



Fisheries and Oceans  
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*Your file* *Votre référence*

*Our file* *Notre référence*

Chris Cue (CSAB co-chair)  
Peter Sakich (CSAB co-chair)  
c/o [chris.cue@canfisco.com](mailto:chris.cue@canfisco.com)  
[sakich@island.net](mailto:sakich@island.net)

Dear Mr. Cue, Mr. Sakich and Commercial Salmon Advisory Board members,

**RE: Draft Terms of Reference for the Review and Update of the 1999 Pacific Salmon Allocation Policy (SAP)**

Thank you for your participation in discussions to date with Fisheries and Oceans Canada (DFO) and the independent facilitation team, Tawney Lem Consulting Inc., as part of a collaborative process with First Nations and stakeholders to review and update the 1999 Pacific Salmon Allocation Policy (SAP).

I am writing to seek your comments on the attached Draft Terms of Reference (ToR) for the Salmon Allocation Policy Review process (Attachment 1). The collaboratively developed draft ToR will act as a road map for this process. It outlines the proposed scope, objectives, guiding principles, process, and workflow for the review.

We appreciate the discussions we have already had regarding the SAP Review and development of the draft TOR. We also look forward to discussing your comments on the draft ToR on Friday, November 2020, between 1:00 – 3:30 pm (co-chairs) and on Monday, November 30, 2020 between 1:00 – 3:00 pm (all CSAB members).

**Background: Salmon Allocation Policy Review**

The 1999 [Pacific Salmon Allocation Policy](#) (SAP) sets out a series of principles for allocating salmon in BC among three harvest groups (First Nations food, social and ceremonial; commercial; and recreational).

Since it was first developed, there have been significant changes to fisheries management, policy, and Indigenous rights, including the 2018 BC Supreme Court *Ahousaht* decision, which found the SAP principle of priority of allocation to the recreational fishery for Chinook and Coho over the right-based economic fishery of five Nuuchah-nulth Nations (Ahousaht, Ehattesaht/Chinekint, Hesquiaht, Mowachaht/ Muchalaht, and Tla-o-qui-aht) to be an unjustified infringement of their Aboriginal rights.

In response, then Minister of Fisheries and Oceans and the Canadian Coast Guard, the Honourable Dominic LeBlanc, directed Fisheries and Oceans Canada to review the Pacific Salmon Allocation Policy and committed that “*we will work in collaboration with Indigenous groups and all stakeholders to renew and co-develop this policy.*”

**SAP Review Process to date:**

As you may be aware, we are currently completing Phase 1 of the review process, the collaborative development of a draft ToR outlining the scope and process for the review.

Over the past year and a half, an independent facilitation team has led multiple meetings with a working group of Indigenous aggregate organizations assembled by the First Nations Fisheries Council, the five Nuu-chah-nulth Nations (Ahousaht, Ehattesaht/Chinekint, Hesquiaht, Mowachaht/ Muchalaht, and Tla-o-qui-aht) involved in the Ahousaht decision, the Commercial Salmon Advisory Board, the Sport Fishing Advisory Board and DFO. The attached draft ToR were developed by the facilitators based on these discussions.

**Engaging and consulting on the Draft Terms of Reference:**

We are seeking your comments on the draft ToR. These can be provided via email to [DFO.SAP\\_Review\\_BC-PAS\\_Revue\\_BC.MPO@dfo-mpo.gc.ca](mailto:DFO.SAP_Review_BC-PAS_Revue_BC.MPO@dfo-mpo.gc.ca). We would respectfully seek your input by **December 23, 2020**. If you have concerns with this timeline, please let us know as soon as possible.

Following this consultation and engagement, a final draft of the ToR will be sent to the Minister for approval.

**More Information and Contact**

For information on the SAP Review process in general, please see the attached backgrounder (Attachment 2) or visit our website: [Initiative to update the Salmon Allocation Policy | Pacific Region | Fisheries and Oceans Canada](#).

If you have specific questions regarding the draft ToR or engagement in the review process, please contact Nadine Pinnell at [Nadine.Pinnell@dfo-mpo.gc.ca](mailto:Nadine.Pinnell@dfo-mpo.gc.ca) or Heather Owens at [Heather.Owens@dfo-mpo.gc.ca](mailto:Heather.Owens@dfo-mpo.gc.ca).

Yours sincerely,



Sarah Murdoch  
Regional Director, Policy and Economic Analysis  
Fisheries and Oceans Canada, Pacific Region

**Attachments:**

*Draft Terms of Reference for the Pacific Salmon Allocation Policy Review*  
*Review of the Salmon Allocation Policy in British Columbia Backgrounder (Fall 2020)*

cc: [DFO.SAP Review BC-PAS Revue BC.MPO@dfo-mpo.gc.ca](mailto:BC.MPO@dfo-mpo.gc.ca)  
Andy Thomson, Regional Director, Regional Director, Fisheries Management, DFO  
Jennifer Nener, Director, Salmon Management and Client Services, DFO  
Nadine Pinnell, Manager, Consultation & Engagement Secretariat, DFO  
Heather Owens, A/ Salmon Manager, DFO  
Ange Hill, Consultation & Engagement Coordinator, DFO