

Enhancing Indigenous Partnerships for Oceans Protection on the South Coast



**Oceans Protection Plan
Indigenous Engagement Session**

May 8 & 9, 2018

Nanaimo Convention Centre,
Nanaimo, BC

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2. COMMON ACRONYMS USED IN REPORT

Organization	Acronym
Aboriginal Aquatic Resource and Oceans Management Program	AAROM
First Nations Fisheries Council	FNFC
First Nations Information Governance Centre	FNIGC
Government of Canada	GOC
Oceans Protection Plan	OPP
Ownership, Control, Access, and Possession	OCAP
Traditional Ecological Knowledge	TEK
Traditional Knowledge	TK
Terms of Reference	TOR
Trans Mountain Indigenous Advisory and Monitoring Committee	TMX-IAMC
United Nations Declaration on the Rights of Indigenous Peoples	UNDRIP
Western Canada Marine Response Corporation	WCMRC



3. EXECUTIVE SUMMARY

The purpose of the Oceans Protection Plan (OPP) workshop, “Enhancing Indigenous Partnerships for Oceans Protection on the South Coast”, held May 8 - 9 in Nanaimo, was to bring South Coast Indigenous groups and federal representatives together to find ways to better collaborate on the OPP and other relevant marine safety and stewardship initiatives. The workshop was well attended with 136 participants, including 71 Indigenous participants and representatives from nine federal departments (see Appendix 3 for a full list of participants). Discussions were held on a without-prejudice basis and did not reduce or replace the Crown’s obligations to consult.

Building off input received at previous OPP sessions, the workshop included the following attributes:

- The agenda for the two-day session was co-developed by a Joint Federal-Indigenous Workshop Planning Group, which met seven times in advance of the workshop to clarify workshop focus, objectives and design. While much common ground and intent was identified within the planning group, there were also some key outstanding questions and concerns, which are further reflected in the key themes described in this report. Overall, the agenda co-design approach was well received.
- The workshop included some Tier 1 (i.e. Indigenous only) time on the morning of the second day. This was well received by many Indigenous attendees and led to some changes in the Day 2 agenda. As a result, not all topics initially planned for in the agenda were addressed at the session. More time for Tier I discussions was requested for future sessions.
- Information about a number of different OPP initiatives were shared, primarily through an OPP Trade Show, whereby participants were invited to approach tables profiling different OPP initiatives and ask questions from OPP project leads. An “Initiatives at a Glance” summary was also prepared to help distil key information. Both approaches were generally well received by attendees.
- The session used an interactive real-time app (slido.com) to gather questions and workshop feedback. This was also generally quite well received.

Discussions at the workshop were wide ranging and covered the following main questions:

- What is the OPP, and how is the federal government currently engaging with Indigenous groups on it?
- What does the OPP commitment to “Enhance Partnerships” mean?
- How can the OPP better align different “Ways of Knowing”?
- What is the status of specific OPP initiatives of particular interest to Indigenous groups?

Several overarching themes emerged from the workshop discussion.

1. **Does the OPP need to understand First Nations, or do First Nations need to understand the OPP?** Indigenous groups would like to see more effort on the former.
2. **How can Indigenous and federal government efforts on oceans protection be better communicated, and coordinated/aligned (where appropriate)?** Working towards an OPP Secretariat concept for South Coast First Nations, or some other model, was proposed. More work is needed to further develop this idea.

3. **What makes a good partnership?** Indigenous groups believe partnership starts from a rights recognition space. All parties support improved collaboration. Specific recommendations based on an example of an existing partnership were shared.
4. **How can we align different “ways of knowing”?** Many experiences can serve as a foundation to build from, but one important lesson is to start together early to understand local context, concerns and wisdom, and build knowledge systems together, rather than just “adding or inputting” Traditional Knowledge into a western information system.
5. **How can the OPP’s approach to funding be improved?** Some suggestions were made and better coordination was sought.

The specific **short-terms actions / next steps** agreed to at the workshop were:

1. Prepare and distribute **workshop report** - aim for mid-June. Identify key themes of discussion, distil solutions, and include responses to the questions posed at the workshop in an annex.
2. Deepen the “**initiatives at a glance**”, to include a few more tools, resources and key contacts.
3. Starting with some initial champions, convene a **Joint Technical Working Group**, as soon as possible, to refine both the concept of a South Coast First Nation OPP Secretariat and how to “talk and do together” better at future sessions. This group could be composed of willing members of the Joint Federal-Indigenous Workshop Planning Group and a few more initial champions to help shape the ideas more clearly. Workshop attendees were encouraged to email Lorraine Gill, Transport Canada, if they wanted to participate in some early scoping sessions.

The workshop demonstrated the federal government’s clear willingness to listen and receive powerful messages from the Indigenous voices in the room. Many, if not all, of the points made might have been articulated at previous venues, but the clear message was received and acknowledged by federal attendees. Momentum going forward is critical, and to that end a summary of each federal department’s efforts immediately following the workshop is provided in **Appendix 1**.

List of Useful Links Relevant or Referred to in this Report

First Nations Associations:

First Nations Fisheries Council (FNFC) <https://www.fnfisheriescouncil.ca/>

Trans Mountain Indigenous Advisory and Monitoring Committee (IAMC-TMX) <http://iamc-tmx.com/>

First Nations Information Governance Centre (FNIGC) <http://fnigc.ca/>

BC Assembly of First Nations <http://bcafn.ca/>

Union of British Columbia Indian Chiefs <https://www.ubcic.bc.ca/about>

The First Nations Summit <http://fns.bc.ca/>

Funding

Community Participation Funding Program (CPFP) <http://www.tc.gc.ca/en/services/marine/apply-cpfp-funding.html>

IMAC-TMX funding <http://iamc-tmx.com/capacity-funding/>

Aboriginal Aquatic Resource and Oceans Management Program (AAROM) <http://www.dfo-mpo.gc.ca/fm-gp/aboriginal-autochtones/aarom-pagrao/index-eng.htm>

Coastal Restoration Fund <http://dfo-mpo.gc.ca/oceans/crf-frc/index-eng.html>

Training

Indigenous Community Response Training project https://www.canada.ca/en/canadian-coast-guard/news/2017/11/new_federal_trainingprogrambuildsonmarineemergencyresponseinindi.html

Marine Training Program <https://www.tc.gc.ca/en/programs-policies/programs/marine-training-program.html>

OPP Information

OPP homepage <https://www.tc.gc.ca/en/campaigns/protecting-coasts.html>

New OPP interactive Map <http://www.tc.gc.ca/en/campaigns/oceans-protection-plan-initiatives-map.html>

Let's Talk – OPP (OPP online engagement hub) <https://letstalktransportation.ca/OPP>

Initiatives at a Glance <http://www.nmtcevents.com/oceansprotectioninthesouthcoast>



4. WORKSHOP CONTEXT AND PLANNING:

South Coast BC First Nations and the Government of Canada both have shared interests and responsibilities for marine safety and stewardship. The federal OPP, as well as other federal-Indigenous initiatives, provides an opportunity for these interests to be better understood, possibly aligned, and for progress to be made together on specific shared outcomes on and off the water.

With regard to the OPP specifically, there is a need to better plan together *how* different initiatives are coordinated, and how First Nations can best contribute to and benefit from them. The OPP has a core focus on “Indigenous Partnerships”. All parties (Indigenous and federal government) need a common understanding of what this means and how opportunities could be advanced. Indigenous groups also want to know what kinds of supports are available, what projects are underway, and how different knowledge bases could contribute.

This context set the stage for the OPP workshop “Enhancing Indigenous Partnerships for Oceans Protection on the South Coast” held May 8 – 9, 2018 in Nanaimo, BC.

4.1 WORKSHOP PLANNING AND DESIGN

A Joint Federal Indigenous Workshop Planning Group was established in March 2018 to co-develop an agenda for a South Coast Indigenous-Federal workshop to explore these issues. The Joint Federal Indigenous Workshop Planning Group was composed of about 12 Indigenous and 8 federal participants (not all attended every weekly planning session) and was independently facilitated. The group met seven times in advance of the workshop to clarify objectives, design and identify key issues/concerns. The group was open to anyone with the time and interest to contribute (see Appendix 2 for the group Terms of Reference and composition), and also met one time after the workshop to identify lessons learned.

A significant amount of time was also spent internally within the federal government in advance of the workshop with OPP initiative leads to develop answers to the following key questions and prepare for the workshop:

- What is the initiative?
- Why does the initiative matter to South Coast Indigenous groups?
- What's been heard to date (i.e. key concerns) and what's been/being done to address them?
- What, if any, are the specific opportunities for Indigenous involvement now (i.e. within the next 6 months)?
- What's the initiative's timeline and what supports/funding are available to enable South Coast Indigenous groups to contribute/get involved?
- What are some initiative next steps?

These questions helped the organizers determine whether the initiative would be profiled within the plenary portion of the workshop or within the trade show, to try and ensure as much relevance as possible to Indigenous attendees.

Building from previous OPP sessions, the workshop included the following attributes:

1. As noted above, the agenda for the two-day session was co-developed by a Joint Federal-Indigenous Workshop Planning Group. The co-design approach was well received.
2. The workshop included some "Tier 1" (i.e. Indigenous only) time on the morning of the second day. This was well received by many attendees and also led to some changes in the Day 2 agenda, which meant not all topics initially planned for on the agenda were addressed.

3. Information about different OPP initiatives was shared primarily through an “OPP Trade Show”, whereby participants were invited to approach tables profiling a number of different OPP initiatives to ask questions directly to the project leads. An “Initiatives at a Glance” summary was also prepared to help distil key information. Both approaches were generally well received by attendees.
4. The session used an interactive real-time app (slido.com) to gather questions and workshop feedback. This was also generally quite well received.

The workshop benefited greatly from the contributions and guidance of Elder Lollie Goode from Snuneymuxw First Nation, who provided an opening prayer as well as a supportive closing prayer and shared song that was much needed after two intense days of discussions. Thank you Elder Lollie.

