

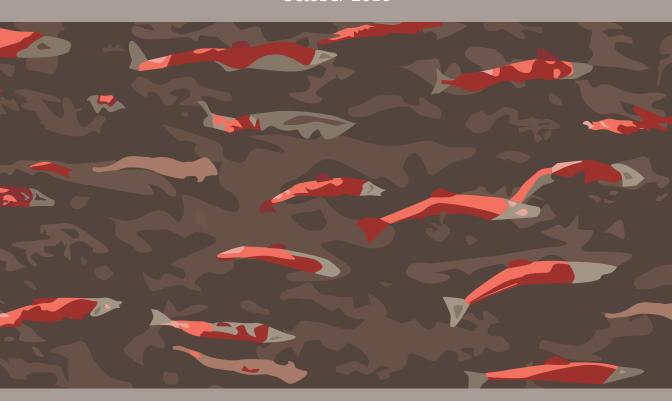
Commission of Inquiry into the Decline of Sockeye Salmon in the Fraser River



Commission d'enquête sur le déclin des populations de saumon rouge du fleuve Fraser

# Fraser River Sockeye Salmon: Past Declines. Future Sustainability?

Interim Report
October 2010



The Honourable Bruce I. Cohen
Commissioner

# Commission of Inquiry into the Decline of Sockeye Salmon in the Fraser River



Commission d'enquête sur le déclin des populations de saumon rouge du fleuve Fraser

Vancouver, B.C. V6B 4N7

October 29, 2010

To His Excellency
The Governor General in Council

### May it please Your Excellency:

As Commissioner appointed by Order in Council PC 2009-1860, which was promulgated on November 5, 2009, pursuant to Part I of the *Inquiries Act*, and in accordance with the Terms of Reference assigned therein, I respectfully submit this interim report. It sets out my preliminary views on and assessment of previous examinations, investigations, and reports relevant to the commission and the Government's responses to those examinations, investigations, and reports respecting the decline of sockeye salmon in the Fraser River.

The Honourable Bruce I. Cohen Commissioner

Suite 2800, PO Box 11530, 650 West Georgia Street, Vancouver, BC V6B 4N7
Tel: 604 658 3600 Toll-free Tel: 1 877 658 2808
Fax: 604 658 3644 Toll-free Fax: 1 877 658 2809
www.cohencommission.ca

# COHEN COMMISSION OF INQUIRY into the Decline of Sockeye Salmon in the Fraser River



Commission of Inquiry into the Decline of Sockeye Salmon in the Fraser River



Commission d'enquête sur le déclin des populations de saumon rouge du fleuve Fraser

# Fraser River Sockeye Salmon: Past Declines. Future Sustainability?

Interim Report
October 2010

The Honourable Bruce I. Cohen
Commissioner

© Copyright Minister of Public Works and Government Services Canada 2010

Cat. no.: CP32-93/1-2010E-PDF ISBN 978-1-100-16291-1 (PDF)

Also available in print.

Available on the commission's bilingual website, www.cohencommission.ca, along with transcripts, exhibits, and all reports prepared by or for the commission. Details of how members of the public may make submissions and how to contact the commission are posted on the website.

Also available electronically is a document compiled by the Department of Fisheries and Oceans, entitled "Recommendations Related to Fraser River Sockeye Salmon and Responses by the Government of Canada, 1982–2010," May 2010.

### Library and Archives Canada Cataloguing in Publication

Commission of Inquiry into the Decline of Sockeye Salmon in the Fraser River (Canada)

Fraser River sockeye salmon : past declines. future sustainability? [electronic resource] : interim report / Bruce I. Cohen, commissioner.

Issued also in French under title: Le saumon rouge du fleuve Fraser, après le déclin, la viabilité ? rapport provisoire.

Electronic monograph in PDF format. Issued also in printed form. ISBN 978-1-100-16291-1

Cat. no.: CP32-93/1-2010E-PDF

1. Commission of Inquiry into the Decline of Sockeye Salmon in the Fraser River (Canada). 2. Sockeye salmon--British Columbia--Fraser River. 3. Sockeye salmon fisheries--British Columbia--Fraser River. 4. Salmon stock management--British Columbia--Fraser River. 5. Governmental investigations--Canada. I. Cohen, Bruce I. II. Title.

# **Contents**

## **EXECUTIVE SUMMARY 1**

**PART ONE** Commission activities

Responsibility for salmon farms

Establishment of the commission

Administration and organization

Office premises and commission staff 15
Website 15
Participants 16
Applications for standing 16
Applications for funding 18
Funding recommendations to the clerk
of the privy council 19
Government of Canada's decision respecting funding 20
Rules for Procedure and Practice 20
Disclosure of documents 21
Conducting interviews 22
Applications brought by participants 22
Discussion Paper 22
Evidentiary hearings 23
Public forums 23
Site visits 24
Public submissions 25
Staying informed 27
Final report 27
•
PART TWO Previous reports and government responses 29
Introduction 31
Previous examinations, investigations, and reports 33
Previous reports reviewed by the commission 33
Mandates of previous reports 36
Recommendations of the reports, and the government's responses 50
Organization and administration 50
Habitat management, conservation, restoration, and enhancement 64
Harvest management 80
Harvesting 90

102

11

13

14

Enforcement

111

Research and identification of knowledge gaps 116					
PART THREE Preliminary views and assessment 121					
Introduction 123					
The decline of Fraser River sockeye salmon 124					
The 2010 rebound 124					
What the previous reports tell us 125					
Drawing conclusions from the previous reports 127					
How the commission used the previous reports 128					
What makes this commission unique 132					
What the commission will investigate, and how it will proceed 133					
Improving the future sustainability of the sockeye fishery 134					
APPENDICES 137					
1 Orders in Council and amendment 139					
2 Commissioner and commission staff 146					
3 Rules for Standing and Funding 148					
4 Ruling on Standing 152					
5 Ruling on Application to Vary Standing Brought by					
Heiltsuk Tribal Council 187					
6 Ruling on Application to Vary Standing Brought by					
Douglas Treaty First Nations 191					
7 Ruling on Application to Vary Standing Brought by Laich-kwil-tach Treaty					
Society and Heiltsuk Tribal Council 192					
8 Participants Granted Standing 195					
9 Summary of Commissioner's Recommendations to Privy Council Office					
Concerning Participant Funding 197					
10 Rules for Procedure and Practice 219					
11 Ruling on Interpretation of Terms of Reference 228					
12 Discussion Paper 238					
13 Technical and scientific research projects 259					
- •					

295

Glossary