



ABORIGINAL FISHERIES STRATEGY

ANNUAL REPORT 2009-2010

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SIGNIFICANT ISSUES FOR THE 2009-2010 SEASON46**A Strategic Plan for Aboriginal Involvement in the Aquatic Species at Risk Program 46****Objectives..... 47***Objective One*..... 47*Objective Two*..... 47**Strategies..... 47***Strategy One*..... 48*Strategy Two*..... 48*Strategy Three*..... 48

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 (FSC) 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 Fisheries and Oceans Canada (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 FSC purposes. Agreements detail the conditions to be included in the communal fishing licence, such as quantities, time, gear used 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 FSC 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 FSC purposes consistent with the priority afforded them, while integrating the management of Aboriginal fisheries with all other fisheries.



A-Tlegay First Nation members harvest FSC salmon during the summer of 2009



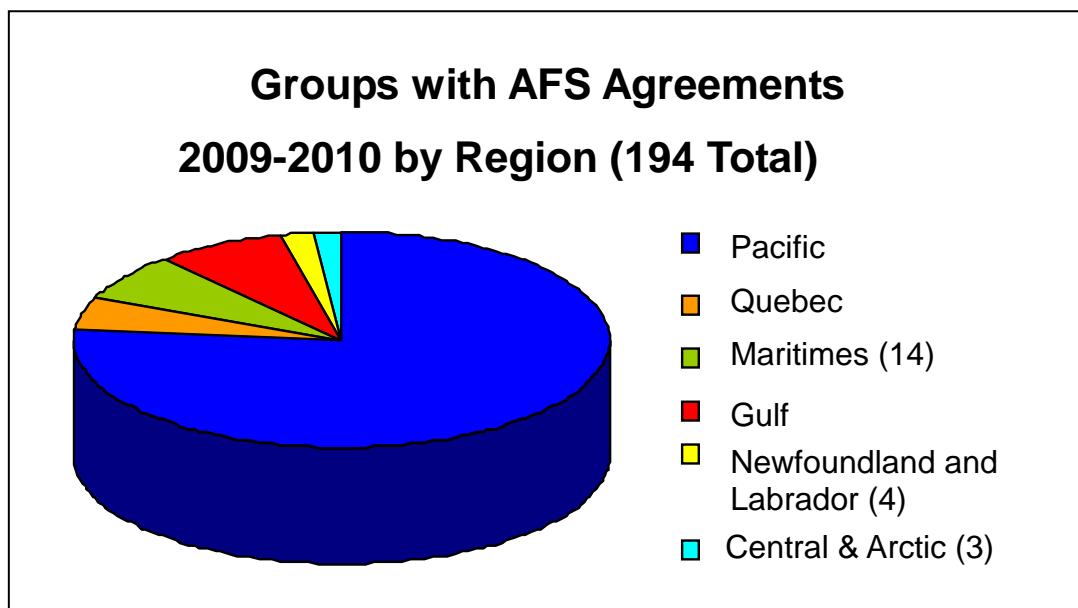
National Perspective

The AFS was funded at \$35,121,400 in 2009-2010. This included:

- A mandated amount of \$22,621,400 for co-management expenditures, including \$721,400 in Operations and Maintenance (O&M), and \$10,400,000 for the Allocation Transfer Program (ATP), including \$200,000 in O&M.
- \$2,100,000 was transferred to the Aboriginal Aquatic Resource and Oceans Management (AAROM) Program at the beginning of the fiscal year to cover the portion of AFS activities now addressed in some AAROM Agreements.
- \$320,000 from the co-management mandate was transferred to Indian and Northern Affairs Canada (INAC) for implementation of the Nisga'a Treaty, \$230,000 was transferred to INAC for implementation of the Labrador Inuit Association Treaty and \$120,410 was transferred to INAC for implementation of the Tsawwassen Treaty.
- \$30,000 in O&M was provided by Gulf Region to offset \$30,000 in Grants and Contribution (G&C) provided out of Headquarters (HQ) contingency funds for an additional Contribution Agreement with Esgenoopetitj.
- \$78,962 was moved permanently from HQ to Pacific Region to cover a shortfall for the Nuuchahnulth Tribal Council's AFS Agreement.
- \$367,000 was moved from AAROM to AFS and provided to Pacific Region.
- \$431,000 was provided to AFS from the Pacific Integrated Commercial Fisheries Initiative as it was surplus to their needs this year.
- \$150,000 in O&M was provided to Conservation and Protection Branch for use in the Guardian Training Program.
- All of this resulted in a final AFS budget of \$33,107,950.
- There was some movement between co-management and ATP funding throughout the year resulting in final expenditures of \$21,858,402 in co-management G&C and \$10,340,588.13 in ATP.
- \$752,890 was spent in O&M.
- \$45,510 in O&M and \$107,559.87 in G&C was unspent at year end.

AFS Agreements and Amendments were signed with 194 Aboriginal groups in British Columbia, the Yukon, Quebec, the Northwest Territories and Atlantic Canada. Some of these First Nations are funded under an Agreement with an Umbrella Group such as a Tribal Council, Watershed Authority or Native Council.

Groups with AFS Agreements



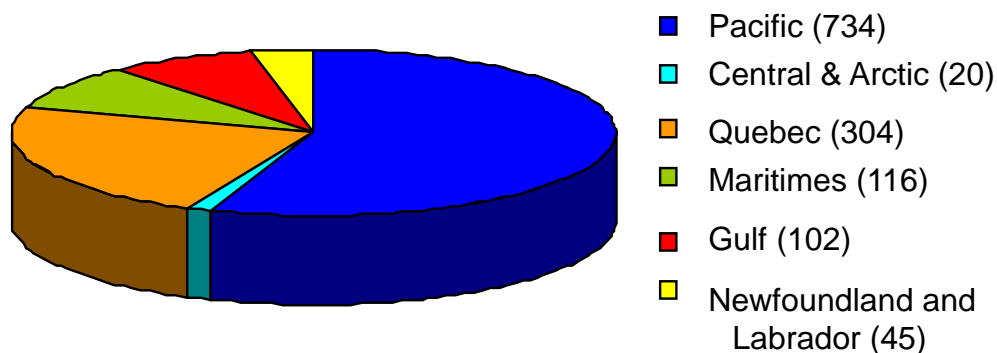
These AFS Agreements have resulted in the creation of 1,321 seasonal jobs in areas such as processing, monitoring and enhancement activities, 185 of those employed through the AFS are Aboriginal guardians, trained by DFO and employed by the Aboriginal group. The remaining 1,136 jobs were created nationally in the fisheries management field (habitat restoration, stock assessment, fisheries enhancement, etc.), and in the areas of consultation and economic development.

