financial position of the Pacific Marine Fisheries Commission at June 30, 1971, and the results of its operations for the year then ended, in conformity with generally accepted accounting principles applied on a basis consistent with that of the preceding year.

Yours very truly,

ADAMS, RAYMOND & CO.  
Certified Public Accountants

\*Exhibit A is the Balance Sheet, which follows. It is the only exhibit reprinted for this report. A complete audit report with exhibits was sent each Commissioner.

**Balance Sheet, June 30, 1971**

ASSETS:	Total	General Fund	Property Fund
Cash in Bank .....	\$11,603.27	\$11,603.27	-----
Certificate of Deposit .....	18,000.00	18,000.00	-----
Due from State of Washington (Note 1) .....	559.32	559.32	-----
Office Furniture & Equipment .....	4,256.79	-----	\$ 4,256.79
Total Assets .....	<u>\$34,419.38</u>	<u>\$30,162.59</u>	<u>\$ 4,256.79</u>

**LIABILITIES:**

Accounts Payable .....	\$ 362.37	\$ 362.37
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**RESERVES:**

Reserve for Allocation—Printing (Note 2) .....	4,995.20	4,995.20
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**FUND BALANCES:**

Investment in Fixed Assets .....	\$ 4,256.79	-----	\$ 4,256.79
Unappropriated Surplus .....	24,805.02	\$24,805.02	-----
Total Fund Balances .....	<u>\$29,061.81</u>	<u>\$24,805.02</u>	<u>\$ 4,256.79</u>
Total Liabilities, Reserves, and Fund Balances .....	<u>\$34,419.38</u>	<u>\$30,162.59</u>	<u>\$ 4,256.79</u>

Note 1: Amounts due from State of Washington reflect 75% of cooperative research expenditures by the Commission which are reimbursable from the State of Washington, Department of Fisheries.

Note 2: Purchase orders for printing currently outstanding are as follows:

22nd Annual Report .....	\$2,495.20
23rd Annual Report .....	2,500.00
	<u>\$4,995.20</u>

# Appendix 1 — Status Reports

## Status of the 1971 Pacific Coast Albacore Fishery<sup>1</sup>

For the 1971 season it was predicted that a preponderance of the Pacific coast albacore catch would be landed at California ports. Preliminary statistics indicate that approximately three-fourths of the catch actually was landed in California (Table 1). Total Pacific coast albacore landings in 1971 approached 50 million pounds exclusive of Canadian

**TABLE 1**  
Pacific Coast Albacore Landings (in 1,000's of lbs.)

Year	California	Oregon	Washington	Total
1946	18,078	3,951	2,123	24,152
1947	13,172	9,558	4,243	26,973
1948	36,456	8,004	4,917	49,377
1949	44,006	6,457	4,434	54,897
1950	61,745	5,386	5,035	72,166
1951	30,915	2,917	625	34,457
1952	49,804	2,586	177	52,567
1953	33,836	776	89	34,701
1954	26,107	469	421	26,997
1955	29,002	503	233	29,738
1956	37,055	3,654	630	41,339
1957	43,525	2,702	433	46,660
1958	27,188	9,754	1,503	38,445
1959	32,740	10,582	2,961	46,283
1960	35,113	4,563	526	40,202
1961	29,123	3,251	456	32,830
1962	36,622	8,936	365	45,923
1963	48,860	11,413	527	60,800
1964	42,551	4,452	1,055	48,058
1965	23,218	12,122	2,048	37,388
1966	18,189	18,041	1,101	37,331
1967	17,858	29,243	1,240	48,341
1968	15,077	37,752	3,050	55,879
1969	14,722	29,828	3,561	48,111
1970	29,932	21,782	4,390	56,104
Average	31,796	9,947	1,846	43,589
Preliminary				
1971	36,082	8,420	5,250	49,752

landings. This is below 1970's 56 million, but for the fifth consecutive year it is well above the 43 million-pound average for the past 25 years (Figure 1).

In addition to the price paid to fishermen, processors paid \$10 per ton into a fund for use in albacore research and exploration. Funds accumulated during the 1971 season lead to the establishment of the American Fishermen's Research Foundation. It is jointly administered by fishermen and proc-

<sup>1</sup>This is a revision of the report distributed in October for the 24th Annual Pacific Marine Fisheries Commission Meeting, Seattle, Washington, November 17-19, 1971.

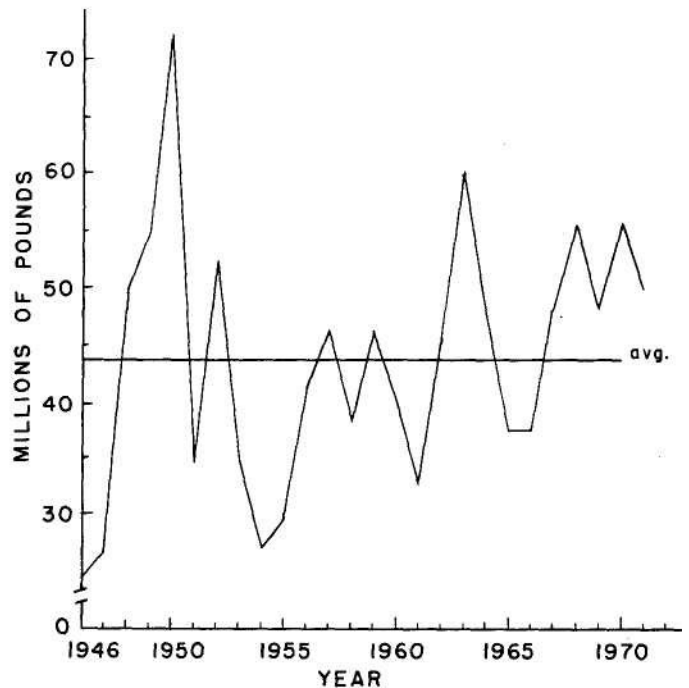


FIGURE 1. Combined annual landings of albacore in California, Oregon and Washington through 1971 and 2 5-year average (1946-1970, incl.).

essors. The primary objective of the Foundation is to provide more comprehensive exploration for albacore both early and late in the season. Toward this end charters were let to 4 vessels during October in an attempt to locate fish concentrations as far as 500 miles offshore. Establishment and implementation of the Foundation was a noteworthy event during the 1971 season. Hopefully, this will lead to improved fleet efficiency and an increased harvest in future years.

In contrast to most seasons, sport fishermen were the first to locate the incoming albacore schools off southern California. Significant catches were reported by several vessels on June 26. While the sport fishery flourished, it was not until after the July 2 price settlement that the commercial fishery got underway. The favorable price of \$630 per ton enticed a larger than usual number of boats into the fishery.

By the time the commercial fleet sailed, two fishing areas had developed. One was located between San Clemente Island, California and San Geronimo Island, Baja California, while the other was farther north off Oregon and Washington. California fishermen operated in both areas. Fishing success remained about equal in these widespread areas throughout July. By early August catches declined and effort was concentrated between Monterey and Eureka. During this time a fishery developed in Queen Charlotte Sound, where Canadian vessels and a few American vessels operated. Highest catch rates for the 1971 season were reported from this area, but the fleet was small as were the resulting landings.

## California

For the first time since 1964, albacore landings in California throughout the season surpassed those in the Pacific Northwest. The total California landings of 36.0 million pounds exceeded the 25-year average of 32 million pounds, thus ending a trend of decreasing landings in California (Figure 2). However, in contrast to last year the heavy catch is attributed more to the large size of the fleet than to exceptional fishing.

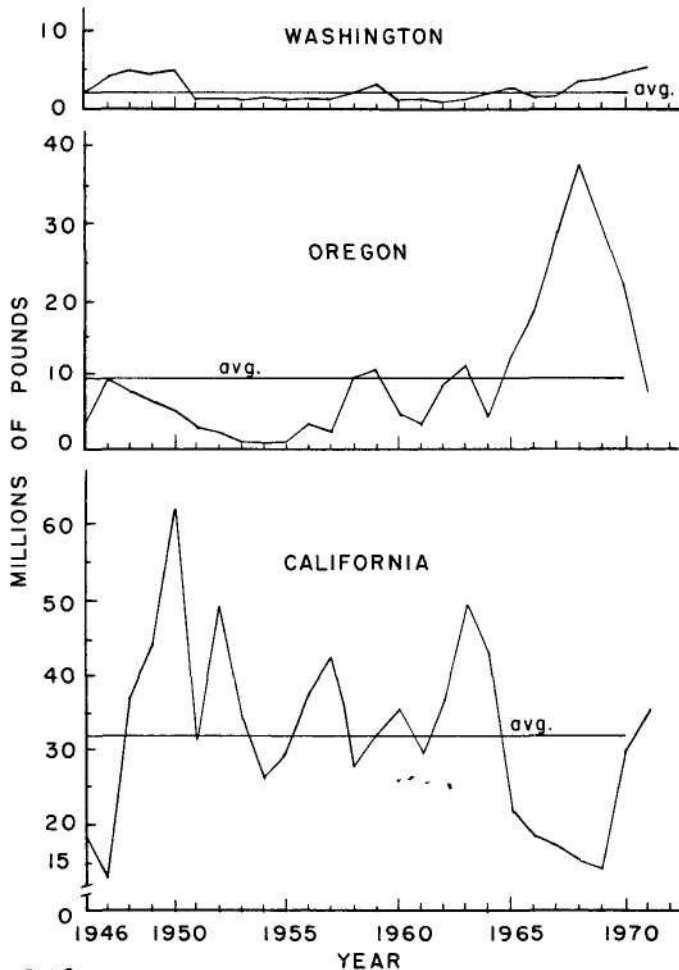


FIGURE 2. Annual albacore landings by State through 1971 and 25-year average (1946-1970, incl.).

The California partyboat fishery added about 2 million pounds of albacore to the harvest. Preliminary records indicate that anglers operated from Monterey to San Diego and caught over 120,000 albacore; this is substantially above the 20-year mean of 82,000. The fish averaged smaller than in 1970, but they were available to more people so there was a 10 percent increase in the harvest.

## Oregon

The first indication of albacore off Oregon came on July 5, when the chartered vessel *Sunrise* caught 75 albacore 120 miles offshore from Newport. By the second week in July, jig boats were fishing from Newport, Oregon, to Grays Harbor, Washington, with best fishing off the Columbia River.

The fleet moved northward toward Vancouver Island during the first week in August as fishing off Oregon declined. Most of the Oregon fleet then moved south into waters off California. The few boats that remained in the Pacific Northwest operated as far north as Queen Charlotte Sound by the end of the third week in August. Here, good catches were made when the weather permitted. Scores of 400 fish per day were common with some daily catches reaching 800.

By early September very few boats were fishing off the Pacific Northwest. During the last week in September some fish were caught off Newport, Oregon and Destruction Island, Washington by boats heading northward from California to their home ports. However, a consistent fishery did not develop.

Oregon landings totalled 8.4 million pounds, 1.5 million pounds less than the 25-year average of 9.9 million pounds, making 1971 the poorest season for Oregon landings since 1964.

## Washington

The troll fishery for albacore developed rapidly in mid-July off northern Oregon, the Columbia River, and Grays Harbor. It was encouraged by a price of \$630 per ton for albacore compared to a price of 36 cents per pound for coho salmon. The fishery spread to off central Washington by early August and to the west coast of Vancouver Island by mid-August. The bulk of the season's catch was made during the period July 20 to August 20, with most boats switching back to salmon trolling by late August.

A sizable baitboat fishery again developed off Washington in 1971 with substantial landings in July, August and September. Best success came during mid-August after offshore winds caused a marked deepening of the upper mixed layer.

Final statistics showed that about 5.2 million pounds of albacore were landed in Washington during 1971. This exceeds the 1970 total of 4.4 million pounds and ranks as the best catch since 1945.

## Status of the Resource

The Eastern Pacific albacore fishery depends upon an annual migration and therefore is subject to wide fluctuations in availability. Evidence indicates that the 1971 migration was about average size. Except in the extreme northern portion of the fishery the environmental mechanisms which tend to concentrate the schools apparently did not develop significantly. This plus adverse weather late in the season combined to hold the 1971 harvest to about 6 million pounds below 1970. All evidence indicates that the Northeastern Pacific albacore resource continues to be healthy.

Compiled by William L. Craig, California Department of Fish and Game

Other Contributors:

Larry H. Hreha, Fish Commission of Oregon

Sam Wright, Washington Department of Fisheries

## Status of the 1970-71 Pacific Coast Dungeness Crab Fishery

The 1970-71 season's<sup>1</sup> total of 42.2 million pounds of Dungeness crab landed on the West Coast was 18.1 million pounds less than the combined total of 60.3 for the 1969-70 season. Combined landings in California, Oregon, and Washington were 36.4 million pounds, down 11.7 million pounds from the respective total of 48.1 million pounds during the 1969-70 season. The average for combined landings in these 3 states during the past 15 seasons is 30.0 million pounds. Landings for the 1971 calendar year in Alaska were 3.7 million pounds and in British Columbia 2.0 million pounds; they were also down from the previous year. Figure 1 shows the combined annual landings for the four Pacific Coast States.

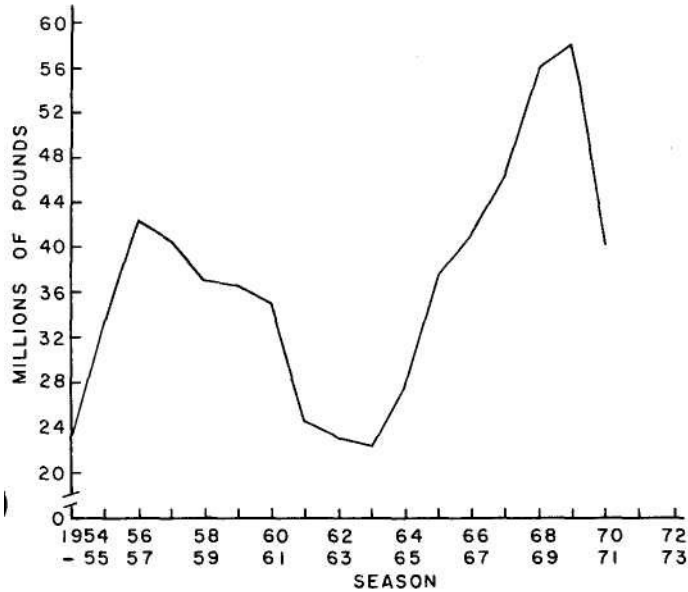


FIGURE 1. Pacific Coast Dungeness crab landings by season, except British Columbia.

### Alaska

Landings in Alaska<sup>1</sup> for 1971 totalled 3.7 million pounds or 5.9 million pounds less than for 1970 (Figure 2), and marked the 3rd consecutive year of decline from the 13.2 million pounds that were landed in 1968.

### British Columbia

Total Dungeness crab landings in British Columbia<sup>1</sup> were 2.0 million pounds, a reduction of about 0.5 million pounds from 1970. The 1971 total was the lowest in 20 years and marked the 4th consecutive year of decline since 5.3 million pounds were landed in 1967. Indications are that crab are not abundant.

### Washington

Washington crab landings totalled 13.2 million pounds, a sharp decline from record catches made the preceding 2 seasons

(Figure 2). Coastal crab landings in Washington were 12.5 million pounds for the season that was delayed until January 1 because of poor crab quality in November-December. The Puget Sound catches totalled 659,000 pounds, lowest since the 1959-1960 season. Puget Sound catches have been less than 1 million pounds for the past 5 seasons.

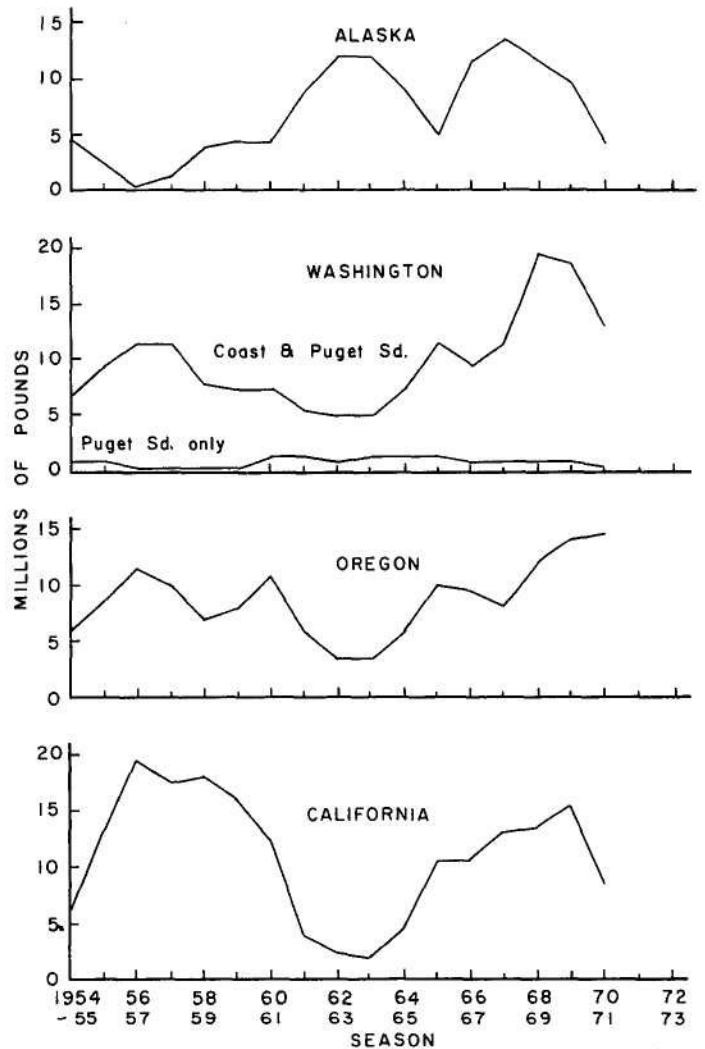


FIGURE 2. Dungeness crab landings by season, 1954-55 through 1970-71, except Alaskan seasons are calendar years, i.e., 1954-55 = 1955.

