

CLASSIFICATION

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MEMORANDUM FOR THE DEPUTY MINISTER

**UPDATE ON FIRST NATIONS PARTICIPATION IN WILD SALMON POLICY
IMPLEMENTATION**

(Information Only)

SUMMARY

- The Wild Salmon Policy (WSP) was released on June 24, 2004.
- The release of this controversial policy was in large measure due to an innovative and successful consultation process that engaged First Nations and other salmon interests in the development of the policy
- First Nations will have a significant role in WSP implementation. The main areas where FN have requested involvement include:
 - Development of the Implementation plan
 - Identification of Conservation Units (CUs) and determination of their status
 - Development of the Strategic Planning Process for CUs
- First Nations will be engaged in implementation through a process that builds on the success of the WSP development consultative process

Background

- The Wild Salmon Policy (WSP) was released on June 24, 2004.
- The release of this controversial policy was in large measure due to an innovative and successful consultation process that engaged First Nations and other salmon interests in the development of the policy.
- The process involved:
 - First Nation Information sessions in seven communities jointly coordinated with the British Columbia Aboriginal Fisheries Commission (BCAFC).
 - An open invitation to all BC and Yukon FNs to hold bilateral meetings on the WSP.
 - Two-multi interest dialogue forums

- One First Nation Forum held at Musqueam with over 100 participants.
- The policy was significantly improved through consultation with many recommendations from FNs adopted. Most notably an improved definition of conservation, a new First Nations principle and an appropriate treatment of the First Nation legal context.
- At the time of the release of the WSP, Minister Regan announced \$1.1M in WSP and related salmon science funding for implementation. He also noted that the implementation begins immediately.
- Most First Nations were pleased with the WSP pending a legal review to ensure it did not infringe on their rights and title.
- The treatment of aquaculture in the policy was the largest outstanding concern. Most FNs do not support aquaculture.

Analysis / DFO Comment

- The Department is beginning a process of phased implementation.
- Departmental operations will immediately need to consider the intent of the WSP goal, objectives and principles.
- The \$1.1M in new resources available in both this FY and next will be used to address start-up requirements.
- The focus in the remainder of the calendar year will be on
 - a preliminary definition and status of Conservation Units and their habitat to inform resource management in 2006
 - completion of a detailed implementation plan through consultation with FNs and other salmon interests.
- First Nations will have a significant role in WSP implementation. The main areas where FN have requested involvement include:
 - Development of the Implementation plan
 - Identification of Conservation Units and determination of their status
 - Development of the Strategic Planning Process for CUs

Recommendations / Next Steps

- Engage First Nations in implementation through a process that builds on the success of the WSP development consultative process. Specifically:
 - Recognize the bilateral process as the basis for interaction and extend invitations to each First Nation
 - Utilize a forum process with a representative from each FN to advise on implementation
 - FN forum to provide delegates to Multi-interest Forum
 - Utilize BCAFC and other AAROM bodies to assist with consultation and implementation.

- Convene a First Nations WSP Forum in September to
 - Introduce the final version of the WSP and discuss what we heard from FN during the last forum and what changes we made as a result.
 - Discuss First Nation involvement in implementation.