



# **ABORIGINAL FISHERIES STRATEGY**

## **ANNUAL REPORT 2002-2003**

# TABLE OF CONTENTS

<b><u>GENERAL OVERVIEW OF THE ABORIGINAL FISHERIES STRATEGY</u></b>	<b>1</b>
AFS Agreements	1
Fishing Plans	1
Communal Licences	2
<b><u>NATIONAL PERSPECTIVE</u></b>	<b>3</b>
Groups with AFS Agreements	4
Background	6
National ATP Budget	6
Number of Agreements	7
Employment	7
Commercial Access:	7
<b>Key Projects</b>	<b>9</b>
<i>Lil'Wat Fisheries Commission</i>	9
<i>Cariboo Tribal Council Quesnel Coho Enumeration Program</i>	11
<i>The Kitwanga River Permanent Salmonid Enumeration Facility</i>	11
<b><u>CENTRAL AND ARCTIC REGION</u></b>	<b>14</b>
Aboriginal Fisheries Strategy Project Workplan 2002-2003	14
Summary of Progress Towards Objectives: 2002/03	19
Great Slave Lake Advisory Committee	20
<b>Northern Quebec</b>	<b>21</b>
<i>Agreement with the Kativik Regional Government (KRG)</i>	21
<i>Agreement and contract with Makivik Corporation</i>	21
<i>Number of jobs created:</i>	22
<b>Southern Quebec</b>	<b>22</b>
<i>Subsistence agreements</i>	22
<i>Training</i>	22
<i>Employment</i>	22
<i>Commercial Access</i>	22
<b>Key Projects</b>	<b>23</b>

<i>Innu TakuaiKAN Uashat Mak Mani Utenam Fishery Awareness Project</i>	23
<b>Number of Agreements and Employment</b>	<b>25</b>
<b>Commercial Access</b>	<b>25</b>
<b>Key Projects</b>	<b>25</b>
<i>Woodstock First Nation and DFO Join Forces to Save Endangered Species</i>	25
<b>Number of Agreements and Employment</b>	<b>28</b>
<b>Commercial Access</b>	<b>28</b>
<b>Key Projects</b>	<b>29</b>
<i>Pabineau Salmon Enhancement Project (SEP)</i>	29
<b>Number of Agreements and Employment</b>	<b>30</b>
<b>Commercial Access</b>	<b>30</b>
<b>Key Projects</b>	<b>30</b>
<i>Conne River Band</i>	30
<i>Federation of Newfoundland Indians</i>	31
<i>Labrador Inuit Association</i>	31
<i>Labrador Metis Association</i>	31
<i>Innu Nation</i>	32
<b>The Species at Risk Act (SARA)</b>	<b>33</b>
<i>Aboriginal Participation in the Administration of the Species At Risk Act (SARA)</i>	33
<i>Implications of the SARA for the DFO-Aboriginal Relationship</i>	33
<i>AFS and SARA</i>	34
<i>Aboriginal Involvement and the Administration of the SARA</i>	34

**NOTE:**

***The information contained in this report is believed to be accurate but is not warranted. Any errors or omissions are unintentional.***

## **General Overview of the Aboriginal Fisheries Strategy**

The Aboriginal Fisheries Strategy (AFS) is a program that provides for the effective management of the Aboriginal fishery in a manner consistent with the Sparrow decision. This landmark Supreme Court of Canada decision found, among other things, that where an Aboriginal group establishes an Aboriginal right to fish for food, social and ceremonial purposes, this right, after conservation, has priority over any other user of the resource.

In accordance with negotiated, time-limited agreements, Aboriginal groups participate in the management of the fisheries and are provided with both allocations of fish and economic development opportunities. The Program applies where DFO manages the fishery, and where land claims settlements are not in place.

### **AFS Agreements**

AFS Agreements are without prejudice to either party's position on Aboriginal rights. Agreements negotiated under the AFS contain an allocation to be harvested by the Aboriginal group, which is fished under a communal fishing licence. This allocation is determined after consultations with the group regarding their needs for food, social and ceremonial purposes. Agreements detail the conditions to be included in the communal fishing licence, such as quantities, time, gear and data collection. Agreements may also contain other arrangements for the co-management of the Aboriginal fishery by the group and DFO, such as stock assessment, fish enhancement and habitat management projects. Commercial fishing and other economic development opportunities may also be negotiated as part of an AFS Agreement.

### **Fishing Plans**

Fishing Plans, one component/schedule of an AFS Agreement, detail the numerical harvest levels which have been negotiated and established for fish for food, social and ceremonial purposes.

These plans establish the Fishing Authority and the plan to monitor fisheries harvests by members of the community who have been designated on behalf of the community. The allocation sets the species and the quantities, times and gear to be used.

## **Communal Licences**

The Aboriginal Communal Fishing Licence Regulations provide for the issuance of communal licences to Aboriginal groups. These licences include conditions for quantity of catch by species, gear time and area of harvest, and disposition of fish. The conditions for designating fishers and the reporting requirements are also set out in the communal licence. Typically, communal licence conditions flow from the fishing plan within the AFS Agreement. However, where DFO cannot reach an agreement with a First Nation, a communal licence is issued. As per s.6(f) of the Policy for the Management of Aboriginal Fishing, the conditions will be minimal and will contain allocations based on the last offer made by DFO before termination of negotiations.

The communal licences are a way of providing the opportunity for Aboriginal communities to fish for food, social and ceremonial purposes consistent with the priority afforded them, while integrating the management of Aboriginal fisheries with all other fisheries.

## **National Perspective**

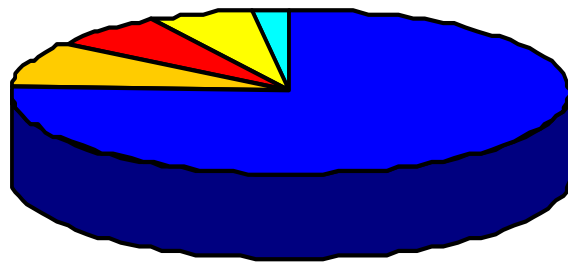
The Aboriginal Fisheries Strategy was funded at \$35,221,000 in 2002-2003. This included a mandated amount of \$23,556,626 for co-management expenditures and \$11,643,374 for the Allocation Transfer Program (ATP). \$1,643,374 of the ATP funding came from the departmental budget and \$10,000,000 was a result of the Gathering Strength initiative. There was some movement between Co-Management and ATP funding throughout the year resulting in final expenditures of \$24,013,190 in Co-Management and \$10,879,239 in ATP. This included a top-up of \$45,000 from the DM's Reserve for Quebec Region. \$320,000 from the Co-Management mandate was provided to the Department of Indian and Northern Affairs for implementation of the Nisga'a Treaty. Approximately \$8,500 was unspent at year-end.

