**Draft Interim Departmental Guidelines for Evaluating Proposals Requesting
More Flexibility to Harvest Commercial Salmon Shares as Part of Smaller Scale Testing**

Version: 10 January, 2017

1. **Purpose**

These guidelines are to be used to evaluate proposals for increased flexibility to harvest commercial salmon shares consistent with approved updates associated with the Commercial Salmon Allocation Framework (CSAF). These guidelines have been developed with input from DFO Science, Resource Management and Conservation and Protection staff as well as feedback received from members of the Salmon Coordinating Committee (SCC) and the Commercial Salmon Advisory Board (CSAB) who indicated that clear Departmental direction would be helpful in preparing CSAF demonstration fishery proposals. Accordingly, these guidelines were prepared to: provide operational direction that is timely for developing SCC and CSAB proposals for more flexibility that may be considered as CSAF demonstration fisheries; and,

**Included in this document are the following supporting appendices:**

Appendix A: Principles, Objectives and Criteria for Assessment of CSAF Demonstration (p.7)

Appendix B: CSAF Demonstration Fishery Proposal Template (p.10)

Appendix C: Evaluation Template: Evaluation and Post-Season Review Template for Proposals for Increased Flexibility to Harvest Commercial Salmon Shares (p.14)

Appendix D**:** Commercial Salmon Transfer Guidelines (p.15)

Appendix E: CSAF Demonstration Record of Meeting Template (p.17)

1. **Background**

After considering the advice of the SCC, CSAB and others during discussions from 2013 to 2015, the Department has made several changes to the Commercial Salmon Allocation Framework (CSAF). One aspect of the changes includes considering proposals for more flexibility (alternative areas, harvest, gear, fishery timing) to harvest salmon shares subject to meeting Departmental requirements. As part of the approvals, the Department was tasked with developing an Evaluation Framework to assess CSAF demonstration fishery proposals against a pre-determined set of principles, objectives and criteria. This was developed in an effort to consistently assess CSAF proposals in an open and transparent manner. As such an interim *Departmental Guidelines for Evaluating Proposals Requesting More Flexibility* was developed to consider CSAF demonstration fishery proposals for the 2016 season**.** The original Guidelines and Framework implemented in 2016 were developed with input from DFO Science, Resource Management and Conservation and Protection staff as well as feedback received from members of the Salmon Coordinating Committee (SCC) and the Commercial Salmon Advisory Board (CSAB).

Based on the experience gained through the development and subsequent implementation of CSAF demonstration fishery proposals in 2016, opportunities for improvement were identified and these guidelines have been updated in an effort to streamline the proposal evaluation, fishery planning and implementation process. For 2017, all CSAF demonstrations included in the final 2016/2017 IFMP will be considered again for 2017/2018 and could be implemented subject to a final fishing plan being approved within the area of fishing. For subsequent years, CSAF demonstrations found sufficiently sound to be included in the final approved IFMP of one year will be expected to continue and be included in subsequent years IFMPs, subject to any modifications identified during post-season annual reviews, proponent interest to continue with the CSAF demonstration and Departmental approval of specific fishing plans. In circumstances where substantive changes to existing CSAF demonstration are identified, the proponent will be provided feedback to revise the existing proposal for review through the evaluation framework process. This will allow the proposal development and evaluation process to focus most of the available time on new CSAF demonstration fishery proposals. As in 2016, the proposal review process will consider: 1) the available resources of proponents and DFO’s capacity to properly review new proposals within a limited time frame; and 2) the support needed for the proponent and DFO to implement these new fisheries in a manner consistent with these guidelines.

It is important to clarify that these guidelines apply to *new* requests for flexibility to harvest salmon shares (ie: CSAF demonstration fishery proposals) where the proposed arrangements have not been implemented before and which may require new fishery management approaches. As such, this evaluation framework is not meant to include existing proposals/demonstration fisheries for accessing commercial shares that may have been previously approved and which may be renewed on an annual basis with the agreement of the Department through processes that are currently in place (i.e. the Integrated Fisheries Management Planning process). To confirm, existing marine demonstration fisheries will continue to be reviewed and approved through other existing processes, however new CSAF demonstration fishery proposals will be developed and assessed through this framework, unless otherwise communicated to the proponent by DFO.

