

# FINAL REPORT (DEVELOPMENT AWARD)

## AWARD CODE and TITLE

**2008/326.33** FRDC People Development Program: 2011 Indigenous development scholarship

**AWARD RECIPIENT:** Robert 'Bo' Carne

**ADDRESS:** Department of Primary Industry and Fisheries, GPO Box 3000, DARWIN NT, 0801.

**HOST ORGANISATION:** Northern Territory Government, DPIF, GPO Box 3000, DARWIN, NT 0801.

**DATE:** 26 August 2013

## ACTIVITY UNDERTAKEN

Visit to northern New South Wales to examine models of governance for 'fishing cooperatives'. Study tour to Canada and the USA to look at the level of involvement by 'first nations' (Indigenous) groups in various fisheries enterprises and resource management activities. This included meetings with various Indigenous organisations to understand their governance structures, including any partnerships with governments and/or private sector enterprises.

## OUTCOMES ACHIEVED TO DATE

Increased knowledge of various governance models relating to fisheries management and businesses that are owned/operated by Indigenous (First Nation) peoples.

Understanding of how fishing cooperatives can work, particularly for assisting Indigenous commercial fishing operations.

Greater knowledge of how to improve the role of government in supporting Indigenous engagement in fisheries management and economic development related activities.

Increased ability to be able to provide informed advice to Indigenous Territorians relating to key attributes of successful governance structures.

Establishment of 'mentoring' relationship between Department of Primary Industry and Fisheries, and an International Indigenous fishing council.

The information gained from the NSW/Canada/USA visit has been used to assist the establishment of an Indigenous fisheries corporation in East Arnhem land. This model will then be promoted across Australia with the NT being identified as the leaders in Indigenous engagement in fisheries activities.

The engagement of Ambrose Business Solutions to deliver governance training to East Arnhem Indigenous leaders. I have also been part of this training. The East Arnhem leaders recently registered Garngirr Fishing Aboriginal Corporation.

## Acknowledgments

I would like to thank the FRDC for their funding support and patience.

I would also like to acknowledge the following:

- The FRDC Indigenous Reference Group for their vision and supporting my application;
- My host organisation, the Northern Territory Government Department of Primary Industry and Fisheries;
- Mr John Harrison of the Professional Fishermen's Association of NSW for his assistance;
- The Canadian Aboriginal people of British Columbia that I was fortunate enough to meet, particularly the First Nations Fisheries Council, via Ms Deana Machin;
- The North West Indian Fisheries Commission, Washington State of the United States;
- Mr Terry Yumbulul for his cultural advice and provision of culturally appropriate 'gifts' to Canadian and American 'First Nation' peoples;
- My Mentor over this period, Mr Richard Stevens; and,
- My partner, Shay for supporting me during my Development Award.

## **Background**

The Department of Primary Industry and Fisheries has funds to assist the development of appropriate Indigenous owned/operated seafood industry enterprises in East Arnhem Land. As the Manager of Fisheries Indigenous Development Unit I am leading the establishment of an Indigenous fisheries network, including the development of a three year strategic plan. This project feeds into a larger NT Indigenous Fishing Strategy.

To assist me in my role I arranged visits to NSW, Canada and USA. The purpose of the visits was to obtain information and advice around 'collective' engagement models in seafood industry businesses and fisheries management. In particular, I wanted to look at the various successful 'governance' models used by Indigenous groups in the seafood industry and fisheries management.

## **Need**

Indigenous Territorians have been consulting with the Northern Territory Government for a number of years on their strong desire to be more involved in fisheries management and seafood business opportunities. In responding to this interest the Department of Primary Industry and Fisheries secured funds from the Northern Territory Government to develop a pilot project in the East Arnhem region to establish a support structure for Indigenous fishing enterprises.

The traditional owners in the East Arnhem region are keen to take the lead in setting up and supporting Aboriginal owned/operated seafood industry enterprises. In the early 1960's, Aboriginal people in the East Arnhem region were actively engaged in the seafood industry. A number of family groups fished separately, however, they marketed their catch under one fishing cooperative, Galiwin'ku Seafood Pty Ltd. This changed

with the introduction of government policies that were at odds with cultural frameworks. Anecdotal evidence suggests that the Federal Government of the day forced Aboriginal people to use one boat and work together. This was culturally inappropriate and eventually the fishing stopped.

Today, Aboriginal people have problems with health, education, employment and housing. Again, there are a number of government policies and programs that are trying to fix these problems, but unless the solutions are community driven, there is little chance of success. The East Arnhem Indigenous Fisheries Network project has been driven from the community level for a number of years. Whilst there are certain boundaries that the project needs to work within, the success of the project will be dependent on the level of decision making by the Aboriginal community leaders.

The Aboriginal community will require a good stable governance structure to help ensure the fishing corporation will be a success. Lessons from other governance models will help to show what works, and what doesn't. To get a good cross section of governance models, particularly related to the seafood industry, there is a need to look at non-Indigenous models as well as Indigenous.

## **Objectives**

My main objectives were to develop my knowledge in relation to governance models and leadership for the engagement of Indigenous participation in fisheries management and the seafood industry. This could not be done just from reading reports. I originally wanted to visit New Zealand and Canada, two countries with strong Indigenous fishing rights but decided to visit Canada and USA due to the diversity of relevant fisheries related activities. I wanted to learn about legal decisions relating to subsistence fishing as well as Indigenous commercial fishing. I also wanted to examine how small family groups fit in with larger tribal fisheries organisations.

It was intended that I would use my findings to assist my work relating to the East Arnhem Fisheries Network project. I have extensive experience working at the operational level, however, I wanted to develop my skills at a higher leadership and strategic level. I also aimed to use this new knowledge to help other Indigenous people, particularly in governance relating to seafood businesses and contemporary fisheries management.

I wanted to look at various governance models around the fishing industry, including engagement in fisheries management. My current work is around Indigenous engagement and my original intent was to look at Indigenous only seafood businesses. I later decided that I could benefit from by comparing my experience with non-Indigenous models. That's why I decided to visit the northern NSW region where there are successful seafood industry cooperatives. I wanted to learn about others mistakes and successes to try and find any common 'ground', regardless of if they were Indigenous or non-Indigenous.

