



First Nations Fisheries Council COMMUNIQUÉ

JANUARY 2013 ISSUE



EXECUTIVE DIRECTOR UPDATE

As this is the January edition of our Communiqué, I will be updating you on some of the activities that took place during the November to January period. The FNFC Annual General Assembly was held in Port Alberni, and was by all accounts a great success. The AGA was well attended, and the agenda was full and included many topical issues including a Cohen update, an analysis on Bill C-38, and a progress analysis on the implementation of the First Nations Fisheries Action Plan. Look for some of this information further on in the Communiqué, and also on the FNFC website under the “Communications” tab.

In December, the FNFC supported the AFN in the development of the meeting in Gatineau, Quebec to present at the National AFN meeting in Ottawa. FNFC Executive members Cliff Atleo and Ken Malloway attended, and were part of a consolidated approach to have resolutions adopted concerning C-38 impacts, including the federal approach to the regulatory environment and fast tracking legislation (e.g. changes to the Fisheries Act and Canadian Environmental Assessment Act).

In addition, here are more of the current issues we’re working on at the FNFC from the perspective of the Executive Director and the Executive Council. 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:

- FNFC Charter development meetings.
- November – signing of the Charter between the FNFC and the Nuuchahnulth Council of Ha’wiih.
- November 22, 2012 – building on the recent signing of the Charter with the Upper Fraser Fisheries Conservation Alliance (UFFCA); the FNFC attended the quarterly meeting to update the Aquaculture management advisory committee approach, and to hear issues from UFFCA surrounding in-season Chinook management.
- The IHPC-focused Salmon Coordinating Committee has had 5-6 meetings; currently working on terms of reference, appointments, and analysis on key objectives for IFMP iteration.
- The FNFC continues to work with the PSC First Nations caucus as a flow-through mechanism for their funding, which has initiated a need for clarifying the relationship and roles and responsibilities between the parties. To this end, the FNFC and the PSC First Nations Caucus have recently signed an MOU, which will also progress to a Charter document being concluded between these two groups.
- In December the FNFC hosted a follow up workshop for a Cohen review and analysis.
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- The FNFC also supported the NBBC – NFA session in Vancouver in January – which will inform ongoing aspirations for clarity in economic and commercial fishing aspirations among First Nations.
- The FNFC continues to also support the initiatives of FN in sessions such as the Forum on Conservation and Harvest Planning – Richmond January 23/24 2013.

Strategic Planning and Governance

The FNFC continues to build on the strategic objectives and direction of the *2010 All Chiefs Task Force Report*, and recommendations to develop formal MOUs for a cohesive voice among First Nations (as discussed in previous communiqués and in Tier 1 meetings). The FNFC has been working with a number of you to gather information and feedback for the purpose 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. It has also provided the basis for “enhanced” classification as an organization, which allows for multi-year funding. The FNFC will soon be concluding an amendment to the 3-year agreement with DFO, and we look forward to supporting some of the next steps outlined in the strategic plan.

The FNFC also continues to work toward establishing an advisory process that facilitates information sharing between the various scales (local/watershed, provincial), as per the Institute on Governance report (2012). Dana Bellis is currently working with various regional First Nations fisheries organizations to formalize our relationships through the FNFC Charter.

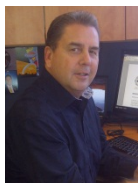
Integrated Fisheries Planning Process:

As many of you are aware, First Nations fisheries are impacted each year by many elements of the Integrated Fisheries Management Plans (IFMPs). The Salmon IFMP is the broadest IFMP, and it affects essentially all First Nations in BC. Many concerns about DFO’s IHPC/IFMP process have been raised over the years by First Nations, and the FNFC began to coordinate a process to work on bringing this process more in line with the needs and interests of First Nations. This process is now known as the Salmon Coordinating Committee.

The objectives of the Salmon committee for 2012-13 are:

- to continue to develop the progression from an Interim Committee to a standing committee process – including Terms of Reference;
- develop a strategic process to create local fishing plans that can feed into a regional First Nations fishing plan. This would then inform the regional IFMP. (Pilot projects are being developed);
- Discuss outlooks for other species, etc.

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 or 778-279-2900.



