

# 2010

## Exploring Ways to Improve Our Understandings Around Monitoring and Compliance



## Lower Fraser Salmon Fisheries



### IMPROVING...

- RIVER MANNERS
- UNDERSTANDINGS AROUND MONITORING AND COMPLIANCE
- PUBLIC CONFIDENCE IN THE FISHERIES

Dave Moore Executive Director  
Fraser River Salmon Table  
11/17/2010

## Acknowledgements

The “*River Manners*” field trip to the Fraser River salmon fishery, and the body of discussion in this workshop was the result of efforts by many individuals and organizations that care for the salmon and wish to create a better Fraser salmon fishery.

The following summary report was prepared by the Fraser River Salmon Table on behalf of a collaboration involving interests and managers.

Salmon Table would like to acknowledge the time invested by the Lower Fraser DFO office, DFO’s Office of Enhanced Accountability, and the Fraser Valley Aboriginal Fisheries Society to provide information and presentations on monitoring and compliance.

Transportation and hospitality on the field trip to the lower Fraser River was provided by the fleets of BC Sport Fishing Group and STS Guiding Service.

The forum acknowledges and thanks Kwantlen First Nation for the welcome to their territory within *Sto:lo* Nation.

This project would not be possible without the commitment to the effort demonstrated by a number of area First Nations<sup>1</sup> and some of BC’s leading sport fishing, conservation organizations<sup>2</sup>, the Fraser Basin Council and the RCMP.

This effort also enjoyed the support and guidance of the Integrated Salmon Dialogue Forum and Monitoring and Compliance Panel, led by Barry Stuart and Glen Sigurdson. Stephen Geiger of Edge Consulting assisted with workshop notes. Jessica Bratty, CSE Group also contributed to the workshop organization and notes.

This project was made possible through the generous contributions of Fisheries and Oceans Canada and the Fraser Salmon and Watershed’s Program.

These workshop notes represent a summary of issues and opportunities discussed. Any misinterpretations, errors or omissions are the sole responsibility of the author.

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<sup>1</sup> in particular *Sto:lo Tribal Council, the Sto:lo Nation, Kwantlen, Chehalis, Shxw̓ha:y, and others*

<sup>2</sup> in particular *Pacific Salmon Foundation-Fraser Salmon and Watershed’s Program, BC Wildlife Federation, BC Federation of Driftfishers, Fraser Valley Salmon Society, Fraser Valley Angling Guides Association, Watershed Watch, and others*

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## EXECUTIVE SUMMARY

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On August 13, 2010, a joint working group of lower Fraser First Nations, sport fishing and conservation organizations took to the lower Fraser River to talk with managers and the public about river manners, public confidence in the fishery, and ways to improve understandings around monitoring and compliance. This report summarized the key issues and themes arising from a follow-up workshop on November 17, 2010. This project was organized by the Fraser River Salmon Table with assistance from the Monitoring and Compliance Panel<sup>3</sup> and funding from DFO and the Fraser Salmon and watershed's Program.

The workshop provided the opportunity for discussion about monitoring and catch reporting practices in the lower Fraser salmon fisheries in more detail. It was pointed out in the workshop that it requires all fisheries interests to work together and with managers to restore public confidence in the management of fisheries and demonstrate that progress is being made towards more orderly fisheries. Working with managers to improve catch monitoring systems is an important step in building the capacity of competing interests to get there.

The interest's panel, made up of representatives from sports and First Nations in the lower Fraser fishery, pointed out the need to make sure that commercial, First Nation, and recreational fisheries are all being treated fairly, and being asked to reach the same standards of catch monitoring, reporting, and compliance. There is a concern that unmonitored and illegal salmon harvest on the Lower Fraser continues to disrupt fair allocations in the fishery. There is also concern about accounting for catch and release mortalities. A catch and release mortality study on sockeye in the area is looking at sockeye survival rates after being caught by hook and line. Coincidentally that study also provides information on release survival from the seine net used as a control.

First Nations and a growing number of sports fishers are competing for space and time to fish. Confusion over monitoring practices, the accuracy and outcomes of catch accounting exacerbates the conflict. Sport fishing organizations and local First Nations have proposed a joint monitoring program to help get them there and have introduced a *River Manners* campaign to improve interactions between their fisheries on the river. A Peace-making project is being launched as one of the next steps to teach with conflict resolution skills within the groups. The *Shxw̓ha:y* First Nation, Chehalis and a number of other *Sto:lo* Bands have proposed with sport fishing groups that some of their night-time driftnet fisheries be authorized with mandatory landing sites and monitors. The result would reduce pressure on the daytime sport fishery over limited space. It was pointed out that this would be voluntary, would involve specific bilateral arrangements with DFO, and only a few First Nations are interested in piloting the night drift net fishery in a few specific locations. The panel pointed out that there are limited safe/secure launching areas along this stretch of river, only a few camping facilities, and trail access points to the more remote sites are poorly kept and over-used. This represents real opportunities to develop facilities for these

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<sup>3</sup> *Integrated Salmon Dialogue Forum*

fisheries, and to enhance economic benefits from the local fisheries in ways that engage First Nations who own lands along the shores of the lower Fraser gravel reaches.

DFO's emerging policy for fishery monitoring is being released for public review. The DFO Strategic Framework for Fishery Monitoring and Catch Reporting in Pacific Fisheries lays out the path for all fisheries to achieve common standards. DFO will roll this out through existing consultative processes. There is a need to build some common language and understanding used to describe the technical concepts, and there may be a need to improve communications between and among groups to sort out differences that may emerge between fisheries. Finally, a draft monitoring and catch reporting proposal has been advanced by members of the M&C Panel for consideration by the joint working group to implement ideas arising out of this workshop.

