



## FRASER RIVER ABORIGINAL FISHERIES SECRETARIAT

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March 16, 2015

Ms Sue Farlinger  
Regional Director-General  
Fisheries and Oceans Canada  
Vancouver BC

VIA E-MAIL ATTACHMENT ONLY

RE: Communication from the First Nation attendees at the Forum on Conservation and Harvest Planning, January 27-29 at Squiala First Nation, Chilliwack BC.

Dear Ms Farlinger:

Discussions occurred around a number of issues and initiatives. Following is a summary of key issues that the attendees wish to bring to your attention -- some for consideration/inclusion in the 2015/16 Integrated Fisheries Management Plan, others for collaborating with First Nations to begin addressing some very important issues.

### 1. Pacific Salmon Treaty (PST)

It was noted that the Coho Technical Committee has started discussions/negotiations on the Coho Chapter of the PST. What other negotiations are underway that First Nations have not been informed about? While it is understood that there are some technical participants from First Nation organizations at the Pacific Salmon Commission, these people are not participating in a consultative or a decision-making role in regard to Treaty Chapter negotiations.

- ACTION REQUIRED FROM DFO: a full, deep, and meaningful DFO/First Nations consultation process must be immediately designed and implemented that will properly inform the negotiations of all Chapters of the Pacific Salmon Treaty that are coming due for negotiation. Leaving the process to the internal workings of the Pacific Salmon Commission and its committees is not acceptable.

### 2. Fraser River Sockeye Spawning Initiative (FRSSI)

The Steering Committee appears to be comprised of the Canadian Caucus of the Fraser River Panel.

- ACTION REQUIRED FROM DFO: the Steering Committee must be greatly expanded to include a wide range of First Nations representatives. The Steering Committee must then formulate its Terms of Reference that allow for the full participation of its First Nation members, with appropriate technical support. It is understood there have been several First Nations people identified for possible participation in this Steering Committee, but these participants have not been formally appointed at this time.

### 3. CSAS Process

While First Nations involvement in the process has improved in recent months, there are still steps to be taken to ensure that increased collaboration between DFO and First Nations is provided for.

- ACTION REQUIRED FROM DFO: actively explore with Forum attendees and the JTWG the possibility of these groups informing the Request for Information and Science Advice. Further, the JTWG and/or other suitable First Nations participants should have an official role in the development of the questions and the development of the Terms of Reference.

### 4. Steelhead

Management of steelhead has long been a process of the Provincial Government and DFO each deflecting the real issues of declining stocks (e.g. Thompson) and the implementation of inappropriate fisheries that constitute a real infringement on aboriginal rights to these culturally important fish. The Province's "management/assessment model" has not passed the scrutiny of peer review. Thompson River steelhead continue to be fished and/or intercepted while at critical levels of returns. First Nations continue to be deprived of cultural and traditional fisheries.

- ACTION REQUIRED FROM DFO: insist to the Province, or take it on as a federal project, that the Province's inadequate model be improved to a standard that will pass peer review. First Nations – through the JTWG – must be able to review the inputs to the model.

### 5. CSAS Review: Chinook

First Nation participants at the JTWG, on behalf of the FN Forum attendees, formally request a CSAS review of chinook management measures for the Strait of Georgia, including the sport fisheries, through a Request for Information and Science Advice (RISA) to CSAS.

- ACTION REQUIRED FROM DFO: respond immediately (c/o FRAFS) in support of this formal request.

### 6. Qualark and Mission hydroacoustic programs

It is thought that reduced budgets will endanger the operation of one or the other of these projects.

- ACTION REQUIRED FROM DFO: convene an open and transparent assessment, with the full participation and engagement of First Nations, of the relative merits, challenges, and costs associated with these projects before any decision is made by the Pacific Salmon Commission and/or DFO regarding their continuation or cancellation.

## 7. Interior Fraser coho management in 2014

There are many contentious issues around the Dept.'s fisheries management decisions in 2014 that affected Interior Fraser coho. Those effects have yet to be determined but we understand that the Dept. is taking various steps to provide some answers. However, there are many questions about these steps, which appear to be taking place behind closed doors. For example, DNA samples were taken: why? where? who determined the locations? what was the sampling methodology? Who determined the methodology? What information is being sought, and does the sampling methodology conform to the provision of the desired information? What is the information going to be used for?

- ACTION REQUIRED FROM DFO: instruct staff to present all information around analysis of 2014 fishery impacts on Interior Fraser coho to the JTWG, and to fully and completely answer questions that arise. This will include transparent sharing of technical data associated with post-season IFC analysis and the 2014 DNA project.

## 8. Chinook: spring 4/2, spring 5/2, and summer 5/2

DFO has unilaterally moved the Outlook category from a 1 to a 2. DFO has still not explained, clearly and fully, its 2012 management regime which has continued to underpin DFO's "management measures" for these fish. First Nations technical personnel are not able to replicate the methods and results associated with the technical information contained in the Rebecca Reid 2012 letter. Most First Nations in the Fraser watershed have not had their desired access to these fish for many years as a result of DFO's management measures – a clear infringement on the rights of those First Nations.

- ACTION REQUIRED FROM DFO: first – do not deflect the issue to the Chinook Strategic Planning Initiative. This Initiative is not going to help with 2015 management of Fraser chinook. The proper management decisions must be made in 2015 that clearly provide for the aboriginal right, and the Strategic Planning Initiative is still some years away from producing an acceptable Plan. Second – reduce the access to Fraser chinook by the commercial and sport industries starting now. Third – design, in collaboration with First Nations, a deep and meaningful consultation process concerning chinook management decisions in 2015 before such decisions are made.

## 9. Sockeye

It has become apparent that significant numbers of Fraser sockeye were caught in Alaskan fisheries in 2014.

- ACTION REQUIRED FROM DFO: ascertain, before 2015 sockeye fishing plans are devised, the Fraser sockeye stocks that were intercepted by the Alaskan fishery. Further, DFO must take action through the Pacific Salmon Treaty to ensure that the Alaskan fishery is held accountable for those impacts.

Given the Fraser sockeye forecast for 2015, First Nations rights-based fisheries needs may not be met.

- ACTION REQUIRED FROM DFO: 1. Test fisheries should not be opened on Early Stuart sockeye, and should be delayed for Early Summer Run/Summer Run sockeye. 2. While test fisheries on these latter management groups are justified on a conservation and information need basis, DFO must not allow the implementation of any "business case" test fisheries without receiving the

informed consent of First Nations. To do otherwise may constitute a serious infringement.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ken Malloway".

Ken Malloway  
on behalf of the First Nation Forum attendees

cc's:

First Nation Fisheries Council

FRAFS Executive Committee

Neil Todd

Walter Quinlan

Jeff Grout

Rebecca Reid

Mike Staley

Pete Nicklin

Jamie Scroggie