

Recommendations
Related to Fraser River Sockeye Salmon and Responses by the Government of Canada
1982 – 2010

Summary Prepared by DFO for the Commission of Inquiry into the Decline of Sockeye Salmon in the Fraser River
May 17, 2010

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Introduction:

The terms of reference for the Commission of Inquiry into the Decline of Sockeye Salmon in the Fraser River (the Cohen Commission):

“authorize the Commissioner to consider findings, as he considers appropriate, of previous examinations, investigations or reports that may have been conducted that he deems relevant to the inquiry and to give them any weight, including accepting them as conclusive”; and

“direct the Commissioner to supplement those previous examinations, investigations and reports with his own investigation and to consider the Government’s response to previous recommendations”.

In a November 25, 2009 letter to counsel for the Government of Canada, Brian Wallace, Q.C., Senior Commission Counsel, stated “The Commission requests that DFO produce the documents it has or controls, including examinations, investigations and reports, and the government’s responses thereto ...”

The purpose of this document is to set out the recommendations relating to Fraser River sockeye that were made to the Department of Fisheries and Oceans (DFO) in “examinations, investigations and reports” (reports) since 1982, the time period identified by the Cohen Commission, and to describe DFO’s response to each relevant recommendation. The recommendations are drawn from 25 reports that were initiated by, or prepared for, the Government of Canada. The Fraser River is the exclusive focus of some of these reports, such as *Managing Salmon in the Fraser River – Report to the Minister of Fisheries and Oceans on the Fraser River Salmon Investigation* (Pearse, 1992) and *Fraser River Sockeye 1994: Problems and Discrepancies* (Fraser River Sockeye Public Review Board, 1995). Other reports cover a broad range of topics but contain recommendations pertinent to Fraser River sockeye, such as the Commission on Pacific Fisheries Policy (Pearse, 1982) as well as several reports from the Office of the Auditor-General of Canada and the Standing Committee on Fisheries and Oceans. Recommendations contained in reports that were not initiated by, or prepared for, the Government of Canada are not included in this document.

In a few instances, recommendations presented in this document are not directed to DFO but rather to other federal departments and agencies (e.g., recommendations for government to provide financial assistance to individuals and communities as part of an overall fisheries restructuring initiative). Where the official responses of the Government of Canada to such recommendations were available, they have been included in this document.

The structure of this document is as follows: The title of each report is identified, along with additional reference documents in some instances. The left column on each page contains the recommendations drawn directly from the report identified. The right column on each page contains the DFO response to each recommendation, starting with the “Initial Response” followed by “Subsequent Actions”. The “Initial Response” is drawn from documents drafted at the time the recommendation was made. The “Initial Response”

section may, for example, describe whether the recommendation was accepted or rejected and identify actions that were planned to be taken in response to the recommendation. Where steps were later taken by DFO in respect of the recommendation, those steps are described in the “Subsequent Actions” section. Additionally, for ease of reference, a glossary of acronyms has been provided at the end of the document.

In preparing this document, an attempt has been made to draw from existing documents such as letters, news releases and backgrounders. The scope of this document is further constrained by the reports identified and by the recommendations they contain. Accordingly, this document does not represent a comprehensive description of events, actions and issues relating to Fraser River sockeye since 1982.

This document reflects the efforts of DFO to provide as much relevant information as possible, in the time available, to the Cohen Commission regarding the Government of Canada’s response to the recommendations in the identified reports. With respect to some of the issues described in this document, further documents and explanation would be required to comprehensively describe the issue and the current position of the Government of Canada.

1) **Dr. Peter Pearce, [Turning the Tide: A New Policy For Canada's Pacific Fisheries, The Commission on Pacific Fisheries Policy, Final Report, 1982](#)**

Introduction

Consistent with work done at that time, a thematic approach to has been adopted.

Initial Response

An initial assessment of Pearce's recommendations was completed and formed the basis of a Memorandum to Cabinet which was submitted on [June 16, 1983 \(Memorandum to Cabinet Implementation of the Recommendations of the Commission on Pacific Fisheries Policy \(Stage One\)\)](#). For information on the assessment work completed from the time of the tabling of the report in 1982 to the Memorandum to Cabinet in 1983 please refer to the following documents:

- [Assessment of Pearce Recommendations Report #4.A. Pacific Fisheries Licensing Board](#);
- Assessment of Pearce Recommendations Report #4.B. Modernization of Salmon and Roe Herring Licensing;
 1. [Licence Term, Allocation and Renewability](#);
 2. [Personal Transferable Fishing Licences](#);
 3. [Gear Licensing and Catch Allocation](#);
 4. [Area Licensing](#);
- Paper [\(untitled\) Draft #3 January 24, 1983](#);
- [Table 11-1 Summary of Commission on Pacific Fisheries Policy Recommendations and Proposed Actions, April 14, 1983](#); and
- [Implementation of the Recommendations of the Commission on Pacific Fisheries Policy](#), April 14, 1983.

An Action Plan was approved by Cabinet during their meeting of June 28, 1983 [Report of the Cabinet Committee on Economic and Regional Development: June 21, 1983](#), as the first stage of a two stage response to the recommendations of the Commission on Pacific Fisheries Policy (Pearse 1982). Stage 1 items were included in the Stage One Action Plan proposed by DFO for immediate implementation. Policy approval for Stage 2 items is to be sought in subsequent Memoranda to Cabinet. In conjunction with the Action Plan, "the Minister of Fisheries and Oceans was requested to submit by September 1983 a paper outlining options for major policy initiatives and related discussions and negotiations to be addressed in the Stage Two Action Plan including:

- Commercial fleet over capacity;

- Native fisheries policies;
- Fish habitat management; and
- Federal-Provincial agreement(s). [Report of the Cabinet Committee on Economic and Regional Development: June 21, 1983.](#)

Additionally, the Minister of Fisheries and Oceans was authorized to initiate discussions with British Columbia to define “federal alternatives for action in respect of:

- An agreement on continued co-operation and cost sharing for the Salmonid Enhancement Program;
- Possibilities of coordinated approaches in areas such as stream surveys and habitat management activities which require co-operation between the two levels of government;
- The roles and responsibilities of the respective levels of government in the field of fisheries; and
- The development of a framework federal-provincial agreement on fisheries. [Report of the Cabinet Committee on Economic and Regional Development: June 21, 1983.](#)

Funding for the highest priority elements of the Stage One Action Plan were approved as follows: 1983-84 \$3.0M, 1984-85 \$6M, 1985-86 \$6M, 1986-87 \$6M [Report of the Cabinet Committee on Economic and Regional Development: June 21, 1983.](#)

The specific government responses and actions related to the Pearse Commission Recommendations were contained in Annex A of this same document and have been reproduced below after being reviewed for relevance to Fraser River sockeye. For the entire Annex, see [Report of the Cabinet Committee on Economic and Regional Development: June 21, 1983.](#)

	RECOMMENDATION - Dr. Peter Pearse, <i>Turning the Tide: A New Policy For Canada's Pacific Fisheries, The Commission on Pacific Fisheries Policy, Final Report, 1982</i>	DFO RESPONSE
HABITAT MANAGEMENT RECOMMENDATIONS		
1	The government of Canada should invite the government of British Columbia to participate in a joint program aimed at compiling a comprehensive inventory of fish habitats in freshwater streams and estuaries in British Columbia. The inventory should describe the biophysical characteristics of individual areas of fish habitat, and should include an assessment of their potential for producing fish. (p.23)	<p>Regarding Protection of Fish Habitats, it is the view of the Government that the Pearse Commission recommended the following actions. The Government response is in bold, followed by comments on implementation in italics:</p> <ul style="list-style-type: none"> Commit to an integrated resource management approach (with British Columbia) Under Review. <i>DFO to publish its proposed policy for public discussion during 1983</i> Make provisions for compensation by industrial developers where fish habitats are threatened. Under Review. <i>DFO to publish its proposed policy for public discussion during 1983</i> Strengthen habitat protection operations. Agree. <i>Stage 1. Co-operation with DOE and British Columbia where appropriate</i> Return to DFO exclusive administrative responsibility over all habitat protection provisions of the Fisheries Act and over the Ocean Dumping Control Act. Under discussion between DFO, DOE and PCO. <i>Stage 1. Co-operation with DOE and British Columbia where appropriate</i> <p>(Report of the Cabinet Committee on Economic and Regional Development: June 21, 1983)</p> <p><u>Subsequent Actions</u></p> <p>As a follow-up to the Pearse recommendations, in 1983 a discussion document on fish habitat was released for public comment followed by a policy and procedures paper in 1985. On October 7, 1986, the Department of Fisheries and Oceans Policy for the Management of Fish Habitat was presented by the Minister of Fisheries and Oceans, Tom Siddon, to Parliament. This Habitat Management Policy incorporates many of the aspects raised by Pearse in his recommendations in 1982. http://www.dfo-mpo.gc.ca/oceans-habitat/habitat/policies-politique/operating-operation/fhm-policy/index_e.asp</p> <p>In 1984, the Fish Habitat Inventory and Information Program (FHIIP) was launched as a joint venture between DFO and MELP (BC Ministry of Environment, Lands and Parks). The primary goal of this</p>
2	The policy of the Department should be to ensure that the total fish production capacity in the region will not be diminished as a result of industrial and other activities that impinge upon fish habitat. Identifiable and measurable harm to fish habitat should be tolerated for any particular development only if the damage is fully compensated through expanded fish-production capacity elsewhere. (p.24)	
3	The Department should adopt an explicit policy for assessing proposed developments that threaten fish habitat and for determining compensation where required, based on the following precepts:	
	i) In considering proposals for new developments the Department should investigate their impact on fish habitat and all feasible means of avoiding or minimizing harm to fish.	
	ii) Developers should be required to adopt all reasonable measures to avoid or mitigate damage to fish habitat.	
	iii) If such measures are insufficient to prevent habitat damage, the Department should be authorized (but not required) to approve the development, but only if the loss in fish production capacity is fully compensated through increased fish production capacity elsewhere. The compensation should take the form of new fish production by the developer, or cash sufficient to enable the Department to replace the equivalent of the lost productive capacity. Cash compensation should be paid into the Pacific Fisheries Conservation Fund (recommended below). (p.25)	

	RECOMMENDATION - Dr. Peter Pearse, <i>Turning the Tide: A New Policy For Canada's Pacific Fisheries, The Commission on Pacific Fisheries Policy, Final Report, 1982</i>	DFO RESPONSE
4	A fund should be created, called the Pacific Fisheries Conservation Fund, to be administered by the Department of Fisheries and Oceans. Money paid into the fund in the form of compensation for damage to fish habitat should be spent only on habitat improvement and other fish-production measures. (p.25)	<p>program was: "... to compile a comprehensive inventory of the quality, quantity and productive capability of fish habitats in freshwater, estuarine and marine environments of British Columbia. This information was required by DFO and MELP for effective management of the fisheries resource. In addition, this information would be made available to private industry and public organizations. FHIIP has evolved into Stream Information Summary System (SISS)." (Fisheries Information Summary System)</p>
5	If it is deemed to be in the public interest to exempt any development proposal from the provisions for mitigation and compensation in respect of damage to fish habitat, the decision should be made not by the Department but by the federal cabinet.	
6	The Department should be explicitly committed to the principle of integrated resource development planning and management. (p.26)	
7	The Department should continue to participate in referral arrangements with provincial and other federal agencies. (p.27)	
8	The Fisheries Act should provide both the Department and the operator of a proposed or existing development with the option of calling for a detailed review by the Department of its effect on fish habitat. To carry out such reviews, the Department should be authorized to require the operator to provide at his cost detailed plans, specification and assessment studies of the development and to produce the necessary field data and other information it needs for this purpose.	
9	Having reviewed a proposal, the Department should be authorized to reject it or formally approve it on acceptable terms and conditions. The approval should be given to the operator either directly or indirectly through another involved government agency (such as the provincial Pollution Control Board or Ministry of Forests). (p.27)	
10	Terms and conditions of approvals should include mitigation measures to be taken by the operator. Where damage to fish habitat is unavoidable, the approval should also specify compensation (as recommended above). (p.27)	
11	The Department should continue to participate in watershed studies in cooperation with other federal and provincial agencies. (p.27)	

	RECOMMENDATION - Dr. Peter Pearse, <i>Turning the Tide: A New Policy For Canada's Pacific Fisheries, The Commission on Pacific Fisheries Policy, Final Report, 1982</i>	DFO RESPONSE
12	Sections 31 and 33(2) of the Fisheries Act should be maintained substantively intact. (p.28)	
13	All approvals of development proposals issued by the Department should enable their holders to proceed without being liable to prosecution as long as they comply with their terms and conditions. A general provision should empower the Department to curtail or suspend operations if fish habitat is significantly damaged or threatened by events that were unforeseeable at the time the approval was granted. (p.28)	
14	The industry sector effluent regulations under section 33 of the Act should be rescinded for the Pacific region. (p.29)	
15	For discharges of effluent for which provincial pollution control permits are issued the Department's approvals should be integrated into the pollution control permits. (p.29)	
16	The Minister of Fisheries and Oceans (or his designate) should have the explicit authority to convene public hearings concerning any proposed project or development that might threaten fish habitat. (p.29)	
17	The Department should develop, in cooperation with the province, a program to ensure systematic monitoring of all industrial and other operations in the Pacific region that have the potential for inflicting significant damage to fish habitat. (p.29)	
18	Before charges are laid under the habitat protection provisions of the Fisheries Act, the circumstances should be reviewed by senior regional officers of the Department, including the Director General, the Director of the Habitat Management Branch and the Chief of Enforcement to ensure consistency in applying the law. (p.30)	
19	The Department should produce operating guidelines to assist industrial operators in avoiding damage to fish habitat, and the extent to which such guidelines have been adhered to should be considered before charges are laid. (p.30)	
20	Exclusive administrative responsibility over all habitat protection provisions in the Fisheries Act and over the Ocean Dumping Control Act in the Pacific region should be assigned to the	

	RECOMMENDATION - Dr. Peter Pearse, <i>Turning the Tide: A New Policy For Canada’s Pacific Fisheries, The Commission on Pacific Fisheries Policy, Final Report, 1982</i>	DFO RESPONSE
	Department of Fisheries and Oceans, together with related staff and funds. (p.31)	
21	The federal arrangements for dealing with spills of oil and other hazardous materials should be reviewed in an effort to rationalize the division of responsibilities among departments and agencies. (p.31)	
22	As an interim measure, the habitat management staff of the Department’s Pacific region should be increased by about 10 person-years in addition to the staff to be transferred from the Environmental Protection Service and those required to compile the proposed habitat inventory. (p.32)	
23	A core of technical experts should be maintained in the Habitat Management Branch in Vancouver to deal with major impact assessments and estuary and water management studies, but the balance of the branch should be decentralized and be responsible to area managers. (p.32)	
FISHERIES MANAGEMENT RECOMMENDATIONS		
1	The Department should formulate and publish long-term plans and objectives for managing each of the major species and for ensuring the most beneficial utilization of the resources. These objectives should include quantitative targets for production by species and management regions. (p.39)	<u>Initial Response</u> Regarding Fisheries Management, it is the view of the Government that the Pearse Commission recommended the following actions. The Government response is in bold, followed by comments on implementation in italics: <ul style="list-style-type: none">Modernize DFO stock management systems and procedures, with special attention given to acquisition and analysis of statistical data, research on and assessment of condition of fish stocks, long term planning for stock management, and procedures during the fishing season. Agree, Stage 1. Full implementation will take several years. Possible need for adjustments in Stage 2. (Report of the Cabinet Committee on Economic and Regional Development: June 21, 1983) <u>Subsequent Actions</u> As a result of this report the department developed the Salmon Stock Management Plan (SSMP). The SSMPs (Inner South Coast Including Fraser River ; Intro and Computer Simulation Modelling) contain long term plans and objectives for major salmon fish stocks on the Pacific coast. Development of the
2	To provide the background information needed to formulate long-term plans for salmon, the Department should prepare and publish within 12 months a salmon resource analysis, documenting the condition of the stocks, the opportunities for developing them and an outline of the options for future management of the salmon fisheries. The document should include:	
	i) An Assessment of the state of the salmon stocks in as much detail as information allows and an appraisal of the adequacy of this information	
	ii) A review of the problems arising from current fishing patterns	
	iii) Alternative proposals for improving conservation through modifying fishing and management practices	

	RECOMMENDATION - Dr. Peter Pearse, <i>Turning the Tide: A New Policy For Canada's Pacific Fisheries, The Commission on Pacific Fisheries Policy, Final Report, 1982</i>	DFO RESPONSE
	iv) A review of the implications of enhancement plans for effective fisheries management techniques. (p.39)	<p>SSMP began in 1984. Stock management options including enhancement opportunities and habitat restoration and development projects were added in 1985. The second edition was published in 1998 with twelve volumes covering nine geographical areas plus volumes for chinook and coho. Each volume describes options for managing the salmon stocks of a particular area or species. Each option is a long term-stock assessment management strategy that combines harvest management, habitat rehabilitation and enhancement to increase benefits to Canadians from the salmon fishery.</p> <p>From these options and others that may be developed and incorporated into the SSMP during consultations with interested parties, a set of preferred options were to be chosen. These preferred options were to comprise DFO's long term strategic plan for managing Pacific salmon stocks.</p> <p>Prior to the Canada – US Pacific Salmon Treaty which was signed in 1985, most Fraser sockeye management and stock assessment programs were the mandate of the International Pacific Salmon Fisheries Commission. Fraser sockeye stock assessment programs within DFO evolved over the ensuing decades. This is further elaborated upon in the section of the Pearse Report 1982 dealing with Research and Information Recommendations.</p>
3	By 1985, in anticipation of the regional reorganization of the commercial salmon fleet (recommended in Chapter 9), the Department should formulate and publish a long-term plan for salmon fisheries management. This plan should contain quantitative targets for salmon production by species and management regions based on full utilization of the existing productive capacity of the natural habitat and enhancement opportunities. (p.39)	
4	Pre-season planning should be based on an examination of alternative management strategies prepared in the course of the annual scientific assessment of the stocks. (p.41)	
5	In each area, a salmon management unit, reporting to the Area Manager, should be formed and assigned responsibility for in-season management of the salmon fisheries. (p.42)	
6	The Department should, as expeditiously as possible, upgrade the statistical collection processing and storage system for in-season salmon fishery management, taking full advantage of advanced technology in data processing and remote terminal accessibility. (p.42)	
7	The Department should explore the feasibility of test-fishing programs in which commercial fishing vessels conduct experimental fishing according to Departmental specifications in return for all or part of their catches. (p.43)	
8	The Department should thoroughly review its provisions for in-season management of the salmon and roe-herring fisheries with a view toward establishing systematic procedures, including:	
	i) Specifications for in-season field programs of test fishing and monitoring.	
	ii) Procedures for recommending and authorizing in-season variations in regulations.	
	iii) Procedures for ensuring full documentation of in-season investigations, regulatory actions and appraisals of their results. (p.43)	

	RECOMMENDATION - Dr. Peter Pearse, <i>Turning the Tide: A New Policy For Canada’s Pacific Fisheries, The Commission on Pacific Fisheries Policy, Final Report, 1982</i>	DFO RESPONSE
9	The Department should implement an annual review and consultation as part of the process of formulating management plans for each fishery. This should include:	
	i) An annual scientific assessment of the status of the stocks and of the effects of the fisheries upon them.	
	ii) An evaluation of the preceding year’s fishing plan including the changes made to it, estimates of catches of major stocks and spawning escapements.	
	iii) A review of this information with the relevant fishery advisory committee (see Chapter 17), and subsequent preparation of a fishing plan for the next season indicating the targets for catches and spawning escapements in each fishery. (p.44)	
SALMONID ENHANCEMENT RECOMMENDATIONS		
1	The Salmonid Enhancement Program should proceed with planned projects for the remainder of Phase I, according to its established priorities. (p.57)	<u>Initial Response</u> Regarding Salmonid Enhancement, it is the view of the Government that the Pearse Commission recommended the following actions. The Government response is in bold, followed by comments on implementation in italics: <ul style="list-style-type: none">Continue the Salmonid Enhancement Program, initially at a modest level. Agree. <i>Cabinet has already approved transition phase. Underway.</i> <u>(Report of the Cabinet Committee on Economic and Regional Development: June 21, 1983)</u> <u>Subsequent Actions</u> Work on a transition plan for SEP was undertaken and approved with Fisheries and Oceans announcing “... new funding of \$44 million for the Salmonid Enhancement Program (SEP) to carry the program through a two-year transition phase beginning in 1984. The Minister noted that the transition period is in line with the recommendations of the Pearse Commission on Pacific Fisheries Policy” (\$44 Million Approved for the Salmonid Enhancement Program in British Columbia, May 26, 1984). Two years later in 1986, the Minister of Fisheries and Oceans announced “that Cabinet has approved
2	A concerted effort should be devoted to monitoring and comprehensively evaluating the results of projects already in place. Careful attention should be paid in these evaluations to the implications of enhanced stocks for fisheries management. (p.57)	
3	Planning for future enhancement should proceed, with appropriate funding (not out of the Phase I budget), for the next two years as determined with the advice of the Salmonid Enhancement Board. (p.57)	
4	Priorities for future enhancement should be linked to the emerging results of the Phase I projects as revealed by careful monitoring and evaluation. Major projects of a kind that have yet to prove themselves, raise problems of mixed fishing and manageability, or depend on uncertain information should be postponed until these questions are resolved. Correspondingly higher priority should be accorded to well proven techniques, smaller and less risky projects, and works based on relatively solid information. (p.58)	

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5	Artificial enhancement projects should be approved only if investigation reveals that equivalent net gains cannot be achieved through improving fisheries management or reducing fishing pressure. (p.58)	<p>funding to enable the Salmonid Enhancement Program (SEP) to operate fully in 1986-87, \$20M will be added to the program's existing budget of \$19.6M." (Salmonid Enhancement Program Funding Announced, January 20, 1986).</p> <p>Additional funding was announced in June of 1987 ... to a total of \$208 million over the next five years ... The new funding begins in the current fiscal year and represents a \$100 million increase to federal funding available for the next five-year phase of SEP. It brings the total federal investment to more than \$40 million per year through 1990-91, and at least that level of funding will continue into the 1990s." (Additional Funding Announced for the Salmonid Enhancement Program, June 23, 1987).</p>
6	Investigations of enhancement opportunities should include those in rivers that support stocks subject to foreign interception, especially sockeye and pink salmon stocks in the Fraser River system, so that the best projects can proceed as soon as international agreement is reached on interceptions. (p.58)	
7	The government should immediately approach the Government of British Columbia with a view toward negotiating a renewed enhancement agreement. (p.58)	
8	The new federal-provincial agreement should carry a term of five years, with provisions for renewal for successive five-year terms to be negotiated after three years. (p.59)	
9	The renewed enhancement program should provide for undertaking those projects that promise to yield the greatest benefits in excess of costs, based on the demonstrated success of the different forms of enhancement and without invoking risky assumptions about restructuring the fisheries, harvesting patterns and management reforms. Within this general constraint, the program should be limited by the funding currently available for this purpose. (p.59)	
10	The agreement should provide for sharing the costs of the program between the two governments in proportions that should be newly negotiated. It should enable both governments to recover their expenditures under the agreement. (p.59)	
11	The operating cost of all completed enhancement facilities should be provided through the Department's regular operating budget at the end of Phase 1 and thereafter the cost of operating new projects should be transferred as they are completed. (p.59)	
12	The federal government should write off its unrecovered enhancement costs under Phase I of the program. Providing that suitable projects are available, the federal government should provide funds for enhancement during the first term of the renewed agreement not less than the sum of:	

	RECOMMENDATION - Dr. Peter Pearse, <i>Turning the Tide: A New Policy For Canada's Pacific Fisheries, The Commission on Pacific Fisheries Policy, Final Report, 1982</i>	DFO RESPONSE
	i) half the revenues from saltwater sportfishing licence fees (expected to be initially about \$2.0 million)	
	ii) half the revenues from royalties on commercial salmon landings (initially about \$6 million)	
	iii) revenues from sales of fish and eggs at enhancement facilities (now about \$0.6 million)	
	iv) an amount equal to the expenditures under the present program that are not intended to be cost recoverable (about \$3.2 million on an annual basis). (p.60)	
13	At least under the first term of the new agreement the separate organizational structure for the enhancement and aquatic inventory program should be maintained as should the present structure of the enhancement board. (p.61)	
RESEARCH AND INFORMATION RECOMMENDATIONS		
1	The Department's research priorities should be determined by the requirements for effective management and conservation of Pacific fish resources and their habitats. (p.65)	<u>Initial Response</u> Regarding Research and Information, it is the view of the Government that the Pearse Commission recommended the following actions. The Government response is in bold, followed by comments on implementation in italics: <ul style="list-style-type: none">Modernize DFO stock management systems and procedures, with special attention given to acquisition and analysis of statistical data, research on and assessment of condition of fish stocks, long term planning for stock management, and procedures during the fishing season. Agree. <i>Stage 1. Full implementation will take several years. Possible need for adjustments in Stage 2.</i> (Report of the Cabinet Committee on Economic and Regional Development: June 21, 1983) <u>Subsequent Actions</u> With respect to Fraser sockeye, prior to 1985 the International Pacific Salmon Fisheries Commission
2	The Department should immediately take steps to improve the quality and completeness of statistical information on catches by:	
	i) Adopting modern data-collection and processing technology.	
	ii) Improving the methods of collecting and compiling statistics on commercial landings in cooperation with the government of British Columbia.	
	iii) Improving techniques for compiling statistics on sport and Indian catches.	
	iv) Expanding voluntary logbook programs and instating compulsory programs where	

	RECOMMENDATION - Dr. Peter Pearse, <i>Turning the Tide: A New Policy For Canada's Pacific Fisheries, The Commission on Pacific Fisheries Policy, Final Report, 1982</i>	DFO RESPONSE
	more comprehensive information is required. (p.66)	<p>was responsible for most Fraser sockeye stock assessment activities in support of fisheries management. After the signing of the Canada – US Pacific Salmon Treaty, DFO assumed responsibility for many pre and post-season assessment activities. These included pre-season forecasts of sockeye returns, pre-season assessment of the migratory route affecting Canadian and US fisheries. Post-season activities undertaken by DFO beginning in 1985 include escapement monitoring. After the signing of the PST, stock assessment programs for Fraser sockeye evolved with DFO's Stock Assessment Division and later the Salmon Assessment and Freshwater Ecosystems Division. In-season assessment of Fraser sockeye stock status and fishery impacts has been the mandate of the Pacific Salmon Commission and the Fraser River Panel.</p> <p>The diplomatic note of August 13, 1985 identifies the roles and responsibilities of Canada, US, the Fraser River Panel and PSC staff for data collection, analysis and stock assessment. (Diplomatic Note of August 13 1985).</p> <p>Subsequent development of many of the stock assessment and research activities on Fraser sockeye is further described in Subsequent Actions to Recommendation 8: Dr. Peter Pearse, “Managing Salmon in the Fraser - Report to the Minister of Fisheries and Oceans on the Fraser River Salmon Investigation” with Scientific and Technical Advice from Peter A. Larkin (1992).</p>
3	The Departments should strengthen its information on he composition of catches by:	
	i) Reinstating the coastwide sampling program for salmon catches.	
	ii) Expanding its programs for determining the racial composition of salmon and herring catches. (p.66)	
4	The Department should strengthen its programs of collecting and collating information on salmon and herring escapements and spawning by:	
	i) Requiring those who collect the data in the field to document the methods they use in estimating spawning.	
	ii) Developing a central data system to systematically collate and store spawning records.	
	iii) Developing new and consistent techniques for estimating spawning activity.	
	iv) Assembling historical information on salmon spawning for particular streams and publishing the results in close liaison with the intergovernmental aquatic habitat inventory program (recommended in Chapter 3). (p.66)	
5	In preparing its annual reviews (recommended in Chapter 4), the Department should conduct a scientific assessment of the stocks and of the inferences drawn for management purposes. This review should involve:	
	i) Summarizing research findings and collating statistical information on catches, fishing effort, escapements and sampling.	
	ii) Organizing a review of this information by the Department's professional staff	

	RECOMMENDATION - Dr. Peter Pearse, <i>Turning the Tide: A New Policy For Canada’s Pacific Fisheries, The Commission on Pacific Fisheries Policy, Final Report, 1982</i>	DFO RESPONSE
	and other scientists. The review should appraise the condition and potential of iii) the stocks, and the effects of fishing, environmental changes and (where applicable) enhancement.	
	iv) Preparing a statement of consolidated advice regarding the consequences of alternative management strategies for consideration by senior administrators. (p.67)	
6	The Department should substantially expand and strengthen its program of scientific research on fish habitats, especially on the freshwater habitats of salmon, the effects of disturbances and ways of mitigating them. This program should include:	
	i) Continuation of the Carnation Creek project.	
	ii) Initiation of other controlled experiments on the impacts of forestry and other industrial activities in the major ecological systems of the Pacific region and on the effectiveness of habitat protection measures.	
	iii) Evaluation of techniques for integrating the requirements of fish with other resource activities, taking account of their biological and economic implications. (p.68)	
7	The Department should organize a regular process for reviewing research activities and revising priorities with the advice of Departmental managers and outside scientists, and annually report its research activities and plans for public information and for appraisal by the Pacific Fisheries Council (see Chapter 17). (p.70)	
A FRAMEWORK FOR COMMERCIAL LICENSING RECOMMENDATIONS		
1	Commercial fishing licences should be issued for each species of fish separately unless compelling technical or managerial reasons exist for authorizing fishing for two or more species under a single licence.(p.87)	<u>Initial Response</u> Regarding Commercial Fleet Overcapacity and Licensing, it is the view of the Government that the Pearse Commission recommended the following actions. The Government response is in bold,

	RECOMMENDATION - Dr. Peter Pearce, <i>Turning the Tide: A New Policy For Canada's Pacific Fisheries, The Commission on Pacific Fisheries Policy, Final Report, 1982</i>	DFO RESPONSE
2	Canada's Pacific coast should be divided into three broad zones for commercial licensing purposes: waters north of Cape Caution, the inside waters south of Cape Caution, and the waters of the west coast of Vancouver Island; I will refer to these respectively as the north, south and west zones. (p.88)	<p>followed by comments on implementation in italics):</p> <ul style="list-style-type: none"> Reduce the salmon and roe-herring fleets to one-half their current levels, by 1993, by means of a combination of: (Agree with objectives of fleet reduction. Disagree with method. Alternative mechanisms under investigation Stage 2. Implementation could begin in 1984: <ul style="list-style-type: none"> A new licensing system based on limited term (10 year) licences and allocation of licences by competitive bidding Disagree with competitive bidding (Limited term licences still under review.). <i>Alternative mechanisms under investigation. Stage 2. Implementation could begin in 1984.</i> Financial compensation for fishermen who voluntarily relinquish their fishing privileges ("buy-back"). Buy-back still under review. Alternative mechanisms under investigation. Stage 2. Implementation could begin in 1984. Modernize all commercial licensing provisions. Agree with need to modernize. Disagree with some of the proposed details. DFO to develop new proposals in conjunction with fleet rationalization. Stage 2. Strengthen licensing administration and delegate to a Crown Corporation to be established. Agree with strengthening. Disagree with Crown Corporation. Stage 1. Open license appeals process to public scrutiny and delegate to same Crown Corporation. Agree with opening up process. Disagree with Crown Corporation. Stage 1. Tighten vessel replacement rules. Agree with need, disagree with details. DFO's alternative proposal to be implemented. Stage 1. <p>(Report of the Cabinet Committee on Economic and Regional Development: June 21, 1983)</p> <p><u>Subsequent Actions</u></p> <p><i>A New Policy for Canada's Pacific Salmon Fisheries</i> was announced by the Minister of Fisheries and</p>
3	Limited-entry licences (the kind I propose in Chapter 9 for the salmon and roe-herring fisheries) should specify the type of gear that the licensee is authorized to use. Quota licences should not do so, except when needed for conservation reasons. (p.88)	
4	All commercial fishing licences should henceforth be issued to persons or companies. (p.88)	
5	All licensees should be required to designate the vessels they will use in exercising their licences, and to display on their vessels commercial fishing vessel licence plates (CFV licences) issued by the Department. (p.88)	
6	All existing requirements that the licensee own the vessel he uses, or physically operate it, should be abolished. (p.88)	
7	Limited-entry licences and quota licences should have terms of 10 years. (p.89)	
8	The terms of mariculture leases should be determined individually for each in recognition of the characteristics of the fishery, the amount of any capital investment required for enhancement and the life cycle of the species. (p.89)	
9	For each limited-entry fishery, the government should determine and periodically revise the fleet capacity desired in each gear category for each licensing area. One-tenth of that capacity by gear category should be available for allocation each year. (p.89)	
10	For quota fisheries, the government should calculate and periodically revise the total allowable catch; one-tenth of the total allowable catch should be allocated under new quota licenses each year. (p.89)	

	RECOMMENDATION - Dr. Peter Pearce, <i>Turning the Tide: A New Policy For Canada's Pacific Fisheries, The Commission on Pacific Fisheries Policy, Final Report, 1982</i>	DFO RESPONSE
11	To allocate new 10-year limited-entry and quota licences for each fishery in one of the three licensing zones or smaller areas where they will apply, the Department should call for bids.	<p>Oceans on June 18, 1984 based on discussions with industry, advice provided through the Fleet Rationalization Committee (a group of fishing industry participants appointed by the Minister to review the Pearce Commission's recommendations), the Minister's Advisory Committee, and discussions at cabinet on Memoranda to Cabinet (see Pacific Fisheries Policy Options: Crisis and Opportunity, December 9, 1983; A New Policy for Canada's Pacific Salmon Fisheries, March 29, 1984; Pacific Fisheries Policy: Progress Report of Negotiations with Financial Institutions Regarding the Buy-Back Program, May 31, 1984; The Cabinet Committee on Priorities and Planning, Pacific Fisheries Policy: Progress Report of Negotiations with Financial Institutions Regarding the Buy-Back Program, Meeting of June 12, 1984).</p> <p>"Fisheries and Oceans Minister Pierre De Bané announced that draft legislation to provide for the restructuring of the Pacific fishery was tabled today in the House of Commons. The legislation is in two parts, part one the <i>Pacific Fisheries Restructuring Act</i> and part two, amendments to the <i>Fisheries Act</i>." The Minister emphasized that the objectives of the policy are to conserve the resource, to build a new operating framework for the industry, to ensure that Native people have fair access to new opportunities, to develop the full potential of the sport fishery, and, to widen the range of economic benefits available to fishing communities.</p> <p>These objectives will be achieved by:</p> <ul style="list-style-type: none"> • Measures to accelerate the rebuilding of salmon stocks; • New approaches to fisheries management in which area and gear licensing systems will be established and fishermen will be assigned individual fishing allocations; • A vessel and licence buy-back program aimed at reducing the catching power of the commercial fleet by 35 to 45 percent; • Measures to protect Native licences and ensure that Native people share in the benefits of a revitalized, more productive fishery; • Steps to develop the economic potential of the sport fishery; • Special programs to widen the range of economic opportunities available to fishermen and fishing communities; and • Increased industry participation through the establishment of Area Fisheries Management Committees to advise the department of fishing allocations, harvesting strategies, stock rebuilding, habitat protection and restoration and enhancement."
	i) Bids should be in writing and should be delivered in sealed envelopes by a prescribed date.	
	ii) When all bids are in hand at the prescribed date, they should be opened in public and ranked from the highest offer to the lowest for each licence category. Working downward from the highest bid, licences should be awarded until all to be allocated that year have been absorbed. The lowest bid accepted by this method should determine the amount to be paid by all successful applicants. Any ties between competing bids for the last units allocated should be resolved by a draw.	
	iii) The terms of the 10-year licences should begin the year following their award.(p.89)	
12	During the first 10 years (the transitional period described in Chapters 9 and 10), only holders of licences that recognize established positions in the fisheries should be eligible to bid for new licences. Thereafter anyone should be eligible. (p.89)	
13	For new limited-entry salmon and roe-herring licences the following provisions should be made:	
	i) The licence should authorize the licensee to fish for salmon or roe-herring with specified gear, with a vessel of the authorized capacity and, where applicable, in a particular zone.	
	ii) Bids for licences should specify a single gear to be authorized by the licence (gillnet or seine for roe-herring; gillnet, seine or troll for salmon) and, where applicable, a particular zone.	
	iii) Except for roe-herring gillnet licences; bids should be expressed in dollars per ton of vessel capacity applied for, to be paid each year during the term of the	

	RECOMMENDATION - Dr. Peter Pearce, <i>Turning the Tide: A New Policy For Canada's Pacific Fisheries, The Commission on Pacific Fisheries Policy, Final Report, 1982</i>	DFO RESPONSE
	licence. Bids for roe-herring gillnet licences should simply authorize the use of one vessel without reference to its size.	(News Release - New Policy for Pacific Salmon Fisheries Announced , June 18, 1984)
14	For new quota licences:	<p>On June 28, 1984 the Minister of Fisheries and Oceans issued a statement related to the Pacific Fisheries Restructuring Act indicating that “[O]ur approach has derived substantially from the recommendations of the Pearce Commission.”</p> <p>“To make this new policy a reality in the short time remaining before parliament adjourns, I have looked to the opposition parties to provide the same level of co-operation that they gave last year to the Atlantic Fisheries Restructuring Act. However, the opposing parties have not yet committed to move quickly in support of the Bill. As a result, it is now unlikely that the Pacific Fisheries legislation will be dealt with before Parliament’s summer recess at the end of the week.”</p> <p>(Statement of the Minister of Fisheries and Oceans on the New Policy for the Pacific Fisheries, June 28, 1984).</p> <p>This was the case and the bill was not passed.</p> <p>In May of 1985, another Memorandum to Cabinet focused on restructuring the fisheries. Its fundamental element was a \$100 million licence retirement program aimed at retiring 20% of the fleet over a five year period. Much of the contents of the program were based on the earlier work. This initiative was not implemented. (Pacific Fisheries Restructuring, May 28, 1985).</p>
	i) The licence should authorize the harvest of a specified quantity of the relevant species in the particular zone, each year for the term of the licence.	
	ii) Bids should be expressed in dollars per unit of quota, to be paid each year during the term of the licence.	
	iii) Subject to the limits on control recommended later in this chapter, bidders should	
	iv) be free to bid for any quantity of quota they wish following the transitional period. (p.90)	
15	Mariculture leases should be allocated and periodically reallocated according to competitive bidding procedures unless the land area that forms the geographical base for tenure is controlled by the applicant and thus is not open to management by anyone else. (p.90)	
16	The Department should be authorized to issue short-term quota permits for allocating temporarily harvestable surpluses in quota fisheries. (p.90)	
17	The Department should have the authority to reduce quotas <i>pro rata</i> when necessary to reconcile them with the total allowable catch in a fishery. (p.90)	
18	All landings requirements for licence renewal should be abolished immediately. (p.91)	
19	Subject to specific limits recommended below, all limited-entry and quota licences should be freely transferrable from person to person. Quota licences should be transferable in whole or in part and, for this purpose, quotas should be denominated in units for each species. (p.92)	
20	Mariculture leases should be transferable only with the consent of the Minister. (p.92)	

	RECOMMENDATION - Dr. Peter Pearse, <i>Turning the Tide: A New Policy For Canada's Pacific Fisheries, The Commission on Pacific Fisheries Policy, Final Report, 1982</i>	DFO RESPONSE
21	Licence transfers should be required to be reported to the Department within 15 days. (p.92)	
22	Licensees should not be restricted in acquiring licences to fish or using their vessels to fish more than one species, area or gear. However, transfers of limited-entry licences should be subject to vessel replacement controls (described in Chapter 9). (p.92)	
23	Holders of licences for more than one gear type or area on the same designated vessel in the same limited-entry fishery should be prohibited from separately transferring one without the other. Beyond this, restrictions against "splitting" licences should be abolished. (p.92)	
24	No person or corporation should be eligible to obtain a limited-entry licence through a transfer or new licence allocation if it would result in the person or corporation controlling more than five percent of all licences, by number, for that species. (p.93)	
25	No person or corporation should be eligible to obtain a quota licence for a major quota fishery through a licence transfer or new licence allocation if it would result in the person or corporation controlling more than five percent of the total allowable catch of the fishery. (p.93)	
26	The limit for all other quota fisheries should be fixed at 15 percent unless the level of catch sufficient to support an efficient fishing unit indicates that another level would be more appropriate. (p.93)	
27	When a licensee's holdings exceed these limits at the inception of these new licensing arrangements, he should be eligible to retain his holdings at the higher level but not to increase them further. If any such licensee subsequently reduces his holdings, he should not be eligible to increase them again except up to the prescribed limit. (p.93)	
28	These limits on licence holdings, and the requirement to report transfers recommended above, should apply to fishing privileges "or any beneficial or other interest" in them, so that trusts, leases and related arrangements cannot be used to circumvent the limits. The limits should also apply to the transfer of shares of incorporated licensees that would change the control of the licence, quota or lease. (p.93)	

	RECOMMENDATION - Dr. Peter Pearce, <i>Turning the Tide: A New Policy For Canada's Pacific Fisheries, The Commission on Pacific Fisheries Policy, Final Report, 1982</i>	DFO RESPONSE
29	Each year, holders of quota licences and mariculture leases should be required to pay royalties on their authorized catch at the rates for each species set out in Table 8-1. These charges should be payable whether or not a quota licensee actually catches his entitlement, in recognition of the resources reserved for each licensee. (p.94)	
30	Royalties should be applied to all future landings of salmon and roe-herring at the rates set out in Table 8-1. These charges should be collected from those who buy fish from fishermen. (p.94)	
31	The long-term policy should be to maintain royalty rates between 5 and 10 percent of the gross value of the landed fish, and at least one year's notice should be given for any changes. (p.95)	
32	The annual validation fee for the general commercial fishing vessel licence (CFV licence) should be \$50 for all vessels and all additional fees now charged for annual validation of individual species privileges should be eliminated. (p.96)	
33	One half of the annual payments due in respect of royalties on quota licences and mariculture leases and bonuses bid for all new licences and leases should be payable each year at the time of validation of commercial fishing vessel licences. The other half should be payable by December 31. (p.96)	
34	Interest should be charged on all payments in arrears, and licences and leases should not be validated until arrears are paid. (p.96)	
35	A Pacific Fisheries Licensing Board should be created under legislation as a Crown corporation. (p.97)	
36	A full-time executive director should be appointed by the board to oversee its day-to-day operations and to decide initially all questions that arise concerning commercial licences. He should be responsible to the board and have sufficient staff and facilities to carry out the board's responsibilities. (p.97)	
37	The Pacific Fisheries Licensing Board should hear all appeals from decisions of its executive director concerning licensing, and decisions of the board should be final and binding. (p.98)	

	RECOMMENDATION - Dr. Peter Pearce, <i>Turning the Tide: A New Policy For Canada's Pacific Fisheries, The Commission on Pacific Fisheries Policy, Final Report, 1982</i>	DFO RESPONSE
38	Appeals to the Minister of Fisheries should be discontinued. (p.98)	
39	The presentation of all appeals to the board and all board decisions should be open to the public. (p.98)	
RATIONALIZING THE SALMON AND ROE-HERRING FISHERIES RECOMMENDATIONS		
1	All existing ordinary and Indian salmon licences and roe-herring licences should be replaced in 1983 by new licences having 10-year terms. (p.106)	
2	The existing temporary (“B”) salmon licences should be renewed until the year, in which they are scheduled to expire, then eliminated. (p.106)	
3	Appeal “B” salmon licences held by Indians should be replaced in 1983 by new licences having 10-year terms, on the condition that they continue to be exercised by the present licensees. (p.106)	
4	Each initial 10-year salmon licence issued in 1983 should identify as the licensee, the person or company that owns the vessel now licensed. The vessel should be the licensee’s designated vessel, subject to replacement regulations. (p.107)	
5	Comprehensive gear licensing should be introduced to supplement the existing salmon licensing system. To accomplish this, all salmon licences issued in 1983 should specify gear to be used by the licensee, according to the following criteria:	
	i) Where the vessel has landed 90 percent or more of its salmon catch, by weight, using one gear type during either 1980 or 1981, the licence should specify only that gear henceforth.	
	ii) Licences that apply to combination vessels that have landed more than 10 percent of their salmon catch with gillnet and more than 10 percent with troll gear, in both 1980 and 1981, should henceforth authorize the licensee to use either or both of these gears for the term of the licence.	

	RECOMMENDATION - Dr. Peter Pearce, <i>Turning the Tide: A New Policy For Canada's Pacific Fisheries, The Commission on Pacific Fisheries Policy, Final Report, 1982</i>	DFO RESPONSE
	iii) Subject to the vessel replacement rules, licences should not be restricted in acquiring from other licensees the privilege to use another type of gear on their vessels. (p.107)	
6	The Departments should endeavour to allocate the catch among gear sectors of the salmon and roe-herring fleets so that the <i>average</i> catch per licensee in each sector increases in equal proportion as fleet reduction proceeds. (p.108)	
7	The government should declare now that before the 1986 fishing season, all salmon licensees will be required to select one of the three zones in which his licence will apply for the remainder of its term. A year before the zonal licences are issued, the Department should begin to accept elections of zones from licensees to provide plenty of time for adjustments and changes as the distribution of the fleet among zones emerges. (p.109)	
8	No restrictions, apart from the vessel replacement rules proposed below, should prevent a licensee in either fishery from acquiring from another licensee a licence to fish in another zone. (p.109)	
9	Provisions should also be made for separate licensing of small or pocket areas that offer suitable opportunities for small numbers of vessels. (p.109)	
10	A target fleet should be defined as the objective for fleet adjustment by the end of a 10-year transitional period ending December 1992. The target should be 50 percent of the present capacity licensed to fish in each of the two fisheries, and the same proportion of each major gear sector. For the herring fishery, and after 1986 for the salmon fishery, the target should apply separately to each licensing zone. (p.110)	
11	In 1983 and in each of the following 9 years, the Department should allocate by competitive bids new 10-year licences amounting to one-tenth of the target fleet in each of the 5 categories and, where area licensing applies, by zones. The term of each licence would begin in the year following the bidding for it. (p.110)	
12	Only holders of valid licences should be eligible to bid for new licences issued during the transitional period, and they should be permitted to bid only for licenses issued for the zone and	

	RECOMMENDATION - Dr. Peter Pearse, <i>Turning the Tide: A New Policy For Canada's Pacific Fisheries, The Commission on Pacific Fisheries Policy, Final Report, 1982</i>	DFO RESPONSE
	category of their current licence (e.g. herring seine in the north zone) and for a number of tons of capacity not exceeding the number authorized under their current licence. (p.110)	
13	During the transitional period, successful bidders for new 10-year licences should be required to surrender their existing licences. Unsuccessful bidders should be free to retain their current licences, and to compete for licences issued in subsequent years, until the term of their licences end. (p.110)	
14	In the years following 1993, new 10-year licences should be issued by competitive bids according to the need for greater or lesser fishing capacity in each zone and sector of the fleet. (p.110)	
15	During the 10-year transitional period beginning in 1983, the Pacific Fisheries Licensing Board should reduce the excess licensed capacity in the salmon and roe-herring fleets (i.e. The difference between present and target fleets), offering compensation to licensees for voluntarily relinquishing their licences. (p.114)	
16	To carry out these purposes the board should have the capacity and powers to enter into contracts, to deal in fishing licences and vessels, to borrow and invest funds and to manage its own finances. (p.114)	
17	The board should direct its funds to retiring capacity in the salmon and roe-herring fleets, in proportion to the funds it receives from each fishery. (p.114)	
18	For each fishery the board should use the funds available to it in any year to withdraw as much licensed capacity as possible by accepting the lowest offers in terms of the compensation asked per licensed ton of vessel capacity. (p.114)	
19	Funds should be made available to the Pacific Fisheries Licensing Board from four sources:	
	i) An initial grant from the federal government of \$10 million.	
	ii) A payment each year equal to the royalties paid in that year on roe-herring plus one-half of the royalties paid on salmon (the other half to be devoted to resource	

	RECOMMENDATION - Dr. Peter Pearse, <i>Turning the Tide: A New Policy For Canada’s Pacific Fisheries, The Commission on Pacific Fisheries Policy, Final Report, 1982</i>	DFO RESPONSE
	enhancement as described in Chapter 5). This amount should be doubled by means of a dollar-for dollar matching grant from the federal treasury.	
	iii) Payments from the federal government each year in the amounts equal to the revenues from competitive bids for salmon and roe-herring licences.	
	iv) Borrowing. The board should be empowered to borrow, against its anticipated revenues, a maximum of \$100 million. (p.115)	
20	The Canadian government’s foreign assistance agencies should carefully examine opportunities for disposing of surplus vessels in ways that would complement this fleet-reduction program (p.116)	
21	No new vessels, except those already under construction at the time this report is released, should be eligible for any commercial fishing licence during the 10-year transitional period. Exceptions might be necessary for new fisheries or unusual ventures, but not for any of the developed fisheries. (p.116)	
22	Licensees should be permitted to replace their vessels with vessels that already carry commercial fishing licences, subject to the established foot-for-foot and ton-for-ton replacement limits. (p.117)	
23	The Pacific Fisheries Licensing Board (proposed in Chapter 8) should be asked to consider whether a new vessel replacement policy is needed after 1993 and to recommend accordingly. (p.117)	
LICENSING THE SMALLER COMMERCIAL FISHERIES RECOMMENDATIONS		
	68 non-salmon related recommendations	
MARICULTURE AND OCEAN RANCHING RECOMMENDATIONS		
1	The Department should promote the development of mariculture on the Pacific coast by providing technical support and a system of mariculture leases. (p.147)	<u>Initial Response</u> Regarding Mariculture and Ocean Ranching, it is the view of the Government that the Pearse

	RECOMMENDATION - Dr. Peter Pearse, <i>Turning the Tide: A New Policy For Canada’s Pacific Fisheries, The Commission on Pacific Fisheries Policy, Final Report, 1982</i>	DFO RESPONSE
2	The Department’s program for maricultural leases should include ocean ranching operations based on development of natural stocks and artificial production. (p.149)	Commission recommended the following actions. The Government response is in bold, followed by comments on implementation in italics: <ul style="list-style-type: none">Explore the feasibility of commercialized ocean ranching operations. Under review. (Report of the Cabinet Committee on Economic and Regional Development: June 21, 1983). <u>Subsequent Actions</u> <p>Support for aquaculture development was provided in the <i>New Policy for Canada’s Salmon Fisheries</i> in 1984. “The Minister of Fisheries and Oceans undertake an expanded program to develop new fisheries and promote development in aquaculture and mariculture, targeted on coastal communities and displaced fishermen” (Record of Cabinet Decision Meeting of April 18, 1984 A New Policy for Canada’s Pacific Salmon Fisheries).</p>
3	For the time being and until the feasibility of these ventures and regulatory method is demonstrated, the Department should approve only a few maricultural leases involving ocean ranching operations as pilot projects. (p.149)	
4	Mariculture or ocean ranching operations should be authorized by the Department under mariculture leases. Each mariculture lease should designate a specific area in which its holder has the exclusive right to harvest and manage specified species of fish. (p.149)	
5	Mariculture leases should require their holders to periodically submit plans for the approval of the Department concerning the management, enhancement and harvesting of fish under them. The duration of plans, and the frequency of obtaining approvals of them, should be determined for each lease in view of its particular circumstances. The approved management plans should form part of the lease. (p.150)	
INDIANS IN THE COMMERCIAL FISHERIES RECOMMENDATIONS		
1	The federal government should proceed toward implementing the Indian Fishermen’s Economic Development Program as quickly as possible. (p.157)	<u>Initial Response</u> <p>Regarding Indians in the Commercial Fisheries, it is the position of the Government that the Pearse Commission recommended the following actions and the Government response is in bold, followed by comments on implementation in italics:</p> <ul style="list-style-type: none">Reform policy regarding the Indian Fisheries. Agree with need for reform. Policy options under review. <i>DFO to submit a Cabinet Paper on this issue (at the national level). Communication with Native groups to be improved in Stage 1.</i>Strengthen the position of Indians in the commercial fisheries by implementing an Indian Fishermen’s Economic Development Program. Under review in conjunction with DIAND. <i>DFO to submit a Cabinet Paper on this issue (at the national level). Communication with Native groups to be improved in Stage. 1.</i>
2	The Department of Indian and Northern Affairs should provide staff and resources for the purpose of monitoring the financial performance of Indian fishing operations under the Indian Fishermen’s Economic Development Program. (p.157)	
3	Licences held by Indian fishing corporations should not be transferable to non-Indians and licensing policies should be developed to enable such licences to be leased to individual Indians. (p.158)	
4	The Department of Indian and Northern Affairs should provide Indians and Indian corporations with the financial assistance they need to compete successfully in the proposed periodic reissuing of licences by competition.(p.158)	

	RECOMMENDATION - Dr. Peter Pearce, <i>Turning the Tide: A New Policy For Canada's Pacific Fisheries, The Commission on Pacific Fisheries Policy, Final Report, 1982</i>	DFO RESPONSE
		<p>(Report of the Cabinet Committee on Economic and Regional Development: June 21, 1983).</p> <p><u>Subsequent Actions</u></p> <p>Development of a stabilization program for First Nations in the commercial fishery to maintain Aboriginal participation was suggested. This stabilization program was to be developed in consultation with the Minister of Indian Affairs and Northern Development and the Minister of Regional Industrial Expansion. (Record of Cabinet Decision Meeting of April 18, 1984 A New Policy for Canada's Pacific Salmon Fisheries)</p> <p>Support for Indian participation in the commercial fishery was supported by Minister De Bané. In 1985, the Native Fishing Association was created with funding of \$11M. The funds were to be used for debt relief, finance vessel and licence purchases, vessel upgrades and training.</p> <p>Additionally on March 13, 1986, the Minister of Fisheries and Oceans and the Minister of Indian Affairs and Northern Development released a policy paper for discussion on the policy paper BC Indian Community Salmon Fishery. (Backgrounder – Indian Community Salmon Fishery)</p> <p>This paper discussed both FSC fisheries and commercial fisheries for First Nations.</p>
OTHER INDUSTRIAL DEVELOPMENT POLICIES		
1	Personal commercial fishing licences should be abolished. (p.159)	
2	The Department should continue to issue licences to fish packers not otherwise licensed to carry fish, providing they meet established quality control standards. The fee for packer licences should be raised to \$50. (p.160)	
3	General subsidies in the form of tax credits, accelerated depreciation allowances, subsidies to shipbuilders and loan guarantees should be immediately terminated insofar as they apply to fishing vessels used on the Pacific coast. (p.161)	
4	The Unemployment Insurance Commission should review the unemployment insurance provisions for fisherman, taking full account of the circumstances of the commercial fisheries of the Pacific coast and their management requirements. (p.162)	

	RECOMMENDATION - Dr. Peter Pearse, <i>Turning the Tide: A New Policy For Canada’s Pacific Fisheries, The Commission on Pacific Fisheries Policy, Final Report, 1982</i>	DFO RESPONSE
5	The Department, in consultation with the Pacific Fisheries Council, should investigate the desirability and feasibility of catch insurance for fishermen engaged in Pacific fisheries. (p.162)	
6	The government should not become directly involved in marketing fish products produced on the Pacific coast. (p.165)	
7	The Department in close consultation with the fishing industry should explore the feasibility of establishing quality grades for fish landed, with special attention to salmon. (p.167)	
8	The Department should continue to develop its program of quality certification for exported fish products to ensure that product standards are met; it should refrain from using quality controls as a means of restricting export trade. (p.168)	
9	The Department should not be influenced by considerations relating to market prices in deciding the appropriate number of commercial fishing licences to be issued. (p.168)	
10	The Department should extend its vessel-inspection program to include inspections of operational cleanliness and standards of vessel housekeeping. (p.168)	
THE INDIAN FISHERY RECOMMENDATIONS		
1	The Department should allocate a specific quantity of fish to be available annually to each Indian band involved in the Indian fishery. (p.181)	<u>Subsequent Actions</u> For further information on policy work in the 1980s related to First Nations fisheries, see the discussion paper <i>A Policy for BC Indian Community Salmon Fishery</i> , March 13 1986 (Backgrounder – Indian Community Salmon Fishery).
2	The quantity and kind of fish to be allocated to each band should be determined through negotiations with the bands, primarily with reference to their catches in recent years but also taking into account special circumstances relating to population trends and economic opportunities. (p.181)	
3	The Department should be committed to giving the catch allocated to Indian bands priority over the commercial and sport fisheries. If in any year a band fails to harvest its allocation because of conservation measures imposed by the Department, and if the Department is unable to provide an alternative source of fish, the Department should be required, in subsequent years, to make up the	

	RECOMMENDATION - Dr. Peter Pearce, <i>Turning the Tide: A New Policy For Canada's Pacific Fisheries, The Commission on Pacific Fisheries Policy, Final Report, 1982</i>	DFO RESPONSE
	deficiency plus an amount to compensate the band for the delay in obtaining its catch. (p.182)	
4	No royalties should be levied on fish harvested by Indians under the allocations proposed above. (p.182)	
5	Each band should be given opportunity to choose whether its entitlement to fish will be allocated through Indian fishing permits or a new Indian fishery agreement. (p.182)	
6	Indian fishing permits should be issued annually to individual fishermen directly by the Department or through band councils. Permits should authorize Indians to take fish for food and ceremonial purposes only. They should specify the quantity and composition of the authorized catch, and the location, time and method of fishing as required for management purposes. (p.182)	
7	The Department should be authorized to enter into Indian Fishery Agreements with Indian bands. These agreements should:	
	i) Carry terms of 10 years with provisions for renewal 1 year before the term expires.	
	ii) Specify the bands' allocation of fish.	
	iii) Authorize the band to harvest its allocation of fish according to an annual fishing plan determined jointly by the band and the Department.	
	iv) Where appropriate, authorize the band to engage in enhancement activities on or near their reserves and to augment their allocated catch by a portion of the enhanced stocks, under fisheries management plans.	
	v) Exempt the band from restrictions on the sale of fish under agreed monitoring and marketing arrangements. (p.183)	
8	Where they are willing and able to do so, band councils should be encouraged to take responsibility for administrative and supervisory functions associated with Indian fisheries. In particular, they	

	RECOMMENDATION - Dr. Peter Pearse, <i>Turning the Tide: A New Policy For Canada's Pacific Fisheries, The Commission on Pacific Fisheries Policy, Final Report, 1982</i>	DFO RESPONSE
	should be given responsibility for:	
	i) Apportioning the band's allocation of fish among the band members.	
	ii) Issuing individual Indian fishing permits where the Department issues a general permit to the band.	
	iii) Negotiating with the Department about the band's fishing arrangements and the design of plans under Indian fishery agreements.	
	iv) Supervising the bands' fishing and related activities.	
	v) Providing statistical and other information to the Department. (p.184)	
9	Simple tags should be required to be attached to all fish caught under Indian fishery arrangements. The Department should issue sufficient tags to each band to cover its allocation of fish. (p.184)	
10	The present regulation requiring Indians to remove the dorsal fins and snouts of their fish should be rescinded. (p.184)	
11	The Minister of Fisheries and Oceans should initiate discussion with the Minister of Indian and Northern Affairs and representatives of Indian organizations to find means of reconciling band fishing by-laws with the paramount responsibility of the Department of Fisheries and Oceans for fish conservation and management. (p.184)	
12	The Department should encourage Indian organizations to participate in mariculture and ocean ranching through carefully selected mariculture leases. (p.184)	
13	The Department of Fisheries and Oceans and Indian and Northern Affairs, in consultation with Indian organizations, should explore means of providing technical, financial and educational assistance to enable Indians to develop opportunities under Indian fishery agreements and mariculture leases. (p.185)	

	RECOMMENDATION - Dr. Peter Pearse, <i>Turning the Tide: A New Policy For Canada's Pacific Fisheries, The Commission on Pacific Fisheries Policy, Final Report, 1982</i>	DFO RESPONSE
THE SPORT FISHERY RECOMMENDATIONS		
1	The government's policy should explicitly recognize sport fishing as a legitimate, valuable and significant use of fish resources, and this should be reflected in a commitment of staff and budget. (p.191)	<p><u>Initial Response</u></p> <p>Regarding the Sports Fishery, it is the view of the Government that the Pearse Commission recommended the following actions. The Government response is in bold, followed by comments on implementation in italics:</p> <ul style="list-style-type: none"> Give greater recognition to the sport fisheries as an important and valuable user of the resource. Agree. <i>Initial steps (data base improvements) to be taken in Stage 1. DFO to develop policies and programs for Stage 2.</i> Limited growth of sportfishing effort in the short term. Still under review. <i>Stage 2.</i> <p>(Report of the Cabinet Committee on Economic and Regional Development: June 21, 1983).</p> <p>Minister De Bané's speech of June 18, 1984 also referenced the sports fishery. See Subsequent Actions in Section – A Framework for Commercial Licencing Recommendations.</p> <p><u>Subsequent Actions</u></p> <p>A developmental policy for sports fishing was to be pursued as part of the <i>New Policy to Pacific Salmon Fisheries</i> including “increased access to fish stocks, trophy areas for salmon and construction of piers and reefs in tidal waters; tripling of sportfishing licence revenues as soon as possible ... and the introduction of a tag system whereby sports fishermen will be required to purchase a tag for each salmon to be kept; and conservation measures for chinook and coho salmon, to be developed in consultation with sports fishermen.” There was also consideration of initiating “consultations with provincial sport fish management agencies on the creation of a Sports Fisheries Canada Foundation, which would undertake development programs ... and report back to Cabinet with detailed proposals, funding requirements and possible sources of funds.” Further, “programs to expand and diversify Native participation in the sport fishery ...” were encouraged. (Record of Cabinet Decision Meeting of April 18, 1984 A New Policy for Canada's Pacific Salmon Fisheries)</p> <p>On June 21, 1986, Canada's Fisheries Ministers released a draft policy statement regarding recreational fisheries titled <i>A Cooperative Approach to Recreational Fisheries Management regarding Canada</i>. “The draft policy statement – the first ever developed with respect to recreational fisheries – outlines the guiding principles, objectives and areas for government/resource user cooperation to promote</p>
2	Sport fishing policy should aim at preserving the quality of sport fishing opportunities, which implies dampening the rate of growth of sport fishing effort and maintaining average catches until the available harvest can be increased. (p.192)	
3	The governments of Canada and British Columbia should cooperate in integrating the saltwater and the freshwater sport fishing licences, so that both can be acquired through a single document, which all agents should be authorized to issue. (p.193)	
4	The governments of Canada and British Columbia should examine the feasibility of extending the sport fishing licensing system to include younger fishermen perhaps under licences issued at nominal or no cost. (p.193)	
5	Saltwater sport fishing licence fees should be doubled. (p.193)	
6	In 1983, the saltwater sport fishing privilege should embody a punch card limiting the holder to 30 salmon regardless of species. (p.194)	
7	Simple plastic tags should be available at a price of \$2 each, and should be required to be attached to all salmon in excess of a licence holder's punch card limit. (p.194)	
8	Those who provide vessels with guides for sport fishing should be required to obtain a licence for each charter-boat.	
	i) The licence should be issued by the Department at an annual fee of \$50.	
	ii) Licensees should be required to maintain a simple logbook for each vessel documenting the number of persons fishing, their catches and related information	

	RECOMMENDATION - Dr. Peter Pearse, <i>Turning the Tide: A New Policy For Canada’s Pacific Fisheries, The Commission on Pacific Fisheries Policy, Final Report, 1982</i>	DFO RESPONSE
	for the Department’s use. (p.195)	recreational fisheries development in Canada.” (Canada’s Fisheries Ministers Release Draft Policy Statement on Recreational Fisheries, June 21, 1984).
9	For the next five years, the Department should aim at providing an annual coast wide sport catch of 1 million salmon, of which not more than 900 thousand should be taken in the Strait of Georgia and Fraser River systems (p.198)	
10	The Department should invite the Sport Fishing Advisory Board to assist in designing sport fishing regulations to ensure that the proposed targets for the sport catch will not be exceeded. (p.198)	
11	In the event that regulations designed in consultation with the Sport Fishing Advisory Board are insufficient to constrain catches to the target levels in any year, the Department should close the sport fishery in either the Strait of Georgia or the rest of the coast to ensure that the targets are not exceeded. (p.198)	
12	The Department should immediately begin to develop a comprehensive data and information system for the sport fishery. (p.199)	
13	A central component of the information system should be an intensive and continuous creel survey. (p.199)	
14	The Department should develop a rapid data processing system designed to integrate sport fishing information into general salmon management planning. (p.199)	
15	The Department should sponsor research on the value of sport fishing opportunities on the Pacific coast and what effect regulations have on those values. (p.199)	
ENFORCEMENT RECOMMENDATIONS		
1	To encourage and facilitate reporting of violations by the general public, the Observe, Record and Report Program should be expanded with appropriate publicity, to seven days a week, eight a.m. to midnight daily. (p.208)	<u>Initial Response</u> Regarding Enforcement, it is the view of the Government that the Pearse Commission recommended the following actions. The Government response is in bold, followed by comments on implementation in italics:
2	Bounties for fisheries prosecutions should be retained and the public should be encouraged to report	

	RECOMMENDATION - Dr. Peter Pearse, <i>Turning the Tide: A New Policy For Canada's Pacific Fisheries, The Commission on Pacific Fisheries Policy, Final Report, 1982</i>	DFO RESPONSE
	violations. (p.208)	<ul style="list-style-type: none"> Strengthen enforcement of the Fisheries Act by creating a specialized unit within the Fishery Officer Service. Agree. Stage 1. <p>(Report of the Cabinet Committee on Economic and Regional Development: June 21, 1983).</p> <p><u>Subsequent Actions</u></p> <p>A Special Task Group was created in 1985 known as the General Investigations Services (and later known as the Special Investigations Unit and the Intelligence and Investigation Services Unit) to deal with more complex fishery investigations. Three teams were created including a team of six officers based in the Lower Fraser who covered the entire Fraser River.</p> <p>The Criminal Code specifically lists Fishery Officers has having peace officer status when performing duties under the <i>Fisheries Act</i>.</p> <p>The penalty provisions in the <i>Fisheries Act</i> were not increased until 1991. At that time, the <i>Fisheries Act</i> was amended to raise penalties for summary fisheries convictions to a maximum of \$100,000 and for subsequent convictions a maximum of \$100,000 plus one year imprisonment. An additional category for indictable offenses was added at that time carrying a maximum \$500,000 fine and for subsequent convictions, \$500,000 plus two years imprisonment. Fines for summary habitat convictions were raised at this time to a maximum of \$300,000 and for subsequent offences, \$300,000 plus six months imprisonment. For indictable offences for habitat related issues, fines were raised to a maximum of \$1 million and for subsequent offences \$1 million plus three year imprisonment.</p>
3	The Department should abandon its vague and inappropriate credible voluntary deterrence policy as its primary aim in enforcement and replace it with a vigorous and well-organized enforcement capability in line with the recommendations made below. (p.208)	
4	In the Pacific region a special enforcement unit should be created whose <i>exclusive</i> responsibilities will be enforcement. Their duties should <i>not</i> include resource management. (p.210)	
5	At Pacific region headquarters in Vancouver, a senior enforcement officer and support staff should be appointed and placed directly in charge of all fishery enforcement officers. The enforcement officers should be responsible directly to headquarters, rather than through area managers as they are now. (p.211)	
6	If the need arises, a special task group operating from headquarters should be created, along the lines of the disbanded General Investigation Unit, to supplement district enforcement officers during hectic periods and to investigate complex crimes when necessary. (p.211)	
7	The Fisheries Act should clearly confer peace office status on enforcement officers, other fishery officers and fishery guardians. (p.211)	
8	The provisions of the Fisheries Act that deal with obstructing fishery officers should be eliminated or redrawn to conform with the powers and rights they have under the Criminal Code as peace officers. (p.211)	
9	The owner or registered charterer of a vessel should be made liable to prosecution for any illegal fishing activities carried out by the vessel regardless of whether or not she is actually on board when the offence is committed, unless he is able to prove that the skipper of the vessel was in control without his consent. (p.211)	
10	The Department of Justice should designate a senior staff lawyer in its Vancouver regional office to oversee all prosecution under the Fisheries Act. (p.212)	

	RECOMMENDATION - Dr. Peter Pearse, <i>Turning the Tide: A New Policy For Canada's Pacific Fisheries, The Commission on Pacific Fisheries Policy, Final Report, 1982</i>	DFO RESPONSE
11	In consultation with the Department of Justice, the Department of Fisheries and Oceans should have the power to choose and appoint the lawyers who will act as prosecutors under the Fisheries Act and regulations. (p.212)	
12	The court liaison service should be maintained and if necessary expanded to ensure that all useful information about developments in the fisheries law is disseminated throughout the province to enforcement officers and prosecutors, including statistical information for use in sentencing. (p.212)	
13	The biological laboratories of the federal government in the Pacific region should accept and test properly collected samples presented by citizens, and the Department of Justice should be available to assist with legal proceedings. (p.213)	
14	The education of the judiciary in fisheries law and policy should be encouraged through the appropriate channels of the provincial court system. (p.213)	
15	The penalty provisions in the Fisheries Act should be thoroughly reviewed to eliminate all anachronisms, inconsistencies and ambiguities. (p.215)	
16	For illegal fishing the Act should provide for a higher scale of fines. The maximum fine for commercial violators should be raised from \$5,000 to \$10,000. (p.215)	
17	For all offences that seriously threaten fisheries or habitat the Crown should be able to proceed by way of indictment instead of only summarily as is presently the case for most, and judges should be authorized to impose fines that are higher than the upper limits stipulated for summary convictions. (p.215)	
18	To discourage repeat violators, second and subsequent offences of all kinds should draw high mandatory minimum levels of fines, which should vary according to the kind of offence, commercial, sport fishing, pollution, habitat destruction and so on. (p.215)	
19	Through its court liaison program and its prosecutors, the Department should systematically review all court decisions and report to the Department of Justice those where sentences are abnormally low	

	RECOMMENDATION - Dr. Peter Pearse, <i>Turning the Tide: A New Policy For Canada's Pacific Fisheries, The Commission on Pacific Fisheries Policy, Final Report, 1982</i>	DFO RESPONSE
	and should be appealed to higher courts. (p.215)	
20	The Department should pursue an aggressive policy in seizing vessels and equipment when offenders are caught and charges are laid. (p.215)	
21	In flagrant cases, Crown counsel should oppose applications to court by the accused for the release of equipment pending trial. For others, where circumstances warrant, they should argue for substantial bonds, approximating the market value of the vessel and equipment under seizure. (p.215)	
22	Illegally caught fish and illegal equipment should be forfeited to the Crown, as at present. (p.215)	
23	All categories of licences – commercial, sport and Indian – should be liable to suspension for a violation of the terms of the licence, the Fisheries Act or the regulations, upon the conviction of the licence holder. (p.216)	
24	Licence cancellation should be invoked for the most flagrant of violations and recalcitrant repeat offenders. (p.216)	
25	The holder of a quota licence who exceeds his annual quota by five percent or less should be required to pay a royalty surcharge on the excess. The surcharge should be fixed approximately at the average landed price for the species during the month in which the infraction occurs. Where the licensee exceeds his quota by more than five percent, the Minister should be authorized to deduct the full amount of the excess from the licensee's quota eligibility in the following season, and impose the surcharge. For flagrant and repeat violations the Minister should be authorized to suspend the licensee's right to exercise his quota in the fishery for the following season or to cancel it permanently. (p.216)	
CONSULTATIVE ARRANGEMENTS RECOMMENDATIONS		
1	The Department should articulate general policy and procedures for effective consultation with the interested public. This should provide for the following:	<u>Initial Response</u> Regarding Consultative Arrangements, it is the view of the Government that the Pearse Commission

	RECOMMENDATION - Dr. Peter Pearse, <i>Turning the Tide: A New Policy For Canada's Pacific Fisheries, The Commission on Pacific Fisheries Policy, Final Report, 1982</i>	DFO RESPONSE
	i) A consultative or advisory body should be appointed to deal with each branch of fisheries policy in which there is a distinct and focused public interest.	<p>recommended the following actions. The Government response is in bold, followed by comments on implementation in italics:</p> <ul style="list-style-type: none"> Re-organize consultative process. Agree with need. Details under discussion with interested parties. <i>Stage 2.</i> Create a new and vigorous public information program. Agree. <i>Stage 1.</i> <p>(Report of the Cabinet Committee on Economic and Regional Development: June 21, 1983).</p> <p><u>Subsequent Actions</u></p> <p>“Starting in 1985, DFO will establish area committees to advise and consult on fisheries management and other matters of common concern to fishermen. Members will be elected by Area licensees, subject to a government requirement that all interested parties are properly represented. DFO will provide funds for setting up these committees.” (Regulatory Measures for the Commercial Salmon Fisheries Rationale and Highlights June 1984 p. 8)</p> <p>See also Subsequent Actions in the Section – A Framework for Commercial Licensing Recommendations.</p> <p>Under the Pacific Salmon Treaty which was signed on January 28, 1985, the Pacific Salmon Commission was established and is supported by the Northern, Southern and Fraser River Panels as well as technical committees. The panels provide recommendations and comment on the management of the fisheries in their area of responsibility before and after each season’s harvest. This is done by reviewing technical data on annual fishing plans and regulations, and the salmon enhancement programs of each country.</p> <p>(Pacific Salmon Commission Panel Members and Alternates to Commissioners Announced, October 6, 1986).</p> <p>In 1987, the Pacific Regional Council (PARC) was established to replace the former Minister’s Advisory Council to “... provide the Minister with policy advice on major, long term issues affecting the British Columbia fishery.” “Priority issues that will be addressed by PARC include licensing policy, policy for disposal of surplus fish, the export of unprocessed fish, co-management and the further development of the consultation process itself.” (Pacific Regional Council Appointments Announced, News Release, April 13, 1987,)</p>
	ii) Each consultative body should have clear, written terms of reference to govern its deliberations and a specified line of reporting and accountability.	
	iii) Members of consultative bodies should be formally appointed by the Minister or an official delegated by him for specific terms. They should be reimbursed for the expenses they incur in participating in meetings.	
	iv) The membership of any consultative body intended to provide advice on policies that require balancing conflicting interests should not include delegates who are answerable to the interested groups.	
	v) The number of members should be the minimum required for balanced understanding of the issues.	
	vi) A Departmental official should be appointed as a nonvoting member to each consultative group to serve as its secretary and to provide information and technical assistance.	
	vii) Each group should design and put in writing its own procedural guidelines for conducting its deliberations.	
	viii) Minutes should be kept of all meetings and, except for the record of deliberations that are agreed to be confidential; they should be available to others.	
	ix) Agendas should be circulated well in advance of meetings, together with supporting documentation.	
	x) Every consultative group should be responsible for preparing a written report	

	RECOMMENDATION - Dr. Peter Pearse, <i>Turning the Tide: A New Policy For Canada's Pacific Fisheries, The Commission on Pacific Fisheries Policy, Final Report, 1982</i>	DFO RESPONSE
	on its deliberations at least annually.(p.221)	
2	The government should replace the existing Minister's Advisory Council with a new Pacific Fisheries Council with the following characteristics:	
	i) The council should be provided for in legislation.	
	ii) The council's terms of reference should embrace all matters that fall within the responsibility of the Minister of Fisheries and Oceans as they relate to Pacific fisheries and it should be empowered to consider industrial policies, international arrangements or other questions when they are referred to it by the Minister.	
	iii) It should consist of not more than eight members, appointed by the Minister for staggered three-year terms. They should be appointed in their personal capacities and selected for their knowledge, experience and judgement, and not for their affiliations. Membership should not be restricted to those who have a special interest in fisheries. Members should be reimbursed for their expenses and paid an honorarium for the time they spend on council business. Adequate office and secretarial facilities should be available to the chairman.	
	iv) A senior official of the Department should be appointed as a participating but nonvoting member of the council, and to provide administrative support and information.	
	v) The council should determine its own agendas, taking account of any matters referred to it by the Minister. It should meet as frequently as it deems necessary, but not less than four times each year.	
	vi) It should be required to issue a public report to the Minister at least annually, and it should make other reports to the Ministers as appropriate. (p.222)	
3	A special advisory committee should be appointed for each of the significant fisheries that have	

	RECOMMENDATION - Dr. Peter Pearse, <i>Turning the Tide: A New Policy For Canada's Pacific Fisheries, The Commission on Pacific Fisheries Policy, Final Report, 1982</i>	DFO RESPONSE
	special regulatory policies, including the sport and Indian fisheries, the separately licensed commercial fisheries and mariculture.	
	i) These committees' terms of reference should direct their attention to the coast wide problems of managing the specific fisheries.	
	ii) Members should be appointed by the Minister (or, at his discretion, by the Director General) for definite terms, drawing upon (without being limited to) representatives of organized groups. They should be reimbursed for expenses associated with committee activities.	
	iii) Each committee should choose its own chairman, establish its own working procedures within general policy guidelines and determine its own agendas taking account of matters referred to it by the Director General or the Pacific Fisheries Council.	
	iv) The Director General should appoint a Departmental official with special competence in the relevant fishery to serve as a participating but nonvoting member of each committee, and to provide information and technical assistance.	
	v) Each committee should report in writing to the Minister through the Pacific Fisheries Council at least annually. (p.223)	
4	Three regional Fisheries conservation committees should be appointed, one each for the north, south and Fraser River administrative areas.	
	i) These committees' terms of reference should direct their attention to matters relating to enhancement and habitat management in the relevant area.	
	ii) They should consist of not more than eight members appointed by the Minister (or, at his discretion, by the Director General) for definite terms, drawing upon (without being limited to) representatives of organized groups with relevant interests in the region.	

