

Committee on Resources

Subcommittee on Fisheries Conservation, Wildlife and Oceans

Witness Statement

ORAL TESTIMONY OF ROBERT ZUANICH

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Subcommittee on Fisheries Conservation, Wildlife, and Oceans

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Mr. Chairman and members of the subcommittee, thank you for the opportunity to be here today to discuss the Treaty's new Fraser River agreement, which includes a license buyback

Concessions are necessary in any negotiaton. In this case, the major U.S. concession was the reduction in catches of Fraser sockeye salmon by Washington commercial fishermen.

When the original Treaty was signed in 1985, the U.S. accepted a 26% share of the Fraser catch. This catch was allocated equally between commercial and Treaty Indian fishers under the terms of federal court orders interpreting Indian fishing rights under federal treaties.

Under the new Fraser agreement, the U.S will receive only 16.5% of the catch. However, during the negotiations, Tribal representatives were adamant that a reduction of this magnitude would violate their treaty fishing rights to Fraser sockeye. To overcome this obstacle, the U.S. proposed that only non-tribal fishermen in Washington State would shoulder this reduction. This was a dramatic step. The equal allocation of salmon has been an unchallenged and fundamental premise in Washington fishing communities. It was understood that disruption of this long-standing arrangement would reopen extremely sensitive political and legal issues, and would have real economic consequences for Washington fishermen.

For these reasons, the reduction was expressly conditioned on the implementation of a buyback program to reduce the fishing capacity of the non-tribal fleet. The cost of this program was set at a minimum of \$35 million over a 3 to 4 year period with a \$30 million federal appropriation. Washington's Governor Locke was at the center of these discussions with our negotiators.

In the end, Canada was unwilling to accept the buyback contingency-- insisting that U.S. catch reductions occur whether or not a buyback program was established. At the end of the day, our negotiators conceded this point.

However, our negotiators also assured us that the buyback was still a condition to full implementation of the new Treaty agreements because the court stipulation and order under United States v. Washington--necessary to memorialize the unequal sharing of Fraser sockeye catches between tribal and non-tribal fishermen--will be conditioned on implementation of the buyback program.

Our negotiators made difficult and real concessions that will force many Washington commercial fishermen to leave the Fraser fishery forever. The buyback program will provide indispensable economic assistance to those fishermen

and their families while also providing stability to those who will remain in the fishery.

Thank you Mr. Chairman. I would be happy to answer any questions.

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