

KITSUMKALUM



FIRST NATION



Marine Use Plan Executive Summary

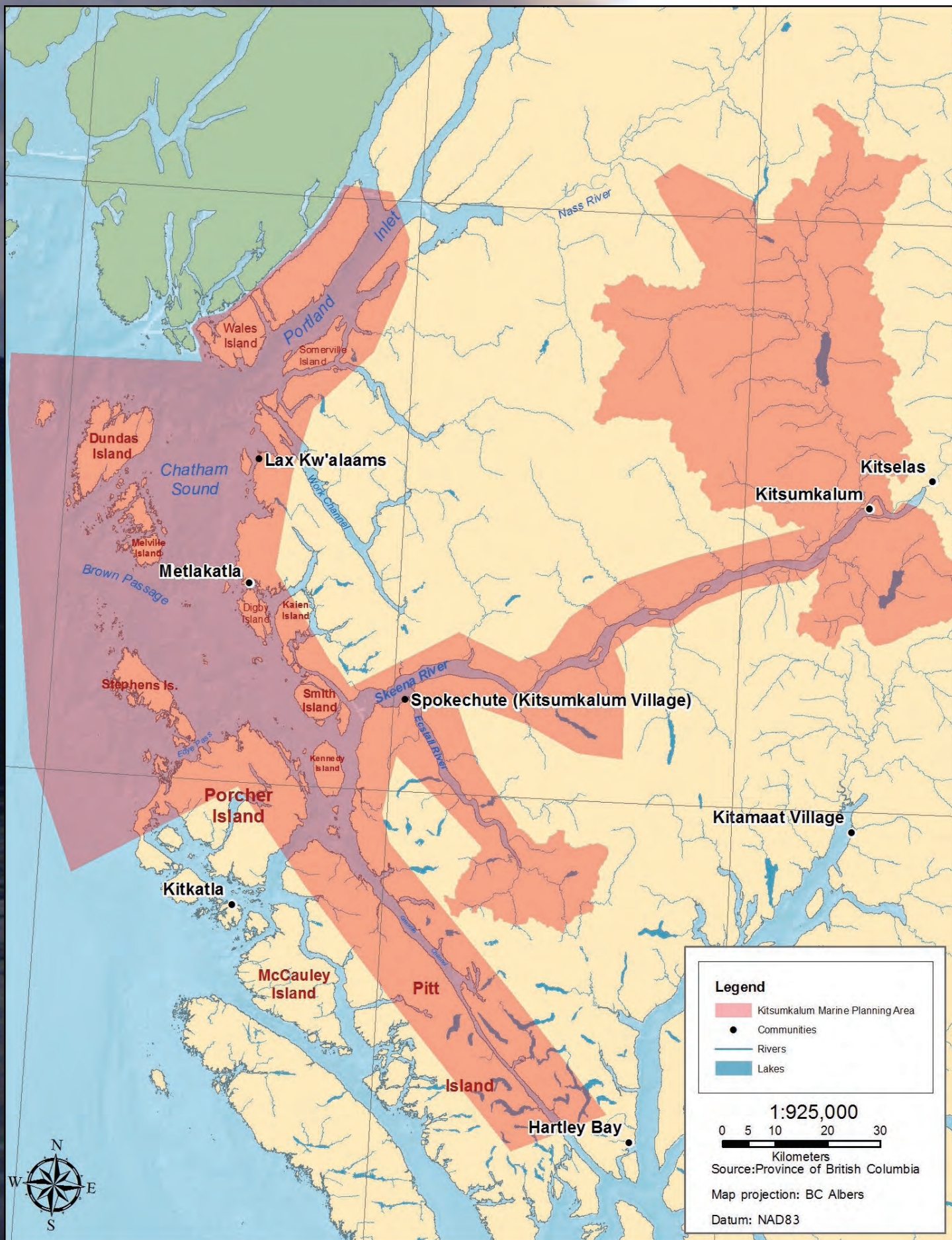
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Vision

Kitsumkalum's marine vision is to maintain and re-establish our connection to marine resources in our territory. Through marine planning we will assert our authority to manage our territories as we have for generations, and will ensure the continued stewardship of our resources for generations to come.





