



FIRST NATIONS
FISHERIES COUNCIL

First Nations Perspectives on a Management Framework for Aquaculture in British Columbia

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Disclaimer

The contents of this report reflect comments recorded from six First Nations meetings where the subject of the proposed management framework for aquaculture in B.C. was discussed. Over 200 comments were recorded. On many subjects there was unanimity of opinion, yet at times diverging views were heard. In order to present the results of these meetings in a single cohesive report, some of the individual content may be lost; however, an attempt was made to synthesize the material as accurately and concisely as possible. For a detailed account of the commentary at each meeting, the reader is encouraged to refer to individual meeting reports available through the First Nations Fisheries Council.

It must be noted that meetings which took place between First Nations, the FNFC, and DFO in January and February 2011 do not constitute a fulfillment of the Crown's duty to engage in meaningful consultation (as per federal policy: ***Aboriginal Consultation and Accommodation: Interim Guidelines for Federal Officials to Fulfill the Legal Duty to Consult***: INAC 2008). Challenges include the following:

- DFO came into discussions related to hosting of community meetings with very limited time and financial resources;
- Some meetings had many participants, while others had only a few;
- Not all Nations, rights holders, or their authorized representatives were represented at meetings.
- Not all communities in B.C. that requested meetings were accommodated.
- In many cases community members were overwhelmed by the material provided and the questions posed at the meetings.
- There were serious concerns expressed about the capacity which would be required in communities to properly engage in discussions on aquaculture.

Low attendance at some meetings should not be construed as a lack of interest in those communities, which in many cases have limited technical capacity, and inadequate ability to travel and participate in these types of initiatives. In addition, some communities requested additional bi-lateral sessions with Fisheries and Oceans Canada.

These meetings focused only on the proposed management framework for integrated management of aquaculture plans and did not in any way address the national aquaculture strategic action planning initiative (NASAPI) or other proposed DFO policies on aquaculture.

Finally, this report and individual meeting reports are the result of an initiative of the First Nations Fisheries Council, and should not be interpreted by DFO or industry at any point in the future as evidence that the federal government has met, in any way, its burden of consultation with the proper rights holders, the First Nations of B.C. While the FNFC supports First Nations on fisheries issues, it does not hold rights nor can it speak or negotiate on behalf of rights holders. The issue of consultation and accommodation is a matter that requires bilateral discussion between the federal government and the proper rights holders.

Executive Summary

As a result of a shift in the jurisdiction of aquaculture, the governance processes and management framework for all aquaculture activities in British Columbia require significant reform in order to balance the management responsibilities and jurisdictions of federal, provincial and First Nations governments. Fisheries & Oceans Canada (DFO), now responsible for the regulation of the aquaculture industry in British Columbia, has indicated that the management system for aquaculture will be modeled on the existing Integrated Fisheries Management Plan (IFMP) and Integrated Harvest Planning Committee (IHPC), which are used to manage other Pacific fisheries. As the activity of aquaculture infringes upon, or maintains the potential to infringe upon, Title and Rights, it was important to discuss the emerging aquaculture management system, called the Integrated Management of Aquaculture Plans (IMAP), with First Nations. In an effort to share information and discuss First Nations views, priorities and aspirations, the First Nations Fisheries Council engaged in six meetings with First Nations in January and February 2011, including one Tier Two information session in Richmond, and five Tier One community dialogue sessions in the communities of Port Alberni, Alert Bay, Bella Bella, Prince Rupert and Kamloops.

The views and priorities of First Nations with respect to aquaculture management, as heard in the 6 sessions, can be captured in ten overarching themes.

1. **Recognition of Rights & Title:** First Nations Title and Rights must be recognized, and respected as a fundamental principle in all aspects of the planning and management of aquaculture.
2. **Meaningful Engagement, Consultation & Accommodation:** In cases of potential or actual rights infringement, the federal government maintains a legal obligation to engage, consult, and accommodate First Nations.
3. **Area Based Management:** In order to involve First Nations in the development, introduction, implementation and enforcement of the management regime, DFO must maintain organizational flexibility and management areas at the smallest scale possible.
4. **Capacity Development:** First Nations require adequate resourcing to participate in technical and policy processes.
5. **Transparency & Information Sharing:** Improving communications between DFO and First Nations begins with enhanced access to information, realistic timelines for response, and clear jointly defined terminology.
6. **Inclusive Science:** DFO and First Nations must work together to design a research agenda that balances interests by incorporating ATK and TEK and ensures science is cooperative and collaborative by involving First Nations in both science and decision-making processes, not simply data collection.
7. **Corporate Responsibility:** Companies and operators maintain a considerable responsibility to protect the environment and engage local communities. DFO maintains a responsibility to support First Nations if such responsibilities are negated.
8. **Monitoring & Enforcement:** First Nations demand comprehensive and rigorous enforcement, monitoring and reporting of aquaculture activities. First Nations need to maintain a significant and meaningful role in the monitoring and compliance of activities that occur within traditional territories.
9. **Balance of Economic Opportunity and Environmental Impact:** First Nations recognize the potential economic benefits of aquaculture, but this opportunity must balance environmental concerns.
10. **Stock Recovery & Habitat Restoration:** First Nations are concerned about the environmental impact on, and ecological welfare of, their traditional territories.

Throughout the sessions First Nation participants also proposed a number of recommendations.

- **IFMP and IHPC Process:** To ensure communication, transparency, consultation and accommodation is consistent, DFO must develop a standard template for various processes (IHPC, IFMP, IMAP) that uses clear terminology, achievable objectives, and a mechanism by which First Nations can collectively develop perspectives and recommendations to influence management plans.
- **Decision-Making:** Develop the appropriate protocol, terms of reference or bi-lateral process with DFO to illustrate how First Nations input is prioritized and incorporated into decision-making processes.
- **Engagement in IMAP Process:** Develop a structured and resourced multi-step process with DFO that allows First Nations to appoint representatives, discuss management plans bi-laterally, and engage other stakeholders in an integrated process subsequent to internal and bi-lateral discussions.
- **Science and TEK:** Develop a scientific review panel that meaningfully involves and respects First Nations knowledge in all aspects of science gathering, modeling and planning.
- **Capacity:** Reviewing and responding to management plans is a highly technical and rigorous activity. First Nations require the necessary financial resources, training opportunities and realistic response timelines to meaningfully participate.
- **Criteria for Geographical Scales:** Smaller regions are preferable for a management model, but activities could occur at various scales, including: First Nations Harvest Committees and “MoUs” at local scale to define consultation and accommodation; regional scientific advisory councils and regional steering committees with strong First Nations representation at the regional scale to inform and oversee management plans; and a communications strategy and steering committee with strong First Nations representation at the province-wide scale.

