

What We Heard

“DFO is not clear about what they want the program to do for them or for us.”

Getting to Know Community Fishery Guardian Programs

“The DFO concept of fishery guardians is outdated, inconsistent, and lacks a way to improve it.”

- Participants included both designated and non-designated fishery guardians, two Aboriginal fishery officers, and other members of community fishery and/or natural resource programs, such as managers and administrators. Representatives from four aquatic resource and oceans management groups also participated.
- Communities operate different fishery guardian programs, and several combine more than one and even all of the following program types:
 - Focussed on monitoring, control and surveillance (enforcement) activities, such as boardings and seizures, issuing warnings, appearing in court as witnesses, note-taking and preparing reports, and preventing overfishing and the illegal sale of food fish. These activities may take place on foot, by boat (on freshwater or marine waterways) or by land vehicle and are primarily “observe, record and report.”
 - This type of guardian program may be centered solely on food, social and ceremonial fisheries or on communal–commercial fisheries (or both). In some cases, it may also cover non-Indigenous commercial and/or recreational fisheries.
 - These guardians may do joint patrols with fishery officers or conservation officers, although some say joint patrols have been cut down or eliminated by the Department. *“In our agreement, it says the guardians will assist fishery officers in their duties.”*
 - Focussed on conservation, protection and restoration (technical) activities, such as habitat monitoring and restoration, fish enhancement (including hatchery-related work), species at risk, adopt-a-stream, coastal restoration, camp and aquatic monitoring, stock assessments, electro-fishing, and other data collection and monitoring programs.
 - This type of guardian program may be closely linked to the activities undertaken by the aquatic resource and oceans management group. *“They help with priority setting by alerting the AAROM when there are issues that should be addressed.”*
 - One community, for example, has four fishery guardians: one for habitat restoration, one for gasperau stock assessments, one for oyster enhancement, and one for invasive species monitoring.
 - Focussed on fishery management activities, such as developing harvest plans, issuing tags, ensuring harvester safety, collecting harvester report cards and/or interviewing harvesters, entering catch data into databases, analyzing data for fisheries management, and sharing catch data with the Department.
 - This type of guardian program may be centered solely on food, social and ceremonial fisheries or on communal–commercial fisheries (or both).
 - One community, for example, implemented new fish harvester safety requirements last year that require vessels inspections by the fishery guardian and captain before fishing licences are issued. Another has an office at the wharf to monitor its communal and communal–commercial fish landings.

- Focussed on education, outreach and awareness-raising activities, such as holding community engagements, ensuring understanding of fishery rules and conservation concerns, involving the community in technical activity planning, reporting on progress, and running school programs and youth camps.
- Some communities have extensive fishery guardian programs with multiple guardians and/or a team of guardians, technicians and monitors. Others may only have one or two guardians. Still others may not have any guardians or any jobs for members trained as guardians.
 - There is some concern that the multiple responsibilities and duties of fishery guardians may be unrealistic to meet expectations when there is only one guardian in a community or a small team. *“One person can’t do the job of 10.”*
- Funding for fishery guardians is primarily through the Aboriginal Fisheries Strategy program. For some communities, this means making a choice between hiring guardians or other staff to administer their communal fisheries. *“To fund guardians, we would have to get rid of our program administrator, fishery manager and clerk.”*
 - A few leverage funding for their guardians from other technical sources, such as species at risk, habitat restoration, and fish enhancement programs. One also has a ‘special arrangement’ with the Department to fund their fishery guardian even though they do not have an Aboriginal Fisheries Strategy agreement. Another recently received funding from the Department that is not connected to the Aboriginal Fisheries Strategy for three guardians, but was *“told the funding is not necessarily permanent.”*
 - Two aquatic resource and oceans management groups have advisory committees to help coordinate the activities of its member community’s fishery guardians.
- The duration of work for fishery guardians varies by community and may depend on the community’s Aboriginal Fisheries Strategy agreement. *“We’re limited to two guardians for 25 weeks.”* Some of the enforcement-focussed guardians work between May and October and, in some cases, again in February, to align with commercial fishing seasons.
 - One community extends the work of guardians over the winter by offering one full-time day of security per week. *“We want to keep the ability to fund fishery guardians during the ‘empty months’ so they’re still around next year when we need them again for the fishery.”* Another is trying to get guardians cross-designated as conservation officers to extend their work year-round.
 - Participants said the goal of most communities was to extend the work of fishery guardians as long as possible: year-round, as the ideal, and enough to get employment insurance, as a minimum.
- Some fishery guardians are involved in other natural resource or safety activities. For example, some are trained to do ice rescues, while others have trained (or been approached to be trained) to do other search and rescue (auxiliary) activities. *“Our guardians feel it’s their duty to go out to rescue.”* One community said their guardians have also been contacted by the RCMP to do search and recovery missions because they are trained scuba divers.
 - Communities have been offered different incentives from the Canadian Coast Guard to have their guardians trained for the auxiliary. One was offered a vessel and training, while others were offered a one-million-dollar life insurance policy and some funding for equipment and training.

