



# First Nations Fisheries Council COMMUNIQUÉ

JUNE 2015 ISSUE



## FIRST NATIONS FISHERIES COUNCIL MEMBERS:

North Coast: **Arnold Clifton**  
Central Coast: **Penny White**  
South Vancouver Island: **Dan Claxton**  
Lower Mainland: **Richard Sparrow**  
Upper Fraser: **Thomas Alexis**  
Northern Transboundary: **Keith Carlick**  
Haida Gwaii: **Robert Davis**  
North Vancouver Island: **John Henderson**  
West Coast Vancouver Island: **Hugh Braker**  
Fraser Valley: **Ken Malloway**  
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## For more information please contact us:

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## MESSAGE FROM THE FNFC EXECUTIVE DIRECTOR

ʔi ʔə ce:p ʔəw ʔəy ʔal, Si:yém nə Siyeyə?

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

As we begin to move into the early stages of the fishing season for many of you, I trust that you have had the opportunity to recently recognize and celebrate National Aboriginal Day with friends, colleagues and family!

June is the month of reporting out to the political leadership, and the FNFC has presented to the FN Summit and BCAFN in Vancouver, and the UBCIC AGM in Osoyoos. At these sessions, the FNFC put forward a resolution on behalf of BC First Nations that brings awareness to evidence arising from the Ahousaht justification trial – direct testimony and Ministerial briefing notes regarding the existence of a Cabinet directive that should be of major concern to BC First Nations.

The *Coastal Allocation Framework* is a DFO policy framework that was designed to meet a pre-2009 Federal Cabinet directive for an endpoint on First Nations fish harvest/acquisition amounts in BC as accessed by any means, e.g. treaty, AFS, PICFI, ATP, FSC, etc. **The “endpoint directive” essentially places a limit on First Nations allocations without substantive consultation on any First Nation’s Food, Social and Ceremonial (FSC) needs, or justification or accommodation.** At the leadership meetings this month we sought support from the Chiefs to continue to bring awareness to First Nations in BC on this matter. This directive is protected information (internal to government), and therefore it is difficult to gather information; however we continue to seek further disclosure.

We encourage First Nations to review existing fisheries agreements concerning species and harvest amounts to ensure that the language is not limiting, and to determine language that is agreeable to their Nations.

The FNFC continues to focus on a number of priorities, such as advancing our relationships with BC First Nations, and supporting collaboration through the First Nations Leadership Council’s (cont.)

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mandates and First Nations fisheries organizations protocols and Charter processes. Collaboratively we continue to focus on priority matters such as:

- stability in funding for program delivery,
- herring fishery planning,
- aquaculture and the need to protect wild salmon,
- economic development and the PICFI transition,
- positioning First Nations in a more effective dialogue with the federal government concerning fisheries co-management and shared program delivery, and
- increasing participation in policy design and advice.

A PICFI refresh approach is underway and the FNFC is overseeing the implementation of a Business Development Team (BDT) to work with BC First Nations. The team has been engaging with Nations over the past month.

We have concluded development of our new 3 year Strategic Plan for the FNFC, in which we will build on the existing core foundation of the *First Nations Fisheries Action Plan* and our objectives from our 2012-15 Strategic Plan. We will also focus on the following newly emerging priorities:

- implementation of court cases in fisheries policy design and program delivery in FNFC/DFO process,
- raising the profile of the FNFC Executive to engage beyond the regional level and work more directly with the national level of government in Ottawa,
- addressing cumulative effects on water, ecosystems, fish and habitat through building capacity and structures to engage with provincial and federal governments on resource extraction agendas on oil and gas, mining, pipelines, tankers, etc.

At the province-wide scale, we continue to build collaborative processes among First Nations to support engagement with the Province of BC on matters such as steelhead planning, resource extraction, the *Water Sustainability Act*, and other legislative issues. This also supports the work being coordinated with the First Nations Health Council's Social Policy Forum, *Wellness 2025*. A meeting held with the Provincial Deputy Ministers on February 6, 2015 has led to a commitment to begin engaging with the First Nations resource councils on BC resource extraction activities and impacts.

At our March meeting with the DFO Deputy Minister, we raised the issue of discussing Aboriginal Rights at a proposed tripartite table that includes AANDC (Aboriginal Affairs and Northern Development Canada). The FNFC has heard frustration from BC First Nations that DFO indicates they don't have the mandate to speak to Aboriginal Rights, yet they make management decisions that impact Aboriginal Rights.

