



KITSELAS
TREATY INFORMATION SOURCE

TREATY INFORMATION SESSION: Fish Chapter Update & Periodic Renewal | March 29, 2023

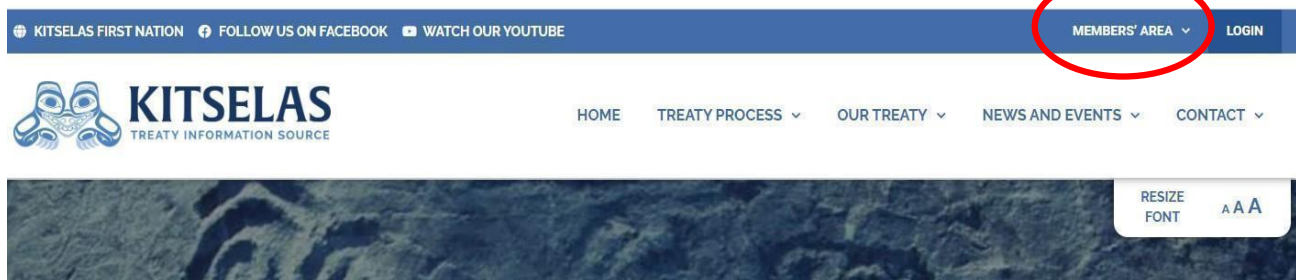
Thank you to Kitselas Members who joined us for our latest and 21st local Treaty Information Session community meeting at the Administration Building in Gitau and via Zoom on March 29, 2023. Everyone is welcome at Treaty Information Sessions.

Below are the Q&As and comments from the meeting.

The next Treaty Information Session is on Wednesday, April 26, 2023, with dinner at 6 p.m. and the meeting at 6:30 p.m. at the Best Western Terrace Inn. The topic is an update on the Kitselas Constitution and Dispute Resolution.

The meeting recording and informational booklet from the March 29 meeting are available in the Members' Area of the www.kitselastreaty.ca website.

Please register to access this area:



Comment – *I would like to see federal Fisheries come again, and make a community presentation on new fishing rules, regulations, and laws to help community understand what is permitted now.*

A – We have noted this and will forward your request to Kitselas Lands and Resources.

Comment [Fish Guardians/monitors] – *You're going to hire young people. They should travel with the fish guides should to see how the catch and release works and what it is. We have seen, further up the river, where all of the catch and release*

people are, and the effects that there are on the fish. We have seen and experienced this a few times.

The Kitsumkalum River is the only river left in the area where you can use a river boat. Guide outfitters use their boats in many places. They've bought new boats and equipment to do so. I've talked to the Kitsumkalum people a lot, and because of the low water levels, this is a challenge. It is a critical time right now. The fry are coming up the river, and the high powered boats and low water levels are having an effect on how (and if) the fry's get to the ocean. The thing is that there is a trickle down effect. There are years when they are allowed to go up, and when they are not. We are losing our spots, and what is going on is having an effect.

There have to be restrictions. Last year, my neighbours were at Ferry Island, and where everybody is flossing (snagging) and the fish are going up the stream, and the fish, when he's opening up his mouth. They have been out on the beach of Ferry Island, and again, there are fish who are upside down and trying to revive itself. he catch and release fisher people are harassing the fish. Many fish don't make it because of this. As much as the fisher people say they are only catching chinook salmon, it is hard to tell what you are catching in the moment.

We have to start to understand what is happening out there to the fish. Catch and release and steelhead. I know my relatives are listening to me online. My sister-in-law Beatrice and others, they know, and they were brought up around here, and what the fishing was like in the past.

I'll let others talk now. I think I brought up some good points. We are going to do this for our children, grandchildren and great grandchildren.

A – Treaty will give us a chance to control stocks on our part of the river. We will not have any control or impact on the Kitsumkalum River, that's Kitsumkalum Territory, not ours. Because Treaty will allow us to sell, will people rush out to get boats? Maybe, but we will be able to manage this through our own internal processes.

Q – Are we able to increase the number to catch of salmon to for each household? The average household is 150 to 300 per season. If we are able to increase the other numbers, for example 10 per household.

A – Frankly, it is unlikely that the Kitselas fish quotas will be increased in Treaty, as the Department of Fisheries and Oceans (DFO) has to balance what is reserved for us versus every other First Nation on the Skeena, Treaty or not. These quotas 'come off the top' so to speak. Once the conservation re-stocking number has moved up the river (600,000 for sockeye), our rights are next before recreational fishery (noting that we still have to catch them). As well, in strong return years for a

specific stock, we can apply for additional catch for that year. The quotas apply every year.

