

Wulustuk Times

September 2010

Tobique First Nation

Wulustuk - Indigenous name for St. John River

This publication produced monthly at Tobique, NB, Canada E7H 5K3

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Wulustuk Times:

Each month we gather and publish the latest, most current and relevant native information for our readers. Proceeding with this concept, we feel that a well informed person is better able to see, relate with, and assess a situation more accurately when equipped with the right tools. Our aim is to provide you with the precise tools and the best information possible.

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Get the ^~!*+## off our land and never come back!! -Chief 1940's

p.paul

Hunting, trapping, gathering and fishing have been inherent and natural rights for native people (Wulustukieg) for many centuries reaching beyond any human written records.

These natural native rights meant personal and collective security and a positive native identity for our people. They enhanced traditional life, guaranteed cultural freedoms and our god-given rights to survive and to live freely from the resources and elements of the land. These natural entitlements link our past, present and the future solidly tying together many generations of Wulustukieg life and tradition.

These survival tenets preserved the customs, traditions and a unique way of life enjoyed by the Wulustukieg since time immemorial.

To native people there is no question that these natural gifts to Wulustukieg were directly from the Creator. That is the reason for the strict adherence to these rights and gifts.

In all Wulustukieg history our aboriginal rights were never compromised, surrendered, handed over, or traded off to non-native jurisdictions, authorities or governments. They were forever of native design, purpose and origin.

This inherent aboriginal conviction of rights will never be altered or ever be removed from the life, spirit and consciousness of native people. These rights are our continuity and survival.

Based firmly on these same ancient principles, a traditional Chief of the Wulustukieg once stood up and challenged a provincial fisheries officer who had ordered him to stop fishing on the Tobique river when the chief failed to show a provincial fishing licence upon request.

The chief took serious offence to the officer's bold approach in being ordered off the river that flowed through Indian land. The chief retaliated swiftly and reversed the officer's removal order to abruptly order the officer "off" the reserve land to never return, using some spiciest language, "Get the ^#+^* off our land and never come back until you are given permission"

It was reported that some heavy shoving, pushing and dunking resulted from the confrontation, but no charges were ever filed from the incident. And as the story goes, the chief continued fishing on that day as well as any time thereafter, and was never again interfered with by provincial authorities based on any grounds.

The incident occurred at a favorite fishing site on the Tobique river situated at the rippling shallows just a stone's throw below the site of Tobique hydro-dam built in the 1950's.

Prior to 1950's provincial fishing laws and regs were essentially silent or non-existent, or were vague in interpretation if they existed at all for native (Wulustukieg) people as learned from the elders on Tobique reserve. But as an afterthought, it would seem that this particular inept fisheries officer would have over-extended his legal authority when ordering the chief to stop fishing on his own shores and waters.

The questions therefore arise, when exactly did New Brunswick Dept of Fisheries legally become masters of native fishing? Native people were never ever met with by the province or consulted by provincial authorities regarding a 'rule book' on fishing. What date did this transpire? Under what terms and conditions? Who, by name(s), represented the native side in writing of rules? This would be vital information to have on hand as a reference for the following native fishing stories.

Big Problems On The River

MADAWASKA FIRST NATION - Tony Bernard has been fishing salmon on the Kedgwick River's north branch for a half-dozen summers, taking just enough fish to feed his family for the winter in this small aboriginal community alongside Edmundston. Madawaska First Nation Chief Joanna Bernard is upset about a handful of band members from her community having confrontations with fisheries officers while they were fishing on the Kedgwick River.

The father of two has always taken care to abide by angling regulations, has never been told he wasn't permitted to fish there and has never had a problem with the authorities - until this summer.

Earlier this month, federal fisheries officers stopped and questioned Bernard while fishing with his young family on the river. The officers then searched his van and emptied his cooler before confiscating two salmon he'd caught earlier in the day.

"I was trying to show the culture to my kids," he said.

Bernard is one of a handful of Madawaska First Nation anglers who've had confrontations with fisheries officers on the Kedgwick River this summer - something that hadn't occurred in many years. Some anglers have had their meagre catches of salmon seized and in Bernard's case, he was later told his fish will be returned without an explanation of why they were taken in the first place. The salmon are expected to be delivered to him this week.

The incidents have raised some questions about native fishing rights in New Brunswick and reignited an old debate about a complicated issue.