Kitsumkalum Territory

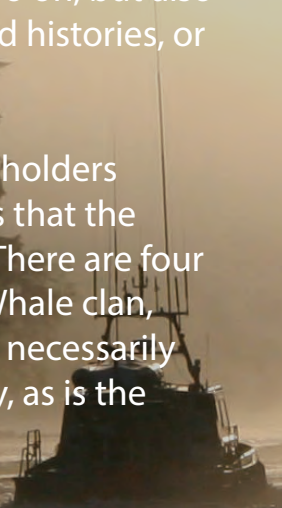
The Kitsumkalum are the People of the Robin, a galts'ap (community) of the Tsimshian Nation living near the City of Terrace in northern British Columbia where the Skeena and Kitsumkalum Rivers meet. The Kitsumkalum First Nation traditional use region combines both coastal and inland areas that cover 5,941,000 hectares. The coastal area begins at Portland Inlet in the north and extends southward through Chatham sound, including important sites around Edye Pass and down Grenville and Principe Channels.

Traditional Connection to Lands and Resources

The Kitsumkalum's traditional society is matrilineal, which means they are organized according to the female side of the family. Individuals belong to the family of their mothers and inherit property as well as social status through the mother.

The mother's family is the waap or house to which each belongs. The waap stewards the resources that provide life's necessities and comforts. These resources include important material possessions such as territories of laxyuup, fishing sites, houses, and so on, but also non-material property such as names and titles, dances and songs, stories and histories, or adawx.

The waap are managed by the family under the leadership of the chiefly title holders (the Sm'gygyet) and the matriarchs (Sigidimnak). There are a number of ways that the families are related to each other. One is through the pteex, or clan system. There are four pteex in Kitsumkalum: the Ganhada or Raven clan, the Gisbutwada or Killer Whale clan, the Laxgibuu or Wolf Clan and the Laxsgiik or Eagle Clan. These pteex are not necessarily blood relatives but treat each other as if they are members of the same family, as is the Kitsumkalum protocol.



Plan Development

The Kitsumkalum Marine Use Plan is a strategic document to guide marine resource management in our traditional territory. The Plan is comprehensive and covers jurisdiction, resource management, economic development and capacity needs across all sectors of the marine market and non-market economy. The overarching goal is to manage resources using a stewardship model so that there is a sustainable balance between economic development, social and cultural wellbeing and ecosystem health. To this end, the Plan utilizes an ecosystem-based management approach to resource use.

The Kitsumkalum First Nation began marine use planning in 2006. Kitsumkalum has a Community Coordinator whose work is supported by a Marine Planning Committee, with representatives from a cross-section of community members including elders, hereditary chiefs, council members and fish and wildlife managers. The role of the Marine Planning Committee is to guide the development and implementation of the Marine Use Plan based on the values and interests of the Kitsumkalum First Nation.

Key Policy Statements

Co-Jurisdiction/Shared decision making

We are moving towards increasing jurisdiction and management authority over all natural resources in our traditional territories. Kitsumkalum First Nation has a mandate from our Elders and elected council to benefit from and protect resources on our territory, which has never been ceded in Treaty. Our participation in marine resource management must therefore be viewed within the context of our aboriginal rights and title. In the context of management of marine resources, the relationship must be Government-to-Government where authority is shared.

Territorial-based Economic Development

We have stood witness to resources leaving our territory in record numbers with no benefit to our Nation or community. Sustainability requires that social and economic wellbeing is achieved at a local level. Policy changes must occur to ensure that industry development and resource extraction in our territory benefit our community.

A close-up photograph of a hand holding a bright red crayfish by its long antennae. The crayfish is suspended in the air, its legs and body clearly visible. The background is a blurred landscape featuring a body of water and distant mountains under a soft sky. The overall tone is natural and serene.

Revenue Sharing

Kitsumkalum requires a stable source of capital to manage our territory and to meet our planning objectives. Currently, the Federal and Provincial governments receive significant resource revenues and taxes from the resource wealth in our territory. It is imperative this wealth is shared and we will work with various levels of government to realize this through revenue sharing agreements.

Mitigation of Impacts from Industrial Activity

As part of consultation and accommodation with government and industry we need to ensure that impacts generated by industrial development are being addressed in a systematic way that minimizes risks and maximizes benefits to our Nation. Kitsumkalum First Nation are the stewards of the land and its people and, hence, protocol agreements and/or partnerships with private companies need to allow for our participation in project planning.

