

Tier 1 Participants

Marcel Shepert, Forum Chair

Kristin Hrapchak, FSMC

Tina Chestnut, FSMC

Greg Witzky, FSMC

Sharmayne Page, FSMC

Greg Fergusson

Alex

Richard Bailey, consultant

Hank Gott

Lyle

Travis Marr, Stkemlupsec

Nathan Lustig, Secwepemc

Sonora Thompson, IMAWG

Harold Amos, NTC, IMAWG

Georgina Amos, IMAWG

Nicole Frederickson, IMAWG, JTC

Jessica Moffatt, IMAWG

Kevin Duncan

Tracy Wimbush, Shakan, FSMC MT

Reid Bryshun, Nlaka'pamux

Don Sam, NNTC

Arlene Edwards

Nicholas Coutu, WLFN

Aaron Higginbottom, WLFN

Don Kistofferson

Pete Erickson, Nakazli, FSMC MT

Shane John,

Rod Peters, Seabird

Bobby

Kelsey Campbell, JTWG Co-chair

Patrice Pellegrin, Titget

Tristan Hjorth, Nazko

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Stephanie Denault, Nazko
Jessie Chestnut, Secwepemc
Mike Staley, JTC
Aaron Gillespie, Secwepemc
Pat Matthew, SFC, FSMB
Jillian Atkinson, Shuswap
Jessica Hopkins
Beckie Riley, Statimcltc
Sasha Riley LTC
Thomas Alexis, UFFCA, FSMB
Shamus Curtis, UFFCA, JTC
Aidan Fisher, JTC Co-Chair
Ken Malloway, LFFA Co-Chair, FSMB
Kim Charlie, Sts'ailes
Sally Hope, LFFA Co-Chair
Dalton Silver, Se:math
Mike Campbell
Victor Isaac, Namgis, FSMC MT
Oliver Peters, Xaxtsa
Robert M, Namgis
Tony Roberts Jr, FSMB
Frank Boucher, Ihtako
Arnie Narcisse
Mitchell Joseph, Yekooche
Pete Baker, Adams Lake
Bonnie Adolph, Cayoose Creek
Keith West, Takla

ONLINE

Dominic Hope, Yale, FSMC MT
Bernette Laliberte, Cowichan
Damon, Nowosad, QARS
Don Simpson, LFE LP
Marc Labelle, JTC

Pete Nicklin, TNG

Les Antone, Kwantlen, FSMC MT

Kyle Lewis, IMAWG

Gord Sterritt, UFFCA

Darren Haskell, FSMC President

Tina Donald, FSMC VP, MT

Murray Ned, LFFA

Leah Collins, Cold Water Band

Nick Chowdhury, IMAWG

DAY 1 Tier 1

In camera

TIER 2

DFO Participants

Jacob Omajali

Linda Stevens

Chris Narver

Lita Gomez

Al Magnan, FSMB

Matt Parslow

Jeff Radford

Mike Hawkshaw

Madeline Thomson

Sheldon Evers

Adam Keizer

Robin Hawes

Dale Michie

Dylan Couture

Thomas Powell

Amy Wakelin

Wade

ONLINE

Brittany Jenewein

Ge Li

Kent Spencer

Kory Ryde

Max Veilleux

Steven Ratko

Sydney Cappus

Zaynah Khan

Rob Martin

Brandon Wood

Colin Schwindt

Patricia House

Jeff Grout

Heather Braun

Michelle Loyd

Sukriti Khanna

Christie Nelson

Cynthia Breau

Honouring Don Sam & Linda Stevens

DFO staff shared messages of appreciation for Don Sam's long career, his outstanding contribution and for his friendship, wisdom and commitment to this often difficult work, which leaves an indelible legacy on his DFO colleagues.

Don spoke briefly, noting there will always be difficult decisions and discussions, but in the end it's about working together to rebuild the fish for our fisheries and for the future.

Marcel and FSMC reps also honoured and thanked Linda Stevens for her long and tireless work with nations in the Upper Fraser, and for her past role as Forum Planning Committee Co-Chair.

Linda also spoke briefly, thanking all those with whom she has worked over the years, and noting the valuable lessons learned from them.

FSMB: Sockeye Escapement Planning

Matt Parslow, FSMB

Presentation highlights included:

- PPT recaps info shared at Forum 2, along with additional details requested.
- New Forum format includes additional options to provide feedback (Slido, flip charts).