4.2 PURPOSE AND OBJECTIVES

The purpose of the workshop was to bring South Coast Indigenous groups and federal government representatives together to find ways to better collaborate on the OPP and other relevant marine safety and stewardship initiatives. The workshop was the third main federal government/Indigenous OPP engagement session, following a South Coast Marine Safety Workshop, January 24-25, 2017 in Sidney, BC, and OPP Engagement workshops in Victoria and Nanaimo in the Fall of 2017. Other initiative-specific workshops have occurred, as well as a number of bilateral engagements. Specific workshop objectives for this event were to:

1. **Share information and ideas**...and give Indigenous groups the information they need to know about what’s going on with the OPP, and allow federal groups to better understand what’s underway and of interest at the community level;
2. **Learn together**...from different perspectives and different ways of knowing;
3. **Identify and advance real opportunities**...through open and constructive discussions about how Indigenous groups can get more involved in the OPP, explore what partnership means, and where there’s a shared interest to do more, discuss what is necessary to move forward; and
4. **Improve alignment and coordination**...by starting a discussion about how Indigenous groups are currently engaged in the OPP, determine if there is any value to developing new approaches, and if so HOW that could be worked on.

Discussions at the workshop were wide ranging and covered the following main questions:

- What is the OPP, and how is the federal government currently engaging with Indigenous groups on it?
- What does the OPP commitment to “Enhance Partnerships” mean?
- How can the OPP better align different “ways of knowing”?
- What is the latest on some specific OPP initiatives of particular current interest to Indigenous groups?

The workshop was well attended with representatives from South and Central Coast BC First Nations and attendees from federal government departments including Transport Canada (TC), the lead federal department on OPP engagement, Fisheries and Oceans Canada (DFO), Canadian Coast Guard (CCG), Natural Resources Canada (NRCan), Environment and Climate Change Canada (ECCC), the Department of Justice. Several other groups also participated including the Trans Mountain Indigenous Advisory and Monitoring Committee (TMX-IAMC), Western Canada Marine Response Corporation (WCMRC) and the Western Maritime Institute.

See Appendices 2 and 3 for the workshop participant list and detailed agenda.



5. KEY THEMES

Discussions at the workshop were wide ranging and covered the following main questions:

- What is the OPP, and how is the federal government currently engaging with Indigenous groups on it?
- What does the OPP commitment to “Enhance Partnerships” mean?
- How can the OPP better align different “ways of knowing”?
- What is the status of specific OPP initiatives of particular current interest to Indigenous groups?

A link to the specific OPP Initiative presentations provided at the workshops can be found in [Appendix 5](#).

Five main overarching themes emerged from the workshop discussion.

1. Does the OPP need to understand First Nations, or do First Nations need to understand the OPP?

Indigenous participants clearly expressed the need for a shift in OPP implementation to invest time to understand the concerns and interests of communities, and build from what is already underway at the local level on oceans protection. A related expectation was for the federal government, through the OPP or through other initiatives that are related to the OPP, to make investments in community efforts and capacity in oceans protection at the community/Nation/sub-regional level that both Indigenous groups and the federal government could build from and enhance, thereby delivering on the promise of good partnership. This discussion led to Theme #2 below.

Fundamental to this theme is the importance of reconciliation, rights recognition, and recent federal government commitments regarding implementation of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and recommendations from the Truth and Reconciliation Commission and other initiatives. While this workshop used a different approach than previous OPP engagement sessions, some participants expressed that it still felt too biased towards improving “First Nations understanding of the OPP” and “reporting out”. As noted above, Indigenous participants clearly expressed their willingness and expectation that OPP initiatives “come to their communities”. Related to this was a request for clarification on when consultation was going to occur with their Nations. Federal representatives distinguished between the legal requirement to consult (which this workshop was explicitly not), engagement in general and the desire for feedback on models for engagement and relationship/partnership building. Indigenous participants expressed that the current model and meetings to date, in their view, have not been sufficient.

These points were received and acknowledged by federal government attendees. Challenges were raised around the short timelines of some initiatives and the capacity/funding currently available to enable more engagement at the community or sub-regional scale. More work is required on this topic and the themes below touch on some initial ideas on potential solutions to the challenge.

2. How can both Indigenous and federal government efforts on oceans protection be better communicated and coordinated/aligned (where appropriate)?

Underlying the questions raised by many Indigenous participants at the workshop was a request for a shift in how the federal government is delivering the OPP – away from individual initiatives being rolled out, to a more coordinated and aligned approach that leverages Indigenous work and integrates different “ways of knowing” (expanded upon

in Theme #4 below). The “solution- finding” portion of the workshop proposed an “OPP Secretariat” model to help facilitate this shift. More work is required to flesh this concept out further, and it was suggested that a Joint Technical Working Group be established as soon as possible to advance thinking on this idea, including: the need for clear and shared expectations on what a secretariat might do; if/how to build from existing structures; and identifying sustainable funding sources.

The workshop clearly conveyed from an Indigenous perspective the importance of Indigenous Rights and Recognition. It also revealed, again from an Indigenous perspective, how individual Nations are aligned and supporting one another on the coast. There was a strong request for more “sub-regional” engagement. The current organizing concept of “South Coast” and “North Coast” was considered too broad for all sessions and some groups feel that the Central Coast is being missed. Overall, Indigenous groups pointed out that communication and engagement should happen at a scale more reflective of traditional Indigenous groupings. Many models for such groupings exist (the First Nations Fisheries Council (FNFC) and Aboriginal Aquatic Resource and Oceans Management Program (AAROM) bodies were specifically mentioned), as does the idea proposed for an “Indigenous liaison” for each area who could be a conduit to the secretariat. The current approach being used by the federal government to talk about the OPP is still not clear. There are many initiatives and it is hard to keep track of what is current and relevant, engage effectively on these, and also have time to discuss important underlying themes such as partnership, knowledge sharing, coordination etc. One specific suggestion for improvement was to organize material under the following headings: i) Resources and Training – based on better understandings of aspirations and current capacity within communities; ii) Current OPP Input Opportunities, and iii) Mutual Learning on Key Topics.

First Nations want to see long-term OPP workplans and measurable, specific targets with dates so that representatives, such as those attending the meeting today, can pass on information to their communities.

While no commitments were made or sought at the workshop regarding these communication – coordination – alignment ideas, an important discussion was started and some specific next steps were identified, such as the establishment of a Joint Technical Working Group.

3. What makes a good partnership?

The workshop provided a space for an important discussion on partnership that had not previously occurred within the OPP context in the South Coast. From an Indigenous perspective, it was clear that key ingredients to good partnerships are Indigenous Rights and Recognition, and the affirmation of UNDRIP and the Truth and Reconciliation Commission recommendations (as in Theme #1 above). It was also suggested that partnership-building be distinguished from actual shared decision-making, which is a

subject of significant legal and policy attention currently. First Nations are inundated with requests from many federal departments and all levels of government and need to be funded to build capacity. The OPP should work on understanding the aspirations of communities, and their desires to provide meaningful jobs and careers for their youth. All parties agreed that more collaborative approaches are necessary and that good examples exist in practice.

Pacheedaht First Nation offered the following specific recommendations for successful partnerships, based on their experience to date on the Maritime Awareness Information System (MAIS) initiative.

- A key success factor is strong, frequent, open and transparent communications
- Identify a key person in the community as the lead – need someone who can focus on the partnership and keep it moving forward
- Provide space to all the Nation to express how it wants to participate in the OPP
- Use all the tools you can access...

4. How can we align different “ways of knowing”?

An important overarching concern raised at the workshop was that it is not clear how information, input and concerns previously provided by Indigenous groups are being/have been taken into account. Improved, ongoing reporting on this was suggested. There is much existing experience and knowledge to build from when it comes to alignment in different ways of knowing. Some specific examples were discussed at the workshop and suggestions were made that Indigenous groups start with building their own vision and plan for oceans protection, and see how the OPP fits in to leverage the opportunity. Future sessions could, and should, significantly increase this sharing. Traditional knowledge is place-based and reflective of unique Indigenous *relationships* with the land and water. It can also often be sacred, so confidential and clear protocols on sharing are essential. This is a key driver for why OPP initiatives seeking ways to integrate traditional knowledge need to take the time, from the beginning, to understand local context and concerns (i.e. Theme #1 above), and find ways to co-produce information systems. The value of Traditional Knowledge is diminished if it is an “add on” instead of a foundational element that helps to define how all information is considered and different ideas are incorporated.

5. How can the OPP’s approach to funding be improved?

The workshop made an effort to share clear information regarding participation funding to engage in OPP workshops. Progress on this was acknowledged but improvements to the process were still requested. The possibility of a potential new funding platform was noted, though it was not possible to make any specific commitments at the workshop

in this regard. Workshop participants suggested that better alignment of other federal funding envelopes with OPP initiatives is one way that communities/Nations might build community efforts and capacity to do specific oceans protection work. In addition, improved coordination and communication of the OPP with Indigenous groups, through a structure such as a Secretariat as noted above, would require a stable source of funding. First Nations also wanted to know where the \$1.5 Billion for the OPP has been spent, and how much is allocated to First Nations.





6. POTENTIAL SOLUTIONS

As the themes above suggest, the workshop revealed a number of key concerns held by many Indigenous groups. This culminated on the morning of Day 2 after a Tier I (Indigenous only) meeting when, by region, Indigenous participants stood together to express their key concerns to the government attendees. This was captured under the heading “The Need for OPP Change”. A summary of the points made by Indigenous speakers is listed in Appendix 6. Effort has been made to reflect the essence of these points into the themes described above.

Another overarching point made by many indigenous participants was that that early engagement on the OPP prior to it being announced might have alleviated the concerns. Federal representatives received this input, while also pointing out that many of the ideas reflected in the OPP came as a direct result of long standing relationships with Indigenous groups and pre-OPP workshops on related topics. Regardless, it was noted that the groups participating had an opportunity in front of them at this workshop to break through and initiate discussions on potential solutions. This was broadly captured at the workshop as **“ways to talk and do together...better in the future”**. The following is a summary of potential solutions and approaches.

Continue to improve the way the OPP is communicated to support better discussions going forward.

One specific suggestion received for an organizing framework was:

1. Resources and training
 - a. Need a clear understanding of current capacity and aspirations within communities
 - b. Make linkages and leverage other initiatives that are aligned with the OPP
 - c. Share information on various funding platforms. Refer to Appendix 9 for a high level breakdown of how OPP funds are allocated.
 - d. Confirm the level of authority the training opportunity could lead to (e.g., if trained to do X, what authority might that person have to do Y, etc.)
2. Current opportunities to provide OPP input – could use a similar approach to how this was done at this workshop.
3. Promote information sharing and joint learning on key topics of mutual concern (e.g. on the transport system, trends, roles and responsibilities etc.)

