

## What We Heard

*“We need to look at a new model or structure for the fishery guardian program: our program today is not respected and it is underfunded.”*

### Getting to Know Community Fishery Guardian Programs

- Participants are primarily from communities with fishery guardian or other guardian-type programs, although some programs are not funded through the Aboriginal Fisheries Strategy. For example, several communities are part of the Coastal Stewardship Network, which trains and supports Coastal Guardian Watchmen in nine communities. Another uses own source revenues to run their community’s guardian program.
  - One community has designated fishery guardians and coastal guardian watchmen. *“We differentiate between them, but there’s a lot of talk about having one name for them.”* Another has guardians who are also first responders and first aid specialists.
- Participants shared historical knowledge about the fishery guardian program in British Columbia. For example, there were more than 170 guardians in the province at one point and most were designated. *“The size and scope of the number of people working in enforcement is important for Chiefs to know as it presents a demonstrable vision of our management of the resource.”* However, the initial program objective to advance guardians into fishery officer positions was not met. *“Conservation and Protection was not in favour; there was not a lot of senior-level support for Aboriginal fishery officers.”*
- Few participants have designated fishery guardians today, but there are mixed views as to whether they want such designation. For example:
  - Some have been waiting for designations for years and view designation as an incentive to recruit and retain guardians. *“We’ve been told that it’s coming, but it doesn’t happen and people leave because of it.”*
  - Others do not want to be designated because they would no longer be able to fish. *“There is a DFO sheet to sign saying guardians will no longer fish. It seems wrong to me that they have to give up their rights to be able to provide for their families.”*
- Participants underscored the great need for fishery guardians to protect sockeye and other salmon stocks, as well as salmon habitat, across the Province. They also identified other fish of import for food, social and cultural reasons requiring protection and, in some cases, recovery and rebuilding. These include: freshwater mussels, white sturgeon, crab, abalone, and eulachon.

### Technical and Enforcement Activities

*“When the program began, there was a clear distinction between the technical Aboriginal Fisheries Strategy and the enforcement-based Fishery Guardian program, but somehow these merged over time.”*

- Participants report that fishery guardians are involved in technical field work, such as stock assessments, data collection, and catch and fishery monitoring of their food,

social and ceremonial fishery. Some are also involved in dockside and landing station monitoring, habitat monitoring, rehabilitation and/or restoration activities, riparian monitoring, marine use plan monitoring, water quality monitoring, paralytic shellfish poison monitoring, wildlife monitoring, species at risk or invasive species activities, environmental monitoring and/or monitoring for poaching, even if these activities are not always funded through the Aboriginal Fisheries Strategy program.

- One program includes community engagement and education activities and is considering a youth guardian program to get people interested in the career path.
- Some fishery guardians are largely focused on enforcement-type duties, such as ensuring compliance with fishing rules. However, they note that programs are only observe, record and report “...and there’s not much action from the Department in terms of enforcement.”
- Guardians in several communities are monitoring sportfishery activities and collecting recreational fishery catch data, but these activities are not always funded through the fishery guardian program. “I’ve tried to get this funding linked to our agreement, but it’s solely focused on stock assessments.” Others want more monitoring and enforcement of sportfishery activities, as well as more fishery closures. This includes increased enforcement at Vancouver airport terminals where processed arrives from fishing lodges. “It often seems that the recreational fishery has more rights than our food, social and ceremonial fishery.”
- Coastal watchmen guardians use a *CoastTracker* tablet to document the results of their monitoring activities, including photos. “CoastTracker gathers raw data that, due to the standard, creates a trail of evidence.” One is also entering freshwater ecosystem data into the Canadian aquatic biomonitoring network (CABIN).
- Participants support more enforcement authority to be given to fishery guardians; especially, with the reduced number of fishery officers over the years. “We have no power. We can only take a picture and send it in. We used to have a lot of support, but there’s no support now, even when we ask for it.”
- One thinks the lack of enforcement authority causes retention issues. “We see action, take videos, etc., but nothing happens. It’s really frustrating for the guys and they lose interest and leave the job.”
- Participants have mixed views as to whether fishery guardians should be equally skilled to do both technical and enforcement duties, but the majority think having both saves money and expands the ability of guardians to do their jobs.
- When it comes to assessing the focus of their guardians’ work today, two-thirds report that this work is more technical than enforcement. A few also want more technical activities to be undertaken by their guardians, including salmon enhancement and species at risk protection. “We lost our community fisheries on sturgeon, so we must focus on protecting what we have left.”

#### Coastal Guardian Watchmen Technical and Enforcement Program

- While each member Nation has a unique coastal guardian watchmen program, their watchmen use the same regional monitoring system to know what is happening in

their communities, to be in control of their own data, to learn about what other Nations are doing, and to work together to monitor mutual issues of concern.