## **Method**

As part of my professional development activities, I first undertook research to find out the most relevant activities for my objectives, including people to talk to and places to visit. Information I came across led me to arrange visits to NSW, Canada (BC) and USA. My planned itinerary was:

<b>Date</b>	<b>Organisation/ Location/ Person Visited</b>	<b>Discussion Topic</b>
06/05/2012	NSW Professional Fishermen's Association, Grafton NSW, John Harrison	Importance industry liaison
07/05/2012	Clarence River Fishing Cooperative, NSW.	Operational aspects of fishing cooperatives
08/05/2012	Coffs Harbour Fishing Cooperative, Coffs Harbour, NSW.	Operational aspects of fishing cooperatives
09/05/2012	First Nations Fisheries Council, Vancouver, BC, Canada	Indigenous leadership and governance structures
10/05/2012	Musqueam Indian Band – Musqueam Fisheries Commission, Vancouver.	Indigenous businesses and governance
10/05/2012	First Nations Fisheries Council, Vancouver, BC, Canada	Follow up meeting
11/05/2012	Lower Fraser Fishing Alliance, Chilliwak.	Indigenous community leadership and governance
13/05/2012	Okanagan Nation Alliance, Penticton	Broader Indigenous regional governance
14/05/2012	Osoyoos Indian Band. Additional meeting with Okanagan Nation Alliance.	Operational aspects of Indigenous businesses and governance
15/05/2012	Shuswap Fisheries Commission, Kamloops.	Indigenous community governance
16/05/2012	Shuswap Fisheries Commission, Cache Creek.	Operational aspects of Indigenous community governance
17/05/2012	Northern Shuswap Fisheries, Williams Lake.	Operational aspects of Indigenous community governance
17/05/2012	Northern Shuswap Tribal Council.	Operational aspects of Indigenous community governance
18/05/2012	Native Brotherhood British Columbia, Vancouver.	Strategic governance influencing policies
22/05/2012	North Coast Skeena First Nations Stewardship Society. Prince Rupert.	Operational aspects of Indigenous businesses and governance
22/05/2012	Lax Kw'Alaams Indian Band, Prince Rupert.	Traditional knowledge and governance

<b>Date</b>	<b>Organisation/ Location/ Person Visited</b>	<b>Discussion Topic</b>
23/05/2012	Northern Native Fishing Corporation	Indigenous fishing businesses and governance
23/05/2012	Native Fishing Association	Indigenous fishing businesses and governance
24/05/2012	Coastal First Nations (Great Bear Initiative), Vancouver.	Strategic governance influencing policies
29/05/2012	North West Indian Fisheries Commission, Oregon, Washington State, USA.	Strategic and Operational aspects of Indigenous governance
30/05/2012	North West Indian Fisheries Commission, Oregon.	Strategic and Operational aspects of Indigenous governance
31/05/2012	Fly back to Australia	

## **Results**

Sunday 6<sup>th</sup> May - Grafton, NSW.

### **Meet with Mr John Harrison, NSW Professional Fishermen's Association.**

John provided me with some insight into the benefits of having a representative to work for the fishing industry to deal with government relating to access to the fishery. Commercial fishers and retailers would pay a levy to the PFA and in return, the PFA would be the representative body to ensure on going access to fishing grounds etc. The PFA would speak to various seafood industry cooperatives and individual fishers to get their views or issues, then take that to government.

#### Take home message:

*Commercial fishers and retailers would pay a levy and in return, they would be represented to deal with governments for on-going access to fishing grounds etc...*

Monday 7<sup>th</sup> May – Clarence River, NSW.

### **Meeting with Ms Danielle Adams, Sales Manager Clarence River Fishermen's Co-operative LTD.**

The Clarence River Fishermen's Co-operative supports approximately 130 different fishers, including prawn and mullet. Every individual member of the co-operative is also a shareholder. This ensures members have greater input into the co-operative but also gives members more ownership of the amount of effort they put into contributing to the success of the co-operative. The main focus is on fishing, however, there is a need for more focus on business and that's part of the role of the co-operative. The co-operative

has a main store where fishermen can access ice and seafood storage containers and they bring all their catch back to this location. From here, the co-operative inspects product, keeps a record of individual catch, finds buyers, then arranges for product to be transported to buyers.

Priorities (in order) of the co-operative are:

1. Quality of product, thus ensuring best price for product. This includes 'value adding' and the provision of relevant machinery to do so.
2. Consistency of product, to keep up with market demand and maintain client loyalty.
3. Run as a business. This allows fishermen to catch the product while the co-operative finds the customers and deals with them on a personal level. The co-operative also streamlines processes and procedures, minimising cost and providing competitive prices. The co-operative likes to 'keep it simple'.

Take home messages:

*Every individual member under the co-operative is also a shareholder, this encourages loyalty and sustainable business.*

*The main focus is on fishing, however, there is a need for more focus on business and that's part of the role of the co-operative.*

Tuesday 8<sup>th</sup> May, Coffs Harbour.

**Meeting with Russell and Shane Geary, Seafood Sales and Purchases, Coffs Harbour Fishermen's Co-op.**

The Coffs Harbour Co-op works in a similar manner to the Clarence River Co-operative. The co-op has developed some clear 'guidelines' for their members (governance model). These guidelines assist in maintaining unity among members and encourages members to avoid 'short term' gains and to focus on long term benefits and certainty of selling their product quickly.

When asked what advice they have for any new co-operatives, they advised 'be prepared to adapt to seasonal change'. This includes planning ahead and having diversity of product.

Take home message:

*Remain loyal to your governance framework to ensure longevity of your business.*

*Be prepared to adapt to seasonal change.*

Wednesday 9<sup>th</sup> May, Vancouver, British Columbia (BC) Canada.

**Introductory meeting with Deana Machin, Executive Officer, First Nations Fisheries Council.**

Deana provided a brief overview of the First Nations Fisheries Council in regards to working with and on behalf of British Columbia First Nations to reconcile fishing rights.

Aboriginal title and rights arise from First Nations' own laws and customs and the prior occupation of the lands and waters since time immemorial (often called "inherent rights"). The Rights of Aboriginal people are protected under Section 35(1) *Constitution Act*. The 1990 Supreme Court of Canada (SCC) decision in *Sparrow* affirmed the priority of First Nation fisheries for food, social and ceremonial purposes over commercial and recreational fisheries.

The Council represents 203 BC First Nation communities from 14 geographic regions. The FNFC was formed because many First Nation leaders could see that they needed a strong and representative governance mechanism to effectively mitigate challenges. This would also assist with leveraging opportunities in advancing First Nations fishing interests.

A more detailed discussion with the FNFC took place the following day and details are provided below.

Thursday 10<sup>th</sup> May, Vancouver.

### **Meeting with the Musqueam Indian Band, a Coast Salish community in the metro Vancouver area.**

Musqueam Indian Band has 11 Council members plus one Chief in Council (CIC). The Chief is elected on a two year cycle. An Indian Band is a community of families that makes up a Nation. The Musqueam are part of the Coast Salish community and has three Indian (Aboriginal) Reserves in Vancouver.

The Council also has a Sub-Committee (Musqueam Fisheries Commission) which includes two CIC representatives and five elected community representatives (Attachment 1). The Fisheries Commission advises their community of Aboriginal Fishing Stocks according to government allocation. The Fisheries Commission holds monthly community meetings to provide up to date information, but also to maintain a strong grasp of community values and input. In matters of fish stock management and conservation, the Musqueam works with other First Nations directly or through the FNFC to ensure appropriate sharing/allocation.

