

**REVIEW OF THE FRASER RIVER ABORIGINAL
FISHERIES SECRETARIAT: March 2007**

Prepared for the Fraser River First Nations Fisheries Forum

By:

Dr. Bob Brown, PhD
Webbed Feat Consulting

DFO-43766

\\svbcvanfp01\Cohen-Comm\Personal Drives\Area Directors\BCIA\Barry Rosenberger\Big Reports\RepFRAFS
06-07 Review Bob Brown report.pdf

CAN056656_0001

TABLE OF CONTENTS

EXECUTIVE SUMMARY 1
INTRODUCTION 3
BACKGROUND 3
THE REVIEW PROCESS 4
REVIEW RESULTS 5
THE SECRETARIAT 8
CONCLUSIONS 14
REFERENCED DOCUMENTS AND MATERIALS 15
APPENDIX I: MARCH 2002 RECOMMENDATIONS 16
APPENDIX II: MARCH 2004 RECOMMENDATIONS 17

EXECUTIVE SUMMARY

Background Information

Fraser River Aboriginal Fisheries Secretariat was established in 1994 as part of the Fraser Watershed Agreement, with a mandate to support communications amongst and between Fraser First Nations (FN) and the Department of Fisheries and Oceans (DFO) and their participation in the Fraser Watershed Agreement. The Agreement lapsed in 1999 and First Nations participation in Tier 1 and Tier 2 meetings dropped due to a variety of concerns. Since then, the Secretariat has continued to operate, but its role has mostly been to facilitate flow of information between First Nations and from DFO to First Nations.

In this document I review of the operations of the Secretariat up to March 2007, and present a series of recommendations, which, if employed, should make the operations of the organization more effective. The recommendations are:

1. That the Secretariat Executive Committee (EC) identify incentives to encourage First Nations to send representatives to Tier 1 meetings.
2. That the Executive Committee consider what role, if any, the Executive Director (ED) might play in assisting First Nations to develop a new Inter-tribal treaty, and in advancing the Fraser Watershed Process.
3. That the Executive Director consult with DFO to find ways to encourage First Nations participation at Tier 2 meetings.
4. That an annual schedule of Tier 1, Tier 2 and Tier 3 meetings be set and communicated to Fraser First Nations.
5. That a renewed commitment be made by Executive Committee members to attend meetings and support the operations of the Secretariat.
6. That the Executive Director, on behalf of the Executive Committee, schedule a facilitated two-day strategic planning workshop to establish the goals and objectives of the Secretariat over a 5 year period.
7. That the Executive Committee review the technical process and investigate whether or not it can be integrated with various AAROM technical support activities.
8. That the Communications Coordinator position and job description be reviewed, and following the review, upgraded to a full time position.
9. That the recommendations concerning the operations of the Joint Technical Committee presented in the March 23, 2007 edition of Watershed Talk be endorsed by the Executive Committee and implemented as soon as possible.
10. That a member of the Fraser Watershed Joint Technical Committee be added to the Executive Committee as an ex officio member.
11. That the administrative structure of the Secretariat be revised as suggested in this document.
12. That the Executive Committee, through the Executive Director, establish a mentorship program for First Nations trainees.

CONCLUSIONS

The Fraser River Aboriginal Fisheries Secretariat continues to provide valuable support to Fraser First Nations through its communication and technical support activities. However, new challenges are developing in the Watershed, and FRAFS needs to position itself to meet them. The recommendations presented in this Review report suggest means through which the secretariat can improve its contribution to the Watershed process.

INTRODUCTION

In this document I present a Review of the Fraser River Aboriginal Fisheries Secretariat (FRAFS). It will contain a brief overview of the evaluation process, present the results of my evaluation of the administrative organization of the Secretariat and its institutional capacity, and will evaluate each of the contract positions which report to it. Specifically, I will comment on the performance and efficiency of the Executive Director (ED), each of the three technical positions, the Communications Coordinator position, and the general administration contract with the Nicola Tribal Association (NTA). I will include comment on the effectiveness of FRAFS at the Tier 1, Tier 2 and Tier 3 levels, and will include a number of specific recommendations, which I believe the Executive Committee should act upon to improve the contribution that the Secretariat can make to Fraser First Nations and to the management of Fraser Watershed fish stocks in the future. Finally, I will provide comment on a number of important issues that I believe the EC should take into consideration to improve the contribution FRAFS can make to the Watershed Process.

