

ISDF 2009 Workplan included the following direction:

Development of a Discussion Paper to guide the development and presentation of a program on “Values and Benefits/ Access/ Traceability/Markets/Certification”: *at the WIDENING OF THE CIRCLE 2 addressing questions such as: How can we build a future that encourages all interests to look for ways to respect each other’s values in relation to the resource, and create greater opportunities individually and mutually to grow and access those values and benefits with greater certainty in ways that will create new opportunities within constitutional and policy parameters, and the reality of growing ecological uncertainties? How might traceability/ standards/ certification, and other tools support those efforts?*

Background:

The direction to develop this Discussion Paper arose out of the discussions at Widening of the Circle 1, which in turn built on discussions that had been ongoing throughout the life of the Forum exploring different aspects of this difficult conversation in different ways. A working group, with multi sector representation, was constituted to help shape and inform the approach and content to what follows below.

This draft document was prepared by Glenn Sigurdson who assumes sole responsibility for what is said and the way it is said. However in developing it he has tracked the notes of conversations since the beginning of the Forum, and the Working Group, with a view to reflecting in the Discussion Paper what has been shared and discussed.

The purpose of the Discussion Paper:

This “discussion note” is a work-in –process – a tool to help frame, and build the space, for the discussions at Widening of the Circle 2- on Friday AM from 9 to 12

... with the expectation that those who have been part of the working group will be the Opening Discussants who, in a facilitated discussion in the center ring of the Dialogue Center, will open the discussions within the wider room by offering their perspectives in relation each of to the questions set out in paragraph 21 below

...And then small group clusters will be pulled together within the room and the participants invited to engage in 2-3 of these questions

...And then bring back the outcome of these discussions to the room reassembled in the Round.

1. Value and benefits in relation to salmon means different things to different people, and communities. Every sector has different perspectives, and “value” has a different meanings for different people - e.g. filling grannie’s freezer, social and ceremonial, aesthetic and ecological, recreational opportunity, running a business, dollars to support a living; lifestyles and identity.
2. The conversation across sectors needs to be about both the ‘value’ of fish and the values associated with fish and how they can be protected, advanced, and accessed – or, put in other words, increasing confidence in being able to access the benefits they associate with salmon in ways that are important to them.

3. Change is here - fisheries are contracting; fisheries are reshaping; social values are being reformed. This is happening in different ways in different places. It is not a question of if, but how we respond to these realities. And new realities have implications for “access”
4. “Access” is a word that is elastic and means different things to different people. It is about ‘accessing what people value’ and different people value different things. It is about considering ways of increasing values in innovative and creative ways, and in doing so, indirectly reducing competitive tensions. It is about in-season decisions made in the heat of the fishery, and tensions that arise as a result of those decisions. The word also carries within it many interests and values that are not readily translatable, if at all, into money- cultural, social, historical, ecological, environmental, recreational, life style, and the broad public interest in the health of the resource. Each sector has its own ‘currency’ around values, and this further challenges discussions across sectors. And framing the debate within the constraints of conservation exacerbates those tensions.
5. “Access” in the broadest sense of the word points out in several different directions – from the spectrum of “accessible” stocks to the potential value associated with particular stocks, and the way in which people see deriving benefits from the fishery. Many dimensions hide within the word. It is as much about increasing the resource and the values and benefits associated with it, as dividing it up, and recognizing and respecting different interests and values of those who use it and identify with it, not just tensions and conflicts among them.
6. The changing context is changing the contours of access - from climate change to markets, conservation strategies to water management that are key drivers in determining the size of the stocks and associated value potential, and different layers of complexity and challenge inevitably come with each. These new developments include developments in the marketplace and consumer behavior: certification and eco labeling, new factors that are emerging out of EU markets particularly but are moving rapidly into other markets as well that have direct impact on the access to markets
7. “Access” questions also bundle into the complexities of managing mixed stocks of salmon – harvesting strong stocks and protecting weak stocks, and reconciling that with conservation (WSP), the constitution, and treaty obligations, and modern fishing communities. This complexity is further intertwined within the First Nation constituency of interests, and a difficult and often bitter history between First Nation and non-aboriginal constituencies.
8. Throughout the last twenty years the legal framework has continued to evolve since the watershed case of Sparrow in the early 80’s (1990), and realities within the fisheries are continuing to struggle to align what happens on the fishing grounds with what has been prescribed by the courts. But the legal framework has been evolving in other ways – e.g. Laroque, Ahousaht, duties to consult and accommodate, Gladstone and NTC Smokehouse and the rights to make a living from the fishery, and many other decisions that continue to emerge from the courts.
9. Reliable, acceptable, and accessible information on harvest is fundamental to building the basis for other more difficult questions and a better system for developing in season metrics is needed to optimize the benefits between competing interests. As this evolves there will be greater certainty/predictability in the fishery and with that will come

greater stability for all parties to manage the interests of the fish and the people connected to them. Creating a solid platform of monitoring and compliance standards that are and are seen as credible across the sectors will be central to achieving a fully integrated fishery, and the foundation of confidence that what may be agreed will be respected. Greater stability is becoming all the more critical if the fishery is to survive in the face of ever increasing environmental risks and uncertainties.

