



First Nations Fisheries Council COMMUNIQUE

APRIL 2019



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:

First Nations Fisheries Council of BC
320-1200 West 73rd Ave.
Vancouver, BC V6P 6G5

Phone: 778-379-6470
Fax: 778-379-6469

Email: info@fnfisheriescouncil.ca
Website: www.fnfisheriescouncil.ca

Message from the Executive Director

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

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

Fiscal year-end transition from reporting to planning and forecasting is currently underway. The 2018-19 year was a busy one for us at FNFC and for First Nations across the province. Here's an overview of some of our current initiatives.

National scale:

The FNFC participated in a number of national scale issues in the past year, including:

- **National Indigenous Program Review of the AAROM, PICFI, AFS and Guardians programs:** As a result of the program review, an inaugural national AAROM meeting was hosted by the Okanagan Nation Alliance and held in Kelowna in February. Thirty-five AAROM funded groups convened to discuss and inform the national review and the future approach for these funding programs.
- **AFN National Fisheries Committee:** The FNFC worked collaboratively with the Assembly of First Nations and the BC Regional Chief on the transition of the National Fisheries Committee into a standalone responsibility center (formerly under the Environmental Stewardship Unit) updating appointments to the National Fisheries Committee, the National Aquaculture Working Group, and the Oceans Working Group.

“A UNITED VOICE FOR FIRST NATIONS FISHERIES”



First Nations Fisheries Council Communiqué

APRIL 2019

- **Transport Canada C2A:** A commitment to Action and Results Accord (C2A) was signed between the FNFC and Transport Canada at the last FNFC Executive Council meeting in March 2019. The objective is to collaborate with 5 federal government departments on Oceans Protection Plan implementation. The C2A will guide a work planning process on an annual basis across the following 4 themes: 1) marine research and science, 2) ship movement and vessel management, 3) emergency preparedness, and 4) safeguarding habitat and protecting marine environments.

Provincial scale:

- **Renewal of FNFC workplan:** The FNFC has renewed our annual workplan under the DFO 5 year AAROM Agreement, which funds the core operations of the FNFC, the Annual General Assembly, and support for the Executive Council and staff.
- **Policy dialogue:** Broad policy dialogue continues on various topics including: 1) support for the advancement of Aboriginal Rights through case law (e.g. *Ahousaht* case), 2) shaping the structure of engagement and collaboration with the federal government to update the process for changes to FSC fisheries, and 3) informing and updating the DFO Salmon Allocation Policy guidelines and framework.
- **Provincial Government Collaboration:** The FNFC is working to develop a draft MOU with the BC provincial government to be supported by a work plan focused on matters such as: 1) the BC Wild Salmon Advisory Council's paper Options for a made in BC Wild Salmon Strategy, 2) BC *Water Sustainability Act* implementation and the development of a BC First Nations Water Caucus; 3) economic development; and 4) oceans and habitat protection/guardian initiatives.

As we embark on this new 2019/2020 fiscal year, I would like to sincerely thank our friends, colleagues and partner organizations for their work to advance First Nations Rights and interests in fisheries. We look forward to our continued work together this year.



Thank you,
Jordan Point
FNFC Executive Director

“A UNITED VOICE FOR FIRST NATIONS FISHERIES”



Salmon Coordinating Committee

The First Nations Salmon Coordinating Committee (SCC) is a province-wide advisory process consisting of Delegates from the First Nations Fisheries Council (FNFC) 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 Salmon Integrated Harvest Planning Committee (IHPC) processes. Over the last few years, the work of the SCC has evolved from IFMP development 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* (WSP).

Wild Salmon Policy:

The SCC and DFO previously engaged on the development of the WSP Implementation Plan and provided recommendations to DFO on how the plan can help address BC First Nations priorities for the protection and recovery for wild Pacific salmon. Moving into 2019/2020 and beyond, the SCC will be engaging with DFO and others on the implementation of WSP activities, including engaging with regional SCC delegates on advancing dialogue for First Nations to work collaboratively and develop area-based protection and recovery plans. The SCC will also be providing recommendations to DFO on their Annual Report on WSP implementation plan progress, and will seek opportunities to engage with First Nations on future related activities.

Commercial Salmon Allocation Framework:

The SCC and DFO jointly updated the Commercial Salmon Allocation Framework, and the SCC has since been engaging with DFO on using the framework to evaluate new demonstration fishery proposals in 2019/2020. The SCC continues to support First Nations in preparing new demonstration fishery proposals, and is working with past participants in reviewing their demonstration fisheries to identify successes and areas for improvement. More recently, the SCC has been advancing conversations with DFO to implement local area harvest forums to better address fishery planning and management priorities, and to support fishers in working together more effectively. The SCC and DFO are also working to advance dual fishing opportunities when implementing commercial fisheries. This has been an important priority for many First Nations in BC, and the SCC will continue to prioritize these discussions for 2019/20 fisheries. In the coming months, the SCC also anticipates reviewing the performance of Commercial Salmon Harvest Shares and providing recommendations to DFO for possible updates.

