



TSESHAHT FIRST NATION

5091 Tsuma-as Dr. Port Alberni, BC V9Y 8X9
P: 250.724.1225 | F: 250.724.4385 | Tseshaht.com

February 25, 2026

Re: Tseshaht Statement and Clarification on Salmon Allocation Policy

Over the past weeks and months, Tseshaht First Nation has watched the public conversation about salmon, fishing rights, and the review of the Salmon Allocation Policy with growing concern and sadness. Too much of what is being said is not accurate, and it risks dividing our community at a time when we should be working together to rebuild salmon and local livelihoods.

The review of the Pacific Salmon Allocation Policy was not started by First Nations trying to "take away the public's right to fish." It was directed by the courts after the 2018 Ahousaht decision, where the B.C. Supreme Court found that Canada's salmon allocation framework unjustifiably infringed the Aboriginal rights of five Nuu-chah-nulth Nations to fish and sell fish in their territories. The court was clear: federal policy had been giving priority to recreational fisheries over these established Aboriginal commercial rights for chinook and coho, and that had to change. Canada was ordered to revise its policies, including the Salmon Allocation Policy, so they better reflect the Constitution and case law.

This is what the Salmon Allocation Policy review is about: bringing an outdated 1999 policy into line with the law, with conservation as the first priority and Indigenous rights as the next priority. The Department of Fisheries and Oceans' own discussion documents state that the policy guides how available salmon are shared among First Nations food, social and ceremonial fisheries, Indigenous rights-based commercial fisheries, commercial fisheries, and recreational fisheries, and that the review is being carried out "in collaboration with Indigenous groups and all stakeholders" to renew and co-develop the policy. **At no point does this work propose to end the recreational fishery**; instead, it is about clarifying priorities and making sure that constitutionally protected Indigenous rights are fully respected.

For Tseshaht, these rights are not abstract legal concepts. For thousands of years, our people have managed salmon in the Somass River system and on the coast in ways that ensured abundance for future generations. Today, colonial policies, residential schools, and decades of federal mismanagement have left many salmon stocks in crisis, and they have also restricted our



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own people's ability to make a living from our waters. When courts direct Canada to change its policies, they are acknowledging both these historical harms and the knowledge, and authority Indigenous Nations bring as caretakers of the fish and the rivers.

The Salmon Allocation Policy review does not remove the federal government's authority over public access to salmon, and it does not hand over unilateral control of who can fish to First Nations. It does not privatize salmon, and it does not propose eliminating recreational fishing. Instead, it acknowledges that all fishing is already managed access, and it seeks to align that management with the Constitution and with modern case law so that First Nations' priority rights are real on the water, not just on paper. For everyday anglers and commercial operators, the biggest changes will be clearer rules and a framework that better reflects the realities of conservation and rights-based fisheries, not the loss of all opportunity to harvest salmon.

The economic impacts of getting this right are significant for Port Alberni and surrounding communities. Salmon returning through Area 23 and the Alberni Inlet are bound for the Somass River, and the way the harvest is shared affects families, small businesses, and community well-being throughout the Valley. Indigenous commercial fishers are major contributors to the local economy, spending the vast majority of their earnings—often estimated at around 80 percent—in Port Alberni on fuel, gear, repairs, food, and services, which then circulate through the community many times over. This contribution to the local economy is estimated to be \$1 to \$8 million dollars annually. Studies and local experience alike show that every dollar earned and spent in this way can turn over multiple times, supporting independent businesses and jobs across sectors from retail to hospitality. When Indigenous rights-based fisheries are properly recognized and supported, the benefits are shared: more stable, locally rooted incomes, stronger small businesses, and a more resilient community economy.

