



FIRST NATIONS FISHERIES COUNCIL

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October 17, 2016

The Honourable Dominic LeBlanc
Minister of Fisheries, Oceans and the Canadian Coast Guard
House of Commons
Parliament Buildings, Wellington Street
Ottawa, ON K1A 0A6

The Honourable Scott Simms
Standing Committee on Fisheries and Oceans
Sixth Floor, 131 Queen Street
House of Commons
Ottawa, ON K1A 0A6

Via email: min@dfo-mpo.gc.ca

Via email: fopo@parl.gc.ca

Re: Timelines for *Fisheries Act* Review Process and BC First Nations

Dear Minister LeBlanc and Mr. Simms:

I am writing to you on behalf of the First Nations Fisheries Council of BC (FNFC). The FNFC was established in 2008 as an organization that works with First Nations in British Columbia on issues related to fisheries and aquatic resource management. The FNFC works to identify and address issues of common interest to First Nations with respect to fisheries and aquatic resources, including Aboriginal Title and Rights and Treaty Rights concerns, building community capacity, and moving toward a more robust and responsive system of co-management. The Council is comprised of First Nations delegates from the diverse geographic regions of the province. The FNFC is not a holder of Aboriginal Rights as defined in s. 35(1) of the *Constitution Act of Canada* (1982), and therefore the comments submitted below are part of a general consultation process and cannot and should not be interpreted as fulfillment of the Crown's duty to consult with directly with affected First Nations.

On June 20, 2016 the Government of Canada announced a review of environmental and regulatory processes, including a review of the 2012 changes to the *Fisheries Act*. The Minister then asked the Parliamentary Standing Committee on Fisheries and Oceans to conduct the review of the *Fisheries Act* and to provide a report and recommendations early in 2017. The Standing Committee has indicated that it expects to submit its report to Parliament by February 28, 2017.

The federal government has also indicated that funding will be provided for Indigenous participation in this review process, and we are aware that many First Nations and fisheries organizations in BC have applied for funding to support their engagement in this review.

The FNFC agreed to work with DFO to facilitate a preliminary series of five regional information sessions in the month of October, 2016 to provide BC First Nations with information from DFO regarding the scope and process for the review and to encourage initial information sharing and collaboration amongst First Nations.

We have just completed our first regional information sessions in Terrace and Merritt and heard from DFO staff that the deadline for First Nations input to the Standing Committee will likely be sometime near the end of December, 2016. Applicants are still waiting to hear whether they will receive funding to participate in the review. We are concerned that the timelines for this process are no longer realistic given the delay in administrative roll-out of funding agreements and the current lack of key information from government that First Nations require in order to meaningfully participate in this review.

Essentially, what was initiated as a 6-month review process has been drastically condensed due to bureaucratic and administrative delays resulting in mere weeks for Indigenous governments to assess the information provided by DFO, engage appropriate technical expertise, and draft detailed feedback. We have heard from First Nation communities and organizations that their rights and interests related to fisheries and aquatic resources are critically important; therefore, adequate time should be given for First Nations to engage meaningfully in this review.

In light of the above, we respectfully request that the Standing Committee revise the timelines of its review process and consider a deadline for First Nations input to the *Fisheries Act* review of no earlier than March 31, 2017. This recommended timeline, while still tight, will provide a much better opportunity for the Standing Committee to obtain the essential information that many First Nations in BC and across Canada will want to provide regarding this important review.

Finally, due to the fundamental importance of fisheries and aquatic resources to BC First Nations, we invite and strongly encourage the Standing Committee to host multiple meetings in the Pacific Region and to ensure it hears directly from First Nations. The FNFC would welcome the opportunity to work with the Standing Committee to make this happen.

Thank you for your time in reviewing this letter. We look forward to your response.

Sincerely,



Ken Malloway
Chair
First Nations Fisheries Council of British Columbia

Cc: BC Assembly of First Nations
First Nations Summit
Union of BC Indian Chiefs
BC First Nations
Atlantic Policy Congress
Assembly of First Nations

