

# Best Practices Research for the Shared Waters Alliance

Informing transboundary collaboration in the Boundary Bay Basin to improve water quality and restore shellfish harvesting for Semiahmoo First Nation

UBC Sustainability Scholars Report, Summer 2023 Prepared for: Shared Waters Alliance & Semiahmoo First Nation Prepared by: Bryce Henney

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I want to recognize Semiahmoo First Nation as the proper rights holders owners and guardians of Boundary Bay Basin and hope to acknowledge/uphold their authority. Lastly, I acknowledge that the work for this project took place on the unceded ancestral lands of the xwmə0kwəyəm (Musqueam), Skwxwú7mesh (Squamish), Stó:lō and Səlílwəta?/Selilwitulh (Tsleil- Waututh) Nations.

#### DISCLAIMER

This report was produced as part of the UBC Sustainability Scholars Program, a partnership between the University of British Columbia and various local governments and organizations in support of providing graduate students with opportunities to do applied research on projects that advance sustainability across the region.

This project was conducted under the mentorship of Fraser Basin Council staff. The opinions and recommendations in this report and any errors are those of the authors and do not necessarily reflect the views of the Fraser Basin Council, Shared Waters Alliance, or the University of British Columbia.

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#### ACRONYMS

BC - British Colombia

DFO - Department of Fisheries and Oceans Canada

SSIGA - Salish Sea Indigenous Guardians Association

SWA - Shared Waters Alliance

WATCH - We All Take Care of the Harvest

### **Executive Summary**

#### CONTEXT

Shared Waters Alliance (SWA) is an international working group focused on the water quality of Boundary Bay which lies within the unceded territory of Semiahmoo First Nation and straddles the Canadian and US border. A primary driver for forming this working group was shellfish harvesting closures on both sides of the border due to bacteriological contamination. In 2018, efforts were made to re-engage and re-initiate SWA, following the pattern of the Whatcom County Clean Water Program to identify and address contamination sources on the Canadian side. SWA has expanded its scope to reflect emerging concerns, such as nonpoint source pollution and ecosystem management while still maintaining its historical focus on shellfish harvest for Semiahmoo First Nation.

#### **RESEARCH SCOPE**

For the summer of 2023, a UBC sustainability scholar was hired to help advance the work of Shared Waters Alliance with a specific focus on:

How can collaborative efforts be improved to enhance and restore the interconnected systems (ie. water quality, watershed health, and food sovereignty for Indigenous Nations) of the Boundary Bay Basin that lies within the unceded territory of Semiahmoo First Nation and straddles the Canadian and US border? The Shared Water Alliance and Semiahmoo First Nation are interested in recommendations on best practices and suitable approaches for Indigenous and non-Indigenous communities and organizations to collaborate on efforts that include enhancing water quality and restoring traditional harvesting practices.

#### **RESEARCH PROCESS**

To develop recommendations and suitable approaches to advance Shared Water Alliance and Semiahmoo First Nation's work, an investigation of relevant case studies, a series of interviews, and a review of SWA's work was completed. This project was conducted in parallel and in support of Christy Juteau's research. She provided insight and key guidance on the general areas that could use investigation in addition to specific case studies to consider.

The relevant case studies that were analyzed included:

- Pauquachin First Nation's current efforts with local municipalities to restore Coles Bay fishery
- Kyuquot/Checleseht First Nations' past initiatives involving Conditional Management Plans
- General efforts of the Cowichan Watershed Table (including efforts to restore harvesting)
- Hood Canal Shellfish Initiative (Hood Canal Coordinating Council)
- Area-Based Aquaculture Management Pilot Program Govt of Canada and K'ómoks First Nation
- Kitasoo Xai'xais Nation Marine Protected Area
- First Nations Health Authority We All Take Care of the Harvest (WATCH)
- Tsleil-Waututh efforts on the Burrard Inlet (Burrard Inlet Action Plan)

In addition to the case study research, discussions were held with the following individuals (although more people were originally contacted with the hopes of connecting):

- Heather Pritchard and Tom Rutherford, Cowichan Watershed Board
- Sophia Elliot, Cowichan Tribes
- Kim-ly Thompson, Simon Fraser University and Gitga'at First Nation
- Anuradha Rao, Tsleil Waututh Nation

### **Executive Summary (cont.)**

#### **RECOMMENDATIONS/AREAS FOR CONSIDERATION**

Recommendations/areas for further consideration were developed to inform and guide future efforts of SWA and Semiahmoo First Nation. They provide a jumping-off point from which more thinking and action can be developed. They are intentionally not prescriptive so the SWA core team and other participants can influence and guide how these considerations are specifically addressed. Ideally, further sessions would be held for the core team to workshop and develop their responses to the lines of inquiry discussed here.

The seven recommendations/areas for consideration are listed below:

- B.1 Understand regulatory pathways to restore shellfish harvesting
- B.2 Increase Indigenous collaboration including Coast Salish transboundary identity and connection
- B.3 Assess how can SWA and Semiahmoo effectively support each other
- B.4 Support-placed based planning rather than project, plan, or organizational-based planning
- B.5 Better advance and develop shared agency
- B.6 Provide more opportunities for participation and collaboration
- B.7 Bring focus to areas that have teeth around water quality issues

Based on the seven recommendations/areas of consideration, three priority areas have been identified:

### Investigate opportunities to scale up efforts around restoring shellfish harvesting and improvement of water quality

If all the First Nations that desire to restore shellfish harvesting work together, they can share knowledge/resources and put more political pressure on the Canadian government. The core team can look for opportunities to coordinate and sync with the work of Salish Sea Indigenous Guardians Association, Salish Sea Initiative, and other similar initiatives/organizations. Further, Nations working together across the border can advance the transboundary Coast Salish identity and help form regional initiatives that span across the U.S.-Canadian border.

#### Create spaces for more coordination and collaboration

By investing more time to develop working relationships and spaces for more collaboration, reciprocal value can be created for both participating organizations and SWA (ie. the goals of SWA and other local/regional entities are aligned, supporting SWA's work helps advance an individual organization's work).

#### Look for additional funding opportunities or sync with initiatives that have more resources -

Related to the above, more funding could allow SWA to 'get the wheels rolling' and build more momentum for SWA's work including developing more working groups. Further, having additional resources can work to legitimatize SWA's work which can lead to more sustained participation from various entities over time. The Tsleil-Waututh Nation invested significant resources to build working relationships and collaborative spaces. Although this was initially expensive, governmental organizations see the value of the collaborative work and are willing to legitimately participate.

### A. Introduction

#### A.1 CONTEXT

Shared Waters Alliance (SWA) is an international working group focused on the water quality of Boundary Bay which lies within the unceded territory of Semiahmoo First Nation and straddles the Canadian and US border. A primary driver for forming this working group was shellfish harvesting closures on both sides of the border due to bacteriological contamination. In 2018, efforts were made to re-engage and re-initiate SWA, following the pattern of the Whatcom County Clean Water Program to identify and address contamination sources on the Canadian side. SWA has expanded its scope to reflect emerging concerns, such as nonpoint source pollution and ecosystem management while still maintaining its historical focus on shellfish harvest for Semiahmoo First Nation.