- Launched in 2010, this monitoring system uses field cards and a *CoastTracker* Tablet to ensure standardized data collection and collaboration among partner Nations. Data is entered into an online data management system, which is aligned with maps and tables. The system is used for planning and decision-making. It also offers a platform for regional analysis, strategies and projects.
- In addition to patrols of fishing activities and gear, guardian watchmen monitor salmon spawning and stream habitat, wildlife sightings, tourist activities, impacts to cultural and ecological sites, and any suspicious activities.

### Understanding Relationships

*“We have a very good working relationship with fishery officers and very strong support from the detachment commander.”*

- Guardians collaborate and share enforcement information with fishery officers, conservation officers, natural resource officers and/or police officers. They may also share technical information with departmental scientists and/or resource managers, or provincial forests, lands, and natural resource staff. One collaborates with Port Authority fishery observation guardians. Others work closely with marine resource parks officers. Still others have relationships with Environment and Climate Change Canada, Canadian Food Inspection Agency, and Canadian Coast Guard staff.
- Guardians report varying relationships with fisheries and conservation officers – from great: *“Our local fishery officers tell us to text them when we’re done our night patrols so they know we’re safe”* to non-existent: *“We don’t even know who the officers are – we invited them to an office hour, but it never happened.”*
- One said they had a close relationship with their enforcement officer because the person is a Band member. Another said they had a closer working relationship with conservation officers rather than fishery officers because elk harvesting is more important to community members.
- Several participants note the close working relationship they have with their aquatic resource and oceans management group. *“Our AAROM contract biologist provides us great summaries of integrated fisheries management plans. They also organize and facilitate sessions between Island Nations and appropriate departmental staff.”*
- Others report the close relationships they have with neighbouring First nations fishery coordinators and managers. *“We keep our own list of potential hot spots, boats, etc. that are trouble, including sportfishing boats.”* In fact, some participate in a joint enforcement committee to address issues specific to food, commercial and/or sport fisheries.
- Guardians in several communities do joint patrols with fishery officers, while others do joint patrols with conservation officers and/or Parks Canada officers.
- Some communities no longer do joint patrols. *“We had a promising partnership with our fishery officer, but in the last year, that has changed, due to their policies in and around ‘joint’ patrols.”* One also said there were liability issues associated

with joint patrols when searching fishery landings and doing checks on vehicles because guardians are not authorized to do these activities.

- Several participants say the lack of community fishery officers underscores the need for fishery guardians to ensure an orderly fishery. *“Fisheries and Oceans Canada is six hours away from our community. They call us to check things out, if needed.”* One said their guardians are the sole patrol presence on their beaches. *“There has been a significant reduction in dealing with poaching and other enforcement problems.”*

### Reporting Structures

- Guardians most commonly report to local fisheries officers and their community’s guardian supervisor and/or fisheries (or natural resource) manager. The supervisor or manager may then report to a director or other committee or person(s) of authority, including Chief and Council.
  - Most report following dual-reporting policies: Crown law (through observe, record and report) and Indigenous/Territorial law. *“We talk to people individually – and then our Chiefs set in. We also need to brief our hereditary Chiefs.”*
- Command and control of the Coastal Guardian Watchmen program is connected to the Aboriginal licensing management system and reports are submitted weekly.
- One participant recalled that the lack of a command and control structure caused issues in the initial fishery guardian program.

### **Understanding Training and Future Training Needs**

*“The Department doesn’t like to use the word training because there’s no formal training program.”*

- Participants described a wide-range of actual and potential fishery guardians training elements, including small-vessel operator proficiency, marine emergency duties-A3, swiftwater, wildlife first aid, conflict resolution, investigation skills, drone operation, hard drivers’ licence, marine oil spill response, and rigid-hull inflatable operator training.
  - They also report different training experiences. Some went through the initial three-phased training process when the program began and/or have taken ‘refresher’ training offered in 2012. Others have taken guardian-related training courses either through other federal or provincial programs or through their Nation’s fisheries or resources programs. Still others have had formalized training through the Coastal Stewardship Program, the Justice Institute, or Conservation Officer training.
- The Coastal Guardian Watchmen two-year training program is run in partnership with Vancouver Island University. The training helps watchmen gain essential field skills (e.g., stewardship environmental training) and compliance and enforcement skills (e.g., how to approach people and how to prepare an incident report). Local training is done by a retired fishery officer.
  - The coordinator of this program wants to increase training capacity now to advance enforcement skills and knowledge of Indigenous laws, including through regional partnerships with BC Parks and other Crown enforcement agencies.

