



# THE NUCHATLAHT TRIBE NEWSLETTER

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## Report from the Office of Nuchatlaht Waters, Lands and Cultural Resources

By Karenn B.

I have been with the Nuchatlaht Tribe for almost three months now. In this time I have been working to gain an understanding of the needs of the Nation and the status of your Waters (freshwater and ocean), Land and Cultural Resources. Since I started ninety per cent of my time has been focused on the marine resources which make up so much of your Hahathouee. In this newsletter I share with you some of the highlights from five fisheries meetings I have attended and next month I will update you on what's happening on land within your territory.

The fisheries meetings I have gone to have given me opportunities to learn about the status of fish stocks and how DFO and other First Nations assess manage and access fish and shellfish. Councilor Archie Little attended meetings with me and from him I learned how Nuchatlaht respectfully harvested, shared and traded natural resources historically, and how the Nation wishes to move forward into the future. From you I need to know what resources you want and how much to harvest.

*(Continued on Page 2)*

## The Nuchatlaht Tribe Case – One year later

By Jack Woodward

Here is an update in a series of articles to the Nuchatlaht people about the status of the court case. Before I continue, you should know that the Province of B.C. obtained a copy of the last article I wrote to you and included it in the papers they plan to show to the Judge in the court case. B.C. is watching our communications and attempting to use anything we say to each other to their advantage in the court case. At the end of last year we amended our Claim in some important details. Firstly, we dropped the claim of “infringement”. In this case, we are no longer claiming a remedy based on the damage done to the land.

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## Power Outage in Oclucje and Surrounding Areas

BC Hydro has made an announcement that they will need to shut off the power for Zeballos and surrounding communities. The power outage will occur on Saturday, March 3<sup>rd</sup> 2018 and will last from 9:00 am until 3:00pm. Once all required maintenance checks are finished by BC Hydro, power will be restored to everyone that was impacted by the power outage. To protect your equipment from damage during the outage, please turn off all lights, electrical heaters, major appliances, and unplug all electronics.

All impacted communities:

Zeballos,  
Oclucje,  
Ehattesah,   
Kyuqout,  
and Fair Harbor

## Increased Traffic near Oclucje / Zeballos Forest Service Road

We have been notified that Western Forest Products (WFP) will have increased traffic coming through the road from Zeballos to our roadway heading to Oclucje. So, this is a heads up for people residing in Oclucje or anyone wanting to go through this road. Increased logging traffic is to be expected starting late March 2018 and pushing into the month of April 2018. Be careful on the roads and drive with care.

# Report from the Office of Nuchatlaht Waters, Lands and Cultural Resources

By: Karenn Bailey – Waters, Lands and Cultural Resources Worker

I have been with the Nuchatlaht Tribe for almost three months now. In this time I have been working to gain an understanding of the needs of the Nation and the status of your Waters (freshwater and ocean), Land and Cultural Resources. Since I started ninety per cent of my time has been focused on the marine resources which make up so much of your Hahathouee. In this newsletter I share with you some of the highlights from five fisheries meetings I have attended and next month I will update you on what's happening on land within your territory.

The fisheries meetings I have gone to have given me opportunities to learn about the status of fish stocks and how DFO and other First Nations assess manage and access fish and shellfish. Councilor Archie Little attended meetings with me and from him I learned how Nuchatlaht respectfully harvested, shared and traded natural resources historically, and how the Nation wishes to move forward into the future. From you I need to know what resources you want and how much to harvest. I encourage you all to attend the Strategic Land Use planning sessions Norine Messer has planned or contact her or myself directly so we can create a land use plan that identifies what you want from your resources today and for your children's grandchildren and beyond.

The fisheries meetings involved First Nations only (Tier 1), and First Nations and DFO (Tier 2). Not surprising, the presentations by DFO did not show abundance of any stock, rather there was graph after graph of downward trends and little solutions offered. There were apologies by DFO members, acknowledgement of Indigenous Rights in the Canadian Charter sec. 35.1 and a genuine interest expressed to work collaboratively for the benefit of the resources. As Councilor Archie says "there is a crack in the door", which shows some willingness and positive change in government staff to their approach to working with First Nations, but no real positive change in the populations of fish and shellfish. DFO presented some good science and acknowledged more had to be collected, including Traditional Ecological Knowledge. While fish stocks have been declining, many of our First Nation neighbors have been building capacity to collect data and take on restoration and stewardship activities and increasingly challenge DFO methods and results holding government accountable. NTC Regional Biologist Roger Dunlop challenged the DFO on how they calculate their salmon spawner return estimates and has and continues to conduct research on this. Under the direction of your Chief and Council I am working to develop plans, find funds and training in order to grow the fisheries capacity of your nation. With your input we can build a long range plan for resources together.

