

TESTIMONY OF ROBERT THORSTENSON
ON S. 1825
MAY 14, 2002
BEFORE THE COMMITTEE ON COMMERCE, SCIENCE AND
TRANSPORTATION

I appreciate the opportunity to appear before this Committee on S. 1825, the Pacific Salmon Recovery Act. I am appearing today as the President of the United Fishermen of Alaska, a statewide organization and coalition of commercial fishermen, and as a member of the Northern Panel of the Pacific Salmon Commission.

Alaskan fishermen share the vision that brought this bill before you -- the desire to preserve and protect salmon. However, Alaskan fishermen have a somewhat different perspective regarding the origins of the salmon recovery legislation and of the objectives it should serve. The original authorization for, and funding of, Pacific salmon recovery grew out of conflicts arising from the application of the Pacific Salmon Treaty. Alaska fishermen were foremost among the proponents of the salmon recovery legislation. The funding was intended to address two basic objectives -- restoring salmon runs and mitigating the economic impacts that the commercial fisheries and coastal communities suffered as a consequence of depleted salmon runs.

S. 1825 dramatically modifies the fund, steering it on a course sharply different from the one conceived by its original proponents, disregarding the nexus with the Pacific Salmon Treaty and preventing use of the funds to foster a sustainable salmon industry.

Maritime Alaska depends on the salmon. Alaska's salmon runs are generally abundant with no stocks listed under the Endangered Species Act. In our coastal communities, commercial fisheries provide more than half of the basic, private-sector employment. Over ten thousand Alaskans operate commercial fishing vessels and hold permits to fish for salmon. Tens of thousands more work as crew on commercial fishing boats. Many more Alaskans process salmon in the numerous processing facilities that dot the coast. In addition to the direct employment from the commercial fisheries, support services and industries, from fuel suppliers to banks to freight companies, depend on commercial fisheries for much of their revenue.

The Pacific Salmon Treaty between the United States and Canada brought dramatic restrictions to the fisheries in Alaska. Under that Treaty, Canada and the states of Washington, Oregon, and Alaska as well as twenty-eight Indian tribes sought to conserve and share the harvest of salmon that migrate along the coast from Northern Oregon to Southeast

Alaska. Efforts to apportion the burdens of conservation and to share the benefits of the harvest of a far-ranging resource lead to serious conflicts between the two nations and among interests within the United States.

Although Alaskan fisheries harvested principally very productive local stocks, a very small percentage of the Alaskan harvest was comprised of salmon migrating from Canada or the Northwest into Alaskan waters. Because of the concern about troubled salmon stocks originating in Washington, Oregon and Canada, Alaska was asked to reduce its harvest of healthy Alaska origin salmon in order to reduce the incidental take of salmon originating elsewhere. To address these concerns raised by the Northwest states and tribes and by Canada, Alaskan salmon fisheries suffered a series of cutbacks between 1985 and 1992.

For example, because of amendments to the Pacific Salmon Treaty, the Alaskan Noyes Island purse seine fishery, which harvested abundant Alaska origin pink salmon runs, was severely curtailed to reduce the catch of sockeye salmon originating in Canada. The Treaty restrictions forced Alaskan fishermen to sacrifice the harvest of 60 million salmon to prevent the harvest of a few hundred thousand Canada-bound sockeye. Hundreds of fishing vessels that once plied the waters near Noyes Island found the only remaining opportunity in the early part of the salmon season to be in carefully managed fisheries near salmon enhancement facilities.

Restrictions extended to other fisheries as well. Although Alaska implemented a Chinook conservation and stock rebuilding program prior to implementation of the Pacific Salmon Treaty, the Treaty instituted further harvest restrictions on sport and commercial fisheries, placing a quota on the Chinook salmon harvest. While Chinook abundance increased dramatically through the 1980's and early 1990's Alaskan fisheries remained constrained by the Treaty quota of 263,000 fish annually.

Salmon stocks in Canada and the Pacific Northwest suffered a continuing productivity decline in the 1990's, intensifying conflict between Alaska and the Pacific Northwest as the different jurisdictions sought to impose harvest restrictions on the incidental catch in Alaska of non-Alaska origin Salmon. The conflict manifested itself in the press, in the courts and in the salmon treaty negotiations. For several years, the Treaty negotiators were unable to reach agreements on conservation or harvest sharing. In an effort to compel the United States to grant concessions in the Treaty negotiations, Canada prosecuted aggressive fisheries that harvested salmon from endangered and depleted runs

originating in Washington and Oregon. Even when U.S. managers stopped U.S. fishing on these runs, Canada continued to fish those runs saying they would stop only if the U.S. agreed to concessions in Alaska.

