



## GITXAALA ENVIRONMENTAL MONITORING

280 – 110 First Avenue West, Prince Rupert, BC V8J 1A8

Tel: (250) 624-3339 Fax: (250) 624-3338



# Gitxaala First Nation: Written Submission regarding Marine Protected Areas

## Background

The Gitxaala Nation has an extensive territory on the North Coast of British Columbia, stretching from Prince Rupert to Aristazabel Island, which is governed by hereditary chiefs according to Gitxaala laws. Gitxaala citizens were major participants in the commercial fishery on the coast; while they have been significantly displaced from the industry by fleet rationalization programs and privatization, the Nation seeks to rebuild its fleet and marine employment. The community continues to manage and harvest resources from the territory, with the majority of the village diet relying on traditional marine food sources.

During the last decade, there has been an increasing number of proposals for major industrial projects in the North Coast region, in particular, the Prince Rupert area. Gitxaala seeks balanced and sustainable development that provides employment opportunities for its citizens without compromising its hereditary governance system and the health of its territory. The protection of key areas of biodiversity and cultural significance is therefore a priority for the Nation.

Gitxaala citizens maintain a presence in the commercial fishery, and the Nation would like to rebuild the fleet to its size previous to the federal fisheries restructuring programs that resulted in significant losses of Aboriginal licenses. The Nation is interested in protecting areas for biodiversity, and to support community food security and cultural practices, but also want to be able to continue to make a livelihood from commercial fishing and other economic opportunities in the territory.

## Marine Planning in Gitxaala Territory

The Gitxaala Nation has been engaged in marine planning at several scales for over a decade. The Nation developed a community-based marine plan in 2008-2011, to guide development and conservation in the territorial waters and watersheds. The Gitxaala Marine Plan takes an integrated approach to marine planning that is rooted in Gitxaala governance and laws, and informed by Gitxaala ecological knowledge and resource management practices.

Gitxaala has also participated in the Marine Planning Partnership (MaPP) with the Province of BC, which has developed a collaborative plan for the North Coast sub-region. The MaPP process involved extensive Tier 1 collaboration and research, and meaningful stakeholder engagement.

Most recently, Gitxaala has been directly contributing to the Marine Protected Area Technical Team that is designing the MPA Network for the Northern Shelf Bioregion. Gitxaala has decided to participate directly in this process at the technical level, rather than be represented by North Coast Skeena First Nations Stewardship Society, the sub-regional aggregate. This decision and investment of time and capacity reflect the importance of MPA network design to Gitxaala.

The Gitxaala Fisheries Program works with the First Nations Technical Team that is coordinated by Coastal First Nations to provide marine planning expertise to the network design process on various subcommittees, including stakeholder engagement, data, and conservation priorities. The network design process is very rigorous and data-driven, with input from stakeholders on each component of network design. The design process allows for the detailed analysis of human uses in the region in order to minimize the impacts on existing economic activities.

#### [MPA Network -Northern Shelf Bioregion: First Nations Research and Analysis](#)

The primary goal of the MPA Network for the NSB is the conservation of biodiversity. The design process involves the identification of conservation priorities, which are the specific features that need to be conserved in order to meet the network's goals and objectives. Ecological Conservation Priorities are a variety of species and habitats, including but not limited to species at risk, important habitats, and species fulfilling important ecological roles. First Nations have identified Cultural Conservation Priorities, which include.

First Nations have a great deal of data that has been generated for previous marine planning processes, and as part of their engagements in Environmental Assessments. Using these datasets, the Nations have identified areas important for harvesting, areas important for culturally significant species, and areas important for culture and spirituality. These have been assessed against specific criteria and prioritized accordingly. These will be analyzed through Marxan, to find alignment with ecological conservation priorities and minimal overlap with other uses, such as commercial fisheries.

Gitxaala has used an extensive database on cultural use and values to analyze the contribution of MaPP PMZs, Rockfish Conservation Areas, and some additional areas, to protecting Gitxaala values through the establishment of MPAs. Areas have been prioritized for protection and are being harmonized with areas identified by other Nations and submitted as a data layer to MPAT.

Gitxaala would like to see some RCAs considered for transition into MPAs – to consolidate protection so that fishermen don't lose more commercial halibut fishing ground. RCAs are already closed to several fisheries; if they become MPAs, then important habitat is protected but additional area is not lost for commercial longlining.