#### **A summary of the common themes discussed in the workshop included:**

1. Information / Awareness (products)
2. Communications tools (process)
3. Need for consistency in approaches and "obligations" for monitoring
4. Addressing illegal and unmonitored fisheries
5. Sharing conflicts in space and time on the river
6. Building economic benefits together
7. Compliance and enforcement responses / priorities

#### **Next steps**

- Schedule January meeting for Sport-FN WG and review the workshop outcomes and the fit with the groups' 12 point action plan for relevant M&C related actions;
- The groups should review the list of themes that reflect the discussion from this M&C workshop to determine how and where this adds clarity and detail to their work;
- Contribute to consultations on DFO's Strategic Framework for Fishery Monitoring and Catch Reporting through existing processes in ways that advance area-specific needs ("low beam") and inform broader ("high-beam") considerations;
- Consider proposed work plan advanced by the M&C Panel to implement outcomes from the workshop - extend further invitation to all sectors to participate in future sessions as appropriate to address M&C issues.



# Exploring Ways to Improve Our Understandings around Monitoring and Compliance

Date: November 17, 2010

Time: 9:00 - 4:00

Location: Holiday Inn Surrey (17530 – 64<sup>th</sup> Avenue, Surrey BC)

## Participant List

Name	Organization/Title
Bilal Cheema	Fraser Salmon and Watershed's Program/PSF
Bill Rabang	Shxw̓ha:y First Nation
Colin Masson	DFO Enhanced Accountability
Dave Barrett	Fraser River Salmon Table - FRST
Dave Moore	FRST- Fraser River Salmon Table
Deb Sneddon	DFO Lower Fraser Office, Sport Fisheries Manager
Dominic Hope	Yale First Nation
Ed George	BC Wildlife Federation
Erin Mussel	Fraser Valley Aboriginal Fisheries Society
Ernie Crey	Sto:lo Tribal Council
Frank Kwak	M&C Panel / FRST Fraser River Salmon Table/ Sport FN WG
Janet Gagne	DFO Lower Fraser Area Chief
Jessica Bratty	CSE Group
Joe Tadey	DFO Lower Fraser
Ken Malloway	Sto:lo Fisherman
Lee McCracken	BC Federation of Drift fishers
Len Carr	Area E
Les Antone	Kwantlen First Nation
Lekeyten (Natchie Antone)	Kwantlen First Nation
Louise Mussel	FRAFS- Fraser Valley Aboriginal Fisheries Society
Michelle Tung	PSF/FSWP - Fraser Salmon and Watershed's Program/PSF
Rod Clapton	BC Federation of Drift Fishers
Ryan McEachern	Area D Commercial
Sheldon Evers	DFO, Lower Fraser Office/LFA
Stephen Geiger	Edge Consulting
Terry Tebb	Pacific Salmon Foundation Executive Director PSF/FWSP
Tony Nootebos	Fraser Valley Angling Guides Association
Wayne Saito	M&C Panel / Province of BC



## INTRODUCTION TO THE FORUM: DAVE BARRETT, FRASER RIVER SALMON TABLE

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Tensions and high profile incidents in the lower Fraser Salmon Fishery have motivated both anglers and Aboriginal fishers in the area to find ways to reduce conflict. Both First Nations and sport fishing organizations are looking for ways to encourage cooperation among their members, and get along on the river. Working with managers to improve catch monitoring systems is an important step in building the capacity of competing interests to engage in problem-solving processes to reduce conflict in the fishery.

In mid-August 2010, the *Fraser River Salmon Table* and the *Monitoring and Compliance Panel* organized a field trip into the lower Fraser salmon fishery with a joint working group of sport fishing groups and area First Nations. Though focused on “river manners” participants provided far-reaching insights into building public confidence in the fishery and ways to improve understandings around monitoring and compliance.

This follow-up workshop has been planned to discuss monitoring and catch reporting practices and observations in the lower Fraser salmon fisheries among various interests in more detail. The goal is to find a way to achieve a greater level of understanding and trust in one-another’s catch numbers as the basis for improved decision-making in the fishery.

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## SETTING THE CONTEXT: ERNIE CREY, STO:LO TRIBAL COUNCIL

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The importance of monitoring and compliance cannot be understated as far as the Fraser Valley is concerned; for the last 3 decades governments, media and individuals have all had their opinions and appraisals of the salmon fishery.



Allot of focus in the past has been put on the *Sto:lo* Fishery. In 1992 a catch estimation program was implemented, and in mid-August 1992 we faced the first “missing salmon” scares on the Fraser, and the fishery was shut down. A number of weeks later Dr Peter Pearce and Dr Peter Larkin conducted their review/assessment of issues in the fishery. The pattern repeated itself in 1994 when John Fraser conducted a review of the fishery, and again in 2004 a lot of attention was focused on Lower Fraser between Port Mann and Saw Mill Creek where *Sto:lo* fishing activity was blamed for missing salmon. Former Justice Brian Williams conducted that investigation and report with the same conclusions pointing to weaknesses in various assessment and catch monitoring programs. In 2009 we have the Cohen Inquiry. It appears that we will continue to see this pattern repeating itself until we are satisfied that all fisheries and escapements are effectively monitored to provide us with defensible data.

Over last few decades, the *Sto:lo* community has taken a keen interest in monitoring of fisheries, and more recently has started to broaden its focus to look out towards all of the fisheries. For much of past decade, the *Sto:lo* leadership decided that best approach would be to find ways and means working together with other fisheries interests and DFO both in the Lower Fraser and coast-wide to achieve a better understanding and appreciation of the issues in fisheries monitoring and catch reporting in particular, and look for potential solutions.

We all recognize that right now the people that manage fisheries and fish on the coast are under the microscope. There is a public perception that there is something wrong with fisheries management on the coast, and it is not exclusive to sockeye salmon – this perception applies to all fisheries. Clearly we all should have gotten together a lot earlier to start talking and better understanding each other's fisheries, but we can't rewrite history.

Reality is that all sectors and governments are suspect in this public perception of a crisis in confidence in management of fisheries – so it requires all of us to play a part; we need to present a picture to public that although we might have differences in how we think the fisheries should be managed, we are working together on finding solutions. It will take time to restore public confidence in the management of fisheries, so we all need to continue to support and participate in processes like ISDF, M&C Panel, the Salmon Table, and others; each of these processes do important work that create opportunities for dialogue, build relationships, and ultimately advance solutions. Work with the Fraser River Salmon Table started with collaborations across interest to restore Cultus Lake Sockeye, but now it is broadening relationships between FN-Sport interests and reaching out to Commercial sector. This has become a critical part of our efforts to improve public perception of our fishery.

