



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.

Period of Activity:

Licence Holder may harvest during the periods further described in the Terms and Conditions and Species Gear and Areas portion of this licence document.

Licence Holder:

FIN: 64171
PO BOX 459
PRINCE RUPERT BC V8J 3R2

METLAKATLA FIRST NATION

Contact Number: 250-628-3234
Fax Number: 250-628-9259

Contact Party:

FIN: 110456 BEYNON, WILLIAM LYLE

Contact Number: 250-624-1123
Fax Number: 250-628-9259

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

Species: SOCKEYE SALMON (*Oncorhynchus nerka*)

Gear: Fish Wheel
Gillnet (unspecified)
Seine Net, Beach
Trap or Pot
Weir, Carcass
Weir, Juvenile
Weir, Temporary
Hook and Line
Seine Net
Trap, Salmon
Dip Net
Rod & Reel (unspecified)

Licence Area: PFMA 3; PFMA 4; PFMA 5

Maximum Harvest Amount: 5000 Individual Pieces

Species: CHINOOK SALMON (*Oncorhynchus tshawytscha*)



Gear: Fish Wheel
Gillnet (unspecified)
Seine Net, Beach
Trap or Pot
Weir, Carcass
Weir, Juvenile
Weir, Temporary
Hook and Line
Seine Net
Trap, Salmon
Dip Net
Rod & Reel (unspecified)

Licence Area: PFMA 3; PFMA 4; PFMA 5

Maximum Harvest Amount: 100 Individual Pieces

Species: COHO SALMON (*Oncorhynchus kisutch*)

Gear: Fish Wheel
Gillnet (unspecified)
Seine Net, Beach
Trap or Pot
Weir, Carcass
Weir, Juvenile
Weir, Temporary
Hook and Line
Seine Net
Trap, Salmon
Dip Net
Rod & Reel (unspecified)

Licence Area: PFMA 3; PFMA 4; PFMA 5

Maximum Harvest Amount: 100 Individual Pieces

Species: CHUM SALMON (*Oncorhynchus keta*)

Gear: Fish Wheel
Gillnet (unspecified)
Seine Net, Beach
Trap or Pot
Weir, Carcass
Weir, Juvenile
Weir, Temporary
Hook and Line
Seine Net
Trap, Salmon
Dip Net
Rod & Reel (unspecified)

Licence Area: PFMA 3; PFMA 4; PFMA 5



Maximum Harvest Amount: 100 Individual Pieces

Species: PINK SALMON (*Oncorhynchus gorbuscha*)

Gear: Fish Wheel
Gillnet (unspecified)
Seine Net, Beach
Trap or Pot
Weir, Carcass
Weir, Juvenile
Weir, Temporary
Hook and Line
Seine Net
Trap, Salmon
Dip Net
Rod & Reel (unspecified)

Licence Area: PFMA 3; PFMA 4; PFMA 5

Maximum Harvest Amount: 500 Individual Pieces

Additional Descriptions:

Additional Descriptions for Salmon:

- (i) All gill nets and set nets are marked at both ends with a floating buoy clearly marked with the designated fisherman's name, name of band office and phone number. If designated fisher does not have a telephone number a CB call sign may be used.
- (ii) All gill nets and set nets in tidal waters not clearly marked with a designated fisherman's name, name of band office and phone number or if designated fisher does not have a telephone number a CB call sign may be used, will be considered by DFO to be unattended.

All stationary fishing apparatus must be marked with a floating buoy clearly marked with the designated fisherman's name, name of band office and phone number. If designated fisher does not have a telephone number a CB call sign may be used.

No salmon gear is to be left unattended in non-tidal waters.

Species: SABLEFISH (*Anoplopoma fimbria*)

Gear: Trap or Pot
Weir, Temporary
Hook and Line

Licence Area: PFMA 3; PFMA 4; PFMA 5

Maximum Harvest Amount: 350 Pounds



Species: PACIFIC HALIBUT (*Hippoglossus stenolepis*)
Gear: Trap or Pot
Hook and Line
Weir, Temporary
Licence Area: PFMA 3; PFMA 4; PFMA 5
Maximum Harvest Amount: 6500 Pounds