10. Our orientation has been to look at fisheries management through the frame of conservation, while neglecting to optimize the benefits of the access we do have. How do we ensure that when the fish are “there”, we make best use of the opportunity?
11. Every party wants stability and confidence in access, but how we can do that in ways that everyone can live with is the challenge – the goal and the reasons for it are clear but the means to achieve that goal are not clear. Conversely, if we do not find the means, we will not achieve the goal.
12. But the fact is that every sector in its own way for its own reasons in different ways and places and at different times for different reasons is concerned about being pushed out of the water competing for the same fish ...This is coming to the surface in different ways. Different ways of responding to these challenges are emerging and different insights and understandings alongside.
13. We need to learn from that experience and widen its application. We need to mine for insights and approaches that are merging among different groups in places as they struggle through these challenges in different ways in their own way.
14. What has been happening on the “ground”? Many examples were offered, and we need to identify and debrief those examples so we can learn from them – and glean ideas for how to take positive steps and isolate problems we have to deal with. A few examples illustrate the point;
 - a) On the Fraser, First Nations have been experimenting with low volume fisheries and looking at a number of ways to improve quality, increase value, and create production networks that support low-volume fisheries - what is becoming clear is that fishermen become more motivated to adopt new approaches when they are part of developing these solutions and benefit from successful outcomes that enables them to deal with the issues that have confronted marketing fish from fisheries of this nature
 - b) Commercial harvesters are facing an ever increasing range of challenges that affect their ability to operate the ‘business of fishing’ - e.g. constantly increasing uncertainty with returns, reduced access due to policy reasons (protecting stocks of concern in mixed stock fisheries, outcomes of court cases, etc.). Without greater certainty around access, the ability of commercial fishers maintains their boats and equipment and run their fishing operations will continue to be impeded.
 - c) On the Fraser the high intensity and proximity of First Nation fisheries and recreational fishers are coming into increasing conflict ... but arising out of a serious incident a new level of dialogue has been sparked that is struggling to work out a workable accommodation. So crises can turn into opportunities.

15. The challenge is to recognize realities and to work through resisters that impede innovative ways and to build momentum on the strength of success. A “vision” of the fishery is required that is underpinned by understanding the concerns from each sides perspective. Identifying and building incentives will be key to motivate people to work with change, not try to resist. Incentives need to be created to motivate people to act consistent with that vision. Fishermen will move provided the incentives are made available.
16. New ways of looking at access challenges and best-use need to be explored in light of our modern perspectives and policies for the fishery – flushing out ideas, ‘thinking outside the box’ is required to do what it will take to build sustainable fisheries, businesses, and fishing communities. Are there creative ways to access surpluses, optimize the benefits and sustain fishing communities while managing the conservation concerns associated with by-catch - these are key questions.
17. We seem to know what needs to be done. We seem to sense we need to have this conversation. So why are we having such a difficult time getting it going? Inevitably we seem to get tangled up in allocation – fast frozen in different word frames that come into the conversation - constitutional rights; treaties; ‘ownership’ (diminished and uncompensated); common property; livelihood and investment; communal and individual interests – with sometimes hearing the words of others create a ‘hot button’ response. And inevitably, it raises the question of Allocation Policies that have been developed in the past decade. And inevitably any talk of Allocation and the Policy gets everyone’s guard up, and the conversation is shut down.
18. Speaking of “elephants in the room” is a popular turn of phrase that often finds its way into discussion like this, and different people see the elephant in different forms. Everybody has there own view of the elephant and the way of describing it. Rather than attaching it to something specific, perhaps we simply need to see whatever” elephant” is in the room with us (and probably there is a herd!) was Change – and that understanding how change was reverberating in different ways with different effects, including policies and their implementation, was the better way of describing the challenges that we were struggling to deal with.
19. Some frame the change proposition in this manner; Change is here. Fisheries are going to be different. As we shift from the paradigm of aggregate stock management to weak stock management there are implications to the existing architecture in which we have been working, and change involves working through those implications.
20. Whatever one’s view might be, *understanding what is*, would be helpful so that these discussions can be grounded on better information on what the Policies state, how they are applied, specific challenges that had arisen and positive (and not so positive experiences) responses that had been developed by different people in different places, and understanding the implications and anomalies that may be arising.
21. Access as we have been using the word is much bigger than allocation –than respective entitlements of different sectors to the catch, or allocation mechanisms for different gear types within the commercial sector. Allocation is articulated in Policies, and the Policies are what they are.