**Please note that this evaluation framework is not intended to be used for any project proposals that seek an allocation of fish or fishing gear/equipment to finance scientific and fisheries management activities through “use of fish” provisions under Section 10 of the Fisheries Act.**

This Framework outlines the context, goals, objectives, criteria and process (including roles and responsibilities of proponents, the collaborative review process and DFO) for reviewing new CSAF demonstration fishery proposals. This framework has been developed collaboratively with commercial fishery participants, including the SCC and the CSAB.

1. **Policy Context**

This document’s direction is informed by Departmental policies and guidelines, including fisheries management operational and licensing policies, Canada’s Policy for the Conservation of Wild Pacific Salmon, An Allocation Policy for Pacific Salmon, the Sustainable Fisheries Framework, and the Precautionary Approach. This evaluation framework is not intended to in any way define or limit any Aboriginal title or rights of First Nations, and will be without prejudice to the positions of the parties with respect to Aboriginal title or rights. Further, DFO will consult with Aboriginal groups when allocation decisions may potentially affect Aboriginal fishery interests, in accordance with S. 35 of the Constitution Act (1982), relevant case law, and consistent with Departmental policies and considerations.

This work also builds on other guidelines, such as the Salmon Transfer Allocation Guidelines (attached as Appendix C) and the Strategic Framework for Fishery Monitoring and Catch reporting. Finally, it follows the Department’s approach and timelines to developing IFMPs for salmon as the basis of fishery management and planning in the Pacific region.

Informed by these policies and guidelines, the key values that the Department expects will inform the broad direction for considering more flexibility to harvest salmon shares include the following:

* Collaborative and Enabling:
	+ - Fosters cooperation and supports an open and transparent process among commercial fishery participants, including First Nations, DFO and proponents in evaluating proposals and implementing these subject to conditions being met.
* Precautionary:
	+ - Supports sustainable fisheries to balance the level of fishing effort with the supply of fisheries' resources to support responsible fisheries management and professional harvesting.
		- Is risk based and consistent with Departmental direction which requires appropriate management measures be implemented, such as enhanced information gathering, where the greater uncertainty and risk will dictate the level of management measures required.
		- Employs testing and experimentation supported by evidence.
		- Follows incremental and progressive steps in assessing, reviewing and potentially expanding opportunities for change.
* Reinforcing:
	+ - Follows the guidelines for catch monitoring and interim allocation transfers to support evaluation in key areas such as addressing risk and provides incentives for proposals to comply and advance fishery management goals.
* Responsible:
	+ - Takes a cost effective approach in considering requirements to implement proposals which are economically feasible for both proponents and DFO.
		- Clarifies the roles of the various parties in preparing, assessing, making final decisions on and implementing proposals.
		- Requires fleets and participants to identify any new costs associated with fishery management requirement to support new proposals and obligations of the parties.
		- Acknowledges that the Department will make best efforts to provide opportunities to harvesters to achieve their shares.
		- Identifies potential risk and steps to mitigate any risk that is considered unacceptable.
		- Places the onus on proponents to submit credible proposals.
1. **Operational considerations**

Those eligible to submit CSAF demonstration fishery proposals include A-H commercial salmon licence holders and First Nations with economic access to salmon. All proposals must have a clear allocation and salmon shares will be calculated following the existing practices, such as those outlined in IFMP guidelines and used by the Department, for determining the shares that may be associated with a commercial licences or economic access. This includes, among other requirements, that shares are based on the percentage that a licence represents of the total fleet by Area where that licence originated (e.g. A to H) and will take into consideration the different species mix where the licence share may be fished.

When considering the proposals as a whole, there is an interest in obtaining a mix of proposals that are distributed geographically and that test different ideas or considerations.

The CSAF demonstration fishery proposals will be reviewed by the DFO, SCC and CSAB in a collaborative manner using the evaluation criteria outlined in this document. The proposals which meet the evaluation criteria, as assessed following their review in the collaborative process, would be identified in the draft Salmon IFMP process for the intended year, allowing for additional opportunities for review and comment by all interested parties. Final decisions on the proposals will be made by the Department as part of the approval process for final salmon IFMPs and subject to finalized fishing plans being confirmed within the area of fishing. However, efforts will be made to ensure the planning process for CSAF demonstration fisheries included in the draft IFMP is as efficient and timely as possible so plans can be finalized prior to the initiation of commercial fisheries and to avoid delays in implementation of CSAF demonstration fisheries.