### Oregon

Oregon crab landings totalled 14.7 million pounds. This is the 6th season in a row when 10 million or more pounds were landed and is the best season ever recorded in Oregon (Figure 2). The majority of these landings (60%) were made at Astoria and Newport.

### California

State-wide landings totalled 8.5 million pounds, the lowest in 6 years and 7.0 million pounds less than the 1969-70 season.

<sup>1</sup>Alaska and British Columbia seasons and data are on a calendar year basis; the year 1971 is synonymous with the 1970-71 seasons of other states.

A bill extending the northern California crab season through August 31 was passed during the season; however, the amount of fishing effort expended after the original closing date of July 15 was insignificant. The San Francisco area also showed a decrease with landings totalling 657,000 pounds. This was less than 50% of the previous season's catch and was the poorest catch since the 1966-67 season.

Compiled by C. Dale Snow, Fish Commission of Oregon

Other Contributors:

Peter Jackson, Alaska Dept. of Fish & Game  
 Terry Butler, Fisheries Research Board of Canada  
 Doug Magoon, Washington Dept. of Fisheries  
 N. Nelson & P. Collier, California Dept. of Fish & Game

## Status of 1970 Salmon and Steelhead Sport Catches in the Pacific Coast States

Estimated total sport catch of salmon and steelhead during 1970 in the States of Washington, Oregon, California, Alaska and Idaho was 2,022,039 fish. This catch was composed of 43% coho, 30% chinook, 17% steelhead, 2% pink, and 8% unidentified salmon species (chum and sockeye, as well as chinook, coho and pink that were not broken down by species).

### Washington

Saltwater anglers caught an estimated 842,421 salmon during 1970 with a daily average of 0.56 salmon. In addition to the marine catch, freshwater anglers caught another 135,974 salmon to bring the total recreational salmon catch to 978,395.

An estimated 164,821 steelhead were caught in Washington during 1970. These were composed of 116,217 winter-run (a 43.9% reduction from the previous year) and 48,604 summer-run steelhead (a 25.6% reduction from 1969). The December, 1970, catch of steelhead was the highest on record; 25 streams showed a larger December catch than for the entire 1969-1970 season.

### Oregon

The Oregon sport catch in 1970 was estimated to be 587,000 fish of which 422,000 were salmon and 165,000 were steelhead. The number of salmon taken was nearly equal to the

record catch in 1967. The steelhead catch was the second highest since 1960 and exceeded the 1969 catch by nearly 40,000 fish. The combined catch of salmon and steelhead for 1970 was the second highest in the 10-year period of available catch data.

A total of 353,183 anglers received Oregon's salmon and steelhead license but only 54% were successful in catching fish. Of the remaining license holders 12% (42,000) reported they did not fish while 34% (120,000) fished but made no catches. When all anglers who fished were considered, the average catch per angler per year was 1.86 fish, (see Table 1), but for those anglers who actually caught salmon or steelhead in 1970, the catch-per-successful angler, per year, was 3.12 fish. Of the total anglers who fished, 61 % caught all of the fish.

In the Columbia estuary the 1970 sport catch of salmon was estimated from a catch-card system in Washington and from a separate catch sampling procedure in Oregon (Table 2 and Figure 1).

### California

The final 1970 California ocean sport catch estimate was 162,400 salmon. This was above the 10-year average of 116,000 fish, but below the 1969 landings of 189,000 salmon.

The breakdown by species was 147,800 chinook and 14,600

TABLE 1. Salmon and steelhead sport catch in 1970

State	Anglers	Chinook	Coho	Pink	Other salmon	Steelhead	Total catch	Fish/angler per year
Alaska	<sup>1</sup> 113,394	10,600	32,075	33,225	25,950	1,150	103,000	0.91
California <sup>2</sup>	unavailable	147,800	14,600	-----	-----	unavailable	162,400	-----
Idaho	27,365	5,742	-----	-----	-----	20,681	26,423	0.97
Oregon	<sup>3</sup> 310,833	142,000	280,000	-----	-----	165,000	587,000	1.86
Washington	<sup>4</sup> 1,509,835	<u>300,068</u>	<u>540,231</u>	<u>1,681</u>	<sup>5</sup> <u>136,415</u>	<u>164,821</u>	<u>1,143,216</u>	<sup>6</sup> 0.56
Total		606,210	866,906	34,906	162,365	351,832	2,022,039	

<sup>1</sup>Total licensed anglers.    <sup>2</sup>No freshwater data included.    <sup>3</sup>Total anglers who fished.    <sup>4</sup>Marine angler trips only.

<sup>5</sup>Includes 135,974 salmon caught in freshwater (no species breakdown although the majority are chinook).    <sup>6</sup>For marine fishing only.

**TABLE 2.** Columbia River estuary and adjacent ocean catch off Oregon and Washington, 1970

State	Angler trips	Chinook	Coho	Total	Fish/angler trip
Washington	163,700	66,033	203,199	269,232	1.64
Oregon	64,646	21,635	66,489	88,124	1.36
<b>Total</b>	<b>228,346</b>	<b>87,668</b>	<b>269,688</b>	<b>357,356</b>	<b>1.56</b>

coho. Compared to 1969, the chinook catch was down 6% and the coho catch was down significantly (48%).

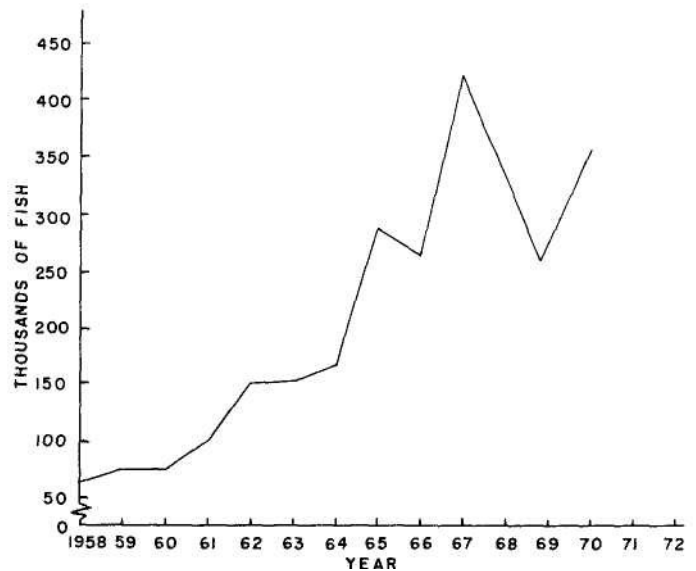
### Alaska

In Alaska 113,394 licensed anglers took 103,000 salmon and steelhead during 1970: 33,225 (32%) were pinks; 32,075 (31%) were cohoes; 23,775 (23%) were reds; 10,600 (11%) were chinooks; 2,175 (2%) were chums; and 1,150 (1%) were steelheads.

### Idaho

An estimated 9,097 anglers fished for salmon in Idaho during 1970 and only 2,552 of these caught salmon. The 1970 catch estimate of 5,742 was down significantly from the 13,142 taken in 1969. Angler participation was down 50% from 1969 while extended high water in June and nitrogen related losses of chinook also contributed to the low harvest.

Approximately 20,681 steelhead were harvested in 1970



**FIGURE 1.** Sport catch of chinook and coho salmon in Columbia River estuary and adjacent ocean.

compared to 17,187 in 1969. An estimated 18,268 anglers fished for steelhead but only 6,688 were successful.

Compiled by Jerry Mallet, Idaho Fish and Game Department  
Other Contributors:

Roger Wadman, Alaska Department of Fish and Game  
Patrick O'Brien, California Department of Fish and Game  
Fred Locke, Oregon Game Commission  
Frank Haw, Washington Department of Fisheries  
Cliff Millenbach, Washington Department of Game

## Status of the 1971 Pacific Coast Troll Salmon Fishery

<sup>x</sup> The estimated troll catch of chinook, coho and pink salmon for British Columbia, Alaska, Washington, Oregon, and California for 1971 was 82.6 million pounds (round weight). This catch is the largest on record and considerably above the 1970 harvest. The 1971 chinook troll catch was 29.6 million pounds (round weight), and was the second largest on record, being surpassed only by the 1956 catch. The 1971 coho troll catch was 46.1 million pounds round and was the largest on record. This total includes record coho catches in both Oregon and Washington.

### Troll Chinook Fishery

Oregon troll chinook landings for 1971 were about 1.2 million pounds compared to 1.9 million pounds round in 1970. Chinook trolling was poor in all areas except Brookings where landings were the best on record.

Approximately 3.0 million pounds of troll-caught chinook were landed in Washington on a round weight basis. This was the best year since 1958, exceeding 1970 by about 0.5 million

pounds and continuing the improving trend of recent years. A 2-week fleet tie-up in April over a price dispute depressed potential early season landings somewhat. The 1971 fishery was highlighted by excellent fishing off Grays Harbor during May and June followed by one of the best summer fisheries

**TABLE 1.** Pacific Coast troll salmon landings, 1971  
(in 1,000's lbs. round weight)

Region	Chinook	Coho	Pink	Total
Alaska	4,464,211	3,025,289	470,073	7,959,573
California	5,700,000	3,700,000	8,305	9,408,305
Oregon	1,200,000	10,100,000	10,000	11,310,000
Washington	3,050,000	7,900,000	100,000	11,050,000
British Col.	15,213,000	21,383,000	6,301,000	42,897,000
<b>Total</b>	<b>29,627,211</b>	<b>46,108,289</b>	<b>6,889,378</b>	<b>82,624,878</b>

for chinook in the Cape Flattery-Umatilla area since the late 1950's. Large 4-year-old chinook from the strong 1967 brood year contributed exceptionally well.

Alaska chinook landings reached over 4.4 million pounds round for 1971. This total fell well below the 5.8 million pounds for 1970 and the 5-year average of 5.2 million pounds round.

Chinook landings dropped slightly in California during 1971 to 5.7 million pounds round compared to 6.0 million pounds landed in 1970. Both 1970 and 1971 were below the 10-year average (1961-1970) of 7.1 million pounds; however, they were well above 1967's 10-year low of 4.4 million pounds.

The 1971 troll chinook harvest in British Columbia was 15.2 million pounds round.

### Troll Coho Fishery

The 1971 Oregon troll coho landings were about 10.1 million pounds round compared to the previous record high of 8.7 million pounds in 1970. The Newport area landings were slightly less and the Columbia River and Coos Bay area landings were higher than in 1970. Brookings landings were more than double the 1970 poundage.

About 7.9 million pounds (round-weight) of troll-caught coho were landed in the State of Washington in 1971. This is the highest total on record. Fishing success ranged from good to excellent all along the Washington coast during most of the season as both fish abundance and availability were at high levels. However, the coho were quite small, resulting in tremendous numbers of fish being taken and the lowest season's average weight per fish in recent years. The poor coastal troll-coho price (36 cents per pound) tended to discourage fishing

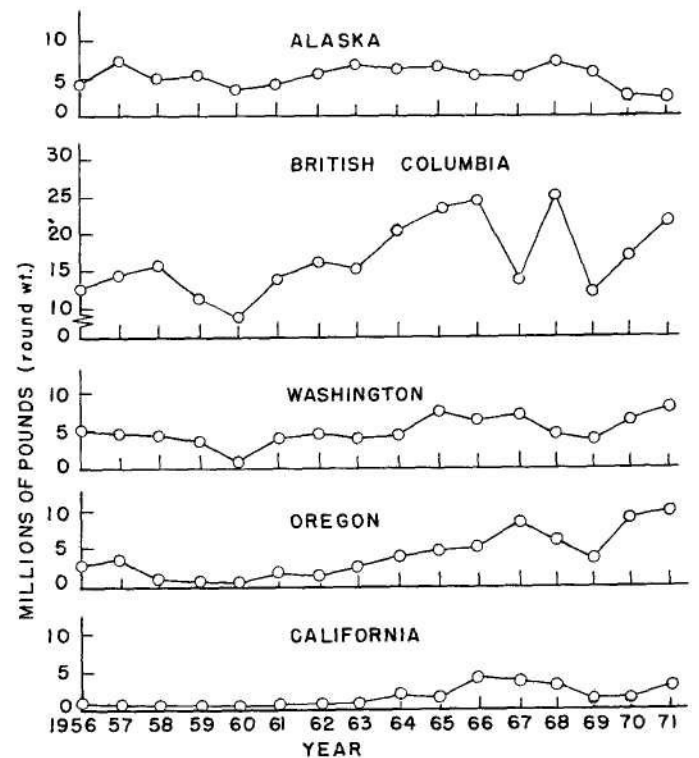


FIGURE 3. Annual troll coho salmon landings by area, 1956-1971.

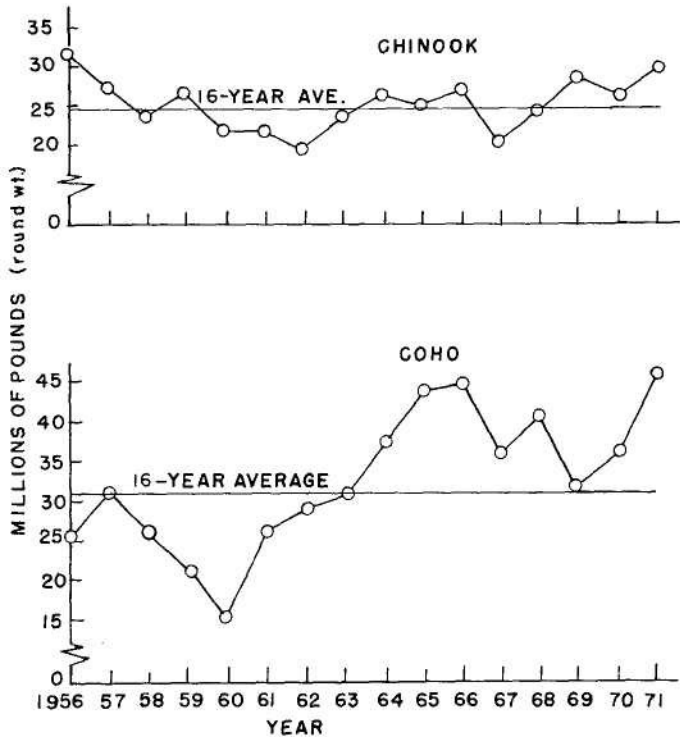


FIGURE 1. Pacific Coast annual landing of troll-caught chinook and coho salmon, 1956-1971.

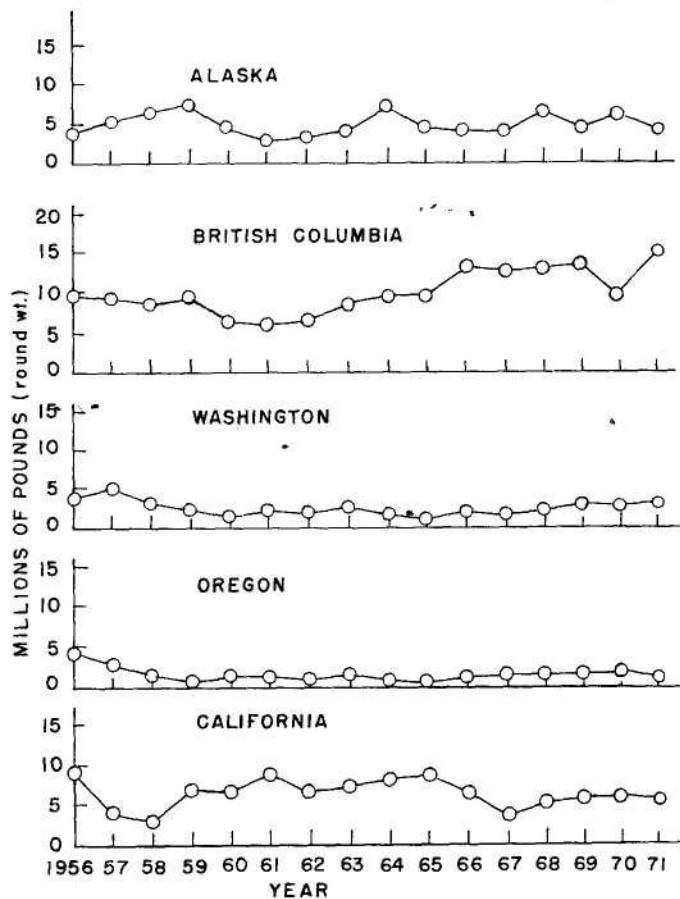


FIGURE 2. Annual troll chinook salmon landings by area, 1956-1971.



effort somewhat and caused a pronounced shift to albacore fishing in late July and early August.

The 1971 coho troll fishery in Alaska landed about 3.0 million pounds round compared to 2.5 million pounds in 1970. This was considerably below the 5-year average of 4.7 million pounds round and was one of the lowest catches on record.