There was concern among some Indigenous participants that the workshop was too broad in scope and OPP deadlines were moving too fast. The Government of Canada (GOC) could provide more clarity on which OPP initiatives deadlines are approaching and also attempt to engage outside of culturally busy times of year, mainly the summer.

Other ideas on improvements related to Government of Canada administrative adjustments included:

- The GOC could expand the Initiatives at a Glance document to include all OPP initiatives with a bit more detail, key resources, and contacts.
- Engagement on OPP initiatives for each community can be improved by identifying a GOC point person for each community. Most Indigenous groups were clear that they did not want all 57 initiatives engaging independently with their community. Similarly, the GOC is looking for ways to reach out to Indigenous communities more effectively and in a coordinated way.
- Simple enhancements of WebEx communications should focus on areas of mutual concern and provide existing opportunities to increase information sharing.
- A map showing locations of OPP initiatives and parties involved, as well as utilization of the recently launched 'Bang the Table' should improve communications and

reduce confusion. An interactive map was created, in response to the workshop feedback, by TC and can be seen [here](#).

Identify clear action items for OPP engagement and report against them. (e.g., workshop notes will be ready by.... Upcoming meetings will be held on....etc.)

Refine WHO is invited to participate in the OPP discussions - some key Indigenous people/resources did not or were not able to attend the workshop. There is a need to fill these gaps. There is also a need to build from the specific experience and projects underway at the community level. Pahchedaht, Tseil Waututh and T'Souke First Nations all shared their experiences of participating with OPP initiatives. More work to bring in others is also important.

Improve alignment in “ways of knowing”. More work and discussion is required on integrating indigenous traditional knowledge (TK), also referred to as traditional ecological knowledge (TEK) into OPP initiatives. Tseil-Waututh participants suggested the federal government look to the First Nations Information Governance Centre (FNIGC) Ownership, Control, Access, and Possession (OCAP) principals for data sharing protocols that have already been agreed to by First Nations. Once we collaboratively build the relationship and determine ‘how’ to move forward, discussions on how to integrate TK can begin.

Begin work to co-develop clear Terms of Reference (TOR) for a South Coast First Nations OPP Secretariat, or similar. The concept of some sort of organizational structure to promote information sharing on the topics above came through strongly at the session. It was noted that a first step to exploring the idea should be to consider existing organizations, and learn and possibly build from them. An initial brainstorm suggested the following roles/key considerations regarding a potential Secretariat concept.

- It could provide a key point person/Aboriginal liaison who could be contacted by communities for information and support relationship building. These people would be key conduits to communities.
- It should not be a substitute for direct OPP initiative community engagement.
- From a federal perspective, the body could be helpful in providing advice on how to reach out.
- It could have a key role in enabling all parties to access key information about existing oceans protection, response and other systems and how they work (e.g. mapping key players and roles).
- It could look for efficiencies and alignments and seek a “weaving together” of related initiatives, OPP and otherwise.
- It could play an important role in exploring / co-planning work on broader scale oceans protection issues.

- It could help “Bring Nations together”. Having a strong Tier I process that backs up the discussions is a lesson learned from other secretariats (the Fraser River Aboriginal Fisheries Secretariat was mentioned as an example).
- It could incorporate and build linkages to bring North, South and Central coast Indigenous perspectives together.

Suggestions on ways to advance the secretariat concept included:

- Identify champions to define and develop the secretariat concept further. Carleen Thomas of Tseil Waututh and Kathleen Jonnie of Penelekut both indicated willingness to participate in some initial discussions, and possibly others too.
- A first step should be to explore, consider, learn from previous work and organizations, and build off / enhance these whenever appropriate. FNFC and AAROM body outreach on this would be important.
- Other examples of potential partnerships shared at the workshop that could be built off/learned from are listed in Appendix 8. Also included are insights on what made them successful and some key barriers.
- Support was confirmed at the workshop for a Joint Technical Working Group as an initial engine to drive these discussions forward.

Marine Training and Development of Meaningful Career Opportunities

The workshop included a panel discussion on various examples of and potential synergies related to marine training and the importance of connecting training, community capacity and aspirations, and meaningful career opportunities. Several examples of on-the-water training opportunities with the Canadian Coast Guard were shared, as were updates on curriculum development for an accredited and Indigenous focused training program, outreach in conjunction with the Western Maritime Institute, and a new program (the Marine Training Program, MTP) lead by Transport Canada. These are described briefly below. All expressed interest in working with interested communities and follow up was encouraged.

The [*Coast Guard's On the Water Training*](#) group are willing to work with communities on customized programs. Comments were offered that if Indigenous people are trained in spill response or marine safety they should have the same level of authority as Coast Guard or other government officials in a similar role. Training also needs to be in a safe environment: ideally located in communities or within an all-Indigenous or majority Indigenous student body.

There are current Indigenous-focused training programs and curricula in place to build off. For example, the *Indigenous Culture and Perspectives Program* is an environmental



stewardship skill-based First Nations program accredited by British Columbia Institute of Technology (BCIT) and Camosun College. It is designed to provide a program that results in quality jobs for graduates, unlike the patchwork of certificates currently attained by some Indigenous people.

There is work underway to build off efforts of the Western Maritime Institute, and others, and it should continue to be explicitly advanced by relevant initiatives within the OPP.

There is a need and opportunity to direct training resources from Transport Canada's Marine Training Program (MTP), 2018 to 2022 towards development of long-term careers. The objective of the MTP is to increase the participation of indigenous peoples and women in the marine sector labour force, by reducing the barriers to marine training and enhancing the infrastructure of existing marine training institutions throughout the country. The MTP is having two calls for proposals, one for projects that will take place in 2018-19 and 2019-20 (2 years) and the second for projects to take place in 2020-21 and 2021-22.

7. WORKSHOP WRAP UP

Overall, federal government attendees expressed appreciation for the suggestions and concerns raised at the workshop. In addition, representatives from three federal departments were asked to summarize some of their specific reflections and takeaways. These included:

- Have been reminded how important protecting territories are to First Nations.
- It is key that the government work with First Nations to safeguard the knowledge and wisdom shared.
- GOC needs to learn to safely utilize First Nations knowledge and TK as they have been managing coastal resources for thousands of years.
- Language could be changed regarding the use of the word “consultation” to improve clarity and underscore the importance of building shared understandings and relationships.
- Federal government is working towards the implementation of UNDRIP and is interested in co-designing initiatives with First Nations groups where possible. This is a work in progress.
- First Nation communities need and want resources and capacity to deliver on the ground; federal government must work within communities.
- There is interest from First Nation communities to learn about DFO science-based knowledge.
- Need to find ways for better and more transparent communication

8. NEXT STEPS AND CONCLUSION

The specific **short-terms actions / next steps** to seeing improvements in all five theme areas, as agreed to at the workshop were:

1. Prepare and distribute **workshop report** - aim for mid-June. Identify key themes of discussion, distil solutions, and include responses to the questions posed at the workshop in an annex.
2. Deepen the “**Initiatives at a Glance**” document, to include a few more detail, other OPP initiatives, resources and key contacts.
3. Starting with some initial champions, convene a **Joint Technical Working Group**, as soon as possible, to refine both the concept of a South Coast First Nation OPP Secretariat and how to “talk and do together” better at future sessions. This group could be composed of willing members of the Joint Federal-Indigenous Workshop Planning Group plus a few more initial champions to help shape the ideas more clearly. Workshop attendees were encouraged to email Lorraine Gill at Lorraine.gill@tc.gc.ca if they wanted to participate in some early scoping sessions.

The workshop demonstrated the federal government’s clear willingness to listen and receive powerful messages from the Indigenous voices in the room. Many, if not all, of the points made may have been articulated at previous venues, but the clear message was received and acknowledged by federal attendees. Momentum going forward is critical.

9. APPENDICES

9.1 APPENDIX 1: HOW WORKSHOP FEEDBACK IS AFFECTING GOVERNMENT OF CANADA OPERATIONS

An important theme at the workshop was follow up and momentum going forward. Therefore, it was determined that summaries of how the workshop feedback has affected GoC operations be included in the workshop report.

Transport Canada

Transport Canada heard the feedback clearly and was encouraged by the next steps that were discussed during day 2 of the workshop. Since the workshop the following has occurred:

1. Immediately after the workshop senior staff and executives met to discuss the workshop's key themes and refine the next steps.
2. The Joint Federal Indigenous Working Planning Group had a workshop debrief and discussed plans for completing the workshop report and the process of forming of a technical working group with the objective to set terms of reference for a secretariat.
3. Transport Canada's Deputy Minister (DM), [Michael Keenan](#), met in person with Transport Canada's Pacific OPP team, and among the discussion topics was a debrief of the workshop. The DM was encouraged by the concepts of a technical working group and secretariat. The DM also heard and understood the capacity constraints with Pacific First Nations.

Canadian Coast Guard

Since the South Coast Workshop we have accomplished the following with Nations:

1. Issued two licences to the Pacheedaht Nation for access to the Common Situational Awareness Portal known as MAIS version one, as well as one licence for the T'Sou-ke nation.

2. As a result of the tradeshow and discussion on training we received requests from five nations or aggregates of Nations to provide Search and Rescue (SAR) training to guardians and mariners. We have completed one of the five sessions and are in the planning stages with the Nations for more sessions in late summer or early fall.

With regards to the broader message of working with Nations directly or in aggregate where desired, our Indigenous Relationships and Partnerships group with the CCG has been working with Nations to coordinate engagement ranging from training to information sessions in aggregate or bilateral forum.

Fisheries and Oceans Canada

Fisheries and Oceans Canada (DFO) delegates at the workshop had an immediate opportunity after the workshop to brief Regional Director General Rebecca Reid and the departments' senior management committee of Directors on the outcomes of the workshop. The workshop messages were also shared with all DFO OPP initiative leads through OPP project planning and reporting discussions. As a significant number of DFO OPP initiatives are advancing science, information and monitoring in the marine environment, the opportunity to work collaboratively and improve how the science is shared with First Nations is a key area that the DFO OPP team will work on. This would include how to work collaboratively with traditional knowledge holders as well as making scientific results more accessible. DFO will also improve how they share information about funding, including a comprehensive list of the projects and groups that have received [Coastal Restoration Fund](#). DFO will continue to work with the other federal departments and First Nations to look for how OPP can better align and support First Nations oceans protection plans and initiatives.

