

Memorandum of Understanding

BETWEEN THE



AND



People Of the River Referrals Office

S'ólh Téméxw Stewardship Alliance

Memorandum of Understanding

This Memorandum of Understanding (MOU) is intended to promote enduring working relationships and constructive dialogue among First Nations by helping to develop adaptive and functional First Nation-to-First Nation processes for the governance, management, harvest and use of fish and aquatic resources.

Both the S'ólh Téméxw Stewardship Alliance (STSA) and the Lower Fraser Fisheries Alliance (LFFA), the Parties, are regional bodies which assist First Nations to govern and manage resources, including to support sustainable fisheries, and cultural and spiritual traditions for future generations. Each Party has a registered society or established governance structure to assist them in conducting their work.

The LFFA and STSA each promote government-to-government relationships related to fisheries and aquatic resource governance and management among First Nations (Tier 1) and between the First Nations and the Crown, as represented by the Governments of British Columbia and Canada (Tier 2). The LFFA and STSA also help to assist, foster and inform relationships with stakeholders (Tier 3).

This MOU is not a legally binding document nor does it interfere with any existing mandates, laws, agreements, treaties or policies.

This MOU does not create, limit, define, prejudice, abrogate or derogate from any of the Aboriginal title, rights and interests or treaty rights of any First Nation.

This MOU does not create any financial obligations between the parties, nor does the MOU limit or affect the mandate or the ability of any Party to pursue their respective operational or political mandates provided by their membership.

The parties recognize First Nations benefit from the coordination and facilitation of existing and emerging resources, capacity and expertise in advancing common interests.

Principles:

(a) Since time immemorial, the First Nations of the Fraser River watershed and Marine approach areas have accessed fisheries and aquatic resources to sustain their peoples. The reliance on these fisheries and aquatic resources has uniquely shaped their history, culture and traditions which, today, bind the First Nations in common purpose to preserve and protect those resources in a way that celebrates their uniqueness and preserves First Nations' ways of life and their shared connections;

(b) The traditions of the First Nations of the Fraser River watershed and marine approach areas in relation to fishing and harvesting, including the importance to First Nations' cultures, should be celebrated and shared with each other as well as other peoples and governments;

(c) The long-term health and sustainability of fisheries and aquatic resources, and their habitat, is of paramount importance;

(d) The long-term conservation and survival of fisheries and aquatic resources is critical to the long term cultural survival of First Nations and this core value must prevail over local interests that may be detrimental to the continued survival of those fish stocks and aquatic resources;

(e) First Nations share responsibility for the collaborative planning and management of fisheries and aquatic resources that, to the extent possible, allows for access to the harvest of fish and aquatic resources by all; and

(f) The aboriginal title and rights, existing treaty rights, responsibilities, cultural values, beliefs, practices and traditional ecological knowledge of First Nations will be acknowledged and respected.

Operational and Strategic Elements:

This MOU formalizes the working relationship between the STSA and LFFA to facilitate and collaborate on common issues related to fisheries and aquatic resource governance, management and use, including supporting First Nations on operational and strategic common issues. The enactment of this MOU is guided by the following elements:

1. Facilitate communication of information on fisheries and aquatic resource management issues;
2. Develop technical and support services, assistance and capacity to First Nations to manage fisheries and aquatic resources, including management and harvest plans;
3. Identify, and advance common issues, including policy analysis, and regional approaches;
4. Develop and support Tier 1, Tier 2 and Tier 3 processes;
5. Promote habitat protection, restoration and enhancement; and
6. Promote conflict resolution and conflict management processes.

Implementation of this MOU

To facilitate the implementation of this MOU and continue to develop efficient, reliable and transparent First Nation governance and management, we commit to work together collaboratively and respectfully to provide mutual support and on common matters related to fisheries and aquatic resources. Provided adequate capacity exists in each organization, the LFFA and STSA will work together in areas including:

a) **Meetings**

- i. the STSA and the Lower Fraser Fisheries Alliance will aim to hold an annual meeting with representation from their respective leadership, managers and technical advisors;
- ii. Upon request, and where possible, the STSA and LFFA will attend each others' assemblies and other meetings to provide input as may be possible,

b) **Communications and Information-Sharing**

- i. It is an intention of this MOU that the STSA and the LFFA will engage in ongoing communication, mutual support and sharing of information relevant to their respective responsibilities through various oral and written reporting mechanisms, including reporting and information sharing that occurs when both parties are participating in management processes in common or of common interest;
- iv. the STSA and the LFFA will aim to provide updates on progress made in addressing common land, water, air, fisheries and aquatic resource issues;
- v. If information is shared pursuant to this MOU or otherwise, and marked "confidential", the recipient will not disclose such information to another organization without first obtaining the consent of the organization providing the information.

c) **Engagement Processes (Tier 1, 2 and 3)**

- i. It is understood that nothing in this MOU provides any direction, authorization or mandate for either Party to participate within any consultative processes or in specific Tier 1, 2 or 3 processes, on behalf or as a decision maker on behalf of the other Party. Where either Party is participating in Tier 1, 2 or 3 processes it will do so pursuant to its own processes, structures and mandate. Neither Party will represent the other in such processes; and
- ii. Should the STSA or the LFFA recommend the establishment of Tier 1, 2 or 3 Processes which have delegated or mandated authority to represent and make decisions on behalf of First Nations, the LFFA and the STSA agree to work collaboratively regarding such a proposal. Neither Party will represent the other in such processes.

