

First Nations Fisheries Council Fall Assembly – November 7-9, 2011 SUMMARY REPORT



FIRST NATIONS
FISHERIES COUNCIL

November 7, 2011 (Tier 1 – First Nations only)

Introduction

Facilitator – Dan George, Four Directions Management Services Ltd., Facilitator

Opening Prayer – by Richard Armstrong, Penticton Indian Band

Welcome – by Chief Jonathan Krueger, Penticton Indian Band

Opening comments – by FNFC Co-Chairs Ken Malloway and John Henderson

Executive Director Report (Jordan Point)

Jordan provided an overview of the FNFC. He transitioned into the role of Executive Director in early 2010. Under his direction, much of the work this past year has been focused on:

- Structural development (Commitment to Action Working Groups; 14 regions mapped and confirmed at 2010 Fall Assembly; transition to new ED)
- Organizational stability (stable funding; new office; financial framework development)
- Strategic planning (Tier 1 endorsement; strategic planning with DFO; identifying priority issues)
- Updating society filings (bylaws, society structure)
- Executive appointment procedures
- Communications/accountability tools

Financial Report (Karl Dhillon)

Karl joined the FNFC staff in the summer of 2011 as the new Business Manager. He reviewed the FNFC's financial statements from the last fiscal year (ending March 31, 2011). Year-end statements and balance sheet were included in the meeting kit.

Society by-laws (Jordan Point and Larry Fast)

A top priority for the FNFC this past year has been to update the society filings to reflect the current structure and bylaws of the organization. Filings are now up to date and have been filed with the corporate registry. Recommendations regarding the bylaws and structure of the FNFC were adopted by resolution.

MOTION #1: *The bylaws of the First Nations Fisheries Society be amended by deleting clauses 1 through 17 and replacing the said clauses 1 through 17 with clauses 1 through 16 as contained within the document entitled "Bylaws of the First Nations Fisheries Society", which is attached hereto as schedule "A" to this Special Resolution brought forward, and being duly and properly passed, at the Annual General Meeting of the First Nations Fisheries Society held in Penticton, BC, on November 7th through 9th, 2011.*

Moved by: Russ Jones. Seconded by: Howie Wright.

Motion carried.



MOTION #2: *First Nations Fisheries Society adopt and take such actions as may be necessary and proper to implement the new council structure as set out in the document entitled “First Nations Fisheries Council, Implementation of new Council Structure”, which is attached hereto as Schedule “A” to this Special Resolution brought forward, and duly and properly passed, at the Annual General Meeting of the First Nations Fisheries Society held in Penticton, BC, on November 7th through 9th, 2011.*

Moved by: Chris Cook. Seconded by: Steve Carpenter. **Motion carried.**

The FNFC is now focusing on establishing accountability processes, Council member roles and responsibilities, transparency, etc. A draft Council handbook was included in the meeting kit.



Working Group Updates

Updates on the 4 Commitment to Action Working Groups were provided – Economic Access, Joint/Co-management, Aquaculture, and Section 35.1/FSC. The signed Commitment to Action and Results and the accompanying Work Plan document were provided in the meeting kit.

Other emerging priorities of the FNFC were also discussed – COSEWIC assessment of eulachon, IHPC/IFMP process, case law interpretation and implementation, Cohen Commission, steelhead management (provincial jurisdiction), BC Hydro mitigation, infectious salmon anemia virus (ISA), judicial reviews of aquaculture licenses, National Aboriginal Aquaculture Engagement Initiative (DFO Ottawa), halibut allocation, Southern BC Chinook Management Framework, etc.

Council Member Updates

The following Council members provided regional updates: John Ward, Northern Transboundary; Don Roberts, North Coast; Russ Jones, Haida Gwaii; Stephen Carpenter, Central Coast; John Henderson, Northern Vancouver Island; Ken Malloway, Fraser Valley; and Cliff Atleo, West Coast Vancouver Island. Allan Claxton from Southern Vancouver Island, Howie Wright from the Transboundary Columbia, and Hank Adam from the Mid-Fraser are also confirmed as Council delegates, but did not provide regional updates. First Nations from the Lower Mainland region are currently in the process of appointing their Council delegate, and the FNFC is currently involved in discussions with First Nations from the Mid-Fraser region about appointing their second Council delegate.



Chris Cook also provided an update on behalf of the Native Brotherhood, and Violet Hill provided an update on behalf of the Native Fishing Association. During open floor discussion, First Nations participants were invited to provide updates from their communities.



