

Community Report

Building a robust fishery for all, forever.

September 30, 2015

Brenda Gaertner: Lead Negotiator

"Being asked was like the sockeye bringing me back again."



The Main Table has retained Brenda Gaertner of Mandell Pinder LLP to be Lead Negotiator of the Fraser Salmon Management Council.

Brenda was called to the bar in 1984, and since then has worked extensively with First Nations. She was Senior Counsel for the First Nations Coalition in the Cohen Inquiry into Fraser River sockeye. With Brenda's assistance, the St'át'imc Chiefs Council reached a historic agreement with BC Hydro and the province of British

Columbia. She has represented First Nations clients before the National Energy Board and at Joint Federal and Provincial Review Panels.

The selection process began with a Request for Expression of Interest. While all applicants were strong, Brenda's unique and lengthy record of work with Fraser First Nations was the deciding factor. In 2003, Brenda wrote Establishing a Fraser Watershed Process, some elements of which are now coming to life in the FSMC.

"I've been in the circle of the salmon for a number of years, and I'm honoured to take this step with you," Brenda said. "I'm ready to get to work with you on the issues ahead of us."

Welcome aboard Brenda.

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First Nations have joined the FSMC

Burns Lake, Canim Lake, Canoe Creek, Esketemc, Lhtako Dene, Lheidli T'enneh, Nak'azdli Whut'en, Nazko, Soda Creek, Stellat'en, Tl'azt'en, Wet'suwet'en, Williams Lake, Yekooche, Adams Lake, Bonaparte, Coldwater, Cook's Ferry, High Bar, Little Shuswap, Neskonlith, Nicomen, Nooaitch, Okanagan IB, Osoyoos, Penticton, Seton Lake, Shackan, Shuswap IB, Simpow, Siska, Skeetchestn, Splatsin, Tk'emlups, T'it'qet, Upper Nicola, Westbank, Whispering Pines/Clinton, Chawathil, Katzie, Kwantlen, Kwaw Kwaw Apilt, Seabird Island, Shxwa:y Village, Sumas, Skawahlook, Skowkale, Soowahlie, Tsawwassen, Tzeachten, Yale, Campbell River, Cape Mudge, Cowichan Tribes, Ditidaht, Ehattesaht Chinehkint, Lyackson, 'Namgis, Halalt, Nuchatluht, Penelakut and Quatsino.



Questions and Answers

What is the goal of the FSMC?

- FSMC is a mandated
 Tier 1 governance
 body by which First
 Nations will enter into
 negotiations with
 DFO.
- The goal is to secure a role for First Nations in management decision-making processes over Fraser salmon.
- "It's an opportunity for First Nations who fish Fraser salmon, to have more strength, more say in management decisions."

Darren Haskell

President, FSMC Main Table

FRAFS and FSMC: How are they different?

Since 1994, the Fraser
River Aboriginal
Secretariat (FRAFS) has
been the Tier 2 structure
(i.e. First Nations and
DFO) through which
Fisheries and Oceans
Canada has carried out
consultations with First
Nations.

FSMC is different in that it's a Tier 1 (First Nations only) governance body.

Please see the visual guide on the next page for a more detailed explanation.

Join us



FSMC Community Outreach, contact Pat Matthew: Tel.: 778.471.8224 pmatthew@shuswapnation.org



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@Fraser Salmon









Fraser River Aboriginal Fisheries Secretariat (1994)

Fraser Salmon Management Council (2014)

Tier 2: (DFO and First Nations) Consultation

Tier 1: (First Nations only) Mandated governance body.

FRAFS:

The structure through which DFO encourages and supports consultation. Includes the Joint **Technical Working Group:** biologists and technicians from DFO and First Nations working as peers.

FSMC:

The structure by which First Nations will enter into negotiations with DFO. The goal: a management agreement over Fraser salmon.

FRAFS Executive Committee

First Nations Membership: Two each from the upper, mid and lower Fraser: and the Chair. Selected by First Nations. DFO: two Aboriginal Advisors.

FSMC Main Table

Elected, by region, by FSMC Member Delegates: Two each from the upper, mid and lower Fraser; and three from the Marine Approach

Terms of Reference (TOR)

FSMC Constitution and By-laws (2014)

Forum on Conservation and Harvest Planning.

Tier 1 / Tier 2 discussions result in a letter of technical advice to the RDG re: IFMP.

FSMC Assembly:

Consensus decision-making on Resolutions. Quorum required.

Forum Attendees:

First Nations that fish or rely on Fraser salmon (ex.: FSC; economic opportunities) and DFO representatives.

FSMC Member Delegates:

Appointed by Council Resolution. One per First Nation. They represent the Rights Holder.