#### ABOUT THE SHARED WATERS ALLIANCE

#### VISION

Boundary Bay is a healthy, vibrant ecosystem, with diverse and abundant flora and fauna, and robust water quality including clean rivers and creeks, providing First Nations food, social and ceremonial security and a rich natural heritage for future generations.

#### PURPOSE

The purpose of the Shared Waters Alliance is to bring together First Nations, government agencies, non-government organizations, and the public to collaborate, inform, and improve the status of water quality in the Boundary Bay Basin.

#### SCOPE

Collaborate on environmental projects that can inform and improve the status of water quality in the Boundary Bay Basin.



Figure 1. Boundary Bay Basin

Figure 2. Nations of Salish Sea (UVIC, 2015)

#### A.2 RESEARCH SCOPE

For the summer of 2023, a UBC sustainability scholar was hired to help advance the work of Shared Waters Alliance. The scholar's work was focused on answering the following:

How can collaborative efforts be improved to enhance and restore the interconnected systems (ie. water quality, watershed health, and food sovereignty for Indigenous Nations) of the Boundary Bay Basin that lies within the unceded territory of Semiahmoo First Nation and straddles the Canadian and US border? The Shared Water Alliance and Semiahmoo First Nation are interested in recommendations on best practices and suitable approaches for Indigenous and non-Indigenous communities and organizations to collaborate on efforts that include enhancing water quality and restoring traditional harvesting practices.

#### A.3 RESEARCH PROCESS

To develop recommendations and suitable approaches to advance the Shared Water Alliance and Semiahmoo First Nation's work, an investigation of relevant case studies, a series of interviews, and a review of SWA's work was completed. This project was conducted in parallel and in support of Christy Juteau's research. She provided insight and key guidance on the general areas that could use investigation in addition to specific case studies to consider.

The relevant case studies that were analyzed included:

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### **B. Recommendations/Areas for Further Consideration**

Recommendations/areas for further consideration were developed to inform and guide future efforts of SWA and Semiahmoo First Nation. They provide a jumping-off point from which more thinking and action can be developed. They are intentionally not prescriptive so the SWA core team and other participants can influence and guide how these considerations are specifically addressed. Ideally, further sessions would be held for the core team to workshop and develop their responses to the lines of inquiry discussed here.

The below recommendations/areas for consideration are discussed in detail on the following pages:

- B.1 Understand regulatory pathways to restore shellfish harvesting
- B.2 Increase Indigenous collaboration including Coast Salish transboundary identity and connection
- B.3 Assess how can SWA and Semiahmoo effectively support each other
- B.4 Support-placed based planning rather than project, plan, or organizational-based planning
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If all the First Nations that desire to restore shellfish harvesting work together, they can share knowledge/resources and put more political pressure on the Canadian government. The core team can look for opportunities to coordinate and sync with the work of Salish Sea Indigenous Guardians Association, Salish Sea Initiative, and other similar initatives/organizations (Figure 8). Further, Nations working together across the border can advance the transboundary Coast Salish identity and help form regional initiatives that span across the U.S.-Canadian border.

#### Create spaces for more coordination and collaboration

By investing more time to develop working relationships and spaces for more collaboration, reciprocal value can be created for both participating organizations and SWA (ie. the goals of SWA and other local/regional entities are aligned, supporting SWA's work helps advance an individual organization's work).

#### Look for additional funding opportunities or sync with initiatives that have more resources -

Related to the above, more funding could allow SWA to 'get the wheels rolling' and build more momentum for SWA's work including developing more working groups. Further, having additional resources can work to legitimatize SWA's work which can lead to more sustained participation from various entities over time. The Tsleil-Waututh Nation invested significant resources to build working relationships and collaborative spaces. Although this was initially expensive, governmental organizations see the value of the collaborative work and are willing to legitimately participate.

#### **B.1 UNDERSTAND REGULATORY PATHWAYS TO RESTORE SHELLFISH HARVESTING**

Based on an investigation and analysis of the actions of First Nations in BC, three general regulatory pathways (shown on the next page) can be taken to restore shellfish harvesting. What is the effectiveness of the current strategy(ies) SWA and Semiahmoo First Nation are taking to restore shellfish harvesting? Is there a clear strategy in place that reflects one of the pathways shown below? Currently, Nations are responsible for demonstrating that pollution sources have been addressed. In the table on the following page, it generally appears that SWA has primarily focused on the middle approach (Collaborative Effort) with some efforts leaning more towards the right in the following table (Nation Led). How do we measure success as SWA pursues these regulatory pathways?

Government		Role/Responsibility	Challenges/Gaps
Canadian Shellfish	Fisheries and Oceans Canada	Opens and closes shellfish harvest areas; enforces compliance; responsible to protect the health of the fisheries resource	No mandate or capacity to restore shellfish harvesting areas once closed
	Environment and Climate Change Canada	Monitors bacteriological water quality to assess whether meeting shellfish harvest guidelines; recommends harvest classification based on monitoring results; identifies and evaluates sanitary pollution sources that may affect shellfish growing waters, including wastewater modeling and recommending emergency closures due to large rainfall events.	Only monitor in areas open to shellfish harvest; minimal to no capacity to initiate monitoring in new areas; no jurisdiction over freshwater pollution sources.
	Canadian Food Inspection Agency	Oversees handling, processing, import/export of shellfish; tests marine biotoxin and microtoxin levels in shellfish tissue; responsible for public health.	Only monitor in areas open to shellfish harvest; only one Canadian lab to test for biotoxins
Health Canada		Sets national standards to keep environment healthy, addressing water and air pollution; Sustainable development strategy;	Defers to the Canadian Shellfish Sanitation Program for shellfish management
Transport Canada		Controls disposal of boating waste into the ocean; protects the marine environment from pollution; prevents introduction of invasive species	Difficult to prove and enforce sewage dumping from boats; don't oversee marinas.
Fisheries and Oceans Canada	Aboriginal Aquatic Resource and Oceans Management Programs (AAROM)	Indigenous led Fisheries and Oceans program that supports Indigenous groups as they develop aquatic resource and oceans management departments that provide fisheries, habitat and science related services, such as guardians programs and developing fisheries related reconciliation agreements	Local AAROMs: Lower Fraser Fisheries Alliance and First Nations Fisheries Council of BC have prioritized salmon fisheries, not shellfish; Island Marine Aquatic Working Group (IMAWG) include shellfish within their scope, but are only working with Nations on Vancouver Island.