At the end of the day Justice Cohen will have to present recommendations to government for consideration and action; we can go in front of the Cohen Inquiry and/or media and bring up past issues, but will likely get same results as in past; or we can keep working together to get the types of improvements we want to see in the fishery, and make the best of the inquiry by providing examples of these types of actions that will actually improve fisheries for all of us.

Ernie Crey is the senior fisheries policy analysis for the *Sto:lo* Tribal Council and one of the founding board members of the Fraser River Salmon Table.

## SUMMARY OF PANEL DELIBERATIONS

The approach for the morning session is to conduct a “reverse panel” where panel members provide their informed observations, drawing from (but not limited to) the August 13<sup>th</sup> Field Trip, and then pose questions to other panel members and workshop participants.

Follow-up questions from the floor allowed each panelist to build upon the experiences and understandings among working group members. This approach was designed, not to immediately solve problems in the fishery, but to open-up the localized conversation and expand upon a heightened understanding of each others’ fisheries as the basis for solution-finding.



**Panel Objective:** to get a sense of what is working in the lower Fraser River salmon fisheries; what isn’t, and to identify the common themes around working together, the key monitoring and compliance issues, and what needs to be addressed by this group going forward.

### KEN MALLOWAY: STO:LO FISHERMAN



I have been all over the province presenting information - to the Cohen Inquiry and to others about the importance of fisheries monitoring and compliance, and it is what we are here today to talk about. Ernie mentioned the perceptions around “missing fish”; in one of those cases the spotlight on the *Sto:lo* fishery was shared with the area around Campbell River. Some said “there are no missing fish”, others said they were convinced that the commercial sector caught them all, but couldn’t prove it. There were no shortage of opinions, and lots of media coverage; in the end it took 6 months for all the fish slips to be counted, and it turned out there were no “missing fish”; but like previous investigations, the media didn’t run any stories on the “found fish”!

First Nations had forecasters before contact; their job was to forecast runs, and sometimes they would say fish hard on Chum because there will be no Sockeye, or other times fish hard on Sockeye because no Chum, or sometimes go hunting because there will be no fish; this ties back to perceptions around causes for “missing fish”, and the level of expectations we put on what we do and don’t know.

When I asked DFO how many fish were caught in Area 29 in the last few days of the season last year no hard numbers were available; less than half the fleet phoned in catch. The issue here is

the need to make sure that we are all being treated fairly and expected to reach same standards of compliance – both in terms of information and timeliness of reporting, and we all understand the risks as we use that information to make fisheries decisions.

Like in the salmon fishery, the Ooligan fishery went from being adversarial to a point where people started to work together; but when plans were being presented back to sectors, there was still lots of resistance. We have been at it for a while and are learning to talk about fish, monitoring and compliance with those that must be involved in implementing solutions – developing good working relationships and understanding of each others’ fisheries is the basis for working out our information needs to better manage the fishery. The table is here getting bigger as others join us in this effort.

**QUESTION FROM THE PANEL: Why are there different levels of application of fisheries monitoring practices and compliance requirements between fisheries?**

**SUMMARY OF RESPONSES**

<b>Communications &amp; process</b>	<b>Compliance and enforcement</b>	<b>Communications &amp; process</b>	<b>Consistent approaches &amp; standards</b>
we all agree that none of us have confidence in monitoring numbers right now - need to be able to identify these root causes	lack of consistency in reporting catches effects other fisheries opportunities and thus is considered a compliance issue	if it is the wish of Commercial, Sport and First Nations to have Commercial numbers being called in before 8AM next day, then we need to work toward that specific solution	many are not even confident within their own sectors in their numbers
may need to spend more time with some of the “skeptics” and work on bringing them to the table	First Nation marine fisherman late phoning in catch and charged, but many of Area 29 didn’t call in catch and no charges	Fishery Notices are fundamental pieces of information from DFO that anyone can access via online link for Commercial and First Nation fisheries	Different accounting systems for First Nations FSC fisheries and Economic Opportunity fisheries but standard is generally high
we need to all be involved in the process so that each sector can defend each other’s numbers – this is how we will get to success	compliance levels still an issue if catches not reported properly	need to find a better way to communicate to public	not seeing the same level of monitoring required for each sector

**Discussion:** Public perception about accountability within and between fisheries interests is improving, but solutions that address conflicts between interests in the fishery will involve the participants in defining the monitoring and catch reporting systems that meet everyone's expectations.

Working closely with fisheries managers to better understand different monitoring programs and accounting systems will reduce much of the confusion between interests. It remains in the interest of each competing group to comply with catch monitoring programs.

Timely reporting from both the fishers and the catch monitoring programs will provide an important contribution to problem-solving that will reduce conflicts and may even improve benefits among the interests in the future.



A joint-Working Group of First Nations, sport fishing and conservation organizations took to the lower Fraser in August 2010 to talk with managers and the public about river manners, public confidence in the fishery, and ways to improve our understandings around monitoring and compliance

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## FRANK KWAK: RECREATIONAL FISHERMAN

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Purpose of field trip was to observe both recreational and First Nation fisheries; it was unfortunate that there were no First Nation fisheries occurring on day of field trip as it would have been very valuable to have seen all of these different fisheries in one day. I am glad that First Nations feel that they are very well monitored, and I understand and believe numbers at sites that are monitored. One key issue is that fish are being caught in a highly visible First Nations fisheries and going out over the bank and onto trucks, bikes and totes. During my involvement with the mortality study the last three years in the area I also saw fisheries going on at night. Sometimes the fisheries were closed and people were still fishing.



