



Maa-nulth First Nations Agreement-in-Principle Fisheries

Protecting B.C.'s Fishery

British Columbia's fishery is a rich natural resource and the Province is committed to ensuring it is managed for the benefit of all British Columbians. Fisheries and fisheries habitat are renewable resources requiring careful management in order to protect diversity, abundance and health, and to ensure harmony among environmental, social and economic interests.

The provincial government supports treaty arrangements that reflect the following objectives:

- conservation and sustainability of the fishery;
- economic viability of the industry;
- equitable fishing arrangements for all participants;
- an overall vision of the fishery that informs management decisions as well as specific treaty negotiations; and
- an integrated and effective management regime across all sectors.

Clarifying Aboriginal rights through treaties

The AIP sets out that the Final Agreement will be a full and final settlement of the Maa-nulth First Nations' Aboriginal rights relating to lands and resources. This will be accomplished by modifying undefined Aboriginal rights into specific rights defined in the treaty. The treaty will also identify the scope and limitations of these rights.

Frequently Asked Questions

1) Will a treaty allow the Maa-nulth First Nations unlimited access to fish?

No. The AIP sets out that Maa-nulth First Nations fishers will have the right to harvest fish for food, social and ceremonial purposes subject to measures for conservation, public health and public safety. These fish may not be sold. Domestic fish allocations will be based on formulas that will vary annually based on the abundance of species.



2) Will Maa-nulth First Nations need licences to fish?

Yes. Individual Maa-nulth First Nations fishers will be required to carry documentation issued by their government. All persons or vessels that fish or harvest aquatic plants will be required to produce this documentation on request by an authorized person.

3) What are the components of the domestic food fishery for the Maa-nulth First Nations?

The domestic allocation for the Maa-nulth First Nations includes herring, halibut, some species of groundfish, Dungeness crab, prawns, and sockeye, chinook, coho and chum salmon. Before Final Agreement, domestic allocations will also be determined for other species, including bivalves, shellfish and tuna. Maa-nulth First Nations citizens will have the right to trade and barter their domestic catch among themselves or with other Aboriginal people of Canada living in British Columbia.

4) Who will be responsible for managing the domestic fishery for the Maa-nulth First Nations?

A joint fisheries committee will be open to Maa-nulth First Nations, all other Nuu-chah-nulth First Nations, and the federal and provincial governments. The Maa-nulth First Nations will develop annual fishing plans for review by the joint fisheries committee. The plans will detail fish species and amounts to be harvested. The federal Minister of Fisheries and Oceans will authorize the Maa-nulth First Nations' domestic fishery based on recommendations from the joint fisheries committee and the annual fishing plans.

5) If there is a conservation concern for a certain species, how will this be addressed in the treaty?

The federal Minister of Fisheries and Oceans will retain authority for fisheries management under the treaty and may designate a species if there is a conservation concern. Maa-nulth First Nations' allocations would be negotiated based on a share of the total allowable catch. Factors that will be considered include the status of the species and harvesting levels by other fishers.

6) Will the Maa-nulth First Nations have a commercial fishery?

The AIP sets out provisions for the Maa-nulth First Nations and the federal government to negotiate commercial fish licences outside the treaty on the same basis as other commercial fishers. These negotiations will determine annual allocations of sockeye and chinook salmon, herring, halibut, sablefish and Dungeness crab

7) Will the court ruling on the Aboriginal Fishing Strategy affect provisions in this AIP?

No. The Aboriginal Fishing Strategy was a federal pilot sales program. The provincial court ruling is about the extent to which this federal program, which is distinct from fisheries negotiations at treaty tables, did or did not comply with section 15 of the Charter of Rights and Freedoms.

The Maa-nulth AIP sets out provisions for commercial licences to be negotiated through the Department of Fisheries and Oceans on the same priority as other commercial fisheries. In other words, Maa-nulth fishers will not be entitled to a separate commercial fishery that excludes other fishers.

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