BACKGROUND

The Fraser Watershed Aboriginal Fisheries Forum (FWAFF) is supported by FRAFS. FRAFS is chaired by an Executive Director who works with and reports to an Executive Committee comprised of members appointed from Fraser First Nations (FN) and Fisheries and Oceans Canada (DFO). The Communications Coordinator, the two Stock Management Coordinators, and the Fraser Panel Liaison positions all report directly to the Executive Director.

FRAFS was established in 1994 as part of the Fraser Watershed Agreement, with a mandate to support communications amongst and between Fraser First Nations and DFO and their participation in the Fraser Watershed Agreement. In 1999, the Watershed Agreement lapsed and participation in FWAFF dropped due to a variety of concerns; amongst them the issue of consultation and the lack of clarity on consultation among all parties. Since then, the Secretariat has continued to operate, but its role has mostly been to facilitate flow of information between First Nations, and from DFO to Fraser First Nations. Currently the FRAFS:¹

- Provides communications functions (e.g., Watershed Talk, web site maintenance), and other information distribution;
- Provides executive support (e.g., meeting coordination, minutes, and budgetary updates);
- Assists Aboriginal organizations and their membership by identifying and coordinating workshops associated with fisheries management issues and initiatives in the Fraser Watershed;

¹ FRAFS AAROM COLLABORATIVE MANAGEMENT PORPOSAL: 2006-2009. Oct. 06. pg.2.

- Provides information on Fraser salmon stocks, and analysis of management decisions and actions regarding those stocks;
- Provides financial administration to support FRAFS initiatives;
- Development of an effective First Nation to First Nation Fraser Watershed fisheries forum (e.g., Tier 1 and / or an inter-tribal treaty); and a leadership role in the development and implementation of a Fraser Watershed Fisheries Management Framework in collaboration with DFO.

This is the third time I have been employed to review FRAFS. In 2002², I noted that Tier 1 meetings were not as effective as they might have been due to serious political divisions amongst Fraser First Nations which restricted the participation of some First Nations and Bands in the Fraser River Fisheries Forum. I noted at that time that the Watershed process could not be truly effective until there was improvement in the relationship between Tribes; and I advanced a number of recommendations, which I thought might be employed by the Executive Council (EC) to improve the political environment and the effectiveness of FRAFS. I also noted that the relationship between First Nations and DFO (Tier 2) had deteriorated badly and that steps should be taken to improve those relationships. Those recommendations are attached as Appendix 1.

In 2004³, I presented an update on the implementation of the Recommendations contained in the 2002 Review, and provided an update on the Tier 1 and Tier 2 processes. I also noted that in “Our Place at the Table: First Nations in the B.C. Fishery” the authors advocated the need for a Tier 3 to be added to the First Nations deliberations. Tier 3 would involve First Nations, the Federal and Provincial governments, and third parties (such as the Fraser Basin Council).⁴ FRAFS mandate now includes all three levels of participation.

In the 2004 Report, I advanced a second set of Recommendations (with some overlap with the 2002 Recommendations), which I thought might help the EC deal with the several problems / issues identified. Those Recommendations are attached as Appendix II. Included there, was a call for a more timely and consistent funding process (Rec. 12), and consideration as to how the then proposed Aboriginal Aquatic Resource and Oceans Management Program (AAROM) might be used to fund and support FRAFS (Rec. 13). An AAROM agreement is now in place for FRAFS and I will comment in this Review about how the EC may need to adjust its administrative structure to insure that it can meet its obligations under the new Management Agreement.

THE REVIEW PROCESS

Conclusions resulting from the Review process will be presented in two parts. First, the Tier 1, Tier 2 and Tier 3 process will be discussed. Then, issues related directly to the

² Dr. Bob Brown. Annual Review of the Fraser River Aboriginal Fisheries Secretariat. March 2002.

³ Ibid. Review of the Fraser River Aboriginal Fisheries Secretariat, June 2004.

