



First Nations Fisheries Council COMMUNIQUÉ

DECEMBER 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**

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MESSAGE FROM THE EXECUTIVE DIRECTOR

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

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

We as BC First Nations continue to find ourselves in very busy times, with a busy calendar of meetings, dialogue and engagement on all matters that impact our fisheries. The 2018 FNFC Fall Assembly in Kelowna is now a month in the rear-view mirror, and we were very pleased with the participation and attendance this year. Thank you to the Westbank First Nation for welcoming us to the territory, to all the presenters – Indigenous, Federal and Provincial – for sharing their expertise with us, and to our friends and colleagues who helped to make this year's event a great one. It is very clear to see that the protection of wild salmon is at the top of all people's minds.

In November I had the pleasure of speaking about wild salmon at the BC Cabinet and First Nations Gathering, and the emphasis on learning to work together more effectively across organizations in support of First Nations fisheries and the protection of our fish and aquatic resources. In the last couple of weeks the Minister of Fisheries, Oceans and the Canadian Coast Guard announced a new Salmon and Innovation Restoration Fund, which could support this objective.

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Last week the Minister also announced the development of a new federal *Aquaculture Act*, which would set clear, consistent standards for aquaculture across Canada, and allow for greater federal/provincial coordination in how the industry is managed. BC First Nations will need to work together to inform our perspectives on this new development, and the FNFC Aquaculture Coordinating Committee will have this as a key part of their work plan.

I would like to congratulate Chief Bob Chamberlin on the recent provincial / federal agreement on changes to the management of fish farms in the Broughton Archipelago, a “win-win” for all concerned. I would also like to wish Bob a speedy recovery for his health, as he has worked himself to exhaustion working tirelessly for salmon and BC First Nations.

Finally, over the past several months the National Indigenous Fisheries Institute (NIFI) has been conducting a review of various fisheries programs affecting Indigenous Peoples, including AAROM, PICFI, AFS and the Guardians program. An outcome of the AAROM review was a recommendation for greater coordination between AAROM groups across Canada, and for the formation of a National AAROM Committee. The first Committee meeting will be hosted by the Okanagan Nation Alliance in Kelowna in the first week of February.

Lots more updates from our staff on the various programs and projects at the FNFC are included in this communiqué following this section.

On behalf of the FNFC Executive Council and staff, I would like to wish you all a happy, safe, and healthy holiday season with your friends and loved ones! And as we look ahead to 2019, we look forward to our continued work with communities and partner organizations, as we are strongest when we work together.



Thanks,
Jordan Point
FNFC Executive Director

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SALMON COORDINATING COMMITTEE

The First Nations Salmon Coordinating Committee (SCC) is a province-wide advisory process consisting of approximately 28 primary and alternate delegates from the First Nations Fisheries Council Regions. The Committee was formed in 2011 in response to ongoing frustrations expressed by First Nations with DFO's Pacific Salmon Integrated Fisheries Management Plans (IFMPs) and DFO's Salmon Integrated Harvest Planning Committee (IHPC) processes. Over the last few years, the work of the SCC has expanded past IFMP development and towards engaging in province-wide salmon management and planning initiatives. Since October 2013, the committee has participated in larger policy initiatives such as updating DFO's Commercial Salmon Allocation Framework (CSAF), and more recently in the implementation of the Wild Salmon Policy.

Over the summer/fall, the FNFC has been working with each FNFC region to finalize nominations to the SCC. The SCC has also met both in-person and via teleconference to discuss DFO's Wild Salmon Policy Implementation Plan, BC's Wild Salmon Strategy, as well as the Commercial Salmon Allocation Framework (CSAF). In addition to its planned activities, the SCC will also be providing a response to DFO's draft National Fisheries Monitoring Policy and recommendations to First Nations.

The FNFC and the SCC will be hosting a Tier 1 webinar with First Nations to discuss both the WSP Implementation Plan document and the draft National Fisheries Monitoring Policy. The anticipated date is **January 10, 2019** from 1:00pm-3:00pm; please check your emails for official invite and information for the webinar.