Employment Under the AFS – 2009-2010

Region	Guardians	Others	Total
Pacific	62	672	734
Central & Arctic	0	20	20
Quebec	30	274	304
Maritimes	23	93	116
Gulf	41	61	102
Newfoundland And Labrador	29	16	45
Total	185	1,136	1,321

Aboriginal Employment by Region

Under the AFS 2009-2010 Total Employed – 1,321



Expenditures by Region 2009-2010

Region	Co-Mgmt G&C	Co-Mgmt O&M	ATP	Total Expenditures
<i>Pacific</i>	\$14,314,252	\$300,000	\$5,368,488	\$19,982,740
<i>Central & Arctic</i>	\$299,000	\$218,690	\$0	\$517,690
<i>Quebec</i>	\$990,000	\$200,000	\$3,150,000	\$4,340,000
<i>Maritimes</i>	\$2,446,500	\$0	\$150,000	\$2,596,500
<i>Gulf</i>	\$3,143,650	\$25,000	\$200,000	\$3,368,650
<i>Newfoundland & Labrador</i>	\$665,000	\$0	\$1,472,100	\$2,137,100
<i>Headquarters AFS</i>	\$0	\$9,200	\$0	\$9,200
Total Expenditures	\$21,858,402	\$752,890	\$10,340,588	\$32,951,880
Total Budget	\$33,107,950		Unspent	\$156,069.87

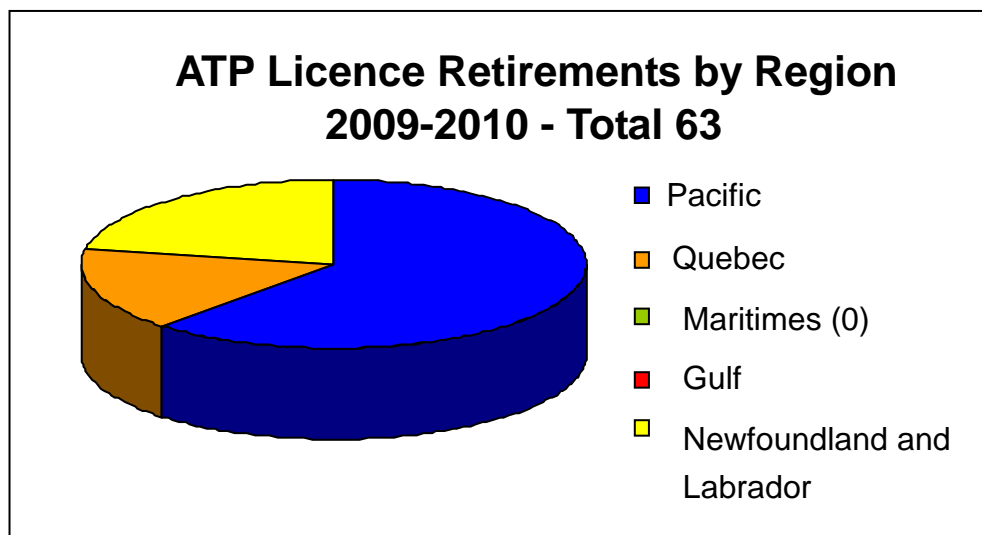
Allocation Transfer Program (ATP)

Background

In 1994 the AFS was amended to include the 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. Priority is given 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 \$10,340,590 in 2009-2010. 63 licences were retired and the Department purchased or contributed towards seven vessels. In addition various quotas, equipment and gear were retired nationally.





Crab traps are loaded on board Shipek (Pakua Shipu and Ekuanitshit First Nation) vessel in Quebec. This group fish crab under a licence provided through the ATP.



Buoys will mark the locations of the crab traps



Members of Shipek land crab fished under the commercial licence provided through the ATP.



The results....beautiful crab catch sorted on board and ready for market!



Pacific Region

The core budget for 2009-2010 in Pacific Region was \$19,885,962, which included \$13,885,962 for co-management and \$5,900,000 for the ATP. This includes \$100,000 in co-management O&M and \$200,000 in ATP O&M.

\$331,510 in ATPG&C funding was transferred to Quebec Region as it was surplus to Pacific's needs. This resulted in a revised ATP G&C budget of \$5,368,490. \$5,368,488 was spent to retire licences in this Region.

\$367,050 was transferred from AAROM to Pacific AFS co-management G&C and a top-up of \$61,240 was provided by HQ. This resulted in a revised co-Management G&C budget of \$14,314,252. \$14,314,252 was spent on Agreements with Aboriginal groups in this region.

The total revised Regional budget was \$19,682,742 in G&C and \$300,000 in O&M. The O&M budget was completely expended. \$2,000 in ATP G&C was unspent at year end.

Number of Agreements

The following Agreements were negotiated in 2009-2010

Comprehensive Fisheries Agreements	55
Amendments to Comprehensive Fisheries Agreements	48
Commercial communal fisheries access sub-Agreement	1
Fisheries Agreements	2
Framework Agreement	1
Project Funding Agreements	32
Amendments to Project Funding Agreements	18
Total Agreements	157

Employment

In 2009-2010 approximately 62 Aboriginal Fisheries Guardians were employed seasonally. Another 672 people were employed seasonally in other projects funded through the agreements. Please note that this information is based on final reports received for 2009-2010, or on preliminary projected estimates provided by the group at the beginning of the fiscal year.