Species: All GROUND FISH excluding SABLEFISH (*Anoplopoma fimbria*), PACIFIC HALIBUT (*Hippoglossus stenolepis*);
Gear: Trap or Pot
Hook and Line
Weir, Temporary
Licence Area: PFMA 3; PFMA 4; PFMA 5
Maximum Harvest Amount: 1100 Pounds (*Total for all Species in this group*)
Additional Descriptions: Traps, on condition that:
(i) All individual traps must be marked with a floating buoy clearly marked with the designated fisherman's name, name of band office and phone number. If designated fisher does not have a telephone number a CB call sign may be used.
(ii) Where a number of traps are set on a line, and where longline gear is used, the line must be marked at both ends with a floating buoy clearly marked with the designated fisherman's name, name of band office and phone number. If designated fisher does not have a telephone a CB call sign may be used.

Species: STELLER SEA LION (*Eumetopias jubatus*)
Gear: Rifle
Shotgun
Spear
Licence Area: PFMA 104-2; PFMA 104-3; PFMA 4-1; PFMA 4-10; PFMA 4-11; PFMA 4-12; PFMA 4-13; PFMA 4-15; PFMA 4-2; PFMA 4-3; PFMA 4-4; PFMA 4-5; PFMA 4-9
Maximum Harvest Amount: 6 Individual Pieces

Species: HARBOUR SEAL (*Phoca vitulina*)
Gear: Rifle
Shotgun
Spear
Licence Area: PFMA 104-2; PFMA 104-3; PFMA 4-1; PFMA 4-10; PFMA 4-11; PFMA 4-12; PFMA 4-13; PFMA 4-15; PFMA 4-2; PFMA 4-3; PFMA 4-4; PFMA 4-5; PFMA 4-9
Maximum Harvest Amount: 35 Individual Pieces



Species: All SHELLFISH excluding ABALONES (Haliotidae);

Gear: Hand Picking
Dip Net
Trap, Hoop or Ring Net
Trap or Pot
Hook and Line

Licence Area: PFMA 3; PFMA 4; PFMA 5

Additional Descriptions: No person shall catch and retain, or have in his possession, any:
(a) Dungeness Crab that measures less than 165mm in a straight line through the greatest breadth of the carapace; or
(b) Red Rock Crab that measures less than 115 mm in a straight line through the greatest breadth of the carapace.

Ring net on condition that:

- (i) nets are marked with a floating buoy clearly marked with the designated fisherman's name, name of band office and phone number. If designated fisher does not have a telephone number a CB call sign may be used.
- (ii) nets are set on a line, the line must be marked at both ends with a floating buoy clearly marked with the designated fisherman's name, name of band office and phone number. If designated fisher does not have a telephone number a CB call sign may be used.

Traps, on condition that:

- (i) all individual traps are marked with a floating buoy clearly marked with the designated fisherman's name, name of band office and phone number. If designated fisher does not have a telephone number a CB call sign may be used.
- (ii) Where a number of traps are set on a line, the line must be marked at both ends with a floating buoy clearly marked with the designated fisherman's name, name of band office and phone number. If designated fisher does not have a telephone number a CB call sign may be used.
- (iii) Rigid frame traps with hinged lids: No designated fisherman shall fish with rigid framed traps with hinged lids, unless the trap lid is secured by a loop of no greater than #120 untreated cotton twine, such that the trap lid will open freely when the rot cord is broken. The rot cord must be attached to the hook by a cow hitch. If the hook is attached permanently to the trap, the trap lid shall close using a single loop of the rot cord from the rubber strap.
- (iv) All other traps without hinged lids: No designated fisherman shall use a non-hinged lid trap, unless it has a section in a side wall or panel that has been laced, sewn or otherwise secured by a single strand of no greater than #120 untreated cotton twine that on deterioration or parting produces in the wall of panel, an opening a minimum of 35 cm square.

No chemicals are allowed to be used in marine and intertidal areas.

Species: BUTTER CLAM (*Saxidomus gigantea*)

Gear: Hand Picking
Fork
Rake

Licence Area: PFMA 3; PFMA 4; PFMA 5



Additional Descriptions: See Additional Information for specific harvest areas.

In keeping with the traditions of the Tsimshian people, the black-tipped siphons will be removed from all butter clams (*Saxidomus gigantea*) prior to consumption. This method of preparing butter clams has been practiced by the Tsimshian people for thousands of years, and the technique has been passed down orally from generation to generation.

