

First Nations Access to Fish for Food, Social and Ceremonial Purposes

Part 2C:

Pacific Region Evaluation and Decision
Framework

**Request for Commercial and/or Recreational Closure to
Facilitate FSC Access**

May 2006

Working Draft Version 1.1

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EKME # XXXXXX

MEMORANDUM FOR THE REGIONAL DIRECTOR GENERAL

**Commercial/Recreational Closure to Facilitate Access to (Species) for the
XXXXXXXXXX First Nation**

Decision Sought

SUMMARY.

- First Nation X is seeking a commercial/sport closure on the harvesting of (species) in their fishing area to facilitate their FSC harvest.
- The First Nation fishing area is in (DFO Area – South Coast/North Coast etc)

Recommendation:

Background

- See attached information summary.
- Summarize info supporting request.

Analysis / DFO Comment

(Outline key issues of concern here, “pros and cons”)

Implications for other users (identify scope, how to address, how serious they are, etc.):

Implications for DFO: Consider management implications, cost implications, staffing issues, etc.

Recommendations and Next Steps

Could cover spectrum between nothing, exactly meeting the FN request, or some completely different option if conclusion is that the FN should have something but do not consider it appropriate or doable to provide the requested species, etc.

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(To be signed by Directors of TAPD, FAM, Area)

I concur, (RDG)

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Summary of Criteria and Indicators for a Commercial or Recreational Closure

Criteria and Indicators Considered	Key Information	DFO Issues/Comments	Evaluation (✓, -, X, or NA)
Criteria #1: Legal Considerations:			
1.1 Will approving/not approving request result in a conservation issue?	Provide any relevant information.		
1.2 Will approving/not approving the request have implications for any other valid legislative objective (e.g. human health & safety)?	Provide any relevant information e.g. with bivalves, FSC harvest may be limited elsewhere due to contamination...		
1.3 Issues with priority of access for FSC purposes?	Is harvesting by other sectors affecting the FN's ability to obtain the species of interest in their fishing area?		
1.4 FN preferences – social and/or cultural importance of requested species, and fishing method.	Is there information identifying the importance of the species of interest to the FN and/or importance of harvesting the species using certain methods (e.g. hand-picking at low tide, so higher abundance is necessary in order for FN to obtain FSC with reasonable effort).		
1.5 Implications for other First Nations?	Are there any sensitive overlap issues?		

Legend

✓ supports approving request; - neutral; X does NOT support approving request; NA Not Applicable

Criteria and Indicators Considered	Key Information	DFO Issues/Comments	Evaluation (✓, -, X, or NA)
1.6 Is there any historical information relevant to this request?	Summarize any recent and old historical use info relevant to the request.		
1.7 Other			
<i>Grouped Evaluation of Legal Considerations Indicators:</i>			

Legend

✓ supports approving request; - neutral; X does NOT support approving request; NA Not Applicable

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Criteria and Indicators Considered	Key Information	DFO Comments	Evaluation (✓, -, X, or NA)
Criteria #2: Fisheries Resource Diversity, Abundance, and Parity Issues			
2.1 Describe requested closure (area, expected harvestable amount), and why the request is being made.	Describe requested area and any associated abundance information available	Will the requested area provide a “reasonable” amount of the species of interest? An amount that appears disproportionately large for the size of the community?	
2.2 Compare current allocation (<i>all species</i>) with Aboriginal groups in same Geographic Aggregate.	(e.g. High, Near-average, or Low; OR % of Average for Geographic Aggregate) Total Salmon: Total non-salmon finfish: Shellfish:availability	This is context information – does the FN already have very generous allocations, and this request amounts to an additional allocation? OR/ is the request to facilitate a FN harvesting a current allocation e.g. for groundfish...	
2.3 Have there been changes in Aboriginal Groups’ fish needs (e.g. population, etc.)	Any data, information? Is request partly to address increased demand by the FN?		
2.4 Identify factors affecting fishing success of FN for species relevant to request	Is pressure from commercial and/or recreational sectors affecting success of FN? Is FN wanting to use a different harvest method than they have in recent years?		
2.5 Other			
<i>Grouped Evaluation of Diversity, Abundance, and Equity Indicators:</i>			

Legend

✓ supports approving request; - neutral; X does NOT support approving request; NA Not Applicable

Criteria and Indicators Considered	Key Information	DFO Comments	Evaluation (✓, -, X, or NA)
Criteria #3: Fisheries Capacity, Management, and Operational Issues			
3.1 Is there any information relevant to the request e.g. CPUE info, catch data, etc.	Data?	e.g. issues with data	
3.2 Does the FN have the capacity to harvest in the requested area?	Any information?		
3.3 Concerns regarding compliance with licence conditions?	Identify issues you are aware of. E.g. recent charges or convictions		
3.4 Is the request to facilitate short-term access to unusually low stock abundance?			
3.5 Seasonal issues affecting fishing success of FN?	Consider biological issues, and seasonal fishing pressure issues.		
3.6 Is the FN involved with the commercial fishery for a species that would be affected by the closure?			
3.7 Other			
<i>Grouped Evaluation of Performance of FSC Fisheries Indicators:</i>			

Legend

✓ supports approving request; - neutral; X does NOT support approving request; NA Not Applicable

Criteria and Indicators Considered	Key Information	DFO Comments	Evaluation (✓, -, X, or NA)
Criteria #4: Treaty-Related Issues			
4.1 Is the requesting FN participating in the Treaty process?	Stage in Treaty process?		
4.2 Is the requested closure area within the Statement of Intent Area? Within the proposed or negotiated Fishing Area?		Concerns?	
4.3 Compare request with offered/planned allocation for the same species.	Would approval of requested closure facilitate higher, similar, or lower catch than treaty proposals?	Concerns?	
4.4 Compare request with offered/planned allocation for the same species for neighbouring First Nations.	Overlap issues with another group in Treaty? Conflict with a set-aside area negotiated with another FN?	Concerns?	
4.5 Other			
<i>Grouped Evaluation of Treaty-Related Issues:</i>			

Summary Recommendation:

Consider the information in the evaluation table – is there anything that stands out as something that should heavily influence the decision?

Legend

✓ supports approving request; - neutral; X does NOT support approving request; NA Not Applicable

Consider the full range of options, from no closure, to seasonal closure, closure of a smaller area, or year-round closure of the requested area... The actual recommendation should reflect the overall evaluation and address the most significant issues identified in the evaluation tables.

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Legend

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