Commercial Access

40 commercial licences were retired in 2009-2010 under the ATP in Pacific Region, as well as some quota, vessels and gear. 31 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 2009-2010

Licence	Value
Rockfish	\$131,313
Salmon gillnet	\$62,000
Salmon gillnet	\$50,000
Salmon gillnet	\$58,000
Salmon gillnet	\$60,000
Salmon gillnet	\$45,000
Salmon gillnet	\$59,000
Salmon gillnet	\$58,500
Salmon gillnet	\$60,000
Salmon gillnet	\$60,000
Salmon gillnet	\$60,000
Salmon gillnet	\$50,000
Salmon gillnet	\$40,000
Salmon gillnet	\$49,372
Salmon gillnet	\$49,372
Salmon gillnet	\$30,000
Salmon gillnet	\$45,000
Salmon gillnet	\$45,000
Salmon gillnet	\$49,999
Salmon gillnet	\$49,999
Salmon gillnet	\$49,000
Salmon gillnet	\$49,000
Salmon gillnet	\$45,000
Herring gillnet	\$52,000
Herring gillnet	\$55,000
Herring gillnet	\$50,000
Halibut & quota	\$900,912
Halibut & quota	\$93,226
Halibut & quota	\$849,000
Halibut & quota	\$145,256
Halibut & quota	\$65,265
Salmon gillnet	\$48,774
Prawn & shrimp package	\$550,000
Salmon troll	\$69,000
Salmon troll	\$70,000

Salmon seine	\$260,000
Salmon seine	\$169,500
Salmon seine	\$225,000
Prawn trap	\$510,000
Total	\$5,368,488

Key Project

Kitwanga River Salmon Enumeration Facility:

The Kitwanga River counting fence is manned from July to October with the support of funding provided to the Gitanyow Huwilp Society, under the AFS. The fence is strategically located at the downstream end of the Kitwanga River, near its confluence with the Skeena. This spot was chosen because returning salmon spawn upstream of its location, allowing them to be counted while migrating to their spawning grounds.

Salmon are counted from early July to late October as they pass through the counting boxes of the aluminium fence. They are visually identified and sampled as required.

Salmon can be seen from July to October, with the largest congregation occurring in August. In a good year, over 500,000 Pacific salmon are counted, with pink salmon making up the bulk of the returns. The result is a one-of-a-kind operation where all five species of Pacific salmon may be seen at the same time in their natural environment.

Salmon escapement enumeration and the collection of accurate biological information have been ongoing at this facility since 2003. The information not only provides insight into the health of the Kitwanga River salmon, but it also acts as an index of salmon returns to the entire Skeena watershed. As well, to further educate the public on the importance of conserving this essential resource, in 2009, the Gitanyow Fisheries Authority offered free tours of this facility to the public daily from July to October.



The Kitwanga River Counting Fence





A Chinook salmon going through the counting fence



Coho salmon



Sockeye salmon

All photos courtesy of Mark Cleveland, biologist, Gitanyow Fisheries Authority

Central and Arctic Region

In 2009-2010 the Central and Arctic Region had an annual AFS budget of \$201 400 in O&M and \$299,000 in co-management G&C funding. Most of the AFS budget (\$131,281) was spent on Aboriginal fishery community projects and an additional \$87,409 was spent on consultations with First Nations including the funding of the Great Slave Lake Advisory Committee (GSLAC). HQ provided an additional \$17,290 in O&M resulting in a total budget of \$517,690.

Grants and Contributions funds (\$299,000.00) were allotted to three Aboriginal organizations, the Dehcho First Nations and the Akaitcho Territorial Government, and the Yellowknives Dene First Nation, through Contribution Agreements.

Grants and Contributions

Group	G&C Agreement	Budget
Dehcho First Nation	AFS Community Projects	\$179,000
Akaiicho Territory Gov.	AFS Projects and training	\$100,000
Yellowknives Dene First Nation	Yellowknife Bay Traditional Knowledge Study	\$20,000
Total		\$299,000

Operations and Maintenance

O&M	Budget
Contract - YK Dene North Arm Creel Survey	\$30,474.33
Contract – Fishery Independent Study – Katlodeechee First Nation	\$37,510.00
Contract – Fishery Independent Study – Hay River Metis Council	\$7,744.59
Contract – Itinerant Angler Survey – Lutsel Ke First Nation	\$24,764.36
Contract – Little Buffalo River Angler Survey – Deninu K'ue First Nation	\$12,304.60
Contract – Crosscurrent Associates – Development of NWTMN AAROM Proposal	\$4784.20
Taiga Lab services (fish aging)	\$35,000.00
Staff Travel	\$6,102.87
Consultations/Co-Management (Great Slave Lake Advisory Committee)	\$18,678.54
Contract for review of GSLAC	\$18,450.00
Program Support (Equipment, Admin., etc.)	\$22,876.51
Total	\$218,690

Co-management fishery projects in 2009-2010 involved

- Capacity-building within the various Aboriginal organizations in the area.
- Assessing fish stocks, important to Aboriginal people, through itinerant angler creel surveys, community harvest surveys, sampling for age and growth data and measuring catch per unit effort.
- Conducting community surveys to gather harvest information and traditional knowledge of stocks and fishing patterns.
- Involving the Aboriginal community in finding solutions to fishery management problems.
- The promotion of and involvement in Science/Culture based youth camps and conservation education based projects which raise awareness and educate users on fisheries management practices.

Project Descriptions

The projects funded by the AFS in the Northwest Territories (NWT) for the fiscal year 2009-2010 have given communities the ability to increase their involvement in the management of the resource. The partnership of the AAROM program with the AFS has been beneficial to fisheries management by promoting co-management between Aboriginal organizations and government agencies. In addition, this has helped to facilitate capacity-building within the Aboriginal organizations for future management of their resources.

Dehcho First Nations G&C Agreement

Funding through a contribution agreement with Dehcho First Nations was used to support the Mackenzie River Watershed Research and Monitoring Program through the purchase of equipment to build capacity in the Dehcho Mackenzie River Watershed AAROM communities:

Equipment Purchased

- One aluminum boat in order to access summer fisheries sites in the Liidlii Kue First Nation area of the Dehcho. (18 foot Lund 2009 SSV – 18 SS – Red c/w 2009 Honda 50 hp 4-stroke and EZ Loader galvanized trailer).
- One garage package for the Pehdzeh First Nation for a boat garage, storage and work area for the local AAROM program involvement.
- One 10' x 20' enclosed tandem axle trailer for storage and transport of Dehcho First Nations equipment and project gear to communities.
- Scientific sampling and measuring gear for each of the participating communities.

Dehcho First Nations hired the NWT AFS coordinator responsible for duties in the Dehcho communities including all wages and benefits, training costs and travel expenses, and one post secondary summer student responsible for AFS and AAROM project and training duties in the Dehcho and Akaitcho communities, including wages and benefits, training costs and travel expenses.