Thanks, Jordan Point, FNFC Executive Director

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AQUACULTURE UPDATE

First Nations engagement in the AMAC process:

The FNFC continues to work with DFO to develop a process for First Nations participation in the development of the Integrated Management of Aquaculture Plans (IMAPs). The FNFC has contacted regional aggregate First Nations fisheries organizations to inform them about the Aquaculture Management Advisory Committees (AMACs). These committees will advise the development of the three IMAPs (Marine Finfish, Marine Shellfish, and Freshwater Aquaculture). There will be an AMAC for each IMAP. Seven of the nineteen/twenty seats on each of the AMACs are for First Nation delegates. There will be one seat on each AMAC for the following regions: West Coast Vancouver Island, North Vancouver Island, South Vancouver Island, Haida Gwaii, North Coast, Central Coast, and the Interior; the remainder of the seats will be held by aquaculture license holders (7), environmental organizations (3), aquaculture organizations (1-2), and the regional district (1).

The FNFC has hosted meetings for the North Coast (December 5, 2012 in Prince Rupert), Interior (November 30, 2012 in Kamloops), and East Coast of Vancouver Island (January 14, 2013 in Nanaimo) to present on the IMAPs/AMACs and potential nomination processes for First Nations seats. Upcoming meetings include follow-up sessions in the North Coast and Interior, and an initial meeting for the Central Coast. The first Tier 3 AMAC meeting is tentatively planned to convene in the spring of 2013; although, Fisheries and Oceans Canada has not confirmed a date for this meeting.

Canadian Food Inspection Agency Salmonid Sampling Plan:

The FNFC has been working with the CFIA to coordinate a teleconference to discuss the analysis of the CFIA's 2013 Sampling Plan for Wild Anadromous Salmonids, as well as to provide recommendations on how CFIA could engage First Nations in the National Aquatic Animal Health Program (NAAHP). This teleconference is scheduled for February 8, 2013. **For information about the teleconference, contact Racheal Weymer at racheal@fnfisheriescouncil.ca or 778-279-2900.**

The FNFC continues to assist the CFIA in disseminating notices and reports via the FNFC Listserv.

RASRR

The FNFC has contacted DFO to continue earlier conversations regarding the proposed changes to the User Fee Act and the Regulatory Regime to Manage the Release of Aquaculture Substances (RASRR). There have been no updates from the Department in recent months with respect to RASRR.

For more information about the FNFC's work on aquaculture, please contact Alex Gagne at alex@fnfisheriescouncil.ca or 778-279-2900.

SALMON COORDINATING COMMITTEE UPDATE

Purpose and Key Activities

The purpose of the Salmon Coordinating Committee (Salmon CC) is to advance First Nations priorities and recommendations in the management of salmon and to inform DFO's salmon IFMPs. Salmon CC delegates accomplish this through the advancement of strategic technical and management priorities at a tier two level, while contributing to building a functional Tier 1 where First Nations can build their own recommendations and harvest plans.

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The Salmon CC is making excellent progress in developing its internal structure, strengthening external relationships, and developing a strategic approach to engagement in the salmon IFMPs. Key activities and accomplishments to date include:

Activities of the Salmon CC in 2012-2013:

- Finalized Terms of Reference and model and structure.
- Transition from Interim to Standing Salmon CC.
- Identifying and developing efficiencies with external processes through ongoing joint dialogue.
- Developing a strategic approach for Tier 2 engagement and priority advancement.
- Ongoing presentations of the Salmon CC's work and structure to First Nations fisheries organizations.
- Developing priorities for advancement in Tier 2 discussions on the 2013 Salmon IFMP, and working to contribute to the development of Tier 1 structures and processes.

Moving Forward in 2013:

- Advancing strategic priorities in Tier 2 meetings, with emphasis on priority areas: FSC, Science and Information, First Nations Economic Access, and the Wild Salmon Policy.
- Preparing a Consolidated Comment Document on the 2013 Salmon IFMP.
- Running nomination and appointments to confirm standing Salmon CC delegates. Nomination and appointments will be run through regional First Nations fisheries organizations, programs, nations, or representative bodies in accordance with the Salmon CC Terms of Reference.

FNFC CHARTER UPDATE

What is the Charter & Appendix?

The Charter is a good faith document that encompasses the principles and objectives from the 2007 First Nations Fisheries Action Plan and the 2011-2015 FNFC Strategic Plan. It is designed to:

- Promote enduring relationships and constructive dialogue among First Nations, and
- Serve as the foundation for positive working relationships on the coordination of capacity and resources in matters of mutual interest.

The Appendix is the accompanying document that describes the collaborative working relationship between the FNFC and the First Nations fisheries organizations through spelling out in simple terms how to best work together. This is accomplished through:

- Being customized to meet the needs of fisheries organizations through an ongoing dialogue of revisions, and
- Outlining areas like meetings, communications, information sharing, and potential advocacy roles.

