



# First Nations Fisheries Council COMMUNIQUÉ

APRIL 2012 ISSUE



## CURRENT FIRST NATIONS FISHERIES COUNCIL MEMBERS:

North Coast: Don Roberts  
Central Coast: Megan Moody  
South Vancouver Island: Allen Claxton  
Lower Mainland: Richard Sparrow  
Upper Fraser: Thomas Alexis  
Northern Transboundary: John Ward  
Haida Gwaii: Robert Davis  
North Vancouver Island: John Henderson  
West Coast Vancouver Island: Cliff Atleo  
Fraser Valley: Ken Malloway  
Mid-Fraser 1: Hank Adam  
Mid-Fraser 2: Vacant  
Upper Skeena: Stu Barnes  
Transboundary-Columbia: Howie Wright

## For more information please contact us:

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## MESSAGE FROM THE FNFC EXECUTIVE DIRECTOR

Greetings everyone,

It has been a busy two months since our last bi-monthly update, I am sure you are all identifying with this with year-end reports and such. Here is snapshot of the current issues we're working on at the First Nations Fisheries Council (FNFC) from the perspective of the Executive Director. We hope that these bi-monthly updates will help to keep BC First Nations informed about the initiatives and activities of our organization.

Recent strategic meetings of the Council have included:

- Regional Update to the FN Summit
- The National Aquaculture working group
- The AFN National Fisheries Committee in Vancouver
- The FNFC retreat in Richmond to review the Multi-year work-plan proposal
- The Joint FNFC/DFO Steering Committee
- The Joint Executive meeting (FNFC/RDG), - at the most recent meeting, we requested follow up to two key items:
  - The request for an MOU with the Minister and the FN Leadership Council
  - A response to the FNFC submission to the Commercial Fisheries Modernization 2012 rollout

### Strategic Planning:

The FNFC continues to build on the strategic objective and direction of the FN Leadership Council's 2010 All Chiefs Task Force recommendations to develop formal MOUs for a cohesive voice among First Nations. This has been laid out earlier in our Communiqués and in Tier 1 meetings. The FNFC has been working with a number of you to elicit information and develop the feedback for the purposes of building out the 3-year strategic plan for the FNFC, and to develop a broadly supported approach to working effectively together at a Regional/Provincial scale. We will further articulate this through our "Commitment to Action" work plan. This activity has been supported by First Nations and DFO, and has enabled the FNFC to demonstrate stability in the strategic vision and provide the basis for "enhanced" classification as an organization, which allows for multi-year funding. The FNFC will soon be concluding a three-year agreement with DFO, and we look forward to the stability of moving from annual funding to multi-year funding.

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### **Institute on Governance**

The Fisheries Council recognizes that First Nations desire a greater role in determining their destiny in terms of fishery focused self-governing mechanisms that are more consistent with case law, Sparrow, and the Constitution. This has been articulated in *Our Place at the Table*, the *Fisheries Action Plan*, and many other publications. However, having stated these aspirations is only the start, and there is a need to take stock and do a frank assessment among ourselves, and ask the following:

- Where are we now in terms of collective capacity? Where do we want to go? We will need a very specific answer here.
- How would we make difficult management decisions among ourselves if we were in a position of authority?
- Are we structured across the province to effectively engage among 203 First Nations?
- Where is the destination – how far down the joint management road do we wish to go? Science/compliance/fishery monitoring? How will these activities be resourced?

The FNFC commissioned a report early in 2012 from the Institute on Governance to help map out this discussion, find a way to bring people together to inform this process, and most importantly, how to financially resource the institute to participate with the FNFC. This phase 1 work is now complete and we have a final report in hand. It has been circulated to the FNFC Executive for their review, and we look forward to sharing the objectives very soon. These objectives lay out some action items, which include next steps in our Charter work, i.e. the establishment of regional/local advisory boards at the local and watershed level. (This would not necessarily mean a new level of process, but rather to develop formal relationships with existing processes.)

Saul Milne is working with the watershed based groups to develop these Charters among First Nations, which will set out principles to agree upon as common objectives; most importantly, the Charters will indicate how the local/regional group will direct the FNFC on how best to address matters of importance in their respective areas. We are referring to it as the HIYU Charter, which means “working together”. To support this, we have begun a number of direct community engagement meetings to articulate the direction and framework for developing a cohesive voice. These sessions included 3 geographic regions on Vancouver Island (Gold River, Nanaimo, and Port Hardy), the North Coast/Lower Skeena, the Mid Fraser, the Fraser Valley, and the Lower Mainland. There are further meetings planned for the Upper Fraser, the Okanagan, and (still to be confirmed) the Secwepemc, the Lower Mid Fraser, and Haida Gwaii, where expressions of interest have been extended for FNFC meetings.

### **Cohen Inquiry**

The FNFC has been advised that Justice Cohen has received an extension to the timeframe to submit his report (now expected in September 2012). The First Nations Coalition submission was a comprehensive body of work amounting to 256 pages, and made a total of 101 recommendations. The FNFC again wishes to express extreme gratitude to the legal team of Mandell Pinder for the work done on behalf of First Nations. For more information about the Cohen Commission and the final submissions, visit their website at [www.cohencommission.ca](http://www.cohencommission.ca).