#### Take home message:

*The Fisheries Commission holds monthly community meetings to provide up to date information, but also to maintain a strong grasp of community values and input.*

### **Follow up meeting with the First Nations Fisheries Council.**

There are three categories of fisheries in Canada; Aboriginal, Commercial and Recreational Fisheries. One of the main challenges with respect to recreational fisheries is the half a million licences issued each year and it's hard to monitor, especially seeing there is no harvest record for the Sports Fishing Licences. The FNFC believes that current bag limits allow for overfishing and are not really a target for the Department of Fisheries and Oceans (DFO) compliance officers. The FNFC receives numerous reports from the First Nations groups that DFO officers target First Nation fishers, either as

commercial or communal fishing activities takes place, which makes First Nations feel they are being over regulated from DFO.

The First Nations are allocated a quota along with other commercial operators and also told when they can undertake fishing, according to DFO. If the forecast stocks are low, then First Nations on or near the coast are obligated to limit their harvest, or even not fish at all to allow fish to move up the rivers to other First Nation groups. This usually means that other commercial operators still harvest, then the following year, the First Nations are at risk of being allocated less quota. This is why most First Nations work with the First Nations Fisheries Council to take a united voice to DFO. There are some families, however, that are treated well by DFO, therefore they don't work with the FNFC. This then causes a divide among First Nation groups and weakens the FNFC's ability to lobby the DFO.

The FNFC had tried to arrange a meeting for me and the DFO. However, on both attempts, DFO were unable to meet.

Take home message:

*First Nations work with the First Nations Fisheries Council to take a united voice to DFO (Federal Government).*

Friday 11<sup>th</sup> May, Chilliwak.

**Meeting with Lower Fraser Fishing Alliance Co-Chairs , Ernie Victor & Grand Chief Ken Malloway**

The Lower Fraser Fishing Alliance (LFFA) is comprised of 29 First Nation communities from Hope, BC downstream to the mouth of the Fraser River, and each community appoints a representative to the LFFA. They advised that their main issues are with the DFO quota allocation and the impact it has on their subsistence fishing. They also have issues with a strong lobby group of sports fishers with lots of money.

Members of the LFFA still practice customs, stories and ceremonies, especially around fishing. This includes respecting each family's customary fishing locations (fishing rocks). The LFFA fits within the larger Coast Salish Territory and is associated with the FNFC. The LFFA tries to manage local in-river subsistence fishery while competing with coastal commercial fishers and in-river recreational fishers. The LFFA is obligated to ensure there is enough fish moving through to satisfy other First Nations in the upper Fraser River. This is why the LFFA feels it's important to work with the FNFC to deal with DFO. This is also a good way for First Nations to build capacity to undertake all levels of governance, including 'legal and financial'.

Take home message:

*It's important for First Nations to work with the First Nations Fisheries Council to take a united voice to government.*

*First Nations to build capacity to undertake all levels of governance, including 'legal and financial'.*

Saturday 12<sup>th</sup> May, Rest Day.



Sunday 13<sup>th</sup> May, Penticton.

**Visited parts of Okanagan Lake, viewed some of the salmon ladders.**

In regards to depending on scientific knowledge, I was given some background into some of the issues relating to salmon movement into the region from the sea. The Okanagan River has its headwaters in Canada and it is tributary that enters the Columbia River just downstream of Chief Joseph Dam in Washington State, USA. Hydroelectric development on the Columbia River has had major impacts on salmon returning to the Okanagan River. Many lakes were closed off from rivers during years of irrigation as well as the construction of dams across the USA borders. This meant the salmon couldn't move from the sea to their spawning grounds. The ONA also believes that poor fisheries management also limited the number of salmon moving up these rivers. There has been two generations of Aboriginal people that have never seen salmon in their water ways. This has recently changed with negotiations across the USA border to allow salmon to move up rivers, around dams as well as an intense breeding and stocking program. The Okanagan Nation has tribal linkages separated only by the USA border. This linkage, assisted with negotiations with US Hydroelectric companies who are required to mitigate for their hydroelectric operations on fish and wildlife species. These negotiations were for the companies to allow salmon passage up and down the rivers, as well as funds for stocking programs.

Take home message:

*Utilise your cultural tribal linkages regardless of separation by borders (state/country).*

Monday 14<sup>th</sup> May, Osoyoos.

**Attended a meeting with the Osoyoos Indian Band.**

The Osoyoos are the local Indian Band (community) for this region and are one of seven member Indian Bands of the Okanagan Nation Alliance (ONA). The Osoyoos Band Council held one of their general meetings and allowed me to sit in and listen. Most of the conversation evolved around a business partnership with a sports fishing operator as well as activities around recent stocking of salmon back into their water ways. As mentioned, the Osoyoos are part of the ONA (Attachment 2) but represents the specific interest for the Osoyoos community.

Take home message:

*Form strong business partnerships with other industry experts to learn from them and build your own capabilities.*

**Meeting with Howie Wright of Okanagan Nation Alliance.**

The Okanagan Nation covers a very large area of inland BC. Their success has been brought through strong leadership by their elected members and the unity of the seven member Indian Bands. In addition, there is a mix between both legal and financial support that has helped develop their fisheries enterprises. This includes some partnerships with sports fishing businesses, DFO and US Hydroelectric companies.

The Okanagan Nation also works closely with other surrounding First Nation groups.

Take home message:

*Success has been through strong leadership of their elected members and the unity of the seven member Indian Bands.*

*There is a mix between both legal and financial support that has helped develop their fisheries enterprises which includes some partnerships with sports fishing businesses and the Federal Government.*

Tuesday 15<sup>th</sup> May, Kamloops, Shuswap Fisheries Office.

**Meeting with Pat Matthew, Fisheries Management Coordinator for Shuswap Fisheries Commission (SFC).**

Pat explained that the SFC has its own role in management of fisheries and works closely with the ONA and more localised Indian Bands throughout the Fraser and Thompson watersheds. Pat works closely with Shuswap Fisheries which has its own fishing businesses harvesting and selling salmon caught from the Fraser River watershed.

The fishing business side uses various marketing techniques to sell its salmon locally and are now competing with ocean caught salmon. The fish are marketed as 'River Fresh Wild BC Salmon'. The salmon are also processed and presented as 'smoked' or even 'candy' salmon, using various marinating techniques. Whilst Shuswap Fisheries is able to compete with ocean caught salmon, it is still a member of the FNFC and see it is important to have a strong provincial voice for Aboriginal people to maintain their fishing rights. The Shuswap Fisheries Commission's strategic plan includes maintaining access to both commercial enterprise opportunities based on their resources as well as satisfying community needs for food fish. This includes the involvement of Aboriginal people in businesses as well as fisheries resource management and accessing fish for sustenance.

Take home message:

*The Shuswap Fisheries Commission's strategic plan includes maintaining access to both commercial enterprise opportunities based on their resources as well as satisfying community needs for food fish.*

*The fish are marketed with their own specific branding as 'River Fresh Wild BC Salmon'.*

Wednesday 16<sup>th</sup> May, Cache Creek, Shuswap Fisheries.