#### Figure 3. Federal Government Roles and Responsibilities to Manage Shellfish (Christy Juteau)

- Continue the Water Quality Technical Working Group to ensure Semiahmoo Nation along with members of the Shared Waters have access to sound, scientifically rigorous data monitoring and analysis
- Identify and report regularly on water quality monitoring as it related to existing Water Quality Objectives and the Water Quality requirement needed to re-open the Semiahmoo shellfish harvest
- Finalize a Governance Model with support from the orders of government (Indigenous, Federal, Provincial, Local)

#### **B.1 UNDERSTAND REGULATORY PATHWAYS TO RESTORE SHELLFISH HARVESTING (cont.)**

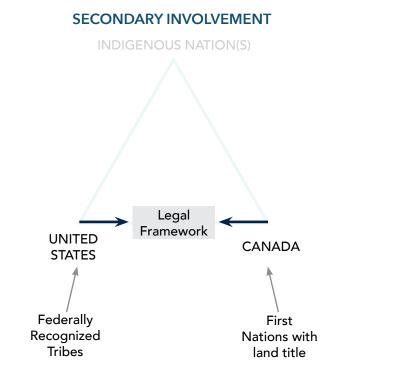
#### Indigenous Law and Leadership Colonial Law and Leadership **DFO Led Collaborative Effort** Nation Led PATHWAY DESCRIPTION • First Nation(s) waits for • First Nation(s) works in • First Nation(s) (further) DFO (and associated federal partnership with DFO to declares that they have entities) to conduct testing conduct testing and reopen jurisdiction over the area (use and reopen harvesting of Indigenous law) harvesting **ADVANTAGES** Promotes and enables Requires less resources from Supports sovereignty of First First Nation(s) (in this case collaboration between Nation(s) SWA and Semiahmoo) Canadian government and First Nation(s) **DISADVANTAGES** Difficult to rely on DFO Still have to rely on DFO Activities of state and especially with their lack of (although slightly less since federal government can capacity and mandate to some of the work is being oppose First Nation's goals focus on commercial harvest done locally) and desires areas Lack of local (ie. First Nations, NGOs in the area) influence in decision making LOCAL MONITORING CAPACITY NEEDED high low **EXAMPLES** • K'ómoks First Nation • Xai'xais Nation Indigenousdeclared marine protected Area-Based Aquaculture Management Pilot Program area (MPA) with DFO • Pauquachin First Nation efforts to restore Coles Bay

#### Figure 4. Regulatory Pathways to Restore Shellfish Harvesting

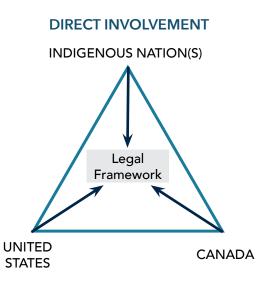
# **B.2 INCREASE INDIGENOUS COLLABORATION INCLUDING COAST SALISH TRANSBOUNDARY IDENTITY AND CONNECTION**

What is the role of SWA in providing opportunities for Nations to work together across the border and help increase the transboundary Coast Salish/Indigenous identity? Some of the benefits of Nations working together may include increased political clout by establishing Nations as their own entity(ies) predating and outside of US and Canadian control and increased opportunity for Nations to pool resources together as way to combat shared challenges.

Indigenous Nations should be able to represent themselves as their own entity similar to the U.S. and Canada as opposed to operating under these countries. The right image in the figure below demonstrates a governance structure that recognizes Indigenous Nations as their own entity(ies) or as one of the key parties involved (direct involvement). However, Nations may only have secondary involvement operating under the US and Canada. What is the role of SWA in communicating and advancing First Nations as their own sovereign entities? SWA currently provides a platform for direct involvement from Semiahmoo First Nation. Where could specific efforts be expanded? Is there enough focus and advancement on action "Support Semiahmoo Nation and other First Nations to explore the creation of water quality objectives and watershed plan?" Does another working group need to be created to advance this action?

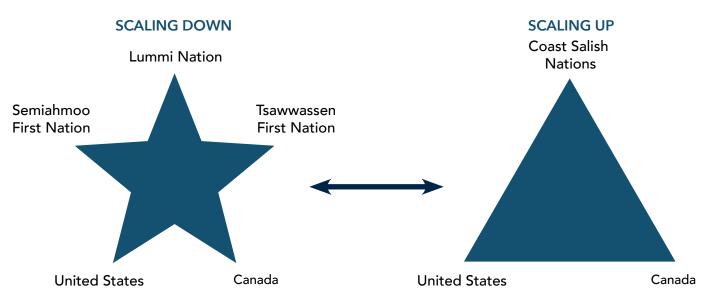


#### Figure 5. Comparison of Legal Frameworks



# **B.2 INCREASE INDIGENOUS COLLABORATION INCLUDING COAST SALISH TRANSBOUNDARY IDENTITY AND CONNECTION (cont.)**

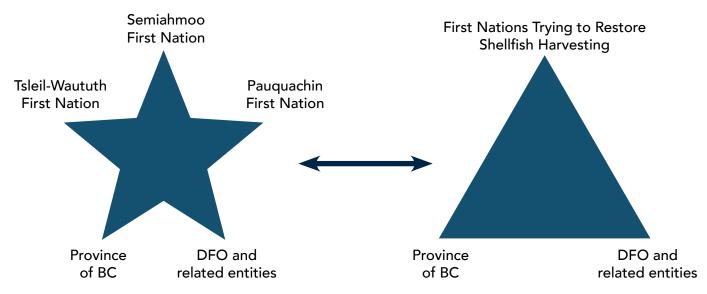
Emma Norman specifically discusses the power of "rescaling governance by 'scaling up' identities from individual bands and tribes to a collective Coast Salish Nation. The conscious effort to unify groups on either side of the border draws simultaneously on historical connectedness and the shared desire to address issues of environmental degradation" (Norman, 2017, p. 120). The Coast Salish Gathering was an example of an attempt to unite communities across the border. It helped to reject scales of governance that bifurcate Nations based on the nation-state system and redevelop a scale of governance that is aligned historically with Coast Salish territory (Norman, 2017). Other initiatives to scale up Indigenous efforts exist such as the Marine Protected Area Network in the Northern Shelf Bioregion (Network of the Northern Shelf Bioregion, 2023). Are there relevant opportunities for SWA to support the scaling up of efforts? Is this desired by Semiahmoo First Nation? What is the role of SWA in supporting these types of initiatives?



#### Figure 6. Scaling Up to Advance Coast Salish Transboundary Identity

#### **B.2 INCREASE INDIGENOUS COLLABORATION INCLUDING COAST SALISH TRANSBOUNDARY IDENTITY AND CONNECTION (cont.)**

There are many First Nations in BC that want to restore shellfish harvesting but face similar challenges working with DFO. Are there potential opportunities for these Nations to work together in putting pressure on DFO (and related entities) to address shellfish harvesting closures? In addition, Nations could share relevant knowledge and distribute workloads.