### **Integrated Fisheries Planning Process:**

The Integrated Fisheries Planning Process, which has been dubbed the First Nations Integrated Salmon Harvest (FN ISH) process, developed an Interim Coordinating Committee, which has developed an initial response the 2012 IFMP for Salmon. The IFMP response, which contained 13 recommendations, was presented to DFO on April 11, 2012. Perhaps the most serious concern pertains to Section 35(1) fisheries allocations, and that FSC needs are not being met. The response from DFO is still under development, and a meeting is being planned for May 7, 2012 (location TDB, either Vancouver or Prince George). The FNFC recently distributed a communiqué with more information about the FN ISH process.



### NAFF II Update

The FNFC will be co-hosting the 2<sup>nd</sup> National Aboriginal Fisheries Forum, (NAFF II), which is currently being proposed to take place in Nanaimo in early October. The focus will continue to be related to the business of fishing, such as marketing, access to capital, training, and aquaculture. The FNFC participates on a National working group and steering committee to continue to build the agenda for this Forum. Watch for a “save the date” notification, which will be coming soon.

If you would like more information about our organization, or to join our email list to stay informed on First Nations fisheries issues in BC, please get in touch with us by emailing [info@fnfisheriescouncil.ca](mailto:info@fnfisheriescouncil.ca).



Thanks,  
Jordan Point

### AQUACULTURE

There is a flurry of activity on the aquaculture file currently. Below is a brief summary on some of the current initiatives underway. For more information on any of the initiatives below, please contact Alex Gagne at [alex@fnfisheriescouncil.ca](mailto:alex@fnfisheriescouncil.ca).

1. DFO has just wrapped up a round of **consultation sessions on IMAPs** (sessions occurred around the coast between April 16<sup>th</sup> and April 26<sup>th</sup>). Once the report from these sessions is released, it will be circulated on the FNFC listserv. The sessions focused on IMAPs.
2. The FNFC is in discussions with DFO Pacific to host a 2-day session (day 1 – Tier 1; Day 2 – Tier 2) to discuss the outcomes of the DFO engagement sessions on IMAPs, and to lay the foundation for future discussions on the structural aspects of First Nation engagement in IMAPs and aquaculture governance. This work is a result of ongoing discussions with DFO to implement the Fall 2011 Resolution, *Successful Aquaculture Governance*, which was endorsed at the UBCIC, FNS and National AFN meeting late last year. The FNFC is also preparing relevant background material to inform this upcoming session. Currently no date is set, but the meeting is anticipated to occur in late May/early June.
3. The FNFC is in the process of finalizing an agreement with DFO Ottawa to host a series of sessions on DFO’s **Aboriginal Aquaculture Engagement Initiative (AAEI)**. This initiative is aimed at increasing First Nation participation in all forms of aquaculture, and will be used to inform one of the four pillars of the Fall National Aboriginal Fisheries Forum II Meeting (“NAFF 2”). As part of this work, the FNFC will be contacting First Nations around BC to gauge their level of interest in aquaculture (shellfish, finfish and freshwater), and will be hosting a series of sessions to discuss the current barriers affecting First Nation participation, and opportunities to support increased involvement. These sessions will be occurring in May/June 2012. More information will be available once the funding agreement is finalized.
4. CFIA (Canadian Food Inspection Agency) is planning a couple of sessions in BC to discuss the draft **CFIA surveillance plan for salmonids in BC**. A meeting is scheduled for April 30, 2012 in Kamloops. Another meeting is being scheduled in Port Hardy – tentatively on May 14, 2012. These meetings are a result of CFIA’s presentation on the February 22 FNFC bi-weekly call, where CFIA joined to give a brief overview of the draft surveillance plan. Information on this initiative is available by contacting the lead for the Initiative, Dr. Con Kiley, at [cornelius.kiley@inspection.gc.ca](mailto:cornelius.kiley@inspection.gc.ca), or a copy of the draft plan can be obtained by emailing Alex at the FNFC ([alex@fnfisheriescouncil.ca](mailto:alex@fnfisheriescouncil.ca)).
5. DFO has approached the FNFC to seek guidance on how to engage First Nations in a dialogue on the **User Fee Act**, and how it relates to aquaculture license fees. At this time, the FNFC is in the process of setting up an initial meeting to begin this dialogue, and more information will be disseminated as it unfolds.

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6. DFO has informed the FNFC that they intend to engage B. First Nations on a Proposed Regulatory Regime under the *Fisheries Act* to Manage Environmental Aspects of Fish Pathogen and Pest Treatments, Release of Organic Matter by Aquaculture and Destruction of Pests and Biofouling Organisms, termed the “RASRR”. At this time, the FNFC has not heard further information on what is planned, but will share information as it becomes available.

