

been extinguished as a means of reinstating those rights. This has resulted in similar ends but by very different means. The fishing rights decision in Washington State preceded the Sparrow and Van der Peet Decisions by nearly two decades. I suggest here that a review of the experiences of the Coast Salish of Washington State after the Boldt Decision may enable the Native people of British Columbia to avoid similar difficulties that emerged. I identify four problems that arose in the Native fishery of Washington State after 1974 (Boxberger 1989) and suggest ways in which they can be circumvented.

The Issues

At a meeting on the Aboriginal Fisheries Strategy in 1993 Jack Nichol of the Union of Fisheries and Allied Workers would announce that "the Fraser River runs are the healthiest they have been in years." The next year the runs would fail to appear in the numbers expected. Immediately the press placed the blame on Native fishers and the Aboriginal Fisheries Strategy (see Boxberger 1993). The Fraser River fishery is still large but there has not necessarily been more room created for participation in the commercial fishery. Inevitably as participation by Native people increases the internal problems inherent in commercial fisheries will intensify. Over-capitalization, unequal build-up and user-group conflicts have plagued the Native commercial fishery of Washington State. What does this tell us about the future of the Native commercial fishery in B.C.? Under the Aboriginal Fisheries Strategy the Native people of B.C. participate in the sale of salmon but they have not been guaranteed an allocation. Under the Aboriginal Fisheries Strategy the allocation for a Native fishery is about the same as the historic food fishery. This is a major oversight that appears to be missing from the