

POLICY BRIEF 2022

Respectful Incorporation Of Indigenous Knowledge in Fish and Fish Habitat Decision-Making

Jenna Duncan

The LEVEL Youth Policy Program takes place on the traditional and unceded territories of the *xʷməθkʷəjəm* (Musqueam), *Sḵwx̱wú7mesh* (Squamish) & *səlilwətaɣ* (Tseil-Waututh) Coast Salish peoples.

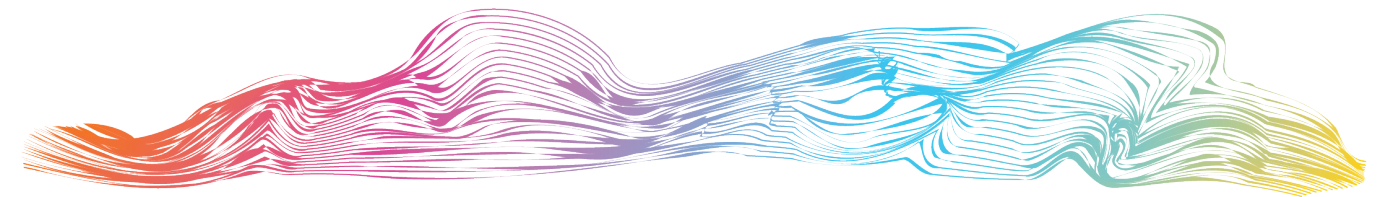
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About the LEVEL Initiative

LEVEL is a youth engagement initiative of Vancouver Foundation that aims to address racial inequity. We do this by investing in the leadership capacity of Indigenous, racialized, immigrant, and refugee youth to create more opportunities throughout the non-profit and charitable sector.

Despite being the fastest-growing youth populations in British Columbia, Indigenous, immigrant, and refugee youth don't have the same opportunities as other young people. Race continues to be a factor that hinders their ability to have a say in decisions that impact their lives.

LEVEL empowers these youth by building their capacity to challenge and change those systems that hinder their ability to build a more just world.

LEVEL consists of three pillars of work to advance racial equity

1. LEVEL Youth Policy Program
2. LEVEL Youth Organizing
3. LEVEL BIPOC Granting

About the LEVEL Youth Policy Program (LEVEL YPP)

The LEVEL Youth Policy Program (LEVEL YPP) brings together young people between the ages of 19 and 29 from across British Columbia who identify as being Indigenous or racialized immigrants or refugees. Indigenous and racialized Newcomer youth are dispropor-

tionately impacted by certain public policies but are rarely included in the development and implementation of public policy process. The LEVEL YPP aims to provide these youth with equitable training and leadership opportunities to better navigate the public policy landscape, and to develop new tools and skills to influence, shape, and advocate for policy changes that are relevant in their own communities. Having young people directly involved in shaping policies that impact their lives is essential to creating systemic, meaningful change. The LEVEL YPP's training is grounded from and within Indigenous peoples' worldviews, which the program acknowledges, could vary from person-to-person or nation-to-nation. Indigenous worldviews place a large emphasis on connections to the land. This perspective views the land as sacred; where everything and everyone is related and connected; where the quality of the relationships formed are key in life; where what matters is the success and well-being of the community, and where there can be many truths as they are based on individual lived experiences.¹ As such, an important premise of this training is to centre and place a particular focus on the fact that the work that has gone into developing this training, as well as the training itself, has taken and will take place on unceded (never given away/stolen) territories of the *həŋq 'əmin 'əŋ*-speaking Musqueam peoples, of the Halkomelem-speaking Tseil-Waututh peoples, and of the *sníchim*-speaking *Sḵwx̱wú7mesh* (Squamish) peoples.