189 AFS Agreements and Amendments were signed with 225 Aboriginal groups in British Columbia, Quebec and Atlantic Canada. (Central and Arctic region does not have AFS Agreements but contracts projects with Aboriginal groups). Some of these First Nations are funded under an Agreement with an Umbrella Group such as a Tribal Council, Watershed Authority or Native Council.

These AFS Agreements have resulted in the creation of 1,271 seasonal jobs in areas such as processing, monitoring and enhancement activities. 173 of those employed through the AFS are Aboriginal guardians, trained by DFO and employed by the Aboriginal group. The remaining 1098 jobs were created nationally in the fisheries management field (habitat restoration, stock assessment, fisheries enhancement, etc.), and in the areas of consultation and economic development.

## Groups with AFS Agreements

### Groups with AFS Agreements 2002-2003 by Region

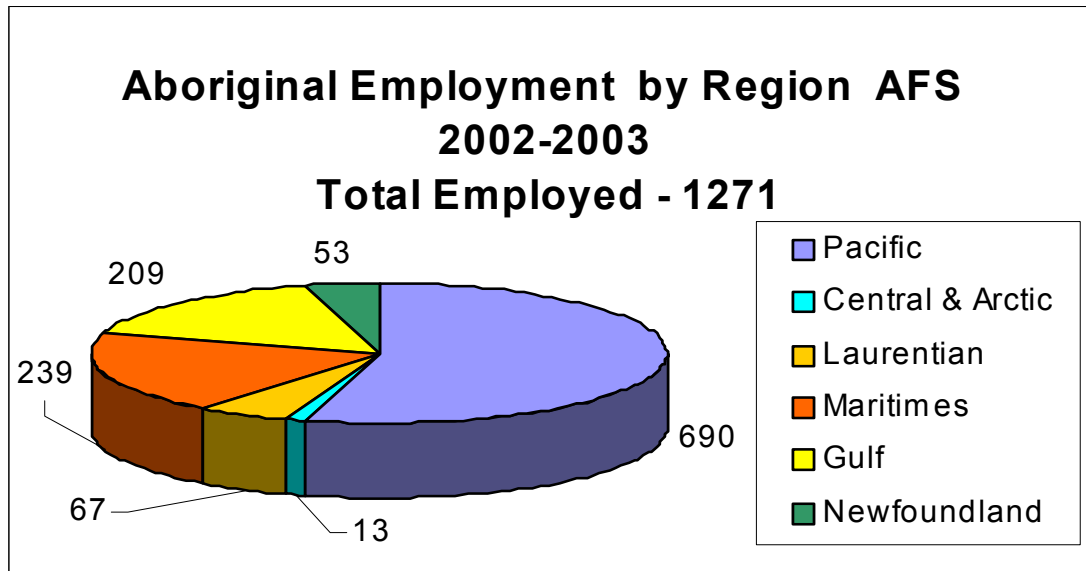


- Pacific (171)
- Quebec (21)
- Maritimes (14)
- Gulf (14)
- New foundland (5)



**Employment Under AFS – 2002-2003**

<b>REGION</b>	<b>GUARDIANS</b>	<b>OTHERS</b>	<b>TOTAL</b>
<b>PACIFIC</b>	<b>64</b>	<b>626</b>	<b>690</b>
<b>CENTRAL &amp; ARCTIC</b>	<b>0</b>	<b>13</b>	<b>13</b>
<b>LAURENTIAN</b>	<b>17</b>	<b>50</b>	<b>67</b>
<b>MARITIMES</b>	<b>36</b>	<b>203</b>	<b>239</b>
<b>GULF</b>	<b>36</b>	<b>173</b>	<b>209</b>
<b>NEWFOUNDLAND</b>	<b>37</b>	<b>16</b>	<b>53</b>
<b>TOTAL</b>	<b>190</b>	<b>1081</b>	<b>1271</b>



