



# Alberni-Clayoquot Regional District

## FISHERIES RESOURCE COMMITTEE MEETING

WEDNESDAY, MAY 16, 2018, 1:30 PM

Regional District Board Room, 3008 Fifth Avenue, Port Alberni, BC

### AGENDA

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- |  | PAGE #       |
|--|--------------|
| <b>1. <u>CALL TO ORDER</u></b>   |              |
| <b>Recognition of Traditional Territories.</b>   |              |
| <b>2. <u>APPROVAL OF AGENDA</u></b>  |              |
| <i>(motion to approve, including late items requires 2/3 majority vote)</i>  |              |
| <b>3. <u>ADOPTION OF MINUTES</u></b>   |              |
| a. <b>Fisheries Resource Committee Meeting held May 30, 2017</b>   | <b>3-9</b>   |
| <i>THAT the minutes of the Fisheries Resource Committee meeting held on May 30, 2017 be received.</i>  |              |
| <b>4. <u>PETITIONS, DELEGATIONS &amp; PRESENTATIONS</u></b>  |              |
| a. <b>Carole Schmidt, Omega Hatchery, report on Chinook Smolt survivorship after an extra year in fresh water.</b>   |              |
| <b>5. <u>CORRESPONDENCE FOR INFORMATION</u></b>  |              |
| a. <b>CORRESPONDENCE ON BALANCE OF PST MITIGATION FUNDS</b>  | <b>10-12</b> |
| April 11, 2018 News Release from Ucluelet Salmon Fishermen calling for the Federal Government to release \$17 Million in emergency relief and May 1, 2018 ACRD letter sent to DFO Minister urging immediate attention to the plight of Area G Fishers. |              |
| <i>THAT this correspondence be received.</i>   |              |
| <b>6. <u>REQUESTS FOR DECISIONS</u></b>  |              |
| a. <b>REQUEST FOR DECISION</b>   | <b>13-17</b> |
| Re:     Review - Fisheries Resource Committee Terms of Reference   |              |
| <i>THAT the Fisheries Resource Committee review and reconfirm their Terms of Reference for 2018.</i>   |              |

7. **REPORTS**

- a. **Department of Fisheries & Oceans – Salmon and Halibut Allocations and Openings Update, Hake Update, Area G Trollers Update - A. Goruk** (*Printed Report to be Distributed at Meeting*)
- b. **Provincial Fisheries Update – A. Witter (Verbal)**
- c. **Nuu-chah-nulth Tribal Council Update – E. Angel (Verbal)**
- d. **West Coast Aquatic Update – T. Lem (Verbal)**
- e. **Alberni Valley Update – P. Cote, J. McLeman (Verbal)**
- f. **West Coast Update – D. St. Jacques, J. Osborne, T. Bennett (verbal)**

*THAT reports a-f be received for information.*

8. **LATE BUSINESS**

9. **ADJOURN**



# Alberni-Clayoquot Regional District

## MINUTES OF THE REGIONAL FISHERIES RESOURCE COMMITTEE MEETING HELD ON TUESDAY, MAY 30, 2017, 10:00 AM

Regional District Board Room, 3008 Fifth Avenue, Port Alberni, BC

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**DIRECTORS PRESENT:** Dianne St. Jacques, Chairperson, Mayor, District of Ucluelet  
Tony Bennett, Director, Electoral Area “C” (Long Beach)  
Penny Cote, Director, Electoral Area “D” (Sproat Lake)  
Jack McLeman, Director, Councillor, City of Port Alberni  
Sheena Falconer, West Coast Aquatic Management  
Andrea Goruk, DFO, South Coast Division  
Don Hall, Nuu-chah-nulth Tribal Council  
Barron Carswell, Ministry of Agriculture

**REGRETS:** Josie Osborne, Mayor, District of Tofino

**STAFF PRESENT:** Robert Gunn, Contractor  
Tracy Bond, Administrative Assistant

### 1. CALL TO ORDER

The Chairperson called the meeting to order at 10:00 am.

The Chair recognized the meeting is being held in the Tseshaht First Nation and the Hupacasath First Nation Traditional Territories.

Introductions took place around the table.

