

What We Heard

“The way Fisheries and Oceans Canada manages this program is paternalistic.”

Getting to Know Communities and their Fisheries

“AFS help us start the fishery program, so it is ‘instrumental’ but, strictly speaking, it’s a tiny piece of a much larger puzzle.”

- Participants fish a wide range of species: sockeye, coho, chinook, prawn, sea urchin, crab, herring, halibut, yellow-eye, ling cod, clams, and other groundfish and shellfish.
 - Some designate fish harvesters in their community fisheries, while others contract community fish harvesters to fish for members. Some require their members to carry a designation card *“even though everyone is allowed to fish,”* while others only require members to show their status card to a fishery officer, if asked.
 - Many communities also participate in commercial fisheries. Two have dual fishing, whereby their commercial vessels target community fish on the way back from their commercial fishing trip. *“You need a distribution letter for offloading at the landing site. We provide it to Conservation and Protection.”*
- Several participants note that their communal fishery takes place in a confined area, which has caused frustration. *“Our people like to travel as their ancestors did to fish and AFS keeps us contained in a confined area. DFO says it’s important to have statistical areas to be able to manage the resource.”*
 - Some have inter-tribal agreements to fish in other areas, but one was told by the Department that these agreements could not work because of policy. *“Then, we were told that there was never such a policy. This is deceitful.”*
 - One said it took years to access a river where the Nation traditionally had a village.
- Participants are clear that their communal fisheries are not part of the Aboriginal Fisheries Strategy program and all fisheries-related activities: fishing, transportation, storage and distribution are funded through own source revenues.

Understanding Food, Social and Ceremonial Needs

“We’re told we can’t change the framework of AFS, but access to fish is what we want to change and this causes frustration.”

- Participants report that food fisheries are not meeting the needs of communities.
 - One has been talking with its commercial fishing enterprise to see if they can help meet food needs; for example, by asking it a condition of licence and offsetting the costs of purchasing. Another is dependent on hatchery chinook and chum broodstock to access food.
 - More than one said their community fishes to meet the needs of their members regardless of what is in their agreement. *“I have a letter signed by the Chief permitting this and it’s never been challenged or questioned by DFO.”*

- Participants distribute fish to members either by household or by person. One operates a distribution system for members to come and pick up the fish.
 - There are some communities in which all members may fish, but others depend on Band administration to acquire and distribute food fish. *“Most people lost their boats because they can’t afford to fix them anymore.”* One uses the revenues generated from their gas station to get food fish. A few others lease their licences and/or charter commercial vessels.

Understanding Agreements

“Forgoing rights to get this funding has always been an issue for the Elders.”

- Every participant presently has an Aboriginal Fisheries Strategy agreement and the majority have had an agreement since the program started. Several initially had their agreement through a Tribal Council, but have since signed a separate one.
 - One said there were years where they did not have a signed agreement, but the Nation continued to administer a food fishery and other activities in their work plan.
 - Several others said their Nations have considered, or come close to, not signing an agreement “to send a message to DFO,” but they signed it because of the jobs. *“I’d love to [not be in AFS], if not for the licences and the jobs.”*
- Participants report that their agreement primarily funds a fishery manager and/or fish technicians and/or fishery guardians. Some struggle to pay for and retain their technical staff with the lack of program funding. Others submit proposals for other sources of funding because the program only pays for about 20% of the salary of two technicians. *“If we were funded properly through AFS, we would have more time to do the real work of this program.”*
 - Several noted that funding has not changed since the program began and one said they even had a 2% reduction about 10 years ago.
- Participants want more fish to be allocated within their Aboriginal Fisheries Strategy agreement. *“It’s very difficult to change because it’s based on their policies.”* Some also want the policy, which bases allocations on reserve population, to be changed.
 - One spent two years to get the allocation numbers out of their agreement. Another said their quotas *“seem to shrink a little each year.”* Still another said ‘paper fish’ goes to the First Nation that they *“can’t afford to fish or it may not be in the area that they want to fish.”*
- Some participants want multi-year agreements, while others prefer shorter-term agreements. *“You could be stuck in a multi-year agreement with no changes.”*
 - The majority at the session have yet to receive signed agreements this year. Some said these delays put a strain on the Nation’s resources and sometimes results in a deficit. A few have been able to change this situation through negotiations with the Department. For example, one gets advanced funding each quarter after they do their report. Another gets 90% of the year’s funds in advance, with a 10% hold-back until they do their final report.
- Several participants complained about the reporting requirements in their agreements. *“Reporting is the worst and hardest part of the job.”* One said they answer countless

questions about small expenditures. *“Scrutiny over reporting is ridiculous; especially, by Vancouver staff.”*

- One said reporting has not kept up with the number and type of projects some communities may be engaged in today. *“Twenty-five years ago, it was about fish counts and habitat projects, but the jobs have changed – we deal with 100 different issues and projects today. How do you report on 100 things?”*
- Only one said reporting has become less strenuous for their community, with only an annual report required as opposed to quarterly.