In the aftermath of the confiscation of the fish, the province is saying the matter is a federal responsibility and the federal government maintains that the incident occurred in provincial waters where it has no say about who gets to fish there.

Madawaska First Nation Chief Joanna Bernard said the anglers had every right to fish in the salmon pools because of their aboriginal status and the fact that at least one is getting his catch returned to him proves he did nothing wrong.

"I believe that there are problems, big problems that have to be settled and fast," she said.

Department of Fisheries and Oceans officials are saying little about the incidents that have occurred this summer, but they have indicated that two fish will be returned to an angler this week. The rest of the fish will be kept by the department, pending the outcome of investigations around each seizure.

Michel Therien, the Department of Fisheries and Oceans' acting communications director for the Gulf region, explained that two of the fish are being returned because the angler was fishing on a stretch of the Kedgwick River that's under the jurisdiction of the province on what's called Crown reserve waters, where New Brunswickers can apply to the province for a licence given through a computer draw to access a certain stretch of water for a period of time to fish salmon.

"They can fish on those rivers," he said. "The only thing that we monitor is if they fish illegally and ... that means using nets. That's the only time our officers or the New Brunswick conservation officers will intervene."

Unlike the federal government, the province doesn't have formal agreements with its 15 First Nation communities to manage how aboriginals, who have special rights to fish for food, angle for salmon on inland rivers that are the responsibility of the province.

The federal government, which does have agreements with First Nation communities, manages fisheries as they relate to species in ocean and tidal water. The province is responsible for inland fisheries.

"First Nations are given communal licences (by the Department of Fisheries and Oceans) and under the communal licences, aboriginals will follow the guidelines and this means that they need to tag salmon that they catch," Therien said. "But when they fish on open rivers, which are public rivers, the province of New Brunswick manages these sectors under the New Brunswick recreational fisheries and our fisheries officers cannot force natives ... to tag (the fish) they catch because it is a New Brunswick responsibility."

Despite the fact that the province is responsible for inland waters, the New Brunswick government maintains that aboriginal fishing rights are the responsibility of the federal government.

"The issue of aboriginal fishing rights falls under federal jurisdiction," said Department of Natural Resources spokeswoman Anne Bull Monteith.

"There is an agreement and it is between the federal Department of Fisheries and Oceans and the First Nations."

Fishing rights for aboriginals across the country are affirmed, at least in part, by a Supreme Court of Canada decision dating back to 1990. The Sparrow decision gives aboriginals the right to fish for food, social and ceremonial purposes. Only conservation trumps this aboriginal right.

As a result of the Supreme Court decision, the federal government changed the Fisheries Act to put into place the aboriginal communal licence fishing regulation, which sets out a process for how native communities receive licences to fish and what conditions can be included in those licences. These communal licences are part of the aboriginal fishery strategy, which came into effect in 1992 to establish annual fishing agreements with each of the First Nations communities in NB. Gerard Blanchard, acting director of the aboriginal fisheries for the Gulf region, said those agreements include a negotiated fishing plan that outlines the species of fish, size and quantities to be fished, as well as the time of year and locations to be fished that meets the needs of the communities for food, social and ceremonial purposes.

"In terms of application, (those agreements) would not apply in certain waters that are already under management by the province and that includes the Crown reserve waters and the Crown leases in New Brunswick .our licence doesn't address access to fish in Crown reserve or in Crown lease waters," he said. Blanchard said the issue of aboriginal fishing rights is an evolving one that, at times, can need clarification.

"If what resulted last week in an intervention by our fisheries officer can be prevented in the future that's the only thing we wish," he said. "We want to avoid these things because they become quite difficult for a community like Madawaska Maliseet and the chief to deal with," he said. "We realize that. We try to stay away from any uncertainties when it comes to an aboriginal right to fish for food, social and ceremonial purposes."

Former NB Minister Issues call for clearer fishing rules

A former New Brunswick natural resources minister says the recent seizure of salmon from First Nation anglers on the Kedgwick River highlights the need for federal and provincial governments to sit down and clarify regulations for Crown-owned waters to protect salmon stocks.

"I just feel that this issue has (highlighted) a need for precise clarification about the relationship between the Department of Fisheries and Oceans and the Department of Natural Resources policies and enforcement on those waters," said Bud Bird, who's the Miramichi Salmon Association's chairman emeritus.

