

Forum on Conservation & Harvest Planning for Fraser Salmon

April 22 & 23, 2010 • Tsawout First Nation • Tier 2 minutes (First Nations & DFO)

ATTENDANCE:

Gord Sterritt, Northern Shuswap Tribal Council	Vern Jacks Jr., Tseyecum First Nation
Simon Smith Sr., Tsartlip First Nation	Simon Smith Jr., Tsartlip First Nation
Dominic Hope, Yale First Nation	Chief Robert Hope, Yale First Nation
William Rabang, Shxwhaiy Village	David Loewen, Takla Lake First Nation
Gary J. Albany, Songhees First Nation	Frank E. George, Songhees First Nation
Wayne Paige Jr., Cowichan Tribes	Tim Kulchyski, Cowichan Tribes
Ray Silvey, Sechelt First Nation	Ian Bruce, Island & Approach First Nations support
Tony Roberts Jr., A-tlegay/Campbell River Band	Brian Wadhams, Musgamagw Tsawataineuk Tribal Council
Jeff Thomas, Snuneymuxw First Nation	Daniel Billy, Cape Mudge
Albert G. George, Saikuz First Nation	Wilfred Robbins, Esketemc First Nation
Chris Cook, Namgis First Nation	Errol Sam, Nuu-chah-nulth Tribal Council
Murray Ned, Sto:lo Tribal Council/Sumas	Ross Silvey, Chemainus First Nation
Ken Bohun, Stz'uminus First Nation	Steven Dick, Kwiakah First Nation
John Henderson, Campbell River	Ken Malloway, Kwaw Kwaw Apilt
Cyril Livingston, Lake Cowichan First Nation	Tracy Sampson, Nicola Tribal Association
Pat Matthew, Secwepemc Fisheries Commission	Aaron Gillespie, Secwepemc Fisheries Commission
Barry Bennett, Kamloops Indian Band	Michelle Williams, HTG – AAROM
Roy Harris, Chamainus First Nation	Irvin Jimmy, Tsawout First Nation
Carl Edgar, Ditidaht First Nation	Mike Staley, FRAFS
Ernie Crey, Sto:lo Tribal Council	Susan Anderson-Behn, Island FRAWG
Wayne Paige Sr., Cowichan Tribes	Brenda McCorquodale, First Nations Fisheries Council
Dan Claxton, Tsawout First Nation	Jack Smith, Halatt First Nation, Lake Cowichan First Nation
Karl English, LGL Limited	Barry Rosenberger, DFO Kamloops
Barry Huber, DFO Kamloops	Les Jantz, DFO Kamloops
Randy Braniuk, DFO Nanaimo	Jeff Grout, DFO Regional Headquarters
Dean Allan, DFO Kamloops	Brigid Payne, DFO Regional Headquarters
Diana Trager, DFO Lower Fraser	Jordan Point, DFO Lower Fraser
Janet Gagne, DFO Lower Fraser	Linda Stevens, DFO Williams Lake
Gordon Curry, DFO Nanaimo	Sheldon Evers, DFO Lower Fraser

Meeting facilitator: Marcel Shepert, FRAWG

Meeting record: Aimee Arsenault, FRAFS Communications Coordinator

Draft South Coast IFMP – Chum, Coho & Steelhead

Chum Salmon (Randy Braniuk, DFO):

- Johnstone Strait chum mixed stock fishery: 20% fixed harvest rate (since 2002); no commercial fisheries below 1 million run size; commercial fisheries scheduled through October; area H troll demonstration fishery again in 2009; only modest First Nations effort and catch in Johnstone Strait; significant recreational fisheries in lower area 13.
- Johnstone Strait chum test fishery: operated in area 12 Sept 21-Oct 26; 1 or 2 seine were used; total of 45 test fishing days (boat days); 1007 chum retained for biological sampling; 60,265 chum released.
- Commercial chum fisheries were conducted in areas 14-19 (terminal abundance-based management). Fisheries were designed to target surplus chum stocks and minimize encounters with weak stocks.