Views and Priorities

Introduction

First Nations in B.C. have lived with finfish and shellfish aquaculture in their territories for over 30 years. In 2009, the B.C. Supreme Court-mandated shift in management responsibilities of aquaculture from the Province of B.C. to the federal government created an opportunity for First Nations to have a significant and meaningful voice in a new regulatory regime. At that time, First Nations provided input into the development of the *Pacific Aquaculture Regulations*, but felt that their feedback was not heard, and their recommendations not incorporated. This has led to expressions of frustration with a government and industry they feel are non-transparent and unresponsive. They believe their Title and rights are not being sufficiently recognized in the decision-making and management of aquaculture in B.C.. At this point most First Nations are of the view that they have a right to enjoy broadly defined benefits of natural resources in their territories and that these rights have the potential to be infringed upon by the aquaculture industry, fish farming in particular. The potential for infringement extends to First Nations in the interior of the province who do not have farms in their territories, but rely on migratory stocks that traverse through areas of concentrated farming.

An integrated management framework for aquaculture is now being developed; this process will be modeled on the existing integrated fisheries management plan (IFMP) model used to manage fisheries in B.C. Once again, First Nations came together to articulate their experiences with the IFMP model, and to provide substantive and procedural recommendations on the future management framework for aquaculture. First Nations are cautiously hopeful that their voice will be heard and be used to shape a new era for aquaculture management – one in which their concerns and needs will be addressed and the conservation of natural resources and habitats will be firmly upheld as the priority.

In January and February 2011, B.C. First Nations came together and shared their experiences and recommendations through a ‘kick off session’ in January 2011, and 5 subsequent First Nations only community sessions held in February 2011. This report reflects the views and priorities, as well as aspirations, for the future of aquaculture management heard from First Nations throughout B.C. in these sessions.

Background

On December 18th, 2010, regulation of the aquaculture industry in B.C. became a federal responsibility under the department of Fisheries and Oceans Canada (DFO). This shift in jurisdiction was the outcome of the February 2009 B.C. Supreme Court ruling in the *Morton* case¹ which ruled that fish reared in ocean cages qualify as a fishery, and are therefore under the jurisdiction of the federal government. Subsequent to this decision, the federal and provincial governments agreed that the ruling would apply to all forms of aquaculture, excluding the cultivation of marine plants. As a result, the governance processes and management framework for all aquaculture activities in B.C. require significant reform in or-

¹ *Morton v. British Columbia (Agriculture and Lands)*, 2009 BCSC 660

der to balance the management responsibilities and jurisdictions of federal, provincial, and First Nations governments. The outcome of this reform will be a new way of managing aquaculture in British Columbia.

B.C. First Nations assert Title to their territories and rights which relate to their lives and culture within those territories, and all B.C. First Nations to whom the Council has engaged on this issue assert that the activity of aquaculture infringes upon, or has the potential to infringe upon, Title and rights. B.C. First Nations enjoy the right to broadly defined benefits of natural resources in their territories and it is reasonable to expect that these rights are likely to be infringed upon by aquaculture. Infringements could range from spatial exclusion to impacts on ecosystem health, disruption of the food chain and/or food sources important to First Nations, and in general aquaculture management decisions which may impact the future of First Nations communities. The potential for infringement of Title and rights extends to First Nations in the interior of the province who may be impacted by the upstream effects of ocean-based farming activities related to watershed ecosystem processes and the migration of species between salt and fresh water, or by freshwater, hatchery, or ocean ranching operations.

First Nations' Title and rights are protected under Section 35(1) of the Canadian Constitution. Although Title and rights are not defined by the Constitution, they are being defined by the courts. These include the right to engage in traditional activities and the right to access resources that may be adversely affected by aquaculture. Several court decisions on First Nations Title and rights have laid out directions for avoiding infringement that are applicable to aquaculture (e.g., *Sparrow*, *Delgamuuk'w*, *Marshall*, *Haida/Taku*, *Ahousaht*, and *Homalco*). First Nations themselves are the only legitimate source of information for DFO with respect to the provision of advice and direction to minimize the possibility of the infringement of Title and rights, and to ensure that the spirit of these court decisions are incorporated into the future management framework for aquaculture. Recognition and respect for the rights and Title of B.C. First Nations is fundamental to ensure that aquaculture develops in a way that does not negatively affect First Nations, and is in the best interests of all parties².

The First Nations Fisheries Council (FNFC) and DFO have established a joint Aquaculture Working Group (AWG) to promote the meaningful and effective engagement of B.C. First Nations in all aspects of aquaculture management. The FNFC was mandated by resolutions passed in the fall of 2009 by the three main First Nation representative bodies (BCAFN, FNS, UBCIC), which empowered the FNFC and the AWG to work together to forward the interests of B.C. First Nations within the field of aquaculture. One of these resolutions, *B.C. First Nations Statement of Solidarity on Aquaculture*, outlined four key areas in which First Nations requested active involvement. These areas are: the siting of farms; the science that guides the industry; monitoring and compliance; and day-to-day management. The other resolution, the *Statement of Jurisdiction on Aquaculture*, empowered the FNFC and the AWG to engage senior DFO decision makers and ensure the interests of First Nations are meaningfully considered in the regulatory reform process, and to facilitate an effective consultation process with B.C. First Nations.

Through discussions of the AWG, it became apparent that DFO plans to model the management system for aquaculture on the existing Integrated Fisheries Management Plans (IFMP)/ Integrated Harvest Planning Committee (IHPC) approach used to manage other Pacific fisheries. Under this regime DFO will develop Integrated Management of Aquaculture Plans (IMAPs), which will be the aquaculture equivalent of IFMPs, using a process they are calling the Coast Wide Advisory Committee (CWAC), which presumably will be modeled after the existing IHPCs, to manage the aquaculture industry.

From this foundation, the FNFC developed a deck of background material, and engaged in a bilateral 'kick off session' on January 24, 2011, and a series of five community sessions to share information and

² For a legal analysis of First Nations rights and title and the duty to consult on the DFO aquaculture initiative see Ratcliff & Co. 2010, available on www.fnfisheriescouncil.ca

discuss First Nations' views and priorities on the anticipated management framework for aquaculture. The 'kick off' session was held in Richmond B.C. and was attended by First Nations from various locations in the interior and coastal B.C. as well as representatives from DFO. The five community sessions were held in Port Alberni, Alert Bay, Bella Bella, Prince Rupert and Kamloops, and were open only to First Nations or persons working with First Nation organizations. Overall, the meetings were well attended and the discussions were meaningful.