A handful of confrontations involving anglers from Madawaska First Nation near Edmundston and federal fisheries officers on the Kedgwick River this summer have touched off a new debate about aboriginal fishing rights in provincial waters. At least one First Nation angler is expected to have his catch returned by the Department of Fisheries and Oceans this week after the federal enforcement officers recognized they had no jurisdiction over access to fishing in provincial waters. At the heart of the debate is the fact that the Department of Fisheries and Oceans, which is responsible for tidal waters, maintains it doesn't have jurisdiction over access on New Brunswick-owned Crown waters, while the province says aboriginal fishing rights is the responsibility of the federal government.

Officials with the Dept. of Natural Resources weren't available for comment on Tuesday.

Bird, a longtime sports fisherman and conservationist, said this conundrum needs to be sorted out to ensure there is fair and equal access to New Brunswick's Crown waters.

"I think it would be very helpful for all concerned if both DFO at the federal level and DNR at the provincial level would set out as clearly as they can the policy relationships and the application of those aboriginal and non-aboriginal fishing regulations to New Brunswick Crown-owned waters," he said.

Bird said the Madawaska First Nation incidents highlight issues of jurisdiction that may not have been considered before.

The province owns stretches of inland waterways, many of which contain the richest salmon pools in New Brunswick. Some of those stretches are sanctuary waters and are closed to both aboriginals and non-aboriginals for conservation reasons; other stretches are known as Crown reserve waters where New Brunswickers can apply to the province for a licence to fish salmon for a 48-hour period; others are Crown leases that are stretches of water leased out to groups or individuals for a 10-year period.

Department of Fisheries and Oceans officials said the federal government has the responsibility to enforce fishing method and quantity of fish regulations in provincial waters, but doesn't have any say about who gets to fish there.

Bird said that while he doesn't have any easy answers to the questions, he did say that if closed waters aren't available for aboriginals and non-aboriginals alike, then it might be considered reasonable to propose that Crown reserve waters should be considered a "second level of restricted waters for conservation purposes.

"I think that you could possibly make a case that those waters are available to aboriginals and to private citizens, but only within the conservation restrictions that have been placed upon them," he said. "Whether or not that would be a reasonable legal interpretation or compromise for all interests remains to be seen, but it's one view that should be looked at - that Crown waters are a second level of Crown sanctuary waters."

However, Bird did say the same logic may not apply for Crown lease waters.

"That's where it starts to unravel because Crown lease waters don't have the same conservation restrictions on them," he said. "They do have conservation restrictions. There's a limit to the number of rods and quite a lot of other conditions, but I know that aboriginals have challenged those lease waters in the past." Since 1992, the federal government has established fishing agreements that set out quantities, species and locations for First Nation communities to fish salmon and other types of fish. These agreements recognize the aboriginal right to fish for food, social and ceremonial purposes.

The provincial government has no such agreements and hasn't taken any role in aboriginal fishing issues thus far.

Fishing is one of the issues still to be discussed as part of a bilateral agreement that First Nations leaders signed with provincial officials back in 2007. The agreement, which some First Nation leaders have said has been taking too long to put into action, sets out to recognize aboriginal treaty rights and to forge a more modern relationship between First Nations communities and the govt. of NB.

"This is something that needs to be settled because it's costly when seizures such as this one occurs and then (is rescinded) ... there is a huge urgency," said Madawaska First Nation Chief Joanna Bernard.

"It would be a much more peaceful place for everyone if this was sorted out."

J.Pritchett, T-J

New INAC Minister a longtime foe of Special Rights for Aboriginals

C P

OTTAWA - Conservative MP John Duncan is sworn in as minister of Indian Affairs and Northern Development and Federal Interlocutor for Metis and Non-Status Indians during a cabinet shuffle at Rideau Hall in Ottawa on Aug. 6. Duncan issued a government apology this week to Inuit families who were uprooted from their homeland in northern Quebec and moved to desolate spots in the High Arctic during the 1950s.

His soothing words and conciliatory attitude were in stark contrast to past statements adamantly opposing anything that smacked of special treatment for natives. His past denunciations of "race-based" laws and government policies seem to make Duncan an odd fit for his new post, in which he's responsible for upholding the unique constitutional, treaty and land title rights of aboriginals.

Some native leaders are concerned, wondering if Duncan's appointment this month heralds a new hardline approach to native issues by the Harper government.

But others are convinced the minister's views - along with those of the Conservative government itself - have evolved over the years.