- Sockeye escapement plan options 1 & 2: pros and cons.

Discussion

- Q/A: Re why TAM cap was not reduced in Option 2 for the Early Summers, if returns are within the median forecast range or lower, the TAM cap does not come into play (i.e. it will be insufficient to permit directed harvest so in-season management will rely on LAER cap instead to manage bycatch in other fisheries). If the Early Summers were to return much higher than forecast, a lower TAM cap would preclude FSC fishery opportunities that might be appropriate for such high abundance.

Presentation, continued

- PPT explains that targeted sockeye fisheries would not occur under either option unless the return is higher than the median forecast.
- Discussion questions
 - Slido: Which option do you prefer: Option 1, Option 2 or neither.

DFO: Sockeye Management Planning

Adam Keizer, DFO

- Thank FSMB for their role supporting management planning this year.
- Both escapement plan options are conservative, given record low forecast for Fraser Sockeye, with no targeted fisheries expected unless returns are far higher than expected.
- Other management measures include rolling window closures to protect weak stocks.
 - Implications: Window closures affect directed sockeye fisheries and may require constraints, e.g. gear restrictions, in other fisheries like Chinook.
 - Longer closures afford more protection but also more fishery constraints.
 - Time slots for 3- 4- or 5-week window closures.
 - Uncertainties include actual migration timing: window closures may be adjusted based on in-season information.
- Discussion questions: Window closure preference; test fishery preference; what is an acceptable level of incidental mortality.

Discussion

- Prefer the more conservative option to maximize protection. DFO also needs to start looking at accommodation and compensation for failing to support food fisheries due to past mismanagement. Concern that other non-rights-based fisheries are still provided access and opportunity ahead of us and that DFO is not even considering social and ceremonial needs. It's not just about food but the act of fishing and practising our culture.
- Q/A: DFO: Forecast (e.g. 200 for Early Stuart) is for total return, so far less would be expected to reach the spawning grounds.
- When are the potential fishery opportunities. What is known about migration timing?

- DFO: If there is potential opportunity, the best chance would be on Early Summers, so that's where extended window closure would affect it. Expected migration timing is modelled based on historical data, but in-season information will be collected to inform management. Test fisheries (in river, marine) present another key question: how large should they be?
- FSMB is struggling with these complex questions, which DFO used to address alone in the past. Nations in the Upper Fraser have no fisheries, whether for Sockeye or other stocks. Others want to be able to access Chinook. FSMC's Tier 1 caucus discussed these questions recently and asked themselves what our elders would have advised in such situations. Not all these questions can be answered with technical information, so we may need to consider other approaches, such as reviving traditional management principles for guidance. It's also important to understand each others' fisheries and what local adaptations could be made to maximize both conservation and local opportunities where possible. Other complications include if there is a very limited LAER, how to share that fairly, to avoid downstream fisheries using too much and potentially closing all fisheries up-river.
- What about extreme drought/environmental conditions? How do we relay these concerns to our communities to explain why fisheries are impacted and the importance of getting these fish to the spawning grounds.
- Important considerations include retaining dead sockeye during our Chinook openings, because it goes against our traditional values. Also just being able to go out on the water to pass on our teachings to our young ones, and practising our traditional ceremonies. If we can't fish, how do we explain to our children why there are fish available for sale?
- I support the 5-week window closure. Five percent of this year's Early Stuart run is 10 fish. A single net could take out 50% of the run. In the Upper Fraser, we will get no Chinook and no Sockeye, so we want no fishing in front of that, including no commercial and rec.
- When will we learn? There is no possibility of fishing based on these numbers so why even contemplate fisheries? We are the last country in the world permitting unlimited rec fishing 365 days/year and calling that sustainable. Why is this government so afraid of a total closure? If there's no fish, there's no fishing. I'm concerned about history's lessons from the plains, where buffalo were wiped out to wipe out the Indians. I'm worried about my children and the changes seen in our lifetime, and now having a forecast this low and we're still discussing fisheries. First Nations had to literally fight each other to get commercial herring closed, so I don't want to see us fighting each other, and using old methods of management that have brought us to the brink of extinction. A total closure is needed to bring the fish back. And fix the habitat. It's not just for this year but for the foreseeable future, given mother nature and ocean conditions. The Minister should be here listening to the nations' voices.
- DFO: DFO also welcomes other options or management suggestions besides those in the draft IFMP and encourages Forum members to bring forward technical questions to your JTWG reps (e.g. about why not a lower TAM cap).
- Key questions for nations to consider include what are the potential impacts on your stocks of interest if you have a fishery or extended window closure in a particular time and place. Note that extremely low returns are also expected for some Early Summer populations, with concerns about long-term impacts for this cycle line, including potential extinctions.

