

First Nations Fisheries Council 2010 Fall Assembly Proceedings

Day Two: November 3rd, 2010 (Tier Two)

Introduction

Co-Chairs: Grand Chief Ken Malloway and John Henderson
Facilitator: Michelle Corfield



Welcome by James Bryant from Lax Kw'alaams First Nation.
Opening comments and prayer by Clarence Nelson from Metlakatla First Nation.

Cliff Atleo also provided introductory comments, mentioning the significance of British Columbia Supreme Court rulings and the optimistic outlook of relations among First Nations and government agencies. Cliff, with participation from other Nuu-chal-nulth attendees, presented a community song in commemoration of the Assembly.

Introduction to Assembly from the First Nations Fisheries Council and Fisheries and Oceans Canada

Ken Malloway, the co-chair, provided an introduction to the Assembly as well as his personal background and experience with First Nations fisheries. Ken recalled the first meeting he attended concerning fisheries, describing the apprehension First Nations maintained about regulatory regimes that required stringent 'marking' (cutting off nose and dorsal fin of salmon) for all fish caught. In the past, First Nation Chiefs would argue the legitimacy of policies implemented by Fisheries and Oceans Canada, but the government often neglected to listen. Undoubtedly, the past has been adversarial, but times have changed. At this point, the relationship (between First Nations and Fisheries and Oceans Canada) is founded on respect. Ken recognized that challenges persist, calling for the equitable and consistent application of law. Furthermore, the definition of co-management must be clarified, as skepticism remains.

John Henderson, the co-chair, stated that a true partnership is the desired outcome, but it is concerning that Fisheries and Oceans Canada continues to dictate the direction of policy. For John, this process continues to be a learning experience, as the combination of community knowledge and thoughtful discussions has led to the development of a Statement of Solidarity. The purpose of these discussions is to implement a coast wide multi-sector agreement. First Nations have been to this table in the past, so many people are eager to see some tangible results. Ultimately, as mentioned by Ken, the primary issue is equitable access and policy. John welcomed all of the guests and the discussions that would follow.

Council Member Roll Call (all present council members introduced)

Michelle Corfield, the facilitator, welcomed engaged and emotional discussion, but encouraged all participants to be respectful. Despite outdated policies, immense capacity for change does exist.

Nadia Bouffard, Director General of Fisheries Renewal (Fisheries and Oceans Canada, Ottawa), provided an introduction for the Department. Nadia has been with the Department for over twenty years, but the Aboriginal Affairs portfolio is relatively new, so the Assembly will be informative and educational. First Nations and Fisheries and Oceans Canada share common interests, including, conservation of ecosystems or the mandate, at a community and national level, to protect the fisheries. Ultimately, Fisheries and Oceans Canada must engage First Nations to construct the appropriate mechanisms. The complex nature of fisheries must also include an element of co-management (a multi-sector approach). This should ensure that the wealth and health of information is maintained to direct policy. This will require greater organization within the Department to properly respond to the concerns of First Nations. Also, Aboriginal Traditional Knowledge has to be part of this dialogue, as a long-term view of the fisheries must be adopted. Nadia appreciates the energy and challenges, but goodwill, genuine relationships and the people will assist in the construction of a strong foundation for the future of the fisheries.

Mel Kotyk, Area Director of the North Coast (Fisheries and Oceans Canada), followed up by describing his appreciation for the opportunity to host such an event in Prince Rupert. Mel recognizes the complexity of the issues, thus, he welcomed open and frank discussions. Mel encouraged the Department personnel to stand up and introduce themselves to First Nations.

Perspectives on Joint Management Panel (First Nations Fisheries Council and Fisheries and Oceans Canada)

Sarah Murdoch (Fisheries and Oceans Canada)

Sarah reminded everyone that community harbours are no longer run solely by the Department, but are maintained through collaborative partnerships. Although parallels with fisheries exist in this example, the issues surrounding fisheries are infinitely more complex. Sarah stated that she understands the variety of perspectives, as employment with the government came after employment with the Heiltsuk Nation. Understandably, resources are limited, but the Department is interested in finding mechanisms for moving forward.

Corey Jackson (Senior Advisor on Co-Management, Fisheries and Oceans Canada)

The mandate of Fisheries and Oceans Canada is broad, but collaboration with First Nations is critical to any management approach and reaching collective goals and objectives. For example, resource sustainability and conservation are critical to fisheries management. There are a number of benefits to co-management, including: informed decisions, improved outcomes, greater sense of ownership and accountability, improved transparency, and more capacity to address complex issues and challenges. Fisheries and Oceans Canada agrees that First Nations must be included in the development of policy, resource management and decision-making. However, there is no single agreed-upon definition of co-management. Generally it refers to some level of sharing of authority and responsibility for resource management, including accountability for results, between various stakeholders. This is a process, not necessarily an 'end-point' that includes high-level dialogue regarding policy and programs; collaborative planning around marine-use, watersheds and fisheries; joint dialogue with First Nations regarding Food, Social and Ceremonial allocations; joint work around operational science and

fisheries management fisheries. As co-management remains a priority for the Department, advancing co-management and creating a greater role for First Nations is reflected in a number of policies, programs and initiatives such as the Wild Salmon Policy, Oceans Action Plan and Fisheries Renewal. Furthermore, the Department has a range of programs aimed at building capacity and balancing high-level policy and planning activities with tangible progress 'on-the-ground'. Some key considerations in this process include: building co-management is a collaborative venture; governance is important (First Nations Tier One dialogue); setting priorities is important in the context of finite resources; and relationships founded on science and communication are essential (see *Developing Relationships and Collecting Data: Practical Applications* by Mark Duiven here: <http://bit.ly/bRwLvE>). A number of challenges and opportunities are evident, but existing commonalities will assist in the development of effective collaboration.

PowerPoint presentation available here: <http://bit.ly/cRt1Q6>

Howie Wright (Co-Chair of Co-Management Working Group)

As a program manager of the Okanagan Nation Alliance, discussions about a co-management process have been continual. How do we become results orientated? After a workshop on this predicament, the Fisheries Council established four priority areas. Ultimately, fish management is about making decisions. The Okanagan Nation Alliance has partnered with different communities in the Upper Fraser, which has resulted in different documents, some of which have come to inform policy. On a personal level, Howie agrees that co-management is a good concept, despite differing perspectives on co-management. However, it is important for First Nations to recognize that this process will take time.