	RECOMMENDATION - Dr. Peter Pearse, <i>Turning the Tide: A New Policy For Canada's Pacific Fisheries, The Commission on Pacific Fisheries Policy, Final Report, 1982</i>	DFO RESPONSE
	iii) The Area Manager should appoint one of his staff to serve as a participating but nonvoting member of the committee and to provide technical advice and documentation.	
	iv) Each committee should choose its own chairman establish its own working procedures within general guidelines and determine its own agendas, taking account of any matters referred to it by the Director General, Area Manager or Pacific Fisheries Council.	
	v) Each committee should report at least annually to the Minister through the Pacific Fisheries Council. (p.224)	
5	Local advisory committees should be appointed to deal with special fisheries habitat or management problems in particular areas where these problems cannot be adequately dealt with by the fisheries advisory committees or the fisheries conservation committees.	
	i) These committees' terms of reference should be defined geographically as well as with respect to the specific problems to be considered.	
	ii) The chairman and members of these committees should be appointed by the Minister (or, at his discretion, by the Director General or Area Manager) for definite terms, drawing upon (without being limited to) representatives of local interest groups. They should be reimbursed for expenses associated with committee work.	
	iii) The Area Manager should appoint one of his staff to serve as a participating but nonvoting member of each committee and to provide technical advice and documentation.	
	iv) Each committee should report at least annually in writing to the Minister through the Pacific Fisheries Council. (p.224)	

	RECOMMENDATION - Dr. Peter Pearce, <i>Turning the Tide: A New Policy For Canada's Pacific Fisheries, The Commission on Pacific Fisheries Policy, Final Report, 1982</i>	DFO RESPONSE
6	The Department should replace its existing publications with a single high-quality, readable periodical for wider distribution to inform the public about fish resources, management problems and policy developments. (p.225)	
FEDERAL ARRANGEMENTS WITH BC RECOMMENDATIONS		
1	The Government of Canada should invite the Government of British Columbia to join in a comprehensive intergovernmental agreement on fisheries matters. The agreement should consist of a master or framework agreement providing for supplementary agreements on the following:	<p><u>Initial Response</u></p> <p>Regarding Federal Arrangements with BC, it is the view of the Government that the Pearce Commission recommended the following actions. The Government response is in bold, followed by comments on implementation in italics):</p> <ul style="list-style-type: none"> Negotiate a framework agreement with British Columbia which would define the general mechanisms for co-operation on fisheries matters and the scope of matters to be included in supplementary agreements. Discussions with British Columbia to be initiated. <i>Discussions to begin in Stage I. Negotiations to begin after Cabinet approval of negotiating strategies.</i> <p>(Report of the Cabinet Committee on Economic and Regional Development: June 21, 1983).</p> <p><u>Subsequent Actions</u></p> <p>One June 19, 1986 a Memorandum of Understanding (MOU) was signed between DFO and the BC Ministry of Environment on the coordination of Fisheries Programs under the General Fisheries Agreement. The purpose was "... to facilitate cooperation and coordination in planning and application of fisheries resources management policies and programs in British Columbia." (MOU – Fisheries Programs under the General Fisheries Agreements)</p>
	i) A renewed Salmonid Enhancement Program.	
	ii) An inventory of aquatic habitats.	
	iii) Cooperative arrangements for habitat management and pollution control.	
	iv) Provincial responsibilities in administering and regulating freshwater fisheries.	
	v) Integration of freshwater and saltwater sport fishing licences and related administrative arrangements.	
	vi) Division of administrative responsibilities for marine shellfish and plants, mariculture, and the gathering of statistical data on marine fisheries. (p.228)	
2	The Government of Canada should invite the Government of British Columbia to cooperate in establishing a Canada-British Columbia Fisheries Committee.	
	i) The committee's responsibility will be to assist the two governments in negotiating an intergovernmental fisheries agreement, to coordinate and oversee the implementation of that agreement, and to provide for consultations on other fisheries matters of mutual interest.	

	RECOMMENDATION - Dr. Peter Pearse, <i>Turning the Tide: A New Policy For Canada's Pacific Fisheries, The Commission on Pacific Fisheries Policy, Final Report, 1982</i>	DFO RESPONSE
	ii) The committee should consist of the Deputy Ministers responsible for fisheries in the two governments, who would act as alternate chairmen, and such other members as may be mutually agreed upon.(p.230)	
ADMINISTRATION RECOMMENDATIONS		
1	The office of the Assistant Deputy Minister for the Pacific region should be located in Ottawa. (p.236)	<u>Initial Response</u> Regarding Administration, it is the view of the Government that the Pearse Commission recommended the following actions. The Government response is in bold, followed by comments on implementation in italics: <ul style="list-style-type: none"> Create a policy and planning group in DFO's Pacific Region charged specifically with the overall co-ordination of all policy development activities in DFO's Pacific Region. Agree. Stage 1. Undertake an administrative and financial review of DFO. Pacific region only. Stage 1. (Report of the Cabinet Committee on Economic and Regional Development: June 21, 1983). <u>Subsequent Action:</u> Following the Pearse report, a Policy and Planning Group led by the Director, Program Planning and Economics was established in Pacific Region to coordinate policy development work. Both policy analysts and economists were hired as part of this team.
2	The manpower and financial resources provided to the Pacific region relative to other regions, and to the Ottawa headquarters of the Department, should be thoroughly assessed in the context of a financial and administrative review of the Department (described below). (p.236)	
3	An Associate Director General should be appointed to assist the Director General of the region, especially in respect of internal operations and administration. (p.237)	
4	The government should initiate a thorough zero-base review of the administration, staffing and financial support for each program of the Department. (p.238)	
5	The Department should cooperate with one of the colleges or technical training institutes in British Columbia to design and establish a training program suitable for preparing fishery officers and technicians. (p.239)	
6	The Department, in cooperation with the R.C.M.P. training school in Regina, the Justice Institute of British Columbia or other appropriate institutions, should support the development of a strengthened enforcement training program for fishery enforcement officers. (p.239)	
7	The Department should cooperate with one or more of the universities in British Columbia in designing and offering non-degree program in fisheries management for training the Department's personnel.(p.240)	
8	The Department should designate a policy and planning group, consisting of senior officers, with specific responsibility for strategic long-range planning for fisheries management and	

	RECOMMENDATION - Dr. Peter Pearce, <i>Turning the Tide: A New Policy For Canada's Pacific Fisheries, The Commission on Pacific Fisheries Policy, Final Report, 1982</i>	DFO RESPONSE
	administration in the region. (p.240)	
YUKON RECOMMENDATIONS		
	9 recommendations unrelated to Fraser sockeye.	
POLICY REFORM RECOMMENDATIONS		
1	The Fisheries Act should be repealed and replaced by a modern, lucid statute containing the main principles of fisheries policy for Canada. The new Act should:	<p><u>Initial Response</u></p> <p>Regarding Policy Reform, it is the view of the Government that the Pearce Commission recommended the following actions. The Government response is in bold, followed by comments on implementation in italics:</p> <ul style="list-style-type: none"> Streamline the body of regulations governing the Pacific Fisheries. Agree. <i>Implementation to be delayed pending reform of licensing policy.</i> <p>(Report of the Cabinet Committee on Economic and Regional Development: June 21, 1983).</p> <p><u>Subsequent Actions</u></p> <p>Policy Objectives for the Pacific fishery were approved in 1984:</p> <ul style="list-style-type: none"> Conservation, protection and development of the fisheries resource and its habitat, so as to permit the achievement of objectives for its utilization; Creation of a policy environment to support an economically viable, self-sustaining west coast fishery, and to protect Native participation therein; Maintenance of an equitable share of the common resource for the Native food fishery and the regionally important recreational fishery; and A licencing and/or royalty framework which places a reasonable part of the cost on those who benefit. <p>(Record of Cabinet Decision Meeting of April 18, 1984)</p>
	i) Include a clear statement of national fisheries policy objectives.	
	ii) Set out the Department's management responsibilities and planning procedures. The scope of these should be broad, leaving no doubt about the Department's mandate to effectively manage fisheries and fleet development.	
	iii) Commit the Department to integrated resource management and planning, and set out arrangements for dealing with projects and developments that affect fish habitat.	
	iv) Devote a separate part to Pacific fisheries, consistent with the national policy framework.	
	v) Set out the legal authority and procedures to be followed in allocating the sport, commercial and Indian fishing rights.	
	vi) Provide for the appointment of the Pacific Fisheries Council recommended in Chapter 17 and create the Pacific Fisheries Licensing Board proposed in Chapter 8.	
	vii) Formally delegate decision-making authority to the licensing board and, where	

	RECOMMENDATION - Dr. Peter Pearse, <i>Turning the Tide: A New Policy For Canada's Pacific Fisheries, The Commission on Pacific Fisheries Policy, Final Report, 1982</i>	DFO RESPONSE
	appropriate, to regional officials of the Department.	
	viii) Include a clear and consistent structure of penalties, recommended in Chapter 16. (p.255)	
2	Pending passage of a new Fisheries Act, new commercial fishing licensing regulations should be passed immediately to implement the proposals in Part III of this report. (p.256)	
3	New Pacific fisheries regulations should be passed under the new Fisheries Act. They should contain administrative detail ancillary to the Act and policies that must be adjusted quickly in response to changing conservation and management needs. (p.256)	
4	The federal government's procedures for passing fishing regulations should be streamlined so that they can be changed quickly in response to changing needs. (p.256)	
5	Department officials in the Pacific region should be authorized to designate areas to be subject to fisheries openings and closures. (p.257)	
6	The Department should immediately prepare Indian fishery agreements and permits (recommended in Chapter 14) and new commercial fishing licence documents, and establish administrative arrangements for issuing new long-term limited-entry and quota licences and mariculture leases (proposed in Part III). (p.257)	
7	A temporary Minister of State for Pacific fisheries, junior to the Minister of Fisheries, should be appointed and given responsibility for implementing reforms in Pacific fisheries policy. (p.257)	
8	A full-time policy and planning group within the Department's Pacific region should assist the temporary Minister of State in implementing policy reforms. (p.257)	

2) Don Cruickshank Chair, [*Fleet Rationalization Committee Report*](#), November 1982

	RECOMMENDATION – Don Cruickshank Chair, <i>Fleet Rationalization Committee Report</i> , November 1982	DFO RESPONSE
		<p>The subject matter of the <i>Fleet Rationalization Committee Report</i> of 1982 is a subset of themes which were addressed in <i>Turning the Tide: A New Policy for Canada’s Pacific Fisheries</i> and <i>The Commission on Pacific Fisheries, Final Report, 1982</i>. Both reports were completed in 1982.</p> <p>The Government of Canada’s response following both reports was “... derived substantially from the recommendations from the Pearse Commission.” (Statement of the Minister of Fisheries and Oceans on the New Policy for the Pacific Fisheries, June 28, 1984).</p> <p>Accordingly, the Government of Canada responses to the Pearse Commission recommendations also address the recommendations made by the Fleet Rationalization Committee.</p>
CATCH ALLOCATION		
1	We recommend that before drawing up catch allocations, the Department revive the high seas tagging and research program conducted for a number of years that terminated in 1967, to ascertain the level of stock abundance each season, immediately before the fish is available to the commercial fleets. (p.15)	
SINGLE GEAR LICENSING		
2	We recommend that a reciprocal restriction be imposed on single gear licences for salmon seines, and that the moratorium on the pyramiding of “A” licences for all sectors of the fleet be retained. (p.16)	
3	With these serious problems unresolved, we recommend that single gear licensing should be imposed only on salmon seine vessels and roe-herring seine and gillnet vessels. (p.17)	
AREA LICENSING		
4	We therefore are opposed to any further implementation of area licensing beyond the present roe-	

	RECOMMENDATION – Don Cruickshank Chair, <i>Fleet Rationalization Committee Report</i>, November 1982	DFO RESPONSE
	herring restrictions. (p. 23)	
5	This Committee recommends that the Salmonid Enhancement Program continue, with cost recovery; but suggests that the share of the cost of projects in the Program that are to be ascribed to the commercial fishing industry be scrutinized. The total benefit package should be reviewed to ascertain a reasonable and fair share of the costs between all parties who may benefit, as determined by the five-account planning framework. Our recommendations for royalties to be applied to the salmon and roe-herring fisheries are contained in Chapter II. In Chapter III we will propose the aims or targets that the Enhancement Program should consider as contributing toward the rationalization of the salmon fleet. (p.33)	
6	The Fleet Rationalization Committee recommends that this form of survey or general examination of fishermen's income and expenses become a regular procedure for the Department of Fisheries and Oceans, to determine increases in the operating costs of the fleet, to determine the consequent impact of royalties, and to define the relative income of each gear class. (p.37)	
7	We recommend that the increase in fishermen's earnings that result from rationalization be shared between the government's recoverable costs and increases in fishermen's net income. The fleet's share of the total benefit should be at least 20 percent of the increase. We also recommend that the royalty directed toward cost-recovery be applied as a result of the benefits of rationalization, not as the initiative to provide these benefits. (pp.41, 42)	
8	We recommend that the recoverable portion of the continuing operating costs of S.E.P. Phase I, the capital cost of S.E.P. Phase II and the operating costs of S.E.P. Phase II be reduced to 50% of this sum and that the remaining 50% be considered a contribution to social benefits not recoverable through licence fees or royalties. (p.42)	
9	The Fleet Rationalization Committee recommends that the following schedule of royalties be applied to the salmon and roe-herring fisheries. The level and timing of this schedule is contingent on the expenditure of funds for fleet reduction and resource enhancement, as provided for in this report, and subject to adjustment as the benefits of rationalization are exhibited in fishermen's income. (p.43)	

	RECOMMENDATION – Don Cruickshank Chair, <i>Fleet Rationalization Committee Report</i>, November 1982	DFO RESPONSE
10	The Fleet Rationalization Committee makes the following recommendations for licences and licence fees:	
	<p>COMMERCIAL</p> <p>a) The annual commercial fishing vessel licence fee for all fisheries be based on a single levy that will off-set the cost of this service. The Commission on Pacific Fisheries Policy recommends a \$50.00 fee. This is adequate, if it covers the cost of registration and administration. (p.48)</p>	
	b) The schedule of salmon and roe-herring royalties proposed in this chapter should be implemented in conjunction with a comparable schedule of royalties on all commercial fisheries, for all species. (p.48)	
	c) The annual commercial fishing vessel licence fee, and the applicable royalty, should be applied equally to each commercial fishery and licensee, regardless of any perceived need for social considerations. (p.48)	
	d) The fishing charter boat industry is a commercial exploitation of the fishery resource, with no licence fees, unrestricted entry, and open access to virtually all fishing areas. These ventures should be regulated as a commercial fishery. (p.48)	
11	This Committee supports the recommendation of the Commission on Pacific Fisheries Policy that sport fishing licence fees should be doubled for 1983. (p.50)	
12	<p>The Salmonid Enhancement Program</p> <ul style="list-style-type: none"> We absolutely support the S.E.P. Program and recommend the continuation and expansion of this undertaking. (p.67) 	
13	We recommend two approaches that would produce a more favourable ratio for small projects and community development projects:	

	RECOMMENDATION – Don Cruickshank Chair, <i>Fleet Rationalization Committee Report</i>, November 1982	DFO RESPONSE
	a) We recommend that commercial fishermen be trained by S.E.P. and community colleges to administer local enhancement projects. (p.68)	
	b) We recommend that the Minister of Fisheries and Oceans, in co-operation with the Minister of Indian and Northern Affairs, initiate a stated a government policy to provide for the replacement of some welfare spending with job-producing investment under the direction of the Salmonid Enhancement Program among the Indian people on the BC coast. (p.70)	
14	<p><u>Small Projects and Community Development Projects</u></p> <p>In addition to these two specific recommendations we believe that greater emphasis should be placed on the Special Projects Division of S.E.P. This organization is responsible for community development projects, small projects, public involvement, and information. There should be less emphasis on the Engineering Division, responsible for construction and maintenance of enhancement projects; and more emphasis on the Special Projects Division. (p.70, 71)</p>	
15	<p>The Fleet Rationalization Committee considers the Salmonid salmon fishery. We recommend that the budget provided for Phase II reflect an increase in annual expenditures over the budget that was provided for Phase I. In our economic model, to determine the feasibility of fleet rationalization, we have provided for a \$210 million capital budget for Phase II, for expenditure over a seven year plan. This budget should be indexed to provide for the effect of inflation, and the seven year term of Phase II should be adhered to, once a cost recovery mechanism is adopted and our recommendations for the restraint of fishing capacity are in place.</p> <p>This budget should be exclusive of the costs of operating S.E.P. facilities, to provide for a direct comparison of the performance of each phase. (p.73)</p>	
16	We conclude that it is not advisable to set guidelines for buy-back strictly by the age of the vessel, or by the present production capabilities of the vessel, but on all aspects of rationalization. (p.77)	
17	It is the recommendation of this Committee that all temporary licences be allowed to expire on their normal due date, with no further extensions granted by the Minister. The existing temporary licences that have been granted an indefinite term should be subject to an expiry date and treated in	

	RECOMMENDATION – Don Cruickshank Chair, <i>Fleet Rationalization Committee Report</i>, November 1982	DFO RESPONSE
	the same manner as all other temporary licences. (p.79)	
18	We suggest that the vessel be measured in feet and fractions of feet, NOT metric, and the product be divided by 100, which is consistent with gross tonnage. The final figure would be identified as CANADIAN FISHING VESSEL TONS, or C.F.V.T., as the fleet is accustomed to designation of a vessel licence in tons. (pp.89, 90)	
19	Even with the moratorium on construction which we do not recommend, there would be use for more stringent replacement rules. The final report of the Pearce Commission recommends free movement of existing vessels in and out of the fleet, subject to replacement rules. This movement may become frequent as a large number of vessels are retired by the compensation scheme. (p.97)	
20	We recommend that licensing policy be clearly articulated and circulated to licensees. Policy should be immediately supported by requisite regulatory amendments and enforced vigorously. (p.104)	
21	We recommend that records of vessel ownership and transfer be made public so that they may be searched by anyone who wishes to trace the history of any licence. (p.105)	
22	We recommend that the Fisheries Act and regulations be amended so that the vessel owner rather than the operator be made liable to prosecution. Department of Fisheries records shall be terminative of ownership. They should allow the registration of the lease of the vessel. (p.106)	
23	We recommend that the use of Armed Forces personnel and equipment for Department of Fisheries and Oceans objectives be fully explored. (p.108)	
A. COLLECTION OF ROYALTIES		
24	The recovery of direct costs of fleet rationalization is at the heart of this Report. We have recommended that in addition to basic licence fees, a resource rent or royalty be extracted from the increased benefits that will accrue. (p.109)	

	RECOMMENDATION – Don Cruickshank Chair, <i>Fleet Rationalization Committee Report</i>, November 1982	DFO RESPONSE
25	This Committee recommends for the collection of royalties that one audit team, logically using existing personnel from U.I.C. and W.C.B., be coordinated under the direction and supervision of one audit agency. (p.110)	
26	The format of fish purchase slips, presently distributed through the Department of Fisheries and Oceans on a shared cost basis with the fish buyers, should be redesigned to provide for the needs and convenience of the audit procedures. (p.110)	
27	We recommend, therefore, that the existing Minister's Advisory Council be retained, in addition to the appointment of a Pacific Fisheries Council. (p.111)	
B. LICENSE TRANSFERABILITY		
28	The Fleet Rationalization Committee recommends that both salmon and roe-herring licences be transferable from one fisherman to another if attached to a licensed vessel; the same procedure as is now followed with a salmon licence. (p. 112)	
C. "BONA FIDE" FISHERMEN		
29	Towards this end, we recommend that the Department of Fisheries and Oceans, in conjunction with other government departments and the commercial fishing industry, initiate a program designed to establish fishermen qualifications. (pp. 113, 114)	
D. PERSONAL FISHING LICENSES		
30	We recommend, therefore, that the Personal Commercial Fishing Licence be retained, as this mechanism. (p. 114)	
E. LICENCE ADMINISTRATION		
31	This Committee recommends the appointment of a Director of Licensing, responsible directly to the office of the Regional Director-General. The licensing should follow a clearly stated set of policies	

	RECOMMENDATION – Don Cruickshank Chair, <i>Fleet Rationalization Committee Report</i>, November 1982	DFO RESPONSE
	approved by the Minister and the Pacific Fisheries Council. (p.115)	
F. LICENSE APPEALS		
32	It is the recommendation of the Fleet Rationalization Committee that the final appeal must always rest with the Minister. (p.115)	
G. IMPLEMENTATION		
33	We recommend that you implement the findings of this Committee: after these are in operation would be the time to study economic theories that could be employed as future alternatives, if there was still a need to do so, keeping in mind always the requirement: to protect those two endangered species, the fish and the independent fisherman, whom we consider vital to the health of our coastal life in Canada. (p.117)	

- 3) Dr. Peter Pearse, [Managing Salmon in the Fraser – Report to the Minister of Fisheries and Oceans on the Fraser River Salmon Investigation, 1992](#)
- Response Document: [Statement by John C. Crosbie Minister of Fisheries and Oceans: Action Plan in Response to the Report on the Fraser River Salmon Investigation](#) (December 7, 1992)

	RECOMMENDATION - Dr. Peter Pearse, <i>Managing Salmon in the Fraser – Report to the Minister of Fisheries and Oceans on the Fraser River Salmon Investigation, 1992</i>	DFO RESPONSE
1	<p><i>Essential Conditions for Success – All participants must be committed to conservation</i></p> <ul style="list-style-type: none"> • First and foremost, all parties must be committed to the protection and conservation of the resource • Public confidence was seriously eroded by last summer’s events. To regain this confidence those involved must be seen to practice what they preach. 	<p><u>Initial Response</u></p> <p>“The federal government is dedicated to a leadership role, to moulding a social contract with Aboriginal Peoples while maintaining predictability, profitability and order in the commercial and sports fishing. We will do this through negotiations, consultation and cooperation with all parties. I join Dr. Pearse in calling on all parties in BC fishery to work together, to put conservation ahead of individual self-interest, and to work actively with governments and one another.” (p.9)</p> <p><u>Subsequent Actions</u></p> <p>Minister Crosbie announced management plans for the Fraser River on March 26, 1993. The March 26, 1993 News Release stated:</p> <p>“Management plans for the Fraser and Skeena Rivers incorporate recommendations made by Dr. Peter Larkin, at Minister Crosbie’s request, in response to salmon spawning shortfalls in the Fraser last summer. The plans provide detailed pre-season estimates of salmon production on a stock-by-stock basis, escapement targets, allocation objectives, harvest management plans, mechanisms for in-season data collection and adjustment of fisheries, and coordinated enforcement plans to ensure compliance with plan objectives.” (<u>New Release - Crosbie Announces Fraser and Skeena River Management Plans for 1993</u>, March 26, 1993)</p>
2	<p><i>Essential Conditions for Success – Indian groups must work together</i></p> <ul style="list-style-type: none"> • Tribal groupings and bands in the Fraser basin face widely differing circumstance and have differing aspirations. These must be accommodated in order to reach agreement and can best be done with sub-agreements for particular bands or groups of bands. • Native groups themselves must work together to affect these changes. Efforts are already being made to bring all First nations in the province together to try to negotiate with the federal government an interim fisheries framework agreement and, under other auspices, 	<p><u>Initial Response</u></p> <p>“A watershed agreement makes sense. It worked effectively this year for the Skeena watershed (p.3)”</p> <p>“Therefore, I invited all 97 chiefs of the Fraser River First Nations to meet with me to come up with a process for a collective solution to issues of allocation and disposition of catch for 1993. As well DFO continued to work with the BC First Nations Summit to establish an ongoing consultative body</p>

	RECOMMENDATION - Dr. Peter Pearse, <i>Managing Salmon in the Fraser – Report to the Minister of Fisheries and Oceans on the Fraser River Salmon Investigation, 1992</i>	DFO RESPONSE
	<p>the prospects for comprehensive approach to the Fraser fishery are being explored. The government should support these efforts and move as quickly as possible.</p>	<p>to deal with broader issues and overall management of Aboriginal fisheries (p. 3).”</p> <p>“We are also considering an evolution of the functioning of the so-called “Dunsmuir” Summit, which brings together leaders of the Aboriginal, commercial and sportfishing groups across BC. I believe most stakeholders realize they have to work together to solve problems. The result will be more “made in BC solutions.” But so long as the parties can’t agree among themselves, the solutions will, of course, continue to be made by DFO (p. 4).”</p> <p><u>Subsequent Actions</u></p> <p>DFO worked with all Fraser River First Nations to develop the Fraser Watershed Agreement to assist in management of Fraser River Salmon in 1993. The following are excerpts from a News Release - Bilateral Agreements to be Negotiated, May 20, 1993:</p> <p>“The Minister told an all-party summit meeting of fisheries stakeholders that he has instructed his department to begin bilateral negotiations on 1993 fishing agreements with Aboriginal bands.”</p> <p>“Mr. Crosbie pledged in February that individual fishing agreements with Aboriginal groups would be negotiated when necessary arrangements to secure river-wide control were in place for the Skeena and Fraser Rivers, as recommended in the Pearse report on the management of the BC salmon fishery.”</p> <p>“A substantial number of bands on the lower Fraser River – including all the bands below Sawmill Creek and in the upper-river – have now signed an agreement for the Fraser River.”</p> <p>Consultation between the department and all bands regarding a Fraser Watershed Agreement (FWA) led to 61 of the 93 bands being represented in the FWA. The agreement covered a broad range of management issues with special emphasis on catch monitoring. This agreement was short lived through due to internal disagreement among First Nations. (Fraser Watershed Agreement Issues, Fraser Watershed, Status of Fraser Watershed Agreement and Will There be a Fraser River Watershed Agreement).</p> <p>In 1993, the 29 bands on the lower Fraser River formed the Lower Fraser Aboriginal Fisheries Commission to work with the Department regarding the Lower Fraser Aboriginal fishery. Agreement was reached in 1993 allowing “pilot sales” of salmon for lower Fraser River First Nations. By 1994, there were two agreements: one for the mouth of the Fraser River to the Port Mann Bridge area (Musqueam, Tsawwassen, Burrard and Coquitlam) and one for the area from the Port Mann Bridge to Sawmill Creek. These agreements included using a planning committee in</p>

	RECOMMENDATION - Dr. Peter Pearse, <i>Managing Salmon in the Fraser – Report to the Minister of Fisheries and Oceans on the Fraser River Salmon Investigation, 1992</i>	DFO RESPONSE
		each of the respective areas and catch accounting through the use of mandatory landing sites, were retained. See Lower Fraser River Fisheries: Pilot Sales and Economic Opportunity 1992-2008 for additional details on AFS agreements and management.
3	<p><i>Essential Conditions for success - Fishermen and managers must be accountable</i></p> <ul style="list-style-type: none"> • Each interest group – particularly their leaders – must be responsible and accountable. • Anyone who abuses the system must be exposed, not only to protect the resource but also to protect the integrity of the system itself. • Leaders must communicate these responsibilities to their people. • Commercial and sports fishing groups must take more responsibility for communicating information to their members and participating constructively in policy development. They must make a special effort to inform their constituents about changes in the law and government policy, even if they dislike it. <p>At the highest level, the government has an obligation to make its policy clear and to communicate it to those affected. This includes the public servants expected to administer the policy; they must be given direction when they need it, not left unsure as they were last summer</p>	<p><u>Initial Response</u></p> <p>“We will continue to work with the BC First Nations Summit to establish an ongoing consultative body to deal with broader issues and overall management of Aboriginal fisheries. We are also considering an evolution in the function of the so-called “Dunsmuir” Summit, which brings together leaders of the Aboriginal, commercial and sportfishing groups across BC. I believe over the next year the chairmanship should be assumed jointly by the Native and non-Native groups as well as DFO, in order to increase understanding and responsibility in reconciling concerns about fishing issues. This proposal will be discussed further at the next meeting early in January (p. 4).”</p> <p><u>Subsequent Actions</u></p> <p>Both the recreational and, to a lesser degree, the commercial salmon sector have worked to provide representatives for advisory processes.</p>
4	<p><i>Essential Conditions for success – Fishermen and managers must be accountable</i></p> <ul style="list-style-type: none"> • Victoria must take responsibility for regulating fish buyers much more rigorously in the future 	<p><u>Initial Response</u></p> <p>“DFO has the jurisdiction to decide landing sites. But the province licenses buyers and supervises the sale slip system. This year due to the speed with which changes were implemented, the system broke down. DFO will work with First Nations, the Province of British Columbia and the processing industry to develop a better system to licence buyers of fish from Aboriginal fisheries, regulate the related processing and limit landing sites. I want to ensure accurate and timely recording of catches and sales. These provisions which will be included in fishing agreements, will facilitate monitoring of the harvest and prevention of illegal sale by individuals not authorized to fish under various agreements (p. 6).”</p>
5	<p><i>Essential Conditions for success - Strict Enforcement</i></p> <ul style="list-style-type: none"> • Any new agreements must have strong enforcement designed to generate the support and 	<p><u>Initial Response</u></p> <p>“As Dr. Pearse noted, we failed to convince Native leadership that a watershed agreement was the</p>

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	<p>cooperation of the native signatories through joint programs, monitoring and surveillance.</p> <ul style="list-style-type: none"> • But since these agreements are made under the authority of the Fisheries Act, the Department must accept the ultimate responsibility for enforcement. 	<p>most sensible way to proceed. The failure to reach management agreements with all groups led to unregulated fishing and uncertainty as to the legal status of Aboriginal fishermen in various parts of the river. This confusion seriously undermined enforcement efforts and must be corrected through increased rigor in all aspects of river fisheries (p.5).”</p> <p>“Beginning next month, DFO will upgrade training on Aboriginal fisheries management and enforcement issues for all current DFO fishery officers and recruits. Also in January, at least 50 Native guardian candidates will begin intensive training programs to better prepare them to undertake broad-ranging work in fisheries monitoring, stock habitat management and enforcement (p. 7).”</p> <p>“To better control who is entitled to fish in Aboriginal fisheries, in 1993 DFO will manage all Aboriginal fisheries through communal licences issued to the appropriate First Nation authorities. Individual food fishing permits will no longer be issued by DFO. Also, 1993, commercial fishing outside of an approved test project or a commercial licence, will result in charges being laid and offenders being prosecuted – whether Native or non-Native (p. 5).”</p> <p>“These changes will be supported by the increased presence of fishery officers and Native fishery guardians during the fishing season. DFO now is identifying overall increases in manpower, equipment and operating funds necessary to ensure effective enforcement presence during the 1993 season (p. 6-7)”.</p> <p>“Dr. Pearse suggests that he found enforcement protocols can work well if entered into in a timely fashion. In 1993, DFO will conclude with First Nations an enforcement protocol setting out conditions under which enforcement actions, including the laying of charges, will be taken. The protocol will also deal with the coordination of DFO staff and the Aboriginal guardians to ensure comprehensive monitoring of Aboriginal fisheries and enforcement in specific cases (p. 6).”</p> <p><u>Subsequent Actions</u></p> <p>During 1993, the roles and responsibilities of Fishery Officers (F/O) changed. At the same time, the duties of a F/O were modified from that of a generalist to one that specialized in enforcement. F/Os continued to be responsible for the development and implementation of enforcement protocols within First Nation communities. The monitoring of the First Nations’ fisheries continued to be part of these new responsibilities. Enforcement staff continued to build partnerships and pursue relationships within the First Nation’s communities. This has included joint patrols and information</p>

	RECOMMENDATION - Dr. Peter Pearse, <i>Managing Salmon in the Fraser – Report to the Minister of Fisheries and Oceans on the Fraser River Salmon Investigation, 1992</i>	DFO RESPONSE
		<p>exchanges that have contributed to Aboriginal Guardians’ better understanding their duties.</p> <p>In 1993 the department also released and implemented three new policies relating to procedures for enforcing and managing Aboriginal fisheries for food, social and ceremonial purposes. The following policies were developed and implemented to provide direction with respect to Aboriginal fishing:</p> <ul style="list-style-type: none"> • Department of Fisheries and Oceans National Procedural Guidelines for Enforcement of Aboriginal Fishing for Food, Social and Ceremonial purposes • Department of Fisheries and Oceans Policy for the Management of Aboriginal Fishing • National enforcement Policy Relating to Indian Band Fishing By-Laws” <p>That same year, the department developed and implemented a three phase training program for Aboriginal Guardians in the Pacific Region. The authorities delegated to each Guardian were determined by the level of training they completed.</p> <p>Lastly in response to Pearse’s recommendation for improved enforcement, the department developed a comprehensive watershed enforcement plan which was released for discussion purposes. April 15, 1993 (Pacific Region Integrated Salmon Management Plans 1993)</p>
6	<p><i>Consultative Structures - Consultation on Fisheries Management</i></p> <ul style="list-style-type: none"> • Difficulties arose however, when the problems dealt with raised policy issues that had to be resolved at a higher level. Federal authorities, especially, were not sufficiently responsive during the fast-paced fishing season. Provision should be made, in any framework agreement of the kind suggested earlier, for a joint consultative body capable of dealing with such broader questions as may arise in implementing Agreements. 	<p><u>Initial Response</u></p> <p>“This was the first year working with a new policy. As a result, consultation on policy development overlapped with negotiations of individual agreements, as well as with the internal discussions of Native groups, and others to establish their own structures for consultation. Serious delays resulted. These delays will not happen again this year. I have written to the leaders of all BC First Nations, advising them that my department will be in a position to begin negotiations for 1993 agreements early in January (p. 4).”</p> <p>“Internal re-organization of staff is underway to ensure that these negotiations can progress quickly and that communication throughout DFO will be improved at all levels (p. 4).”</p> <p><u>Subsequent Actions</u></p> <p>DFO worked with all Fraser River First Nations to develop the Fraser Watershed Agreement (FWA). The FWA facilitated planning and coordination of management plans. Contained within</p>

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		<p>the FWA was a provision that DFO would negotiate agreements with Bands about the details of their fishery including fishing location, participation, gear and allocations. Notional food, social and ceremonial (FSC) harvest amounts were identified for groups of Fraser River First Nations and discussed with the communities. While DFO was successful in negotiating agreement with most groups, they were not reached with every group. The FWA was short lived though due to internal disagreement among First Nations (Fraser Watershed Agreement Issues, Fraser Watershed, Status of Fraser Watershed Agreement and Will There be a Fraser River Watershed Agreement).</p> <p>In order to address specific recommendations for the lower Fraser River, from the Pearse 1992 review, a number of critical changes were made to developing agreements with First Nations. In the lower Fraser River, downstream of Sawmill Creek, an umbrella organization was developed for 1993 in order to improve fishery management known as the Lower Fraser Aboriginal Fisheries commission (LFAFC). The LFAFC also had an associated Joint Technical Committee (JTC) which was comprised of DFO and First Nation Technical representatives. The JTC was formed to assist DFO and First Nations in the development of management plans and resolve any technical issues.</p> <p>See Lower Fraser River Fisheries: Pilot Sales and Economic Opportunity 1992-2008 for a history of actions and agreements in the lower Fraser River First Nation fisheries.</p>
7	<p><i>Consultative Structures - Consultation with Other Interest Groups</i></p> <ul style="list-style-type: none"> Assessments of the [BC Fisheries] Commission’s effectiveness are mixed. We heard many criticisms of its performance in providing advice to the government and in communicating policy developments to commercial and sport fishing groups. The Commission itself feels it has not enjoyed the confidence of the government in sharing information. Also, it apparently lacks the confidence of some groups it is intended to represent. The structure and function of this body should be assessed. 	<p><u>Initial Response</u></p> <p>This recommendation was not specifically addressed in the response document.</p>
8	<p><i>Consultative Structures - Inter-agency liaison</i></p> <ul style="list-style-type: none"> One such question relates to the responsibility for collecting and analyzing data about fish stocks and catches. At present this responsibility is divided between the [Pacific Salmon] Commission [and its Fraser River Panel] and the Department, although the agencies depend on each other’s information. If the river fishery is to be developed in ways which will be much more demanding of information about migrating stocks (to forestall problems of the kind that gave rise to this inquiry) the responsibilities of these agencies will have to 	<p><u>Initial Response</u></p> <p>“DFO will work with First Nations, provincial government and processing industry to develop a better system to license buyers of fish from Aboriginal fisheries, regulate the related processing and limit landing sites. I want to ensure accurate and timely recording of catches and sales. These provisions which will be included in fishery agreements will facilitate monitoring of the harvest and prevention of illegal sales by individuals not authorized to fish under the various agreements (p. 6)”</p>

	RECOMMENDATION - Dr. Peter Pearse, <i>Managing Salmon in the Fraser – Report to the Minister of Fisheries and Oceans on the Fraser River Salmon Investigation, 1992</i>	DFO RESPONSE
	be re-examined to ensure the system as a whole produces the most timely and useful information.	<u>Subsequent Actions</u> <p>The Pearse 1992 Report investigation identified deficiencies in the ability of the Department of Fisheries and Oceans (DFO) to monitor the Native fisheries in the upper Fraser River above Sawmill Creek. In May 1993 advice was requested from DFO Science on the design of up-river catch estimation programs. To this end, DFO staff were asked to provide statistical advice on survey designs needed to estimate weekly catch of sockeye salmon above Sawmill Creek. (Catch Estimation Programs in the 1993 Fraser River Indian Fishery: Status and Recommendations, May 13, 2010).</p>
9	<i>Consultative Structures - Inter-agency liaison</i> <ul style="list-style-type: none"> The regulation of fish buyers is another issue. As noted earlier, provincial regulations governing fish buyers on the Fraser last summer were not rigorously enforced, ostensibly because of short notice of the authorization of commercial sales in the Indian fishery. Better arrangements will be needed to ensure the quality of fish is protected, health standards are maintained and records of sales are reliable. Provincial authorities should be encouraged to strictly enforce applicable regulations. Since federal agencies already license the processing plants that handle fish for export, an alternative arrangement would be to assign these responsibilities to the federal government. 	<u>Initial Response</u> <p>See response to Recommendation 8.</p> <u>Subsequent Actions</u> <p>In order to address the concerns about inadequate catch monitoring raised by Dr Pearse, First Nations agreed to provisions providing for a direct census of the entire catch through the use of mandatory landing sites (Lower Fraser River Fisheries: Pilot Sales and Economic Opportunity 1992-2008). These provisions directed that all fish would be taken directly to a landing site for counting. In most cases buyers were available at landing sites but once the fish were counted, harvesters could take them away for personal use or resale to a different buyer. This feature was built into the lower Fraser agreements starting in 1993 and has been a component of all subsequent sales agreements.</p>
10	<i>Consultative Structures – Consultation on Broader Issues of Indian Fisheries Policy</i> <ul style="list-style-type: none"> Finally, I should report that some native groups, mainly on the upper Fraser, expressed a need for a forum to consider broader issues of Indian fisheries policy, such as their right to quantities or shares of migrating stocks. Some of these matters would be dealt with in the context of river plans of the kind advocated here. Others seem to be matters for negotiation in settlement of claims. But the expressed need for a forum to deal with such issues should be acknowledged and, if other mechanisms prove inadequate, something additional should be created. 	<u>Initial Response</u> <p>See Response to Recommendation 6.</p> <u>Subsequent Developments:</u> <p>See Response to Recommendation 2 (Lower Fraser River Fisheries: Pilot Sales and Economic Opportunity 1992-2008 and An Evaluation of the pilot sales arrangement of Aboriginal Fisheries Strategy, April 1994).</p>

	RECOMMENDATION - Dr. Peter Pearse, <i>Managing Salmon in the Fraser – Report to the Minister of Fisheries and Oceans on the Fraser River Salmon Investigation, 1992</i>	DFO RESPONSE
11	<p><i>Agreements – Guardians</i></p> <ul style="list-style-type: none"> The Agreements provide for native guardians to assist with surveillance of the fisheries and some enforcement functions (excluding the laying of charges.) These arrangements were frequently criticized on several grounds. One was that the guardians were inadequately trained, which is a reflection of the general problem of insufficient advance preparation last year. Another was that some guardians were fishermen themselves and therefore had an obvious conflict of interest. A third was that guardians were often stationed where they were expected to enforce regulations against family members and relatives. These problems must be avoided in future. (p. 36) 	<p><u>Initial Response</u></p> <p>“Also in January at least 50 Native guardian candidates will begin an intensive training program to better prepare them to undertake broad-ranging work in fisheries monitoring, stock habitat management, and enforcement. The guardians will complement the work of DFO staff and will ensure greater community understanding and compliance with agreements reached (p. 7).”</p> <p>“Dr. Pearse suggests that he found protocols can work well if entered into in a timely fashion. In 1993, DFO will be concluding with First Nations enforcement protocols setting out conditions under which enforcement actions, including the laying of charges will be taken. The protocols will also deal with the coordination of DFO staff and Aboriginal Guardians to ensure comprehensive monitoring of Aboriginal fisheries and enforcement in specific cases (p.6).”</p> <p><u>Subsequent Actions</u></p> <p>Enforcement protocols have been pursued with many First Nations both on the Fraser River and throughout BC. The implementation of these protocols has provided DFO with opportunities to build better relationships with First Nations and better understand each others roles and responsibilities. The department has worked with First Nations to build improved selection criteria and processes for the hiring of Guardians. The Aboriginal Guardian programs continue to build on the initial training provided by DFO and is complementing the work of DFO staff in fisheries monitoring activities and habitat management. Enforcement staff have coordinated their efforts with Guardians where possible, to ensure integrated monitoring of Aboriginal Fisheries occurs.</p>
12	<p><i>Agreements – Landing sites</i></p> <ul style="list-style-type: none"> The Musqueam and Tsawwassen group, which fishes from boats with nets, designated particular sites for landing fish under their Agreement, thus facilitating the recording of catches. Upriver, Sto:lo fishermen fish mainly from the shore with set gillnets; the designated landing sites were not enforced. Last summer’s experience suggests that in order to maintain accurate records of catches it will be necessary to identify certain sites to which catches must be brought for that purpose. 	<p><u>Initial Response</u></p> <p>“DFO has the jurisdiction to decide landing sites. But the province licenses buyers and supervises the sale slip system. This year, due to the speed with which changes were implemented, the system broke down. DFO will work with First Nations, provincial government and processing industry to develop a better system to license buyers of fish from Aboriginal fisheries, regulate the related processing and limit landing sites. I want to ensure accurate and timely recording of catches and sales. These provisions which will be included in fishery agreements will facilitate monitoring of the harvest and prevention of illegal sales by individuals not authorized to fish under the various agreements (p. 6).”</p> <p><u>Subsequent Actions</u></p>

	RECOMMENDATION - Dr. Peter Pearse, <i>Managing Salmon in the Fraser – Report to the Minister of Fisheries and Oceans on the Fraser River Salmon Investigation, 1992</i>	DFO RESPONSE
		See response to Recommendation 9.
13	<p><i>Agreements - Control of Fishing Effort</i></p> <ul style="list-style-type: none"> There was no limit on the number of fishing permits issued in 1992 and thus the numbers expanded significantly. The result was crowding of fishing sites, friction and difficulty in managing orderly fishing and fish migration. Fishing effort and the number of nets in the water must be controlled. Since the native communities themselves are in the best position to deal with allocation of permits, future Agreements should call on them to control the amount of gear within an agreed limit. (p. 36) 	<p><u>Initial Response</u></p> <p>“To better control who is entitled to fish in Aboriginal fisheries, in 1993 DFO will manage all Aboriginal fisheries through communal licences issued to the appropriate First Nation authorities. Individual food fishing permits will no longer be issued by DFO (p. 5).”</p> <p>“Also in 1993, commercial fishing outside of an approved test project or a commercial licence will result in charges being laid and offenders prosecuted – whether Native or non-Native (p. 5).”</p> <p>“All allocation agreements with First Nations will provide for effective control and monitoring of the fishery. The agreement must include control on effort through strictly enforced limits to the number of individuals authorized by the First Nations to fish. All agreements must include restrictions on gear (p. 6).”</p> <p><u>Subsequent Actions</u></p> <p>In 1993, the 29 bands on the lower Fraser River formed the Lower Fraser Aboriginal Fisheries Commission to work with the Department regarding the Lower Fraser Aboriginal fishery. Agreement was reached in 1993 allowing “pilot sales” of salmon for lower Fraser River First Nations. By 1994, there were two agreements: one for the mouth of the Fraser River to the Port Mann Bridge area (Musqueam, Tsawwassen, Burrard and Coquitlam) and one for the area from the Port Mann Bridge to Sawmill Creek. These agreements included using a planning committee in each of the respective areas and catch accounting through the use of mandatory landing sites, were retained. See Lower Fraser River Fisheries: Pilot Sales and Economic Opportunity 1992-2008 for additional details on AFS agreements and management.</p>
14	<p><i>Agreement – Urgency</i></p> <ul style="list-style-type: none"> If the new policy is to move ahead next year preparatory work on the new Agreements should therefore start immediately. Evaluations of the summer of 1992 should begin without delay. Native leaders should meet to explore the possibilities of collectively entering into a framework agreement and a co-ordinated plan for the Fraser. The time to start is now. 	<p><u>Initial Response</u></p> <p>See response to Recommendation 2.</p> <p><u>Subsequent Actions</u></p> <p>See Response to Recommendation 2 (Lower Fraser River Fisheries: Pilot Sales and Economic Opportunity 1992-2008 and An Evaluation of the pilot sales arrangement of Aboriginal Fisheries Strategy, April 1994).</p>

- 4) **P.A. Larkin, [Analysis of Possible Causes of the Shortfall in Sockeye Spawners in the Fraser River a Technical Appendix to Managing Salmon in the Fraser, 1992](#)**
- **Response Document: [Statement by John C. Crosbie Minister of Fisheries and Oceans: Action Plan in Response to the Report on the Fraser River Salmon Investigation](#) (December 7, 1992)**

	RECOMMENDATION - P.A. Larkin, <i>Analysis of Possible Causes of the Shortfall in Sockeye Spawners in the Fraser River a Technical Appendix to Managing Salmon in the Fraser, 1992</i>	DFO RESPONSE
1	The substantial overharvesting of Early Stuart and Early Summer stocks in 1992 must not occur again if they are to produce the sustained yields of which they are capable. The Early Stuart escapement goal for 1992 was set at 200,000 as an experiment to evaluate a major potential for future production. For the other stocks that were overharvested, many years of effort to rebuild them were set back at least one cycle. A particularly bitter blow of a potential for growing to its status of 80 years ago as a significant contributor to Fraser River salmon production. (p. 31)	<p><u>Initial Response</u></p> <p>“First and foremost, Dr. Pearse indicates that the conservation of salmon stocks, a goal everyone shares was not threatened by the events of 1992. Specifically the report concludes that the number of fish which reached up-river spawning beds was the second highest for this low cycle since the 1940s. It was a setback compared with the targets set for 1992. This is certainly a disappointment. But these stocks have been and will continue to be rebuilt (p. 1).”</p> <p><u>Subsequent Actions</u></p> <p>In order to address the concerns about inadequate catch monitoring raised by Dr. Pearse, First Nations agreed to provide a census of the entire catch through the use of mandatory landing sites. This provision directed that all fish would be taken directly to a landing site for counting. In most cases buyers were available at landing sites but once the fish were counted, harvesters could take them away for personal use or resale to a different buyer. This feature was built into the lower Fraser agreements starting in 1993 and has been a component of all subsequent sales agreements in the lower Fraser River.</p> <p>(For more information, see <u>Lower Fraser River Fisheries: Pilot Sales and Economic Opportunity 1992-2008</u> and <u>An Evaluation of the pilot sales arrangement of Aboriginal Fisheries Strategy</u> April 1994).</p>
2	From a conservation perspective the obvious implication for management is that in 1996 the harvest of the Early Stuart and Early Summer runs should be severely curtailed to ensure the damage done in 1992 may be quickly repaired. Otherwise the 1992 events will continue to have their impact on potential revenue at four-year intervals long into the future. (p. 31)	<p><u>Initial Response</u></p> <p>See response to Recommendation 1.</p> <p><u>Subsequent Actions</u></p> <p>In 1996, DFO adopted, for planning purposes the 75% probability level that actual abundances</p>

	RECOMMENDATION - P.A. Larkin, <i>Analysis of Possible Causes of the Shortfall in Sockeye Spawners in the Fraser River a Technical Appendix to Managing Salmon in the Fraser, 1992</i>	DFO RESPONSE
		would equal or exceed the forecasts. The objective of these “risk-averse” forecasts was to improve the probability that the spawning escapement targets would be achieved (Report of the Fraser River Panel to the Pacific Salmon Commission on the 1996 Fraser River Sockeye Salmon Fishing Season).
3	Meanwhile, immediate steps must be taken to ensure adequate control of the harvests in 1993 and following years. The Indian fisheries add a further technical challenge to management of a fishery that is already one of the most technically sophisticated in the world. If bands along the length of the river are to successively harvest the stocks moving upstream, accurate counts of escapement will be needed at several points, not just at Mission. For example, echo-sounding near Hell’s Gate, and above and below the confluence with the Thompson would enable more precise regulation than is presently possible. (p. 31-32)	<p><u>Initial Response</u></p> <p>“To better control who is entitled to fish in Aboriginal fisheries, in 1993 DFO will manage all Aboriginal fisheries through communal licences issued to the appropriate First Nation authorities. Individual food fishing permits will no longer be issued by DFO (p. 5).”</p> <p>“Also in 1993, commercial fishing outside of an approved test project or a commercial licence will result in charges being laid and offenders prosecuted – whether Native or non-Native (p. 5).”</p> <p>“All allocation agreements with First Nations will provide for the effective control and monitoring of the fishery. The agreements must include control on effort through strictly enforced limits to the number of individuals authorized by the First Nations to fish. All agreements must include restrictions on gear (p. 6).”</p> <p>“Dr. Larkin has suggested establishing stations at strategic points along the Fraser River for the hydro-acoustic counting of migrating salmon. Stations will be set up at feasible locations prior to the 1993 season. These stations will provide estimates of progressive escapement past Aboriginal fisheries which can be used to check estimated mortality between fishing stations and projected escapements (p. 7).”</p> <p><u>Subsequent Actions</u></p> <p>In order to address the concerns about inadequate catch monitoring raised by Dr. Pearse, First Nations agreed to provide a census of the entire catch through the use of mandatory landing sites. This provision directed that all fish would be taken directly to a landing site for counting. In most cases buyers were available at landing sites but once the fish were counted, harvesters could take them away for personal use or resale to a different buyer. This feature was built into the lower Fraser agreements starting in 1993 and has been a component of all subsequent sales agreements.</p> <p>In 1993 DFO surveyed the mainstem of the Fraser River for acoustic sites to develop new techniques for assessing migrating fish populations in riverine environments. Two survey sites were identified in the Fraser Canyon area that had qualities necessary for acoustic estimation. These were</p>

	RECOMMENDATION - P.A. Larkin, <i>Analysis of Possible Causes of the Shortfall in Sockeye Spawners in the Fraser River a Technical Appendix to Managing Salmon in the Fraser, 1992</i>	DFO RESPONSE
		in the Boston Bar area and at Qualark Creek. Based on physical and logistical considerations, the decision was made to develop a site near the confluence of Qualark Creek and the Fraser River (Mulligan 1996).
4	Monitoring of catch and effort is a useful adjunct of enforcement and provides insight into what proportion of the fish in the river may be caught during an opening of some specified length. Sales slips are a further check on catch and are essential for subsequent analysis for future management. The absence, in 1992, of current monitoring information in the region above Sawmill Creek, and of virtually any information on sales of unauthorized catches along the length of the river, has made it difficult to anticipate how best to regulate the fishery in 1993. An opportunity to find out how best to manage the river fisheries was largely lost in 1992. That loss must be made up quickly. (p. 32)	<p><u>Initial Response</u></p> <p>This recommendation dealing with improvements to catch monitoring above Sawmill Creek on the Fraser River was not specifically addressed.</p> <p><u>Subsequent Actions</u></p> <p>See response to Subsequent Actions to Recommendation 3 regarding improvements to catch monitoring in the lower Fraser through the implementation of mandatory landing sites for catch monitoring which were implemented in the 1993 fishery.</p> <p>The Pearse 1992 Report investigation identified deficiencies in the ability of the Department of Fisheries and Oceans (DFO) to monitor the Native fisheries in the upper Fraser River above Sawmill Creek. In May 1993 advice was requested from DFO Science on the design of up-river catch estimation programs. To this end, DFO staff were asked to provide statistical advice on survey designs needed to estimate weekly catch of sockeye salmon above Sawmill Creek. (Catch Estimation Programs in the 1993 Fraser River Indian Fishery: Status and Recommendations, May 13, 2010).</p>
5	The control of effort and management to fixed quotas are major headaches in fisheries worldwide and will have to be addressed for the Fraser River fisheries (and for that matter the whole salmon fishery) sooner or later. As long as any band member of age can get a permit to fish, it will be very difficult to control effort. As long as quotas are fixed numbers, there is never an incentive to take less than was expected; the inevitable consequence of fixed quotas is over harvesting. If quotas are to be assigned, they should be as percentages of a total allowable catch. (p. 32)	<p><u>Initial Response</u></p> <p>See response to Pearse (1992) Recommendation 13.</p> <p><u>Subsequent Actions</u></p> <p>See response to Pearse (1992) Recommendation 13.</p>
6	Some needs for research have become evident in the course of this investigation. For example, knowledge of the effects of high temperatures on migrating adult salmon is far from adequate, the relation between catch and the frequency with which set gill nets are lifted is not quantified, the optimum spawning escapements on various cycle years are still a subject for debate (p. 32-33).	<p><u>Initial Response</u></p> <p>This recommendation was not specifically addressed in the response document.</p> <p><u>Subsequent Actions</u></p>

	RECOMMENDATION - P.A. Larkin, <i>Analysis of Possible Causes of the Shortfall in Sockeye Spawners in the Fraser River a Technical Appendix to Managing Salmon in the Fraser, 1992</i>	DFO RESPONSE
		<p><i>Effects of high temperature on migrating salmon</i></p> <p>DFO responses to assessment of high water temperature on migrating salmon are provided in the Subsequent Actions to Recommendations 28 & 30: Public Review, Fraser River Sockeye 1994, Problems and Discrepancies (1995).</p> <p><i>Optimal escapement</i></p> <p>Many of the large sockeye rearing lakes in the Fraser watershed support populations with persistent 4-year abundance cycles. The variation in abundance among the four cycle lines in some populations has varied by an order of magnitude. Several hypotheses have been proposed to explain the phenomenon, otherwise known as cyclic dominance. Readers are referred to a large body of scientific publications referenced on the subject (Ricker 1950, Ricker 1997; Ward and Larkin 1964; Larkin 1971; Collie and Walters 1987; Eggers and Rogers 1987; Walters and Staley 1987; Collie et al. 1990; Welch and Noakes 1990, Welch 1991; Levy and Wood 1992; Cass and Wood 1994; Myers et al. 1998; Schnute et al. 2000; Martell et al. 2008). This uncertainty is a central issue in estimating habitat capacity of Fraser sockeye populations, and hence the optimal spawning escapement, for highly cyclic populations. Most Fraser sockeye mature, spawn and die as 4 year-olds; a prerequisite for the 4-year pattern in cycles. In addition, prevailing high harvest rates throughout most of the exploitation history has reinforced the persistence of cycles.</p> <p>Recognition of the ecological/biological nature of population cycles has influenced the present harvest management strategy by acknowledging the delay-density effect among the four years cycle lines. A PSARC workshop in 2006 reviewed hypotheses explaining the persistence of cycles and the implications for resource management (Cass and Grout 2006). Workshop participants agreed that the weight of evidence indicates that the persistence of cycles was a result of biological interactions during freshwater juvenile rearing stages.</p>
7	More generally, the technical aspects of the whole system of regulation of the fishery should be given a comprehensive review. In changing times and with many new technologies available it is timely to examine the procedures for forecasting abundance of all species of Fraser salmon, of making in-season projections of catch and escapement, of tracking stock abundance as fish move upstream and of estimating escapements to spawning grounds. Present procedures are professionally competent but may not suffice for the years ahead. (p. 33)	<p><u>Initial Response</u></p> <p>This recommendation was not specifically addressed in the response document.</p> <p><u>Subsequent Actions</u></p> <p><i>Pre-season forecasts</i></p> <p>Pre-season forecasts are produced by DFO each year in support of Fraser River fisheries</p>

	RECOMMENDATION - P.A. Larkin, <i>Analysis of Possible Causes of the Shortfall in Sockeye Spawners in the Fraser River a Technical Appendix to Managing Salmon in the Fraser, 1992</i>	DFO RESPONSE
		<p>management. These include pre-season forecasts of adult sockeye returns, their timing to marine coastal areas and the proportion that migrate through Johnstone Strait and Juan de Fuca Strait on route to the Fraser River. Pre-season forecasts are also produced for odd-year returns of Fraser River pink salmon. In-season projections of adult sockeye and pink returns are now produced by the Pacific Salmon Commission and were the mandate of the International Pacific Salmon Fisheries Commission before the 1985 signing of the Canada-US Pacific Salmon Treaty.</p> <p>Pre-season forecasts are primarily used for pre-season planning purposes but also inform early in-season run size assessments. DFO's pre-season forecasts are currently a deliverable under the US-Canada Pacific Salmon Treaty. Pre-season forecasts have been reviewed annually and a series of reports over the last decade are published on DFO's Canadian Science Advisory Secretariat (CSAS) web site:</p> <p>http://www.meds-sdmm.dfo-mpo.gc.ca/csas/applications/Publications/publicationIndex_e.asp</p> <p>Pre-season forecasts of sockeye returns are typically made using a variety of models depending on data availability. Forecasts mainly rely on data that relates estimates of the number of spawners (stock) and the adult progeny (recruitment) that are produced. Estimates of juvenile (smolt) production are available for Chilko Lake and Cultus Lake sockeye and are the basis for the forecasts for these populations. Forecasts are provided for 19 populations for which stock-recruitment data is available and four management (run timing) groups. Quantitative forecast models have also included environmental variables such as sea surface temperature, Fraser River discharge and other large scale oceanographic indices (i.e. Pacific Decadal Oscillation index).</p> <p>Recent DFO pre-season forecasts have also considered more qualitative environmental ocean indicators to provide some indication of survival conditions for Fraser River sockeye salmon.</p> <p>DFO Science also provides pre-season forecasts of the migration timing to marine approach areas in southern BC. Estimates of migration timing are used in pre-season planning and in-season run size models by the Pacific Salmon Commission.</p> <p>Annual pre-season forecasts of the proportion of sockeye bound for the Fraser River that migrate through Johnstone Strait in the north or Juan de Fuca Strait in the south are also provided.</p> <p><i>Advances in DNA stock ID</i></p> <p>Routine genetic stock identification started in 2002. It has resulted in improvements in the accuracy and precision of stock composition estimates. Effective fisheries management requires information</p>

	RECOMMENDATION - P.A. Larkin, <i>Analysis of Possible Causes of the Shortfall in Sockeye Spawners in the Fraser River a Technical Appendix to Managing Salmon in the Fraser, 1992</i>	DFO RESPONSE
		<p>that is both accurate and timely.</p> <p><i>Estimating escapements to spawning grounds</i></p> <p>Individual populations are assessed using standard enumeration methodologies. The specific methods applied to a particular spawning stock depend on the number of spawners expected to return by population. High precision techniques such as enumeration fences, DIDSON or mark-recapture studies are used for stocks with expected escapements of 75,000 or more spawners (the actual technique is based on local characteristics), and visual surveys are used for stocks with expected escapements of less than 75,000.</p>
8	A technical audit, perhaps built around some selected topics would be a good sequel to the intensive work that was undertaken by the Department and the Commission in support of this review. (p. 33)	<p><u>Initial Response:</u></p> <p>This recommendation was not specifically addressed in the response document.</p>

5) Hon. John Fraser, Chair, [Public Review Board, Fraser River Sockeye 1994, Problems and Discrepancies, 1995](#)

- Response Document: [Fraser River Sockeye 1994: Detailed DFO Response to the Report of the Fraser River Sockeye Public Review Board](#)

	RECOMMENDATION - Hon. John Fraser, Chair, <i>Public Review Board, Fraser River Sockeye 1994, Problems and Discrepancies, 1995</i>	DFO RESPONSE
	<i>Risk Aversion Management</i>	
1	We recommend that DFO retain and exercise its constitutional conservation responsibilities and not in any way abrogate its stewardship of resources under federal jurisdiction. Conservation must be the primary objective of both fisheries managers and all others participating in the fishery. The conservation ethic must prevail throughout and be adhered to by all. (p. 45)	<p><u>Initial Response</u></p> <p>“Conservation is DFO’s top priority and we will exercise this responsibility through an even more prudent stewardship of the resource starting in 1995. However, conservation is a shared responsibility with resource users. It cannot be achieved by government alone. The action plan which follows, in response to the Board’s recommendations, outlines measures to be taken by DFO, resource users and the Government of British Columbia to conserve and sustain the resource.”</p> <p>For further information see the News Release of March 7, 1995, <u>Tobin Announces Five-Point Action Plan for the 1995 Pacific Salmon Fishery</u>. This plans responds to the recommendations of the Fraser River Sockeye Public Review Board.</p> <p><u>Subsequent Actions</u></p> <p>Since 1995, DFO has continued to highlight conservation as its primary objective. This is reflected in objective statements and in principles that have been adopted as the basis for managing the salmon fisheries. For example, <u>A New Direction for Canada’s Pacific Fisheries, on October 18, 1998</u> released by the Minister of Fisheries and Oceans on October 14, 1998 states:</p> <p>“Conservation of Pacific Salmon stocks is the primary objective and will take precedence in managing the resource.”</p> <p>Similarly in October 1999 DFO released its <u>Allocation Policy for Pacific Salmon</u> which reiterates the conservation objectives.</p> <p>“Allocation Principle 1 – Conservation</p> <p>Conservation of Pacific Salmon stocks is the primary objective and will take precedence in managing the resource – Conservation will not be compromised to achieve salmon</p>

	RECOMMENDATION - Hon. John Fraser, Chair, <i>Public Review Board, Fraser River Sockeye 1994, Problems and Discrepancies, 1995</i>	DFO RESPONSE
		allocation targets.”
2	We recommend that DFO take immediate steps to initiate a process of planning for the future of the fishery, addressing all critical problems affecting conservation and sustainability, through an ongoing consultative forum. Among the problems to be considered would be over-capitalization, user-group allocation and ensuring equitable treatment under the law. (p. 45)	<p><u>Initial Response</u></p> <p>“Pacific Roundtable to make recommendations by November 30, 1995 on:</p> <ul style="list-style-type: none"> • Reduction of fleet capacity • More effective and binding consultative mechanisms.” <p>“In the absence of consensus, Ministerial decisions will be taken in early December 1995, for implementation in 1996.”</p> <p>“Continue and expand community based multi-stakeholder processes to address sustainable utilization such as the:</p> <ul style="list-style-type: none"> • Skeena Watershed Committee • New process being implemented on the Fraser” <p>“The broad issue of inter-sectoral allocations will be addressed in 1996, when solutions to commercial fleet viability are in place.”</p> <p><u>Subsequent Actions</u></p> <p>“On March 29, 1996, Fred Mifflin, Minister of Fisheries and Oceans, announced a comprehensive strategy to revitalize the west coast commercial salmon fishery and to help conserve salmon stocks and ensure that they are harvested in ways that sustain their use for future generations.”</p> <p>“Several studies were undertaken, culminating in the Pacific Policy Roundtable report of December 1995. With its working committees, the Roundtable included representatives from all groups with a stake in the fishery: trollers, seiners, gillnetters; processors; organized labour; Aboriginals; and, Recreational Fishers. The Government of British Columbia was invited to participate but chose to attend as an observer.”</p> <p>(see - Backgrounder - Federal Response to Panel's Recommendations - issued on January 27, 1997)</p> <p>With respect to user-group allocation, in December 1998, a paper titled “Allocation Framework for Pacific Salmon 1999-2005” was released by Minister Anderson. A Backgrounder which accompanied this release stated – “Since 1995, five independent consultations processes have</p>

	RECOMMENDATION - Hon. John Fraser, Chair, <i>Public Review Board, Fraser River Sockeye 1994, Problems and Discrepancies, 1995</i>	DFO RESPONSE
		examined allocation issues with user groups, and have provided recommendations to the Minister of Fisheries and Oceans on a long-term allocation policy for the West Coast salmon fishery. All of the advice was taken into account in developing the framework.” (Backgrounder, Consultations and independent Advice , Dec 16 1998)
3	We recommend that DFO and PSC adopt a risk aversion management strategy because of the great uncertainty in stock estimates, in-season catch estimates and environmental problems. Conservation goals must be achieved before any other priorities are addressed. (p. 45)	<p><u>Initial Response</u></p> <p>“Starting in 1995, we will develop pre-season management plans based on the lower range of pre-season stock forecasts.”</p> <p>“We will adjust escapement targets in season, based on extreme environmental factors such as high water temperatures and adverse flow conditions.”</p> <p>We will reduce the harvest rates and employ management measures, up to and including closure of the fishery, when there is uncertainty as to the run-size.”</p> <p><u>Subsequent Actions</u></p> <p>The Pacific Salmon Revitalization Strategy announced on March 29, 1996 also referred to risk:</p> <p>“With conservation as its top priority, the Department of Fisheries and Oceans will continue to pursue a risk-averse management program. This will involve a cautious approach to setting salmon harvest levels in general, as well as harvest rate reductions on selected species and the adoption of more stock-specific selective fishing practices” (News Release issued on March 29, 1996 Minister Announces Plan to Revitalize the Salmon Fishery).</p>
4	We recommend that DFO, in conjunction with provincial authorities, First Nations, commercial and recreational fishery groups, implement (both in marine and in-river areas) a revised system to ensure that catch information is timely and reliable, given that accurate counting and timely reporting of catch are fundamental to conservation. The system must also include a more stringent paper trail wherein there must be stricter control of landing and sales slips and a mandatory retention of sales slips with fish through to retail sale or export. (p. 46)	<p><u>Initial Response</u></p> <p>“Require mandatory hauls for all fisheries.”</p> <p>“Implement new measures to prevent the laundering of fish into the commercial fishery.”</p> <p>“Strategic enforcement of sales slip requirements.”</p> <p>“Phased implementation of a formal landing slip system for all fisheries.”</p> <p>“Where catch data requirements are not being met, we will close the fishery until data is provided by users.”</p>

	RECOMMENDATION - Hon. John Fraser, Chair, <i>Public Review Board, Fraser River Sockeye 1994, Problems and Discrepancies, 1995</i>	DFO RESPONSE
5	We recommend that DFO explore the application of new technology to collection information on stock levels in ocean areas in order to supplement catch statistics. (p. 46)	<p><u>Initial Response</u></p> <p>“We will provide hand-held computers to a select group of commercial index fishers to provide real-time catch information.”</p> <p>“We will work with the Pacific Salmon Commission to develop new methods of assessing fish abundance in season (i.e. hydroacoustic assessment of the abundance of late-timing sockeye runs off the mouth of the Fraser River).”</p> <p>“Additional test fisheries will be conducted in areas such as Johnstone Strait.”</p> <p><u>Subsequent Actions</u></p> <p>Pilot studies began in 1995 to explore the application of new technologies in the collection of real-time catch and vessel position information. Several types of shipboard computer systems have been developed to capture catch and effort information.</p> <p>Starting in the mid 1990s, hydro-acoustic technology was tested in Johnstone Strait.</p> <p>A fixed location side-looking 200 kHz split-beam acoustic system was deployed on the left (south) bank in 1999, sampling approximately 100-150m of the cross-section on a consistent basis, and data from this system combined with the transecting vessel have been used to produce official estimates of gross escapement at Mission since this time. The implementation of the left-bank split-beam system was the result of extensive development and testing of this approach by DFO at Qualark (see Enzenhofer and Cronkite 2000) and a four-year collaborative program (1995-1998) to assess biases and test the validity of key assumptions of the single-beam system used at Mission (see Xie et al. 1997, Xie 2002).</p>
<i>Institutional Arrangements</i>		
6	We recommend that DFO develop better co-ordinated inter-party communications among its staff and between its staff and PSC, First Nations, commercial and recreational fishing groups, with a greater degree of co-operation aimed at enhanced in-season management and post-season evaluation and at fostering closer working arrangements among all parties, and facilitate clearer and more transparent management and allocation policies. (p. 56)	<p><u>Initial Response</u></p> <p>“Within DFO, we will continue the internal Operations Branch Review Team a 25 member group on which a cross section of fishery operations staff is represented—and follow up on recommendations to define roles, responsibilities and improve communications at all levels.”</p> <p>“The sectors will be convened to discuss how advisory processes can be improved May 1st 1995,</p>

	RECOMMENDATION - Hon. John Fraser, Chair, <i>Public Review Board, Fraser River Sockeye 1994, Problems and Discrepancies, 1995</i>	DFO RESPONSE
		<p>well in advance of the fishing season.”</p> <p>“Integrated management plans will be developed for all fisheries to incorporate stock assessment, management, aboriginal affairs, conservation and protection, as well as international considerations.”</p> <p><u>Subsequent Actions</u></p> <p>See Subsequent Actions to Recommendation 2.</p>
7	We recommend that DFO and PSC give First Nations greater and more meaningful access to, and involvement in, the management process. (p. 56)	<p><u>Initial Response</u></p> <p>“We will seek more effective ways to work cooperatively with First Nations—building on the positive elements of Aboriginal Fishery Strategy—to improve resource management, catch monitoring, and habitat restoration and protection.”</p> <p>“We will formally link “ocean harvesting” management processes through pre-season planning and post-season evaluation meetings.”</p> <p>“The Canadian section of the Fraser River Panel membership will be reviewed with the goal of ensuring effective First Nations participation.”</p> <p><u>Subsequent Actions</u></p> <p>There have been a number of changes since 1995 to provide involvement in the management process. Starting in 1995 two of the twelve seats on the Fraser River Panel were provided to First Nation representatives. Further details on First Nation involvement in consultative processes is outlined in response to Recommendations 4, 7 and 9 of Context Statement and Synopsis of Recommendations section and Recommendation 1 Issue 2 and Recommendation 1 Issue 3 of IV Fundamentals section in the report <i>Independent Review of Improved Decision Making in the Pacific Salmon Fishery: Final Recommendations</i>.</p>
8	We recommend that DFO, PSC, First Nations and user groups institute a formalized pre-season review of each season’s management plans and strategies, to be followed by a post-season performance analysis. Independent experts should be invited to assist in extending the range of expertise and in promoting transparency in the management process. (p. 56)	<p><u>Initial Response</u></p> <p>“Short term: We will conduct post-season analysis with independent fisheries experts in 1995.”</p> <p>“1996 and beyond: We will undertake a public process in specific locations in BC, to review pre-season planning and post-season results.”</p>