- DFO: Agree there are complex considerations for individual stocks. DFO welcomes suggestions to explore those in more detail than is possible here.
- DFO welcomes input via the tools provided today, and also via individual letters and/or via FSMC/B reps.
- It's important that key decision makers like the Deputy Minister hear from us, because we don't want to go to court.

Presentation, continued:

- Test fishery plans for 2024 will be discussed and decided at the Fraser Panel, but there has been discussion of a reduced test fishing plan. More discussion is needed especially around marine test fisheries and perhaps curtailing those to permit as many fish as possible to get through to spawning grounds, given very limited likelihood of commercial fisheries this year. Options include less lethal test fishery gear and/or having no test fisheries at all.

Discussion

- It's important to maintain marine test fisheries, especially to provide information on migration timing and to give us an idea of what's coming.
 - DFO: In-river test fisheries would still occur to provide information on timing and stock composition.
- For Area 12, Atlegay has a tagging program and plans to incorporate a test fishery in that, so there would be almost zero additional mortality.
- In Lower Fraser, we use 8-inch net for Chinook, so most sockeye get through. If we're shutting gillnets in Lower Fraser, how can we talk about gillnets anywhere else, including Area 12. Sparrow addresses all these issues, but we and DFO interpret it differently. We're facing extinction and government doesn't have the courage to shut down the rec fishery. We have the right to fish, but we go without and rec anglers get 2 fish/day. Now my fishery will be compressed even further, if I can fish at all. I want to talk about MSFs at FSMB but DFO wants to keep that discussion high level, while anglers sort through 20 fish to catch one Chinook. I'm ashamed of the way Canada treats us. First Nations back east don't understand why we don't use the Sparrow decision like they do. We don't know how DFO staff advise the Minister because of ministerial privilege. A Lower Fraser fisher was threatened with seizure of boat, gear and vehicle for catching one fish in the Pitt River, but DFO won't act to stop 24,000 Sockeye being caught mid-river.
 - DFO: The Sparrow issues noted are much broader than Sockeye, but we do need to consider questions around test fisheries and maximizing spawners, and those are decided by the Fraser Panel in season, not by the minister.

Interior Fraser Coho Management

Jeff Radford, DFO

Highlights of DFO presentation included:

- Overview of Pacific Salmon Treaty (PST) management framework and status; conditions that determine official Interior Fraser River (IFR) coho status.

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- FRAM (Fisheries Regulation Assessment Model) tool used for pre-season planning and post-season assessment.
- 2022 coho mortality tables: summarize fishery ER estimates based on CWT (Coded Wire Tag) analysis.
- 2014 results: additional detail was requested at the last Forum re the results of raising ER cap to permit incidental IFR coho impacts in allowing commercial fishing for abundant Sockeye returns.
 - Post-season ER that year significantly exceeded what was planned pre-season, highlighting the need for improved planning tools to support management of expanded fisheries.
- DFO heard interest from nations re increasing access to IFR coho so has invited FSC proposals for 2024. So far only one proposal was received from Five Nations, but expect more from interior nations. The FRAM model results are 2 years out of date, so clearly better tools are needed to move from the current cap.
 - DFO also heard interest in receiving more detail on the Five Nations proposal and strong opposition to increasing IFR coho ER.
- DFO has a science request for work on improved coho fishery management tools. The intent is to develop these in partnership with DFO fishery managers, Science and First Nations, to ensure we have the right tools to manage when IFR Coho status is increased to moderate.

Discussion

- Would the CSAS process review the design and methodology of the SoG coho assessment fishery? It has never been CSAS reviewed and some concerns have been raised.
 - DFO: The CSAS request has been submitted but details remain to be decided, so such questions can certainly be considered.
 - Q/A: The intent is to establish a small working group, with invitations to go out shortly. (Nicole Frederickson interested).
- How will DFO evaluate the Five Nations or other proposals for 2024 if required tools aren't yet available?
 - DFO: Those impacts are not included in the current 3-5% cap so it would increase impacts. It's also a sale fishery, so it doesn't really fit the criteria. Questions include how to identify impacts on IFR or other coho populations. DFO recognizes we don't have all the answers so we need to work together on how to do it if the intent is to move off the current 3-5% cap.
- We've asked why DFO would close our Sockeye fishery to protect IFR coho, especially if those fish are going to be allocated for a sale fishery?
 - DFO: One of the exercises we propose is to break out and share information to Forums like this on how allowed fishery impacts are being allocated.
- The Adams Lake band took DFO to court in the 1990s about being denied access to IFR coho. That decision is still in abeyance, but we will discuss this being an FSMB issue, as it has migratory scale implications.