The Dehcho also administered the following community AFS Projects:

- Deh Gah Gotie Dene Band Angler monitoring project, which included collecting and recording catch information from anglers at the winter road crossing sites on the Mackenzie River and also from the sport anglers and Aboriginal harvesters at Horn River.
- Samba K'e First Nation – monitoring project to monitor the recreational and subsistence fishery at Trout Lake by surveying and recording catch information from itinerant anglers and lodge guests and local user groups



Itinerant Anglers – Samba K'e



Community Fishery Worker - Deh Gah Gotie Dene Band (Joe Lacorne)

Akaiitcho Territory Government G&C Agreement

AFS funds were used to provide support to local aquatic program development and related funds towards First Nation Aquatic Coordinators that will increase capacity of local Research and Monitor Programs.

AFS funds were also used to increase participation of both youth and elders within the current program. Funding was used towards a Regional Youth Camp for an on-the-land program that incorporates both Traditional Ecological Knowledge and Western Science approaches to prepare for future stewardship.



Akaiitcho First Nation Aquatic Coordinators, AAROM Staff, and DFO

Deninu Kue First Nation, Fort Resolution

The Band was contracted to hire a community member to conduct the Little Buffalo River Angler Survey, which was designed to collect information on the recreational fishery in response to concerns about declines in walleye and pike stocks. Another contract was awarded to the Deninu Kue First Nation to hire two band members to collect information on the recreational fishery in the East Arm of Great Slave Lake (GSL).



Community Fishery Monitor – Deninu Kue (Ramona Forty)

Lutsel K'e Dene Band, Lutsel K' e

The Lutsel K'e Dene Band and DFO have developed a monitoring program to collect itinerant angler data from the east arm of GSL for use in managing the fishery. Lutsel K'e is a small Dene community on the east arm of GSL which has a majority of Aboriginal residents. The fish stocks of the east arm of GSL are important to the Dene of the community as subsistence and for use as food for dog teams. The fish stocks, especially lake trout, are also important for local sports fishing lodges and recreational fishermen on the east arm.



Community Fishery Monitors – East Arm Patrol – Lutsel ke



Katlodeeche First Nation, Hay River Reserve

GSL has a long history of both subsistence and commercial fishing. The recent decline in fishing activity and the implementation of the Sustainable Fisheries Framework has posed some challenges in the ability to identify the health and abundance of fish populations. The GSL whitefish is an abundant species and is considered to be sustainable, however, no data is available to attach sound limits to the catch. The Buffalo River inconnu population is important to First Nations and the GSL ecosystem. Continued and extensive monitoring has indicated that this stock may be in critical condition as per DFO's recent precautionary approach model. Continued monitoring / assessment is required. This Fishery Independent Sampling (FIS) is designed to incorporate all areas of interest and involve the key user groups.



Great Slave Lake Fishery Independent Study – Katlodeechee and HRMC



Hay River Métis Council, Hay River

As part of the FIS project described above, a contract with the **Hay** River Métis Council was set up to provide assistance to the project. Two workers were trained in setting and lifting gillnets and sampling fish.

Great Slave Lake Advisory Committee (GSLAC)

The fish resources of GSL are shared by Aboriginal, commercial and recreational fisheries. At least six Aboriginal communities utilize GSL fish stocks for sustenance and over 90% of the participants in the GSL commercial fishery are of Aboriginal origin, although many may not be beneficiaries of claims presently being negotiated in the NWT.

The GSLAC makes recommendations to DFO on the health and maintenance of fish stocks and the management of the fisheries of GSL. Voting members represent the Dene and Métis First Nations who use the lake along with the commercial and sports fishing industries. Non-voting members represent DFO, the Government of the NWT and the Freshwater Fish Marketing Corporation. Meetings are held twice a year during the spring and fall.



Yellowknives Dene First Nation

The status of the Yellowknife River and Bay Inconnu stock are of great importance to the people of the Yellowknives Dene First Nations. A contribution Agreement was funded to conduct some reconnaissance work on the stock this winter, undertaking work in both Traditional Knowledge research and science. Additionally, the Yellowknives Dene First Nation and DFO have developed a monitoring program to collect itinerant angler data from the North arm of GSL for use in managing the fishery. The fish stocks of the North arm of GSL are important to the Dene of the community as subsistence and for use as food for dog teams. The fish stocks, especially lake trout and northern pike, are also important for local sports fishing lodges and recreational fishermen on the North arm.



Traditional knowledge camp with YKDFN Elders and youth



YKDFN Elders discussing important fish species in the Yellowknife Bay

Quebec Region

In 2009-2010, the Quebec Region had an annual budget of \$3,240,000 for the AFS Program, of which \$200,000 was O&M. \$331,510 in ATP funds were transferred from Pacific Region to Quebec. A top-up in ATP funds of \$668,490 was provided from HQ contingency funding. An additional \$100,000 in co-management G&C funding was provided from HQ. All of this resulted in a final Regional budget of \$4,340,000. Of this amount, \$990,000 was spent on co-management arrangements, while \$3,150,000 was devoted to the retirement of fishing enterprises under the ATP. \$200,000 was spent on training contracts for First Nation groups.

Southern Quebec

Fisheries Agreements

In 2009-2010 seven Innu groups and amalgamations of groups signed six AFS Agreements and four Amendments to Agreements. Two communities, Ekuanishit and Pakua Shipu, signed a joint Agreement.

This year, a portion of the available funding was again allocated to the recruitment of fisheries coordinators, theoretical and practical training (for a professional fishery diploma), and, in large part, to the ATP for the purchase of fishing enterprises. Six communities funded a consultant to help them consolidate and/or restructure their fishing enterprises.

Marshall Bands

The four Micmac and Malecite communities of the Gaspé Peninsula in Quebec Region receive AFS funding for co-management only. The community of Listuguj receives a higher level of funding given its involvement in the management of the Restigouche River. It is important to note that this river is managed jointly by Quebec Region and Gulf Region.

Northern Quebec

The Kativik Regional Government, which represents 14 Northern Villages, now receives all of its funding under the AAROM Program.

