

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

Part 2B:

**Pacific Region Evaluation and Decision
Framework**

**Request for FSC Fishing Area Change to
Facilitate FSC Access**

May 2006

Working Draft Version 1.1

PROTECTED

2006-XXX-XXXXX
EKME # XXXXXXX

MEMORANDUM FOR THE REGIONAL DIRECTOR GENERAL

**Temporary/Permanent Change to the Fishing Area for the
XXXXXXXXXXXX First Nation**

Decision Sought

SUMMARY.

- First Nation X is seeking a (permanent/temporary) change to their FSC fishing area for (Species X) from (X area) to (X area)
-

Background

- See attached information summary.
-

Analysis / DFO Comment

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

Implications for other users: Consider how to best manage, need to consult, etc.

Implications for DFO: Consider issues related to costing, staffing issues, management concerns, human safety, e.g. threats of violence....

Recommendations and Next Steps

(Signed by Directors of TAPD, FAM, Area)

(PRHQ) Office of Kaarina McGivney PRHQ

I concur, (RDG)

DRAFT

Summary of Criteria and Indicators for a Request in Change to Fishing Area

Criteria and Indicators Considered	Key Information	DFO Comments	Evaluation (✓, -, X, or NA)
Criteria #1: Legal Considerations:			
1.1 Will approving/not approving request result in conservation issue?			
1.2 Will approving/not approving request have implications for any other valid legislative objective (e.g. human health & safety)?	Contamination issues? Safety issues (e.g. violence)?		
1.3 Issues with priority of access for FSC purposes?			
1.4 Possible infringement on other FSC harvests if change is approved (e.g. impacts on other FNs)?	Overlap issues?		
1.5 Is there any historical information relevant to this request?	Any info on historic use of the requested area?		
1.6 Other			
Grouped Evaluation of Legal Considerations Indicators:			

Legend

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

(PRHQ) Office of Kaarina McGivney PRHQ

Criteria and Indicators Considered	Key Information	DFO Comments	Evaluation (✓, -, X, or NA)
Criteria #2: Fisheries Resource Diversity, Abundance, and Parity Issues			
2.1 Can the First Nation obtain their allocations in their current fishing area with reasonable effort?			
2.2 Is the request to address short-term unusual circumstances (e.g. change in migratory pattern)?	Identify any such circumstances.		
2.3 Other			
<i>Grouped Evaluation of Diversity, Abundance, and Equity Indicators:</i>			

Legend

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

Criteria and Indicators Considered	Key Information	DFO Comments	Evaluation (✓, -, X, or NA)
Criteria #3: Fisheries Capacity, Governance, and Operational Issues			
3.1 Is there a protocol arrangement in place between the requesting FN and the "host" FN?	Describe any arrangements as best as possible, e.g. Written or Verbal, noting any discrepancies among the host and requesting FNs. Note any details you have.		
3.2 Will approving this request affect "manageability" of the fishery?	Consider range of issues e.g. C&P implications, overlap issues, etc.		
3.3 Is request linked with a commercial issue (e.g. by-catch retention)?			
3.4 Other			
<i>Grouped Evaluation of Performance of FSC Fisheries Indicators:</i>			

Legend

✓ supports approving request; - neutral; X supports NOT 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 AFS fishing area within the Statement of Intent area?	(To be filled in by Treaty negotiator)		
4.3 Compare the requested fishing area with what has been offered (or planned) as a Treaty Fishing Area.	(To be filled in by Treaty negotiator)		
4.4 Identify any Treaty implications of the request for neighbouring First Nations.	(To be filled in by Treaty negotiator)		
4.5 Other			
Grouped Evaluation of Treaty-Related Issues:			

Summary Recommendation:**Legend**

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

REDACTED

Legend

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