1. **Guiding Principles, Objectives and Criteria**

Proposals for new CSAF demonstration fisheries will be evaluated for their fit with the Department’s policies, such as those noted above. In order to assess the expected performance of the proposals relative to key considerations found in Departmental policies, these guidelines organize the Departments’ considerations for the management of commercial salmon fisheries into guiding principles, objectives and criteria. The evaluation of a proposal against these principles, objective and criteria will help determine the merits of a particular proposal, the risks and uncertainties and the potential mitigation activities required. Key principles, objectives and criteria are listed and explained in Appendix A.

1. **Schedule and Approach for Considering Proposals**

In view of the time constraints for assessing multiple proposals, and given the need to coordinate proposals with the IFMP process and schedule, the following procedure and time line will be followed annually unless otherwise noted:

* As early as possible, proponents are requested to contact their local fishery managerand SCC or CSAB area representatives to indicate interest in developing a new CSAF demonstration fishery proposal, to request the proposal template and confirm requirements for their proposal to be considered for the upcoming season.
* Proposals should be submitted to the local ~~area~~ DFO fishery manager, consistent with annual deadlines for new demonstration fishery proposals associated with the IFMP development process (generally the end of January).
* Proposals will be screened by the Department to ensure that these meet the basic requirements (general eligibility, completeness of information etc.).
* DFO staff will communicate with the proponent on whether the CSAF proposal meets the initial screening process. For proposals which pass this screening, the Department will complete an initial review of the proposal merits and feasibility (e.g., risk assessment, suggestions to mitigate concerns, clarifications as necessary, new information or fishery measure requirements identified and adjustments to proposals as necessary) through the Evaluation Framework template (February).
* Completed reviews of proposals using the Evaluation Framework template will be forwarded to the proponent and an opportunity for discussion made available to answer questions as necessary (February - March, 2016)
* Proposals still being considered will be highlighted at pre-season planning meetings and included within draft IFMP for wider review and discussion (March).
* Proposals which are most likely to be supported by DFO will continue to be developed in collaboration with DFO, the proponent and relevant/commercial fleets and First Nations (April onward).
* Proposals will be finalized when fishing plans are confirmed within each area.
* Approved CSAF proposals will be included in the final IFMP (June).

The intent of this process is for fishing plans for new CSAF demonstration fisheries to be developed and approved prior to the initiation of commercial fisheries. However, in instances where CSAF demonstration fisheries are not finalized by the time other commercial fisheries targeting the same stocks are initiated, the Department will provide notification to the proponent(s) on the approval status of their CSAF demonstration fishery proposal and any outstanding items to be completed by either DFO or the proponent as necessary. (Note: for commercial fisheries that are initiated before the IFMP is formally approved, the Department may authorize commercial fisheries to proceed consistent with developed plans.)

1. **Worksheet to Support Proposal Development and Assessment**

A proposal template has been prepared to assist in the preparation of the proposals and their assessments (see **Appendix B**) and is intended to ensure consistency in proposals submitted. The template lists the basic fishery management elements or components that will comprise any proposal (e.g., share arrangement and amount, proposed harvest type, planned fishery controls, approach to target species and by-catch, etc.). These elements are expected to be described in sufficient detail such that they can be analyzed through the Evaluation worksheet (see **Appendix C)** which will be used as a template for the Departments feedback to proponents on CSAF demonstration proposals received. The aim is that proponents will take into consideration the principles, objectives and criteria outlined in the Evaluation worksheet and ensure the proposal addresses these. Used in this manner, the proposal template and Evaluation worksheet can provide a common format for preparing and submitting proposals and facilitating their review by DFO.

As part of the post-season review process, the Department will complete a review, including any suggested improvements for DFO or the proponent within the same Evaluation worksheet template that provided the initial assessment/feedback of the original proposal submitted. This is intended to help track progress and areas of improvement in the development and/or implementation of CSAF demonstration fishery proposals. In addition, the Department has provided some suggestions at the end of the CSAF demonstration fishery template in Appendix B for the proponents to complete at the end of the fishing season to facilitate post-season review of the demonstration. This is intended to engage the proponent in considering successes/challenges within the CSAF demonstration fishery planning and implementation process and any suggested improvements for subsequent years. These post-seasons should be discussed jointly with DFO, the proponent and other fishery representatives in an effort to support a collaborative planning process.

