

# **PART THREE**

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Preliminary views  
and assessment



## Introduction

This commission's Terms of Reference direct me to set out in my interim report my "preliminary views on, and assessment of, any previous examinations, investigations or reports" that I consider relevant to the commission, as well as "the Government's responses to those examinations, investigations and reports[.]"

In determining which previous reports were relevant, I was guided by the overarching focus of my mandate – to identify the causes for the decline of Fraser River sockeye salmon and to develop recommendations for improving the future sustainability of the fishery.

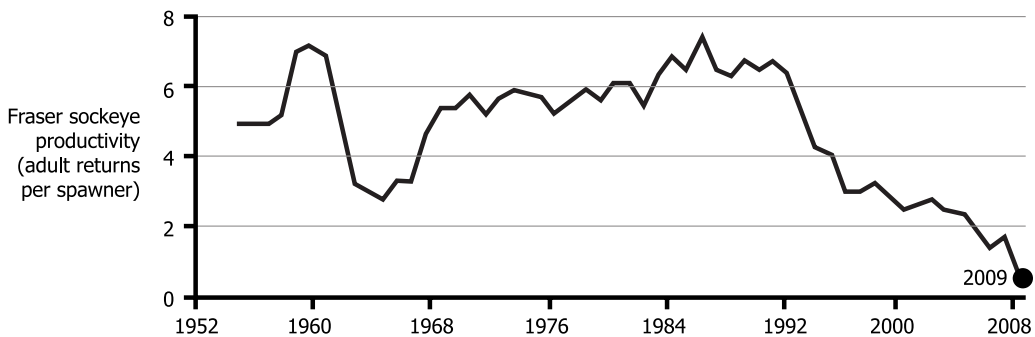
With respect to causes, the Terms of Reference specify a number of fish biology and ecosystem issues that I should consider, including the impact of environmental changes along the Fraser River, marine environmental conditions, aquaculture, predators, diseases, and water temperature. However, I am also directed to consider the policies and practices of DFO with respect to the Fraser sockeye fishery and to recommend changes to those policies and practices, if required, to improve the future sustainability of the fishery.

An appropriate starting point for my preliminary assessment is the precipitating events that brought about the establishment of this commission of inquiry. I turn now to those events.

# The decline of Fraser River sockeye salmon

I understand that declines in sockeye salmon can be expressed in terms of abundance, productivity, and diversity. A recent report from the Think Tank of Scientists from Simon Fraser University in Vancouver and the Pacific Fisheries Resource Conservation Council expressed this decline by comparing the number of adult recruits to the number of spawning adults four years previously. This comparison was done on an aggregate basis, not by individual Conservation Unit. Figure 2, taken from this report, shows the measure of productivity (adult returns per spawner) between the 1950s and 2009. If the number of progeny is less than the parental numbers, the stock would appear to be in decline. Since the early 1990s, there was a steady and profound decline until 2009, to the point where the ratio of returning progeny per spawner was well below the replacement level.

**Figure 2: Fraser Sockeye Adult Returns per Spawner, 1950s–2009**



Source: “Adapting to Change: Managing Fraser sockeye in the face of declining productivity and increasing uncertainty,” Think Tank of Scientists from Simon Fraser University and the Pacific Fisheries Resource Conservation Council, December 9, 2009, at [fish.bc.ca/scientific-think-tank-analyzes-declining-fraser-river-sockeye-returns](http://fish.bc.ca/scientific-think-tank-analyzes-declining-fraser-river-sockeye-returns) (accessed August 2010).

This decline was recognized in the preamble to the Terms of Reference: “[T]he decline in sockeye salmon stocks in the Fraser River in British Columbia has necessitated the closure of the fishery for a third consecutive year, despite favourable pre-season estimates of the number of sockeye salmon expected to return to the Fraser River[.]” This decline “has been attributed to the interplay of a wide range of factors, including environmental changes along the Fraser River, marine environmental conditions and fisheries management.”