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

“A UNITED VOICE FOR FIRST NATIONS FISHERIES”



Pacific Salmon Commission

The Pacific Salmon Commission (PSC) oversees implementation of the Pacific Salmon Treaty (PST). The PSC First Nations Caucus consists of First Nations participants who have been appointed by Canada to participate in the PSC 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 administrative support to the Caucus and assists in coordinating First Nations nominations towards DFO's PSC appointment processes.

The Pacific Salmon Treaty between the U.S. and Canada provides a framework for coastwide management of Pacific salmon, including joint conservation and harvest sharing agreements. 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 have been completed. It is expected that upon Canada's ratification of the PST chapters, DFO will need to dedicate new and increased funding to implement new PST commitments, including increased stock assessment activities. First Nations are encouraged to contact DFO and request bilateral meetings to discuss the negotiated PST chapters and potential funding opportunities for First Nations-led fishery programs and activities.

PSC Commissioners (nomination deadline [May 3, 2019](#)):

At the request of DFO, the FNFC is providing communication and coordination support for a nomination process for a vacant/expired Commissioner position at the PSC. Interested and qualified candidates are encouraged to submit a nomination package by [May 3, 2019](#) to the FNFC. The FNFC and the PSC First Nations Caucus expect to make up to three nominations for this position for DFO's consideration, but the final appointment decision will be made by DFO. The FNFC, the First Nations Caucus and DFO are also engaging in strategic discussions to advance First Nations representation at the PSC that includes elements of succession planning in developing work plans and priorities.

On April 15, 2019, the FNFC and the PSC First Nations Caucus recommended an extension for current PSC Commissioner Murray Ned. After speaking with many BC First Nations, the FNFC heard strong support for his contributions to the PSC on behalf of First Nations and Canada and for his re-appointment to the PSC. In consideration of succession planning and implementation of the new Pacific Salmon Treaty, the FNFC and the First Nations Caucus recommended an extension of Murray's term for three years and are now awaiting the decision from the Minister of Fisheries, Oceans, and Canadian Coast Guard on the appointment.

For more information about the PSC, including the Commissioner nomination package, please contact Janson Wong, FNFC Operations Manager, at 778-379-6470 or janson@fnfisheriescouncil.ca or PSC First Nations Caucus members.



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 aquaculture.

The development of a robust process to engage with government on regulatory, policy and management aspects of aquaculture regionally and nationally have been identified as a high priority by many BC First Nations. To advance this work, the ACC is developing an Aquaculture Strategic Plan that will guide discussions and identify capacity and resources required for meaningful engagement with all levels of government. The strategic plan is expected to be completed by September 2019, and will be shared with First Nations. It will include focus areas that will support co-management, governance, sustainable aquaculture development, science and monitoring, and strong communications at all levels.

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

The ACC recently engaged in Tier 1 and 2 meetings on April 4, 2019. The focus of the meeting was to strategize on a meaningful engagement strategy for the development of the *Aquaculture Act* and the Framework for Aquaculture Management. The ACC has identified the need for meaningful engagement with First Nations in BC that provides up-to-date information and transparency. DFO is also looking to advance a conceptual “area-based management” initiative for aquaculture. DFO will be engaging with First Nations in DFO’s identified priority area to facilitate discussions that will reflect the expectations and aspirations of local Indigenous governments.

The next ACC meeting is scheduled for May 14th, 2019 in Nanaimo, and will continue to focus on the development of these initiatives.

For more information the FNFC’s work on Aquaculture issues, please contact FNFC Natural Resources Manager Richard Sparrow at richard@fnfisheriescouncil.ca or 778-379-6470.



“A UNITED VOICE FOR FIRST NATIONS FISHERIES”



Economic Performance

In January 2019, the FNFC delivered three regional socio-economic valuation workshops to 1) explore the development of a First Nations fisheries valuation framework, and 2) identify high-level policy priorities and challenges to support First Nations economic independence and healthy communities. The FNFC is utilizing this engagement to 1) develop a toolkit that communities may use to communicate the cultural, social and economic value of their fisheries, and 2) inform the development of FNFC's long-term economic performance related priorities and strategic planning. A final report on the outcomes and recommendations from the workshops will be available in spring 2019, and FNFC staff are looking to have a draft of a valuation framework to circulate to First Nations for feedback in the fall.

In March 2019, the FNFC Economic Coordinating Committee (ECC) met to review the outputs and outcomes of the advisory table's first year of operation, discuss the outcomes of the FNFC socio-economic workshops, and discuss priorities and goals for the upcoming year. The ECC will remain a Tier 1 structure for the foreseeable future. The ECC has been developing as a BC-wide advisory body, providing advice to the FNFC regarding how First Nations economic fisheries issues and interests may be advanced and addressed throughout the province.