- FSC opportunities available throughout the run; the majority of FSC harvest is by seine.
- Recreational opportunities at regular bag limits (4 fish per day with possession limit of 8).
- WCVI chum escapement trending downward since 2005-2006.
- WCVI chum management: commercial fisheries' primary targets are enhanced abundances at Nootka and Nitinat; Nootka fishery is managed by harvest rate based on effort; Nitinat management is based on escapement (esc. goal 225k). Experimental low effort commercial fisheries in Barkley, Clayoquot and Esperanza.
- Expecting lower than average returns for WCVI chum. No surplus for commercial fisheries anticipated. This will be confirmed in-season through monitoring, escapement programs and test fisheries.
- Fraser River chum are largest chum population in BC, but escapements are declining. They return to the Fraser from Sept-Nov, with peak migration in mid-late October. Major spawning areas are below Hope (Harrison, Weaver, Chehalis, Chilliwack, Vedder, Stave).
- Fraser chum enhancement projects are operated in Inch Creek, Chilliwack and Chehalis, along with several smaller projects.
- Last in-season estimate for terminal Fraser chum was 1.725 million (based on Albion test fishery). Escapement estimates for 2009 are not yet available, but should be soon.
- Fraser chum management is based on in-season forecast of abundance from Albion. The escapement goal is 800k. The threshold for recreational fisheries is 916k. Chum fisheries are constrained to protect steelhead and coho.
- Not expecting formal pre-season abundance forecast; the outlook is near target for 2010. In-season forecasts will be based on the Albion test fishery.

South Coast Coho Salmon (Les Jantz):

- Stock status has not changed much in recent years; the outlook status for most stocks is 1 (low abundance, declining). Poor marine survival and production trends continue.
- The current management approach is similar to past years – Canadian exploitation not exceeding 3% for fisheries conducted while stocks are present. Window closures will be implemented to protect most coho, and selective fishing gear will be required.
- A request has been received from area G troll fishers to retain wild and hatchery marked coho when abundance levels are high; this request will be reviewed by DFO.
- There is currently no in-season assessment for interior Fraser coho.

Interior Fraser Steelhead (Les Jantz):

- The objective for steelhead is consistent with the past few years: protect 80% of the run with 90% certainty in Fraser commercial gill net fisheries. This objective does not apply to selective commercial fisheries or fisheries conducted terminally on single stocks. In addition, other commercial south coast fisheries are to release steelhead caught incidentally.
- DFO and MOE are working on a management framework that may include: shifting of timing of the fishery to protect Deadman River; improving catch monitoring in marine areas and developing “stop light” criteria to govern future fisheries; variation of size and timing of the fishery window, depending on abundance of stocks, freshwater and ocean conditions, etc.
- If current freshwater and ocean conditions persist and result in reduced escapements, opportunities for non-selective fisheries will be curtailed.

Discussion:

- It is unclear how First Nations will be consulted on steelhead management, monitoring, etc. There is a steelhead working group involving DFO and MOE, but it is not clear who is involved in

that group. DFO will follow up and report back to the Forum on how First Nations can engage with steelhead issues.

ACTION #1 – DFO: *Find out who is involved with the DFO/MOE steelhead working group, and how First Nations can engage. Report back to the Forum.*

- Concern was expressed about monitoring programs for recreational fisheries. FSC and commercial fisheries are closely monitored, but monitoring for recreational fisheries is poor. Also, reporting is not mandatory for recreational fisheries. Sport fishers continue to target weak stocks, but there is no accountability. It was suggested that we have a presentation from the ISDF monitoring and compliance committee at a future Forum meeting.

ACTION #2 – FRAWG: *Look into having a presentation from the ISDF monitoring and compliance committee at a future Forum meeting.*

- Concern was expressed about DFO opening recreational fisheries while FSC fisheries are closed. First Nations feel that this is an infringement on their aboriginal right to fish.
- Coastal communities are concerned about catch and release mortality for coho salmon in coastal sport fisheries. DFO stated that catch and release mortality is accounted for in the 3% total coho mortality.
- It was suggested that recreational fisheries should be managed by area, and that tags should be charged to license holders in order to aid in conservation and habitat work for that area. However, the User Fee Act in Canada prevents DFO from collecting additional money for such programs.
- Concern was expressed about the data that is collected and never analyzed. While data collection programs need improvement, funds are also needed for data analysis.
- DFO made the clarification that the Cohen Inquiry on the decline of Fraser sockeye is being conducted according to the Inquiries Act, and is independent from DFO.