The 1971 California troll coho landings were 3.7 million pounds round. This represents the third best total on record, exceeded only by 1966 and 1967 when 4.0 and 3.9 million pounds were landed. The 1971 landings were significantly better than the 1970 catch of 1.5 million pounds and well above the 10-year average (1961-70) of 2.0 million pounds.

The 1971 coho troll harvest in British Columbia was 21.4 million pounds round.

### Troll Pink Fishery

British Columbia was the only area that recorded a large pink salmon harvest by trailers during 1971. The landings totalled 6.3 million pounds (round).

The Alaska troll fishery in 1971 landed over 470,000

pounds (round) of pinks which were caught incidental to trolling for chinook and coho.

Troll-caught pink salmon landings in Washington totalled only about 100,000 pounds round weight during 1971. These relatively meager landings resulted almost entirely from incidental catches made while trolling for chinook and coho.

Oregon pink salmon landings totalled 10,000 pounds round during 1971.

Pink salmon troll landings in California in 1971 were 8,305 pounds round. In 1970 only 239 pounds of pink salmon were landed by troll fishermen. The 10-year average is just under 30,000 pounds.

Compiled by Jerry Mallet, Idaho Fish and game Department

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## Status of the 1971 Pacific Coast Shrimp Fishery

The 1971 landings of shrimp for the west coast of the United States and Canada totalled 107.3 million pounds and again established a new record (Table 1). The increase over 1970 was 12.8 million pounds and was due to the substantial growth of Alaska's Kodiak area fishery. This considerable growth is of concern, as excessive effort may place too much of a burden on stocks in years of poor recruitment.

British Columbia and all the Pacific Coast States except Alaska reported decreased catches in 1971 (Figures 1, 2 and 3). Various reasons contributed to the lower catches: poor market conditions, weather, poor return for effort and excessive numbers of small shrimp. California reported concern for the carry-over strength of the 1970-year class and Alaska is concerned about carry-over strength of the 1969-year class in certain

**TABLE 1.** Shrimp landings for Alaska, British Columbia, Oregon, Washington and California, 1959-1971 (in pounds)

Year	Alaska	British Columbia	Washington	Oregon	California	Total
1959	13,052,320	1,043,000	2,942,557	2,764,100	1,785,228	21,587,205
1960	7,436,206	1,678,000	1,780,718	1,132,500	2,026,787	14,054,211
1961	15,980,550	1,206,000	1,436,599	1,455,900	2,006,274	22,085,323
1962	16,943,120	1,663,000	1,367,441	2,750,400	1,786,289	24,510,250
1963	15,126,950	1,788,000	956,105	3,114,700	2,095,278	23,081,033
1964	7,726,750	1,052,000	314,130	5,477,400	980,608	15,550,888
1965	16,818,941	1,755,000	23,468	1,748,000	1,425,875	21,771,284
1966	28,192,621	1,682,000	282,947	4,751,300	1,213,959	36,122,827
1967	41,812,552	1,696,000	1,028,744	10,373,956	1,404,821	56,316,073
1968	42,077,104	1,568,000	1,163,864	10,976,258	2,223,205	58,008,431
1969	47,850,524	2,118,700	1,425,286	10,477,945	2,951,800	64,824,255
1970	74,346,063	1,537,800	925,000	13,735,000	4,044,640	94,588,503
1971	94,064,531	735,000	678,000	8,787,000	3,088,000	107,352,531

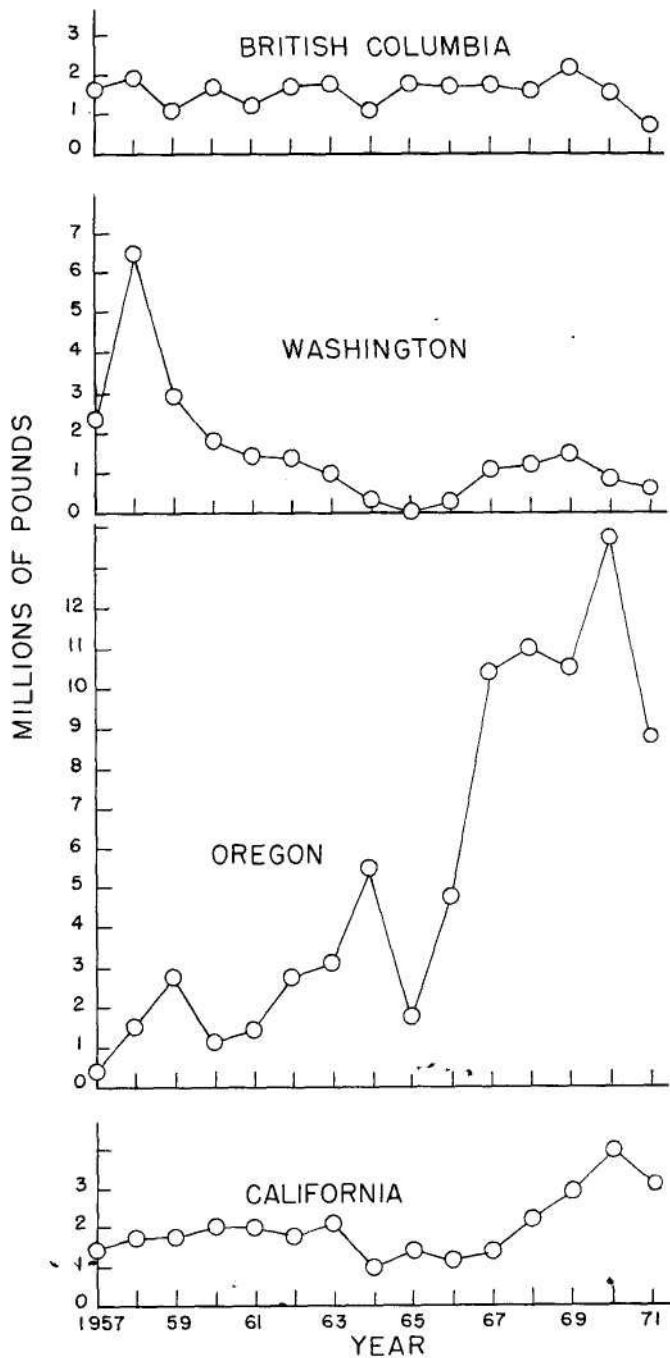


FIGURE 1. Annual shrimp landings in British Columbia, Washington, Oregon, and California, 1957-1971.

historic Kodiak Island fishing areas. In general, the stocks of shrimp presently appear to be biologically healthy but there is reason to be concerned about the economic stability of the fishery during poor recruit and carry-over years.

### California

Ocean shrimp, *Pandalus jordani*, landings in California were nearly 3.1 million pounds. Area A (Crescent City-Eureka; PMFC area 92) closed October 31 slightly short of its 3.4 million-pound quota. The State's total for 1971 was about 0.9 million pounds less than 1970's record 4.0 million pounds.

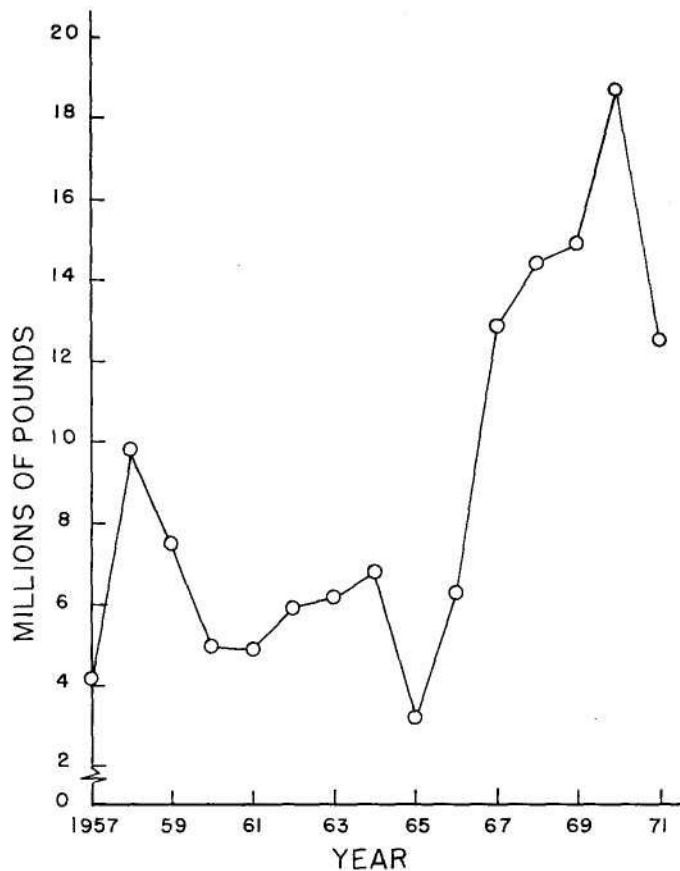


FIGURE 2. Annual combined shrimp landings for Washington, Oregon, and California, 1957-1971.

After a price dispute from May 1 to the first part of June, 1971 fishermen finally started fishing off northern California on June 10. Area A catches for the season were 2,678,000 pounds. In addition, 310,000 pounds were caught by California fishermen north of the Oregon border and landed in California. Fishing extended from off Redding Rock, California north to off Cape Sebastian, Oregon. However, the best catches came from off Crescent City and the Klamath River in 60 to 80 fathoms. Twenty-one vessels participated in the fishery. Average catch rate for the season was 450 pounds per hour. Last season, the catch per hour was 764 pounds.

In Areas B-1 (Fort Bragg, PMFC area 94), B-2 (Bodega Bay, PMFC 96), and C (Avila-Morro Bay, PMFC 98), fishermen were unsuccessful in locating commercial concentrations of shrimp and no fisheries developed. Only a few thousand pounds were landed.

The status of the resource appears to be questionable. Area A holds the most promise, but the relative abundance of the 1970-year class will not be known until the 1972 season. The contribution of the 1970-year class to the fishery during 1971 was strong. A good carry-over to the 1972 season is needed to provide a harvest of large shrimp. In other areas strong recruitment from the 1971-year class and subsequent year classes is needed for those areas to become productive again.

### Oregon

The Oregon 1971 shrimp landings totalled 8.8 million! pounds through October 31, when the season closed. This was

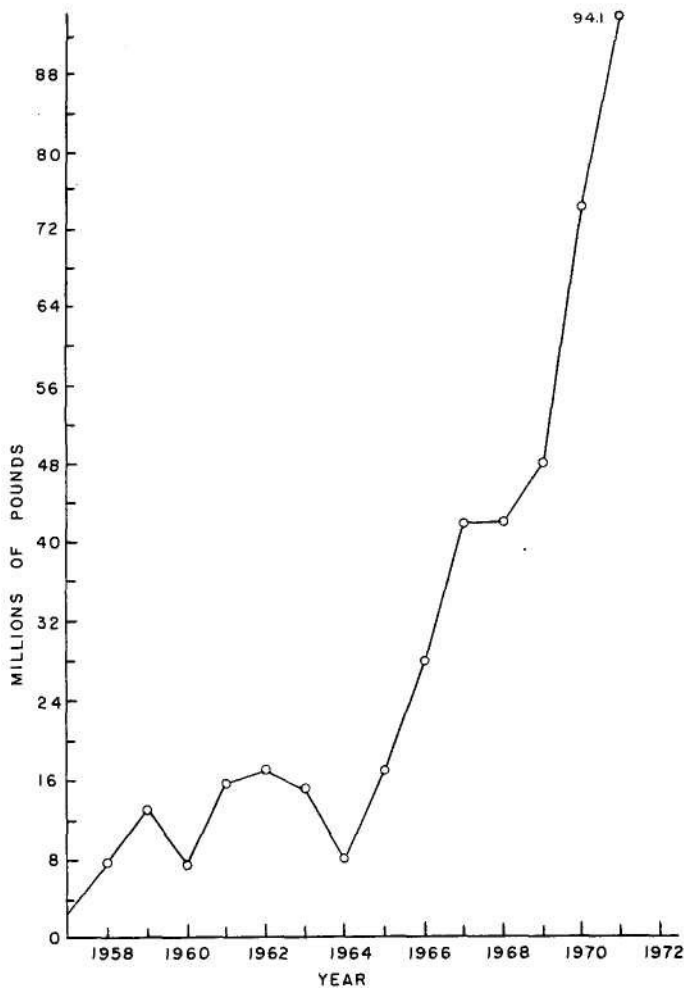


FIGURE 3. Annual shrimp landings in Alaska, 1957-1971.

36 percent lower than the record 13.7 million pounds delivered in the same period during 1970.

The 1971 season started late, due to a combination of exceptionally soft market conditions and unusually adverse weather in March-April. Only 53,000 pounds were delivered in Oregon in March and 675,000 pounds in April. In 1970, 1,100,000 and 2,090,000 pounds were delivered during those respective months. By June, weather and market conditions had improved and landings were about the same as in 1970. Low catch rates, excessive numbers of very small age-I (1970-year class) shrimp, and good albacore fishing led to part of the fleet converting to albacore fishing in late July and early August. Landings were down during those two months as a result.

Of the 1971 catch, 480,000 pounds were taken off Washington (451,000 of this from Grays Harbor, PMFC area 74). A total of 45,030 pounds were captured off California in area 92. Of the rest, 540,000 pounds were taken in area 82 (Tillamook Head); 541,000 off Port Orford, area 86 and northern portion of area 88; and 621,000 pounds off southern Oregon between Cape Sebastian and the California-Oregon boundary, the southern portion of area 88.

Catch rates were down considerably from 1970 in all areas

fished by Oregon shrimpers. Along with the low catch rates, incidence of age-I shrimp in catches was a problem most of the year. Up to 70 percent of catches were composed of these small, mostly unmarketable shrimp. Many fishermen tried to avoid concentrations of small shrimp by fishing on the peripheries of shrimp beds or moving elsewhere when they caught small shrimp. This is partly the reason for low catch rates in 1971.

Port Orford was the only area which produced shrimp at good catch rates in 1971. Catches there were made at up to 1,400 pounds per hour and averaged 936, however, high proportion of age-I shrimp and market problems limited fishing.

Changes in processing and fishing technology continued in 1971. The trend toward machine processing continued and few plants utilized handpeeling. Three more Gulf of Mexico type shrimp boats entered the fishery (5 vs 2 in 1970). These vessels tow two nets simultaneously off booms compared to the traditional one-net operation.

The 1972 season should be a fair one. The predominance of age-I shrimp in the 1971 fishery (as in 1965, 1967 and 1969) will likely contribute to a substantial 1972 fishery on medium-size age-II shrimp.

### Washington

The fishery started in April when 3 vessels landed 92,000 pounds caught at a rate of 620 pounds per hour drag. Best April catches were off Destruction Island, area 72, but this area dropped off quickly and did not produce thereafter. The small shrimp fleet of 3 to 4 vessels fishing out of Westport, subsequently concentrated off Grays Harbor, area 74, landing 210,000 pounds in May and 261,000 pounds in June at a catch rate of about 525 pounds per hour. A decline in catch rate to 375 pounds per hour and consequent decline in effort resulted in landings of only 96,000 pounds in July and 20,000 in August. Total 1971 landings were 678,000 pounds.

The Grays Harbor area produced a total of 581,000 pounds at "a catch rate of 500 pounds per hour as fishing was somewhat poorer than in 1970 (668,000 pounds at 525 pounds per hour) and considerably poorer than in 1969 (1 million pounds at 691 pounds per hour). Landings from other statistical areas included 47,000 pounds from Oregon, 48,000 pounds from Destruction Island, and 1,000 pounds from off Willapa Bay, area 75.

The Oregon fleet greatly reduced its activity off Washington, and landed in Oregon approximately 480,000 pounds taken mostly off Grays Harbor. Total catch from Washington statistical areas was about 1.2 million pounds compared to 2 million in 1970 and 2.5 million in 1969-

Biological catch samples indicated somewhat later-than-average larval hatching, since about half of the females were bearing some eggs in early April. A mixture of sizes was evident in the catches, and the 1968-, 1969-, and 1970-year classes were each well represented in carapace length frequencies. Small 1-year-olds from 1970 spawning showed in increasing strength, and made up over 50 percent of the July catch

in numbers. Their strong showing resulted in a small average size of 143 shrimp per pound for the season, and individual samples went as high as 180 to 200 shrimp per pound. The small size reportedly dropped the percentage yield, causing an economic problem. This factor, plus a low catch rate, kept the 1971 fishery at a low level.

### British Columbia

Shrimp landings for British Columbia in 1971 totalled 735,000 pounds, a decrease of 803,000 pounds from 1970 landings of 1.5 million pounds. Lower production was due to reductions in both fishing effort, and availability of shrimp. This was the second year of reduced shrimp catches, down considerably from the fairly stable production of 1.7 million pounds from 1965 to 1969. *Pandalus jordani* yielded 65% of the catch and the pot fishery for "prawn" or spot shrimp (*Pandalus platyceros*) accounted for 35% of the total 1971 catch.

### Alaska

The Alaska shrimp catch was 94.1 million pounds in 1971. Nearly all of the increase over the 1970 catch of 74.4 million pounds was due to the continued growth of the Kodiak Island fishery, PMFC area 54.

