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# WILD SALMON POLICY

## I INTRODUCTION AND PURPOSE

- A draft Wild Salmon Policy (WSP) was released for public consultation on December 17, 2004.
- Over 1500 copies of the document were distributed to First Nations (FNs), stakeholders, environmental organizations (ENGOS), governments and the public.
- Numerous and extensive comments were provided during the initial consultation period on all aspects of the policy proposal.
- The draft policy was revised to reflect comments received; this amended version was circulated for further comment on April 22.
- A final review of the WSP was held on April 29 with FN, and on April 30 with all stakeholders.
- Based on comments received at these two Forums, a final policy has been prepared, and is attached.
- This DECK summarizes comments from consultations, highlights revisions and public reactions and seeks approval for adoption and release of the WSP.

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# WILD SALMON POLICY

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## II BACKGROUND : KEY ELEMENTS OF THE WSP

- Policy is founded on a commitment to safeguard genetic diversity of wild salmon.
- Management will focus on "Conservation Units" – irreplaceable components of genetic and geographic diversity.
- The status of CUs will be assessed against benchmarks; where distribution or abundance is low, or in decline, a range of management actions will be considered.
- Processes will be established to consider social, economic and biological factors in decisions about the most appropriate management actions.
- Habitat management will evolve to better understand habitat quality and quantity and changes over time, and focus protection and rehabilitation actions where most needed.
- Integrated strategic plans will be prepared to link fish production, habitat management and watershed stewardship.
- Ecosystem considerations will be incorporated in management decision making.
- Reviews of annual program delivery will be conducted, and progress in implementing the policy will be carried out periodically.

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# WILD SALMON POLICY

## III THE OUTCOME OF THE FIRST ROUND OF CONSULTATION

- Consultations were held over a 60 day period following release of draft policy
  - : seven regional meetings with FN communities
  - : bilateral sessions with FN and stakeholder organizations
  - : 250 written submissions
  - : Multi stakeholder Forum – March 2 and 3, 2005
- General reaction: support in principle, but revisions required before adoption.
- Concerns most frequently expressed pertained to seven features of the draft policy.
  1. FN concerns related to Aboriginal Rights
    - : legal context is incomplete
    - : government consultation obligations must be explicit
    - : Treaty arrangements need to be recognized
    - : FN role in policy implementation needs to be defined

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# WILD SALMON POLICY

## III THE OUTCOME OF THE FIRST ROUND OF CONSULTATION (cont)

### 2. Conservation and Sustainable Use

- : definition of “conservation” (“wise use”) is outdated and weakens policy intent
- : priority of conservation is undermined by Principle 3 (balancing of social, economic and biological objectives)
- : planning process sets no “bottom line” for conservation of CU’s
- : fears that policy will authorize a progressive “write-off” of populations
- : objection to Ministerial discretion to limit measures to rebuild CU’s

### 3. Strategy Two –HABITAT MANAGEMENT

- : proposal to focus on “important habitat” will lead to erosion of habitat well being
- : cooperation with BC is a prerequisite for improved habitat management

### 4. Strategy Four – THE PLANNING PROCESS

- : FNs object to multi stakeholder planning process at the expense of locally based bilateral processes for salmon management
  - : support for a “bottom-up” decision making process
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# WILD SALMON POLICY

## III THE OUTCOME OF THE FIRST ROUND OF CONSULTATION (cont)

### 5. Management of Conservation Units

: concerns that a management focus on large CUs will lead to sequential loss of components of the CU that are important to local communities

### 6. Aquaculture

: failure of the policy to impose restrictions on aquaculture will expose wild salmon to higher risk

### 7. Implementation

: scepticism that policy can be effectively implemented within existing resources

: departmental commitment to the policy will be judged on the extent to which funds are dedicated to its implementation