I met with **Aaron Gillespie from the Shuswap Fisheries in the lower Thomson River region**. I was taken to meet with the Secwepemc (Shuswap) Fisheries Commission. This

is the same fisheries commission that also has an office in Kamloops. The key to successful engagement in the fishing businesses and management of the fishery, is through unity between the Indian Bands as well as support from the FNFC. The SFC still maintains its own identity but has a strong voice through the FNFC.

Shuswap Fisheries Commission (SFC) works under the guidance of the Shuswap Nation Tribal Council communities and their elected Tribal Chiefs. The SFC was established in 1992 as a technical and policy support body for its tribal leaders, of which there are nine affiliated communities. The Tribal Chiefs nominate two fisheries representatives to form a SFC steering committee with the authority to guide and develop the SFC.

Take home message:

*First Nations still maintain their own identity, but have stronger local/regional and provincial voices.*

Thursday 17<sup>th</sup> May, Williams Lake, Northern Shuswap.

**Gord Sterritt from the Northern Shuswap Tribal Council (NSTC)** drove me around the Williams Lake region, which is one of the far upper reaches of the Fraser River. He explained his connection to the region through his grandfather and showed me where the salmon move in the shallow waters of the Fraser River. This is where they are most vulnerable and need to be protected. These shallow waters also make it easier for surveys and counting fish moving up the river.

The NSTC priority is the recovery of traditional fisheries through educational and cultural activities, this includes teaching traditional fishing practices to the youth of the region. The NSTC represents northern Secwepemc interest in conservation of wild salmon and habitats with government and other First Nations.

Friday 18<sup>th</sup> May, Vancouver.

**Meeting with the FNFC and Native Brotherhood of British Columbia (NBBC).** The NBBC is a group of commercial fishers that lobbies the Federal Government for greater Aboriginal fishing access, particularly in the commercial fisheries. The NBBC was established in 1931 mostly as an association for commercial Aboriginal fishing. Their membership peaked to 5 000 members representing mainly coastal Aboriginal fishers. The NBBC was the main body that represented Aboriginal people in fisheries negotiations and later became involved in all 'native' matters as it was the only representative body. The NBBC later formed the Native Fishing Association as another 'arm' of the NBBC to have a specific focus on fishery licence leasing and financing for Aboriginal fishers.

The NBBC continues to chase funds for commercial fishing interest and to lobby the Federal Government to maintain Aboriginal fishing rights both for food and business. The NBBC works with the FNFC as a partner but will also compete for funds. One of the main issues the NBBC sees with the Federal Government is that they have taken Aboriginal fishing licences from coastal groups and moved them to interior Aboriginal groups to create new 'river' fisheries. The licences are taken from coastal groups that do not fully utilise their 'quota'. But these coastal groups have a reluctance to fully utilise their quota because they have a cultural obligation to ensure enough salmon move up the rivers for the inland Aboriginal groups. If there are not enough salmon moving up

the rivers, the inland Aboriginal groups blame the coastal Aboriginal groups for not looking after the fish and taking too many fish.

The NBBC sees issues with the Federal Government 'quota' system as there is no allocation for Aboriginal subsistence. While the recreational fishing sector is a strong lobby group and successfully gains increases in quota. The one key message that the NBBC provided was the importance of having one united and recognised branding/name for marketing, especially when you lobby the government. This has been one of the strengths of the NBBC via the NFA accessing fishing licences then leasing them to Aboriginal fishers.

Take home message:

*The importance of having one united and recognised branding/name for marketing, especially when you lobby the government.*

*The NBBC later formed the Native Fishing Association as another 'arm' of the NBBC to have a specific focus on fishery licence leasing and financing for Aboriginal fishers.*

Tuesday 22-23<sup>rd</sup> May, Prince Rupert.

Prince Rupert is a small fishing town on the north coast of BC, some 20km's from the Alaskan border.

**Meeting with Les Clayton,** North Coast Skeena First Nations Stewardship Society.. He explained that five communities each elect a representative to be on the Board of Directors that then meets every two months. The directors progress management and policy directions. There is a working group with the local Department of Fisheries and Oceans (DFO) that works mostly on technical issues.

The development of Marine Use Plans (MUPs) is taking place at both the 'county' and 'regional' level. One community, the Metlakatla are trying to link the MUP's with actual work. The north coast MUP has agreed common objectives with the relevant First Nations. They receive annual funds from the DFO that recognises the group as an Aboriginal Aquatic Resources and Oceans Management (AAROM) group). The DFO consults with the NCSFNSS as required or when requested by the group. They have some 'sub-committees' in which the Federal Government observes relationships between DFO, Aboriginal sector and Conservation sector.

There are two main plans; 1) Food, social, ceremonial; and, 2) Commercial. The AAROM Group is linked to the FNFC and values their support as a means of having a stronger voice with the DFO.

The Metlakatla, Kitsumkalum, Kitselas, Gitga'at and Gitxaala First Nations joined forces in 2003 to collaborate on projects with shared interest and objectives. The Kitamaat later joined in 2011. This partnership was formalised under the name of North Coast-Skeena First Nations Stewardship Society. The Society provides the management of resource planning and promotes economic benefits to the participating communities. The main objective of the Society is to focus on regional projects and support autonomy of each community.

The Board of the Society is made up of an elected Chief Councillor for each First Nation and is mandated to pursue a broad range of issues related to the collective purposes of the member communities. The future success of the Society depends upon the Board and staff having a clear direction to utilise their resources to achieve their strategic priorities. To ensure this happens, planning workshops are held with the Board and staff inclusively. Follow up strategic planning sessions are held with the Chief Councillor, one political representative and one technical expert from each First Nation. One of the challenges is to avoid spending too much effort in assessing the current status and articulating a desired future without translating plans into action, or in other words, too much talking and not enough action.

Take home message:

*Good governance will focus on regional projects and support autonomy of each community (clan) and pursue issues related to the collective purposes of the member communities.*

**Meeting with Bill Shepert, Fisheries Resource Manager from the Lax Kw'Alaams Band.**

The Lax Kw'Alaams Aboriginal Aquatic Resource Management Program (Lax Kw'Alaams) is independent from other groups. It maintains the hereditary tribal system of Chiefs. The nine allied tribes participate through their Chiefs representing some 3,500 members. The Lax Kw'Alaams sourced government funds to form various fisheries enterprises. This includes obtaining licences and boats.

The Lax Kw'Alaams' goals include actively participating in management, particularly for the management of recreational fishing access. The Lax Kw'Alaams believes, like many other First Nations, that the allocation of quota to Aboriginal groups by the DFO is grossly unfair. Bill believes that the quota system is only good for owner/operator for Aboriginal fishing.

Bill advised that the Lax Kw'Alaams works with the Coastal Guardian Watchmen Network from the Coastal First Nations 'Great Bear Initiative'. (This is further discussed later).