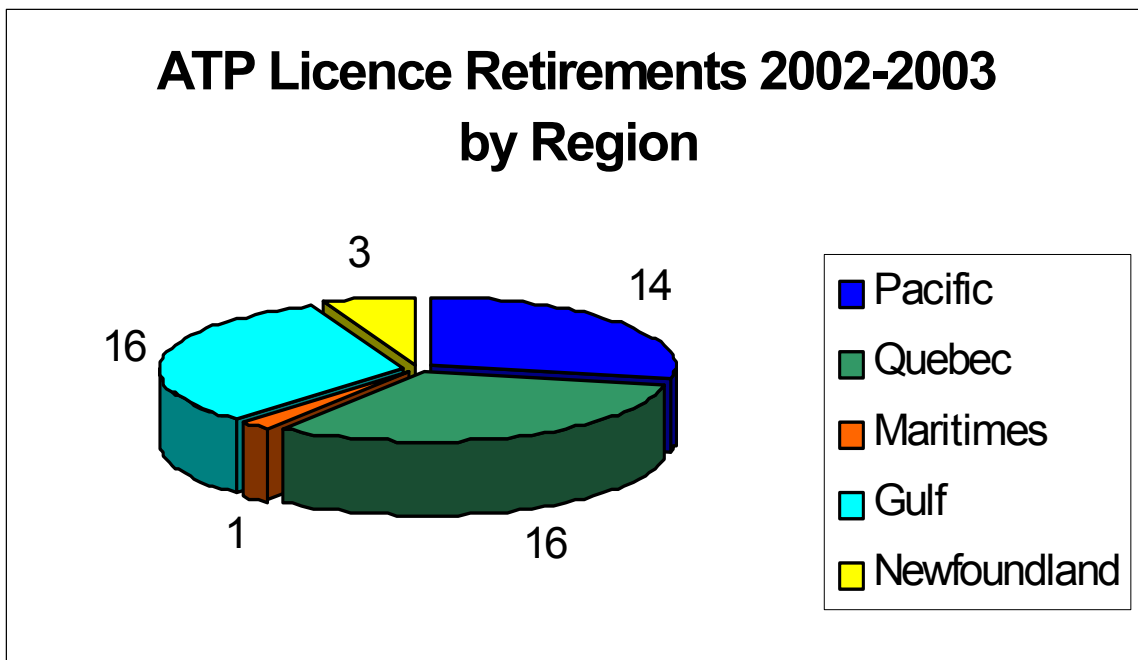
## Allocation Transfer Program

### Background

In 1994 the AFS was amended to include the Allocation Transfer Program (ATP). The ATP supports Aboriginal groups in achieving self-sufficiency through participation in commercial fisheries. The ATP facilitates the voluntary retirement of commercial licences and the issuance of new licences to eligible Aboriginal organizations in a manner that does not add to the existing effort on the resource. As a result of changes in 1998, funding may also be provided to purchase equipment, such as vessels and/or gear necessary for Aboriginal groups to fish these licences. Eligibility is restricted to Aboriginal organizations that have fisheries agreements with DFO under the AFS. It is a means to stimulate Aboriginal economic development opportunities and develop fisheries expertise in Aboriginal communities.

### National ATP Budget

As noted above, the ATP was funded at \$\$10,879,239 in 2002-2003 50 licences were retired and the department purchased or contributed towards 9 vessels. In addition various quotas, equipment and gear were retired nationally.



## **Pacific Region**

The core budget for 2002-2003 in Pacific Region was \$21,930,000, which included \$15,930,000 for co-management, and \$6,000,000 for the ATP. During the year, \$215,550 in ATP funding was transferred to Co-Management. A further Co-Management top-up of \$60,000 was provided from HQ contingency funds.

During 2002-2003, a total of \$5,508,286 was spent to retire licences, vessels and gear under ATP in this Region, \$16,310,194 was spent on Co-Management Agreements, and \$171,520 was not spent by year end and was re-allocated to other Regions by HQ.

### **Number of Agreements**

The following Agreements were negotiated in 2002-2003

- 29 Contribution Agreements
- 23 Amendments to Contribution Agreements
- 11 Fisheries Agreements
- 80 Amendments to Fisheries Agreements
- 1 Commercial Access Agreement
- 1 Amendment to Commercial Access Agreements
- 1 Framework Agreement
- 1 Allocation Agreements

### **Employment**

In 2002-2003 approximately 64 Aboriginal Fisheries Guardians were employed for a total of 558 months. Another 626 people were employed for a total of 2018.35 months in other projects funded through the agreements. Please note that this information is based on final reports received for 2002-2003, or on preliminary projected estimates provided by the group at the beginning of the fiscal year.

### **Commercial Access:**

14 Commercial licences and 98,990 pounds of halibut quota were retired in 2002-2003 under the Allocation Transfer Program in Pacific region. 11

licences have been allocated to First Nations and the remaining licences will be allocated under future AFS Agreements.

***The following licences, quotas and vessels were acquired under the ATP in 2002-2003***

<b>Item</b>	<b>Value</b>
Salmon Gillnet licence	\$72,000
Salmon Troll licence	\$89,900
5,000 lbs halibut quota	\$122,500
2 salmon seine licences and 30,000 lbs halibut quota	\$1,518,000
Salmon gillnet, shrimp and crab licences	\$515,000
Halibut licence and 62,639 lbs quota	\$1,592,975
Crab and Prawn licences	\$757,524
Salmon seine licence	\$425,000
Halibut licence and 1,351 lbs quota	\$97,000
Salmon gillnet licence	\$89,000
Salmon gillnet licence	\$85,000
Vessel Repairs	\$25,061
Contracts with Brokers	\$115,548
Contractors	\$3,760
<b>Total</b>	<b>\$5,508,286</b>

## **Key Projects**

### *Lil'Wat Fisheries Commission*

This year, the Lil'wat Fisheries Commission in Mt. Currie and Fisheries and Oceans Canada collaborated on a number of projects including the operation of a sockeye salmon enumeration fence on the Birkenhead River.

The fence, an upstream pointing "V" shape, spans the Birkenhead River and is 200 feet long. It was installed over a three-day period and became operational on Saturday, August 30<sup>th</sup>. To count sockeye salmon, the fence has an adjustable width opening where fish are allowed to pass through on their migration upstream to the spawning grounds. The salmon are not stopped in their upstream migration; however the fence is occasionally closed for safety reasons or emergency situations. To enable accurate nighttime counting, lights are secured to a wooden counting booth where the crew is situated. Every hour, the fence is cleared of any leaf or wood debris that may float downstream and impinge water flow through the fence.

The fish migrate 24 hours a day, with peak migration numbers observed moving through the fence early in the morning. For instance, between 7 am and 11 am on Monday September 15<sup>th</sup>, 11,196 fish swam through the fence. As of midnight on September 21<sup>st</sup>, a total of 259,819 sockeye have passed through the fence. The project is scheduled to run as late as October 13<sup>th</sup>, at which time all of the fence material will be totally removed from the site.

The fisheries crew has also started the sockeye biological sampling program. Sockeye salmon die after spawning, and the carcasses are examined and sampled for biological information such as sex, length, age, and success of spawning. The technicians will sample a specified number of spawned sockeye until the end of the run.

Other species of salmon are also enumerated. In addition to the above, we have been using a helicopter for over flights of the Birkenhead River to count chinook salmon from August until September. Chinook carcasses are also recovered and sampled for biological information. Regular surveys of spawning areas for coho salmon will begin in October and run until the end of January.

## **Historical Information**

The history of sockeye salmon enumeration on the Birkenhead River is one of the longest of any salmon population in the Fraser River system. The first estimates were made by enumeration fence from 1905 to 1935, though not all years had complete counts as heavy late summer and fall rainfall often

caused the fence to wash out. In 1939, the first mark-recapture technique of enumeration of a Fraser River salmon stock was applied to Birkenhead River sockeye, and this continued almost every year up to 1999. The early work here established the basis of later studies not only in the Birkenhead River, but all other Fraser River areas. Since 2000, various other enumeration methods have been attempted with mixed success. 2003 marks the first attempt at constructing and maintaining an enumeration fence across the river since the early part of the century.

