

## REPORT OF THE PACIFIC SALMON COMMISSION

The Pacific Salmon Commission (Commission, PSC) met twice since the Pacific Fishery Management Council (Council) met in November 2022. This year, the Commission held its post-season meeting the week of January 9 in Vancouver, British Columbia, Canada and held its annual meeting the week of February 13 in Portland, Oregon. The Commission meetings both included full participation from technical committees and panels. Among the many issues the full Commission and the U.S. Section considered during their meetings, there were two that I wanted to call to the Council's attention.

The first is a procedural change in how an exploitation rate cap for coho salmon could be modified during the Council's preseason management process. The Southern Panel took on the task of developing a more clear and concise process in the event one Party or the other wanted to pursue a change during the preseason process. The Southern Panel recommended, and the Commission subsequently adopted, a new procedure for addressing a proposed one-year change to an exploitation rate ceiling under Annex IV, Chapter 5, Paragraphs 11(b) and (c) in certain circumstances (see attachment at the end of this report).

The Parties will only use the provisions in Annex IV, Chapter 5, Paragraphs 11(b) and (c) in exceptional circumstances. Any changes implemented are only in effect for the time-period and MU(s) specified in the request. Additionally, the use of these provisions does not negate the exploitation rate (ER) caps or status determinations required by Chapter 5.

The second action the Commission took that I would like to draw the Council's attention to, was regarding the Southeast Alaska (SEAK) aggregate abundance-based management (AABM) fishery. Annual catch limits for the SEAK Chinook salmon fishery will now be established using measures of Chinook abundance using the catch per unit effort (CPUE) from the winter power troll fishery in District 113 during statistical weeks 41-48 in combination with output from the PSC Chinook model. This multivariate method for estimating abundance in the SEAK fishery is new, includes additional information, and was approved for use by the PSC on February 16, 2023. A comparison of the new multivariate method with the existing method that relies solely on PSC Chinook model-based estimates demonstrated that the multivariate method was more accurate and precise than the PSC Chinook model.

Catch limits for the SEAK fisheries are determined using a tiered approach. As per the recent PSC decision, there are now seventeen tiers that are defined by a range of abundance index values. A catch ceiling is associated with each tier.

With this new action, the Commission's forecast and catch limit for the 2023 SEAK Chinook salmon fisheries will not be available until after April 1.

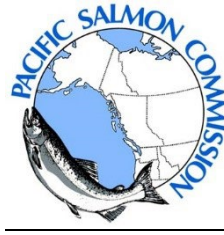
Finally, Congress has provided the Commission with \$41.0 million dollars in funding through the Department of Commerce for FY23. These funds will be used for critical management and enhancement activities, e.g., the Puget Sound critical stock program, new Chinook hatchery

production to augment the prey base for Southern Resident Killer Whales, funds for ocean sampling programs in Alaska, Oregon and Washington including tribal fisheries, and a number of other activities associated with sound science and management.

- \$4.13M to support Puget Sound Habitat Restoration & Habitat Protection programs
- \$3.12M for Puget Sound Hatchery Conservation programs
- \$6.27M for new hatchery production to increase the food available for Southern Resident Killer Whales
- \$6.66M to increase the strong science foundation necessary to meet conservation objectives and meet the data intensive provisions of revised agreements under the Pacific Salmon Treaty

See Attachment beginning on next page.

PFMC  
02/28/23



## Procedure for addressing changes under Annex IV, Chapter 5, Paragraphs 11(b) and (c)

February 16, 2023

### Background

Chapter 5, paragraphs 11(b) and 11(c) contemplate reductions or increases to exploitation rate caps for southern coho in certain circumstances. Specifically, they state:

*Each Party may:*

*11 (b). Request additional reductions in exploitation rates determined under Paragraph 9(b)-(d) to meet critical conservation concerns not adequately addressed by the exploitation rate caps. The requesting Party shall describe the measures taken in its own fisheries to respond to the conservation concern and make its request in a timely manner relative to pertinent management planning processes. The Southern Panel shall develop bilateral guidance to indicate how this could be implemented in a responsible and timely manner during a Party's domestic preseason planning process.*