The number of Kodiak shrimp processors has doubled from 4 in 1970 to 8 in 1971. Shrimp vessels have also doubled since 1970 and now number 40. At least 3 more vessels are expected by the end of the year. The typical Kodiak otter trawler is about 70 feet in length with a net reel mounted astern, although the trend in new vessels is towards the stern ramp type. The newest most efficient design appears to be the Gulf of Mexico style double trawler which fishes two 70- to 80-ft. nets simultaneously, fitted with a stern ramp. \*

A Kodiak area shrimp quota system went into effect in April 1971. In general, the quota is designed to limit the shrimp catch from the historic inshore shrimp producing areas to 58 million pounds. Of this 58 million pounds, 44 million pounds is the annual quota of the 3 major historic shrimp producing areas (Two-Headed Island, Kiliuda Bay, and Lfgak Bay) on the east side of Kodiak Island. The 1971 catch for these areas was 1.7 million pounds less than the quota, primarily because of expansion of the fishery to a new non-quota area in the Marmot Bay region. The catch from this new fishing area was 30.7 million pounds and accounted for the total increase. The total 1971 Kodiak catch was 82.2 million pounds, or 19.8 million pounds more than the total 1970 catch.

Catch per unit effort (CPUE) for the Kodiak area ranged from a low of 2,200 pounds per hour in April to a high of 5,200 pounds in August. The average CPUE declined from 4,366 pounds per hour in 1970 to 3,600 pounds per hour in 1971. Declines in CPUE ranging from 700 to 1,700 pounds per hour were also experienced in the 3 historic major shrimp producing areas. These declines are in part attributable to the influx of new vessels and fishermen, the entry into the fishery of the relatively weak 1968-year class, and a drastic change in the pattern of fishing with the expansion of the fishery to the new offshore Marmot Bay area, which is closer to port than

other major producing areas. CPUE in the Marmot Bay area was 4,300 pounds per hour. Shrimp were generally not as available in the Two-Headed Island, Kiliuda Bay and Ugak Bay areas in 1971 as in 1970. It is speculated that the unusually cold winter and spring may have caused some changes in the magnitude and timing of migrations from, offshore to the inshore fishing areas.

Sampling of the commercial catch indicates that the 1970-year class is weaker at age I than the 1968- and possibly the 1969-year classes at the same age in the Two-Headed Island, Kiliuda Bay and Ugak Bay areas. There is concern that because of the weakness of the 1968-year class, which appears to be due to natural causes, excessive numbers of small (1969-year class) shrimp may have been harvested. The success of the 1972 fishery in these areas may depend on the carry-over strength of the 1969-year class. It is anticipated the 44 million-pound quota for these areas, initially, will be the same in 1972, but may be adjusted as the season progresses.

The Shumagin Island shrimp fishery, PMFC area 55 (including the Chignik area) did not expand in 1971 as expected. The 1971 catch was 5.5 million pounds, and was 3.8% more than the 5.3 million pounds caught in 1970. CPUE for one vessel was 3,000 in 1970 as compared to 2,400 for two vessels in 1971. One processor and three vessels engaged in this fishery.

The Cook Inlet fishery, PMFC area 53, is now well established. One processor and four vessels are included in the fishery. Catches and CPUE held up well during 1971. The stocks are considered in excellent condition. Catches varied between 102,000 and 979,000 pounds per month and the CPUE between 1,200 and 9,000 per hour. These compare roughly to the previous years' catches. The total catch was 5.4 million pounds.

A major change in the Cook Inlet fishery was inauguration of a quota system in 1971. The 5 million-pound quota is split between 6-month periods of the year to insure a year-round fishery. The smallest portion (200,000 lbs.) of the quota is allowed to be taken during the period of the year when spawning occurs, thus allowing a measure of protection during this period.\*

The shrimp catches of southeast Alaska, PMFC area 51, decreased; only 968,000 pounds were delivered in 1971. Major fishing areas were closed January through April due to poor fishing success. Upon reopening, fishing continued poor until July when CPUE improved. Fishing is mainly with beam trawls although a small percentage of the catch is from pots. Causes for the decline in the past two years are unknown.

The Prince Williams Sound fishery, PMFC area 52, is a pot fishery only for "spot" shrimp and has shown little change. A total of 6,500 pounds was landed in 1971.

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## Status of the 1971 Pacific Coast Trawl Fishery

Pacific Coast trawl landings of groundfish by United States and Canadian fishermen totalled 134.3 million pounds in 1971 (Figure 1). This amount is down slightly (1.6%) from the 139 million pounds landed in 1970.

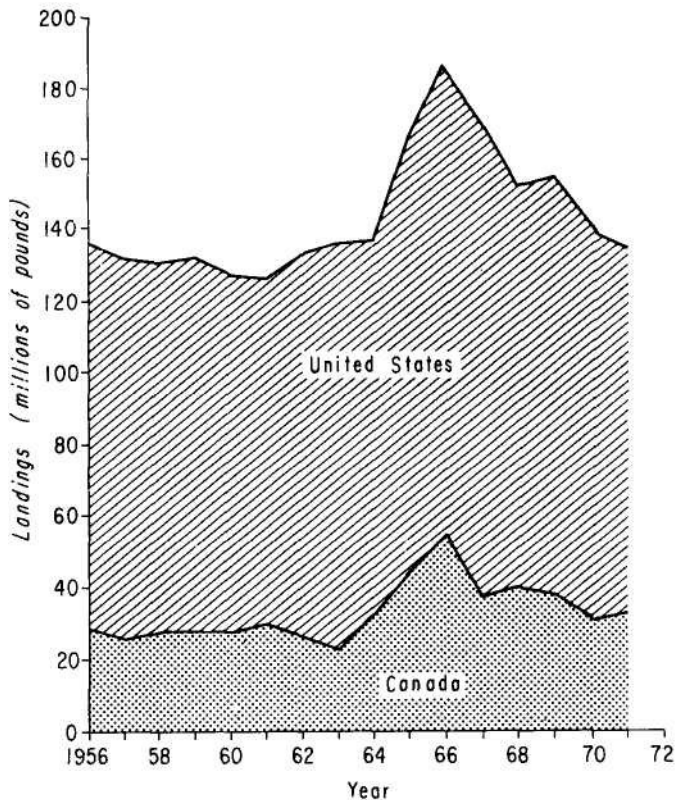


FIGURE 1. Pacific Coast trawl landings of the United States and Canada.

A detailed look by region reveals the following patterns. As in previous years there were no significant trawl landings in Alaska. In Washington the 1971 trawl landings were 43.2 million pounds which is down 12.4% from 1970 (Table 1). There has been a pattern of declining vessel numbers and resulting fishing effort in the last 2 years for the trawl fishery based in this State — an apparent reflection of market conditions. Oregon trawl landings were virtually the same level as 1970, that is, about 20 million pounds. Increased fishing effort to the north off British Columbia was evident in 1971 by boats based in Astoria. The 1971 California landings were 38.5 million pounds, down 2.1% from the record high 1970 catch.

Region	1970	1971	% Change
Alaska	negligible	negligible	
Washington	49,313	43,218	—12.4
Oregon	20,044	20,463	+ 2.1
California	39,372	38,545	— 2.1
Total U. S.	108,729	102,226	— 6.0
British Columbia	30,697	32,089	+ 4.5
Total (U.S.-Can.)	139,426	134,315	— 3.7

TABLE 1

Total trawl landings (1970-1971 in 1,000's of lbs.)

Market demand in California was high early in the year and then weakened as the year progressed.

In British Columbia, the total catch of 32.1 million pounds was up 4.5% from 1970. This was due primarily to increased catches of Pacific cod which is the major species of importance to Canadian trawl fishermen.

The following is a capsule look at the status of the 8 most important foodfish species comprising the Pacific Coast trawl catch of the United States and Canada (Figure 2 and Tables 2-9).

### Petrale Sole (*Eopsetta jordani*)

Petrale Sole landings for 1971 were 8.2 million pounds (Table 2). This total is up 20.3% from 1970. The fishery on this species by boats based in California, Oregon and Washington was up in all 3 States with total U. S. landings of 7.1 million pounds being reported. In British Columbia, a significant increase in the summer inshore fishery catches occurred and total landings of 1.1 million pounds were well above the very low level of 1970.

Region	1970	1971	% Change
Alaska			
Washington	797	1,095	+ 37.4
Oregon	2,141	2,284	+ 6.7
California	3,415	3,704	+ 8.5
Total U. S.	6,353	7,083	+ 11.5
British Columbia	463	1,115	+140.8
Total (U. S.-Can.)	6,816	8,198	+ 20.3

TABLE 2

Trawl landings of petrale sole (in 1,000's of lbs. food fish only)

### English Sole (*Parophrys vetulus*)

English sole production in 1971 was 7.5 million pounds which is down 20.8% from 1970 landings of 9.5 million pounds (Table 3). The United States portion of the catch was 6.1 million pounds. This was down from 1970 due in part to a substantial decline in Washington landings which reflects an apparent decreased abundance of English sole off the northern Washington coast. A 45% decrease in British Columbia catch also occurred. The bulk of the Canadian catch was taken from grounds in northern Hecate Strait.

Region	1970	1971	% Change
Alaska			
Washington	1,718	1,316	— 23.4
Oregon	1,884	1,799	— 4.5
California	3,279	2,964	— 9.6
Total U. S.	6,881	6,079	— 11.7
British Columbia	2,612	1,438	— 44.9
Total (U. S.-Can.)	9,493	7,517	— 20.8

TABLE 3

Trawl landings of English sole (in 1,000's of lbs. food fish only)

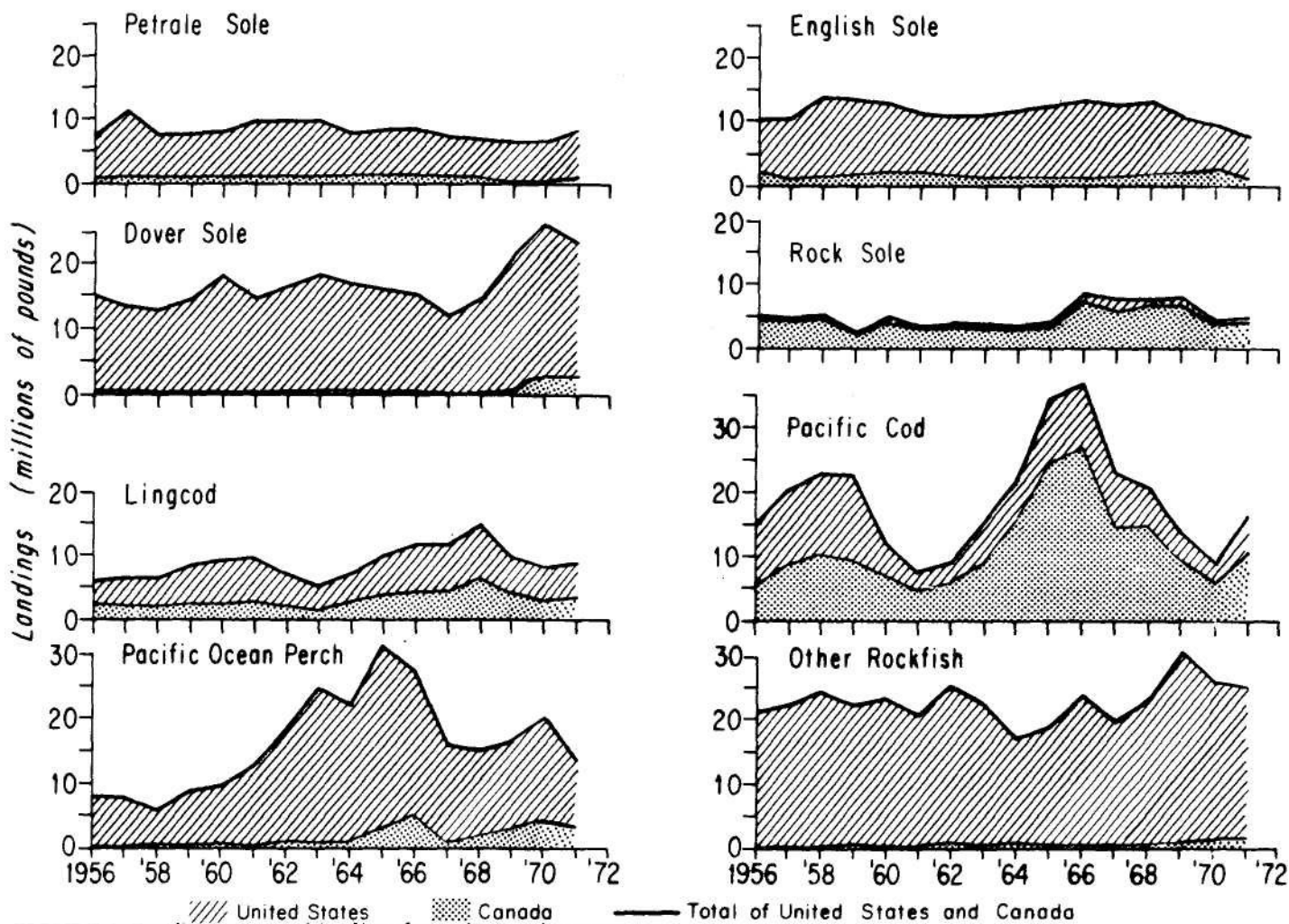


FIGURE 2. Pacific Coast trawl landings by major species or group.

**Dover Sole** (*Microsomus pacificus*)

A 73% decline in Dover sole landings occurred in 1971 compared to 1970 (Table 4). United States production for this species was down from the extremely good catches in recent years although still at a substantial level of 21.1 million pounds. Poor weather conditions during January through March of 1971 held down the catches of deep-water spawning fish harvested in Washington and partially accounted for the substantial decline in this State. British Columbia landings of this species remained at a fairly high level of approximately 3.0 million pounds, however, landings in this area are dependent on market demand which has been increasing in recent years.

**TABLE 4**

Trawl landings of Dover sole (in 1,000's of lbs. food fish only)

Region	1970	1971	% Change
Alaska			
Washington	2,235	1,376	- 38.4
Oregon	5,538	5,530	0.0
California	15,144	14,241	- 6.0
Total U. S.	22,917	21,147	- 7.7
British Columbia	3,111	2,987	- 4.0
Total (U. S.-Can.)	26,028	24,134	- 7.3

**Rock Sole** (*Lepidopsetta bilineata*)

Rock sole landings in 1971 reached 5.0 million pounds (Table 5). Most of the trawl catch of this species is taken in British Columbia. The 1971 Canadian catch was up 10% from 1970 to 4.3 million pounds. The Washington and Oregon trawl catch was up significantly to 690,000 pounds.

**TABLE 5**

Trawl landings of rock sole (in 1,000's of lbs. food fish only)

Region	1970	1971	% Change
Alaska			
Washington	452	568	+ 25.7
Oregon	5	122	
California			
Total U. S.	457	690	+ 51.0
British Columbia	3,906	4,309	10.3
Total (U. S.-Can.)	4,363	4,999	+ 14.6

**Pacific Cod** (*Gadus macrocephalus*)

The trawl fishery for Pacific cod improved considerably in 1971 compared to 1970. The total U. S. and Canadian catch of 17.1 million pounds was nearly double 1970's catch (Table 6). Most of the U. S. catch is landed by boats based in Washington.

Washington's catch was 5.6 million pounds in 1971 compared to 2.7 million in 1970. Oregon's landings also were up considerably, approaching 500,000 pounds. The important British Columbia fishery for this species landed 11.0 million pounds, up 74% over 1970.

**TABLE 6**

Trawl landings of Pacific cod (in 1,000's of lbs. food fish only)

Region	1970	1971	% Change
Alaska			
Washington	2,660	5,615	+111.1
Oregon	78	483	+519.2
California			
Total U. S.	2,738	6,098	+122.7
British Columbia	6,339	10,996	+ 73.5
Total (U. S.-Can.)	9,077	17,094	+ 88.3

**Lingcod (*Ophiodon elongatus*)**

The 1971 landings of lingcod were 8.3 million pounds, up 5% over 1970's landings (Table 7). A 22% decline in Washington landings was partially offset by increases in the Oregon, California and British Columbia catches. The slight improvement in total catch discontinued a generally declining trend in lingcod landings since the very good years of 1966-1968.

Region	1970	1971	% Change
Alaska			
Washington	2,540	1,984	- 21.9
Oregon	945	1,281	+ 35.6
California	1,300	1,651	+ 27.0
Total U. S.	4,785	4,916	+ 2.7
British Columbia	3,162	3,427	+ 8.4
Total (U. S.-Can.)	7,947	8,343	+ 5.0

**TABLE 7**

Trawl landings of lingcod (in 1,000's of lbs. food fish only)

**Pacific Ocean Perch (*Sebastes alutus*)**

Pacific ocean perch production in 1971 was 12.7 million pounds, down 37% from the 1970 level of 19.5 million pounds (Table 8). United States catches were down substantially due to a 39% decline in landings in Washington which is home base to the majority of U. S. trawlers fishing ocean perch. The Washington decline was due at least in part to a general decrease during 1971 in the number of trawl vessels. Oregon landings on the other hand increased slightly in 1971 com-

pared to 1970 primarily because Astoria based boats fished off the British Columbia coast. British Columbia landings of Pacific ocean perch were down significantly to 2.9 million pounds versus 4.6 million pounds in 1970. The majority of Canadian fishing effort occurs in Queen Charlotte Sound.

