Fishing Fleets and Marine Planning

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Conflict As Catalyst: does not always lead to collaboration
How committed is Canada to Marine Planning?

Example: Aquatic Management Board (AMB), West Coast of Vancouver Island

- Primary table for advice on policy affecting marine resources and adjacent communities in the region
- Specifically mandated under the Oceans Act – 1st in Canada.
- Two years of facilitation to bring board into existence
- Ratified by four levels of government: Nuu-chah-nulth, Federal, Provincial and Regional
  - Federal government was last to ratify, in 2001
- Founded on principles of ecosystem-based management
- Collaborative and consensus-based governance
What was the conflict that led to creation of AMB?

- Troll fleet slated for destruction by Government of Canada as outlined in an internal visioning document
- US - Canada Treaty: the fishery was an equity fishery fishing on mixed stocks, many of them US bound
  - Trade-off with Alaskan catch of Canadian stocks
- Upriver First Nations seeking greater fish returns into their territories
- Recreational salmon industry expanding at exponential rate, wanting increased access without compensation
- Fish farm industry seen as replacement for wild fishery
- End of federal government support for wild salmon enhancement
- Weak stock management approach supported by ENGOs
How was the planning process initiated?

Launch of West Coast Sustainability Association in 1993 by 70 native and non-native fishermen concerned about the direction of fishery management in BC

- Became 1st community-based group to engage in salmon advisory processes
- Put forward concept of Regional Management Boards in Salmon Fleet Rationalization process in 1996
- Raised funds for monitoring necessary to develop new winter troll fishery in 1996
- Facilitated Future Search conference that led to the commitment by government to engage in developing a Regional management board to protect access of communities to nearby sea resources
Where are we at today?

- About 20 trollers still living in region – roughly 80% loss
- US-Canada Pacific Salmon Treaty signed in 2008 resulting in 50% loss of fish for west coast Vancouver Island trollers
  - Comprehensive plan by AMB to deal with treaty impacts completely ignored by Federal Government
  - Cabinet document shows decision on federal “mitigation strategy” already made prior to consultation process
  - Trollers take Federal government to court over treaty – judgement released January 27, 2011 stating that Minister has complete discretion to do whatever he or she wants
- Biggest run of Fraser sockeye in a hundred years passing by these communities in 2010 with 0% caught by west coast trollers
What is the Government of Canada view of the Board today?

- In December 2010, Paul Sprout, former DFO Pacific Region RDG, was cross-examined during the troll court case
  - “I think the board was created by some mayors and Nuuchah-nulth interests”
  - When asked if a consensus decision by a board that included local governments, NGO’s, provincial governments, DFO and troll reps in a mitigation strategy, had more weight than a single industry voice, his short answer was ‘NO’

- Current RDG Sue Farlinger wrote the Board stating that DFO would withdraw from the Board due to a “conflict of interest” concerns regarding Ahousaht court case and PST issues.

- Back room meeting between RDG, NuuChahNulth federal, provincial and Regional District government representatives, at the instigation of the regional government co-chair, purposefully excluded stakeholders members and broke the consensus terms of reference
Lessons learned from this example

- Lack of political will for principled approach to shared management and absolute discretion of the Minister
  - Negates need for bureaucracy to meaningfully engage in collaborative process
- The best designed terms of reference will not lead to good marine plans if those who negotiated them do not follow through in good faith
- Uneven power at the table, unless balanced by facilitated consensus based process, will lead to poor outcomes
- Conflict will lead to destruction of less powerful interests if process is corrupted
- Good planning takes time, is messy and must lead to real action towards a sustainable future
Other examples ongoing in BC today

PNCIMA Pacific North Coast Integrated Management Area

- PNCIMA has been the focus of the central government implementation strategy for the Oceans Act since 2003.
- Major private public partnership between Moore Foundation and DFO, First Nations and Provincial government to build capacity.
- Commercial fishing industry has organized in a broad-based caucus to bring its objectives and goals to PNCIMA table.
- NaiKun Wind and Area A Crab working on collaborative process for soft shell survey with help of Moore Foundation and Tides Canada to provide example of how conflicting industries can create positive synergies.
- First Nations marine plans built over the last six years to integrate into the PNCIMA process.
What is the path forward?

- Change the legislative framework to define a new approach for oceans management in Canada
  - Ensure ecosystem-based management is a legislated requirement, not merely a “should” or “may” as in the Oceans Act
  - Recognize fundamental principles of human rights – no livelihood will be removed without compensation or mitigation
  - Entrench shared decision-making, across government departments and including stakeholders
  - Focus on comprehensive planning and away from politicized approaches to management of sea resources
The concept of shared decision-making between government and stakeholder interests is a fundamental driving principle of sustainability and ecosystem-based management.

It is past time that shared decision-making enjoy the full support of the federal government in BC’s fisheries to realize the aspirations set out in Canada’s *Oceans Act* more than a decade ago.

“Oceans and their resources offer significant opportunities for economic diversification and the generation of wealth for the benefit of all Canadians, and in particular for coastal communities.” *Canada’s Oceans Act, 1996*