Brenda McCorquodale (Executive Director, First Nations Fisheries Council):

First Nations and Fisheries and Oceans Canada have prioritized co-management, but some communities have moved forward on co-management initiatives. On a broad based level, the First Nations Fisheries Council has begun to move towards a co-management mandate as a result of last year's resolution (supported by the UBCIC and BCAFN) ratified at the Assembly. Furthermore, the Wild Salmon Policy, the Oceans Act and Ecosystem Science Framework all mention the need to have an integrated management plan. For First Nations, an asserted right to the resource includes the management of this resource (see First Nations Fisheries Action Plan (2007) here: <http://bit.ly/aA4sTL>) The principles of co-management include: ecosystem approach, conservation, sustainability, shared responsibility, accountability, diverse approaches and benefits, First Nations ownership, and stewardship. Currently, there is no legal definition for co-management, so any agreement would require the definition of specific parameters of a co-management initiative. To develop co-management, First Nations must conceptualize and articulate a vision. The First Nations Action Plan maintains several statements of unity (<http://bit.ly/aA4sTL>, p. 9 and p. 16). In addition, the statement of solidarity, approved on the First Day of the Assembly, is a common statement of what communities envision co-management to be. Therefore, discussions among First Nations and the Department will include tiers, scales, governance, and activities and mechanisms. This dialogue is intended to outline some of the parameters of co-management. Questions to ask: What is effective co-management? What are priority areas? What scale should the Department focus on? What are some of the barriers to co-management?

On a separate note about the structure of the First Nations Fisheries Council, the issue of representation must be resolved. An interactive map display was available to attendees to reconfigure current representative regions. Finally, the First Nations Fisheries Council has not been appointed as the established mechanisms for co-management implementation. At this point, the First Nations Fisheries Council mandate is to support First Nations with fisheries initiatives.

PowerPoint presentation available here: <http://bit.ly/9febyl>

Governance Overview

Cliff Atleo (President of the Nuu-chal-nulth Tribal Council)

Cliff recalled the Native Brotherhood meetings, especially how they were able to bring issues to the forefront. The term co-management is unacceptable, as it remains open to interpretation. First Nations accept the term joint-management, as it more accurately reflect First Nations traditional ownership and asserted rights. Cliff understands that limitations exist, but First Nations fishermen are eternal optimists. First Nations have arrived at the table as open partners, so Fisheries and Oceans must adapt to this reality. Nevertheless, government agencies must recognize the elected Chiefs and Council within communities. In addition, local knowledge must be incorporated into a management framework. The issues addressed are important, but people remain unconvinced about the merits of co-management.

Brigid Payne (Fisheries and Oceans Canada)

As a senior policy analyst advisor, Brigid has witnessed the frustration among government agencies and First Nations as a result of some of the structural issues. Therefore, it is important to understand the differences between governance structures. By definition, governance is how people organize themselves to participate in management processes. Governance is a central theme in Fisheries and Oceans Canada's approaches to resource and ecosystem management. This includes the effective and meaningful involvement of First Nations in the decision-making process. The Department does not maintain a definition of what constitutes a meaningful relationship, but the funding of Tier One dialogue might enhance First Nations collaborative (internal and external) structures. Designing co-management requires a mutual understanding of each other's respective governance structures as well as each other's respective priorities. In summary, "collaborative fisheries governance is the process of reaching shared outcomes and resolving differences among all sectors and governmental interests in a manner consistent with conservation and sustainable management of our salmon resource. Improved collaboration leads to more effective decision making with a broad basis of support and more enduring outcomes." (Integrated Salmon Dialogue Forum, 2008)

PowerPoint presentation available here: <http://bit.ly/98GGpf>

Deana Machin (Co-Management Coordinator, First Nations Fisheries Council)

Deana provided an overview of some of the issues that have arisen in previous discussions. Deana defined governance as the process of making decisions and the authority to make and

implement decisions. Thus, fisheries co-management is a mechanism through which Title and Rights can be reconciled with current Federal governance structures, processes and decisions. In an ideal circumstance, governance should be predictable, structured, based on agreements, linked to appropriate capacity, and should generally improve outcomes. Governance should not be based on individual relationships, create confusion, create expectations that cannot be met, and require more resources than are available. In the future, a 'strength of claim' analysis of First Nations strength of authority over fish, watersheds and marine areas might validate assertions of rights and title. First Nations authority flows from their title and rights. In the modern context, First Nations acknowledge that they need to work collaboratively among themselves and with Federal and Provincial governments on an aggregate, British Columbia wide, and national level to effectively protect title and rights. Currently, First Nations are in an advisory role, but co-management remains attainable within the spectrum of engagement that includes partnerships and shared decision-making. Communities have different priorities, and limited capacities; therefore, communities will express their objectives in different ways. Despite divergent perspectives, First Nations have developed governance approaches (Tier One, Tier Two and Tier Three) that engage various stakeholders. Deana concluded by stating, First Nations need to play a lead role in articulating how they will work together with Fisheries and Oceans Canada to bridge the gap between the varying strengths of authority.

PowerPoint presentation available here: <http://bit.ly/amPxJC>

Small Group Dialogue:

Question: What are the key challenges and opportunities that we face in developing governance approached for fisheries and aquatic resource co-management?

Small groups discussed and recorded answers to the above question. A summary of those results is available here: <http://bit.ly/ceG1Uc>

Scales Overview**Russ Jones (Policy Analyst, Haida Nation)**

Russ provided an overview of some practical examples of Scales. For instance, Marine Planning in Haida Gwaii is a good exemplar of how First Nations can enter into agreements with different levels of government, specifically the Provincial government, Parks Canada, and Fisheries and Oceans Canada. Although this does not always confront the diverse range of issues, developing a range of scales is a priority. Another example is the Pacific Salmon Commission, which is an agreement based on management and discusses management at the domestic level. First Nation engagement in the Pacific Salmon Commission is interesting, as First Nations are appointed to the Commission. This is in contrast to agreements in United States, where a government-to-government relationship exists.

