

SUMMARY OF ANTICIPATED EVIDENCE

PAUL SPROUT

Former DFO Regional Director General

17 November 2010

Mr. Sprout's involvement in the development of the Wild Salmon Policy

- Mr. Sprout will say that he returned to the Pacific Region in fall 2003. Between 2003 and 2005, he was not continuously serving as the Regional Director General (RDG) of DFO Pacific Region.
- He will say that, at the time he returned, the development of the Wild Salmon Policy (WSP) had stalled, due to several reasons including a lack of effective internal departmental engagement and understanding.
- He will say that he became indirectly involved in the development of the WSP during the period that Pat Chamut was the Special Advisor on the WSP, as a member of the senior management team. As the WSP neared finalization in late 2004 and 2005, he became more directly involved, including through his frequent discussions with Mr. Chamut, attendance at public consultations, presentations to stakeholders, and a presentation to the Departmental Management Committee (DMC) in May 2005.
- He will say that Mr. Chamut's involvement and leadership was one of the keys to reinvigorating and focusing the policy development effort.
- He will say that DFO's consultations on the draft WSP, in the first half of 2005, were a successful and positive experience for the department. He will say that public, stakeholder and First Nations input improved the final version of the WSP.
- He will identify those consultations that, to his recollection, he attended in 2005.
- He recalls that the Province, through Bud Graham, expressed concern about aspects of the WSP and its possible implications, especially during the earlier stages of its development.
- He will agree that, in 2005, some stakeholders expressed the concern that DFO lacked sufficient commitment or capacity to implement the WSP upon its completion.
- He will say that the WSP was a challenging and ambitious policy to develop.
- If asked if the WSP was "transformative", he will say that, in some ways, it simply codified and reinforced changes that DFO had been making since the 1990s in managing Pacific salmon fisheries. In this respect, he gives the example of DFO's management of coho in the late 1990s. However, he will also say that elements of the WSP were transformative, such as its attempt to integrate fisheries management with habitat and ecosystem assessment and management.
- In hindsight, he would not change any text of the WSP. He will say that it is a good policy, indicated by the fact that the department ultimately achieved a high level of internal and external consensus on the WSP.
- If asked about the June 24, 2005 press release announcing the WSP, he will say that this was very optimistic because, at the time, ongoing incremental increases in funding had not been committed to WSP implementation.

Accountability for WSP implementation

- Mr. Sprout will say that, within Pacific Region, accountability for WSP implementation lies with the RDG position.

- He will describe what his specific accountabilities and responsibilities were for WSP implementation as the RDG from 2005-2010.
- He can explain how WSP implementation is managed in the Pacific Region. He will provide his understanding of which branches/sectors and Areas have responsibilities for the various WSP Strategies and Action Steps.
- He will explain the timing of, and reasons for, the Pacific Region's decision to assign the Policy branch responsibility for the coordination of WSP implementation. He will explain the various structures and processes that the Policy branch employs to coordinate WSP implementation.
- He can explain whether and how the RDG and National Headquarters (NHQ) cooperated on WSP implementation, including to what extent WSP accountabilities are documented in service level agreements between the RDG and NHQ.

The WSP implementation planning and funding approach adopted by the RMC in 2005

- Mr. Sprout will say that he was the RDG of Pacific Region in the second half of 2005.
- He will provide his recollections of the Regional Management Committee (RMC) meetings of August 9, 2005 and September 20, 2005, including with reference to the RMC Records of Decision and the related presentation materials.
- He will be asked about the "phased approach" approved by the RMC on August 9, 2005.
- He will be asked about the cultural or attitudinal shift required to implement the WSP, with reference to the draft WSP implementation workplan dated September 20, 2005.
- With reference to page 35 of the WSP, if asked whether DFO ever created and released an Implementation Plan, he will say that DFO did develop an Implementation Plan and creates internal annual WSP work plans that constitute the department's actions towards implementing the plan. He believes that an "Implementation Plan" connotes activities, tasks and timelines and that these had to be funded within existing program budgets, except where new or incremental funds may have been provided..
- He will be asked about DFO's commitment to consult First Nations on a WSP Implementation Plan, including with reference to the Memorandum entitled "Update on First Nations Participation on WSP Implementation".
- He will be asked about the RMC's August 9, 2005 decision to defer consultation with First Nations on WSP implementation. He will say that the DFO undertook a series of public consultation efforts, through the Policy branch, that included meetings with First Nations.
- He will describe the initial incremental funding (\$1.1 million), in addition to existing program budgets, secured by the Region for WSP implementation in 2005-2006.
- He will describe the process used in that fiscal year, and in subsequent fiscal years, by which the Region and its branches sought funding from NHQ for WSP implementation. He will describe how initial incremental funding has eroded for WSP implementation over the last 5 years.
- He will explain the financial and staffing significance of the fact that the WSP is a policy rather than a program.
- He will say that the WSP did not envisage new resources and that he is not aware that the Region did any analysis of what full implementation of the WSP would cost, and never provided any implementation cost estimate to NHQ.
- He will say that no new financial resources were assigned to the Region to implement the DFO Action Plan for Marine Stewardship Certification (MSC) conditions, including conditions related to the WSP.