**TABLE 8**

Trawl landings of Pacific ocean perch (in 1,000's of lbs. food fish only)

Region	1970	1971	% Change
Alaska			
Washington	13,249	8,074	- 39.1
Oregon	1,595	1,649	+ 3.4
California	57	112	+ 96.5
Total U. S.	14,901	9,835	- 34.0
British Columbia	4,629	2,947	- 36.3
Total (U. S.-Can.)	19,530	12,782	- 34.6

**Other Rockfish (*Sebastes* and *Sebastes* sp.)**

The "other rockfish" category comprises all rockfish species other than Pacific ocean perch. Total landings for 1971 were 24.5 million pounds, about 6.7% below the 1970 catch level (Table 9). The major portion of the "other rockfish" catch is landed in California and Washington. U. S. landings for 1971 were about 8% below 1970. British Columbia landings were up slightly in 1971 and reached 1.7 million pounds.

**TABLE 9**

Trawl landings of other rockfish (in 1,000's of lbs. food fish only)

Region	1970	1971	% Change
Alaska			
Washington	12,157	10,525	- 13.4
Oregon	3,515	3,404	- 3.2
California	9,059	8,858	- 2.2
Total U.S.	24,731	22,787	- 7.9
British Columbia	1,530	1,716	+ 12.2
Total (U.S.-Can.)	26,261	24,503	- 6.7

Compiled by Gene DiDonato, Washington Department of Fisheries

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# Appendix 2 - Panel Summaries

## Indian Fishing Problem

### Carl N. Crouse, moderator

The purpose of this panel on the Indian fishing problem is to bring all of us up-to-date on recent developments and to review some of the history related to the problem. Participating in the panel are three of the most knowledgeable persons on this subject: Wallace H. Noerenberg, Commissioner, Alaska Department of Fish and Game; Larry Coniff, Assistant Attorney General, State of Washington; and Jack E. Tanner, Attorney and frequent counselor for Indian groups. Each will discuss a different phase or point of view of the problem. Because of insufficient time, there will be no questions or discussion from the floor. When the panelists have finished, and if there is time, we may ask for clarification of some points. Those of you who may wish to question or to comment to the panelists are urged to speak to them informally during the morning recess and lunch period.

### Wallace H. Noerenberg, panelist

I wish to review briefly the background of the Alaska Native Land Claims and the Alaska Department of Fish and Game's position in reference to the possible effects of the claims on fish and game. These effects are one of three or four major issues that the Native People and Congress are seeking solutions to. The two Houses of Congress each recently passed a separate bill on native claims, the two bills have been referred to a Conference Committee.

A just and equitable settlement of native claims is long overdue. The Russians began to occupy parts of Alaska in about 1740, but they never dealt with the problem during their approximately 125 years of ownership prior to the sale to the United States in 1867 of what we now know as the State of Alaska. The United States made one settlement, 10 or 12 years ago, with the Tlingit and Haida Indians of Southeast Alaska for \$7.5 million on some aspects of their claims. Other than that, the claims have been dormant until the last 3 years when a tremendous number of bills to settle the claims have been introduced in Congress.

The Alaska Department of Fish and Game has been very concerned with the language of some of these bills, especially those proposed by the Alaska Federation of Natives in which the primary jurisdiction over fish and game would be taken away from the State. Some of the complicating factors are: the large area; about 60,000 natives divided into 4 ethnic groups (Eskimo, Aleut, Athapascan, and Tlingit-Haida) plus a 5th group (Tsimshian) that migrated from the Prince Rupert area of British Columbia; about 30 so-called reservations, only 2 of which (Klukwan and Annette Island) have status approaching that of reservations established by Congress in the contiguous 48 States. Thus the State of Alaska has maintained jurisdiction over fish and game in all of Alaska, except the Klukwan and Annette Island reservations; and the State's constitution provides all peoples of Alaska, both white and nonwhite, share equally in the privilege of subsistence fishing, if they are resi-

dents. The Department of Fish and Game therefore has a large section of its regulations dealing with commercial and subsistence fisheries that applies to Native People as well as to other people.

Just what effect will the 2 recent Congressional bills (H. R. 10367 and S. 35) have on Alaska's fish and wildlife subsistence provisions? Hopefully the Conference Committee will come up with a compromise between the 2 bills which have been assigned to it. But it is anybody's guess what the final language of the compromise will be regarding fish and game jurisdiction and special subsistence rights for Alaskan Natives. The bill will undoubtedly provide the Natives with fee title to all recognized villages. In addition there is a possibility of the Natives being given fee title to from 10 million to 60 million acres of land. The approximately 200 recognized villages will probably each get fair size pieces of land. The Senate bill would grant, in addition to title to land, some special lands for hunting, fishing, berry picking, and other subsistence needs. The House bill would not grant additional land beyond the fee title village lands. This is a key issue before the Conference Committee.

A second key issue in the land settlement is the amount of money to be paid the Natives for extinguishing of their rights. This may be in the neighborhood of \$500 million; it would go to Native regional corporations and not to individuals. The money would probably go into development projects and have great impact on the fisheries of the West Coast and activities of the Pacific Marine Fisheries Commission and other fishery agencies. Some of this money would go to groups in fishing communities along the coast for new processing facilities, new vessels, new gear, development of new fisheries, etc. The amount of this money and what is done with it may turn out to be more important than the jurisdictional issue which I tend to emphasize.

A third key issue is asking 1 of the 50 States for the first time in history to contribute dollarwise, somewhat equally, to a native land claim settlement. The contribution would be by means of overriding oil royalties that are anticipated by the State; probably another \$500 million would flow from this source to the Natives instead of into the State Treasury for the benefit of all the people of Alaska.

I may be oversimplifying these things, because the legislative proposals are numerous and each has a slightly different plan of action. However, the 3 foregoing issues and a 4th which I am about to discuss seem to be common elements which are almost bound to be included in final legislation.

The fourth issue is protection of historic subsistence hunting, fishing, berry picking, etc., rights of the Natives. This is the issue that this panel is mostly about. I will deal almost entirely with the concepts in S. 35, which are not greatly different from those of H. R. 10367. S. 35 declares that its provisions constitute a full and final settlement and extinguishment of any and all claims against the United States, the State, and all its persons which are based upon aboriginal right J title, use or occupancy of the land in Alaska, including sub-



merged land underneath all water areas, both inland and offshore, and including aboriginal hunting or fishing rights which may exist in any Native Village or any Native Group. The land provisions are complicated and I will skip them in the interest of time, so we can discuss the subsistence provisions.

First, the Secretary of the Interior after consultation with the State and after public hearing and publication in the *Federal Register* may classify public lands surrounding any and all native villages as subsistence-use areas. The classification theoretically would be based upon historically claimed areas of subsistence hunting and fishing.

Second, upon petition by residents of a subsistence unit or upon request of a local governing body within the unit and upon concurrence of the State, the Secretary may close a subsistence-use area to entry by persons for hunting, fishing and trapping who are not residents of the unit. The Alaska Department of Fish and Game has just received a petition, in anticipation of this, from the Natives of the Kotzebue area asking under present state regulations for a closure of an enormous unit north of the Chukchi Sea to hunting by all but residents of the area. The petition has been temporarily denied for lack of hearings and information on the reason for the petition. But the Department as part of State Government is in a position from now until passage of the Senate's bill to make rules similar to the Senate's provisions which would exclude everybody but local Natives from specified areas.

Third, under the Senate's bill, a closure to nonresident people can be for 2 years with a 2-year extension after a public hearing. So there is the possibility of very large areas, beyond those owned in fee simple by villages, being exclusively for use by Natives. At least the Natives have the potential for making the use exclusive. Although it appears that the State will have some say in regulating the harvest of animals on those lands it will be incumbent on the State to convince the Federal Government to accept the State's management policies. Fragmentation of jurisdiction is undesirable and could create chaotic situations. Many of the game resources are migratory; caribou are going to pass in and out of areas. In some of the areas the State may have complete control of the resource, in others it may have little or none. In contrast the House bill (H. R. 10367) fails to provide for subsistence lands or units. Presumably the House after considering the State of Alaska's testimony concluded that the State was willing and able to provide for subsistence without a lot of federal legislation.

In summary the two bills in conference jointly provide for the classification of subsistence units. Subsistence-use permits do not give title to the land but only set out a priority use of the subsistence resources. The classification "by permit only" controls entry onto units by nonresidents for hunting, fishing and trapping, if depletion of the resources warrant such action; the exclusion of nonresidents will be only on the basis of short supply. The State still reserves the right to close the season on these resources if the need arises. This retention by the State of some control is significantly different from the aboriginal rights as exemplified on Indian reservations outside of Alaska. Subsistence units can be sold by the Federal Government or selected by the State, but the affected Native Village will be reimbursed monetarily by the Federal Government. The actions of Congress in this matter are heartening. Hopefully, Alaskan peoples, Native and Nonnative, will continue to live together amicably and to avoid the segregation of reservations.

### Larry Coniff, panelist

The subject of Indian treaty claims to fish and hunt outside Indian reservations contrary to state conservation laws and regulations is a complex one. In the limited time available, I will attempt to briefly sketch the judicial history of the Indian treaties which give rise to this problem in the States of Washington, Oregon, and Idaho.

In the mid 1850's, territorial governor Issac Stevens negotiated a series of treaties with a large number of Indian tribes resident in what was then Washington Territory. The treaties were hurriedly negotiated, but they all contained substantially the same language concerning off-reservation fishing by Indians. That language essentially provides that "it is further secured to said tribes and bands of Indians the right to fish at their usual and accustomed grounds and stations in common with the citizens of the territory."

Before turning to the court decisions construing this treaty language, I feel it is important to recall that at the time the treaties were signed, Indian residents of Washington Territory were not citizens and could be legally discriminated against. The Civil War had not yet been fought, and the Fourteenth Amendment to the United States constitution lay in the unforeseeable future *circa* 1850. In light of this historical fact, one would reasonably assume that, on its face, the treaty language in question was intended to secure to the Indians a right to go to their customary sources of food supply without discrimination by non-Indian settlers then moving into Washington Territory. The courts have not recognized these historical facts, but rather they have entered into a confusing and strained series of inconsistent interpretations of the treaty language in question.

The United States Supreme Court has issued four significant opinions concerning the usual and accustomed ground treaty language prior to its recent opinion in *Department of Game v. Puyallup Tribe*, 391 U.S. 392 (1968).

*Ward v. Racehorse*, 163 U.S. 504 (1896), held that upon admission into the Union, a state became possessed of police power sufficient to enable it to apply its conservation laws to off-reservation fishing or hunting claims of Indians. This decision, predicated upon what is commonly referred to as the "equal footing doctrine," has not been recently cited or discussed by the appellate courts. The continued validity of its rationale is, therefore, open to question.

In *New York ex. rel. Kennedy v. Becker*, 241 U.S. 556 (1916), the Court held that the state might apply its fish and game laws to off-reservation claims of Indians based upon the state's "sovereignty." The Court rejected the notion that the Indians could regulate their own off-reservation fishing activities separately from those conservation regulations which would apply to all other citizens.

*Seufert Bros. Co. v. United States*, 249 U.S. 194 (1918), held that treaty Indians possessed a right in the nature of an easement to go across privately owned lands to reach their usual and accustomed fishing locations. This decision occurred shortly after the *Kennedy* decision, but the Court did not attempt to rationalize the two opinions. This decision did not discuss the question of a state's sovereignty or police power to enforce conservation laws.

In 1942 *Tulee v. Washington*, 315 U.S. 371 (1905), held that a state could not charge a treaty Indian a fee for a com-

mercial fishing license to fish at his usual and accustomed grounds where the revenues derived from the fee charged were to be used for the general support of state government as distinguished from being related to a fishery conservation program. The Court rejected the Indians' contention that they were not only free from the licensing laws of the State of Washington but also the other regulatory laws designed to conserve the fishery resource.

In 1968, the United States Supreme Court issued an opinion concerning the right of the Puyallup Indians to fish on the Puyallup River in the State of Washington. This decision held that the state might apply its conservation laws to off-reservation fishing activities by treaty Indians "where reasonable and necessary for conservation." The Court rejected several lower federal court decisions arising in the State of Oregon which held that the State of Oregon must *meet* "indispensability" standards prior to application of its conservation laws. However, the Court, at footnote 14 of the opinion, suggested that a separate and distinct constitutional standard might be imposed upon a state in terms of application of its conservation laws to off-reservation fishing by treaty Indians. Footnote 14 has spawned a series of additional cases which are in various stages of preparation for trial, trial, and appeal in various courts in the States of Washington, Oregon, and Idaho. A recent federal district court opinion, which was unfortunately not appealed by the State of Oregon, held that the Indians are entitled to a separate commercial set net fishery on the Columbia River and that they are entitled to a "fair share" of all of the Columbia River fishery runs. The Supreme Court of the State of Washington has recently issued two opinions both of which are mutually inconsistent. In *State v. Moses*, 79 Wn. 2d 104, 324 P. 2d 827 (1971), the Court held that the state may apply its anti-set net laws to treaty Indians on the Green River who were fishing for steelhead (a game fish) contrary to the statute. A more recent opinion, which constitutes a continuation of the *Puyallup* decision discussed above, is found at 80 Wn. 2d 561 (May 4, 1972). This decision of the State Supreme Court apparently indicates that a state law may not be applied to treaty Indians fishing at off-reservation locations in state waters except when certain "court approved" biological standards are met. Petitions for rehearing have been filed with the Supreme Court by all parties, including the Federal Government. We are awaiting the results of these petitions at the present time.

The Supreme Court of the State of Idaho recently issued an opinion entitled *State of Idaho v. Tinno*, No. 10737, June 8, 1972, which apparently holds that treaties which only mention hunting also include fishing. The Court goes on to articulate the notion that state police powers may only reach off-reservation fishing activities by members of the Shoshone-Bannock Tribe where preservation of the resource is at stake. The Court indicated that total closure of non-Indian sport and commercial fishing would be required.

A major new case has been filed by the United States Government *on its behalf* and on behalf of numerous Indian tribes in Western Washington in which broad claims are stated and injunctive relief is presently being sought against both the Department of Fisheries and the Department of Game. Basically, the Federal Government asks that the court declare that all state laws, rules, and regulations are unconstitutional as applied to Indians making claims of treaty rights in state

waters. It should also be noted that the Federal Government takes the position, as it has in the past, that should the Indians prevail, they would be in the paramount position regarding the right to maintain off-reservation Indian commercial netting fisheries to the total exclusion of the State. Should the relief sought be granted, we would be witnessing a fundamental and drastic shift in governmental authority by removing the power to protect fish and game resources from the State and shifting it to the Federal Government.

#### **Jack E. Tanner, panelist**

I want to say to you today that I do not appear here as a representative of any Indian Tribe. The remarks that I am about to make to you should not be considered by you as a position or policy position of any Indian Tribe. The remarks are my own observations, and are a result of many years of experience as an attorney involved in the "Indian Fishing Cases."

Although the Puyallup River is most frequently mentioned the Nisqually River was also the subject matter of the lawsuits that were eventually argued in the Supreme Court of the United States. Both rivers are within the geographical boundaries set by the terms of the Treaty of Medicine Creek of 1854.

The search for and reproduction of fish is going to become more competitive and intense in the immediate future. The need and desire of people throughout the world for fish as food is rapidly increasing. It is doubtful if the supply can meet the demand.

The problem of Indian Fishing has been with us since the last century, but of course the Indians refer to it as the white man's problem and not theirs.

There has been in the past problems or incidents in most parts of the State of Washington, but probably the most spectacular and highly publicized situations involve areas where the Treaty of Medicine Creek is involved, and that is on the Nisqually and Puyallup Rivers.

A legal action filed in Pierce County in 1964, entitled *Department of Game v. Puyallup Tribe, Inc.* 70 Wn 2nd 245, resulted in restraining orders — injunctions, judgments, confrontations, violence and arrests of the Indian people.

The game and fish departments of the State of Washington took the position that the Indians had or have no special rights over and above those given to all citizens. The Department of Fisheries now says Indians have some special rights — whatever they might be. The Game Department (until just recently) has been adamant against any special rights. They take the position, "Net fishing is incompatible with conservation."

The State Supreme Court upheld the injunction order of the Superior Court of Pierce County, but said "regardless of whether treaties with Indian tribes were necessary they were deemed desirable by the United States and could not be repudiated by this state or its courts." The Court also said, "members of the tribes signatory to the various treaties do have certain special fishing rights thereunder, notwithstanding the contention of the state, and the members of such tribes are subject at least to regulations which are necessary for the preservation of the fishery, notwithstanding their contentions

to the contrary." The court also said, "There is no longer a Puyallup Indian Reservation."

The Supreme Court of the United States, in a case entitled *Puyallup Tribe v. Department of Game* 391 U.S. 392, in a rather vague and uncertain decision said that the State could regulate Indian off reservation fishing but that the regulations must be reasonable and necessary for conservation, and the State could not discriminate against the Indians. The Supreme Court did not say there is no longer a Puyallup Indian Reservation. The litigation goes on and the problems will continue—just so long as the fish are valuable.

The most interesting question now is the existence and extent of the present day Puyallup Indian Reservation and whether it includes the bed of the Puyallup River and any or all of Commencement Bay. I submit that this question is not within the jurisdiction of the courts of the State of Washington to decide. If the Supreme Court of the United States decides adversely to the State then all Indian Fishing will be on Reservation. I would suggest to you that the Indians are now and have been in the past fishing on the Reservation. If

there is still a Puyallup Indian Reservation, and I believe there is, then the Puyallup Indians are and will be legally entitled to all the fish in the river.

