

First Nations Fisheries Council

October 2011 Communiqué



FIRST NATIONS
FISHERIES COUNCIL

MESSAGE FROM THE FNFC EXECUTIVE DIRECTOR

Greetings everyone,

It has been a busy two months since our last bi-monthly update. With the office move taking place in September, we are still trying to maintain operations at a high level while still settling in with phones and fax, computer connections, and the day-to-day housekeeping tasks.

Here is snapshot of the current issues we're working on at the First Nations Fisheries Council (FNFC) from the perspective of the Executive Director. We hope that these bi-monthly updates will help to keep BC First Nations informed about the initiatives and activities of our organization.

Strategic Planning:

The FNFC continues to build on the strategic objective and direction of the FN Leadership Council Task Force recommendations to enter into formal MOUs for a cohesive voice for First Nations,. This has been laid out earlier in our communiqués and in Tier 1 meetings. The FNFC has been working with a number of you, including participation in numerous Tier 1 and Tier 2 sessions, to elicit information and develop the feedback for the purposes of building out the 3 year strategic plan for the FNFC, and to develop a broadly supported approach to working effectively together at a Regional/Provincial scale. In September, the Fisheries Council made presentations on the activities and direction of the council, and also tabled resolutions for support for the strategic plan of the Fisheries Council and called for the renewal and support of the PICFI program. These presentations were made to the FN Leadership Council forums through the UBCIC General Assembly and the FN Summit.

Institute on Governance

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

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

I have had an introductory discussion with Miles Richardson, the western contact for the Institute on Governance, to help map out this discussion and a way to bring people together to inform this process,

and most importantly how to financially resource the institute to participate with the FNFC. This is a governance discussion, and we may reach out to other funders to support this activity.

Relationship Accord update:

The FNFC's priority focus for the first quarter of this business cycle was to more clearly define the relationship between and among First Nations organizations to ensure a more cohesive, coordinated, and effective voice on policy level matters on behalf of First Nations. We invited the First Nations Leadership Council to our strategic planning session in May, and agreed to formally develop a Relationship Accord. This Accord is consistent with the All Chiefs Task Group acceptance of the terms of reference, which call for Memoranda of Understanding between the partnering organizations and councils in order to build more constructive and effective interactions between the BCAFN, UBCIC, and FN Summit. The FNFC staff and the Leadership Council's operations staff have completed drafting this Accord template, and we will be looking to conclude this activity at the upcoming AGA by formally signing the Declaration.

As a complementary component to this process, local and watershed level First Nations participants on our bi-weekly update conference calls have also expressed a need to work more cohesively and effectively with one another. The FNFC will be following up on a process for relationship building with these local, regional and watershed level groups.

At our Fisheries Council meeting on July 13, 2011 the Council reviewed and confirmed the direction for building structures and partnerships from the local and community level up to the provincial and national level. This will mostly be facilitated through existing watershed based mechanisms that many of you currently work with. Further to this, the Council has identified the need to have some local meetings in the North Island, Central Coast, and North Coast Skeena to assist in supporting the FNFC delegate process. We have been meeting with the Nations at the local level to assist in articulating the message and developing clarity in the structure and process among all First nations in the Province. A list of the meetings and locations is identified below. In order to develop a long-term successful First Nations process to become more efficient and effective, we need you to engage in the development of these discussions! We are currently negotiating the funding for these sessions with DFO under the Commitment to Action accord.

Saul Milne is also working with the watershed based groups to develop a Charter among First Nations that sets out principles to agree upon as common objectives. We are referring to it as the HIYU Charter (which means "working together"). To support this, we have begun a number of direct community engagement meetings to articulate the direction and framework for developing a cohesive voice. These sessions included 3 geographic regions on Vancouver Island (Gold River, Nanaimo, and Port Hardy), the North Coast/Lower Skeena, the Mid Fraser, the Fraser valley, the Lower Mainland. There are further meetings planned for the Upper Fraser, the Okanagan, and (still to be confirmed) the Secwepemc, the Lower Mid Fraser, and Haida Regions, where expressions of interest have been extended for FNFC meetings.