Corey Jackson (Senior Advisor on Co-Management, Fisheries and Oceans Canada)

Corey Jackson presented in place of the absent Wilf Luedke

All management activities occur at different scales. For instance, scales are natural (ecosystem approach), geographical (local or regional) or political and territorial (government or band). Both parties have turned their attention to scales as it provides a good conceptual framework for the building of co-management processes. Different types of discussions are most appropriately held at different scales, thus these different scales have to be identified (interactive mapping display provided opportunity for First Nations to reconfigure current representative regions). The First Nations Fisheries Council discussion paper highlights the issue of scales, including governance structures and capacity. There are important considerations related to co-management and engagement at different scales. While many discussions require engagement at the local or community level, the nature of fisheries resources as well as potential impacts of decisions on other First Nations often require discussions at a broader scale. For instance, high-level policy deliberations are held at province-wide scale instead of the community level, as adequate resources do not exist to facilitate an intricate consultation process. The Department is interested in discussion about how engagement at different scales can be coordinated and complimentary. Avoiding overlap and duplication will be more efficient, provide for more transparency and help avoid confusion regarding who is engaged at what level. For the Department, the coordination of various scales needs to be clarified. Furthermore, the Department must make a concerted effort to recognize and engage the various decision-making structures maintained by First Nations.

PowerPoint presentation available here: <http://bit.ly/aSyxnM>

Saul Milne (Policy Analyst, First Nations Fisheries Council)

Saul provided an overview of some of the issues that have arisen in previous discussions. What do we mean by scales? What do we think about various strengths of authority? How and why decisions are made at different scales? What are the challenges and opportunities for co-management at each of the scales?

Saul asserted that centralized and sectoral approaches to fisheries management have proven increasingly ineffective at addressing title and rights issues, and in addressing critical social, environmental, economic or cultural values. An integrated management approach is necessary, understanding impacts at the community level. Currently, some decisions are made on a local scale (catch monitoring and stock assessment activities) while other decisions are made on a broader scale (establishing the standard practice for catch monitoring and stock assessment activities). When considering the development of a co-management framework, First Nations and Fisheries and Oceans Canada will need to consider what decisions are most appropriately made at what scale. Furthermore, decision-making must establish a mechanism to bridge authorities across scales. Aggregate grouping is common to deal with a set of aquatic management issues. A multi-level aggregate group can come together for a coast-wide initiative. However, this becomes complicated when different groups interests clash (economic opportunity versus environmental impact). It makes sense for the individual First Nations to play a lead in some roles, and for more broad organizations to help bring together large numbers of First Nations in more broad decisions. Building capacity to move into decision-making roles in co-management can itself lead to connections between the community and the aggregate scales.

Aquaculture Regulations Example: Provincial government sets policies, while enforcement and capacity is maintained at the coastal or watershed level. Engagement strategies are at the aggregate level. Local level includes enforcement and consultation processes. For many processes, First Nations can articulate their concerns earlier in the process. Title and Rights will always rest at the community level scale.

PowerPoint presentation available here: <http://bit.ly/audDi4>

Small Group Dialogue:

Question: Which management functions are best handled at the local scale? Which management functions are best handled at the regional or aggregate scale? Which management functions are best handled at the provincial-wide scale?

Small groups discussed and recorded answers to the above question. A summary of those results is available here: <http://bit.ly/b0wLCH>

Activities and Mechanisms Overview

Don Roberts (Council Member, First Nations Fisheries Council)

Management plan must include various water systems. Capacity, particularly financial resources need to be considered for adequate participation from First Nations. The mechanism for an integrated management plan must include a policy framework that includes a government-to-government relationship. The constitution and case precedents should be fully utilized for consultation processes. Some examples of the ITQ clearly show that the resources will be limited.

Barry Huber and Prigid Payne (Fisheries and Oceans Canada)

How and where does Fisheries and Oceans Canada supports First Nations in co-management? Aboriginal Fishing Strategy introduced in 1992, based on the recognition that First Nations fisheries institutions are needed to enable effective participation in the management of fisheries and interface with Fisheries and Oceans Canada. In 2004, the AAROM program was introduced to reflect the increasing complexity of the First Nations fishery on a regional scale. In 2007, the most recent addition to the programming was PICFI. The co-management element of this program is intended to provide support to enhance engagement. The national unit has developed a policy framework that supports and guides how the Department engages First Nations nationally. Within the policy unit in Vancouver there is a consultation unit. Furthermore, policy and plans concerning prioritization of planning are available. Aboriginal Affairs Advisory positions are on a wide region basis that report directly to the Regional Director General. These advisors are both able to implement and advise within the Department. More specifically, aboriginal fisheries managers are available when needed. As discussed, there are processes occurring at the community, regional, aggregate, provincial, national and international processes. Barry has encouraged staff to evaluate community harvest plans that are supported by a collaborative engagement process with community leaders. This ensures the proper political figures are involved with the process. Furthermore, pilot projects have emerged that involve a variety of projects, such as Restorative Justice Programs. This is a collaborative effort

with joint ownership of programs. For example, the Upper Fraser Fisheries Conservation Alliance established linkages between communities and the Department. This happens because community representatives are appointed; they are in turn provided support from the Department to participate. These appointed members are directly engaged with the community establishing a mechanism for feedback. There was a real emphasis on cost effectiveness, thus freeing resources to do more. Another objective was to enhance understanding of interests and issues. This group has been able to qualify for multi-year funding. At a watershed level, the Fraser River Aboriginal Fisheries Secretariat provides technical capacity support. This has been successful in securing multi-year funding through the successful engagement of both First Nations and Fisheries and Oceans Canada personnel.

PowerPoint Presentation available here: <http://bit.ly/bT30r7>

Alex Gagne (Policy Analyst, First Nations Fisheries Council)

Alex provided an overview of some of the issues that have arisen in previous discussions. What do we mean by mechanisms? What are some examples of co-management mechanisms? What do we mean by activities? What are some examples of co-management activities?

Alex explained that co-management partnerships between the Crown and First Nations could be structured in many ways, including a formalized relationship or associated with a specific task. Mechanisms describe the ways to structure a relationship between the Crown and First Nations. For example, mechanisms include: the Commitment to Action or the Haida Gwaii Reconciliation Act. Basically, three mechanisms exist, including: agreements (written agreements between First Nations and Fisheries and Oceans Canada); co-management bodies or boards (a group comprised of both First Nations and Fisheries and Oceans Canada personnel and representatives that involves some aspect of decision-making; and legislation or regulation (a statute or law which governs a relationship). As for activities, this describes the types of activities associated with fisheries and aquatic resource management. For example, activities include: stock assessment, science and research, habitat protection, monitoring and compliance, and policy and communications. When considering co-management activities, the capacity for co-management participation is fundamental. For instance, capacities include financial, technical, infrastructure, and labour.

Small Group Dialogue

Question: What are the priority activities around which we should be enhancing our co-management relationships? What co-management mechanisms best reflect the fisheries co-management aspirations of First Nations communities in British Columbia?