I have always been of the opinion that the treaties cannot be properly dealt with through the courts. I think that the treaties were political creatures — but of course the Indians do not trust or fully understand the art of politics. All treaties are still subject to political considerations. I would conclude by saying

1. There is an Indian Fishery
2. There are Indian Reservations
3. There are Indian Tribes

these facts must be recognized; any attempt to do otherwise is sheer folly. The Indian Fishing Problem will not just disappear. The present policies and programs have been and will continue to be exercises in futility — unless the Indian people are included, on an equal basis, in all policy and decision making commissions and agencies — only then will there ever be any meaningful progressive attempt to solve the problem of Indian Fishing.

## **State-Federal Coordination in Research and Management of Fishery Stocks (and U.S. Policy Preparations for Law of the Sea Conference)**

### **Dr. William F. Royce, moderator**

Almost anyone who takes a casual look at the thicket of state-federal relationships in this country wonders how any thing is accomplished and is pessimistic about improving the relationship. One might even regard the situation as hopeless unless he looked at the intergovernmental relationships of any other country in the world and discovered that they are as bad or worse.

This country has had friction among state, federal, and local agencies since its inception. We started with centers of power in the local governments and have shifted it irregularly but consistently in the direction of state and federal governments. We now have a collaborative chaos in which it is particularly difficult to achieve a national consensus. Nevertheless, there are correctional mechanisms for almost every difficulty and a general interest does emerge.

We have before us today a special case of intergovernment coordination in managing fishery Stocks. Our forum is an interstate commission which was established to coordinate and strengthen the states' role in these problems. This Commission was organized nearly 25 years ago and its resolutions during its first few years were almost all in opposition to federal acts or regulations. This polarization did not continue long, however, and substantial coordination between federal and state fishery agencies has developed. Those of you who are discouraged about the possibility of coordination should take some heart in noting the much more positive nature of the resolutions passed by this Commission in recent years.

Most of our speakers today are concerned especially about our international fishery problems. This is a perfectly natural extension of the intergovernmental problems that PMFC has been dealing with throughout the years. All of the fish stocks (except those of boundary rivers) that are divided among

fishermen of two or more states are also potentially divisible among fishermen of two or more nations. If the ocean stocks cause interstate problems, they may also cause international problems and around this very fact develops the urgency of state-federal coordination in their management.

Speakers on this panel will be Walter V. Yonker, Executive Vice-President, National Cannery Association, Seattle; Robert W. Schoning, Deputy Director, National Marine Fisheries Service, Washington, D.C.; Dr. Dayton L. Alverson, Acting Director, North Pacific Fisheries Center, National Marine Fisheries Service, Seattle; Ed J. Huizer, Deputy Commissioner, Alaska Department of Fish and Game, Juneau; and Harold E. Lokken, Manager, Fishing Vessel Owners Association, Seattle.

### **W. V. Yonker, panelist**

The United Nations Law of the Sea Conference which is now scheduled for 1973 may have the greatest impact on the future of the United States fishing industry of any event that has taken place during my association with the industry. Our fishing industry or some of its segments are the only interest involved in the deliberations of that Conference which could be put out of business as a result of decisions reached at the Conference. For example, the ocean mining and petroleum industries could lose the right to deep ocean exploitation and could be denied the right to expand into an area where they do not now operate, but they are not faced with the loss of their present operations as could be the case with the fishing industry.

My deep concern about the impact of the Conference on U.S. fisheries stems from two considerations. The first of these is that the U.S. has set priorities for its objectives at the Conference. A 12-mile territorial sea is number one, passage

through straits is number two, and fisheries is number three. My second concern is that the U.S. delegation to the preparatory meetings for the Conference does not include representatives from the fishing industry, nor is such representation being considered for the Conference.

As you are aware, the various interests of the U.S. fishing industry have spent over two years in a series of meetings, conferences, and workshops and have developed a position which generally represents a common point of view for the industry. This was a unique accomplishment for the industry because they have never been able to agree on anything of substance in the past. This position reflects the interests of the distant water, anadromous, and coastal fisheries.

This position was presented to our Department of State prior to the first conference preparatory meeting in March of 1971. The U.S. fishery position was presented at the July-August preparatory conference in a watered down form and the United States indicated, at that time, that this position was negotiable.

Nine individuals, representing the various segments of the U.S. fishing industry, at their own expense attended the second preparatory meeting for the Conference. This was a 6-week meeting which was held in Geneva last July and August. These fishery representatives were observers with no access to delegation meetings or input into the positions taken on fisheries at these meetings. The observers did receive 3 briefings by the U.S. delegation during the 6-week preparatory meeting.

As a result of the obvious problems which were developing for fisheries at this Geneva meeting, representatives of the various segments of the U.S. fishing industry met in Washington, D.C., and prepared a statement to President Nixon requesting adequate representation on the delegation for future preparatory meetings and at the Conference. This request to the President was backed up by Congressional and agency contacts to support this position. - - - ,

This is a reasonable request because the fishing industry has a number of able negotiators in the international area who have spent many years in this activity. For this reason we feel fisheries can make an important contribution to the negotiations. Fishery participation is not without precedent in such negotiations as there were 5 industry representatives at both the 1958 and 1960 Conferences. ♦

This oversimplified discussion of the very complicated problem may seem out of place regarding State-Federal Coordination in Research and Management of Fishery Stocks, but I feel it is applicable. The management of these stocks at a federal and state level could be seriously affected by the results of the UN. Law of the Sea Conference. If a position should prevail in which the resources of the sea are a "common heritage of mankind" and are to be "developed for the common benefit of all mankind," our problems will be very, very complex. We will be faced with the problem of whether to conserve a resource for what our fishermen can take in competition with foreign nationals or to terminate all interest in that fishery. If coastal fisheries are protected and the tuna, and/or shrimp and/or salmon resources are traded off for defense interests your deliberations will be concerned with a different set of problems in research and management.

Obviously I am using two extremes of what might come out of a Law of the Sea Conference. At the same time we must

recognize that this country's defense interests will play the major role in determining this country's objectives at the Conference and I do not believe anyone would consider lessening our level of national security and I do not believe fisheries as trading stock in this area will be productive.

From my own point of view, I feel it is doubtful that a full conference will be held in 1973. There are some 127 nations involved in the preparatory meetings for the Conference and in the Conference itself. To develop even an agenda for a Law of the Sea Conference will be a monumental job. I feel the United States considers fisheries a low priority item and consequently trading stock in the Conference. I also feel this is a mistake in judgment on the part of our government because some 70 so-called emerging nations can see fisheries as an immediate exploitable resource while deep ocean mining and petroleum developments are beyond their technical capacities.

You are faced with numerous problems in the Pacific Marine Fisheries Commission but I hope you are aware of the seriousness of the Law of the Sea Conference in terms of the fisheries of interest to you and will consider the possible effects of the Conference during your deliberations.

#### **Robert W. Schoning, panelist**

The State Department would have liked very much to accept PMFC's invitation to send someone from Ambassador McKernan's office to this forum to tell us the status of recent fishery negotiation, Law of the Sea Conference and international fishing aspects. However, at the last minute the Ambassador's office was unable to send a representative and asked me if someone from the National Marine Fisheries Service could deliver the office's comments to you. So now we will hear from Dr. Alverson, who was in Geneva for some time as an active, contributing member of the U.S. delegation. He will review the U.S. position on fishery matters at Geneva, the progress to date and the outlook. After he has finished, I will comment on the "State-Federal Management" concept.

#### **Dr. Dayton Lee Alverson, panelist**

I prefer not to be cast in the role of presenting the State Department's position. However, as a member of the U.S. delegation, I will try to reflect the total U.S. position, but I would like you to differentiate between policies developed by NMFS or the Department of Commerce *vis-a-vis* those that represent the totality of a government decision. In law of the sea matters the major departments concerned are Defense, State, Interior, and Commerce; other departments are involved, but to a lesser extent. All have input, so the final policy is an integration of various views.

Basically what did the United States present at Geneva in July and particularly on August 3 in terms of a fisheries policy? U.S. fishery policy was based on establishing regional bodies which essentially would be responsible for management of both coastal and anadromous fisheries. This would be the institutional form on a regional basis which would take care of international fishery problems except for those related to so-called high seas oceanic species. The latter would be under the jurisdiction of totally international groups, so their management would be more internationalized than for coastal and anadromous species.

First, there was proposed an institutional form. Second, there was proposed a set of principles under which all living resources would be managed. These principles essentially were based on conservational aspects of the resources, but they incorporated a new concept. This is a concept of allocation on the part of the coastal State and the use of the resource by that State. The concept is basically confined to anadromous and coastal species. By coastal species I mean all forms that essentially inhabit the continental shelf and slope areas of the world: the flounders, the cods, the shrimps, etc. For those species and the anadromous species, the allocation principle essentially says that if a coastal State uses a resource, it can allocate that part of the total harvest or the total renewable harvest to itself.

Some people say the hitch in this is the restriction that allocation cannot take any part of the distant-water fishery's percentage of the total allocation that the fishery had on the basis of past historical performance. This really means at the onset of the treaty, the coastal State could lock in that part which it traditionally used but not the part that the distant-water operators had used. However, there is provision as time goes on, if the coastal State can compete, for example in direct competition with the Soviet fleet, and thereby can increase its part of the allowable harvest the coastal State can subsequently add that to its part of the allowable catch. Theoretically, if a coastal State had the capacity to effectively compete for a resource and began to use it, the State could in time allocate the total allowable harvest to itself.

For anadromous species, the U.S. position was that the allowable harvest of anadromous species essentially could be allocated to the host State, if there was total use of the resource by that State. This would mean for all practical purposes in the North Pacific, the United States could allocate to itself most all of the salmon resources that it now uses with the possible exception of those that relate to the historical Japanese fishery west of the traditional division line where that fishery has operated to some extent on "U.S. salmon stocks.

For oceanic species (tuna, jack mackerel, etc.) no allowable catches of them could be allocated to the coastal State. These high seas pelagic forms would be managed strictly on the basis of their conservation needs.

The U.S. proposal also contains several other new concepts.

1. If the coastal State cannot get the distant-water operators to fish in accordance with the principles provided in the proposal or if the operators will not form or become part of the regional group the coastal State may act unilaterally to preserve or to allocate the resource.

2. The coastal State would have the enforcement right to board and examine any fishing vessel operating off its coast to see that the conservation aspects were being adhered to. This is essentially something that has not been done in the past. It would, for example off our coast, allow us to board and examine Soviet vessels. This presumes that the concept has been adopted by the Law of the Sea Conference and the countries involved. If this were the case, we could board those vessels and any that were found in violation of conservation aspects could be arrested and brought into port. If a violation was outside the 12-mile limit the violating vessel and its crew would have to be turned over to their Government for punishment, but the coastal State would have the monitoring and arresting capabilities.

3. A mandate is provided to resolve disputes through a special commission. All basic disputes, as I understand it, both in the allocation and the conservation aspects would be referred to the commission as they occur.

4. Finally, a very interesting aspect of the U.S. proposal is the omission of the traditional "proof beyond reasonable doubt" condition from the process of taking conservation steps. The U.S. position is the individual state need only base its decision on the best scientific information available, instead of having to wait until there is a finality of proof for the particular situation. This is a change in the historic protocol that has been associated with many past commissions and international bodies who have been concerned with management of living resources of the high seas.

Now, a little of my own anticipation of where the Conference will go. I tend to agree with Walter Yonker that there is just too much work to be accomplished before 1973, so I estimate that the final session will not be before 1974. I also tend to agree that the developing countries in general are looking for much stronger coastal state control. They are developing a concept of coastal state jurisdiction or economic zones, whose breadth is presently indefinite but may range from 50 to 200 miles seaward. In these zones the coastal State would have jurisdiction or a sort of custodianship over management of the living resources and could allocate all such resources, that it uses, to itself. There are very strong feelings, at least at the current preliminary meetings, to bring about some sort of coastal economic or jurisdiction zone. To some extent the developing Countries are also suggesting these zones for the protection of the environment and prevention of pollution. I think it is fair to say that there are also a good number of developed Countries that support these policies particularly those Countries I call the island Countries: New Zealand, Australia, etc. Even some Western European Countries are supporting these policies. I recall that Spain and Iceland are strongly in favor and France has indicated some favor. So very strongly increased control or custodianship by the coastal State seems to be emerging as the Conference's dominant point of view at present. This view is somewhat in conflict with the U.S. proposal. I do not argue with Walt Yonker about what he said\* are U.S. priorities, but I do not think they have been officially established. However, if one reads the documents (proposal), he is quite correct. They imply there are certain activities on the high seas, such as mobility in regard to transportation and national security, that are very high priority in this Country's decisions at the Conference, and those activities obviously take priority over fishing, at the present time.

This summary is the fishery part of the total policy established by the U.S. Departments that I mentioned earlier.

#### **Robert W. Scheming, panelist**

My comments will be on four aspects of the State-Federal Management concept being developed by the Federal Government: 1. the purpose, 2. the problems we hope to resolve, 3. the objectives, and 4. a sort of time schedule for NMFS' activities to accomplish the objectives.

1. The overall purpose is the establishment of a coordinated state-federal program to improve management of fish resources so as to achieve the appropriate allocation of those resources among competing users, and to provide the legal

institutional environment for development of a viable commercial fishing industry and of maximum recreational opportunities.

2. The basic problem might be divided into two subjects: one that relates to the common property concept of fish resources; and the other that relates to the split jurisdiction between States, Federal Government and nobody.

The common property concept implies an undefined traditionally vested right of anyone, nationally or internationally, to take fish beyond a given geographical limit, 3 miles, 12 miles or whatever distance. Because of this premise, some fishes, especially abundant ones, have attracted excessive members of commercial fishermen with the consequent threat of over-fishing. This is a problem we hope to approach or resolve. The situation is complicated, and in some cases intensified, when sport and commercial fishermen compete for the same resource. Regulations to alleviate overfishing have sometimes allowed unlimited numbers of persons to fish; and where the members could not be controlled, the regulatory authorities have imposed inefficiencies on the fishermen. Frequently these inefficiencies have virtually guaranteed economically depressed fisheries. Concerning this, Canada has taken some very noteworthy steps to establish "limited entry" in both its salmon and lobster fisheries. Limited entry is one procedure we are considering.

In regard to split jurisdiction, the States clearly have authority (I say clearly with some reservation) over the fishery resources within territorial waters (inside 3 miles). There is at present no clear authority for either the States or the Federal Government to manage fisheries within the contiguous zone (3 to 12 miles). Beyond 12 miles there are essentially no restrictions on international exploitation, except where special treaties or agreements exist. Lastly, under the existing frame work of authority there is no single government entity that can adequately manage many fishery resources throughout the range or migrations of the fish. " " ■

3. The objectives would be: First, to strengthen the mechanisms for control of international exploitation of resources adjacent to the coasts of the United States; for this, some type of high seas fishery conservation legislation is proposed, authorizing the Federal and State Governments to control "from 12 miles inward. Also there would be some effective provision for controlling foreign fishing outside 12 miles, when fish occurring inshore also occur or migrate outside 12 miles and fishing on them must be controlled through their range to have a sound management program.

Second, to establish guide lines for managing fisheries; here we are talking about biological, economic and social aspects of the industry. The guide lines would be developed cooperatively, hopefully with the States taking the lead and considering all aspects, so everyone would know the ground rules and realistic guide lines would be established for managing all harvesters.

Third, to provide through legislation a mechanism for States and groups of States (e.g., the Pacific, Gulf States and Atlantic States interstate marine fishery commissions) and the Federal Government to cooperatively manage a resource; this is in a very preliminary state and the specifics are ill-defined at this time, but we are clearly asking the States to take the lead in cooperation to improve fisheries management.

Fourth, to improve the capability of States to conduct management oriented research; obviously, one of the first ways to do this, would be to provide 100% federal grants, if the programs or projects devised by the States are amenable to accomplishment of the overall objectives. If a State proposed a program to consider establishment of limited entry in a fishery, e.g., the Dungeness crab fishery, and said we need some basic data on this fishery: economic evaluation; amount of gear, boats, and fishermen; and on fishing efficiencies; etc. The Federal Government could say this is aimed at the overall objective of the program; the proposal is approved and will be supported by a 100% grant. Essentially this would be improving the capability of the States to do management oriented research. Some very preliminary guide lines have been established, but only to the extent that they have been put in writing for discussion with the States and to get suggestions and views on whether we are on the right track.

Fifth, to evaluate and test the feasibility of alternative programs of joint state-federal management systems; for example, we may be considering annual or quarterly quotas, or area control, or other ways of managing a fishery. Essentially, where testing is possible, it would be trial and error on a temporary basis. Then if a proposal worked, it could be developed more pointedly.

Sixth, to implement specific management programs for each industry; after alternatives have been tried and it looks like a program is workable, then hopefully there would be enough legislative authority where needed to implement the program.