We anticipate that the FNFC fall assembly will focus on initial dialogue and the need to develop clarity in process and roles of the federal departments in addressing Aboriginal Rights. The proposed tripartite discussion with two federal departments could set the foundation for a broader inter-departmental dialogue process that could expand to other departments such as Natural Resources Canada, Environment Canada, Transport Canada, etc. These departments are involved with issues that affect us all collectively, vis-a-vis energy corridors, tanker safety, habitat impacts, etc.



Of course there will be greater detail developed in the coming months as, but this should give you an idea about our current direction. We look forward to our continued work together!

**hay čx<sup>w</sup> qə, O' si:yem,**

Jordan Point  
FNFC Executive Director

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## FIRST NATIONS SALMON COORDINATING COMMITTEE UPDATE

The First Nations Salmon Coordinating Committee (SCC) was established as a result of First Nations concerns about existing DFO processes to develop annual Integrated Fishery Management Plans (IFMPs). The purpose of the SCC is to advance First Nations priorities and recommendations in the management and planning of salmon and in the development of DFO's salmon IFMPs. Main priorities of the SCC include (but are not limited to):

1. ensuring access to food, social, and ceremonial (FSC) fish for First Nations,
2. advancing First Nations concerns about DFO's management of salmon stocks, and
3. expanding First Nations economic opportunities in fisheries.

### **Ensuring Access to Food, Social, and Ceremonial (FSC) Fish for First Nations**

First Nations' rights to fish for food, social and ceremonial (FSC) purposes take precedence, after conservation, over all other uses of the resource. However, both DFO and the FNFC have heard that many First Nations are not meeting their FSC needs. This may be the result of insufficient allocations, lack of ability to fish at preferred times and locations using preferred methods, or other barriers.

Since 2013, in response to First Nations' concerns about access to FSC fisheries, a sub-committee of the SCC engaged with DFO staff to develop a mechanism that enables annual post-season reviews of FSC fisheries. Through that work, many existing barriers to First Nations accessing sufficient FSC fish have been identified.

To ensure that BC First Nations have adequate access to FSC fish, more work is required to understand how First Nations develop and communicate their FSC needs, how DFO allocates fishing opportunities, and to identify constraints and potential solutions to FSC access even if adequate allocations are provided. FNFC and the SCC are prepared to work with DFO to improve FSC outcomes for First Nations. The success of such work will require, however, that DFO make First Nations FSC fisheries the primary management priority for the resource, after conservation, as is required by Canada's constitution.

### **Advancing Concerns on Salmon Management and Expanding First Nations Economic Opportunities**

The SCC submitted BC First Nations' comments on DFO's draft 2015/2016 salmon IFMPs in April 2016, which included a recommendation to the Minister to implement the SCC's proposal for changes to the Commercial Salmon Allocation Framework (CSAF). DFO has not provided any indication as to when final decisions by the Minister will be made on the IFMP and the CSAF for the 2015-16 fishing season.

The FNFC continues to support the SCC in meeting its priorities each year. If you have any questions about the SCC's work, please contact FNFC Fisheries Project Manager Wanli Ou by email at [wanli@fnfisheriescouncil.ca](mailto:wanli@fnfisheriescouncil.ca) or by phone at 778-279-2900.

## **PACIFIC SALMON COMMISSION – SOUTHERN PANEL SEAT**

DFO has requested the advice of the FNFC to fill one vacant First Nations seat on the Pacific Salmon Commission's (PSC) Southern Panel. To accomplish this, the FNFC is seeking nominations from regional First Nations fisheries organizations, after which FNFC will select and recommend six qualified candidates. DFO will then consider the nominations and appoint a candidate to fill the vacancy on the Southern Panel.



**The deadline for submitting nominations to the FNFC is Friday, July 3, 2015.** Please note that no late or incomplete applications will be considered. If you have any questions about PSC Southern Panel First Nations nominations, please contact the FNFC at 778-279-2900.

### AQUACULTURE

The FNFC has seen progress this year in building the Aquaculture Coordinating Committee (ACC), the Tier 1 foundation for collaborative First Nations engagement on aquaculture issues; however, major challenges persist regarding government responsibilities around consultation and meaningful engagement of First Nations in management processes. The ACC's work at the Tier 1 level is guided by the 2013 Declaration on First Nations Aquaculture Governance, which establishes a structure for collaboration and sets out key areas of common interest as identified and re-affirmed over five years of Tier 1 process.