	RECOMMENDATION - Hon. John Fraser, Chair, <i>Public Review Board, Fraser River Sockeye 1994, Problems and Discrepancies, 1995</i>	DFO RESPONSE
		<p><u>Subsequent Actions</u></p> <p>Annual pre-season and post-season performance reviews are conducted by the Fraser River Panel during the PSC’s annual meetings. These post-season reports are published in the annual reports of the Pacific Salmon Commission and in the Annual Report of the Fraser River Panel to the Pacific Salmon Commission on the Fraser River sockeye salmon season.</p>
9	<p>We recommend that the Canadian section of the Fraser River Panel be vested with responsibility for in-season management for Fraser river sockeye and pink salmon fisheries in Canadian waters beyond the current PSC Convention area. Further, to facilitate communication and understanding (between DFO and PSC) of the in-season run and stock size estimates, a member of the DFO Stock Assessment Division be assigned to work closely with PSC during planning, estimation and evolution of run estimating procedures. There is also a need for practical arrangements for in-season communications between the U.S. and Canadian sides of the Fraser River Panel, whether or not there is formal diplomatic agreement. (p. 56)</p>	<p><u>Initial Response</u></p> <p>“The coordination and management of Canadian ocean harvest of Fraser River sockeye salmon will now come under the responsibility of the Canadian section of Fraser River Panel. The current membership of the panel will be revised to include representation from the South and North Coasts.”</p> <p>“A stock assessment staff member will be made a member of the Fraser River Technical Committee of the PSC.”</p> <p>“A weekly, bi-lateral face-to-face meeting of the Fraser River Panel will be instituted (subject to US concurrence) even if there is no negotiated fishing agreement with the US.”</p> <p><u>Subsequent Actions</u></p> <p>Coordination of in-season assessment of Fraser River sockeye remains a responsibility of the Canadian section of the Fraser River Panel. DFO stock assessment staff are members of the Fraser River Technical Committee of the PSC.</p>
10	<p>We recommend that an independent Pacific Fisheries Conservation Council be established to act as a public watchdog for the fishery, to report to ministers and the public annually and from time to time as is appropriate. (p. 56)</p>	<p><u>Initial Response</u></p> <p>“Realistically, this cannot be accomplished in 1995. However, the concept of Conservation Council making its advice to the Ministry of Fisheries and Oceans public is supported and will be explored in the Roundtable process.”</p> <p><u>Subsequent Actions</u></p> <p>“Fisheries and Oceans Canada will begin discussions with the Province of BC and stakeholders to establish a Pacific Resource Conservation Council, which will be up and running by 1998, reporting directly to the Minister of Fisheries and Oceans.” (Backgrounder “Federal Response to Panel's recommendations”)</p>

	RECOMMENDATION - Hon. John Fraser, Chair, <i>Public Review Board, Fraser River Sockeye 1994, Problems and Discrepancies, 1995</i>	DFO RESPONSE
		<p>“The Pacific Fisheries Resource Conservation Council was created by the federal Minister of Fisheries and Oceans on September 18, 1998. The key roles of the PFRCC are to:</p> <ul style="list-style-type: none"> • Provide strategic advice regarding stock conservation and enhancement, habitat restoration, protection and improvement, and fisheries conservation objectives. This includes identifying stocks in need of conservation actions and stocks where there is insufficient information to assess their conservation status. • Describe the effects of conditions in freshwater and marine ecosystems on the conservation of Pacific salmon. • Review and make recommendations pertaining to research programs, stock and habitat assessments, enhancement initiatives, and government policies and practices related to conservation of Pacific salmon and their freshwater and ocean habitat. • Integrate scientific information with knowledge and experience of First Nations, stakeholders and other parties. • Alert the Minister of Fisheries and Oceans and the public on issues that threaten the achievement of departmentally defined conservation objectives for Pacific fish populations or their freshwater or ocean habitat. • Provide information to governments and the public on the status of Pacific salmon stocks and their freshwater and ocean habitat in order to enhance understanding and support for fish conservation and habitat protection. <p>The PRFCC provides recommendations to Ministers and the public simultaneously. The Council convenes and hosts public meetings each year at several locations in BC to receive, review and discuss information pertaining to the status of salmon stocks and their habitat.”</p> <p>See http://www.fish.bc.ca/</p>
11	We recommend that DFO make a commitment to quality management principles in the management of fish stocks by Pacific Region and, in this context, that a third-party quality auditing organization be contracted to provide ongoing services. (p. 58)	<p><u>Initial Response</u></p> <p>“The Operations Branch Organization Review Team (see recommendation 6), expanded to include stock assessment and SEP/Habitat staff, will be the process through which quality management</p>

	RECOMMENDATION - Hon. John Fraser, Chair, <i>Public Review Board, Fraser River Sockeye 1994, Problems and Discrepancies, 1995</i>	DFO RESPONSE
		<p>initiatives are pursued.”</p> <p><u>Subsequent Actions</u></p> <p>The PFRCC or “the council” provides independent advice on conservation and environmental sustainability of Pacific salmon stocks and their freshwater and ocean habitats. The council’s role is to advise the federal Minister of Fisheries and Oceans, the British Columbia Minister of Fisheries and the public.</p>
ENFORCEMENT		
12	We recommend that enforcement be recognized once again as an essential element of the fishery management process. (p. 61)	<p><u>Initial Response</u></p> <p>“Despite expenditure and staff reductions in all areas of the department and in all regions, the Conservation and Protection sector in Pacific Region has been strengthened and is now headed by a veteran RCMP officer, Superintendent Stuart Cameron.”</p> <p>“Conservation and Protection staff will be key players in fish plan development and aboriginal negotiations, as part of the integrated planning process.”</p> <p>“Organizational changes have raised the profile of the Enforcement function to the same level as Resource Management and Native Affairs. All these are integrated under a single Assistant Deputy Minister of Fisheries Management.”</p> <p><u>Subsequent Actions</u></p> <p>The Departmental Enforcement Program which was created when the department reorganized field responsibilities in 1993 has continued to evolve. The position of Regional Director of Conservation and Protection (C&P) continued to be staffed by a person with an extensive enforcement background. In 1995 the enforcement responsibilities for the Fraser River watershed was divided into 2 separate management areas (Lower Fraser and the BC Interior) to further strengthen departmental enforcement capacities.</p> <p>For several years additional funding was provided to C&P and temporary deployments of Fishery Officers from across Canada to the Fraser River have contributed to the development of an enhanced compliance program to protect Fraser River salmon.</p> <p>Beginning in 1996, enforcement was strengthened within the Department when the Canadian Coast</p>

	RECOMMENDATION - Hon. John Fraser, Chair, <i>Public Review Board, Fraser River Sockeye 1994, Problems and Discrepancies, 1995</i>	DFO RESPONSE
		<p>Guard (who merged with DFO in 1995), in partnership with C&P, trained many of their ships personnel to conduct enforcement activities at sea. In subsequent years the Marine Enforcement Officer (MEO) program has become integral to the enforcement efforts of the department in coastal areas.</p> <p>On April 15, 1997 the Government of Canada and the Province of BC, signed, The Canadian-British Columbia Agreement on the Management of Pacific Salmon Fishery Issues to strengthen program delivery for habitat protection and fisheries enforcement. The document contained an enforcement protocol (Enforcement Protocol – Conserve and Protect – August 1998 Draft) to implement the intentions of the agreement.</p>
13	We recommend that, for the 1995 fishing season, DFO institute a plan to ensure that an effective and credible enforcement level is re-established. (p. 61)	<p><u>Initial Response</u></p> <p>“DFO will provide for strengthened enforcement capability by:</p> <ul style="list-style-type: none"> • Increasing enforcement resource: 15 new fishery officers above the 1994 complement; • Deploying resources strategically and targeting key problem areas: Mid-Fraser River and Johnstone Strait; • Developing blitz-style enforcement strategies: flying squads and quickly-dispatched, highly mobile patrol vessels; • Targeting serious offenses and chronic offenders; • Continuing to optimize the use of marine services in support of enforcement activities; and • Enhancing the use of charter patrol vessels to more effectively achieve enforcement goals.” <p>“DFO will improve planning and implementation of enforcement plans by:</p> <ul style="list-style-type: none"> • Preparing, for each fishery, as part of the integrated Management Plans, workplans and prioritized enforcement tasks, identifying strategies, describing level of work coverage, and defining expected results and compliance levels. • Undertaking post-season evaluation of workplans to make changes to improve the effectiveness of enforcement programs in subsequent years. • Increasing cooperation with other agencies (RCMP, Coast Guard and Provincial

	RECOMMENDATION - Hon. John Fraser, Chair, <i>Public Review Board, Fraser River Sockeye 1994, Problems and Discrepancies, 1995</i>	DFO RESPONSE
		<p>Conservation Officer services).”</p> <p><u>Subsequent Actions</u></p> <p>In 1995, additional resources were provided to C&P and Fishery Officers were deployed from across Canada to assist the Pacific Region and the Fraser River staff with the development and implementation of a comprehensive enforcement program. The additional resources provided C&P with the ability to increase the type, frequency and duration of patrols by land, air, and water. Illegal activities were uncovered and responded to with the additional resourcing levels.</p> <p>The addition of the Marine Enforcement Officer (MEO) Program increased many of the departmental enforcement capabilities along the coastal areas of the region and in particular the approach waters to the Fraser River. In 1996, the MEO program made up 29% of the Pacific Region’s armed enforcement capability. Additional increased cooperation amongst partner agencies further assisted enforcement efforts.</p>
14	We recommend that DFO review the regulations pertaining to the various fisheries and implement changes needed to ensure they are enforceable. (p. 61)	<p><u>Initial Response</u></p> <p>“Pacific regulations are being reviewed to ensure that they are enforceable.”</p> <p><u>Subsequent Actions</u></p> <p>The Department continues to pursue regulatory reforms where necessary to effectively manage the respective fisheries. Many regulatory requirements are now being implemented through licence conditions. The conditions are subject to regular reviews to ensure they are appropriate for the management of the respective fisheries.</p>
15	We recommend that DFO undertake an in-depth investigation of 1994 abuse of fishing laws. (p. 62)	<p><u>Initial Response</u></p> <p>“The Board has already extensively reviewed the 1994 situation and the department’s focus is the 1995 season.”</p> <p>“Key areas of illegal activity identified by the Board and by the department will be targeted in 1995 enforcement plans.”</p> <p><u>Subsequent Actions</u></p> <p>In 1995 additional Fishery Officers were deployed from across Canada to assist the Pacific Region and the Fraser River staff with the development and implementation of a credible enforcement</p>

	RECOMMENDATION - Hon. John Fraser, Chair, <i>Public Review Board, Fraser River Sockeye 1994, Problems and Discrepancies, 1995</i>	DFO RESPONSE
		program. Illegal activities were uncovered and responded to with the additional resourcing levels that were provided.
16	We recommend that DFO revisit its policy of non-criminal administrative sanctions (which include licence suspensions) with a view to making such a policy more workable and expanding its application. (p. 62)	<p><u>Initial Response</u></p> <p>“The sanctions process, enabling the administrative removal of fishing privileges for serious conservation offenses, will be expanded in 1995 and beyond.”</p> <p><u>Subsequent Actions</u></p> <p>Legislative reforms were subsequently proposed, such as in 1996 with Bill C-115 and in 1997 with Bill C-62, to strengthen the department’s regulatory authorities to address such measures as administrative sanctions and licence suspensions. Links to these can be found at:</p> <p>http://www2.parl.gc.ca/HousePublications/Publication.aspx?DocId=2328241&Language=e&model&file=19</p> <p>http://www2.parl.gc.ca/HousePublications/Publication.aspx?DocId=2329580&Language=e&model&file=223</p> <p>These bills were not passed.</p>
17	We recommend that DFO establish an enforcement branch in DFO Pacific Region, headed by a Director with extensive law enforcement experience to report to the Regional Director-General and be responsible for developing and maintaining enforcement capability at a level of competence and coverage which would ensure that the Minister’s mandated duty to conserve and protect Canada’s Pacific fisheries resources will be fulfilled properly. (p. 62)	<p><u>Initial Response</u></p> <p>“This recommendation has already been implemented with the appointment of Superintendent Stuart Cameron.”</p> <p>“As a matter of policy, extensive enforcement background will be a requirement for the Director of C&P in Pacific Region.”</p> <p><u>Subsequent Actions</u></p> <p>DFO did not establish a separate enforcement branch in the Pacific Region that reported to the Regional Director General; however, the enforcement capabilities of C&P continued to be strengthened. The Regional Director of C&P position continued to be staffed by a person with extensive enforcement experience. Increased resource levels permitted C&P to deploy enhanced compliance management strategies to monitor and enforce Fraser River fisheries.</p>

	RECOMMENDATION - Hon. John Fraser, Chair, <i>Public Review Board, Fraser River Sockeye 1994, Problems and Discrepancies, 1995</i>	DFO RESPONSE
18	We recommend that DFO institute an “observe, record, report” program with a communication centre that operates 24 hours per day and seven days per week. (p. 62)	<p><u>Initial Response</u></p> <p>“There is an existing “observe, record, and report” (O.R.R.) system that will be expanded to establish a <i>Crime-tips</i> hotline; this system will operate 24 hours a day.”</p> <p>“In addition, we will implement Community Policing initiatives to increase the involvement of the public in addressing enforcement concerns.”</p> <p>“We will approach the province and other agencies to develop joint programs, including improved public education, on the importance of conservation and the need to report all instances of illegal activity.”</p> <p><u>Subsequent Actions</u></p> <p>The O.R.R. Program was upgraded to operate on a 24 hour, 7 day per week basis as a result of this review. The departmental communication centre responsible for answering these calls continues to be the link for the public to DFO while reporting violations and suspicious activities.</p> <p>Subsequent to this review, DFO did engage the Province of BC in discussions to coordinate amalgamated reporting lines for the respective federal and provincial agencies.</p>
ABORIGINAL FISHERIES STRATEGY		
19	We recommend that DFO ensure that AFS agreements clearly identify the Minister’s responsibility for conservation, and that final authority to regulate and protect fish and fish habitats remains vested in DFO. (p. 66)	<p><u>Initial Response</u></p> <p>“We agree. This clause is already contained in the agreements and will be fully implemented in 1995.”</p>
20	We recommend that DFO expedite the implementation of an effective training program to develop fisheries management, enforcement and administrative capacity within First Nations communities. (p. 66)	<p><u>Initial Response</u></p> <p>“We will explore opportunities for both classroom and field training programs to be delivered by accredited police agencies and post-secondary institutions.”</p> <p>“A field pilot program has already been set up with the Skeena Fisheries Commission which will be used to guide future programs elsewhere.”</p> <p>“We will ensure that training in administration is provided to support First Nations fish</p>

	RECOMMENDATION - Hon. John Fraser, Chair, <i>Public Review Board, Fraser River Sockeye 1994, Problems and Discrepancies, 1995</i>	DFO RESPONSE
		management programs.” <u>Subsequent Actions</u> DFO continued to provide the three phase training program (which began in 1993) for Aboriginal Guardians, which included modules to develop their fisheries management, enforcement and administrative capabilities. Additional field training and the ability to conduct joint patrols with Fishery Officers have helped to build on their capacities beyond the initial classroom training program.
21	We recommend that DFO, in consultation with First Nations, separate food and commercial fish in time and space to promote more effective enforcement. (p. 66)	<u>Initial Response</u> “In key fisheries such as Johnstone Strait food and commercial fisheries will be separated in time.” <u>Subsequent Actions</u> DFO has continued to manage salmon fisheries so as to separate First Nations’ food, social and ceremonial (FSC) fishing opportunities from commercial fishing opportunities.
22	We recommend that all AFS agreements contain a dispute resolution mechanism and, when feasible, be cast within multi-year frameworks. (p. 66)	<u>Initial Response</u> “Dispute resolution mechanisms will be established within all agreements beginning in 1995 and, where appropriate, multi-year agreements will be negotiated.”
23	We recommend that the pilot sales project not be expanded at present. (p. 66)	<u>Initial Response</u> “Pilot sales will not be expanded in 1995.”
24	We recommend that, in those AFS agreements having a pilot sales component:	
	<ul style="list-style-type: none"> no sale of fish or payments to First Nations for AFS purposes be permitted until agreements are completed and signed; 	<u>Initial Response</u> “No sale of fish or payments to Fish Nations for AFS purposes will be permitted until agreements are completed and signed.”
	<ul style="list-style-type: none"> the agreement specify that DFO Fishery Officers and Aboriginal Fishery Officers be responsible to and directed by a DFO official; 	<u>Initial Response</u> “The provisions of agreements specifying that Aboriginal Fisheries Officers will work

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		<p>collaboratively with DFO and that enforcement activities will be coordinated by Fishery Officers will be enforced.”</p> <p><u>Subsequent Actions</u></p> <p>Aboriginal Guardian agreements, which set out the roles and responsibilities of Aboriginal Guardians, have existed in a variety of forms. A report was drafted by Bob Warren, a senior DFO Aboriginal Liaison Officer and titled National Aboriginal Guardian Review in 1999 which summarized the issues responsible for inconsistent results across the region. The Department has continued to work at clarifying the roles and responsibilities, including those involving Aboriginal Guardian reporting structures, for these programs at both the regional and national levels.</p>
	<ul style="list-style-type: none"> • landing sites be clearly identified; 	<p><u>Initial Response</u></p> <p>“Landing sites will be specified in the agreements and clearly identified in the field.”</p>
	<ul style="list-style-type: none"> • the agreements require that fish landings and the sale of fish be documented; and 	<p><u>Initial Response</u></p> <p>“The provisions of agreements requiring that all fish landings be documented will be enforced.”</p>
	<ul style="list-style-type: none"> • Any sale of fish other than that recorded and documented at a designated landing station be deemed to be an illegal sale. (p. 67) 	<p><u>Initial Response</u></p> <p>“Any sale of fish other than that recorded and documented at a designated landing station is deemed to be an illegal sale.”</p>
25	We recommend that, in First Nations territories where there are no AFS agreements, DFO implement plans to improve the quality of catch estimates. (p. 67)	<p><u>Initial Response</u></p> <p>“DFO will endeavour to reach agreements with bands who have not signed AFS agreements in the past.”</p> <p>“Failing that, suitable catch monitoring programs will be developed in key areas, i.e. above Sawmill Creek on the Fraser.”</p> <p><u>Subsequent Actions</u></p> <p>A thorough review of First Nation catch monitoring programs upstream of Sawmill Creek was completed in 1994/5. As a result of this review, new catch monitoring programs were implemented</p>

	RECOMMENDATION - Hon. John Fraser, Chair, <i>Public Review Board, Fraser River Sockeye 1994, Problems and Discrepancies, 1995</i>	DFO RESPONSE
		in 1995.
26	We recommend that DFO pursue a policy of purchasing licences in the commercial sector and transferring these to First Nation communities, not for traditional Aboriginal fisheries, but to increase their participation in established commercial fisheries in a manner consistent with the laws and regulations pertaining thereto. (p. 67)	<p><u>Initial Response</u></p> <p>“The policy is currently being implemented.”</p> <p><u>Subsequent Actions</u></p> <p>The “Allocation Transfer Program” (ATP) was created in 1994. In keeping with DFO’s overall objective of resource conservation, the ATP facilitates the voluntary retirement of commercial licences and the re-issuance of the equivalent commercial fishing capacity as communal commercial licences to eligible Aboriginal groups. Additional details can be located at http://www.pac.dfo-mpo.gc.ca/tapd/atp_e.htm.</p> <p>The Program has had a relatively stable operating mandate of approximately \$6 million annually in the Pacific Region.</p>
THE ENVIRONMENT		
27	We recommend that DFO urge the Greater Vancouver Regional District and the province of British Columbia to install, without further delay, at Annacis Island the secondary sewage treatment facility which has long been under consideration. (p. 70)	<p><u>Initial Response</u></p> <p>“Lulu Island is also out of compliance and needs to be upgraded.”</p> <p>“The Minister accepts the recommendation of the Review Board that the province and the GVRD complete the Annacis and Lulu Island projects in a timely fashion and he will take appropriate measures to give effect to this recommendation.”</p> <p><u>Subsequent Actions</u></p> <p>“My colleague, Deputy Prime Minister, Sheila Copps, and the Minister of the Department of the Environment, joins me in asking the Province of British Columbia and the Greater Vancouver Regional District to take immediate and decisive action in upgrading the sewage treatment at Annacis Island and Lulu Island.” (Tobin Announces Five-point Action plan for the 1995 Pacific Salmon Fishery, March 7, 1995).</p> <p>Brian Tobin, Minister of Fisheries and Oceans followed up with respect to the request to the GVRD related to Lulu and Annacis Islands treatment plants. "In making the request, the Minister was acting on a recommendation from the Fraser River Sockeye Public Review Board ... In responding to the</p>

	RECOMMENDATION - Hon. John Fraser, Chair, <i>Public Review Board, Fraser River Sockeye 1994, Problems and Discrepancies, 1995</i>	DFO RESPONSE
		<p>Fraser Board's report ... [w]e are requesting that the Greater Vancouver Regional District support this resolve by fulfilling its obligation to ensure effective sewage treatment. The federal government has committed \$225 million under the Infrastructure Program in BC. Of this, \$69 million has been allocated to the GVRD for upgrade of its sewage treatment facility at Annacis Island ... Under the Fraser River Action Plan the federal government dedicated \$88 million dollars to the conservation of the Fraser River by cleaning up its water quality, restoring its habitat productivity and improving fisheries management." (Tobin Calls for B.C. Sewage Treatment Commitment, May 1, 1995).</p> <p>In the mid-1990s the \$470M secondary treatment facility was completed, with effluent treatment operations fully functioning by 1997.</p>
28	We recommend that DFO develop a predictive water temperature model, supported by adequate observation systems, for the Fraser River and its major sockeye tributaries. Information on water temperature should be used for in-season risk aversion management. (p. 70)	<p><u>Initial Response</u></p> <p>“The model under development will be completed in 95/96.”</p> <p>“Temperature probes are in place throughout the Fraser River Basin and will provide data in real-time.”</p> <p>“Criteria will be developed to adjust in-season fishing plans during periods of severe environmental conditions.”</p>
29	We recommend that federal, provincial and local governments join forces to develop effective policies and plans in the Fraser River basin designed to:	<p><u>Initial Response</u></p> <p>“The Fraser Basin Management Board (FBMB) already brings federal, provincial, aboriginal and local governments together and will be encouraged, hopefully with the support of the BC Minister, to focus on this recommendation.”</p> <p><u>Subsequent Actions</u></p> <p>Since the 199, 5 DFO has worked together with federal departments, provincial and municipal governments to develop policies and support initiatives to address the concerns identified in the report.</p> <p>Some of these efforts are continuing from earlier programs such as the Fraser River Estuary Program (FREMP) and the Burrard Inlet Environment Action Plan (BIEAP). As well, the Fraser River Action Plan (FRAP) operated from 1991-1997 under Canada's Green Plan with a focus on improving the environmental conditions of the Fraser River. Contributions were provided by both Environment Canada and Fisheries and Oceans. All of these programs (FRAP, FREMP, BIEAP)</p>

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		<p>worked collaboratively and developed partnerships. (Green Plan to Restore Fish Habitat in Fraser Estuary, August 3, 1993)</p> <p>In 1997, the Fraser Basin Council (FBC) was established, replacing the FBMP which had been established through the FRAP initiative. The FBC's mandate is to ensure that the decisions made about activities in the Fraser will protect its long term sustainability. The FBC is funded by contributions from the federal, provincial and local governments as well as private sector companies. DFO has provided funding for the FBC since its inception. For more information regarding the FBC please refer to http://www.fraserbasin.bc.ca</p>
	<ul style="list-style-type: none"> Better treat and control the discharge of effluent into the Fraser River watershed 	<p><u>Subsequent Actions</u></p> <p>Under the 1985 DFO-EC MOU, Environment Canada is responsible for administering section 36 of the <i>Fisheries Act</i> (prohibition against the deposit of deleterious substances). The 1987 Regional Working Agreement (RWA) describes in detail the roles and responsibilities of each agency. In regard to effluent discharge – Fisheries and Oceans Canada provides support to Environment Canada who has lead responsibility for the management and abatement of wastes discharged into aquatic environments.</p> <p>]See response to Recommendation 27.</p>
	<ul style="list-style-type: none"> See to the implementation of responsible forestry practices in line with the new provincial Forest Practices Code; 	<p><u>Subsequent Actions</u></p> <p>In 1995, the Forest Practices Code established objectives for sustainable forestry management. Fisheries and Oceans Canada has worked closely with the British Columbia Ministry of Forests and Range to implement the provisions of the Forest Practices Code. Specifically, the Department has worked to develop guidelines and industry best management practices to provide for effective conservation and protection of fish habitat in British Columbia, in particular the Fish Stream Identification and Fish Stream Crossing guidebooks. Additionally the Department has participated on several federal/provincial committees to ensure that attention is afforded to the protection of fish and fish habitat resources during forest management and harvesting activities.</p>
	<ul style="list-style-type: none"> Continue to remove in-river obstacles which impede the migration and spawning of anadromous species; and 	<p><u>Subsequent Actions</u></p> <p>Fisheries and Oceans Canada has led the implementation of several projects to remove or reduce in-river obstacles to migrating salmon in the Fraser River watershed. In particular, projects such as the</p>

	RECOMMENDATION - Hon. John Fraser, Chair, <i>Public Review Board, Fraser River Sockeye 1994, Problems and Discrepancies, 1995</i>	DFO RESPONSE
		improvement to the fish passage system at Hell's Gate Canyon for sockeye salmon as well as remedial works undertaken by the Department to remove obstructions due to large rock slides on the Nahatlatch River have been implemented to ensure that areas that were historically accessible to salmon for spawning purposes are maintained.
	<ul style="list-style-type: none"> Regulate urban development in the Fraser River watershed so as to be compatible with environmental priorities. (pp. 70-71) 	<p><u>Subsequent Actions</u></p> <p>Although Fisheries and Oceans Canada does not have jurisdiction or a mandate to directly manage or regulate urban development, the Department has participated in the development and implementation of a number of important provincial and municipal policies and initiatives pertaining to the conservation of fish habitat in urban areas. Notably, Fisheries and Oceans Canada, the BC Ministry of Environment and the Union of British Columbia Municipalities have signed a cooperative agreement to support the implementation of the <i>Riparian Areas Regulation</i> (pursuant to section 12 of the <i>Fish Protection Act</i> http://www.env.gov.bc.ca/habitat/fish_protection_act/act/documents/act-theact.html). The intent of the <i>Riparian Areas Regulation</i> is to protect the features, functions and conditions that are vital to the maintenance of stream health and productivity and applies approximately to the lower half of the Fraser River watershed where the intensity of urban development is at its highest.</p> <p>See also response to Recommendation 29.</p>
30	We recommend that DFO conduct further research on:	
	<ul style="list-style-type: none"> The effects of logging on the water temperature and flow regime in the Fraser River; 	<p><u>Initial Response</u></p> <p>“Research is currently underway on:</p> <ul style="list-style-type: none"> effect of logging on water temperature; and effects of multiple sub-lethal stresses on migrating salmon.” <p><u>Subsequent Actions</u></p> <p>DFO had been conducting research since 1990 to determine the effects of logging on water temperature, hydrology and other ecological characteristics of salmon spawning and rearing habitats of the Early Stuart sockeye salmon in the upper Fraser River basin. This research was a component of the Stuart-Takla Fish-Forestry Interaction Study, a multi-partnered long-term research project</p>

	RECOMMENDATION - Hon. John Fraser, Chair, <i>Public Review Board, Fraser River Sockeye 1994, Problems and Discrepancies, 1995</i>	DFO RESPONSE
		<p>that continued into 2003. The research was led by DFO and conducted by multidisciplinary teams of federal, provincial, university researchers.</p> <p>DFO provides an overview and compendium of papers (http://www.dfo-mpo.gc.ca/Library/329257.pdf) and a web based description of the project with a bibliography of publications is available at the Fish-Forestry Interaction website maintained by the province (http://www.for.gov.bc.ca/hre/ffip/Stuart_Takla.htm).</p>
	<ul style="list-style-type: none"> Means by which to mitigate adverse water temperature and flow fluctuations; 	<p><u>Initial Response</u></p> <p>“Research will be undertaken on means by which to mitigate adverse water temperatures, and we will direct the Fraser River Action Plan (FRAP) to examine the feasibility of mitigating adverse water temperature and flow fluctuations.”</p> <p><u>Subsequent Actions</u></p> <p>The Management Adjustment was first used in 1995 for Early Stuart and Early Summery runs using a relationship between counts on the spawning ground and counts at Mission. This evolved into a more sophisticated analysis that related river temperatures, water flows and migration timing. This model allowed for improving the ability to achieve spawning ground targets.</p>
	<ul style="list-style-type: none"> The effect of multiple, sublethal stresses on migrating salmon; 	<p><u>Initial Response</u></p> <p>“Research is currently underway on multiple, sublethal stresses on migrating salmon.”</p> <p><u>Subsequent Actions</u></p> <p>Sublethal stress impacts is difficult and we have no reliable estimates to date. Radio-tagging studies in the mid-2000s were designed to assess impacts of high in-river temperatures and potential fisheries impacts on mortality but could not be used to estimate sublethal effects. The Environmental Management Adjustment (EMA) model, used to account for adverse in-river environmental conditions, is based on annual differences between lower river “gross” escapement estimates and spawning escapement estimates in the watershed. It is not useful for estimating sublethal effects. The pilot drift-net studies conducted in 2005 and in 2006 assessed the potential for DIDSON hydro-acoustic technology to measure sublethal stress based on net drop-out rates. All these studies are described in more detail in Subsequent Actions to Recommendations 8, 12 and 23: The 2004 Southern Salmon Fishery Post Season Review – Part 1: Fraser River Sockeye Report.</p>

	RECOMMENDATION - Hon. John Fraser, Chair, <i>Public Review Board, Fraser River Sockeye 1994, Problems and Discrepancies, 1995</i>	DFO RESPONSE
	<ul style="list-style-type: none"> Means by which to improve anadromous species survival at all stages of the life cycle in the face of natural fluctuations and predation; 	<p><u>Initial Response</u></p> <p>“Research will be undertaken on: means to improve survival at all life history stages.”</p> <p><u>Subsequent Actions</u></p> <p>Lake enrichment studies in the Pacific Region are designed to increase nutrients in lake environments to improve sockeye survival. Multi-year nutrient fertilization studies on Fraser sockeye were specifically conducted in Chilko Lake in the 1980s and 1990s (Bradford et al 2000). Artificial spawning channels in some Fraser spawning areas (Nadina River, Gates Creek, Weaver Creek) and elsewhere in BC (Babine Lake) were also designed to increase survival and therefore production of sockeye. See a review of lake enrichment studies by (Hyatt et al. 2004).</p>
	<ul style="list-style-type: none"> Environmental effects on the Johnstone Strait diversion rate; and 	<p><u>Initial Response</u></p> <p>“Research will be undertaken on: additional work on the on Johnstone Strait diversion rate (improve pre-season forecasting; effects on fish migratory patterns.”</p> <p><u>Subsequent Actions</u></p> <p>Pre-season forecasts of Fraser sockeye that divert through Johnstone Strait are provided to the PSC Fraser Panel in May-June each year. The diversion forecast is based on a relationship between sea-surface-temperate measured at the Quatsino (Kains Island) lighthouse and the total annual diversion (all stocks combined) estimated by PSC staff. High temperature years are associated with high diversions through Johnstone Strait. This relationship has been used as the predictor of diversion for in-season planning. (McKinnell et al. 1999) document an additional analysis of temperature on migration diversion. No other research has been undertaken to date.</p> <p>In July of 1998, DFO published information about the Fraser Sockeye diversion. See Fraser Sockeye Diversion via Johnstone Strait, July 1998.</p>
	<ul style="list-style-type: none"> Such matters as the potential of gene banking and altered fishing techniques as means by which to promote the enhancement of anadromous species’ genetic diversity. (p. 71) 	<p><u>Initial Response</u></p> <p>“Research will be undertaken on: gene banking and alternative fishing technologies.” (p.23)</p> <p><u>Subsequent Actions</u></p> <p>Gene banking is potentially useful for populations near extirpation and therefore not particularly</p>

	RECOMMENDATION - Hon. John Fraser, Chair, <i>Public Review Board, Fraser River Sockeye 1994, Problems and Discrepancies, 1995</i>	DFO RESPONSE
		<p>useful for Fraser sockeye. Research funding specifically directed at Fraser sockeye gene banking has not been undertaken.</p> <p>Captive breeding programs have been undertaken for some select stocks, which have been near extirpation in recent years. While not specifically directed at Fraser River sockeye this work has been carried out under scientific protocols intended to maintain genetic diversity of the stock.</p> <p>(Evaluation of Captive Breeding Facilities in the Context of their contribution to Conservation of Biodiversity, 2008)</p>
USER GROUP VIEWS AND RESPONSIBILITIES		
31	We recommend that industry participants in the salmon fishery develop and implement in conjunction with DFO a self-sustaining, user-pay, landing verification system, as already exists in other West Coast fisheries (for example, halibut, sablefish and groundfish). (p. 75)	<p><u>Initial Response</u></p> <p>“This issue will be considered by the Pacific Round table and a decision will be made in 1996.”</p> <p><u>Subsequent Actions</u></p> <p>The Pacific Roundtable did not address this Recommendation.</p>
32	We recommend that industry participants in the salmon fishery develop and implement, in conjunction with DFO, a peer group system for reporting to DFO, the illegal catch, sale and transportation of fish. (p. 75)	<p><u>Initial Response</u></p> <p>“We will develop a Coast-watch program and train selected fishers to provide effective in-season O.R.R. information to complement the <i>Crime-tips</i> initiative.”</p> <p>“We will implement a reward program for individuals who report illegal activities which result in successful prosecutions.”</p>
33	We recommend that industry participants in the salmon fishery and DFO work together to investigate means of dealing with excessive fishing capacity. (p. 75)	<p><u>Initial Response</u></p> <p>“The Pacific Roundtable process calls for industry recommendations by November 1995, for implementation in 1996.”</p> <p><u>Subsequent Actions</u></p> <p>See Subsequent Actions to Recommendation 2.</p>
34	We recommend that a user fee be assessed on fishers and processors to increase funding available to	<u>Initial Response</u>

	RECOMMENDATION - Hon. John Fraser, Chair, <i>Public Review Board, Fraser River Sockeye 1994, Problems and Discrepancies, 1995</i>	DFO RESPONSE
	DFO, if it can be assured that all monies collected will be used only for local fisheries management. (p. 75)	“DFO spends more than \$150 million in the Pacific and about half of the \$13.1 million now generated under cost-recovery measures is accounted for by the region. The recently announced access fee strategy provides for fees collected to be returned to the Consolidated Revenue Fund (CRF), but failure to meet cost-recovery targets will result in reductions in DFO budgets and essential programs.”
35	We recommend that, in the interest of conservation, DFO ban monofilament nets, gaffing and other fishing gear which may be wasteful of the resource harvested. (p. 75)	<u>Initial Response</u> “Monofilament nets are currently banned in commercial fisheries. “ “Review of existing gear regulations will be carried out to minimize the incidence of wasteful harvesting techniques.”

6) *Pacific Policy Roundtable: Report to the Minister of Fisheries and Oceans on the Renewal of the Commercial Pacific Salmon Fishery, December 1995*

RECOMMENDATION – <i>Pacific Policy Roundtable: Report to the Minister of Fisheries and Oceans on the Renewal o f the Commercial Pacific Salmon Fishery, December 1995</i>		DFO RESPONSE
INTERSECTORAL ALLOCATIONS		
1.	“The Minister appoints an independent advisor to provide him with recommendations on the very complex and difficult issue of intersectoral allocations. The independent advisor should be asked to review, consult, evaluate and recommend a policy framework for establishing initial shares and a process based on clear, understandable and transparent rules by which shares might change over time. The advisor should start work and report as soon as possible.” (p. 26)	<p><u>Initial Response</u></p> <p>“Dr. Art May has been appointed to sereve as an independent advisor to review long-term fisheries allocations on the West Coast.”</p> <p>“The appointment is one of 27 recommendations contained in the report on the renewal of the commercial Pacific salmon fishery, which was delivered to the Minister in December 1995 by the Pacific Policy Roundtable.”</p> <p>(News Release – Fisheries Allocation Advisor Appointed, January 23, 1996).</p> <p><u>Subsequent Actions</u></p> <p>During the period 1996 to 1998, the Minister of Fisheries and Oceans sought input on Pacific salmon allocation from several independent advisors, including Dr. May. This advice contributed to the development of An Allocation Policy for Pacific Salmon, October 1999.</p>
MANAGEMENT OPTIONS		

	RECOMMENDATION – <i>Pacific Policy Roundtable: Report to the Minister of Fisheries and Oceans on the Renewal of the Commercial Pacific Salmon Fishery, December 1995</i>	DFO RESPONSE
2.	<p>“The renewal of the Pacific salmon commercial fishery should be based on common elements from the three gear panel reports:</p> <ul style="list-style-type: none"> • an endorsement of the principles of conservation, viability and partnerships; • stability and security access; • only one commercial fishery and one manager (DFO); • the need for significant fleet reduction and a belief that action is required before the 1996 season; • an industry run licence retirement program, with governments providing financial contributions, to be part of the fleet reduction plan; • tax incentives to facilitate fleet reduction; • the need to work on a partnership agreement with DFO; • industry participation in the implementation of the Minister’s renewal plans; and • a strong commitment to habitat protection and salmon enhancement.” (p. 26) 	<p><u>Initial Response</u></p> <p>“A comprehensive plan to revitalize the West Coast commercial salmon fishery and enhance conservation and sustainable use of the resource was announced by Fisheries and Oceans Minister Fred Mifflin.”</p> <p>“With conservation as its top priority, the Department of Fisheries and Oceans will continue to pursue a risk-averse management program. This will involve a cautious approach to setting salmon harvest levels in general, as well as harvest rate reductions on selected species and the adoption of more stock-selective fishing practices.”</p> <p>“The revitalization plan will lay the basis for a viable and competitive salmon fishery that offers better economic potential for its participants, Mr. Mifflin said.”</p> <p>“The Minister said a reduction of 50 percent in the capacity of the commercial salmon fleet is necessary over the long term to promote conservation of the resource and revitalization of the fishery. Voluntary licence retirement is designed to take an equitable and immediate step in this direction by reducing the number of licences in the salmon fleet, while minimizing the impact on licence values.”</p> <p>“To kick-start a process of capacity reduction in the commercial fishing fleet, and \$80 million voluntary licence retirement program will be carried out this spring and a new commercial licensing system will be introduced.”</p> <p>“The concept of an industry board to assume responsibility for ongoing fleet rationalization and to provide strategic direction on changes to the salmon fishery, as recommended by the Pacific Policy Roundtable, will be discussed with industry leaders.”</p> <p>“The changes draw from the recommendations of the Pacific Policy Roundtable, composed of representatives from the commercial, recreational and Aboriginal fishing sectors, the Province of BC. and the Department of Fisheries and Oceans. The Roundtable was established to address conservation concerns for Pacific salmon, including issues such as excess harvesting capacity and plans for the future salmon fishery.”</p> <p>“The licence retirement program will be conducted before the 1996 salmon fishing</p>

	RECOMMENDATION – <i>Pacific Policy Roundtable: Report to the Minister of Fisheries and Oceans on the Renewal of the Commercial Pacific Salmon Fishery, December 1995</i>	DFO RESPONSE
		<p>season and expire at the end of June. All eligible salmon licence holders will soon be sent applications inviting them to submit retirement proposals for review by an independent Fleet Reduction Committee. The committee will review all valid offers and provide advice to the Department of Fisheries and Oceans on which licences should be retired. The government will accept all reasonable bids up to \$80 million.”</p> <p>(News Release – Minister Announces Plan to Revitalize Salmon Fishery, March 29, 1996).</p> <p><u>Subsequent Actions</u></p> <p>The Pacific Salmon Revitalization Strategy (Mifflin Plan), announced on March 29, 1996, was implemented prior to the 1996 fishing season.</p>
3.	“The recommendations contained in the three gear panel reports should be accepted as the basis for a renewal program.” (p. 26)	<p><u>Initial Response</u></p> <p>“The changes draw from the recommendations of the Pacific Policy Roundtable, composed of representatives from the commercial, recreational and Aboriginal fishing sectors, the Province of BC and the Department of Fisheries and Oceans. The Roundtable was established to address conservation concerns for Pacific salmon, including issues such as excess harvesting capacity and plans for the future salmon fishery.”</p> <p>(News Release – Minister Announces Plan to Revitalize Salmon Fishery, March 29, 1996).</p> <p><u>Subsequent Actions</u></p> <p>See response to Recommendation 2.</p>
4.	“The details of implementation of single gear licensing and disposal of unlicensed vessels should be priority issues for resolution when the renewal program is initiated.” (p. 26)	<p><u>Initial Response</u></p> <p>“A new approach to licensing will divide the coast into two areas for seiners and three for gillnetters and trollers. Licence holders will be given the choice to fish one of these areas, with one type of gear. If the licence holder wishes to fish in another area or with different gear, the licence to do so will have to be acquired from another licence holder. These measures will introduce a market mechanism -- licence stacking -- that will promote fleet rationalization. In the north, single gear licensing will</p>

	RECOMMENDATION – <i>Pacific Policy Roundtable: Report to the Minister of Fisheries and Oceans on the Renewal of the Commercial Pacific Salmon Fishery, December 1995</i>	DFO RESPONSE
		<p>become effective in 1997.”</p> <p>(News Release – Minister Announces Plan to Revitalize Salmon Fishery, March 29, 1996).</p> <p><u>Subsequent Actions</u></p> <p>Single gear licensing was introduced. The disposal of unlicensed vessels was the responsibility of the vessel owner.</p>
FINANCIAL SUPPORT AND TRANSITION ASSISTANCE		
5.	“A cost shared licence retirement program involving Governments and industry be established as part of the overall restructuring of the Pacific salmon fishery.” (p. 26)	<p><u>Initial Response</u></p> <p>“To kick-start a process of capacity reduction in the commercial fishing fleet, an \$80 million voluntary licence retirement program will be carried out this spring and a new commercial licensing system will be introduced.”</p> <p>(News Release – Minister Announces Plan to Revitalize Salmon Fishery, March 29, 1996).</p> <p><u>Subsequent Actions</u></p> <p>The \$80M licence retirement program, implemented in 1996, was federally-funded.</p>
6.	“Before making any decisions, the Minister of Fisheries and Oceans, approach his provincial colleagues in BC to secure one third funding of the overall renewal plan from the Provincial Government.” (p. 26)	<p><u>Initial Response</u></p> <p>The Pacific Salmon Revitalization Strategy was developed in response to the Pacific Policy Roundtable as a federally-funded initiative.</p>
7.	“Government should assume a facilitation role in providing direct loans' or loan guarantees, in addition to some direct assistance, to assist those who wish to remain in the industry.” (p. 27)	<p><u>Initial Response</u></p> <p>The Pacific Salmon Revitalization Strategy did not include a government facilitation role in providing direct loans or loan guarantees.</p> <p><u>Subsequent Actions</u></p> <p>In 1997, the government’s response to the report <i>Tangled Lines</i> did include funding to</p>

	RECOMMENDATION – <i>Pacific Policy Roundtable: Report to the Minister of Fisheries and Oceans on the Renewal of the Commercial Pacific Salmon Fishery, December 1995</i>	DFO RESPONSE
		<p>facilitate access to credit for those who remained in the fishery.</p> <p>“The government of Canada will initiate immediate discussions with financial institutions to facilitate access to credit for licence holders in need of financing for the purpose of stacking licences. Federal commitment would be capped at \$5 million. Terms and conditions will be announced after a partnering financial institution has been confirmed and program parameters have been finalized.”</p> <p>(Backgrounder - Federal - Response To Panel’s Recommendations, January 1997).</p> <p>This \$5M initiative was delivered by a network of Community Futures offices in BC.</p>
8.	“In any fleet renewal program, the government should establish appropriate tax incentives for industry participants.” (p. 27)	<p><u>Initial Response</u></p> <p>Tax incentives were not included in the fleet renewal program.</p>
9.	“To facilitate an orderly transition, industry participants should be given first priority in taking part in activities related to industry renewal, such as habitat restoration, community development projects and production opportunities. These alternatives should form an integral part of the responses to industry restructuring and should be pursued with HRDC, and other appropriate government agencies. Alternatives for fishing industry participants who wish to exit the fishery, but remain in the labour force should be explored with Human Resource Development Canada (HRDC) and other federal and provincial agencies. Some individuals displaced by industry restructuring will likely retire, but others, in particular crew members, will require adjustment assistance in the form of re-training options, mobility assistance, and employment assistance: and portable wage subsidies. Industry participants that stay should be afforded professionalization programs to allow skills upgrading that may ensure job security.” (p. 27)	<p><u>Initial Response</u></p> <p>When the Pacific Salmon Revitalization Strategy was announced, reference was made to ongoing federal assistance programs that would be available to displaced fishery workers.</p> <p><u>Subsequent Actions</u></p> <p>In the fall of 1996, the Minister of Fisheries and Oceans issued a news release highlighting efforts to assist displaced fishery workers.</p> <p>"Earlier this month I said that the federal government was prepared to spend \$30 million or 'whatever it takes' to give immediate short-term help to fishery workers," Mr. Mifflin said. "I meant it then and I mean it now. We are prepared to do whatever is necessary."</p> <p>"We are working with the union, aboriginal groups and coastal communities to support efforts to get people back to work," Mr. Mifflin said.</p> <p>"My staff was working in Vancouver last week with the stakeholders, who were already at the table with Human Resources Development, to discuss this initiative. Since then, the union and other groups have been meeting with the regional office of</p>

	RECOMMENDATION – <i>Pacific Policy Roundtable: Report to the Minister of Fisheries and Oceans on the Renewal of the Commercial Pacific Salmon Fishery, December 1995</i>	DFO RESPONSE
		<p>HRDC designing projects that could be administered through the union to those most in need of help. The local offices of HRDC are also working on the ground one on one with workers."</p> <p>(News Release – Program for Displaced BC Fishery Workers Already Underway, November 27, 1996).</p> <p>In June 1998, the Pacific Fishery Adjustment and Restructuring Program (PFAR) was announced. PFAR included funding for additional restructuring of the fishery and addressed many of the individual and community adjustment needs identified in the Pacific Policy Roundtable report.</p> <p>In June of 1998, Minister Pettigrew issued the following news release. Mr. Pettigrew said, "I am very aware of the impact today's announcement has on the lives of many people. The adjustment and economic development programming measures are focused on providing the best possible assistance available, primarily to help individuals with the difficult process of moving out of the fishery and help communities diversify their economic base."</p> <p>"Mr. Pettigrew also noted that Human Resources Development Canada, Western Economic Diversification and Indian Affairs and Northern Development Canada are working together to help communities and individuals adjust to the new fishery. Mr. Pettigrew announced that funding includes \$100 million, which will be made available for early retirement, adjustment programs for displaced fishery workers, and community economic development. The funding will also support marketing efforts for conservation-based recreational fishing in British Columbia."</p> <p>(News Release - Ministers Announce Canada's Coho Recovery Plan and \$400 Million For Pacific Salmon Fishery , June 19, 1998).</p>
LICENCE FEES		
10.	"There be no increase in commercial salmon licence fees in 1996." (p. 27)	<p><u>Initial Response</u></p> <p>"In view of the poor outlook for the Pacific commercial salmon fishery in 1996, licence fee increases scheduled to come into effect this year will be phased in over</p>

	RECOMMENDATION – <i>Pacific Policy Roundtable: Report to the Minister of Fisheries and Oceans on the Renewal of the Commercial Pacific Salmon Fishery, December 1995</i>	DFO RESPONSE
		<p>1996 and 1997.”</p> <p>(News Release – Minister Announces Plan to Revitalize Salmon Fishery, March 29, 1996).</p> <p><u>Subsequent Actions</u></p> <p>“For this year only, commercial salmon licence fees will be suspended and payments will be made to vessel owners who choose not to fish this year but may have incurred pre-season costs preparing for the 1998 fishery”.</p> <p>(News Release - Ministers Announce Canada’s Coho Recovery Plan and \$400 Million For Pacific Salmon Fishery, June 19, 1998).</p>
11.	“With respect to the mechanism used to collect revenue from the commercial salmon fishery, that the federal and provincial governments cooperate to establish the appropriate mechanism required to introduce a landings charge - rather than licence fee increases - as soon as possible.” (p. 27)	<p><u>Initial Response</u></p> <p>Landings charges have not been implemented.</p>
PARTNERSHIPS		
12.	“The Roundtable Steering Committee play a key role in the implementation of the program announced by the Minister, early in the new year, to ensure continuity in the renewal process.” (p. 27)	<p><u>Initial Response</u></p> <p>“Fred Mifflin, Minister of Fisheries and Oceans, today announced several improvements to the plan to revitalize the commercial Pacific salmon fishery. The changes include clarification on allocation issues and modifications to area licensing.”</p> <p>“Mr. Mifflin's announcement follows a series of meetings with fishing industry participants, Native leaders, environmental groups and community representatives in Vancouver and Ottawa.”</p> <p>“I listened to these individuals who have strong views about the revitalization plan and I have been able to incorporate many of the points they hold in common to adjust and improve the plan, said Mr. Mifflin.”</p> <p>“The priority for conservation and the need for structural change in the salmon fishery have not been disputed. However, quite understandably, there is no consensus on how to effect the necessary changes.”</p>

	RECOMMENDATION – <i>Pacific Policy Roundtable: Report to the Minister of Fisheries and Oceans on the Renewal of the Commercial Pacific Salmon Fishery, December 1995</i>	DFO RESPONSE
		<p>“Modifications to the plan announced today include:</p> <ul style="list-style-type: none"> • For the 1996 fishing season, the Department of Fisheries and Oceans (DFO) will work with the Commercial Fishing Industry Council (CFIC) to set commercial allocations by gear type. • The 1996 allocation framework will be guided by recent historical catch shares. Longer term allocations within the commercial sector will be set following mediation by Stephen Kelleher on behalf of DFO and CFIC. • Licence holders' area selections will apply for four years only. Long-term area selections will be made after four years. • Individuals who commit not to fish during the 1996 season will not be charged a licence fee, and those licence holders can wait until the 1997 season to select a licence area for the following three years. However, all licence holders are required to make gear selections by May 24. • Stacking of salmon licences will not be permitted from June 30 to November 30, 1996. In 1997 and beyond, stacking of salmon licences will not be permitted during the salmon season.” <p>“He also announced that the Steering Committee of the Pacific Roundtable will be maintained as the primary forum to oversee implementation of the revitalization plan and members from the Coastal Community Network will be invited to join the Committee.”</p> <p>(News Release - Minister Announces Modifications To Pacific Salmon Revitalization Plan, May 9, 1996).</p> <p><u>Subsequent Actions</u></p> <p>The modifications described above were implemented.</p>
13.	“In this context, discussions leading to a partnership agreement between the industry and DFO include consideration of the following:	<p><u>Initial Response</u></p> <p>“The concept of an industry board to assume responsibility for ongoing fleet rationalization and to provide strategic direction on changes to the salmon fishery, as</p>

	RECOMMENDATION – <i>Pacific Policy Roundtable: Report to the Minister of Fisheries and Oceans on the Renewal of the Commercial Pacific Salmon Fishery, December 1995</i>	DFO RESPONSE
	<ul style="list-style-type: none"> the role, responsibilities and composition of an Industry Board as part of exploring the contractual arrangements between the Department and industry; and the extent of devolution of responsibilities.” (p. 27) 	<p>recommended by the Pacific Policy Roundtable, will be discussed with industry leaders.”</p> <p>(News Release – Minister Announces Plan to Revitalize Salmon Fishery, March 29, 1996).</p> <p><u>Subsequent Actions</u></p> <p>A partnership agreement between the industry and DFO was not established.</p>
HABITAT MANAGEMENT		
14.	“DFO must revitalize and strengthen its habitat enforcement activities through full use of its powers under the existing Fisheries Act.” (p. 28)	<p><u>Initial Response</u></p> <p>The Pacific Salmon Revitalization Strategy focused on commercial salmon fleet changes (i.e. area licensing, single gear licensing, licence stacking, and licence retirement). Habitat enforcement activities were not highlighted.</p> <p><u>Subsequent Actions</u></p> <p>In 1997, the government’s response to the report <i>Tangled Lines</i> included funding for fisheries habitat activities.</p> <p>“The Government of Canada will provide \$15 million over three years to fund a habitat improvement and salmon enhancement pilot program. The federal government will call on the province of BC to participate and match the federal contribution.”</p> <p>(Backgrounder - Federal - Response To Panel’s Recommendations, January 1997).</p> <p>In June 1998, the Pacific Fishery Adjustment and Restructuring Program (PFAR), was announced. PFAR included funding for fish habitat activities.</p> <p>“Mr. Anderson announced that the total funding includes \$100 million for measures to protect and rebuild habitat. “The future of coho salmon -- indeed the future of all salmon -- depends on their habitat. I am pleased to report that DFO’s Coho Response Team heard a unanimous call from British Columbians for habitat protection, restoration and enhancement,” Mr. Anderson said.</p> <p>This new investment in salmon habitat will: i) establish a permanent fund to provide</p>

	RECOMMENDATION – <i>Pacific Policy Roundtable: Report to the Minister of Fisheries and Oceans on the Renewal of the Commercial Pacific Salmon Fishery, December 1995</i>	DFO RESPONSE
		<p>funding for habitat initiatives, ii) foster community-based stewardship programs aimed at protecting habitat from further damage, iii) extend community restoration and enhancement partnership programs and iv) increase public awareness of factors affecting salmon stocks.”</p> <p>(News Release - Ministers Announce Canada’s Coho Recovery Plan and \$400 Million For Pacific Salmon Fishery, June 19, 1998, and Backgrounder - The Pacific Salmon Fishery A 15 year Perspective, June 19,1998)</p>
15.	<p>“There must be much better co-ordination and integration of the requirements of the Fisheries Act, the Canadian Environmental Assessment Act and closely related provincial legislation. Canada and BC must agree that the requirements of the federal and provincial legislation covering fisheries, forestry, water, waste disposal, mining, agriculture and the operations of municipalities have common purposes which must be reflected in the approvals and permits issued by the various levels of government, and in project assessments and reviews. Governments should aim at providing "one-stop shopping" for habitat approvals.” (p. 28)</p>	<p><u>Initial Response</u></p> <p>See response to Recommendation 14</p> <p><u>Subsequent Actions</u></p> <p>In 1997, implementation of the Canada and British Columbia sign Operation Agreement on Environmental Assessment, April 21, 1997 began. Under this bilateral agreement, development projects that require a review under both federal and provincial environmental assessment legislation undergo a single, cooperative assessment, meeting the legal requirements of both governments while maintaining their respective existing roles and responsibilities. The agreement was revised and extended in 2004, specifically incorporating principles from the 1998 Canada-Wide Accord on Environmental Harmonization and the Sub-Agreement on Environmental Assessment.</p> <p>See http://www.acee-ceaa.gc.ca/default.asp?lang=En&n=3E426670-1.</p>
16.	<p>“DFO should make more use of joint planning processes and published guidelines for habitat protection. It is much better to prevent habitat damage than to seek to correct it after it has occurred.” (p. 28)</p>	<p><u>Initial Response</u></p> <p>See response to Recommendation 14</p> <p><u>Subsequent Actions</u></p> <p>Further progress on joint planning processes and guidelines for habitat protection was made and became formalized in DFO’s 2004 Environmental Process Modernization Plan (EPMP) and the 2005 Canada’s Policy for the Conservation of Wild Pacific Salmon.</p>

	RECOMMENDATION – <i>Pacific Policy Roundtable: Report to the Minister of Fisheries and Oceans on the Renewal of the Commercial Pacific Salmon Fishery, December 1995</i>	DFO RESPONSE
17.	“Habitat management and fish production must be planned and carried out on a watershed basis. These plans must also take into account wider implications, as necessary, such as Canada/U.S. Treaty requirements. Greater efforts must be made to obtain agency and private-sector buy-in to watershed planning in order to ensure the sustainability of the fisheries resource.” (p.28)	<p><u>Initial Response</u></p> <p>See response to Recommendation 14.</p> <p><u>Subsequent Actions</u></p> <p>Further progress on habitat management and fish production planning on a watershed basis was made and became formalized in the 2005 <i>Canada’s Policy for the Conservation of Wild Pacific Salmon</i>.</p>
18.	“The Province of BC should enhance its contribution to fish habitat and production by broadening the scope of projects eligible under the Forest Renewal program. Access to work opportunities under this program should be expanded to include out-of-work fisheries workers whose livelihood has been adversely affected by poor forestry practices.” (p. 28)	<p><u>Initial Response</u></p> <p>This recommendation is directed to the Province of BC.</p>
19.	“DFO programs and related Provincial program to facilitate stream stewardship and community involvement in habitat management and salmon enhancement be broadened and strengthened.” (p. 28)	<p><u>Initial Response</u></p> <p>See response to Recommendation 14.</p> <p><u>Subsequent Actions</u></p> <p>Since 1995, the Department has reevaluated and revised a number of habitat management initiatives focusing on stewardship and community involvement with the objective of broadening stakeholder involvement in the stewardship of fish habitat in British Columbia.</p> <p>In 1997, DFO implemented a five year “Habitat Restoration and Salmon Enhancement Program (HRSEP)” to deliver habitat restoration and enhancement projects focused on improving salmon habitat in BC and Yukon. Ultimately, this program provided employment opportunities for members of many communities (including many fishery workers).</p>
SALMON PRODUCTION		

	RECOMMENDATION – <i>Pacific Policy Roundtable: Report to the Minister of Fisheries and Oceans on the Renewal of the Commercial Pacific Salmon Fishery, December 1995</i>	DFO RESPONSE
20.	“DFO should organize a focused public debate on salmon enhancement priorities, especially the trade-off between production for harvest and stock rebuilding.” (p. 28)	<p><u>Initial Response</u></p> <p>The Pacific Salmon Revitalization Strategy focused on commercial salmon fleet changes (i.e. area licensing, single gear licensing, licence stacking, and licence retirement). Salmon enhancement activities were not highlighted.</p> <p><u>Subsequent Actions</u></p> <p>The Salmon Enhancement Advisory Board (SEHAB) was established shortly after the inception of the Salmonid Enhancement Program (SEP) and has been an important venue for public consultation to assist DFO in the development of policy related to salmon enhancement. SEHAB members represent all geographical areas of the Province involved in salmon production. Its role is to provide advice to the federal and provincial governments from the perspective of the community and in particular, the volunteer sector.</p> <p>Focused consultations on the SEP were undertaken in 1999/2000 which included discussions of priorities across the program, as well as the relative priority of specific production objectives, such as harvest and stock rebuilding.</p> <p>http://www.sehab.org/who-we-are/34-sehab/62-history-of-sehab</p>
21.	“DFO should prepare an assessment of the benefits and costs of salmon enhancement. The costs should be apportioned equitably between the federal government, the Province of BC and other stakeholders. There could be fishing industry support for an ambitious new program to restore watersheds and increase salmon production, based on a royalty scheme or a trade-off against federal U.I. expenditures in the fishery.” (pp. 28-29)	<p><u>Initial Response</u></p> <p>See response to Recommendation 20.</p> <p><u>Subsequent Actions</u></p> <p>DFO annually analyzed cost and benefits for enhancement facilities but there were no mechanisms for apportioning costs between federal and provincial governments and stakeholders. Similarly, there was no royalty scheme available for funding enhancement work.</p>
22.	“A program should be initiated whereby off-season and unemployed fishers and shore workers (and other members of the public) are trained in habitat restoration and fish production skills so as to undertake gainful and meaningful work to assist in the conservation of the fisheries resource.” (p. 29)	<p><u>Initial Response</u></p> <p>See response to Recommendation 20.</p>

	RECOMMENDATION – <i>Pacific Policy Roundtable: Report to the Minister of Fisheries and Oceans on the Renewal of the Commercial Pacific Salmon Fishery, December 1995</i>	DFO RESPONSE
		<u>Subsequent Actions</u> See response to Recommendation 14.
23.	“Decisions on which SEP projects to protect or discontinue while making the 1997/98 budget reduction should be based on maximizing stock conservation, fish harvest and economic benefits. Decisions on proposed project closures should be communicated to the public as soon as possible. DFO should facilitate alternate arrangements - that do not confer a proprietary interest in the fish - for operation of enhancement projects, whether scheduled for closure or not, by partnering with interested parties.” (p. 29)	<u>Initial Response</u> See response to Recommendation 20. <u>Subsequent Actions</u> DFO used a performance indicator framework that considered stock conservation, fish harvest and economic benefits for budget planning in 1997/98. There were no facility closures but some arrangements, such as the operation of the Pallant Creek hatchery in partnership with the Haida Nation, were initiated.
24.	“Funding for salmon enhancement should remain stable through the year 2000, except for the planned reduction in 1997/98, in order to avoid jeopardizing the industry restructuring process. DFO regional managers should be allowed to take a business approach to salmon enhancement investments within this stabilized budget (i.e. proposals to remove funds from relatively unsuccessful projects and activities for reinvestment in better enhancement opportunities should not be penalized by budget cuts or transfers to other parts of the DFO organization).” (p. 29)	<u>Initial Response</u> See response to Recommendation 20. <u>Subsequent Actions</u> SEP managers used a performance measurement model, akin to a business approach that ranked projects, to inform budget planning and project decision making.
25.	“Considerable potential for further salmon enhancement and habitat restoration has been identified. DFO should work with other government agencies, fishing sectors, interest groups, non-government organizations and communities on new arrangements to ensure the long-term continuation and expansion" of these activities in BC. A cooperative arrangement between DFO and the fishing sectors for additional salmon enhancement - that do not confer a proprietary interest in the fish - and habitat restoration projects, with industry contribution to financing through royalties, should be explored.” (p. 29)	<u>Initial Response</u> See response to Recommendation 20. <u>Subsequent Actions</u> Some work was done on possible cooperative arrangements for salmon enhancement. Additionally, DFO increased the price of the Conservation Stamp by two dollars as a contribution from beneficiaries to SEP.

	RECOMMENDATION – <i>Pacific Policy Roundtable: Report to the Minister of Fisheries and Oceans on the Renewal of the Commercial Pacific Salmon Fishery, December 1995</i>	DFO RESPONSE
26.	“DFO and BC should initiate a program to train and employ off-season and unemployed fishers and shore workers in gainful and useful work in the development of the fisheries resource and its habitat. This program should focus on communities with priority needs for employment and fisheries rebuilding, and be integrated with both the federal habitat restoration and salmon enhancement programs and the provincial watershed restoration and urban salmon streams programs.” (p. 29)	<u>Initial Response</u> See response to Recommendation 20. <u>Subsequent Actions</u> See response to Recommendation 14.
27.	“Considerable potential for additional salmon enhancement has been identified. DFO should work with other government agencies, interest groups, non-government organizations and communities to realize this additional potential and to develop co-operative arrangements - that do not confer a proprietary interest in the fish - to ensure the long-term continuation and expansion of salmon enhancement activities in BC. One such co-operative arrangement should be made between DFO and the fishing sectors for management and financing of new fish production projects.” (pp. 29-30)	<u>Initial Response</u> See response to Recommendation 20. <u>Subsequent Actions</u> Enhancement activities are developed with DFO, First Nations and Community groups. Production from enhancement facilities is not proprietary.

7) **Dr. Art May, [Altering Course, A Report to the Minister of Fisheries and Oceans on Intersectoral Allocations of Salmon in British Columbia, 1996](#)**

Note: Dr. May’s report included a “Summary Letter to the Minister of Fisheries and Oceans” that states “**I concluded at a fairly early stage that my advice to you should focus on principles and direction rather than specific detail.**” Dr. May’s advice, outlined below, is drawn from his summary letter and the bolding is as it appears in the letter.

	RECOMMENDATION – Dr. Art May, <i>Altering Course, A Report to the Minister of Fisheries and Oceans on Intersectoral Allocations of Salmon in British Columbia, 1996</i>	DFO RESPONSE
1.	“Conservation must be paramount and be seen to be paramount; otherwise the risk of losing important components of a resource will become unacceptably high.” (p. x)	<p><u>Initial Response</u></p> <p>“Fred Mifflin, Minister of Fisheries and Oceans today promised early action on the report by Dr. Art May on long-term fisheries allocations on the west coast.”</p> <p>“I intend to review the report in detail and to consult with the BC government on a process to bring a resolution to the allocation issue, the Minister added.”</p> <p>(News Release - <u>Mifflin promises early action on May report</u>, Dec 13 1996)</p> <p><u>Subsequent Actions</u></p> <p>During the period 1996 to 1998, the Minister of Fisheries and Oceans sought input on Pacific salmon allocation from several independent advisors (see below). This advice contributed to the development of “<u>An Allocation Policy for Pacific Salmon</u>” in October 1999. The 1999 Allocation Policy states:</p> <p>“Since 1995, five consultation processes have been conducted to review options to resolve allocation issues. The areas studied included allocation within the commercial sector (intrasectoral), allocation between the commercial and recreational sectors (intersectoral) and a review of the Aboriginal Pilot Sales Program...</p> <p>The consultation processes have taken place since 1995:</p> <p>Dr. Art May Intersectoral Allocation Jan/96 to Dec/96</p> <p>Mr. James Matkin AFS Pilot Sales Program Dec/96 to Feb/97</p> <p>Mr. Stephen Kelleher Commercial Allocation Mar/96 to June /97</p> <p>Mr. Stephen Kelleher Commercial Allocation Oct/97 to Apr/98</p> <p>Mr. Samuel Toy Intersectoral Allocation Oct/97 to Mar/98”</p> <p>In December 1998, a discussion paper titled <u>Allocation Framework For Pacific Salmon 1999-2005</u> was released by Minister Anderson. A Backgrounder accompanying this release states, “Since</p>

	RECOMMENDATION – Dr. Art May, <i>Altering Course, A Report to the Minister of Fisheries and Oceans on Intersectoral Allocations of Salmon in British Columbia, 1996</i>	DFO RESPONSE
		<p>1995, five independent consultation processes have examined allocation issues with user groups, and have provided recommendations to the Minister of Fisheries and Oceans on long-term allocation policy for the West Coast salmon fishery. All of the advice was taken into account in developing the framework” (Backgrounder – Consultations and Independent Advice, December 16, 1998). Following the release of Allocation Framework For Pacific Salmon 1999-2005, extensive consultations were held with First Nations, commercial and recreational fishing organizations, community representatives and the government of BC.</p> <p>In October of 1999, An Allocation Policy for Pacific Salmon was released. The paper represents a long-term salmon allocation policy and contains a series of principles for sharing harvestable surpluses of Pacific Salmon among First Nations, recreational and commercial users.</p> <p>With respect to Dr. May’s first recommendation, the 1999 Allocation policy states:</p> <p>“Allocation Principle 1 – Conservation</p> <p>Conservation of Pacific salmon stocks is the primary objective and will take precedence in managing the resource – conservation will not be compromised to achieve salmon allocation targets.”</p>
2.	“Reduction in allocations in the commercial sector should not occur outside a new allocation policy framework, whether or not is the specific framework suggested here.” (p. xi)	<p><u>Initial Response</u></p> <p>See response to Recommendation 1.</p> <p><u>Subsequent Actions</u></p> <p>The 1999 An Allocation Policy for Pacific Salmon resulted in recreational anglers being provided priority over the commercial fishery for directed fisheries on chinook and coho salmon.</p>
3.	“The first priority in allocation is and will continue to be allocations for food, social and ceremonial purposes under Section 35 of the <i>Constitution Act</i> . It will also be necessary to set out certain requirements as a consequence of treaties and other agreements with First Nations.” (p. xi)	<p><u>Initial Response</u></p> <p>See response to Recommendation 1.</p> <p><u>Subsequent Actions</u></p> <p>The 1999 Allocation Policy states:</p>

	RECOMMENDATION – Dr. Art May, <i>Altering Course, A Report to the Minister of Fisheries and Oceans on Intersectoral Allocations of Salmon in British Columbia, 1996</i>	DFO RESPONSE
		<p>“Allocation Principle 2 - First Nations</p> <p>After conservation needs are met, First Nations’ food, social and ceremonial requirements and treaty obligations to First Nations have first priority in salmon allocation.</p> <p>First Nations are concerned that the allocation policy will affect the scope of treaty negotiations. The nature and scope of treaties remain to be negotiated and are not defined in this document. The need for certainty and stability in fisheries is one objective of Canada in the treaty process.”</p> <p><i>(An Allocation Policy for Pacific Salmon)</i>.</p>
4.	<p>“Initial shares for each of the commercial and recreational sectors should be based on the most recent historical period which provides for the greatest fairness to the greatest number of participants.” (p. xi)</p>	<p><u>Initial Response</u></p> <p>See response to Recommendation 1.</p> <p><u>Subsequent Actions</u></p> <p>The 1999 Allocation Policy presents information of recent harvests the commercial and recreational sector:</p> <p>“Table 1 summarizes average recreational and commercial salmon catches for the 1991-1994 and 1994-1997 time periods. The majority of the commercial catch is comprised of sockeye, pink and chum while chinook and coho has been the traditional mainstay of the recreational fishery.</p> <p>Figure 3 illustrates average commercial and recreational catches during 1991-1994 and 1994-1997 time periods. During the period 1991 to 1994, the recreational sector caught about 20% of the combined recreational and commercial catch of chinook and coho. More recently, during the period 1994-1997, the recreational sector catch share of chinook and coho was approximately 17%.</p> <p>The recreational sector catch of sockeye, pink and chum during the 1991-1994 time period was about 1% of the combined recreational and commercial catch. This remained relatively unchanged during the 1994-1997 time period (Figure 3).”</p>

	RECOMMENDATION – Dr. Art May, <i>Altering Course, A Report to the Minister of Fisheries and Oceans on Intersectoral Allocations of Salmon in British Columbia, 1996</i>	DFO RESPONSE
		<i>(An Allocation Policy for Pacific Salmon)</i> .
5.	“Therefore the recreational fisheries should take priority in allocations over directed commercial fisheries for chinook and coho at times of low abundance, conditional on the losses incurred by commercial licence holders in any allocation transfer being compensated by revenues raised by the recreational sector. Negative consequences on other stakeholders should be dealt with through those adjustment programs generally available to Canadian society.” (p. xii)	<p><u>Initial Response</u></p> <p>See response to Recommendation 1</p> <p><u>Subsequent Actions</u></p> <p>The 1999 Allocation Policy states:</p> <p>“Allocation Principle 4 – Recreational Allocation</p> <p>After conservation needs are met, and priority access for First Nations as set out in Principle 2 is addressed, recreational anglers will be provided:</p> <ul style="list-style-type: none"> • priority to directed fisheries on chinook and coho salmon; and, • Predictable and stable fishing opportunities for sockeye, pink and chum salmon.” <p><i>(An Allocation Policy for Pacific Salmon)</i>.</p>
6.	“I believe very strongly that the time has come to place more responsibility for access to the resource, and its utilization, with the people who enjoy such access.” (p. xii)	<p><u>Initial Response</u></p> <p>See response to Recommendation 1</p> <p><u>Subsequent Actions</u></p> <p>The 1999 Allocation Policy states:</p> <p>“Ultimately, access to allocation will be linked to complying with catch reporting and monitoring requirements by the agreed target dates.”</p> <p><i>(An Allocation Policy for Pacific Salmon)</i>.</p>
7.	“The allocations which would result to commercial and recreational sectors through a formula based	<u>Initial Response</u>

	RECOMMENDATION – Dr. Art May, <i>Altering Course, A Report to the Minister of Fisheries and Oceans on Intersectoral Allocations of Salmon in British Columbia, 1996</i>	DFO RESPONSE
	on catches in the 1991- 1994 period should be regarded as the base allocations for the sector. These should always be “compensated transfers”, whether voluntary or involuntary. In practice, it is assumed that these transfers will always be from the commercial to the recreational sector.” (p. xii-xiii)	See response to Recommendation 1 <u>Subsequent Actions</u> See responses to Recommendations 2 and 5.
8.	“My specific advice, therefore, is that recreational licence fees be adjusted to reflect their true worth and that any transfers from the commercial sector to the recreational sector be accompanied by fair compensation to the commercial licence holders using a portion of revenues from sport fish licences as required. Given that the compensation would take place up front, a fund to facilitate payments should be established. A designated portion of increased sport fish licence revenues would go to such a fund.” (p. xiii)	<u>Initial Response</u> See response to Recommendation 1. <u>Subsequent Actions</u> This recommendation was not adopted.
9.	“I have also been asked to give advice which would enhance security of allocation at the individual participant level. In the recreational sector this would be provided by the priority in allocation, at times of low abundance, of chinook and coho salmon to recreational fisheries. While some have suggested that commercial operations in the recreational sector (fishing lodges) might well received specific allocations which could be “owned” by them, and while this is a concept which could be workable, I don’t think that it is implementable in the medium term. We would need to have an Intersectoral Allocation Policy firmly in place and working reasonably well before the possibilities of recreational “ownership” could be considered.” (p. xiv)	<u>Initial Response</u> See response to Recommendation 1. <u>Subsequent Actions</u> See response to Recommendation 5.
10.	“To be precise, the best way of providing for security of allocation of individual participants in the commercial fishery is to institute a system of individual transferable quotas (ITQs) or similar ‘rights-based allocations.’” (p. xiv)	<u>Initial Response</u> See response to Recommendation 1. <u>Subsequent Actions</u> This recommendation was not adopted.
11.	“... allocation processes, within the boundaries of policy established by the Department, should take place at arm’s length. The tribunals envisaged in the Bill C-62, An Act respecting Fisheries, which is now before Parliament, could be the appropriate mechanism. I believe that there must also be an increasing visible and viable means of accommodating the concerns and aspirations of communities	<u>Initial Response</u> See response to Recommendation 1. <u>Subsequent Actions</u>

	RECOMMENDATION – Dr. Art May, <i>Altering Course, A Report to the Minister of Fisheries and Oceans on Intersectoral Allocations of Salmon in British Columbia, 1996</i>	DFO RESPONSE
	in allocation decisions which have the potential to affect their very existence, and these interests need to be brought to the fore and accommodated within the decision-making process. The development of annual fishing plans should be done by a Tribunal, or Allocation Boards responsible to it, in concert with the Department of Fisheries and Oceans, and should provide for input from communities. Decisions of the Tribunal should not be subject to review by the Minister or Department.” (p. xv)	This recommendation was not adopted.