Take home message:

*There is no one best model of governance for all Aboriginal groups, you need to use what works best for your circumstances.*

**Mabel Mazurek, Northern Native Fishing Corporation (NNFC), General Manager.**

Funding from the Federal Government led to the establishment of the NNFC back in 1982. The NNFC was incorporated to acquire a fleet of gillnet fishing licences and vessels to ensure these licences remained in the hands of native fishers. When the licences exchanged hands, the DFO amended the licence category so they were exclusive property of the NNFC. This was to ensure Native participation in the commercial fishery for perpetuity.

Over the years, all the vessels were eventually sold to individual (Aboriginal) fishermen. This meant that the role of the NNFC was reduced to administering leasing arrangements of the commercial fishing licences. In the early years, the NNFC assisted the development of training for 118 Aboriginal fishers held in the five main communities. Fishers who wished to purchase their vessels were issued 'rental credits' for their required 15% deposit for their Conditional Sales Agreements.

**Violet Hill, Native Fishing Association (NFA), Executive Director.** The NFA was established as a not for profit financial lending institution under the British Columbia Societies Act in 1985. Funds were allocated to ensure Natives access in the commercial fishing industry. The NFA initially assisted Native commercial fishers from across BC to clear any debts from their businesses. The NFA also provided loans for repairs, maintenance and upgrading of fishing vessels. The NFA then began to train Native fishers in financial management. Additionally, the NFA created an insurance company specifically for Native commercial fishers and has also been buying and leasing licences and fishing vessels to Native fishers.

The NFA continues to support First Nations in commercial fishing because the remote coastal communities have few other employment and economic opportunities. These coastal communities also have ancient traditional knowledge about their coastal resources which lays the groundwork for success. These communities are also situated in close proximity to a variety of marine resources capable of generating employment and economic opportunity.

The NFA is managed by a four-person Board of Directors elected by members who are 'Table Officers' of the Native Brotherhood of British Columbia. These Directors all have extensive experience in the commercial fishing industry, including business experience (Loron Consulting:2002). They are also leaders within their own communities as well as the wider Native community. This has ensured that NFA focusses on individual fishers and puts its money on those who have demonstrated leadership qualities. One of the other success factors has been the creation of a Native Fishermen's Training Program. This not only included financial management, but also included training in vessel and equipment maintenance and repairs, fishing skills and gear selection.

When asked to give one 'take home message' for aspiring Aboriginal commercial fishers, Violet stated "one key message is to ensure fishers diversify their businesses to adapt to changing markets, species fluctuations, government policies and environmental conditions".

Take home message:

*Coastal First Nation communities have ancient traditional knowledge about their coastal resources which lays the groundwork for success.*

*Ensure fishers diversify their businesses to adapt to changing markets, species fluctuations, government policies and environmental conditions.*

Thursday 24<sup>th</sup> May, Vancouver.

**Art Sterritt, Executive Director Coastal First Nations.** The Coastal First Nations is an alliance of nine First Nations and the Council of Haida Nation with shared decision making over traditional lands and waters. In 2000, Coastal First Nations came together to establish what is known as the 'Great Bear Initiative' (formerly known as Turning Point Initiative). It was formed as the entity to coordinate regional land and marine use planning as well as government relationships and economic opportunities. Art Sterritt advised that the Coastal First Nations (CFN) biggest strength is in the annual Strategic Plan that is approved by the Great Bear Initiative's Board of Directors.

There are 25 communities represented by the GBI with four language groups. The GBI signed an agreement with the BC Government over a land use agreement that has given

control of management of some lands back to First Nations. Although, this management is supported by BC Government staff working for the CFN under the GBI. The GBI undertakes an Eco-system based management regime.

The CFN continues to try and join with other First Nations to be stronger and obtain various commercial fishing licences. The GBI Business Corporation currently holds 26% of the shares in the Coastal Shellfish Corporation. The GBI provides leadership on policy issues, and carries out day to day administration and project management, communications and financial management.

The nine First Nations and one Council make up the Board of Directors. The Board determines the strategic direction for the GBI office and carries out work in three main areas:

1. Land and Marine Stewardship;
2. Economic Initiatives; and,
3. Capacity Building.

Art Sterritt said that a couple of key messages would be..."always have a plan...and work with government". Also, for land and marine stewardship and economic development to be successful..."capacity building at local, regional and governance levels is crucial".

Take home message:

*Always have a plan...and work with government. Also, for land and marine stewardship and economic development to be successful...capacity building at local, regional and governance levels is crucial.*

**Debriefing meeting with First Nations Fisheries Council.**

During this discussion it was suggested that the operation and management of the Upper Fraser River fishery may be more relevant to the East Arnhem Land proposal as it deals with 15 First Nations. The FNFC undertook some 'ground-truthing' with community dialogue sessions across BC. This was used as guidance for the FNFC when dealing with DFO. One of the key messages from the FNFC was that it tries to work at a broader scale to allow change and let the communities deal with their own processes and changes. This also nurtures a shared responsibility approach in decision making with the leaders. Communication and relationship building with all communities needs to be done early in the establishment phase. This helps to ensure the right processes and structures are in place to be able to move on from the past. It also helps the First Nations be more clear and organised in their objectives and helps them focus on where they want to go and how to get there.

A final message for Indigenous leaders was to develop their own clear 5-10 year plan and don't be content with government's plans.

Take home messages:

*Try to work at a broader scale to allow change and let the communities deal with their own processes and changes.*

*A final message for Indigenous leaders was to develop their own clear 5-10 year plan and don't be content with government's plans.*

Friday 25<sup>th</sup> May, bus to USA.

Tuesday 29<sup>th</sup> May, Oregon, Washington State, USA.

**Meeting with Tony Meyer, Craig Bowhay and Emmett O'Connell, North West Indian Fisheries Commission (NWIFC)** Monitoring and clean-up of coastal areas and the Tribal and County agreement.

Indians own 50% of the total fishery, which includes licence allocation and management of the fishery. This was settled through the Courts under the *US v Washington State 'Bolt'* decision where the Federal Government fought the Washington State Government to ensure they honoured the treaties under the US Constitution.

Each of the 20 tribes is a separate sovereign government that determines its communal fisheries needs prior to allocation of commercial harvest allocations.

The NWIFC is a natural resources co-manager with the State and has responsibility to allocate commercial and communal licences as well as monitor and manage the fishery. It has its own resource managers and scientist as well as Fisheries Wardens. Each of the member tribes select commissioners who develop policy and provide direction for the organisation which has some 70 full-time employees. The Commission also acts as a forum for tribes to address broader issues of stock sharing and enables tribes to speak with a unified voice.

Wednesday 30<sup>th</sup> May, Oregon.

**Meetings with John Konovsky (Natural Resources Manager), Tiffany Royal (Information and Education Officer), Justin Parker (Policy Advisor), Joe, Joseph (Policy Manager) and Alex (Technician). Additional meeting with Billy Frank Jr (NWIFC Chairman).**

The NWIFC links the tribes together to work with the State, and although they remain individual and don't always agree, they always look at ways to work together and resolve matters.