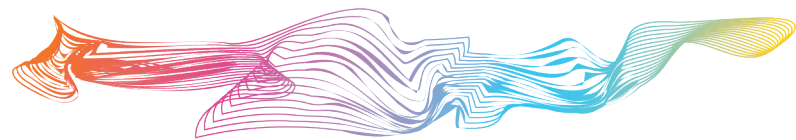
1. <https://www.ictinc.ca/blog/indigenous-peoples-worldviews-vs-western-worldviews>

Biography

Jenna Duncan



Jenna is of mixed Indigenous and Scottish ancestry and is a member of the Ta'an Kwäch'än Council and part of the Crow clan. She was born and raised in the traditional territory of her people in Whitehorse, Yukon, and now resides in the unceded x̣ẉṃə̣θ̣kẉə̣ỵəm, Skwxwú7mesh, and Səlílwətał territories. She completed her Bachelor of Science in Biology in the Spring of 2020 at Simon Fraser University and is currently a Project Manager at the First Nations Fisheries Council of BC where she supports the collaboration between First Nations to advance collective interests in the restoration and protection of fish and aquatic ecosystems. In her spare time, Jenna enjoys hiking, fishing, curling, and making traditional regalia like moccasins, mukluks and mittens. Jenna is passionate about the environment and has always been an advocate for the protection of the land, water and wildlife across Canada and around the globe.



Executive Summary

With the downward trends we are seeing with wild Pacific salmon, if we continue with modern salmon governance and conservation practices used today, there is a possibility that the species could go extinct in the near future.

This would be detrimental to ecological systems and communities alike, due to wild Pacific salmon being both an ecological and cultural keystone species (Reid, et al., 2022). Indigenous fish and resource management differs greatly from the colonial fishing practices and management that exist today. Colonial systems focus mainly on the extraction of resources for short-term benefits, whereas Indigenous peoples focus on managing resources in a way that ensures there is enough for multiple generations (Atlas, et. al. 2021). It is extremely important to include both Indigenous knowledge and Western science in the protection of salmon, fish, and fish habitat. Each perspective has great strengths, with no one knowledge system being able to tell us everything we need to know about the species to ensure its revival and survival for future generations.

In 2019, Canada introduced the modernized Fisheries Act and Bill C-68, which states that “provided Indigenous knowledge must inform habitat decisions,” and that Indigenous knowledge will be protected when provided in-confidence to the Minister (Government of Canada, 2021). The Fish and Fish Habitat Protection Program (FFHPP) was created to implement the Fisheries Act provisions from Bill C-68. Indigenous knowledge is sacred to Indigenous communities and it is of the utmost importance that there is a respectful relationship during this process, and that communities are meaningfully involved in all stages of the

collection, storage, and usage of this information. Indigenous people need to be part of the decision-making process to ensure Indigenous knowledge is appropriately analyzed and interpreted (FNFC, 2019).

In order to conserve wild Pacific salmon and other important fish species, I recommend starting with a process or policy within the FFHPP that is already working to ensure the provided Indigenous knowledge is included in decision-making. The FFHPP should develop regional, First Nation-led advisory panels to gather, hold, and inform how Indigenous knowledge should be interpreted and applied during fish and fish habitat decision-making. There are over 600 Indigenous groups in Canada with over 200 of those residing in British Columbia (BC), and all of those groups/communities have their own Indigenous knowledge practices and protocols. This makes it important to have regional groups to interpret and advise on how to include Indigenous knowledge. For any decision-making of broad concern, there could be a national advisory panel that elicits advice from the various regional panels.

Background

Wild Pacific salmon are in a dire state in BC. The amount of salmon being caught is estimated to be one-sixth of that from five to seven decades ago (Reid, et al., 2022). With the downward population trends we are seeing with wild Pacific salmon, if we continue with modern salmon governance and conservation practices, there is a possibility that the species could go extinct in the near future. This would be detrimental to ecological systems and communities alike, due to wild Pacific salmon being both an ecological and cultural keystone species (Reid, et al., 2022), meaning that both ecological and cultural environments would change dramatically if the species ceased to exist. As a result, there is a need for bold and sustained investment in conservation strategies for wild Pacific salmon (Chalifour, et al., 2022). These strategies must also include the respectful incorporation of Indigenous knowledge and Indigenous fisheries-management practices. These strategies should be applied to wild Pacific salmon, as well as other fish and fish habitats, given the decline of many other fish species and the interconnectedness of all species in Aquatic ecosystems.