8) *Tangled Lines: Restructuring the Pacific Salmon Fishery – a Federal / Provincial Review of the Mifflin Plan, 1996*

	RECOMMENDATION - <i>Tangled Lines: Restructuring the Pacific Salmon Fishery – a Federal / Provincial Review of the Mifflin Plan, 1996</i>	DFO RESPONSE
MANAGEMENT AND CONSERVATION		
1	Act on the recommendation made in the 1994 Fraser River Sockeye Public Review Board report which called for a Regional Conservation Council to be established to act as public watchdog for the fishery. (p.9)	<p><u>Initial Response</u></p> <p>“Recommendations 1-3 Management and Conservation Initiatives</p> <p>Fisheries and Oceans Canada will begin discussions with the Province of BC and stakeholders to establish a Pacific Resource Conservation Council, which will be up and running by 1998, reporting directly to the Minister of Fisheries and Oceans.</p> <p>The Government of Canada will explore, with the province through the Review and Roles and Responsibilities under the Canada – BC Memorandum of Understanding (MOU) on Fisheries Issues, and with industry the creation of a special levy on industry, with proceeds to go to a dedicated fund for long term, habitat improvement and other programs.”</p> <p>(Backgrounder - Federal Response to Panel's recommendations, January 1997)</p> <p><u>Subsequent Actions</u></p> <p>“The Pacific Fisheries Resource Conservation Council was created by the federal Minister of Fisheries and Oceans on September 18, 1998. The key roles of the PFRCC are to:</p> <ul style="list-style-type: none"> • Provide strategic advice regarding stock conservation and enhancement, habitat restoration, protection and improvement, and fisheries conservation objectives. This includes identifying stocks in need of conservation actions and stocks where there is insufficient information to assess their conservation status. • Describe the effects of conditions in freshwater and marine ecosystems on the conservation of Pacific salmon. • Review and make recommendations pertaining to research programs, stock and habitat assessments, enhancement initiatives, and government policies and practices related to conservation of Pacific salmon and their freshwater and ocean habitat.

	RECOMMENDATION - <i>Tangled Lines: Restructuring the Pacific Salmon Fishery – a Federal / Provincial Review of the Mifflin Plan, 1996</i>	DFO RESPONSE
		<ul style="list-style-type: none"> Integrate scientific information with knowledge and experience of First Nations, stakeholders and other parties. Alert the Minister of Fisheries and Oceans and the public on issues that threaten the achievement of departmentally defined conservation objectives for Pacific fish populations or their freshwater or ocean habitat. Provide information to governments and the public on the status of Pacific salmon stocks and their freshwater and ocean habitat in order to enhance understanding and support for fish conservation and habitat protection.” <p>From the website of the PFRCC: http://www.fish.bc.ca/</p>
2	Develop and implement a system of royalties for use of the public resources the Pacific salmon fishery. A progressive royalties charge based on landings should be instituted, with funds generated being allocated to conservation, enhancement and other programs of value to the industry. (p. 9)	<p><u>Initial Response</u></p> <p>See Initial Response to Recommendation 1.</p> <p><u>Subsequent Actions</u></p> <p>Royalty charges have not been implemented.</p>
3	To further assist coastal communities, royalty charges for landings at designated centres (remote communities) be partially abated to promote greater community participation in the fishery. A similar abatement should be made for owner-operators. (p. 9)	<p><u>Initial Response</u></p> <p>See Initial Response to Recommendation 1.</p> <p><u>Subsequent Actions</u></p> <p>Royalty charges have not been implemented.</p>
COMMUNITY IMPACTS AND ADJUSTMENT NEEDS:		
4	A federal-provincial early retirement program be developed on a 50-50 cost shared basis under eligibility rules to be determined by governments. (p. 10)	<p><u>Initial Response</u></p> <p>“Recommendations: 4-8: Address Community Impacts and Adjustment Needs</p> <p>The Government of Canada has accepted the recommendation to establish a jointly funded federal-provincial early retirement program for fishers.</p> <p>Existing programs of Human Resources Development Canada will continue to assist individuals</p>

	RECOMMENDATION - <i>Tangled Lines: Restructuring the Pacific Salmon Fishery – a Federal / Provincial Review of the Mifflin Plan, 1996</i>	DFO RESPONSE
		<p>affected by adjustments in the commercial salmon fishery.</p> <p>The Government of Canada will provide \$15 million over three years to fund a habitat improvement and salmon enhancement pilot program. The federal government will call on the province of BC to participate and match the federal contribution”.</p> <p><u>Subsequent Actions</u></p> <p>“The Government of Canada has set aside \$7.7M for an early retirement program for fishers on the condition that an equal contribution is made by the Government of BC. The rules for early retirement would be consistent with similar Federal initiatives on the east coast. Estimated annuities of up to \$1,230 per month would be provided to fishers in the 55 to 64 year age category who could meet eligibility requirements based on their attachment to the fishery.”</p> <p>(Tangled Lines - Restructuring the Pacific Salmon fishery)</p> <p>The Province of BC did not agree to cost-share an early retirement program; accordingly no such program was implemented.</p>
5	The provincial and federal governments endorse the recommendations detailed in the 1996 BC Job Protection Commission report to set up access teams to identify and assist individuals affected by the Plan. The Panel urges both governments to use existing programs and apply the broadest possible eligibility rules, as agreed to by both governments (p. 11)	<p><u>Initial Response</u></p> <p>See Initial Response to Recommendation 4.</p> <p><u>Subsequent Actions</u></p> <p>“We reviewed current transition and adjustment programs for the BC fishing industry, and in particular, how well the government has responded to the JPC’s 1996 recommendations. Without question, there has been a huge amount of activity to address the needs of displaced fishermen and women since 1996, and an overall good response made to the JPC recommendations.</p> <p>During the last two years, Human Resources Development Canada (HRDC) spent \$26 million on a wide variety of job creation projects and other adjustment programs, involving more than 4,000 industry participants and a broad range of community partners. Considerable effort has also been expended to find displaced fishery workers and help them access these and other programs in their communities.</p> <p>To help the most hard-hit communities, HRDC entered into several job creation and other projects with First Nations organizations, reaching more than 400 participants in 1996/97. Later, the Department of Indian Affairs and Northern Development provided funding to assist the 15 most</p>

	RECOMMENDATION - <i>Tangled Lines: Restructuring the Pacific Salmon Fishery – a Federal / Provincial Review of the Mifflin Plan, 1996</i>	DFO RESPONSE
		severely impacted communities, while Western Economic Diversification funded economic development in 11 coastal communities in response to job losses” (Backgrounder - The Pacific Salmon Fishery A 15 year Perspective , June 19,1998).
6	The BC Job Protection Commission monitor the responses of federal and provincial agencies to the recommendations detailed in this review and report back to governments in one year. (p. 11)	<p><u>Initial Response</u></p> <p>See Initial Response to Recommendation 4.</p> <p><u>Subsequent Actions</u></p> <p>The BC Job Protection Commissioner produced two reports in response to this request: Fishing for Answers (Sep. 30th, 1996) and Fishing for Money (June 10th, 1998).</p>
7	Establish a \$ 10 to 15 million per annum, long-term, pilot program of local and regional fisheries renewal initiatives in areas where habitat restoration is likely to pay the highest dividend – such as the Central Coast and Vancouver Island. The cost of the program would be shared equally three ways by the federal and provincial governments and resource royalties from industry. (p.11)	<p><u>Initial Response</u></p> <p>See Initial Response to Recommendation 4.</p> <p><u>Subsequent Actions</u></p> <p>In addition to the \$15M federal funding over three years noted above, additional funding for habitat protection an restoration was provided under PFAR in 1999.</p> <p>“Rebuilding the Resource: A New Approach to Salmon Habitat (\$100 million)</p> <ul style="list-style-type: none"> • Develop a permanent habitat fund to provide financing for habitat protection, habitat restoration, watershed stewardship and salmon enhancement in perpetuity. • Foster watershed stewardship groups. • Establish Habitat Stewardship Coordinators and Habitat Auxiliary Officers throughout British Columbia to improve protection of salmon habitat and work with watershed stewardship groups. • Extend and augment the habitat restoration and salmon enhancement program, initiated in 1997, which partners with community, fishing and Aboriginal groups to improve the quality and quantity of habitat available for fish. • Continue the successful activities of the Salmonid Enhancement Program, with a strengthened capacity for strategic stock enhancement.

	RECOMMENDATION - <i>Tangled Lines: Restructuring the Pacific Salmon Fishery – a Federal / Provincial Review of the Mifflin Plan, 1996</i>	DFO RESPONSE
		<ul style="list-style-type: none"> • Increase public education to raise awareness of factors affecting salmon stocks.” (Backgrounder – Announcement Highlights , June 1998)
8	Those communities, particularly those dependent upon the sea where interest exists, receive priority consideration for further salmon and non-salmon aquaculture development and the harvesting of under-utilized species, as means of diversification and job creation. (p. 11)	<p><u>Initial Response</u></p> <p>See Initial Response to Recommendation 4.</p> <p><u>Subsequent Actions</u></p> <p>The development of fisheries for under-utilized species was a strategy under PFAR to diversify the commercial fishery beyond salmon. Sardines, tanner crab and gooseneck barnacles were some of the species investigated.</p> <p>The Federal Aquaculture Development Strategy was announced in February 1995. It rests on two pillars: enabling industry to expand and remain competitive, and promoting new species development. These twin focal points fit well with the panel’s recommendation and DFO is continuing to promote the development of salmon and non-salmon aquaculture in the province.”</p> <p>(Backgrounder - Federal Response to Panel's recommendations, January 1997)</p>
VOLUNTARY BUY-BACK		
9	Establish a new Salmon Industry Development Board to provide leadership in creating and realizing a vision for the Pacific Salmon Fishery (p. 13)	<p><u>Initial Response</u></p> <p>“Recommendation: Fleet Reform – Voluntary Buyback</p> <p>The proposal to establish a new Salmon Industry Development Board will be referred to the Review of roles and responsibilities under the Canada-BC MOU on Fisheries Issues for consideration and discussion with the industry”</p> <p>(Backgrounder - Federal Response to Panel's recommendations, January 1997)</p> <p><u>Subsequent Actions</u></p> <p>A Salmon Industry Development Board was not established. Ongoing advisory processes and consultations on specific initiatives were used to seek input on Pacific salmon fishery matters.</p>
STACKING		

	RECOMMENDATION - <i>Tangled Lines: Restructuring the Pacific Salmon Fishery – a Federal / Provincial Review of the Mifflin Plan, 1996</i>	DFO RESPONSE
10	In assessing the licence-stacking regime associated with the Plan, the Panel agreed there was to be a review of this component of the Plan. Both governments agreed that there should be a secret ballot by gear sector carried out by an independent third party. (p. 14)	<p><u>Initial Response</u></p> <p>“Recommendation 10: Licence Stacking</p> <p>Stacking will resume on January 15th, 1997. Applications for stacking will be processed until the start of the fishing season. In November, a vote among all licence holders in each gear sector will be held to determine the future of further stacking of licences on the understanding that area licensing and single gear licensing will continue. The vote will be conducted by an independent third party”.</p> <p>(Backgrounder - Federal Response to Panel's recommendations, January 1997)</p> <p><u>Subsequent Actions</u></p> <p>In 1997, commercial salmon licence holders voted to determine if further licence stacking should continue. Overall, 73 percent of the votes returned elected to continue with licence stacking in all gear sectors in the region. 3,634 voting packages were sent to all licence holders. Of those packages sent out, 2,702 were returned, resulting in a 74 percent response rate.</p> <p>Voting was conducted by an independent third party, Price Waterhouse. The results of the vote in favour of continuing licence stacking, by sector, were as follows: 85% of seine licence holders; 71% of gillnet licence holders and 70% of troll licence holders who voted” (Backgrounder - The Pacific Salmon Fishery A 15 year Perspective, June 19,1998).</p>
ACCESS TO CAPITAL		
11	The federal government commit to publish as soon as possible or by March 15, 1997, the terms and conditions of a financial support program designed to provide financial assistance to fishers willing to purchase additional licence(s) prior to the commencement of 1997 fishing season. The program itself will be put into place at the earliest opportunity thereafter. (p. 15)	<p><u>Initial Response</u></p> <p>“Recommendation 11: Access to Credit</p> <p>The government of Canada will initiate immediate discussions with financial institutions to facilitate access to credit for licence holders in need of financing for the purpose of stacking licences. Federal commitment would be capped at \$5 million. Terms and conditions will be announced after a partnering financial institution has been confirmed and program parameters have been finalized.”</p> <p>(Backgrounder - Federal Response to Panel's recommendations, January 1997)</p>

	RECOMMENDATION - <i>Tangled Lines: Restructuring the Pacific Salmon Fishery – a Federal / Provincial Review of the Mifflin Plan, 1996</i>	DFO RESPONSE
		<u>Subsequent Actions</u> An access to credit program was implemented. This \$5M initiative was delivered by a network of Community Futures offices in BC.
CORPORATE CONCENTRATION:		
12	Establish a registry of licences to afford transparency on ownership, liens and other obligations attached to licences (such as community affiliation) based on the principle that patterns in the beneficial use of publicly-owned resources should be open to public scrutiny. (p. 16)	<u>Initial Response</u> “Recommendation 12: Corporate Concentration “The Panel found that corporate concentration is minimal and is not an issue at this time. In addition, a study has shown that there is no evidence of corporate concentration in the commercial salmon fishery. The study showed that processing companies have not increased their licence holdings. Overall, direct corporate ownership of fishing vessels is less than five percent.” (Backgrounder - Federal Response to Panel's recommendations , January 1997) <u>Subsequent Actions</u> A registry of licences was not established.
ALLOCATION		
13	The allocation process must be open, timely and transparent and formal salmon allocation policies should be put in place as soon as possible. It is essential that clear allocation rules be known before any further major changes are introduced in the commercial salmon fishery (p. 16)	<u>Initial Response</u> “Recommendation 13: Allocation Consistent with advice from the Pacific Round Table, Dr. Art May was commissioned to provide long-term advice on the inter-sectoral allocations in the salmon fishery. “Mr. Stephen Kelleher was commissioned to mediate the intra-sectoral allocations in the commercial salmon fleet. Dr. May’s report was issued on December 13, 1996 and is currently being reviewed by the Minister. Mr. Kelleher will report in early 1997.” (Backgrounder - Federal Response to Panel's recommendations , January 1997) <u>Subsequent Actions</u>

	RECOMMENDATION - <i>Tangled Lines: Restructuring the Pacific Salmon Fishery – a Federal / Provincial Review of the Mifflin Plan, 1996</i>	DFO RESPONSE
		During the period 1996 to 1998, the Minister of Fisheries and Oceans sought input on Pacific salmon allocation from several independent advisors. This advice contributed to the development of “An Allocation Policy for Pacific Salmon”, October 1999.
SINGLE GEAR RESTRICTIONS		
14	Compensation of up to \$10,000 to be provided to former combination-boat owners for gear previously used to generate a significant portion of their annual income and subsequently rendered obsolete by the Plan. (p. 17)	<p><u>Initial Response</u></p> <p>“Recommendation 14: Single Gear Licensing</p> <p>The Government of Canada will provide \$8 million in payments up to \$10,000 each to former combination-gear operators for gear that was used to generate a significant portion of their annual income between 1990 and 1994, and that subsequently became unusable by this licensing measure. The fleet committee chaired by Jim Matkin, set up in the early stages of the licence retirement process, will be asked to provide advice on how to disburse the funds equitably.”</p> <p>(Backgrounder - Federal Response to Panel's recommendations, January 1997)</p> <p><u>Subsequent Actions</u></p> <p>Implementation occurred, consistent with the response.</p>
AREA LICENSING		
15	In view of the difficulties associated with the unpredictability of migrations, the Panel recommends that DFO ensure flexibility in providing fishing opportunities in order to respect the intention of area allocations. (p. 17)	<p><u>Initial Response</u></p> <p>“Recommendation 15: Area Licensing</p> <p>Consistent with the Panel’s recommendation, the Department of Fisheries and Oceans will attempt to meet commercial gear allocation within the area licence requirements.</p> <p>(Backgrounder - Federal Response to Panel's recommendations, January 1997)</p>
PARTNERSHIPS AND IMPROVED RELATIONS		
16	Conduct a professional audit of DFO’s communications systems – noting especially the formidable challenges of communicating with remote communities. Timely and fact-based information, using	<u>Initial Response</u>

	RECOMMENDATION - <i>Tangled Lines: Restructuring the Pacific Salmon Fishery – a Federal / Provincial Review of the Mifflin Plan, 1996</i>	DFO RESPONSE
	consumer-friendly media, so critical to business planning, must be readily accessible and understandable to a lay audience. (p. 18)	<p>“Recommendations 16-20: Partnerships and Improved Relations</p> <p>Fisheries and Oceans will establish improved consultation processes to ensure local community interests are part of the development and implementation of fishery management plans.</p> <p>To be developed following broadly based consultations, the Pacific Resource Conservation Council is expected to consult publicly on resource status and recommend measures for the conservation of the resource and its habitat.”</p> <p>(Backgrounder - Federal Response to Panel's recommendations, January 1997)</p>
17	DFO and the BC Ministry of Agriculture, Fisheries and Food (MAFF) ensure that coastal communities and individuals promptly receive new information regarding opportunities in fishing, value-added fish products, tourism, fish farming and other forms of economic development. (p. 18)	<p><u>Initial Response</u></p> <p>See Initial Response to Recommendation 16.</p> <p><u>Subsequent Actions</u></p> <p>This was an important element of DFO’s Pacific Fisheries Adjustment and Restructuring initiative.</p> <p>(Backgrounder - Federal Response to Panel's recommendations, January 1997)</p>
18	DFO consider using independent facilitator’s in future consultative processes. Under no circumstances does the Panel want to minimize a task which , over the long term, has enormous impact on the industry (p. 18)	<p><u>Initial Response</u></p> <p>See Initial Response to Recommendation 16.</p> <p><u>Subsequent Actions</u></p> <p>DFO has hired independent facilitators for various consultation processes.</p>
19	In order to support the positive partnership initiatives already initiated by DFO, particular attention must be paid to reducing conflict between, and improving working relationships with, the different stakeholders under DFO’s statutory responsibility (p. 18)	<p><u>Initial Response</u></p> <p>See Initial Response to Recommendation 16.</p> <p><u>Subsequent Actions</u></p> <p>A number of approaches have been used to improve working relationships including First Nation and sector harvest planning committees for salmon.</p>
20	Special efforts be made to improve relations between federal and provincial agencies having broad responsibilities for the fishery with a view to stressing the need for more regional autonomy in the	<u>Initial Response</u>

	RECOMMENDATION - <i>Tangled Lines: Restructuring the Pacific Salmon Fishery – a Federal / Provincial Review of the Mifflin Plan, 1996</i>	DFO RESPONSE
	decision-making processes. (p. 18)	See Initial Response to Recommendation 16. <u>Subsequent Actions</u> Efforts were made to improve federal-provincial relations concerning fisheries. This included the Canada-British Columbia Agreement on the Management of Pacific Salmon Fishery Issues , 1997.
	VISION AND MARKETING	
21	The federal and provincial governments provide ongoing financial support to promote and encourage new entrepreneurial marketing initiatives – for all sectors of the industry (p. 19)	<u>Initial Response</u> “Recommendations 21-23: Vision Marketing “This is largely an area under the jurisdiction of the province of BC. Fisheries and Oceans will make efforts to enhance awareness of the marketing initiatives under its responsibility, and there already exists a Federal/Provincial Memorandum of Understanding on the development of under-utilized species. In addition, the Department of Western Economic diversification will work to coordinate access to other federal government services, including business information and advice.” (Backgrounder - Federal Response to Panel's recommendations , January 1997)
22	Legislation for the BC Salmon Marketing Council should be amended to make contributions non-voluntary so as to assure adequate and predictable funding for the council (p. 19)	This recommendation is for the BC government.
23	Identify and open new markets for less utilized marine species. (p. 19)	<u>Initial Response</u> See Initial Response to Recommendation 21.

9) **Doug Kerley on behalf of the Job Protection Commissioner, [Fishing for Answers: Coastal communities and the BC salmon fishery, Final Report, 1996](#)**

	RECOMMENDATION – Doug Kerley on behalf of the Job Protection Commissioner, <i>Fishing for Answers: Coastal communities and the BC salmon fishery, Final Report, 1996</i>	DFO RESPONSE
	<p>“We recommend seven (7) immediate actions that address both the short and long term needs of people, businesses and communities (Exhibit S.9). The ‘people’ and ‘business’ initiatives target all those who have been distressed. In contrast, the ‘community’ initiatives are directed only at communities experiencing severe job loss (3% or more of their total employment base) from changes in the fishery.” (P. S-13)</p> <p>Recommendations are presented in the report associated the following 7 actions:</p> <p>Short-Term Transition</p> <ul style="list-style-type: none"> • Short-term job creation projects • Assist distressed businesses • Place special emphasis on communities hardest hit by salmon fishery job losses <p>Long-Term Transition</p> <ul style="list-style-type: none"> • Access teams to help assess needs and refer people to existing programs • Timely fishing plans for both commercial and recreational fishing • Marketing support for the recreational fishery • Economic community coordinators for the most severely impacted communities <p>Note: For a detailed description of the 7 recommendations, refer to the "Summary" section of <i>Fishing for Answers: Coastal Communities and the BC Salmon Fishery</i>, pages S-13 to S-16.</p>	<p><u>Subsequent Actions</u></p> <p>The federal government responded to recommendations in the two reports of the BC Job Protection Commissioner, <i>Fishing for Answers</i> (1996) and <i>Fishing for Money</i> (1998), as well as the report of the panel reviewing the Pacific Salmon Revitalization Strategy (1996) in a series of initiatives with new funding.</p> <p>“To help the most hard-hit communities, HRDC entered into several job creation and other projects with First Nations organizations, reaching more than 400 participants in 1996/97. Later, the Department of Indian Affairs and Northern Development provided funding to assist the 15 most severely impacted communities, while Western Economic Diversification funded economic development in 11 coastal communities in response to job losses.” (Backgrounder - <u>The Pacific Salmon Fishery A 15 year Perspective</u>, June 19,1998)</p> <p>“Fisheries and Oceans Canada is working with the Canadian Tourism Commission, the Sport Fishing Institute and the Province of BC to develop a tourism and marketing campaign aimed at encouraging recreational fishermen to come to British Columbia. The CTC has already committed \$350,000 for this project and further federal support is expected shortly.” (Backgrounder - <u>Helping People and Communities Adjust</u> - June 19, 1998)</p> <p>The Pacific Fisheries Adjustment and Restructuring program (PFAR) (News Release – <u>Ministers Announce Canada’s Coho Recovery Plan and \$400 Million for Pacific Salmon Fishery</u>, June 19, 1998) was the most significant of these initiatives with \$400 million divided among fleet reduction (\$200 million), resource restoration and stewardship (\$100 million) and helping people and communities (\$100 million).</p> <p>HRDC produced a document entitled <u>Summative Evaluation of HRDC’s Component of the Pacific Fisheries Adjustment and Restructuring Program</u> that provides a detailed account of the transition and adjustment measures implemented through PFAR and other programs.</p> <p>Additional funding leading up to PFAR totalled about \$220 million across similar categories.</p>

	RECOMMENDATION – Doug Kerley on behalf of the Job Protection Commissioner, <i>Fishing for Answers: Coastal communities and the BC salmon fishery, Final Report, 1996</i>	DFO RESPONSE
		(Backgrounder - The Pacific Salmon Fishery A 15 year Perspective , June 19,1998) With respect to the recommendation relaed to timely fishing plans, DFO now provides an early indication of salmon returns in December and fine tunes those early indications in the new year when detailed fishery planning occurs.

10) James Matkin, [Working Towards More Certainty and Stability: Fact Finding Review of the AFS Pilot Salmon Sales Program](#), February 1997

	RECOMMENDATION – James Matkin, <i>Working Towards More Certainty and Stability: Fact Finding Review of the AFS Pilot Salmon Sales Program</i> , February 1997	DFO RESPONSE
		<p><u>Initial Response</u></p> <p>This report was received in March, 1997 and the immediate response by DFO was expressed in a news release (News Release - <u>Matkin Report to be Studied</u>, March 27, 1997). The Minister expressed appreciation for the report and that Mr. Matkin’s recommendations would be studied further.</p>
1.	“It is recommended that the two commercial fisheries be combined into one system under the jurisdiction of a new arms-length allocation tribunal as proposed by Dr. Art May” (p. 36)	<p><u>Initial Response</u></p> <p>“Fred Mifflin, Minister of Fisheries and Oceans, today thanked Jim Matkin for his report on the Aboriginal Pilot Sales Projects under the Aboriginal Fisheries Strategy and indicated his intention to review the report.</p> <p>Mr. Mifflin noted that it is clear from Mr. Matkin’s report that there is no consensus among stakeholders about pilot sales projects. Mr. Mifflin indicated the sales programs would continue as they currently exist for the 1997 season and that that the recommendations made by Mr. Matkin, as well as the comments from the focus groups, would be studied further.”</p> <p>News Release issued on March 27, 1997 (News Release - <u>Matkin Report to be Studied</u>, March 27, 1997)</p> <p><u>Subsequent Actions</u></p> <p>The issue of how pilot sales fisheries should be treated in future was addressed in the 1999 DFO policy paper, <u>An Allocation Policy for Pacific Salmon</u>, as follows:</p> <p style="padding-left: 40px;">“In consultation with First Nations, the sales component of pilot sales fisheries will be accorded the same priority as the commercial harvest. This is already accomplished in the Somass River, for example, through a harvest sharing plan developed in consultation with all sectors and affected First Nations. Fisheries and Oceans Canada will continue to consult with First Nations with the intent of implementing operational regimes in other areas which will provide the Pilot sales fisheries the same priority as commercial fisheries.”</p>

	RECOMMENDATION – James Matkin, <i>Working Towards More Certainty and Stability: Fact Finding Review of the AFS Pilot Salmon Sales Program</i>, February 1997	DFO RESPONSE
		<p>More recently, further steps have been made to integrate First Nations economic fisheries and regular commercial fisheries under a common integrated management plan.</p> <p>An arms-length allocation tribunal was not formed.</p>
2.	<p>“It is also recommended that responsibility for the administration of the allocations, which cover the AFS pilot sales, be transferred from the DFO to the new arms-length tribunal.” (p.37)</p>	<p><u>Initial Response</u></p> <p>See response to Recommendation 1.</p> <p><u>Subsequent Actions</u></p> <p>An arms-length allocation tribunal was not formed.</p>

11) **Report of the Auditor General of Canada. 1997. [*Fisheries and Oceans Canada – Pacific Salmon: Sustainability of the Resource Base*](#). Chapter 28 in Report to Parliament. Ottawa: Minister of Supply and Services**

- **Response Document: Government response contained within the Auditor-General Report**

	RECOMMENDATION - Report of the Auditor-General of Canada. 1997. <i>Fisheries and Oceans Canada – Pacific Salmon: Sustainability of the Resource Base</i>. Chapter 28 in Report to Parliament. Ottawa: Minister of Supply and Services	DFO RESPONSE
1	The Department should give the collection and management of information on Pacific salmon stocks and habitat high priority to meet both the needs of resource managers in the field and any reporting requirements on the status of the resource. (28.36)	<p><u>Initial Response</u></p> <p>“The collection and management of information on Pacific Salmon Stocks and habitat will continue to be given high priority by the Department.”</p> <p><u>Subsequent Actions</u></p> <p>Since 1994 the Habitat Referral Tracking System (HRTS) has been in place to collect, share and report information on the various activities of the Habitat Management Program (HMP) and to meet regulatory requirements under the <i>Canadian Environmental Assessment Act</i> (CEAA). This national program, which is foundational to HMP information management, has evolved to become the Program Activity Tracking for Habitat (PATH) system to meet the changing landscape of the program. HRTS/PATH is given a high priority within the HMP in that these databases are significant in supporting program management in the field at the operation level as well as informing the Department’s Annual Report to Parliament on the Administration and Enforcement of the Fish Habitat Protection and Pollution Prevention Provisions of the <i>Fisheries Act</i>.</p>
2	Fisheries and Oceans will clarify the extent to which it intends to apply sustainability and genetic diversity practices to the management of individual salmon stocks and their habitats. (28.43)	<p><u>Initial Response</u></p> <p>“Fisheries and Oceans agree to provide clarification on how we intend to apply the concept of sustainability and genetic diversity. The Department will continue to apply the Policy for the Management of Fish Habitat of BC salmon stocks.”</p> <p><u>Subsequent Actions</u></p> <p>Chapter 3.3 of the <i>Policy for the Management of Fish Habitat</i> was addresses the issue of sustainability and genetic diversity.</p>
3	Fisheries and Oceans should develop more explicit operational objectives and targets to address	<u>Initial Response</u>

	RECOMMENDATION - Report of the Auditor-General of Canada. 1997. <i>Fisheries and Oceans Canada – Pacific Salmon: Sustainability of the Resource Base</i>. Chapter 28 in Report to Parliament. Ottawa: Minister of Supply and Services	DFO RESPONSE
	sustainability and genetic diversity of salmon stocks for inclusion in fishing plans. The linkage between harvest management and fish production, including enhancement as well as habitat protection, needs to be strengthened.(28.44)	<p>“The linkage between harvest management and fish production, including enhancement as well as habitat protection, will be strengthened further.”</p> <p><u>Subsequent Actions</u></p> <p>In 2000, the Pacific Region Salmon Integrated Fisheries Management Plan (IFMP) was introduced, which included a section on production planning. The IFMP process created a linkage between Fisheries Management and SEP that has been used to influence and inform plans and decision for both sectors.</p>
4	Fisheries and Oceans should increase its level of participation in regional and community-based planning initiatives. (28.56)	<p><u>Initial Response</u></p> <p>“Fisheries and Oceans is undertaking an internal review of the habitat management program in the Pacific Region to provide strategic direction for program delivery. This review is a component of the 1997 Canada-BC Agreement, which is expected to result in a co-ordinated and balanced habitat management program in BC.”</p> <p><u>Subsequent Actions</u></p> <p>In 2000, the Canada/BC Fish Habitat Management Agreement was signed with an objective of improving the protection of fish habitat through harmonization of federal and provincial programs and procedures.</p>
5	Fisheries and Oceans should work with the Province of British Columbia to improve efficiencies in the referral system, subject to an appropriate accountability framework being put in place to satisfy the Department’s National Mandate for Habitat protection. (28.57)	
6	In implementing the referral process, Fisheries and Oceans should devote more time and effort to compliance monitoring and follow-up in order to assess the effects of its habitat management decisions and its performance toward the achievement of “no net loss” of habitat. (28.58)	
7	Fisheries and Oceans should review the performance of existing cooperative arrangements in BC and build on those models that have produced positive result in habitat conservation. (28.85)	<p><u>Initial Response</u></p> <p>“Fisheries and Oceans is undertaking an internal review of the habitat management program in the Pacific Region to provide strategic direction for program delivery. This review is a component of the 1997 Canada-BC Agreement, which is expected to result in a co-ordinated and balanced habitat management program in BC.”</p> <p><u>Subsequent Actions</u></p> <p>See Response to recommendation 6 above.</p> <p>In 2000, the Watershed-based Fish Sustainability Program (WFSP) was introduced as a new approach to the management of fish stocks and fish habitat in British Columbia. WFSP plans are examples of co-operative agreements with objectives and expected results. (WFSP Guidebook</p>
8	Agreements setting up such co-operative arrangements should contain a statement of objectives, a clear definition of roles and responsibilities, expected results and requirements for program co-ordination, performance reporting and evaluation (28.86)	

	RECOMMENDATION - Report of the Auditor-General of Canada. 1997. <i>Fisheries and Oceans Canada – Pacific Salmon: Sustainability of the Resource Base</i>. Chapter 28 in Report to Parliament. Ottawa: Minister of Supply and Services	DFO RESPONSE
		2000).
9	Fisheries and Oceans should review the effectiveness of its Habitat Policy and habitat management program and develop a strategic approach to guide its negotiation of a new sub-agreement on habitat conservation and protection with British Columbia (28.93)	<p><u>Initial Response</u></p> <p>“Fisheries and Oceans is undertaking an internal review of the habitat management program in the Pacific Region to provide strategic direction for program delivery. This review is a component of the 1997 Canada – BC Agreement, which is expected to result in a co-ordinated and balanced habitat management program in BC”</p> <p><u>Subsequent Actions</u></p> <p>The no net loss (NNL) principle has been the cornerstone of the Habitat Management Program (HMP) in Canada since the Policy for the Management of Fish Habitat was released in 1986. Since that time DFO has commissioned at least ten studies that have evaluated the performance of habitat compensation projects in achieving NNL (Harper and Quigley, 2000, 2004, 2005). Most of these studies were focused on specific compensation projects or activities and did not provide a comprehensive assessment of the HMP. In 2000 a national evaluation program designed to assess the performance of compensation projects in achieving NNL was initiated (Harper and Quigley, 2005). This study and previous reports have informed the evolution of the Habitat Management Program in the Canada and have influenced inter-agency/intergovernmental agreements and processes.</p>

12) Gordon Gislason & Associates Ltd, [*Fishing for money: challenges and opportunities in the BC Salmon fishery*](#), 1998

	RECOMMENDATION - Gordon Gislason & Associates Ltd., <i>Fishing for money: challenges and opportunities in the BC Salmon fishery</i> , 1998	DFO RESPONSE
ADJUSTMENT AND TRAINING PROGRAMS NEEDED (SUMMARY SECTION)		
	NOTE: “With prospect of enduring high unemployment and job losses under the status quo, strong and decisive action must be taken. In Exhibit 2.10, we offer six recommendations to meet two distinct program needs” (summary pg. 9):	<p><u>Initial Response</u></p> <p>Soon after this report was submitted to the Minister of Fisheries and Oceans, DFO issued a news release announcing the \$400 million Pacific Fisheries Adjustment and Restructuring Program (PFAR) to address many of the recommendations of this report by the BC Job Protection Commission and previous reports, particularly that of the Joint Panel reviewing the Pacific Fisheries Revitalization Strategy in 1996 (News Release - Ministers Announce Canada’s Coho Recovery Plan , June 19 1998).</p> <p><u>Subsequent Actions</u></p> <p>For more information see, A Plan to revitalize Canada’s Pacific Fisheries which is a report on PFAR.</p>
	a) “Programs for those wanting to leave the fishing industry” (summary pg. 9):	
1	<p>“An Older Person Program should be available to older (aged 55-64) unemployed workers in the commercial fleet, processing sector, and recreational fishery who:</p> <ul style="list-style-type: none"> • can show long–term industry attachment (at least 12 of the last 15 years); • are able to demonstrate that fishing accounted for the majority of their employment income during the past few years <p>Benefits should be relative to fishing-related and be taxable. A claw back should apply for those with larger incomes, and participants should make some time contribution to the industry, in return for the annuity or retirement package. The program should be time-limited and offered as one-time opportunity for older workers to retire with dignity.” (summary pg. 9).</p>	<p><u>Initial Response</u></p> <p>In April 1999, DFO reported to the Standing Committee on Fisheries and Oceans that “Federal funding of \$20 million has been approved for an early retirement program for British Columbia fishermen and is based on a 70/30 federal-provincial cost-sharing arrangement. DFO would like to move ahead with the program as soon as possible; in this regard, officials have been working with their provincial counterparts in an effort to confirm a provincial commitment to this initiative.” (From: Government Response to the Fourth Report of the Standing Committee on Fisheries and Oceans (The West Coast Report)- Covering Letter)</p>

	RECOMMENDATION - Gordon Gislason & Associates Ltd., <i>Fishing for money: challenges and opportunities in the BC Salmon fishery</i>, 1998	DFO RESPONSE
2	<p>“Fisheries Transition Workshops are required over the next several years to help people in the fishing industry find new ways to earn a living or to supplement their fishing income. Displaced fishermen need guidance in recognizing that they have transferable, marketable skills. As well, they need positive support while they deal with change, reassess their skills and explore work options.” (summary pg 9)</p> <p>“Already used in both forestry and the fishery, transition workshops succeed in large part because they bring displaced workers together to address these issues collectively. If there is a serious commitment to assist people in seeking jobs outside the fishing industry, then workshops of an adequate length should be offered to all those who have an attachment to the industry, but have been displaced from it.” (summary pg. 10).</p>	<p><u>Initial Response</u></p> <p>“We reviewed current transition and adjustment programs for the BC fishing industry, and in particular, how well the government has responded to the JPC’s 1996 recommendations. Without question, there has been a huge amount of activity to address the needs of displaced fishermen and women since 1996, and an overall good response made to the JPC recommendations.”</p> <p>(Backgrounder - The Pacific Salmon Fishery A 15 year Perspective, June 19,1998)</p>
3	<p>“Community economic development to find new jobs and business opportunities outside the industry should continue to be supported, as the basis for sustainable coastal communities. Over the last two years, existing programs have managed to secure new employment in a harbour front marina and retail complex, a value-added sawmill, and secondary wood manufacturing. Displaced fishermen have also found work in ecotourism, band services, and social services, among other areas.</p> <p>Without HRDC support, particularly from the Transitional Jobs Fund, most of these jobs would not have been created. It is very important that this kind of funding continue, and that the skills that have been developed in finding employment and business start-up ideas for displaced fishermen not be lost.” (summary pg 10).</p>	<p><u>Initial Response</u></p> <p>“During the last two years, Human Resources Development Canada (HRDC) spent \$26 million on a wide variety of job creation projects and other adjustment programs, involving more than 4,000 industry participants and a broad range of community partners. Considerable effort has also been expended to find displaced fishery workers and help them access these and other programs in their communities.</p> <p>To help the most hard-hit communities, HRDC entered into several job creation and other projects with First Nations organizations, reaching more than 400 participants in 1996/97. Later, the Department of Indian Affairs and Northern Development provided funding to assist the 15 most severely impacted communities, while Western Economic Diversification funded economic development in 11 coastal communities in response to job losses.”</p> <p>(Backgrounder - The Pacific Salmon Fishery A 15 year Perspective, June 19,1998)</p>
	b) Programs for those wanting to stay in the industry	
4	<p>“Stream and Habitat Enhancement and other industry programs are essential to provide assistance to fishery workers over the next 2 to 4 years. Stream rehabilitation makes use of existing skills, does not necessarily require extensive training, and represents a direct future return in fish. Moreover, there is a widespread belief both within and outside the fishery that we have a moral obligation to protect and rebuild the habitat.</p>	<p><u>Initial Response</u></p> <p>The PFAR news release contained the following description of the rebuilding and stewardship strategy.</p> <p>“Mr. Anderson announced that the total funding includes \$100 million for measures to protect and</p>

	RECOMMENDATION - Gordon Gislason & Associates Ltd., <i>Fishing for money: challenges and opportunities in the BC Salmon fishery</i>, 1998	DFO RESPONSE
	<p>If these enhancement and other industry programs are to be effective, they must be designed to include displaced fishermen and women whose EI benefits have run out”. (summary p 10)</p>	<p>rebuild habitat. “The future of coho salmon – indeed the future of all salmon – depends on their habitat. I am pleased to report that DFO’s Coho Response Team heard a unanimous call from British Columbians for habitat protection, restoration and enhancement,” Mr. Anderson said.</p> <p>This new investment in salmon habitat will: i) establish a permanent fund to provide funding for habitat initiatives, ii) foster community-based stewardship programs aimed at protecting habitat from further damage.</p> <p>(News Release - Ministers Announce Canada’s Coho Recovery Plan , June 19 1998)</p> <p><u>Subsequent Actions</u></p> <p>The Habitat Restoration and Salmon Enhancement Program (HRSEP) was established in January 1997 as part of a \$37.5 M program in support of the Pacific Salmon Revitalization Strategy Review Panel recommendations. Initially \$15M was provided to HRSEP over at three year period for habitat restoration, resource and watershed stewardship and salmon stock rebuilding projects. While the program was established to address stock conservation concerns and to improve the quantity and quality of habitat available for salmon – it was also to develop and strengthen partnerships with First Nations, community groups and volunteers and to train and employ unemployed fishers.</p> <p>In 1998, HRSEP was expanded through the Federal Governments’ \$400M investment in fishery restructuring. This was a joint initiative involving DFO, HRDC, WED and DIAND and included programs to assist individuals, businesses and communities adjust to changes in the salmon fishery.</p> <p>From 1997 to 2002, HRSEP provided approximately \$35 million to over 550 habitat restoration, stewardship, and stock rebuilding projects, operated and administered by a variety of community groups and agencies. http://www-heb.pac.dfo-mpo.gc.ca/community/hrsep_e.htm</p>
5	<p>“A new fishing labour force program should identify the skill mix required for a modern BC fishery and determine where new training is needed. A training fund should be established to provide tuition and living allowances for the skill development mix identified.</p> <p>Fisheries Renewal BC is the obvious organization to be asked to manage such an initiative. If the program were federally funded, then industry would be sent a positive message that both levels of government were united on building a new fisheries labour force for the next century”. (summary p 10)</p>	<p>This recommendation was not directed to DFO.</p>

	RECOMMENDATION - Gordon Gislason & Associates Ltd., <i>Fishing for money: challenges and opportunities in the BC Salmon fishery</i>, 1998	DFO RESPONSE
6	<p>“Community economic development to find new jobs and business ideas inside the industry is also essential for long-term community health. For example, new employment opportunities have been found in stream rehabilitation (working for private hatcheries and non-profit societies), and in dogfish and hake processing. (summary p 10)</p> <p>While still few in number, these job and business opportunities take time to nurture and develop. Funding for support staff to help with this development process within the industry must be continued”. (summary p. 11)</p>	<p><u>Initial Response</u></p> <p>PFAR included a significant community economic development component described in a PFAR Backgrounder to the news release</p> <p>(Backgrounder - Helping People and Communities Adjust, June 19, 1998).</p> <p>“The new federal funding of \$100 million being announced today will be made available for those who will be affected by conservation measures being implemented this year and by the long-term restructuring of the Pacific Salmon fishery. The funding will be targeted to programs to assist Aboriginal, commercial and recreational participants in the fishery.”</p> <p>See also Subsequent Actions to Recommendation 4.</p>

13) Charles Hubbard, M.P. Chair, [*West Coast Report*](#)- Report of the Standing Committee Fisheries and Oceans Canada, 1998

- Response Document: Government Response to the Fourth Report of the Standing Committee on the Fisheries and Oceans (The West Coast Report, April 1999

RECOMMENDATION - Charles Hubbard, M.P. Chair, <i>West Coast Report</i> - Report of the Standing Committee Fisheries and Oceans Canada, 1998		DFO RESPONSE
1. DFO MANAGEMENT AND SCIENCE		
	<p>“The government proceed to complete a restructuring of DFO in order to manage the resource at the source. Specifically, the Committee recommends that the government abandon the current structure of DFO and relocate employees from DFO in Ottawa to the regions and leave only a small number of Ministerial staff in Ottawa.” (p. 1)</p>	<p><u>Initial Response</u></p> <p>“Restructuring DFO”</p> <p>“Some restructuring of the Department has occurred. As part of the Pacific Region’s New Directions initiative, the Department is becoming a more geographically based field organization, designed to be more responsive to the concerns of local communities. Where possible, local communities are becoming more involved in data collection activities that form the basis for scientific advice. However, because some science activities depend on facilities with laboratories, specialized equipment and a critical mass of personnel, it would not be practical or cost-effective to conduct all activities at the local community level.”</p> <p>“The Committee recommended that departmental employees in Headquarters be relocated to regional offices. Departmental employees are needed in Ottawa to provide corporate and executive services, to work with other departments and central agencies, and to develop and coordinate national policies and programs. Currently, only 11 per cent of DFO’s departmental employees are located in Ottawa, while 23 per cent of employees work in the Pacific Region. Moreover, the development of resource management plans takes place in regions and in most cases, fishing plans are approved in the regions.”</p> <p><u>Subsequent Actions</u></p> <p>See Subsequent Actions to Recommendation 10 in <i>Here we go again... or the 2004 Fraser River Salmon Fishery – Report to the Standing Committee on Fisheries and Oceans</i>.</p>
	<p>“The Committee believes the federal government cannot divest its responsibility, and it must include stakeholders and the provinces as active participants in the management of the fishery.”</p>	<p><u>Initial Response</u></p> <p>“Stakeholder Involvement”</p>

	RECOMMENDATION - Charles Hubbard, M.P. Chair, <i>West Coast Report- Report of the Standing Committee Fisheries and Oceans Canada, 1998</i>	DFO RESPONSE
	(p. 1)	<p>“DFO recognizes that improved consultations processes are essential to responding to public expectations and maintaining confidence. The Department has taken specific action to create an open decision-making process with more public participation, involvement and cooperative management on the part of all sectors/stakeholders. Examples of specific actions include: implementation of the Pacific Fisheries Resource Conservation Council (PFRCC); increased stakeholder participation in the Pacific Science Advice Review Committee (PSARC); use of the Cooperative Science Centre at the West Vancouver lab; and recent proposals to make the allocation decision-making process more transparent and accountable through the establishment of independent allocation advisory boards. In addition, the department is currently working on a comprehensive policy paper on improved decision making, which will be released later this year.”</p> <p><u>Subsequent Actions</u></p> <p>In October 1998, the Minister announced the start of broad-based community and stakeholder consultations on a new direction for management of British Columbia’s salmon fishery. The consultations which took place in advance of the 1999 fishing season focused on principles outlined in two papers. The first released October 1998 “A New direction for Canada’s Pacific Salmon Fisheries” details principles that will guide the fishery of the future. The second, “Allocation Framework for Pacific salmon 1999-2005”, outlines seven principles that will guide salmon allocations. In addition to three overarching principles relating to conservation, First Nation obligations and salmon as a common property resource, the framework includes allocation principles between recreational and commercial sectors and allocation within the commercial sector.</p> <p>Interested stakeholders, First Nations, commercial and recreational fishing organizations, community representatives and the government of BC all provided input into the development of the salmon allocation policy. The results of the two consultation processes, contributed to the Allocation Policy for Pacific Salmon released in October 1999.</p>
	“The government undertake a complete review of its fisheries policy formulation and its consultation process in order to rebuild the lost trust between the government and the fishing community.” (p. 1)	<p><u>Initial Response</u></p> <p>“Rebuilding Lost Trust”</p> <p>“In recent years, declining stocks and prices for key salmon species have placed tremendous strain on the West Coast fishing industry as well as individuals and communities dependent on the fishery. This has certainly contributed to reduced confidence and credibility in DFO. At the same time, and partly in consequence of these changes, major policy challenges on the West Coast have arisen.</p>

	RECOMMENDATION - Charles Hubbard, M.P. Chair, <i>West Coast Report- Report of the Standing Committee Fisheries and Oceans Canada, 1998</i>	DFO RESPONSE
		<p>Improving policy formulation and the consultative process is necessary to rebuild lost trust between the government and the fishing community.”</p> <p>“The restructuring measures announced in June 1998 for the West Coast fisheries represent important progress towards permanently reducing fishing pressure and supporting conservation requirements. Recognizing the profound changes that are occurring in the Pacific fishery, the Department initiated a major review of its policy framework on the West Coast. The cornerstones of this review are ensuring conservation of fish stocks and their habitat, and sustainable use of the resource. In October 1998, the Minister of Fisheries and Oceans released a major policy statement entitled <i>A New Direction for Canada’s Pacific Salmon Fisheries</i> which outlined 12 principles to guide fisheries management policy in the future. This was followed in December 1998 with <i>An Allocation Framework for Pacific Salmon 1999-2005</i>, the first of a series of discussion papers designed to solicit public input on how the principles set out in the December paper will be put into effect. Future papers are planned to address improved decision-making, selective fishing and science.”</p> <p><u>Subsequent Actions</u></p> <p>Interested stakeholders, First Nations, commercial and recreational fishing organizations, community representatives and the government of BC all provided input into the development of the <i>Allocation Policy for Pacific Salmon</i> released in October, 1999.</p>
	<p>“The Committee further recommends that the scientific arm of DFO must be better funded and must have autonomy from the government to eliminate political interference. Management decisions must be transparent and based on complete sound scientific evidence as opposed to selective findings which are consistent with political agendas.” (p. 1)</p>	<p><u>Initial Response</u></p> <p>“Science Funding and Autonomy”</p> <p>“The Department recognizes the importance of funding for science. Options being actively investigated include: finding new sources of funding; augmenting current science activities; obtaining information from industry and stakeholders; and working in cooperation with users of the resource. In particular, users of the resource have an essential role in gathering information and assisting with the stewardship of the resource. A number of highly worthwhile initiatives have been developed with stakeholder groups, First Nations and other collaborators which will serve as models for more initiatives in the future.”</p> <p>“The Government supports sound and timely scientific advice that is based on the most complete scientific information possible. For this reason, DFO has formalized structured peer review processes that make information available to the public through the PSARC process. Revisions to</p>

	RECOMMENDATION - Charles Hubbard, M.P. Chair, <i>West Coast Report- Report of the Standing Committee Fisheries and Oceans Canada, 1998</i>	DFO RESPONSE
		<p>the PSARC process are underway to include more stakeholder participation. In addition, the PFRCC provides a vehicle for public discussion of stock status information, and acts as an open and transparent agency for scientific information that is important for conservation of the resource. The PFRCC also provides a venue for stakeholders to raise concerns about conservation issues.”</p> <p><u>Subsequent Actions</u></p> <p><i>PSARC and stakeholder participation</i></p> <p>All participants attending DFO’s science peer-review process have full participatory rights. The peer-review process in the Pacific Region, known as PSARC, is fully compliant with the national DFO guidelines for scientific peer review. The processes, policies and guidelines, including the roles of external participants, are provided at the following DFO website:</p> <p>http://www.dfo-mpo.gc.ca/csas/csas/Process-Processus/Process-Processus_e.htm</p>
2. PACIFIC SALMON TREATY		
	<p>“The government take immediate actions against the United States in order to preserve our depleted coho salmon stocks and to facilitate a Pacific Salmon Treaty resolution.” (p. 3)</p>	<p><u>Initial Response</u></p> <p>“Resolution of the Canada/United States differences over the Pacific Salmon Treaty is a key goal of the Department. Canada’s objective is to arrive at a long-term arrangement with the U.S. which addresses the conservation concerns and encourages collaboration to protect threatened salmon stocks. With this in mind, it is our view that action to meet this objective requires firstly, understanding each Party’s conservation concerns and secondly, developing fishery arrangements which share the conservation burdens and benefits fairly.”</p> <p>“In August 1997, Dr. David Strangway and Mr. Bill Ruckelshaus were appointed as special envoys by the Governments of Canada and the United States to reinvigorate Pacific Salmon Treaty discussions. Their report, released in January 1998, recommended that:</p> <ul style="list-style-type: none"> • government to government negotiations be initiated (rather than a stakeholder driven process); • interim fishing arrangements be reached for a transition period of one to two years; • once interim arrangements were in place, a long term agreement should be

	RECOMMENDATION - Charles Hubbard, M.P. Chair, <i>West Coast Report- Report of the Standing Committee Fisheries and Oceans Canada, 1998</i>	DFO RESPONSE
		<p>negotiated; and</p> <ul style="list-style-type: none">• a review of the Pacific Salmon Commission process to emphasize the preservation and management of Pacific salmon.” <p>“The report emphasized that cooperation between the two countries was necessary to ensure the future of Pacific salmon stocks. During 1998, Canada initiated discussions with U.S. federal, state and tribal interests to pursue these recommendations.”</p> <p>“Prior to the 1998 fishing season, Canada was successful in concluding fishery arrangements with the U.S. on the south coast, through government to government discussions, that capped the U.S. harvest of Fraser sockeye and which delayed U.S. fishing early in July to advance conservation of weak sockeye runs. The arrangements also prohibited fishing in late August when Canadian coho were present in their highest numbers. These arrangements protected Canada’s depressed coho stocks, while ensuring that there was an effective regulatory regime in place to properly manage the allowable harvest of Fraser River sockeye. Although there were no fishery agreements in the northern and transboundary areas in 1998, Alaska cooperated by reducing its fishing effort on Nass sockeye when in-season conservation concerns were raised by Canada.”</p> <p>“It is Canada’s intention to build on the positive results of the 1998 arrangements and to continue efforts to secure long-term arrangements with the U.S., consistent with advice of the Strangway/Ruckelshaus report. Conservation, as always, will be Canada’s priority and, among other actions, Canada will press to conserve depressed coho stocks and ensure that benefits and burdens of conservation for all Pacific salmon stocks are shared fairly between the two countries.”</p> <p><u>Subsequent Actions</u></p> <p>On June 3, 1999, the Government of Canada and the United States reached a new bilateral agreement on five of the Pacific Salmon Treaty chapters, which outline specific conservation and harvest sharing arrangements for Pacific salmon. The agreement established abundance-based fishery regimes for the major interception fisheries in the United States and Canada. The arrangements are all for ten years, except those for Fraser River sockeye and pink salmon, which are for 12 years.</p> <p>Further details of the new Pacific Salmon Treaty arrangement can be found at http://www.psc.org</p>
3. PACIFIC SALMON REVITALIZATION STRATEGY		

	RECOMMENDATION - Charles Hubbard, M.P. Chair, <i>West Coast Report</i>- Report of the Standing Committee Fisheries and Oceans Canada, 1998	DFO RESPONSE
	<p>“The government implement a salmon licence buyback and readjustment program for the West Coast to continue the downsizing of the fleet. The Committee recommends that the focus of the buyback should be a reduction of capacity in the net fleet.” (p. 4)</p>	<p><u>Initial Response</u></p> <p>“The Government is responding to the concerns of the Committee and the many individuals who participated in its public hearings.”</p> <p>“On October 14, 1998, the Minister of Fisheries and Oceans announced the start of a new Pacific salmon licence retirement program under the Canadian Fisheries Adjustment and Restructuring (CFAR) measures. The program is operating as a voluntary, multiple-round reverse auction.”</p> <p>“Under this process, fishermen submit bids which reflect the value of relinquishing the privilege to fish. Some of the factors used in assessing that value include vessel size, catch history, attachment to the fishery, and investment. All bids are evaluated by an independent advisory committee made up of individuals knowledgeable about the industry but with no stake in the outcome or the process. The committee makes recommendations to the Department for a final decision.”</p> <p>“The Minister also announced that DFO would conduct broad-based consultations to confirm a new direction for BC’s Pacific salmon fishery. The consultations are intended to provide fishermen, who are uncertain whether to stay in the fishery, with the necessary information on the salmon allocation process to make decisions for their future. While many fishermen have already decided to leave the industry, the ongoing nature of the licence retirement program will accommodate those who wish to participate in the consultation process and who may decide to leave the salmon fishery after decisions are made on future fisheries management.”</p> <p>“Since the licence retirement program is voluntary, the Department cannot control the number of applications from each gear type. However, the objective is to achieve a significant reduction across all gear types over the life of the program, subject to achieving value for taxpayers’ dollars.”</p> <p><u>Subsequent Actions</u></p> <p>The federal government responded to recommendations in the two reports of the BC Job Protection Commissioner, <i>Fishing for Answers</i> and <i>Fishing for Money</i>, as well as the report of the panel reviewing the Pacific Revitalization Strategy, in a series of initiatives with new funding. The Pacific Fisheries Adjustment and Restructuring program (PFAR) was the most significant of these initiatives funded with \$400 million divided among fleet reduction (\$200 million), resource restoration and stewardship (\$100 million) and helping people and communities (\$100 million). (News Release - Ministers Announce Canada’s Coho Recovery Plan, June 19 1998). Additional funding leading up to PFAR totaled about \$220 million across similar categories (Backgrounder -</p>

	RECOMMENDATION - Charles Hubbard, M.P. Chair, <i>West Coast Report- Report of the Standing Committee Fisheries and Oceans Canada, 1998</i>	DFO RESPONSE
		<p>The Pacific Salmon Fishery A 15 year Perspective, June 19,1998)</p> <p>From 1996-2000, these license retirement programs achieved a 54% overall reduction in eligible commercial salmon licenses.</p>
4. ABORIGINAL ISSUES		
	<p>“The government reconsider its AFS Pilot Sales Program and further recommends that increased aboriginal participation in the commercial fishery be achieved by buying back existing commercial licences and transferring them to First Nations fishermen. However, this should not diminish the Department's overall objective of reducing fleet capacity.” (p. 4)</p>	<p><u>Initial Response</u></p> <p>“Agreements with aboriginal groups in three areas of the province, that contain provisions for the Pilot Sales fisheries, are subject to re-negotiation in 1999. In preparation for negotiations, DFO will consider several aspects of these fisheries in order to refine their implementation. DFO will consider the benefits that the Pilot Sales arrangements have brought to overall fisheries management efforts (such as improved catch monitoring and reporting), advice received in the Matkin report (a fact-finding review of the Aboriginal Pilot Sales program completed in 1997), and comments from the public. Pilot Sales arrangements will be consistent with the principles outlined in two papers recently circulated, <i>A New Direction for Canada’s Pacific Salmon Fisheries</i> and <i>Allocation Framework for Pacific Salmon 1999-2005</i>. It is also worth noting that there are approximately 100 AFS agreements in place with aboriginal groups that do not include Pilot Sales provisions.”</p> <p>“Increased Aboriginal participation in the existing commercial fishery is occurring through the Allocation Transfer Program (ATP). The ATP provides Aboriginal organizations access to commercial fisheries through the voluntary retirement of licences from commercial fisheries and the issuance of communal licences to Aboriginal organizations. Since 1993, the ATP has facilitated the retirement of about 133 commercial licences and the issuance of communal licences to Aboriginal organizations in the Pacific region. Additional funds that will allow for the expansion of this program during the next few years have been made available through the Gathering Strength initiative, sponsored by the Department of Indian Affairs and Northern Development.”</p> <p>“The majority of the licences retired and issued through the ATP have been for fisheries other than salmon. During the past six years, slightly less than half of the licences retired through the ATP were salmon licences. In keeping with the objective of reducing the salmon fishing fleet, the ATP will not compete with the licence retirement program which is part of the CFAR measures. The ATP will primarily target licences for non-salmon fisheries. First Nations have indicated their support for the overall goals of the program.”</p>

	RECOMMENDATION - Charles Hubbard, M.P. Chair, <i>West Coast Report- Report of the Standing Committee Fisheries and Oceans Canada, 1998</i>	DFO RESPONSE
		<p><u>Subsequent Actions</u></p> <p>See Subsequent Actions to Transition Recommendations 1 and 2 in <i>Treaties and Transitions: Toward a Sustainable Fishery on Canada's Pacific Coast</i>.</p>
5. CONSERVATION		
	<p>“The government immediately review its policy with respect to: habitat restoration and protection; enforcement; and fish hatcheries.” (p. 3)</p> <p>“The Committee further recommends that additional human resources be provided at the local level for habitat restoration. This would not only benefit displaced fishery workers but would also provide long-term sustainable results in the rebuilding of the salmon stocks for the future.” (p. 5)</p>	<p><u>Initial Response</u></p> <p>“Fish habitat restoration, protection and enforcement in Canada are guided by the Policy for the Management of Fish Habitat and related guidelines. This policy, linked to the habitat-related sections of the <i>Fisheries Act</i>, provides a strong and practical tool for habitat management.”</p> <p>“The main approaches the Policy identifies that DFO will use to manage fisheries habitat, include:</p> <ul style="list-style-type: none"> • avoiding damage through public awareness; • establishing guidelines for developers; • establishing guidelines for developers; • planning and promoting integrated resource management; • reviewing specific development proposals in advance of development to ensure habitat impacts are mitigated or compensated; • monitoring developments for compliance; and • enforcement.” <p>“Through its responsibilities for water and natural resource management, the Province of BC also contributes to habitat protection. DFO is engaged in a number of initiatives with the Province to address issues related to habitat restoration and protection arising from conflicts between resource management and fish habitat protection. In addition, other federal agencies (e.g. Environment Canada) are actively involved in complementary sustainable development issues.”</p> <p>“As a start, significant progress has been made since the mid-1990's on the West Coast under Canada's Green Plan. As well, in 1998 funding of \$100 million over five years has been made available under the CFAR measures. These measures have increased DFO's habitat management</p>

	RECOMMENDATION - Charles Hubbard, M.P. Chair, <i>West Coast Report</i>- Report of the Standing Committee Fisheries and Oceans Canada, 1998	DFO RESPONSE
		<p>capability in British Columbia, particularly with respect to fostering community resource stewardship.”</p> <p>“For example, the DFO will facilitate the development of watershed councils, representing all local interests, including those whose activities have an impact on fish habitat. Stewardship coordinators will be recruited to work with the watershed councils, as well as habitat auxiliaries to promote awareness of habitat issues; to work with industry to avoid damage; and to monitor works that may have an impact on habitat.”</p> <p>“The <i>New Direction for Canada’s Pacific Salmon Fisheries</i> paper sets out a broad policy direction associated with a new approach to the salmon fishery. Based on this, a detailed set of operational policies covering the full range of salmon activities is to be developed. A future salmon regime will reflect consultations with stakeholders. Increased public involvement in planning and management is essential to ensure sound decision-making and to build public understanding and support.”</p> <p>“Initiatives under the <i>Oceans Act</i>, such as the Oceans Strategy, Integrated Management Plans and Marine Protected Areas, offer a new and significantly different approach to habitat protection that will be developed and expanded.”</p> <p>“Habitat restoration is an important element of DFO’s management of Pacific salmon stocks and their habitats. New initiatives implemented since 1996/97 have already funded projects valued at \$18 million. An additional \$20 million will be spent over the next three years. These funds are in addition to resources allocated under the Salmonid Enhancement Program (SEP) for core staff with habitat restoration expertise. Most projects are implemented at the local level and many are cost-shared with industry, non-government organizations and other levels of government.”</p> <p>“While the objective of habitat expenditures is resource protection and restoration, displaced fishery workers have received training and project employment for many of these projects. It must be understood, however, that the available work in a given geographical area is not unlimited, and that much of this work is seasonal or short-term. Nevertheless, training of displaced fishery workers in habitat restoration may lead to long-term employment for a limited number of fishermen.”</p> <p>“Further, DFO’s top priority is to prevent habitat damage rather than to expend large sums of taxpayers’ money to repair damage caused by others. Success will mean a decreasing requirement for habitat restoration over the coming decades. DFO will continue to support habitat restoration work where it is required, with its first priority being to support projects that will help to conserve and rebuild threatened salmon stocks. Some of these projects will offer employment opportunities</p>

	RECOMMENDATION - Charles Hubbard, M.P. Chair, <i>West Coast Report</i>- Report of the Standing Committee Fisheries and Oceans Canada, 1998	DFO RESPONSE
		<p>for displaced fishermen; others will not.”</p> <p>“The Department of Fisheries and Oceans agrees that there is a need to improve its policies related to fish hatcheries. Work is under way to prepare background material as a basis for public consultations on this matter. In addition, the department is currently working on a wild salmon policy paper, including biodiversity issues and hatchery programs that will be released later this year.”</p> <p><u>Subsequent Actions</u></p> <p>In 1998/99, the Habitat Restoration and Salmon Enhancement Program (HRSEP) which was announced in January of 1997 for 3 years, spent more than \$7M on over 60 projects, which were carried out by a variety of community partners. This program was established to address stock conservation concerns and to improve the quantity and quality of habitat available for salmon. In 1998, the program was extended through the federal government’s \$400 M investments in fisheries restructuring (PFAR). By 2002 HRSEP had provided more than \$35 M to over 550 habitat restoration, stewardship and stock rebuilding projects, operated and administered by a variety of community groups and agencies.</p>
6. STAKEHOLDERS’ INTERESTS		
	<p>“The federal government commit to working in partnership with West Coast stakeholders in order to implement a long-term but finite transition strategy for individuals and communities to develop new types of employment and industry to assist displaced fishing industry workers.” (p. 6)</p>	<p><u>Initial Response</u></p> <p>“The federal government is working with West Coast stakeholders on all aspects of the fishing industry. Under the Canada-British Columbia Agreement on the Management of Pacific Salmon Fishery Issues in April, 1997, two new consultative mechanisms – a Council of Fisheries Ministers and the Pacific Fisheries Resource Conservation Council – have been established to enable more transparent decision making, to provide a role for the province and to ensure that the views of all stakeholders are considered.”</p> <p>“In addition, throughout the extensive consultative process, over three years, led by Messrs. Steven Kelleher, Thomas Matkin, Sam Toy and Dr. Art May on salmon allocation, input was carefully weighed from stakeholders representing all aspects of the Pacific salmon fishery. Moreover, stakeholder input is an essential element of the long-term allocation policy framework that the Department is currently developing.”</p> <p>“In its continuing commitment to work with all stakeholders to develop and implement a long-term</p>

	RECOMMENDATION - Charles Hubbard, M.P. Chair, <i>West Coast Report</i>- Report of the Standing Committee Fisheries and Oceans Canada, 1998	DFO RESPONSE
		<p>transition strategy for those displaced from the fishing industry, the federal government introduced an \$18 million Community Economic Adjustment Initiative funded under the CFAR envelope. Announced on January 12, 1999 by the Minister of Fisheries and Oceans and the Secretary of State for Western Economic Diversification, this initiative will help communities affected by the restructuring of the Pacific salmon fishery to build on local and coast-wide opportunities to cope with changes in their economy. The three-year program will be administered by Western Economic Diversification Canada and delivered locally by Community Futures Development Corporations (CFDCs). A unique broad-based collaboration will include representatives of the Union of BC Municipalities, First Nations, CFDCs and government, in recognition that communities know their needs and opportunities best.”</p> <p>“Of the \$18 million, \$13.3 million will be allocated for assistance for coast-wide and strategic development to facilitate the transition from an economy based on the salmon fishery to alternative activities. Repayable and non-repayable assistance will be available, as appropriate, to individual projects.”</p> <p>“The remaining \$4.7 million will be used to provide Community Futures Development Corporations (CFDCs) with the resources to deliver and administer the program, including for example: employment of Fisheries Adjustment Coordinators; an outreach program for remote communities; and hosting community information fairs and trade shows.”</p> <p>“CFDCs are community based, non-profit organizations governed by a board of community volunteers and staffed by professionals. Currently, there are 33 CFDCs operating in BC, 12 of which serve coastal communities. An additional CFDC will be opened in Prince Rupert this spring. The hiring of coast-wide project officers will bring, for the first time, economic development expertise to smaller, remote communities.”</p> <p>“In addition, the CFDCs will deliver a \$7 million Recreational Fishery Loan Program, announced by the federal government in December 1998. Funded under the CFAR envelope, the program is designed to assist owners of fishing lodges and charter boat operators in accessing credit for diversifying their operations.”</p> <p>“In addition to these measures, Western Economic Diversification Canada, Human Resources Development Canada, DFO and the Department of Indian Affairs and Northern Development are working together with communities and individuals in developing a long-term transition strategy. Meetings have taken place in large and small communities to discuss existing adjustment and</p>

	RECOMMENDATION - Charles Hubbard, M.P. Chair, <i>West Coast Report</i>- Report of the Standing Committee Fisheries and Oceans Canada, 1998	DFO RESPONSE
		development services. Information sessions have been held to promote client access to federal adjustment and development programs, thereby encouraging community participation in employment transition initiatives, and strengthening community partnerships in sustainable development and economic diversification.”

14) Samuel Toy. [Recommendations for Policy Changes Implementing Several Recommendations of Dr. A.W. May's Report "Altering Course" on Intersectoral Allocations of Salmon on British Columbia, March 1998](#)

	RECOMMENDATION – Samuel Toy. <i>Recommendations for Policy Changes Implementing Several Recommendations of DR. A.W. May's Report "Altering Course" on Intersectoral Allocations of Salmon in British Columbia, March 1998</i>	DFO RESPONSE
1.	<p>"Recommendation 1. That subject to some ensuing observations and qualifications I adopt as my recommendation the document in Appendix 8 managing change dated February 13, 1998, as amended march 10, 1998." (P. 24)</p> <p><i>Note: This recommendation refers to Appendix 8 of Mr. Toy's report that contains a "Statement of Principles". (Refer to pages 52 to 54 of Mr. Toy's report)</i></p>	<p><u>Initial Response</u></p> <p>"I would like to commend Mr. Toy for the energy he has dedicated to this issue, and for the fairness and insight he has provided on this difficult topic, said Mr. Anderson [Minister of Fisheries and Oceans]. I intend to review carefully his recommendations, and look forward to hearing the views of First Nations and those organizations and stakeholders who will be affected by his recommendations."</p> <p>"However, Mr. Toy's recommendations regarding compensation cause me some concern since the fisheries resource belongs to the people of Canada and our actions must address their wishes as well as those who benefit directly from the resource. To move forward on intersectoral salmon allocation will require substantial changes and we must carefully consider the implications of such changes."</p> <p>(Backgrounder - Minister Receives Report on Domestic Salmon Allocation, March 24, 1998)</p> <p><u>Subsequent Actions</u></p> <p>In December 1998, a paper titled Allocation Framework For Pacific Salmon 1999-2005 was released by Minister Anderson. A Backgrounder accompanying this release states – "Since 1995, five independent consultation processes have examined allocation issues with user groups, and have provided recommendations to the Minister of Fisheries and Oceans on long-term allocation policy for the West Coast salmon fishery. All of the advice was taken into account in developing the framework."</p> <p>(Backgrounder - Consultations and Independent Advice, December 16, 1998)</p>
2.	<p>"Recommendation 2. That you should create a new initiative the object of which is empowering of regional management boards throughout the entire province democratically elected, with an overarching independent tribunal. The purpose of these new creations will be to formulate advice and undertake local conservation and habitat enhancement programs, co-ordinate and present pre-</p>	<p><u>Initial Response</u></p> <p>"I have stated previously that I want to see more community-based stewardship of the resource and that my department is looking at changing our consultation and decision-making structures, said the</p>

	RECOMMENDATION – Samuel Toy. <i>Recommendations for Policy Changes Implementing Several Recommendations of DR. A.W. May’s Report “Altering Course” on Intersectoral Allocations of Salmon in British Columbia, March 1998</i>	DFO RESPONSE
	season fishing plans, assist with management and if as, and when appropriate, the determination of inter and intrasectoral allocations and or reallocations by the overarching independent tribunal.” (p. 27)	<p>Minister. Mr. Toy’s recommendations on regionalized management and allocation structures will therefore need thoughtful analysis. The changing conservation picture for the West Coast fishery will also affect allocation.”</p> <p>(Backgrounder - Minister Receives Report on Domestic Salmon Allocation, March 24, 1998)</p> <p><u>Subsequent Actions</u></p> <p>A comprehensive set of recommendations concerning DFO’s advisory structure was submitted by the Institute for Dispute Resolution in 2001. See response to recommendations in the <i>Independent Review of Decision Making in the Pacific Salmon Fishery: Final Recommendations</i>.</p> <p>An independent tribunal was not established.</p>

15) Stephen Kelleher. [Report to the Honourable David Anderson Minister of Fisheries & Oceans Re: Commercial Salmon Allocation, April, 30, 1998](#)

	RECOMMENDATION – Stephen Kelleher. <i>Report to the Honourable David Anderson Minister of Fisheries & Oceans Re: Commercial Salmon Allocation, April, 1998</i>	DFO RESPONSE
1.	<p>“I recommend that formal adjustment for deficits and surpluses be suspended until after Area Re-selection is complete. In the interim, the Department should attempt to meet allocations and should attempt to provide adjustment where possible and appropriate.” (p. 36)</p>	<p><u>Initial Response</u></p> <p>During the period 1996 to 1998, the Minister of Fisheries and Oceans sought input on Pacific salmon allocation from several independent advisors (see below). This advice contributed to the development of <u>An Allocation Policy for Pacific Salmon</u> in October 1999. The 1999 Allocation Policy states:</p> <p>“Since 1995, five consultation processes have been conducted to review options to resolve allocation issues. The areas studied included allocation within the commercial sector (intrasectoral), allocation between the commercial and recreational sectors (intersectoral) and a review of the Aboriginal Pilot Sales Program</p> <p>The following consultation processes have taken place since 1995:</p> <ul style="list-style-type: none"> • Dr. Art May Intersectoral Allocation Jan/96 to Dec/96 • Mr. James Matkin AFS Pilot Sales Program Dec/96 to Feb/97 • Mr. Stephen Kelleher Commercial Allocation Mar/96 to June/97 • Mr. Stephen Kelleher Commercial Allocation Oct/97 to Apr/98 • Mr. Samuel Toy Intersectoral Allocation Oct/97 to Mar/98”. <p>In December 1998, a paper titled “<u>Allocation Framework For Pacific Salmon 1999-2005</u>” was released by Minister Anderson.</p> <p>“The framework has evolved from several years of debate and several independent studies on allocation, said David Anderson, Minister of Fisheries and Oceans. Throughout this period, all sectors of the fishery have called for greater certainty and predictability in salmon allocation. But any progress we could have made on allocation has been stalled by declines in the number of salmon available and the chronic lack of consensus over how to share the fish that are left to be</p>

	RECOMMENDATION – Stephen Kelleher. <i>Report to the Honourable David Anderson Minister of Fisheries & Oceans Re: Commercial Salmon Allocation, April, 1998</i>	DFO RESPONSE
		<p>caught. The government has a clear responsibility to show leadership in order to give fishermen the clarity they have been calling for.”</p> <p>News Release – Anderson Announces Pacific Salmon Allocation Framework: More Certainty for Fishermen Means Better Conservation for Fish, December 16, 1998).</p> <p>A Backgrounder accompanying this news release states – “Since 1995, five independent consultation processes have examined allocation issues with user groups, and have provided recommendations to the Minister of Fisheries and Oceans on long-term allocation policy for the West Coast salmon fishery. All of the advice was taken into account in developing the framework.” (Backgrounder - Consultations and Independent Advice, December 16, 1998) Following the release of “Allocation Framework For Pacific Salmon 1999-2005”, extensive consultations were held with First Nations, commercial and recreational fishing organizations, community representatives and the government of BC.</p> <p>In October 1999, Allocation Policy for Pacific Salmon was released. The paper represents a long-term salmon allocation policy and contains a series of principles for sharing harvestable surpluses of Pacific salmon among First Nations, recreational and commercial users.</p> <p><u>Subsequent Actions</u></p> <p>All of Mr. Kelleher’s recommendations were taken into account in developing the salmon allocation policy released by Minister Anderson.</p>
2.	“The Department should continue its efforts to improve catch accounting and monitoring systems with a view to improving confidence in catch statistics.” (p. 37)	See response to Recommendation 1.
3.	“Until Area Re-selection is complete, the Department should measure deficit and surplus amounts on the basis of Plans vs. Actual Catch, by gear on a coast-wide basis in Sockeye equivalents and adjust on a best efforts basis.” (p. 39)	See response to Recommendation 1.
4	“After Area Re-selection is complete, the Department should measure deficit and surplus amounts on the basis of Plan vs. Actual Catch, by gear, by North and South totals in Sockeye equivalents.” (p. 39)	See response to Recommendation 1.

