

## **Fraser River Salmon Conservation and FSC Management Approaches meeting**

Abbotsford, BC - January 10, 2008 - 9:00 a.m. to 4:00 p.m.

### **DRAFT Minutes**

#### **Attendance (See Appendix 1)**

##### **1. Welcome**

Following an introduction by the meeting Facilitator, Paul Kariya, Ken Malloway welcomed participants on behalf of the Sumas and the Sto:lo Nation, expressing the hope for a productive meeting. Doug Kelly led participants in a prayer song, after paying tribute to the late Pat Alfred, former Kwakwilt Chief and expressing condolences to the Namgis First Nation. The Facilitator added his condolences, and then invited participants to introduce themselves.

Outlining the meeting goals, Kariya noted the letter sent by Regional Director General (RDG) Paul Sprout on 2008 salmon management issues and a proposed process to build new approaches for the future. This is about information exchange, building bridges and trying to get to a place where such a process can be built, Kariya said. The short-term outlook for salmon is pretty grim. Achieving FSC requirements will be very challenging and the road map for resolving this is not clear. But this is achievable, he stressed, urging that everyone participate in a respectful manner.

##### **2. Expectations and objectives**

*Paul Macgillivray, Associate Regional Director General, DFO*

Macgillivray added his condolences to the Alfred family and Namgis community, acknowledging Pat Alfred's contribution in the past to meetings like this.

He reviewed the RDG's December 20 letter, which spoke of beginning a discussion on FSC harvest. The initial focus is on management approaches for 2008, but the hope is to also address issues over the longer term. There is need to develop a sharing arrangement for situations when abundance is low and all FSC needs cannot be met. This meeting is meant as a first step to fostering collaboration for 2008 and beyond. In the past, there have been successful collaborations to address such challenges. The agenda presentations today are intended to outline the current situation, to allow good discussion, and to lay the groundwork for a follow-up process.

**Three questions:** Macgillivray posed the following questions to focus the discussion:

1. In 2008, situations are expected where all FSC harvest needs cannot be met. What advice can be offered on how to share in such situations?

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2. Conservation concerns for some stocks are expected to limit harvest on more abundant stocks. What advice or approach can be given on how to deal situations such as this?
3. What advice on how to address increasing uncertainty and unforeseen circumstances being faced in-season in fisheries management (e.g., unexpected circumstances, new data, etc.)?

It's not expected that these questions will be answered today. The first step is to ask whether these are the right questions or if there are others.

**Context:** In discussing 2008 and future fisheries, consider:

- Environmental changes are significantly impacting fish stocks and increasing uncertainty, making it more difficult to plan/forecast.
- Negotiations are underway to renew the Pacific Salmon Treaty. Five Chapters expire at the end of 2008. A goal is for Canada to reach an understanding with the USA in then next couple months. The Chinook chapter has generated significant discussion, with southern US states asking that Canada and Alaska reduce interceptions on their stocks.

Improved international collaboration under the 1999 treaty benefited both countries. This highlights the benefits of collaboration—both between DFO and First Nations and between First Nations themselves. Today's meeting is about how to collaborate in order to face key issues and surprises expected for 2008 and beyond. The hope is to leave with agreement on a follow-up process to move discussion forward.

### **Discussion**

**Fred Sampson:** Explain reference in the RDG's letter to "...when low abundance is anticipated and all requests for FSC access cannot be fully satisfied."

**Macgillivray:** 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.

**Robert Hope:** Is the intent to consult? If there are not enough fish to go around, trying to get First Nations to do this is not going to work. Why not go to each First Nation individually? Or use the treaty process. We have no hesitation in agreeing, as in the past, where some First Nations only have access to one stock, that we won't fish that stock until we're sure they get their FSC needs.

**Macgillivray:** Consultation includes all kinds of different sessions and considers this session part of consultations. There are of course legal obligations, but under a broader definition, there are opportunities to get First Nations together to address fishing plans. If this group decides that meetings like this are not worthwhile, then we [DFO] must respect that. We don't think it will be easy, but the intent is to see if there is interest in coming together and if there are some issues that could be

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addressed through a collaborative process like this, instead of bilaterally (e.g., to answer some of the questions raised at this meeting).

**Hope:** Is it a capacity issue? Does DFO have capacity to consult on fishing plans with each First Nation?

**Macgillivray:** The intent is not to replace other processes and bilateral processes, but to explore whether some issues could be tackled collaboratively.

**Randall Lewis:** Many factors affect stocks that the Squamish depend on—Canadian and international interceptions, recreational fishing, development and other activities that impact habitat and stocks in the local watershed. The Pacific Salmon Treaty is crucial. Decisions by governments and agencies at all levels must be harmonized to protect resources and to seize opportunities to provide more fish. What efforts are being made at the watershed level, for example, to protect fish so that there are more for First Nations to harvest?

**Macgillivray** acknowledged the importance of habitat, and the broader issues encompassed by management. He noted that the PSC's northern and southern funds and technical committees support habitat restoration.

**Kariya** agreed that better harmonization among governments and agencies to address habitat is an urgent need.

**Jeff Thomas:** Given dire predictions that salmon could stop returning to BC within 50 years, what are we doing, individually and collectively, about global warming, and how can we help conserve for our future generations?

**Macgillivray** acknowledged concerns linked to warming, noting Al Cass's presentation would discuss further

**Bob Guerin:** There are concerns over DFO's commitment to implementing legal requirements and providing fish to First Nations prior to other user groups. Our Chief has written the RDG saying that we are prepared to go to court over the failure to control recreational catch. Consultation is definitely lacking, it would be easy for us to step away from the current process. My suggestion is for DFO to re-examine its approach to consultation and see what is lacking and what can be achieved to provide more adequate consultation. The most important issue for today is for the bands to do what's needed to get our fish. But action must be taken to stop destruction of streams in the lower Fraser. There is no plan to rebuild coho and chinook. We're harvesting fish that don't exist. There is need for change, and First Nations must work among themselves to rebuild the fisheries. Discussion of sharing misses the point—what is needed is for DFO to work with First Nations to deliver an effective program for managing fisheries. We will walk away if it is like last year but we are happy to work with DFO collaboratively on these things.

