

Several of these components fall under the jurisdiction of the Province of British Columbia. As the province has so far been unwilling to participate in the negotiations of comprehensive land claims, the Federal Government decided to negotiate those components which fall under federal jurisdiction.

The fisheries component of the Nisga'a claim involves the negotiation of four elements: the amount of salmon species, the amount of non-salmon species, the role of the Nisga'a in the management of the fishery, and the type of enhancement program which will be appropriate for the Nass Watershed. While progress has been made on two of the elements, there is still considerable distance to go on the others and it is therefore not known when it will be possible to conclude a sub-agreement on the fishery component.

The perception of the Fisheries Council of British Columbia that a final agreement has been concluded on the fisheries component is incorrect. The document the Council referred to is a tentative sub-agreement arrived at between negotiators on only one of several elements under negotiation. Once agreement is reached by negotiators on all aspects of the fisheries component as well as other major components of a settlement with the Nisga'a, these will be forwarded to the federal Cabinet and the Nisga'a for consideration. At that time, the Cabinet will review the proposed agreement-in-principle and will ensure that all third-party interests are considered before giving approval. Upon review of such an agreement-in-principle, the Federal Negotiator will receive instructions to pursue a final agreement with the native party.

Please note that the comprehensive claims policy provides for communication with third parties whose interests are affected and that the Chief Federal Negotiator is responsible for carrying out such consultation. Members of my staff and departmental officials are now reviewing the consultation process to identify a more effective way for the Federal Negotiator to confer with affected third parties.

You should also be aware it is not the intention of the policy or the government to expropriate assets; third-party interests when needed, will be acquired by voluntary means, such as direct purchase from the owners.