Historical abundances of sockeye salmon returning to the Birkenhead River range from as low as 15,000 in 1939 to as high as 350,000 in 1986, and have averaged 90,000 fish. The 2003 return is turning out to be one of the largest on record.

### *Cariboo Tribal Council Quesnel Coho Enumeration Program*

The Cariboo Tribal Council has undertaken the above project for a number of years. Through this program the coho bearing streams of the Quesnel system are walked and/or flown to count the spawning coho. The data is collected and a report submitted to DFO. This information is important since the interior Fraser coho are listed with COSEWIC owing to their low numbers. The benefits the enumeration program provides to the CTC are employment and capacity building, as well as information regarding the coho in the tribal territories. The same information furnishes DFO's chinook/coho stock assessment section with important data which is crucial to the recovery plan for the interior coho populations.

The quality of operation of the project has increased with the hiring of a biologist by CTC. This has also led to the CTC fisheries section successfully winning the bid for the contract to operate the McKinley coho enumeration fence on McKinley Creek for 2002. This in turn resulted in more employment for CTC and an increase in the technical abilities of their fisheries staff. The Dept benefits by receiving accurate data produced from a competent source.

CTC will undertake the Quesnel Coho Enumeration project again for 2003 and have the contract to operate the fence as well, further building technical capacity and continuing to add to the data information of local coho.

### *The Kitwanga River Permanent Salmonid Enumeration Facility*

The Gitanyow Fisheries Authority completed the installation of a permanent counting fence on the Kitwanga River. This structure is utilised to determining escapements of all 5 salmon species and steelhead to the Kitwanga River. **The total estimated cost of the facility was \$600,000.00 and it is the second biggest fish counting facility in the Northcoast.**

The Kitwanga sockeye stock has been of particular concern to the Gitanyow First Nation. In conjunction with the operation of the fence and other assessment efforts the GFA and the Gitksan Watershed authority have implemented a Kitwanga sockeye awareness program at the mouth of the Kitwanga River. The program utilizing pamphlets and personal contact directed at sport fishermen and First Nations fishers has been carried out for the past two years. The program is to make fishers aware of the state of Kitwanga sockeye and to encourage **Aboriginal Fishers and Sport fishermen from retaining sockeye caught** in the waters of the main stem Skeena adjacent to the mouth of the Kitwanga River where sockeye stocks are believed to hold prior to entering the system. This program is well

received by most individuals and escapements to the system have increased in the past two years. This may be a result of reduced fishing at the mouth.

### **Counting Fence on the Kitwanga River**





## Counting Fence on the Kitwanga River



## Central and Arctic Region

In 2002-2003 the Central and Arctic Region operated on an annual Aboriginal Fisheries Strategy budget of \$240,000, all in O&M. (Operations and Maintenance)

\$190,000 was spent on Community fisheries projects. The remaining \$..... funded the Great Slave Lake Advisory Committee.

### **Aboriginal Fisheries Strategy Project Workplan 2002-2003**

#### **PROJECT TITLE:**

**Community Fisheries Workers                      BUDGET:     190 K**

Claim/Aboriginal Organization:                      Funding

South Slave Metis First Nation:  
    Hay River Metis Council                      \$20K

Yellowknives (Akaitcho):  
    Deninu Kue    \$8K  
    Lutsel Ke First Nation                              \$40K

Deh Cho First Nation:  
    Kakisa Dene Band                                      \$30K  
    Sambaa Ke Dene Band                              \$20K

Salt River First Nation:                                      \$2K

AFS Co-ordinator/Technician                              \$70K

**Total    \$190K**

**LOCATION:** Communities of the North Slave, South Slave and Deh Cho regions of the NWT

**DATE:** 1 April, 2002 to 31 March, 2003

#### **PROJECT DESCRIPTION:**

The community field workers, hired by 11 Aboriginal organizations in 10 communities, will foster co-management at the community level. The program will allow interaction with Bands, management boards and Hunters and Trappers Associations, establish co-operative projects, gather harvest information, help improve fish handling and processing practises, promote

conservation education and promote co-operative fishery management projects.

The co-operative fishery management projects involve:

- i. Assessing fish stocks, important to aboriginal people, through tag/recapture studies, weir counts, sampling for age and growth data and measuring CPUE .
- ii. Delineating stocks through stock identification programs.
- iii. Conducting community surveys to gather harvest information and traditional knowledge of stocks and fishing patterns
- iv. Involving the Aboriginal community in finding solutions to fishery management problems.
- v. Conducting habitat workshops to teach development corporations and Aboriginal contractors approved practises when working near water.
- vi. Conducting traditional ecological knowledge studies to compliment and enhance scientific studies.
- vii. Providing learning opportunities to enhance the knowledge of fisheries management protocol

The following are specific sub-projects carried out in 2002/03:

**i. Great Slave Lake Fisheries: 120 K  
(by contracting the Hay River Metis Nation and the Lutsel Ke Dene Band)**

The fish resources of Great Slave Lake (GSL) are shared by Aboriginal, commercial and recreational fisheries. At least six Aboriginal communities utilise GSL fish stocks for subsistence and over 80% of the participants in the GSL commercial fishery are of Aboriginal origin. All users of the resource are represented on the Great Slave Lake Advisory Committee (GSLAC) which co-manages the fisheries by making recommendations to DFO.

Objectives:

- To train Aboriginal community field workers to gather information useful in the management of Great Slave Lake fisheries by DFO, Aboriginal partners and the Great Slave Lake Advisory Committee.
- To monitor the stock status of GSL whitefish stocks and other species by measuring for size and age, CPUE, species composition of the commercial catch.
- To monitor the harvest of the various user groups.

**The Hay River Métis Govt. Council, Hay River was** contracted to hire two seasonal field workers to assist with data collection on the Great Slave Lake

and two inland fisheries. The study will involve sampling 2000 whitefish at FFMC fish plants, conducting assessment studies on two inland lakes and the floy tagging and sampling of 200 inconnu at Buffalo River.

