



NATURAL RESOURCES IN THE MAA-NULTH TREATY

THE FIRST NATIONS OF MAA-NULTH TREATY SOCIETY

Huu-ay-aht First Nation | Ka:'yu:k't'h'/Che:k'tles7et'h' First Nations

Toquaht Nation | Uchucklesaht Tribe | Ucluelet First Nation



NATURAL RESOURCE RIGHTS

- Throughout Treaty Lands:
 - Harvesting, management, protection and enhancement of all natural resources
- Throughout Ha-houlthee:
 - Harvesting, participation in management, protection and enhancement of all natural resources



NATURAL RESOURCES IN THE TREATY

- Subsurface Minerals
- Water
- Forest and Range Resources
- Wildlife
- Migratory Birds
- Federal and Provincial Parks
- Monumental Cedar



SUBSURFACE MINERALS

- Maa-nulth First Nations will:
 - own subsurface minerals on or under Treaty Lands
 - have the authority to set fees, rents, royalties and other charges, except taxes, for exploration, development, extraction and production;
- Existing subsurface resource tenures will continue (unless forfeited, abandoned or surrendered)
 - rents or royalties go to the applicable Maa-nulth First Nation



WATER (domestic, industrial, agricultural)

- Treaty rights to water for domestic, industrial and agricultural use
- Sale of water is in accordance with Federal Law and Provincial law
- Each Nation has a an annual allocation of water set aside as a water reservation on designated streams as follows:



WATER (domestic, industrial, agricultural)

Maa-nulth First Nation	Water Reservation (cubic decametres)
Huu-ay-aht	75,000
<u>Ka</u> :’yu:’k’t’h’/Che:k:’tles7et’h’	50,000
Toquaht	15,000
Uchucklesaht	50,000
Ucluelet	57,000

* a cubic decametre is 10 metres x 10 meters x 10 meters

* For comparison, City of Port Alberni utilizes 5,000 cubic decametres per year



WATER (hydro power)

- Hydro Power Reservations allow each of Maa-nulth Nation to investigate the suitability of hydro power generation:

- Huu-ay-aht

Sarita River for 5 years

- Ka:'yu:'k't'h'/Che:k'tles7et'h'

Tahsish River for 5 years

- Toquaht

Draw Creek for 2 years

- Ucluelet

Nahmint River for 2 years

- Uchucklesaht

Handy Creek for 2 years

Uchuck Creek for 5 years



FOREST AND RANGE RESOURCES ON TREATY LANDS

Maa-nulth First Nations:

- own the forest and range resources
- have the right to manage, protect, enhance and harvest forest and range resources
- have the right to set, collect and administer fees, rents and other charges, except taxes, relating to the harvesting of forest or range resources
- have the right to make laws in respect of forest and range resources



FOREST AND RANGE RESOURCES ON TREATY LANDS

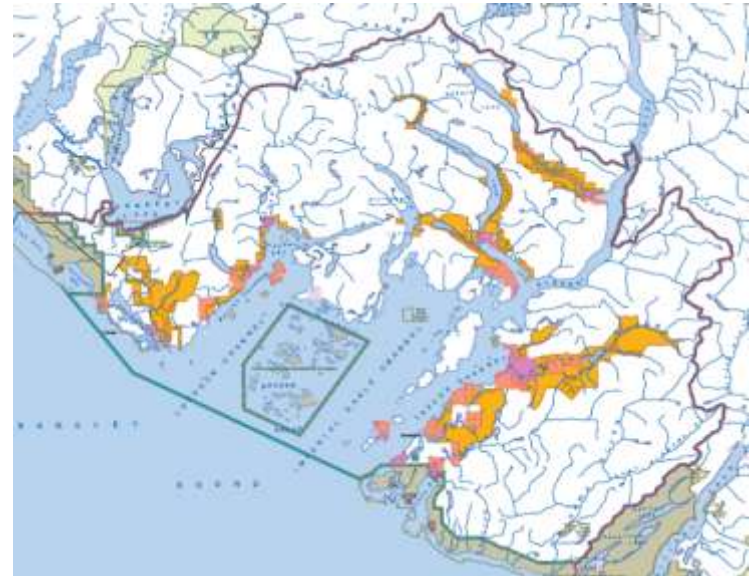
- Timber from Treaty Lands is eligible for export under Federal Law and policy
- Provincial law and marking and scaling system apply
- Maa-nulth is responsible for the control of insects, diseases and invasive plants or animal on its Treaty Lands
- A Wildfire Suppression Agreement limits the liability of Maa-nulth in the event of wildfire affecting Treaty Lands



