

RE-EXAMINATION QUESTIONS FOR ROB MORLEY

1. Mr. Ryall testified about the surveillance audit conducted by the Marine Stewardship Council (MSC) in mid-May for BC sockeye, including that he expects a favourable outcome. With respect to Exhibit 969, a document given the title “Status Report on Marine Stewardship Certification”, Mr. Ryall testified that he put this document together with input from a lot of Pacific Region staff for MSC’s surveillance audit in May.
 - a. Do you have any evidence to provide regarding the current status of implementation of the DFO Action Plan for MSC certification of sockeye? (RWM response) – I have no more evidence than that already provided by Mr. Ryall.
 - b. Did you participate in the surveillance audit or meet MSC representatives? (RWM response) – As a representative of the fishery certification client (Canadian Pacific Sustainable Fisheries Society) I attended meetings between the certifying assessment audit team (Moody Marine) and the Department of Fisheries and Oceans representatives.
 - c. If so, did you learn of the MSC’s views regarding the status of and progress in implementation of the DFO Action Plan for MSC certification? (RWM response) – The MSC as an organisation had one representative, Mr. Dan Averill at the meetings for one day. He did not provide his views on the status and progress of the DFO Action Plan. I would concur with Mr. Ryall’s testimony that the audit team indicated generally positive views on the DFO’s Action Plan performance, but they had not had all of their meetings with other stakeholders at that time, indicated their views were preliminary until they completed their meetings and analysis of all of the information being presented.
 - d. Did you or other industry representatives receive a copy of Exhibit 969 from DFO or by MSC representatives? (RWM response) – Christina BurrIDGE and I, as representatives of the client fishery received copies of Exhibit 969. I do not know if any other industry representatives received a copy.
2. Exhibit 969 does not mention a particular Strategy 4 commitment made in the DFO Action Plan for MSC certification (Exhibit 159). Specifically, the Action Plan states in the table at page 9 that, in order to “Implement WSP Strategy 4: Design

and implement a fully integrated planning process for salmon conservation”, DFO will “Define a regional framework for integrated planning”.

- a. Have you seen any proposed or draft DFO regional framework for integrated planning? (RWM response) – No, I have not.
 - b. Have you or other industry representatives been consulted by DFO on any regional framework for integrated planning? (RWM response) – I have not been consulted on this, nor am I aware that any other industry representatives have been consulted on a regional framework for integrated planning.
3. Mr. Ryall testified that the United States has “a slightly different view than Canada as far as what a Wild Salmon Policy would look like. I don’t think they necessarily totally agree with our view of what the conservation units are.”
 - a. Based on your interactions with the Fraser River Panel, what is your understanding of the U.S. Government’s views, if any, on the WSP? (RWM response) – I do not know what the official “U.S. Government’s” views are on the wild salmon policy. Within the structure of the Fraser Panel there are several different state, federal, and tribal government representatives who all have slightly different perspectives on how to manage salmon populations. Their approach to stock units for their domestic management purposes are rooted in their own legal structure for fisheries management and endangered species which may differ from the the definition of conservation units in the WSP. I believe the US Fraser panel members recognize it is Canada’s responsibility and prerogative to establish escapement targets for stocks, stock grouping or conservation units as we solely determine. The issue is how to provide for meeting these goals through managing fisheries in their waters and Canadian waters using the four management or run timing aggregates in the treaty annex. The issue is what rules should be applied when components of a run timing aggregate group are not meeting targets and what level of bycatch rate or mortality is acceptable in those instances.
 - b. Have you heard any concern from United States representatives regarding the conservation units identified by Blair Holtby and Kristina Ciruna? (RWM response) No, I haven’t.
4. Counsel for Canada tendered the draft 2011-2012 Integrated Fisheries Management Plan (IFMP) as Exhibit 942. Mr. Ryall testified about the

incorporation of the recovery objectives from the 2005 Cultus Lake Recovery Strategy into the 2011-2012 IFMP.

- a. Do you know why the 2011-2012 IFMP does not incorporate and manage to the provisional abundance-based benchmarks identified for Cultus Lake sockeye under the WSP? (RWM response) – I was aware that there is a Draft report on Fraser sockeye CU status and benchmarks, but not aware that any final report has been accepted by CSAP and published, so I not aware that abundance based benchmarks have been established.
- b. Should it? (RWM response) Setting benchmarks is only one of the initial steps in the process of developing a comprehensive plan to protect and management salmon populations for maintenance of genetic diversity and sustainable fisheries under the WSP. Identifying threats and/or issues facing all of the CU's in the Fraser, including Cultus Lake sockeye, analysing potential rebuilding plans for CU's assessed in the "red" zone and evaluating various possible fisheries and habitat management options are a critical part of the process. Once that comprehensive planning and evaluation process is undertaken, and the Minister of Fisheries and Oceans has made a decision on a course of action, I would expect that the goals and means of achieving those goals would form part of the annual fisheries management process and would be included in the IFMP. At present we are far from achieving this result. The interim plan for protecting Cultus Lake sockeye, at this point, is correctly based on the interim goals established in the 2005 Cultus Lake Recovery Strategy and the Minister's annual assessment of the broader impact of the Fraser sockeye management plan on all populations and fisheries dependent on them.