Species: NUTTALL COCKLE (aka HEART COCKLE) (*Clinocardium nuttallii*)

Gear: Hand Picking
Fork
Rake

Licence Area: PFMA 3; PFMA 4; PFMA 5

Additional Descriptions: See Additional Information for specific harvest areas.

Species: NATIVE LITTLENECK CLAM (*Leukoma staminea*)

Gear: Hand Picking
Fork
Rake

Licence Area: PFMA 3; PFMA 4; PFMA 5

Additional Descriptions: See additional information for specific harvest areas.

Species: HORSE CLAM (*Tresus*)

Gear: Hand Picking
Fork
Rake

Licence Area: PFMA 3; PFMA 4; PFMA 5

Additional Descriptions:

Additional Information:

The list of bivalves in this licence is permitted in the following areas:

"Dundas Point": Beaches in that portion of Subarea 4-10 west of a line drawn from a point of land on Digby Island east of Auriol Pt. at 54 deg 19.78 min north latitude and 130 deg 25.67 min west longitude, thence southeast across Venn Passage to a flashing light marker on the opposite shore at 54 deg 19.40 min north latitude and 130 deg 24.46 west longitude, thence southwest to a point on land on Digby Island at 54 deg 19.00 north latitude and 130 deg 24.86 west longitude.

"Pike Island (Subarea 4-10), entrance to Venn Passage": Encompassing beaches of Pike Island to the low water mark.

"Observation Point": The bar in the vicinity of Observation Point (Sub area 4-9), bounded on the north by a parallel at Hecate Rock (54 deg 20.428 north latitude; 130 deg 28.259 west longitude), on the south by a parallel at Carr Island (54 deg 19.797 min north latitude; 130 deg 28.620 west longitude) and on the east by the westernmost boundary of the Prince Rupert Harbor contamination closure.



"Western Observation Point (Subarea 4-9): The waters and intertidal foreshore inside a line drawn from green navigation buoy designated D81 at or near 54 deg 20.090 min north latitude and 130 deg 29.203 min west longitude, thence southwesterly to the green navigation buoy designated D83 at or near 54 deg 19.70 min north latitude and 130 deg 29.21 min west longitude, thence easterly to a point in water at 54 deg 19.77 min north latitude and 130 deg 28.52 min west longitude, thence north easterly to a point in water at 54 deg 19.98 min north latitude and 130 deg 28.44 min west longitude, thence northwesterly to the shoal at 54 deg 20.02 min north latitude and 130 deg 28.56 min west longitude, thence northwesterly to a point in water at 54 deg 20.44 min north latitude and 130 deg 28.75 min west longitude, thence southwesterly to the point of commencement. (NAD83)

"Southern Metlakatla Bay (Subarea 4-10)": all the waters and intertidal foreshore encompassed in boundaries marked from the south western point of Pike Island (54 deg 19.310 min north latitude and 130 deg 27.766 min west longitude), thence southwesterly to Knight Island (54 deg 19.111 min north latitude and 130 deg 28.536 min west longitude), thence south easterly to a point of land on Digby Island at 54 deg 18.174 min north latitude and 130 deg 27.245 min west longitude, thence north westerly a point of land on Digby Island at 54 deg 18.388 min north latitude and 130 deg 26.942 min west longitude and thence back to the point of commencement bearing 332 degrees. (NAD83)

"Doolan Point": The bar on the northernmost shore of Tugwell Island (subarea 4-9) bounded by Doolan Point on the northeast shore and Chapman Point on the north shore.

"Gribbell Island (Subarea 4-10), in Venn Passage.

"Shrub Island, in Venn Passage: Encompassing the beaches of Shrub Island to the low water mark. Beaches in that portion of Subarea 4-10 west of a line drawn from the White Lady blinker light north of Shrub Island at 54 deg 19.815 min N latitude and 130 deg 27.684 min west longitude, thence southwest across to a point at 54 deg 19.567 N latitude and 130 deg 27.881 W longitude, thence east to a point south of Shrub Island at 54 deg 19.582 N latitude and 130 deg 27.229 W longitude, and then back northwest to the White Lady blinker.

PUBLIC NOTICE of BIOTOXIN and SANITATION results will be posted for food, social and ceremonial (FSC) harvesters.