⁴ Jones, R., Shepert, M, and N. Sterritt. ”Our Place at the Table: First nations in the B.C. Fishery”. A Report by the First Nations Panel on Fisheries, May 2004.

operation of the Secretariat will be reviewed and commented upon. These will include the operation of the EC, the ED, and the contract positions. Finally, I will outline a series of important issues that I believe the EC must focus on if it is to make a truly effective contribution to the Watershed process.

The methodology employed in gathering the appropriate data to make the conclusions set forth here consists of a review of pertinent written materials (the Reports of the ED, the technical contractors and the administrative contractor); of my previous Review documents (2002 and 2004); and, importantly, the AAROM Protocol. Most helpful were a series of personal interviews with FN and DFO members of the EC, and other FN and DFO personnel. The individuals currently under contract to the Secretariat also were contacted and interviewed.

REVIEW RESULTS

As stated above, one of the responsibilities of FRAFS is the development of an effective First Nation to First Nation Fraser Watershed Fisheries Forum (Tier 1), and to take a leadership role in the development and implementation of a Fraser Watershed Fisheries Management Framework in collaboration with DFO and other interested parties (Tier 2 and Tier 3).

Tier 1

One of the most problematic issues addressed in each of my previous Reviews is the serious division that exists amongst Fraser First Nations. I noted then that the hard feelings that exist between some Nations and Bands made it difficult to get everyone to the table. These relationship problems were then and remain today, complex, rooted in a variety of sources: treaty issues, AFS issues, harvest vs. conservation issues, and others.

Some Nations simply believe that their specific needs can best be met through the bi-lateral process. Others are not willing to attend meetings because of the confusion about the 'consultation' process. What was clear then and is clear now is that this lack of willing participation weakens the First Nations voice and leads to the opportunity for special bi-lateral deals between individual Nations or Bands and DFO, which might not be in the best interests of the watershed as a whole.

However, recent positive changes in attitudes, brought on by projected declines in fish stocks, the prospect of increasing competition from 'approach' Bands (Vancouver Island Bands are arguing that they be given access to in-river fishing), projected in-river commercial fisheries, the demise of the BCFC, dissatisfaction with the bi-lateral process and other issues, has resulted in a recent resurgence of interest in attending Tier 1 meetings (for example, 54 Bands sent members to the Feb. 07 meetings). This growing interest is encouraging, and the EC should find ways to solicit even more participation. The bottom line is that the Tier 1 process has improved, but there is still much to be done to develop even more, effective participation.

Some initial steps might be:

- Develop and publish a regular schedule of meetings.
- Send out the agenda well in advance of meetings.
- Craft the agenda with care, to include only items of special interest.
- Have the ED visit with Band Councils and / or meet with Band Chairs to explain why they need to have representation at Tier 1, i.e., “what’s in it for them”. The ED should make this his first priority.
- Bring mid and lower river Bands onside by emphasizing that Tier 1 is the only forum where common issues can be discussed and resolved now that the BCFC is defunct.
- Emphasize the position that FRAFS (Tier 1) is more important now than ever, and that the ‘River’ could become very ‘vulcanized’ without it.

Recommendation 1. That the Secretariat Executive Committee identify incentives to encourage First nations to send representatives to Tier 1 meetings.

The Watershed Process

Further to the above recommendation, in my 2002 Review, I recommended that a process be established to negotiate a new Fraser Watershed Agreement .The FWA Forum endorsed that recommendation in November 2002, and charged the then IEC (now EC) with assuming the lead in drafting a new Agreement. Ms. Brenda Gartner was contracted to prepare a draft document within which she would outline a Fraser Watershed Process and present it for discussion. She presented a 4th draft for consideration in 2004, but as yet, as far as I know, there has not been any response by First Nations or DFO to her draft. There should be follow-up on this initiative.

If there is indeed a growing interest amongst First Nations in addressing their common problems, it might be timely to reintroduce the notion of negotiating a new Watershed Agreement, and / or an Inter-tribal treaty. If that is so, then the EC, through the ED, should initiate a process to help bring that about. A meeting with the First Nations Leadership Council might be a good place to start.

My understanding, from the interviews that I conducted in the process of preparing this Report, is that there is growing concern throughout the Watershed about access to a diminishing supply of fish, and about how to distribute the fish available to meet traditional food and ceremonial requirements. Therefore, there must be an agreement which articulates the distribution of the fish amongst the Bands, and which has an acceptable dispute resolution mechanism as a key component. Without such an agreement, there might be an increasing level of conflict on the River during the fishing season.