WILDLIFE HARVEST AREAS



Kyuquot Sound



Barkley Sound



WILDLIFE

- Wildlife Harvest Areas are the traditional territories of the Maa-nulth First Nations
- Maa-nulth have the right to harvest wildlife for domestic purposes subject to public health or safety
- Only a Maa-nulth First Nations Government may limit the right of all Maa-nulth-aht to harvest wildlife



WILDLIFE

- Maa-nulth will have a say if BC decides to use or sell Crown Lands in a way that impacts Wildlife harvesting rights
- harvesting of wildlife on fee simple lands (non-Maa-nulth lands) will be in accordance with Provincial and Federal Law
- Canada may require same licences for use and possession of firearms as for other aboriginal people of Canada
- Maa-nulth Governments will issue documentation to wildlife harvesters



WILDLIFE COUNCIL

- 10 Maa-nulth representatives will develop a Wildlife Harvest Plan to be proposed to BC
- Species requiring conservation measures may become “Designated Species” – elk (glunem) only at this time - Wildlife Council will also address enhancement of elk and elk habitat
- BC and the Wildlife Council negotiate an allocation of the Total Allowable Harvest for any Designated Species for Maa-nulth



ALLOWABLE HARVEST OF DESIGNATED SPECIES

- Maa-nulth portion of the glunem (elk) harvest is determined as a % of the total available animals, where herds can support harvest
- Currently harvestable herds are in: Nahmint, Tahsish and Artlish Watersheds
- Where other glunem (elk) herds in other areas become of harvestable size, Maa-nulth portion of the harvest will also be determined as a % of allowable harvest



WILDLIFE: TRADE AND BARTER

- Each Maa-nulth First Nation has the right to Trade and Barter among ourselves or with other aboriginal people of Canada resident in British Columbia
- Maa-nulth First Nations may sell, transport or export wildlife, wildlife parts (including meat and furs) if permitted by and in accordance with Federal Law and Provincial Law



TRAINING AND ENFORCEMENT

- Maa-nulth First Nations may establish training programs for our own hunters (or BC's program will apply)
- Provincial Training Program requirement does not apply to Maa-nulth hunters who are 19 years of age or older on Effective Date of the Treaty
- Enforcement of Wildlife Laws is to be negotiated between British Columbia and the Maa-nulth Nations



TRAPLINES AND GUIDE OUTFITTERS

- (Non-Maa-nulth) Traplines, Guide Outfitter Licences and Angling Guiding Licences continue (even on Treaty Lands)
- agreements will be made with licence holders regarding access
- Traplines, Guide Outfitter Territories or Angling Guiding areas which become vacant or are abandoned will not be re-issued without the consent of the applicable Maa-nulth First Nation



MIGRATORY BIRDS

- Migratory Birds Harvest Area (for domestic purposes) includes the entire Wildlife Harvest Area and a seaward area
- Canada may require same licences for use and possession of firearms as for other aboriginal people of Canada
- Maa-nulth can trade and barter among ourselves or with other aboriginal people of Canada resident in British Columbia
- Migratory Birds may only be sold if permitted under Federal Law or Provincial Law



MIGRATORY BIRDS

- Maa-nulth First Nations will issue documentation to harvesters
- Maa-nulth First Nations have the right to take part in any public advisory committees regarding Migratory Birds
- Where Migratory Birds are subject to conservation measures, that population of Migratory Birds may be 'designated' and a Total Allowable Migratory Bird harvest set by the Minister after consultation



FEDERAL PARKS - management

- Applicable Maa-nulth First Nations and Canada will enter agreement to define how we will cooperatively plan and manage Pacific Rim National Park



FEDERAL PARKS - harvesting

- Rights apply to Maa-nulth First Nations with Federal Parks in their territories
- Maa-nulth have the right to gather traditional foods, plants and timber for medicinal, ceremonial or artistic purposes, hunt, fish and trap for food, social and ceremonial purposes (limited only by conservation, public health or public safety measures)
- Canada must consult with affected Nation if conservation measures may affect harvesting rights



FEDERAL PARKS - harvesting

- Renewable resources harvested in a Federal Park or Protected Area may be traded or bartered among ourselves or with other aboriginal people of Canada
- Applicable Maa-nulth Governments will issue documentation to harvesters from their First Nation
- An annual Renewable Resource Harvesting Plan will be developed by the applicable Maa-nulth First Nation and Canada



PROVINCIAL PARKS - Harvesting

- Maa-nulth have the right to harvest renewable resources throughout Provincial Parks for food, societal, ceremonial and medicinal purposes
- Maa-nulth First Nations may be required to develop Gathering Plans for conservation, public health or public safety reasons
- Maa-nulth Governments will issue documentation to those Maa-nulth-aht who gather renewable natural resources within a Provincial Park or Protected Area