And they're cautiously optimistic they'll be able to make some progress with Duncan in advancing the aboriginal rights agenda.

"The way that I look at it is these are really complicated issues that we're dealing with as First Nations people and opinions change or evolve," said Jody Wilson-Raybould, regional chief of British Columbia's Assembly of First Nations.

As a constituent in Duncan's Vancouver Island North riding, Wilson-Raybould has found him to be decent, unassuming, respectful and hard-working.

"He has that quiet way about him. He also presents himself as a genuinely good person, one that understands the issues that we face ... I think his heart's in the right place."

Wilson-Raybould refuses to dwell on statements Duncan made during his years in opposition - such as his 1998 warning that a "race-based" native fishery in B.C. amounted to "racial tinkering" that would inevitably lead to "racial tension."

She prefers to focus on his more recent stint as parliamentary secretary to Chuck Strahl, his predecessor. In that role, she found Duncan to be knowledgeable and open-minded on the complex issues facing First Nations people.

Among other things, Duncan has spoken out against differential sentencing for native offenders, which in 2003 he called "another symptom of the government promoting not criminal justice but justice for criminals."

He opposed the historic Nisga'a treaty, the first modern-day treaty in B.C., conferring a significant measure of self-government to the Nisga'a.

Duncan's office declined a request for an interview about the minister's past and current views.

Aboriginal Coalition Joins anti-shipping protest

London Free Press

POWER: International chorus pipes up against moving radioactive nuclear generators through the Great Lakes and the St. Lawrence River

Aboriginal voices have joined the growing international chorus opposing plans to ship radioactive nuclear generators along the Great Lakes.

The Ontario Coalition of Aboriginal People, representing 7,000 status, non-status Indians and Metis, opposes the plan by Bruce Power and is demanding consultation and accommodation from the provincial and federal governments. "This is a big concern for all Canadians," Brad Maggrah, president of the organization, said Tuesday. Despite appealing to Premier Dalton McGuinty, his Environment Ministry and Prime Minister Stephen Harper, "we haven't heard anything," he said.

Bruce Power is looking for a licence from the Canadian Nuclear Safety Commission to truck 16 decommissioned generators the size of school buses to Owen Sound harbour. They would be loaded onto vessels that would travel through the Great Lakes and St. Lawrence River to a recycling facility in Sweden. The plan is to ship the 100-tonne steam generators that have low-level radioactivity during a three-week period in September. Already the mayors of Owen Sound and Sarnia have voiced objections to the plan, along with more than 50 anti-nuclear and environmental groups across Canada, the United States, Europe and as far afield as Indonesia. Maggrah said natives, like 40 million Canadians and Americans, draw their drinking water from the Great Lakes and they also rely on fish caught in them.

The route would take the radioactive waste past the Cape Croker, Saugeen, Kettle Point, Chippewas of Sarnia and Walpole Island reserves in western Ontario as well as those along the St. Lawrence including Akwesasne.

"If this shipment is allowed to take place," Maggrah said, "the door will be opened for more shipments of nuclear waste."

Sarnia Mayor Mike Bradley has sought support to fight the plan from other Great Lakes mayors, saying it demonstrates a "lack of respect" for the lakes.

He has been joined by Owen Sound Mayor Ruth Lovell Stanners in his concern.

Officials from the Canadian Nuclear Safety Commission sought to assure members of Owen Sound city council Monday the shipment would be safe and pose no risk to public safety.

Bruce Power officials have insisted there is “no radiological hazard” and insist someone standing beside one of the generators would receive as much radiation as from a chest X-ray.

Among those lined up against the generator shipment plan are the Canadian Environmental Law Association, the Sierra Club, the Canadian Coalition for Nuclear Responsibility, Greenpeace Canada, Coalition for a Nuclear Free Great Lakes, Canadian Association of Physicians for the Environment, two representatives from the state government of Michigan and the Toronto Raging Grannies.

New CIS (border) cards still not in Sask.

Leader-Post

It's been more than a year since Indian and Northern Affairs Canada (INAC) announced that it was prepared to begin issuing the new enhanced Certificate of Indian Status (CIS) cards, but the cards have yet to surface in Saskatchewan. "The new application process is being introduced in a phased approach across Canada," said Genevieve Guibert, spokeswoman for Indian and Northern Affairs Canada.

"We don't have an actual time line to give and we don't have a time line for Saskatchewan."

