

*A weekly Aboriginal fisheries newsletter for  
fisheries representatives and their organizations*

## Windows of Opportunity - By Pete Nicklin, FRAFS Biologist

Fraser First Nations are at the beginning of what looks to be a very challenging fishing year. The Chinook outlook is poor for 5<sub>2</sub> stocks (Chinook that return as 5 year olds and went to the ocean in 2005), and a great deal of discussion has taken place in order to try to sort out the management issues for the earliest-timed portion of these fish, which also includes 4<sub>2</sub> stocks. The Fraser sockeye outlook, although poor, is seemingly better than what people were talking about a few years ago, due to the generally poor spawning escapements of Fraser sockeye that occurred throughout the watershed in 2004. In fact, it now appears the DFO is adopting the 50%P forecast for planning purposes for 2008, which on paper, shows enough TAC to meet DFO's interpretations of Food, Social and Ceremonial harvest targets for Fraser First Nations. However, seeing TAC on paper, and actually achieving FSC harvest targets in the real world will be a significant challenge.

I remain optimistic that despite the challenges before us, significant improvements in the way we manage Fraser salmon are possible as long as First Nations, and the technical people that work with First Nations, are provided the opportunity to properly engage in all aspects of the management processes and the technical work informing those processes - not just pre-season - but during the most critical time of all - in-season.

Many people dedicated a great deal of time and effort to pre-season fisheries discussions by participating in various sub-regional and regional meetings in the first few months of 2008, some of which were led by FRAFS, and some of which were led by DFO. Now, I'd better clarify the term "pre-season": the Chinook season had already started by the time the meetings finally kicked off, and it seemed like we were playing catch-up when attempting to deal with some of the issues. Regardless, one of the key pieces of information provided by First Nations at each of those meetings and by many different participants was that First Nations have to be involved in the in-season management processes for all salmon species.

In a year like 2008, First Nations participation throughout the fisheries season is critical because things can change rapidly. In order to identify opportunities for conservation and harvest, which may affect people up and down the river, those people must be both informed and heard.

It should come as no surprise to anyone that there is a large amount of effort required to properly manage the tremendous diversity of fisheries resources in the Fraser watershed, and

the First Nations' fisheries that depend on those resources. Management decisions need to address conservation and priority harvesting rights throughout the watershed. In recent years, conservation concerns and declining First Nations' fisheries in some areas of the watershed require immediate attention and active management in order to redress the concerns.

What the year has shown thus far, for Chinook anyways, is that when the outlook for abundance of fish approaches the point at which a greater degree of resolution in technical information and management tools is required to show that the fishery is being managed in the order of priority - conservation, First Nations, recreational and commercial - weaknesses in the existing management system are exposed. This is not a bad thing if we use this as an opportunity to strengthen these weaknesses - improving on the technical information and management processes, and making sure that on-going decisions do not undermine our ability to work towards those ends.

Despite the fact that the Chinook season is underway, in both marine and river fisheries, questions remain with respect to how the return is actually shaping up and how we might deal with a situation of very low abundance beyond the earliest timed Chinook returning to the Fraser.

The sockeye season has not yet begun, but preparation has. The time we have is an opportunity for First Nations to discuss the upcoming season and provide leadership in a management strategy that ensures that a range of plans are in place that will give the best chance for ensuring the conservation of the resource while meeting First Nations' harvest needs.

### Intertribal Fishing Treaty Meeting Hosted by the Nicola Tribal Association

Wednesday, June 18 & Thursday, June 19, 2008  
at the Merritt Civic Center

For more information or to register please contact  
Rena Sam, NTA Administrative Assistant  
Tel: 250-378-4235 • Fax: 250-378-9119  
Email: [rena.sam@nta.nicolatribal.org](mailto:rena.sam@nta.nicolatribal.org)

Rooms are reserved for booking until May 30, 2008  
at the Econo Lodge Inn and Suites in Merritt

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## April 3rd Meeting Summary - by Barry Rosenberger

**EDITORIAL NOTE:** A DFO/First Nations consultation meeting was held in Surrey on April 3, 2008. An assembly of First Nations participants from throughout the Fraser watershed, as well as Vancouver Island tribes, were in attendance. The meeting was the third in a series that began on January 10 in Abbotsford. The management of chinook and sockeye fisheries in 2008 was the issue under discussion. The meeting was characterized by passion, commitment, an un-precedented expression of solidarity by First Nations' attendees, and open and honest discussion undertaken with respect by both sides. Barry Rosenberger, DFO Area Director, BC Interior was the senior DFO person present. Concern was expressed by some people that the messages delivered at these meetings were not making it to higher levels within the Department. Barry made the commitment to the attendees that he would provide them with the information that he would take to the Regional Director-General as an outcome from the meeting. Following is the information/meeting record summary that the Area Director forwarded to the Regional Director-General.