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## WILD SALMON POLICY

### IV THE OUTCOME OF CONSULTATION – ROUND TWO

- A revised draft of the WSP was prepared and released to FN and stakeholders
  - amendments made to respond to substantive concerns
  - text modified to reflect evolution from discussion paper to final policy
- Particular emphasis placed on addressing FN concerns, given new obligations to consult (SCC decision in Haida)
- Revisions sharpen policy application, but do not change fundamental underpinnings
- Amended policy was reviewed by FN and stakeholders on April 29 and 30; reaction summarized below:
  1. Support for Process
    - : strong satisfaction that a second review opportunity provided
    - : recognition that concerns had been heard, and addressed
  2. Confirmation of Policy Content
    - : revised document “a significant improvement”
    - : few substantive objections to policy direction

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## WILD SALMON POLICY

### IV THE OUTCOME OF CONSULTATIONS – ROUND TWO (cont)

#### 3. Endorsement of the Policy

- : goals, objectives and principles endorsed; implementation strategies supported

- : the majority of participants on side, though some FNs may issue a written reservation to protect aboriginal rights

#### 4. Remaining Concerns

- : treatment of aquaculture criticized by many groups who seek more restrictive approach

- : ENGOs seek a more prescriptive policy that fetters discretion

- : concerns expressed about need for new resources to ensure effective implementation

- Based on comments received from participants at these two sessions, a final policy has been prepared, and is submitted for approval.

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# WILD SALMON POLICY

## V THE FINAL POLICY : SPECIFIC REVISIONS

- The text has been substantially edited for clarity and conciseness.
- Legal Context
  - : amplified to include references to SCC decisions on aboriginal rights
  - : commitment to meet FN consultation obligation made explicit
- Conservation Redefined
  - : resource use separated from resource protection ("Conservation is the protection, maintenance and rehabilitation of genetic diversity, species and ecosystems to sustain biodiversity and the continuance of evolutionary and natural production processes")
  - : conservation emphasized as "highest priority" (Principle 1)
- Sustainable Use
  - : managing fisheries for sustainable benefits expressed in Objective 3
  - : biological, social and economic factors considered in decision making
  - : use of best science, including ATK
  - : maintain potential for future generations to meet needs

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## WILD SALMON POLICY

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### V THE FINAL POLICY : SPECIFIC REVISIONS (cont)

- Safeguard Genetic Diversity (Objective 1)
  - : text amplified to demonstrate how management of large CUs will protect component populations
- Conservation “Bottom Line”
  - : policy now reflects there is a point in the “red zone” where further mortality cannot be sustained – defined on case by case basis
  - : more specificity provided to define acceptable outcomes from planning processes (maintain or restore CUs above lower benchmark)
- Habitat Management (Strategy 2)
  - : rewritten for clarity and consistency
  - : focus on “important” habitat retained; all habitat will be addressed, though using different strategies
  - : cooperation with BC emphasized

# WILD SALMON POLICY

## V THE FINAL POLICY : SPECIFIC REVISIONS (cont)

- Integrated Strategic Planning (Strategy 4)
  - : streamlined and refocused; two options presented in initial draft replaced with a recommended approach
  - : “bottom up” approach adopted to respect bilateral processes with FNs
- Performance Review (Strategy 6)
  - : this new strategy defines an approach to review of annual workplans, and WSP performance (after 5 years)
- Implementation
  - : phased approach highlighted, using existing resources, in cooperation with partners
  - : commitment to preparation and release of plan for implementation
- Aquaculture
  - : no substantive change made to how WSP applies to aquaculture; consistency maintained with the APF
- These revisions collectively strengthen the priority of conservation, and are generally supported by the majority of FNs and stakeholders.
- An overview of the revised Wild Salmon Policy is schematically depicted in the following slide.