The CIS cards are issued to individuals who are eligible to be registered as a status Indian and provides the individual with access to a variety of statutory entitlements and program-based services in Canada.

The new cards, which are made of plastic, have enhanced security and privacy features.

There are two forms of the secure CIS cards in circulation. One is not an acceptable form of identification for crossing the border by land or water.

It's issued to individuals born outside of Canada or the United States and for those who do not wish to share their personal information with border security. It contains an INAC registration number and serial number, name and national print centre number, but doesn't have a machine-readable zone.

The other secure CIS card in circulation is an acceptable form of identification when crossing the Canada-U.S. border by land or water and has a machine-readable zone.

It's issued to those born within Canada or the U.S., regardless of citizenship, and who agree to share information with security when crossing the border.

To date, 7,000 new cards have been issued. INAC began issuing the new cards on Dec. 21.

Last year, INAC began phasing in the new cards and 25 First Nations along the Canada-U.S. border were selected to receive the cards.

The old cards are made of laminated paper and can be produced by individual First Nations.

"First Nations can still produce the cards, but once they switch to the new (CIS) cards, then they will switch to that one and they will no longer produce the laminated one," said Guibert. "But in the meantime, all First Nations will be supplied the materials for the production of laminated status cards."

INAC anticipates it will take time to phase in the new secure cards.

For more information, visit the INAC website (www.ainc-inac.gc.ca)

Water as a Human Right

At the very time Canada was voting against a UN resolution making water a human right, more than 100 aboriginal communities across the country were facing drinking water advisories requiring them to boil their water or rely on emergency deliveries.

That stark statistic has hit home for the 900 Cree and Ojibwa members of the Constance First Lake Nation in northern Ontario, where a state of emergency has been declared because an aging purification plant is unable to ensure a safe water supply.

Across Canada, 49 water systems have been classified as "high risk." At Constance Lake, the three-decade-old purification plant does not comply with Ontario regulations that protect everyone in the province. Unless, that is, they live on a reserve, like the community in Kashechewan, where children had open sores after an outbreak of E. coli bacteria.

Ontario's aboriginal affairs minister has added his voice, and the Ontario Clean Water Agency is lending technical expertise. The federal Department of Indian

Affairs says it has budgeted to bring in temporary water supplies by truck. But it should never have come to this. Constance Lake's water problem is a perennial affair because the purification plant can't cope with toxic algae in the drinking supply.

Rather than applying a Band-aid and proceeding at a snail's pace on the purification plant, Ottawa should have been moving at full speed to fix the problem by paying for upgrades in the treatment facility.

"We need clean water now," says Constance Lake Chief Arthur Moore. "We have infants, children, elders, a seniors' home, a high school, and we're very worried about everybody's health."

These events may explain the federal government's refusal last month to back the UN's declaration of water as a human right, given the abysmal situation in our own back yard. But that's no excuse for having the right position on the global stage, and doing the right thing on First Nations reserves.

The spirit in the Drum

In 1642 Father De Quen at the Sillery mission in Quebec wrote of the Abernaki, Huron and Algonquin Indians that they were "more attached to their errors" than to the Catholic faith. They "put their whole confidence in their drums, their feasts, and their sweats, which they make in order to invoke the manitou, and to drive away sickness and hunger." He adds, "These errors which seem nothing but silly nonsense, possess them thoroughly...." Some of the Indians converted over to the white man's religion, but Father De Quen regretted that many more "were not willing to quit their superstitions, believing that this was to expose themselves to the miseries which they dreaded most." Most of the Indians had observed that sickness and death had come among them since the white man arrived with his religion, and so they had made a link between the two. Father De Quen was much annoyed and troubled by this "foolishness." However, the converted Indians, with their new Christian names (from their baptisms), "plucked away this folly of the understanding, and with it the instruments, which they used for practicing their superstitions." Gradually the Christian Indians encouraged others to convert to the Christian faith, and the requirement for showing their sincerity was to give up their drums. "The most certain mark of his good will that any one wished to give, was to bring his drum to the fathers who were teaching them." By giving up their drums they "rendered themselves capable of being enrolled in the number of the children of God."

