



FIRST NATIONS FISHERIES COUNCIL

of British Columbia

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FOR IMMEDIATE RELEASE

First Nations Fisheries Council of British Columbia Responds to Globe and Mail Article, Urges Government of Canada to Implement Cohen Recommendations

The First Nations Fisheries Council of British Columbia (FNFC) wishes to respond to the article by Mark Hume in the May 21, 2014 issue of the Globe and Mail titled “Ministers say salmon not being restored in Fraser River”. The article indicates that almost none of the 75 Cohen Commission recommendations on how to improve the sustainability of Fraser River sockeye salmon have been acted on by the Government of Canada.

Link to original article by Mark Hume:

<http://www.theglobeandmail.com/news/british-columbia/ministers-say-salmon-not-being-restored-in-fraser-river/article18789252/>

Our position:

BC First Nations have a common interest in increasing our decision-making and control with respect to the management and protection of wild salmon stocks and other aquatic resources, as well as the regulation, policy, planning, and management of aquaculture. We also have a constitutional right to be fully informed and involved in decisions that could adversely impact Aboriginal Title and Rights and Treaty Rights.

Seeing the collapse of fisheries around the world raises serious concerns among BC First Nations who rely on the salmon and other aquatic resources not only for sustenance, but also as fundamental to our culture and way of life.

“I’ve been a fisherman my whole life, and it’s exciting in years when we actually have a good opportunity to go out and fish” said Ken Malloway, Chair of the FNFC and fisherman from the lower Fraser River. “Fishing season is a great time of year because it really brings the community together. Lots of people come home to go fishing or to help with canning and freezing for the winter. As fishermen we have the pride of providing for our families, and participating in the commercial fishery we get to earn a livelihood.”

As we prepare for what forecasts show could be a very large return of Fraser sockeye, it is important to keep in mind that over 80 individual stocks comprise the whole of the Fraser run, and serious conservation concerns remain in the Interior and upper reaches of the Fraser River watershed, particularly in non-dominant sockeye years.

“Most First Nations communities in the upper Fraser above the Chilcotin River don’t and won’t have the same fishing opportunities as fishers in the lower reaches of the Fraser River,” said Gord Sterritt, Executive Director of

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the Upper Fraser Fisheries Conservation Alliance. “This year, some communities will be lucky to get some opportunities to harvest sockeye for their families and Elders, but there are still serious conservation concerns for runs returning to tributaries such as the Quesnel, Stuart Lake, Bowron, Nadina, and Taseko. Two years and 26 million dollars later, we are still waiting for the Government of Canada and DFO to implement the Cohen Commission recommendations in a meaningful way that will lead to the rebuilding of sockeye populations in the upper Fraser.”

In addition to having essentially ignored the Cohen Commission recommendations, the Government of Canada has undertaken a number of policy and legislative changes that directly contradict the spirit of conservation, collaboration, transparency, and science-based decision-making described in the Cohen Commission’s final report:

- DFO’s Fisheries Protection Program (changes to the *Fisheries Act*) has shifted DFO’s focus from protecting fish habitat to protecting the productivity of recreational, commercial and aboriginal fisheries, and provides a process for proponents to seek authorization to destroy fish habitat. DFO’s habitat program has also seen severe cuts in funding, staff, and office locations.
- DFO recently lifted a moratorium on the expansion of aquaculture licenses without consultation or prior notification to First Nations communities.
- In March, five BC First Nations communities won an injunction against DFO regarding DFO’s decision to open a commercial herring roe fishery, despite advice against the opening from DFO’s own scientists.

“Generally there seems to be a spirit of wanting to cooperate and collaborate with DFO, but continued government actions are eroding the good will of First Nations” said Jordan Point, Executive Director of the FNFC. “First Nations often identify themselves as ‘Salmon People’, and because the salmon are so integral to our communities, we have a vested interest in good management practices. So First Nations are exercising their jurisdiction and authority with respect to salmon management and the protection and conservation of fisheries resources. With continued budget cuts, loss of science and habitat programs, and an increasing focus on economic priorities, it’s apparent to First Nations and to Canadians that the Government of Canada has strayed far away from principles of protection, conservation and sustainability of the resources they are charged with managing.”

First Nations across the province have informed the FNFC that they find it utterly unacceptable that the federal government has ignored Commissioner Cohen’s call for action on wild salmon protection and increased government accountability. First Nations insist that the Government of Canada take immediate action to implement the Cohen Commission recommendations, take seriously their fiduciary obligation to consult with First Nations, and take steps to increase First Nations involvement in governance and decision making for fisheries and aquaculture management.

First Nations have good working relationships with many of our DFO colleagues, many of whom entered into their careers because they valued the goal of protecting the sustainability of fisheries resources. However, over the past few years we have witnessed a fundamental change in DFO’s mandate from an environmental protection organization to an economic organization. DFO staff are under incredible pressure to manage fisheries in an environment with fewer staff and an ever-decreasing operating budget in a time when the information demands for accountability and transparency are higher than ever before. Over \$26 million was invested into the Cohen Commission, and a significant portion of that funding was dedicated to independent scientific research and analysis used by Commissioner Cohen to inform outcomes and recommendations. BC First Nations support decision-making based on sound scientific information, but it is clear that recent government decisions on fisheries have been bureaucratic rather than science-based.

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Background:

The article indicates that Liberal MP Lawrence MacAulay, Vice-Chair of Parliament's Standing Committee on Fisheries and Oceans, specifically asked the government to detail the extent of its actions to date on Cohen Commission recommendations. The responses received from Environment Minister Leona Aglukkaq and Fisheries Minister Gail Shea are deeply disappointing to BC First Nations. Ms. Aglukkaq indicated that only 10 of Commissioner Cohen's 75 recommendations are directed at Environment Canada, and three of these recommendations regarding marine spills and pollution monitoring were rejected by the ministry. Ms. Shea was able to highlight only one of the remaining 65 recommendations that has been followed by DFO (related to restrictions on salmon farm expansion). Mr. MacAulay also requested all briefing documents prepared for departmental officials related to the Cohen Commission recommendations, but DFO blanked out 17 of the 19 listed reports due to cabinet confidence.

The 75 recommendations in the Cohen Commission report reflect BC First Nations' concerns regarding wild salmon and other aquatic resources, including:

- Serious concerns about the 2012 legislative amendments to sections of the *Fisheries Act* and the *Canadian Environmental Assessment Act* through omnibus bills C-38 and C-45;
- DFO's failure to uphold its responsibility to effectively manage and protect wild fish and fish habitat;
- Lack of implementation of the Wild Salmon Policy, which 1) acknowledges that First Nations have rights and responsibilities in the management of salmon in our territories, and 2) requires that the government provide funding support for First Nations Tier 1 processes;
- The importance of stock assessment and ecosystem-based management;
- The need for transparency in DFO's management processes;
- Serious concern regarding open net pen salmon farms, particularly those found along the migration route of juvenile salmon.

The report also identified a number of key aquaculture research priorities, and one critical recommendation states that the mandate for promoting the aquaculture industry should be moved from DFO to another executive branch of government due to a direct conflict with DFO's mandate to conserve wild salmon.