- In 2014, DFO gave 25.4% ER to commercial and recreational and 1.4% to FSC. We are not supposed to bear the brunt of conservation but the opposite is happening. There were no consequences for this, except for us. If we raise the ER, who will benefit? Who is benefiting now? What is DFO planning and where are we in that plan? Reconciliation means involving us and our tech people from the initial planning stages. If we want an FSC fishery on marked Spius hatchery fishery, does that count to the 3-5% ER cap? We need opportunities to teach our grandchildren to fish.
 - DFO: We heard the concerns loud and clear and 2014 is a good example of what we don't want to do, so we need to work collaboratively with the nations from the ground up on what the fishing plans would look like. This IFMP opportunity was about providing more opportunities for FSC. Catching marked fish as noted would not come from the 3-5% ER cap.
- The Five Nations won a court case affirming their rights to catch and sell modest numbers so we should support that. The allocations for their rights-based sale fishery should come from numbers currently assigned to the rec sector.
- Commercial fisheries were closed, while rec is allowed to fish year-round. It's not working.
 - DFO: We're not blaming the Five Nations. The point is that it illustrates the complexity of the issues and the need to work together on a management framework.
- Is the intent to increase access in-river only or only for FSC? We saw in 2014 how the SAP resulted in harvest ballooning because rec access had to be increased to permit commercial harvest. We aren't living by the SAP currently, so where is this going?
 - DFO: Acknowledge that, which is why we need these conversations.
 - Noted that the SAP is also currently under review.
- There is already an FSC priority infringement that needs to be addressed. JTWG discussed that this is something that FSMB should take on.
 - The reality is FSMB is already at capacity so it would require more resources.
- The Salmon Allocation Policy is a good policy; the problem is DFO not enforcing it. The rec sector can't retain Chinook in Georgia Strait, so they're now going after Coho and we don't know which stocks are being hit. It's a reminder that such changes can have unintended consequences.
 - DFO: Agree — this reinforces the need for better tools.

Adjourned: 4:15 pm

DAY 2 | TIER 1

In camera

TIER 2: General Discussion

Marcel welcomed DFO and thanked them for their patience with the delayed start, noting the difficult Tier 1 conversations. People have been coming to these processes for decades and there is great frustration over the lack of progress. While the CMA and co-governance was

welcomed, there is growing frustration and anger over the slow pace of progress. Tier 1 proposed foregoing the planned agenda and having an open but respectful conversation about the concerns that DFO is not respecting priority access. Marcel invited Ken Malloway to open with comments around the Sparrow decision and its implications.