Small groups discussed and recorded answers to the above question. A summary of those results is available here: <http://bit.ly/aZmsMv>

Executive Panel

The executive panel was comprised of Nadia Bouffard (Director General of Fisheries Renewal, Ottawa, Fisheries and Oceans Canada) and Sue Farlinger (Regional Director General, Vancouver, Fisheries and Oceans Canada). This portion of the Assembly was intended to provide an

opportunity for First Nations to present questions directly to high-level personnel in the interests of identifying ongoing and emerging issues as well as clarifying objectives of First Nations and Fisheries and Oceans Canada with respect to further co-management discussions.

Q: What is the process for consultation concerning aquaculture license transferability? Furthermore, what is the process for integrated aquaculture management plan in consideration of local treaties?

A: The Department will use the conditions of licenses to enforce and implement licensing. The Department has sent out a draft for the conditions of licenses. This is what constitutes the change from the current licensing agreements. Consultation has been focused on the conditions of the licenses as this has provided the regulatory framework for the fishery. As for the integrated management plans, they will not be developed in any significant way before December 18th, 2010 (simply a template). Therefore the development of this management plan will engage First Nations as an ongoing process. For finfish and shell aquaculture, the Department is interested in developing local consultation processes. Similar to the draft plans, the consultation will not occur before December 18th, 2010. However, the Department has to consider where these consultations will occur relative to commercial activities. In terms of local treaties, Fisheries and Oceans Canada's mandate is to manage fisheries without intervening in treaty processes.

Q: With concerns about consultation, the First Nations Fisheries Council attempted to provide information, but the timelines were too short, and consultation did not occur. Also, the report regarding incoming regulations does not allow adequate time to respond and does not consider limited capacity.

A: With respect to consultation, Sue Farlinger would not speak to incoming regulation consultation, as this process has concluded. The Department personnel have been working with First Nations that have asked for extended consultation or response time. Ultimately, the issue is part of a larger consultation problem, that is, how does the Department engage with First Nations (communities or aggregates)?

Q: First Nations want to be part of the solution, not simply a dependent people as a result of a management plan. For example, First Nations people have been pushed out of the fisheries industry due to licensing arrangements. The PICFI process was intended to provide economic opportunity, but the program is simply not working for the First Nations people. Will the PICFI program be reviewed to make it more appropriate for First Nations?

A: On the issue of communal versus individual licenses, the Department is not prohibited to holding individual licenses. As far as PICFI, a significant amount of licenses have been transferred to First Nations communities (Allocation Transfer Program). From the Departments perspective, the program has been committed to, especially by First Nations that are currently working on business plans. The time remaining for PICFI is limited, but ratification might occur if deemed appropriate. At this point, the Department does not have a good idea of what will be available for transfers to First Nations. The Department is interested in managing access, but the Department cannot describe what will occur after PICFI.

Q: There is concern for the health of the stocks, but sports fishery appears to be under-reporting.

A: In stock allocation, the Department considers Food, Social and Ceremonial, directed fisheries, multiple stakeholders in region, etc. The Department understands that this is a problem, but providing priority opportunity can rectify this. This will include a Tier Three (multi-stakeholder) process that raises issues with other sectors. Some of the activities under PICFI have focused on enhanced monitoring programs for recreational fisheries. These recreational fisheries still have to be reviewed to ensure that adequate and reliable information is collected. The number of title licenses has decreased, but it is still around 300,000. The Department has to continue to work directly with communities to ensure that these issues are addressed and dealt with accordingly.

Q: When is the Department able and willing to sit down with First Nations communities? In consideration of the Skeena River, there are different communities; these communities should not be integrated into the Northern Fishery (ITQ System). The Skeena River needs priorities and more appropriate regulations that respond to the interests of different stakeholders, including First Nations, commercial, sports and recreational fishermen.

A: On the matter of the treaty tables, this is a government of Canada decision, and the Department will not go to treaty tables to discuss fisheries issues until the Cohen Commission concludes. Although this is problematic for ongoing treaty negotiations, the Department maintains no mandate for approaching the table. The allocation framework needs to be evaluated again and another consultation process may be organized. In regards to fisheries renewal and commercial framework, the current process and program will remain until consultation can occur. To this date, commercial or recreational priority consultation has not occurred. As mentioned by Don Roberts, a seed change is happening, as weak stock management has become priority areas for the Department. The Wild Salmon Policy framework outlines this issue, but the policy will continue to provide access if appropriate. In regards to Chum, (the allocation framework and priorities as well as the weak stock management which has decreased the harvest rate), the policies adopted are consistent with the actions of the Department in the last number of years. The Cohen Commission is currently evaluating such issues; therefore, no action will come prior to the release and implementation of recommendations.

Q: The Nisga'a signed a treaty, but some issues remain. For example, PICFI appears to be inaccessible (particularly for treaty members) due to the complexity of the processes involved with such programs. Furthermore, recreational and sport fisheries are relatively unregulated. Another evident problem is the lack of resources to adequately participate in consultation. For example, all sectoral meetings are held in Nanaimo, British Columbia (\$2000 for Nisga'a member to attend).

A: In regards to applications to PICFI, more direct questions can be answered directly. In regards to consultations, a number of integrated management plans are coming to the forefront, but the Department needs to focus more on making consultation processes less complicated.

Q: Another issue is the negation of home-use, which the Nuu-chal-nuth considers this to be disrespectful, as it neglects traditional protocols.

A: The concept of home-use (First Nation needs) continues to be a challenge, as this has not been defined in a fisheries management paradigm. In order to address this issue a constructive dialogue will have to be established that describes home-use and co-management or joint management relationships.

Q: Monitoring and Enforcement of recreational fisheries continue to be an issue. In response and recognition of the necessity of cost-effectiveness, the monitoring and enforcement could be downloaded to First Nations. Is there scope for collaboration on these issues in the near future?

A: Some of these projects and programs have been piloted in some areas. The involvement in First Nations in the monitoring of recreational fisheries continues in areas where First Nations maintain the adequate capacity to do so. Furthermore, this is an area that can be pursued further in the near future.

Q: The user-fee that recreational fishery pays should be localized and allocated to British Columbia, as interests are different in British Columbia than at a national scale. Finally, to reiterate other comments, there should be a West Coast Minister for Fisheries and Oceans to more adequately represent the interests of Coastal peoples.

A: In response to license revenues, the comparison between localization of licensing would be interesting (no answer though). Also, modernization of the Fisheries Act is both supported and required. Although a number of Bills have been proposed, it has been difficult to adopt legislation thus far. Discussions continue.

Q: What are the Departments priorities for the Pacific Region, and are First Nations issues apart from this?