Natural Resources Canada

The work plan for 2018/19 the Marine Shipping Subcommittee of the Indigenous Advisory and Monitoring Committee (IAMC) – that is comprised of 11 First Nations along with TC, CCG, DFO, ECCC, and NRCan – recognized the significance of the OPP and importance of staying abreast of any developments, especially pertaining to the Indigenous Partnerships pillar. The Subcommittee certainly wants to complement any OPP initiatives and fill any gaps identified. As opportunities become more clearly defined within various OPP initiatives, NRCan will work with the IAMC and other committee members to leverage and support where appropriate.

9.2 APPENDIX 2: JOINT FEDERAL – INDIGENOUS WORKSHOP PLANNING GROUP TERMS OF REFERENCE AND COMPOSITION

Towards Clear Expectations:

Joint Indigenous-Federal Workshop Planning Group on OPP in the Salish Sea

What is our purpose?

The short term purpose of the Joint Planning group is to shape, develop and help to implement a workshop on Oceans Protection in the Salish Sea, scheduled for early May 2018. We hope the workshop will provide increased clarity on OPP for South Coast Indigenous groups, and direction on our medium/longer term goal of how to start, with others, to build a more strategic approach for exploring and building federal-Indigenous partnerships on shared interests and outcomes. We oversee the work of our independent facilitator, Jessica Bratty.

Are there specific understandings that we need to clarify up front?

Our discussions are without prejudice to all parties involved and do not reduce or replace the Crown's obligations to consult. Ours are not rights-based conversations. We are focused on joint solutions finding for shaping a quality and worthwhile workshop.

Who are we?

We are a collection of federal department representatives from the federal agencies involved in OPP. We are also First Nations participating to provide expertise as people knowledgeable about oceans protection. We are not representing our Nation or organization in a formal capacity. An initial list of First Nations contacts was approached and invited to participate. Additional people have been approached based on suggestions from the group. The group is inclusive and anyone is welcome who has an interest in our purpose and the time/willingness to commit to a continuity of involvement. We can have alternates but this is not encouraged. A list of current participants is appended.

How often do we meet?

We meet every week, or every other week from mid-March to the end of April. Our meetings are about 2 hour long and are usually by conference call. There may be one face to face meeting. We schedule our meetings at the end of the previous meeting and seek to find times that work for as many in the group as possible.

How are summaries prepared from our discussions?

We rely on our facilitator to prepare very high-level summaries of our discussions, focused on next steps, and to circulate these ASAP after each discussion. Detailed meeting minutes are not distributed, but key points are incorporated into our work products.

How do we communicate and share information with others?

We strive to agree on information and work products related to the workshop together before we share it more broadly. We seek to prepare joint work products rather than have those products comes from any one of us. Each of us as individuals are entitled and often obligated to discuss the work of our joint planning group with others, but we do so without attribution (i.e. we don't identify specific names) to protect the collaborative spirit of our work.

List of Joint Federal Indigenous Working Group Participants as of March 18, 2018

Facilitator: Jessica Bratty

Indigenous:

Katie Hooper - Esquimalt First Nation

Trina Sxwithul'txw - Beecher Bay First Nation

Chuck Poschenrieder - Maa-Nulth Nations

Eric Angel - Nuuchah-nulth Tribal Council

Christa Rusel - A-Tlegay Fisheries Society

Sonora Thompson - IMAWG (until mid-April)

Caitlin Kenny (Halalt) and Kristine Pearson (Pacheedaht) - IAMC

Chief Gordon Planes - T'Souke First Nation

Richard Sparrow - FNFC

Natalie Anderson and Bernette Laliberte-Godin - Cowichan Tribes

Federal:

Transport Canada - Lorraine Gill, Jay Violini, Cindy Hubbard, Jane Lin

DFO - Angela Stadel and Brett Marchand

Environment and Climate Change - Ryan Benson

Coast Guard - Kevin Carrigan

Indigenous Partnerships - West / NRCan - David Murray

9.3 APPENDIX 3: LIST OF WORKSHOP PARTICIPANTS – INDIGENOUS AND FEDERAL

Organization Type	Community/Organization	Number of Participants
First Nation	Beecher Bay First Nation	1
	Cowichan Tribes	3
	Ditidaht First Nation	2
	Esquimalt Nation	1
	Halalt First Nation/IAMC	1
	Huu-ay-aht First Nation	2
	Katzie First Nation	1
	Klahoose First Nation	2
	Komoks First Nation	1
	Kyoquot First Nation	1
	Lyackson First Nation	2
	Malahat First Nation	2
	Mamalilikulla First Nation	2
	Mowachaht/Muchalaht First Nation	1
	Musqueam Indian Band	2
	Namgis First Nation	2
	Pacheedaht First Nation	1
	Pauquachin First Nation	2
	Penelakut Tribe	1
	Sechelt Indian Band	1
	Shishalh Nation	1
	Snuneymuxw First Nation	3
	Songhees Nation	2
	Sts'ailes Band	2
	Stz'uminus First Nation	1
	Tla-o-qui-aht First Nation	1
	Tsartlip First Nation	1
	Tsawout First Nation	3
	Tseshaht First Nation	1
	Tseycum First Nation	1
	Tsleil-Waututh Nation	2
	T'Sou-ke Nation	1
	Uu-a-thluk	1
Total First Nations	33 First Nations	51 Participants

FN Association	Aboriginal Aquaculture Association	1
	A-Tlegay Fisheries Society	2
	BCAFN	1
	First Nations Fisheries Council	3
	First Nations Summit	1
	Hul'q'umi'num Fisheries Limited Partnership	2
	Metis Nation BC	2
	Metis Sport Fishing	1
	Q'ul-Ihanumutsun Aquatic Resources Society	1
Total FN Associations	9 FN Organizations	14 Participants
University	Camosun College	1
Gov't of Canada	Canadian Coast Guard	14
	Canadian Envir. Assessment Agency	1
	Canadian Hydrographic Service	3
	Department of Justice	1
	Environment and Climate Change Canada	3
	Fisheries and Oceans Canada	9
	Natural Resources Canada	2
	Parks Canada	1
	Transport Canada	22
Total Government of Canada	9 Government Organizations	56 Participants
Consultants/legal	Workshop Facilitator	1
	Ratcliff & Company LLP	2
	Trailmark Systems	1
Total Consultants	3 Consultant Organizations	4 Participants
Treaty Society	Maa-Nulth Treaty Society	2
Tribal Council	Nanwakolas Council	1
	Naut'sa mawt Tribal Council	4
	Nuu-chah-nulth Tribal Council	1
Total Tribal Councils	3 Tribal Councils	6 Participants
Other	Other	1
Industry	Western Canada Marine Response Corporation	2
First Nations		71 Participants
Government		56 Participants
Other		9 Participants
Grand Total	59 Organizations	136 Participants

9.4 APPENDIX 4: WORKSHOP AGENDA

1. Enhancing Indigenous Partnerships for Oceans Protection on the South Coast

A Joint Federal-Indigenous workshop to enhance partnerships and involvement in marine safety and stewardship, and the knowledge bases and approaches that inform each.

2. Workshop Details:

May 8 & 9, 2018, 9 AM – 4 PM

Vancouver Island Convention Centre, Nanaimo, BC

Participants include representatives from South Coast BC First Nations and federal government departments including Transport Canada, Fisheries and Oceans Canada, Canadian Coast Guard, Natural Resources Canada, Environment and Climate Change Canada, and others as appropriate.

Discussions at this workshop are without-prejudice and do not reduce or replace the Crown's obligations to consult.

3. Context:

South Coast BC First Nations and the Government of Canada both have interests and responsibilities for marine safety and stewardship on the South Coast. The federal Oceans Protection Plan (OPP), as well as other federal-Indigenous initiatives, provides an opportunity for these interests to be better understood, possibly aligned, and for progress to be made together on specific shared outcomes on and off the water.

With regard to the OPP specifically, there is a need to better plan together how different initiatives are coordinated, and how First Nations can best contribute to and benefit from them. The OPP has a core focus on "Indigenous Partnerships". All parties (Indigenous and federal) need a common understanding of what this means and how opportunities could be advanced. Groups also want to know what kinds of supports are available, what projects are underway, and how different knowledge bases could contribute.

A joint planning group was established in March 2018 to co-develop an agenda for this workshop that explores these issues. The joint planning group is open to anyone with the time and interest. It will help to identify lessons learned from this workshop to apply to future sessions.

4. Workshop Purpose and Objectives:

The purpose of the workshop is to bring South Coast Indigenous groups and federal representatives together to find ways to better collaborate on the OPP and other relevant marine safety and stewardship initiatives.

Specific Objectives are to:

1. **Share information and ideas...**and give Indigenous groups the information they need to know about what's going on with the OPP, and allow federal groups to better understand what's underway and of interest at the community level;
2. **Learn together...**from different perspectives and different ways of knowing;
3. **Identify and advance real opportunities...**through open and constructive discussions about how Indigenous groups can get more involved in the OPP, explore what partnership means, and where there's a shared interest to do more, discuss what is necessary to move forward; and
4. **Improve alignment and coordination...**by starting a discussion about how Indigenous groups are currently engaged in the OPP, determine if there is any value to developing new approaches, and if so HOW that could be worked on.