4. The time frame for actions on this concept is as follows. First, NMFS is in the process of hiring a representative in each region to lead the program and additions have been made to the Washington, D.C., office staff to help coordinate the actions. Second, a high seas bill is being considered in the Administration, hopefully for passage in 1972. This consideration will have to include the views of Justice, State and various other federal Departments that Dr. Alverson mentioned. The bill relates to getting meaningful control beyond 12 miles on foreign nations and has three aspects: implementation of the 1958 Geneva Convention concepts, authorization for the Federal Government to manage outside 3 miles and as far out as is necessary (right now there is no governmental authority for this), and authorization for joint state-federal management at least to 12 miles (now there is no clear authority for this).

Second, NMFS is seeking full funding of the Commercial Fisheries Research and Development Act (PL 88-309) which is a successful cooperative program between States and the Federal Government. It is a \$5 million-per-year program that has never been funded fully. We are urging that it be funded more fully so there will be more money for the States to undertake needed projects.

Third, we are talking about funds for this new concept and its 100% grants. In 1974 there would be \$3 million; in 1975 and 1976, \$5.5 million each year; and in 1977 and 1978, \$7 million per year.

Briefing materials on the high seas bill and the State-Federal concept are now in the hands of state representatives. Rough drafts, clearly stating that they are not government positions, are talking papers to provide something in writing about the concept. We are going to work very actively on this

with the coastal States to get them involved and to get their views. We must have meaningful input and frank views from them. If a State thinks the approach is poor or it wishes to suggest an alternate course or choice of words, it should say so, so we can talk about the concepts. None of the wording is set in concrete. We are going to be meeting with the States very soon.

#### **Ed J. Huizer, panelist**

As the state spokesman on this panel, I may be expected to attack the subject in the old fire and brimstone manner with an all out pitch for the traditional states rights position. If this is the expectation, my remarks will disappoint you. Research needs and the jurisdictional problems involving coastal marine and anadromous fishery stocks are so complicated and fast-changing that the traditional, simplified states rights position no longer can presume to provide the remedies that are so desperately needed. However, please do not misunderstand! I am not advocating abdication of states rights and state jurisdiction in favor of a federal take over. I am suggesting that a better state-federal relationship is needed, and is needed now! Further, I should indicate that while speaking from a State's point-of-view, I no way presume to speak for all States, or even for the west coast States as a group. My concerns are those of the State of Alaska and the fishery stocks, fishermen and fishing industry of Alaska. Obviously, these concerns are not always the same for Washington, Oregon and California. However, please note that some 30 percent or more of Alaskan fishermen are citizens of other States, principally, Washington, Oregon and California. Thus even in Alaska, our specific problems have special coastwide interest.

I will not bore you with a detailed description of Alaska and its fishery resources. However, to understand our unique position, you should keep in mind the following:

1. Alaska does not have common boundaries with other States, but does with our good neighbor Canada to the east and south.
2. Alaska has 33,000 miles of coastline (54% of the U.S. total) and 500,000 square miles of continental shelf (65% of the U.S. total).

These factors combine to make international rather than interstate negotiations of major significance to Alaska. In international negotiations, federal agencies assume a lead role. Unfortunately, Alaska's interests do not always coincide with the overall objective of federal policy, Alaska is also unique in having attained statehood a short 12 years ago. Our territorial tradition is long, the state tradition short: in fact, some federal agencies occasionally have trouble remembering that Alaska is indeed a State.

In a generalized way, the territorial tradition of the federal fishery agency was to base its Alaskan headquarters in the lower 48 States and to operate in Alaska on an expeditionary basis. The establishment of the Alaska Region a number of years ago with headquarters in Juneau did much to overcome the old system, but tradition dies hard. The past, the present, and we may confidentially predict, the future reorganizations involving the Departments of Interior and Commerce and some of their agencies (FWS, BCF, NOAA, NMFS) in a proposed Department of Natural Resources have created in us confusion and a wait and see attitude until the dust settles.

Except for one thing! I refer to the regressive organizational aspect which has fractured the National Marine Fisheries Service's (NMFS) fishery research program for Alaska by assigning divided responsibility to its Alaska Region at Juneau and its Pacific Northwest Region at Seattle. This division can only complicate our relationship with NMFS, and it will create additional federal coordination problems for the Alaska Department of Fish and Game (ADF&G). Even prior to the recent reorganization, we, on occasion, found to our chagrin that Alaskan fishery problems were being resolved in Seattle. Will this trend increase under the revised NMFS' organizational plan? We await the answer with apprehension.

What about state-federal coordination of fishery research programs? Despite the recent publicity regarding the value of Alaska's petroleum resources, the State's financial means are limited and the needs many. The oil wealth holds promise for the future but the needs are now. This is especially true for the fishery resource, which is king size in magnitude and which understandably has king size problems. The fishery managers need facts and answers from research in order to make rational, intelligent decisions.

Research is expensive and requires the coordinated efforts of many diverse disciplines. We may assume that no research agency, be it state, federal, or private, gets enough funds to conduct all the necessary research programs. Presumably, within each research group a mechanism exists to establish objectives and priorities from the point-of-view of that particular group. But who is concerned with the overall requirements of the resource, the fishermen and the industry for the benefit of all the people? And more to the point, how can these overall requirements be translated into agency assignments which eliminate duplication and unnecessary or ineffective programs?

In Alaska (and in the other states) there is no effective coordinative mechanism at present. This does not mean that the various agencies are not talking to each other and comparing notes and reviewing programs. They are. But there is no way to provide for the assignment of projects to best meet the resource needs and to match the capabilities and expertise of the various staffs. The development of an effective mechanism, vis-a-vis state, federal, private and university research efforts, is a must which demands attention from the various administrators. The job will not be easy, but the results can make the effort very worthwhile.

Now, what about the jurisdictional problems relating to the contiguous fishery zone (3 to 12 miles) and the adjoining high seas? Federal jurisdiction in these zones, as it relates to domestic fisheries with certain exceptions is unclear at present. State jurisdiction is technically non-existent except by use of the cumbersome and legally difficult concept of the "landing law" and state regulations derived from landing laws.

For several years the Interior Department had been and now the Commerce Department is developing draft legislation for a High Seas Fishery Conservation Act, which among other things, addresses itself to the 12-mile zone and high seas jurisdictional problems. The draft legislation has been widely circulated and many of you are familiar with its basic provisions. Pertinent to this discussion is Section 5, which deals with the coordination of state and federal regulatory policies in the 12-mile and high seas zones.

Alaska, through its Department of Fish and Game has

regarded the features of Section 5 with mixed reactions. It has the potential of resolving to a large degree a number of very troublesome jurisdictional problems in Alaska but it may contain the seeds of an expanded federal regulatory role at the expense of state involvement.

We were recently requested by NMFS to comment on three options to the present jurisdictional provisions of the bill. Very briefly, the present wording and the three options are:

The present wording provides for the extension of state regulations to the 12-mile line.

Option 1 would provide for the adoption of state regulations as federal regulations.

Option 2 would use regional or individual State-Federal compacts to do the job.

Option 3 would involve complete federal jurisdiction.

In commenting to NMFS, Alaska has suggested a new option (No. 4) which would involve waiting until after the 1973 Geneva Conference, at which time a 12-mile territorial zone might gain recognition by the United States. If a 12-mile territorial sea were adopted by the United States, a number of jurisdictional problems might become moot, although many others would still remain unresolved. Of the other choices, Alaska prefers, with reservations, the present wording which would extend state jurisdiction to the 12-mile line.

#### **Harold E. Lokken, panelist**

In discussing the problem of State-Federal Coordination in Research and Management of Fishing Stocks, I am assuming that the subject includes also other agencies having similar responsibilities in connection with fishing stocks. This inclusion is essential as the federal-state aspect is only one part of the problem. There are agencies such as the Pacific, Gulf and Atlantic marine fishery commissions; and there are international agencies such as the North-Pacific, Salmon, Halibut and Tuna commissions; plus other agencies both public and private having something to do with research and management in the fisheries field. And lastly there are foreign Countries who must be considered in any discussion of stocks of fish frequenting the high seas outside the jurisdiction of coastal Countries. Tuna is the best example in this latter category. The list in all categories is by no means complete. It will, however, serve to indicate the scope of any problem which exists in any discussion of research and management of fishing stocks.

Before beginning any examination of the problem of improving coordination in research and management in fisheries, one has to know what the problem is. A problem to one segment in fisheries may not be a problem to another. One also has to define the objective sought. On some points there are undoubtedly many conflicting views, particularly when one gets down to specifics. Generally each agency involved is dissatisfied with its lack of sufficient authority or funding. In the non-government field there is dissatisfaction with the existing division of the resources and also with the rate of their utilization. This involves processors who employ a maximum number of boats to secure an adequate supply of fish. Boat owners on the other hand generally favor fewer vessels so as to minimize competition for fish on the grounds and to improve or stabilize prices by avoiding oversupplies. There is competition among the various forms of gear. Examples are seines versus gill nets

and trawls versus longlines. There is also competition among types of fishermen, such as sport versus commercial; and there is ethnic competition between Indians and non-Indians. Last, but not necessarily all-inclusive, there is competition between fishermen from different areas, such as residents versus non-residents. All these factors are involved in any definition of the problem and in determining the objective to be sought. Once agreement is reached on what the problem is and the objective to be sought, the solution should be relatively easy.

Simply stated, in my view, the problem and objective involve: first, insuring as far as possible, that each segment of fisheries produces a maximum sustained yield which will make certain the highest possible return in terms of fish year after year; and second, dividing this yield among all participants on a fair and equitable basis. I may have stated the impossible; but at least this should be our objective.

To achieve as much of this objective as possible, each segment of the industry must have an input. This includes the governmental agencies as well as those representing non-government. I do not believe that any super agency can do the job by itself. What is required is better liaison among the existing agencies. Each agency has strengths and weaknesses. The strengths should be utilized while the weaknesses should be avoided as far as possible.

Take the Federal Government for instance. Here the disadvantage lies with the unfamiliarity of the federal agencies with local conditions, particularly social and political considerations. Another disadvantage is the tendency of the federal agencies to act without adequate consultation with those familiar with local conditions and to place less importance on local conditions than warranted. An example of this is the current refusal of the Administration to include local industry experts on the U.S. delegation preparing for the forthcoming Law of the Sea Conference. The federal agencies, on the other hand, tend to have broader experience in management because of their nation-wide coverage and also to have greater contact with research and management in foreign Countries.

As for the States, they generally tend to have jurisdiction in only part of the area in which fishery stocks are located, thereby making complete management of fishery stocks of interest to them difficult. This is true with most resources along the Pacific Coast. Adequate financing of research and management is also difficult when the resources are spread over several jurisdictions. The States are handicapped also in having no authority to negotiate with foreign Countries on the many problems created by both foreign and domestic use of a particular fishing stock. Therefore, in this field the Federal Government needs to have the dominant role. The States have the advantage, however, in being located adjacent to the resource and in being more responsive to the wishes of the harvesters and the users of the resource. Of course this includes political pressure, both justified and unjustified. However, the federal agencies are subjected to the same pressure although the degree may be less.

What I have said about the States and the Federal Government applies also in different degrees to all the other agencies mentioned earlier in my remarks as having some responsibility for fisheries research and management.

Coming down to basic essentials, it seems to me that a primary requisite for improving research and management is crystal clear division of responsibility among all the



involved. Each agency should be assigned by the Congress, after full consultation with all agencies involved, specific authority in a given field. That agency alone should be held accountable for success or failure to achieve the objective of maintaining on a sustained basis the fishery that was assigned to it.

Where a single agency or State is unable to manage a fishery completely, because part of the resource exists outside of its jurisdiction, the jurisdiction should be vested in an overall agency composed of the States involved. Where a foreign Country is involved, a commission composed of members from all Countries having a right to harvest the resource should be charged with management, including research of course.

In any scheme of management the federal agencies should play an important role. It is essential, as I see it, that an umbrella of federal standards should be set up by the Congress, by and with the advice of the States. These standards should set forth the conditions which should be met by other agencies having management and research responsibilities. The other agencies would have complete management authority as long as they managed within the limits set forth in the federal legislation. Once an agency permitted the harvest of a resource beyond the norms provided for in the legislation, the federal agency would have power to step in. A State could apply more stringent regulations than those specified in the federal standards but could not apply less stringent rules without approval of the overall authority. In establishing federal standards, local political pressure would tend to be minimized. On the other hand, country-wide political pressure would be applied as overall standards were being formulated but once the standards were agreed upon the pressure would be lessened. No one should assume that I believe overall standards by themselves will suffice. Our fisheries are complex. Each segment has its own problems but I do believe it is possible to develop standards, such as the percentage of catch which should be allowed relative to the size of the stock fished, taking into consideration the different characteristics of the major species involved in U.S. fisheries.

Irrespective of anything else which might be done, I think it is essential, if research and management are to be improved, that the Federal and State Governments improve their liaison. Perhaps, it should be required for each to give the other adequate notice before any action could be taken. This would give both an opportunity to review all plans before they become effective. This would take time but it would be time well spent in my opinion. It would mean not merely notification by consultation.

Another thought for consideration is the possibility of exchange, on a temporary basis, of key personnel among the fishery research and management agencies similar to that which is done by the National Marine Fisheries Service, where regional people are brought to Washington, D.C., while Washington people are sent to the regions in exchange. While such exchanges may be difficult from a fiscal standpoint, there is no

question of their value in improving coordination among the agencies involved.

As for dividing the fish among all participants, I pass. Time will not permit an airing of this phase of the problem. Furthermore, it is one that never will be solved to the satisfaction of all. There will always be those who are dissatisfied with their share of a common resource. The problem is like that of setting up a fair formula of taxes to defray the cost of government. When people agree on this, the millennium will be here. Also I believe that our major objective should be to see that the waters around us produce a maximum supply of seafood for future as well as present generations. If this is done, we then can afford the luxury of fighting among ourselves to see who has the privilege of harvesting these seafood resources.

*Closing remarks by Dr. Royce:* We have been looking at a very important but rather specialized aspect of the problem of state-federal coordination and I would like to close this session with a few comments about the more general problems of inter-agency coordination.

None of us will disagree with the need for better coordination. We are all for it and some of us may regard it as the equivalent of Aladdin's magic lamp. We may expect it to accomplish too much and we may pin our hopes on it when attempts at getting single agency action seem to have failed. Let us look a little more closely at the nature of coordination.

Coordination cannot overcome the underlying conflicts; it can merely smooth our approach to a solution. Coordination can do little about agency organization. Each agency has its own political role, its own statutory responsibilities, its own constituency, and coordination is not likely to change any of these basic relationships.

Let us examine more closely the increasing coordination that we now have in the fisheries area; it has two significant characteristics. First, it is occurring largely because of professionalization. The problems are being approached on a professional basis and the professionals of the several agencies are exchanging their findings largely through nongovernmental channels. Second, much of this coordination is accidental. Agencies that have developed their independent programs discover, largely through professional contacts, that they have common interests and arrange some coordination of activities that are already planned.

All of us who want increased coordination should look at the problem a little more deeply. What we really want is a step beyond accidental coordination. We want program sharing. We want to see interagency definition of goals and objectives, interagency development of plans, and interagency operations. Very little of this is being done and here is where the Pacific Marine Fishery Commission could have a special role. It could help to recognize and define common goals and objectives. It could applaud the agencies that take the lead in program sharing and it could note the agencies that fail.

(The discussions which followed during the question and answer period have been omitted.—Editor)

# Appendix 3 — Compact and Bylaws

## Pacific Marine Fisheries Compact<sup>1</sup>

### A Compact

Entered into by and between the States Signatory hereto, with the consent of the Congress of the United States of America by an Act approved July 24, 1947 (Public Law 232, 80th Congress, 61 Stat. 419), granting the consent and approval of the Congress to an interstate compact relating to the better utilization of the fisheries, marine, shell and anadromous, of the Pacific Coast, and creating the Pacific Marine Fisheries Commission, and subsequently amended by Acts approved October 9, 1962 (Public Law 87-766, 87th Congress, 76 Stat. 763) and July 10, 1970 (Public Law 91-315, 91st Congress, 84 Stat. 415).

The contracting States do hereby agree as follows:

#### ARTICLE I

The purposes of this compact are and shall be to promote the better utilization of fisheries, marine, shell and anadromous, which are of mutual concern, and to develop a joint program of protection and prevention of physical waste of such fisheries in all of those areas of the Pacific Ocean and adjacent waters over which the compacting States jointly or separately now have or may hereafter acquire jurisdiction.

Nothing herein contained shall be construed so as to authorize the compacting States or any of them to limit the production of fish or fish products for the purpose of establishing or fixing the prices thereof or creating and perpetuating a monopoly.

#### ARTICLE II

This agreement shall become operative immediately as to those States executing it whenever two or more of the compacting States have executed it in the form that is in accordance with the laws of the executing States and the Congress has given its consent.

#### ARTICLE III

Each State joining herein shall appoint, as determined by state statutes, one or more representatives to a commission hereby constituted and designated as the Pacific Marine Fisheries Commission, of whom one shall be the administrative or other officer of the agency of such State charged with the conservation of the fisheries resources to which this compact pertains. This commission shall be invested with the powers and duties set forth herein.

The term of each commissioner of the Pacific Marine Fisheries Commission shall be four years. A commissioner shall hold office until his successor shall be appointed and qualified but such successor's term shall expire four years from legal date of expiration of the term of his predecessor. Vacancies occurring in the office of such commissioner from any reason or cause shall be filled for the unexpired term, or a com-

missioner may be removed from office, as provided by the statutes of the State concerned. Each commissioner may delegate in writing from time to time, to a deputy, the power to be present and participate, including voting as his representative or substitute, at any meeting of or hearing by or other proceeding of the commission.

