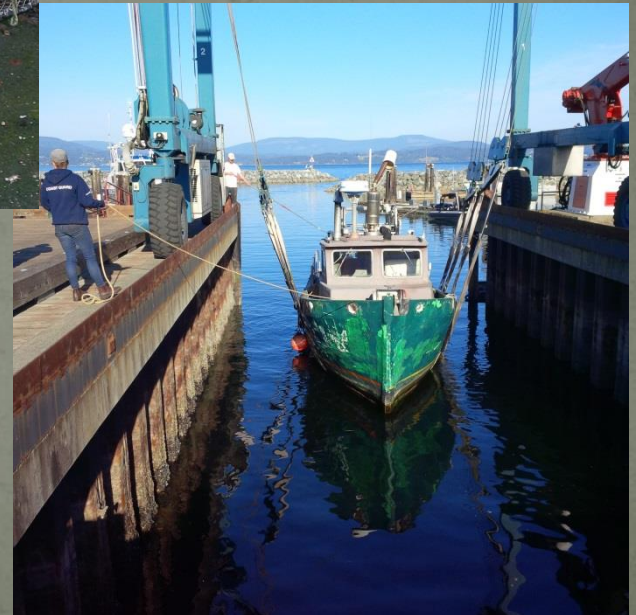


FISHERY OFFICERS IN CANADA







LOCAL FISHERY OFFICERS

Duncan Field Office

5245 Trans Canada Highway

Duncan, B.C., VoR 2Co

Tel: 250-746-6221

Fax: 250-746-8397

Fishery Officers:

Cam Blacklock Tel: 250-746-5150 (office) 250-715-5535 (cell) *Field Supervisor

Dave Norton

Willi Jansen Tel: 250-746-9721 (office) 250-709-4851 (cell)



Victoria Field Office

4250 Commerce Circle

Victoria, BC V8Z 4M2

Tel: 250-363-3252 Fax 250-363-0191

Fishery Officers:

Roy Osselton

Gord Adams

Mya Cormie

Whitney Matthews

24 hr Dispatch: 1-800-465-4336

Cowichan Tribes Fishery Guardians



PATROL AREA FOR DUNCAN AND VICTORIA FIELD UNITS

- Southern Vancouver Island (Crofton to Victoria including the Southern Gulf Islands, and then up the West Coast of Vancouver Island to Port Renfrew and out to Swiftsure Bank).
 - I. Non-Tidal waters where salmon are found,
 - II. and all Tidal waters right out to the International border.

VESSEL PATROLS



AIR PATROLS



BO-105's provide inshore air support



DND CP140 Aurora – offshore surveillance



King Air 200 – Coastal patrols



PCG 1000 DeHavilland Beaver

Some of the Acts and Regulations

Fishery Officers enforce several DFO administered Acts and Regulations the most important of which are the:

- Fisheries Act of Canada, R.S.,c.F-14,
- Species at Risk Act (SARA)
- Coastal Fisheries Protection Act,
- Fish Inspection Act and regulations,
- Fishery (General) Regulations,
- Pacific Fishery Regulations, 1993,
- BC Sport Fishing Regulations,
- Management of Contaminated Fisheries Regulations,
- Aboriginal Communal Fishing Licence Regulations.
- Marine Mammal Regulations



FISHERIES ACT

S.A.R.A. MIRRORS MANY OF THESE

- Defines the laws and regulations governing fisheries,
- Designates Fishery Officers, S. 5 (1), (2),
- Authorizes F/O's to:
 - “enter to inspect”,
 - search “under exigent circumstances”,
 - “arrest without warrant”,
 - seize anything which provides evidence,
 - authorizes trespass.
- Penalties: dual procedure up to \$500,000 and/or two years
- Habitat offences: up to \$1,000,000 (per day) and/or 3 years



SPECIES AT RISK ACT (SARA)

- The purposes of this Act are to prevent wildlife species from being extirpated or becoming extinct, to provide for the recovery of wildlife species that are extirpated, endangered or threatened as a result of human activity and to manage species of special concern to prevent them from becoming endangered or threatened.



SARA CRITICAL HABITAT PROVISIONS

Section 58(1)

no person shall destroy any part of the critical habitat of any listed endangered species or of any listed threatened species — or of any listed extirpated species if a recovery strategy has recommended the reintroduction of the species into the wild in Canada.

COASTAL FISHERIES PROTECTION ACT

- protects the coastal fisheries, and Canada's Territorial Seas
- Fishery Officers are Protection Officers and can:
 - seize anything,
 - arrest without warrant,
 - inspect any Canadian or foreign fishing vessel,
 - search "under exigent circumstances",
 - use force to stop a ship,
- Penalties: upto \$500,000 and/or two years.