**Macgillivray** acknowledged there are very broad issues. The intent here is to work on a subset [i.e., 2008 Fraser Salmon management and specifically sharing plans for limited harvest availability].

**Tony Roberts:** Sport fishing is a main concern. How can they have an allocation if we haven't met our needs? It's wrong and must change this year—DFO can't allocate to anyone if there is no surplus—conservation first, then First Nations [FSC needs].. The test fishery took 33,000 sockeye last year. Whose allocation did that come from? We're not saying stop the test fishery, but those test fish should go to local bands. We hope we can reach agreement with the up-river tribes, but we can't do that with DFO in the room. If we sit together, cool heads will prevail, as there is a desire to share. But there was flack last year about fishing for others before our own people's needs were met. Kwakwiltl people will take their allocation—currently 80,000 salmon. Thinks an agreement can be reached with DFO, but the way the fishery was managed last year they did not get their food fish.

**Macgillivray:** Acknowledged these important issues, which will be noted. The hope is for this group to identify the issues to focus on and talk about ways to address the issues. We can flag the sport fishery and test fishing as well as how to share in food fisheries.

**Ray Harris:** The three questions presented should have used the word “consult” instead of “advice.” DFO gets advice all the time from our people but only listens to advisory boards for other sectors. Cancel them out or structure us in.

**Macgillivray:** DFO relies on sectoral advisory boards to address issues within those sectors. Multi-sectoral groups also serve a very useful purpose by identifying common issues and areas for collaboration across sectors. But other processes, including bilateral discussion, also have and will continue to play a role. The idea today is to see how much common ground there is, and if there is a will, to start a follow-up process that will start working out how to deal with it.

**Stanley Hunt:** Chef Pat Alfred said “*salmon is the heart of our people.*” I'm not sure we should be here at all. There seems to be an imaginary line at Campbell River—all the focus is on the Fraser and our concerns are ignored. If we agree with something here, it may conflict with our treaty negotiations. We are being asked to solve problems that others created. How can we make decisions today about stocks, without technical people, and when no one can predict how many will come back? The lack of access to fisheries affects our people's health. (Diabetes) Native people aren't benefitting from current policies, which are putting us into a welfare state. Chris Cook and the West Isle crew were forced to go out in horrible weather to make \$1,500. Remember that we're struggling in Port Hardy, Alert Bay and Campbell River, as we have to watch the fish pass us by. We don't want it stated that the Namgis band agreed to anything said here that would hamper our treaty process.

**Macgillivray:** Not DFO's intent to walk away from this meeting viewing this as a formal consultation that answers the questions. The intent is not to solve big issues or to pin anyone down on advice they might later regret. The intent is to identify if there are issues that could be appropriately addressed in a broad forum like this, and if so what process to follow up with.

**Doug Kelly:** It's important to hear this dialogue and to hear everyone's concerns. Locally, 5,000 sockeye were forecast and only 600 sockeye reached the counting fence. If

biologists were more pessimistic or if they made decisions instead of politicians, we wouldn't have a fisheries crisis. Allocation is a political decision. The three questions posed by DFO are good ones and we should pick them up. As First Nations leaders, it is our responsibility to come together and decide how to deal with the misery of the coming season. But a key question is: with Case law constraints and Constitutional Obligations, Is DFO committed to provide for FSC needs first? When will DFO tell the sports fishermen that there will be no fishing for sockeye this year? We don't accept that economic arguments justify infringing on our Aboriginal rights, any more than economics should have been used under SARA to allow killing a species.

**Macgillivray:** We did not come today to address sport fishing issues, but the issue raised will be added to the list of issues that will be dealt with further in the planning process.

**Arnie Lampreau:** If we're to work collaboratively to plan fisheries, First Nations need to know where we stand in the hierarchy of priorities. What concessions will be made—what is DFO going to do for Aboriginal people?

**Macgillivray:** We're going to see if we can identify issues to work together on. We have a salmon allocation policy consistent with the constitution. It is clear that FSC fisheries are the priority [after conservation] That's the framework we enter discussions under.

**Gerald Roberts :** More First Nations should be represented on the PSC- wants equal FN representation. There has never been any representation from coastal people on the most important body that makes decisions in season. We have sat back for four or five seasons watching the fish go by, with no commercial fishery, while too many fish went up-river and many were taken by sport fishermen. No one is monitoring them. Mismanagement has turned us into welfare fishermen.

**Macgillivray:** The intent is to foster discussion. Anything that comes out will be taken as advice, not formal consultation, unless desire is expressed to go further.

Thanking participants, the Chair noted there would be opportunity to follow up these comments at further meetings.

### **3. State of the Ocean 2006**

*Al Cass, DFO*

This presentation focused on ocean conditions along the BC coast. It summed up work done by DFO and other government scientists, who have been collaborating to better integrate oceanographic and fisheries information in recent years to aid forecasting in the face of greater uncertainty (see handout at meeting for more details).

Conditions in 2006 are important because this is the year that sockeye returning in 2008 entered the ocean. Changes in the state of the ocean regionally are related to changes in global temperatures. Globally, 2006 was the 5<sup>th</sup> warmest year on record since 1880. There has been a steady climb in average temperatures globally since that time, totaling

about one degree overall. Shifts between El Nino/La Nina regimes also affect regional ocean conditions.

Scientists have been studying the impact of changes in sea temperature on the marine environment and fish populations, trying to identify patterns and indicators that can reduce uncertainty and improve forecasting of salmon abundance.