For more information on the First Nations SCC and its activities, please contact Janson Wong, Operations Manager, at janson@fnfisheriescouncil.ca or 778-379-6470.

Wild Salmon Policy Update:

On November 14, 2018, the SCC's Wild Salmon Policy small working group met with Fisheries Minister Jonathan Wilkinson as part of a WSP Key Partners Meeting and Roundtable discussion. The SCC provided six key messages to the Minister regarding the implementation of the Wild Salmon Policy:

- i) First Nations must be key partners in the design and delivery of WSP and other related science activities;
- ii) Immediate need to develop and implement ecosystem-based recovery plans for Conservation Units with red or yellow statuses;
- iii) Tri-partite collaborative agreements between First Nations, DFO and the Province of BC must be developed to advance wild salmon protection and recovery;
- iv) Immediate need to fund a First Nations-developed framework to assess socio-economic values of wild salmon to First Nations;
- v) Resources must be dedicated to implement WSP-related activities, with priority towards First Nations to address gaps; and
- vi) Encourage collaborative processes where First Nations can co-develop and co-implement policies and programs from the on-set.

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The SCC will continue to engage with DFO to advance wild salmon protection and restoration, including working with DFO on WSP implementation. The SCC also anticipates engaging with the Province of BC as they develop their engagement strategy with First Nations on the development of their Wild Salmon Strategy and will provide further updates on those discussions when available.

Commercial Salmon Allocation Framework (CSAF):

The FNFC and the SCC have retained a contractor to assist interested First Nations in preparing and submitting demonstration fishery proposals for the 2019 fishery season. Demonstration fisheries are trial commercial opportunities that either take place in areas not previously commercially harvested, and/or use alternative gear types than typical commercial harvest gear. First Nations and their fishery managers that are interested in preparing a demonstration fishery proposal are encouraged to contact the FNFC for more information. DFO's deadline for submitting proposals is **January 28, 2019**, and First Nations are highly encouraged to proactively develop proposals in time for the contractor to review and provide feedback on proposals and submissions.

For more information, please contact Janson Wong, Operations Manager, at janson@fnfisheriescouncil.ca or 778-379-6470.



PACIFIC SALMON COMMISSION

The Pacific Salmon Commission's (PSC) First Nations Caucus consists of First Nations participants who have been appointed by Canada to participate in the Pacific Salmon Commission process at the Commissioner, Panel and Technical Committee levels. The FNFC plays a secretariat role to the First Nations Caucus and supports their activities. In addition, the FNFC also provides coordination support to the FN Caucus Executive Committee and DFO on their nomination and appointment processes for First Nations Technical Committee, Panel and Commissioner positions.

The FNFC was asked to provide support to DFO and the PSC FN Caucus to carry out a nomination process for a new Southern Panel member from the East Coast Vancouver Island region. After a regional nomination process was conducted, the FNFC and PSC FN Caucus are pleased to support a nomination for Mr. Nick Chowdhury to the Southern Panel. Mr. Chowdhury is a member of the Da'naxda'xw First Nation and President of the Island Marine Aquatic Working Group (IMAWG). Ultimately it will be DFO who makes the final decision on PSC appointments, and we will provide updates on official appointments.

The FNFC was also asked to provide support to the FN Caucus and DFO for nominations for a Commissioner position that will be expiring on January 29, 2019. Based on advice from the PSC FN Caucus and feedback from BC First Nations for greater representation at all levels of the PSC, the recommendation will be made to DFO to consider the two First Nations Commissioner positions as "Northern BC" and "Southern BC" seats, as identified

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using Cape Caution, BC as the regional boundary and consistent with current DFO IFMP processes. The FNFC put out a broad call to our Tier 1 First Nations email list and through our networks inviting nominations from qualified and interested candidates for this opportunity, which will be considered the “Northern BC” seat. The deadline for nominations was **Monday, December 17, 2018**.