**The Lutsel K'e Dene Band, LutselK'e** surveyed itinerant anglers encountered in the east arm of Great Slave Lake, conduct an Aboriginal food fishery survey and complete a traditional ecological knowledge survey in the community of Lutselk'e.

Objectives: To provide harvest statistics useful in the management and allocation of fishery resources, especially Lake trout, for area 5 and 6 (the East Arm) of Great Slave Lake. These statistics will be crucial in future allocation of the fisheries resources.

**ii. Deninu Kue First Nation, Fort Resolution: \$20 K**

The Deninu Kue First Nation will be contracted to hire a harvest surveyor who will collect harvest statistics for the Fort Resolution Aboriginal food fishery, which occurs on Resolution Bay, the Slave River delta and the Little Buffalo River.

**iii. Deh Gah Gotie Dene Band, Fort Providence: \$10 K**

Digaa Enterprises Ltd. was contracted to hire a harvest surveyor who will collect harvest statistics for the Fort Providence Aboriginal food fishery which occurs on the Mackenzie River and Horn River. The Band will also conduct an experimental commercial fishery in the Mackenzie River and Horn River. The objective is to determine whether commercial fishing for jumbo whitefish and other species is biologically sustainable as well as profitable.

**iv. Acho Dene Koe First Nation, Fort Liard: \$20 K**

The Bands business arm, Beaver Enterprises was provided with a curriculum to train their employees proper practises when working near water. Two workshops have been held to train their workers. The curriculum and training manual are required to transfer the training responsibility to the Band.

**v. Sambaa Ke Dene Band, Trout Lake: \$20 K**

The Band was contracted to collect harvest data on the local commercial fishery as well as the food fishery. They will also be contracted to monitor the walleye sport fishery at the Moose and Island River, including guests of their lodge business. 400 walleye will be sampled for size and age data for comparison with earlier samples.

**vi. Ka'a'gee Tu First Nation, Kakisa: \$30 K**

Walleye size and age samples were collected from the catch of the Kakisa Lake and Tathlina Lake Dene Band's commercial fisheries. The Band will be contracted to collect stock assessment data for the Tathlina Lake and Kakisa Lake commercial walleye fisheries. Data collected during 12 years of monitoring will be analysed and interpreted and published in a Technical Report that will include quota recommendations for the commercial fishery.

**vii. Jean Marie First Nation, Jean Marie River: \$10 K**

The Band was contracted to conduct a survey of the fish resources and fish health of the Mackenzie River and tributaries in the vicinity of the community.

**viii. North Slave Metis Alliance, Yellowknife: \$30 K**

The North Slave Metis gathered sport fishing harvest information through a creel census program on Prelude and prosperous lakes. Eventually the information will contribute to the drafting of a fisheries management plan for the area.

**ix. AFS Co-ordinator/technician: \$70 K**

The overall co-ordination of the program was facilitated by an Aboriginal graduate of a Renewable Resources Technology Program. This person will explain the program to the various Aboriginal groups, arrange contracts with the various organisations and monitor progress on contracted services. The Co-ordinator will ensure that data is being collected according to current fisheries management protocol and is recorded in a clear and concise manner by the workers in the various communities. The Co-ordinator will supervise the organisation and computer analysis of data collected during the various community studies and assist with the preparation of reports. This person will be responsible for the aging of scale samples collected during AFS programs. She will present results of the programs to the Aboriginal organizations and management committees and will conduct at least two conservation education sessions in community schools. She will also be responsible for organizing a habitat related workshop in one Dene

community and developing material for a web page accessible to Aboriginal groups. The co-ordinator will attend at least one conference or work-shop and present material as appropriate.

## Summary of Progress Towards Objectives: 2002/03

### Great Slave Lake

#### Hay River Metis Govt. Council                      \$20 K

- a. 1 workers recruited
- b. GSL fisheries monitored                      2000 whitefish sampled
- c. Kakisa Lake assessed                      observation program only
- d. Tathlina Lake assessed                      completed

#### Lutsel K'e First Nation                                      \$40 K

- a. 2 workers recruited
- b. 85 anglers surveyed
- c. Traditional Knowledge study                      completed – on web library site
- d. Study data analysed                      analysed

#### Fort Resolution    \$8 K

- a. Fisheries worker recruited 1 day per week only
- b. Harvest study completed      Resolution Bay only

#### Trout Lake: Sambaa Ke Dene Band      \$20 K

- a. Workers recruited and trained
- b. Lake & two rivers – sport fishery monitored                      250 anglers interviewed
- c. 300 Walleye Sampled                      completed

#### Kakisa:    \$30 K

- a. Tathlina Lake walleye stocks assessed      600 fish sampled
- b. Kakisa and Tathlina Lake sampling                      completed  
1200 fish plant samples

#### Fort Smith:    \$2 K

- a. 1 worker recruited - May 2002                      recruited in August
- b. Harvest study completed                      fall season only

**Co-ordinator:**

**\$70 K**

- a. Co-ordinator recruited – April 2002 contract 100% completed
- b. 5 contracts arranged
- c. 9 field workers trained
- d. 7 projects co-ordinated
- e. Program data analysed
- f. Local concerns identified
- g. Liaison between communities, Aboriginal groups and DFO completed
- h. Harvest data analysed
- i. Working near water curriculum implemented
- j. Trout Lake data completed
- k. 7 study reports completed
- l. 3 con-ed sessions completed
- m. one work-shop attended.

**Benefits Delivered:**

**COSTS: All O&M**

<b>1995/96</b>	<b>1996/97</b>	<b>1997/98</b>	<b>1998/99</b>	<b>1999/00</b>	<b>2000/01</b>
\$110 K	\$155 K	\$150 K	\$140K	\$290K	\$300K
<b>2001/02</b>	<b>2002/03</b>				
\$330K	\$190K				

**Great Slave Lake Advisory Committee**

\$36.4K

The Great Slave Lake Advisory Committee is a Co-Management body that advises the Minister on fisheries in Great Slave Lake, which has the largest fresh water fisheries in the Northwest Territories. Membership includes all aboriginal groups that have an interest in fishing in the lake.

In 2002/03 Two regular meetings were held as well as a conference on the fisheries in Great Slave Lake.