Ouabakouachits was the first Algonquin to give his drum to the father publicly, to show he was giving up his traditional ways. He was about fifty years old. Father De Quen records the event in his relations. Ouabakouachits said to the Father, "It is true; thou art right; and I protest before all those who are listening to me, that I will no longer have recourse to the Devil, or to my superstitions. I disavow them and give up all the instruments thereof, and wish to be baptized. See, there is my drum. Then he throws down before all, and, as he was the first to do this action publicly and boldly, he was praised by all the Christians." He was baptized and given the Christian name Antoine. Another Algonquin named Oueratchenon brought his drum to the Father and said, "See that is what was formerly my greatest attachment I give it up, I forsake all my superstitions." He was baptized and given the Christian name Jean. Father de Quen relates other stories of the Indians giving up their drums for good, but the one he felt was perhaps the most important was the "Captain" or Chief of the Atticamegues who was swayed by his wife to accept the Catholic faith. This renowned Chief gave up his drum, "which it was believed he would never abandon till death, so attached was he to it." This Chief would one time boast how he had preserved his life and the lives of his people with the ceremonies he had performed using his drum. The Father called them "juggleries" or "iongleries" at which the Devil is honoured. And now, the old Chief had publicly demonstrated his giving up the old ways and converting to Catholicism. There are other such stories, including situations where the wife converts and the husband doesn't want to, so he hides his drum in the snow so she won't find it. But she finds it and takes it to the priest. Or where a man must give up his drum before the priest will perform Catholic rituals over his very sick son to make him better. Drums and other sinful instruments and decorated clothing would be gathered and thrown into a public fire.

And so it was that gradually, across all regions of New France in those early years of European invasion, the rhythmic sound of the Indian drums along the rivers and from the hills and mountains was hushed, but it was not completely silenced. Some of the ancestors would not give in, and they hid their drums, playing them in far off secret places. They continued to make their drums, which to them represented the heartbeat of Mother Earth, a way of communicating with the Great Spirit. The rhythm of a drum brought their mind and spirit into harmony with the energies vibrating from the universe. And so that terrible instrument of the Devil is still here today. In recent generations there has been a rebirth, a revival in bringing back this evil device in the ceremonies of the Wolastoqiyik. There has been a spiritual awakening. It can even be heard inside some of white man's churches at funerals and weddings. Only, it isn't considered evil anymore.

To the Wolastoqiyik the drum was a very personal instrument. Each person would gather their materials and fashion their own drum. This is an important part of

owning a drum, the gathering of the materials from the forest and from the hunt, and then crafting it. It was made from the trees and animals that gave of their lives so that the Wolastoqiyik could live. It was from "our relations" who share this earth with us. Each person had their own special design, sometimes hand painted and decorated with feathers, wolf claws, and other meaningful items. The sound of each drum was unique to its creator, and had their spirit dwelling within its body. Drums were used for talking to the Great Spirit, the energy force that controls the universe. The word for drum in Maliseet is 'pokuhulakon', which means an instrument used for praying, begging or asking for something. It is a praying instrument. Through the sound of the drum, the player can express his mood. A drum can be happy and celebrate, or it can be sad and cry, or it can be mad and talk of war. It can be gentle like the rustling leaves, or it can be powerful like a thunderclap. It can heal the spirit or incite it to action.

Drum circles are becoming popular around the world today in all cultures. Groups of people come together to celebrate events such as Summer Solstice or Winter Solstice, or at powwows, singing and chanting and dancing along with the drumming. Some drums are large and the drumming shared by several people, while others are small and played by one person.

If you want to hold the heartbeat of the universe in your hands and connect with all life, to feel the vibration that has the power to heal, to transform your consciousness, and feed your spirit, then learn how to make your own drum. You will never have a richer reward in your life.

..... all my relations, Nugeekadoonkut

To learn more about how the drum fits into the Wolastoqiyik Universal View, go to:
<http://wiwoni.com/spiritview/skiginviewFS2.html>

ALERT BAY CHIEF IRKED WITH DFO

Times Colonist

A northern Vancouver Island aboriginal chief is accusing the Department of Fisheries and Oceans of insufficient consultation on draft aquaculture rules.

Chief Bob Chamberlin of Kwicksutaineuk Ah-kwa-mish First Nation of Alert Bay said his band's territory is home to a third of the fish farms found on the coast of B.C., yet the First Nation was consulted for a "whopping three hours total."

"And this was with three other First Nations in the room at the same time," Chamberlin said.

The federal government will take over responsibility for fish farming from the province in December, following a B.C. Supreme Court ruling in response to a challenge launched by Alexandra Morton, a biologist and fierce opponent of fish farms.

