

Pacific Fishery Reform

Building a Sustainable Fishery
A response to the reports of the
Joint Task Group and First Nations Panel

April 14th, 2005

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I THE CONTEXT

- Uncertainty about the future related to slow pace of First Nations treaty negotiations, SARA, environmental impacts
- First Nations frustration with current access to fisheries resources for domestic and economic purposes
- Dismal economic performance in the commercial salmon fishery
- Allocation conflicts, particularly in the salmon fishery
- Upcoming implementation of the Wild Salmon Policy and the move to more selective salmon fisheries to avoid weak stocks.
- Conservation and management challenges

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II THE JTG and FNP REPORTS

- The Joint Task Group report (JTG) was mandated by BC and DFO to provide recommendations on reforms to Pacific fisheries that would;
 - improve economic performance
 - facilitate treaties with First Nations
- The First Nations Panel report (FNP) provides the FN perspective on reforms to build a sustainable fishery that will address FN interests.
- Both reports have highlighted the urgent need for changes in management of the salmon fishery.
- While there are similar themes in both reports, there are some differences that require a complementary and coordinated approach.

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III - The Views of First Nations and Stakeholders

- Consultations were held with over 30 First Nations and stakeholder organizations from October 2004 to March 2005, to assess;
 - concurrence with recommendations
 - alternative actions to overcome deficiencies

- There was general support for;
 - adoption of co-management, with increased stakeholder input to decision making
 - transitional arrangements to augment economic access for First Nation communities
 - transfer of access to First Nations through a voluntary license retirement program
 - adoption of more flexible management regimes to optimize harvest and maximize value.

- As well, support was evident within fishery sectors for enhanced security of harvest shares, and longer term tenure in the fishery

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III - The Views of First Nations and Stakeholders

- ▶ There are sharp divisions over other key provisions – most notably the introduction of ITQ's for management of the salmon fishery,
 - FN are opposed to ITQ's due to perceived impacts on employment, corporate concentration, and higher costs for treaty settlement
 - Recreational fishermen insist that the current allocation priority for the recreational sector be assured
 - The commercial sector is divided;
 - some support ITQ's (to maximize value of the catch, and reduce participation and cost)
 - some are opposed (operational concerns, loss of employment, corporate concentration)

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IV ASSESSMENT

There are a variety of factors that must be taken into account in developing a response to the JTG and FNP reports

- There is agreement that the status quo is unsatisfactory, but no consensus on what changes are desirable
- No viable alternative recommendations have been identified.
- There are legal, operational and financial challenges to the immediate implementation of the JTG and FNP recommendations
- Further consultations are required to fully develop and seek agreement on specific reforms

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V THE RESPONSE

- An approach to reform that is sensitive to the current context and includes essential elements to promote conservation and improve cooperation among harvesting interests.
- A commitment to reform guided by a Vision and Principles, particularly in Pacific salmon fishery, is being announced in 2005.
- Specific fishery reforms will be announced and implemented beginning in 2006.
- 2005 will serve as a transition year to build the necessary foundation for specific reforms.
- The approach is designed to overcome current barriers to reform, and to build greater confidence and support for an agenda for change.

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VI A BLUEPRINT FOR REFORM

There are four main themes in moving forward on reforms in Pacific fisheries:

- Sustaining strong salmon populations by setting clear conservation objectives based on the principles of the Wild Salmon Policy;
- Strengthening DFO programs that are critical to conservation, such as habitat protection, enforcement and the scientific assessment of stocks;
- Making progress over time on increasing First Nations' access to economic fisheries in collaboration with First Nations and Indian and Northern Affairs Canada; and
- Improving the economic performance of fisheries so that they reach their full potential, provide certainty to participants and optimize harvest opportunities.

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V ACTION PLAN FOR 2005

The following measures will be implemented in 2005:

1. Announcement of a Vision and principles for the fishery and a commitment to reform.
2. Release of the final Wild Salmon Policy.
3. Work with First Nations to improve access to adequate fisheries resources for food, social and ceremonial purposes.
4. Implement interim steps to enhance First Nations commercial access, and prepare a comprehensive longer term approach.
5. Design and introduce of building blocks for reform (data management, catch monitoring in all fisheries, new regulatory and legislative needs)
6. Consult with Commercial Salmon Advisory Board on approaches to clarifying and confirming fleet shares within the commercial fishery.
7. Conduct demonstration projects (explore additional fishing opportunities, maximize benefits from available surplus stocks, improve co-management, more flexible harvest management).

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V ACTION PLAN FOR 2005 cont'd

- 8 Work with the Commercial Salmon Advisory Board and First Nations to develop an approach to defining harvest shares for commercial licenses for the purpose of transferring allocations to First Nations.
- 9 Consult with FN and stakeholders on specific reforms based on the Vision and Principles.
- 10 Although the above activities address salmon fisheries primarily, the Vision and Principles will apply to other fisheries and consultations will be required to inform decisions about specific reforms in these fisheries as well.
- * Announcement of specific reforms in the salmon fishery will be made in the spring of 2006.

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VI VISION AND PRINCIPLES

Long-term vision of Pacific fishery reform:

- Full economic and social potential of the resource is achieved.
- First Nations fishing interests are defined and reconciled with the interests of all Canadians.
- There is public, market and participant confidence that the fishery is sustainable.
- Participants are self-reliant and able to self-adjust.
- Participants are treated fairly and equitably and are involved in decision-making and share accountability for the conduct of the fishery.
- Costs of management are shared by those who benefit from the harvest.
- All fishery participants enjoy certainty and stability necessary for business planning.
- Equitable treaty-based fisheries are achieved.

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VI VISION AND PRINCIPLES

Principles – The introduction of changes to the management of Pacific fisheries will be consistent with these principles:

- Conservation is paramount (consistency with the Wild Salmon Policy)
- Consistent legal framework
 - Pacific fish resources are a common property resource managed by the Minister of Fisheries and Oceans;
 - 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.
- Aboriginal and treaty rights of First Nations
 - First Nations access to food, social and ceremonial fisheries will be respected; and
 - First Nations interests in increased economic access will be addressed in a manner consistent with Canada's treaty process.

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VI VISIONS AND PRINCIPLES

The Principles (cont'd)

- Fair transfer of fishing opportunity
 - Transfer of economic fishing opportunity to First Nations will be accomplished through voluntary licence retirement from willing sellers, and within existing programs, to mitigate impacts on established fishers.
- Stable resource access and allocation
 - 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.

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VI VISIONS AND PRINCIPLES

The Principles (cont'd)

- Responsibility and accountability
 - First Nations and stakeholders will assume a greater role in operational decision making and program delivery through effective co-management processes.
- Management regimes for commercial fishery
 - Fleets will be enabled to self-adjust;
 - Resource management practices will be designed to optimize economic performance while meeting conservation objectives;
 - Fleets will have the capacity to assume a larger share of the cost of management of their fishery;
 - Catch monitoring and independent validation will be implemented; and
 - Measures will be adopted to provide confidence that adequate compliance is achieved.

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VII CONCLUSION

The preceding approach provides a pragmatic framework for addressing necessary reforms in the Pacific salmon fishery. It will:

- allow for finalization of the Wild Salmon Policy and respond to the William's post season review
- enable further work to evaluate the feasibility and benefits of reforms, and build greater consensus
- provide necessary building blocks to be in place to support proposed reforms
- provide time for addressing First Nations aspirations
- facilitate ongoing treaty negotiations
- respect obligations for consultation with First Nations and stakeholders