### 2. APPROVAL OF AGENDA

*MOVED BY: Director Bennett*

*SECONDED: Director Cote*

*THAT the agenda be approved as circulated.*

**CARRIED**

### 3. ADOPTION OF MINUTES

a. **Regional Fisheries Resource Committee Meeting – September 14, 2016.**

*MOVED: Director Bennett*

*SECONDED: Director Cote*

*THAT the minutes of the Regional Fisheries Resource Committee held on September 14, 2016 be received.*

**CARRIED**

**4. PETITIONS, DELEGATIONS & PRESENTATIONS**

**5. CORRESPONDENCE FOR ACTION/INFORMATION**

- a. **MINISTER OF FISHERIES AND OCEANS**  
Nuu-chah-nulth Fishing Rights/Ahousaht et al v. Canada
- b. **DEPARTMENT OF FISHERIES AND OCEANS**  
On-Vessel Processing of Hake by Domestic Harvesters
- c. **MINISTRY OF AGRICULTURE**  
Fisheries Habitat Restoration

There was a discussion regarding the Department of Fisheries comprehensive review and the restructuring. It is unclear which programs will be affected and to what extent. The focus will be shifting and resource restoration and habitat may be off the list. A. Goruk advised there are significant changes. The focus is to be on legislative and regulatory priorities. A. Goruk will forward any information she is able to share with the Committee.

*MOVED: Director Bennett*

*SECONDED: Director Cote*

*THAT correspondence a-c be received.*

**CARRIED**

**6. REPORTS**

- a. **Department of Fisheries & Oceans Update – A. Goruk (Verbal)**
  - Herring – there were no commercial fisheries on the WCVI this year, only FSC and Treaty fisheries were open.
  - Herring assessment consisted of seine test charter, First Nation's charters in Area 23, 24 and 25, dive survey (vessel based and shore based) and eleven spawn flights.
  - Dive survey results are not available yet but main Barkley spawn appeared smaller than last year, Clayoquot Sound spawn observed was similar to last year; more spawn in the Esperanza side of Area 25 this year but less (none) in the Nootka side.
  - Chinook – The forecast terminal return of adult Stamp/RCH Chinook to Barkley Sound and Alberni Inlet in 2017 is approximately 79,000 (range

58,000 to 100,000). This is about an average return and similar to last year. With this return, directed Chinook fisheries are expected in the terminal Alberni Inlet area for all sectors.

- Barkley Coho – the 2017 outlook is low to near target. Information to forecast Coho returns is limited.
- Chum – the forecast return to Barkley is below average and below lower fishery reference points. 2017 forecast is 38,000 (range 17,000 – 74,000). Lower fishery reference point is 48,000.

**b. Update on Low Expectations for Returning Sockeye – A. Goruk (Verbal)**

- Pre-season forecast for Somass Sockeye is 172,000 (critical zone)
- Key factors in the sharp decline of expected abundance relative to recent return years are: i) very low observed smolt production and ii) relatively low marine survival rate for the 2014 and 2015 key sea-entry years associated with this year's adult return.
- The management outlook for Henderson Sockeye is in the "very low zone" for harvest management, corresponding to an expected return of less than 15,000. Similar to Somass Sockeye, key factors in the low expected abundance for 2017 are the decline in the marine survival rate associated with recent sea-entry years and relatively low smolt production in 2015.
- At this run size, there is no available commercial, economic opportunity or recreational harvest.
- The Area 23 Roundtable has recommended a closure to Sockeye fishing for all sectors consistent with the Area 23 local management plan. First Nations have volunteered to not fish for FSC or domestic harvest at this run size.
- Potential opportunities may be possible if the run size is up-graded.
- The test fishery commences June 12/17 and the first in-season re-forecast is June 29/17.

**c. Update on Provincial Ministry of Agriculture – B. Carswell (Verbal)**

The Province is working closely with DFO concerning habitat. It looks like this will be a good season for Hake. The department has one new staff member. His name is Mike Turner. Also on board within the next month or two will be a new "Denis Chalmers".

