



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 Nuuchahnulth 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*

