



# FIRST NATIONS FISHERIES COUNCIL

*Presentation to Fraser and Approach Salmon Forum*

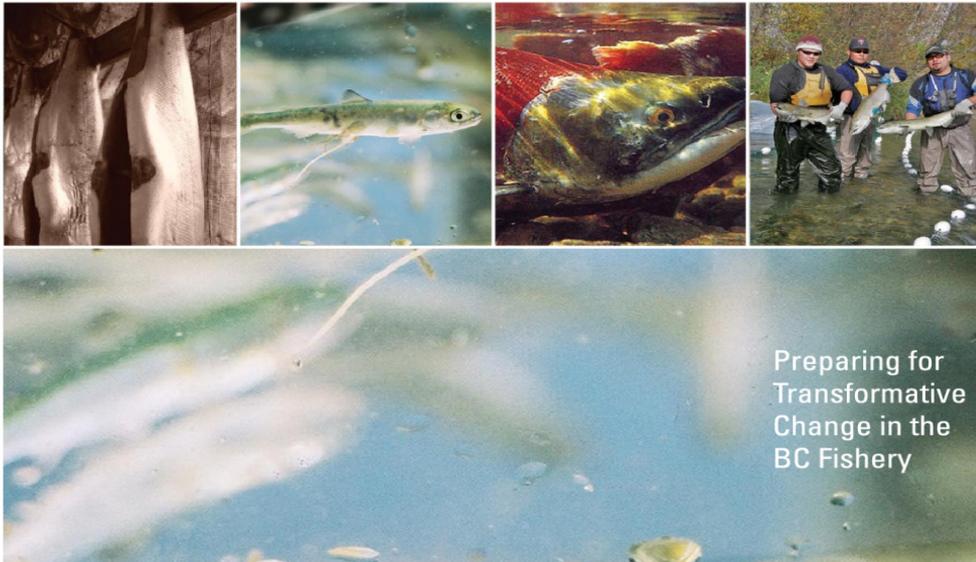
**Fisheries Management - IHPC and IFMP Reform**  
**April 13, 2022**



FIRST NATIONS  
FISHERIES COUNCIL

# BC First Nations Fisheries Action Plan

## BC First Nations Fisheries Action Plan



The FNFC mandate arises from the 2007 BC First Nations Fisheries Action Plan and the follow up 2010 All Chiefs' Task Force Report.

The All Chiefs' Task Force directed and mandated FNFC to build structures and processes designed to create coherent and more cohesive voice among First Nations to advance First Nations interests.

<https://www.fnfisheriescouncil.ca/pillars/bc-first-nations-fisheries-action-plan/>