- The Sparrow case clearly ruled that if our food needs were not being met, there should be no fishing in front of us. If food needs were being met, other sectors should bear the brunt of conservation measures. DFO is not honouring that because our food needs are not being met, with other sectors are fishing in front of us, and we're bearing the brunt of conservation. Now DFO is approving even more new rec fisheries and doesn't want to discuss those at the FSMB. If not FSMB, who is going to talk about that? There is an obligation to consult and to be consulted. That's why we're here and didn't just walk out. I'm not going to get Sockeye this year or Coho. We're laying off almost all species, so our food needs are not being met. We get 22,000 Chinook, which is 2 fish each for us, while rec anglers get 2 fish per day. The rec fishery is fishing year-round and keep bringing new fishery proposals. Monitoring reflects catch of 140,000 Chinook last year, and the reality is probably far more, due to monitoring gaps, while our fishery has been compressed to almost nothing.
- The feeling in this room has changed. This is about our people's way of life and about significant cultural practices. All guests here should remember that we are here on un-ceded lands. Sharing of our culture is sensitive, so the cultural stories we share here are not to be shared further. DFO is careful about how they present information. None of us are lawyers, but the information we share here should not be used against us. We need to go home and discuss these issues with our leaders, but DFO needs to slow down and hear us, because it gets toxic when we are not being heard and I want to stress the importance of hearing from our diverse tribal areas.
- Where do the nations go with this? I can only speak about my nation and Atlegay, which has asked DFO to meet with us to discuss fisheries in our territory, and DFO's reluctance to do so — i.e. to meet with us in our territories (not in regional groups like this) to secure free, prior and informed consent for any fisheries in our territory. The FSMB can only speak about issues at the 50,000-foot level so DFO decision makers still need to meet with us at Atlegay to secure our consent for any fishery, including rec or commercial, proposed for our territory. Our voice is for the fish. I don't fight for fisheries for anyone. My concern is about having fish for seven generations in the future and I am very concerned about the future of many Sockeye populations.
- Marcel referenced tables in the JTC's FMI analysis memo, showing disproportionate reductions for FSC access to early-timed Chinook MUs, which prompted this discussion and brought long-simmering concerns to a head.
- We've been raising concern about being able to feed our families for decades, since DFO first started building hatcheries in our territory. Two fish per family won't do it, especially when rec anglers can catch 2 fish/day, every day. Talk is just talk, without a hammer in your pocket. It costs \$100 to file an injunction and we intend to use the judicial process because we've talked until we're blue in the face and this process isn't working. You have consultation sessions but you don't really listen. It's time you listened, as consultation is a 2-way street. We haven't even started talking about accommodations, but the MSFs that you plan to approve are taking food out of the mouths of my family and I won't let that happen.

We will rely on our technicians to show that despite Sparrow, you have continued to infringe on our rights. We will convene a meeting in Merritt in two weeks to discuss this and you are all invited.

- AFN discussed this issue recently. We celebrated the signing of the CMA in 2019 but we haven't seen much change. I see willingness amongst the DFO staff here to work with us, but what happens in BC seems to be isolated and not often heard in Ottawa. We have meetings in Ottawa in May, so I will bring forward these issues. Re our jurisdictional authorities, we speak for the wellbeing of the resources. Much of what's happening now stems from the artificial lines that were drawn to divide us, but we have strength when we come together to speak. We have no agreement with any crown entity; most of BC is still indigenous title, and government needs to start understanding that. Our once-plentiful resources have eroded. Many of our organizations are working on recovery but most of the harvest in our area is in the rec fishery. The issues are complex and we are better off working on them together, but many have lost faith after coming to these tables year in, year old to stand up for the interests of their people and for the wildlife.
- Agree the feeling in this room has changed... [prayer]. We looked at the Chinook numbers this morning and at the Coho numbers yesterday. In both cases, other sectors got preferred access and opportunity to the food fish that are vital to our culture and to feeding our people. The tables show FSC fisheries have borne the brunt of Chinook conservation measures, with no consequences for those who made the management decisions — from the minister to staff who informed the decisions. These were not our decisions but we are the ones feeling the consequences. We're human beings, just like you are. What we're asking for is compassion and understanding. We're fighting for our children, our culture and you can help us. We and our ancestors paid the price and we are still living the legacy of abuse — you need to understand it's not just history. Our words may get angry and hurt, because we are still fighting against that darkness. We need to be part of the fabric of management and we have the tools to do it, including the courts if we have to, though we'd rather not

Discussion, continued

Following the lunch break, Marcel led a round of introductions, before inviting DFO to respond, and further discussion on where to go from here, including next steps for DFO and FSMB.

- DFO: Thanked the speakers for sharing their thoughts and concerns: FSC, lack of fish, priority, cultural practices, advancing reconciliation, UNDRIP implementation, and the need to rebuild populations over the longer term. These comments will stand for themselves in the minutes, but I want to agree with references to this being a very complex or “wicked problem,” where it may feel like nothing is happening. Lots of work is being done to advance relationships with the Fraser and Approach nations and to increase understanding of what we need to do to increase collaboration to sort these things out. There is a much better common understanding now of the fishery data, and a lot of collaborative work is being done to understand what's going on, and actions taken to address the concerns being raised. We acknowledge that there remains some disagreement around what's needed, but we have significantly reduced mortalities on Spring 42s and 52s. There is still more to do re the Summer 52s, with additional action taken last summer to further reduce rec and commercial impacts. DFO has been clear that we are trying to provide the majority of impacts for FSC. We've seen improved returns/survival last year, so we are seeing some results of these