What I have to report to you from these meeting is that the outlook in the nearshore is not great. Prawns in Nuchatlaht waters were overharvested three years ago and populations have not recovered. Green crabs brought from other parts of the world are damaging eel grass beds which are a nursery and home for many native fish and the aquatic critters they forage on. Long-lived (~40 years) Yellow Eye rock fish are now so few that strategies to bring them back from the brink may take more than one human lifetime and the harvest of halibut is often limited by the number of endangered rockfish that are also caught during halibut fishing. At sea environmental factors continue to puzzle fisheries managers and affect the survival rates of salmon and other harvest species that cross international boundaries. The good news is that there are fisheries reviews underway and legal challenges that will support aboriginal involvement in fisheries management including cross-border species like halibut. This year you will see an agreement for the management of Fraser River salmon equally split between First Nations and DFO. Locally here on Vancouver Island the Council of Ha'wiih was successful in influencing the closure of the herring fishery which will help the population recover. Nuchatlaht will harvest qwak'mis this year and the beaches have provided a calm harvest in past months. Opportunities for community members to participate in future harvests and learn traditional methods of processing are planned, and you can expect postings for fisheries workers and training in the months ahead.

# The Nuchatlaht Title Claim – one year into the case

By Jack Woodward

Here is an update in a series of articles to the Nuchatlaht people about the status of the court case. Before I continue, you should know that the Province of B.C. obtained a copy of the last article I wrote to you and included it in the papers they plan to show to the Judge in the court case. B.C. is watching our communications and attempting to use anything we say to each other to their advantage in the court case.

At the end of last year we amended our Claim in some important details. Firstly, we dropped the claim of “infringement”. In this case, we are no longer claiming a remedy based on the damage done to the land. Now our claim is for a declaration that Nuchatlaht owns the land. The reason for this is to shorten the trial and reduce the expense. The Province was threatening to introduce a huge amount of evidence about “infringement”, and this would have made the trial very lengthy, and would have cost too much.

The “Claim Area” is a portion of Nootka Island which is shown on a map attached to our Notice of Civil Claim. We made a small amendment to the Claim Area in December, to remove some land which Philip Drucker had not included when he wrote his famous anthropological study published in 1951. We would have had more difficulty proving the areas not included by Drucker, so, to save time and expense we are not claiming those areas.

All of the Defendants have taken the opportunity to file amended Responses to our new Claim.

I arranged a case management conference with our judge, Justice Myers, on February 20th. All the lawyers for the Defendants attended, and some important decisions about the future of the case were made.

Firstly, an important group of pre-trial procedural matters will be heard by the court the week of April 23rd. This will be a public court hearing at the main courthouse at 800 Smithe Street in Vancouver, and all Nuchatlaht people are welcome to attend. The hearing will last 3 to 5 days.

Here are some of the matters to be decided the week of April 23rd:

1. **Motion to strike.** We think that some of the issues raised by the other parties in their pleadings are irrelevant to Nuchatlaht’s title claim and would only waste everyone’s time in court. For example, the Province wants to call evidence that Nuchatlaht Nations is “small and weak”. We say this is not a proper pleadings, and we will be asking the court to delete those portions of the pleadings so that we can focus on what really matters.

2. **List of documents.** The province of B.C. does not believe that we have provided a complete list of documents, and is asking the Court to force us to find more documents. In fact, we have already given B.C. all our documents, so it is a mystery what they want us to do. Invent documents we don’t have? We shall see.

3. **Crown documents.** The Province says they have 64,000 documents that might be relevant to the case, and they need time to review them all to see what they want to use at trial. I told the judge I can’t think of even one document they might have that might be relevant, and so far, the province has not shown us even one relevant document. Anyway, the province is asking the court for more time to look at documents. If they are successful it will delay the trial.

4. **Particulars.** The Province wants us to clarify some points in our Claim. This is called a demand for Particulars. Here is an example of what the Province wants: “What is the Nuchatlaht definition of a “community of Aboriginal people”?”

On April 23rd we will tell the Judge that this is something settled by previous judges, and the Nuchatlaht are not required to come up with a “definition” in order to advance the case. Basically, we think this kind of request by the Province is not genuine, but is a tactic to stall the case.

I look forward to seeing some of you at the court hearing on April 23rd if you can make it.

Kleko, Kleko, Jack Woodward

# **EMPLOYMENT OPPORTUNITY AT NUCHATLAHT TRIBE**

## **Health Administrative Assistant (Part-time Position)**

Nuchatlaht Tribe, a member tribe of Nuuchah-nulth Tribe, is seeking one (1) Health Administrative Assistant to join our team. We're looking for someone with a positive and friendly attitude. The Health Administrative Assistant will assist the Health Manager, provide activities for the youth and organize community events.

**This position's work hours will be from 1:00pm-6:00pm from Monday to Friday.**

### **Primary Responsibilities**

- Organizes community events
- Oversees the Community Events Committee
- Oversees the Community Events and Workshop budget
- Advocates to USMA and other Social Worker Agencies on behalf of Nuchatlaht members
- Processes patient travel for Nuchatlaht members
- Processes social assistance for Nuchatlaht members
- Acts as the lead person for the Hot Lunch program
- Provides after school activities for the youth
- Acts as the interim health manager when needed

### **Qualifications**

- Grade 12
- 1 years' experience overseeing a committee
- 1 years' experience overseeing a budget
- 1 years' experience working with office outlook emailing system
- Pass a criminal record check for working with youth
- Willingness to learn
- Understanding of Nuchatlaht Tribe's community's needs
- Priority given to Nuchatlaht Tribe members
- Preference given to those that have successfully done this type of work before

### **Wages**

The successful applicant will be paid \$14/hour.