One of the most fundamental common principles from the Declaration on First Nations Aquaculture Governance that has been continually raised at the ACC is need to protect wild stocks. This is a crosscutting issue that is central to not only aquaculture, but also other major industries such as oil and gas, mining, forestry, etc. Concerns also persist about DFO's conflicting mandates of industry growth and the protection of wild fish and their habitats. In this context, the ACC has worked to support First Nations engagement on the following key aquaculture management topics.

#### **Fish Farm Siting Guidelines:**

DFO is reviewing its siting guidelines for fish farms. On April 30, 2015, DFO provided the FNFC with an updated version of its draft revised siting guidelines, and indicated that the Department would accept feedback from First Nations via email until mid-June, 2015. DFO indicated that they would not be engaging directly with individual First Nations regarding the siting guidelines. FNFC sent a letter to DFO outlining concerns raised by First Nations through the Tier 1 ACC process. FNFC also sent DFO a letter regarding its approach to engagement, reiterating that DFO must consult directly with potentially-affected First Nations regarding fish farm siting criteria. In response, DFO has now indicated that they will be providing a copy of their revised siting guidelines directly to all BC First Nations and member organizations for review.

FNFC has developed several resources to support First Nations who choose to respond to DFO about these siting guidelines. These include: a briefing note on the proposed siting guidelines based on feedback from the ACC; a template letter regarding the content of the proposed guidelines, and a letter regarding DFO's approach to engagement and consultation on this topic.

#### **Freshwater/Land-based Aquaculture Management:**

DFO has indicated that it is now developing a management plan for freshwater and land-based aquaculture in BC. The Department hosted an information teleconference on June 23, 2015 and shared the following key points:

- DFO expects to have a draft management plan ready for consultation by August 2015;
- DFO is looking to develop an advisory process to support this management plan; and
- DFO is seeking feedback from First Nations regarding what kind of advisory process would be appropriate for engaging First Nations in the management of this stream of aquaculture.

Other key issues raised by participants on the call included:

- Salmonid Enhancement Program (SEP) facilities and other hatcheries operated by the Province and the Freshwater Fisheries Society of BC. These facilities are now licensed by DFO but it is not clear where consultation is occurring about the impacts of these facilities and associated stocking programs.



- Jurisdictional issues when First Nations want to pursue stocking or lake-based aquaculture activities in their territories or on reserve land.

Summary notes from the June 23 teleconference provide further details on all the issues discussed on the call. These notes are currently being finalized and will be available soon from the FNFC.

### **Multi-year licensing:**

DFO has confirmed that multi-year licenses for aquaculture operations will come into effect in late 2015. FNFC has heard consistently through the Tier 1 ACC that there should be no move to multi-year licenses until significant unfinished business related to siting and marine finfish aquaculture conditions of license are addressed. The FNFC communicated this view to DFO as early as November 2013 and this was a key message to DFO from First Nations at DFO's most recent aquaculture technical session on February 23, 2015. DFO has noted that many individual First Nations have expressed opposition to multi-year licensing at this point.

For more information on the FNFC's work related to aquaculture, please contact Alex Etchell at [alex@fnfisheriescouncil.ca](mailto:alex@fnfisheriescouncil.ca) or 778-279-2900.

## **WATER FOR FISH NEWS AND EVENTS**

### **FNFC Water for Fish Initiative – WATER WEDNESDAYS**

The next FNFC Water Wednesday will be held on **July 8, 2015** from 10:30am to 11:30am. This Tier 1 discussion will focus on the regional workshops proposed by the BC Government on the *Water Sustainability Act*.

**You can join the meeting from your computer, tablet or smartphone at the following link:**

<https://global.gotomeeting.com/join/163720365>

**\*\*Please use the conference call for Audio\*\***

**Dial-in: 1-855-231-7350 / Participant Passcode: 2021594**

Next month's Tier 1 Water Wednesday will be held on **August 8, 2015** at 10:30am-11:30am and will focus on the *Water Sustainability Act* and regional workshops.