Further, to support the discussion and finalization of any fishing plans for proposals deemed feasible, a record of discussion template is provided (see **Appendix E**). This template is intended to be used by DFO and the proponent to briefly outline key discussion and action items to ensure a common understanding of concerns/next steps in the development of fishing plans.

**Appendix A - Principles, Objectives and Criteria for Assessment of CSAF Demonstration Proposals**

Principle 1 (Conservation): Meets conservation requirements, promotes sustainable use and results in improvements in conservation performance of the fishery consistent with Canada’s Policy for the Conservation of Wild Pacific Salmon.

* Objective 1: Harvest of target stocks or species are consistent with the IFMP guidelines
	+ Criteria 1: Fishery management impacts on target stocks do not exceed what is permitted in the IFMP:
		- Criteria 1.1: Where total allowable catch (TAC) or exploitation rates are used for managing the fishery, harvests will not exceed allowable limits permitted in the IFMP for the target species/stocks.
		- Criteria 1.2: Where a total allowable catch (TAC) is not used for managing a fishery, alternate fishery measures (e.g. effort, time, area constraints) are estimated to result in impacts that are within the allowable harvest for the target species/stocks.
* Objective 2: Harvest impacts on non-target stocks (including stocks of concern and/or by-catch) are consistent with IFMP guidelines.
	+ Criteria 1: Impacts on non-target stocks and species associated with the proposal are identified (i.e.: SARA listed, assessed by COSEWIC/WSP, or identified as of concern in the Salmon IFMP) are within allowable limited including any identified encounter limits, exploitation rate limits, or other identified requirements.
	+ Criteria 2: Potential impacts on non-target stocks associated with the proposal are identified, accounted for, do not result in allowable limits as per the IFMP being exceeded (Consider overall impact associated with likelihood of encountering and expected health if released-detailed analysis in FM+CR risk assessment tool).
	+ Criteria 3: Potential impacts on non-target stocks associated with the proposal have been discussed with relevant fleets and all fisheries are coordinated to share available impacts on non-target species/stocks between all commercial fisheries.
* Objective 3: Harvest approach supports or advances selective fishing practices
	+ Criteria 1: Fishery measures are consistent with or improve current selective fishing practices to aid in minimizing impacts on stocks of concerns and/or by-catch
	+ Criteria 2: Proposal identifies specific measures used to avoid and/or release non-target stocks and species.
* Objective 4: Sufficient information is/will be made available as appropriate to assess impacts on populations and meet in-season requirements for managing fishery opportunities in consideration of the relative contribution of the target and non-target stock to the fishery catch
	+ Criteria 1: New or additional requirements for fishery and stock information in support of the proposal are described and are consistent with information requirements outlined in the IFMP for the same populations
	+ Criteria 2: Proposed fishery harvest guidelines/management decision rules are consistent with the management regime of existing fisheries (e.g. they do not result in a disproportionately negative impact on one segment of the target stock or non-target stocks/species)

Principle 2 (Collaboration and integration): Supports collaboration among fishery interests and DFO that maintains or enhances planning and results in effective coordination and integration of commercial fisheries.

* Objective 1: How the proposal supports collaboration and integration is clearly described and concerns are mitigated to the extent reasonable
	+ Criteria 1: Strengthens coordination of fisheries on same stocks and minimizes and avoids negative interactions and/or conflicts between fleets and gears
	+ Criteria 2: Ensures upstream impacts of removals of stocks are taken into consideration in fishery planning
* Objective 2: Uses collaborative and transparent process to support evaluation of proposal and ensures coordination and integration of First Nations and A-H fisheries on same populations
	+ Criteria 1: Fishery approach is reviewed within existing process for reviewing the IFMP to ensure compatibility with other fisheries on same populations
	+ Criteria 2: Fishery proposal includes communication protocol with relevant fisheries and appropriate DFO contacts including identification of components required for pre-season, in-season and post-season planning.