Great Slave Lake is being left out of all land claim areas and will continue to be managed as a whole.

The \$13.6K remaining from the budget for this Committee was spent on costs associated with the Fisheries Workers projects described previously.



## Quebec Region

The AFS budget in Quebec Region for 2002-2003 was 3,511,250. \$1,261,250 was mandated for Co-Management and \$2,250,000 for licence retirements and purchasing of equipment under the Allocation Transfer Program (ATP). A top-up of \$39,000 was provided from HQ and \$45,000 was provided from the DM's Reserve resulting in total expenditures of \$3,595,250.

\$35,150 was moved from Co-Management to ATP resulting in expenditures of \$1,280,250 for co-management agreements and contracts and \$2,305,150 for licence retirements and equipment purchases under the ATP.

### **Northern Quebec**

#### *Agreement with the Kativik Regional Government (KRG)*

The objective of the agreement is the protection, conservation and annual management of the marine fisheries resources in the Nunavik region, with particular attention on belugas, two populations of which are on COSEWIC's list of species at risk. The agreement provided for the recruitment of a coordinator, an administrative assistant, 12 community officers and five fisheries guardians, all seasonal. The total project cost is \$465,000.

#### *Agreement and contract with Makivik Corporation*

The agreement has three parts:

First, Makivik had to handle all logistical details for ensuring that the representatives of the 14 communities and all Inuit associations were present in Kuujuaq for a meeting to negotiate the beluga management plan. Cost: \$102,750.

Second, Makivik had to plan a beluga harvest in the non-traditional sectors of Long Island and James Bay. Community vessels were chartered and the harvesters were remunerated. We are still waiting for the project report. Cost: \$50,000.

Third, Makivik had to plan a harvest under scientific supervision in the non-traditional sectors of Long Island and James Bay. Vessels were chartered and the harvesters were remunerated. We are waiting for the project report. Cost: \$50,000.

The total cost of the agreement is \$202,750.

A contract was awarded to Makivik for its participation in a workshop on new marine mammal harvesting techniques. The total cost of the contract is \$5,000.

*Number of jobs created:*

Kativik : 19 jobs, including 1 coordinator, 1 assistant, 5 guardians and 12 seasonal community officers.

Makivik: to be determined on receipt of the reports.

## **Southern Quebec**

*Subsistence agreements*

In 2002-2003, AFS Agreements were signed with 4 of the 5 Montagnais communities. A large part of the budgets were spent on purchasing licences and vessels under the Allocation Transfer Program, hiring a fisheries coordinator and covering the costs of theoretical and practical training.

*Training*

In 2002-2003, 54 Innu fishers in seven communities took training courses, representing over 750 hours of courses provided by DFO. A group of 16 people took the general deck work course and two other groups took the professionalization course.

*Employment*

In 2002-2003 under AFS Agreements in Southern Quebec 48 Aboriginal people were employed for a total of 808 weeks.

*Commercial Access*

**In 2002-2003, Quebec Region participated financially in the following commercial licences under the Allocation Transfer Program:**

COMMERCIAL LICENCE	VESSEL	COMMUNITY	CONTRIBUTION
Groundfish with turbot IQ		Essipit	\$46,000
Snow crab, areas 16 and 12B, scallop 16EF18A, lobster, area 16, whelk, area 8	2 vessels	Mamit Innuat	\$196,700
Snow crab, areas 15 and 16 Stimpson's surf clam, area 4B Groundfish, herring, mackerel –	1 crab fishing vessel	Natashquan	\$592,203
Shrimp	1 shrimp fishing vessel, Monikaroline	Uashat	\$820,250

*Non-transferred commercial licences*

The following licences were purchased in 2002-2003, but were banked for future use:

Whelk – area 4 (C. Stubbert)	\$10,000
Lobster – area 15 (K. Leon)	\$15,000
Scallop area 16 (A. Rail)	\$400,000
Scallop– 2 licences area 19 (Bujold, Langis)	\$225,000

**Key Projects**

*Innu Takuaikan Uashat Mak Mani Utenam Fishery Awareness Project*

A fishery awareness project was carried out by the community of Innu Takuaikan Uashat Mak Mani-Utenam. It produced a video on the crab fishery, showing proud Innu fishers fishing for crab. The video has been included with this report to give you an idea of the changes in the Aboriginal fishery.

With respect to Montagnais communities that are signatories to the AFS agreement with DFO, we generally observed a growing interest on the part of the Aboriginal communities in commercial fisheries and continuing progress in terms of their involvement in and diversification of their fisheries. The Aboriginal communities each have at least one “lucrative” licence, i.e., a

crab and/or scallop licence, and the community of Uashat Mak Mani-Utenam acquired a shrimp licence this year, thanks to our financial participation.

The table on the socioeconomic impact of the AFS in Quebec Region, provided in the annex to this report, presents the revenues generated by the commercial fishery and the investments made under the Aboriginal Fisheries Strategy.



## **Maritimes Region**

The total operating budget under the AFS for Maritimes Region for 2002-2003 was \$3,017,700. \$945,600 was provided to fund the Native Council of Nova Scotia (NCNS), and the remaining \$2,071,500 funded Agreements with 11 of the 13 First Nations. All of the funding for First Nations was for Co-Management Agreements. \$234,100 of the NCNS funding was for Co-Management projects. The remaining \$711,500 was for commercial access for this group.

### **Number of Agreements and Employment**

In 2002-2003, AFS Agreements were signed with the Native Council of Nova Scotia and with 11 First Nations in Maritimes region. Under these 12 Agreements, 36 Aboriginal Fishery Guardians were employed for a total of 180 months, and approximately 203 Aboriginal workers were employed for a total of 852 months in other projects.

### **Commercial Access**

The ATP mandate for Maritimes Region for 2002-2003 was \$711,500. The following licences, vessels and gear were retired and provided to the NCNS:

LFA 34 lobster licence	\$470,000
Mackerel trap	\$32,700
Lobster traps, rope and buoys	\$68,000
Funds towards a new vessel	\$140,800
<b>Total</b>	<b>\$711,500</b>

Their Aboriginal Communal Commercial fisheries are now located throughout the Province.