Monitoring and Enforcement

Monitoring and enforcement refers to the monitoring of activities and environmental changes on our territory as well as the monitoring and enforcement of laws and other arrangements. Laws may be Provincial or Federal, or our own laws, ayookw. In addition, informal (de facto) rules or arrangements may exist between us and neighbouring First Nations or third parties (such as industry).

In order to ensure that human activities and development in our territory are truly sustainable, it is essential that monitoring and enforcement activities are improved upon and expanded and that Kitsumkalum First Nation has responsibility for monitoring and enforcement activities. Current levels of resources, training and the lack of authority prevent us from adequately protecting our territory. In particular, a recognized right to monitor and enforce our territory is needed.



Marine Resource Management

Kitsumkalum First Nation continues to depend on the health of surrounding ecosystems to survive and flourish. Over the past two centuries, however, the western industrial economy has disturbed ancient linkages between human communities and their environment. To address the harm of the industrial economy on natural ecosystems the scientific community coined the term ecosystem-based management (EBM), which recognizes that conventional resource management does not consider broader ecosystem dynamics and is threatening biodiversity. Over time, the EBM concept has expanded to include ecosystem health, restoration, and the maintenance of social and economic wellbeing for present and future generations.

Kitsumkalum First Nation has been practicing 'ecosystem-based management' for thousands of years. These traditional resource management and enhancement practices contributed to the sustainability of some of the richest cultures and societies on the planet. The principles and practice of what western scientists and resource planners now call EBM are integral to the resource management principles.

Marine Resource Management

Strengthening our Authority and Revitalizing our Culture

The strength of our people comes from our ancestors and history. The experience of colonization and residential schools, banning of our ceremonies, dismantling of our governance systems and loss of access to our lands and resources has resulted in tremendous cultural loss. However, the process of revitalization has been occurring for several decades and with that a strengthening of our authority to govern ourselves. Part of this revitalization involves educating our own people and our neighbours – indigenous and non-indigenous - about our culture, history, rights, strengths and needs. This increased awareness on the part of our people and others will help to strengthen our authority and ability to realize our vision and goals.

Aboriginal Right to Fish

Section 35(1) of the Constitution Act, 1982 recognizes and affirms the Aboriginal and treaty rights of aboriginal peoples of Canada. In addition, certain landmark cases such as Sparrow have defined an aboriginal right to fish for food, social and ceremonial (FSC) purposes as taking precedence over all other uses aside from conservation. The current lack of quality and access to traditionally harvested foods represent an infringement on our constitutionally-protected rights – specifically a violation of the allocation hierarchy outlined in Sparrow. The programs that are in place (such as the Aboriginal Fishing Strategy through the Department of Fisheries and Oceans) have provided only small changes towards allocation and meeting our food, social and ceremonial needs.

Marine Resource Management

Food Security

Food security can be defined as a situation in which “all community residents obtain a safe, culturally acceptable, nutritionally adequate diet through a sustainable food system that maximizes community self-reliance and social justice” (Hamm & Bellows).

The importance of the continued consumption of traditionally harvested marine foods has been reflected in a Community Needs study which demonstrated that Kitsumkalum First Nation members are not getting access to the range or amount of traditional foods they once enjoyed and would prefer to be eating. Kitsumkalum First Nation is committed to food security for our community that is safe, culturally acceptable and nutritionally adequate.

Stock Assessment

Kitsumkalum First Nation seeks to increase the amounts harvested of some of our staple foods such as crab and salmon. In order to do this, considerable improvement must be made in management, including stock assessment of all species harvested within the North Coast. Several species which First Nations utilize traditionally are currently being harvested without a full understanding of the historical or current stock numbers, the long term implications from harvesting, or even who is doing the harvesting.

Stock assessments must eventually be performed for all species. Where fisheries-independent assessments are not possible, catch monitoring of all sectors that utilize resources in the territory must contribute to assessments. Once this baseline data on stock status is gathered over time, including the identification of stocks that are threatened, actions will be taken in order to restore and/or enhance these resources.

Salmon Management

The relationship between salmon and the Kitsumkalum people cannot be overstated. For thousands of years our culture, social structures and economy have been based on the abundance of salmon in Kitsumkalum territory. For Kitsumkalum, values for wild salmon refer to spiritual and cultural values of salmon as well as salmon as a means of food and livelihood.