#### Figure 7. Scaling Up to Tackle Shellfish Harvesting Regulatory Challenges

Both the Salish Sea Initiative and the Salish Sea Indigenous Guardians Association also provide capacity and support the work of Semiahmoo First Nation. How can SWA increase coordination across these various entities? Is there a proper supporting role SWA can take? Should the Salish Sea Indigenous Guardians Association push for more collaborative planning efforts (ie. First Nations, Canadian and U.S governments, non-profits) across the region or should SWA have a leading role?

- Support Semiahmoo Nation and other First Nations to explore the creation of water quality objectives and watershed plan
- Expand the Core Team to potentially include other First Nations and/or Local Government. Recruit alternates for each Core Team role.
- Establish opportunities for further community engagement and community science initiatives
- Finalize a Governance Model with support from the orders of government (Indigenous, Federal, Provincial, Local)
- Engage senior decision makers (Indigenous, federal, provincial and local government) for participation in the Shared Waters Alliance structure
- Explore knowledge sharing with Indigenous Nations and stakeholders involved in Drayton Harbour
- Identify collaborative opportunities with cross-border partners to enhance and advance water quality works in the Boundary Bay watershed
- Explore knowledge sharing with SENĆOTEN speaking peoples and other First Nations undertaking similar work

# **B.2 INCREASE INDIGENOUS COLLABORATION INCLUDING COAST SALISH TRANSBOUNDARY IDENTITY AND CONNECTION (cont.)**

Figure 8. Relevant Initiatives and Organizations



#### HEALTHY SHELLFISH INITIATIVE

New province of BC initiative (working Pauquachin First Nation)



FIRST NATIONS FISHERIES COUNCIL

Province of BC (2023) initiative to "build processes, capacity, and relationships to help First Nations in BC influence the integrated planning and management of Pacific fisheries and aquatic resources at the province-wide level... Our mandate was given to us by BC First Nations through the BC First Nations Fisheries Action Plan, ratified by the participants at the 2009 Fall Fisheries Assembly in Nanaimo BC, and endorsed by resolution of the BC Assembly of First Nations, the Union of BC Indian Chiefs, and the First Nations Summit. It is a shared vision on how to effectively achieve progress on Nations' goals and priorities, and create transformative change in fisheries."



WE ALL TAKE CARE OF THE HARVEST (WATCH)

Led by the First Nations Health Authority (2023), "WATCH is an exploratory project to develop and finetune an approach to a seafood and climate change that all coastal First Nations can adapt for their own purposes. Communities will therefore be involved in developing the approach, both in the Planning Phase, as well as in the Monitoring Phase. It addresses seafood safety, security and sovereignty in the context of climate change. The purpose of the project is to help coastal communities and their members decide if and when their seafood is safe to harvest."



#### SALISH SEA INDIGENOUS GUARDIANS ASSOCIATION

Salish Sea Indigenous Guardians Association (2023) "is an Indigenous, non-profit organization established to support meaningful participation in resource policy development and in decision making for our member First Nations pertaining to regulatory processes and development in Traditional Territories. We aim to build a legacy of true reconciliation that will implement a practical resolution to the shortfalls of regulatory practices that have long been inadequate and problematic in supporting the interests and needs of Indigenous communities."



The Salish Sea Initiative (2023) from DFO "supports eligible Indigenous groups to monitor cumulative impacts of human activities on local marine ecosystems. The accommodation measure responds to concerns about the cumulative effects on valued ecosystem components. Through the initiative, the Government of Canada is co-developing processes with eligible Indigenous groups to ensure longterm funding to support capacity building, monitoring, research, systems infrastructure and knowledge acquisition, integration and sharing to inform adaptive management."

#### **B.3 ASSESS HOW SWA AND SEMIAHMOO CAN EFFECTIVELY SUPPORT EACH OTHER**

SWA and Semiahmoo First Nation work together to restore shellfish harvesting and address other ecosystem challenges. In some ways, SWA provides additional capacity to Semiahmoo as it is a relatively small Nation with limited internal capacity. Ideally, all decisions made by SWA and the general direction would be Indigenous-led but that is not always feasible given the other obligations of Semiahmoo First Nation leaders. Is it possible to develop a shared-decision making structure?

In addition, it is important to understand how SWA and Semiahmoo First Nation decide which aspects of the work are best conducted by the various entities. For example, what initiatives should be taken on by Semiahmoo, A Rocha, WWF, FBC, Birds Canada, or local municipalities, etc? What are the most effective ways for SWA to support Semiahmoo? Currently, the Water Quality Technical Working supports Semiahmoo First Nation by providing sound, scientifically rigorous data monitoring and analysis related to water quality monitoring.

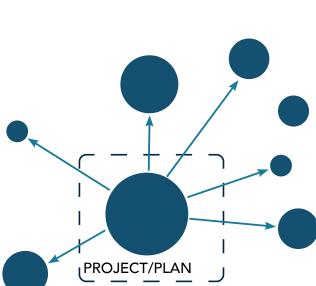
- Initiate the Boundary Bay shellfish bed inventory
- Provide training opportunities to Semiahmoo Nation members to participate as alternates and members of the SWA
- Continue the Water Quality Technical Working Group to ensure Semiahmoo Nation along with members of the Shared Waters have access to sound, scientifically rigorous data monitoring and analysis
- Establish a Semiahmoo Nation led shellfish harvesting monitoring system
  - Continue the eelgrass nutrient loading research
  - Continue supporting the Coastal Pollution Mapper tool
  - Initiate the Boundary Bay shellfish bed inventory
  - Capacity building within Semiahmoo Nation
- Work with Shared Waters Alliance participants to combine resources needed to implement water quality projects

# B.4 SUPPORT PLACED-BASED PLANNING RATHER THAN PROJECT, PLAN, OR ORGANIZATIONAL-BASED PLANNING

How can SWA facilitate a better connection between organizations and their associated plans? Although many organizations are developing or have developed plans and initiatives that support SWA's work, there is a lack of coordination between plans and minimal resources directed toward enforcement (ie. upper levels of government holding lower levels accountable, ensuring organizations follow through with their plans). What would a place-based, nested approach to planning across entitles in the region look like? How can SWA facilitate these types of working relationships?

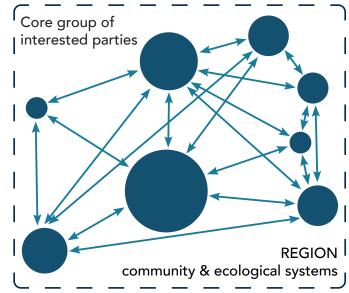
The diagram below demonstrates the difference between a plan or project-placed approach and a place-based approach. Generally, when organizations are focused on their particular project, they fail to sync and interact with other local initiatives. Further, they may tend to only look at the project as a transaction of rewards or costs and benefits with themselves at the center. Place-based approaches are guided by the idea that one organization and its associated project/plan are not more important than any other. Mutually beneficial working relationships are generally developed based on the greater potential that can be seen for the place. What can SWA do to better advance place-centered planning where there is mutual benefit and each organization is bought in on the greater potential?