Indigenous fish and resource management differs greatly from the colonial fishing practices and management that exist today. Colonial systems focus mainly on the extraction of resources for short-term benefits, whereas Indigenous peoples focus on managing resources in a way that ensures there is enough for multiple generations (Atlas, et al., 2021). In many Indigenous communities, there is a seven-generation principle that guides the ways in which Indigenous peoples use the land and its resources. The principle that is based on an ancient Iroquois philosophy

states that the land should be used in a way that is sustainable for seven generations into the future (Joseph, 2020). The integration and ideology of this principle can be seen in the historical fishing technologies and practices of Indigenous peoples.

Along the Pacific coast, many Indigenous communities hold a First Salmon Ceremony, which honours the return of salmon that is then followed by a short pause in fishing to allow the first fish to reach their spawning grounds (Atlas, et al., 2021). Fishing methods by Indigenous communities often supported selective harvest and releasing non-targeted species (Atlas, et al., 2021). The knowledge of these sustainable fishing practices, and



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the millennia of knowledge about local fish habitat and fisheries, is detrimental to ensuring that salmon and other fish species thrive for generations to come. Not only does Indigenous knowledge tell us which fisheries management and protection processes worked in the past, it can also offer further knowledge on baselines of aquatic systems, and add insight

into the current health of fish and fish habitat. Indigenous knowledge can be sourced from many different places including oral narratives, Indigenous harvesters, published historical materials, resource and ecosystem managers/technicians, and many other places (FNFC, 2019). Indigenous knowledge is place-based, and cannot be considered or applied broadly.

Speaking as an Indigenous person who also has a Western science background, I think it is extremely important to include both Indigenous knowledge and Western science in the protection of salmon, fish, and fish habitat. Each perspective has great strengths, with no one knowledge system being able to tell us everything we need to know about the species to ensure its revival and survival for future generations. This ideology has been commonly referred to as Two-Eyed Seeing, which has been defined by Mi'kmaw Elder Albert Marshall as "learning to see from one eye with the strengths of Indigenous knowledges and Ways of Knowing, and from the other eye with the strengths of mainstream knowledges and ways of knowing, and to use both these eyes together, for the benefit of all" (Bartlett, et al., 2012). Two-Eyed Seeing offers a strategy to improve how fish and fish habitats are managed by upholding the uniqueness and strengths of both knowledge systems. And it is a critical way of thinking about how to restore important fish populations.

In 2019, Canada introduced the modernized Fisheries Act and Bill C-68, which states that "provided Indigenous knowledge must inform habitat decisions" and that Indigenous knowledge will be protected when provided in confidence to the Minister (Government



of Canada, 2021). The previous Fisheries Act included no involvement of Indigenous knowledge in fisheries decision making. As discussed previously, the inclusion of Indigenous knowledge is extremely important for the protection of salmon species, and it is extremely positive to see the government implement this provision in Bill C-68. However, policies need to be in place to ensure that Indigenous knowledge is respectfully incorporated in the decision-making process, and that First Nations protocols and laws are respected and upheld when considering Indigenous knowledge.

