

February 25, 2002

Mark Angelo
Head, Fish and Recreational Program
BCIT, Burnaby

Hi Mark,

Re: **“The Role of Public Groups in Protecting and Restoring Freshwater Habitats in British Columbia, with a Special Emphasis on Urban Streams”, a background report prepared for consideration by the Pacific Fisheries Resource Conservation Council.**

Thank you for the opportunity to provide input to the background report. We would like to express our appreciation for the chance to discuss the report with you at the January DFO Community Advisors meeting in Harrison Mills. It was unfortunate that co-author, Dr. Rosenau and the PFRCC Chairperson, Honourable J.A. Fraser were both unable to attend. We applaud your efforts in bringing fish habitat issues to the forefront such as the issue of the role of public groups in protecting and restoring Freshwater Habitats in BC.

We have received 15 responses from Community Advisors (CAs), Regional Headquarters (RHQ) Stewardship and Community Involvement staff, a member of RHQ Oceans and Watershed Planning and Restoration, and a HCSP Area Coordinator from Fisheries and Oceans Pacific Region. The responses have been summarized in the attachment for your consideration, according to sections in the background report. CAs, Bryan Allen (retired) and Rob Bell-Irving have written letters directly to Hon. John Fraser, which are also considered in this coordinated response.

The department has a history in supporting and fostering public participation in protecting, restoring and enhancing fish and fish habitat through the many programs and initiatives that are mentioned in the background report. We agree that public groups can play a greater role in protecting and conserving fish habitat. Undoubtedly, this report has raised the important issue of what the role government agencies have been and should be playing in engaging the public to sustain fish habitat and populations. The challenge for all of us is to move forward on this issue. It is our hope that our response to the report will assist and be taken into consideration in the development of the next PFRCC Annual Report.

Sincerely yours,
Jeff Jung
A/Regional Chief
Stewardship and Community Involvement
Fisheries and Oceans, Habitat and Enhancement Branch

ATTACHMENT

Abstract

- The respondents generally agree that “*government institutions framework and agencies at all levels in British Columbia are no longer capable of protecting and restoring freshwater environments on their own*”. However, the value of public groups and government working together towards co-operation and collaboration should not be diminished.
- The respondents generally agree with the importance of advocacy as a role that public groups can play. We do not agree that the role of advocacy is the only one that public groups should play.

Introduction

- Point 4: General comments such as “*many fisheries programs and their personnel would be considered expendable or due for re-deployment if the policies and bureaucracies for which they had been working had caught up with the most up to date scientific information.*” should be better supported by analyses. There are administrative and bureaucratic hurdles to overcoming and implementing change, but there is disagreement that professional fisheries biologists will resist change that is appropriate and required simply to protect status quo. It’s the fisheries biologists (many within agencies) that have promoted many of the essential changes in harvest regimes, habitat protection, research and legislation that were required to support conservation efforts in the last decade. There is also disagreement that fisheries personnel are expendable. In fact under the present circumstances with the workload far outstripping DFO’s capacity and the provincial move toward making industry and development interests more responsible for environmental protection, more, not less skilled fish habitat professionals may be required.
- Point 5: Although fish culture is not sustainable over the long-run as indicated in the last paragraph, the omission of benefits to short-term enhancement (2-3 cycles) may lead readers to believe that enhancement under all circumstances do not work.
- Point 6: Many developers would likely disagree that they can “purchase an answer”. Their paid ‘professionals’ have had mitigation proposals reviewed by DFO and conclude that the project will cause a harmful alteration, disruption or destruction of fish habitat (HADD), resulting in ‘compensation’ requirements.

2.2 Stewardship and Advocacy

- Respondents generally agree we need to take care in how we use the term “stewardship”. Stewardship activities include the ones listed in this section, however it is more encompassing than that. Stewardship includes all of the techniques advocates use **and** being involved in planning processes and working directly with industries, developers and landowners that may cause habitat destruction. There is currently no legislation that supports the ability to issue orders to prevent Section 35 offences. As such, stewardship can be an important mechanism in preventing habitat destruction. Stewardship focuses on proactive approaches, rather than restorative ones and is based on the development of a land ethic. The distinction between the use of the terms stewardship and advocacy in this report is important as it creates confusion in what stewardship really means.
- CAs agree there should be recognition that the salmon enhancement community involvement activities assists in building and nurturing advocacy, especially in urban

areas. Sometimes the first step in building advocacy is restoring a stream and then putting fish back into it, otherwise what is there to advocate for? Most groups, even those engaged in only salmon enhancement activities, strongly support and advocate for the protection of fish and fish habitat in one way or another on a regular basis. Advocacy comes from a sense of ownership such as a creek or restoration project etc. Ownership comes from people getting involved in wide variety of hands on activities. When results are seen, from trees growing or fish returning to a stream; people become extremely passionate about what is happening in "their" creek.