A: The Department has a mandate and priority to engage with First Nations. This includes the modernization of the consultation process for the purpose of achieving sustainability.

Q: Concerns that the administration of Canada has eliminated the economic opportunities of First Nations people with the 'stroke of a pen'. The way PICFI is developing, the program will end but the licenses will remain, making the Department the majority stakeholder in the fisheries industry.

A: No Answer

Q: Speaking on behalf of frustrated administrators, a representative from Nuuchal-nulth explained how the AAROM agreement has taken four months to implement. The AFS agreements are also delayed. The Department was committed to reducing the difficulties involved with the implementation of new treasury board regulations. Just last week, a new template for reporting requirements was released. The new template completely negates the streamlined and harmonized programs proposed in previous meetings with Ottawa officials. The new template will be highly burdensome for First Nation organizations. Don Hall is asking for a commitment from Ottawa that more correspondence will occur with regional personnel to assist the implementation and transfer of funds.

A: The Department recognizes the need to streamline initiatives and mitigate the burdensome processes involved.

Q: Where do First Nations fit into the scales plan in fisheries in the next hundred years? There has to be a mechanism for direct engagement with First Nations and politicians and senior officials. This process has to respect traditional protocol.

A: The Department hears the concerns and agrees that this will require a joint plan to move forward on the multitude of issues.

Q: On the issue of consultation: The principles that were tabled a number of years ago have decimated the First Nations fisheries fleet. What happened to the apparent advisory roles that First Nations were granted? Now that First Nations have no licenses they are completely cut out of the consultative process.

A: There has been a move to the Watershed initiatives that depend on First Nations participation. Ultimately, there needs to be a bridging of the gap between old regimes and the new ones.

Concluding Comments

John Henderson (Co-Chair)

John requested that Fisheries and Oceans Canada develop a management scheme that is founded on trust. For example, the 'Dual Fishery' is an adequate means of distributing surplus stock to communities. That activity is founded on trust, something that the Assembly is attempting to build. Historical fishing grounds have been compromised, but John appreciates the fervent participation.

Day Two: November 3rd, 2010 (Tier Two)

Overview of Day Two and Summary of Joint Management Dialogue Work

Deana Machin, Saul Milne and Alex Gagne provided a summary of the small group discussions from the previous day. The summary of the governance (<http://bit.ly/ceG1Uc>), scales (<http://bit.ly/b0wLCH>), and activities and mechanisms (<http://bit.ly/aZmsMv>) discussions are available.

Introduction to the Commitment to Action (Working Groups)

Brenda McCorquodale (Executive Director, First Nations Fisheries Council)

Brenda discussed the commitment to action for the working groups, which is the identification of priority areas. The agreement is that the working groups, with six representatives from both First Nations and Fisheries and Oceans Canada develop a workplan. The commitment to action was framed in a way that the working groups would have to focus on specific deliverables. Nomination processes have occurred, with a great response. Six representatives from various

First Nation communities and perspectives have been appointed. Each working group began meeting in the summer time and have recently drafted work plans. The presentations will provide an update about the progress of these working groups. The Council is therefore interested in soliciting response and reflection on the progress of the working groups progress, planning and prospects.

Overview and Update from the Co-Management Working Group

Panel: Corey Jackson, Barry Huber, Brigid Payne, Angela Bate, Gerry Kelly, Howie Wright, Jordan Point, Greg Wadhams, Ross Williams, Catherine Rigg and Peter Nicklin.

Howie Wright (Co-Chair of Co-Management Working Group)

Howie stated that a range of discussions occur, including high-level policy deliberations down to in-season stock assessment programs. The group has also concentrated on the potential deliverables during the PICFI program.

Corey Jackson (Senior Advisor on Co-Management, Fisheries and Oceans Canada)

Although the meetings began as introductory sessions, the meetings have shifted to identify critical issues that provide the most value-added for First Nations and Fisheries and Oceans Canada. Currently, the working group has identified four broad objectives, including: support engagement of First Nations to inform the development of a joint vision, tools, resources and/or approaches to co-management (for example, Tier One and Tier Two community dialogue sessions); develop foundational understanding (outline) of First Nations and Fisheries and Oceans Canada perspectives on co-management; undertake specific activities and projects related to high-priority issues identified by First Nations and Fisheries and Oceans Canada (additional analysis regarding key co-management issues and the identification and analysis of case studies to identify best practices and opportunities to improve co-management arrangements); develop a draft 'Co-Management Framework' or guiding document between First Nations and Fisheries and Oceans Canada (this aspect requires further scoping). The next steps for the working group include the refinement of priorities and activities based on discussions at the Assembly, incorporating input and advice via the Assembly to refine the work plan, submit revised work plan to First Nations Fisheries Council and Fisheries and Oceans Canada joint executive meeting for approval in December or January, and begin work on tasks outlined in the work plan (work plan available here: <http://bit.ly/aFMJYY>).

PowerPoint presentation available here: <http://bit.ly/cLhOZ3>

Pete Nicklin (Upper Fraser Fisheries Conservation Alliance)

The Upper Fraser Fisheries Conservation Alliance assists Upper Fraser communities in the implementation of co-management processes. Basically, this includes support for community engagement, so the communities can provide direct input into the process. The working group wants to specifically discuss capacity building for technical programs, incorporating traditional knowledge (support ATK programs), and to further policy initiatives.

Catherine Rigg

Some innovative (out of the box) thinking has already occurred when one looks at the Haida agreements with Parks Canada and Environment Canada. Furthermore, Fisheries and Oceans Canada has signed on with other initiatives such as Marine Protection Plans. These projects all incorporate a level of collaborative management and collaborative governance. Although these are high-level agreements, this could eventually translate into on-the-ground programs. In the near future, the Department has to develop and provide capacity for First Nations to be adequately involved in such processes.

Barry Huber (Aboriginal Affairs Advisor, Fisheries and Oceans Canada)

The critical point is building a network of communications at a regional and community level. This structure can support the variety of organizations and illustrate progress and deliverables. For instance, the Roadmap Strategy constructs a process by which co-management objectives can be attained.

Greg Wadhams

Reiterates that co-management will be referred to as joint-management as it provides more clarity. Again, the issue of capacity is stressed, but co-management is an optimistic approach that provides the potential for more rational management regimes. A vision is needed to direct substantive policy development. It is about building and utilizing the available tools in the interests of encouraging collective understanding, particularly, about the inherent value in the fisheries for First Nations.