The Charter and Appendix are not:

- Legally binding documents,
- Nor will they interfere with any existing mandates, laws, agreements, treaties or policies, and
- They do not create any financial obligations.

The FNFC continues to support the strength of Title and Rights at the local level, and accomplishes this through re-affirming that the duty to consult remains with the individual nation or communities.

Charter Signings and Updates

It is with great pleasure that the FNFC announces the successful signing of the Charter by:

- The Native Fishing Association

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- Upper Fraser Fishing Conservation Alliance (UFFCA)
- The Nuu-chah-nulth Council of Ha'wiih
- Lower Fraser Fisheries Alliance (LFFA)
- Island Marine Aquatic Working Group (IMAWG)

Over the coming winter, we anticipate the signing of four to six additional Charters. Many of these are going through the internal review process, while others have confirmed a signing date.

SPECIES AT RISK UPDATE

Species at Risk

The *Species at Risk Act* (SARA) was proclaimed in June 2003 as part of the Government of Canada's strategy to protect species at risk. Currently the Pacific Region has 25 listed Marine Species at Risk, and 23 listed Freshwater Species at Risk, and a number of others are being considered for listing.

On January 16th & 17th, the FNFC hosted a Tier 1 / Tier 2 SARA & Aquatic Species Workshop to address issues relating to First Nations involvement in the SARA process. This workshop was intended to:

- increase First Nations understanding of the Act and steps in the Assessment, Listing and Recovery Phases,
- describe how SARA policy affects First Nations Title and Rights,
- discuss issues and challenges with First Nations engagement in SARA processes, and
- discuss barriers related to the sharing and incorporation of Aboriginal Traditional Knowledge in SARA processes.

Workshop participants were able to identify some practical ways for DFO to improve communications and to facilitate increased engagement in SARA listing and recovery phases. However there are still outstanding challenges and barriers related to the Act itself and to the sharing, inclusion and use of Aboriginal Traditional Knowledge in SARA processes.

Eulachon Update

The Committee on the Status of Endangered Wildlife in Canada (COSEWIC) has recommended that eulachon populations in the Fraser River Designatable Unit (DU) be listed under SARA as *Endangered* and that eulachon populations in the Central Coast DU be listed as *Endangered*. The Nass & Skeena Rivers DU is currently being reassessed by COSEWIC, and is anticipated to be released in May 2013. The receipt of COSEWIC's independent recommendations by the Government of Canada initiated DFO to begin consultation activities for the potential listing of Eulachon populations under SARA.

The DFO technical report *Eulachon Recovery Potential Assessment* (RPA) was released in December 2012. The purpose of the RPA is to:

- quantify major sources of mortality,
- assess threats and requirements,
- estimate population trajectories,
- identify recovery target, and
- identify potential allowable harm activities.

The next steps in the listing phase are for DFO to develop and consult on management scenarios (anticipated in late winter/spring 2013), and then for DFO to undertake a socio-economic analysis (anticipated in the winter/spring 2014).

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Upcoming SARA and COSEWIC Activities for 2013/14

- DFO will be seeking First Nations consultation with respect to Eulachon management scenarios in the spring of 2013, and the socio-economic analyses in the winter of 2013/2014;
- DFO consultations on a number of marine and freshwater species currently being considered for listing:
 - **Humpback Whale** (Special Concern, currently listed as Threatened)
 - **Northern Fur Seal** (Threatened)
 - **North Pacific Spiny Dogfish** (Special Concern)
 - **Darkblotched Rockfish** (Special Concern)
 - **Quillback Rockfish** (Threatened)
 - **Yellowmouth Rockfish** (Threatened)
 - **Rocky Mountain Ridged Mussel** (Endangered, currently listed as Special Concern)
 - **Rocky Mountain Sculpin** (Special Concern)
 - **Umatilla Dace** (Threatened)
 - **Mountain Sucker** (Special Concern)
 - **Dolly Varden, Northern Form** (Special Concern)
 - **Bull Trout South Coast B.C. DU** (Special Concern) and **Western Arctic Populations DU** (Special Concern)
 - **White Sturgeon** (reassessed in 2012 as four DU's) Lower Fraser River (Threatened), Upper Fraser River (Endangered), Upper Columbia (Endangered), Kootenay River (Endangered)
- Planned for 2014, upcoming COSEWIC assessments include Southern BC Chinook, Interior Fraser Coho, and Fraser River Sockeye. DFO may have "pre-COSEWIC" assessments on these species in 2013 in order to gather and examine data and information related to these species in advance of the official COSEWIC assessments. It is unclear how DFO plans to engage BC First Nations in these "pre-COSEWIC" assessments.
- Depending on the outcome of the COSEWIC assessments, BC First Nations may be engaged in SARA consultations for the potential listing of Pacific Salmon species in 2015.
- A COSEWIC *Call for Expressions of Interest* for Co-chairs of some of the Species Specialist Subcommittees has been posted on the COSEWIC website until Feb 20, 2013: www.cosewic.gc.ca