Kitsumkalum First Nation is concerned about salmon management on the Skeena River. On the Skeena River our fishermen have been negatively impacted by multiple factors, including a re-allocation of previous commercially targeted salmon species to the recreational sector and to inland fisheries, an increase in recreational fishing pressure and risk adverse management policies for specific stocks.

Kitsumkalum needs to have authority to manage and enforce management principles on all three salmon fisheries of the Lower Skeena River – the aboriginal, recreational and commercial fisheries.

Groundfish Trawl

Groundfish is a broad term used by the Department of Fisheries and Oceans to cover more than 75 species living on or near the bottom and up through the water column – in near shore, deep-sea and open ocean waters. Groundfish trawling uses a large net to target various depths where there is a tendency to catch particular species (or groups of species).

Kitsumkalum First Nation sees the trawling industry to be wasteful and indiscriminate. Kitsumkalum wishes to see this fishery closed as the waste involved in this type of fishery goes against core concepts of sustainability as well as our tradition of using everything we catch.

Marine Resource Management

Crab

In the last decade, impacts from recreational and commercial crab fishing activity have increased to such an extent that our rights to harvest under the Constitution are being infringed upon. It has become increasingly difficult to catch crab in our traditional harvest areas. Numbers in these areas have declined and our membership reports that crab increasingly show damaged claws or bodies.

Recreational fishing is impacting access in areas closer to Prince Rupert. It is imperative that numbers of crab caught by public and commercial recreational fisheries are monitored and that public and commercial recreational fishing soak time be reduced to sustainable levels. In addition, commercial fishing is affecting crab populations in traditional harvest areas along Grenville Channel. Some crab boats take clams and cockles from beaches in these areas, which also impacts their availability for FSC harvests.

Clams and Cockles

Kitsumkalum First Nation has watched traditional clam and cockle harvesting beaches destroyed or degraded by development. Furthermore, the release of raw sewage has contaminated local waters and resources in many areas. The loss of important areas makes the sustainability of our remaining shellfish beaches along Grenville Channel particularly important. These sites have been impacted by commercial crab fishermen who enter these areas and dig shellfish for crab bait. On the North coast, shellfish beaches remain closed because of lack of funds to conduct shellfish biotoxin testing.

We would like to see increased monitoring and testing of shellfish beaches, as well as a commitment to cleaning up our shellfish beaches and reducing the high levels of pollutants affecting the health of our shellfish.

Eulachon

A pelagic fish, the eulachon return to spawn every spring to rivers of the BC Coast. It is the first fish to return after the winter and as a result was often called the salvation fish by First Nations. Eulachon is an important component of the Kitsumkalum peoples' diet – both as rendered oil, or “grease,” and as smoked or fresh fish. At the present time, a number of coastal eulachon streams are being considered for listing under Canada's Species at Risk Act (SARA).

Eulachon numbers have declined drastically on the South and Central Coasts. A number of impacts have affected eulachon including drag trawl fisheries, climate change/changes in ocean conditions, a loss of habitat from dredging, logging and shoreline construction and pollution.

Management practices for fisheries and industries that impact eulachon populations must adopt the precautionary principle and limit all possible impacts of eulachon numbers. Of paramount importance is the establishment of a ban on all shrimp and drag trawl fisheries in Kitsumkalum territory until further research and monitoring has taken place. Kitsumkalum First Nation is also building stronger communication networks with the Department of Fisheries and Oceans regarding current reporting on the status of eulachon in our territory.

Northern Abalone

Northern abalone have always been an important component of the Kitsumkalum diet and economy. The advent of SCUBA diving and subsequent ballooning of the commercial fishery in the 1970s led to a precipitous decline in abalone population numbers and the protection of Northern abalone under Canada's Species At Risk Act (SARA).

Key concerns of the Kitsumkalum people are the poaching of abalone from the commercial dive fishery, insufficient enforcement of dive fisheries and a lack of monitoring of the coast-line. It is essential that our aboriginal right translates into solid strategies to protect at least parcels of our territory for abalone recovery and ultimately traditional harvest.

In order to prevent the further decline and potential extirpation of abalone, Kitsumkalum supports the request made by North Coast Skeena First Nations Stewardship Society that, given the poor level of monitoring and enforcement, Areas 3, 4, Area 5 and Area 6 be closed to all commercial dive fisheries *until sufficient management measures can be implemented*.

