

Premières Nations/MPO/Notes de la rencontre 16 juin 2009

Buts de la rencontre:

- * Afin de fournir une mise à jour de la décision du 9 février 2009 de la Cour suprême de la Colombie-Britannique en matière d'aquaculture et de ses implications.
- * Pour obtenir des conseils relatifs à l'élaboration de protocoles de consultation et de plans pour traiter les propositions de réglementation ou de gestion à mesure qu'ils se développent.
- * Pour mettre l'accent sur les options sur la structuration du régime de gestion de l'aquaculture.

English

Meeting Notes

BC First Nations/DFO Aquaculture Management June 16, 2009 Cascadia Hotel and Suites Vancouver BC

Purpose of meeting:

- To provide an update on the February 9, 2009 BC Supreme Court decision pertaining to aquaculture and its implications.
- To seek advice pertaining to the development of specific consultation protocols and plans for addressing regulatory or management proposals as they develop.
- To focus on the options for structuring the aquaculture management regime.

Attendees: Chief Geronimo Squinas, Red Bluff Indian Band (Lhtako Dene Nation); Nora Billy, Xaxlip First Nation; Dominic Hope, Yale First Nations; Tracy Sampson, Nicola Tribal Association; Andres Tait, Lax Kw'alaams Band; Robert Hughes, Lax Kw'alaams Band; Eddy Jules, Skeetchestn Indian Band; Larry J. Moddy, Nuxalk Nation/Bella Coola; Blair Mack, Nuxalk Nation/Bella Coola; Otis Guichon; Alexis Creek Indian Band; Albert George, Saik'uz First Nation; George Sr. George, Nadleh First Nation; Lester George, Nadleh First Nation; Craig Buchan, Red Bluff Indian Band (Lhtako Dene Nation); Larry Greba, CFN; Trevor Swerdfager, DFO; Andy Thomson, DFO; Harvey Sasaki, MAL; Shelley Jepps, DFO.

Presentation: "BC Court Decision BCFN June 16-17".

- Introductions
- DFO AMD presentation
- Question/comments/concerns
 - Protection of wild fish stocks should be DFOs first priority – First Nations rely on annual salmon returns for food, social and ceremonial purposes.
 - How will DFO protect wild fish?
 - Other countries with fish farms do not have wild fish.
 - First Nations do not have any rights with respect to Atlantic salmon
 - Fish farms are being situated in traditional territories
 - Are there farms operating without licences? BC gov – No.
 - How many First Nations are in partnerships with fish farm companies? DFO - Kitasoo. Other First Nations have various agreements and arrangements with companies.
 - Who will you be consulting with? – DFO – inclusive.
 - Will we have input on regulation? – DFO – yes.
 - Concerns re: continued health of wild fish stocks, disease, fish disease, importation of eggs from other countries, cumulative effects, habitat impacts
 - When did section 56 come into effect? DFO – 1970s.
 - How long is a lease for? BC gov 5-20 years. Licences are 1 year. Who determines length of lease? BC gov - Land Act tenure and policy.
 - Recommendations: regulation needs to have penalties for escapes such as fines or revoke licence, needs to be substantial (DFO – penalties would be as per the Fisheries Act if there was a regulation); switch bullets one and two around (successful aquaculture industry and wild fish/ecosystems); do not turn it over to the BC government; regulation should address fallowing and use of chemicals.
 - Why are the farms not inland/upland/contained? DFO – currently not done anywhere on a commercial scale, technology and economic feasibility needs to be explored.
 - Will DFO be delegating authority to BC to police the regulation? DFO – yet to be determined; would be a cost associated with that.
 - Will First Nations be able to see the key points of the MC? DFO – a regulatory intentions document would be drafted and sent out.
 - Are against fish farms if they impact wild salmon.
 - Coastal communities engaged in partnerships with fish farm industry are taking food from the mouths of those who live up stream.
 - Decisions have been made – hope this is not just a show.
 - Not in favour of fish farms, not in favour of the licensing and existing farms, not in favour of an Act.
 - First Nations regulated by only taking what was needed.
 - Do not want to rely on stocks that come from another country.
 - Need to protect the water in order to protect the fish.
 - North Coast is totally against fish farms. Will not allow them in territory. Will chase them out.

- Recommendation to southern First Nations to organize into a group.
- Is there anything that would be holding up the issuance of shellfish tenures or licences? BC gov – No.
- What about consultation? DFO – was hoping to have input from First Nations. Currently everything is at the conceptual stage. Will be putting out the intentions document and text of a regulation. If a regulation is the way that it goes it would deal with net strength, sulphides, siting, size of anchors etc. It is about change to way industry is regulated not a change in policy.
- Will funding be available for First Nations to obtain a legal opinion? DFO – there will be considerable cost associated with consultation. BC gov – no funding at this time.
- Want regulation to be tougher than current regime.
- Fish farms are not going away; need to go after regulation.
- First Nations share the responsibility for the protection of wild fish.
- Will there be a follow up meeting? DFO – yes.