



Heiltsuk Integrated Resource Management Department
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Aquatic Department Dutilh (Heiltsuk for news)

2010 FSC fishery

This year, the community received food fish from two locations; our territory and the Johnson Straits area.

Local

Over the years the local rivers supported our food fish needs for sockeye and other salmon species. This was an average year for the sockeye stocks, and one of our main contributors to the sockeye stock is the hatchery at Emily Lake. Over the past decade our fisheries program has built and maintained the Emily Lake Hatchery, with very good results. We will provide a summary of this hatchery in a future Dutilh article.

Johnson Straits

With the estimated (30 plus million) return of the Fraser River Sockeye the Heiltsuk Tribal Council signed a Nation to Nation agreement with a First Nation within the Johnson Straits area, allowing us to fish for sockeye and have the fish transported to Bella Bella. One of our band members caught sockeye and delivered it to Bella Bella. Another fisherman fished at the same time and delivered most of his catch to our community, but some of the fish was delivered to another First Nation community to support their food fish needs.

There has been some question as to why none of this fish was delivered to our Urban Members, and they requested fish for their needs.

Two reasons

The fish was held in ice-slush during the catch and transportation up to Bella Bella and by the time the fish arrived in Bella Bella the ice-slush was starting to warm up, and the fish bellies started to go soft. In a very short time the fish would start to go bad so it had to be given out in a short time frame.

Second, the Heiltsuk Freight cargo trailers had already left to Vancouver and we could not hold the fish for the next cargo trailer.

At this time our office started the process to access food fish for the Urban Members. We contacted our seine boat to get ready to fish for the food fishery. The captain's only requirement was to get a food fish permit from one of the First Nations in the area of Johnson Straits and the availability of fish totes waiting at the dock on delivery to the Vancouver Island and Vancouver locations.



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We contacted a First Nation to request a food fish permit and informed them our vessel would be stopping by to pick up the permit. Our request was in process, and it was at this time we talked to DFO about our request to fish the sockeye for our urban members' food fish needs.

DFO informed us that we would not be eligible to catch food fish outside of our traditional territory. They stated that all Heiltsuk food fish needs are to be caught within area 7 and 8, which is identified in the Aboriginal Fisheries Strategy Agreement. DFO also stated that if there was a nation to nation agreement between the Heiltsuk and another First Nation, they could not deny the food fish permit.

But, DFO stated that “any fish that is caught within that First Nation territory the catch numbers would come off their food fish allocation”. We contacted the First Nation and informed them of what DFO policy was on fish caught outside of their territory, and this is where the problems started. This First Nation had already met their food fish allocation and could not support our request for a permit.

We contacted the three (3) additional bands seeking a food fish permit, but each of those bands could not support our request because they had already caught their food fish allocation. The one band in particular tried every way they could to support our request but in the end, they could not support us.

So in summary we could not find a First Nation community who could support our request for a permit to catch food fish for the urban Heiltsuk.

We are very sorry for not having been able to help all of our band members and we will be taking DFO to task on their unwillingness to support our request for a food fish permit outside of our traditional territory.

This fall we will be discussing this issue with the Island and Marine Approach Working Group (IMAWG) and the First Nations Fisheries Council (FNFC) to review and amend DFO's policy on Food Social Ceremonial (FSC) needs. In fact we know DFO does not have a policy on FSC needs other than what is identified in the AFS agreement. In addition to the policy review, we will be challenging DFO on their in-season management practice.

In our discussion with DFO we asked for an in-season management decision (to allow us to increase our FSC allocation) on the FSC fishery. They said they could not do this because they do not have a policy on in-season management for FSC. We stated they had policy to implement in-season management for the Recreational and Commercial fishery, why not a FSC fishery.



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Their comment was “the department does not have a fishery policy on FSC”.

In addition to their inability to provide in-season management decisions, DFO has a contradictory position on the FSC allocation policy specific to Heiltsuk request.

If the Heiltsuk wanted to catch fish outside of Heiltsuk Territory, the fish caught would come off of the First Nations (whose territory the fish are being caught) allocation. But in my discussion with other First Nations, they had caught their FSC allocation from another First Nations territory and that catch allocation was applied to their allocation. In other words;

Band A catches fish from Band B, the **catch numbers will be applied to Band B’s FSC allocation.** Heiltsuk Scenario.

Band A catches fish from Band B’s territory, **the catch numbers are applied to Band A’s FSC allocation.** Other Bands Scenario

On the face of this DFO policy, it appears that DFO has a prejudicial position toward Heiltsuk accessing FSC outside of Heiltsuk Territory but they are okay with another band receiving their FSC outside of their territory.

If the Heiltsuk catch allocation is applied to another bands allocation, the chances of the Heiltsuk receiving support to fish outside of their territory is slim to none.

In regards to the Fraser River sockeye and the size of this passing stocks; if we knew this fish stock was going to be so abundant in numbers, we would have actively fished it for our food needs, but we only found out the numbers after it passed our shores. Our office talked to many fishermen and they informed us that the passing stocks subsidizes our food fish needs along with our local sockeye stocks. This in another position we will be addressing in DFO’s policies.

Over the fall and winter we will work to address the inadequacies of DFO’s policy for FSC, and hope new policies will be in effect for the 2011 fishing season. If you have any questions please call our office during regular work hours.

