



First Nations Fisheries Council COMMUNIQUÉ

AUGUST 2017 ISSUE



FIRST NATIONS FISHERIES COUNCIL MEMBERS:

North Coast: **Arnold Clifton**

Central Coast: **Megan Moody**

South Vancouver Island: **Larry George**

Lower Mainland: **In progress**

Upper Fraser: **Thomas Alexis**

Northern Transboundary: **Cheri Frocklage**

Haida Gwaii: **Robert Bennett**

North Vancouver Island: **John Henderson**

West Coast Vancouver Island: **Hugh Braker**

Fraser Valley: **Ken Malloway**

Mid-Fraser 1: **Murray Ross**

Mid-Fraser 2: **Tracy Wimbush**

Upper Skeena: **Stu Barnes**

Transboundary Columbia: **Howie Wright**

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MESSAGE FROM THE FNFC EXECUTIVE DIRECTOR

ʔi ʔə ce:p ʔəw ʔəy ʔaí, Si:yém nə Siyeʔe?

Are you all well, my esteemed friends (relations),

We continue to find ourselves in very busy times, with an overwhelmingly busy calendar of meetings, dialogue and engagement on all matters affecting our fisheries.

2017 appears again to be a very poor year for returning stocks, with many fisheries tracking well below historical returns. I met recently with Chief Bob Chamberlin, fisheries portfolio holder for the First Nations Leadership Council. We agreed that collectively, we are in a fish crisis. The past decade and over multiple cycle years, returns to our major river systems have been declining steadily. We have agreed to begin planning a Fisheries Summit this fall or winter to hold discussion among BC First Nations to address developing an Action Plan to seek solutions for rebuilding our iconic salmon stocks that are integral to our identities and our way of life. We will be looking at life cycle priorities, gaps, environmental impacts, and strategies to work with DFO to build co-governance to preserve and protect priority rights-based fisheries.

Program Policy:

Currently, there are ongoing efforts by the federal government to meet their platform promises in reviewing the laws and policies affecting Indigenous Peoples that are not in consistent with case law or Aboriginal Rights. This is occurring on a number of fronts both politically and operationally.

Indigenous Program Review: A National Panel has been struck to review programs that are designed to support Indigenous Peoples in Canada. They will be reviewing



terms of reference and structural approaches to review federal initiatives and programs such as AFS, AAROM, PICFI, the Guardian program, and the emerging Oceans Protection Plan.

Legislative Review: Concern has been expressed to the Leadership Council regarding the fragmented nature of Indigenous engagement by Transport Canada, Environment Canada, DFO and CEAA regarding the legislative review of the *Navigation Protection Act*, the *Canadian Environmental Assessment Act*, the *Fisheries Act* and the National Energy Board process. These processes and pieces of legislation intersect/overlap in the management of environmental matters, and should be reviewed in a holistic manner. First Nations fear that due to the lack of coordinated engagement, the integrity of their input to the various review processes may be lost. Concern was also expressed regarding the slow rollout of funding support by government, very tight timelines, and lack of capacity.

Commitment to Action with DFO:

In September, the FNFC and DFO will be reviewing the objectives of the *Commitment to Action* work plan at the Joint FNFC/DFO Executive Table in an effort to recalibrate our agenda moving forward:

- Successful Aboriginal Fisheries: Will examine the obstacles that must be addressed in management approaches that affect the ability of First Nations to achieve their access and allocation objectives;
- Fisheries Governance: Will be aligning and updating approaches that respect the rights of Indigenous Peoples and uphold the principles of UNDRIP, FPIC, shared decision-making, etc.;
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- Sustainability of Pacific Fisheries: Commitment to protecting fish and fish habitats, responding to global and large-scale problems such as climate change, cumulative decline in stock abundance, planning for robust and resilient fisheries, and rebuilding fish populations and the future of our fisheries.

