

Working Together to Develop Improved Consultation in the Fraser Watershed

By Brenda McCorquodale, Executive Director, First Nations Fisheries Council

As most of you are probably aware, the Pacific Salmon Treaty sets out Canada's international commitments in an agreement between our country and United States of America in respect to salmon management. The Treaty sets out a number of "chapters" or "annexes" which provide specific time-relevant details. After the 2010 fishing season Chapter IV, Fraser River Sockeye and Pink Salmon, will expire. The Pacific Salmon Commission therefore asked the Fraser Panel to begin considering what sort of changes (if any) might be proposed in the new version of the Chapter IV.

First Nations have been telling DFO for some time that there are elements of Chapter IV which may cause concern. These include, but are not limited to: concerns about the current management regime not adequately providing for food fish requirements, a lack of official recognition of the scope of the First Nations food requirement, and concerns about protection of discrete stocks in aggregate mixed stock fisheries.

Early in 2008 First Nations expressed concern to Fisheries and Oceans that the department needed to be mindful that they retain

the obligation to engage in meaningful consultation directly with First Nations as a part of the renewal of all of the Chapters of the Pacific Salmon Treaty. The Pacific Salmon Commission and the Fraser Panel engage in analysis of the Chapters and may recommend changes, but it is DFO which retains the responsibility to engage in meaningful consultation with First Nations if there is any chance that the Chapters might impact asserted Rights and Title.

In December '08 the First Nations Fisheries Council and the First Nations members (caucus) of the FRAFS Executive Committee both wrote letters to the Minister of Fisheries and Oceans Canada, with respect to concern that the Commission was initiating a review of Chapter IV, noting that Department needed to work with First Nations to ensure that an appropriate consultation process, acceptable to First Nations, was designed and implemented.

Within the Fraser watershed, the First Nations caucus of FRAFS went a step further, and outlined a process of dialogue which it recommended would help DFO to meet the tests of meaningful consultation with Fraser River

First Nations. The Fisheries Council has agreed to work with FRAFS to help them undertake this important work with communities in a manner that meets local First Nations objectives, allows First Nations to effectively work together to analyze the possible impact of Chapter IV on Rights and Title, and to work with DFO to ensure that these potential impacts are mitigated. The objective is to have First Nations and DFO work effectively together to improve salmon management and to help DFO meet its legal obligations.

The FRAFS executive will be meeting on Friday to discuss the proposal with Paul Sprout, and will be engaging in a dialogue with communities in order to help build a successful process with First Nations in the Fraser watershed. The Fisheries Council will be working to support and facilitate the development of a process acceptable to First Nations, and which we can learn from more broadly as we work to develop consultation that is meaningful in the protection of Rights and Title and helps First Nations to maintain and strengthen their important connection to fisheries resources.

Update from the Fraser River Aboriginal Fisheries Secretariat 2009/10 PROPOSAL TO THE AAROM PROGRAM

The FRAFS Executive Committee has been working on a proposal to continue the work of FRAFS in fiscal year 2009/2010.

Earlier this year, it was thought that the next round of funding proposals to the AAROM program would be for a multi-year program. However, with some delays in Ottawa's program reviews over the fall and winter months, the new Terms and Conditions that govern the structure and content of AAROM (and other program) agreements have not yet been finalized. Consequently, the Department has advised groups that applying for a one year agreement under the same Ts & Cs would be a more appropriate route to take. More complex proposals for multiple funding years could be worked on at a more leisurely pace during the coming year.

Consequently, the FRAFS Executive Committee struck a Proposal Writing Committee early in this quarter. A number of drafts have been produced and a near-final one was reviewed by the Executive Committee at its March monthly meeting. It is anticipated that the proposal will be finalized and submitted to DFO in the first week of April.

Over the last two years the Executive Committee has been supportive of an emerging First Nations-only organization in the Fraser Watershed. Led by Grand Chief Saul Terry, and using the 1989 Inter Tribal Fisheries Treaty as a focal point, this group is slowly gaining momentum in establishing itself as a viable Tier 1 structure/process. FRAFS will continue to support this initiative in 2009/2010 – it is commonly recognized that if DFO and First Nations are ever to engage in a collaborative management relationship, the existence of a functioning Tier 1 organization that is mandated to engage in that relationship is a pre-requisite.

A huge part of the FRAFS work-plan in 2009/2010 will still consist of delivering the FRAFS core services: communications coordination and delivery; and biological/technical assistance to Fraser First Nations.

And finally, the Nicola Tribal Association has agreed to host and administer the Collaborative Management Agreement with DFO on behalf of FRAFS in 2009/2010. So, all in all, we are looking at "business as usual" this coming fiscal year.

MEETING NOTICE

FORUM ON CONSERVATION AND HARVEST PLANNING FOR FRASER SALMON

Tuesday April 7 & Wednesday April 8, 2009

Best Western Richmond Hotel & Convention Centre
7511 Westminster Highway, Richmond BC

RESERVATIONS: 604-273-7878

FYI: Contact Information

INTER-TRIBAL FISHING TREATY OFFICE:

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Inter Tribal Fisheries Treaty: A Treaty of Mutual Respect and Understanding is an agreement between nations that intends to unite aboriginal peoples along the Fraser. The purposing being to come together to foster mutual respect and increased understanding of individual interests among Fraser River First Nations to achieve reduced conflict, foster effective communication and governance approaches, protect and restore habitat and water and support responsive and effective fisheries management.