### Figure 9. Transactional vs reciprocal approaches (Reed, 2022)



#### **REWARDS / COST BENEFITS**

#### DANCE OF MUTUAL BENEFIT & GREATER POTENTIAL



# B.4 SUPPORT PLACED-BASED PLANNING RATHER THAN PROJECT, PLAN, OR ORGANIZATIONAL-BASED PLANNING (cont.)

In order to effectively take a placed based approach to planning, it is essential to understand how the place and associated organizations are nested within wider systems. The following visuals were developed to better communicate and demonstrate the overlapping jurisdiction of Boundary Bay Basin. The below image demonstrates the various governmental entities and their associated departments/ offices (not all shown here) relevant to Boundary Bay Basin. It helps illuminate how challenging it is for SWA to bring all these different entities together. However, there is also enormous potential in having diverse organizations working together. Each brings unique capabilities that can help advance the whole. As shown in Figure 2, it is also important to consider all other Nations with territory within and around Boundary Bay Basin.

Fisheries and Oceans Canada

#### Environment and Climate Change Canada Canadian Food Inspection Agency Canadian • Canadian Shellfish Sanitation Program Federal Law • Ministry of Agriculture Ministry of Environment SEMIAHMOO Ministry of Forests Province of BC Ministry of Health (CDC) TERRITORY • Ministry of Transportation • Ministry of Water, Land and Resource Stewardship On Reserve Metro Vancouver • First Nations Fisheries Council First Nations Health Authority City of White Rock 🔪 Metro Vancouver Regional District City of Langley (MVRD) Greater Vancouver Sewerage & City of Surrey Drainage District (GVS&DD) **Off Reserve** Greater Vancouver Water District City of Delta (GVWD) Metro Vancouver Housing Corporation (MVHC) • Planning & Development . Parks & Culture **Engineering & Public Works** City of Blaine Climate Action & Environment Health and Community Services Whatcom County Parks & Recreation Planning & Development Services Public Works Dept. of Agriculture State of Dept. of Ecology Washington • Dept. of Social and Health Services Dept. of Parks and Recreation **United States Environmental Protection Agency Federal Law** (National Estuary Program) • Dept. of Agriculture

#### Figure 10. Overlapping Jurisdiction of Boundary Bay Basin (simplified)

# B.4 SUPPORT PLACED-BASED PLANNING RATHER THAN PROJECT, PLAN, OR ORGANIZATIONAL-BASED PLANNING (cont.)

With many organizations working in and around Boundary Bay Basin, there are a significant amount of planning efforts taking place. How can SWA help these organizations work together to ensure their plans sync with and build off each other? What type of spaces does SWA need to provide? How can SWA promote and demonstrate the value of organizations working together across planning efforts? Ideally, SWA creates the space for this work to take place, and as organizations begin to see the value in the work, some of the burden is taken off of SWA in convening and encouraging organizations to work together.

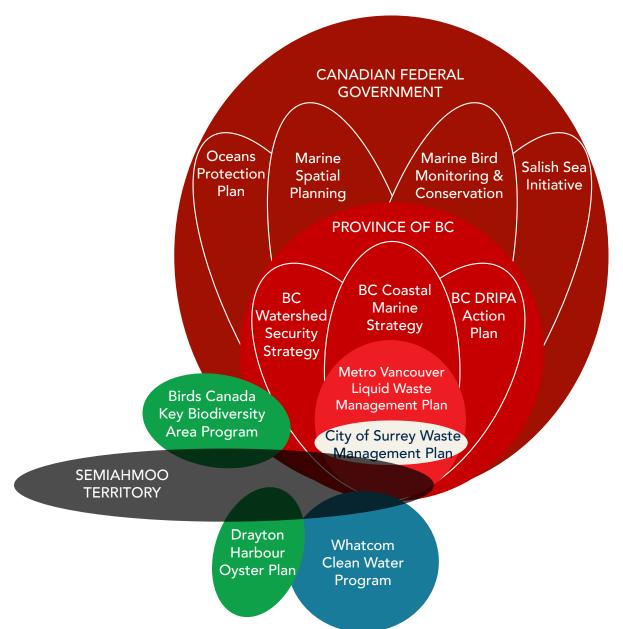


Figure 11. Relevant Planning Efforts that Affect Boundary Bay Basin (Simplified)

The graphic is not meant to be comprehensive but demonstrates planning efforts that relate to and influence each other.

# B.4 SUPPORT PLACED-BASED PLANNING RATHER THAN PROJECT, PLAN, OR ORGANIZATIONAL-BASED PLANNING (cont.)

One way to help SWA and participating organizations better understand the work taking place in and around Boundary Bay is by mapping out the specific contributions each organization/plan/project is making. The process helps to answer the question "How does your project or activity add value to, and receive value from, the systems it is nested within?" The five capitals shown below (Regenesis Group, 2021) is an example of one framework that can be used to better understand a stakeholder system. It provides more granular insight into what each entity contributes toward each other and the broader system. Performing this type of analysis can increase transparency around how plans influence each other and general the areas that need more focus, allowing for more strategic intervention.



- Support shared waters participation in taking on the ground actions to address water quality
  - Work with SWA participants to map out water quality projects currently underway
  - Work with SWA participants to identify desired future projects
  - Work with SWA participants to combine resources needed to implement water quality projects
- Establish opportunities for further community engagement and community science initiatives
- Undertake collaborative watershed planning to the extent feasible to address land-based pollution
  - Finalize a Governance Model with support from the orders of government (Indigenous, Federal, Provincial, Local)
  - Secure funding for a coordinator
  - Engage senior decision makers (Indigenous, federal, provincial and local government) for participation in the SWA structure
- Explore knowledge sharing with Indigenous Nations and stakeholders involved in Drayton Harbour
- Learn from others pursuing similar initiatives
  - Identify collaborative opportunities with cross-border partners to enhance and advance water quality works in the Boundary Bay watershed
  - Explore knowledge sharing with SENĆOŦEN speaking peoples and other First Nations undertaking similar work

#### **B.5 BETTER ADVANCE AND DEVELOP SHARED AGENCY (COLLECTIVE RESPONSIBILITY)**

Much of the burden of getting diverse entities to come together and work collaboratively is placed on Semiahmoo (and some on the core team). Building on the last section, how can SWA create a deeper sense of shared agency (ie. people are motivated to take responsibility for manifesting the effects they want to create and they are motivated and inspired to act from the vision)? In what ways can we collectively keep reviving shared agency? Is it necessary to better develop and articulate the purpose of SWA so that organizations can better see their role in it and how it benefits them? The vision is generally sufficient to allow all entities to connect to it. However, it appears that more work is needed for organizations to see their role in achieving that vision and how it will benefit their organization.