Understanding the Technical Components of Agreements

“It’s very important to have a suite of technical activities to advance your interests.”

- Participants report that the Aboriginal Fisheries Strategy program is primarily for catch and fishery monitoring and/or collection of catch data, but they question how and whether the data is actually used by the Department. *“We found out catch reporting was going into a file in someone’s computer and it didn’t go into the IFMP for shellfish or groundfish. To be hounded for this information and for it not being used to manage and protect the resource is ridiculous.”*
- Most participants also have data collection and stock assessments activities in their agreements, but they are insufficiently funded to meet the community’s priorities.
 - One wants to be doing more data collection and stock assessment work throughout the watershed in their territory. *“We have a lot of streams and have been told by Council to expand our program.”* Another wants data collection to help the community protect its interests.
- Several Nations have technical equipment in their program, such as a Didson counter or acoustic gear. One also has contracts with the Department to do ladder surveys, acoustics and other technical work.
- Many participants are involved in fisheries enhancement activities, but some think it only benefits recreational users. One also noted that hatcheries and other fish enhancement activities may not be funded through the program. *“We have a separate hatchery program.”*
 - One community is dependent on hatchery broodstock for its food fishery, while another does early recreational enhancement because it provides additional funding for technician salaries.
- Many participants are involved in habitat restoration activities, but these are funded through other sources. *“DFO wants habitat and assessment work, but there’s no funding for it in AFS.”*
 - One is interested in doing more habitat restoration work to expand the activities of their watershed working group in a national park, while another receives funding from the forestry industry and Parks Canada to do habitat work.
- A few participants run school classroom and/or public education programs, but this is not funded through the Aboriginal Fisheries Strategy.

Aboriginal Fishery Guardian Program

- A number of participants have fishery guardians in their communities: some designated and some not. Some guardians are funded through the Aboriginal Fisheries Strategy program and some by own-source revenues.
 - Five Nations are looking at sharing an enforcement body and having fully trained staff to enforce the rules and address issues. *“We call Conservation and Protection today and three weeks later they call us back and ask if we recorded it. It’s frustrating and it causes resentment.”* Others want the Aboriginal Fishery Guardian program to be separate from the Aboriginal Fisheries Strategy program.
 - One community enforces its own regulations, which are directed by a Fish Committee, as well as *Fisheries Act* regulations. *“Fishery guardians are designated peace officers. They’ve taken away weirs in the past and they take nets away today so chinook get to the spawning grounds.”*
- Those without fishery guardians aspire to have them in the community. More than one participant noted that guardian training and designations have not been available in many years.

Co-management

- Participants want more management responsibility for fisheries in their territories to deal with the impact of the recreational fishery and to focus management on the priority user.
 - Some expect consistency between fishery closures imposed by Nations on their members to be applied to recreational fish harvesters. *“We closed the river to our members, but they can see the recreational fishermen coming in and it’s not fair.”* A few also want First Nations to be funded to monitor recreational fisheries.
 - Several want fishery management practices adjusted so they are clearly focused on conservation and, then food, social and ceremonial fisheries first before privileged users. *“DFO finally admitted that they managed fisheries for economic reasons.”*
- A number of participants are members of a regional salmon round table which includes area First Nations, commercial and recreational harvesters, and fish farm companies. *“The round table is a resource management system: actually the same system that DFO uses, but DFO is not the ‘decision-maker’ – they only facilitate the process.”*
- Some want more staff to be able to participate in more fishery management meetings. *“We have two guys doing everything DFO is doing. We’re spread too thin.”*

Understanding the Economic Components of Agreements

- Several communities have Allocation Transfer Program licences, but they note that certain funds are ‘clawed back’ from their Aboriginal Fisheries Strategy agreement in exchange for these licences.
 - One wants Allocation Transfer Program licences to be replaced by “proper” economic allocations. *“ATPs are never guaranteed year-to-year and they come with next to no quota and no funding for expenses.”*
 - Another wants to know at what point their Allocation Transfer Program licence will be paid for so it can be used to fund infrastructure, such as motors. *“At some point, you stop paying a bank for a loan, but there is no end point for licences.”*

- A few want the Department to create more economic opportunities for First Nations to be involved in the fishery other than through the Allocation Transfer Program or the Pacific Integrated Commercial Fisheries Initiative. One also wants the program to be more focused on food, social and ceremonial fisheries, including the costs of vessel maintenance and the acquisition of fish *“without ATP interfering in AFS funding.”*

Understanding Relationships

“There are too many branches at DFO to deal with each. We need one contact at DFO.”