	RECOMMENDATION – Stephen Kelleher. <i>Report to the Honourable David Anderson Minister of Fisheries & Oceans Re: Commercial Salmon Allocation, April, 1998</i>	DFO RESPONSE
5	I recommend that deficit adjustment only be considered in those instances when, allowing for the constraints of other management objectives, a gear group has not been provided with a reasonable opportunity to catch its allocation.” (p.41)	See response to Recommendation 1.
6	“I recommend that deficits and surpluses be monitored by the Department year to year by Sockeye Equivalent.” (p. 41)	See response to Recommendation 1.
7	“I recommend that the Department adjust for deficits and surpluses where possible and appropriate on a year to year basis.” (p. 41)	See response to Recommendation 1.
8	“I recommend that there be a formal allocation accounting once every four years, using Departmental catch statistics, but co-ordinated by an Allocation Facilitator (see Dispute Resolution below). At this time, deficits and surpluses will be formally stated, and repayment of these amounts built into the Allocation Plan for the upcoming four year period.” (p. 41-42)	See response to Recommendation 1.
9	“I recommend that by-catch of Fraser Sockeye be included in formal allocation accounting once every four years giving stakeholders and managers the opportunity to assess by-catch trends.” (p. 46)	See response to Recommendation 1.
10	“I recommend that the Department otherwise use discretion in managing fisheries in the North, seeking to provide fisheries to Northern license holders without significantly varying from by-catch patterns in the past.” (p. 46)	See response to Recommendation 1.
11	“I recommend that by-catch in the North be deducted from the TAC of the same gear type in the south in-season, in order to preserve coast-wide gear shares.” (p. 47)	See response to Recommendation 1.
12	“I recommend that in the event of a privately financed license buy back, gear shares not be adjusted.” (p. 47)	See response to Recommendation 1.
13	“I recommend that in the event of a publicly funded license buy back, CPUE be held constant in the adjustment of coast wide gear allocations.” (p. 52)	See response to Recommendation 1.

	RECOMMENDATION – Stephen Kelleher. <i>Report to the Honourable David Anderson Minister of Fisheries & Oceans Re: Commercial Salmon Allocation, April, 1998</i>	DFO RESPONSE
14	“In the event of an inter-sectoral reallocation I recommend that catch capacity purchased be matched as accurately as possible to catch reallocated, by volume, species and area.” (p. 54)	See response to Recommendation 1.
15	“I recommend that the Department make available as much relevant information as possible prior to and during a two step area re-selection process. This information might include catch forecasts and income averages per license per license area.” (p. 56)	See response to Recommendation 1.
16	“I recommend that the Long Term Allocation Plan not be adjusted after the 1999 Area Re-selection process.” (p. 56)	See response to Recommendation 1.
17	“I recommend that an Allocation Facilitator be appointed to handle disputes. The Allocation Facilitator shall seek consensus where possible and make recommendations to the Minister.” (p.57)	See response to Recommendation 1.
18	“Until area re-selection is complete before the 2000 season, I recommend that Area G be given access to parts of Area 11 for the purpose of achieving its allocation, and that Area F be given a small harvest of Fraser Sockeye if abundance supports it.” (p. 59)	See response to Recommendation 1.
19	“I recommend that the Department provide Area F this access to Fraser Sockeye in such a way that minimizes risk when run size is uncertain. Area 2W or Area 11 might be considered.” (p. 60)	See response to Recommendation 1.
20	“I recommend that the Department provide Area F this access only subject to suitable catch monitoring.” (p. 60)	See response to Recommendation 1.
21	“After area re-selection, I recommend that there be no continuation of modifications of this kind. Boundaries for license areas should be drawn in such way that further modifications are not necessary.” (p. 60)	See response to Recommendation 1.
22	“I recommend that the Department consider no new selective fisheries without accurate retirement of commercial fleet capacity and appropriate compensation.” (p. 62)	See response to Recommendation 1.
23	“In the interests of encouraging commercial license holders to innovate, and providing them with an opportunity to catch their allocation in new more selective ways, I recommend that the Department establish a program to consider applications from commercial license holders to harvest by more	See response to Recommendation 1.

	RECOMMENDATION – Stephen Kelleher. <i>Report to the Honourable David Anderson Minister of Fisheries & Oceans Re: Commercial Salmon Allocation, April, 1998</i>	DFO RESPONSE
	selective means on a trial basis.” (p. 62)	

16) Auditor General of Canada [*Chapter 20, Fisheries and Oceans: Pacific Salmon: Sustainability of the Fisheries*](#), November 1999

- Response Document: Government response contained within the Auditor General Report

	RECOMMENDATION - Auditor General of Canada, <i>Chapter 20, Fisheries and Oceans: Pacific Salmon: Sustainability of the Fisheries</i> , November 1999	DFO RESPONSE
1	To protect the genetic diversity of salmon stocks, Fisheries and Oceans should move quickly to determine conservation units for all five species. (p.20-14)	<p><u>Initial Response</u></p> <p>“Fisheries and Oceans agrees with the need to continue efforts to determine conservation units for Pacific salmon. Work on coho salmon stocks is most advanced at this point, reflecting immediate conservation concerns. Initial plans for conservation units for all species will be completed in priority sequence, as quickly as resources permit, then continually upgraded as new information becomes available.”</p> <p><u>Subsequent Actions</u></p> <p>The <i>Wild Salmon Policy</i> was adopted in 2005. The <i>Wild Salmon Policy</i> is based on the protection of aggregates of spawning stocks that have similar genetic characteristics. For more information see the response to Recommendation 1 in the <i>Review of the 2002 Fraser Sockeye Fishery by the External Review Committee</i>.</p>
2	The Department should produce comprehensive, integrated status reports on stocks and habitats based on the new conservation units for each salmon species. The reports should be updated annually and used in developing, implementing and evaluating fisheries management plans. (p. 20-15)	<p><u>Initial Response</u></p> <p>“There is a need to improve the integration of stock and habitat assessment information to help guide fisheries management decisions. This is consistent with the ecological approach to fisheries management to which the Department is committed, and will be implemented in a staged manner. The Department agrees that integrated reports should be produced on a regular basis, with more frequent reviews in special circumstances, but it questions whether annually is the appropriate time frame for regular reporting.”</p> <p><u>Subsequent Actions</u></p> <p>The Canadian Science Advisory Secretariat (CSAS) publishes annual forecasts for major stocks that support fisheries. CSAS also publishes status reports with a focus on stocks of concern. For example <i>Cultus Lake Sockeye Salmon - Stock status report - July 7 2003</i>, has guided management plan development for Southern BC salmon since its release. Cultus Lake sockeye have been</p>

	RECOMMENDATION - Auditor General of Canada, <i>Chapter 20, Fisheries and Oceans: Pacific Salmon: Sustainability of the Fisheries</i>, November 1999	DFO RESPONSE
		<p>specifically referenced in Integrated Fisheries Management Plans for Southern BC Salmon. An example can be found in the 2009 Salmon Southern BC, IFMP.</p> <p>Status and habitat assessment of Pacific salmon by Conservation Units is now guided by Canada's <i>Wild Salmon Policy</i> adopted in 2005. See response to Recommendation 11 in <i>Here we go Again... or the 2004 Fraser River Salmon Fishery – Report of the Standing Committee on Fisheries and Oceans</i>.</p>
3	The Department should assess its information requirements in the areas of data collection, analysis and management, in order to meet its long-term needs and identify priorities under the New Direction policy. (p. 20-17)	<p><u>Initial Response</u></p> <p>“Fisheries and Oceans concurs with this recommendation, and is preparing assessment frameworks for all species of Pacific salmon. These frameworks will define the information required to ensure conservation and effective management, and will be used to determine priorities for allocation of resources under the New Direction policy. The Auditor General cites some progress under the Canada–British Columbia Agreement on the Management of Pacific Salmon Fishery Issues. This work has already resulted in significant improvements in salmon information management, and work to achieve further improvements will continue.”</p> <p><u>Subsequent Actions</u></p> <p>A Stock Assessment Framework was reviewed at PSARC and was scheduled for broader release in fall of 2000 (Response to the Standing Committee on Public Accounts on Actions Taken in Relation the 1999 Reports of the Auditor General).</p> <p>The Department has more recently undergone further analysis of information requirements which has resulted in the release of catch monitoring standards frameworks for First Nations fisheries and recreational fisheries and the release of draft standards for the commercial salmon fishery.</p> <p>See slide 5 of a PowerPoint Presentation by C. Masson called “PICFI Enhanced Accountability 2010/11 Year 4”.</p> <p>PSARC reviewed and approved an approach to prioritize assessment activities for Fraser sockeye based on qualitative risk evaluations (Pestal and Cass 2009). This document is publicly available at DFO's Canadian Science Advisory Secretariat (CSAS) website:</p> <p>http://www.dfo-mpo.gc.ca/CSAS/Csas/Publications/ResDocs-DocRech/2009/2009_071_e.htm</p> <p>The approach provides a consistent framework for rapid qualitative evaluation of population status</p>

	RECOMMENDATION - Auditor General of Canada, <i>Chapter 20, Fisheries and Oceans: Pacific Salmon: Sustainability of the Fisheries</i>, November 1999	DFO RESPONSE
		based on severity (i.e. judging current status for each Wild Salmon Policy (WSP) Conservation Unit) and uncertainty (i.e. judging quality of information for each WSP Conservation Unit). The framework serves as a first step toward strategic operational planning that considers status and uncertainty along with budgetary constraints in delivery of stock assessment activities and advice. An overall operational plan for Fraser sockeye that integrates assessment priorities based on status severity and data uncertainty by Conservation Unit has not yet been developed.
4	The Department should evaluate the comprehensiveness and quality of data collected under the Aboriginal Fisheries Strategy (AFS) and the adequacy of the standards and procedures that guide data collection, compilation and reporting, with a view to improving and expanding the role of the AFS in this area. (p.20-18)	<p><u>Initial Response</u></p> <p>“The role of First Nations, through the Aboriginal Fisheries Strategy, in data collection and reporting is evolving. First Nations are becoming more proficient at collection and reporting of data. The Department acknowledges the need to more rigorously define data quality standards and methods, and to establish reporting procedures. Fisheries management staff are working with the Science, Stock Assessment and Habitat and Enhancement branches to integrate the process of collecting and reporting the data.”</p> <p><u>Subsequent Actions</u></p> <p>DFO has continued to work with First Nations to ensure catch monitors and First Nations fishery managers are aware of the importance of timely provision of catch information. Catch monitoring standards have been drafted and sent to the First Nations Fisheries Council for feedback and a comprehensive consultation process is being developed.</p> <p>See slide 5 of a PowerPoint Presentation by C. Masson called “PICFI Enhanced Accountability 2010/11 Year 4”.</p>
5	<p>The Department should ensure that the responsibilities of the Pacific Scientific Advice Review Committee are in line with the needs outlined in <i>A New Direction for Canada’s Pacific Salmon Fisheries</i>, by:</p> <ul style="list-style-type: none"> • requiring the Committee to produce comprehensive integrated reports on stock and habitat status, taking into account traditional knowledge; and • expanding the Committee’s area of reporting to cover individual salmon stocks or groups of stocks under proposed conservation units. (p.20-19) 	<p><u>Initial Response</u></p> <p>“Fisheries and Oceans agrees with this recommendation. The Department will be moving to ensure that PSARC salmon stock status reports incorporate habitat status information. The Committee is already responsible for incorporation of traditional knowledge in its assessments, and for reporting on the status of individual stocks or groups of stocks. Stock status reports will be aligned with conservation units, once defined.”</p> <p><u>Subsequent Actions</u></p> <p>Population status and habitat assessment of Pacific salmon Conservation Units is guided by</p>

	RECOMMENDATION - Auditor General of Canada, <i>Chapter 20, Fisheries and Oceans: Pacific Salmon: Sustainability of the Fisheries</i>, November 1999	DFO RESPONSE
		Canada's Wild Salmon Policy adopted in 2005. See responses to Recommendation 11 <i>Here We Go Again... or the 2004 Fraser River Salmon Fishery – Report of the Standing Committee on Fisheries and Oceans</i> . This includes a requirement for science peer review.
6	The Department should ensure that Integrated Fisheries Management Plans include formal recovery plans for stocks at risk. (p. 20-20)	<p><u>Initial Response</u></p> <p>“The Department agrees in principle with the recommendation to include formal recovery plans for stocks at risk in Integrated Fisheries Management Plans. We are developing a coho plan for recovery of upper Skeena and Thompson coho. Fishery restrictions were introduced starting in 1998 that curtail harvest by all sectors, involving fishery closures and adjustments to the area, timing and gear specifications of permitted fisheries. Salmon habitat improvement initiatives have also been authorized and projects in support of selective fishing practices have been conducted. The Department will develop recovery plans consistent with these specifications when available, and include them in IFMPs.”</p> <p><u>Subsequent Actions</u></p> <p>IFMPs are developed annually for a wide range of salmon stocks. The plans are comprehensive and include references to relevant policies and to stocks of concern.</p> <p>Recovery plans have been developed for many stocks of concern. One example is the National Conservation Strategy for the Cultus Lake Sockeye Salmon. Recovery plan objectives guide the development of IFMPs. For example, in the 2009 Integrated Fisheries Management Plan for Southern BC, Cultus Lake sockeye are specifically considered in the development of fishing plans (see 2009 Salmon Southern BC, IFMP).</p>
7	The Department should facilitate the application of the precautionary approach to salmon fisheries management by establishing catch levels and conservation limits for individual stocks or groups of stocks. (p. 20-20)	<p><u>Initial Response</u></p> <p>“This recommendation is consistent with the Wild Salmon Policy now under development by the Department. The policy, which is based on the precautionary approach, will establish escapement levels and target harvest rates that will ensure long-term sustainability. This work goes hand-in-hand with the requirement to establish conservation units and will be a central feature of departmental science input to fisheries management.”</p> <p><u>Subsequent Actions</u></p> <p>DFO includes precautionary measures and setting conservation limits in its management strategies</p>

	RECOMMENDATION - Auditor General of Canada, <i>Chapter 20, Fisheries and Oceans: Pacific Salmon: Sustainability of the Fisheries</i>, November 1999	DFO RESPONSE
		<p>by lowering harvest rates on threatened stocks. For example, in the late 1990's when coho survival declined, coast wide harvest restrictions were implemented to target a "near zero" exploitation rate. The realized harvest rate ranged between 0 and 3%.</p> <p>See the 2009 Integrated Fisheries Management Plan for Southern BC where Interior coho are specifically considered in fishing plan development (2009 Salmon Southern BC, IFMP).</p>
8	The Department should assess the risks to conservation of allowing selective fishing in the commercial and recreational fisheries, given the lack of reliable information on long-term mortality rates of released salmon. It should then build adequate safeguards into fishing plans to protect stocks at risk. (p.20- 22)	<p><u>Initial Response</u></p> <p>"The Department is continuing studies to improve understanding of the mortality of salmon released following capture in commercial, recreational and First Nations fisheries. The knowledge gained through these studies will be incorporated into future fisheries management plans. Current management plans take account of expected mortalities based on existing knowledge."</p> <p><u>Subsequent Actions</u></p> <p>Several studies were completed and a table outlining mortality of salmon by gear type was produced entitled Working Document Report Recommendations for Interim Changes of Coho Post-Season Mortality Rates. Based on this, changes were implemented in the commercial fishery including the use of revival boxes and where appropriate, the use of short length gill nets and short sets (<30 minutes). Other measures were attempted (e.g., large plug size in troll fisheries) but were not implemented due to little or no observed success in reducing encounters and/or mortalities of non-target species.</p>
9	The Department should specify a fleet reduction target and timetable that are consistent with its objectives of conservation, selective fishing and cost recovery, and work to complete fleet reduction according to this timetable. (p. 20-23)	<p><u>Initial Response</u></p> <p>"The Department agrees with this recommendation. In 1996, a multi-year salmon fleet reduction target of 50 percent was established. This target will be reviewed taking into account various factors, in particular the requirement to fish selectively in order to meet conservation objectives, and harvest diversification opportunities."</p>
10	The Department should act on its proposal to establish an independent allocation board as soon as possible. (p. 20-24)	<p><u>Initial Response</u></p> <p>"The Department agrees and is developing an implementation plan for the establishment of an allocation board. The final draft of An Allocation Policy for Pacific Salmon will be released soon. It provides for the establishment of an allocation board and the outlines the board's basic goals."</p>

	RECOMMENDATION - Auditor General of Canada, <i>Chapter 20, Fisheries and Oceans: Pacific Salmon: Sustainability of the Fisheries</i>, November 1999	DFO RESPONSE
		<u>Subsequent Actions</u> This recommendation was not implemented.
11	The Department should evaluate its consultation process, with the input of stakeholders, to identify where improvements are needed before it finalizes its improved decision-making policy. (p. 20-26)	<u>Initial Response</u> “Consistent with this recommendation, the Department is planning to obtain stakeholders’ and public input on how to improve the consultative process before finalizing the improved decision making policy, which is being drafted.” <u>Subsequent Actions</u> Consultation resulted in the document The Framework for Improved Decision Making in the Pacific Salmon Fishery being released in June 2000. In addition, the Institute for Dispute Resolution was contracted to provide advice on consultation in 2001.
12	The Department should intensify its efforts to develop common objectives and integrated strategies with the Province of British Columbia to conserve the resource base and promote sustainable fisheries. (p. 20-26)	<u>Initial Response</u> “The federal and BC governments have been working actively and jointly to implement the Canada–British Columbia Agreement on the Management of Pacific Salmon Fishery Issues. In the two and a half years since the agreement was signed, the two governments have fulfilled many of the requirements of the agreement. Additional work on co-ordinating our efforts in enforcement and habitat management and restoration are under way. Also, new areas for co-operation are constantly under consideration.” <u>Subsequent Actions</u> The Department and the Government of BC continue to work together on a wide range of issues. They have been joint participants on a number of reviews and studies (e.g. Joint Federal Provincial Task Group on Post Treaty Fisheries). As well, in looking for new management approaches, the Province has been a participant in PICFI initiatives.
	As a basis for setting priorities in the allocation of resources to meet the demands of the New Direction policy, the Department should complete risk assessments in areas where management information is incomplete or lacking. (p. 20-28)	<u>Initial Response</u> “Fisheries and Oceans agree. The salmon assessment frameworks being prepared (see response to paragraph 20.56) will be critical to identify priorities. In addition, the Department is initiating a

	RECOMMENDATION - Auditor General of Canada, <i>Chapter 20, Fisheries and Oceans: Pacific Salmon: Sustainability of the Fisheries</i>, November 1999	DFO RESPONSE
		review of the salmon management process. Resources, both from budget reallocation and from other sources, will be directed in accordance with priority.”

17) Auditor-General of Canada. [The Effects of Salmon Farming in BC on the Management of Wild Salmon Stocks](#). Chapter 30 in Report to Parliament, 2000

	RECOMMENDATION – Auditor-General of Canada. <i>The Effects of Salmon Farming in BC on the Management of Wild Salmon Stocks</i> . Chapter 30 in Report to Parliament, 2000	DFO RESPONSE
1.	Fisheries and Oceans should act immediately to strengthen its monitoring and enforcement capabilities for salmon farming operations (30.3.7)	<p><u>Initial Response</u></p> <p>Fisheries and Oceans is committed to sustainable development of the aquaculture industry, and the Department is meeting its challenges through a multi-pronged action plan.</p> <p>In August 2000, the Department announced its Program for Sustainable Aquaculture (PSA) – A \$75 million investment over five years for sustainable aquaculture in Canada. This program invests in environmental and biological science (\$13.75 million), strategic research and development (\$20 million), measures to ensure the quality and safety of fish products (\$20 million), and an improved regulatory and management framework for the aquaculture sector (\$21.5 million). These program enhancements will increase resources in the Pacific Region to effectively conduct fish habitat and environmental assessments of proposed aquaculture development as well as monitor compliance with, and enforce, its regulatory responsibilities. Indeed, the Department has recently advised all BC salmon farmers that monitoring of their sites will increase to better ensure compliance with the <i>Fisheries Act</i>.</p> <p>The PSA will also enable the Department to build on the existing and growing knowledge base of the potential ecosystem impacts of an expanding salmon industry. Work is already under way by Fisheries and Oceans officials in both the region and in headquarters to prioritize and co-ordinate research initiatives with others, including the federal government’s Aquanet Centre of Excellence, the Province of British Columbia’s recently announced aquaculture research trust fund, and with ongoing initiatives of the other provinces through the Canadian Council of Fisheries and Aquaculture Ministers Task Group on Aquaculture.</p> <p>As part of recent review of the legislative, regulatory and policy framework for aquaculture, prepared by the office of the Commissioner for Aquaculture Development, the Department is also a priority on further addressing a number of issues related to environmental and habitat protection. These actions include refining the application of section 35 of the <i>Fisheries Act</i> (harmful alteration, disruption and destruction of habitat) as it applies to aquaculture operations, as well as consideration, in collaboration with Environment Canada, of the development of regulations under</p>

	RECOMMENDATION – Auditor-General of Canada. <i>The Effects of Salmon Farming in BC on the Management of Wild Salmon Stocks</i> . Chapter 30 in Report to Parliament, 2000	DFO RESPONSE
		<p>section 36 of the Fisheries Act to control the deposit of any deleterious substances from aquaculture operations. In addition, under the auspices of the Canadian Council of Fisheries and Aquaculture Ministers, the Department is working closely with provincial departments responsible for aquaculture to harmonize federal and provincial roles and to reduce unnecessary duplication of effort, thereby freeing resources to focus on priorities and gaps. Finally, the Department is working with provinces and industry to establish a national aquatic animal health program aimed at reducing the incidence of disease and the severity of the impacts. Important environmental outcomes of this program include improved aquatic animal health in the wild and farmed populations and further reductions in antibiotic and pesticide use.</p> <p>In response to the concern raised regarding the escapement of farmed fish, escapes from BC fish farms now represent only 0.3 percent of the total harvest. The Department is committed to working with the industry and its provincial counterparts to further reduce the risk of future escapes. In BC the provincial Ministry of Agriculture, Food and Fisheries has recently announced more stringent measures to help prevent fish farm escapes. The revised regulations require enhanced escape prevention and response plans, expanded reporting requirements, and record keeping Fisheries and Oceans is committed to such preventive measures and will continue to work to support the and other efforts by the provincial Government.</p> <p>As the specific recommendation to expand and improve the Atlantic Salmon Watch program, the Department has provided additional funding to the Program in 2000-2001 and the number of streams surveyed under its auspices has been increased.</p> <p>Given that Atlantic salmon numbers are small and there are thousands of rivers and streams in British Columbia, the chances of finding salmon are low. The extensive funding required for comprehensive monitoring would divert investments otherwise available to restore habitat and protect wild stocks – activities with proven benefits.</p> <p>Fisheries and Oceans’ aquaculture action plan demonstrates its serious commitment to developing the aquaculture sector in a sustainable manner that increases awareness of, and addresses the potential environmental impacts associated with salmon farming (p. 30-26, 30-27)</p>
2.	Fisheries and Oceans should identify areas of needed research to understand the potential effects of an expanded salmon industry. It should assign priorities to ensure the most effective use of limited resources within the time period remaining before new farm site proposals are reviewed. (30.60)	<p><u>Initial Response</u></p> <p>See response to Recommendation 1.</p>

	RECOMMENDATION – Auditor-General of Canada. <i>The Effects of Salmon Farming in BC on the Management of Wild Salmon Stocks</i>. Chapter 30 in Report to Parliament, 2000	DFO RESPONSE
		<p><u>Subsequent Actions</u></p> <p>The BC Aquaculture Research and Development Committee was established and developed research priorities on various production related, fish health, environmental and socio-economic issues related to aquaculture. The research and development priorities were used to coordinate aquaculture research activities through a variety of initiatives such as DFO's Aquaculture Collaborative Research and Development Program.</p> <p>In 2003, DFO - Pacific Region formed the Aquaculture Science Working Group to address short term questions regarding aquaculture site applications and to identify long term projects which will be studied with the objective of producing peer reviewed research papers on the potential effects of aquaculture.</p> <p>Further, a systematic review has been undertaken to identify the state of knowledge of the effects of aquaculture in the environment. As part of that review, the authors have been requested to identify critical cost-effective areas of research to improve DFO's ability to manage the environmental effects of aquaculture. Peer reviewed papers were published in March 2003 as Canadian Technical Reports on the following topics:</p> <ul style="list-style-type: none">• Far-field environmental effects of marine finfish aquaculture;• Ecosystem-level effects from marine aquaculture operations;• Effects of sea lice pesticides on non-target organisms. <p>DFO is also working with other partners funding aquaculture research to develop a mechanism to coordinate and communicate new research initiatives. To this end, a workshop took place in March 2003 attended by 23 agencies.</p> <p>In 2008, funding was provided for the New Sustainable Aquaculture Program including Aquaculture Regulatory Science which is supported by the Program for Aquaculture Regulatory Research, the Centre for Integrated Aquaculture Science and the Canadian Integrated Multi-trophic Aquaculture Network. Research priorities are based on aquaculture regulatory management requirements as identified through the Framework for Aquaculture Environmental Management of the New Sustainable Aquaculture Program. For example, this includes work related to siting requirements as well as research on identifying the effects of farm waste deposition on hard bottom substrates.</p>

	RECOMMENDATION – Auditor-General of Canada. <i>The Effects of Salmon Farming in BC on the Management of Wild Salmon Stocks</i>. Chapter 30 in Report to Parliament, 2000	DFO RESPONSE
3.	Given that escapes of Atlantic salmon from open net rearing facilities are expected to continue into the foreseeable future, Fisheries and Oceans should expand and improve the Atlantic Salmon Watch Program to provide the information necessary to assess the effectiveness of its regulatory and management activities. (30.72)	<p><u>Initial Response</u></p> <p>Regarding expanding and improving the Atlantic Salmon Watch Program, the Department has provided additional funding to the Program in 2000-2001 and the number of streams surveyed under its auspices have been increased.</p> <p><u>Subsequent Actions</u></p> <p>In 2002, the BC Government amended the BC Aquaculture Regulations to address escapes. This also included increased funding for the Atlantic Salmon Watch Program. For addition information see http://www.agf.gov.bc.ca/fisheries/escape/escape_prevention.htm</p> <p>Following the BC Supreme Court decision in <i>Morton</i>, DFO is in the process of developing new aquaculture regulations under the <i>Fisheries Act</i>.</p>
4.	Fisheries and Oceans should take immediate action to determine how the concept of “harmful alteration, disruption or destruction of habitat” will be applied to salmon farming and how the “deposit of a deleterious substance” will be addressed, so it can provide the Province of British Columbia with comprehensive comments on potential conflicts federal legislation and provincial regulations. (30.80)	<p><u>Subsequent Actions</u></p> <p>In 2004 DFO began using DEPOMOD, a science-based process for determining fish farm sitting based on what constitutes a harmful alteration, disruption or destruction (HADD) of fish habitat with respect to salmon farming.</p> <p>DEPOMOD is used by DFO used as a predictive model to assist regulators and industry in sitting farms away from sensitive habitats. DEPOMOD predicts particle deposition on the seabed arising from finfish farms and associated changes in the benthic community structure. In this context, DEPOMOD provides the department with a regulatory threshold where a <i>Fisheries Act</i> section 35(2) authorization is issued. Compensatory habitat is determined on the basis of the predicted footprint from the model ‘No Net Loss’ of productive habitat.</p> <p>In addition to DEPOMOD site specific monitoring is used to evaluate individual site performance. This monitoring is done in conjunction with the province of BC under the <i>BC Finfish Aquaculture Waste Control Regulations</i> (FAWCR).</p> <p>http://www.pac.dfo-mpo.gc.ca/science/aquaculture/sok-edc/depomod-eng.htm</p> <p>http://www.dfo-mpo.gc.ca/csas/Csas/DocREC/2005/RES2005_035_e.pdf</p>

18) Institute for Dispute Resolution (IDR). [Independent Review of Improved Decision Making in the Pacific Salmon Fishery: Final Recommendations, 2001](#)

	RECOMMENDATION - Institute for Dispute Resolution (IDR). <i>Independent Review of Improved Decision Making in the Pacific Salmon Fishery: Final Recommendations, 2001</i>	DFO RESPONSE
	CONTEXT STATEMENT AND SYNOPSIS OF RECOMMENDATIONS	
1.	Improve standards of practice within consultation process and commit to a set of principles and code of conduct that address fundamental issues of mistrust. (p. 4)	<p><u>Initial Response:</u></p> <p>There was no formal, immediate response to the IDR report on Improved Decision Making in the Pacific Salmon Fishery.</p> <p><u>Subsequent Actions</u></p> <p>In 2004, with significant input from the IDR report, DFO published a national <u>Consultation Toolbox</u> and <u>Consultation Framework</u> that include guiding principles and approaches to developing trust through effective engagement.</p> <p>In the same year, in the Pacific Region, DFO developed a <u>Policy to Govern Pacific Region Advisory Bodies</u> (IDR-01) that includes a set of principles and code of conduct for advisory groups containing many of the recommendations in the IDR report. As per this policy, principles and codes of conduct are contained in the <u>Terms of Reference for the Integrated Harvest Planning Committee for salmon</u>, the <u>Commercial Salmon Advisory Board and the Area Harvest planning Committees</u>.</p> <p>The Consultation Secretariat was established by DFO, concurrent with the IDR consultations, to coordinate and support regional DFO consultation on a wide range of policy issues.</p>
2.	Establish a planning and policy development system that clarifies when and how important decisions are made and how interested parties may participate. (p. 4)	<p><u>Subsequent Actions</u></p> <p>DFO's Consultation Framework describes the policy objectives and guiding principles for the Department's consultations on fisheries matters. The following excerpt from the <i>Consultation Framework</i> provides an overview of how DFO will engage interested parties.</p> <p>"Fisheries and Oceans Canada (DFO) has a broad mandate, with the authority to regulate and enforce activities, develop policy, provide services and manage programs. To help ensure that the department's policies and programs are aligned with its vision and effectively address the interests</p>

	RECOMMENDATION - Institute for Dispute Resolution (IDR). <i>Independent Review of Improved Decision Making in the Pacific Salmon Fishery: Final Recommendations, 2001</i>	DFO RESPONSE
		<p>and preferences of Canadians, DFO supports consultations that are transparent, accessible and accountable. This <i>Consultation Framework</i> creates the foundation for DFO officials to build a common understanding and coordinated approach to consultations in support of departmental decision-making processes. The <i>Consultation Framework</i> comprises a policy statement and, organized under three broad themes, nine principles and 37 guidelines.</p> <p>Given the federal government’s fiduciary relationship with Aboriginal groups and their significance in DFO’s activities, particular attention is devoted to outlining special considerations for consulting with Aboriginal groups. A separate Toolbox completes the Framework by providing practical tools and advice for planning, implementing and evaluating consultations.</p> <p>With guidance from the DFO Consultation Framework, the Consultation Secretariat (CS) has organized and implemented integrated consultation processes on a wide range of policy issues. A consultation calendar is available on the Consultation Secretariat website describing upcoming consultations with background material and how interested parties might participate. In recent years, there have been extensive public and sector-based consultations on important topics like: the Wild Salmon policy, Pacific Fisheries Reform, Pacific Integrated Commercial Fisheries initiative, Groundfish Reform, Pacific Salmon Treaty Renewal and <i>Fisheries Act</i> Renewal.</p> <p>DFO also uses its formal advisory process and its established bilateral processes with First Nations to seek advice on important questions.</p>
3.	<p>Establish a nomination process within the commercial sector to ensure fair and accountable representation of all Area/gear types in harvest management planning, allocation decision making and policy development. The Department should provide resources on a priority basis for an independent firm or organization to assist the commercial sector in establishing the proposed organizations, unless the Department is prepared to take this task on internally. (p. 4)</p>	<p><u>Subsequent Actions</u></p> <p>All commercial fishing fleet representatives to the formal salmon advisory process are now elected by their constituent licence holders in elections, as per Section 2.3 of the Commercial Salmon Advisory Board and the Area Harvest planning Committees.</p> <p>“2.3. Structure:</p> <ul style="list-style-type: none"> • All meetings will be conducted generally adhering to Robert’s Rules of order. • Elections will normally be held every year where half the board will be up for re-election. The current terms will be extended until after area re-selection. New Boards, in time for the planning process of 2006, must be elected. • Elections should be held through the past practice of conducting nominations and

	RECOMMENDATION - Institute for Dispute Resolution (IDR). <i>Independent Review of Improved Decision Making in the Pacific Salmon Fishery: Final Recommendations, 2001</i>	DFO RESPONSE
		<p>elections through registered mail-outs to all licence holders unless otherwise agreed.</p> <ul style="list-style-type: none"> • The contact owner for a vessel that permanently holds a category A, or reduced fee category A, salmon licence eligibility/ies or the licence eligibility holder for a category F or N salmon licence are considered eligible to nominate/vote. One vote per licence. • Chair will be chosen from the elected board and will be elected at the first meeting following Board elections. • Each of the eight licence areas will have an AHC.” <p>The elections are facilitated by DFO.</p>
4.	<p>“Establish an Integrated Regional Forum (IRF) within which Integrated Salmon Harvest Management Plans (SHMPs) can be refined and decision rules for SHMPs can be developed. The IRF should adopt a flexible approach to dealing with conflicts between the commercial and recreational Sectoral (SHMPs (and potentially in the future First Nations (SHMPs) by bringing affected parties together in a working group format. North and South subgroups are a key starting point. However, there are issues at play that involve interests from both north and south, as well as other potential subgroups, such as a coast/interior subgroup”.(p. 4)</p>	<p><u>Subsequent Actions</u></p> <p>Partly in response to the IDR report, the Integrated Harvest Planning Committee (IHPC) for salmon was established in 2004 to advise DFO on cross-sector issues that might have Pacific Region-wide implications. It brings together a sub-set of representatives from the northern and southern sub-committees. Each sub-committee and the IHPC itself are comprised of representatives from the commercial and recreational fisheries, First Nations and environmental groups, with ex-officio representation from the Province of BC, as per the following section of the Terms of Reference for the Integrated Harvest Planning Committee for salmon.</p> <p>“STRUCTURE:</p> <ul style="list-style-type: none"> • One regional IHPC, with two sub-committees – one for the south, one for the north. The regional IHPC will meet at least annually, and will consist of the entire membership of each of the two subcommittees. • When the regional IHPC meets, it will be possible to coordinate north/south IHPC subcommittee meetings at the same time. • Each “sector” nominates representatives according to the membership described below (see Membership section below). • Each IHPC committee has a Facilitator and a note-taker (see Appendix B for a description of the role of a Facilitator).

	RECOMMENDATION - Institute for Dispute Resolution (IDR). <i>Independent Review of Improved Decision Making in the Pacific Salmon Fishery: Final Recommendations, 2001</i>	DFO RESPONSE
		<ul style="list-style-type: none"> DFO will provide the services of a note-taker.
5.	“Ensure that multi-party negotiation is an integral part of the process used by the Allocation and Licensing Board to interpret and clarify the Allocation Policy and address new allocation issues that have been referred to the Board by the Minister.” (p. 4)	<p><u>Subsequent Actions</u></p> <p>An allocation and licensing board has not been established to date. There remains a Pacific Region Licence Appeal Board to advise DFO on requests for interpretation and adjudication on departmental commercial licensing decisions; short term allocation issues are discussed by the CSAB and the salmon IHPC as part of annual fisheries management planning processes.</p>
6.	“Establish a Policy Advisory Committee (PAC) and a public Policy Forum process for discussion of key policy issues amongst all sectors, First Nations and the federal and provincial governments.” (p. 4)	<p><u>Subsequent Actions</u></p> <p>A Policy Advisory Committee (PAC) has not been established. Policy matters that affect the conduct of salmon fisheries are discussed at the Salmon IHPC and its advice is then integrated with advice received from other sources. Other sources of advice can be targeted consultation processes on specific policies like the extensive consultations on the <i>Wild Salmon Policy</i>.</p> <p>An informal process for discussing important multi-interest operational and policy matters has been evolved since 2006, with the encouragement and support of DFO. The Integrated Salmon Dialogue Forum is a voluntary process involving leaders from First Nations, the recreational and commercial fisheries, environmental groups, the Province of BC and DFO. It has focused on contentious topics like allocation, catch monitoring and governance processes.</p>
7.	“Strengthen the three tiered process that First Nations and Governments are developing in order to more effectively fulfill Constitutional and fiduciary obligations and ensure that the three tiered process is effectively integrated into the overall system of decision making, while simultaneously enabling improved First Nation participation in multi-party discussions.” (p. 4)	<p><u>Subsequent Actions</u></p> <p>DFO provides funding and staff support to First Nations through its aboriginal programming, to help develop capacity and engage effectively on fisheries management issues among First Nations, with DFO, and with other fisheries interests at integrated tables (the 3 tiers). While DFO provides support, it is the First Nations themselves that construct their own processes and participate in integrated processes in ways that meet their needs.</p>
8.	“Address the role of communities and regional management boards as a priority topic for the Policy Advisory Committee and a public Policy Forum. Review of the progress and results of the West Coast of Vancouver Island (WCVI) pilot should be a key focus of this discussion.” (p. 4)	<p><u>Subsequent Actions</u></p> <p>DFO continues to support the WCVI Aquatic Management Board as a means of promoting cooperation among divergent interests, particularly as it pertains to implementation of the <i>Oceans Act</i>. In other parts of the Region, other processes have evolved to meet local needs.</p>

	RECOMMENDATION - Institute for Dispute Resolution (IDR). <i>Independent Review of Improved Decision Making in the Pacific Salmon Fishery: Final Recommendations, 2001</i>	DFO RESPONSE
9.	“The recommendations contained in this report should be provided to First Nations for consideration in the Tier 2, government to government, consultation between First Nations and Fisheries and Oceans Canada that will occur after this independent review is completed. This consultation will include how First Nations will be resourced to participate meaningfully.” (p. 5)	<p><u>Subsequent Actions</u></p> <p>Supported by DFO Aboriginal programming, First Nations have been active in developing various Tier 2 (FN – DFO) processes that meet their needs. For example, the First Nations Fisheries Council was established by the First Nations Leadership Council to provide a coordinating focal point for First Nations Tier 1 (FN – FN) discussion of province-wide policy matters as well as Tier 2 engagement with DFO. At a watershed level, the Skeena Fisheries Commission and the Fraser River Aboriginal Fisheries Secretariat are examples of effective bodies that support both Tier 1 and Tier 2 engagement. DFO’s Aboriginal Aquatic Resource and Oceans Management Programs (AAROM) provide funding support to these initiatives, and many others throughout British Columbia.</p>
	IMPLEMENTATION	
1.	“Fisheries and Oceans Canada should prepare an action plan in response to the Institute’s recommendations within 120 days of receipt of these Final Recommendations and distribute copies to all process participants.” (p. 6)	<p><u>Initial Response</u></p> <p>DFO did not respond within 120 days nor distribute responses to the Institute’s recommendations to all participants.</p> <p><u>Subsequent Actions</u></p> <p>Many changes to DFO’s consultative and advisory processes can be attributed to advice received from the IDR (e.g. Salmon Integrated Harvest Planning Committee, Commercial Salmon Advisory Board).</p>
2.	“The proposed Policy Advisory Committee should review these recommendations to confirm their intent and the appropriateness of the Department’s Action Plan. Working with the Consultation Secretariat, the PAC should develop indicators for monitoring the implementation of the recommendations and track those indicators, summarizing the results in an annual Progress Report.” (p. 6)	<p><u>Subsequent Actions</u></p> <p>A Policy Advisory Committee has not been established. However, the salmon IHPC, the CSAB and the Area Harvest Planning Committees, as well as new structures for First Nations engagement have been established. In addition, consultations on various policy topics through targeted processes or multi-topic dialogue sessions which have been open to the public have increased the access of non-elected fishery participants as well.</p>
3.	“An independent review of the implementation of the Institute's recommendations should be undertaken within three years. This independent review could be conducted by the Institute, Auditor	<p><u>Subsequent Actions</u></p> <p>An independent review of the IDR’s recommendations has not been undertaken. However, the</p>

	RECOMMENDATION - Institute for Dispute Resolution (IDR). <i>Independent Review of Improved Decision Making in the Pacific Salmon Fishery: Final Recommendations, 2001</i>	DFO RESPONSE
	General or some other independent body and is intended to provide the Department, stakeholders and First Nations with additional assistance in effectively implementing improved decision making.” (p. 6)	salmon IHPC goes through a regular review to look for process improvements in delivering its mandate.
4.	<p>“Any determination of appropriate costs for implementing these recommendations should be subject to a full cost accounting including:</p> <ul style="list-style-type: none"> • The cost of the recommended processes in comparison to processes used to support planning and conflict resolution for other natural resources uses; and • The cost of the recommended processes in comparison to existing Department expenditures for consultation, policy development and communications” (p. 7) 	<p><u>Subsequent Actions</u></p> <p>A full cost accounting analysis has not been undertaken.</p>
	IV FUNDAMENTALS	
	ISSUE 1: TRUST IS BROKEN	
1.	“Establish an all party commitment to a Code of Conduct for inclusive, transparent and accountable participation processes. An initial Code of Conduct which is based on principles of effective participation process design and implementation is provided in Appendix 2. This should be used as an initial Code within participation processes. It should also be used as a starting point for discussion within the Policy Advisory Committee with the objective of reaching agreement on a final Code of Conduct.” (p. 9)	<p><u>Subsequent Actions</u></p> <p>The Code of Conduct is included as part of the current Terms of Reference for the Integrated Salmon Harvest Planning Committee (IHPC): Terms of Reference, May 2 2005 and the Commercial Salmon Advisory Board and Area Harvest Committee Terms of Reference</p> <p>Also, a Committee Charter is included in the Pacific Region Policy Governing Advisory Bodies</p>
2.	“Establish an explicit commitment to the management principles contained in the Canada <i>Oceans Act</i> (Appendix 3) as well as identifying any additional management principles and goals that the parties feel are necessary to guide the management of salmon. This is intended to provide a clear and common vision for the management of the Pacific salmon fishery. This commitment to management principles and goals should be developed in the Policy Advisory Committee when the Code of Conduct is further developed and confirmed. The principles assembled and used by the Review Team in developing this report (appendix 4) are recommended as a reference document for the Policy Advisory Committee to be used in finalizing a set of management principles”. (p. 9)	<p><u>Subsequent Actions</u></p> <p>The Integrated Salmon Harvest Planning Committee (IHPC): Terms of Reference, May 2 2005 include the following guiding principles: transparent, accountable, effective, inclusive representation and efficient. These principles are meant to guide the operation of the IHPC as an advisory body. Its name and its mandate describe it as the place where integrated discussion occurs to solve cross-sectoral problems. While it does not explicitly contain the <i>Oceans Act</i> principles of sustainable development, integrated management and the precautionary approach, the IHPC is guided by these principles as part of the federal government’s policies and legislative authorities that it must operate within.</p>

	RECOMMENDATION - Institute for Dispute Resolution (IDR). <i>Independent Review of Improved Decision Making in the Pacific Salmon Fishery: Final Recommendations, 2001</i>	DFO RESPONSE
3.	Endeavour to rebuild relationships among all parties with an interest in the salmon fishery. The responsibility for implementing this recommendation is not the Department's alone. Rather, all parties must make a concerted effort to deal with each other with greater respect.” (p. 9)	<u>Subsequent Actions</u> The Salmon IHPC is a maturing process and working relationships are developing. Informal multi-interest processes like the Integrated Salmon Dialogue Forum and the Fraser River Salmon Table are enabling dialogue that did not occur in the past.
	ISSUE 2: INCONSISTENT CONSULTATION PROTOCOLS, INFORMATION AND STANDARDS OF PRACTICE	
1.	<p>“Establish standards and protocols for consultation to set expectations with regard to how consultation will be undertaken and how parties will engage in discussion and problem solving. Consider developing these standards and protocols with the participation of stakeholders and First Nations, as a key step towards building trust and relationships. These guidelines should cover aspects of effective consultation practice such as:</p> <ul style="list-style-type: none"> • Provision of reasons for decisions in writing. It should be noted that the new Consultation Secretariat is intended to ensure that participants receive adequate explanation of "how and why decisions are made." • Taking minutes in meetings and preparing/distributing a record of discussion in a timely manner. These records should be made available to anyone who requests them and be kept on file for future reference. • Promoting mutual responsibility and shared accountability for decisions. • Promoting the use of an interest based approach to negotiation among participants. • Ensuring appropriate notification for consultation opportunities. • Promoting transparency of process. • Ensuring a reasonable level of Department responsiveness. • Balancing the needs of Fisheries and Oceans Canada staff and the participants in determining the timing of meetings (e.g. seasonal considerations and alternating midweek, 	<u>Subsequent Actions</u> DFO nationally has developed a Consultation Framework and a Consultation Toolbox to guide its staff in conducting consultations with all client groups. The guiding principles in the <i>Consultation Framework</i> apply directly to the aspects of consultation covered by this recommendation.

	RECOMMENDATION - Institute for Dispute Resolution (IDR). <i>Independent Review of Improved Decision Making in the Pacific Salmon Fishery: Final Recommendations, 2001</i>	DFO RESPONSE
	evening and weekend meetings)". (p. 10)	
2.	<p>"Provide training to front-line Department staff, stakeholders and First Nations participating in consultation processes. Training should initially focus on the selection and application of consultation processes, interest-based negotiation skills and building collaborative partnerships. It is noted that the newly created Consultation Secretariat is intended to carry out this training function". (p. 10)</p>	<p><u>Subsequent Actions</u></p> <p>The Consultation Secretariat has been arranging facilitation training for DFO staff on an on-going basis focused on interest-based negotiations. To date, more than 350 staff have undertaken training. The DFO Consultation Toolbox provides tools for staff to further increase consultation capacity.</p>
3.	<p>"Engage independent facilitators to facilitate major consultation processes; building trust among participants and among participants and Fisheries and Oceans Canada. The use of experienced facilitators will assist in training Fisheries and Oceans Canada staff in facilitation. Ultimately, appropriately trained Fisheries and Oceans Canada staff may elect to facilitate specific consultations. However, this may be challenging where contentious issues are being addressed. Clarifying the Department's role - as an active participant and as a technical advisor to consultations, as opposed to the "keeper of the process" - will also allow Fisheries and Oceans Canada to more effectively represent the Department's and the resource's interests. This repositioning of the Department in consultations need not and should not fetter the Minister's discretion to make decisions as required." (p. 10)</p>	<p><u>Subsequent Actions</u></p> <p>DFO often engages independent facilitators in major consultations, with DFO staff serving as presenters, spokespersons and subject matter experts.</p> <p>The role of the IHPC independent facilitator is set out in the IHPC Terms of Reference.</p>
4.	<p>"The creation of the Consultation Secretariat is a timely and appropriate response to the issue of inconsistent information. Given adequate resources, the Secretariat could significantly improve the flow of information to interested stakeholders and First Nations. However, it should be emphasized that groups will look for a clear separation between public relations initiatives and public consultation information. To facilitate information flow, the Consultation Secretariat should:</p> <ul style="list-style-type: none"> • Publish a quarterly newsletter directed at updating interested parties on key developments in consultation and progress in resolving specific issues. • Develop a consultation web page. The web page should include/allow for the following: <ul style="list-style-type: none"> ○ Postings of all the meeting minutes from all major consultation processes to ensure transparency. ○ A provision for feedback that allows individuals and organizations to contribute to specific consultation processes. The Consultation Secretariat should compile the 	<p><u>Subsequent Actions</u></p> <p>The CS does not publish a quarterly newsletter, but periodically reports on the outcomes of consultations when opportunities present themselves. Further, the lead on specific fishery or policy issues will usually report back to consultation participants on the progress or outcome of a specific issue. This is particularly the case in the Community Dialogue Sessions which took place in the fall for the past number of years to inform and consult on various policies and initiatives. Feedback was summarized and provided to participants on each topic.</p> <p>DFO – Pacific Region has a consultation webpage that includes a consultation calendar, background material and minutes from major consultations, as warranted by the subject matter, electronic or written feedback is also supported. A regional organization chart is not available on-line. DFO contacts for specific consultations are found on the webpage for each such process.</p> <p>Some First Nations use their own publications to transmit DFO information to their membership.</p>

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	<p>input and bring the general consensus of those comments to the various forums. The summary of individual comments should also be available on the web page.</p> <ul style="list-style-type: none"> ○ A regularly updated organization chart for Fisheries and Oceans Canada that provides Department contacts for each consultation process with the appropriate phone numbers. ● Explore the use of First Nations publications such as the Native Voice to improve the flow of information to First Nations” (p. 11) 	
	ISSUE 3 PERCEPTION THAT LOBBYING IS MORE SUCCESSFUL THAN PARTICIPATING IN THE SPONSORED CONSULTATION PROCESS	
1.	<p>“The Department should send a clear message to stakeholders and First Nations that it is committed to a new systematic, transparent and representative process for engaging them”. (p. 11)</p>	<p><u>Subsequent Actions</u></p> <p>DFO’s formal advisory process for salmon management, including its bilateral engagement with First Nations, is the primary means of providing advice to the Department on fisheries management issues. Other forms of consultation are used from time to time to engage a wider audience where an issue has broader policy implications.</p> <p>The following excerpt from the Pacific Region Policy Governing Advisory Bodies outlines the limitations to their role.</p> <p>Decision-Making Scope:</p> <p>Advisory bodies provide advice and may make recommendations to the Department on issues associated with their mandate. It should be understood that this is advice. The Minister of Fisheries and Oceans retains authority for decision-making. Advisory bodies will provide advice within the regional, national and international policy and legislative environment. It is the Department’s responsibility to provide information on the policy parameters to stakeholders and the public, and to be clear on the scope of the discussion.</p> <p>On issues of broad policy concern beyond the scope of the mandate of operational advisory bodies, DFO representatives will bring those policy concerns forward to the Department for consideration through the appropriate policy advisory process.</p>

	RECOMMENDATION - Institute for Dispute Resolution (IDR). <i>Independent Review of Improved Decision Making in the Pacific Salmon Fishery: Final Recommendations, 2001</i>	DFO RESPONSE
2.	“At the same time, access to key decision makers or the Minister should not be limited, but this access should not represent a better opportunity to achieve any stakeholders' interests than participation in the sanctioned multi-party consultations.” (p. 11)	<u>Subsequent Actions</u> See previous response.
	ISSUE 4: PERCEPTION THAT FISHERIES AND OCEANS CANADA HAS FAILED TO ACT ON THE ADVICE PROVIDED IN THE PAST	
1.	“Reasons for decisions should always be provided (where reasonable these reasons should be provided in writing), particularly when those decisions do not reflect multi-party consensus based advice received from stakeholders and First Nations.” (p. 12)	<u>Subsequent Actions</u> <p>Written reasons for decisions are often included in Integrated Fisheries Management Plans or news releases. Verbally, the formal advisory process is usually the venue for explaining and examining contentious decisions.</p> <p>The Principle of Transparency in the DFO Consultation Framework addresses this recommendation.</p> <p>Principle 8: Transparency</p> <p>Consultations will be documented and results disseminated in a timely manner.</p> <ul style="list-style-type: none"> Guideline 8.1 Input that is given at key decision points is considered and documented, including: statements of the decisions taken; the type of public involvement activity conducted; a list of participants; the issues on which the public was consulted; a summary of views, important comments, criticisms and suggestions; the effect the comments had on the action taken; and specific responses to significant issues, or explanations why proposals made by the participants were not incorporated. Guideline 8.2. The consultation process is documented, including: the participants, how they were consulted, the results of the consultation, and the decisions taken. This documentation might include policy decisions, research studies, regulatory changes, operational activities, evaluations, summaries of feedback received, consideration of input, etc. to all consultation parties. Participants can be identified generally (e.g., by categories) or specifically (e.g., using names) depending on the consultation.
	ISSUE 5: INSUFFICIENT OR LACK OF SUPPORT FOR PARTICIPANTS	

	RECOMMENDATION - Institute for Dispute Resolution (IDR). <i>Independent Review of Improved Decision Making in the Pacific Salmon Fishery: Final Recommendations, 2001</i>	DFO RESPONSE
1.	<p>“Establish a clear and consistent policy for participant funding that recognizes the unique circumstance of each constituency or type of constituency.</p> <ul style="list-style-type: none"> • Coverage of basic "out-of-pocket" expenses of participants in consultation processes should be provided in accordance with standard government expense allowances. To moderate costs, consider providing funding to only those participants that have clearly established constituencies, and have been chosen by those constituencies to represent them on a regular basis in ongoing processes. • Some funding for administrative support particularly for representatives to communicate with their constituencies should also be provided. • In exceptional circumstances, where Fisheries and Oceans Canada expects representatives to commit several days each month to participate in ongoing intensive negotiations, consider providing honorariums in lieu of lost wages. • Consider establishing an annual participant funding budget for the commercial and recreational sector and First Nations so representatives can plan how they will arrange representation and the best means for communicating with their constituents. These funds should be administered by the representative organization(s) for each sector and the organizations should be required to provide a periodic accounting of funds spent. • In the case of commercial vessel license holders, it is recommended that a small "consultation fee" be drawn from the annual license fee. The revenues generated by this consultation fee should be provided to the appropriate Area Council to support their participation in consultation processes.” (p. 13) 	<p><u>Subsequent Actions</u></p> <p>The following excerpt from the <i>Pacific Region Policy Governing Advisory Bodies</i> describes the nature of funding support for advisory bodies;</p> <p><u>Funding:</u></p> <p>The Department will generally only provide funding to cover logistical expenses of meetings, coordinate the distribution of materials, and pay for travel of departmental employees involved in advisory bodies, as needed. All other expenses are the responsibility of committee members. Treasury Board guidelines do provide for Regional Director General discretion in providing funding for advisory committee participants, other than that described above.</p> <ul style="list-style-type: none"> • Funding is also provided for administrative and logistical costs associated with meetings and meeting preparation, but generally not for representatives to communicate with their constituencies. The exception would be First Nations. • There is no provision for First Nations who have Aboriginal programming agreements and funding from DFO for this purpose. • There is no provision to provide honoraria for participants in any established advisory process, except that which might be paid to First Nations representatives through DFO Aboriginal programs. • Travel budgets for commercial and recreational sector representatives are administered by DFO. First Nations administer funds provided through Aboriginal Fisheries Strategy (AFS) and Aboriginal Aquatic Resource and Oceans Management (AAROM) programming that are dedicated for this purpose. • A consultation fee is not drawn from the annual licence fee.
	ISSUE 6: LACK OF TRANSPARENT AND ACCOUNTABLE REPRESENTATION	
1.	<p>“All representation should be inclusive, accountable and transparent in the sense that all organizations should be able to demonstrate who they represent, how they are accountable to those people and how they ensure regular opportunities for participation and input by their constituents. Further details on accountability in representation can be found in the Code of Conduct in Appendix</p>	<p><u>Subsequent Actions</u></p> <p>Membership on advisory processes is either through elections, sector appointment processes or First Nations governance systems. Expectations for participants are outlined in the Terms of Reference</p>

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	2.” (p. 14)	for processes that in the case of the IHPC and the CSAB use the Code of Conduct in Appendix 2 of the IDR report.
2.	“The Department should maintain and make available, on the Consultation Secretariat website, a list of the major commercial, recreational and First Nations organizations that participate in Fisheries and Oceans Canada consultation processes, with contact names and numbers for representatives, as well as instructions with regard to how individuals can become members of the organizations.” (p. 14)	<p><u>Subsequent Actions</u></p> <p>Names and email addresses of IHPC members are available at on the following DFO website:</p> <p>http://www-ops2.pac.dfo-mpo.gc.ca/xnet/content/consultations/salmon/IHPC/members_e.htm?&lang=enhttp://www-ops2.pac.dfo-mpo.gc.ca/xnet/content/consultations/salmon/IHPC/members_e.htm?&lang=en</p> <p>The Terms of Reference for the IHPC describes how members are selected.</p>
3.	“The Department should recognize that there are some individuals that will choose not to join any organizations and will not feel represented even if they are given the opportunity to elect representatives. These individuals should not be excluded from consultation processes. However, their input should be weighted appropriately. Individuals should be permitted to make written submissions to any consultation process, and a short period of time should be set aside in every major consultation process for short presentations from individuals who do not feel represented by the groups at the table.” (p. 14)	<p><u>Subsequent Actions</u></p> <p>Public consultations are held periodically to receive advice on some topics that require broader input. Individuals can also submit their input in writing on any issue.</p>
4.	<p>Specific representation issues will now be discussed for the commercial and recreational sectors:</p> <p>Commercial</p> <p>A) It is recommended that Fisheries and Oceans Canada provide administrative and financial resources to assist the commercial salmon harvesters in establishing a system of representation that enables them to provide accountable representation within all Fisheries and Oceans Canada consultation and negotiation processes. This system should include the following organizations and committees: Area Councils for each license area, Gear Councils for each gear type, a Commercial Salmon Harvesters Advisory Board (CSHAB) and Commercial Harvest Planning Committees. Each of these organizations is described below:</p> <p>I) An Area Council should be established for each Commercial License Area:</p> <p>(i) The Area Councils are intended to provide the foundation for articulating the interests of commercial salmon harvesters in various planning and policy development processes. It is</p>	<p><u>Subsequent Actions</u></p> <p>A) Area Harvest Planning Committees (AHPC) have been established for 8 area/gear licence groups, as well as a Commercial Salmon Advisory Board with representatives of the 8 AHPCs, fish processors, the United Fishermen and Allied Workers Unions (UFAWU) and the Native Brotherhood of BC (NBBC). AHPCs are made up of 8 to 12 members that are nominated and voted on by licence holders. Membership, mandate and procedures of the AHPCs are contained in the Terms of Reference of the Commercial Salmon Advisory Board</p> <p>i) The AHPCs send representatives to the CSAB and the CSAB sends representatives to the North and South IHPC and the main IHPC.</p> <p>ii) The number of AHPC representatives on each committee is identified in the Terms of Reference for the CSAB.</p> <p>iii) AHPC representatives are nominated by licence holders and do not have to be</p>

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	<p>proposed that the Area Councils send representatives (the same or different) to the Gear Councils, to the CSHAB, and to the Salmon Harvest Planning Committees.</p> <p>(ii) The number of representatives on each Area Council should be either set at a target of 10 to 15 members, or it should be proportional to the number of license holders in the Area (e.g. Areas under 250 license holders should have a minimum of 5% of the license holders on the Council and Areas over 250 should have a minimum of 2.5%).</p> <p>(iii) Area Council representatives should be nominated by the vessel license holders in the Area. These nominees do not need to be vessel license holders themselves as it is up to the vessel license holders to decide who they want to represent them. Individual vessel license holders should be permitted to sign the nomination form of one representative only and these forms should be available to the public in order to maintain transparency and accountability. In order to be nominated, a representative must obtain a minimum number of signatures from vessel license holders within the Area (e.g. minimum of 5% in areas with less than 250 licenses and a minimum of 2.5% in Areas with more than 250 licenses).</p> <p>(iv) The specific rules and procedures for implementing the nomination process should be worked out between the Department and vessel license holders as a priority implementation item.</p> <p>(v) The terms of office for representatives on Area Councils should be staggered with some being three years and the remainder being two years. This can be determined initially by having the 3 to 5 representatives with the most nominations having three-year terms and the remainder having two-year terms. All representatives could then move to a staggered three-year term.</p> <p>(vi) It is presumed that processors, First Nations commercial harvesters and UFAWU members that are also license holders will ensure that they are appropriately represented on Area Councils by nominating staff or leadership from their organizations if they wish to do so. However, this will not always be the case as a large number of the licenses in Areas A and B are held by corporations and therefore the UFAWU is unlikely to be nominated in these areas and similarly processors are primarily license holders in the seine fishery and are therefore unlikely to be represented in the Gillnet and Troll Areas. In order to address this problem it is recommended that the UFAWU and processors be participants in the Commercial Harvest Planning Committees as indicated below.</p>	<p>licence holders themselves.</p> <p>iv) Procedures for nominations have been worked out by DFO and the fleets.</p> <p>v) The term for AHPC members is for two years with the seats of half of the AHPC members being up for election every year.</p> <p>vi) UFAWU, processors and the NBBC have assigned seats on the Commercial Salmon Advisory Board and have elected members on some of the AHPCs.</p> <p>vii) Area C licence holders are represented by one Area C AHPC.</p> <p>viii) All licence holders can attend meetings of their AHPC as observers.</p> <p>ix) The CSAB and AHPCs operate under a Terms of Reference that they have approved to guide procedural matters.</p>

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	<p>(vii) An exception to the Area Council structure may be required in Area C, where it may be appropriate to split into two councils due to the large number of license holders. This issue should be addressed during implementation of the Area C Council as some participants in the Independent Review felt that it was necessary while others did not.</p> <p>(viii) All Area license holders should be able to attend Area Council meetings as observers. Minutes of all meetings should be made available to all license holders so that they can provide feedback on the directions that are contemplated, particularly when the subject matter is salmon harvest planning, policy development or allocation negotiations.</p> <p>(ix) Once established, Area Councils should develop a general constitution that addresses key procedural matters such as:</p> <ul style="list-style-type: none"> (a) How they will make decisions - e.g. by consensus or a 75% majority vote. (b) How often they will meet. (c) How they will report back to their constituents. (d) Whether they will have a chair, president or spokesperson. (e) Replacing representatives that cannot finish their terms. (f) Rules associated with the recall of representatives. <p>B) The commercial vessel license holders should also establish a Commercial Salmon Harvester Advisory Board (CSHAB):</p> <p>I) The purpose of the CSHAB is to:</p> <ul style="list-style-type: none"> (i) Facilitate discussion among the Area Councils and gear types. (ii) Serve as a forum for harvester discussion of approach to the policy and allocation and licensing advisory processes in an effort to resolve Area and gear differences 'away from the table' so that harvesters can provide consensus advice to Fisheries and Oceans Canada in those consultation processes or adopt an integrated approach where negotiations are involved. (iii) The CSHAB is not intended to "filter" Area differences. It is recognized that there are some allocation and policy issues where there will be differences among 	<p><u>Subsequent Actions</u></p> <p>B) A Commercial Salmon Advisory Board (CSAB) has been established to coordinate the involvement of commercial licence holders in the salmon management advisory process. The CSAB, has had an external facilitator as chair but is presently co-chaired by two members elected for this purpose. The CSAB is guided by its Terms of Reference (Terms of Reference of the Commercial Salmon Advisory Board) with respect to mandate, membership, procedures and code of conduct.</p>

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	<p>the Area Councils and where that is the case, the views of particular Areas should be brought forward directly by the Area Council representatives to the appropriate advisory process.</p> <p>II) Each Area Council should nominate one representative and one alternate to represent them on the CSHAB for two years.</p> <p>III) The CSHAB should also consider seeking representation of processors and the UFAWU (unless they are already present there as Council representatives) in order to ensure that the information and perspectives of processors and crew are accounted for when considering issues from a commercial perspective. The CSHAB may decide to involve other interests as well at their discretion.</p> <p>IV) Each Area Council should contribute to fund the CSHAB.</p> <p>V) All license holders should be able to attend CSHAB meetings as observers. Minutes of all meetings should be made available to all license holders so that they can provide feedback on the directions that are contemplated particularly when the subject matter is policy development or allocation negotiations.</p> <p>VI) Once established, the CSHAB should develop a general constitution that addresses key procedural matters such as:</p> <ul style="list-style-type: none"> (i) How they will make decisions. (ii) How often they will meet. (iii) How they will report back to the Area Councils. (iv) Whether they will have a chair, president or spokesperson. <p>C) Commercial License holders should also establish coast wide Gear Councils (i.e. a Troll Council, Seine Council and Gillnet Council) in recognition of the fact that many policy and allocation issues affect the gear types differentially and it will be important for Trollers, Gillnetters and Seiners to work out issues amongst themselves so that they can address these issues in a consistent and unified manner. Gear Councils should also provide a forum to address issues that are specific to a particular gear type, such as increasing selectivity.</p> <p>1) Gear Councils should be established through designation of representatives of Area</p>	<p><u>Subsequent Actions</u></p> <p>C) Gear councils have not been established. As necessary, gear sectors may caucus and hold special meetings to address gear specific issues.</p>

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	<p>Councils. Ideally these representatives would be the same as the representatives for the CSHAB. However the workload may be too demanding.</p> <p>2) Once established, the Gear Councils should develop a general constitution that addresses key procedural matters such as:</p> <ul style="list-style-type: none"> (i) How they will make decisions. (ii) How often they will meet. (iii) How they will report back to the Area Councils. (iv) Whether they will have a chair, president or spokesperson. <p>To ensure that a particular Area is not isolated on the Gear Council, it is proposed that the Gear Council require either a consensus or a 75% majority in decisions regarding input and representation in allocation and policy advisory processes. Where a 75% majority is not achievable, the views of particular Areas will need to be brought forward directly to the relevant advisory process.</p> <p>D) Together with the Department, Commercial License holders should establish Commercial Harvest Planning Committees. These committees will formalize some of the existing processes by making them more representative, accountable and transparent. The committees should be convened on a north/south basis recognizing the need to address issues that concern commercial fishermen in the north and the south and the importance of developing a comprehensive commercial salmon harvest management plan to bring into the Integrated Regional Forum. After developing draft harvest management plans for their areas, Area Councils should send two or three representatives to the North or South Commercial Harvest Planning Committee to develop the draft Commercial Salmon Harvest Management Plan.</p> <p>Summary of Commercial Harvester representation in harvest planning, policy development, allocation. Based on the organizations recommended above, commercial salmon harvester representation in the specific consultation structures proposed in this report should be as follows:</p> <p>Salmon Harvest Management Planning:</p> <ul style="list-style-type: none"> • Area Councils will develop draft Area specific SHMPs to be brought to the proposed Commercial Harvest Planning Committees (CHPC) by Area Council 	<p><u>Subsequent Actions</u></p> <p>D) Northern and Southern Commercial Harvest Planning Committees have not been formally established. Development and coordination of commercial salmon management plans is conducted at the licence area and coast-wide levels by the CSAB and the AHPCs. Northern and southern AHPC members can meet in advance of northern and southern IHPC sub-committee meetings to review commercial perspectives. There are also regular pre and post-season meetings with northern and southern AHPC members to develop management plans and obtain their input on harvest.</p>

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	<p>representatives where they will develop the draft Commercial Salmon Harvest Management Plan.</p> <p>Policy and Allocation and Licensing:</p> <ul style="list-style-type: none"> Given that many allocation and policy issues are gear related, the Gear Councils should meet to identify and discuss gear interests in policy and allocation and coordinate gear representation in those processes. Where policy or allocation issues affect harvesters as a whole, it is suggested that the CSHAB meet to identify and discuss interests and, where possible, coordinate representations in those processes. <p>E) In order to support the establishment of the representation structures outlined above the Department should provide funding for an independent firm or organization to assist the commercial sector in organizing itself unless the Department is prepared to take this task on internally.</p> <p>Recreational</p> <p>A) Representation in the recreational fishing sector appears to be functioning effectively. It is recommended that SFAB continue to represent recreational fishers in Fisheries and Oceans Canada consultation processes and maintain its current structure. SFAB must ensure that it meets tests of accessibility, accountability and transparency on an ongoing basis, while increasing the flow of information regarding opportunities for participation within the Board structure. (pp.14- 18)</p>	<p><u>Subsequent Actions</u></p> <p>E) DFO worked with licence holders in establishing the commercial advisory process that includes the CSAB and AHPCs and their involvement in IHPC.</p> <p><u>Subsequent Actions</u></p> <p>A) The SFAB continues to represent recreational fisheries interests.</p>
	V: SYSTEM FOR DECISION MAKING	
	ISSUE 1: LACK OF A SYSTEMATIC APPROACH TO HARVEST PLANNING ALLOCATION DECISION MAKING AND POLICY.	
1.	<p>Develop a systematic and integrated planning system that incorporates:</p> <ul style="list-style-type: none"> A Salmon Harvest Management Planning Process including an Integrated Regional Forum with supporting harvest management planning committee and issue resolution subgroups – to ensure an integrated approach to operationalizing salmon harvesting for 	<p><u>Subsequent Actions</u></p> <p>1. The IHPC was established as the regional salmon management planning process. Neither an Allocation and Licensing Board nor a Policy Advisory Process has been established.</p>

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	<p>recreational, commercial and First Nations Harvesters.</p> <ul style="list-style-type: none"> • An Allocation and Licensing Board including an Allocation and Licensing Negotiations Process – to provide advice to the Minister on the implementation and clarification of the Allocation Policy, new allocation issues and new licensing rules. • A Policy Advisory Process including a Policy Advisory Committee and Policy Forums – to assist the Department in developing new policy. • Details for each component of planning system are outlined below and are shown graphically in Figure 1 on page 40. (p. 19). 	
	ISSUE 2: LACK OF A PREDICTABLE, SYSTEMATIC AND INCLUSIVE APPROACH TO SALMON HARVEST MANAGEMENT PLANNING	
	<p>a) Structure</p> <ul style="list-style-type: none"> • The proposed bodies involved in the SHMP Process will be: <ul style="list-style-type: none"> ○ An Integrated All Sector Regional Forum (IRF). Subgroups within the Forum should be created on an as needs basis to address tensions between the SHMPs of the commercial and sports sector as well as tensions between these sector SHMPs and First Nations SHMPs. North and South sub-groups are an obvious starting point Additional sub-groups may be required to focus on the Fraser and Skeena watersheds, to deal with specific issues in specific locations (such as the west coast of Vancouver Island or Campbell River), or to rationalize habitat protection and salmon harvest interests by linking to processes such as the new Watershed Based Fish Sustainability Planning process. ○ Harvest Planning Committees for the commercial sector, the recreational sector and First Nations. (For the sake of logistics, the Committees may wish to divide into North and South subgroups to conduct the initial plan development. However, the Harvest Planning Committees should ensure that they meet as a whole before going to the IRF). (p. 20) 	<p><u>Subsequent Actions</u></p> <p>The IHPC is the Integrated All Sector Regional Forum.</p> <p>There are AHPCs and the CSAB in the commercial sector. In the recreational sector there are local committees, southern and northern sub-committees and a main-table Sport Fishing Advisory Board. A First Nations system for providing input on fisheries management is evolving.</p>
	b) Mandate	<u>Subsequent Actions</u>