### **Papers on Water Topics**

POLIS and Ecojustice recently released a paper called ***California's Oranges and BC's Apples? Lessons for BC from California Groundwater Reform***. This may be of interest to BC First Nations who are engaging on BC's new *Water Sustainability Act*. Link to paper:

[http://poliswaterproject.org/sites/default/files/OrangesApples\\_FINALWeb\\_0.pdf](http://poliswaterproject.org/sites/default/files/OrangesApples_FINALWeb_0.pdf)

The World Wildlife Federation has indicated that they plan to release a discussion paper in summer or fall 2015 on how the new *Water Sustainability Act* and regulations may impact BC hydropower dams, including water use plans. The FNFC will share this paper with BC First Nations once it becomes available.





### Free Wetland Workshop – Kelowna/Vernon

The BC Wildlife Federation will be hosting an intensive 7 day hands-on Wetland Workshop in Kelowna and Vernon on September 28 to October 4, 2015. The workshop will educate participants about wetland stewardship, restoration, and constructive skills. Participants often come to the Wetlands Institute with a wetland project they wish to implement in their home communities. More information here: <http://www.eventbrite.ca/e/okanagan-wetlands-institute-2015-registration-16130800659>

### FISH HABITAT RESTORATION INFORMATION SESSIONS FOR FIRST NATIONS

In May 2014, the Government of Canada announced new measures to enhance engagement with First Nations and involve them in energy infrastructure development. These new measures flow from Douglas Eyford's report *"Forging Partnerships, Building Relationships: Aboriginal Canadians and Energy Development"* which was released in December.

DFO would like an opportunity to meet with First Nations to discuss the benefits of fisheries habitat restoration and to provide information on a potential opportunity for First Nations to undertake fish habitat restoration projects of interest within territories potentially affected by existing or proposed energy infrastructure. The FNFC will also share information on approaches for First Nations to plan fish habitat restoration projects.

The FNFC is convening a series of Tier 2 & Tier 1 Fish Habitat Restoration information sessions for First Nations over the next several weeks. The first session was held on June 23 and was hosted by the Lower Fraser Fisheries Alliance (LFFA). If your region is affected by energy development and you are interested in hosting an information session in your area, please contact Deana Machin at [deana@fnfisheriescouncil.ca](mailto:deana@fnfisheriescouncil.ca).

### BUSINESS DEVELOPMENT TEAM

The FNFC recently retained the services of the team at Grand Basin Capital ([www.gb-cap.com](http://www.gb-cap.com)) to provide confidential support to Commercial Fishing Enterprises (CFEs) as part of DFO's PICFI Enterprise Development Refresh program. The PICFI Refresh program has two additional funding sources available for fiscal year 2015/2016:

- \$9.3 million under the Business Development Source (BDS) for expansion of existing CFE harvest related activities; and
- \$2 million under the Strategic Partnership Initiative (SPI) for CFE diversification opportunities.

To use a worn expression, the newly created BDT hit the ground running. The team came together at the end of April, and the first order of business was to receive a download of information from their east coast counterparts, who have worked with Atlantic CFEs for the last four years, under the Atlantic Policy Congress. Since then and to date, the team has met at least once with 22 out of 25 CFEs in the Lower Mainland, all over Vancouver Island, the Interior, Sunshine Coast, and in Prince Rupert. The team has followed up on information provided by DFO to CFEs regarding the application process for BDS and SPI funding, project eligibility, and role of the BDT and Third Party Evaluator.

The role of the BDT is to provide support to CFEs (in absolute confidence) as they develop their applications for BDS and/or SPI funding. The deadline to apply (**by October 30, 2015**) and to complete projects (**March 31, 2016**) is tight, and the BDT will contact CFEs regularly to encourage early development and submission of their applications. Key sections of the application include a business case, work plan and human resources appendix. The BDT has also met with DFO and the Third Party Evaluator to make sure the application and review process is as streamlined as possible. The BDT will also provide support to CFEs as they update their business plans and training plans by March 31, 2016.



The BDT members are Neil Philcox, BDT Lead ([neil@gb-cap.com](mailto:neil@gb-cap.com), T: 604.773.7221); Charles Minns, Training Coordinator ([charles@gb-cap.com](mailto:charles@gb-cap.com)); and Zain Nayani, BDT Member ([zain@gb-cap.com](mailto:zain@gb-cap.com)).