Fish-farm opponents were hoping the change would mean tougher regulations, but say the draft regulations are too vague, do not require better environmental protection and could lead to expansion of the industry because of a newly streamlined licensing process.

Chamberlin said it's unacceptable that provincial aquaculture licences are being rolled over into federal licences without consultation with First Nations, adding there is little confidence among First Nations that DFO will look after the marine environment and wild salmon.

However, Andrew Thomson, DFO Pacific Region director of aquaculture management, said the First Nations Fisheries Council and Aboriginal Aquaculture Organization have set up meetings with DFO around the province.

"It has provided a good basis to receive input and a letter has gone to First Nations asking if they would like to have follow-up meetings," Thomson said. "If anyone feels there has not been adequate consultation, we will set up another meeting."

The B.C. Wilderness Tourism Association fears the draft fish farm regulations do not do enough to protect wild fish, and has written to Fisheries Minister Gail Shea asking for the rules to be tightened.

The draft regulations do nothing to force fish farms to demonstrate they are not harming wild salmon by the transmission of sea lice, viruses or bacteria, said Brian Gunn, president of the association.

"They do not address the impacts that open-net-cage salmon farms have on the wild salmon stocks," Gunn said.

"It is imperative that we act now to develop and enforce regulations that protect wild salmon whilst we still have some wild salmon returning to our coast, rather than waiting until the fish are gone, taking our livelihoods with them."

But Thomson noted that, under the Fisheries Act, DFO's mandate is to protect wild fish, arguing the aquaculture regulations are written with that in mind.

"It is very clear in the preamble that the program will be evaluated against conservation and protection of fish," he said.

The draft regulations are posted at www.gazette.gc.ca and comments are being accepted until Sept. 8, with the final version due to be in place by Dec. 18.

All comments will be considered before the final regulations are drafted, Thomson said.

Meanwhile, Morton is applying to the province for Crown land leases in areas now occupied by salmon farms, claiming the farms' Crown land tenures have expired.

"I have made detailed applications to the Ministry of Agriculture and Lands to use these sites for what they have done so well for 8,000 years -- grow wild fish to the benefit of the people, the economy and future generations," Morton said.

Farms in the Broughton Archipelago are operating on short-term licences of occupation, she said.

DAN'S CORNER: -BUD BIRD'S TAKE ON SALMON AND INDIANS

In the Telegraph Journal on Aug 18, 2010 Bud Bird, New Brunswick's answer to John Wayne the notorious Hollywood Indian killer, made another of his stupid whiteman opinions regarding the depletion of salmon stocks and Indians.

Back when he was natural resources minister he made a very public charge, which all of the media picked up on, that Indians were the number one culprit in the depletion of salmon stocks and demanded that something be done to stop Indians from completely destroying salmon stocks even if that meant destroying the Indians.

After that very inflammatory charge against Indians every wannabe KKK redneck came out of their klaverns looking to kill an Indian.

For the information of the general public and Bud Bird those treaties signed in good faith in 1725 et al are binding legal international instruments and today continue to guarantee and protect our birthright to our salmon without fear of molestation.

Our inherent rights as a sovereign, self-determining nation-state trumps any and all considerations, concerns or issues that may be raised by one side once the treaties have been agreed upon and signed.

In 2007, the United Nations adopted the United Nations Declaration on the Rights of Indigenous People which affirms our right to self-determination and protects all of our rights.

Both of these international legal instruments, our treaties and the U.N. Declaration, assure that Canada as a U.N. member state will not continue its long-term practice of trampling on our fishing rights or any other of our birthrights.

With and through the U.N. Declaration on the Rights of Indigenous People it is time that our people begin the critical and serious effort of taking control of our lives and our resources by asserting our birthright to self determination. The same self determination that the Ancestors possessed at the time of white contact.

-All My Relations, -Dan Ennis

DEAN'S DEN.... - Wisdoms

Wisdom Of Youth

The wisdom of youth is - watching
Waiting and wanting and weighing
Wishing and willing and what's what
Words ... and the lessons of playing!

Wisdom Of Mid-Life

The wisdom of mid-life is - prudence
Commonsense, coolheaded, discreet
When profound and practical ripen
Where comprehension and insight can meet!

Wisdom Of Elders

The wisdom of elders is - knowledge
Masters of moral and fact
Understanding the concepts of culture
Tried in the truisms of tact!

-D.C. Butterfield