Many settler organizations genuinely want to do the right thing and help improve water quality so Semiahmoo First Nation can restore shellfish harvesting. Even though this is an extremely important reason for helping to improve the socio-ecological system, they need to see the value of restoring the ecological integrity of the place for all including themselves. Maintaining the area's ecological integrity is just as essential to all of us as it is to Semiahmoo First Nation. If we are mainly conducting the work for Semiahmoo First Nation and not as a collective effort so all of us can live in an area with an intact ecological system, we are still operating under paradigms that separate humans from the environment. How can SWA help transform settlers' approaches so they value a healthy ecosystem as much as local Nations? How can SWA help advance this collective connection and responsibility toward place?



#### Figure 13. Shift and Convergence of Systems Thinking (Freeland, 2022)

rights and interests

Western planning systems must shift from linear and mechanistic paradigms to regenerative and living systems thinking. Simultaneously, Indigenous Nations are working to re-indigenize their communities (restore cultural teachings and practices after influences of colonization). From the few meetings experienced during the research period of this project, it appears that Chief Harley and Semiahmoo First Nation work to both help shift Western planning systems and simultaneously work on restoring their Nation. How can SWA support this work so this burden is not on Semiahmoo First Nation and is distributed across the core team (and others)?

#### **B.5 BETTER ADVANCE AND DEVELOP SHARED AGENCY (COLLECTIVE RESPONSIBILITY)**

One tool for defining a clear purpose and advancing shared agency around an initiative is Regenesis Institute's (2021) "Purpose that embodies an elevated cause." Based on SWA's current vision and purpose, some additional work can be done around better developing and articulating the "in a way that" part. For example, if it's clear that SWA work will be conducted in a way that builds mutually beneficial working relationships and capabilities across entities in the region, organizations may be more willing to participate.

We seek to (generate what)

In a way that (integrates system at new level of reciprocal value)

Such that (a standard for the evolution of the whole emerges)

#### Figure 14. Sample Statement for SWA

#### Generate WE SEEK TO

#### Integrate

IN A WAY THAT...

bring together First Nations, government agencies, nongovernment organizations, and the public to collaborate, inform, and improve the status of water quality in the Boundary Bay Basin

recognizes/centers Indigenous rights and sovereignty, develops local capacity, builds effective working relationships, and enables mutually beneficial interdisciplinary collaboration across entities and their associated plans

#### Standard

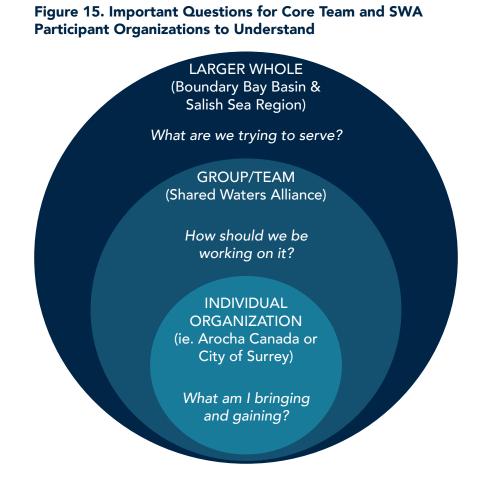
SUCH THAT Boundary Bay is a healthy, vibrant ecosystem and their is local capacity to maintain thriving socioecological systems in the face of changing climate and conditions

- Explore educational opportunities to share the SWA story and objectives within the community and watershed
- Establish opportunities for further community engagement and community science initiatives
- Engage senior decision makers (Indigenous, federal, provincial and local government) for participation in the Shared Waters Alliance structure
- Identify collaborative opportunities with cross-border partners to enhance and advance water quality works in the Boundary Bay watershed

#### **B.6 PROVIDE MORE OPPORTUNITIES FOR PARTICIPATION AND COLLABORATION**

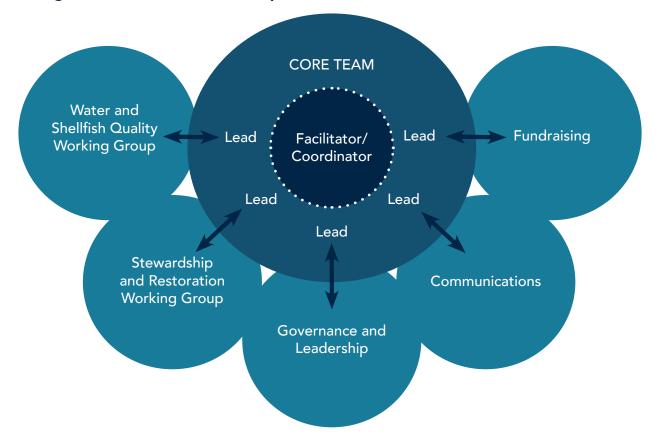
What is the role of the core team in better initiating and sustaining cohesive relationships between entities? How can the core team develop the infrastructure and working relationships to create more coordinated planning efforts? What does the core team need to do to address the priority areas and associated actions such as: Create an initiative or project specific to addressing contamination sources, Establish a shared vision and priorities for restoring water quality in the Little Campbell and Semiahmoo Bay, Engage senior decision makers (Indigenous, federal, provincial, and local government) for participation in the Shared Waters Alliance structure? How is the core team tracking progress towards these tasks and actions?

How can SWA help create spaces for organizations to collaborate on shared initiatives that help advance the work of each entity individually and the Boundary Bay Basin (and beyond) as a whole? Are the current working groups sufficient? Where do they need to be added and expanded? If SWA is effective in creating spaces to help advance collective work, organizations will feel pulled into participating rather than 'pushed' or 'forced' to participate.



#### **B.6 PROVIDE MORE OPPORTUNITIES FOR PARTICIPATION AND COLLABORATION (cont.)**

The creation of additional formal and informal working groups can help create opportunities for organizations to collaborate in a way where they can see and realize more clear benefits from participating in SWA's work. For example, a restoration or stewardship working group could act as a space for environmentally focused entities and departments to collaborate and discuss relevant planning efforts. In addition, a governance and leadership group could bring key decision makers to the table and build political will. The creation of additional working groups requires more funding. Consequently, SWA needs to continue to look for more available funds. Tsleil-Waututh Nation was able to find funding opporunities in Indigenous-led stewardship. Perhaps, SWA can look for similar opportunities.