Crown governments need to build trust with Indigenous communities who have largely been criminalized by Fisheries' laws and policies. Years of assimilation and discrimination through policies such as the Indian Act, residential schools, and the illegalization of cultural events and traditional fishing methods have reinforced a lot of mistrust between Indigenous communities and the crown government. Many key Aboriginal rights cases were a result of fishing contraventions, thanks to Indigenous leadership in the courts. As a result, some Indigenous communities may be uncertain or concerned about how their

Along the Pacific coast, many Indigenous communities hold a First Salmon Ceremony, which honours the return of salmon. Kwantlen First Nation Salmon Ceremony. Photo by Rjjago on Wikimedia Commons

Indigenous knowledge may be used and stored under the modern Fisheries Act (FNFC, 2019). It is thus extremely important that the government of Canada acknowledge these concerns, and implement policies and procedures that respect the rights and wishes of Indigenous peoples. This includes the fact that Indigenous peoples need to be able to interpret their own Indigenous knowledge, and that they need to be the decision makers on how Indigenous knowledge informs habitat decisions. This also means that Indigenous knowledge needs to be stored with Indigenous people and not with the Minister. Indigenous knowledge does not need to be held within government to be used in ways that are beneficial to government and government agenda.

In 2016, Canada officially endorsed the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), and on June 16, 2021, Canada's Senate voted to pass Bill C-15 the UNDRIP Act into law (Duncanson, et al., 2021). UNDRIP Article 18 states that "Indigenous people have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedure, as well as to maintain and develop their own Indigenous decision-making institutions" (United Nations, 2011). On November

28, 2019, the Declaration on the Rights of Indigenous Peoples Act (DRIPA) became law in the Province of British Columbia (BC). The DRIPA Action Plan states that "these actions are intended to support changes in understandings, behaviours, and systems to shift the status quo, address Indigenous-specific racism and establish new foundations of government that respect and uphold the human rights of Indigenous Peoples" (Government of British Columbia, 2022). These federal and provincial government decisions provide additional arguments for the inclusions of Indigenous decision-making in addition to the new Fisheries Act.

The management of fish species, such as wild Pacific salmon, starts with the integration of Indigenous knowledge and Western science practices. This not only includes incorporating Indigenous knowledge, but also involving Indigenous peoples in the interpretation of that Indigenous knowledge and the overall decision-making processes regarding fish and fish habitat. The Department of Fisheries and Oceans Canada's (DFO) Fish and Fish Habitat Protection Program (FFHPP) aims to conserve and protect fisheries and aquatic ecosystems for future generations (Government of Canada, 2020). One of the reasons the program was created was to implement the Fisheries Act



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provisions from Bill C-68. As mentioned previously, an exciting provision included in the modern Fisheries Act is that provided Indigenous knowledge must inform habitat decisions (Government of Canada, 2021). Although this can be a challenging provision to execute properly, this offers an invaluable opportunity to respectfully incorporate Indigenous knowledge into decision-making processes and to have Indigenous communities be an integral part of the decision-making involving fish and fish habitats.

The way in which the provision is currently worded could mean that Indigenous knowledge could be gathered, held, interpreted, and applied to decisions as the government sees fit with no secure processes or protocols. Indigenous knowledge is sacred to Indigenous communities, and it is of utmost importance that there are respectful protocols and processes in place. It is also extremely important that Indigenous communities are meaningfully involved in all stages of the collection, storage, and usage of this information, and in the development of any protocols or processes that might inform them. Indigenous people need to be part of the decision-making process to ensure Indigenous knowledge is appropriately analyzed and interpreted (FNFC, 2019). If executed properly, this could be the

first step to co-governance or co-management of aquatic resources and the revival of important fish species. However, more work needs to be done before beginning to incorporate Indigenous knowledge and co-management of aquatic habitats more broadly.



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Policy Options

In order to conserve wild Pacific salmon and other important fish species, I recommend that a policy be created, which requires that Indigenous people be at the decision-making table during all fisheries and environmental decisions across so-called “Canada”.