Cohen Inquiry

The FNFC has continued to work with the First Nations Coalition and its legal team from Mandell Pinder to compile final submissions for recommendations to the Commissioner. The submission was a comprehensive body of work amounting to 256 pages, and made a total of 101 recommendations. The FNFC again wishes to express extreme gratitude to the legal team of Mandell Pinder for the work done on behalf of First Nations.

Joint Management Process:

The Integrated Fisheries Planning process, which includes the development of IFMPs (Integrated Fisheries Management Plans), occurs through the Integrated Harvest Planning Committees (IHPC). First Nations have identified a number of concerns with the IHPC and IFMP processes, including First Nations representation at the IHPC, the process of appointing First Nations delegates, and how input and advice from First Nations on the development of IFMPs is considered by DFO. Perhaps the most explicit concern is the development of decision rules that may impact or infringe on Section 35-1 fisheries, as a Tier 3 process is not the appropriate forum for decisions that could affect First Nations rights. The FNFC

recently met with members of the DFO Regional Salmon Team to articulate these concerns. We have been advised that DFO is interested in supporting the need for a process that reflects the needs and aspirations of First Nations, and that they are open to adjusting the IHPC delegate process and possibly restructuring the engagement format. This has led to the workshop on October 24-25 in Vancouver.

Further to this discussion, the FNFC has been negotiating the C2A “Commitment to Action” working groups’ activities, and included in this portfolio will be the need to identify efficiencies in the activities of the 4 working groups. This may involve a restructuring of the working group activities, and expanding to some dialogue forums to elicit broader perspectives on: FSC & Co-Management topics such as IHPC/ IFMP, Southern Chinook Management Framework, and other related topics. The implementation of the federal aquaculture program and NASAPI, as well as the renewal or potential sunset of the PICFI program, have emerged as priorities that must be considered and resourced as business lines that have to be rationalized with other emerging priorities.

Case Law Implementation / Media Responses

First Nations have expressed extreme dissatisfaction with the poorly considered interpretation of Supreme Court of Canada decisions, and the lack of implementation or consideration to DFO program envelopes. This will be a focus of work planning moving forward. The Fisheries Council will be attempting to identify a time frame in the New Year to conduct a workshop on this topic.

At the strategic planning session with the Leadership Council in May, it was stated that developing a process for timely and effective media responses is a specific priority from the political level. The FNFC will be developing a process to accommodate this objective through the retention of a media coordinator for a short contract on a trial basis.

Overview of Recent Meetings (Additional to operational meetings)

September 07,	FNFC bi-weekly call
September 14,	Cohen Inquiry
September 15,	UBCIC General Assembly, Whistler
September 17,	Cohen Roundtable of legal teams with standing
September 19,	Nanaimo meeting with IMAWG
September 21,	FNFC bi-weekly call
September 22,	FN Summit, Squamish Nation
September 23,	Kitsumkalum, North Coast/Skeena community meeting
September 27,	Fisheries Council meeting, UBCIC offices
September 28,	Presentation to the National Directors of Aboriginal Programs DFO
September 28,	Presentation to the Federal Interdepartmental committee on Aboriginal Affairs
September 30,	Sto:lo Nation – FNFC community engagement with the Lower Fraser Fisheries Alliance
October 04,	Gold River, meeting with the Ha’wiih of the Nuu-chah-nulth Tribal Council
October 05,	Eulachon SARA listing conference call
October 05,	Visions Conference, Quesnel BC, FNFC presentation on strategic direction
October 11,12	Fraser Roadmap conference, Chase BC
October 14,	Joint FNFC/DFO steering committee
October 18,	FRAFS Executive Committee
October 19,	FNFC Bi-weekly call
October 20,	Port Hardy, Kwakiutl community engagement meeting
October 21,	Musqueam, community engagement meeting with lower mainland First Nations

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.



Thanks,
Jordan Point

FIRST NATIONS FISHERIES COUNCIL 2011 FALL ASSEMBLY

The FNFC will be hosting our annual Fisheries Assembly on November 7 - 9, 2011 at the Penticton Lakeside Resort.