*MOVED: Director Bennett*

*SECONDED: Director McLeman*

*THAT the Alberni-Clayoquot Regional Fisheries Resource Committee recommend that the Alberni-Clayoquot Regional District Board of Directors forward a letter to*

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*the new Minister responsible for Fisheries in the Province of BC outlining the importance of fisheries to ourselves, Coastal BC and the Province.*

**CARRIED**

**d. Nuu-chah-nulth Tribal Council Update – D. Hall (Verbal)**

D. Hall indicated that the low Sockeye returns are happening coast wide. Chinook – the Sport and First Nation fisheries have seen the lowest total allowable catch in recent years. Area G and the five First Nations commercial Chinook fisheries underway in May but catch numbers were low.

Several chapters of the Pacific Salmon Treaty are being re-negotiated. Currently the parties working hard to complete all chapters except the Sockeye and Pink chapter that is on a different schedule. West Coast of Vancouver Island will not see much impact for revised Chum and Coho chapters. The conservation of Chinook is very important to Canada. Both parties have exchanged papers. Negotiators will be meeting again this summer and negotiations are scheduled to conclude near the end of September.

Nuu-chah-nulth Nations and fishers report poor Herring harvest opportunities this year.

There is a new marine conservation “Area of Interest (AOI)” being proposed for well off shore of the west coast of Vancouver Island. Major areas of interest for a marine protected area covers 141 square kilometers and would be the largest ever-proposed marine protected area on BC’s coast. This is part of the Canadian commitment to increase protection of coastal offshore areas. A. Goruk provided a presentation from other DFO staff with more information about the proposed AOI.

Update on Justification Trial – this has been a very slow seven year process. The arguments are now before the judge and there is no indication on when there will be a decision. Negotiations have taken a bit of a different turn. They are being led by Indigenous & Northern Affairs Canada (INAC) to lead to a reconciliation agreement. The first meeting with INAC and DFO took place May 25-26, 2017. So far, there is no apparent change in the Department of Fisheries and Oceans position. Sessions will continue through the fall. The objective is to have a memorandum complete and to the Cabinet by fall with a reconciliation agreement on aboriginal rights. The Five Nations are committing to this new process.

D. Hall advised he is retiring in the fall and this is probably his last meeting with the Fisheries Committee. He thanked the Alberni-Clayoquot Regional Fisheries Resource Committee for including Nuu-chah-nulth involvement for the fifteen years that he had represented the NTC.

**e. West Coast Aquatic Update – S. Falconer (Verbal)**

S. Falconer advised that the high level of in-kind is proving challenging in upcoming projects. The Barclay Sound Working Group would like to see full support for projects as finding fifty per cent in-kind is proving to be extremely difficult to find in small communities. The Somass Basin Habitat Restoration project is moving forward, the Chinook Net Pen project is on-going, and there is currently work being done on water quality testing. The initial water quality results showed problems for aquatic life in some sites but further testing will occur. Twenty-three sites are being looked at including: McCoy Creek, Roger Creek, Ship Creek, Dry Creek, and the Inlet. The information will be reviewed closely to ensure it is correct. The report should be complete within the next few months.

Working with Ducks Unlimited regarding land acquisition critical for habitat. The Net Pen project first year survival rate showed on a small increase but the catch ability was up seventy-five per cent. The information coming out of this project will take a few years to get a good picture. Currently working on the Fish flow project application to go in the fall.

**f. Alberni Valley Update – P. Cote, J. McLeman (verbal)**

P. Cote provided an update on “Bob’s Rock” and the flooding that took place in Sproat Lake, Beaver Creek and Tseshaht. There were millions of dollars in damage. There is a push to remove the large rock, and to ask Catalyst to fold down gates at time high fall participation. Emergency BC will be providing a grant program and applications will be available this fall. The group is planning to apply for funding to remove the rock. This should be looked at first as it may effect flow in other areas downstream. It may be better to look at the watershed as a whole. S. Falconer advised she would work on a grant application for a hydrology study that would include the entire area.

Koi continue to be a problem on Sproat Lake, as do the Bullfrogs. The Bullfrogs are migrating around the lake. Send a letter to Laura Brown, Regional Director, DFO and Dr. Matthias Herborg, Aquatic Species at Risk Coordinator, Province of BC regarding the Koi issue and the issue of the Bullfrogs eating the Sockeye smolts.

