



Fraser Salmon Management Council

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April 14, 2022

Department of Fisheries and Oceans
#200 - 401 Burrard St
Vancouver, BC
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<SENT VIA EMAIL>

Attention: Pacific Salmon Management Team

RE: IFMP FEEDBACK SUBMISSION AND RELATED MATTERS

At the recent Fraser and Approach (FAS), the Tier 1 participants noted several areas and recommendations and given the current IFMP deadline of April 15, 2022, the participants deemed it necessary for some comments to be shared, but most notably set the stage for further discussions.

Despite having signed in 2019 the historic Fraser Salmon Collaborative Management Agreement (FSCMA) there is nothing in the IFMP that suggests fishing seasons will be managed differently. There is nothing in the IFMP that advises First Nations how you will be working collaboratively with the FSMB in effective Tier 2 decision making regarding key issues of concern in the governance and management of Fraser Salmon.

In this new day and age of reconciliation, it is important to remember that to initiate any reconciliatory action truth must be acknowledged. Alternatively, DFO has stated it is taking (not we are taking) a precautionary approach to say Chum management. Meanwhile the FSCMA intent and terms speak to joint decisions making and a collaborative approach for decisions.

Along with the FSCMA, UNDRIP also requires a fresh look and the development of new processes but let's leave these and other important complimentary subject areas for the now required follow-up conversations that will take place in relation to the following recommendations/submissions.

For clarity here, over the past 3 days, Tier 1 participants at the April 12-14 FAS Salmon Forum developed, reviewed, and approved by consensus the following recommendations for the 2022/23 Salmon IFMP.

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1. Collaborative Technical Process to review late Fraser chinook fishery mortality data

Rationale: Whereas Fraser and approach First Nations were not engaged in the 2021 post-season analysis of the marine recreation fishery or pilot recreational fisheries that started April 01, 2022; and

Whereas: Data analysis of chinook mortalities for these fisheries occurs after the 2022-23 SC IFMP deadline — preliminary data was shared with the JTWG on April 11 and additional post-season information will be made available in coming months; and

Whereas: Additionally, stock sampling data collected in FSC fisheries has not yet been analyzed; and

Whereas: Such data feeds into the DFO Fishing Mortality Index which is scheduled for completion this fall; and

Whereas: This leaves no opportunity for First Nations to review the mortality outcomes for these pilot MSF fisheries to ensure conservation and FSC objectives are met, all of which is critical to providing informed recommendations in 2022 and other future years fisheries.

Recommendation: That the 2022/23 IFMP include a place marker to enable a collaborative First Nations/DFO process for technical evaluation of the 2021 Fraser chinook fishery mortalities, particularly in marine recreational fisheries, and implications for expected impacts of current and/or proposed pilot MSF fisheries; and

That the results of the evaluation including the FMI table could also lead to a fall Forum to make recommendations for fisheries that could occur early in 2023 and/or for the 2023/24 IFMP; and

That this process could serve as a pilot for ongoing engagement for Fraser chinook fishery planning; and

That any 2023 recreational fisheries that may impact Fraser chinook stocks of concern should be paused pending this review.

2. Engagement & implementation: MM/MSF Policy Paper

Rationale: Whereas, at the FAS Forum (April 13) DFO provided a timeline and agenda for the review of the MM/MSF Discussion Paper; and

Whereas: The agenda fails to recognize the requirement for First Nations to be fully informed and to consent to the implementation of MM and/or MSF as set out in UNDRIP and respectful of Reconciliation.

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Recommendation: That a collaborative Technical Table be developed and engaged to review the management of Chinook fisheries that include Fraser River stocks; and

That the implementation of any elements of MM or MSF should be delayed until this collaborative technical process can review and analyze the Discussion Paper, the results of 2021 Pilot MSFs and other existing MM/MSF fisheries and programs.

3. IFR coho and priority access:

Rationale: Whereas DFO has an obligation to manage fisheries in a way that implements both conservation commitments and First Nations FSC priority access rights.

Recommendation: That any allowable Interior Fraser coho exploitation for 2022 fisheries be prioritized to permit full FSC fishery access to Fraser sockeye.

4. Increasing 2022 Sockeye Communal Licence Targets:

Rationale: Whereas, Fraser-bound sockeye are critical to the sustenance, social, cultural and spirituality of First Nations FSC fisheries throughout the watershed and on the approach waters to the Fraser River; and

Whereas there have been consistent harvest deficits in the recent past, along with future expected deficits, in meeting both the communal harvest license targets set by DFO and broader FSC needs of First Nations communities; and

Whereas DFO has an obligation to consider and compensate for the socioeconomic and sociocultural impact of these deficits and current commitments to reconciliation, such as UNDRIP/ DRIPA; and

Whereas strong returns are expected this year, with interest in making up for past and future expected deficits.

Recommendation: That DFO implement the recommendations of FSMC's "DRAFT Briefing Note on Sockeye Communal License Harvest Target Amounts - Delegates Assembly March 7, 2022 V0.1 updated Mar 5" for a potential increase to those targets for 2022/23 and future years, while adhering to key principles of conservation and implementation of the Sparrow decision and other relevant case law.

5. IFMP Process & Management Regime

Rationale: Whereas, DFO continues to rely on the IFMP process for salmon management advice and has made no effort to explore or initiate reforms to that process, despite First Nations complaints over many years that it conflicts with:

- 1) Canada's commitment under the collaborative management agreement signed with 76 Fraser and Approach First Nations;
- 2) Canada's commitment to implementing UNDRIP, which requires free, prior, and informed consent
- 3) The Minister of Fisheries' mandate letter that commits to nation to nation, government to government relationship with First Nations.

Recommendation: That DFO pause the current IFMP process and management regime for Fraser and Approach salmon fishery management and immediately invest the necessary resources and structures to fast-track reforms to a new collaborative fishery management structure that fully respects planning, conservation, and harvest commitments consistent with FN priority rights and title, UNDRIP and DFO's reconciliation commitments.

6. GSI Sampling of Midwater Trawl Chinook bycatch??

Rationale: Whereas DFO reported that a recent analysis showed very high numbers of chinook were caught or discarded as bycatch in this fishery, with increased impacts in 2021.

Recommendation: That DFO order bio-sampling for all chinook bycatch in the mid-water trawl and other groundfish fisheries, including of all sub-legal chinook, and that the results be reported promptly to First Nations with an interest in the identified stocks.

In submitting these recommendations, Forum Tier 1 participants requested a formal response from DFO and expressed interest in further engagement to explore how they can support implementation of the above recommendations.

Please be advised the formal FAS recommendations will still be forth coming and this submission is not intended, nor mean to be considered for that purpose, but do consider this letter to be the FSMC's formal response to the IFMP and is also respectfully submitted on behalf of Forum Tier 1 participants

Sincerely,



Brent Ryan-Lewis, *LLB*
Executive Director, FSMC

Cc: FSMC Member Delegates; FSMB