The discussions at the community sessions focused on five main discussion questions which were developed through the aquaculture working group in conjunction with First Nations and DFO staff. The five questions were as follows:

- 1. What works and what could be improved upon with the current IFMP approach?**
- 2. Are there elements from the IFMP approach that we should be considering in IMAP development?**
- 3. What criteria should be used to determine the geographical scale of an IMAPs?**
- 4. What types of management activities are best suited to the local, region, and B.C. wide scales?**
- 5. What components should make up an IMAP?**

Report Goals and Contents

The purpose of this report is to summarize the key themes expressed by First Nations at the 'kick off' session on January 24th (which was attended by First Nations across B.C. and representatives of DFO), and the feedback received from the Tier 1 First Nation community sessions. This report provides a general narrative which describes the flavor of the feedback received. The main overarching themes are then presented. Feedback received for each of the five discussion questions is presented, and the paper ends with a discussion on recommended next steps based on the feedback received from First Nations in B.C.

The Narrative

In preparation for the transfer of jurisdiction over aquaculture, Fisheries & Oceans Canada released information related to proposed license conditions in October 2010. Although discussions at the Aquaculture Working Group had stressed that information sharing is a vital aspect of the development and implementation of the *Pacific Aquaculture Regulations*, the release of information in late October left First Nations only two weeks to develop a response on hundreds of pages of highly technical license condition information. The combination of a narrow window for response and limited technical capacity (partially a result of insufficient resourcing) represents a substantial barrier for First Nations involvement and engagement in the development of a new aquaculture regulatory regime. This is but one example of inadequate engagement and consultation with First Nations, a common theme that was heard throughout the five community dialogue sessions in Port Alberni, Alert Bay, Bella Bella, Prince Rupert and Kamloops.

Discussions at the community sessions showed clearly that First Nations have significant concerns related to the management of aquaculture and its possible impacts. Some of the comments at the community dialogue sessions indicate that some First Nations strongly oppose certain elements of the aquaculture industry, particularly where they feel there is a possibility of rights infringement and the potential to adversely impact the local environment. Other comments at the community dialogue sessions indicate that First Nations recognize the economic opportunity associated with aquaculture and

the possible employment opportunities for community members. Despite divergent perspectives on the merits of the industry, the common theme among all First Nations is the necessity of environmental protection and the conservation of local ecosystems and the protection/rehabilitation of local and migratory stocks. Assuming that the aquaculture industry is likely to continue, and as DFO is forecasting in its national plans, to grow, First Nations participants were most concerned with developing a management process that acknowledges and respects their Title and rights which includes a clear role in decision making, respects ecological concerns, and maintains a balance between the economic and cultural significance of fisheries activities.

In the community meetings, significant discussion took place with respect to the question: what would a process need to look like to ensure First Nations are meaningfully engaged in the development and management of aquaculture policies? First Nations who participated in the meetings did not feel confident that the Integrated Fisheries Management Plan (IFMP) approach was a functional model for the management of the aquaculture industry. Throughout the community dialogue sessions, First Nations consistently expressed concern that the current consultation and accommodation process used in the IFMP/IHPC model is fatally flawed, as it does not provide First Nations with the necessary position or authority to influence management decisions. Furthermore, in the current IHPC/IFMP process, which lacks effective Tier 1 and Tier 2 structures and processes, it is difficult for First Nations to understand how their input is being incorporated into policy and decision-making. First Nations were therefore strongly apprehensive about the proposed process and format for the development of Integrated Management of Aquaculture Plans. First Nations did, however, articulated numerous recommendations outlining how elements of the IFMP/IHPC process could be fundamentally improved upon in order to be applicable within the context of aquaculture management.

First Nations also expressed concern in the community meetings about the challenges and differences of opinion which have shaped the relationship between First Nations and DFO in B.C. There is currently a high degree of distrust and animosity which exists between the parties. This results in overall skepticism and distrust by First Nations of DFO information, policy, and science. First Nations stated that they require the necessary resources to build capacity in order to fully participate in both technical and policy processes, both in order to fully understand and to act as meaningful participants in these processes. The community dialogue sessions made it clear that First Nations want to work with the Department in a decision making capacity on the regulation and management of aquaculture, especially with regard to the enforcement and monitoring of aquaculture activities and the incorporation of Aboriginal Traditional Knowledge or Traditional Ecological Knowledge in the management regime. First Nations have made it clear that the process for informing the regulation and management of aquaculture must elevate First Nations from their currently perceived “stakeholder status” to a status which is more consistent with the recognition of their Title and rights – namely as a joint partner in all decisions which may impact their territories and rights. The participants clearly expressed that to date, DFO has not sufficiently engaged First Nations on the development and implementation of the *Pacific Aquaculture Regulations*, and that this is unacceptable and cannot continue. As true partners, First Nations see engagement, consultation and accommodation occurring with the appropriate rights holders, and see the values associated with healthy communities and a sustainable environment being a fundamental part of the framework for managing aquaculture in the future.

The Overarching Themes

The following overarching themes were brought up under each of the topic discussion areas in each of the community meetings, and therefore constitute overarching themes of the community sessions.

Themes	Description	Sub-Themes
1. Recognition of Rights & Title	First Nations Title and rights must be recognized, and respected as a fundamental principle in all aspects of the planning and management of aquaculture.	<p>In the case of potential rights infringements, the federal government maintains a legal obligation to meaningfully engage, consult and accommodate First Nations prior to the introduction or issuance of new aquaculture licenses or management decisions.</p> <p>Fisheries & Oceans Canada cannot consult with aggregates and/or organizations (for example, Aboriginal Aquaculture Association or First Nation Fisheries Council), as these are not the appropriate rights holders. The Department must recognize that Title and rights are communally held at the nation scale.</p> <p>Fisheries & Oceans Canada should provide measures of good faith to show their commitment to recognize and respect First Nation Title and rights, which is understood to include a meaningful role in decision-making and management.</p>
2. Meaningful Engagement, Consultation & Accommodation	<p>The transfer and re-issuance of licenses from the provincial government to the federal government triggers a legal obligation to engage, consult and accommodate First Nations. First Nations feel this obligation has not been met.</p> <p>Many aspects of the management framework for aquaculture have the potential to infringe on the rights of First Nations. DFO must identify these aspects of management and must meaningfully consult with First Nations on all decisions that may result in a potential rights infringement.</p>	<p>First Nations cannot be considered stakeholders in a multilateral process.</p> <p>First Nations require bilateral (government-to-government) consultation with Fisheries & Oceans Canada.</p> <p>All aquaculture operations in B.C. are within territories of B.C. First Nations. As such, First Nations must be meaningfully consulted on all decisions within their territories that may potentially infringe upon their rights. This extends, but is not limited to, the management of the farms, the siting of the farms, the effects/monitoring of the farms, and the development of policies that will be used to guide management decisions.</p>
3. Area Based Management	<p>First Nations have indicated that management areas for aquaculture should be at the smallest scale possible.</p> <p>First Nations have to be involved in the development, introduction and implementation of changes to the management regime.</p> <p>The Department should maintain organizational flexibility to change components of the management regime that are deficient.</p> <p>First Nations need to participate in the enforcement of the management regime.</p>	<p>The management areas could be developed on a site-by-site or nation-by-nation basis. Other potential management areas could reflect language groups or concentration of aquaculture activities.</p> <p>Introduce revenue sharing initiatives that direct resources generated by local aquaculture activities to local enhancement activities.</p> <p>Establish a coast-wide or B.C.-wide advisory board with First Nations majority representation to inform the development of management plans.</p>