The First Nations Caucus has prioritized the need to increase First Nations participation at the PSC and encourage succession planning for PSC members. Consistent with those priorities, the First Nations Caucus Executive Committee asked the FNFC to support and coordinate their nomination and appointment process for two new Fraser River Technical Committee observer positions. We thank all applicants to this opportunity and are pleased to announce that the First Nations Caucus Executive Committee has appointed Mr. Aidan Fisher and Ms. Nicole Frederickson to these two positions. Mr. Fisher is a Biologist currently working for both the Lower Fraser Fisheries Alliance and the Fraser River Aboriginal Fisheries Secretariat and is a member of the Tzeachten First Nation. Ms. Frederickson is a Biologist currently working for the Island Marine Aquatic Working Group. We look forward to their participation at the upcoming PSC sessions in the new year.

Finally, the annual PSC sessions will be held in January and February 2019. The Fraser River Sockeye and Pink salmon Chapter (Chapter 4) is set to expire at the end of 2019, and negotiations on the new Chapter wording are expected to begin later in the year. Preliminary engagement sessions were facilitated through the Fraser River Aboriginal Fisheries Secretariat (FRAFS) in Spring 2018 and we encourage interested First Nations to reach out to the First Nations Caucus members for additional information and providing recommendations.

For more information about the PSC, or to submit nominations for the PSC Commissioner seat, please contact Janson Wong, Operations Manager, at 778-379-6470 or janson@fnfisheriescouncil.ca.



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 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 the aquaculture industry.

The development of a robust process to engage with government on regulatory, policy and management of aquaculture regionally and nationally have been identified as a high priority by many First Nations. To advance this work, the ACC is developing an Aquaculture Strategic Plan that will guide discussions and identify adequate capacity and resources required for meaningful engagement with all levels of government. Components of the Strategic Plan will include focus areas that will support co-management, governance, sustainable aquaculture development, science and monitoring, and strong communications at all levels. Annual work plans that prioritize

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tangible outcomes and products will continue to inform the development of the Strategic Plan, as well as be guided by the Strategic Plan once developed and adopted.

On the national level, the Assembly of First Nations' National Aquaculture Working Group (NAWG) is a sub-committee working group of their National Fisheries Committee (NFC) and the current structure provides analysis, recommendations and advice on federal aquaculture policy to the NFC. The ACC has identified a process to inform the NAWG on regionally focused, technical expertise relating to legislation, regulations and policies. The ACC will continue to engage with NAWG and identify means of collaboration to capitalize on existing capacity and resources.

On December 10, 2018 the Honourable Johnathan Wilkinson, Minister of Fisheries, Oceans and Canadian Coast Guard announced the development of a new federal *Aquaculture Act*. The ACC will engage with DFO to identify their engagement strategy and develop a process for First Nations to co-develop an Act that reflects Aboriginal and Treaty Rights.

For more information the First Nations Fisheries Council's work with Aquaculture, please contact Richard Sparrow at richard@fnfisheriescouncil.ca or 778-379-6470.

Photo: Ice fishing for Lake Trout – by Tina Donald



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WATER FOR FISH

A First Nations Engagement Framework for BC's Water Sustainability Act

In March 2018, the FNFC signed a small one-year grant agreement with the BC Ministry of Environment & Climate Change Strategy (MoECCS) to advise the Ministry on the development of an engagement framework for the ongoing regulatory development and implementation of BC's *Water Sustainability Act* (WSA) in accordance with provincial government commitments to reconciliation. These funds are being used to support FNFC staff to provide technical and convening support to ensure that recommendations to the Ministry come directly from BC First Nations, and to engage at a technical level with Ministry staff on these issues.

The FNFC hosted two meetings in Vancouver on November 5 and December 3, 2018 with an informal working group of 8 First Nations staff and leadership active on water issues and three MoECCS staff. Preliminary discussion themes are focused on the changing landscape within the BC provincial government, recognizing Indigenous authority and jurisdiction in the WSA, foundational principles and key elements of an engagement framework, building the right structure, and resourcing engagement. Participants directed the FNFC to request additional funds from the provincial government to complete this work before March 2019. These discussions will culminate in an Opportunities Paper in early 2019 that government intends to inform a change in the way it engages with First Nations as it continues to implement the WSA.

