



# First Nations Fisheries Council COMMUNIQUÉ

JULY 2018



## 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**

## Contact Us:

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## LEGISLATIVE REVIEWS: BILLS C-68 and C-69

After Bill C-68: *An Act to amend the Fisheries Act and other Acts in consequence* was introduced to the House of Commons for First and Second reading earlier this year, the Act was sent to the Standing Committee on Fisheries and Oceans (FOPO) for study. In its review, the Standing Committee received written submissions and heard from a number of witnesses and during the Committee's clause-by-clause consideration of the Bill, the Committee Members had the opportunity to ask questions, debate or propose amendments to the Bill. On May 30<sup>th</sup>, the Committee submitted a small number of amendments to Bill C-68 in its report back to the House of Commons. Of the 46 witnesses, the Committee only heard from one First Nation community. Of the 55 written briefs submitted, five were from British Columbia (including the First Nations Coalition submission from the First Nations Fisheries Council and 9 partnering First Nations communities and/or fisheries organizations), and four were from Indigenous communities or organizations in other parts of Canada.

While the Standing Committee did make some amendments to the Bill, unfortunately none of the amendments directly addressed the recommendations made by the FNFC-First Nations Coalition submission. Notable amendments to Bill C-68 made by the Standing committee include:

- For the first time since the Act was enacted in 1868, the proposed legislation directs the Minister of Fisheries and Oceans to manage fish stocks sustainably and to put rebuilding plans in place for depleted stocks.
- **Environmental water flows are considered as necessary fish habitat** "...the quantity, timing and quality of the water flow that are necessary to sustain the freshwater or estuarine ecosystems of a fish habitat are deemed to be a fish habitat."

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- Under some circumstances, **the Minister may decide to disclose Indigenous Knowledge**. For reasons of procedural fairness or natural justice reasons, the Minister must consult the person or entity who provided Indigenous knowledge before the Minister discloses that knowledge and may impose conditions with respect to the disclosure of Indigenous knowledge
- “Traditional knowledge of Indigenous peoples” replaced by language of “Indigenous knowledge” throughout the Bill.

On June 20, 2018 Bill C-68 (with the amendments proposed by the Parliamentary Standing Committee) passed Third Reading in the House of Commons and has now been sent to the Senate for its review. The draft legislation will be studied by Senate Committee, and the Senate has the opportunity to make further amendments to the Bill. The timeline for the Senate review has not been made available yet, but it is anticipated that the senate review will happen over the fall. If the Senate passes Bill C-68: *An Act to amend the Fisheries Act and other Acts in consequence* it will be presented to the Governor General and could receive Royal Assent in late 2018 or early 2019.

How a Bill Becomes Law: The Legislative Process	Stages Completed
<b>House of Commons First Reading:</b> The bill is considered read for the first time and is printed.	✓
<b>House of Commons Second Reading:</b> Members debate the bill's principle.	✓
<b>Parliamentary Standing Committee Stage:</b> Committee members study the bill clause by clause.	✓
<b>Parliamentary Committee Report Stage:</b> Members can make other amendments.	✓
<b>House of Commons Third Reading:</b> Members debate and vote on the bill.	✓
<b>Senate:</b> The bill follows a similar process.	
<b>Royal Assent:</b> The bill receives Royal Assent after being passed by both Houses.	

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## PACIFIC SALMON COMMISSION

The 1985 Pacific Salmon Treaty (PST) commits Canada and the US to work together on the research, conservation, and management of Pacific salmon. Five PST chapters are set to expire at the end of 2018: Transboundary Rivers, Northern BC and Southeastern Alaska, Chinook Salmon, Coho Salmon, and Southern BC/Washington Chum Salmon.

Both the US and Canada aimed to complete negotiations by December 2017 to allow one year for domestic ratification. Negotiations are close to being finalized. Many additional negotiating sessions were added in an attempt to finalize Chapter agreements.

- Chapter 3 – Chinook: Reductions and allocations have been concluded. A small contingent of the respective countries’ negotiating teams are reviewing Chapter language and concluding other smaller outstanding items.
- Chapter 2 – Northern BC: Canada is waiting to hear back from Alaska regarding a proposed 10-year agreement, subject to a 5-year review.
- All other chapters have been reviewed by the respective countries’ legal teams and are going through, or have gone through, the process of being translated to French.

Additionally, the Fraser River Sockeye and Pink Salmon Chapter (Chapter 4) is set to expire at the end of 2019, and negotiations on new Chapter wording are expected to begin this year. The Fraser River Aboriginal Fisheries Secretariat (FRAFS) is coordinating a Tier 1 discussion for First Nations in early July. For more information about this session please contact FRAFS at [frafs15@gmail.com](mailto:frafs15@gmail.com).

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## AQUACULTURE

First Nations in BC have diverse interests, perspectives and priorities with respect to the management of aquaculture and, as self-determining Nations, share a responsibility to manage resources in a manner that respects the interdependence they have with one another. As such, the First Nations Fisheries Council (FNFC) established the Aquaculture Coordinating Committee (ACC) as a technical table with members from the FNFC regions. The ACC aims to identify common interests and to increase First Nations involvement in the policy and management of aquaculture.

