



Licence Number: XFSC 306 2018

File Number: 2017 Hupacasath CL - 042 - Salmon

Valid From: 01-Aug-2018

Expiry Date: 31-Dec-2019

This licence is issued under the authority of SECTION 4 OF THE ABORIGINAL COMMUNAL FISHING LICENCES REGULATIONS.

This licence is not intended to define an Aboriginal right to fish or its scope; however, for the fishing season, it is intended to provide a mechanism, for reasons of proper management and control of the fisheries and conservation and protection of fish, for requiring compliance with the provisions of this licence.

This licence is subject to the *Fisheries Act* and regulations thereunder, and confers the authority to fish under the following conditions: Food, Social, and Ceremonial purposes.

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**Licence/Permit Activity Description:**

The Fishery is limited to the harvest of sockeye, coho, chum and Chinook. All efforts and attempts shall be made to return all non-target species to the water alive and unharmed.

Subject to closures and other terms and conditions of this licence, the authority to fish under this licence will expire on December 31, 2018.

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**Period of Activity:**

Subject to amendments to the conditions of this licence and subject to close times as may be varied by the Director-General, Pacific Region, DFO in accordance with the Fishery (General) Regulations, the Licence Holder may harvest during the periods further described in the Species, Quantity of Fish, Area(s) and Gear and the Terms and Conditions portions of this licence document. Subject to closures and other terms and conditions of this licence, the authority to fish each species set out on this licence will expire on the date specified or earlier if DFO, after consultation with the First Nation, has determined that the maximum quantity for the species has been reached. This licence is for a maximum quantity for the term of this licence, for management purposes only, and is without prejudice to maximum quantities in future years. Should the First Nation reach their maximum specified quantities and require more, DFO will enter into discussions with the First Nation on the fish species they require.

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**Licence Holder:**

FIN: 89481  
5500 AHAHSWINIS DRIVE  
PORT ALBERNI BC V9Y 6Z6

HUPACASATH FIRST NATION

Contact Number: 250-724-4041  
Fax Number: 250-724-1232

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**Species, Quantity of Fish, Area(s) and Gear:**

<b>Species:</b>	CHINOOK SALMON ( <i>Oncorhynchus tshawytscha</i> ); COHO SALMON ( <i>Oncorhynchus kisutch</i> ); CHUM SALMON ( <i>Oncorhynchus keta</i> ); SOCKEYE SALMON ( <i>Oncorhynchus nerka</i> );
<b>Life Stage:</b>	Adult or Jack
<b>Allowable Fishing Times:</b>	Start: Wednesday, August 1, 2018 at 00:01 End: Monday, December 31, 2018 at 23:59
<b>Gear:</b>	Hook and Line
<b>Licence Area:</b>	Portions of PFMA 23

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**Additional Descriptions:** Area 23 is open to hook and line fishing for:

- Chinook
- Coho
- Chum
- Incidentally caught sockeye may be retained

**Except** for the following area restrictions:

The following areas remain closed to fishing by hook and line:

1. Uchucklesit Inlet (that portion of 23-3 northwest of a line between boundary signs at Brooksby Point and Burrough point);
2. Papermill Dam Pool (that portion of the Somass River (sub-area 23-1) from signs located near the bottom of the rapids immediately north of Papermill Dam Pool, then downstream to boundary signs located on both sides of the Somass River approximately 60 metres downstream from the northern tip of the unnamed island directly below Paper Mill Dam Pool); and
3. The tidal portion of the Somass River (that portion of Subarea 23-1 from the tidal boundary signs at Paper Mill Dam on the Somass River downstream to a line located at a boundary sign in upper Alberni Harbour situated at 49 degrees 14.190 north latitude and 124 degrees 50.230 west longitude then through the southern most point of Hoik Island then to the flashing green light at the mouth of the Somass River then due east to a boundary sign on the opposite shore) from 22:00 hours to 05:00 hours daily (closed at night).

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## Terms and Conditions:

### Definitions

"Angling" means fishing with hook and line with or without a rod. This does not include fishing with a set line.

"Communal seine" means the seine net marked with an unique numerical identification tag issued to the First Nation for the purpose of conducting communal seine fishing in the waters of the Somass River southerly of the tidal water boundary.

"Commercial Fishing Gear" means power-assisted gear commonly used in the commercial fishery including, hydraulic gurdies, powered drums, blocks or live rollers.

"commercial fishing vessel" means a vessel that is registered according to the Pacific Fishery Regulations, 1993 and which is used to fish for a species of fish which is authorized by a commercial fishing licence (including commercial licences under the Aboriginal Communal Fishing Licences Regulations). This does not include non-licenced vessels fishing for food, social or ceremonial purposes.

"DFO" means Fisheries and Oceans Canada (formerly Department of Fisheries and Oceans).

"First Nation" means First Nation noted as a Licence Holder in this Licence

"Fish" means those species of fish listed in Parts I & II of Schedule I of the Pacific Fishery Regulations, 1993, including herring spawn.

"Fishery" means fishing under the authority of this licence.

"Gill net" means a net that is used to catch fish by enmeshing them;

"Licence" means any type, kind or category of licence as defined in the Fishery (General) Regulations.

"Management Area" means a management area as defined in the Pacific Fishery Management Area Regulations.