It's not clear where you are getting the higher numbers. The numbers we asked for in Treaty were based on historic numbers. I know many community members fish, but I'm not sure if everyone does. The numbers we showed you are our community's numbers. If you're a Member in Vancouver, for example, the numbers wouldn't apply to you.

Q – After Treaty, they say that we are allowed to trade resources from here to Alberta. If we are travelling with jarred fish, there are no permits. If we are travelling with fresh fish, however, we need a permit. Will this still be in effect after Treaty?

A – The single harvesting card would be your permit to transport, too. The only people who would need a special transportation permit would be non-Aboriginal people like me (David Try). If I were transporting fish for Sue (wife), taking it to my aunt in Prince Rupert, I would need a permit to transport

If we see bigger runs, we can increase the numbers. But the Department of Fisheries and Oceans (DFO) is showing us that numbers are declining because of climate changes. Also, the first 6,000 sockeye that flow up the river, no one can touch; DFO shared this information. But after that, we have the first chance to catch the fish. We can show you more of the numbers afterwards.

The quota for ocean stock species are separate. But, we are not aware of a lot of Kitselas Members catching out on the ocean. You need a good boat to start with. We would love to see people catching crab and other species. Note, these numbers are not related to any commercial quota, at all.

Q – I tend to agree with the comment about the numbers. Even with the allocation of 23,000, in my mind, I think this minimizes the constitutional right to harvest fish. Even though this is a negotiated piece, I know that we will adjust to conserve. But when numbers are higher, I know that the catches will be higher, as well.

In terms of the numbers we're getting, I'm wondering about the quantity that we are getting. We hear and read about chemicals into the Skeena from the bridge repair. We don't know what the impact will be. We also have the CN Rail, who went through and sprayed their chemicals along the rail line and this seeps into the ground and waters. Looking at this and how the map extends half way out to Haida Gwaii. After Fukushima, they were monitoring the fish and what the impact was on sea-life. This will have an impact on our fish stocks. Who besides DFO, from our Nation [and] from the Tsimshian, are noticing the impact on our

seafood, and our salmon? Even though the government has cutback and challenged the fish farm, we know the history and know this is also having an impact on the natural stock. Those are my questions and concerns from a political and on-the-ground level. What data do we have?

A – It will be up to us to monitor, in whatever way we want to monitor. Obviously DFO monitors, but they can't control or regulate what happened in Japan. We know there is a controversy about Alaskan people catching fish. The Treaty can't address this. The government can't either, because it is happening on US soil. There is one spill that DFO told us about. They promised Chief Glenn a copy of the final report and we intend to remind them of that commitment at our next Fish Treaty meeting. DFO has said it is still an active investigation.

We do not know anything about a chemical spill near the old bridge construction.

If we want to use some of the money that we will receive to monitor what is happening to the fish stocks, we will have the opportunity. The Treaty will give this to us. We don't see the details going into the Treaty.

About CN Rail, we know that CN received a big fine for breaking Canada's herbicide regulations. As well, CN was publicly embarrassed and it continues to come up at meetings with CN, including by Kitselas. They have promised that this will not happen again in meetings with them. We take this at face value.

Comment [on the bridge spill] – *We (Kitselas Public Works) went to take a look the other day. It is cleaned up and we wanted to see what has happened. It was a rusted bag of nuts and bolts. As far as we know they have ribboned it right off, and we didn't see any rust on the side of the river. It's on the rocks at the side of the river.*

Comment – *It's interesting looking at the fisheries area. It's a lot of negotiations on different people to look at this. We have our Nation that will have the final say with what we do. That's why people are here to work on behalf of the Nation. It's also up to the Nation to be notified and know what is taking place. To me, being in the Council, it wasn't a serious discussion as it was. It's a big thing. Because in your heart you watched lands, housing, other things change within your village. With the Treaty, we have to watch to see what will be next. I thank you for making the presentation and its important for our Nation to know what is happening. As for the other departments, they all have a role in what happens. I'm very happy with what is happening, and I will share it with the Nation.*

Q – Selling fish - The Moricetown people have been selling their fish for a while now. They have the rivers there that are spawning grounds. It stops them from replenishing their [stock] and the spawning fish coming downriver to us. Who authorizes this?

A – We are not familiar with Moricetown fish sales. They may have a commercial permit or perhaps the government is not enforcing the laws. But for Kitselas, under the *Indian Act*, we cannot sell fish, although we can trade fish with other Aboriginal People. In Treaty, we will be able to sell fish, as long as we follow the various rules – it won't be a free for all. Kitselas members will have to apply for a fish sale permit, and sell the fish to the Nation, not on the side of the road.