2.4 Roles and Responsibilities

2.4.1 Importance of Advocacy

- Some respondents strongly agree with the authors and Howard Paish, in that “the presence of a strong community of individuals who are committed to the protection of the aquatic ecosystem and who act as watchers over the planning processes can curb the more egregious excesses to watershed or halt the before they occur.” However, these respondents felt that this point could be further emphasized as PFRCC seems to take a particular interest in restoration, “It was the view of the Council that it needed more information about how a more cohesive effort can be marshalled to deal with the challenges of salmon recovery, particularly in terms of habitat restoration.” (Introduction). This focus on restoration causes concern for some respondents that feel there should be a stronger emphasis on proactive habitat approaches.
- There is a great point regarding the difficulty of advocacy in smaller communities. However, some respondents disagree with the comment that advocates are more effective at dealing with local decision-makers and influencing resolutions than is government staff. In projects that are Authorized under s.35(2) of the Fisheries Act, CEAA is clearly the mechanism for habitat protection. Advocates can be extremely effective in educating local communities that will then be instrumental in affecting change in local governance issues regarding habitat protection. In some instances, local groups may have more influence in decision making than senior levels of government; however, making a broad statement sends an inaccurate message.
- The reasons for lack of advocacy that are identified in this section are reasons that HCSP chose to hire stewards as non-government employees.
- HCSP Habitat Stewards have provided expertise in mapping exercises. These tools are available to “advocacy” groups involved in protecting habitat, allowing groups to present objective rationale for protection purposes and can alleviate the “pushiness” described in this section.

2.4.2 Are some public groups becoming simply another level of governance?

- The statement “Agency employees do not appreciate....” is broad. We recognize the many examples of management and execution of projects that have been well done by NGO groups.
- Regarding the quality of product delivered by public groups. This section should not just be agency employees (as suggested herein) who have concerns about funding public groups for political reasons. This should be a concern to everyone. The point that needs to be made is that there are professionals who should be funded to do the technical and

professional work associated with their disciplines. There is also a committed and dedicated public who can be most effective to do advocacy, lobbying, public awareness, education etc and they should have access to funding to do this. There needs to be mutual recognition of the respective strengths and weaknesses of each group.

- While its true that all government funding is taxpayer dollars, the fact is that most public group funding from government (at least the federal government) comes from special programs such as FRAP, HRSEP, and HCSP which have a limited time frame, specific deliverables and objectives. The emphasis regarding funding for public groups should focus on the need for public groups to be financially independent of government by becoming proficient at fund raising and by accessing other funding sources such as foundations, business grants or donations that only they can access. The public should be encouraged to use foundations, business pledges/sponsorships, and generate funding through fund-raising events and activities. The truly successful public groups have a diversified donor base.

3.1 Legislation

- In referring to the BC *Water Act*, the term ‘authorizations’ is used. The word should be ‘approval’. Section 9 of the *Water Act* is the reference for this and proper usage of this term may prevent confusion between DFO Authorizations (HADD) and approvals for work in and about a stream.
- Given the current and rapid changes occurring viz a viz environmental and public participation legislation in BC right now this section needs considerable updating.
- Many changes have occurred and are further anticipated that will severely curtail and limit the public’s ability to influence or challenge business based economic decisions that may have significant environment consequences (see current newsletter from West Coast Environmental Law at <http://www.wcel.org/4976/27/03>). While these changes require constant vigilance by all those concerned about environmental quality and sustainable salmon resources in this province the only effective way to deal with the political basis for these changes is at the ballot box.
- The section on the 3 main functions of the federal *Fisheries Act* appears to be a combination of the specific authority in the Act and the PFRCC interpretation of National Fish Habitat Policy. Specifically, section 37(2) orders don’t apply to HADD’s and the Act does not specifically enable the establishment of boundaries or guidelines for developers. These are administrative tools we developed to provide advice and hence, avoid section 35/36 offenses. These proactive tools are enabled and supported by the National Habitat Policy, not the *Fisheries Act*.

3.2 Resource initiatives by senior governments to facilitate public groups

- Information in this section seems to have come largely from promotional-type program documentation and is dated in some instances. It would have been more informative if program staff were given an opportunity to review the appropriate sections of the report before it was published.
- Stock declines is not a fish production issue, it is a human management issue. This must be addressed. The real solution lies in changes with human relationships to the environment.

3.2.1/3.2.2 The BC Urban Salmon Habitat Program/Fisheries Renewal BC

- The report does not offer much opinion on these BC programs or discuss the positive or negative implications of these programs with respect to stewardship and advocacy.

3.2.3 SEP

- We recognize the authors' acknowledgement of the success of enhancement projects in engaging the community in fish habitat issues as stated in section 2.3.1 "*Many of these [community] groups were originally formed as a result of the efforts of the federal Salmonid Enhancement Program*".
- However, we are concerned that if the report offers opinions on this program with respect to stewardship and advocacy, it should have been done with more current information and input. It is not new that in the 1970s and 1980s, that the focus was fish production. Salmon enhancement activities are but one "tool" in the "toolbox" in an integrated approach to conserve, protect and restore salmon stocks in B.C. and the Yukon. The community involvement component of the "old SEP" supported by the Community Advisors and their role (CAs) has gone through a transition that has not been recognized in the report.
- Some CAs have been active in supporting community groups in advocacy activities, such as:
 - Bryan Allen, retired CA - Vancouver Is. Highway development:
 - helped VIHP organise a community meeting so DFO>NNL standard was met;
 - sat on area-based citizen committee as technical advisor for volunteers to ensure a net gain of habitat for every stream crossing;
 - and paid costs for planning sessions independent of VIHP, through public involvement budget.