Training of Innu fishers

The Innu training program continues to be in effect. The program consists of 1,400 hours of training spread over several years, and provides young people and others with fishing training that is recognized by the Quebec Education Department. A range of courses is available to meet varying interests, including marine mechanics, general deck work, master's certification and fisheries management and planning. Those students who complete the program will receive a Professional Fishery Studies diploma. In 2009-2010, 74 Aboriginal people received a total of 290 hours of training as follows:

Program	Number of course hours	Number of Participants
Marine Emergency Duties #1	24	8
Marine Emergency Duties #1	26	8
Marine First Aid –Rescue (2 groups)	18	8
Marine Advanced First Aid	18	8
Restricted Operator Certificate – Maritime Commercial (3 groups)	24	8
Fish gear repair and fish handling (2 groups)	90	13
Shopwork (basic metal and wood working).	60	8
Winter storage and preparation of boat	30	13
Total	290	74

Training was given at a Uashat school in Sept-Îles. The training costs are covered by DFO, and the training is delivered by the Community Salmon Program in Grande-Rivière and Sept-Îles. Agence Mamu Innu Kaikusseht is responsible for the organization of the training.

Employment

In 2009-2010, 274 people were employed in Innu communities in the fisheries, in fisheries-related work, harvesting or administrative work. 30 Aboriginal Guardians were also employed. This does not include the many indirect jobs that were created on the North Shore through the AFS.

Commercial Access

Under the ATP in 2009-2010, Quebec Region acquired or participated financially in the acquisition of the following fishing enterprises:

Community	Gear	Acquisition Licences	Acquisition Vessels	Total cost of the Enterprise
Shipek (Pakua Shipu and Ekuanitshit)	Yes	Crab, herring, mackerel, groundfish, bait	Yes	\$1,525,000
Unamen Shipu	Yes	Crab, herring, mackerel, groundfish, bait	Yes	\$1,625,000
			Total	\$3,150,000



Members of the Shipek group set out to fish crab under their ATP licence

Key Project:

Listuguj Smolt Monitoring Project

Listuguj, one of the largest Mi'gmaq communities on the East Coast, is part of the Mi'gmaq Nation, and is located on the border of Quebec and New Brunswick. Situated directly across the Restigouche River from Campbellton, New Brunswick, Listuguj lies within the tribal district of Gespe'gewa'gi. It is one of three Mi'gmaq communities in Quebec and is a member of the Mi'gmawei Mawiomi Assembly.

The Listuguj First Nation is a signatory of a Memorandum of Understanding with DFO and the Provinces of New Brunswick and Quebec for the Restigouche watershed, and is a member of the Restigouche River Watershed Management Council. This Council represents the stakeholders (i.e., the local Aboriginal groups, recreational fishing interests, main industries in the watershed, and several of the municipalities) from both the New Brunswick and Quebec portions of the Restigouche River system. The involvement of the collective interests from both provinces is required to effectively manage this inter-provincial salmon resource.

Good scientific advice is fundamental to ensuring effective management and conservation of the wild Atlantic salmon resource. To this end, for several years, using funding provided under the AFS, the Listuguj First Nation has been operating two salmon smolt wheels in the Lower Main Restigouche River. The project employs eight seasonal biology technicians.

The Listuguj smolt monitoring project is part of a larger multi-partner system-wide project, involving smolt monitoring in two major tributaries and in the mainstream Restigouche River. The Provinces of New Brunswick and Quebec, the federal Government (DFO) and private landowners are all partnering in this initiative.

The smolt wheels are checked twice each day. The smolt are carefully measured, a single scale taken, and then they are returned to continue their migration. The smolt wheels provide details regarding Atlantic Salmon smolt production, environmental conditions, run timing and biological characteristics of salmon smolt from the Restigouche River system. Data from the two smolt wheel operations is incorporated into a DFO research document published by the Canadian Scientific Advisory Secretariat.

Listuguj is taking a leading role in management of the important Atlantic salmon resource, a resource that has seen declines in virtually all areas of Atlantic Canada in recent years. The hope is that with continued effective management, and good scientific data, such as that provided by these two smolt wheels, this resource may return to its traditional levels, and continue to play an important role in the lives of future generations.



Transporting the unit upstream



North side unit installed



South side unit installed



Tagging salmon

Maritimes Region

The initial operating budget under the AFS for Maritimes Region for 2009-2010 was \$2,421,500. A top-up of \$175,000 in co-management funds was provided from HQ contingency funds. This resulted in a final budget for this Region of \$2,596,500. \$150,000 was spent on ATP for the Native Council of Nova Scotia (NCNS) and the remaining \$2,446,500 was spent on Contribution Agreements with Aboriginal groups.

Number of Agreements and Employment

In 2009-2010, AFS Agreements were signed with the NCNS and with 13 First Nations in the Maritimes Region. Four Amendments were also signed. Under these 14 Agreements, 23 Aboriginal Fishery Guardians were employed, eight full-time and 15 part-time, and approximately 93 Aboriginal workers were employed, nine full-time and 84 part-time, on other projects, for a total of 116 people employed seasonally or full-time.

Commercial Access

The ATP mandate for Maritimes Region for 2009-2010 was \$150,000. The entire amount was spent on the NCNS as follows:

Item	Total cost	ATP Contribution
Lobster holding facility	\$350,000	\$150,000
Total		\$150,000

Key Projects

Fort Folly Habitat Recovery Program

Fort Folly Habitat Recovery (FFHR) is a First Nation led conservation program which promotes Aboriginal involvement in assessments of ecosystem health, and works towards the restoration of traditionally important species and their habitats. The FFHR program stems from stream restoration projects, which were sponsored by the AFS and carried out locally beginning back in the 1990's.

Today the FFHR program has evolved into a long-standing partner in Species at Risk recovery initiatives with various governmental departments and Non-Government Organizations. The annual sponsorship and support of the AFS remains critical to the FFHR program.

The AFS contribution for 2009-2010 was once again crucial in providing capacity for Fort Folly First Nation. The funds allowed Fort Folly First Nation to remain involved in Species at Risk initiatives and were delivered through FFHR's program activities. This continued involvement was achieved through the FFHR program's continued participation in the Recovery Strategy for the inner Bay of Fundy (iBoF) Atlantic salmon, and through investigations into the status of American eel in the region. The AFS funds for 2009-2010 also afforded Fort Folly First Nation the opportunity to secure important equipment for the FFHR program, thereby enhancing their capacity to work in Species at Risk initiatives, and ensuring personnel have the proper equipment to professionally and safely carry out their work.