There was a cooler, La Nina trend from 2000 – 2003, followed by warmer El Nino conditions from 2003 to mid-way through 2006. Populations of zooplankton and other prey species change along with these changing warm/cold regimes. La Nina conditions benefit salmon species that thrive in cooler water. Juvenile coho numbers and seabird populations are thought to be indicators of productivity in this area for salmon. In 2006, both rebounded from very low numbers in 2005 along Vancouver Island. Herring numbers have recently been declining throughout BC waters. Georgia Strait numbers had remained high, but those too are now declining.

It has proved difficult to directly link ocean conditions with salmon productivity, but scientists believe that ocean temperature can affect abundance of predators and prey. Sea temperatures at Amphitrite Point lighthouse appear to be useful in forecasting abundance of salmon stocks that enter the open ocean (e.g. WCVI). But for fish that enter Georgia Strait, the ability to predict based on sea temperature alone is not as clear. There appears to be a one-year lag between what happens in open water and the Strait of Georgia.

Since fall 2007, conditions appear to have shifted back to La Nina, with cooler water along the BC coastline, which is beneficial to southern salmon species.

**Key points:**

- Overall influence of global warming continues
- Since summer 2006, Gulf of Alaska and coastal BC waters have cooled from the very warm conditions of 2004 – 05, except in Georgia Strait.
- Marine animals that prefer cool water continue to suffer from the very warm conditions of 2005 when these animals were young.

**Discussion**

**Stan Hunt:** Are new species being seen with warmer water?

**Cass:** There has been a clear northward shift in both predators (hake, Humboldt squid) and prey (zooplankton) with warmer waters.

**Bob Guerin:** The Lower Fraser has had a historical reliance on eulachon—ocean policy must recognize such historical patterns. We should also start thinking about things that work in a different climate, including new species, and to start working with our salmon for the future. Coho and chinook can't survive in warmer waters—that's real. Issues

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include human pollution and predation from seals and sea lions. Climate is not the only impact on salmon—there are many things we can address.

**Cass** agreed that the past focus on single-species management was not working. Declining productivity heightens the importance of meeting the challenge of developing ecosystem approaches for the future.

**Randall Lewis:** There has been a shift in the paradigm that provided continuity in giving back what we took. We are seeing receding glaciers and warming in watersheds due to forestry—is there any evidence that this has contributing to coastal warming?

**Cass:** One of the approaches to integrating all this information is to try to identify reliable indicators of fish productivity. Scientists are starting to look at many possible factors.

**Lewis:** If we need to make decisions now, DFO must put appropriate resources into building that knowledge, working with First Nations and local communities.

**Gerald Roberts:** Is warm water contributing to an increase in sea lions and declines among killer whales? Treaty negotiators are arguing that we should survive on fish from our own rivers, which is unacceptable because all our rivers have been ruined by poor forestry practices. So we looked at the potential for ocean ranching but were denied permission. Alaska has no problems with this so why is DFO opposed to ocean ranching? Are you saying the only problem with global warming is in Johnstone and Georgia Strait?

**Cass:** Implications of global warming are not understood, other than what we've seen with warming to date off our coast. The future will depend on how well salmon can adapt.

**Natch Antone:** This is a very important day for First Nations. Think back to how we historically governed ourselves and our resources. Think about First Nations people alone and the territories we have as overlapping people. We had a responsibility to our food and we still do, although it's shrunk. The Elders saw global warming coming. We used to respect our chiefs, but now people are split. It's hard to come together and find agreement because each has a responsibility to address issues in their own areas. We hear what others are catching and it hurts. We have to share the resources among First Nations and non-First Nations, but there are many barriers. The Fisheries Act must change to allow First Nations to control everything that happens to resources in our territories. By coming today, First Nations have broken a barrier. Will DFO start training us so that we can work together when we take down the barriers that are within ourselves? If DFO can't do it, let our leaders do it as we have traditionally.

**Pat Matthew:** What is DFO doing to address over-optimistic sockeye forecasts? Every year, it builds expectations and makes it harder for DFO to close fisheries in-season. What is being done to address forecasting inaccuracies? Is it a policy decision to choose the more optimistic forecast, although results are consistently lower?

**Cass:** Including variables like sea surface temperature has not improved forecasts so we are looking at other indicators to use, at least in a qualitative way, until we

can do better. The bottom line is there is tremendous uncertainty in the forecasts. So, starting this year, we feel more comfortable expressing the forecast as a range, not a specific number. We haven't been purposefully over-optimistic in recent years. The problem is that the usefulness of historical data has not kept pace with actual stock returns in a period of greater uncertainty, so the hope is to better express this uncertainty in future forecasts.

**Andy Phillip:** This is very important information that should be shared with key stakeholders. We need to start changing policies and legislation to address the many issues at the national, international, provincial and municipal levels that impact salmon. Is this information shared with the PM and the Premier? First Nations are starving and this need to be shared more broadly to guide decisions. All governments and departments (e.g. agriculture and forestry) need to be working together.

**Cass:** agreed that such information should be shared more broadly.

## **4. 2008 Salmon Outlook**

*Al Cass, DFO*

This is not a formal forecast, but gives a preliminary indication of expectations for stock abundance in the coming season. The outlook covers the 5 species and categorizes each of 93 assessed stocks under one of four categories denoting stock status (See handouts for more detail).

In summary, the outlook for 2008, compared to 2007, is as follows:

- 34 stocks at or above target levels for 2008, compared to 40 at/above target in 2007
- 34 stocks of some conservation concern for 2008, compared to 18 in 2007
- 21 stocks in mixed categories for 2008, compared to 31 for 2007
- 4 stocks not assessed

**2005 sea entry year:** Extremely poor salmon survival has been seen for those fish that went to sea in 2005. Examples include poor coast-wide 2006 pink returns, very low 2006 coho returns for southern BC, widespread failure of sockeye in 2007, and failure of the age-4 class for chinook in a range of southern populations in 2007. In the specific example of Chilko Lake sockeye, marine survival has been highly variable since data collection started in the 1940s, but the preliminary estimate of 1% survival for fish that went to sea in 2005 compares to an average survival rate of 9%. A strong signal was also seen for Skeena sockeye, which experienced the poorest survival in 50 years of data collection.