Principle 3 (Affordable): The cost of implementing the proposal is clear, cost effective, within Departmental and proponent resources and/or the capacity to undertake, and supports sound stock assessment and fisheries management.

* Objective 1: Costs for additional management requirements (including stock assessment information, in-season management requirements, etc.) are specified and attributed. Any costs identified are within capacity of proponents and/or the Department. To the extent possible, proposal results in cost savings/program efficiencies over the longer term.
* Objective 2: Costs for tracking harvest shares (monitoring, reporting and transfers) are specified and attributed. Any costs attributed are within capacity of proponents and/or the Department. To the extent possible, proposal results in cost savings/program efficiencies over the longer term.

Principle 4 (Accountable): Provides effective fishery controls and compliance which fosters confidence in the results.

* Objective 1: Respects DFO’s *Strategic Framework for Fishery Monitoring and Catch Reporting in the Pacific Fisheries (Framework)* for documentation and reporting of fishery information.
	+ Criteria 1: Catch monitoring arrangements are developed using a risk based approach and consistent with the *Framework* and management decision rules outlined in the IFMP.
	+ Criteria 2: In-season and post-season review process is in place to confirm parameters of fishing plan are achieved (e.g. time, area, effort, catch reporting and conditions of licence)

Principle 5 (Consistent): Respects legal and key DFO policy direction.

* Objective 1: Respects existing aboriginal and treaty rights, including priority of First Nations food, social and ceremonial (FSC) fishery access after conservation priorities are met.
	+ Criteria 1: Proposals acknowledge the requirement to maintain existing, and any future, First Nations harvest arrangements developed between First Nations and DFO for FSC, Treaty or other purposes and potential impacts on FSC harvest opportunities are identified and mitigated.
* Objective 2: Respects international obligations
	+ Criteria 1: Consistent and manageable within provisions of the Pacific Salmon Treaty and ensures obligations under the PST are achieved; including Canadian obligations (e.g. catch reporting, biological sampling of harvests, etc…) Note requirement for Coded-wire tag (CWT) sampling for any chinook or coho that are retained.
* Objective 3: Consistent with domestic allocation arrangements as outlined in An Allocation Policy for Pacific Salmon (1999), and updates to the Commercial Salmon Allocation Framework as outlined in the 2015/16 salmon IFMPs (see Appendix 8 in IFMP)
	+ Criteria 1: Proposal is focused on commercial allocation after conservation and First Nations FSC fisheries and is consistent with commercial-recreational allocation arrangements for areas and stocks identified in the proposal. Potential impacts on other harvest groups are identified. Consideration of commercial sharing arrangements included as required.
* Objective 4: Consistent with key Departmental policies and regulatory framework.
* Criteria 1: Follows existing direction in key Departmental policies and includes details regarding policy alignment where relevant.
* Criteria 2: Potential requirements to change or modify existing Departmental policies or regulations to support implementation of the proposal are identified and addressed.

**Appendix B: CSAF Demonstration Fishery Proposal Template**

**Proposal Title (proponent group name and location of proposed fishery)**

1. **Background**
	1. (name of FN group or commercial fleet)

Allocation: how is defined share of the commercial TAC/harvest determined. Number/type (e.g. 10 Area C) of commercial licences proposed for share.