For greater certainty, this licence does not authorize the harvest of abalone.

Terms and Conditions:

Definitions

"Band" means the First Nation, which is represented by the Metlakatla Band Council.

"Commercial Fishing Gear" means power assisted gear commonly used in the commercial fishery including, but not limited to, hydraulic gurdies and trap haulers, powered drums, blocks or live rollers.

"Commercial Fishing Vessel" means a vessel that is registered according to the Pacific Fishery Regulations, 1993 and is used to fish for a species of fish which is authorized by a commercial fishing licence (including a "communal commercial fishing licence" issued under the Aboriginal Communal Fishing Licences Regulations). This does not include vessels without commercial fishing licences fishing for food, social and ceremonial ("FSC") purposes.

"Commercial Licence" means a category A, C, G, K, L, R, S, T or W commercial fishing licence issued under section 19(1) of the Pacific Fishery Regulations, 1993.

"Designated Groundfish Dockside Observer" means an individual designated pursuant to section 39 of the Fishery (General) Regulations to monitor the landing of groundfish and the verification of weight, pieces and species of groundfish caught and retained.

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

"Dual Fishing" means fishing for and retaining fish under the authority of a licence issued under the Pacific Fishery Regulations, 1993 (a "Commercial Groundfish Licence") and under this licence on the same fishing trip.



"Dual Fishing Designation Certificate" means a document issued by the First Nation to fish groundfish under the authority of this licence that designates the vessel master and the commercial fishing vessel that may be used.

"First Nation" means the Organization identified under Licence Holder.

"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.

"Groundfish" means those species of fish listed in Part I of Schedule I of the Pacific Fishery Regulations, 1993, but does not include herring and salmon.

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

"PSP" means Paralytic Shellfish Poisoning.

"Shellfish" means those species of fish listed in Part II of Schedule I of the Pacific Fishery Regulations, 1993.

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

"Unique Identification Number" means a unique number the aboriginal organization assigned to a dual fishing designation certificate to differentiate it from any other dual fishing designation certificates it may issue.

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

"VRN" means Vessel Registration Number.

Transporting Harvest

The First Nation may designate persons to transport fish harvested under the authority of this licence. The Metlakatla Band Council will issue each person so designated with a transport permit that will contain:

1. The name of the person(s) transporting the fish,
2. The quantity and species to be transported,
3. The date of transport (departure and arrival),
4. The destination of the product (complete address),
5. The vehicle and vehicle licence plate number or the vessel name and the Vessel Registration Number (VRN) Licence number or MOT number,
6. The names of the individuals receiving product, and the amounts thereof.

Before transporting under this licence commences, the First Nation will provide the C&P Prince Rupert General Duty Supervisor (phone: 250-627-3401 and fax: 250-627-3188) or DFO.NCAP-PACN.MPO@dfo-mpo.gc.ca with a list of the persons designated to transport and their transport permit number.

Transport permits must be carried at all times by designated persons transporting product harvested in the Fishery. Transport permits must be presented to any Fishery Officer or Fishery Guardian on request. Transport permits are personal and non-transferable.

Dual Fishing (Fishing for Groundfish for Commercial Purposes, and for Food, Social and Ceremonial Purposes)



1. The First Nation may engage in dual fishing only if the following conditions are met:
 - a) The First Nation designates the vessel master and the commercial vessel (including VRN), in accordance with the Aboriginal Communal Fishing Licences Regulations, to catch and retain groundfish under the authority of this licence.
 - b) The First Nation issues a dual fishing designation certificate to the vessel prior to the vessel participating in a commercial groundfish fishing trip. The dual fishing designation certificate must include:
 - i. the name of the vessel master, commercial fishing vessel (including VRN);
 - ii. the start and end date of the groundfish fishing trip;
 - iii. the amount of groundfish by species the vessel may land under the authority of this licence during the fishing trip;
 - iv. the licence number of this licence;
 - v. the name of the aboriginal organization that issued the dual fishing designation certificate, and
 - vi. the unique identification number of the dual fishing designation certificate.
2. While dual fishing under this licence:
 - a) Subject to subsection 2(b), all fish taken when fishing under the authority of this licence and a Commercial Groundfish Licence must be landed at the same time and must be validated by the dockside service provider;
 - b) The First Nation may request that fish taken under the authority of this licence be landed at a different time and location from the fish caught under the authority of the Commercial Groundfish Licence if a fishery guardian, a fisheries representative designated by the First Nation or a designated groundfish dockside observer monitors the landing of groundfish and the verification of weight, pieces and species of groundfish caught and retained;
 - c) The designated groundfish dockside observer, fishery guardian or fisheries representative designated by the First Nation, as the case may be, must record landed catch information by weight, species and piece count, the halibut tag numbers, the name of the vessel (including VRN), the vessel master and the dual fishing designation certificate unique identification number to the First Nation and to the DFO Groundfish Management Unit at 604-666-8525 (fax) within seven days of validation;
 - d) Dual Fishing under the authority of this licence must occur only in the area where this licence authorizes fishing and must not occur in areas closed to fishing by the Commercial Licence.
 - e) Fish retained under the authority of this licence must be recorded in the Integrated Groundfish Fishing Logbook by set in the comments sections.