## The Importance of Marine Protection

The protection of marine areas contributes to the conservation of biodiversity, the maintenance of Aboriginal food security, and has other auxiliary benefits such as spillover effect for some species. While some species or fisheries do not see direct benefits from MPAs, there is considerable scientific evidence that MPAs, especially with no-take zones, make a significant contribution to the health of our oceans. A collaborative approach to MPA network design ensures the protection of Aboriginal values and respect of Aboriginal rights; marine planning in BC has established very positive models for government-to-government engagement. The MPA Network for the NSB will result in a rigorously-designed network, based on the best scientific methods and data available, with a progressive collaborative model for design and governance.

Gitxaala and other First Nations on the North Coast have been highly involved in discussions regarding cumulative effects and their monitoring and mitigation. The significant number of development projects that are proposed for the region necessitates a proactive approach to territorial management and protection. MPAs are one important tool in ensuring that the cumulative effects of commercial and recreational fisheries, industrial development and shipping, and climate change do not result in irreparable changes to the marine territories of the Nations and their cultures.

Gitxaala is seeking the establishment of a number of MPAs in Gitxaala territory which will protect biodiversity and culturally significant species. Some MPAs are envisioned as no-take, other than FSC harvests; the majority would allow some commercial fisheries within the MPAs.

## Final Comments

We feel it is important to respond to some of the comments that the Committee has heard from previous witnesses.

### *RCA:*

The Committee was told that Rockfish Conservation Areas do not count as MPAs because Food Social and Ceremonial harvests by First Nations occur within RCAs. This is not totally precise. Fisheries closures are not permanent and therefore cannot be considered 'MPAs'. It is important to note that most MPAs in Canada do allow FSC fisheries, and for the most part, also allow selected commercial fisheries. RCAs and other closed areas could contribute to the Marine Conservation Targets as "Other Effective Area-based Measures". However, RCAs on the Pacific coast are not currently being counted, as more consultation and research on FSC in RCAs is needed.

### *Conservation Funding:*

Some members of the Committee have expressed concern about the provision of funding for marine planning in BC from US-based conservation organizations. Gitxaala has received funding from the Moore Foundation and Tides Canada for community-based and collaborative marine planning initiatives (such as MaPP). The funding for marine planning has not required

that Gitxaala take an anti-fishing or anti-development position. The funding has allowed for robust stakeholder engagement, and for rigorous research and spatial analysis that supports conservation while minimizing impacts on human uses.

There is no link between Moore funding for marine planning and Gitxaala's position regarding industrial development. The Gitxaala Hereditary Table determines the Nation's policies regarding territorial development. The Nation's position on the Enbridge Northern Gateway project, for example, was mandated by the Hereditary Chiefs, to protect their territories.

#### *Reconciliation and Reallocation:*

The Committee heard in previous testimony from fisheries stakeholders that MPA planning and fisheries reconciliation are linked. It is important to articulate that the recognition of Aboriginal rights that supports tri-partite planning process, i.e. the direct involvement of First Nations in the design and planning of marine protected areas, is not linked to processes that seek to return fishing rights and ownership to First Nations. The MPA Network planning process has a primary goal of conserving biodiversity. Aboriginal rights will be respected and food security needs will be considered in network design, but MPA Network design is not a process of reallocation.

#### *Timelines:*

Stakeholders have expressed concern that MPA processes are moving too quickly. It is important to emphasize that a great deal of research has been conducted on the Pacific coast to support marine planning. Furthermore, the rate of protection tends to be far slower than the timelines on assessment and approval of major development projects.

#### *Impacts:*

A major concern of the Gitxaala Nation is the lack of accountability in the sports fishery. The commercial fishery has observers, electronic monitoring and dockside validation, meaning that their harvests are fully counted. The sports fishery has no such real data on their harvests and the mortalities resulting from discards and high-grading. Marine Protected Areas are one mechanism to reduce sports fishing impacts in Gitxaala territory until recreational fishing is fully monitored and accountable.

Gitxaala citizens could actually harvest more of many species using a sports license than through their FSC rights.

MPA network goal #1 is biodiversity.

Recreational fishing issue

-accountability

-impacts

\*\*\*\* Band members could access more fish through a sports license than their AFS allocation for some species

-cumulative effects

-placement of PACNW on Lelu