The BDT would like to acknowledge and thank the CFEs for their hospitality and warm reception. Since the launch of the PICFI program, CFEs have managed and grown their enterprises despite many challenges facing the sector. The CFEs have stuck to their philosophical goals, and have achieved impressive results regarding participation in the sector, training and education, and long-term sustainability.

### FISH-WIKS ACADEMIC RESEARCH PROJECT – MASTER’S SCHOLARSHIP OPPORTUNITY

The FNFC is the partner organization to the Fish-WIKS research project for the Pacific region. This project looks at understanding western and Indigenous knowledge systems and explores how the different processes by which knowledge is acquired, transmitted and used can be harnessed to enhance Canadian fisheries policy. Funded by the Social Sciences and Humanities Research Council (SSHRC), the research aims to identify the commonalities and differences in Indigenous knowledge systems across the Pacific, Arctic, Inland and Atlantic regions and in four distinct coastal communities in Canada (Tla-o-qui-aht, BC; Repulse Bay, Nunavut; Nipissing, Ontario; and Eskasoni, Nova Scotia). The project also seeks to understand how Indigenous and western knowledge systems can be used to improve the sustainability of Canadian fisheries.



### Fish-WIKS

The Pacific region is seeking a Master’s level student to work on the Fish-WIKS project. The student will join a large team of investigators, research fellows, staff and students joined together in a partnership spread across Canada.



This opportunity will focus on examining indigenous and non-indigenous knowledge systems relating to fisheries governance and management in BC. The student will enjoy working closely with other graduate students, will have the opportunity to share data and findings with our team, will benefit from a network of community, government and academic partners, and will be invited to participate in team research and knowledge mobilization activities.

Students can be funded up to \$15,000/year for two years, accompanied by a travel/research budget. Funding is available for enrolment beginning September, 2015. Students who have already been accepted into a Master’s program at a BC university for September 2015 are also encouraged to apply.

For more information about the project and this research opportunity, please visit the Fish-WIKS website at [www.fishwiks.ca](http://www.fishwiks.ca) or contact Aimee Arsenault at [aimee@fnfisheriescouncil.ca](mailto:aimee@fnfisheriescouncil.ca) or 778-279-2900.

Photo: Velella velella, Tofino BC – by FNFC

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## FNFC PHOTO CONTEST – GRAND PRIZE: APPLE iPad MINI 2!

The FNFC is seeking First Nations fisheries-related photos to appear in our **2016 calendar!** Twelve winning photos will be chosen, including one GRAND PRIZE winner. The grand prize photo will be featured on the calendar's cover, and the photographer will receive our grand prize – an Apple iPad Mini 2 (32GB, Wi-Fi). Photographers who submitted the other 11 winning photos will each receive a \$25 gift card to Tim Hortons or iTunes (winner's choice).

Please note that this photo contest will also serve as a way for the FNFC to build up our library of photos for use in other FNFC communications, reports, publications, on our website, etc. By submitting photos to the contest, whether or not they are selected to be featured in the calendar, you grant permission to the FNFC to use your photo – but we will always print the photo credit to recognize the photographer.

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 engagement in fishing activities or learning about fisheries, fisheries activities that are specific to your region, technical surveys, assessments or scientific research activities, traditional food preparation and preservation methods using fish or aquatic resources, or any other fisheries-related scenes you can think of!

### **With each submission, please include the following information:**

- Location where the photo was taken
- Very brief description of what's happening in the photo (species featured, events featured, people featured, etc.)
- Name, community or organization, phone number, and email address of photographer
- Names of any people whose faces are clearly visible in the photo
- 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, but only one photo per photographer will appear in the calendar.
- By entering a photo, you give the FNFC permission to use it in future publications, communications, etc.
- You must own the rights to all photos submitted to the contest.
- Photos must have high enough resolution for sharp, high quality printing in sizes up to 8" x10".
- Please include name, community or organization, phone number, and email address with your submission.
- Please submit photos by email to [info@fnfisheriescouncil.ca](mailto:info@fnfisheriescouncil.ca).
- **The deadline for submissions is Friday, October 2, 2015.**





## FNFC UPDATE CONFERENCE CALLS (TIER 1)

The First Nations Fisheries Council hosts First Nations fisheries teleconferences on the second Wednesday morning of every month from 10:30am to 12:00pm. 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 Wednesday, July 8, 2015**

For more information about the First Nations Fisheries Council of British Columbia, please contact us!  
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Photo: Sunset at Seton Lake, by FNFC

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