



Fraser Salmon Roadmap Initiative

FRASER RIVER ABORIGINAL FISHERIES SECRETARIAT

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BRIEFING NOTE: Fraser Salmon Roadmap – Letter of Understanding Fraser Salmon Roadmap Workshop – October 12 & 13, 2011 – Chase, BC

The Fraser Salmon Roadmap is a collaborative process aimed at building a joint management arrangement for Fraser salmon between DFO and First Nations from the Fraser River watershed and Marine Approach areas. Increasing First Nations' involvement in fisheries management decision making is a priority for both First Nations and DFO. It is hoped that the "Roadmap" discussions will lead to a process that will define the shape, scope, and depth of such an arrangement.

At the last Roadmap workshop (June 2011 in Campbell River), First Nations and DFO participants supported the development of a Letter of Understanding (LOU) that would serve as a bridging mechanism to the negotiation of a formal agreement. The purpose of the LOU will be to confirm the commitment of the parties (First Nations and DFO) to continued participation in the Roadmap initiative, and commitment to engaging in a series of discussions and negotiations focused on the development of a joint management arrangement for Fraser salmon.

The concept of an LOU was discussed at length at the Campbell River workshop, and will be the main focus of the October workshop in Chase. Brenda Gaertner of Mandell Pinder will give a presentation about the legal context of the proposed LOU, and will also participate in a panel discussion, which will focus on the key challenges and opportunities related to the LOU as an entry point to a process for joint management.

The Roadmap process and the LOU are inclusive of all First Nations in the Fraser River watershed and the Marine Approach area, whether or not those communities are aligned with regional AAROM bodies or tribal councils, and whether or not they are involved in treaty. The LOU will be without prejudice to positions held by Parties involved in litigation or negotiation, and without prejudice to the viewpoint of any party respecting sovereignty, ownership or title. The LOU will not fetter or limit the authority of any party or their representatives, and will recognize and affirm the existing aboriginal and treaty rights of the aboriginal peoples of Canada as described in Section 35(1) of the *Constitution Act, 1982*.

Once the final draft of the LOU has been approved by the parties, First Nations and DFO representatives will be invited to sign. Signing the LOU will confirm the parties' commitment to work together on the development of a joint management agreement, and will also serve to demonstrate to DFO that the Roadmap initiative is a necessary process that requires their continued commitment and resourcing.

At the Chase Workshop, participants will be asked to provide feedback on the attached draft LOU outline as well as input on potential content and wording for the LOU. It is hoped that the LOU will be ready (or nearly ready) for signing at the conclusion of the next workshop (December 2011).