At the opening of the meeting Marcel Shepert read a written statement (attached). This was followed by comments from the members of their new Interim Working group.

### Chief Ken Malloway:

expressed considerable displeasure with DFO not accepting input from a large number of FN groups in the management of early timed Fraser River chinook.

Disappointed that DFO implemented actions while consultations were still underway with some groups.

Concerned that DFO did not take actions in all areas where data from sport catches show early timed chinook are present.

FN FSC priority not respected by DFO

DFO did not undertake "meaningful" consultations on early timed chinook

Should not be any fisheries by others until consultations complete. Honor of the crown not met.

Indicated there are 350,000 sport fishermen as advised by Marilyn Murphy and yet only 7,000 were monitored in their fisheries.

### Chief Chris Cook:

Sport fishing appears to have priority over FN rights (all species, times and areas)

Sport fishers are allowed to continue in many areas where you know there are concerns.

Many conflicts between sport fishers and FN people during fisheries. They are throwing rocks at FN people.

Snagging during sport fisheries not dealt with by DFO

Concern sport fishery has priority over commercial fishery

Sports fishers should have to have a license for every species like commercial and the money should go to FN tribes in the area where they fish (resource Sharing)

Sport fisheries should be stopped until DFO makes changes - cut back their limits.

Opposed to derbies

Indicated that there is 55 FN groups represented here today. DFO needs to come back and tell FN what they heard here today before you tell the Minister to know that you got it right.

### Chief Jeff Thomas:

Last year his community was in shock with the level of returns of salmon.

In 50's, 60's and 70's the Nanaimo River was full of springs and we had lots. 8 years ago they shut the river down to their members and have rebuilt the runs.

Stressed the importance of salmon to FN people. Don't want pork from store.

Frustration building with FN people. They need their place in management. Decisions are too often made before DFO meets with FN

In a fishery crisis in BC. Crisis for FN and commercial only sport fishery is benefiting.

Concerned there is no monitoring of sport fisheries.

DFO should look at Alaska sport license system and get appropriate money.

Test fishing should all go to FN boats.

Courts - Haida/Taku; Sparrow; Guerin(sp). Cases all give FN rights and yet DFO does not follow the direction. 2007 is a case in point.

DFO allows pollution (clam beaches in Nanaimo as an example)

After all that Jeff described indicted that was still willing to work together. Need support from DFO. Need to clean up logging practices and rebuild rivers.

Need to use Aboriginal expertise.

### Grand Chief Saul Terry:

FN people were some of the richest peoples in the world and wanted for nothing. When we look today at our "banks -- bank account" there has been someone stealing from us. Now we are poor.

Need improvements in your (DFO) regulations and practices

We have all come together because of the losses we are suffering and to try to deal with issues. We are still in the room - prepared to continue to work together. (Cont. pg 3)

# Watershed Talk

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FN are distinct peoples - history, language and traditions.  
We are prepared to manage in our own territories  
Too many species are on the verge of extinction  
FN agreed we must act collectively  
We have been developing tech expertise to develop plans  
to bring back richness  
It says a lot that gov't of Canada refused to sign onto the  
Aboriginal Rights resolution  
DFO is asking FN to compromise on their rights.  
We need to make arrangements and means of facilitation  
to continue to work together amongst our peoples. Goal is  
to restore richness of our lands to restore the cultural and  
social richness of our peoples.  
DFO has obligations  
FN are going to have to go fishing to feed our peoples.

## During Q/A and subsequent discussion :

Concerns that last year FN people did not get enough  
sockeye  
Concerns sport and commercial fisheries are infringing on  
FN rights  
Concern DFO provided 2 options for chinook but did what  
they wanted and not what FN wanted (close sport and  
commercial fisheries)  
Some thought it wrong that DFO wanted FN to developing  
sharing arrangements amongst themselves  
Strong support for test fish catch to help meet FSC needs  
Sockeye forecasting should be at 75% levels for  
management  
FN have formed their group and will meet to work on  
sharing principles and in-season process  
Want a measure to hold DFO accountable  
Want to look at more opportunities like Chilliwack river to  
meet FSC  
FN want RDG at next meeting  
Considerable discussion of compensation for both FSC and  
Commercial losses. (Paul Kariya summarized this point at  
the closing remarks due to the considerable discussion)  
Now that DFO has asked FN to be part of the decision  
process they need to ensure that FN are a part of process.  
Did not feel DFO responses to rationale for chinook on  
sports fisheries was good enough.  
It was noted that none of the chinook salmon stocks  
are strong enough to meet FSC needs need more sport  
closures.  
Need agreements completed by DFO in a timely manner as  
many FN staff not getting paid.