Day 1: Tuesday, May 8th: Oceans Protection Information, Learning and Ways of Knowing

8:15	Informal networking, Coffee and tea available
9:00	Opening and Overview <ul style="list-style-type: none"> • Territory Welcome and Prayer • Workshop welcome: <ul style="list-style-type: none"> • Chief Gordon Planes, T'Sou-ke Nation, on behalf of Joint Federal Indigenous Workshop Planning Group • Agenda overview and “spirit of the dialogue” • Tech overview and briefing • Group introductions
9:45	Background and OPP Recap <p>What is the OPP? Current context, Consultation and Engagement, Funding, Highlight Initiatives</p> <ul style="list-style-type: none"> • Robert Dick, ADM Transport Canada • Other GOC overview speakers • Brief Q&A
10:45	Quick Break
11:00	What does Enhancing Partnerships Mean? <p>Small group table discussion on:</p> <ul style="list-style-type: none"> • What do you expect and need from initiative partners, and vice versa? • What are examples of successful Indigenous-government partnerships in your area? What makes them successful? What are some barriers? <p>Example OPP Initiative: MAIS I & 2</p> <ul style="list-style-type: none"> • Kelly Larkin, Transport Canada / Scott Moseley, Canadian Coast Guard • Indigenous perspective on MAIS - Pacheedaht First Nation

12 noon	Lunch (Provided) rolling into Trade Show below
12:30	OPP Trade Show, and other relevant initiatives <ul style="list-style-type: none"> • A number of different tables with displays where participants can circulate informally, ask questions and develop relationships
1:45	Towards Alignment in Our “Ways of Knowing” <p>An Indigenous perspective on integrating knowledge systems: Assessment of the Trans Mountain Pipeline and Tanker Expansion Proposal - Carleen Thomas, Tseil Waututh Nation</p> <p>A federal perspective on ways Indigenous Knowledge and perspectives could be better incorporated into OPP: Cumulative Effects of Marine Shipping – Paula Doucette, Transport Canada</p> <p>Small group discussion on how different knowledge systems could be better integrated into OPP</p> <ul style="list-style-type: none"> • Learning from the examples shared or other experiences in your area, how could we proceed to better integrate Indigenous knowledge into the OPP? Are there some key understandings/protocols that would need to be established up front? • Would this topic benefit from further discussion? If so, what are some ideas for what would make it successful? • For the Cumulative Effects of Marine Shipping Initiative specifically, how might Indigenous perspectives and traditional knowledge be incorporated into a potential future Cumulative Effects assessment?
3:15	Building our Knowledge on Oceans Protection <ul style="list-style-type: none"> • Ship Noise Mitigation Risk Assessment, Jeff Pelton, Transport Canada & Nigel Greenwood, Consultant
4:15	Quick Close and Adjourn by 4:30

Day 2: Tuesday, May 9th – Oceans Protection Opportunities, Challenges and Coordination

8:00	Tier 1 Breakfast
9:30	Quick Welcome Back <ul style="list-style-type: none"> • Overview of Day II • Any updates from Tier I?
10:00	Perspectives and Opportunities on Marine Safety and Response <p>Federal perspectives on opportunities for participation and partnership in marine safety and response</p> <ul style="list-style-type: none"> • Context and Opportunities: Julie Mah, Transport Canada • Response Planning: Tim McCann, Canadian Coast Guard <p>An Indigenous perspective and experience on safety and response - Chief Gordon Planes, T'sou-ke Nation</p> <p>Current opportunities to...</p> <ul style="list-style-type: none"> • Inform policy <ul style="list-style-type: none"> • Response Organization Standards: Michael Wallace, Transport Canada • Ship Source Pollution Fund, Alternative Response Measures, Hazardous and Noxious Substances: Julie Mah, Transport Canada • Inform Operations <ul style="list-style-type: none"> • Towing Needs Assessment: Kevin Carrigan, Canadian Coast Guard <p>Plenary Dialogue:</p> <ul style="list-style-type: none"> • How can the federal government and First Nations work better together to advance improvements in response policy? • How can they work better together, along with other responders, on improvements to on the water response? • What are some constraints or barriers? What is needed to overcome them?

11:40	Strengthening Training Opportunities – Panel Dialogue <ul style="list-style-type: none"> • On the Water Training Ideas and Opportunities – Tyler Brandt, Canadian Coast Guard; Lorraine Gill, Transport Canada and hopefully others
12:30	Lunch (Provided)
1:30	Towards More Alignment and Coordination <ul style="list-style-type: none"> • How are we currently working together? Overview of current OPP engagement approach – Lorraine Gill, Transport Canada • Plenary dialogue: How might OPP coordination and alignment be improved? <p>Example OPP Initiative: Proactive Vessel Management</p> <ul style="list-style-type: none"> • Looking ahead, how might Indigenous groups work together to engage and participate in a potential future PVM roll-out in the South Coast? What are some key considerations that would inform whether and how groups chose to participate?
2:30	OPP Q & A <ul style="list-style-type: none"> • Wrap up plenary Q&A, working through outstanding questions posed online, as time permits
3:00	Next Steps and Close <ul style="list-style-type: none"> • What we heard at this workshop, and upcoming on OPP • Other workshop next steps • Concluding remarks
3:30	Adjourn

Thank you for your ideas, advice and involvement. Safe travels home.

Agenda Change: Day 2: Tuesday, May 9th – Oceans Protection Opportunities, Challenges and Coordination

8:00	Tier 1 Breakfast
	Need for OPP Change <ul style="list-style-type: none"> • Perspectives from different First Nations areas
	Solutions Going Forward <ul style="list-style-type: none"> • The way we “talk and do” together ... How to improve OPP engagement • Secretariat concept • Experience on response from a community perspective (T’Souke First Nation)
	Marine Training Panel Discussion
	Quick updates and input opportunities – brief remarks and then time back in Trade Show
	Summary of Workshop Next Steps
	Workshop Close and Closing Song

9.5 APPENDIX 5: LINK TO WORKSHOP PRESENTATIONS

<http://www.nmtcevents.com/oceansprotectioninthesouthcoast>

9.6 APPENDIX 6: SUMMARY OF INDIGENOUS PERSPECTIVES PROVIDED ON DAY 2

This workshop report has attempted to reflect the essence of the points below into the key workshop themes. Specific points made are captured here for the record.

1. North East Vancouver Island and Central Coast

- i. Workshop appears to have been lead from federal government,
- ii. The opening speech did not mention UNDRIP. Times have changed, First Nations groups need to be involved in the decision making from the beginning, not being told what to do.
- iii. The Nations from Campbell River North have been forgotten – there are 25 of them. Discussions have been about South Coast, and North Coast. Where is central?
- iv. All government departments should be speaking to each other so that First Nations do not have to deal with each separately – there should be one table.
- v. First Nations engagement needs to be right from the beginning, not after plans have already been made

2. Nuu-Chah-Nulth

- i. Someday the government will come to the First Nations to find out how to manage resources
- ii. Need to provide resources for all First Nations groups to come together to produce their own solutions.
- iii. First Nations groups need to come together and produce their own declaration for management of coastal waters
- iv. Fed government has said there is not enough funds to consult with First Nations: but courts have ruled government has a legal duty to consult.

3. Gulf Islands

- i. Part of a complex set of tribes, and governance is not the same as the federal system
- ii. First Nations do not want anyone else telling them how to govern – interactions with Canada must be Nation to Nation
- iii. Concerned that OPP is ignoring and dismissing First Nations, and is moving way too fast
- iv. First Nations groups want the environment to be restored to past abundance. Let's not forget the times when man could provide resources for their family with 2 hours of work per day.

4. Southern Straits

- i. Layered levels of government creates confusion and communication difficulties between First Nations and First Nation's communications with various levels of government. Additionally, the federal government does not visit First Nations communities to better understand the issues affecting First Nations communities.
- ii. First Nations along the coast need more control over coastal resource management. First Nations communities think in the long term, 100 years ahead. The federal government does not understand this.
- iii. Additionally, the land and ocean are connected and must be considered together. The Southern Vancouver Island First Nations have kinship with First Nations across the U.S. border.
- iv. If GOC is to work together with First Nations, government needs to come to First Nations communities to meet the people on the reservation, paddle canoes with the communities, eat and sleep in the community. Get to know the people, then better communication can begin.
- v. First Nations should be the ones to decide where the money is spent because they are the ones who will feel the impact of any changes
- vi. Part of Douglas Treaty – need to build off this
- vii. First Nations need to protect their traditional fisheries
- viii. There has been successful work with Parks Canada

5. Burrard Inlet and Lower Mainland

- i. First Nations groups are frustrated with current stage of OPP, not enough real involvement, but there is a chance to develop a pathway forward for First Nations and federal government relations to produce an OPP that will protect the coastal resources.
- ii. However, many First Nations peoples are not aware of basic aspects of the OPP, like how will money be spent etc. First Nations had hoped that the \$1.5 Billion announced for OPP would benefit them but there is no information on how the \$ are being spent and it appears that very little of the total will be for First Nations.
- iii. We need to work together – agree that land and water needs to be healthy, but the conversation that we are having today should have happened 2 or 3 years ago when OPP was being developed
- iv. Some optimism about training component of OPP as First Nations communities have the knowledge, ability, and are in ideal areas to protect coastal resources. First Nations want to see career paths for their community related to the OPP, for example, First Nations should be ones doing all Environmental Response
- v. OPP needs to answer some fundamental questions, and needs to show real outcomes and specifics
- vi. There is no consistency between various government departments.
- vii. Why aren't First Nations involved in the pre-planning of all OPP initiatives – it appears they have only been involved in MAIS and nowhere else.
- viii. Participant expected the workshop would have more concrete examples of how First Nations capacity building can be utilized in the OPP. Specifically, Involvement would have been clearer if there had been a comprehensive set of agreements, and more clarity about where the OPP \$ are going.
- ix. First Nations are interested in seeing data reviews from the government but also want funding to hire their own technical experts to review the data.
- x. OPP needs to educate First Nations youth – where is the plan to talk to schools and colleges?
- xi. Ministries are trying to improve First Nations capacity building, but there has been no meaningful results. The OPP is important, but the way of doing things has to change.
- xii. First Nations communities need to work on the OPP with the Federal government, not just consult, which is from the Indian Act

- vi. Considerable funding is going towards government initiatives, yet very little into First Nations initiatives. Despite this, the First Nations communities are expected to work with the government. This is not equitable.
 - a. This workshop is not even close to enough resources to integrate TK in the OPP. This would take years to do this.
 - b. Yesterday there was talk that not all groups can be consulted, yet this is a requirement by the Trudeau Liberals and is law. Why is this not happening?
 - c. Specifically, the speaker does not agree with the Assistant Deputy Minister's explanation about "consulting" --- this is not the way. First Nations have a right to be involved from the beginning and are frustrated that there is no framework or policy.
 - d. The government should set aside all of its workplans and do the work in a completely different way
 - e. The OPP initiative is about the pipeline and is not really about protecting the ocean

6. General Remarks

- i. First Nations have been doing their own environmental assessments for some time – they gathered in the past to talk about tanker safety
- ii. There is cynicism that Ian Anderson of Kinder-Morgan has designed OPP
- iii. At no time have First Nations communities been given the opportunity to understand the Canadian Shipping Act, specifically anchorages
- iv. First Nations do not have the access to information needed to be an equal partner and are being left out and talked down to by the federal government
- v. Federal government should have more concrete workshops: such as a workshop on anchorages.