This is only a brief snap shot into some of the many issues we are focused on. Thank you and we look forward to our continued work together.



hay čx^w qə, O' si:yem,

Jordan Point
FNFC Executive Director



SALMON COORDINATING COMMITTEE UPDATE ON WSP IMPLEMENTATION

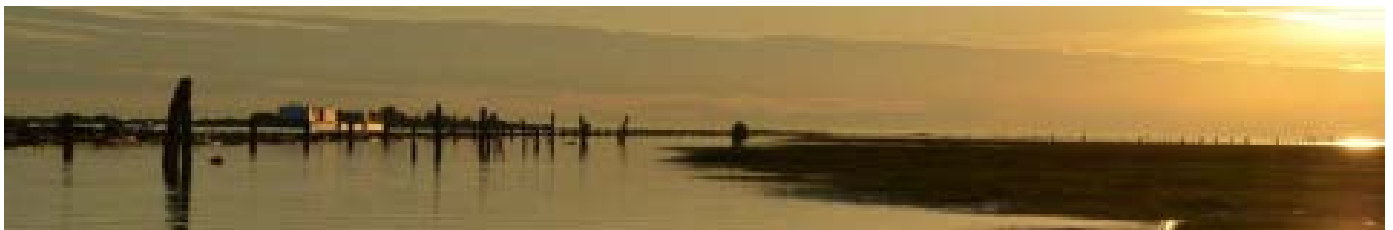
The First Nations Salmon Coordinating Committee (SCC) is a province-wide advisory process consisting of approximately 13 delegates from the various First Nations Fisheries Council Regions. The SCC meets on a Tier 1 and 2 basis to provide strategic advice and recommendations to First Nations and DFO on province-wide Pacific salmon programs, plans, and policies.

Driven by Minister LeBlanc's commitment to act on Cohen recommendations and produce a Wild Salmon Policy (WSP) implementation plan by 2018, DFO engaged First Nations and others on Wild Salmon Policy implementation last fall. The SCC met with DFO several times over the past year to identify gaps and priorities to be addressed during implementation and discuss potential opportunities for collaboration. Although the SCC has raised several concerns to DFO about the lack of funding and resources for this phase of implementation, the committee expressed interest in the collaborative development of a draft implementation plan.

To do so, DFO established a multi-partner working group of participants with representatives from the SCC, DFO (Policy, Science, and Resource Management), BC Province, Yukon Salmon Subcommittee, and the Pacific Salmon Foundation. With the assistance of a technical writer, this multi-partner working group met from May through August to collaborate on an initial draft implementation plan. While these meetings mark a positive step in collaboration, SCC participants continue to highlight outstanding issues that will require further Tier 1 and 2 discussion. Some of the issues identified are a) complexities in including indigenous knowledge systems into WSP implementation, b) deciding appropriate spatial scales for integrated planning and management, and c) the need for transparency in decision making tools to address conservation concerns and First Nations priority access. DFO intends to circulate a draft version of the WSP implementation plan by early fall, prior to the series of regional consultations with BC First Nations planned for October and November. Similar to the last round of consultation, FNFC staff will prepare briefing materials and attend these sessions alongside appropriate SCC representatives to support First Nations participants at these sessions.

The SCC maintains that it is not a decision-making body for any First Nation or group of First Nations, and that consultation with the SCC does not satisfy the requirement for bilateral consultation between DFO and any First Nation. The SCC and FNFC will continue to communicate the progress and outcomes of the committee's activities through existing FNFC communication channels, such as meetings with Charter organizations, monthly calls, communiqués, and e-mails.

For more information on the First Nations Salmon Coordinating Committee and its related activities, please contact Wanli Ou at wanli@fnfisheriescouncil.ca or 778-379-6470 (ext. 29).



BUSINESS DEVELOPMENT TEAM

We have great news to share! A total of \$2.5 million was awarded to 10 First Nations Commercial Fishing Enterprises (CFEs) for 9 diversification projects under the Pacific Commercial Fisheries Diversification Initiative (PCFDI, administered by DFO and supported by INAC's Strategic Partnerships Initiative). CFEs interested in pursuing their diversification opportunities worked with the Business Development Team (BDT) to prepare their applications and business cases for the June 30, 2017 deadline. Project examples include: upgrades to processing facilities and joint ventures, aquaculture, direct to consumer sales, and expansion of distribution, marketing and branding opportunities. The program was oversubscribed, demonstrating the growing interest of CFEs in seafood related diversification initiatives. The BDT will continue to work with CFEs to support the implementation of their projects through March 31, 2018.