# About the FNFC

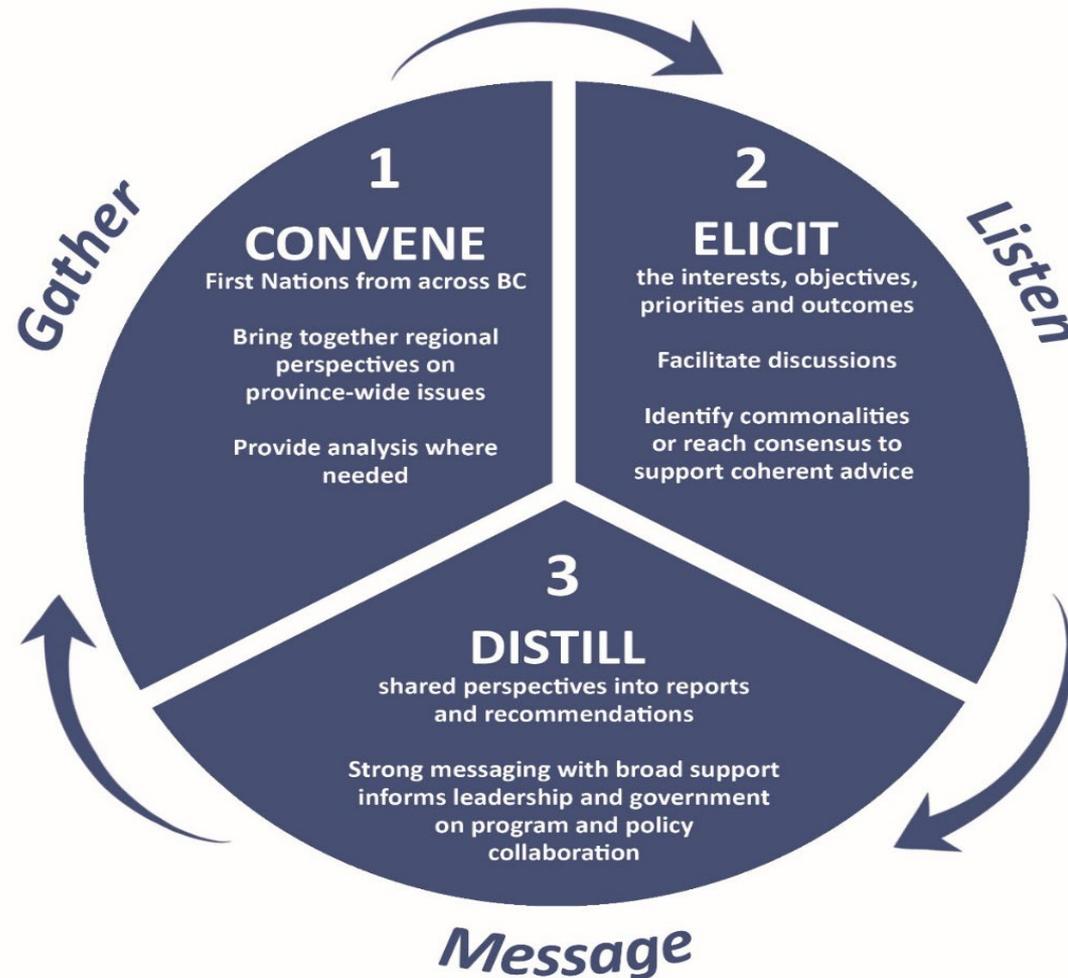
- The foremost priority of the FNFC is to coordinate First Nations political and technical capacity and develop a coherent and united voice among First Nations throughout BC.
- Helping build structures for effective governance and accountability is also a priority for FNFC.
- FNFC recognizes and respects the sovereignty and self-governance of all First Nations as Rights Holders.
- FNFC's role is to provide information and resources related to Pacific fisheries and aquatic resources, and support First Nations' positions where collective interests align.



# FNFC's Engagement Process

## *Stronger Together*

We work to build collaboration and a united voice among BC First Nations



# FNFC – Over the Years



# FNFC Strategic Plan 2021-24



## FNFC Strategic Plan

2021-2024



[https://www.fnfisheriescouncil.ca/wp-content/uploads/2022/03/FNFC\\_stratPlan\\_2022\\_web.pdf](https://www.fnfisheriescouncil.ca/wp-content/uploads/2022/03/FNFC_stratPlan_2022_web.pdf)

## *Towards First Nations jurisdiction and authority in fisheries*

*Changing the status quo requires  
the strength of aggregate numbers  
of First Nations invested in  
creating legislative and regulatory  
change*

### **Our Three Priority Areas for 2021-2024 are:**

1. Protecting and Restoring Pacific Salmon
2. Safeguarding Habitat and Responding to Threats
3. Building Solid Economic Opportunity



# Stronger Together Partnership Accord

- Signed FSMC-FNFC Partnership Accord last year (Sept/Oct 2021)
- Building from previous FRAFS-FNFC Charter
- **Ongoing:** Collaborate to identify what are common issues and interests that we can work together on. Identify effective ways to share information and supporting FNs interests



Photo credit: Gord Steritt

# Partnership Accord Map



## First Nations Fisheries Council of British Columbia

Over the last 10+ years, FNFC continues to develop structures and processes to create a coherent and more cohesive voice to advance First Nations interests.

This map is an example of some of the many First Nations and First Nations fisheries organizations that are working on fisheries and natural resource management. It is not an exhaustive list.

Through the FNFC's Partnership Accord/Charter network, we work collaboratively to bring forward coherent recommendations and advice from 170+ First Nations across B.C., on matters of common concern.