Planning for Fraser Chinook Stocks (Jeff Grout)

- Many Chinook stocks continue to face declining abundance, survival and productivity due to environmental changes, ecosystem effects from climate change, pressures on freshwater habitat, ocean conditions, predation, etc. As productivity declines, management measures to decrease exploitation are being discussed.
- 2009 management actions at the PST level include 15% reduction in Alaska, 30% reduction on WCVI, and up to 30% reduction on north coast harvest (based on stock status). Effects of PST changes will be assessed in April 2010. A number of domestic conservation objectives can also constrain harvest, as well as a range of stock-specific actions.
- Management actions in 2008 and 2009 focused on reducing early timed Chinook harvest by 50% (included reductions in First Nation, recreational and commercial fisheries). New methodology will broaden the focus to protect declining spring/summer 4₂ and 5₂ Chinook (PST management units).
- Exploitation on spring 4₂ Chinook was reduced from 44.2% (in 2006-07) to 35.8% in 2008. Currently there are no indicator stocks for spring/summer 5₂ Chinook, but there is a substantial timing overlap with spring 4₂ Chinook; therefore, management actions to protect 4₂ will extend to conservation of 5₂ Chinook.
- The exploitation rate in Canada on spring 4₂ Chinook was increased to 48.7% in 2009 (18.4% Fraser River sport; 11.6% Juan de Fuca sport; 0.5% Albion test fishery; 0.4% northern BC troll;

14.1% First Nations; and 3.7% Nicola sport). 2009 management actions were focused on protecting early timed Chinook, but new methodology will take additional actions for spring/summer 5₂ Chinook.

- **Southern BC Chinook planning:** Management measures have been taken in recent years to reduce exploitation; additional measures and harvest reductions will be taken if poor survival persists. DFO is developing a comprehensive longer-term framework for protecting southern BC Chinook (harvest measures, habitat status and threats, water use, enhancement activities including hatchery, assessment and research, etc.). First Nations and others will be consulted on this plan.
- **2010 fishery planning:** DFO is committed to providing priority for FSC (recreational and commercial will bear the brunt of conservation measures). Options for spring 4₂ Chinook required beginning March 2010; options for other Fraser and south coast Chinook to be included in draft IFMP.
- **Fraser spring 4₂ Chinook:** Draft IFMP objective is to rebuild by minimizing incidental harvest in Canadian ocean fisheries, and minimize direct harvest until July 15. Fisheries beginning July 15 will be managed consistent with the management zone identified for spring/summer 5₂ (timing overlaps). First Nations have requested fishery closures, including FSC, to improve spawner abundance.
- Proposed spring 4₂ management actions:
 - North coast troll: open June 15; areas 6-10 and 106-110 closed in 2010.
 - WCVI troll: closed until April 19; open in NWVI and inside areas; open in SWVI May 1; monthly effort limits April 19-June 15.
 - Juan de Fuca: 2 Chinook per day 45-67cm and hatchery marked >67cm; additional management actions after May 21 are being discussed.
 - Strait of Georgia: Chinook non-retention or no fishing for salmon May 1-July 15.
 - Fraser River: closed to May 1; May 1-July 15 Chinook non-retention or no fishing for salmon; Thompson River closed when spring 4₂ present.
 - First Nations: reductions for 2010 fishing plans (discussions ongoing).
- **Fraser spring/summer 5₂ Chinook:** IFMP objective is to continue rebuilding consistent with a 3 zone management approach. Return estimates will be based on in-season CPUE at Albion (June 15). Management to start based on zone 1 (>30k – rebuild toward MSY levels) unless Albion indicates larger return in-season.
- **Fraser summer 4₁ Chinook:** 2010 outlook is near target/abundant. Directed fishing opportunities may occur provided that fisheries can be designed to limit impacts on co-migrating stocks of concern.
- **Fraser fall (Harrison) Chinook:** PST-approved escapement goal is 75.1k to 98.5k. Outlook is low; proposed non-retention on commercial net fisheries Sept-Nov.
- IFMP timelines: Draft 1 March 17 (comments April 26); Draft 2 April 30 (IHPC meeting May 6-7).

