



NEWS RELEASE

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Ministry of Aboriginal Relations and Reconciliation
Yale First Nation
Indian and Northern Affairs Canada

FINAL AGREEMENT INITIALLED BY YALE FIRST NATION, BC, CANADA

YALE FIRST NATION – The Chief Negotiators of Yale First Nation, British Columbia and Canada today initialled the Yale Final Agreement, marking a significant step forward in bringing certainty and economic prosperity to the community.

“The Yale people have been in the Fraser Canyon for more than 9,000 years leading up to this moment,” said Yale First Nation Chief Robert Hope. “This agreement gives us our life, our freedom and confirms our land. The certainty it brings provides a solid economic foundation upon which to build for future generations of Yale members.”

“Initialling this agreement demonstrates Canada’s commitment to find common solutions through negotiation,” said Minister Strahl. “It also shows the B.C. Treaty process is producing results. Yale First Nation will have the tools and authority to take control of its future, to build a healthy, prosperous and strong community, and to contribute to a stronger Canada.”

The Final Agreement contains provisions for self-government, financial and land transfers. The land component will consist of approximately 1,966 hectares of Treaty Settlement Lands, made up of 217 hectares of former Indian reserves and 1,749 hectares of Crown lands owned in fee simple. In addition to this, approximately 21 hectares of provincial Crown land that is currently designated as Agricultural Land Reserve, will be transferred to Yale First Nation as Yale First Nation Land. This designation will not change except in accordance with the province’s Agricultural Land Commission Act.

In addition, Yale First Nation will receive a capital transfer of \$10.7 million and economic development funding of \$2.2 million. The treaty provides mineral rights, forestry and domestic fish resources, as well as gathering and harvesting rights, within a context spelled out in the treaty. Yale First Nation’s access to commercial fishing opportunities for Fraser River sockeye and pink salmon are outside of treaty in a separate Harvest Agreement.

“Today’s announcement, the latest in a series of significant agreements negotiated recently with First Nations in B.C., is a celebration of the spirit of the New Relationship,” said Aboriginal Relations and Reconciliation Minister George Abbott. “This treaty will be the foundation upon which Yale members can realize self-government and economic certainty, and will help to close the social and economic gaps between Yale and their non-Aboriginal neighbours. I congratulate Chief Hope for his commitment to negotiations and his vision for a brighter future for his community.”

Through self-government, treaty First Nations realize the means to make decisions about matters that affect them, such as health, education and child welfare. Self-government may also include the ability of Aboriginal governments to raise revenues (e.g., fees and taxation), to manage lands and resources on lands, and to negotiate with other governments on such matters as joint service delivery and economic development.

As part of the negotiation process, agreements are initialled by chief negotiators and then voted on by eligible First Nation members to ratify. Once ratified, the Final Agreement will be introduced as legislation in the provincial and federal parliaments.

Yale First Nation entered the BC treaty process in April 1994. In March 2006, Yale First Nation and the governments of British Columbia and Canada signed an Agreement-in-Principle, laying the foundation for final agreement negotiations. Yale First Nation has approximately 150 members. Their traditional territory and reserve land are located within the Fraser Valley Regional District just north of Hope.

For more information about Yale First Nation and treaties in B.C. and Canada, please visit these websites:

<http://www.ainc-inac.gc.ca>.

<http://www.gov.bc.ca/arr>.

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A backgrounder follows.

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BACKGROUND

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YALE FIRST NATION FINAL AGREEMENT

Chief Negotiators for Canada, British Columbia and Yale First Nation have initialled a Final Agreement, an important step towards a treaty. A Final Agreement will bring certainty with respect to Yale First Nation's Aboriginal rights including title, and resources, and will provide economic benefits to the First Nation and the Fraser Canyon region.

Eligible members of Yale First Nation now have the opportunity to vote to ratify the Final Agreement. If passed, B.C., and then Canada, will begin their respective approval processes. Once it is ratified by all three parties, the next step would be signing followed by implementation of the treaty.

Final Agreement Financing

The Final Agreement provides Yale First Nation with a capital transfer of \$10.7 million on Effective Date, less any outstanding negotiation loans, and economic development funding of \$2.2 million. Programs and services related to social development, education, local programs and services, physical works, and a community development officer will be supported by approximately \$0.7 million in on-going annual funding including British Columbia's annual contribution of \$125,000. A combination of \$0.9 million in one-time funding and approximately \$0.6 million in on-going annual funding will be provided to support incremental implementation and governance activities such as lands and resource management, governance and treaty management, fisheries management, culture and heritage management, and migratory birds management. Yale First Nation will contribute to the funding of agreed-upon programs and services from its own sources of revenue.