The NWIFC can do some communicating on behalf of the tribes through the various resource managers and education officers. This ensures the Indian community is educated on legal and technical issues around fisheries management. Each tribe has an opportunity to have a seat at the table and is expected to identify a 'point' person.

One of the key issues is the argument for recovery funds and how best the NWIFC can finance this to deal with the State. These funds are urgently required to help stop the destruction of fish habitat areas and help rejuvenate and enhance wild stocks.

There is some confusion about the best direction to take in the utilisation of contemporary scientific knowledge and traditional knowledge to manage the fisheries. One of the contentious issues is that it is believed that traditional knowledge needs to be proven. The tribes are experts in their own country and use the NWIFC to develop their own capabilities. That's why legal and scientific knowledge is so important at the ground level, to refine management.



Take home message:

*Link 'tribes' together to work with the State, and although they remain individual and don't always agree, the tribes always look to work together to resolve matters.*

Thursday 31<sup>st</sup> May, depart back to Australia.

## **Discussion**

I have learnt the importance of good governance and that this can be achieved in a range of disciplines and levels including fisheries management and economic development. I have seen what good governance can achieve. A good governance model will allow individual 'autonomy' whilst providing alliances for a common and stronger voice with government policy and decision makers.

I also found that there is no harm in having several governance bodies competing with one another as long as they also find a way to unite to form stronger voices at a broader level. Whilst there are a number of localised governance bodies throughout BC, most have been able to link to other neighbours or more regionally focussed representative bodies. This provides diversity and strength to negotiate with government or attract financial support and potential business partners. A small number of provincially focussed governance bodies also exist, but to date have not taken the next step to establish one united Aboriginal voice for fisheries related matters.

This development award has helped me to ensure I have set a longer term vision about how things could look in 5-10 years. This vision is to have Aboriginal people working in the seafood industry, provision of more fresh seafood into the region, support individuals/families/communities, form industry partnerships, have Aboriginal owned/operated fishing licences. In addition, to have Aboriginal fishing businesses structured that are culturally appropriate with decisions made by Aboriginal people. The longer term vision is to own the majority of commercial fishing licences in the region and to have a regional fisheries management model utilising GFAC as the Aboriginal management structure. I presented this vision the East Arnhem Steering Committee. During meetings, I consistently refer to this long term visions and linked it to earlier steps so it can be achieved. In each case I highlighted the importance of establishing a good governance model that will have strong leadership, allow autonomy and deliver outcomes for their members. In April 2013, the Steering Committee formally endorsed the establishment of the Garngirr Fishing Aboriginal Corporation. This was then registered with the Office of the Registrar for Indigenous Corporations (ORIC).

I should point out that I was not able to get a full grasp of each group I visited due to time restraints. However, I believe I was able to get a snap shot of the groups and obtain some very important 'key messages'. If given the opportunity to travel to Canada and USA again, I would choose 3-4 groups and spend several days learning from them.

These results are based on my interpretations rather and I did not have the opportunity to discuss my interpretations with the groups.

## Benefits and Adoption

I have already begun to use this knowledge for work with the East Arnhem Indigenous Fisheries Network. During the consultations with Traditional Owners in East Arnhem, I used my experience from my development award to influence the benefits of a strong governance model to be more engaged in seafood businesses and fisheries management. I also linked this to fishing cooperatives in NSW and successes of governance models in BC. This made the Indigenous leaders in East Arnhem determined to establish an Aboriginal fishing corporation. This led to the establishment of a Steering Committee that was tasked to formalise an Aboriginal Fishing Corporation. To ensure this was done effectively, Ambrose Business Consultancy was engaged to deliver 'governance' training to the Steering Committee members, which included myself. The training program is called 'Walkabout Your Business' and specifically '10 Steps to Good Governance' and, 'Board Roles and Responsibilities'.

I was also able to use my experiences and knowledge at the North Australian Indigenous Land and Sea Management Alliance (NAILSMA) Indigenous Experts Forum in May 2013. My contributions were specifically around 'industry' discussions and innovative ways of doing business and dealing with government. At previous NAILSMA workshops, I have only contributed to small group discussions and even then would normally spend more time listening to others speaking. During a small group discussion at the May 2013 workshop, I felt confident to add value in regards to Indigenous engagement activities in fisheries management and economic development. More specifically, two other members in the group talked about Canada and USA Indigenous engagement and I was able to contribute to that discussion very significantly.

I spoke about the importance of good governance and how much emphasis the Canadians and Americans put on this in regards to their success. I also provided information relating to some of the innovative approaches used in BC in regards to commercial fishing business assistance, such as Aboriginal owned financial lenders and insurers specifically for fishing.

I was also able to contribute comments to the broader forum in regards to setting up governance frameworks to better deal with Indigenous economic development across north Australia. This led to a recommendation that a leadership group should be established to 'drive' it. I was also part of a discussion with the NAILSMA Chief Executive Officer that informed him of gaps across Indigenous participation in the seafood industry and management at a national level. I explained that not like BC, the Northern Territory does not have any specific Indigenous representative body for seafood businesses or fisheries management. I also advised that there is no Indigenous representation at a national level related to fisheries. I also informed him that whilst the NT has an Indigenous Fishing Strategy, most other states, and the Commonwealth had none. He was keen to see if he could raise this at the Federal Ministerial level to encourage all States and the Commonwealth to develop Indigenous Fishing Strategies.

The main group to benefit will be the Indigenous community, through the provision of fresh seafood into the remote communities. This will provide healthier eating choices and be reasonably competitive in price, particularly for those communities that rely on freighted food.

The establishment of the Garngirr Fishing Aboriginal Corporation also means that the board members will benefit from my learning. As this corporation will be supported by

NT Fisheries, I will be actively engaged in their governance and help to keep things on track to achieve good outcomes that lead to the 5-10 year vision. These outcomes will include healthier food in the remote regions and employment opportunities and fishing licence ownership that are culturally aligned. The success of these will be shared nationally

Seafood industry will benefit through more local seafood produce coming from East Arnhem region. In addition, there will be increased partnership opportunities between Indigenous and commercial fishing industry.

Once licences are purchased/owned by Garngirr, they will be entitled to be board members on the NT Seafood Council. The inclusion of Indigenous owner/operators in the seafood industry will provide a stronger voice by adding diversity among its membership and having the Indigenous sector as members.

The Indigenous members will bring good governance training and experience to the table, as well as traditional knowledge with strong connections to the sea and its resources.

The Northern Territory Government will benefit by being able to more effectively engage and support a regionally represented Indigenous fishing corporation that can then support the broader community. This is more effective than trying to assist each individual's aspirations.

### **Further Development**

Development and delivery of a Power Point Presentation (Attached). Promote this work at various forums. Work with Ambrose Business Solutions to ensure that fisheries related businesses are included in any future training workshops.

This is a god opportunity to show Indigenous Australians what things can and do work in a variety of context when it comes to 'unity' and good governance.

### **References**

Ambrose Business Solutions. Walkabout Your Business. Ambrose Business Solutions, DARWIN, NT.