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	<ul style="list-style-type: none"> ○ Each Area Council should send two (or three) representatives to the Commercial Harvest Planning Committee (CHPC). ○ The CHPC should also have representation from processors to provide relevant market information and from the UFAWU to ensure the interests of crew are considered unless these organizations are already represented through nominations to the Area Councils. ○ The appropriate Fisheries and Oceans Canada staff should also be part of the CHPC to provide advice on policy, forecast scenarios, and arrangements that have been made with First Nations for FSC fish. <p><i>Recreational:</i></p> <ul style="list-style-type: none"> ○ Recreational participants on the Recreational Harvest Planning Committee (RHPC) should be determined by SFAB. ○ The appropriate Fisheries and Oceans Canada staff should also be part of the RHPC to provide advice on policy, forecast scenarios, and arrangements that have been made with First Nations for FSC fish. (p.21) <p><i>First Nations:</i></p> <ul style="list-style-type: none"> ○ First Nation participants on the First Nations Harvest Planning Committee (FNHPC) should be determined by the appropriate First Nations representative structure, after consultation at the Tier 2 (government to government) level. ○ The appropriate Fisheries and Oceans Canada staff should also be part of the FNHPC to provide advice on policy and forecast scenarios. <p>Participation in the Integrated Regional Forum should include the following:</p> <ul style="list-style-type: none"> ○ Representatives from each of the Harvesting Planning Committees. The exact number should be determined by the committees with the support of the organizations that they represent. The maximum number that a committee should send is eight, recognizing that a smaller number may be able to do the job more effectively. ○ Community representation. Salmon harvest decisions affect many different 	<p>how to select their representatives on the IHPC. (Integrated Salmon Harvest Planning Committee (IHPC) Terms of Reference May 2005, Commercial Salmon Advisory Board and Area Harvest Committee Terms of Reference, Terms of Reference Sport Fishing Advisory Board) The IHPC is chaired by an independent facilitator hired by DFO. Environmental groups are represented by the Marine Conservation Caucus whose mandate and membership are described on their website (http://www.mccpacific.org/). The addition of environmental groups in the fishery planning process is an attempt by DFO to seek a more broad and balanced discussion on contentious harvest issues. Non-aboriginal communities are not directly represented on the IHPC.</p>

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	<p>communities on the coast and in the interior. In order to ensure that community representations and submissions to the IRF are given due consideration by the participants, and the Department, representation of communities should be provided. This representation should be defined through discussions between the UBCM Fisheries Sub-Committee and the Coastal Communities Network. These organizations should appoint an individual and an alternate to the IRF that is familiar with the operational realities of salmon harvesting and the interests of both interior and coastal communities.</p> <ul style="list-style-type: none"> ○ Representation of Other Interests. All IRF meetings should be open to anyone that wishes to observe them. A portion of specific IRF meetings should be set aside for presentations from local governments, conservation groups, community boards, individual fishermen and any other groups that do not feel that they are represented in the SHMP process and have something to contribute to the harvest plans under consideration. These presentations should be supported by opportunities to discuss the relevant issues particularly where they relate to alternative approaches to operationalizing the fishery. These individuals and groups should also be provided with the opportunity to comment on the draft Sectoral and First Nations SHMPs and the integrated annual SHMP before it is finalized. ○ An appropriate number of the Fisheries and Oceans Canada staff should also participate in the IRF to provide technical advice and articulate the Department's policies and interests. ○ An independent facilitator should be hired to facilitate the IRF. ○ It is recognized that both the Provincial government and First Nations will be providing input directly to Fisheries and Oceans Canada on salmon harvest management. Fisheries and Oceans Canada is expected to bring this input, particularly input regarding First Nations FSC arrangements, to the Area Council meetings, Harvest Planning Committee meetings and IRF. (p.22) <p>d) Process</p> <p><i>In the Short Term (starting next year):</i></p>	<p><u>Subsequent Actions</u></p> <p>The mandate and process of the commercial Area Harvesting Planning Committees, CSAB, the SFAB and the IHPC in their respective Terms of Reference. (Integrated Salmon Harvest Planning)</p>

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	<ul style="list-style-type: none"> ○ All of the representatives who will be participating on the various Harvest Planning Committees in the SHMP process, and any interested observers should meet annually either on a coast wide or north/south basis to: <ul style="list-style-type: none"> ▪ Conduct a post season review; ▪ Hear the early forecast; and ▪ Begin to identify some of the potential conflicts/overlaps that will arise between sectors. ○ Fisheries and Oceans Canada should meet directly with the appropriate First Nations to begin to determine their FSC arrangements for the season. ○ Based on the early information, the commercial Area Councils should each meet and develop proposed Area plans for input into the Commercial Harvest Planning Committee. Any other local committees established by the recreational sector and First Nations should also be meeting at this time to prepare their input into their Harvest Planning Committees. It is recommended that Fisheries and Oceans Canada staff be invited to provide input with regard to First Nations FSC arrangements at these meetings. (p. 23) ○ The Commercial and Recreational Harvest Planning Committees should each meet to reconcile intrasectoral conflicts, consider how to avoid intersectoral conflicts and develop recommended draft Sectoral SHMPs with proposed guidelines for in-season adjustments to take to the IRF. (As noted, some of the initial Harvest Planning Committee meetings can be on a North South basis, but it is recommended that the Harvest Planning Committee meet as a whole to resolve any North South conflicts before submitting a draft Sectoral SHMP). ○ First Nations should develop their own SHMPs and the First Nation Harvest Planning Committee should reconcile First Nation SHMPs amongst each other to develop an overall First Nations SHMP, if they choose to participate. ○ The recommended draft Sectoral and First Nation SHMPs should be submitted to Fisheries and Oceans Canada for review. Fisheries and Oceans Canada should: <ul style="list-style-type: none"> ▪ Ensure that the draft SHMPs are consistent with policy and conservation 	<p>Committee (IHPC) Terms of Reference May 2005, Commercial Salmon Advisory Board and Area Harvest Committee Terms of Reference, Terms of Reference Sport Fishing Advisory Board). The Terms of Reference for the IHPC detail the role of the Committee (p. 4):</p> <p>“ROLES AND RESPONSIBILITIES:</p> <p>Integrated Salmon Harvest Planning Committee:</p> <p>Pre-season</p> <ul style="list-style-type: none"> • Provides recommendations that ensure fishing plans are coordinated and integrated, identify potential conflicts, and recommend a means of resolving disputes. • Receives from and provide advice to DFO on pre-season forecasts and stock assessments. • Reviews enforcement plans, identify problems and provide recommendations on the management or enforcement of the fishery, and make recommendations for improvement. • Provides input on stock assessment programs, as required for management purposes. • Provides advice on changes to escapement strategies or policies. • Advises on IFMPs (i.e. decision guidelines, fishing plans). • Advises on measures and mechanisms for timely and accurate catch/effort information. • Advises on selective fishing practices. <p>Post-season</p> <ul style="list-style-type: none"> • Reviews post – season stock status to determine if conservation goals were met. • Advises on problems encountered regarding management, enforcement and consultation. • Advises on management, enforcement or other actions that will improve the fishery. • Reviews anomalies not covered in the fishing plan. • Reviews expected stock status for the coming year. • Reviews stock assessment program”

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	<p>mandates and First Nations FSC arrangements, and that potential infringements upon Treaty and/or aboriginal rights are referred to the Tier 2 (government to government) process.</p> <ul style="list-style-type: none"> ▪ Overlay the draft Sectoral and First Nation SHMPs to identify the conflicts/overlaps among the plans. ▪ Announce the portions of the SHMPs, subject to PSARC forecasts, where there are clearly no conflicts so that the sectors and First Nations can begin planning their harvest seasons. <p>○ Once they have been reviewed by Fisheries and Oceans Canada, the draft Sectoral and First Nation SHMPs should be available for written comment by interested parties, such as local governments, conservation groups, community boards and individual fishermen for a two week period preceding the IRF. The comments submitted should be compiled and summarized by Fisheries and Oceans Canada for distribution at the IRF. (p.23)</p> <p>○ The Integrated Regional Forum (IRF) should be held:</p> <ul style="list-style-type: none"> ▪ The draft Sectoral and First Nation SHMPs should be reviewed to identify any additional conflicts/overlaps and reconciled with the PSARC annual forecast. ▪ Fisheries and Oceans Canada should present any additional input provided to them directly by First Nations and the provincial government. ▪ Written comments from interested parties should be reviewed and considered. ▪ The decision rules that are implicit in the draft Sectoral and First Nation SHMPs should be summarized and discussed (especially in areas where there are no conflicts). ▪ Conflicts/overlaps among the draft Sectoral and First Nation SHMPs and in-season adjustment guidelines should be resolved by engaging only those affected by the conflict/overlap – in some cases the discussions will 	

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	<p>occur in North and South Subgroups, but other subgroups can be created as required. Where possible, these conflicts should be resolved in the form of new decision rules that all of the participants agree upon. In many cases, these decision rules will be interpretations of the Allocation Policy. In some cases, the parties may wish to negotiate an interim solution that can be tested in that particular year and potentially turned into a decision rule the following year, should it prove to be effective.</p> <ul style="list-style-type: none">▪ The issues for which the participants cannot negotiate a consensus resolution should be turned over to the Department for an interim solution that will apply to that year's integrated SHMP. If the issue requires a clarification of the Allocation Policy, it should be referred to the Minister to refer to the Allocation and Licensing Board. Interim solutions should be provided in writing by the Department within three weeks of the IRF.▪ Time should be set aside at the IRF each year for further discussion and development of decision rules. The decision rules should be viewed as an overall package that is being developed; whereby some rules will favour one sector or gear type, while other rules will favour another sector or gear type. The overall package, once complete in a few years, should be viewed as fair and acceptable by all participants. Participants should be reminded of this frequently. To the extent that they can be, less controversial decision rules should be tested in the following year's SHMP process.▪ Interested parties should also be provided with the opportunity to comment in writing on the draft integrated SHMP and decision rules during a two week comment period before the integrated SHMP is finalized. Fisheries and Oceans Canada should review the comments received and announce any changes to the draft integrated SHMP. The reasons for Fisheries and Oceans Canada's decision should be publicly available. Comments on the draft decision rules should be discussed at the next annual IRF.▪ The Department should announce the final integrated SHMP based on its	

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	<p>decisions regarding the outstanding issues that the parties could not resolve and the incorporation of concerns raised by interested parties. (p.24)</p> <p><i>In the Long Term (within five years):</i></p> <ul style="list-style-type: none"> ○ In the long term, once the package of decision rules has been developed and approved by the IRF representatives, the process should move to one of multi-year plans, whereby minor adjustments are made each year based on the run size. ○ The same general process for plan development should be followed, but should become simpler. Once the run size data is available, the draft plans should be developed by the Harvest Planning Committees. The same process of holding the IRF and resolving any conflicts/overlaps should be followed, but it is expected that these meetings will be shorter and there will be fewer conflicts/overlaps to resolve. ○ As multi-year plans are developed and working relationships are built, the IRF may ultimately cease to be a meeting but rather a group of representatives' etc. working by phone and ad hoc meetings as required. <p>e) Time table</p> <ul style="list-style-type: none"> ○ There should be a strict timetable for the SHMP process, whereby the same meetings occur in the same week every year so participants know how to prepare and when to expect meetings. ○ The following general schedule is proposed (Note: PSARC data availability will have to be advanced to meet this schedule): <ul style="list-style-type: none"> ▪ Post season review and early forecast meeting – mid to late November. 	<p><u>Subsequent Actions</u></p> <p>The salmon plan development process used by the IHPC has evolved since its implementation in 2004. IHPC is the primary source of stakeholder input into the IFMPs. The role of the IHPC is to provide formal advice and make recommendations to the Department on operational decisions related to salmon harvesting in north and south coastal portions of the Pacific Region and the watersheds that contribute to these fisheries. The IHPC is independently facilitated and is comprised of First Nations, recreational, commercial and environmental interests as well as DFO and the Province of BC. Members are nominated from already existing consultative processes (from First Nations or Tribal Councils, SFAB, CSAB and the Marine Conservation Caucus). The group meets at least 3 times a year to identify preseason planning issues, review the draft IFMP and participate in a post season review.</p> <p>The pre and post season roles and responsibilities were reviewed in 2007. It was noted that as the Wild Salmon Policy is being implemented, there was the general expectation there would be a more comprehensive review and planning around CUs. As well, the post season review was thought to be too limited in scope; currently it is a forum to provide advice on specific problems rather than a comprehensive review by conservation goal.</p> <p><u>Subsequent Actions</u></p> <p>The annual timetable for developing the IFMP for salmon is posted on the DFO website for participants and the general public. A draft IFMP is prepared based on stock assessment information on expected stock levels for the next fishing season and preliminary consultations with advisory groups during the winter period. This draft is made available to all advisory process participants, First Nations and the general public in mid-March and is the subject of extensive review by the advisory process from that time until May, when it is finalized.</p>

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	<ul style="list-style-type: none"> ▪ Area/Sector preparation of draft Sectoral and First Nation SHMPs – late November. ▪ Submission of draft Sectoral and First Nation SHMPs to Fisheries and Oceans Canada for review – First week of December. ▪ Identification of conflicts/overlaps and areas of potential infringement of Treaty and/or aboriginal rights by Fisheries and Oceans Canada – December. ▪ Announcement of portions of SHMPs that are not in conflict – December. ▪ Comment period for interested parties – First two weeks of January. ▪ Integrated Regional Forum – Late January. ▪ Comment period for interested parties – First three weeks of February. ▪ Decision period on outstanding conflicts/overlaps – First three weeks of February. ▪ Announcement of final integrated SHMP – Last two weeks of February. <p>f) Relationship to other Consultation Processes</p> <ul style="list-style-type: none"> ○ Concerns with regard to policy issues and questions regarding the interpretation of the Allocation Policy that arise in the Salmon Harvest Management Planning Process should be recorded by Fisheries and Oceans Canada and submitted to either the Policy Advisory Process or Minister for referral to the Allocation and Licensing Board, as appropriate, to be addressed. ○ Results emerging from the Policy Advisory Process and Allocation and Licensing Advisory Process will set the parameters for the Salmon Harvest Management Planning process. (p.25) ○ If potential Treaty and/or aboriginal rights infringement issues are identified by Fisheries and Oceans Canada, they should be referred to the Tier 2 (government to government) process. (p.26) 	

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	ISSUE 3: CONCERNS REGARDING PREVIOUS ALLOCATION DECISION MAKING & THE PLANNED ALLOCATION AND LICENSING BOARD	
	<p>a) Goals</p> <ul style="list-style-type: none"> ○ To establish a clear, open and unbiased process for: <ul style="list-style-type: none"> ▪ Refining the Allocation Policy and making new commercial and recreational allocation decisions should they be required; and ▪ Making decisions regarding the licensing rules respecting eligibility to hold a commercial license. ○ To move to long-term relatively stable allocations so that all parties can make long-term plans. ○ To consider the public interest in allocation and licensing decisions. <p>b) Structure</p> <ul style="list-style-type: none"> ○ The proposed structure of the Allocation and Licensing Advisory Process will consist of: <ul style="list-style-type: none"> ▪ A standing Allocation and Licensing Board; ▪ A standing License Appeal Board; and ▪ An Allocation and Licensing Negotiation Process and Public Hearing Process convened by the Allocation and Licensing Board. (p.26) <p>c) Mandate</p> <ul style="list-style-type: none"> ○ The mandates of all the bodies outlined below, with the exception of the License Appeal Board, to apply to the salmon fishery only. Fisheries and Oceans Canada may wish to extend the mandates of the proposed Allocation and Licensing Board and Allocation and Licensing Negotiation Processes to address other fisheries, but should only do so after conducting a full consultation with representatives in those fisheries. 	<p><u>Subsequent Actions</u></p> <p>An Allocation Policy and Licensing Board has not been implemented. See response to Recommendation 5 in Context Statement and Synopsis of Recommendations.</p>

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	<p><i>Allocation and Licensing Board:</i></p> <ul style="list-style-type: none"> ○ When allocation and licensing issues are referred to the Board by the Minister: <ul style="list-style-type: none"> ▪ Convene an Allocation and Licensing Negotiation and Public Hearing Process, and set the Terms of Reference for those processes. ▪ Provide advice to the Minister on the following based on the outcomes of the Allocation and Licensing Negotiation and Public Hearing Processes: <ul style="list-style-type: none"> ○ Interpretation, implementation, and clarification of the Allocation Policy. ○ Adjustments to the Allocation Principles in the Allocation Policy to account for changes in circumstances such as: <ul style="list-style-type: none"> ○ The introduction of new selective fishing techniques; ○ Changes in fleet composition or distribution; ○ Changes in stock composition; and ○ Policy and legislative changes (including government to government interim measures and treaty settlements). ○ Changes to commercial licensing rules that determine eligibility to hold a commercial license. ○ To conduct an annual audit of the fishing season to determine whether the established Allocation Principles and target allocations were met, and make recommendations with regard to how to address the situation if the allocations are not being met, either by convening the Allocation and Licensing Negotiation Process in cases where there is disagreement regarding the interpretation of the Allocation Principle, or by recommending appropriate adjustments in cases where there is little disagreement on the interpretation. ○ To ensure community and public interests are protected. <p><i>Allocation and Licensing Negotiation Process:</i></p>	

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	<ul style="list-style-type: none"> ○ To conduct intersectoral or intrasectoral negotiations regarding commercial and recreational allocation and licensing issues referred to the Allocation and Licensing Board by the Minister, within the Terms of Reference set by the Board, with a goal of developing consensus advice to provide to the Board. <p><i>License Appeal Board:</i></p> <ul style="list-style-type: none"> ○ To maintain its current mandate of hearing appeals from individual fishermen for special consideration in the application of commercial licensing rules. In time, there should be a review of the functions of both the License Appeal Board and Allocation and Licensing Board to assess whether separate bodies are warranted. (p.27) <p>d) Participation</p> <p><i>Allocation and Licensing Board:</i></p> <ul style="list-style-type: none"> ○ The Department has already determined that the chairperson of the Allocation and Licensing Board will be appointed by the Minister. It is recommended that the person selected be a neutral, but knowledgeable individual that is well respected by all sectors. ○ The selection of the remaining board members will be a difficult task. It is recommended that there be only three additional board members, and that the Department take the following approach in selecting the other board members. <p>Have the representative bodies in the commercial and recreational sectors (i.e. SFAB and CSHAB) and First Nations select one representative each to sit on the board within certain criteria. These criteria should include factors such as understanding of complex negotiations, knowledge regarding the salmon fishery and experience in an adjudicative role.</p> <p><i>Allocation and Licensing Negotiation Process:</i></p> <ul style="list-style-type: none"> ○ The participants in the Allocation and Licensing Negotiation Process should be selected on the basis of whether the issue that requires resolution is inter or intrasectoral. <ul style="list-style-type: none"> ▪ If the issue is an intersectoral one, the appropriate representative bodies 	

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	<p>for the commercial and recreational sectors (the CSHAB and SFAB) should be requested to select an equal number of representatives to participate in the negotiation. It is suggested that to ensure manageability and the potential for a negotiated solution that the number of representatives per sector be kept to a minimum, recognizing that depending on the issue, it may be necessary to have all the commercial gear types or Areas represented individually.</p> <ul style="list-style-type: none"> ▪ If the issue is an intrasectoral one within the commercial sector, it is recommended that the commercial Area Councils or Gear Councils each select one representative and alternate to participate in the negotiation process. In some cases it may be possible that only one or two gear types or Areas are involved in the issue. In those cases, participation in the Negotiation Process should be set accordingly. <p><i>Public Hearing Process:</i></p> <ul style="list-style-type: none"> ○ All interested parties would have access to the Public Hearing Process. <p><i>License Appeal Board:</i></p> <ul style="list-style-type: none"> ○ It is presumed that participation in the License Appeal Board will remain as it is currently. (p.28) <p>e) Process</p> <ul style="list-style-type: none"> ○ The Allocation and Licensing Board's annual audit of whether the established Allocation Principles and target allocations were met should be automatically conducted by the Board every year in the fall. The results of this audit should be publicly available. ○ When issues are referred to the Board by the Minister, the Board should convene an Allocation and Licensing Negotiation Process and an associated Public Hearing Process. The Board should not provide advice to the Minister without holding these processes. ○ The Board should set the Terms of Reference for the Negotiation Process 	

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	<p>including:</p> <ul style="list-style-type: none"> ▪ Whether it is an inter or intrasectoral negotiation and whether it applies to only specific gear types or Areas; ▪ A deadline for the negotiation; and ▪ The specific issue that the negotiators are requested to come to consensus on. <ul style="list-style-type: none"> ○ Potential areas of infringement on Treaty and/or aboriginal rights should be identified and referred to the Tier 2 (government to government) process. ○ It is recommended that all negotiation processes be mediated or facilitated by a neutral individual. If the chairperson of the Allocation and Licensing Board is acceptable to the negotiators, it is recommended that he or she be the facilitator. If not, an outside facilitator or mediator should be hired. The negotiation process should be open to all interested observers. ○ At the same time that the negotiation Process is ongoing, the Board should convene a Public Hearing on the issue. This Public Hearing Process should take place in conjunction with the Negotiation Process. Time on each day of the negotiation should be set aside for presentations from any interested party. Written submissions should also be accepted. The negotiators are expected to consider this public input in their deliberations as the recommendations to the Minister by the Board need to account for how public interest has been defined and protected. ○ Once the deadline for the negotiation has been reached, the negotiators should document either their consensus or non-consensus. They should also indicate how input from the Public Hearing has been incorporated into their agreement, if agreement has been reached. ○ In the case of consensus in the Negotiation Process, once the negotiation deadline has been reached, the Board should forward the consensus to the Minister as their recommendation, unless the Board feels that the negotiators ignored input from the Public Hearings that should not have been left out. In this case, the Board should forward the consensus to the Minister with comments with regard to how 	

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	<p>the Public Hearing input may be incorporated. If the Board feels that the consensus does not adequately account for the public interest, they can recommend a variation on it.</p> <ul style="list-style-type: none"> ○ In the case of non-consensus in the Negotiation Process once the negotiation deadline has been reached, the Board should consider all of the input received through the Negotiation and Public Hearing Processes and forward a recommendation to the Minister. (p.29) <p>f) Timetable</p> <ul style="list-style-type: none"> ○ The Allocation and Licensing Board should conduct its annual audit and review of issues in September and early October. Negotiation and Public Hearing Processes should ideally be convened in October or November with a deadline of late December, so that results can be fed into the SHMP process. <p>g) Relationship to other Consultation Processes</p> <ul style="list-style-type: none"> ○ Provides direction to the SHMP process. ○ Receives direction from Policy Advisory Process. ○ If potential Treaty and/or aboriginal rights infringement issues are identified by the Board, they should be referred to the Tier 2 (government to government) process (see footnote 2 on page 26). (p.30) 	
	ISSUE 4: LACK OF AN EFFECTIVE FORUM TO ADDRESS LARGE-SCALE POLICY QUESTIONS	
	<p>a) Goals</p> <ul style="list-style-type: none"> ○ To establish a formal, credible, and inclusive process for the provision of policy advice to the Minister. ○ To reduce the pressure to address policy issues in other forums, such as the Salmon Harvest Management Planning process. (p.30) 	<p><u>Subsequent Actions</u></p> <p>A Policy Advisory Process and formal Public Policy Forums have not been implemented. However, fisheries policy is discussed within the salmon advisory processes and various other fora to seek input on a variety of fisheries policy issues, like the <i>Wild Salmon Policy</i>, the <i>Species at Risk Act</i>, Pacific Fisheries Reform, <i>Fisheries Act</i> Renewal, etc.</p>

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	<p>b) Structure</p> <ul style="list-style-type: none"> ○ The proposed structure of the Policy Advisory Process is as follows: <ul style="list-style-type: none"> ▪ A standing Policy Advisory Committee (PAC). ▪ Public Policy Forums to be convened jointly by Fisheries and Oceans Canada and the PAC as required. ▪ Fisheries and Oceans Canada may wish to also establish an Intergovernmental Policy Committee (as proposed in the Fisheries and Oceans Canada Discussion Paper) that includes the provincial government and First Nations representatives from the PAC to coordinate government participation and input into the PAC. <p>c) Mandate</p> <ul style="list-style-type: none"> ○ The mandates of the PAC and Policy Forum process apply to the salmon fishery only. Fisheries and Oceans Canada may wish to extend the mandate of the proposed Policy Advisory Process to address other fisheries, but should only do so after conducting a full consultation with representatives in those fisheries. ○ The mandates of the PAC and Policy Forum process do not apply to issues involving Treaty and/or aboriginal rights, which will be addressed in the Tier 2 (government to government) process. <p><i>Policy Advisory Committee:</i></p> <ul style="list-style-type: none"> ○ To identify, delineate and prioritize policy issues for resolution, preferably by consensus and advise Fisheries and Oceans Canada of the list developed. The policy issues identified should be those that have not yet been addressed by Fisheries and Oceans Canada. The PAC should not be readdressing already existing policies that are the focus of ongoing dissatisfaction, unless it is felt that the policy is not meeting its goals, or that the existing policy is outdated, due to changes in circumstances. If the PAC does not wish to address an already existing policy, it should provide Fisheries and Oceans Canada with clear information with regard to why that policy should be readdressed. ○ To discuss and provide advice on policy issues to Fisheries and Oceans Canada. 	

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	<p>Where possible, the PAC should attempt to provide consensus advice on policy issues.</p> <ul style="list-style-type: none"> ○ To advise Fisheries and Oceans Canada when broader public Policy Forums are required for gathering input regarding the particular policy issue, propose the Terms of Reference for the Policy Forum and frame the policy issue for the Policy Forum. ○ To jointly convene public Policy Forums with Fisheries and Oceans Canada. ○ To consolidate input from broader public Policy Forums to provide to Fisheries and Oceans Canada. <p><i>Policy Forums:</i></p> <ul style="list-style-type: none"> ○ To provide input on a large-scale policy issues identified by the PAC within the Terms of Reference for the Policy Forum. (p.31) <p>d) Participation</p> <p><i>Policy Advisory Committee:</i></p> <ul style="list-style-type: none"> ○ The membership of the PAC should include representatives of: <ul style="list-style-type: none"> ▪ First Nations (including NBBC and BCAFC) ▪ The Recreational sector, e.g. SFAB ▪ The commercial sector, e.g. Gear Councils ▪ Non-government science – e.g. Westwater Research Institute ▪ Conservation groups (e.g. BCWF and ENGO’s such as TBuckSF) ▪ The provincial government, e.g. BC Fisheries ▪ Processors ▪ The Department, and ▪ Communities e.g. Union of BC Municipalities and Coastal Communities Network. 	

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	<ul style="list-style-type: none"> ○ Representatives should be nominated by appropriate representative bodies from the particular group. In the case of the non-government science and non-government conservation group representatives, Fisheries and Oceans Canada may have to assist in finding an acceptable appointee. ○ Terms for the PAC representatives should be three years. ○ The PAC should have an independent facilitator. <p><i>Policy Forums:</i></p> <ul style="list-style-type: none"> ○ Large-scale policy issues/questions should be submitted by any interested party to the PAC for consideration. ○ The PAC should meet, review the issues/questions submitted and, working by consensus: <ul style="list-style-type: none"> ▪ Provide advice to Fisheries and Oceans Canada on the priority policy issues to be addressed. ▪ Provide advice to Fisheries and Oceans Canada on how the policy issues should be addressed. ▪ Suggest which issues should be addressed by a public Policy Forum and suggest Terms of Reference for the Policy Forum that identify: <ul style="list-style-type: none"> ○ The broad questions that the Policy Forum is to provide input on (Separate Policy Forums can be held for separate issues, or a single Policy Forum could consider a number of related issues); ○ When the Policy Forum will be held and over what period of time; and ○ The general process that the Policy Forum will follow i.e. Will it be informal discussion or negotiation with an intent to try to reach consensus? Will an independent facilitator be utilized? (p.32) ▪ Convene Policy Forums with Fisheries and Oceans Canada as required. 	

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	<ul style="list-style-type: none"> ▪ Consolidate input from the Policy Forum and submit it to Fisheries and Oceans Canada. ○ The participants in the PAC should determine whether they would like to have a Chair and select that Chair, which could include the RDG, another Fisheries and Oceans Canada official, or a non-government PAC member. ○ The PAC should also decide whether it needs to have independent facilitation. <p>f) Timetable</p> <ul style="list-style-type: none"> ○ The PAC should meet as required (at least twice a year). ○ Policy Forums should be convened on an as needed basis. <p>g) Relationship to other Consultation Processes</p> <ul style="list-style-type: none"> ○ The Policy Advisory Process will shape the policy that sets the overall parameters for the SHMP process and the Allocation and Licensing Advisory Process. ○ Large-scale policy issues raised in the SHMP and Allocation and Licensing Advisory Process should be directed to the PAC. ○ If potential Treaty and/or aboriginal rights infringement issues are identified by the PAC, they should be referred to the Tier 2 (government to government) process (see footnote 2 on page 26). (p.33) 	
	ISSUE 5: DIFFERING VIEWS ON THE DESIRABILITY OF COMMUNITY INVOLVEMENT AND AREA-BASED MANAGEMENT	
	<ul style="list-style-type: none"> ○ The WCVI pilot should serve as a good test for exploring area-based management and greater community and First Nations participation. The Department, as a signatory to the pilot's Terms of Reference and the regulatory agency, should ensure that the project is adequately resourced. ○ As intersector conflicts are identified within the SHMP process, particularly within the IRF, the WCVI pilot should be considered as a potential "subgroup" of the IRF for resolving issues that are specific to the pilot area. Resolutions that are developed in the pilot should be fed back into the IRF for integration into the 	<p><u>Subsequent Actions</u></p> <p>DFO continues to support and participate in the WCVI Aquatic Management Board as a process for effective implementation of the <i>Oceans Act</i> on the west coast of Vancouver Island. It also provides a venue for dialogue on a wide range of aquatic resource issues including matters discussed in other fora like the IHPC for salmon. It is not, however, the primary venue for such issues given the need for a broader geographic approach to the integrated management of a highly migratory species like Pacific salmon.</p>

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	<p>integrated salmon harvest management plan.</p> <ul style="list-style-type: none"> ○ After a three-year period, evaluation of the pilot should be based on a principle-driven framework drawing on the principles contained in the <i>Oceans Act</i> as well as the Code of Conduct (e.g. sustainability, intergenerational equity, inclusivity, etc.) (p.34) ○ To the extent that disputes arise over the appropriate purview of area-based management within the pilot project, reference should be made to an objective assessment of the application of these principles. ○ Key stakeholders that have not engaged in the WCVI pilot should engage in the pilot in order to ensure that the full ranges of interests are addressed. ○ The progress and results of the pilot should inform discussions on the policy topic of area based management and community participation in the Policy Advisory Committee. (p.35) 	
	VI: ABORIGINAL AND TREATY RIGHTS, LINKAGES AND PARTICIPATION	
	ISSUE 1: CONSULTATION	
	<ul style="list-style-type: none"> ○ While the duty to consult with First Nations is based on fiduciary and legal considerations, the fundamentals of consultation mentioned in the <u>third</u> section of this report apply <u>and should be adopted in</u> consultation with First Nations. ○ DFO should consult with First nations on these recommendations through a process agreed to by the parties. Where processes are in place with First Nations, these processes should be used. If no processes are in place then DFO and First Nations, possibly through the recently established Joint Fisheries Dialogue process, could initiate discussions on how best to fulfill this consultation obligation. ○ Where decisions are being made that may infringe on aboriginal and/or treaty rights, these decisions should be deferred until proper consultation with First Nations affected by the decisions have taken place (see footnote on page 22) <u>and where necessary interim agreements, approaches or strategies have been</u> 	<p><u>Subsequent Actions</u></p> <p>DFO consults extensively with First Nations. Consultation practices are described in the 2008 document entitled, Aboriginal Consultation and Accommodation, Interim Guidelines for Federal Officials to Fulfill the Legal Duty to Consult. The following excerpt describes the approach to be taken by all federal employees when engaging First Nations.</p> <p>“Federal Departments and Agencies (the Crown)</p> <p>Where it has been determined that there is a legal duty to consult, as a result of an assessment that the proposed Crown conduct has the potential to affect a credible claim to Aboriginal or treaty rights (see Part C), effective consultation requires collaboration with Aboriginal groups and coordination and cooperation within the federal government.</p> <p>The federal government as a whole is responsible to ensure that any and all consultation and, where</p>

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	<u>developed. (p.36)</u>	appropriate, accommodation obligations are fulfilled. Limitations on any one department, agency or other federal entity will not limit what is required of the Crown in the circumstances. Hereinafter, the term department/agency will be used to denote any and all federal entities involved in the Crown conduct/activity and consultation process. As a result, it is important for all federal departments/agencies involved in an activity that gives rise to the legal duty to consult, to work together and to coordinate their efforts to discharge their respective mandates in a manner that assists to fulfill any Crown consultation duties. It is the responsibility of each federal department/agency that is engaged in the activity to ensure that adequate consultation and measures to accommodate, where appropriate, are undertaken for each decision or action they take that may give rise to a duty to consult.”
	ISSUE 2: ABORIGINAL AND TREATY RIGHTS	
	<ul style="list-style-type: none"> ○ The Tier 1 (First Nation to First Nation) processes should be supported and made to work effectively in order for First Nations to develop a shared vision on the management of fisheries resources and the implementation of fishing rights; ○ Tier 2 (government to government) processes should be supported and made to work to address mutual policy concerns and issues. ○ Interim measure agreements should be made with First Nations to address capacity issues, habitat protection, co-management schemes, and allocation issues, including economic opportunities while negotiations and clarification of rights are underway. (p.38) 	<u>Subsequent Actions</u> DFO has Aboriginal fisheries programs that support First Nations in their participation in Tier 1, 2 and 3 level processes. Descriptions of programs and agreements can be found on the DFO website: http://www.pac.dfo-mpo.gc.ca/tapd/programs_e.htm
	ISSUE 3: REPRESENTATION AND PARTICIPATION	
	<ul style="list-style-type: none"> ○ In the consultations regarding these recommendations, DFO and First Nations should discuss how First Nations can effectively participate in the recommended planning structure. <u>This consultation should include how First Nations will be resourced to participate meaningfully.</u> ○ DFO must assure First Nations that any participation by them will not prejudice their aboriginal or treaty rights. This assurance should be part of the terms of reference of the advisory bodies <u>and it should be clear that this limited</u> 	<u>Subsequent Actions</u> DFO and First Nations have been working together to develop processes and structures to promote the effective management of BC fisheries (e.g. Fraser River First Nations Forum (http://www.frafs.ca/?q=node/42)).

	RECOMMENDATION - Institute for Dispute Resolution (IDR). <i>Independent Review of Improved Decision Making in the Pacific Salmon Fishery: Final Recommendations, 2001</i>	DFO RESPONSE
	<p><u>participation in and of itself will not constitute formal consultation with the Nation.</u></p> <ul style="list-style-type: none">○ First Nations should participate in the recommended planning structure to share their knowledge and expertise in the management of the fishery, ensure that issues do not prejudice their rights, and ensure appropriate integration of their fishing plans.○ Processes facilitated by a neutral third party, who can ensure equal opportunity to express participants' point of view, are more likely to be supported by First Nations.○ Where matters under discussion in these advisory bodies have potential for prejudicing/infringing upon aboriginal or treaty rights, they should be referred to the First Nations/Government of Canada process in Figure 1 for consultation, negotiation, and accommodation. (p.39)	

19) Tom Wappel, M.P., Chair, [*The 2001 Fraser River Salmon Fishery – Report of the Standing Committee on Fisheries and Oceans*](#), 2003

- Response Document: [Government Response to the 6th Report of the Standing Committee on Fisheries and Oceans – The 2001 Fraser River Salmon Fishery \(2003\)](#).

	RECOMMENDATION - Tom Wappel, M.P., Chair, <i>The 2001 Fraser River Salmon Fishery – Report of the Standing Committee on Fisheries and Oceans</i> , 2003	DFO RESPONSE
1	<p>The Committee recommends that DFO return to a single commercial fishery for all Canadians, in which all participants in a particular fishery would be subject to the same rules and regulations. Consequently DFO should bring an end to the pilot sales projects and convert current opportunities under the pilot sales program into comparable opportunities in the regular commercial fishery. (p.33)</p>	<p><u>Initial Response</u></p> <p>“The Government does not agree with this recommendation. There are five commercial gear categories that normally harvest Fraser River sockeye in southern BC, in addition to pilot sale fisheries. They operate at various times, in various areas, and different regulations and licence conditions related to gear and harvest practices apply to each fishery. The <i>Fisheries Act</i> allows for separate and distinct fisheries with different applicable regulatory provisions and licence conditions.”</p> <p>“The pilot sales program has provided guidance on the design and conduct of Aboriginal in river commercial fisheries in advance of implementation in treaties and has assisted in building First Nations' fisheries management capacity. It has also reduced conflict with First Nations' communities over illegal sales of fish taken in food, social and ceremonial fisheries and improved economic benefits to First Nations who faced poor economic outlooks. Finally, the program has improved the management of First Nations fisheries, including catch monitoring.”</p> <p>“The integration of the pilot sale fishery into the commercial fishery is not acceptable to affected First Nations. They want to maintain a small boat commercial fishery in areas close to their communities. They view this as a traditional fishery and claim it as an Aboriginal right. Moreover, Aboriginal fishers could not operate safely with their small vessels next to the much larger vessels of the Area E fleet.”</p> <p>“Following the decision in the Kapp case, which has been appealed, agreements for 2003 fisheries on the Somass River were terminated in accordance with those agreements. For the lower Fraser River, the Department of Fisheries and Oceans (DFO) did not enter into any pilot sale agreements for 2003. The Department is committed to providing continued opportunities to First Nations. There are ongoing discussions with First Nations on arrangements to provide for future commercial salmon fishing opportunities corresponding to the terminated pilot sale fishing opportunities.”</p>

	RECOMMENDATION - Tom Wappel, M.P., Chair, <i>The 2001 Fraser River Salmon Fishery – Report of the Standing Committee on Fisheries and Oceans, 2003</i>	DFO RESPONSE
2	The Committee recommends that the government ensure that DFO respects the “public right to fish,” and that the Minister of Fisheries and Oceans reassert his authority to manage the fishery. (p.33)	<p><u>Initial Response</u></p> <p>“It is the Government's view that the common law public right to fish may be limited or abrogated by competent legislation. In British Columbia, as elsewhere in Canada, virtually all commercial and recreational fisheries are regulated and restricted by federal legislation and in particular the <i>Fisheries Act</i> and its various regulations.”</p> <p>“The Minister maintains his full authority to manage the fishery and has always been very clear on this point.”</p> <p><u>Subsequent Actions</u></p> <p>While the economic fisheries continued to be separated from commercial fisheries, some of the new elements of the agreements included separate FSC and “economic” allocation, as well as different rules and fishing times.</p> <p>“The development of any future economic fishing opportunities for First Nations in BC will be guided by other initiatives, such as the Joint Task Group and the First Nations Panel reports. The Department will begin consultations on these initiatives in the fall, which help to set a foundation for longer term arrangements and equitable fishing for all (News Release, Interim Economic Fishing Opportunities for First Nations, July 28 2004).”</p>
3	<p>The Committee recommends that, as long as pilot sales agreements continue, food and sale fisheries on the Fraser River and elsewhere on the coast of British Columbia be kept completely separate; and</p> <p>That equal priority of access to the resource be provided to all commercial fisheries whether public or AFS pilot sales fisheries and that all measures required for conservation purposes be applied equally to both fisheries. (p.33)</p>	<p><u>Initial Response</u></p> <p>“Following the Kapp decision, DFO gave notice of early termination for existing pilot sale agreements for 2003 in accordance with those agreements, and discontinued negotiations on other pilot sale fisheries. The decision in the Kapp case has been appealed, but it will likely take more than a year to conclude the process. DFO is working with First Nations to develop an alternative approach that provides for their participation in commercial salmon fisheries. Consideration will be given to separating any further commercial fisheries from FSC fisheries.”</p> <p>“The Department agrees that, if continued, the pilot sales fishery should have equal priority with other commercial fisheries. In 1999, DFO Pacific Region launched an important policy initiative called “New Directions.” A paper entitled An Allocation Policy for Pacific Salmon sets out an allocation framework for conservation and harvest regimes. In accordance with the policy, commercial pilot sales fisheries are accorded the same priority as other commercial salmon harvest.”</p>

	RECOMMENDATION - Tom Wappel, M.P., Chair, <i>The 2001 Fraser River Salmon Fishery – Report of the Standing Committee on Fisheries and Oceans, 2003</i>	DFO RESPONSE
		<p>“Following the 2001 fishing season, DFO introduced additional measures related to the conduct of fisheries in the lower Fraser River. For example, fishery openings have been announced only when there is sufficient allowable catch to provide for both a pilot sale fishery and a commercial Area E gill net fishery. As well, announcements for both were made simultaneously. The intent of these arrangements was equal treatment between the Area E fleet and the pilot sales fishery in the lower Fraser River.”</p> <p>“It should also be noted that there are more stringent landing requirements for the Aboriginal pilot sales fisheries than for the commercial salmon fishery. The commercial salmon fishery requires improvement in catch monitoring to bring it up to the level of commercial fisheries for other species. DFO is developing a catch monitoring policy paper which will address some of the concerns and provide a consistent, high standard of catch monitoring.”</p> <p><u>Subsequent Actions</u></p> <p>Once “economic fisheries” for lower Fraser First Nations resumed, FSC and economic fisheries were kept separate. Regarding both the regular commercial fishery and First Nations economic fisheries, while they were separated in time and area, they both had the same priority and conservation measures were applied equally. For example, for 2009 when there were no commercial salmon fisheries, there were no First Nation economic opportunity fisheries either.</p>
4	The Committee recommends that DFO establish realistic Aboriginal food fisheries and that the Department follow through on the commitment of the previous Minister to the Standing Committee on Fisheries and Oceans to ensure that food fishery access is not abused. (p.34)	<p><u>Initial Response</u></p> <p>“DFO implemented the Aboriginal Fisheries Strategy to facilitate the management of fisheries in a manner that is consistent with the 1990 Supreme Court of Canada Sparrow decision. The development of annual salmon harvest targets for First Nations is complex and there is no prescriptive formula. DFO provides food, social and ceremonial access to Aboriginal groups. In order to accomplish this task, DFO enters into negotiations with Aboriginal groups to set appropriate catch levels for food, social and ceremonial harvest.”</p> <p>“Through the use of harvest planning and monitoring committees composed of representatives from DFO and First Nations, fishery plans are developed that will provide for fisheries to harvest the negotiated catch targets. In general, DFO believes that these fisheries for food, social and ceremonial purposes are well managed and monitored in accordance with the <i>Fisheries Act</i>. No</p>

	RECOMMENDATION - Tom Wappel, M.P., Chair, <i>The 2001 Fraser River Salmon Fishery – Report of the Standing Committee on Fisheries and Oceans, 2003</i>	DFO RESPONSE
		fishery is without compliance issues. Where problems are identified, DFO initiates actions to provide proper control and monitoring of the fisheries.”
5	The Committee recommends that funding be restored to DFO at levels adequate to the tasks of restoring science and enforcement programs critical to the conservation of the resource, habitat protection, enhancement and recruitment of professional fisheries managers and prosecution of commercial and recreational fisheries. (p.34)	<p><u>Initial Response</u></p> <p>“The Government recognizes the importance of science and enforcement in supporting conservation and fisheries management. It has limited funding and must set priorities to achieve these objectives and operate within its allocated budget. To ensure that it is providing effective and efficient service for Canadians, the Department is reviewing budget allocations and programs on a department-wide basis to ensure that resources are allocated to the highest priority activities and that they are managed effectively.”</p> <p><u>Subsequent Actions</u></p> <p>In November 2009, Justice Cohen was appointed to lead a review into the decline of sockeye salmon in the Fraser River under the <i>Inquiries Act</i>.</p>
6	<p>The Committee recommends:</p> <p>That DFO fund and support activities of more fishery officers;</p> <p>That any person who has been convicted of a fisheries violation, not be designated as a guardian;</p> <p>That DFO provide resources for guardians to complete all phases of their training;</p> <p>That the monitoring and enforcement component be separated out of the AFS agreements and that the guardian program be funded directly to ensure stability of the program and to provide autonomy to Aboriginal fishery officers and guardians; and</p> <p>That, to provide greater independence for Aboriginal fisheries officers and guardians, they, together with DFO fisheries officers, be responsible to the head of DFO enforcement. (p.34)</p>	<p><u>Initial Response</u></p> <p>“The Government recognizes the critical importance of enforcement in supporting conservation and fisheries management. DFO must set priorities to achieve these objectives. As noted above, the Department is reviewing budget allocations to ensure that funds are allocated to the highest priority activities and that funds are spent effectively. However, public demands for increased funding are numerous and they cannot all be met.”</p> <p>“DFO has a system in place to screen out any Guardian candidate with a fishery violation. All designations are scrutinized on an individual basis. DFO does not designate any individual where the criminal history of the person, including violations of the Fisheries Act, is felt to compromise his or her ability to function effectively as a Fishery Guardian.”</p> <p>“DFO has not been recruiting additional Aboriginal fishery guardians in the Pacific Region and existing guardians will not, in the future, be engaged in enforcement work. Responsibility for fisheries enforcement rests with DFO and is undertaken by fishery officers in the Conservation and Protection Branch. The Department has been recruiting Aboriginal fishery officers, with equivalent qualifications and training as regular fishery officers, who will be playing an enforcement role in</p>

	RECOMMENDATION - Tom Wappel, M.P., Chair, <i>The 2001 Fraser River Salmon Fishery – Report of the Standing Committee on Fisheries and Oceans, 2003</i>	DFO RESPONSE
		Aboriginal fisheries.”
7	The Committee recommends that DFO consider more flexible approaches to the management of fisheries along the lines proposed by the Area E Gillnetters Association. (p.35)	<p><u>Initial Response</u></p> <p>“The Government agrees on the importance of having flexible approaches to the management of fisheries. Recommendation 13 in the Review of the 2002 Fraser River Sockeye Fishery, which was unanimously supported by First Nations and stakeholders, called for the adoption of “innovative means to conduct sustainable fisheries that are consistent with conservation objectives.” This has been adopted by the Minister of Fisheries and Oceans and is being implemented.”</p> <p>“DFO has sought to provide more flexible approaches to the management of fisheries and has worked with the various commercial fleet segments on the development and implementation of new measures:</p> <ul style="list-style-type: none"> • The trigger for starting pilot sale fisheries in the lower Fraser River has been revised in accordance with recommendation 11 in the Review of the 2002 Fraser River Sockeye Fishery, which had unanimous support from First Nations and other stakeholders, including representatives from the commercial fleet. • For 2002, DFO implemented new rules that provided options to harvest small surpluses in accordance with a proposal from the Area E fleet. These options included reduced gill net size and reduced duration of the fishery opening. For 2003, these more restrictive measures were not necessary but could again be implemented, depending on the available commercial catch and conservation concerns. • For several years, DFO has proposed an Area E small fleet opportunity that would allow for a limited harvest of chinook salmon and would provide new stock assessment information. To date, Area E representatives have not agreed. • DFO has worked with the Area B seine fleet to allow for the conduct of a small fleet, limited fishing opportunity in Area 20. • DFO has worked with the Area D gill net fleet, the Area G troll fleet, and the Area H troll fleet to allow for the conduct of various small fleet assessment fisheries. These have provided for limited fishing opportunities where it is felt that a full fleet opportunity could not be supported. At the same time, they provide important stock

	RECOMMENDATION - Tom Wappel, M.P., Chair, <i>The 2001 Fraser River Salmon Fishery – Report of the Standing Committee on Fisheries and Oceans, 2003</i>	DFO RESPONSE
		<p>assessment data that would not otherwise be available.”</p> <p><u>Subsequent Actions</u></p> <p>DFO has continued to work with willing commercial fishing fleets to explore and where possible implement more flexible approaches to the management of fisheries.</p>
8	The Committee recommends that DFO provide more stable access to the resource for the commercial and recreational fisheries. (p.35)	<p><u>Initial Response</u></p> <p>The Government supports the objective of stable access to the resource for commercial and recreational fisheries, subject to meeting conservation requirements and providing access to First Nations for food, social and ceremonial purposes and any rights that may be defined by treaty. The Department is working toward this objective, but it is both difficult and contentious, particularly when abundance of salmon stocks is low.”</p> <p>“The issue of access to Pacific salmon has been the subject of intense debate for many years and a series of independent studies on various aspects has been undertaken. The Pacific Region's 1999 <i>Allocation Policy For Pacific Salmon</i> sets out a long-term allocation framework. It states that conservation of Pacific salmon is the primary objective and will take precedence in managing the resource. After conservation requirements are met, the policy sets out a reasonable, balanced approach to harvest allocations. It provides for the priority of First Nations' food, social, and ceremonial requirements and any rights that may be defined by treaties. It also sets out a clear policy on allocation between the fishing sectors, and within the commercial sector. When there is extremely low abundance and when conservation of stocks is at risk, as occurred with Fraser River sockeye in 2001, stable access to fishing opportunities cannot be provided.”</p> <p>“In accordance with the recommendations of the <i>Review of the 2002 Fraser River Sockeye Fishery</i>, consultations took place with First Nations and other stakeholders regarding plans for 2003 and in-season sockeye communications working groups have been formed. The External Steering Committee of the 2002 review reflected the consensus views of First Nations, commercial and recreational harvesting sectors, environmental organizations, the Pacific Fisheries Resource Conservation Council and the Province of BC. The 2003 Integrated Fisheries Management Plan sets out the rules to guide fishery decisions. The goal of the plan is to provide more flexible and secure access to the resource by the commercial and recreational sectors subject to meeting conservation objectives and providing access to First Nations for food, social and ceremonial purposes and any</p>

	RECOMMENDATION - Tom Wappel, M.P., Chair, <i>The 2001 Fraser River Salmon Fishery – Report of the Standing Committee on Fisheries and Oceans, 2003</i>	DFO RESPONSE
		<p>right that may be defined by Treaty.”</p> <p>“On July 29, 2003, DFO and the BC Ministry of Agriculture, Food, and Fisheries announced a joint task group that will provide independent advice on approaches to ensure an integrated and economically viable marine fisheries sector in BC consistent with agreements on Aboriginal land claims. This will assist governments in working with both First Nations and other participants to implement comprehensive solutions to the challenges faced in developing a post-treaty fishery. The task group will report its finding by December 31, 2003.”</p> <p><u>Subsequent Actions</u></p> <p>Since this response the Department has received the report of the Joint Federal Provincial Task Group on Post Treaty Fisheries that examines ways to stabilize the commercial fishery in a post treaty context. Some of the initiatives that have been taken include further cash disbursements from the federal Government to licence holders to support commercial licence retirements in order to reduce the size of the fleet as well as develop First Nations in-river fisheries in terminal locations that avoid specific stocks of concern.</p> <p>“The Honourable Loyla Hearn, Minister of Fisheries and Oceans today announced that Canada’s New Government is fulfilling its commitment to establish one fishery for British Columbia and will provide \$175 million to support environmentally and economically sustainable integrated commercial fisheries.</p> <p>The new funds will be provided over five years, and will be used to establish enhanced catch monitoring and reporting in BC fisheries, strengthen enforcement efforts, and provide the basis for a new approach to trace fish from the time they are harvested in the commercial fishery until they are purchased by consumers. It will also allow the federal government to retire licences and quota of fishers who want to leave the commercial fishery, and use these resources to facilitate greater participation in a wide range of commercial fisheries by First Nations throughout BC (One Fishery for All of us Canada’s New Government Delivers on Promise Integrate Pacific Commercial Fishery).</p> <p>Regarding recreational fishing, the SFAB and DFO have released A Vision for Recreational Fisheries in British Columbia, 2009-2013 to detail the vision, underlying principles and strategies for the management of recreational salmon fisheries in the Pacific Region.</p>

	RECOMMENDATION - Tom Wappel, M.P., Chair, <i>The 2001 Fraser River Salmon Fishery – Report of the Standing Committee on Fisheries and Oceans, 2003</i>	DFO RESPONSE
9	<p>The Committee recommends that DFO invest in more research to improve the run forecast system, including the test fishing system; and</p> <p>That DFO give high priority to research to determine the reason for the earlier than normal return of the late-run sockeye. (p.35)</p>	<p><u>Initial Response</u></p> <p>“DFO is working to improve run size estimates through a variety of means and is continuing scientific research related to late run Fraser River sockeye.”</p> <p>“Recommendation 10 of the <i>Review of 2002 Fraser River Sockeye Fishery</i> similarly called for improvements in in-season estimates of run size and timing through improvements to test fishing, amongst other things. This received consensus support from First Nations and other stakeholders, and is now being implemented. A workshop was held in late April 2003 to discuss opportunities to improve in-season run size estimates, which included participation from First Nations, recreational and commercial harvesters and DFO staff. Four proposals arising from that process were incorporated into the Pacific Salmon Commission data gathering program for 2003:</p> <ul style="list-style-type: none"> • Food, Social and Ceremonial Fisheries – Food, social, and ceremonial allocations for marine areas were harvested in a fashion where catch information could be used to assist in the determination of run size. • Area B seine Fisheries – There were two ten-vessel seine fisheries, in Area 20 and in Johnstone Strait, which were designed to assist in the determination of run size. Previously, similar information was gathered through full fleet commercial fisheries in these areas, which have not been possible in recent years due to concerns for weak stocks. • Area D gill net Fishery – A ten-vessel project was conducted to provide test fishing information in Johnstone Strait. • Area E gill net Fishery – Test fishing was conducted in two new locations in the Fraser River.” <p>“Recommendation 9 of the <i>Review of 2002 Fraser River Sockeye Fisheries</i> sought improved understanding of the migration behaviour and in-river mortality among Late run sockeye. This also received consensus support from First Nations and other stakeholders, and is being implemented. Studies on the migration behaviour and in-river mortality were conducted in 2003 in conjunction with the Pacific Salmon Commission and university partners. Late run Fraser sockeye research activities in 2003 continued and built on work done in 2002. These studies are improving our knowledge of the cause, or causes, of mortality, the schedule of mortality level across the various</p>

	RECOMMENDATION - Tom Wappel, M.P., Chair, <i>The 2001 Fraser River Salmon Fishery – Report of the Standing Committee on Fisheries and Oceans, 2003</i>	DFO RESPONSE
		<p>timing strata (early, mid, and end) of the Late run stocks, and they are providing information that can be used to explore management options to protect Late run stocks while harvesting healthy stocks.”</p> <p><u>Subsequent Actions</u></p> <p>See the Subsequent Actions to Recommendation 7 in this report and Recommendation 10 in the <i>Review of the 2002 Fraser River Sockeye Fisheries by the External Review Committee</i>.</p>
10	<p>The Committee recommends that the Department of Fisheries and Oceans make a report to the Standing Committee on Fisheries and Oceans on an annual basis on the progress made in dealing with the issues and problems raised concerning the Fraser River salmon fishery, and that the report also be tabled in Parliament. (p. 35)</p>	<p><u>Initial Response</u></p> <p>“DFO implements 175 fishing plans each year. Furthermore, the Fraser River salmon fishery is managed under the Canada-U.S. Pacific Salmon Treaty, and is only one of many components of the west coast salmon fisheries. DFO undertakes an annual post-season review of this fishery, which includes meetings with stakeholders and interested parties. It would therefore be inappropriate to select this fishery only for a report to Parliament.”</p> <p>“In the Integrated Fisheries Management Plan (IFMP) for Pacific Salmon in Southern BC, DFO provides extensive information on fish stocks, fisheries management issues, related policies, new developments, enforcement, and a post-season review of the fishery. In developing the IFMP, post-season consultations are held with First Nations and stakeholders during the fall concerning conservation, the conduct of fisheries and enforcement. A public news release on the post-season review is issued, usually at the end of the year. As well, the final IFMP document includes a post-season review section that describes the conduct of the fishery in the context of all the objectives that were identified the previous year. These documents are publicly available and DFO cooperates with SCOFO in providing the reports and specific responses as requested.”</p>

20) Patrick Chamut, Chair, [Review of the 2002 Fraser River Sockeye Fishery - Report by the External Steering Committee](#), March 2003

- Response document: [Status of Implementation of 2002 Fraser River Sockeye Review Recommendations](#) , December 3, 2003

	RECOMMENDATION - Patrick Chamut, Chair, <i>Review of the 2002 Fraser River Sockeye Fishery - Report by the External Steering Committee</i> , March 2003	DFO RESPONSE
1	Wild Salmon Policy: It is recommended that Fisheries and Oceans Canada conduct consultations on a wild salmon policy and associated guidelines, with First Nations, harvesters and other interest groups including conservation organizations, and the policy should be finalized by December 31, 2003. This policy will provide a framework for defining conservation objectives for naturally spawning salmon and will include direction for resource management (conservation units and reference points), habitat protection, enhancement and aquaculture. (p. 6)	<p><u>Initial Response</u></p> <p>“Development of this policy was slowed by internal debate at all levels over several key policy issues specifically what level of genetic diversity to conserve, the implications of SARA and the development of an open and transparent planning process to consider social and economic factors in addition to biological . Substantial movement has been made since late summer when a process to engage members of senior executive was initiated. While unable to meet the Dec 31 deadline for completing consultation we anticipate:</p> <ul style="list-style-type: none">▪ completing the draft policy by mid-January 2004▪ conducting internal review and ADM approval by March 31, 2004▪ Release to the public and initiation of consultation as soon as possible thereafter.” <p><u>Subsequent Actions</u></p> <p>The <u>Wild Salmon Policy</u> was adopted May 31, 2005 after 5 years of consultation. The policy places conservation of salmon and their habitats as the first priority for resource management.</p> <p>Two reports related to the identification of Conservation Units and their status has been released. A <u>Framework for the implementation of the Wild Salmon Policy; Initial lists of Conservation Units for British Columbia</u> and <u>Indicators of Status and Benchmarks for Conservation Units in Canada’s Wild Salmon Policy</u> Tools are now in development to assist staff in the development of CU specific benchmarks in the fall of 2010.</p> <p>Initiatives related to the determination of habitat indicators have been undertaken with a report completed in 2009.</p> <p>The <u>Wild Salmon Policy</u> also addresses the identification and protection of ecosystems. An approach to address this component of the policy includes:</p>

	RECOMMENDATION - Patrick Chamut, Chair, <i>Review of the 2002 Fraser River Sockeye Fishery - Report by the External Steering Committee, March 2003</i>	DFO RESPONSE
		<ul style="list-style-type: none"> Defining operational ecosystem units based on CUs and habitat types; Determining ecosystem reference states and targets; Identifying ecosystem objectives with sectors, partners and stakeholders; and Developing indicators and monitoring plan. <p>Progress has also been made on developing integrated approach to planning as envisioned by the Policy.</p>
2	Advisory Processes: It is recommended that new advisory processes be developed by the fall of 2003 for the provision of advice on policy issues and harvest planning to facilitate improved, transparent consultation:	
	<ul style="list-style-type: none"> <u>Policy Advisory Process</u> - A new formal, structured policy advisory process is proposed. Specifically, a policy steering committee should be established that represents the full range of interests for the conservation and management of Pacific fisheries resources including First Nations, commercial and recreational fishing sectors, conservation organizations, community groups, and the provincial government. This committee would provide a venue for broadly based dialogue with the Department on major policy matters affecting the fishery, including a wild salmon policy, risk management, and socio-economic objectives. It would also provide advice on the full range of interests that need to be consulted further and the best means of obtaining input on specific policy matters of concern. <u>Assignment to Policy Advisory Process</u> – Given that the conservation concerns associated with some mixed stock fisheries are likely to result in harvesting opportunities to more terminal areas, it is recommended that the policy steering committee, once established, should be asked to provide advice to clarify the policy on access and allocation. Consultation with affected parties should occur in the fall of 2003 to discuss issues, and provide information to support a policy decision before the 2004 salmon fishery. 	<p><u>Initial Response</u></p> <p>“After an assessment of regional policy gaps by Regional Policy Branch, it has been determined that the structure needed to deal with high level policy gaps may benefit from a somewhat different approach than that recommended in the Fraser Sockeye Review report in that it would only come together as the need for policy advice arises. A revised decision note detailing a Policy Forum process that would occur on an as required basis will be developed”</p> <p><u>Subsequent Actions</u></p> <p>Consultation on policy issues is managed on an as required basis. An example, of this was the consultation approach used for Wild Salmon Policy.</p>
	<ul style="list-style-type: none"> <u>Harvest Planning</u> - A more streamlined and representative cross-sectoral advisory process is proposed for harvest planning and post-season review. Specifically, two 	<p><u>Initial Response</u></p>

	RECOMMENDATION - Patrick Chamut, Chair, <i>Review of the 2002 Fraser River Sockeye Fishery - Report by the External Steering Committee, March 2003</i>	DFO RESPONSE
	<p>new salmon harvest planning committees, one each for the north and the south. A three-phased process would be established to provide co-ordinated advice to the Department on the development of IFMPs:</p> <ol style="list-style-type: none"> 1. Advice on conservation objectives and science-based risk management would be provided by representatives from First Nations, the recreational and commercial sectors, and conservation organizations. 2. Harvesters (representatives from First Nations and the recreational and commercial fishing sectors) would develop proposals on the conduct of fisheries consistent with phase 1, for inclusion in draft IFMPs. 3. First Nations, the recreational and commercial sectors, and conservation organizations would provide advice on draft IFMPs focusing on ensuring consistency between conservation objectives and proposed fisheries, and on any cross-sector integration issues requiring resolution. As well, they would participate in post season reviews. <ul style="list-style-type: none"> • Fraser Panel - The Fraser River Panel of the Pacific Salmon Commission will continue to serve as a focal point in the in-season management of Fraser River sockeye and pink. 	<p>“An information package on the proposed new advisory process was sent to First Nations, salmon vessel owners, the recreational sector and environmental organizations in mid-August, 2003. Work is currently underway with the recreational sector, First Nations and environmental organizations to identify representatives prior to planning for the 2004 season. Environmental organizations have created a Marine Conservation Caucus (MCC) broadly representative of conservation organizations with marine conservation capacity. This body will be asked to identify representatives to the Integrated Harvest Planning Committee (IPHC). Extensive consultations are underway with representatives of the commercial sector to establish a Commercial Harvest Planning Committee and Area Harvest Committee. Nomination forms for identifying representatives to AHCs were mailed October 28th. Election ballots will be mailed out December 10th, 2003 and results will be finalized by late January, 2004. Presentations have been made to numerous First Nation organizations including the BCAFC, NBBC, NNFC, etc. Preliminary discussions have been held with the SFAB which will be asked to identify representatives to the IPHCs. It is expected that representative will be selected by the SFAB at their main board meeting scheduled for January 24/25, 2004.”</p> <p><u>Subsequent Actions</u></p> <p>The IHPC was developed with cross sectoral representation to provide formal advice and make recommendations.</p>
3	<p>Fraser River First Nations Watershed Process: It is recommended that the Fraser River First Nations Watershed process be further supported by ensuring technical support is provided for continued improvements in the efficiency of annual management planning and consultation processes. Also, support should be provided to coastal First Nations who choose to form an aggregate body representing First Nation communities. (p. 7)</p>	<p><u>Initial Response</u></p> <p>“The Fraser River Watershed process is supported through the Fraser River Aboriginal Fisheries Secretariat which the department provides funding and technical support. An Executive Director has been hired and technical contracts have been renewed for 2003 which is not an increase in resource levels over 2002. Staff from TAPD, BCI and Fisheries Management RHQ are actively supporting the Fraser River Watershed process. A DFO co-chair to the Fraser Technical committee has also been appointed (Les Jantz).”</p> <p>“Coastal First Nations have formed a society and have received technical and monetary support from Fisheries and Oceans staff. An initial focus for the society was a successful cooperative effort conducting FSC fisheries in a manner consistent with the purse seine test fisheries conducted by the staff of the Pacific Salmon Commission. Future directions for this society will be discussed at a post-season meeting to occur in February 2004.”</p>

	RECOMMENDATION - Patrick Chamut, Chair, <i>Review of the 2002 Fraser River Sockeye Fishery - Report by the External Steering Committee, March 2003</i>	DFO RESPONSE
		<p><u>Subsequent Actions</u></p> <p>The Aboriginal Aquatic Resource and Oceans Management (AAROM) program which provides funding to Aboriginal groups to establish aquatic resource and oceans management bodies. The goal of AAROM is to help Aboriginal groups participate effectively in advisory and decision-making processes used for aquatic resource and oceans management.</p>
4	<p>Elements of the IFMP: It is recommended that the pre-season development of the IFMP be the focal point for consultation and debate. IFMPs should clearly define the priority of conservation and should also include a number of other key items such as:</p> <ul style="list-style-type: none"> • A description of domestic and international commitments; • Decision rules that will guide in-season management. This would include a science-based risk management framework, with decision tables that illustrate probable effects of a wide range of management options. They would cover a broad range of foreseeable circumstances and would guide the appropriate fisheries management responses to changing circumstances (such as in-season estimates of pre-spawning mortality of Late run sockeye); and • A description of socio-economic objectives (p. 7) 	<p><u>Initial Response</u></p> <p>“2003 IFMP Development (July 2003)”</p> <p>“The IFMP for 2003 was used as the focal point for pre-season planning. The following meetings were held:</p> <ul style="list-style-type: none"> • First Nations – Over 15 meetings with Bands and Tribal Councils representing over 100 Bands • Recreational – Four meetings with local and main board SFAB to discuss IFMP issues. • Commercial - Over 10 meetings with Gear licence area representatives and Advisory Boards that have representation from a number of licence areas. • Conservation Organizations- 2 meetings were held late in the process and were not viewed as adequate consultation by the Sierra Club.” <p>“A draft IFMP was released on March 18 for the North Coast and on April 28 for the South Coast. The draft plans captured the initial views of DFO and attempted to incorporate issues identified during the post season review from 2002.”</p> <p>“The draft IFMPs identified the stocks of concern; approaches recommended by DFO to deal with these stocks and in some cases identified some options that could be considered. As well the plans set out decision rules to guide the fishery and fishery specific plans (where there was adequate information to do so).”</p> <p>“The draft plan identified domestic and international commitments.”</p> <p>“The plan identified decision rules however there was insufficient time to develop and consult on a “science based, risk assessment framework” identifying a range of options. Work has begun to develop a framework for inclusion in the 2004 IFMP. However in developing harvest plans for this</p>

	RECOMMENDATION - Patrick Chamut, Chair, <i>Review of the 2002 Fraser River Sockeye Fishery - Report by the External Steering Committee, March 2003</i>	DFO RESPONSE
		<p>season, the stock status of biological risk assessments for Sakinaw and Cultus Lake sockeye and Fraser coho, developed for the COSEWIC listing process were considered. In addition, for Cultus Lake, a risk matrix outlining the probability of extirpation under various levels of pre-spawn mortality and exploitation rate were considered in developing an exploitation rate matrix. The exploitation rate matrix developed allowed for slightly higher levels of harvest if run size was larger and/or the level of en-route morality was low. Given these risk assessments, alternative harvest regimes were assessed in terms of their impact on these stocks of concerns and the socio-economic implications to the commercial fishery and potential mitigation approaches (e.g. enhancement, selective fishing, etc.) were identified. Work is underway to develop the analytical tools to establish the probabilities of extirpation associated with alternative a range of harvesting regimes. These models are being developed in support of the Wild Salmon policy; however, the Fraser River model will not likely be finalized in time for this season.”</p> <p>“While a valuation of the commercial fishery was undertaken, socio-economic objectives were not included in the 2003 plan. Work has begun to include these objectives in the 2004 IFMP. It’s imperative that this work builds upon what was started in 2003 and is in place for 2004 IFMP. This risk assessment will require a team approach between Fishery Management and Science in order to complete for inclusion in the 2004 IFMP.”</p> <p>“Work Planning for 2004 IFMP (October 2003)”</p> <p>“Work planning for the 2004 IFMP is underway. The 2004 IFMP will contain a description of both domestic and international commitments. This is a continuation of a practice initiated in 2001. The department will continue to build and refine decision rules used to guide in-season management. In developing the 2004 IFMP the objective will be to expand on the risk assessments (and specifically, the risk of extirpation of specific stocks of concern across a range of exploitation rates) included in the 2003 IFMP to include other stocks of concern.”</p>
5	IFMP Issues for 2003: Pending completion of a wild salmon policy and completion of long-term escapement goals for Fraser River sockeye, it is recommended that consultations be held with First Nations and stakeholders (including conservation organizations) on escapement targets to guide resource management for the 2003 fishery. As well, there will be consultations on the management objectives for Cultus Lake and Sakinaw Lake sockeye in 2003, relating to both fishing and habitat protection, and other means of stock rebuilding. (p. 7)	<p><u>Initial Response</u></p> <p>“Implementation complete.”</p> <p>“Consultations on Fraser River sockeye escapement goals were carried out pre-season with all harvesters. First Nations and the commercial sector provided advice to the Department on the 2003 escapement goal plan to complete implementation of this recommendation.”</p> <p>“With regards to development of long-term escapement goals three forums have provided guidance</p>

	RECOMMENDATION - Patrick Chamut, Chair, <i>Review of the 2002 Fraser River Sockeye Fishery - Report by the External Steering Committee, March 2003</i>	DFO RESPONSE
		<p>for this initiative:</p> <ul style="list-style-type: none">• A steering committee with senior First Nation and stakeholder representatives.• A technical working group with DFO and external experts.• Workshops for technical review and revision of information packages (to date three workshops have been conducted).” <p>“The technical group has developed a computer model which takes into account the biology (productivity) of individual stocks, historical patterns of ocean productivity, migration rates, as well as the priorities and values of all interested parties to consider the most appropriate harvest policies for Fraser sockeye stocks. The purpose of the workshops has been to present the work of the technical group and to obtain direction and feedback from all participants. This has helped DFO refine the proposed approach for managing spawning escapement prior to taking this initiative into broader consultation. The initiative has evolved considerably in response to the feedback we received from the steering committee, the external working group members and workshop participants.”</p> <ul style="list-style-type: none">• Effort has been dedicated to small group meetings with participants.• The technical foundation for this process, the computer simulation model, has been reviewed via PSARC.• Additional analyses have been done to address specific questions and concerns raised at the three workshops held over the last year.” <p><u>“Next Steps”</u></p> <p>“Individual meetings with First Nations and stakeholders are being planned for December. It is hoped that specific concerns or questions can be answered at these meetings.”</p> <p>“An additional meeting of the Steering Committee has been planned for November. The direction we receive from this will culminate in a workshop to be held on January 6 & 7, 2004. Once a draft management proposal has been developed, it shall be distributed to interested parties mid-December in preparation for the January workshop.”</p> <p><u>Subsequent Actions</u></p>

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		<p>With regards to development of long-term escapement goals three fora have provided guidance for this initiative:</p> <ul style="list-style-type: none"> • A steering committee with senior First Nation and stakeholder representatives; • A technical working group with DFO and external experts; • Workshops for technical review and revision of information packages (three workshops have been conducted). <p>This work is ongoing and a summary of the work can be found in the report Collaborative Development of Escapement Strategies for Fraser River Sockeye: Summary Report 2003-2008.</p>
6	Food, Social, and Ceremonial Obligations: All harvesting plans will continue to be designed to ensure that, after conservation objectives have been addressed, priority access for food, social and ceremonial (FSC) purposes is provided over other uses. (p. 7)	<p><u>Initial Response</u></p> <p>“Implementation complete.”</p> <p>“Fishing opportunities for food, social and ceremonial purposes have been incorporated into the 2003 IFMP.”</p> <p><u>Subsequent Actions</u></p> <p>DFO includes in its salmon IFMPs clear direction that after conservation objectives have been met priority is for access for food, social, and ceremonial fisheries over other users. This direction is set out in the 2009 Southern Salmon IFMP on page 31 :</p> <p>“4.2. First Nations Objectives</p> <p><i>The objective is to manage fisheries to ensure that, after conservation needs are met, First Nations’ food, social and ceremonial requirements and treaty obligations to First Nations have first priority in salmon allocation in accordance with the Allocation Policy for Pacific Salmon. Feedback from consultation sessions is relied on to measure the performance of providing first priority to First Nations for opportunities to catch fish for FSC purposes and any treaty obligations.</i>”</p>
7	Regulation of the Recreational Fishery: It is recommended that consultations be initiated with the Sport Fishing Advisory Board to address concerns regarding the regulation of the recreational fishery, its linkage to the First Nations and commercial fisheries, and possible impediments to the provision of stable and predictable opportunities for the recreational harvest of sockeye. (p. 7)	<p><u>Initial Response</u></p> <p>“Implementation complete.”</p> <p>“Consultations have taken place with the Sport Fish Advisory Board regarding plans for 2003 and</p>

	RECOMMENDATION - Patrick Chamut, Chair, <i>Review of the 2002 Fraser River Sockeye Fishery - Report by the External Steering Committee, March 2003</i>	DFO RESPONSE
		<p>an in-season sockeye communications working group was created consisting of DFO managers and recreational fisheries advisors from South Coast, Lower Fraser River, and BC Interior Areas. The working group held weekly teleconferences during late July, August, and early September for the purpose of planning fisheries & communication strategies. These meetings were well attended and worked well from a DFO point of view. It is the intention of Lower Fraser Area and BC Interior Area staff to continue this practice for 2004. Linkage to First Nations and commercial fisheries in the form of intersectoral TAC and sharing of space will be discussed with the recreational sector via the fall (i.e. November – January) SFAB process in locales where these issues occur.”</p> <p><u>Subsequent Actions</u></p> <p>Consultations take place annually with the SFAB regarding regulation of the recreational fishery and its linkage to other fisheries. The main forum for these discussions is the IHPC, see Response to Recommendations 2.</p> <p>In order to foster better in-season communications, a working group was created consisting of DFO managers and recreational fisheries advisors from South Coast, Lower Fraser River, and BC Interior Areas. The working group holds weekly teleconferences during late July, August and early September for the purpose of planning fisheries and developing communication strategies.</p>
8	<p>Enforcement: It is recommended that the Department consult with First Nations and stakeholders on enforcement issues:</p> <ul style="list-style-type: none"> • There will be pre-season meetings involving Conservation and Protection staff from Area offices to address anticipated monitoring enforcement issues, coordinated strategies, and priorities. • There will be post-season meetings to review the outcome of these strategies, and progress related to partnership arrangements and protocols. • Partnership arrangements and protocols with First Nations and stakeholders should be developed or improved, wherever possible. These would formalize the shared roles and responsibilities, and could include improved monitoring and catch reporting, co-management issues, or on-ground interactions between the parties. As well, external members of the Steering Committee advocate more funding to support enforcement activities related to the conduct of Fraser River sockeye fisheries. (p. 7 & 8) 	<p><u>Initial Response</u></p> <p>“A number of pre-season meetings have taken place with First Nations. Enforcement protocols have been completed for several First Nations and are under development with others. A lower Fraser River enforcement workplan has been completed and is serving as the basis for discussion with local stakeholders. In the BCI C&P has participated in the pre-season planning meetings of the Fraser Watershed Aboriginal Fisheries Forum and the Upper Fraser Conservation Alliance.”</p> <p>“Post season meetings are being scheduled in the Lower Fraser and BCI which will be supported by C&P officers. For the 2003 season C&P and Resource Management staff will be working together to organize and attend post season meetings with FN, recreational and commercial harvesters to debrief enforcement operations for the year, seek input on concerns and work with harvesters to identify solutions for the coming year.”</p> <p><u>Subsequent Actions</u></p> <p>C&P staff have made it a priority to attend both the pre-season and post-season meetings for First</p>