4. Capacity Development	First Nations require adequate resourcing to participate in technical and policy processes.	First Nations require financial resources to participate in various activities, but also require education and information to actively participate in both the technical and policy processes. DFO is urged to account for the need to engage First Nations as partners in all aspects of aquaculture management and to identify ways for the department to adequately fund these activities.
5. Transparency & Information Sharing	<p>Improved communications between the Department and First Nations is crucial.</p> <p>Improved access to information for First Nations is necessary.</p>	<p>The Department releases large volumes of technical information with limited timelines for response.</p> <p>First Nations should have access to the entire scope and results of research conducted by the Department (studies should be made public), and be provided capacity assistance to understand and analyze the data.</p> <p>Terms such as ‘integrated’ require further definition, as it is unclear if integration refers to sectors or ecology.</p> <p>The Department should illustrate how First Nations input was incorporated in the <i>Proposed Pacific Aquaculture Regulations</i> (2010).</p>
6. Inclusive Science	Fisheries & Oceans Canada and First Nations need to work together to design a research agenda that balances interests and ensures science is cooperative and collaborative.	<p>Incorporate Aboriginal Traditional Knowledge and Traditional Ecological Knowledge into management and policy.</p> <p>The scientific evidence informing management and policy decisions must be critically evaluated by an impartial agency, which includes representation by First Nation scientists, to validate results.</p> <p>First Nations want to be involved in science and decision-making, not just in the data collection phase of science work.</p>
7. Corporate Responsibility	Although the management and regulation of aquaculture is the responsibility of Fisheries & Oceans Canada, companies and operators also maintain a considerable responsibility to protect the environment and engage local communities. Where DFO is aware that infringement of rights will take place, it should support and foster the establishment of protocols between industry and First Nations.	<p>Develop a set of “ground rules” for responsible and responsive companies and operators that can be used in negotiations between First Nations and industry. As well, apply penalties when companies are not compliant with industry objectives.</p> <p>DFO should support the negotiation of protocols, joint decision-making, and benefit sharing arrangements between First Nations and industry.</p> <p>Foreign-owned operations are problematic, as foreign investors accumulate profit, leaving local communities to endure environmental degradation.</p>

8. Monitoring and Enforcement	<p>First Nations demand comprehensive and rigorous enforcement, monitoring and reporting of aquaculture activities.</p> <p>First Nations want be engaged in the management and activities associated with monitoring and compliance, so that they can monitor their territories first hand.</p>	<p>Local First Nations need to play a significant and meaningful role in the management of and activities associated with monitoring and compliance activities for aquaculture. Local First Nations maintain an understanding of the significance of traditional territories that aquaculture operates within.</p>
9. Balance of Economic Opportunity & Environmental Impact	<p>First Nations could benefit from the economic opportunities that aquaculture provides, but this has to balance concerns around environmental impact.</p>	<p>First Nations are concerned that the federal government is overly engaged with a corporatized fishing/aquaculture industry.</p> <p>First Nations recognize that the aquaculture industry provides economic benefits to economically depressed communities.</p>
10. Stock Recovery & Habitat Restoration	<p>First Nations are concerned about the environmental impact on, and ecological welfare of, their traditional territories.</p>	<p>Environmental considerations must be broadly accounted for, including: effects on sea floor, migrating wild stocks, local stocks, and wild shellfish.</p>

The Discussion Questions

The sessions were shaped by asking participants to comment on a series of 5 discussion questions. Two of the discussion questions touched upon the existing Integrated Fisheries Management Plan (IFMP)/Integrated Harvest Planning Committee (IHPC) model used to manage fisheries in B.C. The choice to discuss the IFMP/IHPC process was a result of guidance in the Regulatory Impact Statement of the *Pacific Aquaculture Regulations* that stated “Program policies and Integrated Management of Aquaculture Plans (IMAPs), will be modeled after the IFMPs currently used by DFO in other fisheries” (Regulatory Impact Statement, 2334). The two questions associated with learning from the IFMP/IHPC model were:

1. What works and what could be improved upon with the current IFMP approach?
2. Are there elements from the IFMP approach that we should be considering in IMAP development?

Given the interrelatedness of these questions, the following analysis encompasses both questions. The comments and discussion can be categorized under five themes.

The focus of the subsequent sections is to outline the comments that were heard from meeting participants, and to flag how these comments are relevant to the proposed IMAP process. All efforts were made to retain the integrity of the comments as they were heard. It should be noted that for most criticisms/challenges, participants also offered workable recommendations and solutions. The goal of this section is to present information on how the existing IFMP/IHPC model can be improved and built upon to develop an IMAP process that is more responsive to the concerns and priorities of First Nations.

General Processes of the IFMP/IHPC:

The participants at the community sessions articulated various concerns and recommendations on the general processes associated with the IFMP/IHPC model. For most of the concerns, workable

recommendations were articulated as to how the challenges could be overcome to inform the IMAP process. Below eight key comments are outlined, as well as the corresponding recommendations applicable to IMAP development.