# Update on IHPC/IFMP Reform

- *Overview of the FNFC's Salmon Coordinating Committee*
- *Context and Why?*
- *UNDRIP and Reconciliation*
- *Key topics discussed this year:*
  - *Spectrum of Indigenous Decision-Making and Authority*
  - *Reflecting on FNs involvement in fisheries processes and outcomes*
  - *Ways Forward: Structure, Information, Decision-making and Procurement*
  - *Decision-making rules; the role of IHPC/ IFMP cycle*



# Salmon Coordinating Committee

- The FNFC's Salmon Coordinating Committee (SCC) is a province-wide advisory process consisting of approximately 14 delegates from 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) process.
- Formed to support First Nations discussions about IFMPs focused on salmon and considered whether there would be benefit from an integrated process for coordinating First Nations involvement in other IFMPs, management plans or processes.
- Since 2013, the work of the SCC has evolved from IFMP development and towards engaging in Province-wide salmon management and planning initiatives. The committee currently participates in larger policy initiatives such as updating DFO's Commercial Salmon Allocation Framework (CSAF) and the implementation of the Wild Salmon Policy.
- Some SCC members also participate at FSMC including Main Table and FSMB members and bring valuable perspectives to the discussions.



# Purpose of the SCC

- The purpose of the SCC is to advance First Nations' priorities and recommendations in salmon management and planning. In a manner consistent with First Nations' priorities, SCC priorities include but are not limited to:
  1. Advancing First Nations interests in DFO's management of salmon stocks,
  2. Ensuring access to food, social, and ceremonial fish for First Nations,
  3. Expanding First Nations economic opportunities in fisheries,
  4. Create and support functional Tier 1 processes to inform First Nations leadership at different scales about salmon management and planning issues,
  5. Create and support functional Tier 2 and 3 processes for effective First Nations engagement in salmon management and planning



# Context and Why?

FNFC have continued to hear from First Nations in B.C. continued frustrations with fisheries management decisions. We've heard that existing processes (e.g. IHPC/IFMP) continue to be flawed in how First Nations are engaged. First Nations in B.C. continue to raise concerns but have not seen meaningful changes to these processes.

*Underlying issue: It is inappropriate for Government to make fisheries decisions that impact FNs s.35 rights in a multi-stakeholder environment.*

## Why FNFC:

- Matter of broad concern to First Nations in B.C.
- Policy/ strategic issue relating to fisheries decision-making rules
- Fundamental changes required on how First Nations participate in fisheries management, and how DFO engages with First Nations across Pacific region
- Existing structures in place to work at a provincial scale with First Nations and DFO



# UNDRIP and Reconciliation, New Structures/Agreements with FNs

- Canada's adoption of United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), including Free Prior and Informed Consent (FPIC)
- Canada's commitment to reconciliation with Indigenous Peoples. No relationship is more important to Canada than the relationship with Indigenous Peoples. Canada's 10 Principles and Reconciliation Strategy
- Collapse of wild Pacific salmon stocks
- New collaborative agreements with First Nations including:
  - FSMC: Collaborative Management Agreement
  - CFN: Fisheries Resources Reconciliation Agreement
  - Five Nations Fisheries Management Plans



# Activity: IHPC/ IFMP Reform

Through FNFC's and DFO's Commitment to Action (C2A) Agreement and collaborative process (Joint Executive Process), FNFC raised this to the attention of the RDG

- FNs are seeking more effective and meaningful ways in how they are involved in fisheries management, in processes and structures that are consistent with UNDRIP and case laws
- Existing fisheries management processes are flawed and inconsistent with First Nations role and authority. Making tangible changes is a critical step to advance reconciliation with First Nations
- It was recognized that this continues to be an issue for First Nations in BC and DFO. RDG was receptive to collaborate and fix this issue, but requires advice and feedback on how to do it.