measures. Re the specific concerns about priority, one of the outcomes of the 2023 Dispute Resolution over the management target for Summer 52s was a letter from the RDG to FSMC explaining the 2023 decision/rationale (propose sharing that if it wasn't already). We're not perfect and the relationship isn't perfect but we're striving to meet the objectives. Re Sparrow, we've heard the concerns loud and clear re the need to take these rights seriously in management. There are also other court cases that addressed mixed stock fisheries and the lessons learned from those. One of the tasks in the Salmon Allocation Policy review has been to review those cases to understand key principles and ensure they are reflected in our policies going forward. Re UNDRIP, there is a path for implementation and work will continue on developing collaborative governance of fisheries, SAP renewal, etc. It's a new relationship and we will need to continue the work. Re the complexity of the issues, DFO does have a process for requests for increased allocations. FSMB tried to address this in 2022, so this signals our willingness, even if the initial results were not perfect. There is lots of concern over the need for stock rebuilding, and we can speak about how we're using the new Fish Stock Provisions and PSSI (Pacific Salmon Strategy Initiative) investments to support this. The advice for dealing with "wicked problems" is that you need to break them down into manageable pieces to start being able to work through on them, and this speaks to the benefits of an incremental approach (which doesn't need to be slow). We need to understand the complex social and economic context, we need to strengthen our institutions and to encourage nations' participation in the science so that we are learning together. Also question concerns over inertia and think about how to change course for the future. We need to respect all perspectives. It's about coming and staying and working together. We need to recognize fishers as knowledge experts, and the importance of evidence-based decisions, so sharing info and building a common understanding of the science.

- DFO: Want to acknowledge the words and passion of the speakers this morning. There are many challenges in all areas, but there are also the relationships that communities have with staff in various DFO programs, and this is just one place where we can work together on the issues. I've been fortunate to have conversations, to learn from these communities, and to ask how we can improve things. We recognize that indigenous fish reps and leaders have a tough job mediating between community members and DFO. Going back to the 2010 meeting referenced earlier and how difficult it was, we recognize how much sacrifice has been made since then, from the approach waters through to terminal areas. DFO would like to see more fish for everyone, and wants to continue working with everyone to do so.
- DFO: Want to recognize the frustration heard today. People spoke from the heart, but respectfully, which we really appreciate. Hopefully, we are hearing you. We are in a time of transition, which is frustrating, but want to recognize that many people are working hard to change the way things are done. It's hard to change a large organization, but I do see change and would like to talk about how we solve these problems together. There has been discussion about how FSMB can provide guidance on how to operationalize priority. We want to hear from nations what they need to see immediately (what are immediate actions needed to address the concerns) and what we can work on going forward, recognizing that we may not have all the answers today.
- DFO: Want to also emphasize that the DFO staff here are hearing you loud and clear at all these tables on these priority issues and that that information is being fed up to the minister.

ACTION: FSMC to post on their website (FSMB tab) DFO's letter responding to FSMB on the 2023 DR.

- FSMB: Forum is an information sharing venue. Attendees don't have the mandate to advise on policy decisions. FSMB's mandate is to try to reach consensus-based joint decisions or recommendations on these issues. With limited capacity, we are trying to take on a few issues every year so we can't tackle it all. But we want to be involved in planning for conservation and harvest; also management implementation, monitoring and evaluation. The Forum provides one venue for FSMB to gather information to inform our work. The dispute last year was challenging but it led to useful learning and helped identify some of the pieces that we can start addressing. DFO provided their rationale for 2023 management, though we have not completed the process to say we are satisfied with the response. But it was very time consuming and diverted us from other issues. Re next steps, our communities signed on the CMA to develop structures for joint planning. In the past, these Forums supported information exchange, but nothing really resulted that influenced decision making. The CMA was a Forum proposal and its slow implementation is frustrating but it's an important step forward.
- We've been involved in many processes including CSPI (Chinook Strategic Planning Initiative) and the Southern BC Chinook Committee that have come and gone. We were asked to give up our fishery and we never got it back and we don't know if we ever will. The FSMB's dispute resolution process dragged on and on and that needs to be fixed. The Sparrow decision talks about the need to provide justification. People are talking about injunctions because this process is seen as moving too slowly although those of us involved know there is progress. The concern is that by the time we resolve these issues, there won't be any more salmon to fight over, as with the US Boldt decision.
- The CMA sets out high standards for moving forward. It's a very good agreement, groundbreaking in Canada, but like most agreements, it takes time to implement. We plan to build on the work done to date, e.g. addressing FMIs, to address the concerns.
- The incremental part of CMA implementation has bothered me and really needs firmer timelines. The fish are in trouble and we don't have time for incremental. We could take immediate measures, like using rec licence conditions to make them less effective, but we're not talking about those. This board was created to manage fisheries in a different way, so doing the same things over and over is not a recipe for good outcomes. I want to see this board succeed. I want to see timelines set, otherwise incremental feels like a stalling tactic. We need changes to policies and laws so that we can do our job of managing fish. None of us would object to meeting with rec fishers to defend our fishery management decisions but that's not what we're doing. It's good to hear about rebuilding plans in the interior, but we should know about those and be part of that work.