Implementation of WSP Strategies 1-3 to date

- Mr. Sprout will say whether he agrees with the implementation chronology set out in the commission's WSP Policy and Practice Report
- He will provide his views and explanations of the timeliness and comprehensiveness of DFO's implementation, to date, of Strategies 1, 2 and 3.
- He will provide his understanding of what consultation has occurred with First Nations regarding the identification of CUs
- He will provide his understanding of what the implications are, under the WSP, of a Conservation Unit (CU) being assessed below a lower benchmark. He will provide his understanding of whether any CU benchmarks have been established and whether any formal planning or decision-making process exists for addressing CU status falling below a lower benchmark.

Are changes needed in how the WSP is implemented and resourced?

- Mr. Sprout will say that there are important challenges to WSP implementation. He will say that a key challenge to implementation is a lack of new funding. However, he will also say that additional funds are not a panacea, and that any additional funds for WSP implementation should be strategically focused.
- He will say that another challenge to WSP implementation is cultural. For the WSP to be successfully implemented, he believes it must become part DFO's organizational culture. From his perspective, DFO Science has culturally embraced the WSP, although needs to consider how this can best be implemented within existing resource levels; DFO Fisheries and Aquaculture Management (FAM) is demonstrating good evidence of adopting the WSP as part of its culture. On the other hand, from his perspective, DFO Oceans, Habitat and Enhancement (OHEB) lacks the capacity to fully implement the WSP, as it has a limited budget and is principally focused on reacting to external challenges and accommodating other program and client needs. In his view, OHEB has made the least progress on WSP implementation.
- He will agree that for the WSP to be successfully implemented, it must be supported by National Headquarters (NHQ), including at the ministerial level. He will say this is necessary to ensure that the WSP is part of DFO's organizational culture.
- He will agree that responsibility for WSP implementation is widely dispersed across the department.
- He will provide his views on the potential merits of assigning responsibility for WSP implementation to a new "WSP Director" executive position, with lead responsibility for ensuring timely WSP implementation.
- With reference to page 36 of the WSP, he will explain his view that DFO cannot ensure alone that the WSP is fully implemented. In his view, implementation of WSP, particularly strategic integrated planning, ultimately requires a transformation in federal-provincial partnerships and other governance arrangements, focused at the watershed level. He will concede that it is his perception that the Province has lost capacity internally to partner with DFO on fish habitat conservation, including through the lens of the WSP and integrated watershed planning.

Decision to defer the independent five year review under Strategy 6

- Mr Sprout will say that he recalls a preliminary discussion between him and the Regional Directors about the independent five year review required under Strategy 6, Step 6.2. He believes that this discussion occurred in May 2009 at a meeting of the Strategic

Directions Committee.

- He recalls that this discussion addressed deferring the Strategy 6 review. He will say that there was a strong view, at this meeting, that the Strategy 6 review should be delayed for a year, although he does not recall an actual decision to that effect.
- He recalls thinking that it would benefit the independent five year review, and the implementation of the WSP, to have more information before commencing the review. He believes that the Regional Directors shared this view. Specifically, it was discussed that, absent an infusion of funds to assist with implementing the WSP action steps, it would be important for the review to evaluate whether and how the WSP is becoming culturally embedded within the Region and more widely in DFO. He believes it is important not only to assess whether the Region has attracted new resources for WSP implementation, but to consider what it has done with the existing resources to embed the WSP as a culture at DFO.
- Apart from the question of funding, he recalls the Regional Directors expressing the view that what should be assessed is to what extent the WSP has influenced DFO daily operations, and not simply whether DFO has performed the tasks set out in its annual WSP work plans. He shared the view that an independent assessment of DFO's implementation would be better informed by more information and analysis regarding DFO staff attitudes towards the WSP and how it influences their work generally.
- He does not recall any discussion before he departed DFO of who might be retained to do the independent five year review.
- He will say that SDC does not make or record decisions, but is a forum for discussion.
- He does not believe that the Strategy 6 independent five year review was discussed by the RMC or Operations Committee in 2009, or before he departed as RDG in May 2010. He does not recall if it was discussed at the June 25, 2009 Operations Committee meeting.
- He will be asked whether he views the timelines in the WSP as mandatory.
- He will be asked whether he understands "independent" to mean that the independent five year review will be conducted by somebody external to DFO, and if so, whether that external person or organization should be involved in creating the terms of reference.
- He will say that there is a potential role for a small group of external stakeholders or experts in advising on the terms of reference or criteria for the independent five year review. He will say there will be challenge in finding a reviewer perceived as independent and credible. He will say that a small advisory group with different perspectives could help to build consensus on the choice of reviewer or review teams, and on the terms of reference.
- He will say whether he agrees that DFO's successes and challenges in meeting the commitments outlined in its internal annual WSP work plans, between 2005-2006 and 2009-2010, should be part of the Strategy 6 independent five year review.
- He recalls generally that, during the development of the WSP, there was a strong interest in having the future implementation of the WSP be evaluated. He recalls that including the Strategy 6 review in the WSP was seen as giving more credibility to DFO's commitment to implement the WSP.