Recommendation 2. That the Executive Committee consider what role, if any, the Executive Director might play in assisting Fraser First Nations to develop a new Inter-tribal treaty, and in advancing the Fraser Watershed Process.

Tier 2 and Tier 3.

As stated above, in 1999 FN participation in FWAFF meetings (Tier 2) dropped due to a variety of issues. One of the most serious concerns was the issue of consultation and the lack of clarity on what constituted 'consultation' among all parties. Several court cases demonstrated that organizations like FRAFS (especially Tier 2 meetings) are a component of the consultation process, and many Bands were reluctant to expose themselves to claims of that kind. Therefore they refused to come to the table.

However, it has become increasingly clear to many First Nations that a more effective First Nations organization is necessary through which they can get information from DFO and others about issues pertaining to their fisheries. A recent report "*Inter-tribal Consultation on the Fraser Watershed*"⁵ clearly demonstrates the need for first Nations to consult with one another and with DFO and other interested parties and gives examples of why this must be done.

DFO has attempted to build on this renewed interest amongst First Nations. They are attempting to make a clear distinction between 'information' and 'decision' making processes, and are attempting to deal with different issues at different levels so as to minimize the potential conflict over the consultation issue at Tier 2 meetings. The consultation issue is still there, but it doesn't appear to be as contentious as it once was. First Nations respondents also expressed pleasure that senior DFO officers are once again attending Tier 2 meetings.

The increase in participation at the Feb. 07 Tier 2 meeting was evidence of FN's renewed interest in the process. Still, more effort needs to be made to encourage other FN's to participate. Some steps in that direction might include:

- Tier 2 agenda should present a clear statement of intent.
- Shape presentations to the audience. Do not make them too technical.
- The ED should work with DFO to decide what should and should not be discussed at Tier 2 meetings.
- An annual schedule of meetings should be set and communicated to First nations.

Recommendation 3. That the Executive Director consult with DFO to find ways to encourage First Nations participation at Tier 2 meetings.

Tier 3 refers to participation by Provincial government officials and designated NGO organizations, such as the Fraser Basin Council, which have programs and / or administrative authority, over items of concern to First nations. The Province, for example, has control over the allocation of water resources, a matter of serious concern to both First nations and DFO. Thus their representatives need to be at the table when habitat issues, amongst others, are discussed. And, the Fraser Basin Council is engaged in

⁵ Gartner, B. *Inter-tribal Consultation on the Fraser Watershed*, 2004

a number of projects, such as 'Living Rivers', which are of special interest to First Nations. I'm pleased to note that a Council representative now sits 'ex officio' on the EC.

Recommendation 4. That an annual schedule of Tier 1 and Tier 2 and Tier 3 meetings be set and communicated to Fraser First Nations.

THE SECRETARIAT

Under the terms of my contract, I am required to present a review of the performance of all contract positions within the secretariat, and of the operations of the EC. I also am expected to review the overall administrative structure and to make recommendations as to how the administrative process might be improved. I will first comment on the EC and the various contract positions and will then move on to a discussion of the overall administrative structure of the organization.

- **The Executive Committee.**

The current Executive committee hasn't been working as well as might be expected. Attendance at in person meetings has been sporadic, and there have been occasions where it was not possible to attain a quorum. Committee members should make a commitment to attend meetings and to serve the Secretariat.

An annual schedule of EC meetings should be set so that each member can commit to attend ahead of time. The location of meetings might be rotated through the Watershed, at least at locations with air service, to encourage attendance. In person meetings might be alternated with conference calls, but in person meetings should occur at least bi-monthly.

Consideration might be given to Committee membership now that some AAROM groups are in place and others may be developed, i.e., should membership be allocated by linguistic groups, AAROM groups, or should it stay as it is? The idea is to find ways to increase participation and commitment by Committee members.

The notion also was advanced by respondents that the EC should work toward the establishment of a strategic plan for the Secretariat. The suggestion is that the EC should schedule a facilitated workshop (another Visions meeting?) to formalize its goals and objectives over a 5- year (10 year?) period. I made a similar recommendation in my 2004 Review (Rec. 7), but as far as I know the recommendation was not acted upon.