**QUESTION FROM THE PANEL: How we address the concern and perception regarding unmonitored and illegal fisheries that are occurring on Lower Fraser?**

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### SUMMARY OF RESPONSES

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Illegal and unmonitored fisheries	Consistent approaches & standards	Compliance and enforcement
fish from illegal harvest are not accounted for effectively	Not sure how we can monitor poachers, and not going to argue that there are not poachers; getting numbers and estimates of catch from these activities is difficult	used to have enforcement in 1990s with 18 Aboriginal Fishery Officers; but now very little we can do to enforce fishery regulations
we need to discuss and identify these root causes (of non-compliance) and see where more effective solutions might come from	Communal landing sites could help to address monitoring side; poaching / illegal side of fishing would stand out	there are steps in place to try to estimate the effort profile of illegal fisheries
link between enforcement accounting of illegal catches and the over-all catch estimation is being looked at but not resolved	need many of the same things we need for regular fisheries monitoring such as Total Effort, Catch Per Unit Effort	

**Discussion:** Illegal fishing for salmon takes many forms and is a very real and aggravating element of everyone's fishery, and reducing its impact is in everyone's interest. Increased enforcement is desirable but root causes need to be addressed as enforcement alone is insufficient to curb the effort. Often a perception of illegal fishing is simply uninformed. Accounting for widely dispersed and sometimes unregulated catch is difficult. DFO's C&P and managers have been looking at ways to integrate data collected from enforcement personnel into monitoring systems in an effective way. *Sto:lo* and promote integration of monitoring programs to build local experience and standards together.

Both fishing interests and monitoring programs benefit from organized landing sites by improving monitoring coverage and crowd reduction too. A proposed increase in the number of organized landing sites has both management and social/economic benefits across fisheries.

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BILL RABANG: *SHXWHA:Y* FIRST NATION – A COMMUNITY FISHERIES PERSPECTIVE

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The August fishery tour was a good experience out on the water and the gravel bars, and provided a real opportunity to interact and engage with sport fishers on Grassy Bar where we have had a lot of competition for space and time. It is a traditional fishing grounds for First Nations but sport fishers don't like nets drifting past them and space on the gravel bar is limited. We need to find a way to solve some of these conflicts for the benefit of both our fisheries.

It has been suggested by some of our communities and that some First Nations might have the option to drift at nighttime as we did traditionally. This could to alleviate conflict between our fisheries during busy daylight hours. There are real safety concerns as this can be very dangerous. Last season a driftnet got caught up and the boat flipped and were rescued – fortunately someone was there (in this case) with boats to help in the rescue.

If safety can be improved with “monitors” on the site, we hope to develop a standard for monitoring and reporting that works for both the fishers and managers, while ensuring compliance and improving safety. The result would be a voluntary sharing arrangement for limited space on a fishing site that is both important to our community and for .

**QUESTION FROM THE PANEL: How would we set up a monitoring program for night fishing to meet both the monitoring standards needed for people to trust our fisheries compliance and accounting, as well as assuage concerns about the safety of our fishers?**

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SUMMARY OF RESPONSES

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Consistent approaches & standards	Conflicts over space and time	Information & awareness	Communications & process
night-time fishing has many issues – it needs to be done in a much more organized fashion than it is currently done	it was an option that was presented to fish when they choose to fish - is an issue of space	Concern that fishing at nighttime is unsafe and difficult to monitor – not for the inexperienced, new fishers and elders	Monitor on site would improve monitoring and safety - concerns can be addressed
Allocation Policy is clear that FSC fisheries go first ahead of recreational fisheries	nighttime fisheries was an option identified directly from these local conflicts	First Nations have drift fished at night traditionally – it is a communal activity (different from night-time poaching)	about respect for First Nations to choose how to prosecute their fishery in the best way possible that meets their needs - bilateral
reflective of how the entire fisheries are growing coast-wide - additional locations for access for Sport fisheries	this seems to reflect local arrangement that may resolve a specific area conflict	Not for every Band or fisher – suited for only a few areas and arrangements should be localized	fisheries need to be better coordinated and integrated

**Discussion:** Competition over limited space represents an acute source of conflict for small fishing communities with limited fishing access that can be complicated by monitoring, catch reporting and compliance concerns. It is desired by some experienced fishers to seek out a time to fish peacefully (night fishing can also be more productive), and night-time fishery may reduce competition over limited space in the daytime at the busiest gravel bars. This is not about conflict over harvest priorities; rather a management action to improve manageability and safety in First Nations fisheries. However, it restricts their choice to pursue a traditional night-time communal fishing practice.

This fishery is not desired by every First Nation though, and the small number of sites being proposed might be manageable. Much different from isolated night-time fishing associated with poaching, the proposed community night-fishing plans accommodate the practice of inter-generational sharing of techniques, including safety and accounting for the catch.

An on-site monitor is one way of covering both safety and monitoring concerns and perhaps it would displace local poaching by providing a community presence on the fishing areas at night. The proposal is voluntary in nature (to avoid infringing on traditional practices), and would need to reconcile concerns about manageability as part of the broader agreements in the area with First Nations and DFO.

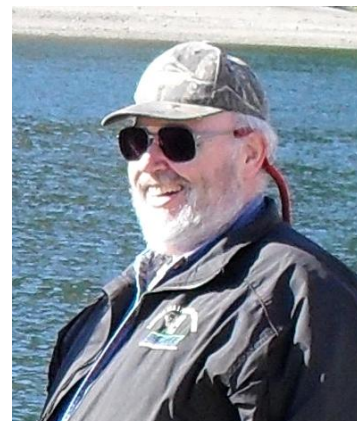
A proposed night-time fishing option would be an example of “sharing” the river. The communally-managed and monitored fisheries, like the one proposed here, would need to be reconciled bilaterally with DFO and local Bands.



Grassy Bar, located at the foot of Chilliwack Mountain, is a popular fishing site for *Shxw̓ha:y* and other *Sto:lo* drift-net fishers as well as sport anglers. The site also is host for a catch and release mortality study on sockeye that coincidentally provides information on release survival from the seine net used as a control – Isaac Alec from Cheam (inset) is employed on the project

## ED GEORGE: PRESIDENT REGION 2 BC WILDLIFE FEDERATION AND RECREATIONAL FISHER

I recall a photo from field trip where First Nations and recreational fishers stood together with big smile on their faces having fun together, meeting each other just as people, not as sectors. When this First Nation-Sport Fishing Working Group first got together on the lower Fraser, people were sitting in room on pin cushions, but they made a decision to meet as fishing people first, not “us and them”. This process has gone a long way to helping build relationships, and needs to continue in order to improve the way fisheries are managed. We need to learn more about each other’s fisheries, monitoring and catch reporting, and compliance practices, and then improve upon them together.