Finally, in 1999, the two nations and the diverse interests within the United States negotiated a long-term agreement to address the conservation and sharing of migratory salmon stocks. However, peace with Canada and the protection of depleted Washington and Oregon origin salmon from fishing by Canada came at a high price for Alaska since the agreement instituted yet another set of restrictions on Alaskan fisheries.

For example, the sport and commercial Chinook salmon fishery saw its harvest drop from a quota of 263,000 salmon to harvest levels that are but a fraction of that. The Noyes Island fishery, which, as noted above, had already been severely restricted in prior Pacific Salmon Treaty agreements, and which was now constrained from harvesting more than 5 million fish per year, was cut back by an additional 10%. The Tree Point fishery was slashed from a four-day-per week fishery to two with consequent loss of harvest.

With the long-term treaty agreement completed in June 1999, Alaskans turned their attention to developing legislation to solve some of the underlying problems created by the Pacific Salmon Treaty. Commercial fishermen worked with the State of Alaska and Senator Stevens to develop federal appropriations that would help to fund salmon conservation in the Treaty area, including Washington and Oregon, and also help restore salmon fisheries and local economies devastated by the severe restrictions imposed by the Treaty and the decline of Northwest salmon stocks. To these ends, Senator Stevens included in the omnibus appropriation bill for fiscal year 2000 funding “for salmon habitat restoration, salmon stock enhancement, salmon research, and implementation of the 1999 Pacific Salmon Treaty Agreement and related agreements. ...” P.L. 106-113. Similarly the following year, the Congress appropriated money for Pacific Coastal Salmon Recovery “for necessary expenses associated with the restoration of Pacific salmon populations and the implementation of the 1999 Pacific Salmon Treaty Agreement between the United States and Canada. ...” P.L. 106-105.

The funding for Pacific salmon recovery has been important to Alaska to address both of the primary objectives of the program – conservation of the resource and improving fishery economies. To these ends, Alaska has funded important research programs, habitat conservation, and programs to mitigate the economic effects of the fishery restrictions imposed in response to salmon conservation problems in the Pacific Northwest and Canada. Specifically, the salmon

recovery appropriation has funded salmon escapement enumeration, salmon habitat assessment, and stock identification work. Equally important, Alaska has used salmon recovery funding for a salmon marketing program. Faced with significant harvest reductions under the Treaty, Alaska seeks to gain more value from the limited harvest. Furthermore, the funding has been used to increase production in Alaska's salmon enhancement program and thereby increase the harvest fishermen can take from abundant and carefully enhanced salmon stocks.

The Pacific salmon recovery appropriation that was first passed by Congress in 1999 was conceived by Alaskans and had its roots in the conflicts arising from the Pacific Salmon Treaty agreements. While Alaskan fishermen applaud efforts to conserve salmon, we are concerned that S. 1825 takes this appropriation in a new direction and ignores many of the primary objectives of the original legislation.

In addition to the dramatic change of course envisioned by S. 1825, the bill incorporates a number of problematic elements. Section 3(b)(3)(D) does not contain important language found in H.R. 1157 permitting Alaska to use funds to mitigate the economic impacts of the Pacific Salmon Treaty by increasing economic opportunities for salmon fishermen. Similarly, list of eligible activities on Section 3(d) omits a significant provision in H.R. 1157 allowing states and tribes to use funds allocated to them for projects outside their jurisdiction. This provision was included to allow parties affected by the Pacific Salmon Treaty to work co-operatively in salmon restoration and enhancement projects. The deletion of these provisions reflects the fact that S. 1825 fails to recognize important Pacific Salmon Treaty issues.

A major flaw in H.R. 1157 that is repeated and magnified in S. 1825 is that "salmon" is defined to include only naturally produced runs. S. 1825 then specifically restricts certain eligible activities to those benefiting only naturally produced salmon runs. The net effect of this is to arbitrarily exclude any run which has been enhanced by management activities and any mixed run. This overly restrictive limitation will redound to the detriment of many runs and will undermine each state's ability to assist in the recovery of depleted salmon runs.

S. 1825 then adds a cumbersome and unnecessary peer review program. Alaska, like other Pacific Salmon Treaty states, has an outstanding scientific peer review program which ensures the scientific and programmatic quality of projects. S. 1825 adds another stage of review and approvals which is nothing more than a bureaucratic duplication of existing peer review programs.

There are other issues of concern in the text of S. 1825 but the principal policy issue is that S. 1825 fails to provide for the special circumstances which are related to implementation of the Pacific Salmon Treaty. Given that fact, we cannot support this legislation as drafted.

Thank you for this opportunity to testify.

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