In terms of the Business Development Source (BDS) funding under DFO's PICFI program, all 25 CFEs are well positioned to access the funding. There is \$9.375 million available under BDS to support expansion of existing harvest-related activities and logistics, such as acquiring commercial access, vessels, gear, etc. Applications were submitted on or before July 31, 2017 and are currently under review by DFO and the third party evaluator. BDS funding provides support to each CFE for their core activities, including access to opportunities for their community members to participate in commercial fisheries through CFE license and quota acquisition.

It has been a very busy May, June and July, and now the next phase of work begins. CFEs have until March 31, 2018 to implement their PCFDI, SPI and BDS projects. CFEs also continue to develop and grow their organizational capacity, including their governance, management and operational policies and procedures. Many CFEs are also focused on building the capacity of their personnel through training and career development initiatives. Now that the PICFI program is A-based, CFEs have an opportunity to focus on their longer-term strategic goals and objectives, with greater certainty of funding access.

The BDT is looking forward to continuing our work with each CFE this year, and into the future.



WATER FOR FISH

UBCIC Chiefs Council Passes Resolution on Consultation Process for BC's *Water Sustainability Act*:

In June 2017, the FNFC put forward a resolution to the UBCIC Chiefs Council requesting that the UBCIC Executive be directed to work with the First Nations Summit and the BC Assembly of First Nations, as the FNLC, to immediately co-develop with Indigenous Nations in BC a framework for First Nations to appropriately engage in the regulations pertaining to the Water Sustainability Act, which have high potential for significant and direct impact on Aboriginal Rights and Treaty Rights. The resolution also calls for the provision of resources, and to undertake this endeavor through a Nation-based approach ensuring Nation-based interests are taken into account and accommodated. Resolution 2017-24 was passed by the UBCIC, and the FNFC will submit this same resolution to the First Nations Summit and the BC Assembly of First Nations for their consideration at their respective meetings in Fall 2017.

BC First Nations Water Governance Roundtable:

On June 28 and 29, 2017, the FNFC partnered with the Centre for Indigenous Environmental Resources (CIER) and the POLIS Water Sustainability Project to convene a targeted group of approximately 15 staff and leadership from “higher water capacity” First Nations. The purpose of the Roundtable was to provide a space for peer learning and strategic collaboration, with the goal of advancing the collective vision of indigenous-led freshwater governance in British Columbia.

The 1½-day Roundtable was held in Smithers, BC and was facilitated by Merrell-Ann Phare (founder, CIER) and Michael Miltenberger (former Minister of Finance and Minister of Environment, Legislative Assembly of the Northwest Territories). Roundtable participants voiced a strong collective priority to advance indigenous-led water governance in British Columbia, and expressed an interest in concrete and sustained opportunities to continue to work together.

The FNFC is currently seeking to secure support from funders to convene the Roundtable on an ongoing basis.

Please contact Project Coordinator Geneviève Layton-Cartier at Genevieve@fnfisheriescouncil.ca if you have any questions.



LEGISLATIVE REVIEWS – FISHERIES ACT AND NAVIGATION PROTECTION ACT

In 2012 the Conservative Federal Government introduced changes to various pieces of legislation as part of Omnibus Bills C-38 and C-45. Changes to the *Fisheries Act* significantly weakened fisheries habitat protections, attempted to limit the scope of Aboriginal fisheries, and reduced oversight of projects that could negatively impact aquatic resources. Changes to the *Navigation Protection Act* (NPA) drastically reduced the number of waterways protected by the NPA, left 99% of lakes, rivers and oceans in Canada unprotected under this legislation, and exempted several major industrial projects from federal purview. First Nations were not consulted about these changes and strongly opposed them.

In 2016, Prime Minister Trudeau directed the Minister of Fisheries, Oceans and the Canadian Coast Guard to review the 2012/2013 changes to the *Fisheries Act*, restore lost protections, and incorporate modern safeguards. Similarly, Transport Canada was tasked with conducting a review of changes to the NPA. The FNFC worked with regional First Nations organizations throughout the province and retained legal support (Mandell Pinder for *Fisheries Act* and JFK Law for NPA) to develop comprehensive submissions to these review processes. The first round of submissions were put forward by the November 30, 2016 deadline, and a letter was also sent directly to the Fisheries Minister in January 2017.