1. **Proposal Overview**
	1. Concept being proposed (e.g. alternative sharing arrangements, changes to existing fishery management decision rules or harvest guidelines; alternative time, area and gear being proposed)
2. **Fishery Elements/Attributes**
	1. Location (DFO Area/Subarea), number/size of vessels, gear type(s), timing, stock/species (target stocks/specie(s) and incidental/by-catch stock/specie(s) relevant to the proposal) and level of anticipated harvest (including any measures to minimize incidental/by- catch impacts).
	2. Outline any nearby/relevant fisheries requiring coordination with proposed fishery and plans to discuss with other harvesters.
	3. Additional background information if relevant.
3. **Harvest Guidelines and Management Decision Rules**
	1. Brief description of guidelines and management decision rules, including any in-season decision rules for alternative return scenarios.
	2. How are allocations determined/adjusted pre-season/in-season?
	3. Proposed fishery management controls
		1. Input controls (e.g. effort/gear/time/are controls, etc…)
		2. Output controls (e.g. vessel quota, individual quota, pool share, etc…)
4. **Monitoring and Compliance Plan**
	1. Type of program to monitor (effort, retained catch, at-sea, releases, biological sampling)
	2. Landing, site(s)
	3. Level of coverage
	4. Biological sampling requirements (e.g. coded wire tag, DNA, etc…)
	5. Who will implement monitoring plan
	6. Information , format and submission of data being collected
	7. Communication protocol pre-season, in-season and post-season reporting (with service provider/DFO), including timing of reports (catch/effort and compliance reports)
5. **Communication Plan**
6. Communication protocols with other fisheries and participants and DFO. Include pre-season, in-season and post-season description (e.g. weekly conference calls or summary reports, included within existing in-season meetings).
7. **Fishery Benefits**
8. Provide a brief description of the potential benefits for the individuals, communities and/or licence holders that would participate in the new pilot fishery and any additional benefits for conservation, fisheries management or the assessment of salmon stocks affected by the proposed fishery.

**Post Season Review**

**Below are some suggestions for proponents to complete as part of their internal post-season review process and to be shared collaboratively with DFO.**

1. **Background**
	1. Total share allocated (percentage of total share of directed specie(s))
2. **Proposal Overview**
	1. Did the proposal occur as outlined
	2. Suggestions for the future
3. **Fishery Elements/Attributes**
	1. Openings and areas fished (area and subarea)
	2. Effort summary (e.g.: vessels/days fished)
	3. Catch summary (directed and incidental released/retained)
	4. Indicate any positive/negative interactions with nearby/relevant fisheries
	5. Suggestions for the future
4. **Harvest Guidelines and Management Decision Rules**
	1. Did management decision rules occur as planned? Briefly describe any alternatives used and rationale.
	2. Suggestions for the future
5. **Monitoring and Compliance Plan**
	1. Did the monitoring program occur as outlined as above?
	2. Briefly describe sampling requirements implemented
	3. Was data submitted as per format and timelines agreed upon pre-season?
	4. Did the information exchange occur as planned?
	5. Suggestions for the future
6. **Communication Plan**
	1. Did communication protocols with participants, other fisheries and DFO occur as planned?
	2. Suggestions for the future
7. **Fishery Benefits**
	1. What fishery benefits do you think were realized?
	2. Suggestions for the future

**Appendix C – Evaluation Template: Evaluation and Post-Season Review Template for Proposals for Increased Flexibility to Harvest Commercial Salmon Shares**

Please see attached excel spreadsheet for DFO’s Evaluation and Post-season Review Template which will be used by the Department to provide initial feedback and assessment of proposals received as well as outline post-season comments and suggestions for improvement post fishery. The Evaluation Template outlines the Principles, Objectives and Criteria as described above in Appendix A. A qualitative screening format based on a stop light system has been used to provide an indication of where there are issues/concerns to be addressed in the initial evaluation and as an indication of the outcomes based on a post-season review of each fishery.



Please note that the feedback provided through the Evaluation Template is too allow proponents an early indication of what areas of the proposal may be of concern, could be revised or require further information prior to Department approval and to track the successes and challenges in implementing any proposal in an effort to improve operation of the CSAF demonstration fishery in subsequent years. All proposals being considered for the subsequent fishing season will be included in the draft Integrated Fisheries Management Plan to ensure wide review and discussion prior to a decision.

**Appendix D – Commercial Salmon Transfer Guidelines**

These guidelines address the transfer of commercial salmon shares between the following groups:

a) Area A-H Fishery participants with a defined percentage share/ of the commercial TAC

b) Area A-H fleets or portions of fleets or individual licences

c) Marine Demonstration Fishery participants

d) In-river Demonstration Fishery participants

e) First Nations with one or more Area A-H communal commercial licence

f) First Nations entities who are signatories to current arrangements or area provided communal licences allowing sale that provides a defined commercial share of salmon for the given year including;

a. Economic Opportunity agreements

b. Harvest Agreements

c. Demonstration Fisheries

Transfers of harvest shares may occur when there is a formal arrangement outlining possibilities as defined by the Guiding Principles and Operational Considerations below, (approved by DFO) between the original share-holders and the recipient. Requests can include transfer from downstream to upstream locations, and vice versa. These arrangements should identify mechanisms pre-season that will be used for transfers to ensure proper management and accounting of shares (Actual transfers may occur in-season; e.g. between ITQ fishery participants using established transfer request processes). For transfers of commercial licences, arrangements will need to be made in advance of the fishery opening for which the transfer is intended to apply to ensure appropriate allocations associated with the licence can be set aside.