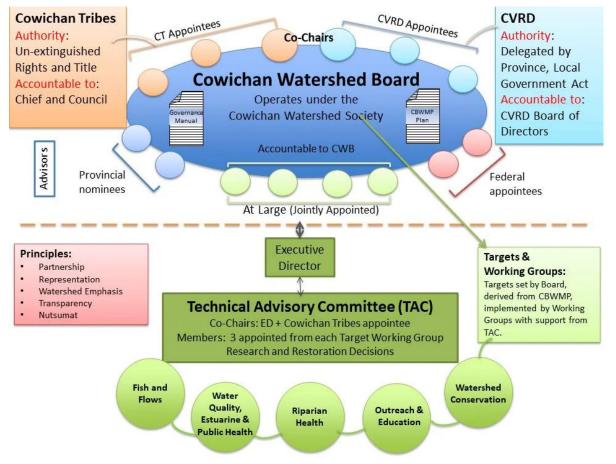


#### Figure 16. Core Team Relationship with Initiative Areas

- Create an initiative or project specific to addressing contamination sources
- Establish a shared vision and priorities for restoring water quality in the Little Campbell and Semiahmoo Bay
- Engage senior decision makers (Indigenous, federal, provincial, and local government) for participation in the Shared Waters Alliance structure
- Create an initiative or project specific to addressing contamination sources.
- Support shared waters participation in taking on the ground actions to address water quality
- Enhancing awareness of SWA's work and challenges facing Semiahmoo First Nation

#### **B.7 BRING FOCUS TO AREAS THAT HAVE TEETH AROUND WATER QUALITY ISSUES**

DFO is under capacity and continues to declare blanket closures rather than address pollution sources. Further, DFO prioritizes commercial areas over recreational ones which can make it even more challenging for First Nations. They continue to claim that the pollution sources are outside of their jurisdiction. South of the border in the State of Washington, there is a regulatory backdrop that is enforced to ensure pollution sources are dealt with appropriately. What is the role of SWA in creating 'teeth' on the Canadian side of the border? With the increasing recognition of UNDRIP, can the teeth be in Indigenous law? As Christy and Emma Norman have discussed, there needs to be both a carrot and stick approach (regulatory enforcement) and a voluntary desire to participate. The structure of the Cowichan Watershed Board helps provide teeth by containing leadership that provide direction from various levels of government and First Nations in the region.





- Establish opportunities for further community engagement and community science initiatives
- Finalize a Governance Model with support from the orders of government (Indigenous, Federal, Provincial, Local)
- Engage senior decision makers (Indigenous, federal, provincial and local government) for participation in the Shared Waters Alliance structure
- Capitalize on emerging opportunities regarding UNDRIP/DRIPA, federal funds for nature, and more holistic connections within an interdependent system (objective)

### C. Appendix

#### **C.1 REFERENCES**

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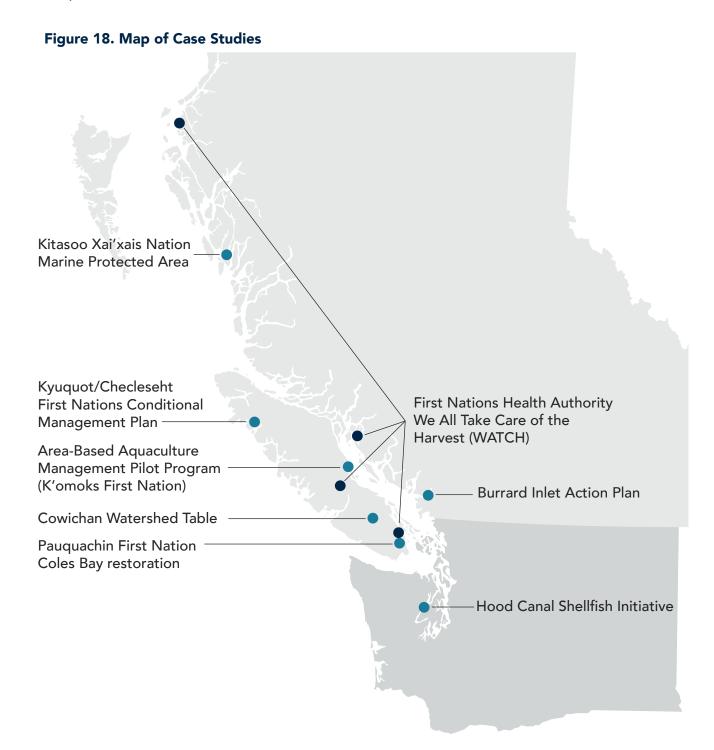
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#### C.2 CASE STUDY RESEARCH SUMMARY

The map below highlights the location of each case study.



#### C.2 CASE STUDY RESEARCH SUMMARY (CONT.)

A summary of the eight case studies that were researched is shown below.

#### Figure 19. Summary of Case Studies

Name	Pauquachin First Nation working with local municipality to restore Coles Bay fishery	Cowichan Watershed Table	Kyuquot/Checleseht First Nations in British Columbia Conditional Management
Summary	-First Nation trying to work with local municipalities to improve water quality	Local governmental entity created in 2010 to promote water and watershed sustainability in the Cowichan/ Koksilah watersheds - generally broad watershed focus with attention to reconciliation/ partnership (Group of leaders that provide direction)	-Geographically isolated community worked with government agencies to increase their participation in lower-level shellfish management activities -The water quality/sanitation closures and associated capacity/funding for federal govt to travel to remote area provided a catalyst to design a context for community- government co-management (conditional management plan)
Core Issue(s)	-Shellfish harvesting closed due to pollution (identified residential onsite septic systems in North Saanich as one of the upland bacterial sources that led to the closure of shellfish harvesting more than two decades ago) -DFO stopped testing in 2014 after lack of improvement (need all three levels of govt working together)	-Water quality, water supply and cumulative impacts to habitat -Difficult to understand how human development and impacts are affecting the estuary, several types of impacts and contaminants -Logistically and politically difficult to reopen harvesting (many jurisdictions and players involved, also expensive to measure all things necessary), no clear guidelines of how to reopen harvesting	-2004 large scale shellfish harvesting closures -inability of the outdated Canadian Shellfish Sanitation Program (CSSP) to respond to localized variations -Lack of full utilization of the capacity that exists within small First Nations communities to undertake water quality monitoring and to analyse and mitigate sources of pollution of growing waters (the community capacity to monitor and thus participate even in a minor way to decision-making had not been fully utilized, and the necessary institutional and social landscape for cooperative management was lacking.) -Lack of budget/funding for Canadian Fed government to attend to a remote area
Core Focus	-Address pollution into cole's bay from variety of sources (focus on improvement goal for stormwater drains leading to traditional harvesting sites) -Grow commitment for collaboration -Legal review of Coles Bay Shellfish	-Holistic watershed health -Reconciliation and partnership -Water quality, estuarine health, salmon sustainability, wise water use, watershed connection, water supply/flows, riparian habitats protection	-Working towards co-management of shellfish management (local and governmental capacity work cooperatively and collaboratively) -Enhance capacity of community to engage with regulating agencies about water quality sampling and policy agenda setting -Use of Conditional Management Plan (CMP) in the area expanded the monitoring rights of the community (includes joint responsibility and coordination of the plan to open three small areas to harvesting which will test the local ability to enforce regulations), help alleviate some of the governmental monitoring burden
Similarities to SWA	-Focus on restoring shellfish harvesting after closure due to pollution -Multiple levels of government involved including local municipality (need all to get on same page) -Reconciliation priority	-Includes focus on restoring shellfish harvesting and addressing pollution sources even though this is less of priority -Reconciliation priority	-Focus on restoring shellfish harvesting and attempting to increase local regulatory control
Differences to SWA	Coles Bay offers some of the best potential for restoring shellfish harvesting in the region as the pollution is only coming from certain sources that can be tracked	-Bigger geographic region and broader focus -More funding and resources	-Less focus on addressing pollutants, more focused on testing
Relevant UNDRIP Articles	Somewhat advancing article 20, 26, 27, 29, 32, 38	Somewhat advancing article 18, 19, 27, 29, 32	Somewhat advancing article 18, 19, 20

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#### C.2 CASE STUDY RESEARCH SUMMARY (CONT.)