Brigid Payne (Senior Policy Advisor, Fisheries and Oceans Canada)

Undoubtedly, the Department supports the concept of co-management, but implementation must be a practical and collaborative measure. The Department will benefit from the feedback provided through various forums, including the Assembly.

Ross Williams (Manager of Fisheries, Heilstuk Nation)

As the manager of Heilstuk Fisheries Program, Ross understands the challenges associated with community engagement. For instance, there are fourteen distinct regions, so communication is absolutely essential.

Discussion/Comments/Questions

Comment: Although the prospects of co-management are good, skepticism will persist because legal precedents have not been upheld. Lets assume that this process will work, complexity has to be mitigated, and this process has to include the governments and First Nations sharing responsibility and authority over the jurisdiction of fisheries. For instance, the information provided by group sessions can be utilized to support a direction. Furthermore, the objectives of the working group are too focused on process; the working group timelines should be expedited. As a recommendation: speed the timeline up regardless of the progress made by individual First Nation communities. These programs and processes have to be implemented eventually, as to test the feasibility of this concept.

Comment: The Haida has experience with co-management, so the working group ought to evaluate the successes and failures of different case studies to identify both challenges and opportunities. The working group should also be more practical about objectives, as the co-management concept is highly theoretical at this point. At this point, political will should be tested, before a framework has been developed. For instance, the First Nations could construct a Salmon Management plan that might be accepted as an Integrated Fisheries Management Plan. A Tier One process could be conducted that obtains feedback from First Nations, followed by bi-lateral discussions with Fisheries and Oceans Canada. For example, the early Chinook is a good opportunity to develop a novel management system. Finally, in the Tier One Process co-management is consistently discussed, but this co-management or joint-management concept must include discussions and processes with a multitude of stakeholders.

Comment: It appears that a number of the issues raised are repeated and there is an absence of continuity. In response, unity and solidarity is needed to encourage collective but expedient decisions.

Comment: Existing systems are moving along without First Nations; therefore, a statement of commitment is needed directly from the Fisheries and Oceans Canada. However, how do First Nations connect Ottawa policy to Coastal processes? Although this is difficult, it is necessary.

Comment: There is concern that the Cohen Commission will be an industrial resolution. As the Cohen Commission proceeds, the Department has discouraged the continuation of consultations regarding management on a temporary basis. Despite this, management processes continue to move forward. First Nations need a commitment from Ottawa that the issues and programs surrounding license transferability and management regimes will be stopped if the interests of First Nations are not being respected (this could be a measure of good faith).

Comment: On Vancouver Island, resources are depleting, therefore, implementation of co-management regimes must occur quickly. However, co-management by nature has to be an incremental process, making this arrangement problematic. There are a range of issues, a range of communities, and a range of priorities.

Comment: As for the timelines, they can be accelerated. Potentially, objective 'C' (case studies) might be re-evaluated. As a recommendation: create a book of resources (with contact information) that First Nations can network and collaborate in the development of co-management plans.

Comment: As a recommendation: the management of stocks must include an understanding of the fish life cycle and the processes involved with stock assessment and monitoring (technical capacity), therefore, the working group should bring on managers of fisheries in an advisory role to support data enhancement; and Fisheries and Oceans must be more consistent with personnel, specifically, with ensuring continuity when staff changes occur in different areas.

Comment: Co-management is not a new concept, as the Native Brotherhood proposed this idea nearly thirty years ago. However, implementing co-management is difficult due to the current legal constraints, something that will have to be dealt with prior to an effective co-management plan.

Comment: Concerned that the co-management concept will not be exclusive to First Nations, as commercial sector is pushing for the same conditions as First Nations. Co-management may not be sufficient, as some First Nations want total management of fisheries.

Overview and Update from the Food, Social and Ceremonial Working Group

Panel: Brigid Payne, Walter Joseph, Paul Ryall, Tony Roberts, Megan Moody, and Barry Huber.

Walter Joseph (Co-Chair of Food, Social and Ceremonial Working Group)

As a fisheries manager Walter understands and recognizes the significance of food fisheries for First Nation communities.

Brigid Payne (Senior Policy Advisor, Fisheries and Oceans Canada)

As the topic of Food, Social and Ceremonial is broad, the working group is still in the initial stages. Furthermore, this working group should be contextualized based upon resources, time and mandate. There is vision and opportunity, but there are certain constraints that all interested parties must work within. The objectives and scope of this working group is based upon province wide strategies to support issue resolution, but the group will not support direct intervention in local processes. The working group is not intended to engage in bi-lateral policy discussions. The working group will not replace bilateral, community-level communications or negotiations between Fisheries and Oceans Canada and First Nations Food, Social and Ceremonial management. Therefore, the working group will foster a detailed understanding of the different perspectives, what is required to give effect to Food, Social and Ceremonial fisheries, and the various issues and challenges associated with Food, Social and Ceremonial fisheries in British Columbia. Although the group will not intervene in local matters, the group continues to reflect about communities and the implications of policies.

In terms of progress to date, discussions continue between First Nations and Fisheries and Oceans Canada regarding access to fisheries. At this point, formal membership has been established and the working group meets on a monthly basis. The working group is in the process of developing a work plan that recognizes cultural importance of Food, Social and Ceremonial fisheries and will attempt to balance numerous technical management and policy considerations (work plan available here: <http://bit.ly/chbWL7>). For example, Fisheries and Oceans Canada will only endorse a management plan based upon accurate and reliable data sets. Therefore, what is the role of quantifiable data? How should data be collected and interpreted? In response to these questions, the working group intends to draft some policy recommendations. The management structures emerging at various scales will be considered in the development of policy. For example, the Skeena Planning Initiatives or Fraser Forums will be evaluated. Also, Integrated Fisheries Management Plans must consider how FSC arrangements are incorporated into a management framework. The key issue will be the reconciliation of Fisheries and Oceans Canada as a resource management agency (government) with the First Nations asserted rights and title and traditional perspectives that are not easily integrated into the dominant policy paradigm. Furthermore, Food, Social and Ceremonial transcend socio-economic issues, as it is a cultural agency.

PowerPoint presentation available here: <http://bit.ly/csag3H>.

Questions Facing the Working Group

How to reconcile the institutional needs of Fisheries and Oceans Canada as a fisheries management agency and First Nations inherent authority and jurisdiction, which includes important cultural elements that are not easily incorporated into the government management system?

How to adequately account for the sustenance, health, social and cultural values of Food, Social and Ceremonial fisheries within a management system based on broader socio-economic value?