Catch Monitoring and Harvest Reporting

Catch monitoring will be conducted by DFO and the Metlakatla Band Council. The Metlakatla Band Council will keep a record of all harvests under this licence and will provide such information to the DFO AFS Resource Manager, Prince Rupert Email: DFO.NCAP-PACN.MPO@dfo-mpo.gc.ca

Salmon: Where, during a week, harvesting of salmon is carried out under this licence, the Metlakatla will provide DFO - AFS Resource Manager, Prince Rupert (Email: DFO.NCAP-PACN.MPO@dfo-mpo.gc.ca) a copy of the up-to-date harvest log, on Wednesday of each week.

If a fishing vessel is used for fishing under this licence, the Metlakatla Band Council will provide information respecting the species and quantity of fish harvested by the vessel to the applicable Resource Management Manager on completion of the fishing operations of that vessel.

Compliance with the Fisheries Act

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.



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.

Species, Quantity of Fish, Area(s), Dates, Times, Gear and Gear Identification

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, a species of fish set out in this licence may be harvested under this licence,

- (a) in the specified quantities
- (b) during the specified dates and times
- (c) with the specified gear, identified or marked in accordance with the specified method
- (d) at the specified locations, and
- (e) in accordance with the other conditions.

Subject to closures and other conditions of this licence, the authority to fish each species set out in this licence will expire on the date specified or earlier if DFO, after consultation with the Metlakatla Band Council, has determined that the maximum quantity for the species has been reached.

This licence is for a specified quantity for the term of this licence for management purposes only, and is without prejudice to maximum quantities in future years.

Designation of Individuals

The Metlakatla Band Council has designated all members of the Metlakatla First Nation who have a valid Metlakatla First Nation Band card to fish under this licence. Metlakatla First Nation Band cards are acceptable proof of membership. The Band Council may designate additional persons to fish under this licence by issuing to them a designation card/letter.

Prior to the fishery, the First Nation will provide the C&P Prince Rupert General Duty Supervisor (phone: 250-627-3401 and fax: 250-627-3188) or DFO.NCAP-PACN.MPO@dfo-mpo.gc.ca with a list of the additional persons designated.

Designations are personal and non-transferable. Designation cards must contain details of this licence including the name of the designated participant, the species that may be caught, harvesting times, maximum quantities, fishing gear, fishing areas and reporting requirements.

A Metlakatla Band Council band card or a designation card must be carried at all times by designated persons while participating in the Fishery or while transporting fish harvested in the Fishery. Proof of designation must be presented to any Fishery Officer or Fishery Guardian on request.

For management purposes, bivalve harvests will be limited to Metlakatla band members and other designated individuals only. Harvesters must be in possession of a valid food fish permit or Metlakatla status card while harvesting. The Metlakatla Fisheries Program, in consultation with DFO Conservation and Protection staff has developed a monitoring and enforcement program for the clam fishery. Metlakatla will have on-ground monitoring during an opening to monitor band member activities; MFP will also carry out occasional joint patrols with C&P personnel to monitor non-band members' activities.

Harvesting sites in Venn Pass are located in Metlakatla's IR 2 this harvesting area is exclusive to band membership. A clam fishery for non-band members and non-Tsimshian will be considered after assessing the impacts of the initial harvest. A fishery for non-band members will take place at the discretion of the Metlakatla Band Council and Metlakatla



Fisheries Program.