**g. West Coast Update – D. St. Jacques (verbal)**

D. St. Jacques provided an update on the Hake fishery. The Hake quota is good - 138,000 metric tons plus 17,000 metric tons carried over, Joint Venture is 15,000 metric tons. Last year saw a large quota but the catch was only 103,000 metric tons. The problem being not enough boats in the water. There is real concern regarding the shifting around of allocations. Ships are considered

shore-side but they are not. There is a constant battle on who gets what. The East Coast Shrimp fishery sees specific allocation on ship and shore-side. This is the preferred model. All parties then know what they are working with and know how to invest.

The Sports fishery has begun.

*MOVED: Director Cote*

*SECONDED: Director McLeman*

*THAT reports a-g be received for information.*

**CARRIED**

## **7. LATE BUSINESS**

### **a. Pacific Salmon Treaty Negotiations**

*MOVED: Director McLeman*

*SECONDED: Director Cote*

*THAT the Alberni-Clayoquot Regional Fisheries Resource Committee recommend the Alberni-Clayoquot Regional District Board of Directors forward a letter to the Canadian Commissioners negotiating the Pacific Salmon Treaty with the U.S. advising that the Regional District does not wish to see any further Chinook reduction on the West Coast of Vancouver Island.*

**CARRIED**

### **b. Marine Spill Response**

*MOVED: Director McLeman*

*SECONDED: Director Cote*

*THAT the Alberni-Clayoquot Regional Fisheries Resource Committee recommend the Alberni-Clayoquot Regional District Board of Directors forward a letter to the Minister of Fisheries and Oceans and the Canadian Coast Guard copied to the Western Canada Marine Response Corporation requesting that Marine Spill Response funding not be based on the approval of the Kinder Morgan project proposal.*

**CARRIED**

### **c. Bullfrogs and Koi in Sproat Lake**

*MOVED: Director Cote*

*SECONDED: Director McLeman*

*THAT the Alberni-Clayoquot Regional Fisheries Resource Committee recommend the Alberni-Clayoquot Regional District Board of Directors forward a letter to the Provincial and Federal Governments advising of the Regional District's environmental concerns with respect to invasive species in Sproat Lake and asking if there has been any environmental impact studies done with regards to Bullfrogs and Koi in the Sproat Lake Watershed given how important Sproat Lake is to Sockeye rearing.*

**CARRIED**

**8. ADJOURN**

*MOVED: Director Cote*

*SECONDED: Director McLeman*

*THAT this meeting be adjourned at 11:58 am.*

**CARRIED**

Certified Correct:

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Dianne St. Jacques,  
Chairperson



May 1, 2018

The Honourable Dominic LeBlanc  
Minister, Fisheries and Oceans Canada  
200 Kent St  
Station 15N100  
Ottawa ON K1A 0E6

Dear Minister LeBlanc:

**Re: Balance of PST Mitigation Funds**

We ask you to give your urgent attention to the plight of the Area G Fishers small vessel fleet that has suffered considerably from the last round of changes to the Chinook chapter of the Pacific Salmon Treaty and to implement the suggestions they have made.

As you are aware from the representations made last September to your staff by Joyce Murray, M.P. with regard to the balance of the mitigation funds provided by the US after the 2010 PST amendments, the Area G Trollers and the communities of the west coast of Vancouver Island have strong feelings about the need to get these funds working.

This need is now especially urgent given the very low Chinook catch available in 2018 to the fishers of the West Coast of Vancouver Island, and the knock on impacts this loss of fishing opportunity has on the communities.

The majority of these funds released so far have been applied to A licence buy-backs, an effort, which we suggest, has run its course. We respectfully suggest that it is time to revisit the plan presented last year by the troll fishers and communities. This called for the remaining compensation money to be taken out of the account in Ottawa and placed in trust to a community-based governance board. This Board already exists in the region to manage fisheries and has a number of projects that are ready now to assist fishers and the communities get through the adverse impacts of this low catch allocation year.

Thank you for your consideration.

Yours truly

John Jack  
Chairperson

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NEWS RELEASE  
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Minister LeBlanc called on to release \$17 million in emergency relief to communities hit hard by Harper's unfair salmon deal with U.S.

FOR IMMEDIATE RELEASE: April 11, 2018

UCLUELET, BC -- The Department of Fisheries and Oceans announced that Chinook salmon catches for the West Coast of Vancouver Island have been cut to their lowest level in history as part of a deal that the Harper government brokered to allow U.S. fishermen to catch more salmon in exchange for \$30 million in compensation. In 2018, Vancouver Island fishermen will only be permitted to catch 26,200 Chinook salmon, which is less than half of their historic catch.