Discussion:

- DFO's data reports show catch in terms of percentages, but First Nations would like to see the actual number of CWTs collected. However, this would be a very challenging task from a technical standpoint.
- Some of the data used by DFO is generated from very small numbers of CWTs; concern was expressed that CWT samples are too small to provide an accurate representation of actual fisheries.

- Some of the graphs combine information that was derived from different assessment methods (e.g. CWT, run reconstruction, etc.). Technical staff has expressed concern about data being presented in this way.
- In order for CWTs to work well, DFO needs to collect lots of heads from clipped fish. However, sampling rates are very low (particularly in sport fisheries). DFO is concerned about the lack of reporting, and will be looking for ways to improve reporting. More fish were marked with CWTs in 2008, which should help to improve data in 2012 when 4 year old fish return.
- When Chinook returns are below escapement targets and DFO still opens recreational fisheries, it's an infringement on First Nations' rights. FSC needs have not been met for many years in some communities due to a lack of fish, yet DFO still provides recreational opportunities.
- It was expressed that the current state of monitoring for recreational fisheries is not acceptable to First Nations. In a time when Chinook stocks are declining to the point of extinction, DFO needs to take steps to improve monitoring and data collection.
- Non-retention recreational fisheries should not be allowed on weak stocks, as long-term mortality impacts are largely unknown.
- Recreational fishers are mobile; as areas are closed to fishing, they will move and put pressure on other areas.
- Some First Nations do not feel that their concerns are being heard by DFO. It was recommended that DFO report back to First Nations after meetings in order to ensure that the messages are clear.
- Concern was expressed about DFO collecting data from CWTs in hatchery fish, not from wild fish. Hatchery fish have been found in unexpected areas, so their behaviour might not be indicative of wild stocks.
- Objectives in the IFMP focus on harvest opportunities while minimizing incidental harvest. Rather than focusing on harvest, First Nations want to see DFO's objectives related to conservation.
- First Nations want to know what actions DFO is taking to ensure that First Nations get priority access according to the rule of law. While DFO states that recreational and commercial fisheries are "bearing the brunt of conservation", First Nations want a better understanding of DFO's allocation policy in order to determine whether their policy is consistent with Sparrow.
- DFO has proposed a series of closures to protect spring 4₂ Chinook, but in past years tags have been recovered considerably later than the dates of those closures (e.g. proposed closure for the north coast troll until June 15, but tags have been recovered in July).
- A new study on orca whales has revealed information about Chinook stock composition. The vast majority of Chinook being caught in coastal recreational fisheries are Fraser-bound stocks. Up to 80% were endangered spring/summer 4₂ and 5₂ stocks, even in July.

DFO response:

- DFO will be implementing additional closures in 2010 to address issues with Nicola Chinook, as well as working to improve the data used for management.
- With respect to using CWT information from hatchery fish, this information is supplemented by stream programs to assess wild populations (hatchery fish are only one piece of the overall assessment regime, along with wild fish and DNA analysis).
- DFO acknowledged First Nations' recommendations to close catch and release fisheries on Nicola Chinook, and to close all fisheries impacting endangered Chinook. Some First Nations have also expressed that the management actions DFO is taking to minimize exploitation are not strict enough measures. DFO is planning a substantial increase in management actions; non-retention fisheries and full closures are options DFO has discussed.

- Stock productivity has declined to the point where many steam-type stocks are not replacing themselves, even with no fishing. This speaks to the need to explore reasons why stocks decline.
- DFO is looking for specific recommendations on what management actions First Nations are considering in FSC fisheries. DFO acknowledged the clear support for a moratorium on spring 4₂ Chinook fisheries.
- CWT information cannot be finalized in-season because analysis takes time (dissecting tags out of fish, collecting tags from carcasses of indicator stocks on the spawning grounds, etc. In the past the data delay has been up to 2 years. DFO continues to visit the applicability of using DNA analysis for in-season assessment.
- The SFAB has requested to meet with First Nations to discuss solutions for fisheries issues. DFO supports these discussions.
- The allocation policy was created in the 1990s by the Minister at that time (Keller). Conservation is the first priority, then FSC, then recreational fisheries for Chinook and coho, and commercial for sockeye, pink and chum.