### **How to Apply**

Please apply by ending your résumé as either a Microsoft Word or PDF file to [administrator@nuchatlaht.com](mailto:administrator@nuchatlaht.com).

Please include "Health Administrative Assistant" in the subject line of your e-mail.

# EMPLOYMENT OPPORTUNITY AT NUCHATLAHT TRIBE: Lands and Resources Trainee (Temporary Position)

Nuchatlaht Tribe, a member tribe of Nuu-chah-nulth Tribe, is seeking one (1) temporary Lands and Resources Trainee to join our team. We're looking for someone with a positive and friendly attitude, and a willingness to learn. The Lands and Resources Trainee will conduct the field work associated with the conservation, protection and use of the ha'houlthee through the Forestry and Fisheries departments. This is a full-time, on-reserve position that has the potential grow to include administration and management. Preference will be given to Nuchatlaht Tribe members.

## Primary Responsibilities

- Conduct fisheries surveys (e.g. herring, salmon spawner, snorkel surveys, etc.),
- Conduct Guardian Stewardship marine patrols of Homelands and Territory,
- Assist in the harvest and distribution of food fish,
- Participate in aquaculture activities and water quality monitoring,
- Participate in restoration of freshwater, nearshore and subtidal restoration activities, and
- Participate in terrestrial and wildlife assessments and cultural resource inventories.

## Qualifications and Abilities

- Strong attention to detail, able to accurately gather and process resource information,
- Must be physically fit and able to lift 50lbs, able to work outdoors all day,
- Basic understanding of computers, the internet and emails,
- Basic understanding of Excel, Microsoft Word and PowerPoint,
- Possesses a current valid Class 5 driver's license,
- Possesses a working vehicle and is willing to travel,
- Experience hunting and fishing or foraging,
- Possesses Swiftwater Certificate or is a strong swimmer,
- Possesses a Small Vessels Operating Proficiency (SVOP) Certificate or have boat experience,
- Training and education in Natural Resource Management and Cultural Resource Management,
- Experience electrofishing, navigating, using a compass, clinometer, and first aid all an asset, and
- Familiar with the following legislation: The BC Forest Act, the Canadian Fisheries Act, Wildlife Act, Migratory Birds Convention Act, and the Canadian Indian Act would be beneficial

## Wages

The successful applicant will be paid a maximum of \$20/hour, depending on qualifications and experience.

## How to Apply

Apply by sending a Microsoft Word or PDF of your résumé and a cover letter explaining why this position appeals to you to [administrator@nuchatlaht.com](mailto:administrator@nuchatlaht.com). Please include "Lands and Resources Trainee" in the subject line of your e-mail. Only candidates selected for an interview will be contacted.



Nuchatlaht Tribe Newsletters  
*Bringing our members community news*

P.O Box 40  
Zeballos, B.C  
V0P 2A0  
Ph: 250-332-5908  
Fax: 250-332-5907  
www.nuchatlaht.com

### Nuchatlaht Tribe Sport Fishing

We have established a new Sport fishing company; where we will offer services like: Sport Fishing, Water Taxi, and potentially, a whale watching service. Contact us or find out more on our website!

P.O Box 40, Zeballos, BC  
V0P 2A0  
250-332-5908

## Community Calendar & Staff Days Away

### MASON

February 11<sup>th</sup> - 15<sup>th</sup> – Ottawa

February 16<sup>th</sup> – Day Off

February 19<sup>th</sup> – Flex Day

February 22<sup>nd</sup> - 23<sup>rd</sup> – C&C Meeting

### AUDREY

February 22<sup>nd</sup> - 23<sup>rd</sup> – C&C Meeting

### KARENN

February 19<sup>th</sup> – In CR at Salmon Harvest Committee

February 22<sup>nd</sup> - 23<sup>rd</sup> – C&C Meeting

## Staff Hours

Audrey Smith – 8:00am - 3:30pm  
(w/ 30 min lunch at 12:00)

Rest of staff – Regular business hours  
(8:30am - 4:30pm)

## Crisis and Support Numbers

Kuu-us crisis / support: 1-800-588-8717

USMA after hours: 1-800-633-9122

Vancouver Island Crisis line: 1-888-494-3888

911: Immediate concerns

## Zeballos area Clinic and Doctor hours

### Doctor Dates

(Please note: schedule is based on physician availability and may vary daily)

FEB 5<sup>th</sup> (MON) Dr. Whittaker – 12:00pm until 2:00pm

FEB 19<sup>th</sup> (MON) Dr. Armogam – 12:00pm until 2:00pm

FEB 26<sup>th</sup> (MON) Dr. Mijares – 12:00pm until 2:00pm

**For Appointments Please call: 250-761-4274**

**24 hour Nurse Helpline: 811**

**Emergencies: 911**

**The Clinic Nurse is available Monday to Friday from 8:30 am - 4:30 pm  
(Closed for Lunch from 12:00pm to 1:00pm on Non Doctor Days)**