

## **Yale First Nation Final Agreement: Fisheries Fact Sheet**

*The Yale First Nation Final Agreement was negotiated by the Government of Canada, the Government of British Columbia and Yale First Nation. The Final Agreement provides Yale First Nation with certain rights and benefits regarding land and resources, and self-government over its lands and resources and its members. It provides certainty with respect to ownership and management of lands and resources and the exercise of federal, provincial and Yale First Nation governmental powers and authorities.*

### **Yale Food, Social and Ceremonial Fishery**

The Yale First Nation will have the right to harvest fish and aquatic plants for food, social and ceremonial purposes (FSC), subject to measures necessary for conservation, public health or public safety. This right will be exercised within defined geographic areas as described in the Final Agreement. Fishing will be authorized in accordance with a Harvest Document (licence) issued by the Minister of Fisheries and Oceans Canada (DFO).

### **Allocations of Fish for Food, Social and Ceremonial purposes**

The Final Agreement provides for Yale First Nation treaty allocations of sockeye, pink, coho, chinook and chum salmon for FSC purposes. Allocations are based on annual abundance to conserve and promote the long-term sustainability of the resource.

Sockeye, chinook and coho salmon FSC allocations are for those stocks that originate upstream of the bridge crossing the Fraser River at Agassiz. Pink and chum salmon FSC allocations are for those stocks whose natal waters are in the Fraser River watershed.

#### *Sockeye Salmon*

In any year, the Yale First Nation allocation for sockeye salmon will be 0.9097 per cent of the Canadian Total Allowable Catch (CTAC) for Fraser River sockeye salmon up to a maximum of 7,278 fish.

#### *Pink Salmon*

In any year, the Yale First Nation allocation for pink salmon will be 0.037 per cent of the CTAC for Fraser River pink salmon up to a maximum of 3,710 fish.

### *Chum Salmon*

In any year, the Yale First Nation allocation for chum salmon will be 0.655 per cent of the Terminal Surplus of Fraser River chum salmon for the year up to a maximum of 327 fish.

### *Chinook Salmon*

In any year, the Yale First Nation allocation for chinook salmon will be an amount of Fraser River chinook salmon determined by an abundance-based formula based on the CTAC. If the formula were applied to the abundance levels for the years 1992 – 2003 the allocation would have averaged 1500 pieces.

### *Coho Salmon*

In any year, the Yale First Nation allocation for coho salmon will be an amount of Fraser River coho salmon determined by an abundance-based formula based on the CTAC. If the formula were applied to the years 1992 – 2003 the allocation would have averaged 300 pieces.

## **Non-allocated Species – Food, Social and Ceremonial Purposes**

The Final Agreement leaves some species of fish and aquatic plants non-allocated. A process has been set out in the Final Agreement to establish allocations at the request of Yale First Nation, Canada or British Columbia.

## **Yale First Nation Harvest Agreement**

The Harvest Agreement, separate from the Final Agreement, provides for commercial fishing licences to be issued by DFO to Yale First Nation. These licences would authorize Yale First Nation to harvest up to 1.15 per cent of the commercial CTAC for Fraser River sockeye, and up to 0.17 per cent of the Canadian CTAC for Fraser River pink salmon.

The terms and conditions of commercial licences issued to Yale First Nation will be comparable to those for licences issued to other commercial harvesters.

If fisheries management practices change to a system that allows for allocation of commercial quota, the Harvest Agreement provides Yale First Nation with the opportunity to reallocate quota for Fraser River sockeye, pink or chinook salmon should such a fishery be established.

## **Fishery Management and Conservation**

The federal and provincial governments retain authority to manage and conserve fish, aquatic plants and fish habitat, according to their respective jurisdictions.

Yale First Nation will have law-making authority with respect to designating who can participate in the harvest of fish and aquatic plants under the Yale First Nation Fishing Right, and how the harvest will be distributed among Yale First Nation Members.

The federal and provincial governments and Yale First Nation will establish a Joint Fisheries Committee to undertake cooperative planning of Yale First Nation fishing, fisheries management activities, and other fisheries-related matters. The Committee may make recommendations to the Minister of Fisheries and Oceans on these matters.

Yale First Nation will prepare an annual fishing plan for the harvest of fish under the Yale First Nation Fishing Right. The Joint Fisheries Committee will review the plan, and will forward recommendations to the Minister on provisions to be included in a Yale harvest document.

The Final Agreement also provides for Yale First Nation participation in public fisheries management advisory processes on the same basis as other First Nations.

### **Trade and Barter**

Yale First Nation has the right to trade and barter fish and aquatic plants harvested under the Yale First Nation Fishing Right, among Yale members and with other Aboriginal people of Canada. Trade and barter does not include sale.