Overall theme: the OPP has not engaged First Nations groups on a Nation to Nation dialogue and First Nations groups need the opportunity/capacity to produce their own solutions; First Nations have the most experience managing the resources of their territories: government should recognize this expertise.

9.7 APPENDIX 7: WORKSHOP FEEDBACK

Analytical analysis of workshop questions/comments

The Oceans Protection Plan spring 2018 Enhancing Indigenous Partnership for Oceans Protection on the South Coast Workshop produced passionate questions and comments from Indigenous participants, with many questions focused on funding, consultation, and frustrations with the GOC bureaucracy. This section presents nominal data on the themes of questions and comments during the workshop, from SLIDO, and the workshop evaluation form.

All the questions/comments from the workshop and SLIDO were coded for basic themes, such as CONSULT, for consultation, and KNOW, for knowledge-based questions including traditional knowledge, as well as by initiative.

Figure 1: Themes of SLIDO Questions by number of Questions: Spring 2018 Federal Indigenous Workshop

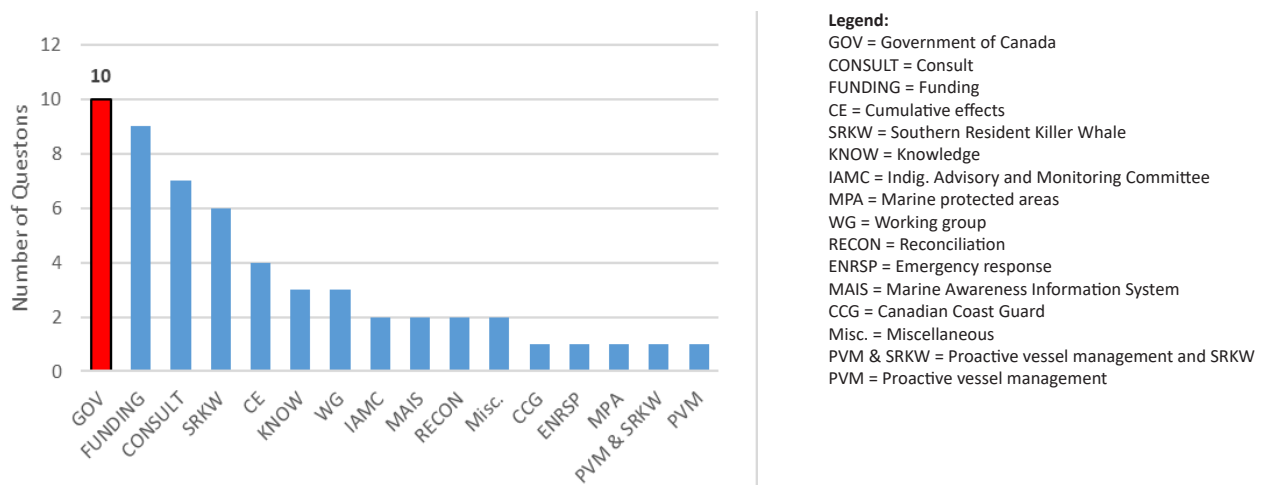


Figure 1 clearly shows that questions relating to GOC administration/bureaucracy were the most prevalent, followed closely by funding and consultation questions and comments. Initiative-specific questions are less common with Southern Resident Killer Whale Initiative (SRKW) having the most interest.

Figure 2 compiles the questions and the votes each question receive. This is a better metric for gauging the Indigenous participants concerns and interests. The top three categories were the same as Figure 1, but consultation and funding switched positions. Additionally, CE (cumulative effects) showed strong interest. Of the OPP initiatives, CE and SRKW generate the most questions and comments.

Figure 2: Themes of SLIDO questions by number of questions and votes: Spring 2018 Federal Indigenous Workshop

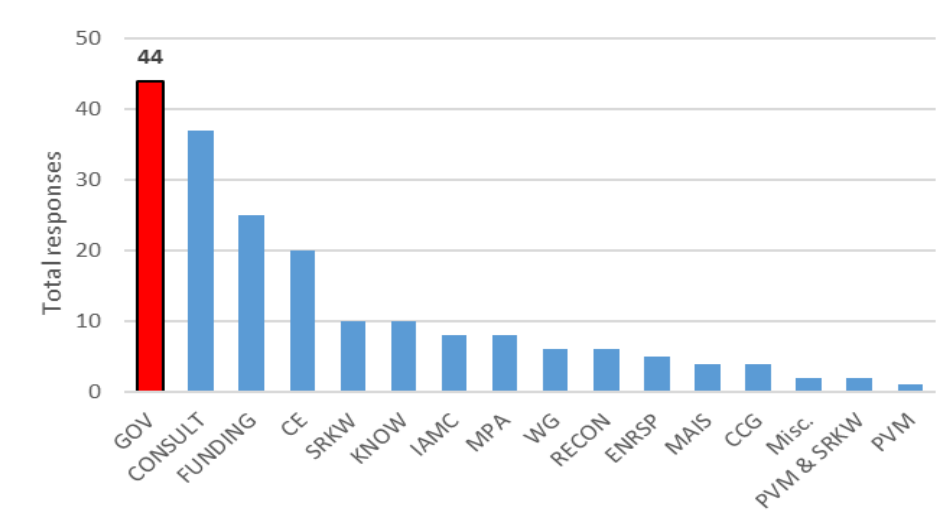


Figure 3: Question and comments from spring 2018 Federal Indigenous Workshop (non SLIDO)

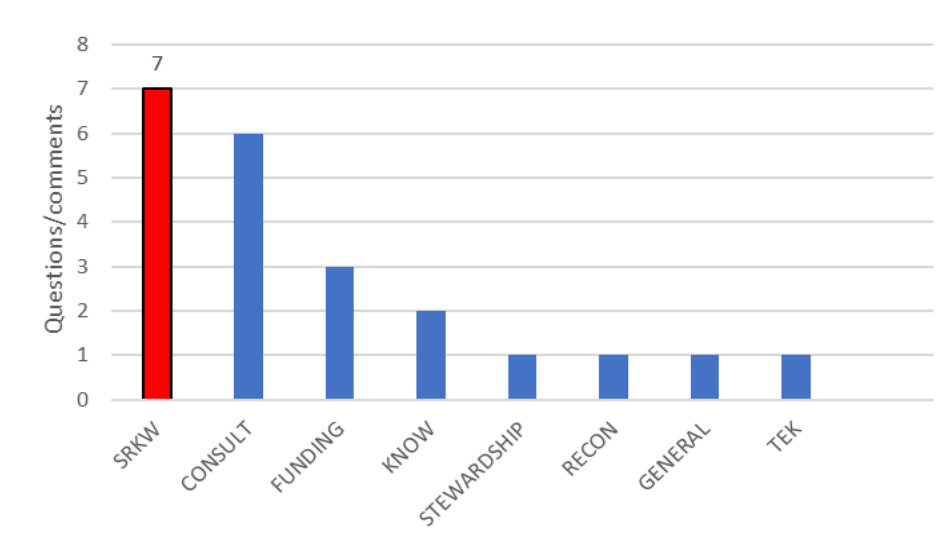


Figure 3 demonstrates the key themes from the question and comments that were raised during the workshop, not including SLIDO. The top three categories are similar to Figure 1 and Figure 2 with the notable exception of SRKW in the top category. Note that the results for SRKW are likely biased due to SRKW having more presentation time than other initiatives. The schedule change to day 2 resulted in presentations on other initiatives being cancelled.

Table 1: 17 responses to workshop evaluation form

Questions	Agree (%)	Neutral (%)	Disagree (%)
Q1 The purpose of this session was clear	71	18	12
Q3 I was able to express my views	71	24	6
Q4 I felt that my views were heard	59	35	6
Q5 I feel that the input provided through this session will be considered by decision-makers	44	38	19
Q2 I feel like I have a better understanding of the Oceans Protection Plan initiatives and how I can participate	41	35	24
Q6 I understand how the input from this session will be used	41	35	29
Q7 Overall, I was satisfied with this session	38	31	31

Table 1 is data from the workshop evaluation form and demonstrates that there was reasonable agreement for the workshop objective of sharing information and ideas. 71% of respondents agreed that the purpose of the session was clear (Q1) and 71% of respondents agreed that they were able to express their views (Q3). There was moderate agreement that information and ideas were successfully shared. 59% of respondents thought their views were heard (Q4). Particularly, 44% of respondents felt that the input provided through the session will be considered by decision makers (Q5) and 41% of respondents agreed they understand how the feedback will be used (Q6). Overall satisfaction with the session was mixed with no consensus (Q7). In sum, more respondents agreed than disagreed to all the above questions indicating moderate to strong agreement regarding the above questions. Note and 41% of participants agreed that they have a better understanding of OPP and how to participate (Q2).

The workshop evaluation form has weaknesses and the workshop objective's cannot be easily analyzed with agree or disagree style surveys. Specifically, workshop objectives 2-4 require reviewing the plenary, small table group notes, and GOC responses, as well as reviewing the text response to the workshop evaluation form to measure the workshops objective's success. Additionally, only 17 evaluation forms were received, out of a total of 84 Indigenous participants, and therefore do not represent comprehensively the views of all Indigenous participants.

9.8 APPENDIX 7: RESPONSES TO QUESTIONS POSED AT THE WORKSHOP - DISTILLED

9.8.1 Consultation Questions

1. Since the two workshops do not qualify as **consultation**, when will indigenous communities be consulted.
 - GOC: rollout of community consultation will occur in different communities at different times: not practical to do all engagement concurrently. There are a number of different initiatives with different timelines and this has resulted in a staggered timeline for consultation. Legislative and regulatory amendment consultation will qualify as official consultation: but GOC recognizes the need to improve on how to consult and build capacity with First Nations.
2. Are you relying on the Indigenous Advisory and Monitoring Committee (IAMC) to deliver on **consultation**? Additionally, how will the federal government **engage** indigenous nations?
 - GOC: The IAMC marine subcommittee offers another venue for engagement and discussion. Open question to the group, whether we use it for, orthere is different composition. We will engage in the matter that you want. There have been comments expressed for engagement to be more efficient. If it is desirable and makes sense, may do so. This might vary by initiative (e.g., involving a few Nations for localized initiatives, or broader for regional initiatives).
 - IAMC members present: Clarified the sub-committee is not, in their estimation, a vehicle for GOC consultation. Concerns were expressed regarding the current **consultation** process but will wait post workshop to confirm if the GOC has improved their side of the partnership before making further comments. **CONSULT**
3. Which initiatives have already been consulted on, and why have not all First Nations been invited?
 - GOC: answer and comment on consultation:
 - a. **Local approach:** radar station on indigenous lands. In this instance the federal government would use a localized approach and only consult with the local first nation where the radar station is located.
 - b. **Regional approach:** marine traffic, such as Proactive Vessel Management, would have a larger geographic area to consult as vessels pass through multiple Indigenous communities. A regional approach to consultation would be employed
 - c. **Overall** the GOC is trying to avoid localized decision making that is not a good decision for neighboring First Nations.