BC First Nations Water Governance Roundtable Draft Statement of Expectations on Water Governance in British Columbia in Accordance with Crown Reconciliation Commitments

The BC First Nations Water Governance Roundtable was established in June 2017 to advance First Nations engagement in planning, management, and governance of fresh water.

Roundtable participants include 12-15 staff and leadership comprising 55 First Nations across BC that have identified freshwater as a priority and are actively developing and implementing strategies and plans to achieve their goals with respect to water. The Roundtable provides a unique structured space for collaboration, information sharing, strategy development, and capacity building at a province-wide scale.

At the fourth in-person Roundtable meeting held in Vancouver on November 20-21, 2018, participants approved a 2018/2019 Roundtable Strategy and confirmed that a Tier 1 water champions' think tank is currently the most effective structure for the Roundtable, with the FNFC continuing to provide a strategic secretariat and communicator role. The Roundtable also developed a ***Draft Statement of Expectations on Water Governance in British Columbia in Accordance with Crown Reconciliation Commitments***. The purpose of the Statement of Expectations is to provide the BC provincial government direction on implementing reconciliation commitments specific to decision making and jurisdiction of freshwater. The Statement of Expectations will be used by Roundtable participants to advance their own issues, as well as in discussions with the BC provincial government. The FNFC may also seek to submit the Statement of Expectations for resolution consideration at the PTO gatherings in February 2019.

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To receive a copy of the Statement of Expectations, please contact *Water for Fish* Project Coordinator Geneviève Layton-Cartier at Genevieve@fnfisheriescouncil.ca or 778-379-6470.

Upcoming *Water for Fish* Events:

The *Water for Fish* initiative hosts a Water Wednesday webinar/teleconference call generally on the third Wednesday of every month. We also host freshwater-related workshops and meetings. Please contact Geneviève if you would like to be added to the FNFC's First Nations Water Network email list (see contact info below).

WEBINAR: Monthly "Water Wednesday":

January 16, 2019 from 10-11 AM PT

TOPIC: First Nations Women Advocating Responsible Mining and Report on Mining Law Reform

*** Register here: <https://register.gotowebinar.com/register/1397780940184726274> ***

In this webinar, Jacinda Mack from the Xat'sūll First Nation will present on the BC First Nations Women Advocating Responsible Mining (FNWARM) organization and its projects "Stand for Water" and the Tulalip Water Protection Declaration. Alex Etchell, a law researcher with the University of Victoria Environmental Law Centre, will discuss their soon to be released report entitled Mining Law Reform: An Action Plan for Change developed in partnership with FNWARM, Fair Mining Collaborative, Northern Confluence and Mining Watch Canada. This report proposes recommendations to reform BC's regulatory system for mining in response to growing evidence of systemic failures including the Mount Polley Mine disaster. Alex will focus especially on the recommendations related to water protection.

Please contact Geneviève at Genevieve@fnfisheriescouncil.ca or 778-379-6470 if you have any questions.

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ECONOMIC FISHERIES PERFORMANCE

FNFC Economic Performance Pillar Planning & Economic Coordinating Committee

Throughout October, FNFC administered a survey to seek feedback on the development of FNFC'S Economic Performance pillar. This broad survey, initially directed as an action item from the Economic Coordinating Committee, requested input from First Nations communities in BC on fisheries-related economic opportunities, including capacity development, policy issues, future aspirations, and government programs. In total, responses were received from all 14 FNFC regions, and aggregated results from this survey will be used for internal FNFC planning, ECC planning, and external communications. The ECC will meet again in the new year, and will determine how elements of the survey results can be most effectively communicated to First Nations in BC.