Communities, such as Tofino and Ucluelet, hard-hit by these drastic catch reductions are now calling on federal Fisheries Minister Dominique Leblanc to release \$17 million to compensate communities damaged by Harper's unfair deal. Ottawa initially used \$13 million of the U.S. compensation to buy-out Canadian salmon trollers and has so far stalled the remaining \$17 million in emergency relief to fishing communities.

In stark contrast, Minister Leblanc, who is from New Brunswick, recently announced \$280 million for an Atlantic Fisheries Fund to help fishing communities and seafood companies on the East Coast.

"Our fishing communities are simply asking the Minister of Fisheries to provide us with the compensation paid by the U.S. government," said Dianne St. Jacques, Mayor of Ucluelet. "We would use the money to set up our own community-based Pacific Fisheries Fund to help our local fishing industry survive this short-term reduction and build a prosperous future."

"Our communities and fishermen believe that conservation comes first," said Josie Osborne, Mayor of Tofino. "However, if there is compensation for disproportionately reducing Canadian salmon catches then Ottawa has an obligation to help those fishermen and communities being unfairly hurt by the salmon catch reductions. It's a simple question of fairness."

For ten years, the commercial Chinook salmon fishermen on the West Coast of Vancouver Island have lost half their catches as a result of a deal brokered by the Harper government under the Canada-U.S. Pacific Salmon Treaty. Instead of compensating the fishermen, Ottawa decided to buy-out their livelihoods, undermining the commercial fishing economy in rural villages such as Ucluelet and Tofino.

Despite their limited resources, the local salmon fishermen took Ottawa to court for refusing to provide them with compensation paid by the U.S. government. The fishermen lost the court case. Although the Federal Court justice said the Fisheries Minister may have a moral and ethical imperative to compensate the fishermen, legally the Minister can spend the money as he sees fit.

"I'm personally appealing to Minister Leblanc's sense of fairness and social justice. I'm having my livelihood taken away without any compensation. Minister Leblanc can't undo Harper's bad deal, but he can provide us with emergency relief and hope for the future," said Doug Kimoto, a third-generation salmon fishermen from Ucluelet.

“Our communities have been petitioning Ottawa to do the right thing with this U.S. compensation fund since day one, but the bureaucrats have stalled and ignored us,” said Tony Bennett, rural director with the Alberni-Clayoquot Regional District. “The Trudeau Government talks about supporting the middle class, but they are allowing our hard-working fishermen to be driven into bankruptcy by an unfair deal. We have even proposed a community-based solution to them.”

The fishermen put forward a proposal to have the compensation money taken out of a non-interest-bearing account in Ottawa and placed in trust to a community-based governance board that already exists in the region to manage fisheries. Joyce Murray, a senior B.C. Liberal MP, presented the proposal to the Minister’s staff in Ottawa last September and informed them that it was a responsible document that should be treated seriously. To date the Department of Fisheries and Oceans has chosen to ignore this advice.

For more information, contact Ucluelet salmon fishermen:

Doug Kimoto at mobile: 250-726-4236

Mike Smith at mobile: 250-726-7776

This email was sent to [chairperson@acrd.bc.ca](mailto:chairperson@acrd.bc.ca).

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## REQUEST FOR DECISION

**To:** Fisheries Resource Committee Terms of Reference

**From:** Tracy Bond, Administrative Assistant

**Meeting Date:** May 16, 2018

**Subject:** Review – Fisheries Resource Committee Terms of Reference

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**Recommendation:**

THAT the Fisheries Resource Committee review and reconfirm their Terms of Reference for 2018.

**Desired Outcome:**

To review and approve the Terms of Reference for the Fisheries Resource Committee for 2018.

**Background:**

The Fisheries Resource Committee is a standing committee of the Alberni-Clayoquot Regional District. The Committee assists the ACRD Board of Directors with all Fisheries related matters. Terms of Reference attached.

At the first Committee meeting each year, Committee members review their terms of reference and consider any amendments, If there are amendments to the Fisheries Resource Committee Terms of Reference for 2018, ACRD Board approval will be required.