Comments	Recommendation applicable to IMAP Development
The First Nations participants articulated that the current IFMP processes for various species are inconsistent in the context of supporting effective consultation with First Nations. For some species, the process is more inclusive of First Nations, and has mechanisms to support Tier 1, Tier 2 and Tier 3 discussions, while the process for other species lacks effective First Nations engagement.	In order to be successful, IMAPs require a more consistent approach in terms of consultation processes for the various species/industries, which would include the development of a template for work which would be carried out at the Tier 1, 2, and 3 levels.
First Nations articulated that the current processes result in a lack of effective or meaningful dialogue/communication between DFO and First Nations. First Nations feel that DFO does not respond to issues and concerns raised by First Nations.	Communication linkages need to be strengthened in order to allow for more effective communications/correspondence between Fisheries & Oceans Canada and First Nations. A vehicle for response and feedback is needed for First Nations to influence policy changes, and First Nations need to understand how their concerns and issues influence policy and management decisions.
First Nations are confused over the definition for the term 'integrated' in the term 'Integrated Fisheries Management Plan' and 'Integrated Harvest Planning Committee.' From a First Nations perspective there are definite lacks in the integrated nature of these plans.	The 'integration' component of these management regimes must be defined and codified (how are these plans 'integrated'— on an ecological or environmental basis, or in terms of stakeholder engagement?).
First Nations articulated support for how in each IFMP, DFO puts in conservation and management objectives for the various stocks. In each of the conservation objectives, DFO tries to describe how each of the fisheries will accommodate the conservation objectives in their fisheries plan.	Targets or achievable objectives should be developed and included in each of the IMAPs. DFO would have to describe how it is going to manage to meet those objectives. Potential objectives could be environmental, social and economical.
First Nations articulated support for the "post season review process of IFMPs" as it provides an opportunity for DFO to describe how they feel they meet the objectives in the IFMP and for First Nations to put forward their own objectives.	The pre/post season structure for making and updating on objectives is one aspect that First Nations would like to see transfer to IMAPs.
First Nations require a measure of accountability for how DFO is going to accommodate and include First Nation interests in the planning.	One way this could be achieved is through developing some established consultation protocols with First Nations to standardize the method on how consultation [and accommodation] is to occur.

Comments	Recommendation applicable to IMAP Development
First Nations noted that in the case of many IFMPs, all the meetings are held in one area (Nanaimo). This may be convenient for DFO, but it does not work for First Nations, who are forced to travel long distances to participate.	It was recommended that DFO consider hosting area-based meetings which deal with a number of IFMPs and IMAPs within local areas around B.C., and also that meetings be offered around the province to allow for wider participation.
First Nations identified that a gap in the current IFMP/IHPC model is the lack of effective Tier One (First Nation only) and Tier Two (bilateral between First Nations and DFO) processes. First Nations require a process separate to a multi-stakeholder approach to clearly outline their concerns and recommendations ahead of the IMAPs being developed and being discussed in multi-stakeholder forums.	An effective tier one process is required to support First Nations. First Nations require mechanisms to come together as First Nations to inform their perspectives and recommendations on IMAPs prior to information being released in multi-stakeholder forums.

How Decision Making Occurs:

Participants articulated concerns and recommendations relating to improvements which should be made to the IFMP decision-making processes, and the perceptions that DFO decision-making occurs within a “black box” of uncertainty. Three main comments were identified, and the associated recommendations on how to improve decision-making processes are presented.

Comments	Recommendation applicable to IMAP Development
It is difficult for First Nations to determine how their input is integrated into the actual management plan. First Nations feel that many decisions are made behind closed doors. Part of this is the result of an imbalance of power and a lack of recognition of First Nations Title and rights.	DFO should articulate how First Nations will be incorporated into decision-making processes, and communicate back to First Nations what feedback was incorporated. Perhaps a protocol or terms of reference to outline how decisions will be made can be developed.
First Nations articulated that in the IFMP process the recognition of concerns seems to be related to how strong a particular industry’s lobby is, and otherwise DFO tends to ignore the concerns raised.	DFO should articulate how it prioritizes input, and what criteria are used for incorporating information into management decisions. First Nations need a Tier 2 (bilateral) process with DFO to discuss issues related to the potential for infringement on Title and rights.
It is unclear to First Nations how the Department acts (or does not act) to implement decisions made in court rulings which recognize First Nations rights (specifically or more broadly). First Nations want to understand how the Department will rectify the problems raised by court rulings in respect to First Nations. In regards to the management plan, how will it incorporate Title and rights?	DFO should clearly articulate to First Nations how the rulings of recent court decisions are respected in IFMP and IMAP development. As well, IMAPs should contain an element of flexibility to adapt to new court rulings of relevance. If necessary, strength of claim analysis standards should be developed to give First Nations a standard which needs to be attained in the case DFO opts not to widely apply the impacts of a court decision.

First Nations Engagement in IMAP Decision-Making Processes:

As previously outlined, First Nations clearly articulated that they want a role in all decisions which have the potential to impact their territories through recognition as a level of government, and through establishment of Tier 2 government-to-government relationships with DFO. In addition, four main themes were heard, along with recommendations to overcome some of the challenges associated with effective engagement of First Nations in decision-making.

Comments	Recommendation applicable to IMAP Development
Currently, the structure of advisory processes does not facilitate good representation from First Nations. There are neither the required Tier 1 processes nor the properly constituted structures which would be necessary to develop effective Tier 3 bodies. The percentage of First Nation communities represented in the IFMP process is currently less than 5%. This is not acceptable.	First Nations want to have strong representation on Tier 3 planning committees used to develop IMAPs. First Nations would like to see the majority of seats on all management boards be designated for First Nation representatives.
The Department often rejects First Nations representatives (for example, on Integrated Harvest Planning Committee).	First Nations internally, through a resourced Tier One, should determine the First Nation representatives for the IHPC equivalent in aquaculture management.
Often the Department will engage and consult with First Nations in very short stints. Follow up occurs with the drafting of letters, which is not consequential. We need to jointly develop a more meaningful role for First Nations in the joint management of the resource and of the aquaculture industry.	A structured long term process should be clearly defined and articulated to First Nations to provide stability in participation.
When the IFMP goes forward, DFO states that it takes into account the interests of the all sectors, and then makes recommendations to the Minister. Currently, First Nations are treated like any other stakeholder in the IFMP process. There needs to be respect for the priority of First Nations, who are the only group with Section 35 (1) constitutionally protected rights, which oblige Canada to consult and accommodate, which is a higher level relationship than that which DFO has with stakeholders.	DFO could establish a two step process for receiving input into IMAPs 1. DFO and First Nation representatives could come together on a regional basis to discuss the IMAPs (Tier 2). 2. Following these discussions, DFO could engage all other stakeholders in an integrated process (Tier 3).

Science and Traditional Ecological Knowledge

First Nations articulated the need for traditional ecological knowledge (TEK) to be respected and incorporated into decision-making. As well, First Nations noted that their rights include a right to manage their resources, which includes playing a key decision-making role in science.