Recommendation 5. That a renewed commitment be made by Executive Committee Members to attend meetings and support the operations of the Secretariat.

Recommendation 6. That the Executive Director, on behalf of the Executive Committee, schedule a facilitated, two-day strategic planning workshop to clarify the goals and objectives of the Secretariat over a 5-year period.

- The Executive Director. Under the general direction of the Executive Committee, the ED is to provide coordination and delivery of those activities as described in the FRAFS Collaborative Management Agreement in accordance with the budget as prescribed by the EC.

The performance of the ED (Marcel Shepart) over the past three years also has been mixed. There is no question about his commitment to the Secretariat, nor of his dedication to moving the interests of FN's in the Watershed ahead. However, because he is employed on a part-time basis and has other contractual responsibilities, he has not had the time necessary to look after the supervision of other contract employees, nor to develop the planning necessary to move the FRAFS process forward. Moreover, the geographic distance between his location and the administrative offices with the Nicola Tribal Association has made it difficult to oversee administrative details that he should be signing off on. This is not to say that he has not met the general overall expectations imbedded in his job description—only that he could have done better (and more) had he been a full time employee. Finally, the absence of a predetermined meeting schedule has made it difficult to get all members of the EC to attend meetings.

In my 2004 Review I recommended (Rec. 8) that the job description for the ED be revised, and that he be upgraded to full time employment. That was not done, and as a result, the contribution of the Secretariat to the Watershed process has not been as great as it might have been. I will suggest a revision to this position later in the Review, when I introduce a proposal for a new administrative framework.

- General Administration. The Nicola Tribal Association Contracts Coordinator. This position is the liaison “link” between the NTA and FRAFS. The incumbent works under the general direction of the NTA's CEO, and in collaboration with the FRAFS Executive Committee and Executive Director.

The contract manager has handled the responsibilities well. However, unlike in my previous reviews, the geographic separation between the ED and the NTA has become a little more problematic. Contract billings are being cleared a little more slowly, and the ED does not provide appropriate detail oversight. For example, the ED seldom reviews invoices from the technical contractors. Also, no one oversees invoices submitted by the ED. More on this later in my proposal for a new administrative framework.

- Technical and Policy Support Services. These contract positions include the
 - Fraser Panel Liaison (Senior Biologist)
 - Stock Management Coordinator 1 – Lower Fraser
 - Stock Management Coordinator 2 –Upper and Mid Fraser
 - Special Events Coordinator, and
 - The Fraser Watershed Joint Technical committee.

Fraser Panel Liaison. This senior biologist (Mike Staley) provides, under the direction of the FRAFFS ED and in association with the Stock Management Coordinators, fisheries biological consulting services in relation to providing information and insight to Fraser First Nations concerning the management of Fraser River salmon.

The contract incumbent is an experienced, highly respected senior biologist. Everyone consulted stated that they could not think of a better person for the job. His responsibilities are pretty straight forward and he handles them in an exemplary fashion.

The liaison position is very busy in-season, where the incumbent must report day to day fishery decisions taken by the Pacific Salmon Commission to Fraser First Nations. This daily reporting has become more timely since my last Review, and I see no reason to make any major adjustment to this position at this time. However, his role on the Fraser Watershed Joint Technical Committee should be considered in accordance with the discussion of that Committee which follows below.

Stock Management Coordinator(1) – Lower Fraser. The Stock Management Coordinators provide, under the direction of the ED, fisheries biological consulting services in relation to providing information and insight to Fraser First Nations concerning the management of Fraser River salmon.

The incumbent in this position (Ken Wilson) has done an excellent job, but is extremely frustrated about the lack of a clear process for separating technical issues from political issues. He believes that this confusion makes it extremely difficult to do the technical work he has been hired to do. The result is that he has decided not to renew his contract for another year.

This situation, plus the establishment of ARROM bodies which themselves have technical support, has created a situation wherein the EC should re-evaluate the technical process. This is not to suggest that FRAFS should not support the technical process; on the contrary, the technical process is viewed as one of the most important contributions FRAFS make to the Watershed. However, having said that, it might be appropriate to consult with the other technical contractors and other organizations now, before contracting out the lower river position.