"Subarea" means a Subarea as defined in the Pacific Fishery Management Area Regulations.

"Vessel Master" means the Captain or Skipper, or any person having charge of the Vessel.

"Vessel" means a vessel larger than 30 feet or a vessel equipped with commercial fishing gear.

"Wild coho" means those coho with an adipose fin.



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### **DFO Key Contacts for this Licence**

Contact Information for Fisheries and Oceans Canada (DFO) staffed positions identified within this licence are provided below:

“DFO Resource Manager” Mike Spence, 4706 Tebo Avenue, Port Alberni, V9Y 8B1, Phone: 250-720-4448, Fax: 250-724-5555, and Email: [Michael.Spence@dfo-mpo.gc.ca](mailto:Michael.Spence@dfo-mpo.gc.ca).

“DFO Resource Manager” Ryan O'Connell, 4706 Tebo Avenue, Port Alberni, V9Y 8B1, Phone: 250-720-4440, Fax:250-724-5555, and Email: [Ryan.O'Connell@dfo-mpo.gc.ca](mailto:Ryan.O'Connell@dfo-mpo.gc.ca).

“DFO Conservation and Protection Detachment Supervisor Jim Robson, West Coast Vancouver Island Detachment, 4706 Tebo Avenue, Port Alberni, B.C., V9Y 8B1, Phone: 250-720-4450, Fax: 250-724-5555, and Email: [Jim.Robson@dfo-mpo-gc.ca](mailto:Jim.Robson@dfo-mpo-gc.ca).

### **Use of Fish**

Fish caught under this licence are for food, social and ceremonial purposes. Without prejudice to future agreements or regulations, sale of fish caught under this licence is not permitted. This does not preclude the traditional exchange or distribution of fish or fish products within and between Aboriginal people and Aboriginal communities.

### **Designation of Individuals**

No individual other than a designated individual may participate in the FSC Fishery.

The First Nation will designate specific members of the First Nation to engage in fishing in the FSC Fishery on their behalf by issuing a designation document to each designated Member.

In addition to designating specific members of the First Nation to engage in fishing in the FSC Fishery, the First Nation may designate individuals who are not members of the First Nation to engage in fishing by issuing a designation document to them.

Where Prior to the commencement of the FSC fishery and as may be amended during the Fishery, the First Nation designates members of the First Nation or individuals to engage in fishing in the FSC Fishery, it will provide to the DFO Conservation and Protection Supervisor a list of the names of designated members of the First Nation and other individuals, prior to the commencement of the FSC Fishery.

The First Nation will issue a designation document to each member of the First Nation or other individual that the First Nation designates to engage in fishing in the FSC Fishery. The form of the designation document issued by the First Nation will be determined by the First Nation and will serve as proof of designation and will be personal, non-transferable and bear a unique number and the name of the designated individual.

### **Designation of Vessels**

If a person designated to fish intends to use a vessel equipped with Commercial Fishing Gear to participate in the Fishery for salmon, a designated representative of the First Nation must:



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(a) designate the vessel in writing and notify the DFO Conservation and Protection Detachment Supervisor at least 24 hours prior to using the vessel in the Fishery. The vessel designation certificate must set out the vessel name, VRN or DOT number, fishing times, areas, and gear authorized by this licence: and

(b) telephone or email the DFO Resource Manager before leaving a port to commence salmon fishing and provide the following information:

- (i) vessel master's name
- (ii) VRN or DOT number
- (iii) intended fishing start date; and
- (iv) Management Area and Subarea to be fished.

The vessel designation certificate and this licence or a copy of this licence must be carried on the vessel at all times while the vessel is being used in the Fishery or while transporting fish harvested in the Fishery. Proof of vessel designation must be presented to any Fishery Officer or Fishery Guardian by the operator of the vessel on request.

Commercial Fishing Vessels participating in the Fishery must be available for inspection prior to engaging in a commercial fishery.

Where a commercial fishing vessel is used to harvest Fish under the authority of this licence, Fish must be landed prior to the commercial fishing vessel participating in a commercial fishery opening for the same species.

A commercial fishing vessel shall not be used to fish under authority of this license for a species of fish:

- a) six (6) hours prior to that vessel being used to fish for the same species under the authority of a commercial licence;
- b) while that vessel is being used to fish for the same species under the authority of a commercial licence; or
- c) twelve (12) hours after that vessel has been used to fish for the same species under the authority of a commercial licence

### **Catch Monitoring and Harvest Reporting**

Catch monitoring will be conducted by the First Nation. Where, during a calendar month, fishing is carried out under this licence, the First Nation will provide the DFO Resource Manager listed in the Key Contacts with harvest information including:

**Salmon:** number harvested by species, **weekly**, by 4:00 pm. Wednesday

If a commercial vessel is used for fishing under this licence, the First Nation will provide information respecting the species and quantity of fish harvested by the vessel to the DFO resource Manager within 24 hours or on the landing of fish harvested under this licence from that vessel.

### **Other Provisions:**

Pursuant to subsection 22(6) of the Fishery (General) Regulations, compliance with the Fisheries Act and the regulations made under the Act is a condition of this licence.

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Licence Issued: 31 July 2018



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Licence Printed: 31 July 2018

Licence Issued By: RYAN O'CONNELL, Fisheries and Oceans Canada