Comments	Recommendation applicable to IMAP development
<p>The federal government and First Nations need to work together to work out how traditional knowledge and teachings can be incorporated into management and decision-making. Presently there is a gap between First Nations' understanding of responsible management, and the manner in which DFO manages.</p>	<p>First Nations want to see scientists whom are able to "walk in two worlds" in decision-making roles. At the present time there is a large gap and a lack of respect and trust between First Nations and DFO science and management specialists. We need to work at the table together when models, assumptions, thresholds, etc. are being determined. First Nations and DFO need to have joint training to better understand each other's science approaches. Local science specialists who work with, and have the knowledge of, local First Nations rights-holders need to work with DFO but need to operate from their foundation of traditional knowledge. First Nations need to be supported and respected in their ways of communicating the significance of their traditional territories (information sharing exercise).</p>
<p>There is a significant communications gap between First Nations and DFO with respect to science, and from that gap has grown a deep distrust and disrespect of DFO science. First Nations feel that they are told to trust that DFO is doing science in an honest way; however, it is often difficult or impossible to obtain the models or information necessary for First Nations to analyze DFO's science. First Nations need to have our own technical capacity to learn how we are going to manage to meet our objectives.</p>	<p>First Nations requested a process where there is a scientific review panel that oversees the models and science being conducted by DFO. First Nations want to be part of this panel, and to be involved in how scientific methodologies are framed, how the assumptions/models are developed, etc.</p>
<p>DFO wants knowledge to be presented in a way that they can understand – facts, figures, etc. Our TEK doesn't always come that way. Then there is a problem with getting DFO to understand what we are saying.</p>	<p>DFO should develop a protocol for incorporating TEK into their processes where appropriate. DFO and First Nations need to groom future science and traditional knowledge specialists who can walk in two worlds.</p>
<p>There are many unanswered questions with respect to science and decision-making. Interior communities have traditional use areas on the coast; how are they going to be linked into this process? How will aquaculture farming be linked into treaties? How will DFO link the development of aquaculture to other initiatives such as PNCIMA and existing marine use plans?</p>	<p>DFO must respect, and outline how they will account for, all existing Sec. 35 (1) protected traditional uses, treaties, and marine use plans that have been developed by First Nations in the development of the management framework for aquaculture.</p>

Capacity:

It is important to provide the necessary financial resources to participate in these processes. One of the largest barriers for First Nations is the issue of capacity. This is not only financial capacity, but also access to training and First Nation grounded technical capacities.

Comments	Recommendation applicable to IMAP development
The IFMP is a huge document (+200 pages). It is a huge challenge to get our communities to review it and comment on it. We only have a small number of technical staff that can review multiple documents for numerous processes.	First Nations require capacity to be able to comment and understand the IMAP document. This translates into funding, but also capacity training to understand what is proposed. As well, DFO needs to consider a more ecosystem-based approach which links together the planning for various species or uses in a particular geographic area.
Need to see the draft documents ahead of time so that there is time to comment on them in a meaningful manner.	First Nations request adequate time to read documentation ahead of being asked to provide comments.
All the new jobs are in the south coast. How do we get jobs up here [North Coast]? We seem to be forgotten.	DFO should explore increased flexibility in the positions associated with aquaculture in order to provide capacity to areas where aquaculture will be occurring in the future.
There is a lack of funding in the AFS and AAROM. DFO cannot expect the existing budgets under these sources of funding to pay for the new responsibilities associated with aquaculture.	New funding sources for First Nations to participate in aquaculture-related activities (as well as other initiatives) are necessary. The amount of funding required needs to be determined in consultation with First Nations.
First Nations need to have the ability to pay for the management requirements (infringements) imposed upon them by DFO. If First Nations cannot afford the requirements which DFO imposes for the exercise of a right, then DFO needs to consult with First Nations and identify what the appropriate accommodation should be. One answer might be to examine innovative ways to help generate funds for local First Nations fisheries organizations and their activities (monitoring, involvement in management). They need money to get involved. This could come from the user.	DFO could explore mechanisms to levy proponents to pay for some of the activities associated with engagement of First Nations in all aspects of the management, policy, decision-making, and business of aquaculture.

What Criteria Should Be Used to Determine the Geographical Scale of IMAPs?

Building on the discussion around the IFMP and IHPC, participants were asked to provide feedback on potential geographic scales for the Integrated Management of Aquaculture Plans. Participants were asked the following question:

What criteria should be used to determine the geographic scale of the Integrated Management of Aquaculture Plans?

First Nations respondents noted that industry supports a province-wide system due to certainty. However, First Nations are interested in local planning, and feel that smaller scales are preferable for a management model. Overall, First Nations spoke for the need to balance between wanting the scales to be as localized as possible in order to provide First Nations the best opportunities to influence what occurs within their territories, and the constraint that the associated capacity necessary to be meaningfully engaged is not possible within current funding limitations. In light of this, the purpose of this subsection is to outline the criteria First Nation participants identified for the Integrated Management of Aquaculture Plans, and to highlight the potential benefit and limitations of these criteria.

Criteria for Scales	Comments
Traditional Tribal Groupings	<p>The use of traditional tribal groupings respects traditional protocol and recognizes the authority of First Nations governance. The use of traditional tribal groupings might simplify the determination of scales.</p> <p>The traditional tribal groups or contemporary First Nation groups should be responsible for governance in their each area, as there is potential for division among communities.</p>
Language Groups	Similar to tribal groups, First Nations of similar language grouping have elements of a shared history. As well, in many cases, there are already working relationships, or protocols between nations of the same language grouping.
Bio-Geographical Regions	It makes sense for IMAPs to be linked to the biophysical conditions of a region. This could be hard, as would all the Fraser River be one region? This would not work. This model would require further science to better delineate bio-geographical regions.
Aggregate Groups	<p>Some First Nations already work together with DFO as part of aggregate groups. For example Thompson-Cache Creek North is all one watershed, and they have a bilateral process in place already with DFO. We could add aquaculture on to this forum. Likewise, the Nuu-chah-nulth work together on some fisheries issues, and the Nuu-chah-nulth fisheries organization works with multiple First Nations on the west coast of Vancouver Island.</p> <p>First Nations were clear that if IMAPs were to work with aggregates of First Nations, then First Nations internally should be allowed to determine aggregates. Currently in fisheries management, First Nations feel that DFO lumps management into aggregates. This does not represent the local diversity.</p>
Nation-by-Nation	First Nations strongly supported engagement with DFO on a nation-to-nation basis as Title and rights are held at the nation level. One constraint of this model is whether or not sufficient capacity exists at the nation level to adequately respond to all the considerations associated with IMAPs.
Site-by-Site	Some First Nations articulated a desire for each aquaculture site to have its own management plan. It was suggested that perhaps each site could have some sort of management plan that was nested within a regional IMAP.

Concentration of Aquaculture Activity	The level of engagement remains proportional to the level of aquaculture activity in a particular area. In areas where there is concentrated farming (for example the Broughton Archipelago or Baynes Sound), these regions should have their own IMAP.
Hybrid	A hybrid of general management principles with specific management principles implemented on a provincial scale (for example, maximum sea lice standard) and other management principles implemented on an area-specific scale (for example, procedure for dealing with sea lice).

Management at the Various Geographical Scales

First Nation participants also identified specific management activities that are best suited to the local, regional and province-wide scales. The discussion question was phrased:

What types of management activities are best suited to the local, region, and B.C. wide scales?