The FFHR program's iBoF Atlantic salmon project for 2009-2010 was carried out on three index rivers in New Brunswick: the Big Salmon River; Point Wolfe River; and the Upper Salmon River. These recovery actions were carried out in partnerships primarily with DFO through their Populations and Ecology Division and Parks Canada Agency, Fundy National Park. The work that the AFS supports is critical in monitoring remnant iBoF Atlantic salmon populations, while the broader Recovery Team investigates multiple factors limiting the recovery of the species. In 2009, the FFHR program participated in important recurring recovery actions in partnership with DFO in the Big Salmon River (BSR) watershed including an adult enumeration project.

2009 Big Salmon River Adult Enumerations

On August 5th a total of 21 adult salmon were counted in 22 pools. On September 3rd, ten adult salmon were counted in the same 22 pools. Planned September 4th seining was postponed because of high water. Subsequently, five adult salmon were captured and sampled during seining/angling efforts on five days between September 8th & October 20th. On October 21st, seven adult salmon were counted during snorkel surveys of 12km of the river. This swim was carried out later than normal due to high water in early October (postponed two weeks). An historical observation rate (0.571 from Gibson et al. 2004) was applied to 21 fish observed on August 5th for a return estimate of 37 salmon in 2009.

Surveys of adult salmon returns to the BSR have been carried out since 2000. Figure 1 compares numbers of adult salmon observed annually between 2000 and 2008. It also differentiates between small salmon (grilse) and large salmon (multi sea winter).

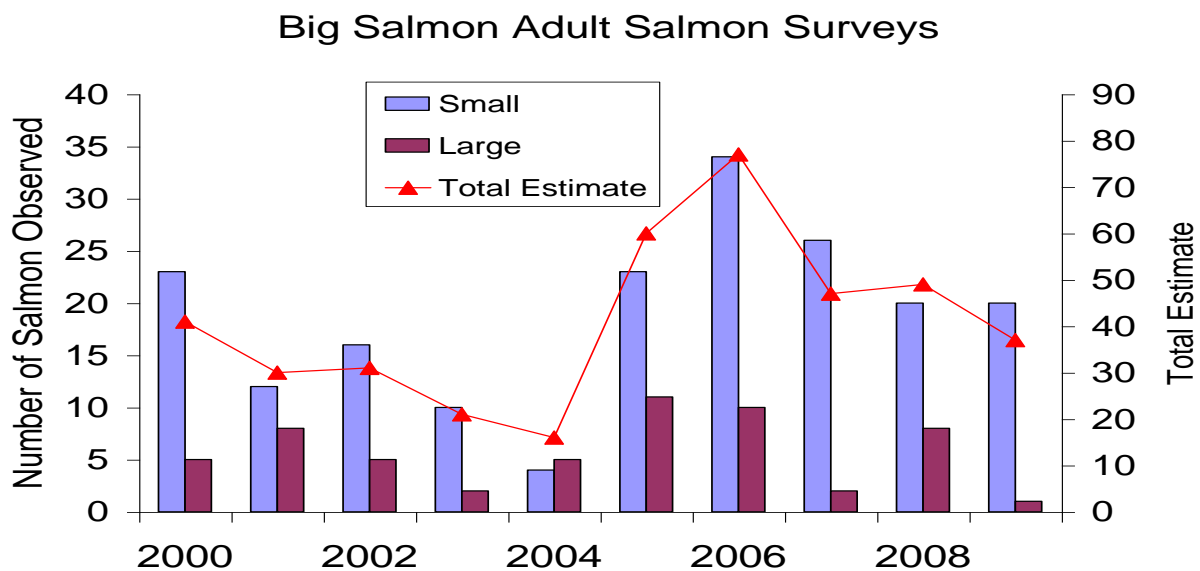


Figure 1: Comparison of adult salmon numbers observed annually between 2000 and 2008. Reproduced with author's permission (Jones 2009).

The total number of adult fish observed for 2009 was 37, which is the lowest estimate since 2004, but is likely an underestimate since it is based on the August 5th count. Annual estimates have ranged from 20 to 80 adult fish. Only ten fish (five + five satellite tagged) adults were sampled in 2009. Compared to 23, 20, 16, and 25 adult salmon sampled in the previous four years.

Sampled Adult Returns 2005- 2008

A total of 84 adults were sampled from 2005-2008. Scale analysis revealed that: 73 were maiden 1SW (one sea winter) salmon of which 52% were female; one was a maiden 2SW salmon (female); and eight were consecutive repeat spawning adults that had originally spawned as 1SW salmon (88% female). Genetic analysis has been completed on 62 fish revealing that: eight were LGB returns from unfed fry releases; one live gene bank (LGB) return from fall parr; 11 returns with the '247 allele' potentially strays from the Saint John River; and the remaining 42 are likely from wild spawning iBoF adults.

Literature Cited

Gibson, G., Riley-Berger, R., Harshman, L., Kopp, A., Vacha, S., Nuzhdin, S., and Wayne, M. 2004. Extensive sex-specific nonadditivity of gene expression in *Drosophila melanogaster*. *Genetics* 167:1791–1799.

Jones, R. 2009. Brief summary of the Atlantic salmon monitoring activities on Big Salmon River in 2009. iBoF Atlantic salmon Recovery Team Meeting, Amherst, N.S., Fall 2009.



*Big Salmon River seine: Courtesy of Tim Robinson,
Fort Folly Habitat recovery*





Fort Folly Habitat Recovery Team

Gulf Region

Gulf Region AFS had an initial operating budget for 2009-2010 of \$3,190,650. A top-up of \$153,000 in co-management G&C funds was provided from HQ contingency funds. In exchange for some of this additional funding, Gulf Region provided \$30,000 of O&M funding from their regional operating budget to HQ. This resulted in a revised overall AFS budget of \$3,368,650. \$200,000 was spent on the two Councils under the ATP and \$3,143,650 was spent on co-management Agreements with the two councils and the other 12 First Nations.

\$225,000 was provided to the Native Council of Prince Edward Island (NCPEI) of which \$150,000 was spent on co-management projects and \$75,000 was spent on commercial access for this group.

\$260,300 was provided to the New Brunswick Aboriginal Peoples Council (NBAPC) of which \$135,300 was spent on co-management projects and \$125,000 was spent on commercial access for this group.

