



Maa-nulth First Nations Agreement-in-Principle Wildlife Management

Protecting B.C.'s Wildlife

British Columbia's wildlife is a rich natural resource and the Province is committed to ensuring it is managed for the benefit of all British Columbians. Wildlife and wildlife 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 Province's overall principle for addressing wildlife issues in treaty negotiations, as publicly endorsed by the people of B.C., is that "hunting, fishing and recreational opportunities on Crown land will be ensured for the use and benefit of all British Columbians."

The government of British Columbia seeks to negotiate treaties that:

- ensure wildlife conservation and sustainability;
- ensure continued hunting and recreational opportunities on Crown land for the benefit of all British Columbians; and
- clarify rights, responsibilities and jurisdiction with respect to wildlife.

Wildlife Management

Based on the Maa-nulth First Nations AIP, the Final Agreement will provide all three parties – Maa-nulth First Nations, British Columbia, and Canada – with certainty regarding hunting and fishing rights. The AIP defines Maa-nulth First Nations' hunting and fishing rights by identifying the scope of and limitations on those rights, and the overriding authority of responsible ministers. The Final Agreement will be the full and final settlement of the Maa-nulth First Nations' Aboriginal rights relating to hunting and fishing. This will be accomplished by modifying the general, undefined Aboriginal rights to harvest wildlife and fish into the specific, defined rights spelled out in the Final Agreement.

Frequently Asked Questions

1) **Who will retain overriding authority over wildlife management?**

The provincial and federal ministers responsible for wildlife and migratory birds will retain full responsibility for managing and conserving these resources.

2) **Will a treaty allow Maa-nulth First Nations unlimited access to hunt wildlife and migratory birds?**

No. The AIP sets out that Maa-nulth First Nations hunters will have the right to harvest wildlife for domestic purposes within a defined area, limited by measures necessary for conservation, public health, and public safety.



3) Will Maa-nulth First Nations members need licences to hunt?

Yes. Maa-nulth First Nations hunters will be required to carry documentation issued by their governments. A wildlife harvest plan, developed jointly by Maa-nulth First Nations and British Columbia and approved by the provincial minister, will include details on the designation and documentation of Maa-nulth First Nations hunters.

4) Will Maa-nulth First Nations enforce hunting restrictions on their own members? If not, who will be responsible for ensuring that violators are prosecuted?

It is the intention of Maa-nulth First Nations to enforce harvesting arrangements that will be set out in the treaty. Under the treaty, provincial conservation officers will retain authority to enforce the Wildlife Act. The parties may negotiate arrangements outside the Final Agreement regarding enforcement of provincial and federal laws and Maa-nulth First Nations laws over hunting activities of Maa-nulth First Nations members.

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

The provincial Minister of Water, Land and Air Protection will retain authority for all aspects of wildlife management. The Maa-nulth First Nations right to hunt is subject to measures that are necessary for conservation. Under the treaty, the provincial minister may determine that a species is designated if there is a conservation concern, and a Maa-nulth First Nations allocation would be negotiated based on a share of the total allowable harvest. Factors that would be taken into consideration include the status of the species and current harvesting levels by hunters who are not Maa-nulth members. If the total allowable harvest is zero, there will be no allocation for Maa-nulth First Nations hunters.

6) What is a wildlife harvest plan?

A wildlife harvest plan is a detailed management regime for harvesting species for which there is a conservation concern – or by agreement of the parties for other species. The plan will identify the methods, timing, and locations of Maa-nulth First Nations harvests of species. A wildlife harvest plan must be approved by the provincial minister before it can come into effect.

7) Under this agreement, will the Maa-nulth First Nations be able to sell the wildlife they hunt, and how will trading and bartering of wildlife apply to this agreement?

Under the treaty, wildlife harvested by Maa-nulth First Nations members would be for domestic purposes and may not be sold, which is consistent with provincial and federal laws. Maa-nulth First Nations will have the right to trade or barter among themselves — or with other Aboriginal people of Canada who are living in British Columbia — any wildlife or wildlife parts harvested under their treaty rights. Trade and barter does not include the right to sell wildlife.

8) In what way will a treaty help to protect and conserve wildlife in the area?

Maa-nulth First Nations share the commitment of local wildlife users to sustaining wildlife populations in the west coast region of Vancouver Island. The First Nations have agreed that conservation and health of wildlife stocks will take precedence over their treaty hunting rights. Maa-nulth First Nations have also agreed to exchange harvest information with provincial wildlife managers, which will contribute to managing the total harvest for the benefit of all wildlife users.

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