Voting powers under this compact shall be limited to one vote for each State regardless of the number of representatives.

#### ARTICLE IV

The duty of the said commission shall be to make inquiry and ascertain from time to time such methods, practices, circumstances and conditions as may be disclosed for bringing about the conservation and the prevention of the depletion and physical waste of the fisheries, marine, shell and anadromous, in all of those areas of the Pacific Ocean over which the States signatory to this compact jointly or separately now have or may hereafter acquire jurisdiction. The commission shall have power to recommend the coordination of the exercise of the police powers of the several States within their respective jurisdictions and said conservation zones to promote the preservation of those fisheries and their protection against over-fishing, waste, depletion or any abuse whatsoever and to assure a continuing yield from the fisheries resources of the signatory parties hereto. *mm*

To that end the commission shall draft and, after consultation with the advisory committee hereinafter authorized, recommend to the Governors and legislative branches of the various signatory States hereto legislation dealing with the conservation of the marine, shell and anadromous fisheries in all of those areas of the Pacific Ocean over which the signatory States jointly or separately now have or may hereafter acquire jurisdiction. The commission shall, more than one month prior to any regular meeting of the legislative branch in any State signatory hereto, present to the Governor of such State its recommendations relating to enactments by the legislative branch of that State in furthering the intents and purposes of this compact.

The commission shall consult with and advise the pertinent administrative agencies in the signatory States with regard to problems connected with the fisheries and recommend the adoption of such regulations as it deems advisable and which lie within the jurisdiction of such agencies.

The commission shall have power to recommend to the

initially entered into by the States of California, Oregon and Washington and subsequently by the States of Idaho and Alaska pursuant to authority set forth in:

Chap. 1447, Calif. Stats., 1947  
Chap. 131, Ore. Laws, 1947  
Chap. 29, Wash. Laws, 1947

As amended by:

Chap. 1052, Calif. Stats., 1961; Chap. 361, Calif. Stats., 1969  
Chap. 481, Ore. Laws, 1961; Chap. 129, Ore. Laws, 1969  
Chap. 7, Wash. Laws, 1959; Chap. 101, Wash. Laws, 1969  
Idaho Code, Section 36-5601 & 5602, 1963; Idaho Code, 36-5602, 1969  
Chap. 162, Alaska Laws, 1962; Chap. 50, Alaska Laws, 1969.

States signatory hereto the stocking of the waters of such States with marine, shell, or anadromous fish and fish eggs or joint stocking by some or all of such States, and, when two or more of the said States shall jointly stock waters the commission shall act as the coordinating agency for such stocking.

#### ARTICLE V

The commission shall elect from its number a chairman and a vice chairman and shall appoint and at its pleasure remove or discharge such officers and employees as may be required to carry the provisions of this compact into effect and shall fix and determine their duties, qualifications and compensation. Said commission shall adopt rules and regulations for the conduct of its business. It may establish and maintain one or more offices for the transaction of its business and may meet at any time or place within the territorial limits of the signatory States but must meet at least once a year.

#### ARTICLE VI

No action shall be taken by the commission except by the affirmative vote of a majority of the whole number of compacting States represented at any meeting. No recommendation shall be made by the commission in regard to any species of fish except by the vote of a majority of the compacting States which have an interest in such species.

#### ARTICLE VII

The fisheries research agencies of the signatory States shall act in collaboration as the official research agency of the Pacific Marine Fisheries Commission.

An advisory committee to be representative of the commercial fishermen, commercial fishing industry and such other interests of each State as the commission deems advisable shall be established by the commission as soon as practicable for the purpose of advising the commission upon such recommendations as it may desire to make.

#### ARTICLE VIII

Nothing in this compact shall be construed to limit the powers of any State or to repeal or prevent the enactment of any legislation or the enforcement of any requirement by any State imposing additional conditions and restrictions to conserve its fisheries.

#### ARTICLE IX

Continued absence of representation or of any representative on the commission from any State party hereto, shall be brought to the attention of the Governor thereof.

#### ARTICLE X

The States agree to make available annual funds for the support of the commission on the following basis:

Eighty percent (80%) of the annual budget shall be shared equally by those member States having as a boundary the

Pacific Ocean; and five percent (5%) of the annual budget shall be contributed by each other member State; the balance of the annual budget shall be shared by those member States, having as a boundary the Pacific Ocean, in proportion to the primary market value of the products of their commercial fisheries on the basis of the latest five-year catch records.

The annual contribution of each member State shall be figured to the nearest one hundred dollars.

This amended article shall become effective upon its enactment by the States of Alaska, California, Idaho, Oregon, and Washington and upon ratification by Congress by virtue of the authority vested in it under Article I, section 10, of the Constitution of the United States.

#### ARTICLE XI

This compact shall continue in force and remain binding upon each State until renounced by it. Renunciation of this compact must be preceded by sending six months' notice in writing of intention to withdraw from the compact to the other parties hereto.

#### ARTICLE XII

The States of Alaska or Hawaii, or any State having rivers or streams tributary to the Pacific Ocean may become a contracting State by enactment of the Pacific Marine Fisheries Compact. Upon admission of any new State to the compact, the purposes of the compact and the duties of the commission shall extend to the development of joint programs for the conservation, protection and prevention of physical waste of fisheries in which the contracting States are mutually concerned and to all waters of the newly admitted State necessary to develop such programs.

This article shall become effective upon its enactment by the States of California, Oregon and Washington and upon ratification by Congress by virtue of the authority vested in it under Article I, section 10, of the Constitution of the United States.

## **Rules and Regulations of the Pacific Marine Fisheries Commission<sup>1</sup>**

i

*Authority:* The Pacific Marine Fisheries Commission is constituted pursuant to an act of Congress approving an interstate compact relating to the better utilization of the marine, shell, and anadromous fisheries of the Pacific Coast, and ratified by the signatory states.

II

*Membership:* The Commission shall be composed of three members from California, appointed by the Governor; three members from Oregon, the State Fisheries Director, the State Game Director, and one member appointed by the Fish and

Game Commissioners of Oregon; three members from Washington, the Director of the Washington Department of Fisheries, and two appointed by the Governor; three members from Idaho, appointed by the Idaho Fish and Game Commission; and three members from Alaska, appointed by the Governor; said membership being designated by the laws of the respective signatory states.

### III

*Voting:* Each state shall be limited to one vote regardless of the number of representatives. Three states shall constitute a quorum.

Voting shall conform to Article VI of the Compact in that a majority affirmative vote of the whole number of compacting states represented at any meeting shall constitute acceptance of the action being voted upon, but that whenever a state declares that it has no interest in a species or subject concerned in the action and therefore wishes to abstain, a majority vote shall then be defined as a majority of the remaining voting member states. However, in regard to administrative matters pertaining to the operation of the Commission, such as policy, invitations to potential member states, budgets, by-laws, recommendations for change in Compact, etc., a unanimous vote shall be required. Letters of transmittal forwarding resolutions or actions taken by Pacific Marine Fisheries Commission shall show how each member state voted.

Rules and regulations may be adopted or modified by unanimous vote of all the Executive Committee members.

### IV

*Officers and Executive Committee:* The officers of the Commission shall be a chairman, first vice chairman, second vice chairman, third vice chairman, secretary, treasurer, and executive director. The Commission may appoint additional officers. The chairman, the three vice chairmen and secretary shall constitute the Executive Committee whose members must be members of the Commission, however, no state shall be represented by more than one of these officers.

### V

*Duties of the Executive Committee:* The Executive Committee members shall take office immediately following their election at the annual meeting of the Pacific Marine Fisheries Commission, and they shall continue to serve until the next election at the following annual meeting. This Committee shall act for and on behalf of the Commission on all matters necessitating such action during the interval between meetings of the Commission.

This Committee periodically shall evaluate the objective: and actions of the Commission to ascertain their adequacy for attainment of the Commission's goals.

This Committee periodically shall evaluate the role, responsibilities, and authority of the executive director to determine that they are clearly defined and relevant, and that his actions are effective in the discharge of his responsibilities and the exercise of his authority.

### VI

*Duties of the Chairman:* The Chairman shall preside at all meetings of the Commission. It shall be his duty to see that all orders and resolutions of the Commission are carried into effect. He shall have general supervision and direction of all other officers or appointees of the Commission and shall see that their duties are properly performed. He shall sign those contracts or written instruments requiring his signature as determined by the executive director.

### VII

*Duties of the Vice Chairmen and Secretary:* The first vice chairman shall be vested with all the powers and perform all the duties of the chairman in the absence or disability of the latter. The second vice chairman shall be vested with the powers and perform the duties in the absence or disability of the chairman and first vice chairman. If need be, this transfer of power and duties will be continued to the third vice chairman and then to the secretary.

### VIII

*Duties of the Treasurer:* The treasurer shall have custody of the funds of the Commission and shall deposit same in such bank or banks as may be designated by the Commission. He shall keep full and accurate accounts of receipts, disbursements, and other financial transactions. Funds shall be paid out only by check and signed by the treasurer and countersigned by the executive director. The treasurer shall be required to post a bond in such amount as the Commission determines, the cost of which will be paid as an administrative expense. **§**

### IX

*Duties of the Executive Director:* The executive director shall be the chief administrative officer of the Commission. It shall be his duty periodically to prepare budgets for Commission approval; supply copies of all appropriate reports and correspondence relating to Commission activities to each member of the Executive Committee; represent the Commission at meetings and public hearings; countersign checks drawn by the Commission's treasurer; hire temporary employees or procure services, supplies and equipment when required to carry out the work of the Commission; direct and prescribe the duties of Commission employees and perform such other duties as directed by the chairman. The executive director, except in direct administration of his office, shall take action on a significant problem only with prior approval from the Executive Committee.

The executive director shall, 90 days in advance of the annual meeting, provide to the interested public appropriate notice of the date and site of the meeting and of the Commission's procedure for considering proposed resolutions.

*Advisory Committee:* An advisory committee of not more than seven from each state shall be appointed by the Commission, and vacancies filled as may be required upon the

recommendation of the Commission members of the appropriate state and approval of the Executive Committee.

All advisors shall be appointed for two-year terms unless an appointment is to fill an unexpired term. All full terms shall begin on January 1, 1971 and/or January 1 of each succeeding odd-numbered year. Reappointments may be made and advisors may be replaced at the discretion of the Commission.

At least once each year the Commission shall hold a meeting with the advisory committee and shall discuss the proposed recommendations with said committee according to Article VII of the Compact.

The advisors of each state shall meet with their appropriate Commissioners and state fish and game agency personnel in their respective states in advance of the annual meeting to consider all proposed resolutions submitted by the member states pursuant to Rule XV and other business to establish positions on recommendations for action.

When an advisor is unable to attend an annual meeting he shall notify the state's Executive Committee member at least three days in advance of the meeting. The Executive Committee member may appoint an alternate who must be confirmed by the Commission.

## XI

*Coordinator:* Each member agency shall designate a staff member to be its coordinator for Commission matters. This shall be done in writing to the executive director with copies to the other member agencies.

## XII

*Time, Place, and Subject of Meetings:* At least one meeting shall be held during each calendar year on call by the chairman at a place designated by him within the state in which the chairman has his residence. The chairman may also instruct the executive director to call meetings of the Commission or Executive Committee at such times and places as required for the proper conduct of Commission affairs. All meetings of the Commission and its Advisory Committee shall be open to the public, -

The Commission's annual meetings shall be devoted to discussion and consideration of broad and important issues. Resolutions should be limited to those of general importance to the member states.

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## XIII

*Annual Reports:* The Commission shall make an annual report. It shall also make further reports and recommendations to the Congress, and to the Governors or the Legislatures of the signatory States on or before the date required by the laws of the respective federal and state governments, or in the absence of such laws, at other appropriate times.

## XIV

*Reimbursement of Travel and Subsistence Expense:* All commissioners, officers, advisors, employees, coordinators and scientific staff performing authorized services for the Commission

shall receive a per diem allowance not to exceed \$25.00 in lieu of subsistence expenses, plus transportation costs, when away from their home station, but shall be reimbursed for actual expenses only not to exceed \$25.00 per day incurred in the service of the Commission while away from the Commission's office but in the metropolitan area of their residence.

Payment of expenses of all of a state's advisors to an intrastate caucus within that state in advance of the annual meeting and/or to the annual meeting of PMFC may be authorized. However, it is understood that the total expenses for the advisors from any state for attendance at the two meetings should not exceed the estimated cost of sending all from that state to the annual meeting in a given year and the recommendation for payment of claims within this total shall be the responsibility of the individual state.

Each state may send three commissioners and five staff members to the annual meeting at Commission expense.

The per diem and transportation costs authorized herein are based upon travel times and costs by common carrier and represent the maximum allowable, not the minimum. It is the responsibility of the chief administrative officer of the Commission to see that approval of travel expense claims authorizes only such per diem allowances and other travel costs as are justified by the circumstances affecting the travel.

In case of travel by private vehicle, mileage shall be allowed at the rate of 9 cents per mile, except that the amount claimed shall not exceed first-class air fare, including limousine and/or taxi fares. Travel time by private vehicle for purposes of claiming per diem shall be the time required for air travel.

All claims for travel expenses shall be submitted on the form prescribed and furnished by the Commission.

## XV

*Resolution Procedure:* Each proposed resolution, prior to submission to the Commission, shall be screened by the advisors and the Executive Committee member of the state in which the proposal originates. Proposals will be accepted by the Commission only from states and not from individuals or organizations.

Proposals for resolutions must be submitted by the sponsoring states to the Commission's office not less than 30 days before the first day of the annual meeting. All proposals then will be forwarded to the states for consideration by state review committees prior to the annual meeting.

In the event of an emergency late proposal, the executive committee shall rule on whether the late proposal is truly an emergency and should be considered by the Commission at the current annual meeting.

## XVI

*Scientific Staff Meetings:* The research directors or other key staff members of PMFC states may, with approval of the executive director, hold a meeting at the Commission's expense generally in the spring, in addition to convening at the annual meeting. Two staff members per state may attend such meetings at the Commission's expense. In addition when problems of mutual concern are found to exist which require extra committee or work group deliberations to expedite solutions, pertinent committees of the scientific staffs of appropriate

states also may convene at the Commission's expense with prior approval of the executive director in consultation with state PMFC coordinators. Findings and recommendations from scientific staff meetings shall be forwarded via the executive director to the Executive Committee for consideration.

## **Advisory Committee Rules and Operating Procedures**

1. Each State Advisory Committee shall elect, during the annual PMFC meeting a chairman who will serve from the final date of the current meeting until the end of the succeeding year's meeting. In addition, the Advisory Committee will elect from the Host State for the next year an over-all Advisory Committee Chairman and alternate who will serve for the ensuing year. The over-all chairman and the Advisory Committee chairmen from the participating States shall comprise the Steering Group of the Advisory Committee.

2. It shall be the duty of the Steering Group, which shall be led by the Over-all Chairman, to meet at the annual meeting site on the day before the first meeting of the Advisory Committee. The Steering Group at this time shall appoint Committees to be identified as Working Teams A, B, etc. The Steering Group shall use the best possible judgment in the allocation of membership to include representatives familiar with specific issues on specific Working Teams. The Steering Group shall:

- a. Attempt, wherever possible, to assign proposals to committees where membership will be representative of, and competent concerning the issues involved.
- b. Attempt to measure the gravity of the proposals and the discussion time necessary so that the work loads of the Working Teams will be as equal as possible.

3. With the approval of the PMFC Chairman, meetings of the entire Advisory Committee may be called by its Over-all Chairman during the course of the annual meeting for purposes of clarifying or extending instructions, or to provide time for special statements from accredited Advisors on subjects which may or may not relate to specific proposals. A room will be provided at the annual meeting for this purpose.

4. A Copy of these Advisory Committee Rules and Operating Procedures shall be filed with the Executive Director

immediately and all subsequent alterations or amendments shall be filed in the same manner. A copy of the current Rules and Procedures shall be mailed to all *new* advisors and retained by them for future reference.

5. Alterations or amendments to the Rules and Procedures may be made at any regularly scheduled meeting of the Advisory Committee.

6. A quorum for a meeting of the Advisory Committee shall be a majority of the Advisors present at that annual meeting from each individual state.

7. All voting procedures, proposals or any other business of the Advisory Committee shall be on the basis of the participating States with the actual voting conducted and announced by the Chairman of each State. Majority vote shall determine the vote under the unit rule. State delegations may request time for caucus on any decision.

8. The Advisory Committee Chairman shall request confirmation of Advisors from the PMFC Executive Committee prior to the first official meeting of the Advisory Committee.

9. All Advisory Committee meetings shall be open. Statements from non-Advisors may be made by permission of the Chairman.

10. The Alternate or Deputy Advisory Committee Chairman shall assist the Advisory Committee Chairman where and whenever possible. ^

11. PMFC shall furnish the Steering Group of the Advisory Committee at its pre-Advisory Committee meeting with a consultant to assist the Steering Group in any way possible.

12. The fishery agency of the Host State shall provide the Steering Group with a stenographer for its preparational meeting.

13. The PMFC Executive Director shall prepare a table for distribution to Advisors, Commissioners, and Scientific Staff summarizing the interactions of Advisors, and Scientific Staff for each day of the annual meeting.