We are now seeing more cooperation and transparency around catch numbers, and in particular, clarity around how catch surveys and enforcement works in various fisheries. A big step in clearing up confusion around monitoring is to get more details on creel survey interviews; the number of flyovers, location of interviews, clarity around how numbers are calculated –people need to fully understand how recreational catch numbers are arrived at. We need to defend how we got to the numbers, where the data came from and how accurate they are in order that we can work together in the fishery with First Nations. Enforcement also has been reduced like every other activity, which is the reality of resourcing limits; First Nations piloted the expansion of the First Nations monitoring program to also do creel surveys a number of years ago. Proposed plans to build upon the Aboriginal Guardian program provides promise to improve careers of local guardians and reduced work and strain on DFO by having their own communities ensure compliance was enforced. We have proposed a joint monitoring program to help us get there.

**QUESTION FROM THE PANEL: Can we improve upon the monitoring, catch reporting and enforcement programs to help us get along on the lower Fraser?**

### SUMMARY OF RESPONSES

Information & awareness	Illegal and unmonitored fisheries	Consistent approaches & standards
Hard to reconcile some perceptions or comments that creel survey is “magic” – science is peer reviewed but more work is needed to improve understanding by fishing groups	Aboriginal guardian program piloted by the <i>Sto:lo</i> in sport fishery was discontinued to focus on First Nations catch	Joint working group of First Nations and sport fishing organizations advanced a proposal this spring for joint monitoring
Outputs from catch reporting is handled by managers – the nature and utility of catch numbers for in-season management amongst the interests has not been fully addressed here	Both First Nations and sport fishing community desire more enforcement presence on the lower Fraser River, reflecting on the sheer number of fishers	Current efforts are focused on achieving better understanding of current programs and gaps

**Discussion:** The relatively rapid growth and popularity of the lower Fraser sport salmon fishery has at times put it at odds with the areas Aboriginal fishery as the respective fisheries work to protect or advance their interests. Though the First Nation *FSC* priority is not generally disputed, access points to the river and popular fishing sites are crowded during peak fishing periods, and accounting of catch and perceived illegal fishing can become the focus of disputes between interests. This is particularly evident in the challenge of accounting for the unregulated catch.

Sound, clear, and timely catch reporting is the basis for informed advice from interest-holders, though catch accounting from every fishery is not necessarily harmonized to support multi-interest decision-making in-season. Catch reporting outputs and limitations on their use is not well understood among interests. The desire by interests to protect or advance their “share” of the fishery, can put significant pressure on standardized monitoring and catch reporting systems not designed to do this. Lack of awareness of each others’ fisheries fosters suspicion.

The presence of enforcement or monitoring staff, either directly, by consultants, or through guardian programs is seen as a positive force in deterring non-compliant behavior. Proposals by this lower Fraser group to develop joint monitoring programs has merit in building confidence in catch accounting as well as increasing the visible presence of monitors as a deterrent to illegal harvest.



A contracted monitor for the catch and release angling mortality study on Grassy Bar employs a Chemane Douglas and the skills are transferable between fisheries.

The field trip by our joint working group was a great day. We observed that the sockeye fishery is an incredible family fishery, and it represent opportunities for everyone to appreciate the river.

There was curiosity when we went walking up the gravel bar talking with anglers and handing out *River Manners* pamphlets. There was even some initial reluctance to talk to field trip participants – we can even recall one fisher who was very upset about us coming in and landing, but when he saw the Fisheries officer as part of our group he quieted down, and in the end had to go to his vehicle to produce a fishing license. This illustrated the point we always emphasize about the value of having more monitors present as if effects peoples' behavior in a positive way.



There is acceptance among recreational community that First Nations have Constitutional rights. Recreational anglers are willing to share the fishery benefits and hope to continue enjoying the priorities on Coho and Chinook for our sector. Future opportunities for both First Nations and recreational fisheries is dependent on us getting together and working to find solutions that meet everyone's needs and working together to share in the benefits from our respective fisheries in a positive way.

It is clear that there is an incredible economic benefit for local economies in Fraser Valley from the salmon fishery. We observed the severe lack of public facilities when on the field trip (i.e. washrooms at Island 22 are only ones on the Fraser River up to Hope). As well, there are limited safe/secure launching areas along this stretch of river, few camp sites, and trail access points to the more remote gravel bars are un-kept and over-used. There are real opportunities to develop facilities for both our fisheries, and to enhance economic benefits from the local sport fisheries in ways that better engage First Nations in our fishery.

We are participating best we can in the Provinces' developmental "*Experience the Fraser*" program, and as a group we are interested in discussing and looking at where it can tie benefits to First Nations, including shared landing areas that can coincidentally improve communications between our fisheries and help all of our catch accounting efforts.

**QUESTION FROM PANEL: How do we enhance and share the economic opportunities that exist between our communities on the Lower Fraser?**

## SUMMARY OF RESPONSES

Communications & process	Information & awareness	Building benefits together
need to better manage access to fishing areas within own sector, let alone in conflict areas with First Nations	Bar fisheries easier access for families and lower cost, also reduced safety concerns in-river compared to marine fishing in open waters	solutions to spatial issues between fishers may come from within as well as between sectors
Experience the Fraser - a B program in its infancy aimed at access – more BC Government involvement needed over-all in freshwater salmon fishery	Real demand for facilities in the gravel reach for both sport and EO fisheries	First Nations not realizing/sharing in benefits from sport fishery
need to keep building relationships, education and awareness around each other's fisheries and monitoring to achieve common standards for Parties to use in co-management	4-5 years ago Regional District barred access to their sites during First Nations EO fisheries due to crowding and garbage – limiting access to unmanaged river-banks	More monitoring and more regular presence - angler license fees in freshwater are not contributing to the cost of monitoring needed
Strong desire to foster relationships, reduce conflict; to work together to stabilize access benefits and promote common interests in salmon fisheries	Range of common and competing interests: <ul style="list-style-type: none"> <li>- Harvest of fish</li> <li>- Opportunities to fish vs. catch</li> <li>- Conservation and sustainability</li> <li>- Healthy food source</li> <li>- Traditions (based in communities of place vs. communities of interest)</li> </ul>	Growing common interest focuses on improving access facilities, cost recovery from users, protecting interests of both communities of place and interest
The recreational sector is interested in solving the catch accounting issues so that this fishery is less an irritant and more of a benefit to First Nations	Access priorities around catch and release fishing when First Nations fishing opportunities are restricted – sharing conservation burden and fishing effort unresolved	Looking at sharing space with drift nets and anglers where site characteristics may naturally separate our fisheries
	First Nations share need for developing facilities to serve our respective fisheries and can work with sport sector in getting there while improving benefits	