The second round of submissions regarding the *Fisheries Act* and the NPA will be put forward in the last week of August. The FNFC worked with Mandell Pinder on the *Fisheries Act* Submission, and with Ratcliff and Co. on the NPA submission. These submissions will also be shared broadly with BC First Nations via the FNFC Tier 1 email list, and will be available to First Nations upon request to the FNFC.

Pacific Region DFO staff have indicated that they are willing and available to have ongoing engagement with Indigenous groups on the *Fisheries Act* review process including meetings into the fall/winter. If groups wish to submit information on potential amendments to policy and program after the August 28 deadline, submissions will be reviewed and considered with respect to where the Government/DFO is in the Parliamentary process.

Written submission can be sent using the email address FPP-PPP.XNCR@dfo-mpo.gc.ca. If you have questions about the review process, please contact Tola Cooper, DFO Team Lead Pacific, Review of the Changes to the *Fisheries Act*, at tola.cooper@dfo-mpo.gc.ca or 250-618-9038.

For more information, visit the government's review of Environmental and Regulatory Processes website: <https://www.canada.ca/en/services/environment/conservation/assessments/environmental-reviews.html>



CALLING ALL BC FIRST NATIONS FISHERS AND PHOTOGRAPHERS...

The First Nations Fisheries Council fisheries photo contest is back!

Grand Prize: \$250 Visa Gift Card – Deadline September 25, 2017

The FNFC photo contest is back and we're seeking beautiful First Nations fisheries-related photos to appear in our **2018 calendar!** Twelve winning photos will be chosen, and one GRAND PRIZE winner will be selected from among the 12 photos. The grand prize photo will be featured on the calendar's cover, and the photographer will receive a \$250 Visa gift card! Photographers who submit the other 11 winning photos will each receive a \$25 Visa gift card. All winning photographers will also receive a copy of the calendar.

Depending on the geographic range represented in the photo entries, we will aim to select photos from as many different regions across the province as possible. We also hope to feature as many different species, aquatic resources, fishing methods and activities as possible, so you may get points for originality!

Some suggestions for photos: traditional First Nations fishing/harvesting practices, significant fishing or habitat areas, fish/aquatic resources, First Nations sustainable aquaculture activities, First Nations economic fisheries, youth fisheries engagement and learning, fisheries activities that are specific to your region, technical surveys/assessment/monitoring or scientific research activities, traditional food preparation and preservation methods using fish or aquatic resources, community feasts, cultural activities, or any other fisheries related scenes you can think of!

Please note: Whether or not your photo is selected for the calendar, by submitting photos to the contest, you grant permission to the FNFC to use your photo for publications, newsletters, communications, etc. (with credit to the photographer).

With each submission, please include the following information:

- Location where the photo was taken
- Brief description of what's happening in the photo (species featured, events featured, people featured, etc.)
- Name of photographer, community or organization, phone number, and email address
- Photo credit as you would like it to appear in the calendar and/or in any FNFC communications/publications

Contest Guidelines:

- Each person may submit up to 5 photo entries for consideration.
- By entering a photo, you give the First Nations Fisheries Council permission to use it in future publications, communications, etc.
- You must own the rights to all photos submitted to the contest.
- Photos must be submitted electronically via email or Dropbox link, or delivered to our office on a USB drive, and must have high enough resolution for sharp, high quality printing in sizes up to 8.5" x 11".
- **Please include name, community or organization, phone number, and email address with your submission.**
- Please send emailed submissions to info@fnfisheriescouncil.ca or deliver to Suite 320 – 1200 West 73rd Ave, Vancouver BC.

The deadline for submissions is Monday, September 25, 2017.

**For questions/comments or to submit photos, please contact us at:
Tel: 778-379-6470 or Email: info@fnfisheriescouncil.ca**



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FNFC UPDATE CONFERENCE CALLS (TIER 1)

The First Nations Fisheries Council hosts First Nations fisheries teleconferences on the second Monday afternoon of every month from 1:30pm to 3:00pm. We also hold topic-specific calls from time to time as needed. The purpose of these calls is for First Nations to raise issues or concerns for discussion, and for the FNFC to provide updates and seek feedback on our priorities and activities. These calls are Tier 1, and are open to all First Nations and First Nations fisheries program staff. Dial-in information and agendas are distributed prior to each conference call via our email list.

The next monthly FNFC update conference call will be held on Monday, September 11, 2017

Keep up with the FNFC on Social Media!

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