- Participants report that communities rely heavily on their fishery guardians. A few also said their guardians have been called by non-Indigenous communities to deal with poaching or industrial activities impacting fish-bearing waterways. *“No one else is monitoring these industries.”* Others would like to see more recognition of guardians outside communities.

Understanding the Importance of Species and Area Protections

“Communities are interested in resource management, not just management of fisheries.”

- Fishery guardians are heavily involved in the protection of Atlantic salmon and American eel, along with key species of food, social and ceremonial import, such as lobster and crab. However, they also stress the importance of protecting all fish species and habitats for communities. *“All species are culturally significant and have been traditionally harvested within the territory.”*
 - Several want more science in the region; especially, on salmon.
- Many are concerned about the lack of consistency between federal and provincial jurisdictions, which has led to habitat destruction and polluted waterways. *“They veto our work on freshwater systems.”*
 - One explained how fish passage in the Bay of Fundy has been prevented with tidal barrier gates. *“The elimination of estuary habitat is a basic issue: how can salmon be successful, if it can’t even get into the river.”*
 - Another spoke about the impact of recreational angling on salmon stocks. *“The province also allows catch and release fisheries which damage the salmon.”* Still another noted the impact of international fisheries on salmon recovery. *“We’re the ones stocking the rivers and being heavily regulated, but we see Icelandic redfish trawlers with salmon bycatch.”*

Understanding Designations, Authorities and Reporting Structures

“Guardians have evolved – communities view them in a whole different way than DFO does.”

- Communities may have both designated and undesignated fishery guardians in their programs. Some undesignated guardians are waiting for the Department to offer designation training and opportunities, while others have not taken redesignation. *“They all pretty much do the same work, regardless.”*
- Communities also have different experiences when it comes to fishery guardian designations. In some cases, designation cards are issued every year, while others receive them every few years. Sometimes, designation cards are not given out until the community signs its Aboriginal Fisheries Strategy agreement. As agreements may not be signed until late in the fiscal year, this means fishery guardians would not have their designation cards during the fishing season. *“Our designations were late last year, so the Chief and Council approved them – and DFO respected that.”*
- Several communities are in the process of trying to get one or more fishery guardians designated by the Department. Others are trying to get provincial conservation officer designation to extend enforcement authorities to land issues and employment duration.
 - While cross-designation is of interest to participants, some noted that this will require changes by government (across agencies and levels). *“DFO prevented conservation officer designation.”* A few also said the Department does not want any cross-

jurisdictional activities to be reported. Others said multiple departments wanting to involve fishery guardians in their activities needed to coordinate their needs before approaching Nations.

- Some fishery guardians recall that the Department did an internal review three years ago to see how the fishery guardian program could evolve to recognize the work being done by guardians outside the fishery. *“But no one from the federal side wanted to take the lead. There just wasn’t the funding there to support it.”*
- Others have used the fishery guardian program to offer career opportunities to younger people in the community. *“We’ve used it as a stepping stone and now we have three guys trained in other careers: one conservation officer and two park wardens.”*
- There is strong support for fishery guardians to have more authority to enforce the rules of the fishery because they feel observe, record and report is insufficient to meet the needs and expectations of community members. *“We want the full powers of fishery officers minus the gun, unless the Chief and Council want that.”* There is also support to extend the work of guardians into more waterways and areas that are not being sufficiently patrolled or enforced by fishery or conservation officers.
- One guardian shared an experience whereby he came across a violation and proceeded to fulfill his role. After calling the fishery officer with pictures and notes, the officer told him to seize the gear, read the violator their rights and wait for the officer to come and lay charges. However, when the fishery officer was directed to respond to another call, the fishery guardian brought the gear and notes to the Department’s regional office and was then told to return to the gear to offender and apologize. *“It was humiliating. The Chief said I was under the direct supervision of a fishery officer at the time, but it didn’t matter.”*

Understanding Relationships

“We’re hearing there’s more interest in the guardians now and how they can support the Department because there’s not enough enforcement coverage.”