- Participants have varying relationships with the Department, ranging from almost non-existent to very good to strained.
 - One said they are only contacted by the Department when officials need something. Another said the community has to contact the Department regarding projects as officials never contact them.
 - Still another said they had to go to court to get the Department to address their issues. *“By using the Court process, we got our toe in and they were forced to respond and deal with it. It seems to be the only way to gain traction.”*
- Some participants have a good relationship with local fishery officers, while others say the relationship is limited or only recently starting to improve. A few said their fish harvester feel over-monitored and over-enforced by local fishery officers; especially compared to sportfishers.
 - One has a protocol agreement in place with Conservation and Protection to allow fishery officers to come into their river systems. Another is working on a protocol and starting to look at restorative justice after having a fishery officer in their territory harassing some harvesters. *“I had to call the supervisor because of that and we started working on an enforcement protocol as a result.”*
- Several participants report having good relationships with science and stock assessment staff. One worked closely with science to get a closure on a fishery. *“It worked out because our findings and the science are matching up.”* A few others share a database with stock assessment staff which is used in a fishery round table.
 - A few participants also have a relationship with resource management. *“It’s hit and miss because all resource management is based on policy so it’s harder to make changes.”*
- Participants are tired of the high turn-over of staff at the Department. *“Right now we have a former colleague, but what happens when they leave? All our work will be gone and we’ll be stuck rebuilding the trust.”* One said staff changes resulted in the Nation being accused of not sending in their data reports, because the *“new guy didn’t have input from the last guy’s computer.”*
- Participants have close relationships with their aquatic resource and oceans management groups. They also work well with hatchery managers and neighbouring Nations on technical projects.
- Some participants want more interaction with the Province; especially, on issues related to habitat and the impacts of forestry. One is involved in many joint projects with municipal government after developing a close technical relationship.

Improving the Aboriginal Fisheries Strategy Program

“The program needs to reflect the legitimacy of the rights and be built in that way – not DFO saying what it is.”

- Participants think the most important way to improve the Aboriginal Fisheries Strategy Program is by increasing funding in order to:
 - ensure food security for community members. *“This is about feeding people – supporting food for the community is our number one priority.”*
 - ensure conservation of the resource for future generations.
 - increase the number of staff required in Nation’s fisheries programs and to start planning for succession, including through job-shadowing and mentoring. *“We need to do all of that work to see if they want to get into this position.”*
 - pay workers real salaries and benefits. *“Technicians, guardians and managers are paid less than what anyone gets at DFO. We expect that they will work for less money than anywhere else and we lose anyone who is good.”*
 - be able to properly fund the technical activities in their agreements and to undertake technical work prioritized by community members.
 - build capacity by properly training First Nations members.
- One participant asked when the announced funding increase would occur: *“In 2016, I heard the speech from the Minister about an increase in AFS funding, but we’ve yet to see anything happen.”*
- Other ways that participants thought the program should be improved include:
 - More flexibility to be able to run a fishery program as opposed to a few projects.
 - Changing the program agreement to be a ‘partnership co-management agreement of fisheries resources.’ *“Start over: find out what the First Nation wants to achieve and develop a true partnership that respects Aboriginal fishing rights.”*
 - Improving reporting requirements and flow funding faster.
 - Funding the Aboriginal Fishery Guardian Program as a stand-alone program.
 - Simplifying the structure at DFO or their interaction with First Nations. *“It’s impossible to deal effectively with so many DFO functions and other organizations that deal with fish when you only have a couple of staff trying to do it all.”*
- More than one said the Program Review was an important first step in improving the Aboriginal Fisheries Strategy and Aboriginal Fishery Guardian programs.

Measuring Success

“We define the success of this program by having unified goals and objectives that go hand-in-hand with the capacity of the budget and allowable use of resources.”

- Participants measure the success of the program by being able to meet the needs of the community, to protect fish and habitat resources, to meet the capacity-building objective, to retain staff long-term, and having improved communication with relevant personnel at the Department on all fisheries.

Other Input

- While outside the scope of this Program Review, some participants want government to start looking at and improving fisheries policies. *"Policy gets in our way – a lot. Policies always stay the same and they hold us back."*
- A few participants also want the pilot sales (economic opportunity) fisheries backgrounder to be improved by the Institute. *"We should be consulted on these backgrounders before they go out."*