**SARA stocks:** The 2008 outlook for stocks associated with SARA (Interior Fraser coho, Sakinaw and Cultus sockeye) is poor. For Okanagan chinook, a recovery potential assessment is being done for a potential SARA listing.

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**Chinook:** Early Spring, spring and summer chinook for the upper and mid Fraser and the North Thompson are all shown as stocks of concern in the 2008 outlook. Poor returns were seen in 2007 and very poor survival is expected for the 2005 juveniles that will be the bulk of the 2008 returns.

**Discussion**

**Fred Sampson:** Given this information, it is strongly recommended that the sport fishery for Chinook not be opened until late July or early August, if at all.

**Richard Williams:** Considering declining herring stocks and prey availability, it is recommended that DFO also not have a fishery for herring. Another important concern is the impact of net pens, which are kept very brightly lit at night in order to attract juvenile fish as food for the farmed fish.

**Randall Lewis:** Given the serious socioeconomic impacts on First Nations communities, there is need to create financial capacity for at-risk communities, including compensation if they are not able to fish. Discussion is needed with other federal and provincial agencies to address this, and also to facilitate development of better indicators.

**Ken Malloway:** Even if a sport opening for sockeye is delayed, they are still out every day, fishing for other species. DFO does not enforce the law to stop bottom bouncing to snag sockeye, My friend tried the same thing and was charged for the same offence...I asked Mike Staley why the difference ? he said “because there are 400,000 of them and they vote”. It gives the appearance that sport fishing has priority after conservation, instead of First Nations. If they are shut down for springs, they should be shut down altogether because the river is full of sport fishermen, we don't know what they're fishing for and there is no enforcement.

**Nathan Spinks:** Fish are not coming up-river. It has been two years since we've had salmon drying on the rack. We must get together and start looking at where the fish come from. There is a lot of spawning area in our territory but the fish aren't reaching it.

**Teresa Ryan:** How does the growing number of stocks of concern factor into DFO's budgeting for priorities? How can we as a group convey effectively the level of priority that must be placed on DFO's capacity to reverse this trend? How can we ensure the message gets to Ottawa about the need to build capacity, both for DFO and for First Nations?

**Cass:** If DFO implements the WSP and is able to identify unique stocks and conservation benchmarks to evaluate those stocks, then the policy instructs us to take measures to rebuild those stocks, if necessary. The other key instrument is SARA, which has fairly draconian demands on what protection must be afforded. So there are instruments to address/reverse trends. The Fraser River sockeye spawning initiative is also looking at how to set priorities. It is also important for First Nations to identify stocks of concern from their perspective, in terms of population status and cultural/socioeconomic importance.

## **5. Pre-season run size forecasts for 2008 Fraser sockeye**

*Al Cass, DFO*

DFO is moving towards a two-part method for forecasting, based on the following:

1. Quantitative historical data: brood year escapement, juveniles, etc., plus environmental indices like sea surface temperature. This has been the basis of the traditional approach, but it has tended to consistently over-forecast in the last decade because it does not address issues causing downward trends.
2. So DFO is also starting to look at a more holistic approach that includes qualitative inferences from state of the ocean indicators (e.g. vertical stratification, upwelling and spring transition, juvenile survival, zooplankton composition and abundance, marine bird breeding, salmon growth rates and size, etc.). DFO does not have a long time series to build reliability of these indicators, but in these circumstances, history is not proving to be a good indicator.

**Fraser sockeye stock components:** Abundance for 19 Fraser stocks is forecasted using multiple statistical models. These are grouped into four run-timing aggregates.

**Qualitative indicators:** DFO has been monitoring a suite of potential indicators (e.g. phytoplankton bloom & peak, euphausiid biomass, southern copepods, etc.). For smolt year 2000, all but one of these were positive for strong marine survival. For 2005, all but one were negative, suggested very poor survival. For 2006, the list of indicators shows very mixed signals.

The 2008 forecast, based solely on historical data and averages, indicates returns well below historical levels for all four run-timing groups (see handout for details). It's not believed that returns will be as poor as 2007. However, given the recent past, it would be prudent to issue the forecasts as a range, book-ended by the 75% probability level (i.e. 75% probability that at least that number will return), as opposed to using a point forecast based on the 50% probability level. This outlook is still preliminary.

### ***Discussion***

**Stan Hunt:** What if the prediction turn out to be too conservative? Is it better to let a lot or a little go by? Where is sea temperature measured?

**Cass:** There is very intense assessment as the season progresses. Temperature is measured at standard lighthouse sites.

**Hunt:** Local data gathering would allow better decisions

**Tom Alexis:** These numbers still appear optimistic. First Nations have had successful sharing arrangements in the past. Numbers for the only two stocks that we target [Early

and Late Stuart sockeye] suggest an 82% decline since 2000. – we haven't had an opportunity and we won't even be in the water this year. We had to buy fish from Skeena First Nations to feed our elders last year. We need a Plan B to get a minimum number of fish for our people. We have stayed out of the water voluntarily to get fish back to the spawning grounds in previous years. If there is a sharing arrangement, we want to be the first priority. Last year, no one from Chilko [Chilcotin/Fraser R confluence] up [the Fraser River] got any fish. Lake fertilization in previous years has been discontinued, but such factors are not taken into account. Accurate numbers are important.

**Fred Sampson:** It looks like stocks such as Early Stuart will just meet spawning requirements. That must be the priority before discuss sharing. People in the northern areas haven't eaten fish in years. Elders in the north said they would rather not eat to save the fish for their grandchildren. People who haven't eaten fish in recent years should have priority.

