Indian Affairs - Office of Public Affairs

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New regulation providing extra sockeye salmon fishing time under long standing treaty rights to members of eight Washington State Indian Tribes were published June 23 in the Federal Register, Interior Assistant Secretary Forrest Gerard announced today.

The new regulations will be effective June 25, in time for the salmon season beginning June 26. They replace similar regulations published in June of 1977 in the Federal Register.

The area affected by the regulations is in and around the Strait of Juan de Fuca, which separates the southern end of Vancouver Island, Canada, from the north edge of the Olympic Peninsula in the United States, and in Northern Puget Sound. These are the waters where Puget Sound meets the Pacific Ocean, and where major runs of salmon are expected to seek their native streams in the Fraser River system for spawning this summer.

Non-Indian fishermen will be allowed a basic two days per week of sockeye fishing this season under regulations of the International Pacific Salmon Fisheries Commission {IPSFC). Following the pattern set last year, the State Department approved the regulations on June 5, except as to U.S. Indians fishing under the regulations of the Interior Department. Canadian Indian subsistence fishing is not regulated by the IPSFC, although it also occurs in waters coming under the joint U.S. Canadian treaty which established the IPSFC.

Between July 23 and September 9 in designated area the regulations allow the treaty Indians about two additional nights per week for gill netting and one additional day for purse seining.

The granting of additional fishing to the Indians is grounded in numerous court tests, including the landmark decision of U.S. Washington, which held that treaties of 1854 and 1855 give the Indian groups the opportunity to catch one-half the total U.S. catch in the Indians accustomed fishing places. This arrangement was upheld in a different case by the U.S. District Court in a test brought last year by non-Indian fisherman of the Puget Sound area.

Last year, the Indian, with an additional day's fishing each week caught 19.3 percent of the U.S. share of sockeye salmon. It is expected that they will catch about the same percentage this year.

The terms of the U.S. - Canadian Treaty require an equal split of the fish between the two countries and adequate escapement to perpetuate the runs in future years. The Departments of Commerce and the Interior will perform a continuing monitoring service to carry out needed adjustments in the fishery throughout the season in response to information provided by the IPSFC to be sure terms of the Canadian Treaty are met. Fishermen are kept advised of these changes by hot- line telephone service.

The Indians affected by the regulations are the Makah Tribe, the Lower Elwha and Port Gamble Bands of the Clallam Tribe, Suquamish Tribe, Lummi Tribe, Noo sack Tribe, Swinomish Indian Tribal Community and Tu1alip Tribe.