Stock Management Coordinator (2) – Upper and mid Fraser.

Everyone consulted agrees that the incumbent in this position (Peter Nicklin), carries out his responsibilities in an outstanding way. However, the comments made above apply here as well. In this case, Peter has an arrangement (contract) with the AAROM in his area. The EC should consider whether or not it might be

possible to jointly fund his position with that Group to put him on salary, rather than continue with the present contract/billing process.

Peter also is Editor of Watershed Talk, the most important and respected medium of communication between FRAFFS and Fraser First Nation communities. This publication remains popular and useful and should be continued.

Recommendation 7. That the Executive Committee review the technical process and investigate whether or not it can be integrated with various AAROM technical support activities

Communications Coordinator. The Communications Coordinator provides, under the direction of the ED, communications services for the Secretariat. She supports the FRAFFS administration by looking after the scheduling of Tier 1 and Tier 2 meetings, EC meetings, etc. She also attends and records those meetings. She presently is on an 11 hour per week contract.

This position needs to be reviewed and upgraded. There is a need for a full-time Communications Coordinator, with an expanded job description and with a change in title. The new title might include 'and Special Events Coordinator' (as per the FRAFFS AAROM Collaborative Management Proposal). The new job description would include her present duties, but also should reflect the need to improve communications between FRAFFS and FN Bands. For example, AAROM Proposal states "...The incumbent will be responsible for facilitating/coordinating such events as "First Fish Ceremonies", as arranged with the host First Nation." I also suggest that the credibility of FRAFFS would be greatly enhanced with the FNs if the incumbent in this position were to assume an educational, capacity building role. By this I mean that she would visit Band sites to assist in the training of the use of the web site and other computer based skills, etc. I included a similar recommendation in my 2002 Review (Rec. 10), but it was not implemented.

Recommendation 8. That Communications Coordinator position and job description be reviewed, and following the review, upgraded to a full-time position.

The Fraser Watershed Joint Technical Committee. The Joint Technical Committee (FRJTC) provides a forum wherein biologists from FRAFFS, AAROM groups and DFO can meet to discuss technical issues common to them all. Everyone consulted agrees that there is value in this process and that it should be continued. However, members of the group note that they lack an accepted understanding about how to deal with the information exchanged, or even what information should be exchanged.

Peter Nicklin presented a good overview of the FWJTC in the March 23 edition of Watershed Talk, including a set of recommendations as to how the process might

be improved.⁶ His recommendations are excellent and should be considered by the EC. They are:

- That in the next work plan, FRAFS concentrate more on developing the FWJTC process.
- That the FWJTC Terms of Reference be reviewed and amended as needed at the beginning of the next fiscal year.
- That the core participants of the FWJTC receive direction from the FRAFS EC on the scope of information that will be presented through the technical process. This information framework should be included in an amended Terms of Reference.
- That a process be developed to determine how the information exchanged at FWJTC meetings be communicated to FN and DFO.
- That prior to JTC meetings, any information to be presented be made available to the Communications Coordinator for distribution to the entire Watershed.
- That a technical person be assigned to prepare a report on the FWJTC meetings (a summary of information for wide distribution, communicated in a timely fashion).
- That a formal report summarizing the content of the meetings be submitted to the EC, and that a technical member of the JTC present the report.

Further, I recommend that a representative from the FWJTC be added to the EC as an ex officio member.

Recommendation 9. That the recommendations considering the operations of the Joint Technical Committee presented in the March 23, 2007 edition of Watershed Talk be endorsed by the Executive Committee and implemented as soon as possible.

Recommendation 10. That a member of the Fraser Watershed Joint Technical Committee be added to the Executive Committee as an ex officio member.

- A Proposed reorganization of the administration of the Secretariat.

There is a consensus amongst both FN and DFO respondents that the Secretariat continues to be an important and necessary contributor to the Fraser Watershed fisheries management process. Perhaps more than ever, its communications function is essential to keep FN communities informed about issues related to their fisheries and to issues of common concern and interest. However, things are changing in the Watershed. New organizations (AAROM groups, Inter-tribal protocols, etc.) and new concerns are emerging which require attention.