**Ken Malloway:** People need to understand what's going on and how decisions are made. What does 50% probability mean? Are you being too conservative or too optimistic? What are the Fraser Panel, DFO and other bodies doing—how are decisions made?

It looks like there will barely be enough fish to meet escapement. If any are left [for harvest], the question is how to decide and who gets what. There must be a way to ensure that Tommy's people get their fish. It's hard to fathom until you go to the East Coast and talk to the Mi'kmaq—we don't want to go that way.

There must be a way for us to sit down and talk to each other about sharing scarce sockeye. The Tier 1 process should be resourced properly. Fraser First Nations have shown that we can work together. We brokered agreement between the Lummi and the Carrier Sekani people to share Early Stuart. The PSC and the Fraser Panel could not get anywhere with the Lummi, but they are our cousins. We went down there and met with them and brought them up north – even when people thought were were traitor's. it fixed the problem. The Sto:lo also reached agreement with the commercial salmon advisory board on how to allow exploitation while rebuilding the Cultus stock. Some in DFO were upset about being left out.

There are times when DFO needs to be in a room and other times when First Nations need to talk together without outside interference and pressures. Proper resourcing for a Tier 1 process is essential so that we can figure out how to get fish up-river and how to share. We know the Lower Fraser will have to take brunt of it.

Facilitator, Paul Kariya thanked all the speakers and noted that while today's scheduled Fraser chinook presentation was important, it would be postponed until a future session to allow time for more discussion.

## **6. Process discussion**

### ***Barry Rosenberger***

The RDG's letter provides a template for a follow-up process, which was developed with the help of many people. Timelines are tight, as we want some decision rules ready by the time the fish start arriving. First Nations developed some principles for Early Stuarts

several years ago. The approach will have to be designed to work with a forecast range that can change over time.

The proposal is to hold a series of regional workshops in the Upper, Mid and Lower Fraser and Vancouver Island, and then return for a plenary by late February. The Tier One aspect is important. DFO understands that First Nations will have to have discussions among themselves, so we need to work out the details of how to do all that. There is some funding available and some funding agreements in place, and also expect the new fiscal year [resources in agreements] starting April 1. Several people have proposed a steering committee that includes the leadership and endorses technical aspects and that looks at what has to be done and how to approach it, how to share information, etc,

Rosenberger invited comments on how to move forward in determining how to address the three questions posed initially, along with other issues raised.

### ***Discussion:***

**Robert Hope:** This is just an informal group of people in a room talking about fish. Is DFO prepared to go further and formalize the process for the long term, perhaps sign an agreement on long-term collaboration in managing the resource, like the old Watershed Agreement? It wasn't the best but we made it work - Is there interest among First Nations for that? If we're serious about working together, let's formalize and sign something. What are terms of reference?

**Rosenberger:** Regarding the first question—long-term collaboration is a goal, so the question is how to reach that, whether it is through the First Nations Fisheries Council or some other approach. First Nations have been doing some of this on their own, so the question is how much interest is there is doing more, including the role of the chiefs.

**Kariya:** A smaller group would have to come up with proposals for the group and then to take that to the Chiefs. It could be something to test run for this year.

**Marcel Shepert:** Marcel expressed some disappointment in today's process (e.g. head table vs. a more power neutral format, inadequate notice and information provided) but some good results are emerging. It's not clear what to do about the regional processes. We're trying to build something, which is good. The number of people here speaks to awareness that we need to work together to solve the problems—the will is there. The steering group should be a political table, not just technical. Experienced leaders present could form the core of a committee that designs the next step. On reconciliation, real peace will only come when we have a long-term plan and vision in place. We're being processed to death, but there is great potential for getting work done. The inter-tribal process could be a catalyst for change. The Fisheries Council has its first meeting next week and can play a role as they get organized, as can the AAROM groups. The Upper Fraser tribes are discussing implementation of the Jack John [R. v. Jack, John and John]

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case. It would be great if the leaders are ready, willing and able to do the work, with support of DFO, to figure out how to do this and report back.

**Kariya:** It's important that people have made the effort to come today. It's important to have at least an ad hoc group to follow up.

**Fred Sampson:** There is not strong representative from the Nicola here today. While I support these proposals, we need to gather more information and talk to our leaders.

**Kariya:** A layered approach might be best, with discussion between people in each region. It will also need an exchange with other regions, the technical aspects and also sign-off from chiefs.

**Stan Hunt:** I would like to share the notes from this meeting with the rest of our council. In case I don't attend the next meeting, it will be helpful to have that so that you don't have to keep repeating everything,

**Rosenberger:** The notes will be sent out to everyone by the end of next week.

**Byron Spinks:** It was good to hear the new comments today. I see positive movement happening, but still some barriers. First Nations also have internal barriers and I would like to see groups and tribal councils getting together more often to address issues related to protecting salmon. We extend an invitation to host a follow-up meeting in Lytton, and invite all political leaders and technical people. Conservation is a top priority for us, above the need for food fish. The question we must ask is: When do we stop fishing to save the salmon? We welcome the opportunity provided today to meet and talk.

**Ken Malloway:** The suggestion is for an ad hoc committee, not something permanent. We don't have time to go back and ask our community, and even if did go back and ask them – they would turn around and ask us what the hell did we send you to the meeting for if you're going to ask us what to do? so we hope we can get an ad hoc committee to move this along ourselves. The regional workshops will happen anyway.

**Rosenberger:** Is there support for the concept of sub-regional workshops and for moving forward with an ad hoc steering committee and members representing different regions.

**Kariya** added that this should be viewed as a "transition group" empowered by attendees at this meeting, not by their communities. This transition group should also attend all the regional meetings to provide continuity and move things along.

**Ernie Crey:** This meeting was very worthwhile. We wanted to leave with something in hand, so we support having a group of people delegated by this meeting to move the process along over the next month. There is a meeting in Kamloops [First Nation's Intertribal Treaty Jan 30 and 31<sup>st</sup>] at the end of the month and two regional meetings between now and then. It looks like the composition of the group will be voluntary and not necessarily political. By the Kamloops meeting, we can have more clarity on broader political representation.