The remaining \$2,658,350 was spent on co-management Agreements with 13 First Nations.

Number of Agreements and Employment

In 2009-2010, AFS Agreements were signed with the NCPEI and the NBAPC, and 15 Agreements were signed with the 13 First Nations in Gulf Region, along with six Amendments. Under these Agreements 41 Aboriginal Fishery Guardians were employed seasonally and approximately 61 others were employed also seasonally in various other projects.

Commercial Access

New Brunswick Aboriginal Peoples Council

Vessel (Lorraine & Victor)	\$45,000
Vessel upgrades	\$37,914
Supplies (rope, paint, twine, etc.)	\$2,009.58
Lobster traps	\$2,177.61
Nets	\$10,224
Vessel upgrades (Kings' Catch)	\$25,701.05
Vessel upgrades (P'tite Chloe)	\$1,973.76
Total	\$125,000

Native Council of Prince Edward Island

Mussel scow and motor	\$35,000
Supplies and lobster traps	\$29,305.16
Vessel upgrades (Megan Mary)	\$10,694.84
Total	\$75,000

ATP Grand Total: \$200,000

Key Projects**Eel Ground First Nation**

In 2009-2010, the Eel Ground First Nation hired a member to conduct research and gather information on the food fishery, and to prepare a newsletter to be circulated within the community. She met with community members to get feed back on the AFS Program, what they knew about it, and how to improve the AFS Program and the food fishery. As well this season, she assisted in the delivery of the food fishery. This program started on May 11, 2009, and ended on August 2, 2009

The First Nation hired one supervisor and five fishery guardians for up to eighteen weeks to conduct enforcement activities. The enforcement of the Fishery Regulations, data collection, inspection of fishing gear, promotion of fish conservation, and provision of catch information to DFO were some of the duties of the guardians. They patrolled the Northwest and Southwest Miramichi Rivers. They also did some joint patrols with DFO and provided reports to the Chief and Council. This program started May 11, 2009 and ended September 11, 2009. The season was quiet and there were no issues flagged. Most of the enforcement this season was done on the water.

Under the Monitoring of Spawning Escapement Project, up to nineteen people, including four students, were employed. The duties included the installation, operation, removal and storage of the trap nets on the Northwest and Southwest Miramichi Rivers for food fishery purposes. All data collected was for the purpose of salmon and other stock assessments and was made available to DFO upon completion of the fishing season. The Supervisor and first crew started on May 11, 2009. The second crew started June 29, 2009. Purchase and replacement of pickets were done to the traps and it was noted that some traps will need to be replaced next year. A total of 689 grilse were caught for the food fishery in 2009.



Southwest Lower Miramichi trap nets



Southwest Upper Miramichi trap nets

Pictou Landing First Nation

The Pictou Landing First Nation hired a Fisheries Supervisor to oversee all fishery activities conducted under the AFS Agreement. The Supervisor held regular meetings with the fisheries staff to ensure that proper procedures were being implemented. He ensured that day to day activities were carried out such as reporting, ensuring that activities were completed, and ensuring that the crews had the proper supplies and materials in order for them to complete their work. He kept a logbook of all equipment and materials and updated the Fisheries Director of all related activities in the community.

One Fisheries Guardian was hired to promote conservation to all band members of Pictou Landing. The Guardian was responsible for informing band members of any closures and/or contaminated areas of any kind of species of fish or shellfish in the local area. The Guardian patrolled on land and water to monitor fishing activities around the Pictou County waters and to ensure conservation of the Fishery. His tasks include the reporting of any illegal activities to the Fisheries Director and DFO Fisheries Officers. Salmon fishing gear, such as nets, were regularly patrolled to ensure that two nets were set at one time around the Merigomish Harbour, and one at the East River for conservation. A total of thirty salmon were caught in 2009.

Newfoundland and Labrador Region

Newfoundland and Labrador Region had a total initial AFS mandate for 2009-2010 of \$1,565,000, comprised of \$665,000 in co-management and \$900,000 in ATP funds. During the year they received a top-up from HQ of \$572,100 in ATP funds. This resulted in a revised mandate of \$2,137,100. \$665,000 was spent on co-management and \$1,472,100 on ATP expenditures.

Through the AFS and the ATP, DFO continued to provide funding to Aboriginal groups located within the NL Region during fiscal year 2009-2010. The Region was successful in negotiating Fisheries Agreements with four recipient groups namely: the Miawpukek First Nation (MFN); the Federation of Newfoundland Indians (FNI); the Labrador Métis Nation (LMN); and the Innu Nation.

AFS and ATP funding was disbursed to these Groups as follows:

Group	AFS Amount	ATP Amount
MFN	\$190,000	\$750,000
FNI	\$200,000	\$432,100
LMN	\$150,000	\$117,000
Innu	\$125,000	\$173,000
Total	\$665,000	\$1,472,100

All groups primarily utilize their AFS funding to cover costs associated with conducting their Fisheries Guardian Programs. During 2009-2010, the MFN as in previous years continued to apply \$50,000 of their contribution against costs associated with the Conne River Enhancement Project and the LMN applied approximately \$25,000 of their contribution against costs associated with a monitoring and sampling program.

Employment

A total of 29 Fisheries Guardians were employed in the 2009-2010 fiscal year. 16 others were employed in various areas of fisheries management such as technicians, coordinators and administrators.

Commercial Access

ATP funding was spent as follows:

Group	Description	Cost
FNI	1. groundfish, FG herring, mackerel, snow crab & lobster licences 2. groundfish, FG herring, mackerel, snow crab & lobster licences 3. lobster licence 4. fishing gear and equipment	\$432,100
LMN	Fishing gear and equipment	\$117,000
Innu	Fishing gear and equipment and vessel upgrade	\$173,000
MFN	1. 44'11" vessel and gear 2. 3Ps groundfish and supp.crab licences with gear for two vessels	\$750,000
Total		\$1,472,100

Key Projects:

Federation of Newfoundland Indians Aboriginal Fishery Guardians and the Conservation of the Banded Killifish

The FNI Guardian Program is an active partner with the Mi'kmaq Alsumk Mowimsikik Koqoey Association (MAMKA) in the conservation and recovery of species at risk in insular Newfoundland, and the Aboriginal Fishery Guardians have been working cooperatively with MAMKA staff on various species specific projects. One such species is the Banded Killifish (*Fundulus diaphanus*) is listed under the *Species at Risk Act* (SARA) as a species of special concern.