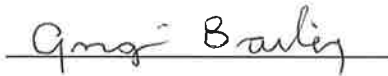
d) **Review and Further Development of this MOU**

Upon request by either Party, the STSA and the LFFA will review this MOU and reasonably consider any amendments or additions that would assist them to continue to collaboratively work together in an efficient, effective and transparent manner.

Within the scope of their respective mandates and existing obligations, and respecting the independence of each organization, through this MOU the Parties agree to work together on common matters of mutual concern and interest related to the management of resources, including fisheries and aquatic resources, and cultural and spiritual traditions for future generations.

Signed this 24 day of November, 2017

On behalf of the S'OLH TEMEXW STEWARDSHIP ALLIANCE

A handwritten signature in black ink, appearing to read "Angie Bailey", written over a horizontal line.

Chief Angie Bailey, STSA

On behalf of the LOWER FRASER FISHERIES ALLIANCE

A handwritten signature in black ink, appearing to read "Ken Malloway", written over a horizontal line. The signature is stylized and includes a long, sweeping underline that extends to the right.

Ken Malloway, LFFA Co-Chair

A handwritten signature in blue ink, appearing to read "Sally Hope", written over a horizontal line.

Sally Hope, LFFA Co-Chair

Appendix 1

The purpose and work of the S'ólh Téméxw Stewardship Alliance (STSA) is set out in part through their vision statement to '*champion the integrity of our relationship with S'ólh Téméxw for our communities and future generations as a self-sufficient, sustainable resource supporting wise decision-making*'.

As set out in the Stó:lō Strategic Engagement Agreement (with the Province), to which the STSA membership are signatories, a substantial portion of the purpose of their work is to increase engagement consultation effectiveness and efficiency, and to lead to greater certainty for land and resource decisions by:

- a) enabling strategic engagement through the G2G Forum and Engagement Framework;
- b) developing and maintaining progressive improvements to a respectful, positive, and mutually beneficial government-to-government relationship between the Parties;
- c) promoting dialogue between the Parties on seeking consensus related to land and resource decisions; and
- d) ensuring that the Parties fulfill their obligations for Engagement on Proposed Activities, and ensuring the Province works toward fulfilling the duty to consult with, and where appropriate accommodate, the Stó:lō First Nations on Proposed Activities.

The STSA is supported operationally by the People of the River Referrals Office (PRRO) as the single point of intake for development applications and point of commencement for engagement and consultation with the local, provincial, and federal governments.

The STSA works to establish and implement policy on land use decision-making and consultation, land use planning, and other areas including environmental and heritage, based on Stó:lō-Coast Salish perspectives, principles, values and worldview.

Appendix 2

The purpose and work of the Lower Fraser Fisheries Alliance (LFFA) includes the following:

To encourage, support, facilitate and where mandated represent its member First Nations on common issues in the governance, management and development of sustainable fisheries and aquatic resources of the lower Fraser River and its tributaries from the mouth of the Fraser River until the Fraser Canyon (the "Lower Fraser Fisheries"), including matters arising along the migratory route of any of those fisheries and aquatic resources. These purposes include such things as developing, implementing and improving:

- a) technical, management and governance support services and advice, including without limitation: information and data collection, traditional knowledge, science, stock assessment, habitat assessment, conservation, protection, restoration and enhancement, monitoring and enforcement, research and analysis, and policy development;
- b) education, communication and understanding;
- c) forums for identifying, prioritizing and addressing common issues and concerns of the First Nations;
- d) respect, reconciliation and fulsome opportunities for the exercise of s. 35 rights (aboriginal and treaty) of the First Nations, including conservation, protection, management and the conduct of fisheries for food, social, ceremonial and economic purposes;
- e) collaborative efforts and approaches of the First Nations, including identifying and prioritizing common issues, developing initiatives and obtaining direction, guidance and mandates;
- f) regional governance and management processes, including decision making and information sharing processes and agreements among the First Nations, and with other first nations, Canada and the Province of BC;
- g) ecosystem, migratory route, watershed and broader provincial fisheries and aquatic resource governance and management, including decision making and information sharing processes and agreements among the First Nations, and with other first nations, Canada, the Province of BC, the United States and others;
- h) working relationships with harvesters and interest groups, including recreational, commercial, industrial, ecological and non-profit organizations; and
- i) conflict resolution and conflict management processes for the First Nations, including with other first nations, other governments, harvesters and interest groups.