**Randall Lewis:** It took four years to discuss a communal fishing licence and we are currently re-evaluating our fisheries. Is the group aware of some very useful recent reports from the Pacific Fisheries Resource Conservation Council on the Heart of the

Fraser, climate change and helping Fraser sockeye adapt to climate change? We need to look at watersheds and the whole life cycle. We are here to work together meaningfully.

**Marcel Shepert:** There seems to be support for an ad hoc to move this forward. Links to the Inter-tribal process and the new Council will be important.

**Robert Hope:** We want assurance that neither this ad hoc group, nor the new Fisheries Council, are being set up as bodies for consultation.

**Rosenberger:** The ad hoc group is not a body for consultation; it would be looking at how to develop a process to do meaningful consultation on certain issues, if there is agreement to do that. We will be doing bilateral consultation as in the past. We see this as a layered process.

**Sid Douglas:** Many communities are not represented here and they should all be aware if we are setting up an ad hoc group. We can't say yes or no before we discuss this with our tribal council. We have to involve our whole community when we talk about fisheries.

**Kariya:** No First Nations are excluded from this. Any transition/ad hoc group formed here would very quickly have to ensure clarity in terms of processes and authority.

## **7. Volunteers for ad hoc transition group**

Kariya asked for volunteers to sit on the transition group.

Arnie Lampreau was nominated by Fred Sampson, on the basis of this being an ad hoc group only. Other volunteers included Randall Lewis, Teresa Ryan, Byron Spinks, Jeff Thomas, Ken Malloway and Marcel Shepert.

**Murray Ross:** Clarification is needed on the mandate being given to this ad hoc group. We cannot commit because our leaders are not present, so we need a discussion paper that we can take to the chiefs for endorsement. There is need for a team to wordsmith all the options about how this might work and to develop options and the hope would be to get such a document as soon as possible.

**Kariya:** This group can work on a rough draft to circulate for approval of the wider group. This group has no standing and the wider group may eventually decide to put the task in the hands of another group with more horsepower. Much good will and good ideas have been expressed here today, so we want to ensure that all this is not lost. However, it will be your leadership that decides whether this goes forward. Yes, there is risk, but that is true with any good process.

**Arnie Lampreau:** It's a new year and a new opportunity and we have a chance to make changes for our future and our way of life. We have to be able to communicate clearly. The technical people have been looking after things and we still need them. We may need partnerships with DFO on technical aspects, as they have answers too. Much was said today about sport, commercial and Indian fishermen. We're all fishermen, but we're also guardians of the land. There may be need for [fishing] gear changes. Instead of trying to catch everything, looking at things like the fishing strategy tried last year with bigger

mesh nets to address conservation concerns. For our future, we must start working together or it will be too late.

Initial volunteers for the “ad hoc transition committee” were confirmed as: Randal Lewis, Teresa Ryan, Byron Spinks, Jeff Thomas, Ernie Lampreau, Ken Malloway and Marcel Shepert.

Kariya noted that other volunteers were welcome.

## **8. Next steps:**

DFO (Barry Rosenberger, Mel Kotyk and Gord McEachen) will liaise with the ad hoc group volunteers. Minutes will be distributed next week, and DFO will also get out details of the regional workshops to be held in January and February. The Ad hoc group will review what has to be done, links needed to other bodies and develop proposals. Bilateral discussions will continue.

## **9. Closing comments**

Rosenberger expressed appreciation for people taking the time and the will demonstrated, expressing optimism for a new beginning.

Kariya suggested that the transition group members try to attend the regional sessions to share what came out at this meeting and to develop a rough draft for discussion at the upcoming meetings.

Chief Dalton Silver of Sumas FN closed by Thanking Ken Malloway and Doug Kelly for welcoming the assembly and offering regrets for being late due to a family emergency, and also saying it was good to see so many people coming out and wished everyone a safe trip home.

*Meeting adjourned*

# DRAFT Minutes: Fraser River Salmon Conservation and FSC Management Approaches meeting • Abbotsford, BC • January 10, 2008