**Discussion:** As the two interests work to better understand each others' fisheries, both the differences and the common interests are at play. A strong desire to foster relationship building, reduce conflicts and stabilize benefits is tempered by the perceived inconsistencies in catch accounting and monitoring, and the need to protect individual interests associated with two distinct fishing cultures.

Acceptance of the legal priorities in the fishery represents a strong first step for getting along in the salmon fishery. Collaborative efforts aimed at improving access and monitoring outcomes that engage both fisheries also provides ways to connect First Nations to the sport fishery benefit stream.



Rod Clapton, President of the BC Federation of Driftfishers describes to the public the desirability of increased boat launches, parking and camping sites to improve the quality and sustainability of the lower Fraser salmon fishery

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### SIDE-BAR ON STURGEON

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From time-to-time every discussion is apt to venture off topic, while maintaining important relevance to some of the participants. The conservation of Fraser River white sturgeon was one of those topics, though nobody disagrees that this species fittingly represents an important icon of the Fraser fishery that is also dependant on the salmon.

**Discussion:** The impact of catch and release angling, and ultimately whether limited-use by the recreational community (i.e. catch and release fishing) conflicts with the harvest moratorium, is the subject of great debate among conservationists. Lack of shared facts and miss-understandings are apparent.



Both First Nations and the recreational angling community have made contributions to sturgeon conservation. Perhaps the greatest debate is whether it is enough, but this will be the subject of a side-bar discussion outside of the salmon monitoring and compliance deliberations here.

Following the forum, *Kwantlen* Indian Band offered to host a future workshop involving sturgeon experts, recreational fishers and *Sto:lo*, so that an informed discussion can lead to conclusions that improve the lot of the sturgeon as well as the sturgeon fishery. *Kwantlen* has invited the Fraser River Sturgeon Society to joint them in further exploring the key issues with the sport fishing sector that can bring together common efforts and long-term benefits for the sturgeon and the fisheries that enjoy them.

A small working group to be organized by the Fraser River Salmon Table will meet in the spring to formulate key issues, agenda and participants for a topical workshop in the future.

## TECHNICAL PRESENTATIONS AND SUMMARY ISSUES

The approach for the afternoon session is for a series of presentations on monitoring programs and practices and then a follow up discussion to identify issues, gaps, opportunities and next steps for improving participant confidence in monitoring practices and compliance levels.

### **Presentations on monitoring programs in the lower Fraser include:**

- **Methods and standards for FSC and EO monitoring programs:** Matthew Parslow, DFO Lower Fraser Office (Appendix A)
- **History and functions of FVAS - the Fraser Valley Aboriginal Fisheries Society monitoring programs:** Ken Malloway (Appendix B)
- **Recreational fishing Creel Surveys:** Joe Tadey, DFO Lower Fraser Office (Appendix C)
- **Criteria to determine monitoring and reporting standards:** Colin Masson, DFO Enhanced Accountability Program (Appendix D)



A copy of presentations has been provided in the appendices in response to a request from the participants to allow for follow-up review and more time to absorb material.

Tables in this report provide a brief synopsis of the key and relevant questions discussed; they are organized by common themes that reflect issues or gaps in understanding around monitoring and catch reporting programs. A brief narrative summarizes the discussion following each synopsis.

The synopsis and narrative will assist managers and the interests to focus on ways to improve participant confidence in monitoring and compliance in the lower Fraser Area.

No attempt was made to detail DFO's technical presentations, acknowledging that this is most succinctly provided in the appended presentations themselves.

## LOWER FRASER FIRST NATIONS CATCH MONITORING PROGRAMS OVERVIEW: FSC, EO AND SET NET SURVEYS

- Refer to **Appendix A, B and C**: Matthew Parslow from DFO Lower Fraser Area

### SUMMARY OF QUESTIONS/ISSUES

Information & awareness	Consistent approaches & standards	Communications & process
What happens to bands that don't sign on to EO- Is there an agreement with Cheam and can sport fishery help?	what is the difference between creel- survey and census-based programs	How fast do catch monitoring numbers turn-around from fishery to DFO outputs
Are drop-outs accounted for, what are their significance	How does DFO account for wind, temperature and other factors that might change CPUE between fisheries	
Are there still fish wheels operating, when and where?		

**Discussion:** There continues to be gaps in understanding about how the *Sto:lo* fisheries are monitored, and some general sense of unfair advantages between interests persists. There is also a perception that the monitoring standards applied to this fishery are not applied to other fisheries (and vice versa), and that this somehow affects catch accounting and allocation outcomes. Participants often look to other fishery and escapement monitoring programs to validate information independently.

DFO disseminates catch and fishery opening information through their website, and shares them through a variety of consultative processes (i.e. SFAB, IHPC, and Fraser Panel) though not all anglers are internet savvy, and some communication gaps between processes that share and discuss information are inevitable.

There is a growing awareness about how monitoring programs work in the *Sto:lo* fishery (along with a few miss-conceptions), and a real desire to reconcile how the differing methods of monitoring and catch accounting from the sport fishery in the area can be treated the same in planning. This ongoing debate, rightly or wrongly, fuels distrust and conflict on the river.