Recognizing BC First Nations' aspirations to play a more active role in fisheries management, the First Nations Fisheries Council has chosen "*Finding a common voice for fisheries governance and leadership*" as the theme of the 2011 Fall Assembly First. Speakers will address various aspects of First Nations fisheries governance, and participants will be engaged in discussions on these topics.

As in previous years, participants are encouraged to bring displays of their organizations or fisheries projects to share. For more information or to book a table, please contact the First Nations Fisheries Council at info@fnfisheriescouncil.ca.

Schedule:

November 7th (9:30am-12:00pm): Okanagan River Habitat Tour (registration required – more info below!)

November 7th (1:00pm-4:30pm): Tier 1 (First Nations only) - FNFC Society Business

November 8th (8:30am-4:30pm): All participants welcome!

November 9th (8:30am-2:30pm): All participants welcome!

Habitat Tour:

Join the Okanagan Nation Alliance on a tour of major habitat restoration sites as part of the Okanagan Nation's efforts to rebuild Sockeye and Chinook populations. The tour will take place on November 7th, 9:30am-12:00pm, and will include the ORRI-Oliver, McIntyre Dam, and Ok Falls sites. Transportation will be provided, but space is limited. **If you registered for the assembly prior to October 18th and would like to attend the habitat tour, please email us at info@fnfisheriescouncil.ca and let us know.** If you have yet to register, please indicate on the online registration whether or not you would like to attend the habitat tour.

Registration:

Please note that registration for the Fall Assembly is required. Link to our online registration tool: <http://www.createsurvey.com/s/24zEtQ/>

For more information about the First Nations Fisheries Council Fall Assembly or to register, please visit our website at www.fnfisheriescouncil.ca or email us at info@fnfisheriescouncil.ca.

We look forward to seeing you in Penticton!

AQUACULTURE WORKING GROUP

Between the Cohen Commission's recent focus on aquaculture, the approaching deadlines for DFO IMAP development, DFO's fall Aquaculture Roadshow and the recent press on Infectious Salmon Anemia Virus (ISA), the Aquaculture file has been busy!

The First Nations Fisheries Council is hosting a Tier 1 (First Nations only) Aquaculture Dialogue Session on November 2, 2011 in Nanaimo B.C. This Workshop is open to all BC First Nations and First Nation Fisheries Organizations.

Tier 1 Aquaculture Dialogue Session

Date: November 2, 2011

Location: The Coast Bastion Inn, 11 Bastion Street, Nanaimo

PLEASE NOTE THAT REGISTRATION IS REQUIRED. Participants can register online at: <http://cs.createsurvey.com/publish/survey?a=FotiSa>. There is also a link to our online registration tool on the home page our website at www.fnfisheriescouncil.ca, along with a draft agenda for the workshop.

The objectives of the workshop are to share information on aquaculture management in BC and to foster an understanding regarding the common foundational views of First Nations regarding the governance of aquaculture in BC. This meeting will build on the Resolutions passed at the UBCIC and the First Nations Summit in the Fall of 2009 – *B.C. First Nations Statement of Solidarity on Aquaculture* and *B.C. First Nations Statement of Jurisdiction on Aquaculture*. The discussions and outcomes of this workshop will inform the future work planning and approach of the FNFC Aquaculture Working Group. Brenda Gaertner from Mandell Pinder will also be presenting on the governance discussions pertaining to Aquaculture which occurred during the Cohen Commission early this fall.

Objectives:

1. To build an understanding of the FNFC/AWG work informing the development IMAP process (e.g. basic outcomes of community sessions, challenges of working with DFO)
2. To highlight strategic direction of the FNFC related to governance, engagement with First Nation communities/organizations, building capacity and collaboration (Tier 1), as well as potential linkages to integrated processes (IMAP)
3. Provide an update of the discussions pertaining to aquaculture governance that occurred during Cohen proceedings
4. To identify areas of commonality amongst First Nations in terms of involvement and priorities for Aquaculture governance
 - Ground truth Fall 2009 Resolutions and key themes from 2010 and 2011 wrap up reports
5. Discuss potential governance models for First Nation involvement in IMAPs e.g. Southern Chinook Management Framework development
6. Develop a resolution for upcoming First Nation Summit, UBCIC and National AFN Meetings to articulate common priorities and recommended approaches