# Update on IHPC/IFMP Reform

*Addressing underlying issue, vision:*

- *Fisheries decisions that may impact First Nations s.35 rights are made with First Nations, and not independent by DFO/Minister or in multi-stakeholder environments*
  - Identify policies that describe decision-rules in fisheries management, and where updates necessary to uphold agreements and structures with First Nations
  - Review how First Nations are organized to participate in fisheries management, and scale and outcomes of different processes
  - Identify obstacles/gaps to achieve



# Project Overview

SCC was tasked to meet and work together to provide advice to the Joint Executive:

- Collaborative Statement (*i.e. what are the successes/issues?*)
- Recommendations on solutions (*i.e. how to resolve?*)

## Arc of Work

Describe Current Challenges	Describe the Need	Consolidation / Distillation	What we'll work on together	How we'll work on identified items	Review of Joint Recommendations
<ul style="list-style-type: none"> <li>• SCC Sept. 16</li> <li>• 1:1 FN interview</li> <li>• WCA/DFO late Oct</li> </ul>	<ul style="list-style-type: none"> <li>• SCC Oct. 18</li> <li>• DFO Early Nov.</li> </ul>	<ul style="list-style-type: none"> <li>• WCA late Nov</li> <li>• Tier 2 Dec. 6</li> </ul>	<ul style="list-style-type: none"> <li>• Tier 2 Jan. 25</li> </ul>	<ul style="list-style-type: none"> <li>• Tier 2 Feb. 22</li> </ul>	<ul style="list-style-type: none"> <li>• Tier 2 Mar.8</li> </ul>
<p>What is the desired outcome?</p> <p>ID current challenges</p>	<p>Review Meeting 1 feedback</p> <p>What conditions must be met when achieving the outcome? What limitations are foreseen?</p>	<p>WCA draft: all perspectives</p> <p>Joint review for accuracy and clarity.</p> <p>Agreement on desired outcome &amp; conditions</p>	<p>What are the actions to get to the desired outcome?</p> <p>What items will we start work on?</p>	<p>Ideas/strategies for how to work on the agreed to items</p>	<p>Finalize the recommendations for the JEC and RDG</p>

# Project Arc of Work

## Gather Perspectives

- SCC – Sept. - Jan.
- DFO - Feb

## Crosswalk Perspectives

- Tier 2 – Feb. 22

## ID What's Working and Not as Different Scales

- Tier 2 – Mar. 8

## Draft Collaborative Statement

- Small Group – Mar.

## Collaborative Statement Review + ID Limitations to Solutions

- Tier 2 – Apr.