## The 2010 rebound

The decline of Fraser sockeye has been, as I described earlier, steady and profound. The 2009 return of 1.7 million fish was the lowest on record. However, in 2010

Fraser sockeye are experiencing an extraordinary rebound. Before fishing began in 2010, DFO's Integrated Fisheries Management Plan forecast a return of 11.4 million Fraser sockeye, at a 50 percent probability level. By August 24, the Pacific Salmon Commission's Fraser River Panel estimated a return of 25 million fish (the largest since 1913), based on early harvesting, early escapement, and test fisheries. The panel subsequently increased that estimated return to 30 million, and later 34 million fish.

The 2010 returns demonstrate that Fraser sockeye retain the capacity to produce at historic levels, an indication of their resilience. The reasons for this dramatic improvement are as yet unclear, and it would be prudent to view the exceptional 2010 return within the context of the preceding years' steady decline in productivity. Notwithstanding the relief and excitement surrounding the 2010 return, no one is confident that the declines are a thing of the past.

Although it is too early to tell whether the high production in 2010 will be sustained into the future, it is clear that the 2009-10 variability has important implications for the commission's work. My mandate (to make findings of fact regarding the causes for the decline of Fraser sockeye and to develop recommendations for improving the future sustainability of the fishery) still remains, but that decline must now be understood and evaluated in the context of an unprecedented rebound in 2010.

As the commission explores alternative theories that might explain the historic declines in Fraser sockeye, it will be necessary to test those theories against the dramatic 2010 returns. By that, I mean that explanatory factors must take into account upswings as well as declines. The commission's scientific researchers will include, where appropriate, the 2010 return in the scope of their investigations – in particular, in the data synthesis and cumulative effects analysis project.

## What the previous reports tell us

The number of previous reports and the number of recommendations contained in them are remarkable. Dr. Peter Pearse's 1982 report alone contained over 200 recommendations. More recently, the past two decades have seen at least 30 additional reports containing approximately 500 more recommendations, many of which were directed at DFO respecting its management of the fishery.

Moreover, if the number of previous reports and recommendations appears daunting, so too is the wide range of issues that were examined. Read as a whole, the previous reports touch on most major issues in fisheries management.

In considering how to approach my assessment of these previous reports, I took as my starting point Dr. Pearse's seminal 1982 study of Canada's Pacific fishery. His mandate was sweeping in scope – to examine the condition, management, and use of all Pacific fisheries, including provisions for conservation, management, protection, and development of the fish resources and the structure and size of the commercial fishing fleet. His recommendations were as broad as his

mandate, delving into habitat and management, salmonid enhancement, research, commercial licensing, fleet rationalization, mariculture, the Aboriginal fishery, the sport fishery, enforcement, consultative arrangements, and administration.

Although subsequent reports were more narrowly focused, a variety of themes emerged:

