INTRODUCTION

I would like to thank you for inviting us to your workshop. My name is Sandy Buker and I am here representing the Fishing Vessel Owners’ Association (FVOA) and the Area B Selective Seine Fishery Joint Venture Society of BC. I have been involved since the inception of “controlled fisheries” so have a pretty wide knowledge of the inner workings. If you have questions that I cannot answer, I will be pleased to find out the correct answers for you.

The last several years have been an economic devastation for the commercial salmon sector in BC. Fishing on Fraser bound sockeye has been either minimal or closed to seining for 1998, 1999, and 2000. Lack of access to outside approach areas (ie. Strait of Juan De Fuca) has caused problems in the commercial salmon sector achieving allocations.

A bit of background on the structure of our organizations, the Fishing Vessel Owners’ Association has been incorporated since 1938 and represents about 65-70% of license holders in the seine sector. Following a series of meetings in the fall of 2000 and spring 2001, industry formed the Area B Selective Seine Fishery Joint Venture Society of BC (administered by the FVOA) to develop a recommended framework for the 2001 sockeye fishery.

“Controlled fisheries” or “pool fisheries” are simply fishing plans that have been designed to eliminate or limit the risk factor allowing the seine fleet more access to fishing opportunities. The following explanation of “controlled fisheries” is a direct and continued result of many meetings between industry and the Department of Fisheries & Oceans (DFO). Controlled Fisheries are ostensibly “pool” fisheries carried out under very strict regulations. I will give you the Why, What, Where/When and How of these fisheries.

WHY

The fundamental objective of “controlled fisheries” is to control fishing effort and help to access the full seine Total Allowable Catch (TAC) which has been continually eroded by increasingly risk averse management of both target and by-catch species. We developed plans that would enable the seine fleet to access fish within the increasingly stringent
rules and regulations that have been forced on the commercial fishing fleet by DFO in the last several years.

The 2001 pre-season forecast of 12 million Fraser bound sockeye salmon was the first significant fishing opportunity for the salmon sector in four years. With a very limited window of opportunity and DFO’s inability to properly assess the run size and run timing to enable fisheries, the seine industry initiated sector meetings in November of 2000. We looked at every possible option that would address conservation concerns and DFO’s refusal to let seiners into the Strait of Juan De Fuca unless the competitive nature of the fishery was eliminated. Despite the seine sectors proven ability to fish selectively in northern areas, DFO was not convinced that the same degree of selectivity, could be achieved, in the southern fisheries, even though our fleet has been reduced by over 50% through the vessel buy-back program and the extensive selective fishing techniques that have been developed, tested and implemented.

WHAT
The “WHAT” of this equation was to develop controlled fishing plans that would enable the seine fleet to get back into the water. It was apparent very early in negotiations that “controlled” fisheries would have to be designed to fit different species, fishing areas, selective fishing techniques and management styles. After wide consultation with industry and DFO the seine sector has implemented three different “controlled fisheries”:

1. fishing to a predetermined TAC of targeted species with limited “catcher” vessels on behalf of the entire area vessel license holders
2. fishing to a predetermined TAC of non-target by-catch with a fleet wide pool fishery.
3. fishing on a “small-bite” TAC with limited fleet participation

WHERE and WHEN

After the Committee on the Status of Endangered Wildlife in Canada (COSEWIC) listed Thompson River coho as endangered, it became abundantly clear that in order to access our TAC in the Strait of Juan de Fuca, the seine fleet would have to develop fishing plans that eliminated or substantially reduced the risks to this species. The first “controlled” sockeye fishery was implemented in the Strait of Juan de Fuca in 2001 with a fishery targeted at a predetermined TAC of non-target by-catch of coho. Following in 2002 the same type of fishery was developed in the Strait of Juan de Fuca with a predetermined TAC of sockeye. Neither of these fisheries, although logistically successful, developed to the planned potential fishing opportunities because of the ability of DFO to limit our access through the “controlled fishery”.

In an effort to access the seine share of the Barkley Sound sockeye fishery on the West Coast of Vancouver Island in 2002, a very successful fishing plan was put into place and was carried out on a predetermined target sockeye catch each week for six weeks.
HOW
The “HOW” of these fisheries proved to be a very time consuming battle of logistics, endless meetings between industry and DFO and countless hours of volunteer work by fishermen.

Fishing to a pre-determined TAC on a target species.