Designation of Vessels for Salmon Only – When Commercial Fisheries are occurring concurrently

If a designated person intends to use a vessel equipped with Commercial Fishing Gear to harvest FSC salmon, the First Nation's Fisheries Program Manager, or designate, must designate the fishing vessel in writing. The First Nation's Fisheries Program Manager, or designate, will provide a list of designated vessels to the DFO (DFO.NCAP-PACN.MPO@dfo-mpo.gc.ca & C&P Prince Rupert General Duty Supervisor (phone: 250-627-3401 and fax: 250-627-3188), at least twelve (12) hours prior to using the fishing vessel to harvest FSC fishery. Where the First Nation's Fisheries Program Manager, or designate, designates a vessel after this time, the Fisheries Program will advise DFO via email as soon as possible. This applies only when commercial openings occur simultaneously to the proposed FSC fishery. Vessel designations must set out the fishing times, areas, and gear authorized by this licence. Failure to obtain a designation permit prior to FSC fishing will prohibit the vessel and or persons on board the vessel from being authorized to FSC fish for salmon under the authority of this licence six (6) hours prior to, during and twelve (12) hours after a commercial salmon opening.

When a vessel or person is designated by permit to FSC fish under this licence during a commercial opening, that vessel or person is not authorized to participate in the concurrent commercial salmon fishery opening. If the vessel or person designated to FSC fish chooses to participate in the commercial salmon fishery, the authorization for fishing under this licence is revoked and any fishing under this licence is a violation of the six (6) hours prior to, during or twelve (12) hours after condition as described in the Designation of Vessels for Salmon Only. This prohibition for simultaneous fishing applies regardless of the order of the fishing activity.

The vessel and individual designation as described under Designation of Individual and Designation of Vessels, must be carried on the vessel at all times while the vessel is being used to FSC harvest or while transporting FSC fish harvested 6 hours prior, during and 12 hours after the commercial salmon fishery. Proof of vessel or individual designation must be presented to any Fishery Officer or Fishery Guardian on request. Harvesters and catch are subject to inspection upon request of a Fishery Officer or Fishery Guardian.

All vessels must offload 100% of their catch. Fishers/vessels that choose to participate in the FSC fishery may not participate in the commercial net opening until the following calendar day. All landed catch of the designated vessels or persons must be validated by the First Nation Fisheries Program and subject to 100% dockside validation by the First Nation Fisheries Program. Catch numbers are to be provided to the DFO AFS Resource Manager on Wednesday following the week's fishing activities. Failure to provide aggregated catch information to DFO will result in future opportunities for FSC harvest during concurrent commercial salmon openings being rescinded until such information is provided.

When the commercial salmon fishery is not open and subject to the terms and conditions listed above, fishing will be authorized as otherwise stated in the conditions of this licence.

Failure to comply with the above conditions will result in:

"A fishing vessel shall not be used to fish, transport or be used as storage for salmon under the authority of this licence six (6) hours prior to, during or twelve (12) hours after a commercial salmon opening".

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 species other than prawn and shrimp, for which a supplemental communal licence is required, the First Nation must designate the vessel in writing and notify the C&P Prince Rupert General Duty Supervisor (phone: 250-627-3401 and fax: 250-627-3188) or DFO.NCAP-PACN.MPO@dfo-mpo.gc.ca or at least twenty-four (24) hours prior to using the commercial fishing vessel in the fishery. Where the Fisheries Program Manager, or designate, designates a vessel after this time, the Fisheries Program will advise DFO via email as soon as possible. Vessel designations must set out the fishing times, areas, and gear authorized by this licence. Vessel designations must set out the fishing times, areas, and gear authorized by this licence.

The vessel designation 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 on request.

Subject to salmon conditions below, fish harvested under this licence must be unloaded from a commercial fishing vessel at least six (6) hours prior to participating in a commercial fishery. Commercial fishing vessels participating in the Fishery must be available for inspection prior to engaging in a commercial fishery. No fish harvested under the authority of this licence may be on board a vessel engaged in commercial fishing operations, except for commercial fisheries with 100% dockside monitoring and are quota based.

A fishing vessel shall not be used to fish, transport or be used as storage for salmon under the authority of this licence six (6) hours prior to, during or twelve (12) hours after a commercial salmon opening.