In order to support the FNFC's Business and Economic Development pillar and the financial health of FNFC, a Finance Assistant was hired in March 2019. The position was developed to support the Chief Financial Officer as FNFC continues to grow and expand as an organization.

For more information on the FNFC's Economic Development file, please contact Economic Development Manager Astrid Niemann-Zajac at astrid@fnfisheriescouncil.ca or 778-379-6470.

.....

FNFC UPDATE CONFERENCE CALLS (TIER 1)

The FNFC 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 required. 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 call will be held on Monday, May 13, 2019

Keep up with the FNFC on Social Media!

.....

LIKE us on FACEBOOK at www.facebook.com/fnfcbc
FOLLOW us on TWITTER at www.twitter.com/fnfish

"A UNITED VOICE FOR FIRST NATIONS FISHERIES"



Water for Fish

First Nations Engagement Framework for BC's *Water Sustainability Act*:

In 2018, the BC Ministry of Environment & Climate Change Strategy (MoECCS) provided FNFC with \$20,000 in grant funding to advise the Province on an Engagement Framework to guide the development of the remaining *Water Sustainability Act* (WSA) regulations and policies in accordance with BC's reconciliation commitments to First Nations. In February 2019, an additional \$15,000 was provided by the Ministry to the FNFC to support the completion of the recommendations.

To assist in identifying recommendations for an Engagement Framework, the FNFC organized and hosted a series of meetings of a Working Group comprised of leadership and staff from a diversity of First Nations and First Nations organizations from across BC that hold relevant expertise, experience and knowledge related to freshwater governance and management. Throughout the Working Group process, the FNFC worked with three Ministry staff and meetings included a Tier 2 component (meeting with provincial government).

The Working Group identified the following underlying principles of engagement:

- Engage early (i.e. at policy definition stage);
- Increase transparency in decision-making throughout the engagement process; and,
- Provide sufficient, stable and predictable resources, not only to resource participation in engagement activities, but also to support capacity of First Nations to articulate their own water laws, policies, and strategies. A renewed and reformed relationship with First Nations as the Province has committed to MUST be rooted in supporting their capacity to undertake water planning and strategy activities in their traditional territories.

The recommendations include 4 key engagement activities:

- Use existing and emerging government-to-government processes and mechanisms for bilateral discussions;
- Create a Centralized BC First Nations-Crown Water Caucus with a regional delegate structure and support by a technical committee. The Water Caucus could ultimately be established as a more general collaboration table on freshwater management with activities beyond WSA policy and regulation development;
- Regional advisory workshops for refining policy and regulation proposals; and,
- Written submissions throughout the regulatory and policy development process.

The Working Group is looking to finalize the Engagement Framework recommendations in spring 2019 before moving towards implementation.

“A UNITED VOICE FOR FIRST NATIONS FISHERIES”



Supporting the Capacity of First Nations to Advance Management of Environmental Flow Needs:

1. *“Just Do It” Initiative: Supporting First Nations-led Environmental Flow Needs Strategies in BC*

First Nations have a foundational relationship with water that is inherently linked to their right to healthy waters and ecological integrity. Defining Environmental Flow Needs (EFN) provides an opportunity to advance Aboriginal Rights to water and fish and to enhance decision making to protect environmental resources and heritage. BC’s new *Water Sustainability Act* introduces six key protections for environmental flows, including those that can restrict new and existing water licenses.

Currently in BC, the establishment of EFN thresholds is primarily being led by the provincial government. While this work is sometimes done in collaboration with First Nations and other local partners, the current approach does not necessarily support First Nations Rights and interests, including spiritual and cultural values of waters. FNFC’s new “Just Do It” initiative seeks to support up to 5 First Nations communities across the province to take a lead role in developing EFNs for critical streams in their territories as a pathway to asserting Aboriginal Rights to water and enhanced decision making. Learnings will be shared with the FNFC’s First Nations Water Network.

2. *Release of Discussion Paper for BC First Nations on Environmental Flow Needs*

The FNFC has released a discussion paper that outlines the importance of Environmental Flow Needs (EFNs) as a tool to advance Aboriginal Rights to water and fish and to enhance decision making to protect environmental resources and heritage. This paper is intended for First Nations leadership as well as lands, natural resources and fisheries staff in British Columbia who are interested in learning more about introducing EFNs as a component of their environmental resources, Title and Rights, and governance strategies. The paper is available on FNFC’s website.

Funding for the both EFN projects is provided by LUSH, Environment and Climate Change Canada and the Real Estate Foundation of BC.

Please contact Water for Fish Coordinator Geneviève Layton-Cartier at genevieve@fnfisheriescouncil.ca or 778-379-6470 if you have any questions.



“A UNITED VOICE FOR FIRST NATIONS FISHERIES”