	RECOMMENDATION - Patrick Chamut, Chair, <i>Review of the 2002 Fraser River Sockeye Fishery - Report by the External Steering Committee, March 2003</i>	DFO RESPONSE
		<p>Nations and stakeholder advisory processes. Participation in these processes has assisted the department in building better relationships with First Nation and stakeholder communities.</p> <p>Protocols and partnerships have been pursued and implemented where possible.</p>
9	<p>Monitoring and Assessment Studies: It is recommended that monitoring and assessment studies be continued to improve understanding of the effects of high spawner density (e.g. Adams River 2002) and the migration behaviour and in-river mortality among Late run sockeye. As well, external members of the Steering Committee advocate undertaking more extensive stock assessment studies on all Fraser River sockeye stocks. (p.8)</p>	<p><u>Initial Response</u></p> <p>“In conjunction with the Pacific Salmon Commission and university partners studies on the migration behaviour and in-river mortality are underway. The field work for almost all of the 2003 field projects are finished and most of the experiments are now focused on laboratory or terminal spawning locations. These studies continue the work completed in 2002.”</p> <p>“Data collection on the effects of high spawner density are underway and some preliminary results are available. The data suggests that the productivity of Quesnel Lake is higher in 2003 than it was 10 to 15 years ago. Data collected from fall acoustic and trawl surveys in Quesnel and Shuswap lakes should be analyzed by early 2004 and a further update will be provided to confirm results.”</p> <p><u>Subsequent Actions</u></p> <p>Over-escapement</p> <p>Annual monitoring of spawning escapement is a routine function of DFO stock assessment programs in the Fraser watershed. A recent assessment of the potential impacts of “over-escapement” for 21 sockeye stocks (and 2 pink salmon stocks) in BC including Fraser River sockeye was completed in 2004 by the Pacific Fisheries Resource Conservation Council (PFRCC) using data from DFO. Their report is available from the PFRCC website:</p> <p>http://www.fish.bc.ca/files/OverescapementReport_2004_0_Complete.pdf</p> <p>Late-run mortality and migration behavior</p> <p>Since 1995, the aggregate of sockeye salmon spawning populations collectively known as the Late Run, has been entering the Fraser River approximately 2-6 weeks earlier. This shift has resulted in Late Run sockeye being exposed to higher river temperatures for a longer duration in fresh water than prior to 1995. Associated with this shift towards early river entry has been a dramatic increase in both enroute and pre-spawn mortality (See Cooke et al. 2004).</p>
10	In-Season Estimates and Data: It is recommended that the Department work with the staff of the	<u>Initial Response</u>

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	<p>Pacific Salmon Commission, First Nations and stakeholders to develop improved in-season estimates of run size and timing. A number of avenues will be explored to develop these improvements:</p> <ul style="list-style-type: none"> • Improvements to existing test fisheries. • Development of new test fisheries. • Environmental monitoring programs. • Use of stock assessment fisheries (conducted on a limited small fleet basis). • Traditional knowledge and on-water information will be evaluated as a means of augmenting these information sources. • The Department should consider a three to five year program designed to optimize use of resources directed at in-season estimates required to achieve management objectives. <p>It is also recommended that the Department work with all harvesting groups to improve the accuracy and timeliness of catch reporting, including adoption of a catch monitoring system to provide information on landings.</p>	<p>“A workshop was held in late April 2003 to discuss opportunities to improve in-season run size estimates, which included participation from First Nations, recreational and commercial harvesters, and DFO staff. Seven proposals were received by the Department. Following an evaluation, the following 4 proposals were implemented in 2003:</p> <ul style="list-style-type: none"> • An exploration for additional test fisheries that will improve in-season test fishing in the lower Fraser River. (Fraser River Panel approved) • Small fleet purse seine fisheries in Juan de Fuca and Johnstone Straits designed to simulate a regular commercial fishery to provide an independent estimate of the summer run size. (Fraser River Panel approved) • Small fleet gill net fishery in Johnstone Strait designed to provide an independent estimate of the Early Summer run size. (Fraser River Panel approved) • First Nations food, social and ceremonial fishery by purse seine structured to augment the regular Fraser River Panel authorized purse seine test fisheries in Juan de Fuca and Johnstone Straits.” <p>“The Fraser River Panel also adopted an improved Environmental Management Adjustment Model that will forecast en route mortality rates within the Fraser River.”</p> <p>“Given the positive response to the workshop approach, there will be a post-season review of the programs that were approved and to consider new programs for implementation in 2004. This cycle is expected to continue for a number of years.”</p> <p>“The long term initiatives to optimize the use of resources directed at in-season estimates is the subject of ongoing discussions with PSC staff. The catch monitoring review is also on-going and will evolve over time.”</p>
11	<p>Facilitating Stock Assessment Fishery: It is recommended that the trigger for a pilot sales fishery be clarified so that the occurrence of stock assessment fisheries (conducted on a limited small fleet basis) that are specifically for the determination of stock abundance and the identification of a Canadian total allowable catch (TAC), whether in approach areas or within the Fraser River, would not automatically trigger a pilot sales fishery. Such an assessment fishery would need to be approved by the Fraser Panel, as part of the Pacific Salmon Commission process. (p. 8)</p>	<p><u>Initial Response</u></p> <p>“Implementation complete.”</p> <p>“Discussions have taken place at the Musqueam and Sto: lo tables to ensure that pilot sales fishery participants (First Nations signatories/negotiators) clearly understand that small scale stock assessment fisheries do not automatically trigger a pilot sales fishery. Specific wording to clarify</p>

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		<p>the trigger for a pilot sales fishery were included in draft agreements.”</p> <p><u>Subsequent Actions</u></p> <p>Since this report, the “pilot sales” fisheries have been replaced by economic opportunity fisheries that have the same priority as commercial fisheries and are clearly separate from food social and ceremonial fisheries. Fisheries Agreements with First Nations stipulated that “stock assessment” fisheries would not trigger economic opportunity fisheries.</p>
12	<p>Improved Communication with Recreational Fishery: It is recommended that Pacific Region staff consult with the Sport Fishing Advisory Board prior to the commencement of the 2003 management season to identify and implement practical, affordable options that will improve the timeliness and effectiveness of in-season communication and consultation with the recreational fishing community. (p. 9)</p>	<p><u>Initial Response</u></p> <p>“Implementation complete.”</p> <p>“Principles for improved communications have been defined and consultation has occurred with the Sport Fish Advisory Board. An in-season sockeye communications working group consisting of DFO managers and recreational fisheries advisors from South Coast, Lower Fraser River, and BC Interior Areas held weekly meetings during late July, August, and early September for the purpose of planning fisheries and communication strategies. A recorded phone line bulletin board system was created in the Lower Fraser Area to provide 24 hour a day information on recreational sockeye regulation updates in the Lower Fraser Area to the public. Close to 3,000 callers accessed this information over a space of two months. The bulletin board is currently in operation, providing information on on-going recreational salmon regulations. It is the intention of Lower Fraser Area staff to continue this phone system in 2004. The DFO Pacific Region website continued to provide up to date information on coast wide recreational fisheries regulations or all species in 2003, and is expected to continue for 2004.”</p> <p><u>Subsequent Actions</u></p> <p>There is regular consultation with SFAB regarding status of stock and potential management actions to address specific concerns. With regard to Fraser sockeye, there continue to be weekly conference calls with SFAB advisors providing updated stock information and anticipated management actions.</p> <p>As well, the 2009-2011 British Columbia Waters Sport Fishing Guide and the 2009-2011 British Columbia Freshwater Salmon Supplements details contact information for fishermen wanting updated fishing information.</p>
13	Innovative Fisheries: It is recommended that the Department work with all sectors to adopt	<u>Initial Response</u>

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	<p>innovative means to conduct sustainable fisheries that are consistent with conservation objectives. Where appropriate, conservation organizations should be involved to assist in advising this work. (p. 9)</p>	<p>“The Department worked with a number of sectors in 2003 to develop innovative means to conduct sustainable fisheries. The Area H troll project was an opportunity to experiment with individual vessel quotas. The experiment was concluded, however, implementation challenges continue; the Department will continue to work with the Area H fleet to address outstanding issues. Only one of the selective fishing experiments proceeded; further work was done on refining seine grids to be selective for a range of situations (release coho in sockeye fisheries, release sockeye and coho in pink fisheries).”</p> <p>“In August, industry approached the Department requesting consideration of a proposal to harvest pink salmon in a controlled, selective manner that would permit release of sockeye. The approach was approved and 450,000 pink salmon were harvested. The Department will continue to work with the fleet to develop innovative fisheries to take advantage of a range of situations while meeting conservation objectives.”</p> <p><u>Subsequent Actions</u></p> <p>Since 2003, DFO has continued to develop innovative fisheries including experimenting with ways to fish selectively (e.g. different sized hooks in the Area G fishery in 2006) and ways to implement alternative management approaches.</p> <p>A Review of Five Demonstration Projects from 2008 Salmon Season was conducted by the department.</p> <p>The advice of conservation organizations is sought both on a bilateral basis as well as a part of the IHPCs in annual review of the fishing season as well as IFMP development and participation in the Fraser River Panel process.</p>
14	<p>In-Season Decision Making: It is recommended that the Regional Director of Fisheries Management be assigned the authority and accountability for implementation of the IFMP including coordination between Area offices and dispute resolution, and for other circumstances that are not anticipated in the IFMP. (p. 9)</p>	<p><u>Initial Response</u></p> <p>“Implementation complete.”</p> <p>The Regional Director of Fisheries Management has been assigned the authority and accountability for implementation of the IFMP.”</p>

21) Office of the Auditor General of Canada, [Report of the Commissioner of the Environment and Sustainable Development to the House of Commons, Chapter 5, Fisheries and Oceans Canada – Salmon Stocks, Habitat, and Aquaculture, 2004](#)

- Response Document: Government response contained within the Auditor-General Report

	RECOMMENDATION - Office of the Auditor General of Canada, <i>Report of the Commissioner of the Environment and Sustainable Development to the House of Commons, Chapter 5, Fisheries and Oceans Canada – Salmon Stocks, Habitat, and Aquaculture, 2004</i>	DFO RESPONSE
1	Fisheries and Oceans Canada should finalize the Wild Salmon Policy to define conservation objectives and provide direction for the management of fisheries, protection of habitat, and salmon enhancement. (p.6)	<p><u>Initial Response</u></p> <p>“Fisheries and Oceans Canada is nearing completion of a draft of the Wild Salmon Policy. Following regional and national review and approval, the policy will go to consultation and final departmental approval. The policy will then be released as soon as possible.”</p> <p><u>Subsequent Actions</u></p> <p>The <u>Wild Salmon Policy</u> was released by the Minister of Fisheries and Oceans in 2005.</p>
2	Fisheries and Oceans Canada should collect and analyze information to provide up-to-date assessments on habitat conditions and Pacific salmon stocks that are below departmental targets and declining. (p.11)	<p><u>Initial Response</u></p> <p>“Fisheries and Oceans Canada collects habitat information in partnership with community groups, the Province of British Columbia, and industry sectors. These assessments are accessible in a variety of ways, including watershed atlases and on-line digital mapping. The assessments will continue and expand as new partnerships are developed. Recently developed planning tools, in conjunction with the Pacific Scientific Advice Review Committee, provide a basis for the prioritization of salmon stock assessment activities, with focus on key fisheries and weaker stocks that may be at risk.”</p> <p><u>Subsequent Actions</u></p> <p>The WSP, identifies four strategies to restore and maintain healthy and diverse salmon populations and their habitats. Actions taken to implement the four strategies are being phased in over time.</p> <p>With respect to habitat, the Strategy 2 objective is to monitor and assess the status of wild salmon habitat such that plans and decisions that are made result in effectively protecting habitat.</p> <p>A workshop in January 2009 reviewed a PSARC working paper on habitat indicators under WSP Strategy 2. The main goals for the workshop were: 1) to assess the efficacy of the report’s proposed habitat indicators in meeting Strategy 2 objectives; 2) to make recommendations for improving the efficacy of these proposed indicators to meet Strategy 2 objectives in view of available resources;</p>

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		<p>and 3) to continue dialogue on Strategy 2 habitat indicators. The results of the workshop suggested that the proposed indicators were acceptable but that continued refinement of the indicators would be necessary as the Department moved forward with Strategy 2.</p> <p>The link to the CSAS proceedings of the workshop is: http://www.dfo-mpo.gc.ca/CSAS/Csas/Publications/Pro-CR/2009/2009_038_e.htm</p> <p>Work has begun on implementing Strategy 2 using identified indicators to collect and analyze habitat information on priority watersheds and salmon stocks including those that are below departmental targets, for example, a pilot approach to the Lower Thompson Coho CU.</p>
3	<p>Fisheries and Oceans Canada should co-ordinate efforts with the Province of British Columbia, using a risk-based approach that would both complement the provincial approach and satisfy its own mandate to manage and protect fish habitat. (p.13)</p>	<p><u>Initial Response</u></p> <p>“As part of an overarching environmental modernization process, Fisheries and Oceans Canada is implementing a science-based risk management framework that focuses on the highest risks to fish habitat. Consultations are ongoing with provinces, territories, industry sectors, and environmental groups. In British Columbia, a working group has been exploring ways to achieve one-window service delivery for proponents. In addition, a Canada–British Columbia Committee on Regulatory Reform is conducting several pilot projects that will lead to the renewal of the Canada–British Columbia Agreement on Fish Habitat Management, signed in 2000. Fisheries and Oceans Canada has also collaborated with British Columbia in the development of its new Riparian Areas Regulation, which will come into force in 2005. It meets the requirements of the Fisheries Act and is intended to provide a more streamlined, results-based approach for developers in determining setback requirements.”</p> <p><u>Subsequent Actions</u></p> <p>Numerous discussions with BC have taken place regarding changes to the Habitat Management Program and the move towards the science-based risk management framework of the Environmental Process Modernization Plan (EPMP). EPMP uses National and Regional Operational statements to guide activities in and around fish habitat. Discussions with the Province of BC included incorporating operational statements into existing guidelines and permitting processes for “single window” review of low risk activities where appropriate.</p>

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4	<p>Fisheries and Oceans Canada should set priorities and develop a long-term research plan to address knowledge gaps on the potential effects of salmon aquaculture in aquatic ecosystems and on wild salmon stocks. (p.17)</p>	<p><u>Initial Response</u></p> <p>“Fisheries and Oceans Canada has an active research program on both coasts evaluating environmental interactions of salmon aquaculture. The Department has undertaken a state of knowledge initiative to identify research gaps and priorities and is finalizing a state of knowledge work plan for scientific advice on the impacts of salmon aquaculture on fish habitat. In the Pacific Region, Fisheries and Oceans Canada is working with British Columbia, industry, academics, and other stakeholders in developing a research plan to address gaps in project-environment interactions related to salmon aquaculture. This research plan should be completed by 31 March 2005.”</p> <p><u>Subsequent Actions</u></p> <p>The DFO State-of-Knowledge Initiative (co-led by Aquaculture Science and Environmental Science) is a scientific review of the potential environmental effects of aquaculture. The review covers marine finfish and shellfish, and freshwater finfish, aquaculture. Scientific knowledge on potential environmental effects is addressed under three main themes:</p> <ul style="list-style-type: none"> • Impacts of wastes, including nutrient and organic matter; • Impacts of chemicals used by the industry, including pesticides, drugs and antifoulants; and • Interactions between farmed and wild species, including disease transfer and genetic and ecological effects. <p>A review of progress and documentation of science outputs from the State-of-Knowledge Initiative is found at the following DFO Internet link:</p> <p>http://www.dfo-mpo.gc.ca/Science/enviro/aquaculture/index-eng.htm</p> <p>Within DFO Science Sector, several aquaculture related research priorities were identified in a National DFO Science (CSAS) peer-review process completed in 2005. Relevant links to outputs from that process include a Proceedings Document (DFO 2005):</p> <p>http://www.dfo-mpo.gc.ca/csas/Csas/Proceedings/2005/PRO2005_006_B.pdf</p> <p>DFO has initiated research in a number of key areas to examine the issue of sea lice from salmon farms and their impact on wild salmon. To date the majority of this research has been conducted to</p>

	RECOMMENDATION - Office of the Auditor General of Canada, <i>Report of the Commissioner of the Environment and Sustainable Development to the House of Commons, Chapter 5, Fisheries and Oceans Canada – Salmon Stocks, Habitat, and Aquaculture, 2004</i>	DFO RESPONSE
		<p>examine risks to pink salmon in the Broughton Archipelago. The research in the Broughton responded to concerns from various groups that sea lice from farms was a significant cause of wild pink salmon mortality and recruitment failure. The following research activities are in response to interest in sea lice impacts on wild salmon:</p> <ul style="list-style-type: none"> • Broughton Archipelago Annual Sea Lice Monitoring Program (2003-2010): The goal of this program is to assess infection rates of the different sea lice species on wild juvenile pink and chum salmon. • Genomics of lice and salmon: The basis of the host-pathogen interaction will be determined by the genetics of the infection response in both fish and lice. • Quantifying abundance of infective planktonic sea lice: Caged Atlantic salmon smolts will be used as sentinels for quantifying the abundance of infective planktonic sea lice larvae during the winter months. • Assessment of fish health in out-migrating juvenile pink salmon: This research will assess the health of wild juvenile pink salmon during their outmigration from rivers in the southern Broughton. <p>Oceanography and Sea Lice Modeling in the Broughton Archipelago: Predicting the circulation patterns of the near surface waters which are occupied by planktonic sea lice larvae and their hosts coupled with a realistic sea louse larval behaviour and development model would provide valuable information on the spatial and temporal distribution of the infective copepodid stage of this parasite.</p> <p>DFO is now including sockeye in sea lice research efforts. DFO recently obtained preliminary data from fish farms in the Discovery Islands region. These data were compared for sea lice infection levels that occurred on the fish farms from 2004-2008, for the period from April – June when most juvenile sockeye from the Fraser River were likely migrating past the fish farms in this region. Recently, DFO has requested sea lice and fish disease data from the fish farms operating in all areas of the BC coast. Research is also planned to examine the uptake and toxicity of the active ingredient in SLICE by wild aquatic species under both laboratory and field conditions.</p>
5	Fisheries and Oceans Canada should, in collaboration with the provinces, assess and monitor salmon aquaculture operations to prevent harmful effects on wild stocks and habitat. It should, in	<p><u>Initial Response</u></p> <p>“With British Columbia, Fisheries and Oceans Canada has developed a harmonized approach to</p>

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	<p>consultation with Environment Canada, continue to determine how the deposit of deleterious substances from aquaculture operations will be controlled, monitored, and enforced. (p.21)</p>	<p>manage effects on fish and fish habitat. These arrangements are being formalized through letters of understanding, which will be signed by March 2005.”</p> <p>“Fisheries and Oceans Canada and Environment Canada are continuing to evaluate and improve management practices for deleterious substances related to aquaculture operations.”</p> <p><u>Subsequent Actions</u></p> <p>DFO has worked collaboratively with BC and industry stakeholders to develop processes for assessment and monitoring of habitat impacts to finfish aquaculture sites. These include DEPOMOD, the <i>BC Finfish Aquaculture Waste Control Regulation</i> (FAWCR) and the BC Protocol for Environmental Monitoring of Aquaculture Sites. These processes set direction and provide thresholds to inform government, industry and stakeholders with respect to farm siting and operational procedures.</p> <p>For more information, see the response to Recommendation 4 of the <i>Effects of Salmon Farming in BC on the Management of Wild Salmon Stocks</i>.</p>

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	RECOMMENDATION - McRae, Donald M. and Peter H. Pearse. <i>Treaties and Transition: Toward a Sustainable Fishery on Canada's Pacific Coast</i> , 2004	DFO RESPONSE
	FISHERIES MANAGEMENT	<p><u>Initial Response</u></p> <p>The initial response to this report and Report 23, <i>Our Place at the Table: First Nations in BC Fisheries</i> was contained in a DFO media release (News Release - Report Urges Long-term Approach to BC Salmon Fishery, May 5, 2004).</p> <p>“The report’s forecast for the commercial salmon fishery is realistic,” said Geoff Regan, Minister of Fisheries and Oceans. “The recommended reforms represent fundamental change, but half measures will not restore the salmon industry to profitability. In keeping with the report’s emphasis on the need for industry to assume more responsibility, I will be asking stakeholders to provide advice on implementation and seeking their views on the best approaches to resolving the issues facing Canada’s Pacific fisheries.”</p> <p>“My government wants to see a successful fishery in BC, with treaty arrangements that can support an integrated and economically viable industry that creates employment and contributes to the sustainability of fish,” said Geoff Plant, BC’s Attorney General and Minister Responsible for Treaty Negotiations. “We thank Dr. Pearse and Mr. McRae for their report.”</p> <p>“We want to see a salmon industry that is sustainable in the long term and able to deal with declining value’s and fluctuations in stocks,” said John van Dongen, Minister of Agriculture, Food and Fisheries. “If we can address some of the challenges in this industry, then all of the participants can focus on conservation and other common objectives.”</p> <p>In their remarks, the Ministers expressed appreciation for the work of the Joint Task Group, without explicit responses to any of the recommendations, and concluded with the following next steps:</p> <p>“Following the release of this report, the federal government will engage First Nations and fishing stakeholders to review the report and to inform decisions about implementation. As well, advice from a report by a First Nations Panel on Fisheries will be taken into account in finalizing decisions.”</p> <p><u>Subsequent Actions</u></p>

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		<p>Approximately 40 consultation sessions were held with First Nations, commercial fishing organizations and recreational fishing organizations from October, 2004 to March, 2005.</p> <p>Based on these consultations and subsequent DFO staff consideration of the consistency of the recommendations with government objectives and policies analysis, the Minister announced Pacific Fisheries Reform on April 14th, 2005. See the attached Media Release, Vision and Principles, and Action Plan (News Release - Regan Announces Plan of Action to Reform Pacific Fisheries, April 14, 2005, Background - Vision and Principle for Pacific Fishery Reform, April 14, 2005, Background - 2005 Action Plan, April 14, 2005). The Vision and Principles spoke to a number of the recommendations in both reports and will be referenced where appropriate under the specific recommendations</p> <p>A key component of the Pacific Fisheries Reform Action Plan involved working with DIAND on possible approaches to increasing First Nations economic access to fisheries in advance of treaties. DFO began work with DIAND immediately after the announcement to develop an approach to responding to First Nations requests for additional economic fisheries access, in the context of integrated fisheries involving improved co-management and fishery monitoring. This work, resulted in the \$175M Pacific Integrated Commercial Fisheries initiative, or PICFI, announced in July, 2007. Approximately \$115M of this funding is being directed to increasing First Nations economic access through the voluntary relinquishment of general commercial fishing licenses. (One Fishery for All of us Canada's New Government Delivers on Promise to Integrate Pacific Commercial Fishery, One fishery for All of us). Funding was also provided to improve catch monitoring, co-management and First Nations capacity in commercial fishing operations.</p>
1.	<p>“The same rules of fishing and the same standards for reporting catches should apply to all commercial fishers.” (p. 19)</p>	<p><u>Subsequent Actions</u></p> <p>DFO is working with commercial fleets and First Nations on common and consistent catch reporting standards. While DFO agrees that all commercial fisheries should have equal priority, the rules of fishing will necessarily vary by the gear used and the area fished.</p> <p>The following Pacific Fisheries Reform principles confirm DFO's view on this topic:</p> <ul style="list-style-type: none"> • Consistent legal framework <ul style="list-style-type: none"> ○ Pacific fish resources are a common property resource managed by the Minister of Fisheries and Oceans;

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		<ul style="list-style-type: none"> ○ They must be conducted under an integrated management plan authorized by the Minister; and ○ Commercial participants fish under the same priority of access and similar rules.
2.	“The Department of Fisheries and Oceans (DFO) should have authority to specify the maximum number of vessels that may participate in any opening of the salmon fishery.” (p. 27)	<u>Subsequent Actions</u> Rather than immediately implement a particular fleet size limitation regime, DFO has chosen to test alternative share-based management approaches involving individual and fleet shares as part of its Demonstration Fishery Program. Demonstration fisheries have been designed and implemented with the concurrence of certain fleets since 2005. In some of these demonstration fisheries, DFO has allowed for the limitation of the number of vessels that can participate in a particular fishery opening. DFO has the authority to not open or close a fishery if fishing effort is expected to, or does, exceed sustainable levels.
3.	“Area Harvest Committees should have authority to determine how the number of vessels in any fishery opening is to be selected.” (p. 27, 54)	<u>Subsequent Actions</u> Area Harvest Committees do not have the authority to prevent a licence holder who is legally authorized to participate in the fishery opening from participating in that opening. However, DFO can consider a recommendation from Area Harvest Committees regarding arrangements for fishery openings in which all licence holders agree on the number of vessels that could participate.
4.	“Failure to comply with DFO's limit on the number of vessels should result in closure of the fishery.” (p. 27, 28)	<u>Subsequent Actions</u> DFO cannot prevent a licence holder who is legally authorized to participate in a fishery opening from participating in that opening. DFO does, however, have the authority to no open or close a fishery if fishing effort is expected to, or does exceed sustainable levels.
COORDINATION OF FISHING		
1.	“DFO should engage the Integrated Harvest Planning Committee without delay about how best to implement new fisheries coordination arrangements.” (p. 32)	<u>Subsequent Actions</u> Coordination of fisheries planning is a key function of the Salmon Integrated Harvest Planning Committee. New fisheries management arrangements required by First Nations treaties are important elements of this coordination and are part of this on-going work.

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2.	“Commercial fishing should take place only according to fishing plans developed in consultation with the Commercial Salmon Advisory Board and approved by DFO as part of an integrated management plan.” (p. 32)	<u>Subsequent Actions</u> IFMPs are developed in consultation with the CSAB and the IHPC and are subsequently approved by the Minister of Fisheries and Oceans.
3.	“Membership on the Commercial Salmon Advisory Board and Area Harvest Committees should be adjusted over time to include representation of new participants, such as the Nisga'a and other First Nations that engage in commercial fishing.” (p. 32)	<u>Subsequent Actions</u> Membership on the CSAB and the AHPCs is reviewed periodically by DFO and the committees, and is discussed with potential new participants as part of bilateral engagements. First Nations have not expressed an interest in joining the CSAB or an AHPC.
CO-MANAGEMENT		
1.	“The Minister of Fisheries and Oceans (Minister) should issue a policy statement declaring that the government supports co-management as a means of improving the management of fisheries.” (p. 31)	<u>Subsequent Actions</u> The following is one of the eight Vision statements of Pacific Fisheries Reform that describes DFO's commitment to co-management with fishery participants (Backgrounder - Vision and Principle for Pacific Fishery Reform , April 14, 2005); <ul style="list-style-type: none"> Participants are treated fairly and equitably and are involved in decision-making and share accountability for the conduct of the fishery. The following Pacific Fisheries Reform principle reinforces this Vision statement , Backgrounder - Vision and Principle for Pacific Fishery Reform , April 14, 2005: Responsibility and accountability <ul style="list-style-type: none"> First Nations and stakeholders will assume a greater role in operational decision making and program delivery through effective co-management processes. Since 2007, DFO has funded a number of innovative processes for engaging fisheries interests through its PICFI program. \$10M-\$12M has been set aside to support co-management over a 5 year period. Examples of processes that have been supported include the Integrated Salmon Dialogue Forum and the Salmon Table. (PICFI Backgrounder: One Fishery for All of us.) In 2008, DFO supported collaborative efforts with Fraser River and Vancouver Island First Nations

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		to develop approaches to co-management. For further information refer to http://www.frafs.ca/?q=node/42
2.	“DFO should issue clear instructions about procedures for establishing Fisheries Associations, minimal requirements for recognition, and arrangements for entering into co-management agreements.” (p. 31)	<u>Subsequent Actions</u> It is not within DFO’s mandate to intervene or to provide instructions regarding if and how Fisheries Associations decide to establish themselves. DFO does, however consult with Fisheries Associations regarding arrangements for entering into co-management agreements.
3.	“Fisheries Associations should be permitted to organize themselves within these minimal requirements as non-profit societies, co operatives or corporations as they see fit, under laws governing these structures that ensure democratic procedures and accountability.” (p. 31)	<u>Subsequent Actions</u> It is not within DFO’s mandate to intervene or to get involved in how Fisheries Associations organize themselves. They are free to organize themselves as they see fit.
4.	“Membership in a Fisheries Association should be required for anyone participating in a particular commercial fishery.” (p. 31)	<u>Subsequent Actions</u> It is not within DFO’s mandate to intervene or to get involved in issues related to fishers’ memberships in a Fisheries Association.
5.	“Fisheries Associations should be able to levy fees on their members to cover the cost of their work.” (p. 31)	<u>Subsequent Actions</u> It is not within DFO’s mandate to intervene or to get involved in issues of whether Fisheries Associations decide to charge fees to their members.
6.	“DFO should assist the Commercial Salmon Advisory Board in establishing itself as a legally constituted, representative body that can raise funds from its members and enter into co-management arrangements.” (p. 32)	<u>Subsequent Actions</u> The CSAB has formed a society under the <i>Society Act</i> to enable it to collect and administer funding to support its work.
LICENSING AND QUOTA SYSTEMS		
1.	“Licences and quotas should be merged into a single "quota licence": each licence authorizing its holder to take a specific percentage of the total allowable commercial catch for the relevant fishery for the duration of the licence.” (p. 37 and 55)	<u>Subsequent Actions</u> DFO has been working with interested salmon fleets in testing alternative management strategies (e.g. ITQs) as part of its demonstration fishery program since the 2005 fishing season. Regulatory changes will be required to enable shares of Total Allowable Catch to be attached to licences either

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		separately or as an integrated unit. Further action on licensing regulations to support ITQs requires the development of a workable ITQ management regime that is currently under investigation.
2.	“Quota licences should be issued to persons, companies or associations – not vessels.” (p. 37)	<u>Subsequent Actions</u> None to date, however, ITQ management would likely reduce the need to tie a licence to a particular vessel.
3.	“The Minister should seek the legislative change necessary to give quota licences terms of 25 years, replaceable after 15 years on an "evergreen" renewal basis.” (p. 37, 55)	<u>Subsequent Actions</u> Commercial fishing licences, including licences for quota-based fisheries, in British Columbia are issued on an annual basis.
4.	“In the interim, the Minister should grant quota licences for five years and announce his intention to seek legislative change.” (p. 38)	<u>Subsequent Actions</u> Commercial fishing licences, including licences for quota-based fisheries, in British Columbia are issued on an annual basis.
5.	“The Minister should announce that if legislative change is not in place within five years, he will re-issue licences for another five-year term.” (p. 38)	
6.	“Restrictions on the transferability and divisibility of licences and quotas, their attachment to vessels and other impediments to their flexibility should be eliminated.” (p. 38)	<u>Subsequent Actions</u> This matter is under review but no actions have been taken to date.
7.	“The provisions for quota licences should be set out in the Regulations pursuant to the Fisheries Act, thus eliminating their discretionary elements.” (p. 38)	
8.	“Additional quota licences should not be issued without the consent of the holders of fishing rights in the relevant fishery.” (p. 38)	<u>Subsequent Actions</u> The Minister of Fisheries and Oceans has absolute discretion in issuing fishing licences. While it is not a legal requirement, and the consent of current licence holders is not required, before any additional licences are issued in a commercial fishery, it is DFO's practice to discuss the issuance of additional licences with existing participants in the fishery.

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9.	“Annual conditions of licences should be used to authorize and manage fishing activities consistent with integrated fishery management plans.” (p. 38)	<u>Subsequent Actions</u> This is done for all commercial salmon fisheries. In addition, this is currently being done to enable demonstration fisheries that require the assignment of an annual catch or effort quota to a commercial licence holder.
LICENCE REGISTRY		
1.	“DFO should initiate consultations with the fishing industry and the BC government about the structure and establishment of a suitable licence registry.” (p. 44)	
REFORM OF THE SALMON FISHERY		
1.	“DFO should reaffirm its coast wide allocation policy, including the allocation of salmon among the three commercial sectors, to ensure its consistency with the new management regime for salmon.” (p. 44)	<u>Subsequent Actions</u> DFO re-affirmed the 1999 Allocation Policy as part of the following Pacific Fisheries Reform Principles. <ul style="list-style-type: none"> • Stable resource access and allocation <ul style="list-style-type: none"> ○ Certainty will be provided for allocations between harvest sectors (First Nations, recreational and commercial); ○ Allocation policy as it pertains to recreational access to chinook and coho will be maintained; ○ Certainty of harvest share will be provided to commercial participants; and • Commercial harvesters will enjoy a similar level of certainty regarding fisheries access.
2.	“Each salmon fisher's share of the area allowable catch should be fixed once and for all by a method chosen by each Area Harvest Committee and incorporated into new long-term quota licences.” (p. 41)	<u>Subsequent Actions</u> DFO consulted with the CSAB on possible approaches for determining individual catch shares. Funding was also contributed to the CSAB to enable them to hire technical support and a facilitator over a 2 year period to address this and other issues related to implementing a share based management approach in the commercial salmon fishery.

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		The report of the Sub-Committee on Options for Review and Evaluation (SCORE) summarized the work of the CSAB and the difficulties in arriving at a consensus view. The CSAB was divided into two groups. One group favoured an ITQ with equal shares within a fleet with full transferability within and among fleets. The other group favoured fleet shares to be determined on an annual basis with each fleet deciding how it wanted to fish its share. The differences were not resolved.
3.	“Commercial fishing licences should be converted to new quota licences, giving each licensee a specific share of the allowable catch under secure, long-term licences.” (p. 55)	<p><u>Subsequent Actions</u></p> <p>As described above, quota based management approaches for salmon are being tested as part of demonstration fishery projects with interested fleets. The feasibility of ITQs, including how a specific share should be defined is under investigation. To date, ITQs have been found to be useful in fisheries where quantitative TACs can be calculated based on pre-season forecasts and in-season updates. For other fisheries managed to an exploitation rate, individual fishing effort quotas are proving to be more effective.</p>
4.	“Salmon fishers should be free to transfer and combine their shares to reduce costs and improve the efficiency of fishing operations.” (p. 42, 55)	<p><u>Subsequent Actions</u></p> <p>A range of transferability options are being tested in demonstration fishery projects.</p>
5.	“The new arrangements for the salmon fleet should be adopted for all sectors at the same time, and in time for the 2005 fishing season.” (p. 42)	<p><u>Subsequent Actions</u></p> <p>Progress is being made through a number of commercial demonstration fishery projects.</p>
6.	“DFO should begin immediately to engage the Commercial Salmon Advisory Board in consultations about how catch shares can be introduced most effectively, equitably and quickly.” (p. 42)	<p><u>Subsequent Actions</u></p> <p>See response to Recommendation 2 in this section.</p>
7.	“The Minister should announce a date by which the new regime is to be in place.” (p. 42)	<p><u>Subsequent Actions</u></p> <p>In the April 2005 announcement of Pacific Fisheries Reform, the Minister announced that fisheries reforms would be in place for the 2006 fishing season. Permanent reforms are not yet in place. However, some fisheries have been operating under a voluntary ITQ management model since 2005, with incremental work on-going to develop more permanent arrangements.</p>
8.	“DFO should engage the salmon fishery's new Area Harvesting Committees in the management of	<u>Subsequent Actions</u>

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	their fishing.” (p. 54)	The AHPC have been engaged in the management of their fisheries since they were established in 2004.
9.	“The recreational sector's priority for chinook and coho and allocations of other species of special value for sportfishers should be confirmed for five years and then reviewed by the Minister.” (p. 46, 55)	<p><u>Subsequent Actions</u></p> <p>The existing 1999 Allocation Policy for Pacific Salmon was confirmed in the 2005 Pacific Fisheries Reform announcement. This included a specific reference to the recreational fishery access for chinook and coho in the following principle statement.</p> <ul style="list-style-type: none"> ○ Allocation policy as it pertains to recreational access to chinook and coho will be maintained; <p>No time limit was set for a review of the policy, however all DFO policies can be reviewed periodically, as required.</p>
10.	“Surplus spawners not allocated to First Nations under Harvest Agreements should be included as part of the commercial catch available to holders of quota licences.” (p.43)	<p><u>Subsequent Actions</u></p> <p>DFO has an Excess Salmon to Spawning Requirements (ESSR) Policy that describes the disposition of fish in terminal areas, especially where enhancement facilities are located. All other surplus spawners are available to be allocated according to the 1999 Allocation Policy.</p>
11.	“Other fisheries still managed under unquantified vessel licences should also convert to quota licences as soon as practicable.” (p. 43)	<p><u>Subsequent Actions</u></p> <p>Transitions to quota management are being considered on a case by case basis in full consultation with the affected fleets. For example, the groundfish fishery has recently moved to an integrated model that required previously non-ITQ fleets to convert to an ITQ approach. This transition was done in consultations with affected licence holders, First Nations, recreational fishing interests and environmental groups.</p>
TRANSITION		
1.	“DFO should announce formally that it will offset adverse impacts on established fishers arising from reallocation of rights to fish under treaty settlements.” (p. 48)	<p><u>Subsequent Actions</u></p> <p>The Government of Canada has a long standing policy of mitigating the effects of treaty settlement through the voluntary relinquishment of equivalent commercial licenses from the general</p>

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		<p>commercial fishery. The following Pacific Fisheries Reform principle describes this commitment in the context of treaty and non-treaty economic fisheries.</p> <ul style="list-style-type: none"> • Fair transfer of fishing opportunity <ul style="list-style-type: none"> ○ transfer of economic fishing opportunity to First Nations will be accomplished through voluntary licence retirement from willing sellers, to mitigate impacts on established fishers. <p>Minister Hearn in his July 16, 2007 One Fishery for All of us Canada's New Government Delivers on Promise to Integrate Pacific Commercial Fishery also stated:</p> <p>"The new funds will be provided over five years, and will be used to establish enhanced catch monitoring and reporting in BC fisheries, strengthen enforcement efforts, and provide the basis for a new approach to trace fish from the time they are harvested in the commercial fishery until they are purchased by consumers. It will also allow the federal government to retire the licences and quota of fishers who want to leave the commercial fishery, and use these resources to facilitate greater participation in a wide range of commercial fisheries by First Nations throughout BC."</p>
2.	"Whenever new commercial fishing rights that will adversely impact established fishers are created, or allocations of fish for the aboriginal food fishery (for food, social and ceremonial purposes) are significantly increased, equivalent rights should be purchased from the established commercial sector." (p. 49)	<p><u>Subsequent Actions</u></p> <p>The transfer of commercial fishery access to First Nations is mitigated as described above. As is recognized in DFO's 1999 Allocation Policy for Pacific Salmon, fishing opportunities provided to First Nations for FSC purposes have a higher priority than fishing opportunities for commercial or recreational purposes. Given their higher priority, increases in FSC based on growing needs are not mitigated. This may not be the case in mitigating the effects of treaty settlements, where larger increases in FSC in anticipation of longer term population growth need to be taken into account. In these cases, increases have been mitigated.</p>
3.	"Pending the appeal of the Kapp decision, DFO should consult with First Nations representatives to identify possible interim arrangements for First Nations fishing, in order to facilitate an orderly transition both to treaties and to an integrated commercial fishery." (p. 50)	<p><u>Subsequent Actions</u></p> <p>In order to facilitate an orderly transition to treaties and to promote improved collaboration in advance of treaties, steps have been taken beginning in 2004 to modify the structure and execution of First Nations economic fisheries in the Lower Fraser River (News Release - Interim Economic Fishing Opportunities for First Nations, July 20, 2004).</p>

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		Currently, First Nations economic allocations for Fraser River Sockeye are now expressed as a percentage share of the Canadian commercial TAC. This economic share carries the same priority as the remainder of the commercial share and is managed separately from the FSC allocation which has a higher priority. Previously, the FSC and economic allocations were managed as a combined allocation during the same fishery.
4.	“There should be an expanded effort to purchase commercial salmon licences and licences for other species in anticipation of Harvest Agreements in the future.” (p. 50)	<p><u>Subsequent Actions</u></p> <p>Since 1994 DFO has budgeted \$5M to \$6M for the Allocation Transfer Program, which was designed to purchase commercial licences in order to increase First Nation participation in the commercial fisheries. The ATP facilitates the voluntary retirement of commercial licences and the re-issuance of the equivalent commercial fishing capacity as communal commercial licences to eligible Aboriginal groups. Also, as part of the 5-year \$175M Pacific Integrated Commercial Fisheries Initiative (PICFI), an additional \$115M has set aside to transfer commercial fisheries access to First Nations.</p>
5.	“There should be close consultation between DFO and First Nations licence holders about the nature of the restrictions to be included in the new quota licences for First Nations commercial fishers.” (p. 51)	<p><u>Subsequent Actions</u></p> <p>The First Nations Panel report, Our Place at the Table, recommended that no new fisheries involving property rights (their term for ITQs) should be established until First Nations’ interests were addressed. DFO has been consulting extensively with First Nations on the nature of their interests, including their desire for increased involvement in a broad array of commercial fisheries.</p>
6.	“The Fisheries Act should be amended where necessary to implement the recommendations of this report and thoroughly revised to meet the needs of modern fisheries management.” (p. 52)	<p><u>Subsequent Actions</u></p> <p>Planned amendments to the <i>Fisheries Act</i> announced in the Throne Speech 2010 will seek to address many of the issues raised in this report.</p>
7.	“Action should be taken across the range of recommendations. Reform should be complete, not partial.” (p. 56)	<p><u>Subsequent Actions</u></p> <p>Actions are being taken across most of the categories of recommendations in this report, however, given the complexity of the issues and the lack of consensus among fishery participants, change has been incremental.</p>

23) [*Our Place at the Table: First Nations in the BC Fishery*](#), May 2004

	RECOMMENDATION - <i>Our Place at the Table: First Nations in the BC Fishery</i> , May 2004	DFO RESPONSE
1	Canada immediately take steps to ensure First Nations have access to adequate quantities of fisheries resources for food, social and ceremonial purposes.” (p. 74)	<p><u>Initial Response</u></p> <p>DFO received this report in June of 2004, and committed to consultations and an integrated response to this report and the report of the McRae/Pearse Joint Task Group on Post-treaty Fisheries. (News Release - Report Urges long-term Approach to BC Salmon Fishery, May 5, 2004). Minister Regan’s April 14, 2005 response called Regan Announces Plan of Action to Reform Pacific Fisheries, is described in the Initial Response in the fisheries management section of the McRae/Pearse report.</p> <p><u>Subsequent Actions</u></p> <p>DFO announced the Pacific Integrated Commercial Fisheries Initiative (PICFI) in July, 2007. This was the outcome of work initiated under Pacific Fisheries Reform to increase First Nations economic access, improve catch monitoring and co-management. (See One Fishery for All of us Canada’s New Government Delivers on Promise Integrate Pacific Commercial Fishery and One Fishery for All of us).</p> <p>DFO continues to work with BC First Nations in developing fisheries management plans designed to meet food, social and ceremonial harvest needs as part of its IFMP process.</p>
2	As a starting point and an interim measure, Canada should take immediate steps to allocate to First Nations a minimum 50 percent share of all fisheries, with the understanding that this may eventually reach 100 percent in some fisheries. (p. 75)	<p><u>Subsequent Actions</u></p> <p>DFO is committed to increasing the level of First Nations participation in commercial fisheries through its on-going Allocation Transfer Program, 5-year PICFI program and treaty negotiations. The federal government has not established specific targets for First Nations participation.</p>
3	First Nations themselves must address intertribal allocations. (p. 75)	<p><u>Subsequent Actions</u></p> <p>First Nations have been working to address inter-tribal allocations. DFO has provided support to this objective through its aboriginal programs.</p> <p>Achieving appropriate and effective representation is challenging but progress is being made and some processes are emerging that may deliver future benefits, e.g., Fraser River First and Approach</p>

	RECOMMENDATION - <i>Our Place at the Table: First Nations in the BC Fishery</i> , May 2004	DFO RESPONSE
		Working Group/Forum on Conservation and Harvest Planning For Fraser River Salmon. (http://www.frafs.ca/?q=node/42)
4	Canada immediately increase treaty settlement funds, or funds through other negotiating processes, to enable purchase or buy-back of licences and allow for the reallocation above. (p. 76)	<p><u>Subsequent Actions</u></p> <p>The Government of Canada committed approximately \$115M in new funding as part of its PICFI program to transfer commercial access to First Nations over a 5 year period from 2007/08 to 2011/12. In One Fishery for All of us Canada's New Government Delivers on Promise Integrate Pacific Commercial Fishery and One Fishery for All of us Minister Hearn described the purpose of the new funding as follow:</p> <p>“The new funds will be provided over five years, and will be used to established enhanced catch monitoring and reporting in BC fisheries, strengthen enforcement efforts, and provide the basis for a new approach to trace fish from the time they are harvested in the commercial fishery until they are purchased by consumers. It will also allow the federal government to retire the licences and quota of fisher who want to leave the commercial fishery, and use these resources to facilitate greater participation in a wide range of commercial fisheries by First Nations throughout BC.”</p> <p>“Last year Prime Minister Harper voiced our commitment to see First Nations become an integral part of the Pacific commercial fishery,” added the Honourable Chuck Strahl, Minister of Agriculture. Today’s announcement propels us towards that vision. And I am pleased to add that this was not a ‘made in Ottawa’ solution. Consultations took place here in British Columbia, with both First Nations and commercial fishing stakeholders. Without their participation, we would not be here with this plan today.”</p>
5	Canada immediately recognize in policy, and implement through negotiated agreements, the aboriginal right to manage fisheries.” (p. 76)	<p><u>Subsequent Actions</u></p> <p>Although courts have not provided guidance regarding claimed Aboriginal rights to manage fisheries DFO through its aboriginal programming has supported the development of Aboriginal fisheries management capacity for almost two decades. First Nations involvement in all aspects of fisheries management from science to enforcement to stewardship to fisheries planning an execution has grown significantly over the period.</p> <p>See also response to Recommendation 3.</p>
6	Canada clearly articulate how it will provide fisheries resources for First Nations commercial benefit, in light of the uncertainty created by the <i>Kapp</i> decision and the loss of pilot sales. (p. 77)	<p><u>Subsequent Actions</u></p> <p>DFO worked with DIAND and consulted with First Nations on the development of the 5 year</p>

	RECOMMENDATION - <i>Our Place at the Table: First Nations in the BC Fishery</i>, May 2004	DFO RESPONSE
		\$175M Pacific Integrated Commercial Fisheries Initiative. A significant portion of this funding is for the purpose of transferring commercial fisheries access to First Nations in advance of treaties. This is in addition to the approximately \$5M annual ATP that was established in 1994 for this purpose.
7	A moratorium be placed on the further introduction of individual property rights regimes such as Individual Fishing Quotas unless First Nation interests including allocations in those fisheries are first addressed. (p. 78)	<u>Subsequent Actions</u> DFO is seeking improvements to the management of all fisheries to better achieve conservation objectives as well as industry objectives of improved economic performance. New individual quota management regimes may meet these objectives, but implementation will not proceed without careful testing and extensive consultation with industry participants and First Nations. In the meantime, DFO will continue to seek to address First Nations interests in specific fisheries through its Aboriginal programming (e.g. PICFI, AFS, AAROM) and engagement processes.

- 24) Tom Wappel, M.P., Chair, [*Here we go again... or the 2004 Fraser River Salmon Fishery – Report of the Standing Committee on Fisheries and Oceans*](#), March 2005
- Response Document: [Government Response to the 2nd Report of the Standing Committee on Fisheries and Oceans entitled: Here We Go Again... Or the 2004 Fraser River Salmon Fishery](#), March 2005

	RECOMMENDATION - Tom Wappel, M.P., Chair, <i>Here we go again... or the 2004 Fraser River Salmon Fishery – Report of the Standing Committee on Fisheries and Oceans</i> , March 2005	DFO RESPONSE
1	<p>That, in agreement with the 1995 report of the Fraser River Sockeye Public Review Board, the Department of Fisheries and Oceans establish an enforcement branch in DFO Pacific Region, separate from fisheries management; and</p> <p>That this new branch be headed by a regional director, Enforcement, with extensive law enforcement experience, who would report to an assistant deputy minister, Enforcement, and who would be responsible for developing and maintaining enforcement capability at a level of competence and coverage that would ensure that the Minister's mandate to conserve and protect Canada's Pacific fisheries resources will be fulfilled.</p>	<p><u>Initial Response</u></p> <p>“For the 2005 fishing season, DFO Pacific Region will pilot a new line reporting structure for its Conservation and Protection (C&P) program. Field operations will report directly to the Director of C&P at the Vancouver Regional Headquarters, rather than through Area Directors, which is the current model. In turn, the Director of C&P will report to the Regional Director General instead of the Regional Director of Fisheries and Aquaculture Management.”</p> <p>“This pilot will be evaluated prior to the 2006 fishing season to determine future direction. The evaluation will consider the success of the 2005 pilot, recommendations from the current national compliance modernization initiative and implications for other DFO regions.”</p> <p>“Regarding the creation of an enforcement branch in DFO, separate from Fisheries Management and led by Assistant Deputy Minister enforcement, the work of C&P is intertwined with other fisheries management activities. This approach may not improve overall management of salmon by isolating C&P from these activities. However, organizational change is being analyzed as part of the current national compliance modernization initiative, which is expected to be completed at the end of 2005.”</p> <p><u>Subsequent Actions</u></p> <p>The pilot “line reporting” project was reviewed and subsequently implemented within the Pacific Region in 2007. All Fishery Officers in the Pacific Region now report to a Regional Director of C&P who has enforcement experience. This position reports to the Regional Director General for the Pacific Region and is a member of the Regional Management Committee.</p>
2	That the Department of Fisheries and Oceans restore the number of fishery officers in the Lower Fraser River area at least to the highest level of the 1994-2003 period. DFO's Conservation and Protection Branch should also be given all the resources necessary to carry on their enforcement	<p><u>Initial Response</u></p> <p>“DFO agrees that additional enforcement resources are needed during critical periods of Fraser</p>

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	activities and statutory responsibility to conserve the fishery, particularly during fisheries' closed times.	<p>salmon migration and in 2005 actions will be taken. While DFO is not considering restoring the number of fishery officers in the Lower Fraser River area to the highest level of the 1994-2003 period, there will be an increased enforcement presence on the Lower Fraser River this year. This will be done through a combination of existing staff and redeployment. During the peak migration period for sockeye (mid June through August), additional officers will be redeployed to the Lower Fraser River from other areas and additional overtime will be provided for officers. As a result, field patrol (vehicle and boat) and monitoring capacity will be increased. Additionally, DFO will increase air surveillance in the lower Fraser River during the peak migration period for sockeye.”</p> <p>“It is important to note that the effectiveness of compliance efforts depends not only on enforcement but on proper catch monitoring and catch reporting, activities not part of the compliance program, as well as building cooperative relationships with First Nations and stakeholders. DFO's objective is to increase compliance levels in the fishery through all these methods: strengthened enforcement, improved co-management with First Nations and improved catch monitoring. A key element is working with communities, other interests and First Nations to support better compliance. DFO has spent considerable time during the last number of years building better working relationships with First Nations in the Fraser River developing fishing plans that include compliance and catch monitoring and reporting protocols.”</p> <p><u>Subsequent Actions</u></p> <p>Pacific Region C&P has received additional resources in years subsequent to 2004, first through the departmental response to <i>The 2004 Southern Salmon Fishery Post-Season Review – Part 1: Fraser River Sockeye Report</i> and subsequently through the PICFI. With these additional resources, coupled with the temporary deployments of Fishery Officers to the Fraser River from other parts of the region during critical periods, C&P has conducted an enhanced enforcement program to protect Fraser River sockeye salmon. The enhanced program has increased the type, frequency and duration of patrols that have been conducted by land, air and water.</p> <p>The enforcement efforts have included not only dedicated enforcement activities but also relationship building efforts with First Nation and stakeholder groups, and the establishment of programs such as Restorative Justice which has included many different community groups in the development of solutions to deal with illegal fishing activities.</p>
3	That the Department of Fisheries and Oceans and the Fraser River Panel adopt and use more stringent guidelines for closing the fishery when water temperatures reach dangerous levels. In	<u>Initial Response</u>

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	<p>particular, the Department should not shy away from limiting all fishing opportunities, both below and above the Mission bridge when the conservation of salmon stocks is at stake.</p>	<p>“DFO agrees that stringent guidelines should be used to reduce or close fisheries when water temperatures in the Fraser River reach dangerous levels for salmon. Conservation is the Department's first priority in management and it has and will continue to limit fishing opportunities and close fisheries in the Fraser River when conservation is at risk. However, where some fishing is possible, First Nation food, social and ceremonial fisheries have priority. The primary tool used in-season to mitigate against environmental conditions like those experienced by Fraser River sockeye in 2004 is the Environmental Management Adjustment (EMA) model. The EMA is used to forecast the impact of fresh water temperatures on migrating salmon. It allows managers to estimate the number of salmon at risk under certain water temperature conditions and then to increase the spawning objective and adjust fisheries accordingly. The EMA provides a basis for precautionary based fisheries management. Each year the existing EMA models are improved with the addition of the previous year's data.”</p> <p>“DFO is also taking other steps to improve the EMA. Two areas for improvement, listed below, have been identified. Improvements to the EMA model in these areas will increase the likelihood of achieving spawning ground targets. Work is planned on both items in 2005.</p> <p>1) Develop long-range (months) and medium-range (weeks) forecasts of environmental conditions as an early warning system for managers. This can then be used for risk assessments of different fishing scenarios prior to enacting fishing plans.</p> <p>2) Improve the current short range forecasting (10 days) of environmental conditions. Remove some of the current uncertainty that exists surrounding the 20% of unmonitored systems in the Fraser River by installing additional temperature loggers.”</p> <p>“Finally, besides water temperature-related risks, other relevant factors considered in making management decisions to limit or close fisheries are the stock status and associated risks, habitat conditions, priority of harvest (i.e. First Nations food, social and ceremonial fisheries have first priority after conservation).”</p> <p><u>Subsequent Actions</u></p> <p>See Subsequent Actions to Recommendation 12 in <i>The 2004 Southern Salmon Fishery Post-Season Review – Part 1: Fraser River Sockeye Report</i>.</p>
4	<p>That the Department of Fisheries and Oceans undertake immediately a study on the impacts of drift gillnets and set gillnets in the Fraser River on the mortality of migrating salmon. In particular, the</p>	<p><u>Initial Response</u></p>

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	so-called "drop rate" and any compounding effects of elevated water temperature should be studied. In the interim, the Department should disallow the use of drift gillnets above the Mission bridge pending the findings of the study.	<p>“The Department agrees with the importance of a study on the impacts of drift gillnets and set gillnets. In 2005, DFO in cooperation with First Nations will undertake an exploratory study on the impacts of drift and set gillnets in the Fraser River above Mission.”</p> <p>“Drift gillnets were authorized for the first time in 2004 for use in Aboriginal fisheries above Mission. However, it is important to note that drift gillnets are used by Aboriginal and non-Aboriginal fishers below Mission in the Fraser River and in marine areas throughout the coast, and that "drop out" is a factor in all gillnet fisheries ("Drop-out" refers to the number of fish that fall out of a net before the net is hauled in. In general, the longer a net is left in the water, the higher the "drop out" rate. An important consideration is the mortality rate associated with fish that "drop out" of a net). DFO does not accept the position that drift gillnets are fundamentally bad and does not agree with the recommendation for an immediate ban on the use of drift gillnets above Mission. Pending completion of the 2005 exploratory study, DFO will continue to assess, on a case-by-case basis, whether the use of drift gillnets can be authorized in Aboriginal fisheries above the Mission bridge.”</p> <p>“The exploratory study planned in 2005 will have to be conducted for more than one year to establish confidence in the results. In particular, the relationship between the impacts of a gear type and any compounding effects from elevated water temperatures would require longer-term study. Annual reporting of the results from the multi-year study will inform management decision-making. The goal is to determine a long-term management plan for the area above Mission that could include drift gillnets and set gillnets.”</p> <p>“In managing Aboriginal fisheries, DFO attempts to manage fisheries in a manner consistent with <i>R. v. Sparrow</i> and subsequent Supreme Court of Canada decisions. Several First Nations on the Fraser River have indicated their preference for fishing with drift gillnets. DFO is continuing to consult with First Nation's on the Fraser River about their interests in using drift gillnets in food, social and ceremonial fisheries. Decisions around the use of drift gillnets would be consistent with court decisions and conservation objectives.”</p> <p><u>Subsequent Actions</u></p> <p>See Subsequent Actions to Recommendation 23 to <i>The 2004 Southern Salmon Fishery Post-Season Review – Part 1: Fraser River Sockeye Report</i>.</p>
5	That the Government of Canada mandate an independent body to review the findings and	<u>Initial Response</u>

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	<p>recommendations of reports of the past 12 years investigating the management of the Fraser River sockeye salmon fishery, including the recommendations of this committee's 2003 report on the matter and those of the current report. The mandate should include determining which previous recommendations have been effectively implemented, and which others should still be implemented; and</p> <p>That the Government of Canada commit the necessary resources to implement the resulting recommendations.</p>	<p>“The 1992, 1994 and 2002 reports on Fraser River sockeye were provided to the 2004 Post Season Review of Southern BC Salmon Fisheries (Fraser River Sockeye) led by former Chief Justice, Mr. Bryan Williams. DFO also provided the review committee with the department's responses to the 1994 and 2002 reports. This independent review, with input from the Integrated Salmon Harvest Planning Committee, assessed those reports and their findings, as well the department's responses. Their review of past reviews largely addresses this recommendation. The Williams' report notes that DFO has responded to most of the recommendations of the earlier reviews (i.e. 1994 and 2002).”</p> <p>“Together the reports by SCOFO and Mr. Williams provide a thorough assessment of the 2004 Fraser River sockeye issues, and a solid basis from which to move forward with required changes. However, fundamental changes are required to get at the root causes of problems in the salmon fishery. The Minister's April 14, 2005 announcement of Pacific Fisheries Reforms lays out a strategy to guide the work that is required over the next number of years. In addition, extensive work is required to resolve long standing conflicts between Aboriginal and non-Aboriginal fishers. New institutional arrangements need to be considered to address the serious relationship issues.”</p>
6	<p>That the Government of Canada ensure, as a matter of priority, that the Mission hydro acoustic station be equipped with the latest technology, and establish additional acoustic estimation stations at various strategic locations in the Fraser and Thompson rivers to accomplish quantitative estimates of fish and their stock identity.</p>	<p><u>Initial Response</u></p> <p>“DFO agrees about the priority of improving the station at Mission. In 2004, a new sampling scheme, which uses more advanced technology that is capable of more accurate measurements of fish passage, became the primary source of in-season estimates at the Mission facility. As part of its ongoing work, a joint DFO/Pacific Salmon Commission team is evaluating further improvements to the Mission counting system. A range of options has been identified in order to improve the station's estimation efficiency, including the addition of a further hydro-acoustic counting device (split-beam) on the north shore of the Fraser River at Mission. In 2005-06 the options to improve the site will be evaluated.”</p> <p>“While DFO is not currently considering the installation of additional hydro acoustic estimation stations on the main-stem Fraser, in 2005-06 DFO will conduct a cost-benefit analysis of adding a station at either Boston Bar or Qualark. The analysis will consider costs and benefits in the context of a system-wide approach to Fraser River stock assessment that includes all the elements of the stock assessment program, e.g. counting facilities, spawning ground assessments, etc.”</p> <p>“Studies to assess alternative escapement monitoring sites have occurred in recent years. Split-beam technology was used at Qualark Creek in the Fraser River canyon area for a few years following the 1992 Pearse-Larkin Fraser sockeye review. Feasibility studies at other sites in the Fraser and</p>

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		<p>Thompson were also undertaken. Each alternative split-beam site adds an additional cost of \$200,000-\$300,000 per year plus start-up costs. In 2005, workplans do include an evaluation of DIDSON (sonar) technology, an alternative acoustical method, at the Harrison-Fraser River confluence.”</p> <p><u>Subsequent Actions</u></p> <p>See the Subsequent Actions to Recommendations 1, 2 & 4: <i>The 2004 Southern Salmon Fishery Post-Season Review – Part 1: Fraser River Sockeye Report</i>.</p>
7	That the Department of Fishery and Oceans re-establish the threshold of 25,000 fish for the mark-recapture method to be used for the estimation of spawning escapement.	<p><u>Initial Response</u></p> <p>“DFO is not of the view that it is necessary to re-establish the threshold of 25,000 fish. The 75,000 fish threshold introduced in 2004 provides suitable coverage of the spawning systems, coupled with priority studies on key stocks. In October 2004, DFO proposed to the Pacific Salmon Commission to raise the threshold to 75,000 fish as a cost saving measure, which would allow DFO to maintain the extent of escapement survey coverage throughout the Fraser watershed. Prior to 2004, stocks with expected spawner abundances less than 25,000 were estimated using visual surveys, whereas stocks expected to exceed 25,000 were assessed using more precise techniques (e.g. mark-recapture programs). Under DFO's proposal, visual surveys would apply to spawning abundances less than 75,000, and more precise techniques would be used for populations exceeding this level. In October 2004, the Pacific Salmon Commission, with agreement of the U.S., adopted DFO's proposal to raise the threshold with the following conditions:</p> <ul style="list-style-type: none"> • that calibration studies be conducted on the higher priority Early Summer and Late run systems; • Further analysis on appropriate threshold levels (e.g., 25,000 - 75,000) should be developed, and; • that the PSC take advantage of all opportunities to promote and support research and development of more efficient and effective spawner enumeration technologies.” <p><u>Subsequent Actions</u></p> <p>Calibration work has been conducted on six Fraser River sockeye populations in the 25,000 and 75,000 range between 2005 and 2009.</p> <p>The results of the research have shown that visual estimates of populations in the 25,000 to 75,000</p>

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		range will be significantly underestimated using the standard 1.8 index currently applied to systems that are surveyed using visual techniques. Therefore, continued calibration work is taking place on a variety of systems (size and type i.e. clear, glacial, tannic etc.) at various spawner densities in order to develop a set of indices that can be applied to a broad set of populations.
8	<p>That the Government of Canada support, fund, and collaborate with a scientific consortium established to study and fill the knowledge gaps related to the biology and the management of wild Pacific salmon. The Committee would like to see such a consortium developed as a Network of Centres of Excellence, and would encourage the Department of Fisheries and Oceans to be a partner in this NCE.</p> <p>As a matter of priority, the following knowledge gaps should be investigated:</p> <ul style="list-style-type: none"> • the impact of elevated temperatures in the Fraser River and other BC watersheds; • the quantitative estimates of spawning fish; and • the development of predictive models of river conditions. 	<p><u>Initial Response</u></p> <p>“The Department agrees, generally, with this recommendation. This is a key area of inquiry and collaborating with outside researchers is important but should not be relied on exclusively. While a formal consortium developed as a Center of Excellence on the biology and management of Pacific salmon is not in place, DFO is collaborating on related science programs with the University of British Columbia and Simon Fraser University. The interest and potential for continued collaborations remains extensive but research in these important areas should not rely on the periodic interest of universities.”</p> <p>“The local universities provide a wealth of expertise to draw on, but the logistical facilities and salmon expertise resides within the Department already. The Department's participation in a Center of Excellence as referred to above would have to be considered against current initiatives and other priorities within DFO science.”</p> <p>“DFO agrees with the importance of the three priority areas listed and notes that there is previous research and ongoing research on all three. Results from this work are being applied by DFO on an annual basis and continually being reviewed within the Fraser River, particularly in the management of sockeye salmon. DFO will continue to fund research to fill knowledge gaps in these areas. In 2005, exploratory radio tagging, jointly funded by DFO and the Pacific Salmon Treaty Endowment Fund, is planned. The study will assess the feasibility of estimating mortality in Fraser River sockeye due to fishing and non-fishing factors using telemetry studies. A further telemetry study is proposed in 2006-07. Of note, DFO recently restructured its Pacific science program to have a dedicated focus on salmon stock assessment and scientific research.”</p> <p>“While research will continue in these important areas, such as forecasting and predicting changing environmental conditions and their impacts on salmon, such forecasting is by nature inexact and uncertainty will always exist. This raises two considerations for research and management. Firstly, further investment in information and data may reduce uncertainty and risk somewhat, but will not lead to perfectly accurate forecasts. Thus the value-added of additional research in a particular area of salmon management should be considered against the current state of knowledge, level of</p>

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		uncertainty and risk and other priorities in salmon management. Secondly, given the inherent uncertainties in salmon science and management, developing and using risk assessment tools is critical, as a way to mitigate risk.”
9	That the Department of Fisheries and Oceans allocate more resources and implement procedures to ensure that prosecutions are not dropped because the chain of evidence has been broken.	<p><u>Initial Response</u></p> <p>“DFO agrees that this is a priority. The key issue in ensuring that a chain of evidence is not broken is the traceability of fish after it is harvested. Tracing harvested fish requires a sound catch reporting and monitoring system that is linked to enforcement and investigation activities. As noted in the response to recommendation #2, the department is taking steps to increase the Lower Fraser enforcement capacity during critical periods. In addition, the department is taking steps to improve catch monitoring programs in the Pacific Region. The catch monitoring improvements will include work on procedures for better tracking the disposition of fish (i.e. chain of evidence) after it has been harvested.”</p> <p><u>Subsequent Actions</u></p> <p>Since 2005, the Department has received increased funding resources to enhance its enforcement capabilities on the Fraser River. C&P has enhanced the enforcement capacity by increasing the type, frequency and duration of patrols conducted by land, sea, and air.</p> <p>In the coastal approach areas to the Fraser River, the Department’s at-sea compliance capabilities to monitor have experienced many changes in recent history. C&P has been exploring new initiatives, and partnerships (i.e. developing new intelligence led compliance models for analyzing information and targeting problems; relationship building with First Nations and stakeholder groups; and using programs such as Restorative Justice to involve the community) to respond to these changes to on-water presence and the Department’s ability to monitor fishing activities.</p>
10	That the Department of Fisheries and Oceans promote stability and corporate continuity at the upper management level in Pacific Region.	<p><u>Initial Response</u></p> <p>“The position of Regional Director General for Pacific Region has recently been filled on an indeterminate basis by the incumbent. He is experienced and knowledgeable, and has had a long working career in Pacific Region. This appointment should improve stability and corporate continuity in upper management within the Pacific Region.”</p> <p><u>Subsequent Actions</u></p>

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		Since 2004 when the Regional Director General position was filled, the majority of senior management positions in Pacific Region have also been filled indeterminately.
11	That, in agreement with the 2004 Report of the Commissioner for the Environment and Sustainable Development of Canada, the Department of Fisheries and Oceans collect and analyze information to provide up-to-date assessments on habitat conditions and Pacific salmon stocks that are below departmental targets and declining.	<p><u>Initial Response</u></p> <p>“The Department generally agrees with this recommendation but notes that the related recommendation (20.40) in the 2004 Report of the Commissioner of the Environment and Sustainable Development (CESD), recommended additional actions.”</p> <p>“The 2004 CESD's report called for integrated status reports on stocks and habitats based on the Wild Salmon Policy's (WSP) conservation units for each salmon species, and that these reports should be updated annually and used in developing, evaluating and implementing fisheries management plans. In its response, the Department agreed that there is a need to improve the integration of salmon stock and habitat information to guide fisheries decisions and that this is consistent with the ecological approach to fisheries management to which the Department is committed, but that it will be implemented in a staged manner, over time. The Department also questioned whether, annually, was the appropriate time frame for producing the integrated reports.”</p> <p>“The Department agrees with the above recommendation's call for up-to-date assessments on habitat conditions and Pacific salmon stocks that are at the highest risk. DFO continues to produce comprehensive status reports for high priority stocks and for habitat issues. It is noteworthy that the WSP, which the Department intends to finalize this spring, establishes a framework to further focus efforts on stocks and habitat that are at the highest risk. The WSP will be implemented in stages consistent with resource availability and in cooperation with First Nations and stakeholders. As conservation units are formalized under the WSP for each salmon species, reports on habitat and on stock status will be based on these conservation units.”</p> <p>“DFO currently collects habitat information in partnership with community groups, the Province of British Columbia, and industry sectors. These assessments are accessible in a variety of ways, including watershed atlases and on-line digital mapping. As part of the implementation of the Environmental Process Modernization, DFO's contribution to Smart Regulation and WSP, two positions have been dedicated to developing a structured monitoring framework for the Habitat Management Program in Pacific Region.”</p> <p>“Recently developed planning tools, in conjunction with the Pacific Scientific Advice Review Committee, provide the current basis for the prioritization of salmon stock assessment activities,</p>

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		<p>with focus on key fisheries and weaker stocks that may be at risk. Moreover, under the WSP, detailed information on the status of stocks and associated habitats and ecosystems will be used to develop long term strategic plans. The plans will specify targets as well as management measures and time frames required to achieve them with ongoing annual performance reviews to ensure that targets are achieved.”</p> <p><u>Subsequent Actions</u></p> <p>The WSP was adopted in June 2005. The WSP identifies four strategies to restore and maintain healthy and diverse salmon populations and their habitats. The objective of Strategy 1 is to monitor and assess the status of wild Pacific salmon. The objective of Strategy 2 is to monitor and assess wild salmon habitat status in order to effectively protect habitat. Strategy 3 considers ecosystem values in salmon management. The objective of Strategy 4 is to develop long-term strategic plans for CU's and groups of CU's and their habitat in order to address the conservation of those CU's.</p> <p>Actions taken to implement the four strategies are being phased in over time. Steps completed to date include PSARC reviews of several science components. In Strategy 1, the first step was to develop a methodology for identifying CUs, the basic units designed to preserve and maintain the genetic diversity of Pacific salmon. The PSARC review was completed in June 2007 and resulted in acceptance of a methodology for identifying CUs based on ecology, life history, and molecular genetics. From the approved methodology, the CUs for all species of Pacific salmon in BC, including Fraser River sockeye, have been identified. Publications documenting the science review of this first phase of WSP Strategy 1 are located at DFO’s Canadian Science Advisory Secretariat (CSAS):</p> <p>http://www.dfo-mpo.gc.ca/CSAS/Csas/Publications/SAR-AS/2008/2008_052_e.htm</p> <p>http://www.dfo-mpo.gc.ca/CSAS/Csas/Publications/SAR-AS/2009/2009_055_e.htm</p> <p>http://www.dfo-mpo.gc.ca/CSAS/Csas/Publications/ResDocs-DocRech/2007/2007_070_e.htm</p> <p>http://www.dfo-mpo.gc.ca/csas/Csas/Publications/Pro-CR/2008/2008_013_e.htm</p> <p>Also in support of WSP Strategy 1, a PSARC review of the methodology to establish benchmarks of biological status for CUs was completed in January 2009. This work sets the stage for setting biological benchmarks for each CU and assessing the health or status of salmon populations relative to pre-defined benchmarks in a consistent way among CUs. CSAS publications documenting the</p>

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		<p>science review of this second phase of WSP Strategy 1 are located at the following links:</p> <p>http://www.dfo-mpo.gc.ca/CSAS/Csas/Publications/ResDocs-DocRech/2009/2009_058_e.htm</p> <p>http://www.dfo-mpo.gc.ca/CSAS/Csas/Publications/Pro-CR/2009/2009_046_e.htm</p> <p>PSARC reviews planned for 2010 will review the individual benchmarks and the biological status of Fraser sockeye relative to the benchmarks. This will represent the first assessment of status of Fraser sockeye based on WSP Strategy 1.</p> <p>A workshop in January 2009 reviewed a working paper on habitat indicators under WSP Strategy 2. “The main goals for the workshop were: 1) to assess the efficacy of the report’s proposed habitat indicators in meeting Strategy 2 objectives, 2) make recommendations for improving the efficacy of these proposed indicators to meet Strategy 2 objectives in view of available resources, and 3) continue dialogue on Strategy 2 habitat indicators.</p> <p>The link to the CSAS proceedings of the workshop is:</p> <p>http://www.dfo-mpo.gc.ca/CSAS/Csas/Publications/Pro-CR/2009/2009_038_e.htm</p>
12	That the Government of Canada secure and increase the annual budget of the Pacific Fisheries Research Conservation Council to enable it to hire professional, independent staff.	<p><u>Initial Response</u></p> <p>“The Department is not considering an increase to the annual budget of the Pacific Fisheries Resource Conservation Council (PFRCC). The future role of the PFRCC will be reviewed in light of a number of new initiatives. On December 6, 2004 the Province of BC announced the creation of a Pacific Salmon Forum to provide long-term direction on issues relating to wild salmon and salmon farming in BC. The mandate of the Pacific Forum overlaps with the PFRCC's Terms of Reference. As well, there are other recently completed and ongoing processes pertinent to Pacific salmon (e.g. the Joint Task Group and First Nations Panel Reports, the completion of the Wild Salmon Policy (WSP) and the start of WSP implementation, SARA implications, and the Williams Review) that need to be considered. Given the magnitude of the potential changes and the future directions being signalled through all of these initiatives that affect the Pacific salmon resources, it is clear that a coordinated approach that avoids overlap in responsibilities and duplication of efforts is required. This cannot be developed until the various processes are completed and analyzed. Consequently, a decision regarding the future role of the PFRCC will only be made after the various reports and consultation processes are completed and when DFO has a more comprehensive view of how best to proceed in the long-term.”</p>

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		<u>Subsequent Actions</u> No additional funding has been provided to PFRCC.