## Develop Work Item Suggestions

- Tier 2 – May

## Recommendations to JEC

- May

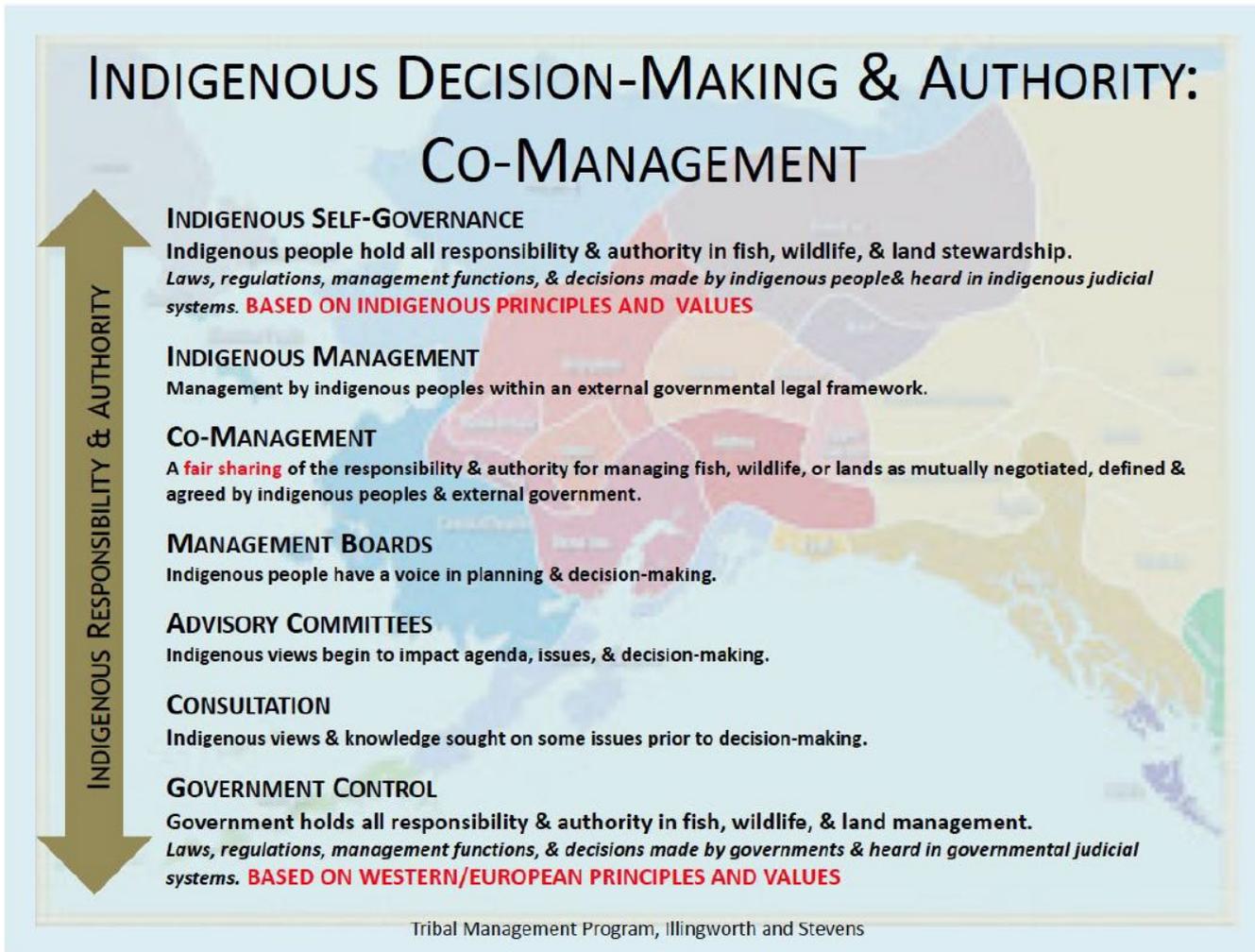


# Key Themes Discussed

- Spectrum of Indigenous Decision-making and Authority
  - Current vs desired state
  - First Nations are involved/ participate in a number of fisheries processes.
  - Discussions with SCC to reflect on some of these processes: on the scope and scale of different processes, and what outcomes they are set up to achieve
- Obstacles and conditions of success



# Spectrum of Indigenous Decision-Making and Authority



Interests in decision-making also influences a FN's experience with a process.

Current vs aspire state can move process along spectrum (or create new ones)

**Question:** FNs participate in a number of processes. Where do those processes fit along this spectrum and what are the outcomes they are working to achieve?



# Examples of processes and outcomes

Level	Process	Actions/Outcomes
<b>Local</b>	Nation-to-Nation (G2G)	Nation-to-nation dialogue. Engaging with Rights-holders.
	First Nations fishing plans	FNs developed fishing plans
	First Nations fisheries programs/departments	FNs fisheries programs, support FN communities/capacity; May include fisheries, monitoring, habitat restoration, etc.
<b>Watershed</b>	Salmon Roundtables (T3)	Multi-stakeholder engagements to provide feedback/advice by different fishery areas
	FNs fisheries orgs	Supporting FN through technical advice and capacity support (+++)
	Joint Technical Committees	Collaborative science discussions, joint technical advice and recommendations



# Examples of processes and outcomes

Level	Process	Actions/Outcomes
<b>Regional and provincial</b>	DFO's IFMP	Annual north/south salmon fisheries management plans
	DFO's IHPC	Multi-stakeholder engagements on feedback/advice to develop IFMPs
	FNFC's Salmon Coordinating Committee	Advance BC First Nations' priorities and recommendations in salmon management and planning (policy/programs focused)
	SAP Working Group	Review and update Salmon Allocation Policy
<b>National/ International</b>	Pacific Salmon Commission, First Nations Caucus	Advisory role to Canada, bring forward FNs interests
	Pacific Salmon Treaty	10-year international agreement between Canada/US. Influences domestic fisheries through internationally agreed terms of fisheries based on sharing arrangements
	1993 Policy Working Groups, Aqua Act/ Net Pen Transition Working Groups etc.	Legislation/ Policy Reviews and Updates
<b>Fraser and Approach Salmon Forum</b>		???
<b>Fraser Salmon Management Board</b>		???