How should the more technical or operational aspects of the working plan (Objective 'C') be balanced against the work plan elements that look at Food, Social and Ceremonial policy issues?

What is the best way to make the group's efforts relevant in the face of the many, pressing local management issues?

Paul Ryall (Resource Management, Fisheries and Oceans Canada)

'Dual Fisheries' is a pilot project that mediates both commercial and community interests, as well as the balance between resource management and traditional allocation.

Discussion/Comments/Questions

Comment: The current work plan is needlessly complex in consideration of the constitution (Section 35). The management of fisheries ought to remove barriers for First Nation food needs. However, food demand must be quantifiable to support adequate allocation figures.

Comment: During this previous season, the application of policy was inconsistent. In particular, the allocation permitted as well as the areas allowed for fishing (non-traditional territory) has become complicated because it is dealt with on a case-by-case basis.

Comment: Enhanced clarity and definition is needed for the terms Food, Social and Ceremonial.

Comment: Despite the progress of the working group, there is a lack of clarity concerning the aspect of salmon sharing. The hunting agreements that some First Nations maintain are arrangements with the Ministry of Environment that allow First Nations to determine what and where they hunt. The same principle could be applied to FSC fishing.

Comment: The working group might consider incorporating the issue of adjacency or protocols into the work plan.

Comment: The dominant paradigm is economics; therefore, Food, Social and Ceremonial fisheries maintain a larger component. First Nations need the financial capacity to access resources. However, Food, Social and Ceremonial access has to be principled, meaning that the fish caught cannot be sold for profit, as it diminishes the legitimacy of the claim.

Comment: In reiteration of previous comments, food fish cannot be sold, as excess fish must be distributed throughout the community. Some First Nations communities have fought the government through litigation, but the government continues to stand firm on its stance.

Comment: Issues of jurisdiction on treaty lands or within First Nation communities might be evaluated further.

Comment: A cultural objective must guide the working group, which is the protection from the invasion of cultural practice. For instance, to run their weirs, First Nations need priority access, not the tail end of the run. The abundance of the species is directly related to the continued cultural practices of First Nations. On the issue of jurisdictions, the First Nations people have to define jurisdiction as a policy concept and material concept. Furthermore, traditional protocols (inner-tribal or inter-tribal) outline how each community negotiates with neighboring communities (long history of this).

Overview and Update from the Aquaculture Working Group

Panel: Chief Bob Chamberlin, Cliff Atleo, Jeff Thomas, Richard Hardy, Tracy Sampson, Andy Thomson, Sean Wouters, Gary Reay, and Anita Bedo.

Bob Chamberlin (Co-Chair of Aquaculture Working Group)

Recently, Alexandra Morton won her legal action, making aquaculture a federally regulated sector. The working groups purpose is to provide a vehicle for First Nations participation in the transition of the regulatory framework. The working group participated in the development of an aquaculture consultation framework. This included ten coastal meetings and consultation on a Tier One and Tier Two level. However, this was not deemed as sufficient. The result was a summary of the consultation and feedback meant to inform the regulations presented in Canada Gazette One. The First Nations Fisheries Council (along with other interested parties) had sixty days to respond to the draft regulations. This required a comprehensive response, but the First Nations Fisheries Council nor the working group were able to respond in the established response window due to the fishing season, holidays, limited capacity, etc. In the near future, the new draft regulations will be released in Canada Gazette Two. Furthermore, the aquaculture licensing regulations have been drafted and any interested parties have until early December to respond to these drafts. Ultimately, the Department has not consulted with First Nations in an appropriate and adequate manner. In consideration of Fisheries and Oceans Canada's interest in the development of a co-management process based upon adequate consultation, it would appear that the Department is not completely committed to this action. The working group has developed an action plan that outlines a number of First Nations concerns. Also, there are two positions remaining for First Nations within the working group. Bob encouraged any interested First Nations to get involved, as this period is a critical juncture in the development of federal aquaculture regulations.

PowerPoint presentation available here: <http://bit.ly/bq54tY>

Sean Wouters (Fisheries and Oceans Canada)

Fisheries and Oceans Canada appreciates and recognizes the need to consult with First Nations and respect rights and title. Also, the incoming policies provide an opportunity for First Nations and the Department to engage in meaningful dialogue. The Department also recognizes the need to consult with First Nation communities directly, not simply the First Nations Fisheries Council. However, the Department views the First Nations Fisheries Council as a medium for engagement. For the Department, the First Nations Fisheries Council has assisted in the process of consultation (specifically the ten information and consultation sessions) as well as the summary report that informed some aspects of aquaculture policies.

Gary Reay (Fisheries and Oceans Canada)

As Bob indicated, the work plan outlines a number of priority items. For instance, engagement has to be defined within the new management framework. The Department has to move away from a site-by-site approach to an area management approach. This will include the evaluation of a new model for aquaculture planning, specifically the appropriate geographical scales. The key consideration is how to involve First Nations at the community level throughout the coast of British Columbia. However, a question that the Department has considered: What will the management at an aggregate level look like?

Bob Chamberlain (Co-Chair of Aquaculture Working Group)

The work plan includes the objectives, direction and the terms of reference. There is value for Tier One discussions that opens dialogue among First Nations that have both accepted and rejected the aquaculture industry.

Cliff Atleo (Council Member, First Nations Fisheries Council)

At some point, the working group must communicate with the provincial government concerning land allocation. Another predominant issue is pollution, as the aquaculture industry has a direct impact on the ecosystem they operate within. Any cooperation between First Nations and Fisheries and Oceans Canada ought to be founded on traditional laws, including governance structures, and practices of sustainability. This means Fisheries and Oceans Canada must do a more effective job of providing adequate timelines for consultation, which includes increased response windows and more appropriate scheduling. Finally, Aquaculture is not simply about fish farming, it is a cultural and economic activity. It is Cultural as it changes the dimension of traditional practices. Furthermore, this is a strong economic opportunity for First Nation communities. Regardless, this cannot be allowed to replace a way of life.

Jeff Thomas (Council Member, First Nations Fisheries Council)

As fishing opportunities have declined, the aquaculture industry has become an alternative economic opportunity. As for the National Aquaculture Strategy Action Plan Initiative, the schedule is aggressive; therefore, the working group and First Nations must be front and centre on all of these issues.

Bob Chamberlin (Co-Chair of Aquaculture Working Group)

There is a need, with adequate resources, to have direct conversations about how the aquaculture will be regulated on a scales basis. This is essential to how First Nations will protect their rights. Furthermore, the aquaculture working group and the First Nations Fisheries Council will be producing a summary analysis of the regulations drafted by the Department in early December.