DFO Consultations:

For more information on the upcoming DFO Aquaculture Consultations scheduled in October and November, please see: <http://www.pac.dfo-mpo.gc.ca/consultation/aquaculture/index-eng.htm>

Infectious Salmon Anemia (ISA) Virus:

Alexandra Morton and Doug Routledge (SFU) held a press conference on Monday October 17th to share information on Routledge's finding that two sockeye salmon smolts tested positive for the ISA virus. The FNFC has released a press release on this issue and it is available on our website.

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

ECONOMIC ACCESS WORKING GROUP

The FNFC drafted and moved resolutions in support of *Fishing for a Better Future: A First Nations Business Case for a Second Phase of PICFI* to the Union of BC Indian Chiefs and the First Nations Summit. The resolution of support passed at the FN Summit and was tabled for further discussion at UBCIC. EAWG Co-Chair Russ Jones is continuing to work with the FN Summit to advocate for the First Nations' Plan.

On October 21st the Economic Access Working Group met face-to-face to discuss *Salmon Shares: For Whom, of What, And How They Could Be Managed* a draft document prepared for the First Nations Caucus of the EAWG. The EAWG has approved the document and it will be put forward for approval to the FNFC delegates on October 27th at which point it will be distributed on the FNFC website and listserv. EAWG also discussed priorities remaining in their jointly drafted work plan and identified a follow up meeting in mid-November. DFO indicated that their internal Salmon Shares discussion paper is being edited and will be shared with EAWG in advance of the mid-November. DFO will consult on Salmon Shares in January and February however that is linked to an announcement on PICFI renewal.

DFO provided a PICFI renewal update: DFO is currently engaged in proposal development, the process is truncated, thus DFO has to write a description and options for the program including what have been the successes, challenges and opportunities. This is being developed for federal members of parliament. DFO indicated that the First Nations business plan has been helpful in this process. DFO indicated that a decision will be made in late November but that the plan will become public in January or February.

Finally, the First Nations Caucus also decided that a summary of the draft Salmon Quota Opinion needed to be drafted and approved by the working group and the FNFC prior to distribution.

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

NEW FNFC OFFICE LOCATION AND CONTACT INFO

The First Nations Fisheries Council office has moved to a new location at 202-100 Park Royal South in West Vancouver. New contact information is available at the end of this month's communiqué, and on our website at www.fnfisheriescouncil.ca. For general inquiries about the FNFC you can still reach us via email at info@fnfisheriescouncil.ca.

REGIONAL FISHERIES ORGANIZATIONS CONFERENCE CALLS

The First Nations Fisheries Council hosts Wednesday morning update conference calls for First Nations fisheries organizations on a bi-weekly basis. These calls are Tier 1, and are open to all First Nations and First Nations fisheries program staff.

Wednesday, November 2, 2011 – CANCELLED

Wednesday, November 16, 2011 (9:00 am to 10:30 am)

Wednesday, November 30, 2011 (9:00 am to 10:30 am)

Dial-in information and agendas are distributed prior to each conference call via our email listserv.

Summaries of past conference calls are available on the Fisheries Council website at:

www.fnfisheriescouncil.ca/index.php/mission-a-work-of-council/working-groups/regional-first-nations-fisheries-organizations

Please note that these summaries are internal to First Nations, and a username and password are required to view them. To get your username and password for our website, or to add your email to our listserve, please contact us at info@fnfisheriescouncil.ca.

COHEN COMMISSION

Final oral submissions for the Cohen Commission will begin on November 4, 2011 in the 12th floor Hearing Room, BC Securities Commission, at 701 West Georgia St. in Vancouver (10am start). For more information about the Cohen Commission and the schedule for final submissions, visit their website at www.cohencommission.ca.

CONTACT US

For more information about the First Nations Fisheries Council, please visit our website at www.fnfisheriescouncil.ca. For general inquiries contact us via email at info@fnfisheriescouncil.ca.

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