# Key Messages Shared at SCC:

- All governments together have responsibility for management of aquatic species and habitat
- Indigenous role in management must be elevated to a level commensurate with their rights and with Canada's commitments to Indigenous communities (e.g. UNDRIP)
- Current agreements, case law, commitments are upheld
- Talked through four examples/types of ways to achieve desired outcomes:
  - Structure, Information, Decision-making and Procurement



# Structures:

- a) Relationship between FN and DFO is prioritized
- b) Management decisions made at the most local scale possible
- c) Allow for unique approaches in different geographic areas
- d) Integrate FN, federal, and provincial and other jurisdictions
- e) Fishers, communities and public have meaningful opportunities to contribute to management
- f) Processes are resilient beyond individuals
- g) Processes are resourced for FNs to fully participate



# Information:

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- a) Knowledge leveling between FNs and DFO
- b) Direct inclusion of FNs knowledge and science, according to capacity and interest
- c) Two-way sharing of information



# Decision Making

- a) Levels of Indigenous responsibility and authority in management decisions that is desired by a FN is recognized
- b) Decision making is transparent



# Procurement

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- a) FNs must be directly involved in fisheries management, habitat restoration, stock assessment, monitoring and enforcement



# Reflecting on the IFMP Process and Cycle

## IFMP Processes and Structure

### What it is

- Predictable process and timeline to meet management requirements for time-specific, time-limited salmon returns
- Information sharing
- Advisory mechanism
- One opportunity among several to provide input and feedback on options for key management decisions

### What it isn't

- No decision-making takes place in IFMP engagement or IHPC



# Reflecting on the IFMP Process and Cycle

Timeframe	IFMP Process Milestone	Tier 3 Structures Engaged	Tier 2 Structures Engaged	Decision Required and by whom
Dec. - Jan.	Post-season Review Salmon Outlook	IHPC	Fraser Forum AAROMs	N/A
Dec. - Feb.	Priorities Letter (distribution, consultation)	IHPC Area Harvest Committees (AHCs)	Fraser Forum First Nations SCC	N/A
February	Draft IFMP	IHPC AHCs	Fraser Forum First Nations SCC	N/A
Feb. - Apr.	Consultation on IFMP	IHPC AHCs	Forum (South) First Nations SCC	N/A
May – Jun.	Process Feedback	N/A	N/A	N/A
May – Jun.	Internal Decision Making on Priorities	N/A	N/A	RDG/ Minister
Jun. - July	Release IFMP to Public	N/A	N/A	N/A
Jun. - Nov	Implementation and In- season management	Area Harvest Committees	First Nations	

**Question:** Where are decision-rules set over the cycle of IFMP development, that First Nations view as important – to effectively set the stage for shared decision making in fisheries?



# Project Arc of Work

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## Recommendations to JEC

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# Collaborative Statement

## What is a collaborative statement?

The collaborative statement we are working towards will describe the key issues that must be solved regarding how Salmon are managed in BC in a way that would achieve a better state than exists right now from the perspective of the SCC. This statement is an expression of that well thought out question.



# Collaborative Statement

We know we need to improve how salmon are managed in BC and why.

Building on the work that occurred in the interviews at the SCC and internally at DFO, it was broadly identified that the basket of processes that make up Salmon management need to evolve in order to meet current challenges. The goal of this work is to jointly make recommendations as to how this could happen.



# Potential Next Steps

- How can we work with FSMC to bring the Collaborative Management Agreement into our discussions in a respectful way?
  - Objectives, examples of structures, learned lessons, etc.
- How does the CMA change decision-rules in fisheries, and where along the IFMP cycle do those change(s) need to occur?
- Outside of the IFMP, are there other processes that supports FNs? Are there gaps we need to identify?
- What policies/programs around fisheries decision-making requires updating to create the environment for First Nations decision-making with Government?



# Thank you!

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New FNFC website: <https://www.fnfisheriescouncil.ca/>