Loron Consulting. July 2002, The Native Fishing Association: A Success Story. The Native Fishing Association, VANCOUVER, BC, CANADA.

### **Attachments**

1. Acronyms
2. Indian Band Flow Chart
3. Indian Nation Flow Chart
4. Synopsis
5. Canadian Aboriginal Fisheries Governance (Provincial/Federal/International)

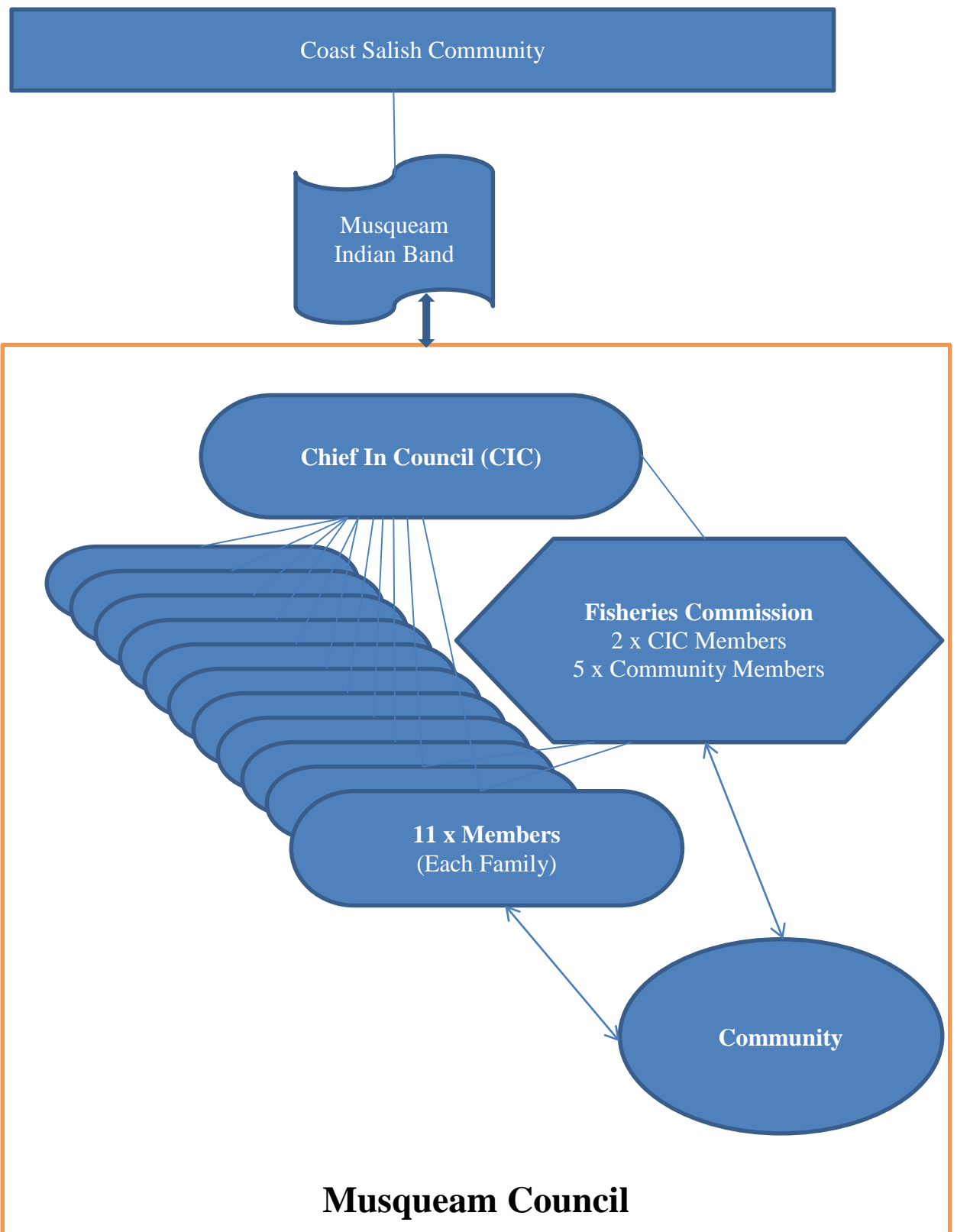
### **Appendices**

- A. Power Point Presentation (DPIF Seminar).