4. How is UNDRIP integrated into the OPP? Concern is that local indigenous elders are rarely consulted on permission to use indigenous lands.
 - GOC: Happy to discuss during the workshop and afterwards. It is practical to use broad approach, but how do we come together in alignment with reconciliation. Facilitator: is a more localized model something you are open to? GC: yes, some national, some regional, some local – operating at all these levels, but we need nations to help us understand this better.
5. Concern expressed regarding archeological sites on the Central Coast being disturbed by 3rd party consultants conducting habitat restoration. The consultants are not aware of the sites locations. There is a procedural gap regarding habitat restoration and similar activities highlighting the lack of true collaboration and partnership.
 - GOC: Segway into aligning ways of knowing into coherent body of knowledge, this workshop is good place to have the conversation. GOC: need to figure out how to use TEK without violating privacy of First Nations communities from a federal perspective.

9.8.2 Funding Questions

1. There is not enough capacity, government or indigenous: communities from Campbell River to Bella Bella do not have enough resources and the federal government does not utilize indigenous traditional knowledge to prevent accidents.
 - Specifically, the **engagement** process is geographically divided into North and South regions. The Central Coast is the most dangerous regions with numerous reefs and the region has not received adequate **engagement and consultation**. Training is not the principal problem as there are 5 indigenous People trained in spill response. The federal government must **consult** with indigenous peoples and respectively ask to share their traditional knowledge of dangerous waters.
 - GOC: no one is left out, boundary are used for GOC administrative purposes. All groups will eventually be consulted. But how does Fed government utilize indigenous knowledge (one of the objectives of this workshop).
2. Is it possible to create a one stop shop to access funding?
 - GOC is working to streamline the process.
3. What does it mean 'if funds are available'?
 - \$2 million cap/per year. If funding runs out Fed government will have to apply for more funding.

9.8.3 Government of Canada administrative related questions

1. Why did the introductory remarks on the OPP only focus on response and safety, but not to environmental protection?
 - GOC: Prime Minister's pillars include environmental protection and safety.
2. Have some OPP initiatives been put on hold as a result of Kinder Morgan, and is the OPP linked to that project proceeding?
 - GOC: The OPP is not linked to a specific project. OPP still going forward regardless of KM outcomes.

9.8.4 Initiative Question: Southern Resident Killer Whale (SRKW)

1. Would ship noise mitigation be part of the OPP without the Trans Mountain expansion?
 - GOC: not related
2. Was boat prop design part of the ship noise mitigation risk assessment and why are traffic mitigation procedures not used in other regions like the Central Coast?
 - GOC: Area of encouraging Port Authorities to incentivize underwater noise reduction from additional installation. Financial incentives in Ports of Vancouver and PR is driving some change – proven to reduce noise. Working with Pacific Ports clean air initiative to have uptake around the Pacific (Internal Maritime organization). Also working directly with some operators, such as BC Ferries to discuss methods they could utilize to alter existing or new boats.
 - GOC: Focus of SRKW work has been centered within critical habitat. TC relying on DFO's infrastructure to get information to feed studies. Budget announcement on further research, 12-14 planned this year to further this study on underwater noise.
3. Need to consider wider representation in risk assessment process and economic/ social/cultural impacts into the SRKW work. What are plans for incorporating Indigenous views in the future?
 - GOC: Plan is evolving over the next few months. Need to assess overall impacts on all communities. At this stage, have a fairly good idea how to assess risk individually, not holistically. What is wanted is to bring scope down to 'safety on the water', did not want to invest in the analysis until understanding was gained. Testing of concepts phase, concepts to reduce noise, and then develop the right considerations before implementing them. Looking for contacts at Table 12 to engage in discussion on this, if this is something you are interested in being involved in.

4. Are mitigation measures for marine noise similar for transient killer whale populations as the SRKW? What about the impact of noise pollution from sport boats, for example near Campbell River, on resident killer whales?
 - GOC: Study focused on resident. DFO has collected data, but speaker did not focus his study on that. But certainly there is overlap, so TC is working closely with ECCC and DFO where there are threats. DFO would be looking at fishing, but TC is interested in noise disturbance.
 - Working with DFO and Environment and Climate Change Canada to create regulations to increase boats distance from killer whales when they are observed.
5. What about marine noise effects on resident Northern resident killer whales?
 - GOC: Studies on SRKW may translate as well to NRKW, but we do not have the requisite information to make conclusions. We invite people to be involved in this discussion. Impact of changes to shipping regulations create new issues: but using proactive vessel management to use knowledge from South Coast to cross over to other areas.
6. a) Was there any TK used when conducting the study; b) did you use existing hydrophone data; c) Don't you have the power to enact regulations to protect these animals and other aspects?
 - a)GOC: using eco-program and S resident killer whale symposium to gain some TK: both programs were successful to gain enough TK for preliminary investigation
 - b)Yes, they are using existing data as much as possible (as installing hydrophones are expensive)
 - c)In Santa Barbara studies were done to improve vessel fuel efficiency and reduce air pollution; unintended benefit was reduced underwater noise. Therefore, mitigating noise for S Resident Killer Whales likely to have cross benefits for other species and maybe fuel and pollution reduction
7. How are you using other information to inform what you are doing here – learnings out of LA court redirecting traffic and blue whales – did you draw on other studies?
 - GOC. A lot comes up in background research. How do you engage various interests to come up with solutions? For this particular project we were geographically limited and DFO's SRKW had to address geographic specific findings. Due to the limitation of time, this particular project looked at singular measures, individually. Going forward, there could be a combination of factors to get a larger net benefit, probably where TC needs to go next.
 - An example, Santa Barbara Channel, used existing hydrophones to monitor ship noise. Speed restriction were introduced to improve air quality and fuel efficiency. Achieved fuel efficiency and air emissions targets, saved money. They unexpectedly achieved a significant reduction in underwater noise. SRKW may have cross benefits. Saving money and reducing emissions and underwater noise may all relate.

9.8.5 How can Indigenous groups best provide feedback, and where possible input to future policies, standards and legislation?

- From past discussion it is very clear that Fed government has to visit First Nations communities to learn what specific issues affect the community and what, if any, OPP initiatives apply to their community.
- First Nations groups need to be part of the policy making process, as equal partners: this can potentially be accomplished by visiting communities and asking First Nations communities for their advice and knowledge.

9.8.6 How can we work better together, along with other responders, on improvements to on the water response?

- Possibly using HARBO technologies to allow First Nations bands to quickly respond to spills in their communities.
- T'Souke First Nation pointed out that Nations are looking for solutions to protect their territories and want to work with federal scientists to ensure that time is not wasted by investing in futile technologies: like bonding agents that supposedly bond to oil; however, technologies need to be tested to determine what tools can be used to protect their territory. Knowledge sharing.

9.9 APPENDIX 8: SMALL GROUP DISCUSSION NOTES

Day 1, Morning: Enhancing Partnerships: (~20 min only)

1. What do you expect and/or need from initiative partners, and vice versa?

- For dialogue to be effective trust and respect is needed on a nation to nation level
- First Nations need to be involved from the beginning, some indigenous participants argue the 57 OPP initiatives were created without any direct indigenous involvement
- Inadequate capacity funding. Current GOC funding is on an ad hoc basis and is not disseminated in a systematic way. First Nations have similar functions as municipalities and should be funded as such.
- First Nations want to see how the GOC is implementing knowledge learned during the engagement workshops.
- Information Organization Theme
 - Information shared by indigenous peoples to GOC should be carefully considered and protected. Specifically, when the GOC seeks engagement, what is the GOC doing with this information? If the information is not being used, then trust is not being built. First Nations are not willing to share sensitive information if it is not being protected or used in a respectful way.
 - Better information dissemination. Many indigenous members are not aware of which initiatives are happening concurrently. When, how it will they be integrated, will GOC be integrating with the Province?
 - Concern of duplicating information and work through various Federal department involvement in the OPP; there is a need for a potential inter-department hub. Information needs better coordination and organization.
- Jurisdictional issues: province needs to be at the table as they are a key player. They have a significant portion of the jurisdiction and land water interactions are important aspects for protecting the ocean resources. There is a need to have all levels of government present when engaging First Nations.
- Formal recognition of Nations territories by all layers of government- federal/provincial/regional/municipal. Nations consider our territory and treaty rights as extending into the water.
- Focus on the actual needs of First Nations communities and what OPP initiatives best match a First Nation's needs. This must be led by First Nations.
- Where is OPP going, what are the objectives and how will they be measured?

2. **What are examples of successful Indigenous-government partnerships in your area?**

- **Provincial example with BC water authorizations group and Halalt** in the management of water resources (aquifer and ground water) – work is based on relationship building, regular meetings were established including meetings with the Chief, Province seeks input from Halalt to ground truth input received in applications; Province has been responsive to receiving input and examining options for revising their processes. It was recognized that there are limitations with this type of partnership including difficulty in expanding to include multiple groups.
- **UNESCO biosphere designation, working group consists of Tofino, First Nations, Industry** - Understanding FN values and incorporating them into decision making. This approach takes time, involving everyone that has a stake, and ensuring that decisions benefit all implicated groups.
- **Work of Musqueam, TWN and Squamish on CEMI with ECCC** – held an elders and youth gathering to identify VECs and determine monitoring priorities, nations are still moving this initiative forward slowly. Nations have carried it, with funding and support with technical expertise from ECCC within GOC, but initiative is led by Nations.
- **IAMC**, Indigenous led initiative that GOC was invited to join. Strengths include opportunity and freedom to comment and speak independently of GOC
- **Pacheedhat and CCG** work on selection of site for CCG station.
- **MOU on cooperation and communications**
 - Flooding of the areas within the Fraser river
 - Quarterly meetings with chiefs, mayors
 - Initiative by one of the First Nations, recognizing mutual interests and inter-dependencies
 - Sub-committees, and working groups support to focus on specific issues
- **Haida**: success with DFO MPA (co-managed)
- **Regional specific example**: When CCG decided to build a new Environmental Response Station in the Nootka area, they initially met with the First Nations in the area to discuss their idea for a station at Friendly Cove. After the dialogue with the First Nations, and using information provided, it was agreed that the station should be at Tahsis, and not Friendly Cove. This is an example of how government included the views of the FN, and how projects should be conducted. The Commissioner of the Coast Guard visited the site in person and that was appreciated.