22. We need to start on that basis with some basic questions? Do people understand the policies? Do they know how they are applied, and given effect? Do they understand how things work in applying them on the 'ground'? Do they understand the opportunities and the challenges? And can we think of ways of responding to both? Questions like that are where we need to start, etc. That is where we need to start drilling down.
23. Everyone shared the view that not enough people in any of the sectors had a sufficient knowledge to ground an effective discussion, whether across the sectors or within them. For example, within the commercial sector the intricacies of the intra-sectoral allocation policy worked out across the different gear types and areas was not well understood – much less how decisions taken in one fishery in one area had rebound effects across the system. And if it was not understood within the commercial sector, there was clearly a lesser understanding within all the other sectors.
24. There are many different cross currents of the conversation that are in motion: some feel that working incrementally on small pieces was the way to make progress, others felt that tackling the questions more directly was the better approach. Some felt that it would never be possible to respond to change within 'salmon frame'; and that we needed to talk about responses across the wider fisheries spectrum. Other emphasized that the growing evolution of more localized arrangements and decision making within policies that had coast-wide application would require new and better tools, and adjusting old tools and changing them to manage the implications and work out new approaches to resolving conflicts.
25. Without information and understanding of the issues, and where there are disagreements the reasons for them, discussions about how to deal and respond the change will not go very far. We had to get to a place where we understand each other, and to get there we need to understand what we are talking about if we are to have an effective conversation. To that end it was felt that having a Condensed Information Presentation prepared that would provide a background would also be helpful to frame the conversations in addition to the Discussion Paper.
26. **Change is here. The time has come to start identifying and discussing difficult questions, questions like:**
 - a. Do people understand what the Allocation Policy or are most people working of limited understanding and an abundance of assumptions? Do they know the history of how these policies were developed? Would it be helpful for them to have a better understanding? How might we develop that information? And communicate it?
 - b. The Allocation Policy is coast-wide. Do we need more or better tools that enable us to deal with different situations in different places as the fish are moving down the coast and into the rivers (i.e. or other wise put licensing have not done anything regarding regional allocation)? How can we work within the existing policies but strengthen the tools we have to give them effect in specific times and places? And how do we develop clear expectations for localized governance groups that are emerging in terms of what they can do and cannot do within the framework of these Policies?

- c. Different responses have been emerging in different places to this challenge. How we mine what has happened in those setting with a collection of “Lessons Learned ‘to improve our ability to respond in positive ways?
- d. Can we identify particular situations where conflict has arisen in season, and has been used as a means to create new opportunities? For example, on the Fraser last year where conflict brought competing interests together, where folks are looking at landing sites for First Nation that also provide access points for recreational harvesters, or collaborative catch monitoring so individuals can develop skills and make a career out of catch monitoring, and, demonstration fisheries in the end that got along better when both recreational and FN fishers worked together.
- e. Is a review of how the Allocation Policy been applied in the last five years, as had been initially contemplated but which has not yet taken place, a timely next step so that everyone is working from facts, not assumptions?
- f. Can we respond to change within ‘salmon frame- do we need to talk about responses across the wider fisheries spectrum?
- g. And within a salmon frame, do we need to widen the discussion beyond our conventional focus on sockeye– e.g. pinks returns? Might there be an opportunity to change the way we manage the catch and production on pinks to generate greater value? Could by-catch concerns be addressed so that conservations concerns can be answered? One example offered was this: some years ago, the possibility of a very significant pink harvest had been raised but by the time the high energy politics that arose around this, the allowable catch was reduced to essentially nothing. What will it take for there to be a viable fishery on pinks? Is harvesting roe on pinks and chum for export markets and alternative meat products complimentary to a marine fishery? Are there business partnerships that might be developed?
- h. How can we build ways to resolve conflict when it arises will need to be developed? Might there be a need, and the possibility, of creating some form of “ombudsman” capacity with independence and acceptability attached to the office? Might it be possible to develop a group of scientific and technical people with expertise that could weigh in with options and possibilities to assist in problem solving when tensions arose? Or when tensions were looming, some form of cross-sectoral panel to assist in reaching a resolution?
- i. What will it take to enable us with greater flexibility in how we manage exchanges of a variety of kinds across sectors that will enable us to expand overall exploitation within existing constraints so as to maximize each sector’s interests to take maximum advantage of different run patterns?
- j. Is there a need to build a coast-wide public vision for our fishery that is clear, makes our policy direction relevant to us all, and helps us all to row in a common direction?