- ***Response to an immediate crisis.*** Several reports were commissioned to examine an unexpectedly low return in a specific year, such as the Pearse and Larkin report of 1992 (the apparent disappearance of 482,000 sockeye salmon on their way to the Fraser River spawning grounds), the Fraser report in 1995 (an estimated shortfall of 1.3 million Fraser sockeye), the Standing Committee's 2003 report (the closure of the commercial fishery in 2001), and the Williams and the Standing Committee's 2005 reports (an estimated 1.3 million fish unaccounted for).
- ***Fleet reduction and intersectoral allocation.*** Between 1995 and 1998, numerous reports addressed problems arising from the government's intention to reduce the capacity of the commercial salmon fleet by 50 percent (Mifflin Plan) and disputes within and among sectors over allocation.
- ***The Aboriginal role in fisheries.*** Beginning with Dr. Pearse's 1982 report, which made 13 recommendations respecting the Aboriginal fishery, numerous reports addressed issues such as the food, social, and ceremonial fishery and the 1992 Aboriginal Fisheries Strategy (including pilot sales programs). The 2004 federal-provincial task force (Pearse and McRae) was mandated to define a broad vision of the post-treaty fishery, including identifying how fish will be shared among treaty and non-treaty participants. The 2004 First Nation Panel was asked to articulate a vision for future fisheries management and allocation and to identify what principles would help to achieve that vision.
- ***Effects of salmon farms.*** In 2000, the Auditor General of Canada undertook an audit to determine whether DFO was meeting its obligations respecting conservation and protection of wild salmon stocks while participating in the regulation of the salmon-farming industry. The following year, the Leggatt Inquiry reported on community and public input respecting salmon farming. In 2004, the federal commissioner for aquaculture development prepared a long-term vision for aquaculture in Canada. The auditors general of New Brunswick (2004) and British Columbia (2005) reported on key risks associated with the salmon aquaculture industry. In 2007, the BC Special Committee on Sustainable Aquaculture concluded that the province had a unique opportunity to protect and enhance wild salmon populations and marine ecosystems while developing a thriving, innovative aquaculture industry. In 2009, the Pacific Salmon Forum recommended that British Columbia adopt an ecosystem-based approach to address the potential impact of salmon aquaculture.
- ***Conservation and habitat protection.*** In a series of reports in 1997, 1999, and 2000, the Auditor General of Canada addressed various aspects of conservation and protection of the salmon resource and its habitat. In 2004, the federal

commissioner of the environment and sustainable development focused on action that DFO had taken in response to the auditor general's recommendations. In 2005, the David Suzuki Foundation conducted a study into DFO's performance in implementing its conservation mandate in the Pacific Region. In 2009, the commissioner of the environment and sustainable development examined how DFO and Environment Canada carried out their respective responsibilities under the *Fisheries Act* for protecting fish habitat and preventing pollution.

- **Consultative arrangements.** In 2001, DFO appointed the Institute for Dispute Resolution at the University of Victoria to develop recommendations relating to DFO's consultation processes in the Pacific Region on management planning for the annual salmon harvest.

This list indicates clearly that some issues, such as aquaculture, conservation, and habitat protection, have been examined repeatedly. An enormous amount of time and money has been invested in arriving at the recommendations contained in these previous reports, yet the decline in Fraser sockeye stocks had not abated until 2010, necessitating the closure of the fishery in 2009 for a third consecutive year. This history motivated the government to investigate the causes for the decline and led to my appointment to conduct this commission of inquiry.

## Drawing conclusions from the previous reports

Although I am mindful of the detailed research and the cost involved in the production of the previous reports and the large number of recommendations generated by them, I have concluded that I should not make any findings of fact or recommendations for improving the fishery's sustainability based solely on them. In my view, it would be premature and unwise to do so for several reasons.

First and foremost, notwithstanding the best efforts of DFO and other participants, the commission has not yet received complete disclosure of documents from DFO, other government departments, or the other participants.

Second, the commission's legal team is still conducting interviews with DFO employees and others who are knowledgeable about the Fraser sockeye fishery and about fish biology and ecosystem issues.

Third, the Terms of Reference direct me to consider the policies and practices of DFO with respect to the Fraser sockeye fishery and to recommend changes, if required, to improve the future sustainability of the fishery. Before arriving at any conclusions, I should await the evidence that will flow from the hearings investigating DFO's policies, practices, and procedures.

Fourth, before making any findings or recommendations, I will need to consider the results of this commission's contracted research projects, which are described below.

Finally, findings of fact and recommendations must await my consideration of the whole of the evidence emanating from the hearings, public forums, site visits, and public written submissions. All the evidence generated by the commission's proceedings will form the basis for reaching conclusions. These conclusions will take into account the recommendations contained in past reports and the government's history of responses to these reports. In my opinion, this fair and reasonable approach should result in a set of findings and recommendations that, I trust, will end the cycle of reviewing the same issues over and over again.

## How the commission used the previous reports

I turn now to an explanation of how the commission was able to make use of the previous reports and recommendations as part of its preparation for the evidentiary hearings, scheduled to commence in Vancouver on October 25, 2010.