## First Nations FSC Harvest Needs May Now Be Expected to Be Met

By Mike Staley, FRAFS Biologist

At the Fraser River Salmon Conservation and FSC Management Approaches meeting in Abbotsford, BC on January 10, 2008 Paul Macgillivray, Associate Regional Director General, DFO made the following statement in the first of 3 questions he posed. "In 2008, situations are expected where all FSC harvest needs cannot be met." Later during that meeting, he said "It's unlikely that returns will allow all FSC requirements to be met. Decisions will have to be made so the idea is to have that dialogue now, not in season." There been new information and analyses developed since then that suggests the message should be changed somewhat.

The draft spawning escapement approach in the draft IFMP provides us with a better understanding of the total allowable catch that might be available. Also it appears that the 50p forecast will be adopted for planning purposes. Although Science Branch, who is responsible for the forecasts, have recommended using number between the 50p and 75p. Furthermore, preliminary analysis by the Fraser Panel Technical Committee indicates that there will be adequate TAC available in fisheries that can be shaped to meet the FSC targets. There also appears to be, at the 50p level, sufficient room for small recreational and commercial fisheries. Therefore, it is no longer appropriate to say that it is unlikely that returns will be enough to allow for all FSC requirements to be met. By definition of 50p there is a 50% chance that the run will be that large or larger.

However, it is likely that there will be some First Nations who will not, for a variety of reasons, catch their full FSC target. This is an issue that will remain a challenge, and one that we should all work toward solving.

As for planning for the 2008 season, there is a still a significant probability that there will be small run sizes that will make it difficult to meet FSC needs or targets. Therefore, it is important that we all continue to work as best we can to prepare for the downside. The difference from then to now is that there is an expectation that there will be enough fish to meet FSC targets, which is a significant change from the message that was available in January.

As a heads up, it appears that there has been an error in the forecasts for early summer sockeye. Particularly the five-year-old, Pitt and Bowron. This error does not affect the 50p forecast. There may be significant implications for other forecasts levels such as the 70p.

Preliminary indications suggest that the 75P early summer forecast will be reduced significantly and the available catch reduced to almost one third of the earlier number. I expect DFO to be providing this information shortly. This new information only emphasizes the need for caution, and careful planning for the upcoming sockeye season.

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## Thank You from the Visions 2008 Planning Committee!

The Visions 2008 Planning Committee would like to extend a sincere thank you to everyone who attended the Visions Workshop at the Chehalis Healing House April 8th-10th. It was wonderful to see new and familiar faces of folks taking a proactive approach to Fraser River salmon issues. We would also like to thank all of the speakers and presenters who shared their insights, expertise and professional experience with us: Chief Willy Charlie (Chehalis Band); Mark Saunders (Wild Salmon Policy); Ron Kadowaki (PICFI); Paul McGillivray (PST Negotiations); Andrew Stegemann (FSWP); Kim Charlie (Chehalis Band); Chief Fred Sampson, Nancy McPherson and Dave Moore (Siska Band); Brian Toth (CSTC); Grand Chief Doug Kelly (BC Fisheries Council); Douglas C. Harris (UBC Faculty of Law); Brenda Gaertner (Mandel Pinder); Mike Staley (Regional/Sub-regional First Nations Fisheries Planning); Grand Chief Saul Terry (Intertribal Fishing Treaty); and Ken Malloway (M.C.). Thank you also to the Chehalis Band for hosting the event in your beautiful territory along the river. Finally, thank you to the staff of the Chehalis Healing House (Sts'sailes Lhawathet Lalem) - Rhonda, Vi, Jesse, Dwayne, Debbie, Jennie, Howard and everybody else - for all of your help, hospitality and delicious food. All of you helped to make this a truly memorable event.

Sincerely,

Marcel Shepert, Linda Stevens, Ernie Crey, Saul Milne and  
Aimee Arsenault

The Visions 2008 Planning Committee



Photos by Brenda McCorquodale

## WANTED: MEETING VENUES

FRAFS is looking for bands, tribal councils and First Nations organizations that can serve as meeting venues for the 2008-2009 fiscal year. If your organization has rentable meeting space and catering services that could be made available to FRAFS, we would love to host a future meeting in your territory!

Interested parties please contact  
Aimee Arsenault,  
FRAFS Communications Coordinator