In order to identify management activities, participants were asked to complete a management elements table. The table consisted of priority areas that First Nations participants had identified during the spring 2010 aquaculture community dialogue sessions. By the end of the 2011 community dialogue sessions, feedback from a total of 38 respondents (6 from Kamloops, 9 from Alert Bay, 9 from Prince Rupert, and 14 from Port Alberni) was added to the responses received at the January bi-lateral session in Richmond. After the table exercise, a general discussion occurred around what management activities are most appropriate at the various scales. Like the discussion on criteria to determine the regions of IMAPs, a tension between balancing a desire to have control at the local level and the lack of capacity at the local level to take over management activities was strongly emphasized. First Nations ideally would like all management activities to occur at the local scale. As capacity and joint-management arrangements are strengthened, First Nations would like to take on more management activities at the local/nation scale. In the interim, the following feedback was received.

Scale	Management Activities
LOCAL	<ul style="list-style-type: none"> Monitoring stock strength and impacts to wild salmon Localized environmental impact (such as benthic effects below particular farms). Industrial impacts at the community level (for example, impact of logging industry). Siting criteria and veto authority to reject the sites Incorporation of local knowledge into scientific inquiries Restoring habitat and restoring wild salmon stocks and other species Management of own traditional territories – respecting local marine use plans, etc. Habitat enhancement, enhancement facilities and protocol for enhancement facility activities (for example, transportation and disposal of eggs)
	<p>Recommendations:</p> <ol style="list-style-type: none"> 1. Establish 'First Nations Area Harvesting Committees' so the Department has to negotiate with First Nations directly. 2. Negotiate protocols or MoUs with individual First Nations to define how consultation and accommodation will occur at a nation level on decisions that have the potential to impact territories and/or resources

REGIONAL	<ul style="list-style-type: none"> • Regional environmental monitoring (for example sea lice monitoring) • Local testing and research of water quality/benthic quality, with the Department contracting First Nations to conduct this research • Monitoring and enforcement • Incidental by-catch and recapture of escaped fish • DNA sampling and a database are needed to determine escapements in local systems • The level of engagement should be proportional to level of aquaculture activities. • Any management regime must respect the differences between regions. • Communication on farming activities, planned proposal, changes to policies, etc. Information exchange needs to occur at the appropriate scale to maximize benefits. • Implement incentives for responsible and responsive corporations and operators; develop protocols between Industry and First Nations where appropriate. • Development of science must be cooperative, collaborative and informed by Traditional Ecological Knowledge. The Department should design a research agenda that balances interests.
	<p>Recommendation:</p> <ol style="list-style-type: none"> 1. Develop regional scientific advisory councils (with adequate First Nation representation) to review science and methodology at a regional level. 2. Develop a regional steering committee (with adequate First Nation representation) to inform the development of IMAPs at the regional scale, and to act as an oversight authority for decisions which occur in the region (such as new sites, carry capacity of the region, environmental thresholds/targets, etc.).
B.C. WIDE	<ul style="list-style-type: none"> • B.C. wide communication on new policies • Linkages to national initiatives (such as NASAPI) • Relationship building with higher levels of DFO • Training opportunities for First Nations to participate in the industry, as farm owners/operators, as enforcement, as monitors, etc.
	<p>Recommendation:</p> <ol style="list-style-type: none"> 1. Develop a B.C. wide steering committee (with adequate First Nation representation) that is connected to (and informed by) regional steering committees to shape policy development and assist in dispute negotiation at the regional levels. 2. Foster a B.C. wide communication strategy that increases the knowledge base of First Nations on the aquaculture industry.

Potential Components of IMAPs

First Nation respondents were asked to comment on what should be included with Integrated Aquaculture Management Plans (IMAPs). To stimulate discussion, participants were given a worksheet with the following potential components and asked to comment on the importance of including the suggested components. Participants were also provided space to comment on other key components that they see as important. Below the components (as they were outlined on the worksheet) are presented.

- **An overview of the sector in each region, including an examination of the economic, social and environmental effects**
- **An overview of First Nations whom assert rights and Title within the IMAP region**

- **A statement of the issues that require directed management attention and the related scientific basis for understanding these issues; as well, potentially a listing of issues within each area that require further scientific examination**
- **General Management Direction which includes the management objectives for each region**
- **Information on how the IMAP will be implemented, and how compliance and enforcement will occur**
- **Information on how monitoring will be occurring, what future research priorities are**
- **Outline how the IMAP will be revised and updated with changing conditions and/or scientific understanding**
- **Guidance/policies associated with incidental by-catch and recapture of escape fish**
- **Performance indicators for IMAPs - social, environmental and economic**

On the whole, the participants articulated the need to have all of the components listed above included in IMAPs. For all the comments, the participants clearly articulated the need for First Nation engagement in all aspects of the management of aquaculture. Questions centered on how First Nations can be engaged, whether there will be capacity to participate, and how we can work together with DFO on a government-to-government basis. These comments were specifically heard in reference to how science priorities are determined, how science is completed, and how general and specific management directions are determined.

In terms of additional components, fulsome discussion focused on the need for quality monitoring and enforcement, with a strong First Nations presence and role in their territories. Another recommendation was to include a listing of the court cases and legal precedents applicable to First Nations in the IMAP process. It was recommended that a whole list of the cases and litigation be compiled.

“All of the established rights must be considered in the development of a new process. First Nations must remind the Department that First Nation rights and Title have to be addressed.”

The Path Forward

The dialogue sessions held in February 2011 were well received by the First Nation community members and technical staff in attendance. There was a genuine desire to learn about the management framework for aquaculture and to learn more about the industry as a whole. Participants asked many questions and offered invaluable feedback to shape this process. Overall, the tone was one of wanting more – wanting more information, wanting more engagement, wanting more opportunities to participate. Participants expressed an interest to be engaged in all aspects of the management of this industry as it affects their territories and resources in an intimate matter. Acting as stewards of the ocean, rivers, fish and resources is integral to First Nation culture, and ensuring that this industry is sustainable and has limited environmental impacts is crucial.

This round of sessions was seen as only a first step in a long-term ongoing process of information sharing and capacity building on the topic of aquaculture. In all meetings, First Nation participants asked the FNFC to come out again, and to follow up on these initial discussions in the late spring or early fall of 2011. Community members also asked for follow up from DFO, and for DFO to come and engage communities on a bilateral basis to discuss how this industry has the potential to impact inherent rights and Title. It was heard that the efforts of DFO to engage First Nations to date were inadequate. More meetings to learn and build capacity on this topic, and the commitment for a long-term ongoing relationship between DFO and First Nations on this topic, were unanimously requested.