The FNFC routinely hosts Tier 1 teleconferences for First Nations to share information, coordinate activities, and prepare for upcoming consultations with DFO.

For more information on issues related to the Species at Risk Act and upcoming DFO consultations for aquatic species, please contact Deana Machin at deana@fnfisheriescouncil.ca or 778-279-2900.

WATER FOR FISH STEWARDSHIP INITIATIVE UPDATE

The first of seven regional workshops on water that the FNFC is hosting was held in Duncan, BC on January 10, 2013. Many thanks to the participants of this pilot effort for their time, consideration, and feedback!

The ultimate objective of these workshops is to increase foundational knowledge and enable effective participation for First Nations in improving freshwater management in BC. The January workshop was overall rated very high by participants, as was the content and format. People noted that they particularly liked the various group exercises, which gave them an excellent chance to learn from each other while they explored the material.

Workshop notes will be reviewed by those who have attended workshops, and their advisement as to key points will be advanced to a BC-wide forum on June 25-26, 2013.

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The next workshop will be in Terrace at the end of February 2013, followed by one in Richmond BC on April 18, 2013. Registrations for the next two workshops will be open by the end of January, so please keep an eye on our website and email distributions. The input gathered from these workshops will be used to craft a draft strategic direction and Action Plan on the *Water for Fish Stewardship initiative (WFSI)*. The draft considerations will then be discussed and workshopped at the BC-wide forum in June.

2012 FNFC FALL ASSEMBLY

The FNFC would like to thank everyone who helped to make the 2012 Annual Fall Assembly a success! A special thank you to the following groups and individuals: Hupacasath First Nation; Tseshah First Nation; Nuu-chah-nulth Tribal Council; NTC Fisheries – Uu-a-thluk ; National Chief Shawn A-in-chut Atleo; Dr. Michelle Corfield; all of the presenters and participants.

The Assembly was held on November 14-16, 2012 at the Hupacasath First Nation in Port Alberni, BC. The theme of the Assembly was “*Navigating the Currents of Change: People, Planning, and Policy*”. Day 1 was focused on reporting out on the operations, finances, strategic direction, regional updates, and initiatives of the FNFC. Day 2 was focused on legal and policy issues, with presentations on Cohen, Bills C-38 and C-45, legal cases on First Nations economic fisheries, and various other topics. DFO RDG Sue Farlinger also spent part of the afternoon taking questions from Assembly participants. Day 3 was a Tier 1 session that was focused on gathering input from First Nations participants on Tier 1 development, and the keynote address was also delivered by National Chief Shawn A-in-chut Atleo.

The presentations from the Assembly, along with a summary report, are posted on the FNFC website under the Communications tab, at <http://www.fnfisheriescouncil.ca/communications/annual-fisheries-assembly>

REGIONAL FISHERIES ORGANIZATIONS CONFERENCE CALLS – **New Schedule!**

The First Nations Fisheries Council previously hosted update conference calls for First Nations on a bi-weekly basis (every second Wednesday). However, starting in February 2013, we will be moving to a monthly schedule for these calls. **The new schedule will be the second Wednesday morning of every month, 10:30am-12:00pm.** We will also hold topic-specific calls from time to time as needed.

The purpose of these calls is for First Nations to raise issues or concerns for discussion, and for the FNFC to provide updates and seek feedback on our priorities activities. 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.

CONGRATULATIONS TO ERNIE CREY!

The FNFC would like to congratulate Ernie Crey on his receipt of the Queen Elizabeth II Diamond Jubilee Medal in recognition of his work with First Nations! The Diamond Jubilee Medals are being awarded to recipients throughout the Commonwealth of Nations this year with distinction for significant achievements and contributions to their fellow countrymen, their communities, or to Canada. Ernie is a valued colleague and friend to us at the FNFC, and we are proud to celebrate his receipt of this medal.

For more info about the First Nations Fisheries Council, please visit our website at www.fnfisheriescouncil.ca

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