- This means that all 167 southern licensed vessels were entitled to 1/167th share of each weeks catch. Because of the fact that none of the week’s TAC’s would be large enough to make it economically viable for a vessel to harvest its own share and the logistics of managing 167 individual shares would make the process too complicated, vessels were require to form themselves into Working Groups (WG).
- Each week’s TAC was then allocated to each WG proportionate to the number of vessels that group represented.
- Each WG must be comprised of a minimum of 8 vessels.
- Each WG designate the vessel and or vessels to harvest their allocation and arrange payment for the catcher vessels.
- Each WG was responsible for arranging to catch their own fish.
- Each week’s seine TAC was divided by 167 and allocated to the WG proportionate to the number of vessels in each WG.
- If a single WG’s share of the TAC was not large enough for it to be economically viable to send a vessel, they were required to work out an arrangement with another WG to harvest their share.
- If a WG does not catch their allocation in any given week, the balance of the un-harvested fish was rolled into the following weeks total seine TAC.
- If a vessel makes a set that contains excess sockeye to that vessels WG allocation, the vessel should:
  - Contact other vessels in the area to see if they want the fish or
  - Release the excess sockeye in that set.
- Each vessel was required to take an “observer” aboard if requested to do so.
- Fish must be delivered to previously approved landing sites and may only be unloaded in the presence of a port validator provided by an outside Service Provider.
- Overages of 2% will be tolerated. Excess of 2% will result in a penalty.
- A WG delivering their catch in excess to their allocation for that week will have that excess deducted from their share of the following week’s allocation. In order to discourage any WG from using this clause to their benefit by catching the following weeks TAC in a week when the fishing was very good, a penalty system was set up whereby a WG would be penalized double the overage deductions from the delivery with the proceeds reverting to the Joint Venture. (This scenario did not happen).
- The Barkley Sound sub-committee meets each week where the stock status is reviewed and a TAC for the following week is established and
announced via a “Notice to Industry” through DFO. WGs must designate their catcher vessels for the following week’s fishery within 24 hours.

- Those vessel names and the WG that they represent was published in a DFO ‘Notice to Industry’ announcement
- Vessels not listed on the announcement were excluded from the fishery. If any vessels showed up to fish that were not listed, DFO would immediately close the area.
- Vessels participating in this fishery were required to be equipped with and use all the required regulation selective fishing apparatus and a full complement of crew.
- Fishermen must hail their catch to a Service Provider within 24 hours of the closure of the fishery.
- This fishery was used in Barley Sound and was worth over a million dollars to the seine sector.

**Fishing to a pre-determined TAC of non-target by-catch**

- This fishery was designed to maximize the sockeye catch and minimize coho encounters and mortalities in the Strait of Juan de Fuca.
- A fishery of this type was open to all the licensed fleet that wished to participate with the stipulation that you had to be in the fishing area in order to share in the fishery.
- Each skipper and at least one of the crew were required to attend an education workshop before they could take part in the fishery. The workshop not only demonstrated the latest techniques for selective fishing techniques, fish handling and sorting but more importantly to emphasize the necessity of making this a clean fishery.
- Skippers were required to post a $5,000 performance bond which was returned at the end of the season if performance was not an issue.
- Each vessel was assessed $500 to cover training and administration costs. Any unused portion was returned to the fishermen.
- Each vessel was required to show up with a full complement of crew, selective fishing gear (such as: power skiff, brailing boom, sorting box, revival box, chart plotter, side release chute and spreader bar).
- Each vessel was required to take an “observer” aboard if requested to do so.
- Catch validation and dock side delivery validation was a requirement.
- The fishing area was cut into grids for assessment of coho presence subject to hot spot closures on short notice.
- Fishable areas were established each fishing day by a process of having a small number of vessels conducting sets in selected areas to verify non-target species concentrations. Once fishable areas had been established the on-grounds-coordinator then permitted more vessels to commence setting according to the planned setting order list or other arrangements.
- All fish caught in the fishery were shared by participating vessels.

**Fishing to a Small-bite TAC**
• If a fishing opportunity presented itself on a small amount of TAC, the seine sector wanted the opportunity to take advantage of the opportunity to harvest fish.
• Because of the “small” nature of these opportunities, not everyone will be in a position or wish to take advantage of this kind of a fishery thereby limiting the size of participation. Some vessels will be fishing in other areas, some may be fishing on other species and some may be just too far away to make it economically feasible to take part in the fishery.
• These fisheries would require at least partial observer coverage and full port validation of catches.

CONCLUSION
This is a somewhat simplified overview of “controlled fisheries”. They appear to be very specialized according to time, place and the fishing management regime that you are dealing with. Our initial experience concluded that if there was a way for DFO to wriggle out of the agreement they would, but there does appear to be more cooperation by the Department as time goes on.
Always be reminded that I am speaking from the “fishermen’s” point of view. Do these fisheries work from a management point of view? All indications are that they would if we are allowed to follow them to their conclusion. Do they work from the fishermen’s point of view? Many fishermen are critical of fleet leaders for agreeing to a “controlled” or “pool” fishery, they are very suspicious of DFO promises that they will result in increased fishing time, and will not be used to control the fleet in other areas without fleet benefit and often these suspicions are on track. Do we see a benefit to these fisheries in the future? The biggest benefit to the fleet is the ability to get back into an area that is critical to our ability to make a living. With the increased real or perceived conservation concerns at every turn, we will probably have to use these means of fishing in the future. The trick will be to be able to use them when they are necessary and be allowed to use a “normal” fishing pattern when they are not warranted and the ability by DFO to acknowledge the difference.

Thank you for your attention and patience. I hope that I have given you the information that you required. We are always available if you wish a more in depth study of our fisheries.