Marcel invited participants to consider solutions: What's needed to solve the issues in a good way? There have been suggestions to close all rec fisheries but if that happens then what? How would nations share the savings? What work and structures are needed to address such questions? What things can we do immediately and what should we start working on?

- We began talking about FSC not being met. The CMA agreement was intended to be much stronger than is currently the case. When we discussed the FMI target for Summer 52s, we proposed a 10% cap, but when they said DFO would never agree, we immediately

compromised to 12.5%. Families in our communities are not meeting their food needs. The rec sector has strong lobbies and they insist it's their fish, especially hatchery fish. The CMA needs a lot of work and dollars to do the work needed. So that's one solution: funding for the CMA process, including for community engagements. We also need priority access to the fish that are available. There is no limit to rec licences, even for people from outside BC, while we have to buy fish to feed our communities. This is a good process and we want to work with people but we need to address these issues, including reducing harvest by other sectors, addressing communities' access to local stocks and investing in FSMB capacity to work on these issues (technical work, outreach to communities).

- Thank DFO for their responses, although they didn't really address our questions. The "incremental" approach wording is very frustrating. Staff suggested it could take DFO 20 years to implement the CMA and I replied that we don't have 20 years to save the fish. DFO says they hear us, but their actions don't reflect it. Without action to change the status quo, it's meaningless. Even now, others are being given access and opportunity before us and before conservation and DFO doesn't even have a forecast to know what's coming. Any fisheries occurring right now should be shut down. DFO doesn't have a metric for conservation — it's just whatever makes it back, but that's not conservation or rebuilding. DFO writes letters justifying their actions, but is the justification legally defensible? We need DFO to explain why they don't accept FN management plans. There must be consequences for mismanagement. It's years before we find out what actually happened. We need good numbers and conservation targets for all the stocks. The salmon are not just needed for people but for the earth and ecosystems as well. DFO needs to stop talking and walk the walk. Why do others get opportunities while we are starving?
- There is a clear impact on fishing rights during conservation closures. We're not saying close all rec fisheries, but we now have data showing that rec fisheries are getting more fish than FSC in these conservation corridors. MSF pilots need to be shut now. AAROMs have the capacity to look at the data together with DFO, build assessment protocols and evaluate these pilots together before anything is approved. These pilots don't even qualify as MSFs under PSSI (i.e. they should be terminal fisheries for marked hatchery stocks). So shut these pilots and let's rebuild stocks together. The SAP is a good policy. The problem is it's not being followed and there is no consequence for that. We have the capacity to do this but DFO won't work with us.
- We asked DFO to come and talk to communities that are not FSMC signatories but they haven't, so remind DFO that they need to have these conversations with our communities.
- FSMB has identified the need to work on quantitative conservation targets as a priority and is drafting work plans to get the work moving.
- DFO: This process provides an opportunity to share concerns. Staff try to provide answers as best we can. Pre-season forecasts are provided for Chinook and Coho but we don't rely heavily on those due to uncertainty. Our planning has focussed on distribution of fishery mortality and we're seeking science advice on appropriate limits for fishery mortality. We also have escapement goals for some populations, so we hope this technical information is being shared. Propose more clarity on what is being sought: we've heard some proposals to close MSFs and others to avoid impacts on Fraser stocks, so it's important to be clear on what is being sought. There would be broad implications for fisheries and communities if no

impacts are permitted, including potentially closing the WC and NC troll fisheries. Other commercial fisheries must release Chinook, but there would still be some mortalities. 100% protection would require not permitting any fisheries during the summer, so we would need to include these implications in our advice if that's the recommendation. We are doing valuable work, e.g. joint work on FMI memo, and we support better/broader sharing of data.