# WILD SALMON POLICY

## V THE FINAL POLICY – SPECIFIC REVISIONS (cont)

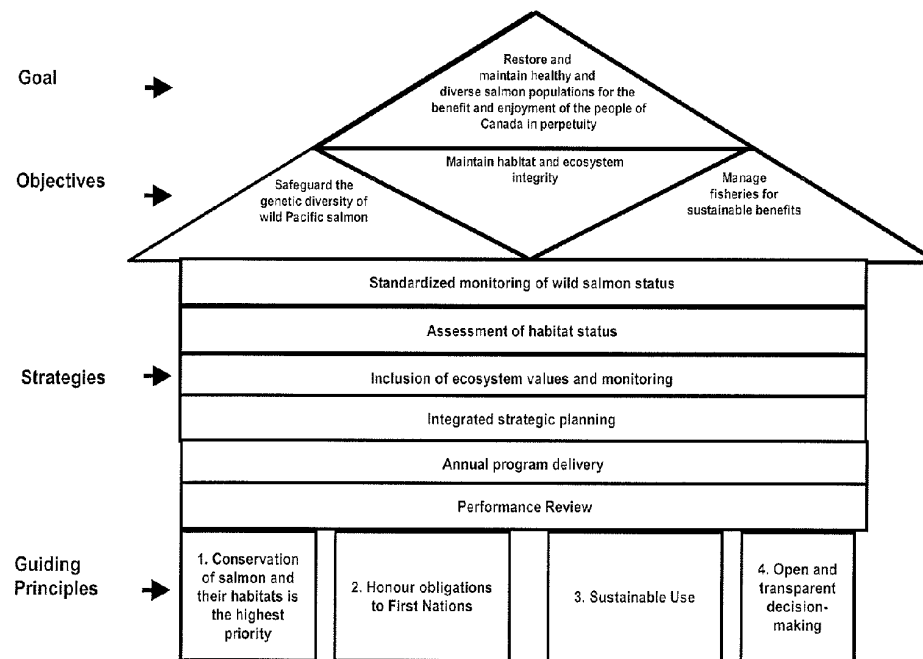


Figure 1. Overview of the Wild Pacific Salmon Policy

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## WILD SALMON POLICY

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### VI IMPLICATIONS AND EXPECTED REACTION

#### A. IMPLICATIONS

- The WSP will continue the evolution of salmon management practices in Pacific region, and implementation will affect conduct of all regional programs.
  - The focus on maintaining CUs will affect salmon harvest – most particularly fisheries for sockeye.
  - Management restrictions to rebuild less abundant CUs will require adjustments in commercial fisheries
    - : reduced harvest rates in ocean fisheries
    - : shift in location of harvest to more terminal areas
  - These practical implications are not solely attributable to the WSP; changes reflect a necessary evolution of salmon management to respond to contemporary challenges
    - : compliance with SARA
    - : meet FSC obligations to FNs
    - : address FN Treaties
    - : respond to public concerns and regain confidence in management
    - : react to changing environmental conditions
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## WILD SALMON POLICY

### VI IMPLICATIONS AND EXPECTED REACTION (cont)

#### A. IMPLICATIONS

- The WSP is not the stimulus for change; rather, it is the instrument to respond to factors that define the current context.
- The implementation of the WSP will respond to current challenges that compromise management performance; furthermore, protecting spawning populations and their habitat provides the greatest opportunity for sustainable benefit to fishermen, and all Canadians.

#### B. EXPECTED RESPONSE

- Reactions to the release of the WSP can be expected to be mixed
  - : some will express support for adoption of more strategic approach to salmon conservation
  - : some FN may express reservations to protect their aboriginal rights
  - : ENGOs will be critical of the failure of the policy to be prescriptive, or to regulate aquaculture
  - : some commercial fishing groups may express concern about restrictions on harvest

## WILD SALMON POLICY

### VI IMPLICATIONS AND EXPECTED REACTION (cont)

#### B. EXPECTED RESPONSE

- The response of those who support the policy will be influenced by decisions on resources for implementation  
: assignment of new resources is seen as a measure of commitment to the WSP
- In the absence of new resources, public commentary will focus more on the capacity for implementation, than on the merits of the policy.
- While new resources will allow more to be done, more quickly, progressive steps using existing resources will allow implementation to proceed.

## WILD SALMON POLICY

### VI NEXT STEPS

- Upon approval, the WSP will be translated, formatting will be completed, and the document will be printed.
- Arrangements are on track for an announcement by May 31, 2005.
- Communication strategy and products are in preparation for a consolidated announcement on salmon reform covering WSP, and the response to Williams.
- Harvest management plans for 2005, generally consistent with the WSP, will be submitted for approval in June.
- The Department will prepare an implementation plan for the WSP, defining tasks and timelines: this plan will be released in the fall.