- Participants have varying relationships with the Department and its fishery officers. Some do joint patrols with fishery officers, while others are contacted by officers when there has been a violation or other incident involving members. Still others say fishery guardians are helping the Department by enforcing fishery rules on behalf of fishery officers.
- One community is currently working on a guardian program collaboration for fishery officers to monitor all fish harvesters as they have non-Indigenous harvesters fishing in their area during food, social and ceremonial fisheries.

Understanding Training and Future Training Needs

“DFO has missed opportunities to coordinate efforts. It’s hard when everyone has different agreements with no follow through on training or viable career options.”

- Fishery guardians have different experiences when it comes to training. One received their training five years ago (or longer). Another was trained eight years ago. Others did the three phases of training more than 25 years ago.

- One was given a choice of which 'career stream' they wanted to pursue during fishery guardian training: habitat or enforcement. Another was advised during their fishery guardian training to look into environmental assessments.
- One has received no training from the Department or the community. *"I went to Forest Ranger School for two years and the Atlantic Police Academy for a few months – all on my own dime."* Another wants the Department to be more proactive in informing Nations about fishery guardian training opportunities – and in a timelier fashion.
- Fishery guardians in one region received training 10 years ago over a period of two months at the Canadian Coast Guard college which was focused on enforcement. The guardians in other regions only received refresher training over a period of one to two weeks. One guardian did training over one morning before he was designated. *"If I wouldn't have had training from the Department of Natural Resources and Jujitsu, I wouldn't have been confident to take this on."*
 - Some refresher training was focused on enforcement aspects, while others included both enforcement and technical aspects (e.g., salmon lifecycle and habitat).
- Some guardians have received training to do other work, such as auxiliary training noted above and environmental training on geographic information systems and report writing.
 - One community had their guardians identify all of the areas that they wanted to be trained in so they could establish career paths for year-round work. The areas identified were natural resource management, environmental management, and forestry management.
- Participants unanimously support more training for fishery guardians, and for training to be aligned to career paths and career progressions. One thinks the lack of training has kept the guardian program from succeeding.

Improving the Aboriginal Fishery Guardian Program

"This program requires more structure, clearly defined roles and responsibilities, and proper linkages between the community, fishery guardians, and other Indigenous programs and groups."

- Participants think the best way to improve the Aboriginal Fishery Guardian Program is by aligning it along a career progression path to enable fishery guardians to become fishery officers – and by separating the program from the Aboriginal Fisheries Strategy. In particular, participants want:
 - more funding to be added to the program so communities can hire more guardians
 - increased and ongoing opportunities for training to be offered that are at par with federal fishery officers and provincial conservation officers *"They could be called a resource stewardship officer"*
 - command and control processes that enable true enforcement by fishery guardians
 - fishery guardians to receive full enforcement authorities as fishery officers and proper training on the *Fisheries Act* and its regulations and policies
 - recognition of the contribution of fishery guardians by the Department *"Respect the position more"*
- Several participants view improvements to the fishery guardian program (and the Aboriginal Fisheries Strategy) as a critical step by the Department toward recognition of rights-based fisheries and reconciliation. *"Revised programs should be as much about*

celebrating, promoting, and developing food, social and ceremonial fisheries for community needs and aspirations as for enforcement and monitoring activities.”

- Participants recognize that not all fishery guardians want to do enforcement-related duties. They therefore want the program to offer a technical, monitoring and science-related career path stream and sufficient funding for communities to hire both kinds of guardians. *“True enforcement authority may require a separation of roles.”*
- Participants also want the program to be adequately funded so fishery guardian positions are paid a salary equitable to fishery and conservation officers. *“We can’t retain them because they get hired elsewhere for better pay.”*
 - Some stressed the need for communities to have individual programs, while others saw value in taking a collaborative approach to this program.

Measuring success

“When fishery guardians have recognized authority both within and outside communities.”

- Participants measure the success of the program as:
 - achieving resource sustainability and zero non-compliance
 - guardians being at par with federal fishery officers
 - recognition of fishery guardians and their role in sustainability and compliance
 - the number of guardians in communities and the quality of training
 - positive feedback by the community and leadership
 - pride shown by community members toward fishery guardians
 - integration of Indigenous principles and perspectives
 - increased capacity to participate in technical projects and fisheries management processes

Ideal fishery guardian team

- Participants have diverse views about what may constitute the ideal fishery guardian team for their communities. Several support having at least two guardians in each community, while a number also want the team to reflect expertise across natural resources: waterways, land, fisheries, wildlife, and other environmental aspects.
 - There is also support for the ideal guardian team to have cultural knowledge and to remain involved in educational and outreach activities in the community.