Bivalves

Metlakatla will maintain a Community Harvest Plan to manage the community bivalve harvest. The Metlakatla Fisheries Program will monitor the fishery and provide Fisheries and Oceans Canada with a copy of the Community Harvest Plan prior to the start of the fishery.

Catch monitoring information will be collected to better quantify the intertidal bivalve needs of the Metlakatla community for future FSC bivalve harvests. Participants will also be required to provide MFP with a bivalve harvest report upon completion of harvesting. Metlakatla Fisheries staff, in conjunction with DFO (C&P), will patrol the harvest openings and MFP staff will collect catch information at the harvest site and upon return of the permit or interview. Catch monitoring will include harvesters name, date of harvest, amount harvested (lbs.), catch report will be forwarded at the end of each month with catch reports to Resource Management Shellfish Unit Biologist at the Department of Fisheries and Oceans.

On-site monitoring coverage will be done at all harvest locations every harvest tide by MFP staff.

The following gear is permitted to be used for Shellfish harvesting:

- (a) Hand picking, rake, shovel, dip net, and diving; and
- (b) Ring nets, on condition that:
 - (i) they are marked with a floating buoy clearly marked with the name of the participant and First Nation;
 - (ii) where a number of ring nets are set on a line, the line must be marked at both ends with a floating buoy clearly marked with the name of the participant and First Nation.
- (c) Traps, on condition that:
 - (i) they are marked with a floating buoy clearly marked with the name of the participant and First Nation;



(ii) where a number of traps are set on a line, the line must be marked at both ends with a floating buoy clearly marked with the name of the participant and First Nation.

(iii) All traps must be fitted with the following escapement mechanisms:

No participant shall fish with rigid framed traps with hinged lids, unless the trap lid is secured by a loop of no greater than # 120 untreated cotton twine such that the trap lid will open freely when the rot cord is broken. The rot cord must be attached to the hook by a cow hitch. If the hook is attached permanently to the trap, the trap lid shall close using a single loop of the rot cord from the rubber strap.

(iv) All other traps without hinged lids: No participant shall use a non-hinged lid trap, unless it has a section in a side wall or panel that has been laced, sewn or otherwise secured by a single strand of no greater than # 120 untreated cotton twine that on deterioration or parting produces in the wall of panel, an opening a minimum of 35cm square.

No chemicals are allowed to be used in marine or inter-tidal areas.

Prawn & Shrimp:

The harvest of prawn and shrimp with a Commercial Fishing Vessel or Commercial Fishing Gear is not permitted. Should the First Nation be interested in using a Commercial Fishing Vessel or Commercial Fishing Gear to harvest prawns for FSC purposes please contact the local DFO Resource Manager. DFO will request details about how this will occur, including when and where fishing will take place, which and how many boats will be used, the number of traps (and marking), how the fishery will be monitored and catch reported, and the amounts to be harvested. DFO will review the details, discuss it with the First Nation, and work towards agreement. This information will allow DFO to issue a supplemental communal licence that authorizes the use of a Commercial Fishing Vessel or Commercial Fishing Gear in a First Nations' communal (FSC) fishery.

Sanitary and Biotoxin Closures:

For greater certainty, the collection of bivalves from areas in closed status for sanitary contamination under the Management of Contaminated Fisheries Regulations is not authorized by this licence. Many areas along the BC coast are not monitored and therefore remain closed. Always check for both Bivalve Shellfish Biotoxin (PSP/red tide, ASP, DSP) and Sanitary (Emergency, Seasonal, Annual) Contamination Closures if you plan on harvesting and consuming any shellfish. Information on in-season openings and closures due to biotoxin and sanitary contamination is available at local DFO offices, by calling the toll-free information line at 1-866-431-3474, or on the Internet at <http://www.pac.dfo-mpo.gc.ca/fm-gp/contamination/index-eng.htm>.

Fishing is not permitted in an area described in this licence unless the Canadian Food Inspection Agency recommends to the Regional Director General, Pacific Region, (RDG) that the prohibition order respecting harvesting in that area be lifted and the RDG announces by PUBLIC NOTICE as described below that harvesting in that area is permitted.

The Parties agree to work together to identify the times, locations and methods whereby bivalves can be safely harvested. This may include the implementation of PSP assessment and monitoring procedures for specific harvesting times and locations.

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