Although it is unrealistic to qualify all fisheries representatives as statisticians and biologists, the existing consultation processes would benefit from standardized criteria to assess the level of monitoring required for all fisheries and improving understandings around how monitoring and compliance works in the area.

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## FRASER VALLEY ABORIGINAL FISHERIES SOCIETY (FVAFS) CATCH MONITORING PROGRAM 2010 PRESENTATION

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- Refer to **Appendix D:** Ken Malloway, Board Member Fraser Valley Aboriginal Fisheries Society monitoring Program

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### SUMMARY OF QUESTIONS/ISSUES

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Consistent approaches & standards	Information & awareness	Compliance and enforcement
Is there confidence in First Nations monitoring their own catch as opposed to independent monitors	Are release mortalities from seine caught Coho/Chinook/sturgeon and are they used?	FVAS does not deal with illegal fishing though works with C&P sharing information – used to have guardian powers but this was discontinued for political reasons
What training and certification is required for FVAFS monitors	What do the Sto:lo mean when they describe their fishery as selective	Localized justice circles and community arrangements are in place that deal with C&P

**Discussion:** There is a growing expectation across fisheries that monitors meet a common standard and have a measure of independence in order that the outcomes are trustworthy. Effective community-based monitoring with area-wide standards and information-sharing protocols is attributed to defensible information out of the fishery, good communications flow and local compliance. *Sto:lo* have demonstrated that community monitors can provide the measure of independence needed from the fishers, and local groups like Chehalis & Scowlitz First Nations operating in the Harrison River as an example have exemplified the role for communally-managed fisheries and local justice circles as valuable tools in fishery compliance.

All of the fisheries in the area aspire to account for their impacts on the fishery and there is a desire to know that the standards are applied evenly throughout the *Sto:lo* fishery. The longevity of *Sto:lo* monitoring programs and efforts to work towards certification generates confidence in the catch accounting. Recent training of monitors by a certified trainer is considered important first steps in certifying this monitoring program.

All participants acknowledge the challenge in accounting for and addressing illegal fishing. The return of the *Sto:lo* Guardian program in some form is seen as a step in the right direction.

There is significant support for a joint monitoring program in the lower Fraser River that utilizes experienced monitors in the area. Some recreational fishing interests believe that this may not necessarily need to be exclusive to the *Sto:lo* staff.

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## RECREATIONAL MONITORING CREEL SURVEY PRESENTATION

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- Refer to **Appendix E: Recreational Monitoring Creel Survey Presentation** provided by Joe Tadey from DFO Lower Fraser Area

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### SUMMARY OF QUESTIONS/ISSUES

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Consistent approaches & standards	Information & awareness	Communications & process
How broad an area (Mission to Hope) and scope (boats vs. walk-in) are covered in creel surveys to avoid gaps	How confident is DFO in the representativeness of creel surveys in catch accounting	How quickly do the survey catch estimates come out of DFO to inform consultations
What % of anglers refuse interviews and how is this reflected in sampling and catch estimates	What is the difference between accuracy and precision	How are the outputs used in consultation and in-season management
Comparatively how are survey and census data used and does methodology make a difference	How many fisheries are assessed using each methodology and does it matter	Are the methods applied in Johnstone and Juan de Fuca Straits providing numbers suitable for river-based comparisons

**Discussion:** There remains a public perception that some survey methodologies are not sufficiently representative. Concerns persist about recreational creel survey accuracy, based on a limited number of interviews or locations, sampling and estimating errors. Improving this understanding is going to be an important step in building confidence in the catch accounting for lower Fraser fisheries so that First Nations and sport fishing interests can move beyond the conflicts and play a more effective role in formulating annual fishing plans.

There are always gaps. However, DFO managers are sufficiently confident with the creel survey outcomes to manage the sport fishing harvest. The challenge has become more about whether and how public understanding can improve to share this confidence, so that fisheries representatives from each interest can play an effective role in existing processes. In addition, improvements in the information flow to support consultation and informed decision-making is an ongoing process, and as fisheries evolve, so must monitoring and catch reporting systems.

The existing consultation processes would benefit from improving understandings around how monitoring, catch reporting, and compliance in the recreational fishery compares to the other fisheries. This may be an important role for the joint sport fishing-First Nations working group in the lower Fraser area and the Monitoring and Compliance Working Group.

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## DEVELOPMENT OF CRITERIA TO DETERMINE MONITORING AND REPORTING STANDARDS PRESENTATION

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Refer to **Appendix F: Development of Criteria to Determine Monitoring and Reporting Standards Presentation** provided by Colin Masson from DFO PICFI Enhanced Accountability Program

### SUMMARY OF QUESTIONS/ISSUES

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Consistent approaches & standards	Filling the Gaps	Working on solutions
Big questions is whether all monitoring programs provide the types of information and level of accuracy required	A Draft Strategic Framework for Fishery Monitoring and Catch Reporting is under development	consultation through existing processes such as IHPC/CSAB/SFAB; consultation with First nations bilaterally
Common perception/belief that Recreational Marine Creel Survey is terrible, but in reality it provides better results/accuracy than most understand	Catch monitoring is expensive and must be applied where there is the greatest need for information	SFAB Catch Working Group perhaps can address specific questions or concerns in the sport fishery
The emerging standard to be applied across fisheries by DFO recognizes that not all fisheries require the same level of monitoring	DFO framework proposes a systematic approach - all fisheries get equal consideration. None "fall through cracks" because of preconceptions, awareness or differences between users	In the lower Fraser groups would benefit from a better understanding of how each of the monitoring programs addresses the need for information
designed for acceptable statistical error, sampling levels are sufficient to generate estimate of catch that provided accurate estimates	Perception that in river guys are doing a good job, but marine fisheries need to catch up	Sport creel surveys are being augmented by monitoring programs being established for lodges with logbooks

**Discussion:** DFO's emerging policy for fishery monitoring is being released for public review. The DFO *Strategic Framework for Fishery Monitoring and Catch Reporting in Pacific Fisheries* lays out standardized criteria to assess the level of monitoring required for all fisheries. DFO will roll this out through existing consultative processes.