Marine Resource Management

Aquaculture

Kitsumkalum First Nation is opposed to high risk aquaculture developments such as open net pen salmonid aquaculture. We support the current moratorium on salmon aquaculture (farming) on the North Coast of BC and believe this restriction has accomplished a number of goals and objectives such as maintaining water quality, protecting Pacific salmon stocks and their habitat and reducing the incidence of disease and parasites in wild salmonid stocks.

The relatively benign farming of shellfish and plants does not raise the same environmental and cultural concerns for Kitsumkalum. We are interested in pursuing shellfish aquaculture operations as a means of economic development, provided such operations are feasible and can be executed in a manner that does not unduly harm the terrestrial and marine environment. Kitsumkalum First Nation is receptive to aquaculture development if the impacts to the marine environment are low, if it does not impact our ability to harvest food and if it is controlled and managed by our Nation.

Recreational Fisheries

Public and commercial recreational fishing generates revenue within the area of our territory; however it also has negative environmental, social and cultural impacts. Many, if not most public and commercial recreational fishermen, do not realize they are impacting fish stocks as well as First Nations' access to traditional resources. Many have no idea they are fishing in areas that First Nations have fished for millennia and that function as essential 'breadbaskets.' On the North Coast, Kitsumkalum has had minimal involvement as guides, operators or managers. While Kitsumkalum experiences the negative impacts of the sport fishery, few employment, revenue sharing or joint-management opportunities currently exist. Kitsumkalum must benefit from the resources and economic development initiatives in our traditional territory.

The goals and strategies within the Plan emphasize greater monitoring and enforcement of the public and commercial recreational fisheries as well as increased communication between Kitsumkalum First Nation and recreational fishing enterprises.

Marine Resource Management



Alternative Energy

In BC there are great opportunities to use wind, hydro, tides and waves to generate electricity. However, BC's geography also presents some special challenges. The biggest hurdles include long distances to the transmission grid and difficulty in accessing high potential areas.

While often promoted as a green alternative to conventional energy generation, wind, hydro, tidal and wave energy have significant potential for negative social and environmental impacts. Negative social impacts can occur when the energy project competes with other land uses, or disrupts the social make-up of coastal communities through the introduction of migratory workers or high wages. Special consideration must be given to conflicts with Kitsumkalum First Nations' current and historical use, as well as cultural and spiritual values. Kitsumkalum should be involved in any alternate energy development in common Tsimshian Territory in coastal areas and in lower Skeena Watershed.



Marine Transportation

Numerous industrial marine development proposals are being pursued within the North Coast and our territory. Several new terminal and marine transportation projects for North Coast ports in Prince Rupert, Kitimat and Stewart are at various levels of development. In aggregate, the marine transportation proposals are expected to substantially increase shipping traffic throughout British Columbia and particularly in the confined approach waters to the North Coast ports. In addition, increased shipping development will increase the use of rail and highway systems which run alongside the Skeena River.

Kitsumkalum is aware of the cumulative impacts from increased marine transportation developments and will work with industry and other levels of government to ensure that impacts are appropriately mitigated and that traditional use areas are protected. Moreover, Kitsumkalum First Nation will ensure that revenue sharing and capacity building takes place for our members.

Economic Development

Kitsumkalum First Nation struggles with high unemployment levels and a lack of employment opportunities that match our community members' skill sets. Younger generations of men and women are leaving the community to seek employment and further education in urban centres. In 2009 a socioeconomic study and an economic development survey were undertaken to gain a better understanding of the community's demographic and employment statistics. Using the results from these studies, economic development goals, objectives and strategies are incorporated into each section of the Plan to build capacity and increase decision-making authority for all of Kitsumkalum First Nation. In addition, a community economic strategy chapter reflects the specific needs and visions of Kitsumkalum for economic development that will create long-term benefits for our community and our culture. Kitsumkalum is looking to be a partner in the development of resources in our traditional territories and also in Tsimshian common territories for the betterment of our people.

Building Capacity

In order for Kitsumkalum First Nation to be able to reach our authority, resource management and economic development goals, we will need to significantly increase our institutional, human and social capacity. Funding agreements from various activities must be secured to further enhance the capacity of the Kitsumkalum people that are employed in the management and research of aquatic resources. Employment opportunities should be secured in various marine industries as they develop and become approved.