For more information on the Aquaculture File, please contact Alex Gagne by phone at 778-772-2954 or by email at [alex@fnfisheriescouncil.ca](mailto:alex@fnfisheriescouncil.ca).

### ECONOMIC ACCESS WORKING GROUP

The Economic Access Working Group held a workshop on March 20, 2012 in Richmond to discuss salmon shares. The proceedings of this meeting will be distributed via the FNFC email listserve next week.

For more information on the Economic Access file, please contact Saul Milne by phone at 778-279-2900 or by email at [saul@fnfisheriescouncil.ca](mailto:saul@fnfisheriescouncil.ca).

### GUARDIAN PROGRAM FOCUS GROUP

On March 28 and 29, the FNFC hosted a *Guardian Focus Group* for First Nations and DFO to work together to explore the challenges and opportunities presented by the DFO Guardian Program, to learn from existing guardian programs, and to envision what fisheries guardian programs could look like in the future.

Over 45 First Nations and DFO staff participated in the Focus Group, including First Nations from coastal and interior communities ranging in experience from newly trained technicians/guardians to fisheries program staff who began their careers through Guardian Training and Certification nearly 20 years ago, and a cross section of DFO's Conservation and Protection, Policy, and Resource Management staff from National, Regional and Area offices.

The first day of the Focus Group began with presentations from the FNFC and DFO on the background and history of the program, followed by case studies that showcased First Nation-DFO collaboration in Newfoundland, a multi-agency enforcement model developed in the Central Interior, and the progression of monitoring and enforcement in the Haida Fisheries Program. The case studies initiated discussion on identifying how some groups were able to identify and address barriers and the success factors of their The second day of the Focus Group was devoted to dialogue amongst the First Nation and DFO participants to identify ways to address challenges and to identify opportunities associated with the Guardian Program. Drawing from the background and history of the DFO Guardian Program and the First Nation community-based program success factors identified through the case studies, Focus Group participants began to envision how a future collaborative, effective and responsive Guardian Program could be developed.

Focus Group participants described a model that is:

- *Multi-jurisdictional*: Involving the First Nations and the various Provincial and Federal ministries and agencies that have some level of authority or enforcement of natural resources (e.g. DFO, BC Conservation Service, RCMP, Parks, Environment Canada etc.)
- *Integrated*: Structured to accommodate First Nations conservation, protection and stewardship of natural and cultural resources within their traditional territories
- *Accredited*: Develop province wide training and certification such that guardians from across the province have the same methods and standards and could create a province wide Professional Association of First Nation Guardians
- *Flexible*: Responsible to individual community needs that could range from monitoring to full-scale enforcement

The First Nations Fisheries Council will seek to engage and collaborate with the Coastal Guardian Watchmen Network to share ideas and best practices to further explore a vision for a BC First Nations Guardian Model. The FNFC will prepare a summary report from the Guardian Focus Group to present to First Nations leadership on a new vision for a First Nations Guardian Model and will seek endorsement on the proposed approach.

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### **MARCH 31 – YEAR END**

The deadline to submit your invoices or travel claims for the fiscal year ending March 31, 2012 is **Friday, May 4, 2012**. Please ensure that you have submitted the appropriate paperwork and backup to the FNFC office by this date, as we are in the process of finalizing our reporting for this fiscal year end. Thanks for your cooperation!

### **FRASER SALMON LOU SIGNING**



On March 20, 2012, a signing ceremony was held at the Tsawout First Nation to sign and endorse the Fraser Salmon Roadmap Letter of Understanding (LOU). First Nations Fisheries Council Co-Chairs Ken Malloway and John Henderson showed the Council's support for this initiative by signing on behalf of the FNFC as an endorsing organization. Left: John Henderson endorses the LOU on behalf of the FNFC. Right: Ken Malloway shakes hands with DFO Regional Director General Sue Farlinger, who signed the LOU on behalf of DFO.

### **NEW FNFC EXECUTIVE ASSISTANT**

The FNFC is pleased to welcome Grace Point as our new Executive Assistant!

Grace comes to the First Nations Fisheries Council after serving four years as the Band Secretary for the Musqueam Indian Band. Prior to this position, Grace was the secretary for the Musqueam Fisheries Department. In her personal life, Grace enjoys Fishing on the Fraser River providing food fish for her family; this love of fish and the river has brought her back to the world of fisheries.

Grace can be reached via email at [grace@fnfisheriescouncil.ca](mailto:grace@fnfisheriescouncil.ca).

### **REGIONAL FISHERIES ORGANIZATIONS CONFERENCE CALLS**

The First Nations Fisheries Council hosts Wednesday morning update conference calls for First Nations fisheries organizations on a bi-weekly basis. These calls are Tier 1, and are open to all First Nations and First Nations fisheries program staff. Dial-in information and agendas are distributed prior to each conference call via our email listserve. Summaries of past conference calls are available on the Fisheries Council website. Please note that these summaries are internal to First Nations, and a username and password are required to view them. To get your username and password for our website, or to add your email to our listserve, please contact us at [info@fnfisheriescouncil.ca](mailto:info@fnfisheriescouncil.ca).

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