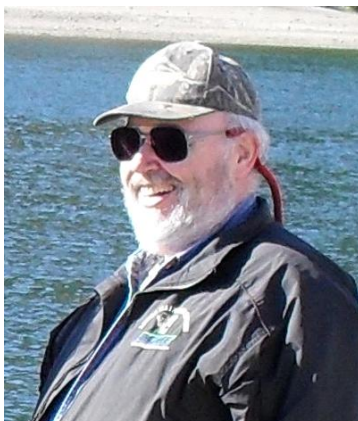
There is a need to build some common language and understanding used to describe the technical concepts, and there may be a need to improve communications between and among groups to sort out differences that may emerge between fisheries. By improving our understandings around monitoring and catch reporting, there will be sufficient public confidence to move beyond the conflict and consider solutions such as those discussed by the joint sport fishing-First Nations working group in the lower Fraser.

## SUMMARY OF KEY THEMES IDENTIFIED DURING SESSION

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### INFORMATION / AWARENESS (PRODUCTS)

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- Understanding technical information and assessment models
  - Helping people understand each other's numbers, programs, approaches (e.g. differences among First Nations; differences between Fraser-tidal waters)
  - Consider ways of getting fishermen involved in generating numbers
  - Self-monitoring....getting past concerns in this
  - Monitoring standards and outputs – need for consistency and timing to inform decision-making
- What should the monitoring criteria be for lower Fraser fisheries (balance cost/objectives)?
  - How will this help groups solve conflicts and achieve common objectives
- Need to expand monitoring programs to improve compliance

### COMMUNICATIONS TOOLS (PROCESS)

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- Keeping each other informed – Whose responsibility for what?
- Lower Fraser e-newsletter, existing DFO websites, rec. fishing guides etc.
- Sharing and easy access to basic information – openings/closures, maybe also preliminary catch
- Maintaining dialogue/ relationship building
- Dispute resolution process
- Peacemaking





## NEED FOR CONSISTENCY IN APPROACHES AND STANDARDS FOR MONITORING

- standardized criteria to assess the level of monitoring required for all fisheries
- Obligations for monitoring
- Reducing conflict and risk
- Basis for collaboration in fishery

## ADDRESSING ILLEGAL AND UNMONITORED FISHERIES

- Getting a handle on the nature and scale of these (accounting)
- Integrating enforcement accounting of illegal catches and the over-all catch estimation is being looked at
- Identify root issues
- Dealing with people unwilling to provide information



## SHARING CONFLICTS IN SPACE AND TIME ON THE RIVER

- Tackle crowding and access points
- Drift nets vs. angling conflicts – what are the options?
- Concerns over night fishing monitoring and safety vs. preferred means
- Sturgeon – this is beyond scope today – will be referred to working group
- Respect and “River Manners”

## BUILDING BENEFITS TOGETHER

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- Conflict resolution
- Communal landing areas, parking areas, and campsites needed for both fisheries
- Infrastructure partnership opportunities (Experience the Fraser, etc.)
- Strategies to *get along on the river* put forward by the joint working group can provide access to sport fishing benefits for First Nations
- Role of other jurisdictions, licensing, funding, planning & consultation
- Joint monitoring and expanding the presence of monitors



## COMPLIANCE AND ENFORCEMENT RESPONSES / PRIORITIES

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- Continuing to work on relationships and understandings
- Improving our monitoring and compliance programs
- Building on successes with restorative justice
- Exploring merits joint monitoring program
- Revisiting *Sto:lo* guardian program or other models to keep order, make peace and encourage compliance

## ACTION POINTS

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- Schedule January meeting for Sport-FN WG and review the workshop outcomes and the fit with the groups' 12 point action plan for relevant M&C related actions;
- The groups should review the list of themes that reflect the discussion from this M&C workshop to determine how and where this adds clarity and detail to their work;
- Contribute to consultations on DFO's Strategic Framework for Fishery Monitoring and Catch Reporting in Pacific Fisheries through existing processes in ways that advance area-specific (low-beam) needs and inform broader management and policy (high-beam) considerations;
- Extend further invitation to all sectors to participate in future sessions as appropriate to address M&C issues;
- Consider a proposed Statement of Work and associated deliverables recommended by the M&C Panel to expand upon the outcomes of the workshop – to be reviewed among outcomes and actions at the next Sport fisheries-First Nations Working Group Meeting:

### **A Proposed Local Area Monitoring and Catch Reporting Pilot –Fraser River Hope to the Mouth (or to Mission?)**

**Context:** Through invitation to the Fraser River Salmon Table and other local processes such as the Sport Fishing Advisory Committee, Area E Harvest Committee (and local First Nation process?), obtain input and advice on fishery monitoring and catch reporting for salmon by:

- a. Reviewing fishery monitoring and catch reporting methodologies for each fishery
- b. Reviewing the operational costs of fishery monitoring and catch reporting (FMCR) associated with each fishery
- c. For each fishery, establishing the categories FMCR methodology falls into (low/moderate/enhanced)
- d. Projecting the likely costs associated with methodologies and approaches involved in transitioning to other levels for each fishery
- e. Encouraging discussions and soliciting recommendations for appropriate changes to any/all fisheries that are consistent with the mission statement and principles contained in the Charting our Course document .

**DELIVERABLE:** A report identifying the category of FMCR the commercial, recreational and FN FSC and FN economic opportunity fisheries in the study area. The report will also suggest whether the FMCR practices for any of the fisheries should or could be changed to conform to the principles described in *Charting Our Course*. If possible, the report will also describe the level of confidence other fisheries have for each other's FMCR information<sup>4</sup>.

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<sup>4</sup> *Fishery Monitoring in the Pacific Region – Charting Our Course. A Strategy for Improved Confidence and Support, May 7 2010*

## LIST OF APPENDICES

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**Appendix A: Lower Fraser Aboriginal Fisheries Catch Monitoring Programs Overview**

**Appendix B: Fraser Valley Aboriginal Fisheries Society (FVAS) Catch Monitoring Program 2010**

**Appendix C: Lower Fraser Recreational Fisheries Assessment Programs Overview**

**Appendix D: DFO Strategic Catch Monitoring and Reporting Framework**

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