In-season proposals to transfer uncaught commercial Total Allowable Catch (TAC) allocations between the above groups will reviewed and DFO will determine whether to allow the transfer of some or all of the uncaught TAC.

Requests for temporary transfers of commercial salmon shares will be reviewed with consideration to the following general principles and the operational considerations identified below.

1. **Guiding Principles for Temporary Transfer of Salmon Shares:**

1) Result in similar or better management control and/or conservation performance in the fishery (both for target and bycatch species/stocks)

2) Consistent with conservation measures and allocation approaches (if any) for stocks of concern, including by-catch species/stocks;

3) Respect existing aboriginal and treaty rights and the priority of Food, Social and Ceremonial access.

4) Consistent with international obligations;

5) Consistent with objectives and management measures outlined in Salmon Integrated Fishery Management Plans;

6) Respect the Common property nature of the fisheries resource: subject to Principle 3, access to the resource does not imply ownership of the resource or any portion of the resource, and is not conferred irrevocably to individuals.

7) Support opportunities to utilize Canadian commercial total allowable catch while respecting conservation requirements.

8) First Nations commercial fisheries and Area A-H commercial fisheries conducted in tidal waters will be managed under common and transparent rules for each gear type. For example, First Nations commercial troll fisheries conducted in tidal waters where Area F licences are permitted to operate will be managed in accordance with the same rules as the Area F commercial fishery for those tidal waters.

9) First Nations commercial fisheries conducted in non-tidal waters will be managed under transparent rules that are consistent with the rules used to manage marine commercial fisheries that target similar stocks associated with that production area.

10) Affordable to implement i.e. would not result in any substantive incremental costs to DFO in areas such as monitoring stock assessment and enforcement.

1. **Operational Considerations Regarding Requests for Temporary Transfers:**

1) Transfers of commercial salmon allocation shares will only occur when there is a Canadian commercial Total Allowable Catch (TAC) (i.e. commercial harvestable surplus) identified for the target stock or species which is available for harvest.

2) Transfers of commercial salmon shares between parties will only be considered for commercial fisheries and commercial participants with a clearly defined percentage share of the Canadian commercial total allowable catch.

3) Transfers will be based on a percentage share of the available commercial TAC. For transfers which indicate pieces, a corresponding share percentage will be included with a timeframe for which the piece transfer remains valid (e.g. number of pieces may change over time in fisheries where inseason information results in allocation changes) Alternate approaches for calculating transfer shares may be considered if sufficient time is provided for DFO to fully consider the proposal.

4) In-season transfers may occur if pre-season plans outline possibilities. For share transfers between Area A-H commercial fisheries, individual salmon shareholders or groups of salmon shareholders; the mechanism (e.g. tracking, management and accounting of shares) for facilitating transfers needs to be described and agreed upon by all parties to the arrangement and DFO pre-season. Individual commercial licence holders or groups of commercial licence holders will not be permitted to make their own allocation transfer arrangements unless these are part of a pre-season plan approved by the Department.

5) DFO will not be responsible for leading or facilitating the negotiation of transfer arrangements between parties.

6) For commercial salmon licences held by the Department, individual licence allocations will be based on an equal percentage allocation of the commercial TAC for all licences in that commercial licence area (i.e. Areas A to H).

7) If, despite the best efforts of any commercial harvest group, it becomes apparent that it will be unable to harvest its share, and no mechanisms are in place that would permit the transfer of the share to another commercial harvest group, the Department may consider transfers of uncaught commercial harvest shares to any other commercial harvest group already holding a clearly defined percentage share of the Canadian commercial total allowable catch, on a case by case basis, assuming that harvest can occur using fishing methods, times and locations permitted for that commercial harvest group.