Tseshaht has had our fair share of conflict with Canada and the Department of Fisheries and Oceans while exercising our rights to fish and sell over the last 5-6 decades. However, we are proud that we stand shoulder to shoulder with the recreational and commercial sectors at our Area 23 Roundtable within in-season management, all groups working together as one. We have worked with all sectors every year through in-season management with a focus on salmon conservation, and the Department of Fisheries and Oceans has used our collaborative table as a best practice and center of excellence to demonstrate what we can achieve when we all work together.



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Public dialogue on these issues must be grounded in facts, respect, and the truth about our shared history and legal responsibilities. Courts have spoken clearly, federal policy is catching up, and salmon themselves are telling us—through declining returns—that the old ways of doing things are not working. We invite our neighbors in Port Alberni and beyond to stand with us in supporting a modernized Salmon Allocation Policy that puts conservation first, honors Indigenous rights, and ensures a future fishery for everyone. That means rejecting fearmongering, challenging racist narratives when they appear, and choosing to work side by side to care for the Somass River and the salmon that sustain us all.

Tseshah First Nation does not support divisive tactics fueled through myths, lies, and racism. We support unity and seek out leaders, parties, and industries who want to create unity in a time when there is already enough division and hate. It was only last month that a swastika was painted on the Orange Bridge in Port Alberni, and so we invite not only commercial and recreational fishers, but all community members to focus on sharing facts and to work together to manage, protect, and ensure the resource survives for generations to come—together.

Please see the end of this release for quick myths vs facts sheet.

In solidarity,

Wahmeesh (Ken Watts)
Elected Chief Councillor
Tseshah First Nation

Pacific Salmon Allocation Policy - Myths vs. Facts

Myths

Facts



First Nations are trying to create new rights.



First Nations have rights that are protected by "the highest law in the land"—the Constitution, specifically Section 35: "The existing aboriginal and treaty rights of the aboriginal peoples of Canada are hereby recognized and affirmed." **These are existing, not new, rights.**



First Nations food, social, ceremonial, and commercial fisheries are trying to supersede commercial and recreational fisheries.



Food, social, and ceremonial fishing rights were established by the Supreme Court of Canada through *R. v. Sparrow* and are clarified as having priority over all other fisheries except conservation. Commercial Aboriginal fishing rights, also recognized under the Supreme Court of Canada through *Gladstone*, and reinforced through *Ahousaht et. al.*, taking priority over regular commercial and recreational fisheries.



First Nations are trying to stop all recreational fishing on the West Coast.



Canada has been directed by the courts to update the Salmon Allocation Policy to reflect current law. The policy review explicitly proposes to clarify priorities, not eliminate recreational fishing. Recreational fisheries will continue under a framework that properly recognizes constitutional rights.



The Liberal Government is failing Canadians in the courts.



Both Liberal and Conservative-led governments have failed to negotiate and implement Aboriginal Title and Rights. Both Liberal and Conservative-led governments have lost to First Nations in the courts. Many First Nations are willing to negotiate instead of litigating, but federal governments—regardless of party—have continued to ignore Aboriginal Title and Rights.



Recreational fishing will end on the West Coast.



Recreational fishing will continue. The Salmon Allocation Policy review is about clarifying the legal priority order and ensuring all users operate within a conservation-first framework, not eliminating any sector entirely.



The Salmon Allocation Policy review removes federal government authority over salmon



The review does not remove federal government authority. It aligns federal policy with the Constitution and case law, ensuring that the federal government exercises its authority in a way that respects constitutionally protected Indigenous rights.



Salmon will be privatized and First Nations will have exclusive control.



The policy review does not privatize salmon and does not grant unilateral control to any single group. It acknowledges that all fishing is already managed access and seeks to align management with law so that constitutionally protected Indigenous priority rights are real on the water.



The Salmon Allocation Policy review was initiated by First Nations to gain advantage.



The review was directed by the courts following the 2018 *Ahousaht* decision. The B.C. Supreme Court found the existing framework unjustifiably infringed Aboriginal rights and ordered Canada to revise its policies. This is a legal requirement, not a First Nations initiative.