*11 (c). Request increases in the MU-specific exploitation rate caps determined under Paragraph 9(b)-(d) if the Party can demonstrate that the exploitation rate caps prevent it from accessing its own stocks to meet its fishery management objectives or from harvesting other allocations as provided under this Treaty. The Southern Panel shall develop bilateral guidance to indicate how this could be implemented in a responsible and timely manner during a Party's domestic preseason planning process.*

The Southern Panel created a working group in early 2021 to develop the guidance noted above.<sup>1</sup> This document provides the Panel's recommended guidance based on the working group's input, Commission guidance, and Panel discussions.

### Guidance for Invoking Paragraphs 11(b) or 11 (c) in Chapter 5

#### Preamble

The Parties will only use the provisions in Annex IV, Chapter 5, Paragraphs 11(b) and (c) in exceptional circumstances. Any changes implemented are only in effect for the time period and MU(s) specified in the request. Additionally, the use of these provisions does not negate the exploitation rate (ER) caps or status determinations required by Chapter 5. The accompanying flowchart (Figure 1) provides a graphic description of this process.

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<sup>1</sup> USA: Laurie Peterson, Ashton Harp, Jeromy Jording, Denise Hawkins, and Joe Oatman; Canada: Laura Brown, Don Hall, and Linda Higgins.

Process

- 1) Initiation: The Requesting Party’s Panel Section Chair shall provide a written request to the Receiving Party’s Panel Section Chair to facilitate a decision by March 31. Such requests may include:
  - Description of steps taken by the Requesting Party:
    - For 11(b): describe the measures taken in its own fisheries to respond to the relevant conservation concern for specific MUs.
    - For 11(c): provide information on catch, effort, expected ERs on specific MUs. Demonstrate that the ER caps prevent the Requesting Party from accessing its own stocks to meet its fishery management objectives or from harvesting other allocations provided under the Treaty.
  - Available scientific advice - e.g., risk assessment, modelled impacts on MUs, predicted conservation consequences.
  - Available advice from other PSC Panels or Technical Committees, management entities, and stakeholders.
  - Other relevant supporting information.
- 2) Engagement of Panel members is the responsibility of each Party.
- 3) Bilateral discussion: The Parties discuss the request bilaterally.
- 4) Response: The Receiving Party’s Panel Section Chair sends a written response to the Requesting Party’s Panel Section Chair.
  - If “Yes” to the request:
    - The bilateral Panel Section Chairs jointly implement the change.
    - The bilateral Panel Section Chairs jointly send a written notification and accompanying information to the Chair and Vice Chair of the Pacific Salmon Commission to document implementation of the change.
  - If “No” to the request:
    - The Requesting Party does not pursue the request and notifies the Receiving Party. The exploitation rates identified in Chapter 5, Paragraph 9 (b-d), remain in effect.  
OR
    - The Requesting Party pursues the request, and each Panel Section Chair sends their Party’s recommendation to the Chair and Vice Chair of the Pacific Salmon Commission. In absence of agreement by the Commission by March 31 to adjust exploitation rates identified in Chapter 5, Paragraph 9 (b-d), the rates identified in that Paragraph remain in effect.
- 5) Each Party shall be responsible for communicating Panel and/or Commission decisions to their respective management entities. All bilateral communications to the Chair and Vice Chair of the Commission will also be conveyed to the Secretariat. The Southern Panel and Secretariat shall be responsible for maintaining records of decisions and documentation as per the PSC bylaws.