The FRAFS AAROM Collaborate Management Proposal sets out an ambitious proposed program of work. Skills development, stewardship and collaborative management, stock management and management planning, the joint technical committee, watershed communications and outreach, participation in outside

⁶ Watershed Talk. Volume. XII, Issue 10. March 23, 2007.

technical processes, facilitation of sessions on new economic opportunity fisheries, and more, are included in the Proposal. Some of these responsibilities are ongoing, but others are new and will add to the workload of the EC and the ED. An additional responsibility will be for the ED to liaise with other AAROM groups in the Watershed.

My view, shared by most of the respondents I consulted with, is that the Secretariat is not likely going to be able to successfully look after all of these responsibilities unless there is a substantial reorganization of its administrative structure. The current part-time ED simply is not going to have the time and energy to meet all of these responsibilities and obligations, in addition to Chairing the EC and scheduling and Chairing Tier 1 and Tier 2 meetings. Therefore, I propose the following steps in reorganization:

- That the existing title ‘Executive Director’ be discontinued, and that the position, ‘Chair of the Executive Committee’ be established. This should be a part-time contract position with a new job description to be developed. But it might include
 - Chair EC meetings
 - Chair Tier 1/Tier 2 meetings
 - Supervision of the ‘new’ Executive Director
 - Other, as determined by the EC, such as membership on the Pacific Salmon Commission, etc.
- That a new position, entitled ‘Executive Director’⁷ be established. This should be a full time position. His/her job description should include the array of responsibilities presented in the AAROM protocol, plus others as determined by the EC. The position would report to the Chair of the EC.

The goal here is to have a full time employee who would actually do the day to day work activities, some of which are listed above, that are necessary to improve the contribution of the Secretariat to the Watershed. The incumbent would implement the recommendations presented in this Report, as approved by the EC, and would be expected to ‘go into the field’ to visit Bands and explain the activities of the Secretariat and how it might be of service to them.

I also suggest that this person be located in Merritt, so as to work closely with the Communications Coordinator and the Administrative Officer.

Recommendation 11. That the administrative structure of Secretariat be revised as recommended above.

⁷ Some members of the EC do not like this term. However it used by most NGO organizations, which have administrative structures similar to the one recommended here.

- The Capacity Issue.

The loss of Ken Wilson to the technical process has caused many of the respondents interviewed to indicate concern about finding suitable replacements for contract employees when they decide to move on. Ken, Mike, and Pete all have years of experience in working with Bands on technical issues. Their credibility and knowledge will be difficult to duplicate. Therefore, the EC should give consideration to developing a mentorship program to mediate this potential problem.

This FRAFS responsibility is articulated in the FRAFS/AAROM Collaborative Management Proposal, where it states “FRAFS will facilitate the creation of career paths for First Nations trainees ...”(pg. 17).

Trainee positions also should be developed in areas such as natural resource management, fisheries policy analysis and administration.

Recommendation 12. That the Executive Committee, through the Executive Director, establish a mentorship program for First nations trainees.

CONCLUSIONS

The Fraser River Aboriginal Fisheries Secretariat continues to provide valuable support to Fraser First Nations through its communications and technical support activities. However, new challenges are developing in the Watershed, and FRAFS needs to position itself to meet them.

Attitudes amongst some Tribes seem to be changing for the better, providing an opportunity to move the process forward towards negotiation of a new Watershed Agreement and/or an Inter-tribal treaty. To bring this about, efforts to improve attendance at Tier 1 meetings must be ongoing. A new Agreement or Treaty is crucial to the long-term future of the Fraser Aboriginal fishery and the sustainability of salmon stocks in the Fraser Basin.

The recommendations in this Review report suggest means through which the Secretariat can improve its contribution to the Watershed process. They result from a series of in-depth conversations with members of the Executive Committee, executives with the Department of Fisheries and Oceans, technical staff, and others.

Bob Brown
Webbed Feat consulting
March 31, 2007

REFERENCED DOCUMENTS AND MATERIALS

QUARTERLY REPORTS FOR:

The Executive Director
The Fraser panel liaison
Stock Management Coordinator (1) – Lower Fraser
Stock Management Coordinator (2) - Mid and Upper Fraser

REFERENCES

Brown, Bob. Annual Review of the Fraser River Aboriginal Fisheries Secretariat. March 2002.