### **Key Projects**

#### *Woodstock First Nation and DFO Join Forces to Save Endangered Species*

Many Canadians daydream about the arrival of summer. Some people envision picnics on the beach and walks at sunset. Others fantasize about weeding the garden and barbecuing on the deck.

For his part, Brian Polchies, lead technician for Woodstock First Nation's survey crew, looks forward to stream surveys and electro-seining projects.

"I love doing that stuff," Polchies says. "What other kind of job can you have that you're not in an office all day, but out on a stream?"

In partnership with DFO Science Branch, Woodstock's skilled team collects crucial data, and helps researchers save the endangered inner Bay of Fundy (iBoF) Atlantic salmon.

"Woodstock First Nation's involvement has been nothing short of impressive," says Leroy Anderson, DFO Enhancement Technician at Mactaquac Hatchery. "Their employees arrive ready to make a meaningful contribution to the project."

In January 2003, DFO recognized the exceptional contributions of Woodstock First Nation by presenting a special appreciation plaque.

"It felt good," says Polchies of the award presentation. "We've got a pretty good rapport going with science branch. It's a win-win situation."

Other band members agree.

"Before some elders passed on, they talked about how the salmon used to thrive here," says Eric Paul, Fisheries Coordinator, Woodstock FN. "I think there's a sense of pride in knowing the community is involved in these projects."

The community also gets something back from the projects. The youth, in particular, benefit from the knowledge the survey crew is obtaining.

"For the past four or five years, we've had a science and technology camp here in the summer," Polchies explains. "We've showed the campers how electro-seining works, and how we sample. We also take them down to the hatchery and down to St. Andrew's Biological Station and try to get some of them interested in studying biology."

Eric Paul notes that youth in his community tend to see their career prospects as limited.

"I hope this will help young people realize there is more opportunities available to them," he says.

With shared values of co-operation, conservation and education, it sounds like the Woodstock - DFO Science partnership will be an unbeatable combination for many summers to come.

Roger Jacobson (WFN) and Leroy Anderson (DFO) with smolt wheel on Big Salmon River, summer 2001.



## Gulf Region

Gulf Region AFS had a total operating budget for 2002-2003 of \$3,467,000.

\$736,000 was provided to the Native Council of Prince Edward Island of which \$318,149 was spent on Co-Management projects and \$415,724.12 was spent on commercial access for this group. \$2,126.88 was unspent at year end.

\$936,700 was provided to the New Brunswick Aboriginal Peoples Council of which \$368,827 was spent on Co-Management projects and \$566,959.13 was spent on commercial access for this group. \$913.87 was unspent at year end.

The remaining \$1,794,300 was spent on Co-Management Agreements with 6 First Nations.

### **Number of Agreements and Employment**

In 2002-2003, AFS Agreements were signed with the Native Council of Prince Edward Island (NCPEI) and the New Brunswick Aboriginal Peoples Council (NBAPC) and with 6 First Nations in Gulf region. Under these 8 Agreements 36 Aboriginal Fishery Guardians were employed for a total of 128 months, and approximately 173 others were employed for a total of 860 months in various other projects. In addition 10 Non-Aboriginal people were employed by the 2 Native Councils to assist in harvesting of commercial catch.

### **Commercial Access**

\$567,873 was spent to retire licences and vessels for the New Brunswick Aboriginal Peoples Council as follows:

vessel	\$ 60,000.00
Licence Pkg. (lobster herring,mackerel Vessel and gear)	\$160,150.00
Licence pkg. (herring, mackerel, groundfish vessel and gear)	\$165,150.00
Licence pkg. (lobster, mackerel, oysters Herring bait, mackerel bait, vessel and gear)	\$136,450.00
Lobster traps	\$ 5,430.00
Lobster traps	\$ 35,400.00
Tax reimbursement	\$ 4,379.13



**Total** **\$566,959.13**

\$415,724.12 was spent to retire licences and vessels for the Native Council of PEI As follows:

Gear	\$ 40,000.00
Licence package (licence, vessel and gear)	\$237,000.00
Mollusc lease	\$ 26,490.00
Mollusc lease	\$ 36,390.00
Tuna licence	\$ 40,000.00
Electronic equipment	\$ 34,362.00
Tax reimbursement	\$ 1,212.12
<b>Total</b>	<b>\$415,724.12</b>

### **Key Projects**

#### *Pabineau Salmon Enhancement Project (SEP)*

The project started on June 23, 2003 and ended October 24, 2003. The first and last day of actual fishing was July 13, 2003 and October 16, 2003. The fence operations were normal and the average of salmon and grilse that ran through the counting fence was on average the same as other years. Because of pending problems with water levels, the fence was taken down and the desired goal was not reached. Scale sampling and salmon processing were carried out as usual. An incident with the Smurfit-Stone Power dam Facility forced us to take precautions so that we would not lose anymore of our fences due to increased water levels.

As in previous years, the duties of the employees included taking readings of weather and water conditions. Two summer students were also employed for a six week period. There was only two pair of male and female salmon collected and transported to the Charlo Salmonoid Center. A total of 154 salmon and 94 grilse were counted.

## Newfoundland Region

Newfoundland Region had a total AFS mandate for 2002-2003 of \$2,071,250, comprised of \$921,250 in Co-Management and \$1,150,000 in ATP funds. During the year they received a top-up from HQ of \$135,500 and at year end they received a transfer of \$171,570 from Pacific region, for a total budget of \$2,378,320. \$2,580 was moved from Co-Management to ATP, resulting in a Co-Management budget of \$1,006,700 and an ATP budget of \$1,371,620.

### **Number of Agreements and Employment**

5 Agreements and 7 Amendments were signed with five Aboriginal groups in this region in 2002-2003. The Agreements with Conne River and the Labrador Inuit Association included communal licences for their food, social and ceremonial needs, while the Agreements with the Innu Nation, Labrador Métis Nation and Federation of Newfoundland Indians were limited to funding for Fisheries Guardians.

These agreements resulted in seasonal employment for 53 Aboriginal people. 37 were employed as fishery guardians and 16 were employed in other areas of fisheries management.

### **Commercial Access**

Newfoundland Region was able to actively participate in the Allocation Transfer Program again in 2002-2003.