8) Transfers of commercial salmon allocations must consider shares of all stocks that will be harvested in the recipient area.

a. Allocations transferred inland will be reduced proportionately to reflect the reduced stock composition in the more terminal harvest location (e.g. Area F troll licence shares allocated to the Kamloops Lake inland demo fishery will be only for the proportion of Thompson chinook encountered in the marine commercial troll fishery). Alternative approaches may be considered in specific circumstances (e.g. allocation may not be proportionally reduced if harvest of an allocation in a terminal area reduces impact on stocks of conservation concern). DFO will document the rationale for its decision and make it publicly available.

b. For co-migrating stocks or management units of concern or where little or no Commercial TAC has been identified, transfers will need to consider and/or mitigate potential impacts. For example: access to a harvest share of Fraser pink salmon might require the fishing group or individuals to have some sockeye remaining in their harvest share of co-migrating Fraser sockeye.

c. For co-migrating stocks/species or management units of concern where exploitation rate caps or some other limit on mortalities have been defined (e.g. Interior Fraser River coho), the parties to the transfer arrangements are responsible for demonstrating that the transfer arrangement will be neutral or of benefit to the stock or management unit of concern (i.e. same or lower impact in the new fishing area). Limiting stocks/species will only be transferred to the extent needed to harvest the target stock transfer amount with residual amounts being available for the use by all other commercial harvest groups with a share of the targeted stocks.

d. Transfers into areas that require management adjustments need to be accounted for in determining TAC (e.g. a similar accounting process to current Fraser sockeye).

e. Priority will be given to those proposals that allow shares to be harvested using fishing techniques that are more selective than the original technique, and / or allow harvesting in fishing areas that avoid stocks or management units of concern.

9) Harvest of commercial salmon allocations is not guaranteed and actual harvest opportunities may be limited by constraints to protect species or stocks of concern. Commercial fishery participants that demonstrate an ability to fish selectively may be able to access a greater amount of their harvest share.

10) Enhanced fisheries monitoring and catch reporting programs must be in place for participants to ensure that there is reliable accounting for both retained and released fish and that harvests do not exceed defined shares. Incremental monitoring costs will not be assumed by DFO, and will need to be covered by parties to the transfer arrangement.

11) Proposals for transfer arrangement must include contingencies for situations where shares are exceeded. Parties not complying with agreed-to arrangements could face enforcement actions.

12) Transfers of commercial salmon shares will not be permitted when this may adversely affect First Nations Food, Social and Ceremonial harvest opportunities in the area.

13) Surpluses of salmon in terminal areas (i.e. ESSR fisheries) will continue to be managed using existing ESSR guidelines.

All decisions regarding temporary salmon share transfers are one-time only. Unless otherwise communicated by DFO at the time of the decision, all future transfer requests must undergo new process of application, review and approval from DFO.

**There remain policies related to these transfer guidelines which require further discussion. It is the intent of the Department to continue to build areas of agreement and address outstanding concerns through work to update the CSAF, which will continue in the fall, 2016 with the First Nations Salmon Coordinating Committee and the Commercial Salmon Advisory Board. Should any additional changes be contemplated, the Department will include proposed updates within subsequent draft IFMPs for public review and feedback prior to a final decision. Areas highlighted through discussions to update the transfer guidelines are outlined below:**

1. Where fisheries are not operated under individual vessel quota, the CSAB has proposed that the Area Harvest Committee for a specific fleet can determine whether an individual licence holder can make a pre-season transfer of the harvest share associated with their licence to another Area A-H licence or a First Nations commercial fishery.

2. Where an individual, portion of a fleet or fleet has attempted to arrange a transfer of their share as outlined in these Transfer Guidelines, the CSAB has proposed that consideration may be given for that individual, portion of fleet or fleet to access their uncaught share in a more terminal location.

**Appendix E: CSAF Demonstration Record of Meeting Summary**

**“YEAR” “Group” “Demo Name”**

**Date:**

**Location:**

**Purpose of Meeting:**

**Group/Advisory Committee:**

**Attendees:** *(List the participants, the groups, or the types of groups, depending on the level of attribution desired.)*

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Materials/Documents Distributed (list):**

**Key Issues Discussed:**

**Action Items:**

**Recommendations/Decision(s) Made/Deferred:**

**Next Steps:**

**Contact:** *(DFO & Proponent)*