Name	Hood Canal Shellfish Initiative (Hood Canal Coordinating council)	Area-Based Aquaculture Management Pilot Program (Government of Canada and K'ómoks First Nation)	Kitasoo Xai'xais Nation Marine Protected Area
Summary	-Hood Canal Coordinating Council (HCCC) is working with Hood Canal shellfish partners to build on the momentum of the Washington Shellfish Initiative (WSI) to develop a Hood Canal Shellfish Initiative focused on local issues and priorities to produce locally beneficial outcomes -HCCC brings governments together to address transboundary resource management issues with a mission to work with partners and communities to advance a shared regional vision to protect and recover Hood Canal's environmental, economic, and cultural wellbeing.	-Two-year collaborative initiative called Area-Based Aquaculture Management (ABAM), Pilot program with federal government, Indigenous government and other levels of government, industry, and stakeholders work together in a collaborative way to plan, manage, monitor, and enhance shellfish activities in BC -Goal is to support the long term sustainability of aquatic ecosystems and address local social concerns, while supporting the long term viability of aquaculture activities.	-Kitasoo Xai'xais establishing Indigenous protected area to assert rights and maintain biodiversity since they could not come to agreement with DFO and other canadian governmental entities (Made in "accordance with Kitasoo Xai'xais laws, customs, principles, and values, and as the holders of inherent and Aboriginal Rights and Title on our unceded territorial lands and waters. Our laws include our inherent stewardship responsibilities to act in a manner that protects this unique place on behalf of past, current, and future generations of Kitasoo Xai'xais.") -Waters will continue to be monitored and cared for by the Kitasoo Xai'xais Watchmen
Core Issue(s)	-Water pollution -Land use changes -increasing recreational and commercial demand for shellfish -Climate change effects	-Years of disagreement between the Nation and province (rights and licensing) -Water contamination	-DFO and Province taking too long to take action and work with Nation while the marine life was being destroyed -Nation desired to restrict access to the Bay by non-Indigenous commercial and sport fishing
Core Focus	-Protecting shellfish resources from the increasing impacts of water pollution, land use changes from the region's dynamic population growth, increasing recreational and commercial demand, and the changing climate effects on the canal's water temperature and chemistry. -Water quality, shellfish habitat, shellfish industry, restore oyster populations -Collaboration -Applied a Structured Decision Making (SDM) framework to facilitate a transparent action planning process that considered shared values across the various interests represented by the workgroup.	-Advance collaborative governance related to aquaculture to better respond to local environmental, social, and cultural realities -Shellfish health and production -Emphasis on collaborative approach and coordination	-Maintaining ecological integrity; -Protecting fish and wildlife, and at-risk ecosystems -Protecting cultural and archaeological sites and features -Protecting historical, present and future Kitasoo Xai'xais harvesting and hunting areas and uses, including the communal herring roe spawn on kelp (SOK) fishery and other community fishing activities -Protecting the wilderness values that in turn support opportunities for ecotourism in the MPA.
Similarities to SWA	-Focus on addressing water pollution and collaboration -Reconciliation priority	-Focus on addressing water pollution and collaboration	-Focus on water quality and cultural importance of shellfish
Differences to SWA	-Shellfish has a bigger cultural/economic/ etc. importance for non-Indigenous, more economic opportunities from shellfish -US context (different regulatory issues)	-More non-Indigenous interest in shellfish harvesting	-Kitasoo Xai'xais already apart of guardian watchmen program
Relevant UNDRIP Articles	Somewhat advancing article 18, 19, 27, 29, 32	Somewhat advancing article 18, 19, 26, 27, 29, 32	Articles 3, 11, 19, 29, 32 (stated directly in the document)

#### C.2 CASE STUDY RESEARCH SUMMARY (CONT.)

Name	First Nations Health Authority We All Take Care of the Harvest (WATCH)	Burrard Inlet Action Plan
Summary	WATCH is an exploratory project to develop and fine-tune an approach to a seafood and climate change that all coastal First Nations can adapt for their own purposes. Communities will therefore be involved in developing the approach, both in the Planning Phase, as well as in the Monitoring Phase. It addresses seafood safety, security and sovereignty in the context of climate change. The purpose of the project is to help coastal communities and their members decide if and when their seafood is safe to harvest. The program is working with four pilot communities.	Science-based, First Nations-led initiative to improve the health of Burrard Inlet by 2025 The Burrard Inlet Action Plan is not meant to be a regulatory document nor does it establish regulatory requirements. The Action Plan is a leadership and coordinating document meant to identify priorities and help focus the region around a shared, strategic environmental stewardship agenda for Burrard Inlet.
Core Issue(s)	-Created in response to concerns that were raised by communities at a seafood safety workshop in 2016 -Climate change impacts have created toxicity issues including Herring poisoning	-Polluted water from diverse sources of contamination including industrial discharges, wastewater treatment combined sewer overflows, runoff -Lack of coordination between entities
Core Focus	-Help communities access timely safety information about seafoods and harvest areas -enhance the ability of communities to plan for and manage climate impacts that affect seafoods -Promote seafood security and sovereignty for coastal First Nations	-Improve water quality and reduce contamination -Protect and enhance fish and wildlife habitat -Protect and recover key species populations and food webs -Protect and restore supporting biophysical processes/ ecological integrity -Identify and track emerging issues
Similarities to SWA	-Focus on community monitoring of shellfish -Involves coordinating between Nations, province, and feds	-Hoping to initiate a Burrard Inlet Water Quality Monitoring Working Group -Focus on reducing pollution and recovering shellfish beds
Differences to SWA	-Harvesting has not been closed by DFO in these areas (I believe)	-TWN in different position than Semiahmoo First Nation -Generally broader
Relevant UNDRIP Articles	Somewhat advancing article 20, 26, 29	Loosely trying to advance 18, 19, 20, 26, 27, 29, 32

#### C.3 CONCEPTUAL FRAMEWORK FOR COLLABORATION

The conceptual framework for collaboration across knowledge systems and communities shown below emphasizes the alignment of four interrelated elements. It can be used to understand why certain initiatives and important aspects of the work that need to be paid attention to. It offers a lens to look at SWA's work.