Recommendations

Large volumes of valuable feedback were heard from the sessions in January/February 2011. What follows is a summary of the recommendations, which were articulated by the First Nations in attendance. The following recommendations are only based on the feedback received from the sessions and the participants that attended. These recommendations are not deemed exhaustive, and cannot be construed as unanimously supported by B.C. First Nations.

General processes of the IFMP/IHPC:

1. In order to be successful, IMAPs require a more consistent approach in terms of consultation processes for the various species/industries, which would include the development of a template for work which would be carried out at the Tier 1, 2, and 3 levels. One way this could be achieved is through developing some established consultation protocols with First Nations to standardize the method on how consultation [and accommodation] is to occur.
2. Communication linkages need to be strengthened in order to allow for more effective communications/correspondence between Fisheries & Oceans Canada and First Nations. A vehicle for response and feedback is needed for First Nations to influence policy changes, and First Nations need to understand how their concerns and issues influence policy and management decisions.
3. The 'integration' component of these management regimes must be defined and codified (how are these plans 'integrated'— on an ecological or environmental basis, or in terms of stakeholder engagement?).
4. Targets or achievable objectives should be developed and included in each of the IMAPs. DFO would have to describe how it is going to manage to meet those objectives. Potential objectives could be environmental, social and economical.
5. The pre/post season structure for making and updating objectives is one aspect of the IFMP model that First Nations would like to see transferred to IMAPs.
6. It was recommended that DFO consider hosting area-based meetings which deal with a number of IFMPs and IMAPs within local areas around B.C., and also that meetings be offered around the province to allow for wider participation.
7. An effective Tier one process is required to support First Nations. First Nations require mechanisms to come together as Nations to inform their perspectives and recommendations on IMAPs prior to information being released and discussed in multi-stakeholder forums.

How Decision Making Occurs:

1. DFO should articulate how First Nations feedback is incorporated into decision-making processes and communicate back to First Nations what feedback was incorporated. Perhaps a protocol or terms of reference to outline how decisions will be made can be developed.
2. DFO should articulate how it prioritizes input, and what criteria are used for inclusion into management decisions. First Nations need a Tier 2 (bilateral) process with DFO to discuss issues related to the potential for infringement on Title and rights.
3. DFO should clearly articulate to First Nations how the rulings of recent court decisions are respected in IFMP and IMAP development. As well, IMAPs should contain an element of flexibility to adapt to

new court rulings of relevance. If necessary, strength of claim analysis standards should be developed to give First Nations a standard which needs to be attained in the case DFO opts not to widely apply the impacts of a court decision.

First Nation engagement in IMAP decision-making processes:

1. First Nations want to have strong representation on Tier 3 planning committees used to develop IMAPs. First Nations would like to see the majority of seats on all management boards be designated for First Nation representatives.
2. First Nations internally, through a resourced Tier 1 process, should determine the First Nation representatives for the “IHPC” equivalent in IMAP planning.
3. A structured long term process should be clearly defined and articulated to First Nations to provide stability in participation.
4. DFO could establish a two-step process for receiving input into IMAPs:
 - a. DFO and First Nation representatives could come together on a regional basis to discuss the IMAPs (Tier 2).
 - b. Following these discussions, DFO could engage all other stakeholders in an integrated process (Tier 3).

Science and Traditional Ecological Knowledge:

1. First Nations want to see scientists whom are able to “walk in two worlds” in decision-making roles. At the present time there is a large gap and a lack of respect and trust between First Nations and DFO science and management specialists. We need to work at the table together when models, assumptions, thresholds, etc. are being determined. First Nations and DFO need to have joint training to better understand each other’s science approaches. Local science specialists who work with, and have the knowledge of, local First Nations rights-holders need to work with DFO, but need to operate from their foundation of traditional knowledge. First Nations need to be supported and respected in their ways of communicating the significance of their traditional territories (information sharing exercise).
2. First Nations requested a process where there is a scientific review panel that oversees the models and science being conducted by DFO. First Nations want to be part of this panel, and to be involved in how scientific methodologies are framed, how the assumptions/models are developed, etc.
3. DFO should develop a protocol for incorporating TEK into their processes where appropriate. DFO and First Nations need to groom future science and traditional knowledge specialists who can walk in two worlds.
4. DFO must respect and outline how they will account for all existing Sec. 35 (1) protected traditional uses, treaties and marine use plans that have been developed by First Nations in the development of the management framework for aquaculture.

Capacity:

1. First Nations require capacity to be able to comment on and understand the IMAP document. This translates into funding, but also capacity training to understand what is proposed. As well, DFO needs to consider a more ecosystem-based approach which links together the planning for various species or uses in a particular geographic area.

2. First Nations request adequate time to read documentation ahead of being asked to provide comments.
3. DFO should explore increased flexibility in the positions associated with aquaculture so as to provide capacity to areas where aquaculture will be occurring in the future.
4. New funding sources for First Nations to participate in aquaculture related activities (as well as other initiatives) are necessary. The amount of funding required needs to be determined in consultation with First Nations. DFO cannot expect the existing budgets under AFS/AAROM funding to pay for the new responsibilities associated with aquaculture.
5. DFO could explore mechanisms to levy proponents to pay for some of the activities associated with engagement of First Nations in all aspects of the management, policy, decision-making, and business of aquaculture.

What criteria should be used to determine the geographical scale of IMAPs?

1. First Nations are interested in local planning, and have expressed that smaller regions are preferable for a management model.
2. First Nations spoke for the need to balance between wanting the IMAPs to be as localized as possible in order to provide First Nations the best opportunities to influence what occurs within their territories, and the constraint that the associated capacity necessary to be meaningfully engaged is not possible within current funding limitations.

Management at the various geographical scales:

Scale	Management Activities
LOCAL	Recommendations: <ol style="list-style-type: none"> 1. Establish 'First Nations Area Harvesting Committees' so the Department has to negotiate with First Nations directly. 2. Negotiate protocols or MoUs with individual First Nations to define how consultation and accommodation will occur at a nation level on decisions that have the potential to impact territories and/or resources
REGIONAL	Recommendation: <ol style="list-style-type: none"> 1. Develop regional scientific advisory councils (with adequate First Nation representation) to review science and methodology at a regional level. 2. Develop a regional steering committee (with adequate First Nation representation) to inform the development of IMAPs at the regional scale, and to act as an oversight authority for decisions which occur in the region (such as new sites, carry capacity of the region, environmental thresholds/targets, etc)
B.C. WIDE	Recommendation: <ol style="list-style-type: none"> 1. Foster a B.C. wide communication strategy that increases the knowledge base of First Nations on the industry. 2. Develop a B.C. wide steering committee (with adequate First Nation representation) that is connected to (and informed by) regional steering committees to shape policy development and assist in dispute negotiation at the regional levels.