

First Nations Fisheries Council

PO Box 2606, #209 – 99 Tsakis Way,

Port Hardy, V0N 2P0

Telephone: 250-902-8380

www.FNFisheriesCouncil.ca



FIRST NATIONS
FISHERIES COUNCIL

Greg Savard, Director, Oceans, Habitat, and Enhancement Branch
Department of Fisheries and Oceans
Suite 200 - 401 Burrard Street
Vancouver, British Columbia, V6C 3S4

September 22, 2010

Dear Mr. Savard,

I write to you today on behalf of the First Nations Fisheries Council (the Council) with respect to concerns about B.C. Hydro/ DFO discussions relating to mitigation of hydroelectric operations in B.C.

Hydroelectric operations within B.C. have had a significant impact on First Nations Title and rights. Ongoing hydroelectric operations and mitigation have the potential to infringe upon the inherent Title and rights of B.C. First Nations due to negative impacts on resources to which First Nations assert Title and rights, and by destruction of lands and impeding access to territories. B.C. First Nations are keenly interested in how the Crown plans to discharge its duty to consult and accommodate with respect to hydroelectric operations and mitigation.

The Council was established in 2007 as an organization that works with B.C.'s 203 First Nations on issues related to fishing and aquatic/marine resource stewardship. The Council has 14 seats for First Nations representatives from the various diverse geographic regions of the province. The Council works to identify and address issues of common interest to First Nations with respect to fisheries and aquatic resources, including title and rights concerns, building community capacity, and moving toward a more robust and responsive system of consultation and accommodation.

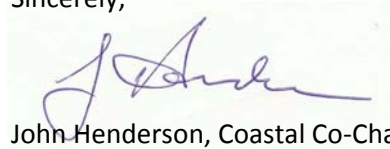
As a B.C. wide organization, the Council has become a conduit for questions from communities on hydroelectric mitigation and the process the Crown proposes to fulfil their obligation to consult and accommodate First Nations' Title and rights. We write to you today, therefore, to request a presentation of background information that outlines the planning that B.C. Hydro and DFO are making to manage hydroelectric mitigation on a province wide basis. We are particularly interested in how the Crown plans to fulfill its obligations to First Nations, and how DFO plans to engage First Nations in all decisions and processes which infringe or have the potential to infringe, on asserted, claimed and proven title and rights.

As discussed in previous Council meetings with the Regional Director General of DFO Pacific Region, First Nations in British Columbia are also keenly interested in working with DFO to ensure that B.C.'s Water Act Modernization meets the shared objectives of Canada and First Nations.

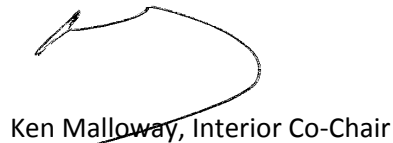
The Council is also interested in better understanding what discussions are currently taking place between Canada and British Columbia related to hydro mitigation, and would like to discuss the opportunity for First Nations to participate in these discussions.

If any further information or clarification is desired please do not hesitate to contact Brenda McCorquodale, Executive Director of the FNFC at (250)-902-8380 or Brenda@FNFisheriesCouncil.ca. We look forward to discussing this project with you in more detail in the future.

Sincerely,

A handwritten signature in blue ink, appearing to read 'J. Henderson', is written over a light green rectangular background.

John Henderson, Coastal Co-Chair

A handwritten signature in blue ink, appearing to read 'Ken Malloway', is written over a light green rectangular background.

Ken Malloway, Interior Co-Chair

cc. Sue Farlinger, Director General, Pacific Region