Brown, Bob. Review of the Fraser River Aboriginal Fisheries Secretariat. June 2004.

Gartner, B. Inter-tribal Consultation on the Fraser Watershed. 2004.

Jones, R., Shepert, M, and N. Sterrit. "Our Place at the Table: First nations in the B.C.Fishery". A Report by the First nations Panel on Fisheries, May 2004.

Payne, Brigid. FRAFS AAAROM Collaborative Management Proposal: 2006-2009. Oct. 06.

Watershed Talk. Volume XII, Issue 10. March 23, 2007.

APPENDIX I: MARCH 2002 RECOMMENDATIONS

Recommendation 1. That a process be established as soon as is possible to negotiate a new Fraser Watershed Agreement.

Recommendation 2. That a process be developed as soon as possible to negotiate a mutually acceptable consultation protocol.

Recommendation 3. That a renewed effort be made at the Tire I level to increase participation.

Recommendation 4. That an Executive Committee be established to oversee the operations of the Secretariat.

Recommendation 5. That following the establishment of an Executive Committee, an Executive Director be appointed to become the chief operating officer of the Secretariat.

Recommendation 6. That the Mandate of the Secretariat be reviewed by the Executive Committee.

Recommendation 7. That the Secretariat budget process be reviewed by the Executive Committee.

Recommendation 8. That consideration be given by FOC to providing additional funds to the Secretariat to increase technical support in the Stock Management area.

Recommendation 9. That FOC and First Nations establish a process to clarify rules regarding how the technical process should work.

Recommendation 10. That the job description of the Communications Secretary be amended to provide for an educational function to increase technical communications capacity amongst Fraser bands who request it.

Recommendation 11. That Tier I agree on a structure which will allow them to establish recommendations on action items and bring them to Tier I meetings for agreement.

Recommendation 12. That an editorial board be established to set editorial policy and oversee Secretariat publications.

Recommendation 13. That a process be established by FOC and Fraser First Nations to consider the recommendations presented in this Report and act upon those for which there is mutual support.

APPENDIX II: MARCH 2004 RECOMMENDATIONS

Recommendation 1. That the IEC identify a ways to create incentives for First Nations to encourage them to send representatives to Tier 1 meetings; and that once these incentives are identified, to enter into negotiations with DFO to operationalize them.

Recommendation 2. That the IEC consider what role, if any, the Executive Director might play in assisting Fraser First Nations in the development of a new Fraser Watershed Inter-tribal Treaty, and in advancing the Fraser Watershed Process.

Recommendation 3. That the IEC consider incentives to encourage First Nation and DFO participation at Tier 2 meetings.

Recommendation 4. That an annual schedule be developed for Tier 1 and Tier 2 meetings.

Recommendation 5. That Brenda Gaertner be asked to clarify the principles of consultation between DFO and First Nations, and to identify the steps in consultation at the Watershed level.

Recommendation 6. That a renewed commitment be established by IEC members to support the operations of the Secretariat. This renewed commitment may be established by the generation of a firm meeting schedule and the creation of a small stipend or honorarium for non-salaried members.

Recommendation 7. That the IEC work toward establishing a vision for the future of the Secretariat.

Recommendation 8. That the position of Executive Director be upgraded to full-time, and that his Terms of Reference be modified to reflect his additional responsibilities, if any; and that the Executive Director be appointed for a three- year term, subject to renewal following appropriate performance evaluation.

Recommendation 9. That the Administrative Contract be reviewed every three years.

Recommendation 10. That the IEC review its administration of the Technical Process in order to more clearly establish the rules under which the technical process should work; and that the position of Stock Management Coordinator and its Terms of Reference be reviewed every three years.

Recommendation 11. That the Executive Director work with the Fraser Panel Liaison officer to work out a more effective reporting mechanism prior to the 2004 fishing season, and that this position and its Terms of Reference be reviewed every three years.

Recommendation 12. That the Executive Director work with the DFO representatives on the IEC to attempt to find a way to establish a more timely and consistent funding

mechanism for the Secretariat

Recommendation 13. That the IEC give consideration as to how AAROM, if implemented, might affect its Terms of Reference and its Technical Process.