PROVINCIAL PARKS - Management

- Separate agreement with BC provides for the cooperative management by BC and the applicable Maa-nulth First Nations, including economic benefits and development of management plans
- Maa-nulth may participate in public management planning process established for Provincial Parks or Protected Areas within their area
- British Columbia will not expropriate Maa-nulth First Nation Lands for the purpose of creating or enlarging a Provincial Protected Area



PROVINCIAL PARKS – New areas

- The Power River Watershed Protected Area will be established by British Columbia on the Effective Date of the Treaty. This area will have special rights for the harvest of monumental cedar for cultural and ceremonial purposes
- The Thunderbird's Nest (T'iitsk'in Paawats) Protected Area will be established by British Columbia on the Effective Date of the Treaty. Provisions for co-management and culture-related economic opportunities will exist



MONUMENTAL CEDAR

- By agreement, Maa-nulth have assured right to harvest a long-term supply of up to 250 cubic metres per year of monumental cedar for cultural and ceremonial purposes throughout their respective Ha-houlthee
 - (e.g. carving, canoes, paddles, house posts, poles, etc.)

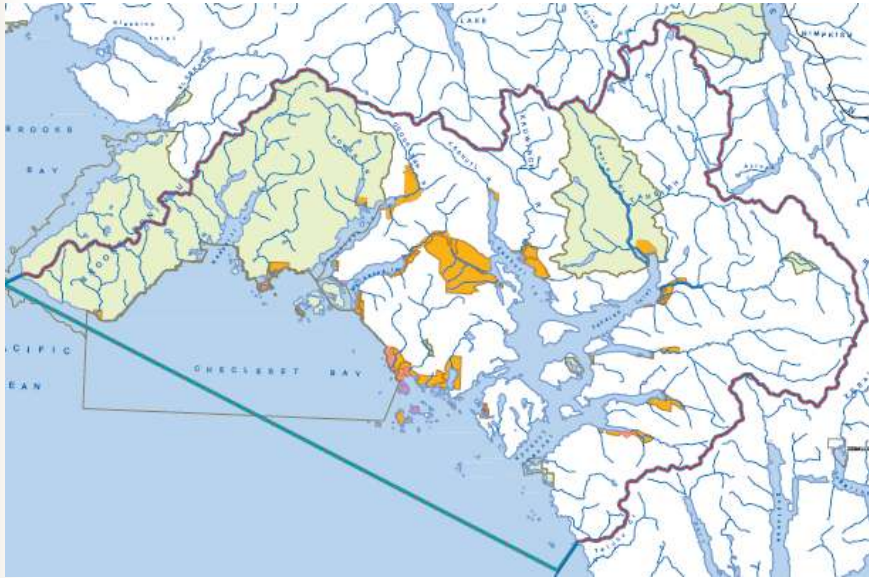


NATURAL RESOURCE RIGHTS

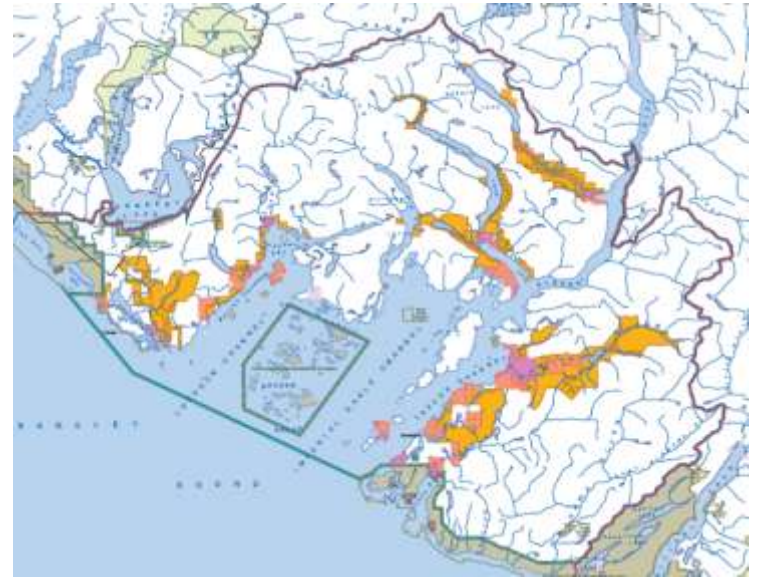
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WILDLIFE and MIGRATORY BIRDS HARVEST AREAS



Kyuquot Sound



Barkley Sound





Thank you

www.maanulth.ca

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