High Seas Drift Net Vessel
North Pacific

FISH INSPECTION ACT & REGULATIONS

- The Act respecting the inspection of fish quality,
- F/O's are “inspectors”,
- Inspectors may:
- “enter any place or premises, vessel, vehicle and open containers that may contain fish”,
- arrest without warrant,
- seize anything.

Illegal Blue fin tuna – YVR

Value: \$5,000 USD



FISHERY (GENERAL) REGULATIONS

Regulations respecting:

- fishing and fish habitat in general,
- open and closed times,
- commercial fishing licenses,
- terms and conditions of commercial licenses,
- illegal sale of fish,
- Authorizes fish habitat damage under permit,

PACIFIC FISHERY REGULATIONS

- Regulations respecting fishing in the Pacific Ocean and the Province of BC,
- Provides for general commercial fishing regulations,
- Registers and licenses commercial fishers and vessels,
- Regulates various species (salmon, halibut, herring, shellfish, crabs),
- Defines commercial license categories,
- Prohibits importation of live foreign species (fish, eels, crabs, etc)

BC SPORT FISHING REGULATIONS

Regulates:

- licensing,
 - open/closed times,
 - size and catch limits,
 - gear types and methods,
 - fishing in both tidal and non-tidal waters,
-
- Offences: ticketable up to \$1000 per offence, automatic forfeiture.
 - A/N's issued for serious offences (see F. Act penalties)



CONTAMINATED FISHERIES REGULATIONS

- Participate in the Canadian Shellfish Sanitation Program (CSSP)
- Regulations respecting fish contaminated with bacteria, toxins, chemical compounds or other substances that may constitute a danger to public health,
- The Regional Director General (DFO) may issue an order prohibiting fishing in an area where the fish are contaminated.



Aboriginal Communal Fishing Licence Regulations

- Initiated after the SPARROW decision.
- Respects the constitutional right of aboriginals to fish for food, social, and ceremonial purposes,
- Prohibits the sale of fish,
- The licence is a communal licence .

FISHERIES ACT POST 2012/2013

To address threats to fish from habitat loss/degradation and changes to natural flow regimes, the Fisheries Protection Program (formerly the Habitat Protection Program) administered the habitat protection provisions of the Fisheries Act, which remained essentially unchanged from 1977 until 2012.



Illegal foreshore landfill

Definition of Fish under the Fisheries Act

Includes:

- Parts of fish
- Shellfish, crustaceans, marine animals and any parts of shellfish, crustaceans or marine animals, and
- The eggs, sperm, spawn, larvae, spat and juvenile stages of fish, shellfish, crustaceans and marine mammal

Key Habitat provisions of the Fisheries Act

- The Fisheries Act contains two key provisions on conservation and protection of fish habitat essential to sustaining freshwater and marine fish species.
- The Department of Fisheries and Oceans administers Section 35, the key habitat protection provision, prohibiting any work, undertaking or activity that results in serious harm to fish that are part of a commercial, recreational or Aboriginal fishery, or to fish that support such a fishery.
- Environment and Climate Change Canada administers Section 36, the key pollution prevention provision

DFO'S PROJECTS NEAR WATER WEBSITE

- Includes information for proponents on how to comply with the *Fisheries Act*, request a DFO review of a project, and request a *Fisheries Act* authorization.

<http://www.dfo-mpo.gc.ca/pnw-ppe/index-eng.html>

CONTACT THE FISHERIES PROTECTION PROGRAM

Triage & Planning Unit
Fisheries Protection Program
Ecosystem Management Branch
Fisheries and Oceans Canada
200-401 Burrard Street
Vancouver, BC V6C 3S4
Telephone: Toll Free 1-866-845-6776
Email: ReferralsPacific@dfo-mpo.gc.ca