Discussion/Comments/Questions

Comment: If the Federal government intends to regulate this industry, than adequate consultation regarding the most appropriate sites is necessary. Furthermore, First Nations are able and willing to employ Fisheries Technicians to monitor aquaculture operations. The First Nations maintain the capacity to provide enforcement and monitoring. Instead, the Department has employed fifty fisheries technicians to monitor and enforce. The First Nations are able to empower their own people, but Fisheries and Oceans Canada negates this actuality and trains a group of people that may not respect the cultural intricacies of First Nations traditional territory.

Comment: The shellfish industry falls under aquaculture management. This needs clarification, as this could be a viable opportunity for First Nation communities along the North Coast. It is important to also remember that entering the shellfish industry requires a large amount of capital investment, so the accessibility for some First Nations might be limited.

Comment: It is critical that First Nations lead the development of the aquaculture regulations, as First Nations understand the ecological and environmental impact of aquaculture. However, there is a commercial component of this industry that provides employment opportunities for First Nations people.

Comment: It is important to remember that First Nations have engaged in aquaculture activity for many years, as traditional practice included the cultivation of clam beds. The aquaculture regulation authority change is an excellent opportunity to develop a pilot joint management project.

Comment: As multinational corporations are involved with the aquaculture industry, the United Nations declaration of Indigenous Rights must be upheld as both Canada and Norway have ratified this agreement.

Bob Chamberlin (Co-Chair of Aquaculture Working Group)

In summary of the issues discussed, closed containment needs to be pursued; economic opportunities are acceptable if they emerge within the First Nations framework; fish ranching and privately owned salmon stocks must be disallowed; and the National Aquaculture Strategy Action Plan Initiative has limited financial support for First Nations regardless of program implementation.

Gary Reay (Fisheries and Oceans Canada)

Moving forward, Federal policies such as control licenses and Provincial policies such as environmental and land-use regulations must be harmonized.

Overview and Update from the Economic Access Working Group

Panel: Russ Jones, Angela Bate, Violet Hill, Chris Cook, Brigid Payne, and Gary Alexcee.

Angela Bate (Director of Pacific Integrated Commercial Fisheries Initiative, Fisheries and Oceans Canada)

One aspect of the PICFI is access. The context of the economic access working group is the PICFI program, specifically co-management, capacity building, commercial access and catch monitoring/reporting objectives. This includes the stabilization of the fisheries allocation and salmon shares program.

Russ Jones (Co-Chair of Economic Access Working Group)

Publications such as *Our Place at the Table*, the First Nations Fisheries *Action Plan*, the Salmon Shares Discussion Paper and the Salmon Shares Legal Analysis (Ratcliff and Company) provided impetus for PICFI program.

Angela Bate (Director of Pacific Integrated Commercial Fisheries Initiative, Fisheries and Oceans Canada)

The mandate was broadened from salmon shares to economic opportunity (PICFI). Currently, the working group has a complete membership with terms of reference and a work plan (work plan available here: <http://bit.ly/cKx7mV>).

Russ Jones (Co-Chair of Economic Access Working Group)

The work plan outlines four objectives, including: work collaboratively to improve the PICFI implementation related particularly to economic access; explore alternative management systems for salmon shares and other British Columbia fisheries and understand the effects on First Nations; involve First Nations in decision making at different levels and scales related to economic access; and develop future programs to accommodate First Nations in pacific fisheries. Over the next several months, the working group would like to know what kind of short-term commitments to PICFI the Department could make. Also, the economic working group is interested in hosting a workshop in early 2011.

PowerPoint presentation available here: <http://bit.ly/aQ4jsA>

Violet Hill (Native Fishing Association)

For six years, the Native Fishing Association has had a contract with Fisheries and Oceans Canada regarding the allocation of licenses. The Department wanted to know if there was a community 'wish list'. However, upon the implementation of the PICFI program, the Department denied the Native Fishing Association access to fishing licenses and gave preference to Price Waterhouse. Presently, the numbers of First Nations fisherman have continued to decline. The objective of the Native Fishing Association is to become a license bank that can provide the necessary capacity for access to fish. This will include access to licenses, compensation for

retiring First Nation fisherman, and support for the infrastructure required (i.e. boat maintenance, insurance, leasing, etc.).

Gary Alexcee (Land and Resource Planning, Kitsumkalum First Nation)

Both parties gave to accept change based upon economic interests, this is joint management. Viable economic opportunity should provide the self-sufficiency required to preserve a way of life. Joint management can be the catalyst to independence. Before this can become an actuality, Fisheries and Oceans Canada must accept the vision, goals and values of First Nations people.

Discussion/Comments/Questions

Comment: There are four tribal councils that have applied for test fisheries. These licenses are based upon the stocks that travel through their territory. Therefore, there are no tangible numbers associated with these test fisheries. Several tribes decided to not participate in the economic fishery for this reason. Concerns of stocks in the terminal area have curtailed economic opportunities. Only a small portion of the fish caught by First Nations during the season was allocated to economic fisheries, food fish should be prioritized.

Comment: Possibly, licenses are neither the solution nor the problem, for First Nations for a variety of purposes could manage a simple allocation system and sustain economic opportunity.

Comment: More substantial policy reform is currently required, as economic access moves beyond PICFI. For instance, policy changes are needed for test fisheries, quota splitting, terminal fishery opportunities, and the separation of married licenses. Somewhere in the work plan, a new objective about some of these concerns should be addressed.

Comment: The development of business plans is a reasonable project, but further capacity building is needed to facilitate this process. Also, community impact analyses are necessary for a quota system. Finally, a commitment of good faith from the Fisheries and Oceans Canada is required, stating, while this process is being developed, contrary and involuntary policies and programs cannot be implemented.

Question: What are the differences between commercial and communal licenses? In reference to the reduced fee licenses, might there be a review to determine the ownership of these particular licenses? In reference to short-term access to herring or prawn, what are the next steps?

Question: What do we mean by economy? For instance, contemporary economies refer to a monetary economy, but First Nations have had traditional economies for hundreds of years.

Summary of Assembly

Ken Malloway

Ken provided some closing comment. Although he recognizes the immediacy of policy and process development, this will always require financial resources. Food, Social and Ceremonial

fisheries remains an important issue, but clarification of these terms is needed. Furthermore, intertribal and traditional protocol has to be recognized. Undoubtedly, disagreements persist, but the relationships among First Nations and Fisheries and Oceans Canada have improved.