## Appendix 1. – List of Attendees – January 10, 2008 Meeting in Abbotsford

Fraser River First Nations Fisheries meeting Abbotsford, BC, January 10, 2008		
List of Attendees		
Name	Affiliation	E-mail
Brian Assu	AFS/FNMS	<a href="mailto:bdassu@oberon.ark.com">bdassu@oberon.ark.com</a>
Darrell Campbell	Ahousaht	<a href="mailto:ahousahtfisheries@telus.net">ahousahtfisheries@telus.net</a>
Tony Roberts	A-tleygay/CR Band	<a href="mailto:tonyrobertsir@hotmail.com">tonyrobertsir@hotmail.com</a>
Chris Lewis	BCAFN	<a href="mailto:fisheries@bcfafn.ca">fisheries@bcfafn.ca</a>
Gerald Roberts	Campbell River FN	
Delores Duncan	Canoe Creek Band/NSTC	<a href="mailto:fisheriesrep@midbc.com">fisheriesrep@midbc.com</a>
Sid Douglas	Cheam FN	<a href="mailto:sdouglas@ccheamband.com">sdouglas@ccheamband.com</a>
Kim Charlie	Chehalis Indian Band	<a href="mailto:kim.charlie@chehalisband.com">kim.charlie@chehalisband.com</a>
Byron Spinks	Chief, Lytton FN - NNTC	<a href="mailto:byron@lyttonfirstnations.com">byron@lyttonfirstnations.com</a>
Ken Wilson	consultant	<a href="mailto:wilsonkh@telus.net">wilsonkh@telus.net</a>
Larry George	Cowichan Tribes	<a href="mailto:Larry.George@cowichantribes.com">Larry.George@cowichantribes.com</a>
Bill Shepert	CSTC	<a href="mailto:bshepert@cstc.bc.ca">bshepert@cstc.bc.ca</a>
James Speck	D.MIT/Alert Bay	<a href="mailto:jaspeck@cablessocket.com">jaspeck@cablessocket.com</a>
Carl Edgar	Diidahnt	
Fred Glendale	DMT Fisheries Society	<a href="mailto:fmglendale@shaw.ca">fmglendale@shaw.ca</a>
James Paul	Esketemc Councilor	<a href="mailto:jpaul@esketemc.ca">jpaul@esketemc.ca</a>
Teresa Ryan	FNMS	<a href="mailto:ryant@shaw.ca">ryant@shaw.ca</a>
Eva Wilson	FNMS	<a href="mailto:eva@fnms.ca">eva@fnms.ca</a>
Marcel Shepert	FRAFS	<a href="mailto:mars_shepert@shaw.ca">mars_shepert@shaw.ca</a>
Neil Todd	FRAFS	<a href="mailto:neil.todd@nwsfa.org">neil.todd@nwsfa.org</a>
Pete Nicklen	FRAFS	<a href="mailto:indiseant@shaw.ca">indiseant@shaw.ca</a>
Mike Staley	FRAFS	<a href="mailto:mstaley@mstaley.com">mstaley@mstaley.com</a>
Ray Harris	HTG	<a href="mailto:rayh@hulquminum.bc.ca">rayh@hulquminum.bc.ca</a>
Les Antoine	Kwantlen FN Council	<a href="mailto:les@kwantlenfn.ca">les@kwantlenfn.ca</a>
Keyton	Kwantlen FN Council	
Dave Moore	LFARM	<a href="mailto:davemoore@telus.net">davemoore@telus.net</a>
Marcel Shackelly	Lower Nicola Indian Band	<a href="mailto:marcels@lnib.net">marcels@lnib.net</a>
Joe Seward	Lyackson FN	<a href="mailto:fisheriestechnician@shawcable.com">fisheriestechnician@shawcable.com</a>
Ivan McIntyre	LYS	
Paul Kariya	Meeting Chair	
Bob Guerin	Musqueam	<a href="mailto:bguerin@musqueam.bc.ca">bguerin@musqueam.bc.ca</a>
Morgan Guerin	Musqueam	<a href="mailto:mguerin@musqueam.bc.ca">mguerin@musqueam.bc.ca</a>
Stanley Hunt	Namgis FN	
Roy Hinder	Namgis FN	<a href="mailto:royh@namgis.bc.ca">royh@namgis.bc.ca</a>
Nathan Spinks	NNTC	
D. Sam	NNTC	<a href="mailto:dsam@nntc.ca">dsam@nntc.ca</a>
Bonnie Adolph	NSF/LTC	<a href="mailto:nsfisheries@yahoo.ca">nsfisheries@yahoo.ca</a>
Arnie Lampreau	NTA fisheries rep	<a href="mailto:arnielampreau@yahoo.com">arnielampreau@yahoo.com</a>
Jerry Johnson	Secheit Nation	<a href="mailto:jjohnson@secheltnation.net">jjohnson@secheltnation.net</a>
Dwayne Paul	Secheit Nation	<a href="mailto:dpaul@secheltnation.net">dpaul@secheltnation.net</a>
Pat Matthew	Secwepemc Fisheries Commission	<a href="mailto:pmatthew@shuswapnation.org">pmatthew@shuswapnation.org</a>
Murray Ross	Secwepemc Fisheries Commission	<a href="mailto:mross@shuswapnation.org">mross@shuswapnation.org</a>
Fred Sampson	Siska Indian Band	<a href="mailto:fb@siska...">fb@siska...</a>
Darrel Draney	Skeetchestn	<a href="mailto:ddraney@skeetchestn.ca">ddraney@skeetchestn.ca</a>
Mike Anderson	Skeetchestn IB	<a href="mailto:mikeanderson@skeetchestn.ca">mikeanderson@skeetchestn.ca</a>
James Archie	Skowkale FN	<a href="mailto:jparchie24@yahoo.com">jparchie24@yahoo.com</a>
Jeff Thomas	Snuneymuxw	
Noella William	Soda Creek Band/NSTC	<a href="mailto:m.william@xatsoll.com">m.william@xatsoll.com</a>
Andy Phillips	Sowiltz FN	<a href="mailto:andyphillips@shaw.ca">andyphillips@shaw.ca</a>
Ida Alexander	Splatsin First Nation	<a href="mailto:ida.alexander@spalumcheen.org">ida.alexander@spalumcheen.org</a>
Richard Williams	Squamish	