WHO DO I CALL TO REPORT A HABITAT CONCERN

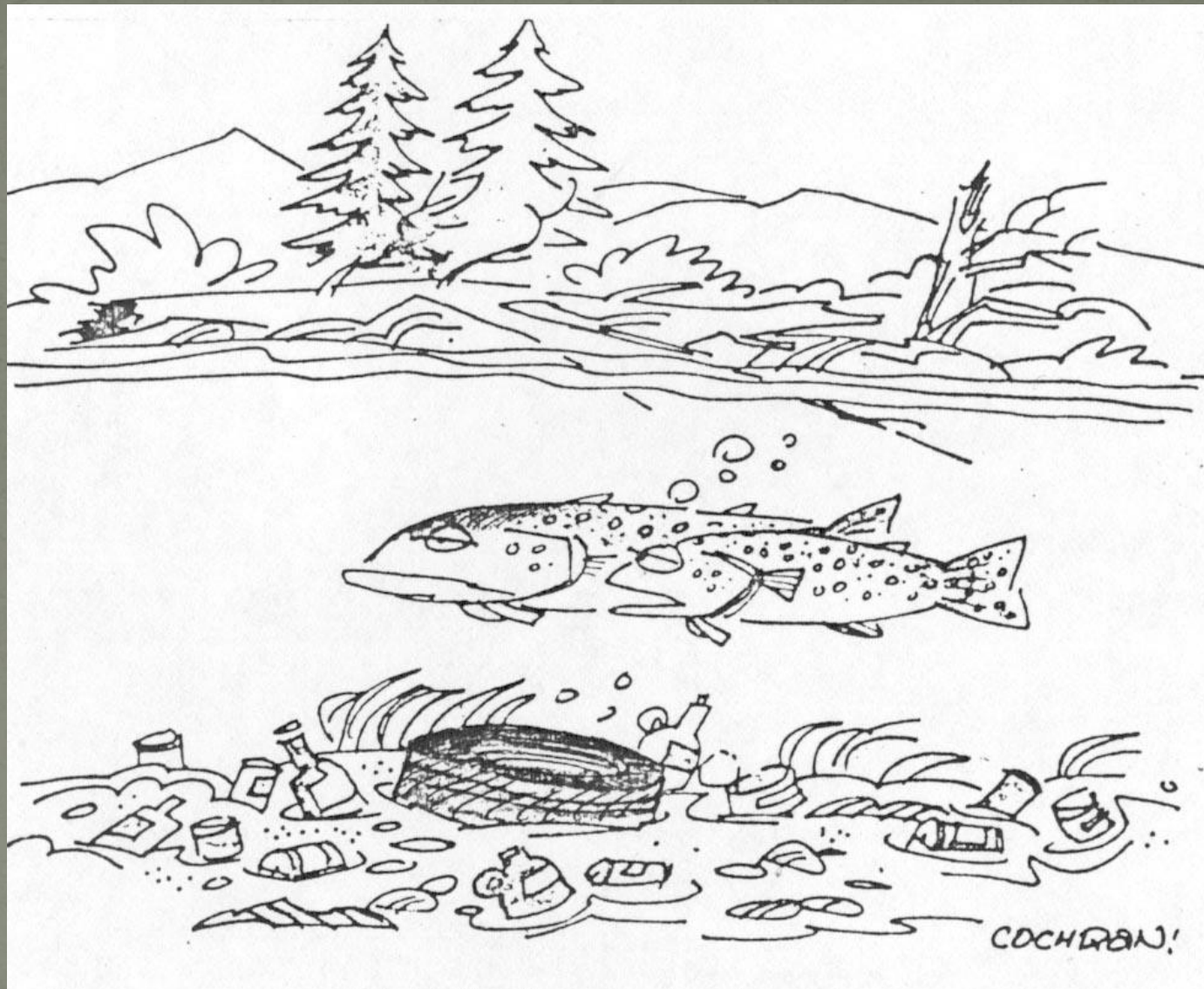
- DFO Radio Room 1-800-465-4336 (24 hours a day)
- Spills or Environmental Emergencies in B.C.: 1-800-663-3456
- Report known or suspected polluters anonymously: 1-877-952-7277
- Marine Spills in International Waters: 1-800-OILS-911

WHAT HAPPENS AFTER I CALL?????

- Radio Room forwards info onto appropriate agency(s)
Within DFO – FPP Triage team would determine if response from Fishery Officer is required

Work with appropriate agencies – EC, PEP, CO Service, C&E, Bylaw Officers, Cowichan Guardians, By-Law Officers with various municipalities etc.

- Possible outcome could be Corrective Measures, direct to have QEP, full investigation with charges/warning, referral to other agency(s).



I ain't spawning in this shit!

If you have any further questions about DFO's regulatory process or need general information, contact DFO's Fisheries Protection Program

toll free: 1-866-845-6776 or

email: EnquiriesPacific@dfo-mpo.gc.ca



REPORTING VIOLATIONS

Report violations to Fisheries and Oceans Canada
by calling toll free:

Public 1-800-465-4336

Calls are accepted 24 hours a day,
seven days a week!



THE 7 P'S OF HABITAT PROTECTION

BY RETIRED FISHERY OFFICER RANDY STENNES

Proper Pre-Planning Prevents Piss Poor Performance

HELPFUL LINKS

- Fisheries and Oceans Canada:
 - www.pac.dfo-mpo.gc.ca
- Sport guide on-line:
 - www.pac.dfo-mpo.gc.ca/recfish
- Tide tables:
 - www.charts.gc.ca