- 25) **Bryan Williams, Q.C., Chair.** [*The 2004 Southern Salmon Fishery Post-Season Review – Part 1: Fraser River Sockeye Report*](#), March 2005
- **Response Document:** [Building Capacity and Trust: Response by Fisheries and Oceans Canada to the 2004 Southern Salmon Fishery Post-season Review - Fraser River Sockeye Report](#) (June 2005)

	RECOMMENDATION - Bryan Williams, Q.C., Chair. <i>The 2004 Southern Salmon Fishery Post-Season Review – Part 1: Fraser River Sockeye Report</i> , March 2005	DFO RESPONSE
1	It is recommended that a cost benefit analysis be done to determine the utility and feasibility of an additional counting station at either Boston Bar or Qualark. (p. 13)	<p><u>Initial Response</u></p> <p>“Agree – with qualifications. A cost benefit analysis will be undertaken in 2005. The work on costing was largely completed in previous years, when there was a hydro acoustic installation in place at Qualark Creek. The equipment is available in Pacific Region, but it is expected that annual operating costs for such an installation would be about \$120,000.”</p> <p>“The analysis will consider benefits of putting this operation in place against the need to establish a more strategic long-term “system-wide” approach to Fraser River stock assessment, as noted in Section 3(a) of this report. Recent DIDSON (sonar) technology is thought to be a better and more advanced tool to the traditional hydro-acoustic equipment that was previously employed. For these reasons it is unlikely the Department would consider installation of another hydro acoustic site at either Boston Bar or Qualark.”</p> <p><u>Subsequent Actions</u></p> <p>From 1993-1998, the Qualark acoustic site was operated as an experimental research facility using split beam acoustic technology. The primary research goal was to develop methods to produce accurate estimates of salmon in riverine environments.</p> <p>An alternative technology to the split-beam methods used in the original Qualark research is the DIDSON imaging sonar (Dual-Frequency Identification Sonar).</p> <p>DFO operated Qualark using DIDSON technology in 2008 and 2009 to assess whether Qualark fits into a broader sockeye salmon assessment framework as a system-wide abundance indicator. In support of that objective, the research also included radio-tagging in the lower river and tag detection at Qualark. The objective of the radio tagging experiment was to develop a system-wide approach for estimating near real-time mortality and migration patterns during Fraser River</p>

	RECOMMENDATION - Bryan Williams, Q.C., Chair. <i>The 2004 Southern Salmon Fishery Post-Season Review – Part 1: Fraser River Sockeye Report, March 2005</i>	DFO RESPONSE
		Migration. This work was part of a broader approach on how best to estimate run sizes for fisheries management and to assess both the direct and cumulative fishery and environmental mortality.
2	A further site at the confluence of the Harrison might also be beneficial if it could be installed in order to establish run-size, catches, escapements and timing on late run-timed sockeye (i.e., Birkenhead, Harrison, Weaver, etc.). (p. 13)	<p><u>Initial Response</u></p> <p>“Disagree with qualifications – while DFO supports the need to improve in-season assessment programs, it is questionable whether this site would provide a significant improvement. However, workplans in 2005 do include an evaluation of DIDSON technology at the Harrison-Fraser confluence as part of on-going research in the Fraser watershed to assess the feasibility of DIDSON technology.”</p> <p>“In addition, the Department will be pursuing improvements to the Mission site beginning in 2005 (see Recommendation 4). For the long term the Department will be reviewing all Fraser River stock assessment programs, with a view to modernizing programs under a renewed “system-wide” assessment approach.”</p> <p><u>Subsequent Actions</u></p> <p>To explore alternative acoustic sites, surveys for potential DIDSON deployment sites in tributaries of the lower Fraser River were conducted in 2005. Joint research on the acoustic properties of sites along the Fraser River is documented in a report of a workshop in 2006 (Pacific Salmon Commission 2007). The lower Pitt River, the Harrison River above the confluence of the Fraser, and the Chilliwack/Vedder River were examined. Based on site visits and on-site testing, DFO concluded that there were no viable DIDSON deployment sites on the Lower Pitt or Harrison Rivers, but a potential site was identified on the Chilliwack River at the outlet of Chilliwack Lake. This site could be used if an alternative method of estimating escapement into Chilliwack Lake was necessary. See the response to Recommendation 1 for assessments of acoustic sites in the Fraser Canyon at Qualark Creek.</p>
3	That sufficient funding needs to be ensured to keep and expand on existing assessment programs. A continuation of “real-time monitoring” (12-hour turnaround) is needed to give PSC and DFO faster and accurate data of the migrating stocks. The continuation of funding from both Canada and the U.S. is needed to pay for the above. (p. 13)	<p><u>Initial Response</u></p> <p>“Agree - DFO is experimenting with real time reporting of catch data in a number of fisheries. In 2005, the Department will be taking steps to improve real time catch reporting (authorized and unauthorized), in-season assessment estimates, and the timeliness of estimates of environmental impacts. It is important to note that funding for Pacific Salmon Treaty mandated programs, such as</p>

	RECOMMENDATION - Bryan Williams, Q.C., Chair. <i>The 2004 Southern Salmon Fishery Post-Season Review – Part 1: Fraser River Sockeye Report, March 2005</i>	DFO RESPONSE
		<p>the Mission acoustic site, is a bilateral responsibility through the Pacific Salmon Treaty process. DFO agrees that continued collaboration with the Pacific Salmon Commission (PSC) to improve efficiencies at Mission is important (see Recommendation 4).”</p> <p>“For the long term, DFO will continue to review all programs to ensure that the highest priority programs are delivered in a timely and cost effective manner. DFO will also seek opportunities to work with the PSC and other partners, including First Nations, to improve program delivery.”</p>
4	That a further split-beam be installed on the north shore of the Fraser at the Mission Site. (p. 13)	<p><u>Initial Response</u></p> <p>“Agree - This is a high priority. Decisions to change the Mission site are a joint Canada-US responsibility under the Pacific Salmon Treaty. The use of a fixed split-beam system on the south shore in 2004 was an important step in improving the effectiveness and efficiencies at the Mission site. DFO agrees that an assessment of further options to improve the Mission site is an important next step and this work will be undertaken over the next one to three years. In 2005-06, an evaluation of options to improve the Mission system, including evaluating the potential for a split-beam system on the north shore, will be undertaken.”</p> <p>“In the longer-term, DFO is committed to working with the Pacific Salmon Commission and other partners, including First Nations, to improve the resource assessment capabilities in support of an integrated, “system-wide” approach to Fraser River salmon management.”</p> <p><u>Subsequent Actions</u></p> <p>In 2005, the PSC undertook preliminary work to establish a side-looking acoustic system using the DIDSON imaging sonar technology on the right (north) bank of the Fraser River near mission and in 2008 a permanent facility was constructed. The present configuration of the acoustic systems at Mission consists of a shore-based split-beam system on the left-bank, covering 100-150 m of cross-section, a shore-based DIDSON system on the right-bank covering 75 m of cross-section, and the downward looking vessel-based split-beam system covering the middle portion of the river.</p>
5	The use of the First Nations FSC harvest in marine waters should be incorporated as part of the test fishing program on a long-term basis. This requires secure long-term funding for the catch monitoring carried out during the First Nations Marine Society FSC fishery. (p. 13)	<p><u>Initial Response</u></p> <p>“Agree – The Department supports the First Nations Marine Society food, social and ceremonial (FSC) fishery and this new test fishery as an important component of sockeye in-season stock</p>

	RECOMMENDATION - Bryan Williams, Q.C., Chair. <i>The 2004 Southern Salmon Fishery Post-Season Review – Part 1: Fraser River Sockeye Report</i>, March 2005	DFO RESPONSE
		<p>assessment. The Department is committed to making the best use of test fisheries for assessment purposes in all areas. In addition, the First Nations Marine Society has developed an effective real time catch monitoring program for its fishery. In 2005, DFO, in conjunction with willing First Nations, may expand the program, which will include work to establish a long-term funding mechanism for the program.”</p> <p><u>Subsequent Actions</u></p> <p>The First Nations Marine Society is currently inactive. Many signatory First Nations were concerned about the cost of the operation (cost of catching the fish, organizing and facilitating the transport of fish from test fishing locations to the communities) and are no longer supporting this process.</p>
6	That DFO convene a meeting with First Nations, fisheries stakeholders, and Conservation and Protection staff to assess the province-wide state of catch monitoring. The participants should examine budgets, personnel needs, transparency, accuracy (bias), problem areas, and ways to improve monitoring programs in all sectors. (p. 18)	<p><u>Initial Response</u></p> <p>“Agree - There are clear benefits from collaborating with First Nations, and commercial and recreational harvesters in a common forum. The Integrated Harvest Planning Committee has been established for inter-sector discussion and collaboration on salmon. This Committee is expected to provide a forum for discussions on fishery monitoring and catch reporting. To facilitate this work, a working group may be specifically tasked with monitoring progress toward an improved catch monitoring system in all fisheries.”</p> <p>“Over the longer term, the Department will take steps to address gaps in the regions fishery monitoring and catch reporting frameworks. As a first step, the Department has initiated a process (March 2005) to identify and implement appropriate fisheries monitoring and catch reporting improvements, consistent with the 2002 Fishery Monitoring and Catch Reporting Policy Framework. The initiative focuses, as a priority, on providing improvements to catch monitoring programs in the commercial salmon fishery, aboriginal fisheries (all harvests) and recreational fisheries (all harvests). In addition to identifying options for immediate and longer-term improvements in these fisheries, a cohesive and coordinated regional program for fisheries monitoring and catch reporting will be developed that can be applied to other fisheries.”</p> <p><u>Subsequent Actions</u></p> <p>As outlined in the initial response, steps have been taken to address the gaps in fishery monitoring</p>

	RECOMMENDATION - Bryan Williams, Q.C., Chair. <i>The 2004 Southern Salmon Fishery Post-Season Review – Part 1: Fraser River Sockeye Report</i>, March 2005	DFO RESPONSE
		<p>and catch reporting. PICFI, specifically has supported the development of principles and recommended options for each of the fisheries as well as supported the development of a robust information management system to accommodate a range of catch monitoring processes. These consultation approaches are on-going. Some examples include the use of “E logs” i.e. catch data submitted electronically from commercial and First Nations fishermen or guides for recreational harvesters. Other approaches such as “mandatory landings” are being used to support experiments related to ITQ demonstration fisheries. A review of the 2008 Demonstration fisheries was conducted by the department. (A Review of Five Demonstration Projects from 2008 Salmon Season, October 2009).</p> <p>The Integrated Salmon Dialogue Forum has specifically targeted catch reporting and has established a Compliance and Monitoring Panel comprised of First Nations, recreational and commercial harvesters as well as environmental representatives. In addition to providing feedback on the options, it has compiled an inventory of catch monitoring approaches in the Pacific Region across all fisheries including salmon. Ultimately it will be reviewing individual salmon fisheries from the standpoint of compliance and catch reporting and is looking to identify shortcomings and best practices (Fishery Monitoring in the Pacific Region - Charting our Course - April 2010).</p>
7	That DFO, First Nations and stakeholders establish a semi-regular (perhaps annual) review of the status and adequacy of the province-wide catch monitoring program. (p. 18)	<p><u>Initial Response</u></p> <p>“Agree – As described in Recommendation 6, DFO agrees to the provision of regular updates on the status of catch monitoring programs and sees the Integrated Harvest Planning Committee as the primary forum to do this work. A sub-committee or collaborative working group may be established, as required, to monitor progress and provide advice on an ongoing basis.”</p> <p><u>Subsequent Actions</u></p> <p>While there are no regular reviews, the ISDF created a Monitoring and Compliance Panel. See Subsequent Actions to Recommendation 10 on work DFO is conducting to improve catch monitoring.</p>
8	That an estimate of total mortality be included in the catch monitoring of all fisheries. (p. 18)	<p><u>Initial Response</u></p> <p>“Agree with qualifications - Estimates of total mortality associated with fish harvesting are desirable and often essential (e.g. Fraser sockeye) for the proper management and control of</p>

	RECOMMENDATION - Bryan Williams, Q.C., Chair. <i>The 2004 Southern Salmon Fishery Post-Season Review – Part 1: Fraser River Sockeye Report</i>, March 2005	DFO RESPONSE
		<p>fisheries. Some fisheries already have frameworks in place (e.g. chinook fisheries under the Pacific Salmon Treaty). Also, the selective fishing program that was initiated in 1998 has provided better estimates of total mortality in a number of salmon fisheries. However, it is not always possible to estimate total mortality for all fisheries due to technical limitations.”</p> <p>“For 2005, radio telemetry studies will be initiated to estimate Fraser sockeye mortality for both fishing and non-fishing factors. The drift fishing study scheduled to occur above Mission will also attempt to assess total mortality rates. For the longer term, the system-wide stock assessment review is expected to identify additional programs to assist in this area.:</p> <p><u>Subsequent Actions</u></p> <p>Radio-telemetry studies based on sockeye tagged in the lower river were conducted in 2005, 2006, 2007 and 2009. The purpose of the studies were to provide migration rates and impact of in-river fisheries on mortality and migration success. The 2006 study was focussed on the Late Run mortality issue (Hinch and Gardner 2009) whereas other years focussed on other timed stocks.</p> <p>Given the desire to assess the effect of increase water temperature on sockeye migration success, tagging studies in 2010 are proposed to target sockeye before the fish are exposed to these high temperatures in the river. These telemetry studies are part of the experimental system-wide assessment approach using fish-wheels in the lower river to tag and sample sockeye and chinook and the Qualark acoustic site to estimate abundance and monitor migration and mortality based on the fate of radio-tagged fish.</p> <p>See the Subsequent Action to Recommendation 23 for a summary of the pilot study to assess characteristics of the lower Fraser River drift and set-net fisheries.</p>
9	That DFO develop, on an annual basis, a strategy pre-season to develop some estimate of unauthorized fishing and fish harvest. (p. 18)	<p><u>Initial Response</u></p> <p>“Agree – This recommendation is fully supported. As a first step, the Department is designing a program for the Fraser River with sufficient structure and rigour to better estimate total unauthorized harvest (all sectors). For example, aircraft over flights will be used during close times to estimate the incident of unauthorized fishing activity. In addition, the 2005 program will identify information requirements, data collection processes, and the underlying assumptions. Fraser River fishery managers and fishery officers will work collaboratively to make unauthorized harvest</p>

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		<p>estimates.”</p> <p><u>Subsequent Actions</u></p> <p>Work was initiated in 2005 to estimate the magnitude of fish harvested during closed times in the lower Fraser. The lack of reliable data required broad assumptions regarding effort and catch rates, resulting in estimates that had a low level of precision. As a result, this method has not been applied since.</p>
10	That resources for catch monitoring be restored to an adequate level in commercial, recreational, and First Nations fisheries as determined through the process in recommendation 6. (p. 18)	<p><u>Initial Response</u></p> <p>“Agree with qualifications - DFO agrees that properly funded catch monitoring programs are a priority. As noted in Recommendation 6, a long term strategy to improve fishery monitoring and catch reporting in all fisheries will be developed. This work will begin with a focus on some key fisheries - commercial salmon, First Nation and recreational. The Department will be looking to partnerships and co-management and cost recovery arrangements to fully implement this objective.”</p> <p>“For 2005, new resources have been identified for the Fraser River to strengthen existing programs (e.g. enhanced coverage, improved validation, and timelier reporting), provide estimates of unauthorized harvest and to initiate new real time catch monitoring projects. The Fraser stock assessment and resource management units will collaborate on this work to allow for a more integrated approach between programs.”</p> <p><u>Subsequent Actions</u></p> <p>Work continues to improve the catch monitoring estimate by setting standards and clarifying roles of harvesters and monitors in the area of data collection and management (Interim Fishery Monitoring and Catch Reporting Standards for Commercial Salmon Fishery).</p>
11	That DFO retain the ultimate authority and responsibility for auditing catch monitoring reports and performance. (p. 18)	<p><u>Initial Response</u></p> <p>“Agree - The fisheries monitoring and catch reporting initiative, referred to in Recommendation 6, will develop monitoring and reporting standards in all fisheries (commercial salmon fisheries, recreational fisheries, and First Nation fisheries as a first priority). Harvesters will be increasingly responsible to provide the required catch information (according to the established standards) to the Department. Appropriate levels of auditing of catch reports will remain a Departmental</p>

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		responsibility, as will the management and communication of regional catch data.”
12	The EMA model should consider the newly developed mortality criteria related to in-river water temperatures. (p. 27)	<p><u>Initial Response</u></p> <p>“Agree - DFO will review all methods and models, including the mortality criteria, to assess options before the 2005 season. The present procedure for estimating management adjustments is a two-step process. DFO provides the inputs for the Environmental Management Adjustment (EMA) model through the Environmental Watch Program. Pacific Salmon Commission staff then use the model to predict the escapement adjustments necessary at Mission to achieve the target spawning escapement. This model was jointly developed by DFO and the Pacific Salmon Commission but has since been modified in its in-season application by the PSC.</p> <p>The following improvements to forecasting river temperature and other factors are planned for 2005:</p> <ol style="list-style-type: none"> 1) Develop long-range (months) and medium-range (weeks) forecasts of environmental conditions as an early warning system for managers. This can then be used for risk assessments of different fishing scenarios prior to enacting fishing plans. 2) Improve the current short range forecasting (10 days) of environmental conditions. Remove some of the uncertainty that exists surrounding the 20% of unmonitored systems in the Fraser River by installing additional temperature loggers.” <p>“Better information on the errors associated with the enumeration methods at Mission, harvest (both legal and unauthorized), and on the spawning grounds is required to understand the amount of mortality due solely to environmental impacts. In particular, estimates of in-river losses associated with sanctioned and unsanctioned fisheries above Mission are required before environmental effects can be distinguished from other sources of discrepancy. This information will be gathered through improved catch monitoring programs noted in Recommendation 10.”</p> <p><u>Subsequent Actions</u></p> <p>The Environmental Watch Program, or “EWatch” Program, currently generates forecasts of Fraser River environmental conditions on three different time-scales:</p> <ol style="list-style-type: none"> (1) short-term (days)

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		<p>(2) medium-term (months)</p> <p>(3) long-term (years)</p> <p>Both short-term (Morrison 2005; Morrison and Foreman 2005; Ch. 2 in Hague and Patterson 2008) and medium-term (Patterson 2005; Patterson and Hague 2007) environmental models are used to forecast average lower-river temperature and flow conditions experienced by major Fraser River sockeye salmon management groups. This information is then incorporated into in-season and pre-season management adjustment (MA) models, respectively, which are run by the Pacific Salmon Commission. These forecasts can be used to guide pre-season fishery planning given the expected environmental conditions in the river and their potential impact on returning adult salmon.</p> <p>The EWatch Program has also been involved with, indirectly, generation of long-term forecasts of Fraser Basin temperature and flow conditions (Morrison et al. 2002; Ferrari et al. 2007; Hague and Patterson 2009). Global-scale meteorological forecasts generated from global climate models are used to simulate possible changes to fresh water migration conditions and impacts on salmon migratory success under future warming scenarios (Hague and Patterson 2009).</p>
13	The estimate of accumulated degree days should be considered as an approximation of the environmental stress experienced by migrating Fraser River sockeye salmon to inform in-season management decisions. (p. 27)	<p><u>Initial Response</u></p> <p>“Agree with qualifications - The mean temperature and migration period have been used as input variables in the EMA model development. Arithmetically, they are equivalent to accumulated degree days models. In the long-term, mortality from environmental impacts cannot be distinguished from other factors without reliable and independent estimates of fishing impacts (see Recommendation 12).”</p>
14	The factors contributing to the discrepancy between gross escapement at Mission and spawning ground escapement (river temperature, river flow, unreported catch, catch estimation, errors in Mission and spawning ground escapement estimates, etc.) should be separated through improved data collection and modeling. In the interim, the EMA model should be renamed to eliminate the perception that it only accounts for environmental factors. (p. 27)	<p><u>Initial Response</u></p> <p>“Agree - Improved monitoring is important to identify the various sources of mortality and estimation error. This recommendation speaks to the need for a system-wide approach in assessing all sources of mortality. This is explicitly addressed in the response to Recommendation 15. Responses to Recommendations 12 and 13 also address this concern.”</p> <p>“The Department also agrees that the name “EMA” model (Environmental Management Adjustment) is misleading. The EMA model predicts the total discrepancy between Mission and</p>

	RECOMMENDATION - Bryan Williams, Q.C., Chair. <i>The 2004 Southern Salmon Fishery Post-Season Review – Part 1: Fraser River Sockeye Report</i>, March 2005	DFO RESPONSE
		up-river spawning escapement and therefore in its present format does not predict environmental effects alone.”
15	New and properly designed research is required on Early Stuart, Early Summer and Summer run adult sockeye to complement the work done on Late run sockeye to determine any stock-specific effects of high temperature on migration and spawning success. (p. 27)	<p><u>Initial Response</u></p> <p>“Agree – This is a high priority. The technology exists to study stock-specific effects, however multi-disciplinary research, as was applied to assess Late Run sockeye mortality, is costly. For 2005, joint funding by DFO and the Pacific Salmon Treaty (Southern Endowment Fund) has been secured to conduct an exploratory radio tagging program. An independent consultant will be hired to conduct this work, which will assess the feasibility of estimating mortality due to fishing and non-fishing factors using telemetry studies.”</p> <p>“In 2006-07, a multi-stock telemetry project is proposed to estimate all sources of mortality. However, conducting the work will depend on identifying a source of funding either from within the Department or through alternative sources (i.e. the Pacific Salmon Treaty Endowment Fund). This work would provide for a consolidated approach to estimating total mortality from all sources. DFO will seek opportunities to work with partners where appropriate, including First Nations, to improve program delivery.”</p> <p>“As noted previously, the planned system-wide review of stock assessment programs will assist in determining the priority for this work over the long term.”</p> <p><u>Subsequent Actions</u></p> <p>See Subsequent Actions to Recommendation 8 on multi-stock radio telemetry studies.</p> <p>Studies were funded in 2006, 2007, and 2009. The first year of a feasibility study for a system-wide approach to assess migration patterns and mortality began in 2008. The feasibility work was modified and continued in 2009. Studies are also likely to be funded in 2010. Components of the study include 1) the use of fishwheels in the lower river for multi-species/stock sampling and radio tagging sockeye and Chinook salmon; 2) tracking of tagged fish in the watershed for near-real time tag detection, and independent estimates of abundance based on mark-recapture experiments at Qualark Creek in the Fraser Canyon.</p>
16	That riparian habitat in tributary watersheds throughout the Fraser basin be protected and restored to	<u>Initial Response</u>

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	reverse the warming effect that lack of cover creates through the disruption of the hydrologic cycle. (p. 27)	<p>“Agree with qualifications - The protection and rehabilitation of riparian habitat is important to provide shade, food and protective cover for salmon, primarily juveniles. It also plays an important role in erosion control. For these reasons, protection of this habitat is a key element of the habitat program. Examples of protection measures include the use of guidelines and mitigations to avoid reduction in riparian vegetation, and the use of compensation agreements (replacement in greater measure) in the authorizations issued under the Fisheries Act. The engagement and technical support provided to stewardship groups who restore riparian vegetation through replanting, along with the DFO Public Involvement Program, help to educate the public about the importance of riparian vegetation. “</p> <p>“The degree to which the absence of riparian cover contributes to warming of both tributary and mainstream portions of the river is not well understood, relative to other drivers such as weather patterns, drought and global climate change. While tributary streams can play a limited role in cooling the mainstream Fraser, the river cannot be protected from significant warming effects associated with large areas of exposed river (e.g. canyon areas) as it travels its course to the ocean.”</p> <p>“The Department’s recently developed Environmental Process Modernization Plan along with other initiatives (e.g. Provincial Riparian Area Regulations) provides a comprehensive framework for the protection of fish habitat, including riparian habitat. These initiatives promote and foster a shared stewardship approach to habitat protection and provide a strong monitoring role for tracking compliance with standards and guidelines.”</p>
17	The feasibility should be investigated of modifying existing flow control/hydro facilities and water use agreements that might decrease Fraser mainstem and tributary temperatures during high temperature years. (p. 27)	<p><u>Initial Response</u></p> <p>“Disagree - Numerous studies of the Nechako River on the influence of cooling summer flows demonstrate a negligible influence on Fraser mainstream temperatures. Work could be done to explore new opportunities for cooling of Fraser mainstream and tributary temperatures through regulation of existing flow/hydro facilities, for example, at the Seaton and Bridge River hydro projects. However, it is unlikely that they would provide any substantial benefits, as observed in the Nechako situation. In addition, any evaluation of flow control potential at hydro facilities and water use agreements fall under provincial jurisdiction and would require the involvement of provincial authorities, private interests and crown agencies.”</p>

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18	Fisheries management action should be responsive and proportional to the direct relationship between increasing water temperature and decreasing survival to spawning. In extreme warm water years additional management actions need to be taken to ensure adequate and appropriate numbers of fish enter the river. Once in the river, management action, such as a time and area conservation corridor, is needed to create the opportunity for sockeye to migrate with a minimal amount of additional stress caused by fishing in the river. (p. 27)	<p><u>Initial Response</u></p> <p>“Agree with qualifications - Stringent guidelines should be used to modify fisheries management approaches (marine and freshwater) when water temperatures in the Fraser River reach dangerous levels for salmon. However, as most in-river fisheries are First Nation food, social and ceremonial fisheries, management decisions on adjustments will need to account for the special priority that these fisheries have over other harvesters.”</p> <p>“Conservation is the Department’s first priority in management. DFO has and will continue to limit fishing opportunities on Fraser River salmon stocks when conservation is at risk. A review of methods used to predict environmental effects is planned in 2005 (see Recommendations 12-14).”</p> <p><u>Subsequent Actions</u></p> <p>For Fraser River sockeye fisheries, managers have explicitly utilized the “environmental management adjustment”. Fishery managers consider the water temperature, water levels and migration timing and adjust the gross escapement goal (total number of fish harvested plus spawning ground requirements) to account for the increased mortality.</p> <p>In response to unfavourable water temperatures or unfavourable migration conditions, management actions have been taken e.g. reduced fishing time and/or a range of fishing closures.</p>
19	Given the challenge posed to fisheries management by high water temperature and associated impacts on fish mortality, more systematic collection of data on the number of fish observed floating in the river or dead on the banks downstream of the spawning grounds would prove useful for comparative purposes. (p. 27)	<p><u>Initial Response</u></p> <p>“Disagree - There is a general recognition that estimating temperature related mortality based on observations of floating carcasses in the mainstream Fraser is difficult and potentially misleading due to the fact that sockeye salmon sink when they die. i.e. carcass counts will underestimate the true mortality.”</p> <p>“In 2004, carcass counts at the Mission hydro acoustic facility were similar to those observed in 1998 (the last year of high water temperature), relative to abundance. However, anecdotal sources reported that fewer dead fish were observed in 2004 compared to 1998. Differences in river discharge, abundance of the sockeye run, and distribution of temperature related mortalities may explain the differences between 1998 and 2004. DFO concludes therefore that there is likely little value added in a formal study of the abundance of floating carcasses given the implementation</p>

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		costs. That said, fishery officers and other technical staff working on the river will provide weekly updates during the migratory period, related to observations of carcasses and other extraordinary events”.
20	When designing the annual fishing plan, DFO must take into account not only the harvest impact of each fishery and gear type, but also the cumulative effect each fishery and its associated gear has on total fishing mortality. (p. 31)	<p><u>Initial Response</u></p> <p>“Agree with qualifications – Estimating total mortality is not always possible or necessary. In key fisheries, such as Fraser sockeye, it is important that total mortality (fishing and other factors) be understood and incorporated in managing fisheries. This would include an assessment of all marine and freshwater fisheries with the intent of trying to estimate mortality factors.”</p> <p>“In order to undertake this task, DFO utilizes a range of assessment tools (e.g. computer fishery models, stock identification, gear impact experiments, pre-season, in-season and post-season run size assessment, and spawning ground enumeration programs). The end result of these assessment programs is to capture an estimate of total mortality due to harvesting and environmental impacts. DFO is continually evaluating and updating its assessment tools in order to improve upon its ability to manage salmon and achieve goals for conservation, escapement targets, and domestic and international allocation targets.”</p> <p>“Earlier responses have touched on this issue (e.g. Recommendations 8, 14 and 15) and have identified work that will be undertaken in both the short and long terms to better address this concern.”</p>
21	Research must be undertaken to verify whether the selective placing of set nets can have an adverse impact on upstream migration by depriving fish of resting places or forcing them to swim in the faster and more turbulent mid-stream waters. DFO policy should be to ensure the existence of a “conservation corridor” for the fish destined for the spawning grounds. (p. 31)	<p><u>Initial Response</u></p> <p>“Disagree with qualifications – Further research will not be undertaken as proposed by this recommendation. DFO utilizes a variety of management tools to achieve conservation objectives, escapement targets and food, social and ceremonial harvest objectives within the Fraser River. In the past these tools have incorporated modification of open times and area, ‘window closures’ or ‘conservation closures’ (i.e. specific timing closures to protect a specific management group; duration of closure has been from 1-3 weeks), and gear restrictions.”</p> <p>“FSC fisheries are accorded priority over other harvest opportunities. Therefore, if agreed FSC harvest objectives are not being met, then other harvest sectors may have to be constrained before</p>

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		<p>in-river First Nation fisheries could be altered in a significant way.”</p> <p>“Fisheries throughout the migration route (marine and freshwater) all have an impact on Fraser River salmon stocks. Current management frameworks (all sectors) take into account the cumulative impact on stocks and fishing times/locations are governed accordingly. DFO manages Fraser River sockeye to achieve:</p> <ul style="list-style-type: none"> • gross escapement targets for each management group, • international allocation under the Pacific Salmon Treaty, and • domestic allocation targets.” <p>“The first priority then is to achieve the gross escapement target as measured at Mission which consists of spawning ground targets plus the anticipated catch within the Fraser River First Nations’ and recreational fisheries. This goal is adjusted a number of times in-season, based upon revised estimates of run size and environmental impacts. Management of the Fraser river sockeye is very complex due to large number of stocks that over lap in timing, in-season adjustments to run size and escapement targets and meeting conservation objectives, FSC priority fisheries, international and domestic allocation objectives. A variety of strategies are applied both in marine and freshwater fisheries in order to meet the gross escapement target.”</p>
22	Research is needed into the relationship between gill net mesh size and the desired spawning ground gender ratio. (p. 31)	<p><u>Initial Response</u></p> <p>“Disagree - DFO is not aware of the issue of “gender imbalance” on the spawning grounds. In some years, a gender imbalance has occurred in some specific spawning locations, but this is not considered to be a widespread issue. If a chronic or pressing issue is identified, the issue would have to be researched, but a number of other elements would have to be considered such as gill net hang ratio, length, depth and fishing times before mesh size alone could be identified as the sole issue.”</p>
23	Approval of a change in gear type, such as the 2004 approval of the use of drift gill nets by the Cheam First Nation, should not take place in the absence of an objective determination of the comparative fishing power of the different gear. (p. 31)	<p><u>Initial Response</u></p> <p>“Disagree with qualifications - The Department agrees with the importance of a study of the impacts of drift gill nets and set gill nets. However, it is important to note that drift gill nets are</p>

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		<p>used by Aboriginal and non-Aboriginal fishers below Mission in the Fraser River and in marine areas throughout the coast. DFO does not accept the notion that the use of drift gill nets above Mission is fundamentally inappropriate, but agrees that the impact of drift versus set gillnets needs to be understood. Until more detailed information is available on the impacts of drift gill nets, DFO will continue to assess, on a case-by-case basis, whether the use of drift gill nets can be authorized in Aboriginal fisheries above Mission. Use of drift gill nets would be captured in, an overall management strategy for the Fraser River.”</p> <p>“In managing Aboriginal fisheries, DFO attempts to manage fisheries in a manner consistent with <i>R. v. Sparrow</i> and subsequent Supreme Court of Canada decisions. Several First Nations on the Fraser River have indicated their preference for fishing with drift gill nets. DFO is continuing to consult with First Nations on the Fraser River about their interests in using drift gill nets in FSC fisheries. Decisions around the use of drift gill nets would be consistent with court decisions and conservation objectives.”</p> <p>“In 2005, DFO in cooperation with First Nations will undertake a preliminary study on the impacts of drift and set gill nets in the Fraser River above Mission. The study is expected to continue beyond 2005, to fully flesh out and understand potential impacts. In particular, the relationship between the impacts of a gear type and any compounding effects from elevated water temperatures would require longer-term study. The goal is to determine a long-term management plan for the area above Mission that would include drift gill nets.”</p> <p><u>Subsequent Actions</u></p> <p>A pilot study took place in 2005 and 2006 in the lower Fraser where First Nations drift and set net (gill net) fisheries occur. In 2005 the study occurred in areas fished by the Chawathil, Skwah and Sumas First Nations. In 2006, the study took place at Cheam Beach with help from the Cheam First Nation and at Yale in the lower Fraser Canyon. The main focus of the study was to assess the overall effectiveness and efficiency of First Nations drift and set net fishing the lower Fraser River. A research proposal was developed jointly between DFO and First Nations representatives in the lower Fraser River. The objectives were developed in a Working Group setting that involved First Nations representatives and DFO staff. The study objectives were as follows:</p> <ol style="list-style-type: none"> 1. Estimate catch rates (catch-per-unit-effort) of drift and set gill nets in the Lower Fraser

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		<p>above Mission.</p> <ol style="list-style-type: none"> 2. Evaluate the relative effectiveness between drift gillnets and set gillnets in the Lower Fraser above Mission. 3. Estimate species, size and sex selectivity of Chinook and sockeye nets. 4. Build a strong, lasting collaborative relationship between Lower Fraser First Nations and DFO. 5. Assess the feasibility of using DIDSON hydro-acoustic technology to determine the effect of indirect mortality from gill nets due to the “drop-out” effect for fish not directly captured. <p>It was recognized that some of these objectives would not be fully met in the first year of the study, but the intention of the working group was to develop and engage in a process that would accomplish them in subsequent years of the study. For example, in 2005, the intention was to collect drift net data under variable testing conditions. Data on set nets were obtained from the existing creel survey program in place for set net catch monitoring upstream of Mission and on an opportunistic basis from the drift study sites.</p> <p>The objectives in 2006 were as follows:</p> <ol style="list-style-type: none"> 1. To measure the catch and fishing effort of drift and set gill nets during open and closed fishing times. 2. To collect biological information from salmon captured to evaluate species, size and sex selectivity of gill nets. 3. To build a collaborative relationship and develop technical capacity with the Cheam First Nation and DFO. 4. To assess the feasibility of using a DIDSON to determine the effect of indirect mortality from gill nets due to “drop-out”. <p>These objectives were developed to address the differences in catch and effort for drift and set gill nets in the Fraser River near Cheam Beach. It was recognized that the information collected from</p>

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		the Cheam First Nation’s fishing areas could be used to help determine how many fish might be caught for different amounts of fishing time, number of participants, times of year and other variables. The drift-net project was discontinued after 2006.
24	DFO should set goals and objectives with respect to the number of nets allowed. (p. 31)	<p><u>Initial Response</u></p> <p>“Disagree with qualifications - Effort controls have been used in the past to limit the amount and type of gear used to harvest salmon. They have some utility in restricting the amount of harvest, but have not proven generally effective. DFO sets management objectives (e.g. conservation targets, escapement goals, FSC harvest objectives) and uses a variety of management tools to achieve those objectives.”</p> <p><u>Subsequent Actions</u></p> <p>No work has been done to set goals and objectives regarding the number of permitted during a fishery opening nets. However, the impact of fisheries is routinely evaluated to minimize the potential for unacceptably high exploitation rates.</p>
25	The regulation requiring that all nets be clearly marked as to their ownership should be vigorously enforced. Unidentified nets should be subject to immediate removal and confiscation. The penalty for leaving nets where they can continue to fish during closed periods should be substantial. (p. 31)	<p><u>Initial Response</u></p> <p>“Agree – Harvesters must clearly mark their nets with an identification number, or designation. This is a legal requirement, described in the conditions of licence.”</p> <p>“For 2005, the Department will increase patrols on the Fraser River. This will assist in identifying and removing unmarked nets. Licence conditions will specify the requirement to mark gear and DFO staff will work with harvesters to address the issue of unattended/unmarked nets.”</p> <p>“In the long term, the Department will continue to build partnerships to address all enforcement concerns with increased use of community stewardship, education and compliance programs.”</p> <p><u>Subsequent Actions</u></p> <p>Fishery Officers have increased patrol efforts by land, water and air on the Fraser River to ensure that regulations, including those requiring all gear to be properly marked, are complied with.</p> <p>Additional work has been undertaken to build partnerships with many local First Nations and stakeholder groups. The Department has solicited their support in educating fishers with respect to</p>

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		<p>regulatory requirements.</p> <p>Many of these offence types are being brought before restorative justice programs in the local communities and in some instances the penalties imposed have been more significant than those of the court system.</p>
26	<p>At the present time, DFO through its C&P Division is not maintaining a credible enforcement presence and not properly enforcing the Fisheries Act and Regulations including those that relate to habitat protection. Accordingly, DFO must ensure that adequate resources are available and that the budget and staffing available for enforcement be increased. (p.40- 41)</p>	<p><u>Initial Response</u></p> <p>“Agree with qualifications – Increased enforcement resources will be provided on the Fraser River in 2005. Existing resources will be augmented by providing additional officers from other parts of the region, on a temporary basis, during key times. Officers will be provided with additional overtime and operating funds, which will allow for increased vessel, vehicle and aerial surveillance patrols on the Fraser.”</p> <p>“As part of the longer term strategy, the Department is making changes to its habitat management program to focus on monitoring of critical fish habitat by habitat staff and other partners. This will allow fishery officers more time to deal with priority fishery issues. The Department supports a strong and modernized compliance program and is seeking to establish innovative new compliance strategies that would include greater involvement by clients.”</p> <p><u>Subsequent Actions</u></p> <p>C&P has received additional resources to respond to the recommendations from this review. With these additional resources and the temporary deployment of Fishery Officers from other parts of the Region, C&P has enhanced the enforcement program on the Fraser River. These resources have provided staff with the ability to increase their type, frequency and duration of patrol coverage by land, sea and air.</p> <p>C&P has begun to utilize a comprehensive risk-based integrated work planning process, in order to balance the multiple program demands, identify the highest risks to sustainability and establish annual operational priorities.</p> <p>In addition to an increase in general patrol coverage on the Fraser River since 2005, C&P staff have worked to modernize the compliance program and established many new compliance strategies while engaging the local First Nations and stakeholder communities as part of these strategies.</p>

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27	DFO should focus on empowering user groups with the responsibility of providing enforcement within their own sectors. Of course, ultimately such activity must be overseen by DFO. (p. 41)	<p><u>Initial Response</u></p> <p>“Agree - The Department supports an increased role for First Nations and stakeholders to develop and implement effective compliance programs. This is consistent with the Department’s vision of building strong and lasting relationships with First Nations and stakeholder groups and also supports a move toward meaningful co-management and shared decision-making processes.”</p> <p>“In 2005, the Department will pursue an expansion of community and restorative justice techniques and explore new programs to promote stewardship.”</p> <p>“For the long term, the Integrated Harvest Planning Committee will be consulted on ways to increase harvester involvement in compliance programs. The Aboriginal Aquatic Resources and Oceans Management (AAROM) initiative has an Aboriginal Fishery Officer program objective that if implemented, would assist in addressing this recommendation.”</p> <p><u>Subsequent Actions</u></p> <p>C&P has supported restorative justice programs that involve peer and community members in addressing illegal fishing activities.</p> <p>Pacific Region C&P has created a Regional Restorative Justice Coordinator position by reassigning an existing Fishery Officer position from the field. The focus of this new position has been to develop and implement a regional vision that is consistent across the Pacific Region. This position has assisted Fishery Officers and coordinated their efforts in the field.</p> <p>Fishery Officers have built linkages and partnerships with local First Nations and stakeholder communities. The use of Restorative Justice programs has been expanding and now is utilized to process violations within the First Nation, commercial, and recreational fisheries as well as for some habitat related violations.</p> <p>Pacific Region C&P is currently engaged in a nationally driven process to redefine and develop clear objectives, policies, administrative guidelines and procedures for the implementation of the Aboriginal Guardian program on a national level.</p>
28	C&P Division urgently needs a clear policy mandate and the resources with which to implement it.	<u>Initial Response</u>

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	<p>Morale will remain low among enforcement officers until this issue is addressed. (p. 41)</p>	<p>“Disagree with qualifications – The Conservation and Protection (C&P) program operates under a broad Departmental mandate defined by the Fisheries Act and by national policies that are specific to Conservation and Protection. Clear direction is generally provided through national policy directives (e.g. Fire Arms, Code of Conduct, Training and Standards, etc.) and regional Standard Operating Procedures. Low officer morale is acknowledged but is thought to reflect frustrations over resource levels, uncertainties around organizational change and staffing instability, rather than a lack of policy direction.”</p> <p>“For 2005, the Department will provide additional staff (e.g. temporary deployments from other parts of the region) and financial resources to the Fraser River. Managers will also work with staff to provide a clear vision for the future, accelerate work to resolve Conservation and Protection staffing delays, and pilot a direct line reporting structure designed to provide stronger direction to the regions fishery officer cadre.”</p> <p>“For the long term, the Department will focus on modernizing and improving compliance programs focused on relationships, partnering, stewardship and education. DFO will also evaluate the line reporting structure in consultation with National Headquarters, implementing new arrangements as appropriate, and address the backlog of staffing actions.”</p> <p><u>Subsequent Actions</u></p> <p>Changes have been implemented to the regional enforcement program since 2005. The pilot “line reporting” project was reviewed and subsequently implemented within the Pacific Region in 2007. All Fishery Officers in the Pacific Region now report to a Regional Director of Conservation & Protection who has enforcement experience. This position reports to the Regional Director General for the Pacific Region and is a member of the Regional Management Committee. Improved integration with other sectors and efficiencies within the C&P program have been documented under this organizational change.</p> <p>In addition to the changes involving line reporting, progress has also been made in modernizing and improving compliance programs within the Pacific Region and on the Fraser River. Staffing delays that existed at the time of the last review have been resolved and several hiring processes have now filled the majority of the vacant positions that existed 5 years ago. As a result of the changes implemented, morale amongst staff has risen.</p>

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29	Illegal fishing in the Fraser River has been described as rampant and out of control. This is unacceptable. DFO must properly enforce the Fisheries Act and Regulations and initiate measures to provide a reasonable estimate of the scope of this illegal activity and the number of fish actually taken. (p. 41)	<p><u>Initial Response</u></p> <p>“Agree with qualifications – The Department agrees with the need to properly enforce the provisions of the Fisheries Act and regulations. Some areas on the Fraser River experience higher levels of illegal fishing during salmon migration but the Department does not agree that illegal fishing is rampant and out of control. However, DFO agrees on the need to focus on key problem areas.”</p> <p>“For 2005, officers will provide an enhanced enforcement presence on the Fraser River, as noted in Recommendation 26, and enhanced coverage of potential illegal harvesting activities. Officers have already begun to record illegal catch information in collaboration with Resource Management. The information recorded will be assessed to develop a reliable and timely estimate of illegal harvest.”</p> <p>“In the longer term DFO will work with harvesters through community justice programs, the Integrated Harvest Planning Committee, and other forums to address illegal fishing.”</p> <p><u>Subsequent Actions</u></p> <p>An enhanced enforcement presence continues on the Fraser River and strategic deployments of additional resources have been used to address areas where higher levels of illegal activities have been occurring since the last review. These deployments have proven to be effective in increasing enforcement efforts on the Fraser River to curtail illegal fishing.</p> <p>As part of the modernization of the Department’s enforcement compliance model, Officers have been proactively working with First Nations and local stakeholder groups through the restorative justice programs, advisory processes and other fora to address potential illegal fishing activities.</p> <p>Additional improvements to current enforcement strategies are being funded through PICFI. Funding has been provided for projects addressing enhanced accountability and the development of an Intelligence Led Compliance Management model.</p>
30	Enforcement must also include adequate presence to deter the concealing of over harvesting of fish by participants from all sectors. (p. 41)	<p><u>Initial Response</u></p> <p>“Agree - The presence of officers and other staff deters Fisheries Act violations, including the over-harvest of fish. The Department will seek to establish an increased role in supporting and promoting</p>

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		<p>compliance by all harvest groups, and to improve relationships and enhance joint work efforts.”</p> <p>“In 2005, the Department will increase the presence of staff on the Fraser River during critical times; strengthen catch monitoring programs (Recommendation 10); and as time permits, will increase inspections of fish retailers, storage facilities and processors. A searchable database has been developed to track such inspections.”</p> <p>“In the long term, improvements to fishery monitoring and catch reporting programs (including work on traceability), work to define a clear role for First Nations and stakeholders in compliance programs, and work to build relationships between harvesters are expected to assist in addressing this concern.”</p> <p><u>Subsequent Actions</u></p> <p>The Department has continued to fund an enhanced enforcement program since 2005 that has increased patrol presence to curtail the illegal fishing activities by participants from all sectors within the Fraser River.</p> <p>An inspection program to monitor fish retailers, storage facilities and processors is nearing completion, and with several other initiatives, such as traceability, should continue to improve the Department’s current ability to analyze and respond to illegal activities on a timely basis.</p> <p>The working relationships enforcement staff have developed with First Nations and stakeholder groups have been instrumental in assisting the Departmental efforts to better control the fisheries for all users.</p>
31	Throughout the South Coast there is an ongoing problem with the illegal sale of fish, both fish that have been caught as part of an FSC entitlement and fish that have been illegally harvested. We heard little evidence of any serious effort to prevent this activity. This situation is intolerable and must be addressed by DFO. (p. 41)	<p><u>Initial Response</u></p> <p>“Agree with qualifications – The Department acknowledges that there are illegal sales in some areas, but this is not a widespread problem throughout the south coast of British Columbia.”</p> <p>“In 2005, the Department has identified resources to target key areas of concern on the Fraser River. This will support a variety of enforcement activities, including forensic audits, if required, and work with First Nations and key stakeholder groups.”</p> <p>“In the long term, the Department will look to First Nations and stakeholder groups to provide a prominent role in improved compliance. Resources alone will not solve the issue; shared</p>

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		<p>responsibility through education and strengthening relationships will be important to addressing this concern.”</p> <p><u>Subsequent Actions</u></p> <p>C&P has been working to build new initiatives, and partnerships (i.e. developing new intelligence led compliance models for analyzing information and targeting problems; relationship building with First Nations and stakeholder groups; and using programs such as Restorative Justice to better involve the community) to respond to these changes and additional pressures.</p>
32	DFO should develop and have in place as early as possible in 2005 a system to more accurately record illegal nets and fishing in the Fraser River and the approach waters. This system should include over flights at varying times during closed periods of all waters in order to provide for accurate assessment of the number of illegal activities. (p. 41)	<p><u>Initial Response</u></p> <p>“Agree – The Department already records the numbers of illegal nets. Increased patrols, including aerial surveillance, will help establish the scope of the problem and address incidence of illegal nets.”</p> <p>“For 2005, the Department will increase its enforcement coverage on the Fraser River. Increased patrol activity by vehicle, vessel and air will identify and reduce the presence of illegal activity and help to quantify illegal catch. Officers will work closely with resource managers to exchange information. They will be assisted by field computer equipment that will improve productivity, reduce office time and allow for more timely information exchange for both enforcement and catch monitoring.”</p> <p>“For the long term, the Department will continue to develop partnerships and establish relationships with First Nations and stakeholder groups to help address the root causes of illegal fishing.”</p> <p><u>Subsequent Actions</u></p> <p>See response to Recommendation 25, 30 and 31.</p>
33	DFO should maintain a complete record, by species, of all fish found in confiscated nets. (p. 41)	<p><u>Initial Response</u></p> <p>“Agree - Officers already record species information from confiscated nets. They will continue this practice and will ensure this information is shared with resource managers. Increased patrols on the Fraser River in 2005 and sharing of information with resource managers will improve accuracy of the data.”</p>

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		<u>Subsequent Actions</u> <p>As identified above, all information regarding fish found in investigations of unauthorized activities, is being collected and documented. The information continues to be shared with Resource Managers in a timely manner to ensure they have the most complete information for management purposes.</p>
34	Night patrols should be undertaken on a regular but variable basis, particularly in those areas where illegal fishing is being reported. (p. 41)	<u>Initial Response</u> <p>“Agree – Random night patrols help establish information around levels of illegal activity. For 2005, night patrols on the Fraser River will be expanded. Patrols will be based on information from a variety of sources, including fishery officers, resource managers, catch monitors, First Nations and other stakeholders. Patrols will be scheduled to maximize benefits from available staff and financial resources.</p> <p>Harvesters can and should play a significant role in finding solutions to this issue. For example, First Nations in Lillooet banned nighttime fishing in their area to control activities.”</p> <u>Subsequent Actions</u> <p>Since 2005 an enhanced enforcement patrol coverage, which has included night patrols, has been conducted with the additional operational resources. The frequency, type and duration of the patrol coverage has been planned to address illegal fishing activities on the Fraser River. Considerations for determining patrol schedules have included the best information from Resource Managers, C&P knowledge, the First Nations communities and other stakeholders.</p>
35	DFO should increase and enhance the Restorative Justice program and apply it to all sectors. (p. 41)	<u>Initial Response</u> <p>“Agree - The Department has been piloting a Restorative Justice program in the last few years, which has had some very positive results. Two pilot projects, one with the Sto:lo Nation (Qwi:qwelstom) and one with the Nlaka’pamux Nation Tribal Council have assisted in developing this program.”</p> <p>“For 2005, the Department plans to expand training for fishery officers, staff from other programs, middle and senior managers (where possible) along with members of First Nations and stakeholder</p>

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		<p>groups.”</p> <p>“For the long term, the community justice program will build on existing relationships with Aboriginal groups. Interest will be sought from other stakeholders to become involved in the program. These steps are expected to facilitate shared stewardship of the resource.”</p> <p><u>Subsequent Actions</u></p> <p>The Department has continued to expand its use of the RJ program as one alternative to the court process. The majority of Pacific Region Fishery Officers have been provided training in its use and are being encouraged to explore its application where appropriate. The number of files utilizing the RJ process has increased annually in recent years.</p> <p>These programs have allowed enforcement staff to strengthen relationships with First Nation communities and other stakeholder groups while increasing their involvement in decision making processes.</p> <p>These programs have been expanded to address violations in First Nations, commercial and recreational fisheries as well as for habitat related violations.</p>
36	Pacific Region enforcement should be organized as a separate branch ultimately reporting to a senior person with enforcement experience and line authority throughout BC This person must be a member of the Regional Management Committee. (p. 41)	<p><u>Initial Response</u></p> <p>“Agree with qualifications – The Department acknowledges the potential benefits that line reporting of enforcement staff could have. However, decisions around a change in reporting structure will have to be considered on a national basis to ensure consistency across regions. In considering changes, care would have to be taken to ensure that program coordination and communication is maintained with and between other programs (e.g. resource management, stock assessment, habitat etc.).”</p> <p>“For the 2005/06 fiscal year, the Pacific Region will pilot a program that will see direct reporting of the region’s Conservation and Protection functions (all areas) to the Director of Conservation and Protection. Under this pilot, the Director will report to the Regional Director General and will be a member of the Regional Management Committee.”</p> <p>“The results of this pilot project will be reviewed to determine its application in the Pacific Region as well as other DFO regions. This pilot is expected to improve fishery officer morale and help in</p>

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		<p>budget planning and allocation processes and should also assist in providing more informed decisions around compliance issues.”</p> <p><u>Subsequent Actions</u></p> <p>See to response to Recommendation 28.</p> <p>This organizational change, along with several other initiatives has provided for improvements in Fishery Officer morale, budgetary control, operational planning and created an opportunity for Officers to better address enforcement priorities on a regional basis.</p> <p>The overall coordination of the enforcement program and communications with other programs continues to be a priority for enforcement staff to ensure the most effective conservation and management program is implemented in every area.</p>
37	<p>The Committee heard testimony from a number of C&P officers who felt their enforcement powers had been undermined by their inability to conduct vehicle checks at roadblocks. This issue as well as their law enforcement status should be reviewed by the department. (p. 41)</p>	<p><u>Initial Response</u></p> <p>“Agree with qualifications – Without legislative reform, fishery officers do not have the authority to participate in road blocks. In addition, the Conservation and Protection sector does not currently have investigative body status, which in some cases limits their abilities to gain access to information held by other government departments (e.g. vessel licence information).”</p> <p>“In the short term, including 2005, DFO is unable to address the issues of road block authorities or investigative body status. The road block issue is being considered under the legislative reform initiative (Fisheries Act renewal) currently underway. A review of investigative body status is being conducted in the Gulf Region, and the results of the review will be considered as part of the national Conservation and Protection Compliance Review.”</p> <p><u>Subsequent Actions</u></p> <p>Although Fishery Officers are restricted in conducting random vehicle checks at road blocks, they do have authority to conduct vehicle stops and searches under appropriate circumstances. The proposed revisions to the <i>Fisheries Act</i> announced in the Throne Speech 2010 will update the powers of enforcement personnel. Among the changes: the proposed legislation would authorize Fisheries Officers, guardians and inspectors to stop and direct a vehicle to a place where an inspection can be carried out. They could also detain the vehicle for a reasonable time, to conduct</p>

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		the inspection.
38	In view of the threat to the resource posed by illegal activity DFO should review the level of penalties it can impose and consider requesting increases commensurate with the infraction and administrative sanctions, including licence suspensions, which can act as an effective deterrent. (p. 41)	<p><u>Initial Response</u></p> <p>“Disagree with qualifications - Penalty provisions, as defined in the Fisheries Act, are considered adequate. Decisions on penalties for individual cases are imposed by the courts and are not within the purview of the Department. However, officers and other Departmental staff can provide input and potentially influence penalty outcomes by working closing with Crown Agents and the judicial system.”</p> <p>“For 2005, Departmental staff will continue to work with Crown Agents to present the best available evidence, inform judges as to the consequences of violations and make recommendations as to the most appropriate penalties. More effort will be taken to provide impact statements from experts within DFO, including resource managers, scientists, and biologists.”</p> <p>“DFO will continue work on its broad Fisheries Renewal initiative (including legislative reform), which includes an examination of administrative sanctioning provisions as an alternative approach to penalties. This would allow for a more predictable and consistent application of penalties that are more appropriate to the nature of the offence.”</p> <p><u>Subsequent Actions</u></p> <p>The proposed revisions to the <i>Fisheries Act</i> announced in the Throne Speech 2010 will address this. The department's intention is to decriminalize commercial fisheries violations and move to a system of administrative sanctions in all BC commercial fisheries. Fish habitat offenses, which are already subject to fines up to \$1,000,000, would remain within the criminal justice system.</p> <p>The proposed Canadian Fisheries Tribunal would apply licence sanctions (suspension, cancellation) and monetary penalties of up to \$30,000 for violations of the Act, regulations and licence conditions by licensed commercial fishers.</p> <p>In addition to these initiatives, the department has been promoting the use of RJ as an alternative to the court process.</p>
39	A higher level of traceability needs to be in place. DFO should work with stakeholders to identify	<u>Initial Response</u>

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	their harvest. (p. 41)	<p>“Agree – There is a need to have a higher level of traceability in all fisheries. For both the short (2005) and long terms, the planned improvements to Fraser River fishery monitoring and catch reporting programs will help to address this issue. In addition, increased inspection of storage and processing facilities, work with First Nations and stakeholders to develop tracking systems, and closer communications between DFO programs on both legal and illegal catch will all assist in achieving a higher level of traceability. Forensic auditing techniques may also be used in some cases.”</p> <p><u>Subsequent Actions</u></p> <p>Traceability is part of a larger enhanced accountability initiative currently being developed within the Pacific Integrated Commercial Fisheries Initiative (PICFI). Improvements to the Fraser River fishery monitoring, catch monitoring and verification programs are underway. A new Inspections database is close to completion and increased monitoring at plant and processing facilities are being planned. First Nations and stakeholder groups are being consulted and engaged in this project which is critical for the success of this initiative.</p> <p>A nationally driven process is also being developed to meet the requirements that companies must meet to export their fish product to other countries, such as the European Union.</p>
40	DFO Pacific region should reassess its core mandate with respect to management of Fraser River sockeye (and indeed all Pacific fisheries resources) and devise a management organizational structure that best supports that mandate. We recommend that an independent consultant be hired to review the situation and provide guidance to senior management. (p. 47)	<p><u>Initial Response</u></p> <p>“Disagree with qualifications – The Department has a broad mandate to fulfill, which goes well beyond fisheries management. While the Department would be open to reviewing its organizational structure, any review would have to consider the full scope of the DFO mandate.”</p> <p>“For 2005, the Pacific Region is piloting an organizational change for its Conservation and Protection program (Recommendation 36). Work related to the organizational structure of the Fraser Stock Assessment Program is ongoing, including a better integration of fishery monitoring and catch reporting activities. In addition, the Environmental Process Modernization Plan may result in program or organizational changes to both the Conservation and Protection and the Habitat Management Programs.”</p> <p>“In the longer term, changes related to new initiatives (e.g. Pacific Fisheries Reform, Wild Salmon Policy implementation) will likely require a review of organizational structures. Any changes</p>

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		related to these activities will have to consider the broad DFO mandate, including structure at both the national and regional levels.”
41	Integrated management plans should be developed within a framework that sets measurable goals, analyses options and evaluates results. Where possible goals should be quantifiable. This will provide public accountability. (p. 47)	<p><u>Initial Response</u></p> <p>“Agree – The Department develops annual Integrated Fisheries Management Plans (IFMPs) within a framework that sets measurable goals, analyses options and evaluates results. The Department has made concerted efforts to address this concern through the management planning process and other initiatives such as the Wild Salmon Policy, the development of a new advisory process, and the Fraser River Sockeye Spawning Initiative. For example, in the annual IFMPs for salmon, conservation objectives and escapement goals and their associated performance measures are clearly articulated for most of the key stocks. Other examples of IFMP goals include the identification of harvest rates and by-catch limitations on particular stocks. The success of meeting goals and objectives are evaluated as part of the regular post season review process at First Nations consultation and sector advisory processes (Sport Fishing Advisory Board, Commercial Salmon Advisory Board, Marine Conservation Caucus and Integrated Harvest Planning Committees).”</p> <p>“The newly formed salmon Integrated Harvest Planning Committee should assist in bringing some additional rigour and consensus-based public input and accountability to developing fishery management plans, the evaluation of those plans post-season and in the provision of advice for future improvements.”</p> <p><u>Subsequent Actions</u></p> <p>Over the past 5 years, work has continued on IFMP development. The plan sets out decision rules for a range of returns, and then anticipated fishing patterns for each of First Nations, recreational and commercial fisheries. Draft plans are reviewed and consulted on directly with DFO in bilateral settings as well as the integrated IHPC. This provides for full discussion of options to the approach developed by DFO. The IHPC process also provides for annual post season review to evaluate management actions and results.</p>
42	Public involvement is a good thing. Ultimately the public expect DFO to maintain responsibility for good resource management and will hold DFO accountable. Collaborative approaches and consultation are costly and should be evaluated explicitly against the goals set for fisheries	<p><u>Initial Response</u></p> <p>“Agree with qualifications – Although public involvement is time consuming and can be costly, it</p>

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	management and compared with the costs and benefits of in-house or independent delivery of programs. (p. 47)	<p>is important. Consultation and public involvement are key elements in managing the public resource. DFO uses six principles to guide its consultation planning and implementation. The principles include: 1) respect for the process; 2) transparency throughout the process; 3) shared accountability for success of the process; 4) balanced and representative participation in the process; 5) effective processes designed to achieve the goals; and 6) efficient size to facilitate consensus based discussion.”</p> <p>“DFO envisions that over the medium to long term that consultation and public advice forums will provide for comprehensive shared decision-making and full co-management of the resource recognizing that the Minister retains the final authority for decision-making. In 2004, the Department established the Integrated Harvest Planning Committee to provide formal advice and make recommendations to the Department on operational decisions related to salmon harvesting in the north and south coastal portions of the Pacific Region. This is part of the process to establish a more streamlined, representative cross sectoral advisory process for harvest planning, management and post-season review. The Integrated Harvest Planning Committee is constructed around the six principles identified above. We envision that this newly established process will assist in achieving the objective of improved public involvement in the management of Pacific salmon.”</p> <p><u>Subsequent Actions</u></p> <p>The IHPC have undertaken annual reviews to discuss a range of options related to management plan development. Work is ongoing to strengthen working relationships with all of the advisory processes by undertaking consultations and working on issues of joint interest.</p> <p>Work is being done through the Integrated Salmon Dialogue Forum to, among other things, improve the decision making process by clarifying the roles of the named advisory groups in the provision of advice.</p>
43	DFO’s budgeting process should be informed by explicit evaluation of the impact of various budget proposals on results. Where critical elements of DFO’s programs have budget issues they should be explained and funds sought. This information should be shared both within and outside DFO to provide stakeholders’ views on budget priorities. In the Committee’s view DFO has insufficient resources to meet its core mandate for developing, managing and controlling fisheries for Fraser	<p><u>Initial Response</u></p> <p>“Agree with qualifications - As identified in a number of recommendations (e.g. 4, 6, 23, 36 and 40), DFO will be committing new resources in 2005 to enforcement, catch monitoring, resource management and science/stock assessment to address a number of the issues outlined in the report. However, it is not possible to fund all the initiatives outlined. The Department has many priorities</p>

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	River sockeye and conserving the resource. DFO should be directed to make a submission for additional funds, particularly in the areas of deficiency identified by this review. (p. 47)	and must balance the needs of all programs in making annual allocations to the various programs.” “In terms of salmon management, the Department would be open to discussing annual priorities and funding needs with stakeholders through the Integrated Harvest Planning Committee process. However, DFO ultimately has to consider a wide array of demands to determine its funding priorities in the budget planning process. There will never be enough money to undertake all the tasks and a rigorous prioritization process will be important.”
44	The PSC FRP is the critical link in management of Fraser sockeye. The Canadian consultative and management structures for all fisheries impacting on Fraser sockeye should be integrated with the Canadian section of the FRP. In particular, First Nations’ consultative processes must be fully engaged with that process. In addition, the Canadian chair of the FRP should be the senior authority on all fisheries management decisions relating to Fraser sockeye throughout the South Coast and be empowered to make those decisions on a timely basis. (p. 48)	<u>Initial Response</u> “Agree - The management of Fraser River sockeye is complex and involves both domestic and international considerations in the management decision process. A central coordination point is critical in making timely decisions. The Department has empowered the Canadian Chair of the Fraser River Panel to be this focal point. The Canadian Chair of the Fraser River Panel provides updates and seeks input as appropriate from the Regional Director of Fisheries and Aquaculture Management, the Regional Director of Science, and the Regional Director General of Pacific Region.” “DFO also agrees that the consultation process has to include and respect First Nations’ fishing interests, and that strong participation by First Nations in the process is essential. As well, the Government of Canada has a fiduciary responsibility for bilateral consultation with First Nations.” “For the medium to long term, a more effective framework for managing Fraser salmon species is needed. Two possible options include the creation of a Commission or restructuring the Canadian Caucus of the Fraser River Panel to capture more effectively the interests (e.g. increased First Nations membership) and area of responsibility beyond Fraser River Panel waters. In considering a new kind of arrangement, a primary objective would be to develop a more effective relationship building process between First Nations and non-Aboriginal fishers.” <u>Subsequent Response:</u> There has been no specific change to the makeup of the FRP. However First Nations continue to be represented on the FRP and efforts are made to ensure that decisions are relayed to First Nations in a timely manner.

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45	DFO should vigorously pursue solutions to resource sharing and aboriginal claim accommodation. (p. 48)	<p><u>Initial Response</u></p> <p>“Agree - This is a high priority for both the Government of Canada and DFO. The October 2004 Speech from the Throne and the 2005 Budget both spoke to the need to address First Nations’ issues more proactively. The Joint Task Group and First Nations Panel reports also provide strong guidance to move forward with addressing issues of access and allocation between First Nations and non-Aboriginal fishers. In addition, the Minister’s recent Pacific Fisheries Reform announcement (April 14, 2005) highlighted the importance of increasing access to economic opportunities by First Nations, which would involve close collaboration with Indian and Northern Affairs Canada.”</p> <p><u>Subsequent Actions</u></p> <p>Work has continued with a number of First Nation communities under the PICFI (One Fishery for All of us Canada’s New Government Delivers on Promise to Integrate Pacific Commercial Fishery and One Fishery for All of Us).</p>
46	The Committee heard repeated complaints by both DFO staff and fisheries stakeholders about the inadequate level of financial resources available to the department. There exists a strong public perception that reductions in the Pacific region budget are not consistent with good management. Since our Committee has not had the time nor expertise to undertake an objective examination of the region’s financial situation, we recommend strongly that such a task be undertaken by an appropriate outside agency. (p. 48)	<p><u>Initial Response</u></p> <p>“Agree with qualifications - There is a need to provide additional resources for some key programs. In particular, additional resources are needed to improve fisheries enforcement, catch monitoring and salmon stock assessment programs. For 2005, additional resources will be provided to improve all of these programs on the Fraser River (see comments under the assessment, catch monitoring, temperature, and gear impact and enforcement sections).”</p> <p>“In the medium to long term, the Department will take steps to clarify its integrated business planning and budget process. Communication of this process will be through the Integrated Harvest Planning Committees. However, it must be understood that the public expectation for providing resources will always be greater than government’s ability to deliver. To address this concern, long-term funding mechanisms must include the development of strong and durable partnership arrangements with outside agencies (e.g. Pacific Endowment Fund, The Salmon Foundation, Fraser Basin Council, etc.). These organizations all have a keen interest in the management of Pacific salmon and are interested in finding solutions. They have organizational structures in place to facilitate discussions and program delivery and also have the capacity to facilitate discussions on key issues.”</p>

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		<p><u>Subsequent Actions</u></p> <p>Since 2005, increased funding has been made available to support enforcement, catch monitoring, governance and stock assessment. Since 2007, PICFI has provided funding to support a number of objectives including reducing the size of the commercial fleet, increasing First Nations participation in the fishery, improving the management of stocks through a variety of approaches (improvement to fishery monitoring and catch reporting and experimenting with individual quotas) and improving the decision making process. The development of catch monitoring objectives and conduct much needed consultations on this issue http://www.pac.dfo-mpo.gc.ca/fm-gp/picfi-ipcip/index-eng.htm</p> <p>There continue to be ongoing projects with other funding partners Pacific Salmon Foundation and Fraser Basin Council that continue to support the building of relationships.</p>
47	That DFO form a cross-sectoral committee, and produce a work plan for addressing the completeness of responses to past recommendations, and for responding to ‘new’ recommendations contained in the current review. (p. 59)	<p><u>Initial Response</u></p> <p>“Disagree - The 2004 Review provides a thorough assessment of Fraser River sockeye issues in 2004, and a solid basis from which to move forward. As such, the Department will not be establishing a new committee to review previous reports and their recommendations. The 2004 Review has evaluated previous reviews of Fraser River salmon fisheries dating back to 1994 and determined that DFO has responded to most of the recommendations. The 2004 Review goes on to highlight challenges such as mixed stock fishery complexities, competing stakeholder aspirations, environmental deterioration, diminishing budgets, information and communication challenges and changing demographics as core issues.”</p> <p>“Fundamental reforms are required to solve the problems underlying the circumstances of the 2004 Fraser sockeye fishery. The Minister’s April 14th, 2005 announcement of Pacific Fisheries Reform lays out a strategy to guide the work that is required over the next number of years. In addition, extensive work is required to resolve long standing conflicts between First Nations and non-Aboriginal interests. New institutional arrangements need to be considered to address the serious relationship issues.”</p>

GLOSSARY OF ACRONYMS:

Acronym	Definition
AAROM	Aboriginal Aquatic Resource and Oceans Management
AFS	Aboriginal Fishing Strategy
AHC	Area Harvest Committee
AHPC	Area Harvest Planning Committee
ATP	Allocation Transfer Program
BC	British Columbia
BCAFC	British Columbia Aboriginal Fisheries Commission
BCI	British Columbia Interior
BCWF	British Columbia Wildlife Federation
BIEAP	Burrard Inlet Environment Action Plan
C&P	Conservation and Protection
CEAA	Canadian Environmental Assessment Act
CESD	Commissioner of the Environmental and Sustainable Development
CFAR	Canadian Fisheries Adjustment and Restructuring
CFDCs	Community Futures Development Corporations
CFIC	Commercial Fishing Industry Council
CFV	Commercial Fishing Vessel Licence
CFVT	Canadian Fishing Vessel Tones
CHPC	Commercial Harvest Planning Committee
COSEWIC	Committee on the Status of the Wildlife In Canada
CPUE	Catch Per Unit Effort
CRF	Consolidated Revenue Fund
CS	Consultation Secretariat

Acronym	Definition
CSAB	Commercial Salmon Advisory Board
CSAS	Canadian Science Advisory Secretariat
CSHAB	Commercial Salmon Harvesters Advisory Board
CTC	Canadian Tourism Commission
CUs	Conservation Units
DEPOMOD	Modelling program to predict deposition of fecal matter from salmon farms on the benthic environment
DFO	Department of Fisheries and Oceans
DIAND	Department of Indian Affairs and Northern Development
DIDSON	A Type of Dual-frequency Identification Sonar
DOE	Department of the Environment
EC	Environment Canada
EMA	Environmental Management Adjustment
EMP	Estuary Management Plan
ENGOS	Environmental Non-Governmental Organizations
EPMP	Environmental Process Modernization Plan
ESSR	Escapement Surplus to Salmon Spawning Requirements
F/O	Fisheries Officers
FAM	Fisheries and Aquaculture Management
FAW	Fraser Watershed Agreement
FAWCR	Finfish Aquaculture Waste Control Regulation
FBC	Fraser Basin Council
FBMB	Fraser Basin Management Board
FHIIP	Fish Habitat Inventory and Information Program
FN	First Nations

Acronym	Definition
FNHPC	First Nations Harvest Planning Committee
FRAP	Fraser River Action Plan
FREMP	Fraser River Estuary Program
FRP	Fraser River Panel
FSC	Food, Social, and Ceremonial
GVRD	Greater Vancouver Regional District
HADD	Harmful Alteration, Disruption or Destruction
HMP	Habitat Management Program
HRDC	Human Resource Development Canada
HRSEP	Habitat Restoration and Salmon Enhancement Program
HRTC	Habitat Referral Tracking System
IDR	Institute for Dispute Resolution
IFMPs	Integrated Fisheries Management Plans
IHPC	Integrated Harvest Planning Committee (Salmon)
IRF	Integrated Regional Forum
ISDF	Integrated Salmon Dialogue Forum
ITQs	Individual Transferable Quotas
JPC	Job Protection Commissioner
JTC	Joint Technical Committee
JTG	Joint Task Group
LFAFC	Lower Fraser Aboriginal Fisheries commission
MA	Management Adjustment
MAFF	B.C. Ministry of Agriculture, Fisheries and Food
MCC	Marine Conservation Caucus
MELP	B.C. Ministry of Environment, Lands and Parks

Acronym	Definition
MOE	Marine Enforcement Officer
MOU	Memorandum of Understanding
NBBC	Native Brotherhood of British Columbia
NCE	Network of Centers of Excellence
NGOs	Non-Governmental Organizations
NNFC	Northern Native Fishing Corporation
NNL	No Net Loss Principle
OAG	Office of the Auditor General Canada Report
ORR	Observe-Record-Report
PAC	Policy Advisory Committee
PARC	Pacific Regional Council
PATH	Program Activity Tracking for Habitat
PCO	Provincial Conservation Officer
PFAR	Pacific Fishery Adjustment and Restructuring Program
PFRCC	Pacific Fisheries Resource Conservation Council
PICFI	Pacific Integrated Commercial Fisheries Initiative
PSA	Program for Sustainable Aquaculture
PSARC	Pacific Scientific Advice Review Committee
PSC	Pacific Salmon Commission
PST	Pacific Salmon Treaty
RCMP	Royal Canadian Mounted Polices
RDG	Regional Director General
RHPC	Recreational Harvest Planning Committee
RHQ	Regional Headquarters
RJ	Restorative Justice

Acronym	Definition
RWA	Regional Working Agreement
SARA	Species at Risk Act
SCOFO	Standing Committee on Fisheries and Oceans
SCORE	Sub-Committee on Options for Review and Evaluation
SEF	Southern Endowment Fund
SEHAB	Salmon Enhancement Advisory Board
SEP	Salmonid Enhancement Program
SFAB	Sport Fishing Advisory Board
SHMPs	Integrated Salmon Harvest Management Plans
SISS	Stream Information Summary System
SLICE	Enamectin benzoate, a therapeutant manufactured for the control of sea lice in farmed salmon
SSMP	Salmon Stock Management Plan
TAC	Total Allowable Catch
TAPD	Treaties and Aboriginal Policy Directorate
US	United States of America
UBCM	Union of British Columbia Municipalities
UFAWU	United Fishermen and Allied Workers' Union
UIC	Unemployment Insurance
WCB	Workers Compensation Board
WCVI	West Coast Vancouver Island
WED	Western Economic Diversification Canada
WSP	Wild Salmon Policy