The policy also needs to ensure that Indigenous knowledge should only be used to inform decision making when it has been interpreted and held by Indigenous peoples and specifically the Indigenous Knowledge Holders. This Indigenous knowledge must be respectfully incorporated at the discretion of Indigenous peoples, which is a large and complex task, so I recommend starting with a process or policy within the FFHPP that is already working to ensure the provided Indigenous knowledge is included in decision-making. The FFHPP should also develop regional First Nation-led advisory panels to gather, hold, and inform how Indigenous knowledge should be interpreted and applied during fish and fish habitat decision-making. There are over 600 Indigenous groups in Canada with over 200 of those residing in BC, and all of those groups/communities having their own Indigenous knowledge practices and protocols, making it important to have regional groups to interpret and advise on how to include Indigenous knowledge. For any decision-making of broad concern there could be a national advisory panel, which elicits advice from the various regional panels.

RECOMMENDATIONS AND CONSIDERATIONS:

1 The advisory panels need to be Indigenous-led, local to the area in which a decision is being made, have consistent dialogue with the local Indigenous communities, and be guided by these communities.

There are several First Nation-led fisheries organizations within BC that are already established, such as the Skeena Fisheries Commission, First Nation Fisheries Legacy Fund, Okanagan Nation Alliance, and others that could act as a pilot group for this advisory panel. These organizations are led by, and have established relationships with, Indigenous communities in their respective areas making them the ideal candidates to work with relative Indigenous communities and provide advice on how specific Indigenous knowledge should inform fisheries' decisions. A similar organization could also be developed in select regions, with the specific mandate of being an advisory panel for decision-making regarding fish and fish habitats. These panels should be made up of an equal amount of delegates or representatives from the Indigenous communities in specific areas.

2 The advisory panels could start by advising on how to interpret and incorporate Indigenous knowledge in decision-making processes regarding salmon and salmon habitat, due to their dire need for conservation.

This should include all decisions including allowable catch, restoration, conservation practices, etc. The advisory panel should be comprised of Indigenous community members, but the panel can work with DFO to determine how to incorporate these decisions and receive advice from DFO. The decision-making process will not be left entirely up to these panels, but the advice on how Indigenous knowledge is incorporated should be left entirely to the Indigenous-led panels.

3 The role of these panels should be to:

- Advise the government on how best to use Indigenous knowledge to inform fish and fish-habitat decisions;
- Securely hold any Indigenous knowledge that is collected;
- Have continuous engagement with its member Nations to elicit Indigenous knowledge, and to consult on how specific Indigenous knowledge may be implemented or used;
- Uphold and respect the member Nations values and protocols at all times.

4 The elected or appointed members of these panels should be compensated for their time.

DFO should engage with Indigenous communities to determine what this compensation should look like.

5 The location of these advisory panels should be advised by what Indigenous communities believe is best.

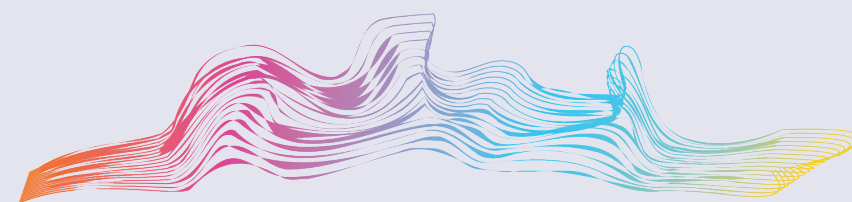
One recommendation for how these advisory panels may be distributed could be based on watersheds, or where a First Nations fisheries organization is already located. Some may cover a small geographic area and some may cover a larger one.

6 Prior to the development of these regional advisory panels, workshops should be held with Indigenous peoples across Canada to determine the best way for implementation to occur.

Indigenous communities know what's best when it comes to how their knowledge should be interpreted and incorporated in decision-making processes, and thus should be the ones who ultimately determine how these panels are developed and configured.