The commission's legal team reviewed the previous reports and organized them by subject matter. In doing so, they were able to identify approximately 20 broad topics relating to fisheries management, fish biology, and the ecosystem to investigate. These topics, which were refined as the legal team's work progressed, eventually became an outline for the issues that the commission intends to investigate during its proceedings.

To carry out the commission's investigation of the issues, the legal team formed two-person groups, and the issues were divided among these groups. For any given issue, a group took on responsibility for reviewing the relevant previous report(s), searching the Ringtail Legal document management database for relevant documents, identifying persons to be interviewed, developing a witness list, and preparing to present evidence on that issue at the hearings.

In addition, the legal team identified those issues that would lend themselves to the preparation of Policy and Practice Reports, as contemplated by the commission's Rules for Procedure and Practice. The topics that may be covered in this process include the federal legislative scheme, the international law framework, habitat enhancement and restoration, the Aboriginal and treaty rights framework for the fishery, and a history of regulation of the Aboriginal sockeye salmon fishery.

Policy and Practice Reports may also be written describing the basic, uncontested facts on a number of issues, such as an outline of the different fishing sectors, the basic practices of DFO harvest management, general enforcement practices, and regulatory practices governing activities such as aquaculture, mining, and sewage disposal. These reports will be tendered as exhibits at the hearings and will ultimately inform my consideration of these issues.

The topics that were identified from a review of the previous reports also served to inform the commission's scientific research program. This program



is directed by our in-house fisheries research consultant, Dr. David Levy. Dr. Levy's detailed understanding of the previous reports guided him in the development of the commission's contracted scientific research projects. In addition, Dr. Levy was able to consult with several highly respected experts on salmon fisheries and conservation about the development of terms of reference for science projects and the scope and range of the scientific issues that the commission intended to investigate. In this manner, the commission was able to build a bridge between the legal team's investigation of issues and the commission's scientific research program.

Working together, the members of the legal and science teams are endeavouring to avoid duplicating work or revisiting issues that have been amply covered in the previous reports. The fisheries management, fish biology, and ecosystem issues that have emerged from the commission's review of the previous reports, and which will be investigated during the commission's proceedings, are those which the commission considers vital to ensuring that it is able to fulfill its mandate.

On June 15, 2010, the commission convened two days of hearings to solicit the participants' submissions on the issues the commission had identified in its Discussion Paper (see Appendix 12). In particular, we wanted to know, first, whether there were issues other than those listed in the Discussion Paper that the commission ought to investigate and, second, the relative priority of the issues that the commission ought to investigate.

As a result of this meeting, the commission received valuable input from the participants, whose suggestions led to some revisions to the list and description of the issues. On July 7, 2010, commission counsel wrote to the participants, setting out a detailed hearings plan and describing 12 technical and scientific research projects, with the names and brief biographical sketches of the proposed researchers. Commission counsel convened another meeting of the participants on July 19, 2010, after which the commission's evidentiary hearings plan and scientific research projects were finalized. These projects, most of which are due for completion by January 31, 2011, and will then be subject to peer review, are set out in Appendix 13. They are as follows:

**Project 1 Diseases and parasites:** A fish disease specialist will take a broad view of sockeye diseases and parasites that span the life cycle from egg to adult, and will evaluate the full spectrum of diseases that occur at all life history stages.

**Project 2 Effects of contaminants on Fraser River sockeye salmon:** The researcher will prepare an inventory of aquatic contaminants in the Fraser River, organized by the distribution of sockeye Conservation Units. The report will include an evaluation of pulp-mill effluent contaminants, non-point source contaminants, endocrine disruptors, and other contaminants, including sewage discharges from the Lower Mainland and other urban centres in the Fraser watershed.