- Participants see the need for a formalized fishery guardian training program that is adequately funded. *“We spend our own money to get guardians trained because funding is not available through the Department.”* One estimated the cost of training one guardian to be about \$30K.
- Participants also support standardized training so it is accepted by the Department and the Province. *“We’ve had problems with DFO and the Province not trusting some certifications. We need a standard so if we go to Court, they don’t question us.”*
  - There is consensus that training must be annual, ongoing, and available to all Nations. *“I mimic what I can, but I am not in the program, so I am not notified about any training opportunities.”* There is also support for advanced fishery guardian training, as long as educational standards do not prevent some members from participating – and training is tailored along different tracks. *“You need different tracks for compliance monitoring and for enforcement.”*
  - One recommends connecting Elders to the training so it is rooted in cultural values. Another notes the value of training guardians in other areas, such as marine oil response, because these course can generate revenues for the community. *“We get paid to send people for those courses and it’s not an insignificant amount of money.”* Still another wants training to cover sportfishery licences and regulations, so communities can deal with infractions by this sector.

### **Improving the Aboriginal Fishery Guardian Program**

- Participants want more funding for this program. *“We used to have specific funding for guardians in our agreement, but it is no longer there. Our agreement notes ‘fishery guardians’ but there’s no money for it.”* In particular, they want funding:
  - to be commensurate with the rate of inflation. *“Funding has not been increased for the past 30 years, yet DFO wants us to keep the same workplan.”*
  - so the program is accessible to all Nations. *“This program has been so hard to get into and that should not be the case.”*
  - to enable full-time employment for guardians with competitive wages and benefits.
- Participants also want the program to avoid repeating past mistakes. *“You must know the history of this program to be able to make program improvements.”* For example:
  - They are firm that the Department needs to be clear about the authority aspect of the fishery guardian program: *“If the lack of authority is not addressed, the program will stay where it is today. Is the Minister prepared to give guardians the authority to enforce the Fisheries Act?”* They also want this authority to extend to enforcement of commercial and recreational fishing activities in their Territories.
  - They want standardized training and a return of the four phases so guardians have a career path with long-term options, including fishery officer, police officer, etc. *“Keep one, two and three – and make four the career choice decision.”* A few think standardized training should also allow for flexibility so Nations can tailor the program to meet their specific needs (e.g., some guardians may only need to be trained in fishery-related areas, while others need fisheries and cross-designation in other resource areas, etc.)

- Participants strongly support linking the fishery guardian program to broader resource stewardship because guardians already work on other resource issues, such as wildlife and forestry. Some may also be involved in emergency and first aid response, including search and rescue operations.
  - One recommended that this follow a strategic process: *“We need a phased approach when going to multiple departments and agencies so we know what we want to get first, and then, take it to the next phase.”* Another pointed out that jurisdictional issues also needed to be resolved to enable cross-designation.
- Participants want the role(s) of fishery guardians to be clarified and a First Nations’ common definition explaining the program. *“The definition is very unclear to a lot of people – Indigenous and non-Indigenous – even today, I’ve heard talk about rangers, guardians, watchmen and technicians.”* They also see the need for more public outreach and education about the role and authority of a fishery guardian.
  - Several agree that there is a need to identify and address the policy issues; and would like to see a policy-type engagement, understanding that this is beyond the scope of the Indigenous Program Review. *“Clearly, policy is what’s constraining the Aboriginal Fishery Guardian program in the first place.”*
- Participants want more support from the Department’s sectors for enforcement activities, training, science, and species and habitat protection activities. *“In our area, the lack of enforcement on habitat issues means we’re losing what we do have – there needs to be more focus on habitat.”* Others also want improved inter-agency communication and collaboration. *“We need a provincial network of all programs.”*

### Measuring success

*“For more measured success, we need to come together as one group: Fisheries and Oceans Canada, Conservation and Protection, and Fishery Guardians.”*

- Participants measure program success in a number of ways: legislative authority of the Crown and authority of the Nation, more fish and aquatic resources, fewer infractions, number of trained and retained guardians in the program, and when Nations assume control of resources within their traditional territory.

### Ideal fishery guardian team

- Participants have different suggestions about who would be on their ideal guardian team, and the number of fishery guardians needed. Most want community members on the team, including men and women, and youth and Elders.
  - Among the range of fishery guardian duties, participants noted: monitoring and enforcing food, commercial and recreational fisheries taking place in their territories. They also viewed public outreach and education on different fisheries, environmental monitoring, among guardian duties.
  - The ideal skills of a fishery guardian are noted as administrative, investigative, and enforcement related, such as: ability to resolve conflicts, knowledge of fisheries and fisheries legislation and regulations, knowledge of community history and Indigenous laws, detail-oriented, communications-savvy, policy and planning, report writing, budgeting, and team management.