End of Day 1

Closing Prayer – by Cliff Atleo, Ahousaht First Nation

Day 2: November 8, 2011

Welcome – by Richard Armstrong, Penticton Indian Band

Opening comments – by Dan George, Facilitator

Welcome and opening comments – by FNFC Co-Chairs Ken Malloway and John Henderson

FNFC Governance and Strategic Directions (Jordan Point)

Jordan discussed the complex nature of Pacific fisheries. A key area of focus for the FNFC has been to bring BC First Nations together to speak with a cohesive voice on fisheries issues despite this complex environment. The FNFC has established a Relationship Protocol with the First Nations Leadership Council (BCAFN, UBCIC, FN Summit), and is currently working to establish linkages with communities and organizations at the local/watershed level. The goal is to align First Nations resources and activities at various scales in order to maximize efficiencies and ensure that the appropriate conversations occur at the appropriate levels. With funding cuts on the horizon, this governance work is especially important now in this time of fiscal restraint.

DFO Governance and Strategic Directions (Rob Lamirande)

Rob provided an overview of DFO's governance framework, legislation and regulations, aboriginal policy and programs, and governance at various scales. Aboriginal programs in the Pacific Region include AFS (Aboriginal Fisheries Strategy), allocation transfer program, AAROM, aboriginal funds for species at risk, and PICFI (Pacific Integrated Commercial Fisheries Initiative); we need to look at how these programs can help to advance Tier 1 and 2 processes. DFO and First Nations governance structures are not always well aligned (authority to make decisions lies at different levels), so we need to work together on establishing mechanisms that will close this gap. Deficit reduction is underway in government, which will create resource challenges moving forward. Plans and priorities for 2011-12 include modernization of fisheries (sustainable fisheries framework, access to international markets, fisheries policy modernization, national fish and seafood traceability strategy); streamlining and simplifying policies, operations and procedures; deepening engagement and key partnerships; northern agenda; ensuring asset readiness; advancing operational and management excellence; Cohen Commission; etc.

Governance Q&A

Participants were provided an opportunity to ask questions to Jordan Point from the FNFC, and Rebecca Reid and Rob Lamirande from DFO. Issues discussed included: DFO's process for engaging with First Nations on policy development; DFO's commitment to working with First Nations and the need for more collaboration; the important role of the FNFC and its need for consistent resourcing; policy development post-Cohen Commission;

the role of First Nations in aquaculture management; the potential for PICFI renewal; First Nations economic rights; case law implementation; etc.

Governance Best Practices Panel

Examples of successful collaborative approaches to governance in BC were presented. John Ward gave a presentation about the Taku River Tlingit First Nation; Barry Huber gave a presentation on the Fraser Salmon Roadmap Initiative; Cliff Atleo gave a presentation about the First Nations Health Council and health governance; Corey Jackson and Pete Nicklin gave a presentation on the FNFC Joint/Co-management Working Group.

During open floor discussion, participants acknowledged the work of the FNFC to improve First Nations fisheries governance and leadership, the work of First Nations in general to move issues forward, and the importance of conducting this work within the context of First Nations cultural principles and values. The UN Declaration on the Rights of Indigenous Peoples was cited as an important tool for participation at the national and international levels. The First Nations Health Council was seen as a successful example of what can be accomplished for First Nations governance.



Breakout Groups (Tier 1 – First Nations only)

In breakout groups, participants were asked to answer the following question: *What is currently working within our communities, organizations and nations that we can build upon for success in achieving a cohesive voice and a functional Tier 1?*

Responses from participants included the following:

- holistic approach to health and social issues
- traditional governance systems (e.g. hereditary system)
- recognizing the need for a cohesive voice to work together on fisheries/unity
- collaboration among First Nations on science/technical work
- collective strategic communication among First Nations
- addressing priorities raised by First Nations at all levels (including the rights holders at the community level)
- incorporating cultural teachings into everyday business/advice from Elders
- celebrating our victories makes First Nations stronger
- conference on case law
- policy work at the regional level
- relationship building and collaboration
- community consultation processes/community engagement
- capacity building and funding
- build on intertribal agreements and current watershed processes
- identifying and clearly articulating the issues/problems
- linkages to national policy initiatives

End of Day 2



Day 3: November 9, 2011

Opening Prayer – by Cliff Atleo, Ahousaht First Nation

Opening Comments – by Dan George, Facilitator

National Level Overview (Audrey Mayes, Assembly of First Nations)

Audrey provided an overview of First Nations fisheries at the National AFN level (Ottawa), which has national committees on fisheries and policy development, and is currently in the process of establishing a national committee on aquaculture. Audrey spoke about a number of issues, including the need for unity among First Nations at the national level; taking stock of what's happening in government and sharing it with First Nations across the country; linkages between the provinces/regions and the national level and building/identifying shared priorities; providing tools to First Nations for economic development and establishing a national fisheries marketing consortium to address branding, certification, etc.; defining and building meaningful joint/co-management arrangements; case law implementation; and bracing for major policy and legislative changes as part of DFO's plan for fisheries modernization.