- Project 3 Fraser River freshwater ecology and status of sockeye salmon**  
**Conservation Units:** The researcher will investigate several aspects of Fraser sockeye ecology, including the status of sockeye Conservation Units, a review of the industrial and urban impact on freshwater ecology and the life history of salmon, and an expert assessment of the potential impact from industrial and urban activities on Fraser sockeye during the past 30 years.
- Project 4 Marine ecology:** The researcher will review the marine ecology of Fraser sockeye to determine whether there are oceanographic factors that can explain the reduction in short-term and long-term Fraser sockeye productivity.
- Project 5 Impacts of salmon farms on Fraser River sockeye salmon:** The researcher will evaluate the linkage between salmon farm operations and Fraser sockeye spawning returns – past, present, and future. This research will consider the impact on Fraser sockeye of sea lice exposure, farm wastes that affect benthic and pelagic habitat quality, Atlantic salmon escapees, and disease (including IHN).
- Project 6 Data synthesis and cumulative impact analysis:** The researcher will synthesize information contained in the other researchers’ technical reports, to address cumulative effects and to evaluate possible causes for the decline of Fraser sockeye.
- Project 7 Fraser River sockeye salmon fisheries and fisheries management:** The researcher will investigate Fraser sockeye fisheries harvesting (Aboriginal, commercial, and recreational) and fisheries management (pre-season forecasting, in-season and post-season run-size abundance estimation methods, and escapement enumeration methods). The researcher will also analyze the historical performance of the in-season assessment process, evaluate the scientific basis for determining escapement targets, evaluate the extent and impact of any over-harvesting since 1985, and summarize the current conservation status of the Cultus Lake sockeye population. Finally, the researcher will undertake a comparative analysis of sockeye fisheries’ harvesting practices and fisheries management in BC’s Fraser River and Alaska’s Bristol Bay fisheries.
- Project 8 Effects of predators on Fraser River sockeye salmon:** The researcher will prepare a description of predation on Fraser sockeye across the geographical range of the population, focusing on marine mammal predation on adults and smolts. The researcher will also evaluate freshwater fish predation on alevins, fry, and smolts, and marine fish predation on smolts, sub-adults, and adults.

**Project 9 Effects of climate change on Fraser River sockeye salmon: literature compilation and analysis:** The researcher will compile and review all the published evidence for climate change and climate-related effects on sockeye salmon in freshwater and marine habitats across all life stages. Specifically, the researcher will look for evidence of the effects of climate-related variables such as temperature, flow, salinity, pH, currents, primary productivity, and species interactions on Fraser sockeye survival, behaviour, and distribution.

**Project 10 Fraser River sockeye production dynamics – data compilation, literature review, and reporting:** The researcher will, to the extent possible, undertake basic statistical analyses of abundance and productivity, organized by Conservation Unit. The researcher will also review previous research and data on sockeye cyclic dominance, including Fraser and non-Fraser sockeye populations (with a review of the relationship between sockeye run failures and the timing of sockeye cyclic dominant runs), and summarize the frequency and effects of over-escapement on subsequent productivity and the abundance of adult recruits.

**Project 11 Fraser River sockeye salmon: status of DFO science and management:** The researcher will prepare an analysis, including an economic analysis, of DFO activities in the management of Fraser sockeye; present DFO science and research expenditures related to Fraser sockeye; and undertake an analysis to evaluate DFO's ability to meet its stated management objectives relative to Fraser sockeye.

**Project 12 Sockeye habitat analysis in the Lower Fraser River and the Strait of Georgia:** The researcher will prepare an inventory of sockeye habitats in the Lower Fraser River (below Hope) and identify human activities that could affect them; analyze Fraser Estuary development, including the use of larger vessels, the proposed expansion of the Vancouver International Airport Fuel Delivery Project, the development of ports and bridges, and the damage from dredging; describe human activities in the Strait of Georgia that could negatively affect Fraser sockeye; evaluate coastal zone protection strategies related to shoreline development, shipping, aquaculture, and oil-tanker traffic; provide a synopsis of water quality conditions in the Strait of Georgia along the sockeye migration routes; and quantify sockeye food abundance in the Strait of Georgia in relation to the potential for food competition and limitation.