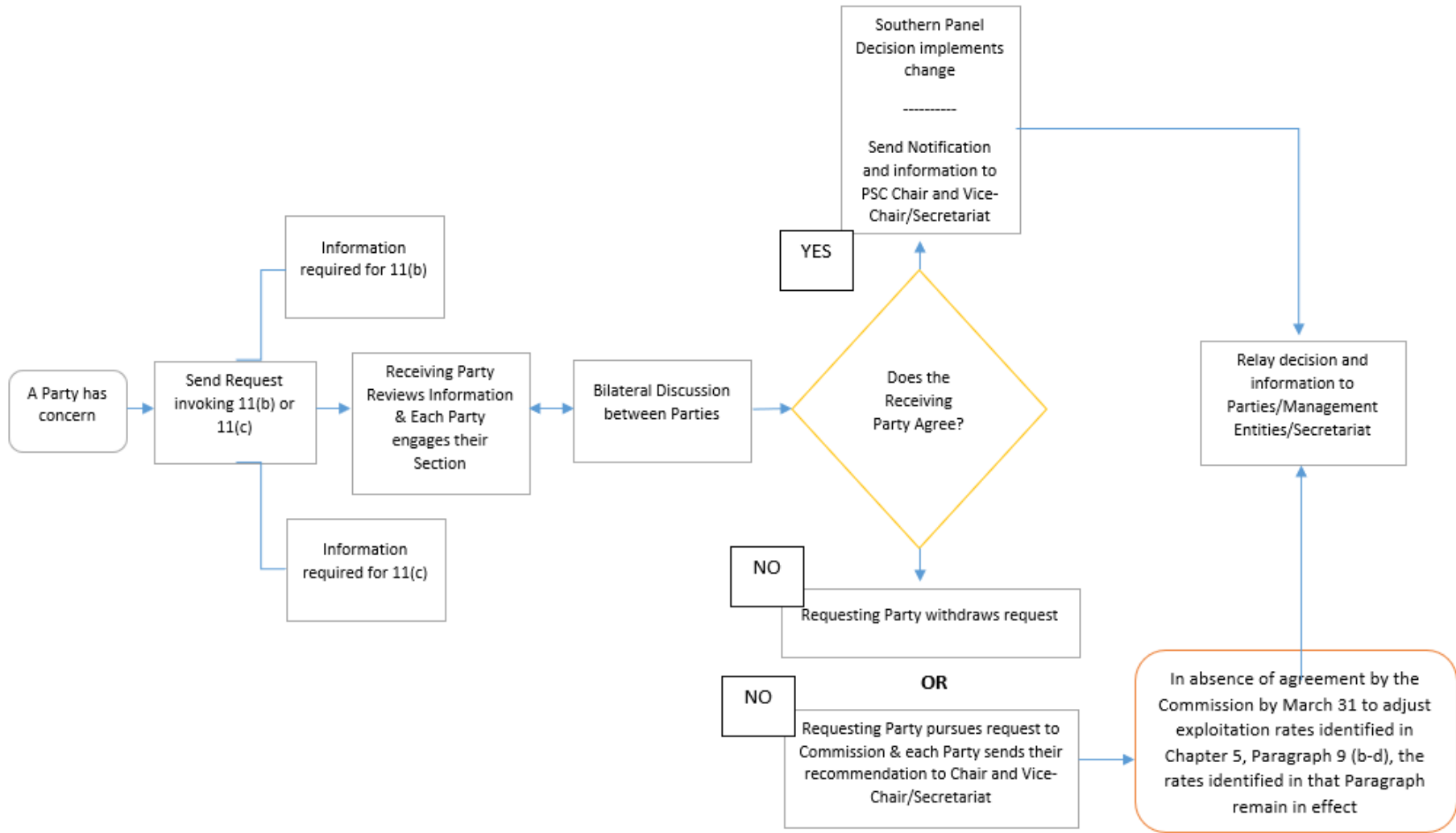


Figure 1. Flowchart with decision tree, outlining process steps for invoking paragraphs 11(b) or 11(c) within Chapter 5 (Coho) of the Pacific Salmon Treaty. Canadian and U.S. Southern Panel Chairs would serve as the points of contact for the receiving and requesting parties.