

### **Background:**

DFO has proposed to the SCC-WSP Small Working Group that Activity 48 of the Wild Salmon Policy Implementation Plan (WSPIP) be completed via an addendum. Activity 48 is to update the WSPIP 2018-2022, to be consistent with *Fisheries Act* amendment. The SCC and DFO have met 2-3 times through 2020/21 to discuss Activity 48 and anticipate that this activity will be completed by March 31, 2021.

Below are summary recommendations towards Activity 48 and the proposed addendum. These recommendations were discussed during SCC Wild Salmon Policy Small Working meetings and will continue to be refined. The recommendations follow upon the Addendum proposal by DFO and suggest that the Addendum consist of both a Narrative Component, as well as new Activities as a result of the *Fisheries Act* amendments. A follow-up Appendix document provides further detailed recommendations to be considered in the scope of the WSPIP document itself. We anticipate that these recommendations be considered as part of the Wild Salmon Policy Implementation Plan amendment (Activity 48), as well as possible future iterations of the Wild Salmon Policy Implementation Plan beyond 2022.

### **Narrative Component:**

A Narrative Component will provide context of *Fisheries Act* amendment and highlight key changes that should be reflected in the WSPIP. We have recommended four general themes that should be acknowledged in the proposed narrative. The bullets reflect further details that should be addressed within each Theme, within the narrative.

Further, the WSPIP include Annexes that may require updates, specifically definitions as it pertains to fish and fish habitat. It will be important to identify that where there any inconsistencies between definitions found in the WSPIP and the *Fisheries Act*, the definitions found in the *Fisheries Act* would supersede the WSPIP. Other updates within the WSPIP that should be considered/reflected in the Addendum include:

- Rebuilding Fish Stocks sections (WSPIP, Section 6.1) should be updated to reflect stronger commitments to rebuild salmon stocks (i.e., change “should” to “must”).
- Stock Assessment Framework section should be updated (i.e. include changes: to short-term measures, long-term area-based restriction, amend conditions of licenses, the fish passage provisions Aquatic Invasive Species and Ecologically Significant Areas)

### **Theme A: Reconciliation with Indigenous peoples**

- *Fisheries Act* amendments re-affirmed Canada’s commitment to Indigenous people, commitment to the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), Free, Prior and Informed Consent (FPIC), Section 35 of the Constitution Act, 1982, and the Principles Respecting the Government’s Relationship with Indigenous Peoples.
- DFO’s Reconciliation Strategy to guide all aspects of DFO’s activities and advance reconciliation efforts with Indigenous peoples
- Canada’s commitment to work with First Nations on a consent-based, joint decision-making processes.
- Ability for Canada to enter into agreements with Indigenous governing bodies and bodies established under land claim agreements to carry out the purpose of the *Fisheries Act*
- Provide a statement that DFO will provide opportunities and explore interest to include involvement of Indigenous peoples for all DFO activities under the WSPIP and provide support and resources
- Commitment to consider and include Indigenous Knowledge to inform WSPIP activities, and fish habitat decisions

### **Theme B: Restoring Fish and Fish Habitat Protection**

- Restore prohibition against “harmful alteration, disruption, or destruction of fish habitat” (HADD)
- Introduction of the Fish and Fish Habitat Protection Program
- Strengthened role of Indigenous Peoples in project reviews, monitoring and policy development

### Theme C: Rebuilding Fish Stocks

- Strengthened Canada’s legislative framework, including new regulation and provisions, to rebuild fish stocks
- Develop and implement rebuilding plans for depleted fish stocks listed under regulation

### Theme D: Fish Management:

- Ability for Canada to implement and abide by laws made by Indigenous governing bodies
- Refer to federal policy updates and reviews that are underway to improve First Nations engagement. Considerations for new strategies and processes for how First Nations are engaged, consistent with Theme A. These policy updates may bring further context and changes, as they are implemented.
- Advancing co-management processes with First Nations may include new opportunities to partner on rebuilding efforts

### Recommended Activities:

In addition to the Activities presented by DFO during the SCC meetings, below are additional activities to be considered for the proposed Addendum:

- Review remaining WSPIP activities for further opportunities to collaborate with First Nations. First Nations and DFO share common interest to advance the WSP and reverse the decline of Pacific wild salmon. Many WSPIP activities have focused on DFO activities which should be shared and advanced collaboratively with First Nations groups.
- Provide dedicated FFHPP engagement opportunities for First Nations. Develop partnerships with Indigenous groups and FFHPP, including collaboratives on the development of long-term habitat restoration projects.
- Develop a Pacific Wild Salmon Strategy to reverse decline of Pacific wild salmon, consistent with the Minister’s revised mandate letter (January 15, 2021)
- In the Annual Review of the WSPIP, include metrics to describe status and progress on fish status and habitat.
- Identify wild salmon stocks that require rebuilding. This should include opportunities to work with First Nations to rebuild fish stocks not listed under the Fish Stock Provision.
  - This should take into the account that the *Wild Salmon Policy* describes Pacific salmon at a Conservation Unit level, whereas the *Fisheries Act’s* Fish Stock Provision, as communicated by DFO, is more closely aligned with the *Sustainability Survey for Fisheries*. There is significant difference and activities within the *Wild Salmon Policy Implementation Plan* should be aligned with the *Wild Salmon Policy* and descriptions of salmon used there within
- Commitment to utilize the online registry, as identified in the *Fisheries Act* amendments, to share data and improve transparency with First Nations. This should include up to date monitoring data on escapement and fisheries monitoring
- Commitment to work collaboratively with First Nations to support research and understandings of First Nations socio-economic assessments. This may include further research into methodologies to describe Indigenous principles, Indigenous Knowledge, cultural values, etc.