# What makes this commission unique

The work of this commission is different from that of the previous reports in significant respects. This commission is the first one that

- has been specifically tasked to identify the causes for the decline of Fraser sockeye and to make recommendations for the fishery's future sustainability;
- has been specifically directed to investigate the fish biology and ecosystem issues that may have caused or contributed to the decline, including freshwater and marine environmental changes that call for a consideration of anthropogenic climate change;
- has been mandated to undertake a comprehensive consideration of DFO's past and present policies, practices, and procedures, including its scientific advice; its fisheries policies and programs; its risk management strategies; its allocation of departmental resources; and its fisheries management practices and procedures, including monitoring, counting of stocks, forecasting, and enforcement; and
- has, since Dr. Pearce's 1982 commission, been granted authority under Part 1 of the *Inquiries Act*, which authorizes the commissioner to summon witnesses to attend and give evidence under oath or affirmation and to produce documents relevant to the commission's mandate.

This commission is also unique in the degree to which it has sought input from interested parties. Far from working in isolation, the commission received the benefit of input from 21 formally recognized participants (representing 53 individuals, groups, and organizations) who represent governmental, Aboriginal, commercial fishing, sport fishing, industrial, and environmental non-governmental interests. Participants have played a key role in identifying the topics that should be investigated during the evidentiary hearings and through the scientific research projects, and they will have the right to cross-examine witnesses during the hearings. In relation to the commission's scientific research projects, participants have been invited to propose names of potential witnesses who would present differing views from those expressed by the researchers retained by the commission.

The legal landscape within which this commission operates has changed as well. In *R. v. Sparrow*,<sup>10</sup> the Supreme Court of Canada recognized for the first time an Aboriginal right to fish under section 35 of the *Constitution Act, 1982*, and, in the intervening two decades, considerable case law has flowed from that decision. To explore how the change in the legal landscape has made an impact on the work of the commission, I have set aside hearing days to listen to the views of participants on the Aboriginal sockeye salmon fishery.

More recently, in 2009, the Supreme Court of British Columbia<sup>11</sup> struck down the provincial regulatory scheme relating to finfish farming in this province –

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10 [1990] 1 SCR 1075.

11 *Morton v. British Columbia (Agriculture and Lands)*, 2009 BCSC 136.

a decision that has resulted in DFO taking over responsibility for the regulation of fish farms. Obviously, this decision will bear on my consideration of the issues surrounding aquaculture.

It is also important to take into consideration modern treaties, including two recent modern treaties that have been ratified under the 1992 British Columbia Treaty Commission Agreement. These agreements provide for specified food, social, and ceremonial allocations for First Nations, as well as side agreements that provide for Aboriginal commercial fishing opportunities. In this regard, I am aware of the March 2, 2010, announcement of the minister of fisheries and oceans that the Government of Canada has deferred the negotiation of any fisheries components relating to salmon at treaty tables in British Columbia, pending the findings and recommendations of this commission.

Having set out how the previous reports have informed our process and why our work can be distinguished from the previous reports, I turn now to the way the commission will investigate the issues relating to the commission's mandate.

## What the commission will investigate, and how it will proceed

While the contracted scientific research projects discussed earlier are an important component of the commission's work, I feel that the commission's consideration of fisheries management issues is of at least equal importance. Of the issues to be investigated during the commission's proceedings, well over half of them focus on various management topics. The issues to be investigated are summarized here:

- Fraser sockeye life cycle
- Conservation perspectives
- Perspectives on Aboriginal law
- DFO's organizational structure
- The Pacific Salmon Commission
- Wild Salmon Policy (Part 1)
- Overview of DFO habitat management and conservation
- Harvest management
- Harvesting
- Enforcement (fisheries)
- Habitat enhancement and restoration
- Wild Salmon Policy (Part 2)
- Protection of sockeye biodiversity
- Watershed-based planning and marine coastal planning
- Enforcement (habitat)
- Effects on habitat in the Fraser River watershed

- Predation
- Diseases, viruses, bacteria, and parasites
- Salmon farms
- Effects on habitat in the marine environment
- Population dynamics
- Other fisheries models