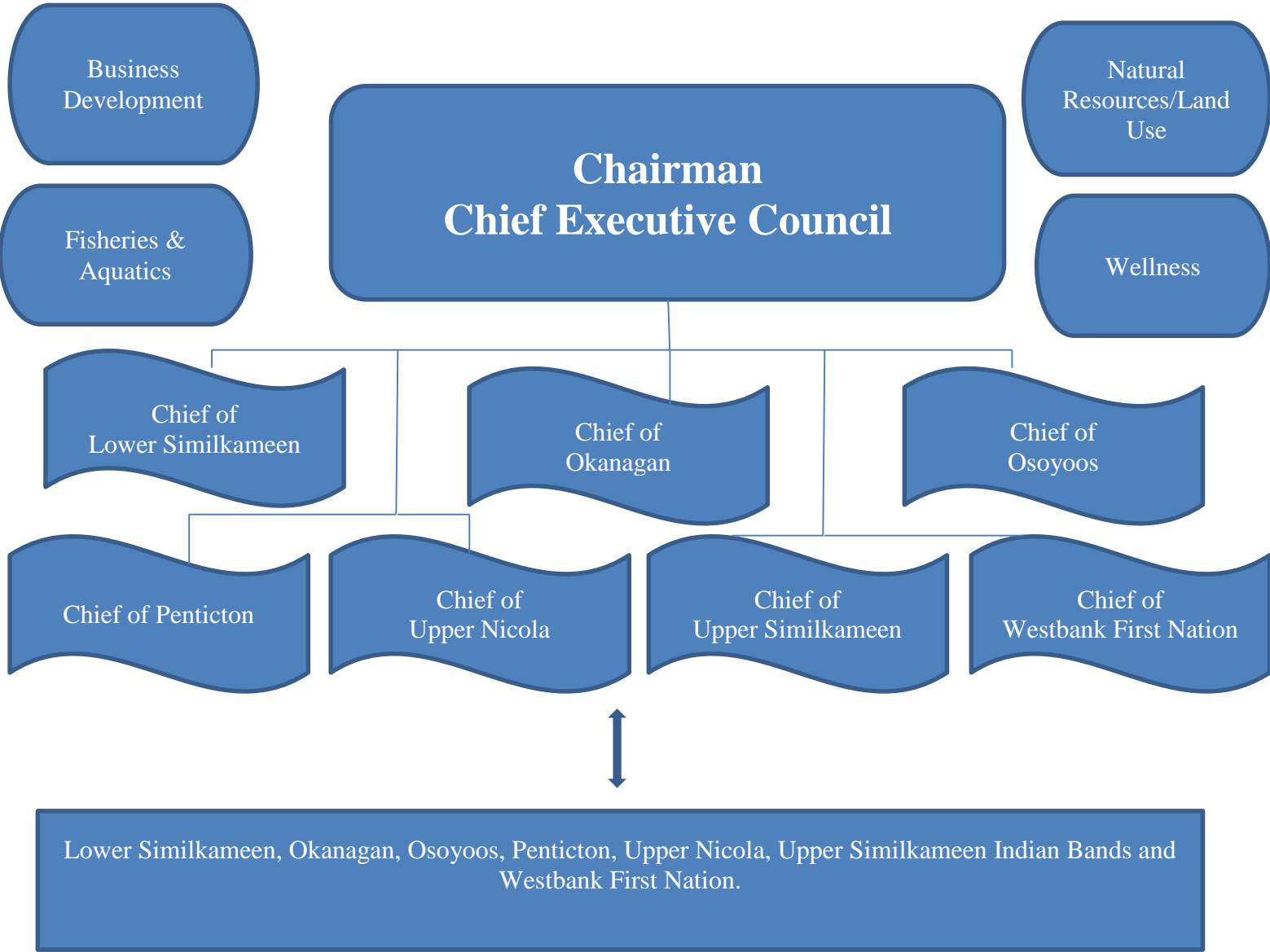
**Acronyms**

<b>AAROM</b>	Aboriginal Aquatic Resources and Oceans Management
<b>BC</b>	British Columbia
<b>CFN</b>	Coastal First Nations
<b>CIC</b>	Chief In Council
<b>DFO</b>	Department of Fisheries and Oceans
<b>FNFC</b>	First Nations Fisheries Council
<b>FRDC</b>	Fisheries Research and Development Corporation
<b>GBI</b>	Great Bear Initiative
<b>GFAC</b>	Garngirr Fishing Aboriginal Corporation
<b>LFFA</b>	Lower Fraser Fishing Alliance
<b>MUP</b>	Marine Use Plan
<b>NAILSMA</b>	North Australian Indigenous Land and Sea Management Alliance
<b>NBBC</b>	Native Brotherhood of British Columbia
<b>NCSFNSS</b>	North Coast Skeena First Nations Stewardship Society
<b>NFA</b>	Native Fishing Association
<b>NNFC</b>	Northern Native Fishing Corporation
<b>NSTC</b>	Northern Shuswap Tribal Council
<b>NSW</b>	New South Wales
<b>NT</b>	Northern Territory
<b>NWIFC</b>	North West Indian Fisheries Commission
<b>ONA</b>	Okanagan Nation Alliance
<b>ORIC</b>	Office of the Registrar for Indigenous Corporations
<b>PFA</b>	Professional Fishermen's Association
<b>SCC</b>	Supreme Court of Canada
<b>SFC</b>	Shuswap Fisheries Commission
<b>US(A)</b>	United States (of America)

Indian Band Flow Chart



Flow Chart Okanagan Nation Alliance



## SYNOPSIS

### **Good Governance, First Nations Fisheries Enterprises**

In May 2012, I travelled to northern NSW, Canada and the USA funded by the Fisheries Research and Development Corporation under an Indigenous Development Scholarship. The purpose of this travel was to investigate good governance structures for Indigenous groups involved in various commercial fishing enterprises. During this travel I was also able to see what good governance can achieve in First Nations involvement in fisheries management and economic development.

A good governance model will allow individual 'autonomy' whilst providing alliances for a common and stronger voice with government policy /decision makers. Below key messages relates benefits of having good governance.

#### **Key Messages**

*Commercial fishers and retailers would pay a levy and in return, they would be represented to ensure on going access to fishing grounds etc. (NSW)*

*Every individual member under the co-operative is also a shareholder, this encourages loyalty and sustainable business. (NSW)*

*Remain loyal to your governance framework to ensure longevity of your business. (NSW)*

*It's important for First Nations to work with the First Nations Fisheries Council to take a united voice to government. (Chilliwak,BC)*

*Success has been through strong leadership of their elected members and the unity of the seven member Indian Bands. (Okanagan, BC)*

*In addition, there is a mix between both legal and financial support that has helped develop their fisheries enterprises. (Okanagan, BC)*

*First Nations still maintain their own identify, but have stronger local/regional and provincial voices. (Secwepemc, BC)*

*The importance of having one united and recognised branding/name for marketing, especially when you lobby the government. (Native Brotherhood, BC)*

*Good governance will focus on regional projects and support autonomy of each community (clan) and pursue issues related to the collective purposes of the member communities. (North Coast-Skeena First Nations Stewardship Society, BC)*

## ATTACHMENT 4

*Always have a plan...and work with government. Also, for land and marine stewardship and economic development to be successful...capacity building at local, regional and governance levels is crucial. (Great Bear Initiative, BC)*

*Coastal First Nation communities have ancient traditional knowledge about their coastal resources which lays the groundwork for success. (Native Fishing Association, BC)*

*Try to work at a broader scale to allow change and let the communities deal with their own processes and changes. (First Nations Fisheries Council, BC)*

*Link 'tribes' together to work with the State, and although they remain individual and don't always agree, the tribes always look to work together to resolve matters. (North West Indian Fisheries Commission, USA)*

### **SUMMARY**

*Good Governance from a First Nation perspective should include:*

- 1. Unity and Autonomy*
- 2. Land and Marine Stewardship*
- 3. Innovation and Diversification*
- 4. Legal and Financial capacity*
- 5. Partnerships (Indigenous and Non-Indigenous)*
- 6. Strong leadership using the right leaders*
- 7. Ownership and collective purpose*
- 8. Use your past to plan for the future*

I have already begun to use this knowledge for work with the East Arnhem Indigenous Fisheries Network. During the consultations with traditional owners in East Arnhem, I used my experience from my development award to demonstrate the benefits of a strong governance model to assist Indigenous people to be more engaged in seafood businesses and fisheries management. I also linked this to the successful operation of fishing cooperatives in NSW and of the strong governance models in BC. This helped the Indigenous leaders in East Arnhem become more determined to establish an Aboriginal fishing corporation and ultimately a cooperative fishing structure. This led to the establishment of a Steering Committee that was tasked to formalise an Aboriginal Fishing Corporation. To ensure this was done effectively, a business consultancy was engaged to deliver 'governance' training to the Steering Committee members.

This development award has enabled me to gather the requisite knowledge to assist Aboriginal Territorians, and the people of East Arnhemland in particular, work towards their long term visions for more involvement in commercial fishing enterprises and fisheries management.

During meetings, I have consistently referred to these long term vision in order to keep participants focussed and at the same time identifying the steps required to reach this goal. Committee members are regularly reminded of the importance of establishing a good governance model that has strong leadership, allows autonomy and delivers outcomes for its members. In April 2013, the Steering



#### ATTACHMENT 4

Committee formally endorsed the establishment of the Garngirr Fishing Aboriginal Corporation. This was then registered with the Office of the Registrar for Indigenous Corporations (ORIC).

Canadian Aboriginal Fisheries Governance (Provincial/Federal/International)