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In November 2018, FNFC received funding to undertake engagement and research advancing fisheries-related economic reconciliation policy. This initiative will include delivering three community-based workshops in 2019 leading to the development of 1) a fisheries valuation discussion paper that communities may use to assess and communicate the holistic cultural, social and economic benefits of their fisheries, and 2) fisheries economic opportunities strategies that can inform the collaborative development of fisheries economic reconciliation priorities between First Nations and Canadian policy and decision-makers. The feedback gathered through the FNFC economic survey will also be used to inform the results of this project, and the latter discussion paper will be used to inform FNFC's Economic Performance pillar operational plan.

Pacific Integrated Commercial Fishing Initiative (PICFI)

FNFC continues to participate as a member of the PICFI Business Development Management Committee (BDMC), which is the governing body for PICFI; PICFI is accountable to the BDMC and is guided by its direction. While the FNFC continues to sit on the BDMC and continues to function in an advisory role in PICFI governance processes, as of April 1, 2018 the administration and contract services agreement to implement the PICFI Business Development Team is now housed with the Skeena Fisheries Commission (SFC), which provides guidance and general administration oversight. The FNFC continues to function as an avenue for First Nations to provide feedback regarding broad policy concerns and fisheries-related economic interests.



WORKING TOWARD A NEW APPROACH TO INDIGENOUS FISHERIES IN THE PACIFIC REGION

In June 2018, the FNFC Executive met with DFO Pacific Regional Director General Rebecca Reid and senior DFO staff as part of our *Commitment to Action* agreement. FNFC Vice President Hugh Braker challenged DFO on the direction received from the BC Supreme Court to update their Salmon Allocation Policy as part of the most recent decision in the Ahousaht case, delivered in April 2018 (Note: DFO's policy, which set the allocation for chinook and coho for the recreational fishery ahead of the plaintiff Nations' commercial fisheries, was found by the presiding judge to be out of line with Aboriginal Priority Fishing Rights). Concurrent to this, as part of the Government of Canada's commitment to reconciliation and recent case law, DFO has identified the need to review policies and approaches related to fisheries allocations for First Nations, and "specifically related to food, social and ceremonial fisheries".

It was agreed that FNFC is well positioned to coordinate BC First Nations' involvement in the review of this policy. DFO is proposing to work in collaboration with the FNFC to co-develop a process to engage in dialogue with BC First Nations to understand what a meaningful fishery might look like, and to seek advice on new approaches to allocations. Throughout the process, the FNFC will be seeking First Nations' guidance and perspectives on fisheries allocations and will work to coordinate and advance collective First Nations' interests in a consistent manner and as a unified cohesive voice.

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Initial Engagement Phase: January – March 2019

The FNFC plans to take a phased approach to coordinating the planning and development relating to Indigenous fisheries policy and guidelines review and development by using successive engagement and dialogue sessions designed for collaboration between First Nations and DFO. Given the existence of inherent fisheries-related rights of many First Nations across the province, as well as the fundamental importance of Nations' priority access to fisheries to exercise their rights, it is estimated that these important discussions will extend into 2019/20 and possibly longer.

To undertake this work, the FNFC is proposing to focus on a Tier 1 workplan to support First Nations in their Tier 2 Dialogue with DFO, to plan and coordinate dialogue sessions, and to consolidate First Nations' feedback from the dialogue sessions into recommendations to DFO.

In the initial engagement phase from January to March 2019, the FNFC will:

- Hold 3 to 4 regional meetings to introduce the policy review and development process (Tier 2) and to gain First Nations perspectives (Tier 1) on meaningful fisheries, access and allocations. It is anticipated that each meeting will be 1.5 days to allow time for Tier 1 and 2 discussions.
- The FNFC will also consolidate First Nations input from the regional sessions and will host a province-wide engagement session at the end of March to review the results and to make recommendations for collaborative policy review and development in 2019/20.

For further information, please contact Deana Machin at deana@fnfisheriescouncil.ca or 778-379-6470.



*★ We Fish You a ★
★ Merry Christmas ★*

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