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YALE FIRST NATION FINAL AGREEMENT BILL

Second Reading of Bill C-62

Speech by:

The Honourable Larry W. Campbell

Tuesday, June 11, 2013

THE SENATE

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SECOND READING

Hon. Larry W. Campbell: Honourable senators, I thank Senator Tannas. That was a stellar first speech. He has a bright future.

Some Hon. Senators: Hear, hear.

Senator Campbell: Thanks to Senator Tannas, I just ripped up 30 pages of notes, so this will be a lot shorter than it originally was.

This is a historic moment for the Yale First Nation. As the senator said, it has been over 20 years in the making, which I believe all parties would agree is way too long for this process to go on. Some of the interesting things that were not mentioned involve wildlife and plant harvesting. This is particularly important up in the Fraser Valley. Those senators who have been up there understand that in the summer it is hot. The hot winds blow up the Fraser Canyon, which allows them to dry the salmon, as they have done for at least 9,000 years. Wildlife and plant harvesting is important to this First Nation. They have the right to harvest wildlife and migratory birds and to gather plants for their own use. They will have the law-making authority to regulate their members' harvest of wildlife and migratory birds. The overall management of these activities, however, remains the responsibility of the provincial or federal minister as it may apply. 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.

Needless to say, forestry is an important industry in British Columbia. Since they are within the Fraser Canyon, up the slopes at the back of their land are decent forest products. It is expected that the Yale band will be able to take advantage of these forest opportunities, including reforestation and ensuring that the forest is maintained in a sustainable way.

I have to speak about the overlap. Senators from British Columbia understand that a number of First Nations are involved in this process, and virtually every one of them has overlaps. In Vancouver, for instance, it is estimated that there is demand for 150 per cent of the land available. Overlapping is not unusual because remember that First Nations in British Columbia, while having defined areas, were not as we would imagine them. The land belonged to all of the people, so there was not a housing lot. There was not a city lot. It was very fluid. The overlapping portion of this, while of concern when negotiating, should not be a deal breaker. I believe that, going forward, both the Sto:lo and the Yale Nations, who have lived there side by side for thousands of years, will need to get together and come up with a solution.

The area in question is called the Five Mile Fishery. It is an unbelievable fishing location for them to both dip net and spear. I would expect that as we go forward we will see negotiations.

Like Senator Tannas, I do not believe that these overlapping problems should be cause for not having an agreement. I believe

that in this case all levels of government, including the Yale First Nation, have worked very hard to find some way of coming to a settlement. It happened with Chemainus. It happened with the Spuzzum First Nation. Unfortunately, it has not happened with Sto:lo. I would urge them to continue on. As people who want to be self-governing, they need to find a way of moving forward and solving these problems because they have been there for 9,000 years, and I hope they will be there for another 9,000 years.

I support this, as I support all treaties signed in this manner. This is a promise that we have made. This is a promise that we must keep, and the only rider I can put on it is that I hope that in the future we will be able to come to these treaty agreements in a much more timely fashion.

Hon. Lillian Eva Dyck: Will the honourable senator take a question?

Senator Campbell: Yes, of course.

Senator Dyck: I thank both honourable senators for their speeches. Senator Campbell brought up the issue of overlap. I know the Sto:lo were concerned about the Five Mile Fishery. What does the honourable senator see happening in the future? Will this agreement in any way affect the development of a solution? Will it create a roadblock? Is there still a way for them to work together to come to some kind of solution?

Senator Campbell: I believe there is always a way to come to some kind of solution. I am concerned about comments from the Sto:lo Nation about violence in the summer, not directed against the Yale First Nation but against the RCMP and fisheries who will be on the river. I do not think statements such as that are conducive to moving forward.

The Yale First Nation has said to the Sto:lo that they allow them full access to Five Mile. Their only concern is that they also want to ensure that the land is not used for partying or illegal activities and that the resource is protected.

I believe that once the light is a little dimmer on the whole thing, they will be able to get together. I have spoken to the Yale First Nation, and there is no intent on their part to deny the Sto:lo the ability to fish the Fraser. That is not it, and they have said, "You have full access here." What they want to do is to ensure that what happens on their land is legal and above board.

Senator Dyck: For my clarification, I think the honourable senator said that the Sto:lo will have full access to fishing on the Five Mile Fishery site. That was a main issue of contention for them, but the Yale Nation has agreed to that.

Senator Campbell: Yes. To further clarify, I think that there are many different First Nations and many different families. Most of the sites on the river are family sites. There is no question that, at times, different First Nations have fished the Five Mile. Perhaps they have said, "This is our fish camp." They will not stop the families from going fishing there. All they want you to know is that there are rules to be obeyed, and then everyone will be fine.