**Time Requirements – Staff & Elected Officials:**

Minimal

**Financial:**

n/a

**Policy or Legislation:**

Local Government Act and ACRD Procedures Policy applies

**Options Considered:**

If there are any amendments to the Terms of Reference, the Committee would need to pass a recommendation to forward the amended Fisheries Resource Committee Terms of Reference for approval by the ACRD Board of Directors.

Submitted by:   
\_\_\_\_\_  
Tracy Bond, Administrative Assistant

Approved by:   
\_\_\_\_\_  
Douglas Holmes, BBA, CPA, CA, Chief Administrative Officer



Alberni-Clayoquot Regional District

## Terms of Reference Fisheries Resource Committee

### 1. Introduction

- 1.1 The Alberni-Clayoquot Regional District Board has formed the Fisheries Resource Committee to support the socio economic and cultural efforts and concerns of regional communities in the commercial, sports and First Nation fishing and aquaculture industries.
- 1.2 The Fisheries Resource Committee is a standing committee of the ACRD Board of Directors.

### 2. Objective

- 2.1 The marine industry on the West Coast of Vancouver Island has cultural, economic and recreation importance to a considerable number of residents of the region and plays an important part in tourism and related services. The objective of the Fisheries Resource Committee is to protect the marine resource industry in the Alberni-Clayoquot Region.

### 3. Scope of Work

- 3.1 The Committee will endeavor to confine its activities to:
  - a. Addressing local and coastal issues of an economic, environmental, cultural and/or social nature related to fishing, fish processing aquaculture, and marine based tourism, and providing support for local initiatives in these areas.
  - b. Support can take many forms i.e.; making representation to other levels of government, encouraging visits (e.g. from Ministers of the Crown), preparation and commissioning of submissions to address policy or concerns etc.
  - c. Seek representation on appropriate committees and regional processes of a fisheries nature e.g. Area 24 Harvest Round Table, in order to speak

for the social, cultural, economic interests of the region.

- d. The Committee will attempt to avoid taking sides on issues of allocation, and disputes between gear types but may recommend processes to resolve such issues.

#### **4. Membership**

4.1 Membership on the Committee is as follows:

- a. One (1) Member nominated from each of the following organizations:
  - Nuuchahnulth Tribal Council;
  - West Coast Aquatic;
- b. Five (5) Directors of the ACRD Board representing the various areas of the Alberni-Clayoquot Region.
- c. Ex-Officio Non-Voting Members:
  - Province of BC appointed representative;
  - Department of Fisheries and Oceans Canada appointed representative;
  - ACRD Committee Consultant;

#### **5. Appointment and Term**

5.1 Members will serve for a one year term.

5.2 Members of the Committee may stand for re-appointment by the Board at the end of the term.

5.2 At the first regular Board of Directors meeting in January of each the Chair of the Board will:

- a. Appoint Members to the Committee upon nomination from the respective organizations;

- b. Appoint ACRD Directors to the Committee;
- c. Appoint the Chair of the Fisheries Resource Committee;

5.3 Members shall sit without remuneration.

## **6. Meeting Procedures**

6.1 The meetings of the Fisheries Resource Committee shall be at the call of the Chairperson.

6.2 A majority of the Committee members shall represent a quorum, one of whom must be a Director of the Regional District Board.

6.3 Meetings of the Fisheries Resource Committee shall be conducted and held in accordance with the Regional District's Procedures Bylaw.

## **7. Reporting to the Board**

7.1 The Regional District Directors on the Committee will report to the Board on the activities of the Fisheries Resource Committee.

7.2 Recommendations of the Committee must be adopted by the Committee by motion prior to presentation to the Regional District Board.

7.3 The Committee will provide a status report to the Regional District Board annually.

## **8. Resources**

8.1 The Regional District's Administrative staff will provide support to the Committee including preparing agendas, recording minutes of all meetings and ensuring Committee agendas, minutes etc. are forwarded electronically for circulation to all members.

- 8.2 The Committee Consultant, retained by the Regional District, will provide advice and professional assistance to the Committee including writing letters and preparing reports to the Committee and ACRD Board.

Approved by the ACRD Board:	July 25, 2012
Revised by the ACRD Board:	July 8, 2015