Land

With respect to provincial laws, Yale First Nation Land, also referred to as Treaty Settlement Land, will be treated as private land. Under the treaty, Yale First Nation will own in fee simple approximately 1,966 hectares of treaty lands, made up of 217 hectares of former Indian reserves and 1,749 hectares of Crown lands. The Final Agreement will include ownership of sub-surface resources on or under Yale First Nation Land.

Approximately 21 hectares of the provincial Crown land to be transferred to the First Nation as Treaty Settlement Lands is currently designated as part of the Agricultural Land Reserve; this designation will not change.

Fishery

Under the treaty, Yale First Nation will have the right to harvest fish and aquatic plants for food, social and ceremonial (FSC) purposes. This right will be exercised within defined geographic areas as described in the Final Agreement. The Final Agreement provides for Yale First Nation treaty allocations of sockeye, pink, coho, chinook and chum salmon for FSC purposes. The Harvest Agreement, separate from the Final Agreement, will provide for commercial fishing licences (sockeye and pink salmon) to be issued by the Department of Fisheries and Oceans Canada to Yale First Nation. The federal and provincial governments retain authority to manage and conserve fish, aquatic plants and fish habitat, according to their respective jurisdictions. The terms and conditions of commercial licences issued to Yale First Nation will be comparable to those for licences issued to other commercial harvesters.

Access

With some exceptions, public access to, occupation of, and trespass on Yale First Nation Lands becomes subject to the same rights, obligations and limitations as other private lands. Yale First Nation will allow reasonable public access to Frozen Lakes Land for temporary recreational uses and temporary non-commercial purposes, including reasonable opportunities for the public to hunt and fish.

Wildlife and Plant Harvesting

Under the Final Agreement, Yale First Nation will have the right to harvest wildlife and migratory birds and to gather plants for their own use. Yale First Nation will have law-making authority to regulate their members' harvest of wildlife and migratory birds. Overall management of these activities remains the responsibility of the provincial or federal minister. Within the terms set out in the Final Agreement, Yale First Nation members do not need to have federal or provincial licences, or to pay any fees or royalties to harvest wildlife, migratory birds or plants.

Culture

The treaty ensures that Yale has the right to continue practicing its culture, including use of its language and developing laws that preserve its history and promote its feasts and ceremonies.

This includes Yale First Nation history, feasts, ceremonies, naming practices, symbols, stories, songs, and dances. It also includes the conservation, protection, and design and management of heritage sites, as well as the ability to make similar laws respecting Yale First Nation Artifacts owned by Yale First Nation.

Forestry

Yale First Nation will own all forest resources on Yale First Nation Land. As a treaty First Nation, the Yale Government may make laws respecting forest resources and practices on their land.

Yale First Nation

Yale First Nation has approximately 150 members. Their traditional territory and 217 hectares of reserve land is located within the Fraser Valley Regional District (FVRD) north of Hope. Yale First Nation entered the treaty process in April 1994. In March 2006, representatives from Yale First Nation, B.C. and Canada signed an Agreement-in-Principle, laying the foundation for Final Agreement negotiations.

Treaties

Some of the issues typically discussed as part of treaty negotiations will fall within the scope of provincial responsibilities while others, such as the salmon fishery and Indian reserve lands, are the responsibility of the federal government. The treaty negotiation process in this province was developed to provide a framework for treaty negotiations among First Nations, and the governments of British Columbia and Canada. The treaty process is managed by the British Columbia Treaty Commission (BCTC), an independent, neutral body that helps facilitate negotiations among the three negotiating parties.

The B.C. treaty process has been in place since 1992 and is open to all First Nations in the province on a voluntary basis. It is up to First Nations to decide how they organize themselves for the purposes of treaty negotiations. At some tables there is a single First Nation represented, while at others there may be two or more.

The treaty process consists of six stages as follows:

- Stage 1 – Statement of intent to negotiate
- Stage 2 – Readiness to negotiate
- Stage 3 – Negotiation of a framework agreement
- Stage 4 – Negotiation of an Agreement in Principle
- Stage 5 – Negotiation to finalize a Final Agreement or treaty
- Stage 6 – Implementation of the treaty

In addition to improving the quality of life for Aboriginal people, treaties stimulate investment, create jobs and expand economic opportunities throughout the province.

Fact sheets and a summary of the Yale First Nation Final Agreement are available online at: www.gov.bc.ca/arr and www.ainc-inac.gc.ca.

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