We will work collaboratively with government, industry, environmental non-governmental organizations and other interested partners to improve our capacity to achieve the goals outlined in our Plan.



Marine Spatial Plan

Existing, new and emerging marine industries and activities are competing for coastal and ocean space, producing varying levels of impacts that may infringe on other users and increase the potential for conflicts. As concerns are raised about cumulative impacts and overlapping areas of incompatible uses, recognition is growing that the current sector-by-sector approach to marine resource management is not working. A more integrated and comprehensive approach is needed to effectively manage all activities and uses in a way that ensures ecosystem health and the wellbeing of coastal communities.

Marine spatial planning (MSP) is the modern term to describe a place-based approach to management that mirrors our traditional management systems. First Nations family and clan relationships hold strong connections to place. Specific locations have primary purposes like seaweed picking or salmon fishing. According to Kitsumkalum customary practices, resources were managed in space and time in tune to the natural environment and community needs. This old way offers new solutions to achieving sustainable management of our marine environment by providing a means to implement ecosystem-based management and decision-making.

As such, in addition to defining the general management direction for particular areas of Kitsumkalum Territory, the spatial planning approach will be used to identify spatial options for managing marine use activities in order to enable and enhance community values and reduce conflicts.

Kitsumkalum has designated draft zone types to facilitate sustainable resource use in our territory and wishes to see these implemented:

- Marine Conservancy (Arthur Island)
- Special Management Zone (Stephens Island)
- Special Management Zone (Skeena Estuary)
- Special Management Zone (Grenville Chanel)
- Aquaculture Zone (Shellfish)

We wish to engage with Federal and Provincial authorities to institute a marine spatial planning approach to marine resource management.



Allowable activities in each marine use zone

Activity	Marine Conservancy Arthur Island	Special Mgt Zone Stephens Island	Special Mgt Zone Skeena Estuary	Special Mgt Zone Grenville Channel	Aquaculture Zone Shellfish
Kitsumkalum traditional fisheries and cultural practices	✓	✓	✓	✓	✓
Commercial fisheries – Finfish line, trap and net		✓	1	✓	✓
Commercial fisheries – Invertebrates dive & trap			1	2	✓
Commercial fisheries –Benthic trawl					
Recreational fisheries		✓	✓	2	✓
Shellfish aquaculture/ algaculture		✓	✓	✓	✓
Ecotourism/ recreational activities	✓	✓	✓	✓	✓
Renewable Energy		✓	✓	✓	✓
Education and Research	✓	✓	✓	✓	✓

1 – Commercial Salmon Seine and Crab fishery are not permitted in Skeena Estuary Special Management Zone

2 –Commercial and Recreational Crab harvest are not permitted in Grenville Channel Special Management Zone