- **Land advisory board- First Nations Land Management Act-** own governance and taxation for reserve lands. More empowerment for Nations to exercise their jurisdiction, can work at speed of business. Nation building because builds good governance. Structures can be empowering. Subgroup models can inform how the partnerships happen. Good to have broader discussions but need to scope it down to achieve things.
- Specific regional (geographic) forums are more effective instead of very large North/South meetings. Smaller forums would better be able to deliver results

3. What makes them successful?

- Having First Nations present from the beginning
- Funding to allow of adequate capacity
- Focus on relationships.
- Having all relevant levels of government present
- Recognizing that decisions must benefit everyone.
- Communication and transparency

4. What are some barriers?

- Number of First Nations groups involved can complicate ability to build meaningful relationships.
- Number of initiatives underway (recognition tables, fisheries management, how to implement UNDRIP, etc.).
- Inadequate funding for engagement and capacity funding.
- Capacity funding: to allow for First Nations to actively engaged and for doing: legal and technical expertise, participate and beyond engagement.
- Better coordination across all regional OPP initiatives
- To identify where capacity funding is needed, need to have a detailed schedule of meetings
- Meetings can arise unexpectedly as the schedules for engagement are constantly evolving, moving targets. Need to better support FN's coordination of their own meetings with OPP engagement events. i.e. shared calendar
- Complex governance structures within First Nations themselves.
- Will engage differently at aggregate level vs. individual Nation
- Changes to GOC approach (i.e. the switch from regional approach to broader forums)

Day 1: Afternoon - Towards Alignment in our “Ways of Knowing” (~ 45 min)

1. Learning from the example shared or other experiences in your area, how could we proceed to better integrate Indigenous knowledge into the OPP? Are there some key understandings/protocols that would need to be established up front?

• Consultation Theme

- TEK is not a commodity. It needs to be gained through a conversation with knowledge holders
- Protocols: engagement is key. Lack of consultations prior to the establishment of OPP hurt engagement.
- Reconciliation, ask the communities how they can make things better.
- Federal government needs to engage with each Nation on a higher level to identify and reflect management objectives of individual Nations
- Walk with us, see/feel what we do
- Work directly with communities – go to communities.
- Need to experience the TEK – not necessarily have it described – first ceremony for many things such as ‘first salmon’.

• Government of Canada Theme

- Decisions to prioritize OPP initiatives are currently opaque.
- Initiative leads should spend time as part of a group, committee, or round table to learn a different way of knowing from elders?
- Regions and sub-regions for RRP – build relationships as we develop these plans.
- Not just dialogue, need to get involved, commitment from government
- First Nations input and Knowledge about FN indigenous laws are not being acknowledged by the GoC

• TEK Specifics Theme

- Thresholds and indicators should include Indigenous culture and health.
- Some of the TEK is too sacred to share, but could be used to inform the policy but not publicly shared. Need to respect the nature of the information.

- Differences in TEK between genders
 - First Nations guardians – eyes and ears along the coast, recruit young and inspire.
 - Guardians working directly with NCR – teaching them about the land during their patrols
 - Look at Jaclyn Cleary DFO for herring very early example of how TEK is worked incorporated.
 - Use of existing experience and build on this, leveraging expertise
2. Would this topic benefit from further discussion? If so, what are some ideas for what would make it successful?

• Funding Theme

- The funding model needs to be revamped to provide capacity directly to Nations.
- Funding that is still available should go directly to Nations to implement their vision of oceans protection. What funding is left? How is it broken down?
- Inadequate capacity funding. In order to integrate FN knowledge funding is required. Canada cannot expect to benefit from knowledge without providing capacity funding. One comment: “do not expect to ask experts in our community to act for \$0”.
- Issues with communication and travel costs for remote communities: many communities cannot travel to conferences and do not have/adequate internet access.

• Consultation Theme

- Bring in Indigenous people to actual decision making. And have decision makers present at information sessions.
 - Have discussion tables to have a diversity of perspectives informing how the decisions that impact them are made.
 - Clear need to go to each community and talk to each communities elders. There is a clear need to “ASK” to come to communities and to learn. Suggestion that there is a Pilot Program: elder and local knowledge is used for navigation and incorporated into wider navigational tools.
- Indigenous knowledge should consider views of both elders and of the youth – they are the ones in the field and working on the water now.

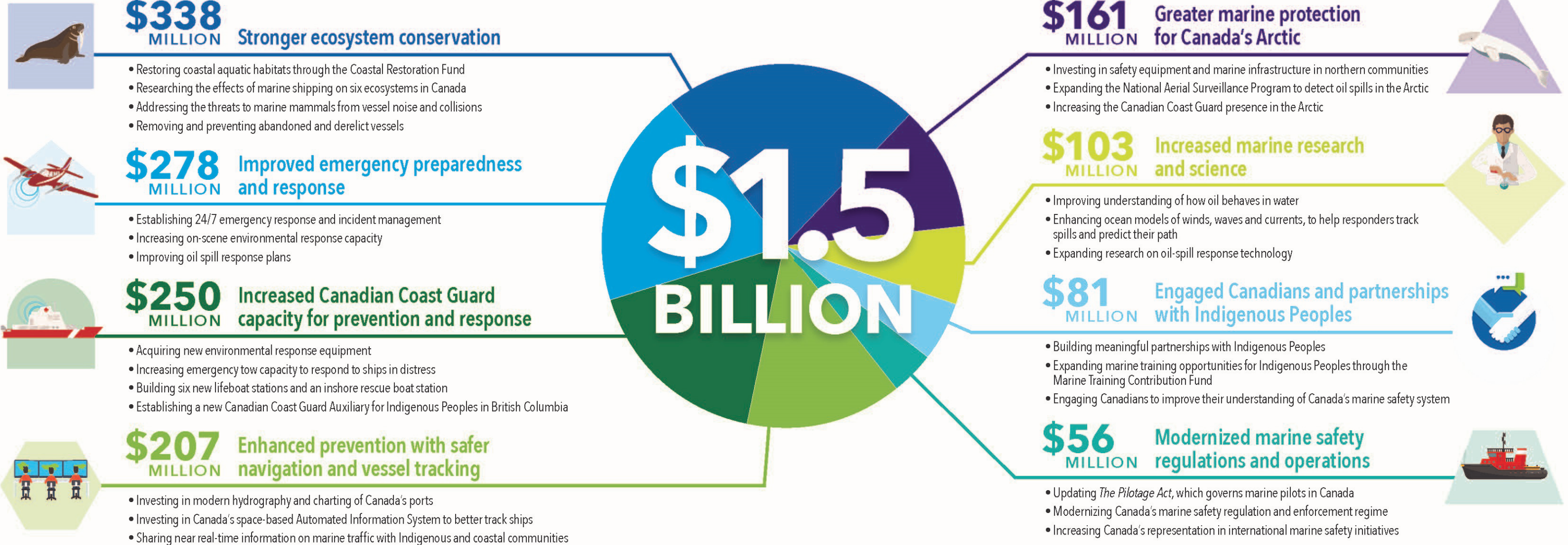
- Nations need to get together to approach TC as a group to cover a bigger area as a group. Iron out problems come forward with one voice.
 - First Nations Chiefs and Council are government. The First Nation government officials are very busy with other tasks yet they make the time to attend the workshops. The GoC should have people at a similar level of government, not just public servants, at these workshops.
 - Feedback of input received needs to be provided in a timely way.
 - There was an agreement that the Salish Sea Conference is a good model
 - Panels included a spectrum of presenters: industry, regulators, First Nations, scientists, etc.
3. How might indigenous perspectives and traditional knowledge be incorporated into a potential future Cumulative Effects assessment?
- The value of TEK diminished unless it's prioritized early on. Not just checking a box. Also, that's when you get the best value out of it.
 - **Geographic Context**
 - Start with only a small location as opposed to a national initiative.
 - Government needs to accept that there are individual conditions at each community and has to be ready to integrate traditional knowledge at the local level.
 - To assist First Nations with knowing how OPP initiatives impact or may impact on them, it would be helpful to hold mini-trade shows at each community where information on the specific initiatives that affect the local area could be shared in detail. It is not working to have all communities come to one large workshop.
 - **Consult with Communities**
 - Be mindful of oral history, that many FN cultures are oral. Get a lecture before you get an answer; it's being forced, and questions being asked (e.g. OPP) that shouldn't have to be answered for given purposes.
 - For Cumulative Effects of Marine Shipping Initiative question: need to go to communities before planning to incorporate TEK into the initiative. For cumulative effects, anticipate multiple meetings. Need to make space for different kinds of knowledge and different ideas.
 - For Marine Shipping look to Tsleil Watuth example, as it incorporates TEK in a good way. Also include cultural and community cumulative impacts as well.

- Privacy Theme

- Need to respect and make avenues for private or confidential information (e.g. sacred sites). Example that there are ecologically confidential information (e.g. egg collection for at risk species). Can have broad sensitivities, cultural, biological, and physical.
- For private information, who views it externally? How is this communicated and shared, if at all? Maybe not sharing, but having contacts in the community for rapid emergency response.
- For mapping sensitivities, ECCC language may need to be altered. Sensitivities how? TEK, biological physical, and how are they ranked.
- Inland interests – pipeline – leak – impacts on watershed. Connection to the land and the water – implement into the policy and procedures. Build that capacity.
- First Nations would like to know what information and references are already available about cumulative effects – that is, can FN get copies of the documents that the Cumulative Effects team are using to make their evaluations? Or a list of literature that has already been reviewed?
- It is hard to know what additional information is needed until First Nations can see what has already been gathered.

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Note: program spending rounded to nearest million