Rob Bell-Irving, CA:

- Campbell River watershed management plan, estuary restoration/protection, and new improved Community OCP and other Stewardship initiatives all originated from the Quinsam Hatchery.
- formed the Save Our Salmon Task Force set up to examine the Quinsam Coal Mine and Western Mines pollution issues resulting in the first Environmental Inquiry ever held as a process in BC.
- During the 1980's in Campbell River, Hatchery and Community Advisor colleagues were similarly involved with some of the first co-operative industry – government – public partnerships. These groups were involved with the Tsolum river acid mine drainage, Oyster river logging management plans, Gold River logging (M.P.'s), Willow Creek urban logging small stream impacts, investigating the aquaculture industry and in short challenging every habitat negative impact issue in our North – Central Vancouver Island Area. They also set up processes to try to better manage these impacts.
- Wrote a weekly newspaper column and publicised for nearly 20 years (1980-1999) on the issues of habitat restoration, protection, community watershed management, small urban stream protection and so on.
- Helped start the Discovery Coast Greenways Advocacy Group, which facilitates local government "*intricacies, subtleties, legislation, policy, regulation*" in Campbell

River. Participated in Community planning forums dating back to the late 1980's, formed the Willow Creek Watershed Society, the Menzies Creek Society and numerous other urban stream habitat protection advocacy groups.

- Watershed planning participation such as the Watershed Fish Sustainability Planning (WFSP) developed under the Canada BC Agreement:
 - Sandy MacLaurin, CA: Rivers/Smiths and Bella Coola
 - Brenda Donas, CA: Bulkley/Morice and Skeena
 - Aleria Ladwig, CA: Nimpkish - 35-40% of workload is dedicated to watershed planning
 - Tom Rutherford, CA: Sooke and Todd
- SEP also has a strong K-12 education component that includes Salmonids in the Classroom, classroom incubations, fish dissections, habitat surveys and more. There are Education Coordinators in the Pacific Region that help deliver these programs with the CAs. These programs are sewing the seeds in changing society's values.

3.2.4 The Federal Government and "A New Direction"

- HCSP provides funding for four types of positions (two of these were neglected in the report): Habitat Stewards, Habitat Fishery Officers, Stewardship Coordinators and Habitat Auxiliaries.
- The Endowment Fund should be described as independent, permanent fund "designed to mobilize people to work together in a focused effort to conserve and rebuild salmon stocks in British Columbia and the Yukon." It was not necessarily only for projects.
- The relationship between the work of the Coho Response Team and CFAR is confused. The Pacific Fisheries Restructuring Program (PFRP) of CFAR was the result of the Coho Response Team consultations and report. Of the \$400M allocated to PFRP \$100M was allocated to the Resource Rebuilding Strategy - the strategies of which are correctly depicted.

3.2.4.1 HCSP

- HCSP is delivered by seven Area Coordinators (not six).
- Program Manager is currently advised through the Operations Committee with representation across the Pacific Region (no longer through the Implementation Committee).
- Program end date is March 2003.
- Although money was given to Streamteam and Salmonid in the Classrooms, these programs were not closely tied to HCSP. Also, HCSP is only one of several funding partners for the Stewardship Centre.

3.2.4.3 Pacific Salmon Endowment Fund

- Pacific Salmon Endowment Fund only received monies from DFO, not other federal departments. It is managed at arms-length. Furthermore, fund coordinators chose to focus on priority watersheds. This was not a pre-set principle.

4.0 Profiles of Three Successful Public Groups that have made a Difference

- The report could have expanded the focus beyond the Southwestern and the Lower Mainland of BC. There are many other successful “urban” community groups at work on the East Coast of Van Island, i.e. Project Watershed in the Comox Valley, Veins of Life in Victoria, etc. that also deserve to be profiled and possibly used as case studies of successful groups.
- It would have been good to have some more specifics on what government people and agencies were involved and what they provided to the processes, really keying in on identifying what tools were needed. Also, what were the costs and what it might cost on an annual basis. Initiatives like the LRMP's and Integrated Management Planning should have been mentioned. And what about the national volunteer initiative?

4.1 Alouette River Management Society

- The HCSP coordinator is with CFDC not with ARMS due to conflicts. ARMS's main focus is mapping, inventory (mainly biophysical collection) and restoration. Furthermore, they may be doing their projects in the absence of a watershed plan. ARMS is a balance of advocacy and restoration. The first bullet that identifies ARMS's success due to a long history of community support is contradictory to the statement that the group relies too heavily on individuals. Also, government mainly funds ARMS, which may be unsustainable in the long-term.