\$1,371,620 was used to retire licences, gear and vessels as follows:

Enterprise C510820 (crab, shrimp, groundfish and vessel	\$1,017,650
Vessel, Equipment and gear	\$165,000
Vessel, Equipment and gear	\$171,680
Fishing vessel equipment and gear	\$17,290
<b>Total</b>	<b>\$1,371,620</b>

### **Key Projects**

#### *Conne River Band*

- kept a high profile through planned work schedules and rotations
- location of patrols was carefully planned completely covering the area

- promoted the enforcement presence by splitting the season (4 guardians hired in the summer and 2 hired in the winter)

*An update on the Conne River Stock Assessment Project included:*

- adult and juvenile salmon counting fences were made operational in 2002
- employed 8 people and provided seven day twenty four hour security
- expanded the project to include a crill census in 2002 (fish was cleaned, measured, weighed, sexed and scale sampled and sometimes gonads were taken)

*Federation of Newfoundland Indians*

- Carried out several joint patrols with Shannahan's Fishery Guardians and apprehended 2 poachers
- Issued several warnings to anglers who were attempting to fish after hours

*Labrador Inuit Association*

- purchased approximately \$50,000 of field equipment to support the guardian program

*An update on the English River Project was also provided as follows:*

- the counting fence provided valuable information with regard to salmon, char and trout stocks, i.e. Salmon 221 fish; Char 744 fish; Trout 56 fish
- employed 6 people in 2002
- spent \$5,000 on computer technology training for its project supervisor
- awaiting positive response from DFO on two (2) other projects

The LIA also funded \$5,000 for char data collection in Nain and a further \$4,000 on science activities in Postville.

*Labrador Metis Association*

- guardians received training in: i) First Aid; ii) The Effects of Culverts on Fish and Fish Habitat; iii) Vegetation Sampling; and iv) Water Sampling
- The first Commercial Fishing Strategy was developed and submitted for review

*Innu Nation*

- guardians participated in waterfowl monitoring surveys conducted by the Canadian Wildlife Service
- guardians participated in forest monitoring activities carried out by the Innu Nation Forest Guardians utilizing skills developed during 2002 through the habitat training program

## **Significant Issues for the 2002-2003 Season**

### **The Species at Risk Act (SARA)**

#### *Aboriginal Participation in the Administration of the Species At Risk Act (SARA)*

The *Species At Risk Act (SARA)* is presently under discussion in Parliament and is expected to be proclaimed into law early this Summer.<sup>1</sup> The objective of the SARA is to prevent wildlife species from becoming extinct, and to develop actions for their recovery. When a species is listed as endangered, extirpated, or threatened, these sections (called the general prohibitions) make it illegal to intentionally or inadvertently kill, harm, harass, capture, possess, collect, buy, or sell a listed species. The prohibitions also apply to any habitat deemed critical to the survival of the species.

The *Act* recognizes that the protection of wildlife species is a joint responsibility and that all Canadians have a role to play in the protection of wildlife. More specifically, the participation of affected Aboriginal groups is a required component of the management of species at risk under the SARA. The Minister of Fisheries and Oceans is the lead minister for all aquatic species. As a result, the department is responsible for providing for appropriate Aboriginal involvement in the implementation of SARA as it pertains to aquatic species at risk.

#### *Implications of the SARA for the DFO-Aboriginal Relationship*

The *Species at Risk Act (SARA)* has significant implications for DFO's relationship with Aboriginal groups. The prohibitions under the *Act* means that any new listing has the potential to disrupt a variety of commercial, recreational, and traditional activities -- having significant socio-economic impacts on Aboriginal groups.

The automatic prohibitions under SARA has implications not only for fisheries directly impacted (sockeye salmon), it also has implications for fisheries which may incidentally harm a listed species (Northern Wolfish and the Shrimp Fishery). As such, the listing of a relatively obscure species may have an impact that spans across a number of fisheries in a given area.

<sup>1</sup> Note: The *Species at Risk Act* was officially proclaimed into law on June 5<sup>th</sup>, 2003.

Sustainable directed harvests of a listed species as endangered or threatened could be permissible if the species recovery strategy includes a detailed rationale and methodology for allowing the action. In situations where this is not feasible, communal commercial fisheries, FSC fisheries, and other Aboriginal activities may be affected by reduced harvests or even complete closures.

A fishery that impacts on a listed species could also be subject to changes designed to mitigate the harm to listed species, including closures, reduced harvests, new equipment and/or harvest methods. If the incidental harm of a listed species related to a fishery is deemed not to be a threat to the recovery of that species, permits can be issued under sections 73 of the Act to allow the fishery to continue unfettered. In most cases, licence conditions may act as an alternative to issuing a section 73 permit (S73P).

### *AFS and SARA*

Officials involved in negotiating AFS agreements will need to be familiar with the Act, species' listed and the fisheries that may be implicated through bi-catch to ensure, to the greatest extent possible, that the impact of SARA on Aboriginal groups is minimized.

Many, if not all agreements and licences issued under the Aboriginal Fisheries Strategy (AFS), the Marshall Response Initiative (MRI), as well as under comprehensive claims will be affected by the legal listing of a species under the SARA. Indeed, the automatic prohibitions of several species already on schedule 1, for which prohibitions kick in on June 5, 2004, will have an impact on many agreements for the 2004-05 period and beyond.

All AFS agreements and associated fish management plans will likely have to make reference to the SARA or the implications of a new listing for the agreement. Re-negotiation, (S73P), and the development of recovery strategies are important considerations for dealing with affected agreements.

### *Aboriginal Involvement and the Administration of the SARA*

The SARA offers protection to any species on the legal list of endangered, threatened, or extirpated species. In order to be added to the list of

protected species, a species must pass through two broad stages of analysis:

- an initial assessment by the Council on the Status of Endangered Wildlife in Canada (COSEWIC); and,
- a Governor in Council (GiC) decision requiring broad consultations to assess impacts.

If a species is added to the list, there are a further three stages:

- the development of recovery strategy;
- the development of action plans; and,
- continuous monitoring, reporting, and evaluation of the recovery of the species.

The *Act* provides clear guidance to the government in terms of its obligations with respect to the involvement of Aboriginal groups in each of these stages.