



COUNCIL OF THE HAIDA NATION

April 12, 2005

FAXED
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The Honourable Geoff Regan
Minister, Fisheries and Oceans Canada
200 Kent Street
Ottawa ON
K1A 0E6

By fax: (613) 996-6988

Dear Minister Regan:

Re: Response to Pacific Fisheries Renewal & Recommendations by the Joint Task Group on Post-Treaty Fisheries and the First Nation Panel on Fisheries

We understand that you will be making decisions soon for the 2005 salmon season in the context of DFO's Pacific Fisheries Renewal initiative, which was prepared in response to the Joint Task Group on Post-Treaty Fisheries and the First Nations Panel on Fisheries. We had a presentation on this initiative from one of your staff, Mr. Ron Kadowaki, in Masset on February 28th, 2005, which was followed by a short discussion. Mr. Kadowaki said that there were no specific proposals for us to consider at that time. However, he requested feedback on the recommendations from the two reports that he highlighted in the presentation. Attached are our responses to those highlighted recommendations.

To put this in context, the Haida people hold Aboriginal title and rights to all of Haida Gwaii and the waters surrounding our archipelago. This includes rich fishing grounds for salmon, halibut, herring and many other fish and shellfish species. Haida access to these ocean resources has been steadily eroded, due in part to DFO licencing policies, to the point where very few of our people still make a living from the sea. We are very concerned that management changes, such as the introduction of individual quota fisheries, will make it difficult for Haida to regain access to these fisheries. We have seen pilot individual quota fisheries become permanent with no input from or consultation with us, as for example what happened with the halibut, geoduck clam and red sea urchin fisheries in our area. We are concerned that the same happen again with other "pilot fisheries" involving individual quotas. It is therefore critical that Haida access to fisheries be addressed before significant changes are implemented in the management of commercial fisheries.

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In the past few days we have become aware of an Individual Transferable Quota (ITQ) Demonstration Fishery that is being proposed for the North Coast troll fishery (Area F) for the 2005 season. This scantily described proposal was buried on page 68 of the Draft 2005/2006 Northern BC Salmon Integrated Fishery Management Plan. This fishery takes place in Haida Gwaii waters and has been proposed without consultation with us. This is a major management change that has serious implications and we request that this initiative be halted immediately.

As you well know, the Crown has a legal duty to consult with and accommodate the Haida regarding decisions that will affect our Aboriginal title and rights, as detailed in the November 18, 2004 Supreme Court of Canada decision, *Haida Nation v. British Columbia (Minister of Forests)*. In accordance with the Court's ruling, we are seeking an opportunity to engage in meaningful consultation with you or your officials about any proposals for implementing recommendations from the two reports before decisions are made that may affect fisheries in Haida Gwaii waters.

Yours sincerely,



Arnie Bellis
Vice President,
Council of the Haida Nation

cc: Ron Kadowaki, DFO Nanaimo