Keynote Address (Grand Chief Stewart Phillip, Okanagan Nation Alliance, UBCIC)

Grand Chief Phillip spoke about growing up outside of his culture in non-aboriginal care, and his experience of returning to his home community. The traditional values he learned were a crucial part of his journey to being a strong leader for First Nations in BC, and he recognized that each voice is an important part of our journey forward as First Nations people. He congratulated and commended the FNFC on the work they've done on strategic planning and fisheries governance, and spoke about the need for a unified voice on fisheries that will be heard by the provincial and federal governments. He is committed to working with First Nations to help develop solutions in order to build a better life for future generations.



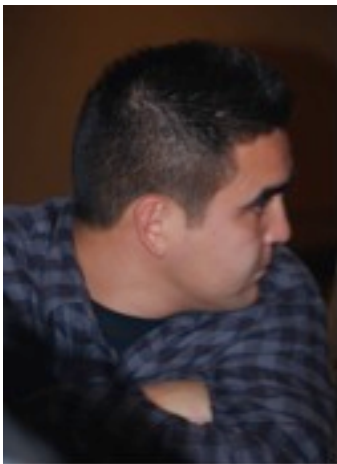
Signing of Declaration and Protocol Between the First Nations Fisheries Council and the First Nations Leadership Council

Chief Jody Wilson Raybould (BCAFN), Chief Stuart Phillip (UBCIC), Chief Bob Chamberlin (UBCIC), Chief Dan Smith (FN Summit) and FNFC Co-Chairs Ken Malloway and John Henderson signed a Relationship Protocol with the FNFC, which reflects a commitment to advance fisheries interests to the First Nations leadership in BC. This signing represents a significant step toward building a cohesive voice on fisheries issues, and unifying the collective interests of BC First Nations.



Governance Panel

Several presentations on governance at various scales were delivered by First Nations and DFO representatives. Miles Richardson from the Institute on Governance discussed the First Nations Governance Continuum, and how it relates to the work of the FNFC. He also discussed steps that the FNFC can take to fulfill a broader jurisdictional role in fisheries in order to create strong, unified messaging about First Nations' aspirations. Rob Lamirande from DFO Ottawa discussed the need for integrated strategic planning, and the need to highlight progress when communicating with government at the national level. Clearly articulating and sharing successes, as well as establishing inclusive processes that create linkages to multiple levels of governance authority, will help to move issues forward. Don Hall from the Nuu-chah-nulth Tribal Council discussed the importance of building trust when establishing governance relationships, and the need for First Nations to demonstrate to government their capacity to govern and manage resources. Sarah Murdoch from DFO RHQ expressed DFO's support for the work of the FNFC, and acknowledged both the challenges and successes of working together. There have been several positive success stories of collaboration, and we need to highlight and replicate those successes as we move forward. Jody Wilson Raybould from the BCAFN discussed nation building, and the need to ensure that proper rights holders are engaged in decision making. She acknowledged the work that the FNFC is doing to establish linkages between the communities and the regional and national levels, and the need to build unity through mutual respect and understanding. Russ Jones, the FNFC member for Haida Gwaii, discussed the role and structure of the FNFC. The FNFC is working to establish a bottom-up governance structure for First Nations that will help to advance the interests of all 203 communities in the province.



During open floor discussion, participants spoke about the desire to establish a joint/co-management relationship with DFO that is built on mutual trust, the need for consistent government funding for First Nations fisheries programs, exploring alternate funding sources, the recognition of section 35.1 rights, and the need for better access to resources for FSC and economic purposes.

Management and Operations: Putting Governance into Action

Several presentations about priority issues were delivered by First Nations and DFO representatives. Chief Bob Chamberlin, Chair of the Aquaculture Working Group, discussed the need for First Nations engagement in all aspects of aquaculture management, and the need for proper Tier 1 and 2

components as part of the new IMAP process. Andy Thompson of DFO expressed that First Nations involvement in the IMAP process will be crucial as we move forward on aquaculture management. Paul Ryall of DFO discussed the IHPC/IFMP process and the management framework for southern BC Chinook. While DFO does engage First Nations in these planning processes through bilateral meetings and consultation processes, he encouraged First Nations to consider planning process requirements in the design of Tier 1 and 2 governance processes. He also expressed that inclusiveness leads to better management decision making for all resource users, and that DFO is committed to partnering with First Nations as we move toward the goal of joint/co-management. Mark Saunders of DFO discussed the link between science and governance, and the need for meaningful collaboration on technical issues. Megan Moody of the Central Coast Indigenous Resource Alliance discussed the COSEWIC assessment of eulachon, the need for more First Nations involvement in that process, and the importance of ATK/TEK in technical work.

2012 Fisheries Assembly

Led by Cliff Atleo, the Council delegate for West Coast Vancouver Island, participants from Nuuchahnulth extended an invitation to hold the 2012 Fall Assembly in their territory.

End of Day 3

Closing comments – by Rebecca Reid, DFO

Closing comments – by Cliff Atleo, Ahousaht First Nation

Closing comments – by FNFC Co-Chair Ken Malloway

