

# MNR and SON must make effort to establish working relationship with local sports fishing organizations

The fishing agreement needs more leadership, less posturing.

There's a long and contentious history surrounding the "Substantive Fishing Agreements" between the Ministry of Natural Resources (MNR) and the Saugeen Ojibway Nation (SON). For two decades there's been tension and misunderstanding between the SON and local sports fishermen over commercial native fishing rights.

A 1993 high court ruling reaffirmed the right of the SON to fish commercially in their traditional waters which include Colpoys Bay and Owen Sound Bay. The decision gives the SON a clear "priority" right over non-Aboriginal users of the fishery.

No provincial government — Conservative, Liberal or NDP — has moved to appeal the ruling. It's considered an important precedent for Aboriginal rights.

In the previous agreement, as a concession, the SON agreed not to fish in the inner waters of Owen Sound and Colpoys Bay, and to stay clear of the outer waters during the recreational fishing season.

In the latest agreement they have reasserted their legal right to set nets in these waters, and to fish them year around. This could begin as early as the 26th of this month. The SON will adhere to allowable catch, gill net sizes and other restrictions aimed at maintaining a safe and sustainable fishery.

The MNR is making \$850,000 available over five years to finance local fishery research, compliance and the governance of the agreement. The MNR and SON are required to regularly monitor both the commercial and recreational fishery. They are scheduled to meet this October to make sure the two fisheries are safely coexisting.

Despite these safeguards local anglers have legitimate concerns. SON will be gill net fishing in recreational waters that have



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been stocked for years by sports fishing and conservation volunteers. Gill nets are not selective. They can kill sports fish (trout and salmon) as easily as the white fish the natives want to harvest. There is anger and frustration in the recreational fishing community. It's understandable. And it needs to be addressed soon.

Maintaining a sustainable and safe mixed fishery will be challenging. The future of sports fishing tourism in this region depends on this challenge being met.

These issues are complex and sensitive. Given this, you would think the MNR, SON and our senior elected leaders would be making a special effort to deal with them in a sensitive and constructive manner. Not so far.

Initially the MNR issued a press release and then left it to the media to chase them for background and explanation. They did release the agreement, which was a first. But they made no attempt to meet with local sports fishing organizations, our MP or MPP, affected municipalities or the media.

There is no legal requirement for the MNR to formally "consult" with any of these groups. But they do have an obligation to minimize tensions by making sure the non-Aboriginal community understands the agreement, and how the MNR and SON plan to manage this mixed fishery.

It has taken almost a month for the Minister of Natural Resources, David Oraziotti, to respond to this growing controversy. In his recent letter to this paper he maintains that "a cooperative approach to

enforcement by the Saugeen Ojibway Nation and MNR will help ensure a safe, productive and sustainable commercial fishery" and "ensure that both fisheries continue to safely co-exist."

This is comforting. But it sidesteps the nitty-gritty issues that will soon face the native and non-native fishers on the waters.

With rights come responsibilities. The SON's right to commercially fish in these waters carries with it an implicit obligation to communicate with other users, if for no other reason than to make their own fishing safe and secure. Sending SON fishermen out on the water without a shared understanding of what constitutes the "balancing act" between native and non-native interests mentioned in the agreement is a formula for conflict.

The Saugeen Ojibway Nation has yet to comment publically on the agreement. There is no legal requirement for them to do so. But their silence isn't helping.

Neither are the antics of our senior elected representatives, MP Larry Miller and MPP Bill Walker. They seem to see the agreement as an opportunity to play partisan politics with a controversial issue. Their initial inflammatory and divisive rants which condemned the agreement, MNR and the Liberal government have only served to stir up old animosities and perpetuate misinformation.

Their primary role is to represent the interests of all their constituents. When there is competition or conflict between groups in their ridings their first instinct should be to help seek resolution, or as one reader put it: "to lead us towards dialogue, tolerance and understanding." Too often Miller and Walker prevent themselves from playing constructive roles by going for the political jugular, instead of providing real leadership.

In their recent mea culpa letters to this paper neither Miller

nor Walker seem capable of understanding this concept of leadership. Miller ends the defence of his actions with more reckless remarks, "That's why I am upset with this agreement. That is why we should all be upset with the MNR... They failed us miserably." How do these comments move things forward?

Walker's "context" letter shows he still doesn't understand the agreement's legal basis. He seems to think the MNR and SON had an obligation to "consult" with him and consider his many suggestions. No such obligation has ever existed. Walker makes no attempt to calm the waters or suggest a way forward. Despite widespread criticism, he continues to assign blame and play politics.

Owen Sound Mayor Deb Haswell had the right idea. Last week she convened a meeting with the Chippewas of Nawash First Nation Chief Scott Lee, members of the Sydenham Sportsmen' Association and city officials. The meeting was the first attempt to open lines of communication between the parties.

It's time for the MNR and the Saugeen Ojibway Nation to initiate similar meetings with representatives of the sports fishery. Not to renegotiate the agreement as Miller and Walker keep suggesting. But rather to work out how the two fisheries can successfully co-exist under the new agreement.

A monitoring meeting in October is fine. But if peace is to prevail on these shared waters the MNR and SON have to make an effort to establish a working relationship with local sports fishing organizations before this year's fishing season gets underway.

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