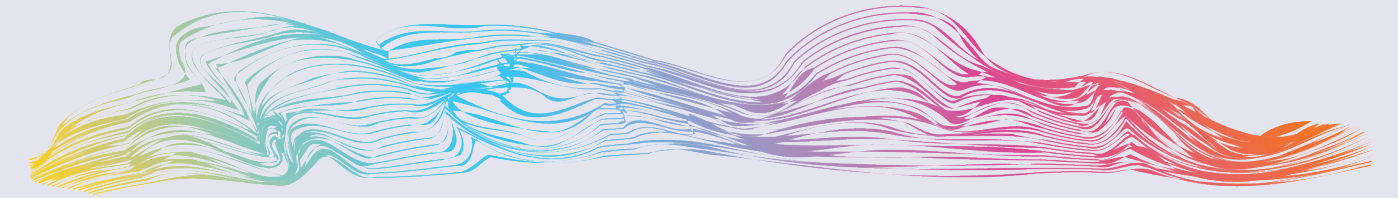
7 The configuration for a national advisory panel for decision-making of broad concern should be comprised of elected community members, from regions throughout Canada, as suggested by Indigenous leaders or members.

This group would have similar roles to the regional panels, and should garner advice and build relationships with the regional panels. Should regional panels be unobtainable and a national table be the only feasible option, there should be regular regional workshops and/or forums to elicit feedback and advice from Indigenous communities that are used to direct decisions made at the national panel. The workshops should happen, at minimum, on a quarterly basis to ensure regular engagement.



Given that the root causes of climate change are colonialism and capitalism, it's crucial to center Indigenous sovereignty in all mitigation and adaptation processes.

Conclusion



Incorporating both Indigenous knowledge and Western science is crucial for the management and conservation of all fish species, and for the protection of fish habitat. Western science alone has not been proven to be best for the conservation of fish species, and integrating historical Indigenous fisheries practices and Indigenous knowledge that has been gathered and refined over millennia is critical for ensuring that fish species, and specifically salmon, are around for generations to come.

Canada has made the first step to applying this practice through Bill C-68, which added the provision to the Fisheries Act that Indigenous knowledge must inform habitat decisions (Government of Canada, 2021). However, it is extremely important that the uptake and implementation of Indigenous knowledge is done in a respectful way that upholds the values, traditions, and laws of Indigenous peoples. This can be done by ensuring that Indigenous knowledge is looked at at the local level, and that the Knowledge Holders, or the communities, are the ones interpreting this knowledge and informing how it should

Incorporating both Indigenous knowledge and Western science is crucial for the management and conservation of all fish species, and for the protection of fish habitat.

be used to inform fisheries and habitat decisions. One way to do this is to have local Indigenous-led advisory panels that hold, advise, and elicit Indigenous knowledge.

Although I have made some recommendations of things to consider when implementing these advisory panels, it is of the utmost importance to have meaningful engagement with Indigenous communities to determine how they would like these panels to be created to ensure that their Indigenous knowledge is being respectfully incorporated in all fish and fish habitat decisions. As mentioned in UNDRIP Article 18, participation in decision-making needs to be through representatives they have chosen and in accordance with their procedures (United Nations, 2011).

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Integrating historical Indigenous fisheries practices and Indigenous knowledge that has been gathered and refined over millennia is critical for ensuring that fish species, and specifically salmon, are around for generations to come.

Vancouver Foundation is Community Inspired. We are a community foundation that connects the generosity of donors with the energy, ideas, and time of people in the community. Together, we've been making meaningful and lasting impacts in neighborhoods and communities since 1943. We work with individuals, corporations, and charitable agencies to create permanent endowment funds and then use the income to support thousands of charities. We recognize that communities are complex and that collaboration between multiple stakeholders is needed to help everyone thrive and evolve. Vancouver Foundation brings together donors, non-profits and charities, government, media and academic institutions, local leaders, and passionate individuals to build meaningful and lasting change in the province of British Columbia. We see young people, their voices and experiences as part of that vision to building meaningful change.

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