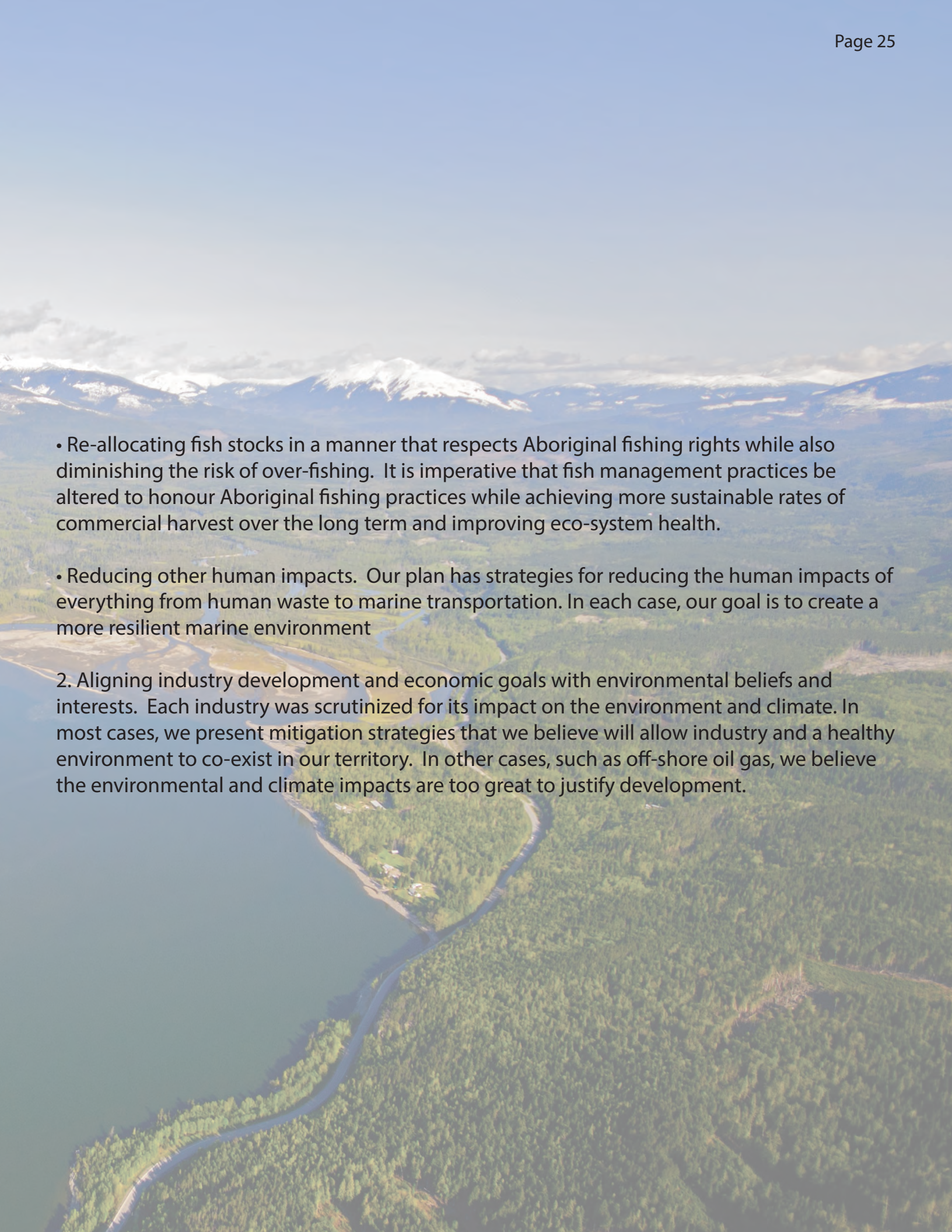
Climate Change

Climate change has the potential to have significant negative impacts on our marine territory; these impacts will affect our community, economy and the health of our ecosystems. Climate change concerns include rising ocean levels, ocean acidification, increasing temperatures, shifting weather patterns and the spread of exotic species.

Kitsumkalum First Nation is deeply concerned about each of these issues and the impact on our traditional territory. While we cannot solve the climate change issue within the confines of our marine plan we have taken two types of actions to try to reduce the impacts on our environment:

1. Increasing resiliency of species and ecosystems. A larger genetic pool, and healthier species populations and ecosystems will better enable species to respond to a changing climate. We plan to increase the resiliency of species and ecosystems by:

- Including ecosystem reserves, community exclusive use areas and habitat protection areas in our territory. These zones will reduce anthropogenic impacts on species and ecosystems, making them healthier

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- Re-allocating fish stocks in a manner that respects Aboriginal fishing rights while also diminishing the risk of over-fishing. It is imperative that fish management practices be altered to honour Aboriginal fishing practices while achieving more sustainable rates of commercial harvest over the long term and improving eco-system health.
 - Reducing other human impacts. Our plan has strategies for reducing the human impacts of everything from human waste to marine transportation. In each case, our goal is to create a more resilient marine environment
2. Aligning industry development and economic goals with environmental beliefs and interests. Each industry was scrutinized for its impact on the environment and climate. In most cases, we present mitigation strategies that we believe will allow industry and a healthy environment to co-exist in our territory. In other cases, such as off-shore oil gas, we believe the environmental and climate impacts are too great to justify development.

Future Challenges and Implementation

Kitsumkalum will be faced with multiple challenges in order to reach the goals outlined in the Marine Use Plan. Both internal and external changes will need to be made over time to realize our vision. Internally, an increase in training and capacity within the community will be needed in order to increase our management and decision making authority. As well, teaching the young people about our cultural history and language is a critical component. Externally, we will need to work collaboratively with multiple bodies, including different levels of government and stakeholders. The goals outlined in the Marine Use Plan cannot be realized without the participation and support of all the Kitsumkalum First Nation.



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