Randall W. Lewis	Squamish Nation	<a href="mailto:randall_lewis@squamish.net">randall_lewis@squamish.net</a>
Sharolise Baker	Stellaten First Nation	<a href="mailto:sharolise@stellatenfirstnation.com">sharolise@stellatenfirstnation.com</a>
Chris Thomas	Sto Tribal Council	<a href="mailto:christhomas@stolotribalcouncil.ca">christhomas@stolotribalcouncil.ca</a>
Ken Malloway	Sto:lo Nation	<a href="mailto:kenmalloway@shaw.ca">kenmalloway@shaw.ca</a>
Jim George	Sto:lo Nation - Chief, Aitchelitz	
Frank Malloway	Sto:lo Nation - Chief, Yakweakwoose	
Louis Julian	Sto:lo Nation - Council Matsqui	
Doug Kelly	Sto:lo Tribal Council	<a href="mailto:dougekelly@stolotribalcouncil.ca">dougekelly@stolotribalcouncil.ca</a>
Ernie Crey	Sto:lo Tribal Council	<a href="mailto:erniecrey@stolotribalcouncil.ca">erniecrey@stolotribalcouncil.ca</a>
Dalton Silver	Sumas FN	<a href="mailto:dalton_silver@sumasfirstnation.com">dalton_silver@sumasfirstnation.com</a>
Thomas Alexis	Tlazten Nation	<a href="mailto:thomas_alexis@tlazten.bc.ca">thomas_alexis@tlazten.bc.ca</a>
Jim Webb	Tlazten Nation	<a href="mailto:Jim_Webb@tlazten.bc.ca">Jim_Webb@tlazten.bc.ca</a>
Susan Andersen Behn	Tsawout	<a href="mailto:caddis@uniserve.com">caddis@uniserve.com</a>
Ruth Kenny	Tsawwassen FN	<a href="mailto:rkenny@tsawwassenfirstnation.com">rkenny@tsawwassenfirstnation.com</a>
Josh George	TWV	<a href="mailto:JoshG@TWVNation.ca">JoshG@TWVNation.ca</a>
Jason Forsyth	TWV	<a href="mailto:jforsyth@twvnation.ca">jforsyth@twvnation.ca</a>
Tony Malloway	Tzeachten/LFARM	<a href="mailto:tony_malloway@stolonation.bc.ca">tony_malloway@stolonation.bc.ca</a>
Andrew Meshue	Williams Lake Band/NSTC	<a href="mailto:fisheries@williamslakeband.ca">fisheries@williamslakeband.ca</a>
Chief Robert Hope	Yale FN	
Dominic Hope	Yale FN	<a href="mailto:dominic@yalefirstnation.ca">dominic@yalefirstnation.ca</a>
Doug Hansen	Yale FN	
Paul Macgillivray	DFO	<a href="mailto:MacfillivrayP@pac.dfo-mpo.gc.ca">MacfillivrayP@pac.dfo-mpo.gc.ca</a>
Al Cass	DFO	<a href="mailto:CassA@pac.dfo-mpo.gc.ca">CassA@pac.dfo-mpo.gc.ca</a>
Barry Rosenberger	DFO	<a href="mailto:RosenbergerB@pac.dfo-mpo.gc.ca">RosenbergerB@pac.dfo-mpo.gc.ca</a>
Brian Matts	DFO	<a href="mailto:mattsb@pac.dfo-mpo.gc.ca">mattsb@pac.dfo-mpo.gc.ca</a>
Mel Kotyk	DFO	<a href="mailto:Kotykm@pac.dfo-mpo.gc.ca">Kotykm@pac.dfo-mpo.gc.ca</a>
Gord McEachen	DFO	<a href="mailto:McEachenG@pac.dfo-mpo.gc.ca">McEachenG@pac.dfo-mpo.gc.ca</a>
Jordan Point	DFO	<a href="mailto:PointJ@pac.dfo-mpo.gc.ca">PointJ@pac.dfo-mpo.gc.ca</a>
Herb Redekopp	DFO	<a href="mailto:RedekoppH@pac.dfo-mpo.gc.ca">RedekoppH@pac.dfo-mpo.gc.ca</a>
Barry Huber	DFO - BCI	<a href="mailto:huberb@pac.dfo-mpo.gc.ca">huberb@pac.dfo-mpo.gc.ca</a>
Jamie Scroggie	DFO - BCI	<a href="mailto:scroggiej@pac.dfo-mpo.gc.ca">scroggiej@pac.dfo-mpo.gc.ca</a>
Gary Miller	DFO - C&P	<a href="mailto:millerg@pac.dfo-mpo.gc.ca">millerg@pac.dfo-mpo.gc.ca</a>
Doug Clift	DFO - C&P	<a href="mailto:cliftd@pac.dfo-mpo.gc.ca">cliftd@pac.dfo-mpo.gc.ca</a>
Glenn Kostjuk	DFO - C&P	<a href="mailto:kostjukg@pac.dfo-mpo.gc.ca">kostjukg@pac.dfo-mpo.gc.ca</a>
Dean Allen	DFO - Kamloops	<a href="mailto:alland@pac.dfo-mpo.gc.ca">alland@pac.dfo-mpo.gc.ca</a>
Bilal Cheema	DFO - LFA	<a href="mailto:cheemab@pac.dfo-mpo.gc.ca">cheemab@pac.dfo-mpo.gc.ca</a>
Mark Fetterly	DFO - LFA RM	<a href="mailto:fetterlym@pac.dfo-mpo.gc.ca">fetterlym@pac.dfo-mpo.gc.ca</a>
Kaarina McGivney	DFO - TAPD	<a href="mailto:mcgivneyk@dfo-mpo.gc.ca">mcgivneyk@dfo-mpo.gc.ca</a>
Brigid Payne	DFO - TAPD	<a href="mailto:payneb@dfo-mpo.gc.ca">payneb@dfo-mpo.gc.ca</a>
Alice Cheung	DFO - TAPD	<a href="mailto:cheunga@pac.dfo-mpo.gc.ca">cheunga@pac.dfo-mpo.gc.ca</a>
Stu Cartwright	DFO C&P	<a href="mailto:CartwrightS@pac.dfo-mpo.gc.ca">CartwrightS@pac.dfo-mpo.gc.ca</a>
Gordon Curry	DFO- Nanaimo	<a href="mailto:curryg@pac.dfo-mpo.gc.ca">curryg@pac.dfo-mpo.gc.ca</a>
John Lewis	DFO South Coast	<a href="mailto:lewisjo@pac.dfo-mpo.gc.ca">lewisjo@pac.dfo-mpo.gc.ca</a>
Beverly Carpenter	DFO, LFA, AFS	<a href="mailto:carpenterb@pac.dfo-mpo.gc.ca">carpenterb@pac.dfo-mpo.gc.ca</a>
Jennifer Trotti	DFO/LFA	<a href="mailto:trottij@pac.dfo-mpo.gc.ca">trottij@pac.dfo-mpo.gc.ca</a>
Les Jantz	DFO-BCI	<a href="mailto:jantzl@pac.dfo-mpo.gc.ca">jantzl@pac.dfo-mpo.gc.ca</a>