The commission will employ different methods of collecting evidence on the issues to be investigated: formal hearings where witnesses, including experts, will testify under oath or on affirmation and be subject to cross-examination by the participants; testimony by panels of witnesses, including experts; Policy and Practice Reports tendered as exhibits at the hearings; affidavits or summaries of evidence filed at the hearings; less formal hearings where technical or scientific witnesses may present evidence or exchange views in an open setting; public forums where members of the public may present submissions on the issues; and site visits where I can observe or be informed about aspects of the Fraser sockeye fishery relevant to my mandate.

Even though the hearings and research projects are described as distinct parts of the commission's proceedings, they will in fact be handled in a fully integrated manner. The hearings plan includes consideration of technical and scientific issues that are the subject of the research projects set out earlier. In addition, the reports generated by these projects will be tendered as exhibits, and the researchers will be available as witnesses at the hearings.

## Improving the future sustainability of the sockeye fishery

The ultimate objective of the commission's mandate is to make recommendations to improve the sustainability of this important resource for future British Columbians and other Canadians. The Fraser sockeye is an iconic species of fish in Aboriginal and non-Aboriginal communities. It has been a resource at the centre of Aboriginal traditions in this province for millennia, as well as a critically important resource for the province's economy.

The steady decline of this resource over several decades has put enormous pressure on the Aboriginal and non-Aboriginal communities that depend on this resource for their food, social, and ceremonial purposes; recreational pursuits; and livelihood needs. They want answers as to why there has been a steady decline in the Fraser sockeye stocks. They also seek solutions for restoring the stocks to those levels of abundance where an ample supply of sockeye salmon served the needs of all the communities that relied heavily on it.

The issues surrounding the decline of Fraser sockeye are complex and challenging. Despite years of research and study by pre-eminent scientists and

researchers, as well as community leaders with experience in the field who have undertaken broad-ranging examinations of the topic, the fact remains that this resource was until 2010 in serious decline and the need to find solutions is urgent.

I believe there is a common will to do what is necessary to conserve Fraser sockeye stocks, and I am cautiously optimistic that, with the co-operation of the participants, recommendations will be made to satisfy our mandate of improving the future sustainability of the fishery. In saying so, I am under no illusions about the challenge that lies ahead for the commission, the controversial nature of some of the issues that must be investigated, or the long history of recommendations and responses that have been made. I believe that everyone who is interested in this resource – and that includes a wide cross-section of the citizens of British Columbia and the rest of Canada – are committed to finding and implementing solutions to achieve the goal of securing a sustainable sockeye salmon resource for generations to come.

Much work has been done by the commission to prepare for the evidentiary hearings and much work still lies ahead, but the staff and I are committed to completing our mandate successfully in as timely a manner as our resources and a fair process will permit. We sought and received an extension of time to October 29, 2010, for the filing of this interim report, which, according to the Terms of Reference, was due on August 1, 2010. We are grateful to the government for accepting our request for the extension. In our request we notified the government that we may have to apply for an extension of time for the filing of our final report, which, according to the Terms of Reference, is due May 1, 2011.

The formal hearings will get under way on October 25, 2010, continue in the fall until December 16, and resume early in the new year. We will soon have settled our hearings plan for the new year, and this plan will dictate our activities in 2011, including the publication of my final report.

If there is reason to be optimistic, it is in the willingness of all those I have come into contact with to find a way to participate in as meaningful and helpful a manner as possible. I have been well served by the commission's staff of legal and science professionals, as well as by those who have agreed to provide their services to the commission as consultants or advisers. I have also been fortunate in having a dedicated staff of administrators who toiled long hours to get the commission in operation as quickly and efficiently as possible in order to meet the tight schedule under which it is working.

From commission staff to participants to other interested citizens, we all share the common goal of doing our best to identify the causes for the decline in numbers of Fraser River sockeye salmon and to make meaningful recommendations for the fishery's future sustainability.