Recommendations from First Nations to DFO (Day 2):

General comments and recommendations:

- Due to the lack of data and information, First Nations were unable to come to a consensus about recommendations for SWVI commercial and recreational fisheries.
- First Nations have difficulty responding to DFO's IFMP because of data uncertainty with respect to migration timing, stock composition, etc. First Nations require a technical process to better understand this data.
- First Nations want to have their own stock assessment programs to collect data on composition and migration timing in their areas. Programs would be coordinated among First Nations throughout the Fraser watershed and marine approach areas to determine what data is needed.
- Monitoring and compliance remains a key issue that needs to be addressed, particularly for recreational fisheries. First Nations need to feel confident that fisheries are properly monitored before accepting DFO's data.
- First Nations want DFO to reiterate what they've heard from First Nations in order to ensure that the messages are clear (concerns, recommendations, issues, etc.). In addition, First Nations want DFO to indicate how they will respond to these issues, and how First Nations interests will be accommodated. In order to build trust, transparency is needed around accommodation. This includes verbal and written responses from DFO.
- The IFMP timeline does not meet First Nations' needs. First Nations want to participate in the development process, and see how their input from processes like the Forum is incorporated into the IFMP.
- First Nations feel the need for a technical meeting prior to the larger Forum meetings in order to discuss options. This would help to focus the discussion at Forum meetings. Additional resources might be required for these meetings.

Spring 4₂ Chinook:

- Juan de Fuca sport closed for salmon fishing to June 30.
- Area 18 and 29 sport closed for salmon fishing to June 30.
- Fraser River to Sawmill Creek sport closed for salmon fishing to July 20.
- Above Sawmill sport closed for salmon fishing to August 20.
- Proposed dates for recreational fishing could be refined with improved data.

- Recommended principle: In-river recreational harvest should be closed until Nicola Chinook passes. Dates need to be refined with improved data.
- The Nicola Tribal Association and Secwepemc Fisheries Commission have proposed some dates for First Nations fisheries. First Nations will bring these dates back to their communities to assess the implications for their own fisheries. Recommendations will be provided at the May Forum meeting. In the meantime, First Nations continue to support a moratorium on spring 4₂ Chinook fisheries.
- The Nicola Tribal Association and Secwepemc will meet with lower river First Nations (Tsawwassen, Musqueam, Kwantlen, etc.) next week to discuss spring 4₂ information and recommendations.

Sockeye:

- First Nations require a better understanding of stock composition, abundance and run timing of sockeye and other species as they pass through their territories. First Nations in areas 12-13 are committed to starting their own data collection in consultation with upper river First Nations. Currently looking at ways to fund First Nations fisheries assessment programs.
- First Nations want to form a technical working group to develop sockeye management options in terms of escapement and harvest planning for 2010. The proposed meeting date for this process is May 18 (First Nations participation only).

DFO response:

- Barry Rosenberger expressed appreciation for the specific recommendations made by First Nations. They indicated that they will respond to these recommendations in writing.
- DFO will be implementing the recommended closure for recreational fisheries in the upper Fraser.
- Improving the data is a task that can be addressed collectively. We need to have presentations on current catch monitoring programs for commercial, recreational and First Nations fisheries, how they work in each area, etc.
- Test fisheries are run jointly by DFO and the PSC. DFO expressed an interest in seeing First Nations' plans for test fisheries, as poor data remains an issue for both First Nations and DFO.
- A number of questions still remain (e.g. Cultus management objectives). Feedback will be incorporated into a second draft IFMP on April 30.
- Barry Huber expressed that he remains encouraged by the Forum and Roadmap processes. He recommended developing a document to track issues, data considerations, recommendations and analysis. He will discuss this with the FRAWG group.

ACTION ITEMS:

ACTION #1 – DFO: *Find out who is involved with the DFO/MOE steelhead working group, and how First Nations can engage. Report back to the Forum.*

ACTION #2 – FRAWG: *Look into having a presentation from the ISDF monitoring and compliance committee at a future Forum meeting.*