- If our rights are infringed, by law Canada has to justify it. So if others are catching our fish, Canada has to justify it. Nations need to provide input on all fishery mortalities, including from catch and release fisheries. Someone needs to discuss this: it could be JTWG, but there needs to be a budget and a change in the mandate. MSFs are sorting through large numbers of wild fish to get one Chinook. Anglers should be required to catch their 2 fish and go home instead of torturing fish all day.
- Request that all nations be updated on developments re the proposed injunction. We need to broaden our focus to include the whole earth.
- We want to close the catch and release fisheries. They are allowed to go out and catch and release large numbers of undersized fish. The release numbers have significantly increased and those mortalities now exceed the allocations to FSC, so there are large numbers of fish being wasted. DFO staff should not take the criticism personally; we believe they are working hard at their jobs. Guides and lodges should be able to manage a 3-month closure.
- Our leaders just confirmed that our nation will support the injunction. We want all impacts stopped apart from conservation. On community impacts, we are losing our youth because we have no healthy alternatives to offer them, so DFO should share those impacts with the minister.

Next Steps

- Continued work by FSMB (call more resources to do the required work). There will be an injunction going forward, with support from Upper Fraser.

Adjourned: 4 pm

DAY 3 Tier 1

In camera.

TIER 2: What We Heard

DFO reps joined for the final Tier 2 reporting back session summarizing key messages heard by both DFO and FSMB.

Matt Parslow, DFO and Greg Witzky, FSMC

DFO began by acknowledging the valuable and respectful Day 2 conversation and invited participants to identify any key points missing from the What We Heard summary.

- Sockeye: Some support for Option 2, concerns about Big Bar, support for closures to support rebuilding.
 - Test fisheries: mixed views; ensure any marine test fisheries are selective.
 - FSC priority: Big issue — more in Day 2 summary.

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- Suggested use of traditional guidance for these challenging decisions.
- Sockeye Slido poll results.
- Coho: Concern re considering fishery proposals without tools to evaluate/manage.
 - Proposal to involve FSMB, need for more funding/capacity to take on new work.
 - Priority access not currently respected.
 - Interest in Spius Creek hatchery coho.

Discussion

- We've been getting a later wave of coho returning in December and January, which raises interesting questions for management. Unclear why and whether others see similar patterns.
- Re marked Spius coho request, we plan meetings with the nations to discuss a fishery that advances traditional cultural practices. Next step would require meeting with DFO **ACTION**
- Nations want to be part of developing Coho process ToRs, as discussed at JTWG.
 - JTWG messages are being reported in Tier 1 so not being captured in WWW.

Presentation, continued:

- Day 2: Planned presentations were cancelled to hear the nations' concerns, primarily around FSC priority, failure to respect access rights, impacts from current and proposed rec fisheries, implications for communities and some nations' interest in court actions.
 - Key questions include advice on immediate priorities/longer term work and addressing frustration around the slow pace of implementing the CMA process. List of proposed actions to address the concerns.

Discussion

- It was briefly mentioned in Tier 1 that DFO plans to extend fish farms. The impacts on wild stocks infringe our rights and the farms need to be closed next year.
- Q/A: Re proposed conservation targets, this is about the need to develop quantitative targets.
 - Clarify that this is about quantitative rebuilding targets, not harvest-based targets.
- We don't know what staff are telling the minister about conservation, priority and MSFs — that's a point of contention for FSMB, which has a mandate to manage Fraser stocks. The current approach lacks transparency and is not consistent with partnerships or reconciliation. We're basing our management on harvest mortality targets but we need to shift that to focus on spawning and rebuilding targets.
- Approach nations are also very concerned about fish farms staying open, given the impacts on Sockeye and other wild salmon.
- We need to discuss these issues at the highest levels. We need to start seeing action, not just talk and to work together as one.

Presentation, continued:

- Suggested next steps: Develop collaborative briefing materials to the Minister on MSFs, with potential FSMC letter; advice to FSMB re how to address issues in their work plan; improve

communication with Forum participants re processes addressing priority rights and develop advice on how to address current concerns.

Discussion

- Stress the importance of face-to-face communication for FSMB.
- There needs to be consultation and FPIC with local nations/communities re MSFs in their areas. Propose this as a DFO action item.
- Propose developing a clearer definition of scope of the F, S and C in FSC rights.

Closing Remarks

Marcel thanked Greg and Matt for the summary, noting the WWH presentation would be shared with participants once it's updated with additional comments heard today. **ACTION**

The meeting closed with a farewell song.

Adjourned: 11:16 am