The last ACC meeting was held in April 2018 in Vancouver, with Tier 1 discussions in the morning and Tier 2 for the afternoon. The meeting focused on reviewing and commenting on the draft ACC strategic plan that will guide the work of the ACC over the next three years. Tier 2 discussions covered the potential *Aquaculture Act*, potential amendments to Section 56 of the Fishery (General) Regulations (FGR) and potential First Nations involvement on the Canadian Council of Fisheries and Aquaculture Ministers.

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As a next step, we are in the process of planning another Tier 2 ACC meeting with DFO science to discuss findings from recent publications regarding Heart and Skeletal Muscle Inflammation (HSMI) and to identify some collaborative solutions moving forward. The ACC has identified a Tier 2 approach for meaningful participation in monitoring and science. The collaborative science approach will include short- and long-term goals with specific objectives. We will be sure to communicate out any new developments on this important issue.

For more information the First Nations Fisheries Council’s work with Aquaculture, please contact Richard Sparrow at [richard@fnfisheriescouncil.ca](mailto:richard@fnfisheriescouncil.ca) or 778-379-6470

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## **NEW WATER REPORT REPORT:**

### ***“Protecting Water Our Way: First Nations Freshwater Governance in British Columbia”***

The FNFC *Water for Fish* initiative launched a new report in May 2018 titled “*Protecting Water Our Way: First Nations Freshwater Governance in British Columbia*”. The report is for First Nations leadership as well as lands, natural resources and fisheries staff who are interested in learning more about First Nations-led initiatives to protect fresh water. First Nations across BC are asserting rights, jurisdiction, and in some cases their own laws to advance governance and decision-making processes that will determine the future of fresh water in their territories. The report includes a section on Aboriginal Water Rights and discusses opportunities for First Nations to work together to advance collective strategies for freshwater protection in BC. It also features five case stories that highlight key elements of First Nations-led water planning and governance in BC, including:

- Yinka Dene ‘Uza’hné Water Declaration and Policy Standards;
- Syilx Nation and siwłk<sup>w</sup> (Water) Declaration and Water Responsibility Planning Methodology;
- Water Monitoring: Gateway to Governance;
- Tla’amin Nation and Negotiating Shared Decision Making in the Theodosia River Watershed; and,
- Cowichan Tribes and the Cowichan Watershed Board.

The report can be downloaded on our website here: <https://goo.gl/i1VZyS>

Please contact *Water for Fish* Project Coordinator Geneviève Layton-Cartier at [Genevieve@fnfisheriescouncil.ca](mailto:Genevieve@fnfisheriescouncil.ca) or 778-379-6470 if you have any questions.



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## ECONOMIC FISHERIES

### **Economic Coordinating Committee:**

On June 8, 2018 FNFC hosted its second Economic Coordinating Committee (ECC) meeting, a new FNFC advisory body focused on addressing BC First Nations' collective interests related to economic opportunities in fisheries. Similar to other FNFC technical tables, participation is organized in relation to the 14 FNFC regions. Currently, there is general consensus from participants that until processes and priorities are established, the ECC will remain solely a Tier 1 structure. The June 2018 meeting advanced previous ECC discussions, specifically involving the development of an ECC Terms of Reference document and high-level vision and mission statements and goals. The next ECC meeting will occur in fall 2018.

Since an initial meeting in January, ECC participants have collectively and consistently expressed the need for cooperative and coordinated approaches to advancing First Nations opportunities related to economic fisheries, through concrete and sustainable planning and dialogue.

### **Economic Performance Pillar Planning:**

In conjunction with planning ECC priorities and goals, the FNFC is undertaking a planning exercise focusing on the long-term objectives of the FNFC Economic Performance pillar. Currently in a scoping phase, this initiative is utilizing the *BC First Nations Fisheries Action Plan* to guide this work. Further details will be available as this initiative progresses.

For more info about the FNFC's work on economic fisheries, please contact Astrid Niemann-Zajac at [astrid@fnfisheriescouncil.ca](mailto:astrid@fnfisheriescouncil.ca) or 778-379-6470.

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## **FNFC UPDATE CONFERENCE CALLS (TIER 1)**

The FNFC hosts update conference calls on the **second Monday afternoon of every month from 1:30pm to 3:00pm**. These calls are Tier 1 and are open to all BC First Nations and First Nations fisheries program staff. Dial-in information and agendas are distributed prior to each conference call via our FNFC Tier 1 email list.

**The next monthly FNFC update call will be held on Monday, August 13, 2018**

### **Keep up with the FNFC on Social Media!**

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**LIKE us on FACEBOOK at [www.facebook.com/fnfcbc](http://www.facebook.com/fnfcbc)  
FOLLOW us on TWITTER at [www.twitter.com/fnfish](http://www.twitter.com/fnfish)**

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**Calling all BC First Nations fishers and photographers...**

### ***The First Nations Fisheries Council is holding our photo contest! Grand Prize: \$250 Visa Gift Card – Deadline Friday, September 28, 2018***

The FNFC photo contest is back and we're seeking beautiful First Nations fisheries-related photos to appear in our **2019 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, 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 info:**

- 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](mailto:info@fnfisheriescouncil.ca) or deliver to Suite 320 – 1200 West 73<sup>rd</sup> Ave, Vancouver BC.

**The deadline for submissions is Friday, September 28, 2018.**

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



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