The Guardians conducted surveys in western and northeastern insular Newfoundland to document the presence of Banded Killifish. In order to survey for Banded Killifish, the Guardians set baited minnow pots within selected sampling area water bodies for several hours and documented the aquatic and overhanging vegetation within the sampling area. When the surveys yielded Banded Killifish, the Guardians recorded the condition of the fish, the total body length, and also took digital photographs and videos prior to releasing the samples.

The Banded Killfish status report from the Committee on the Status of Endangered Wildlife in Canada (COSEWIC) in 2003 indicated that the Banded Killfish were only present in approximately ten areas in insular Newfoundland. MAMKA, with the assistance of the FNI Guardians, has recorded and documented location areas that have more than doubled the amount of known Banded Killfish populations in insular Newfoundland reported by COSEWIC. Working together with the Guardians in this project has significantly enhanced and improved the understanding of Banded Killfish population distribution.

The Guardians will continue to partner with MAMKA and will participate in the future conservation and recovery projects in particular the Banded Killfish in insular Newfoundland and hope that one day the species may return to traditional levels and be removed from the SARA.



Checking minnow pot for presence of Banded Killfish



Minnow pot with Banded Killfish

Significant Issues for the 2009-2010 Season

A Strategic Plan for Aboriginal Involvement in the Aquatic Species at Risk Program

The *Species at Risk Act* (SARA) was proclaimed in June 2003, and is the legislative basis for the Government of Canada's strategy for the protection of wildlife species at risk. It applies to federal lands, which includes reserves and any other lands that are set apart for the use and benefit of a Band under the *Indian Act*, and the internal waters of Canada and the territorial sea of Canada.

Given the number of sectors involved in SARA delivery in Fisheries and Oceans Canada (DFO), both nationally and regionally, the Strategic Plan is intended to provide a nationally consistent perspective on the objectives, priorities, strategies and critical outcomes of Aboriginal involvement in the Aquatic Species at Risk Program. This Plan complements DFO's Integrated Aboriginal Policy Framework (IAPF) and has the same tone and vision: supporting healthy and prosperous Aboriginal communities.

Aboriginal peoples traditionally view themselves as guardians or stewards of the natural environment, and generally want to be actively involved in the protection and recovery of species at risk. SARA recognizes Aboriginal and treaty rights, and the responsibilities accorded to Aboriginal peoples for the management and conservation of wildlife under various land claim agreements and treaties. SARA also recognizes that the traditional knowledge of the Aboriginal peoples of Canada should be considered in the assessment of which species may be at risk, and in developing and implementing recovery measures.

SARA may have significant negative implications for Aboriginal peoples given their established and potential Aboriginal and treaty rights, as well as their historical and cultural connections to the land. These may include restrictions or modifications to rights-based fishing opportunities, other fishing opportunities, fishing gear, and by-catch of species. As a result, SARA requires that Aboriginal peoples be provided the opportunity to participate in its implementation. In addition to SARA consultation and cooperation requirements, DFO's legal duty to consult Aboriginal peoples arises whenever Aboriginal or treaty rights (including claimed Aboriginal and Treaty rights) may be adversely impacted. When the duty to consult arises, the Crown is required to carry out a fair and reasonable process for such consultations and demonstrate reasonable efforts to respond to concerns.

Objectives

The Strategic Plan has two overarching strategic objectives for ensuring a coherent national approach to Aboriginal involvement in the implementation of SARA, each with its own set of priorities.

Objective One

Aquatic Species at Risk Program policies and processes acknowledge and reflect the participation and interests of Aboriginal peoples.

Priorities:

- build and strengthen relationships between DFO and Aboriginal peoples;
- share information between DFO and Aboriginal peoples; and
- build capacity both within DFO and Aboriginal groups based on expressed needs.

Objective Two

Support mechanisms are in place for DFO staff to effectively and efficiently undertake SARA processes that involve Aboriginal peoples.

Priorities:

- develop Aboriginal traditional knowledge (ATK) policies and processes;
- provide guidance and education on role of Aboriginal peoples in SARA implementation; and
- develop management control framework for Aboriginal involvement in SARA

Strategies

Three strategies, together with associated critical outcomes, have been identified to guide the involvement of Aboriginal peoples in the Aquatic Species at Risk Program.

Strategy One

Cooperate with Aboriginal peoples and develop mechanisms to facilitate Aboriginal involvement in SARA implementation, including the development and implementation of recovery strategies, action plans and management plans.

Critical Outcomes:

- awareness in Aboriginal groups of SARA and its implications for Aboriginal peoples and the broader issue of species protection;
- capacity in Aboriginal groups to participate in SARA implementation (e.g. via the Aboriginal Funds for Species at Risk Program);
- Aboriginal participation throughout the SARA cycle; and
- DFO processes that allow for meaningful involvement of Aboriginal groups in the development and implementation of recovery strategies, actions plans and management plans.

Strategy Two

Facilitate the consideration of ATK in SARA implementation.

Critical Outcomes:

- guidance on the consideration of ATK in SARA processes, including how to address community ATK protocols;
- mechanisms for the respectful sharing of ATK;
- recognition within DFO of the importance of relationship building with Aboriginal peoples in the context of ATK;
- recovery strategies, action plans and management plans that consider ATK, when ATK is available; and
- ATK considered throughout the SARA cycle.

Strategy Three

Build DFO's capacity to serve Aboriginal peoples regarding SARA implementation.

Critical Outcomes:

- internal coordination and communication regarding Aboriginal involvement in SARA; and
- training for DFO staff to enable them to more effectively address the interests of Aboriginal peoples in relation to SARA implementation.

These strategies and critical outcomes, taken together with strategic objectives and associated priorities, will form the basis of Aboriginal involvement activities in the Aquatic Species at Risk Program for the five year period, from 2009 to 2014. The plan will be a foundation for planning and priority-setting processes for the Aquatic Species at Risk Program and help guide the implementation of SARA in DFO.

The plan will be a foundation for planning and priority-setting processes for the Aquatic Species at Risk Program and help guide the implementation of SARA in DFO.



*L'ho Dustl'us "Save Our Sturgeon" Fall Event funded by SARA
Students Measure stream velocity*



Future Scientists?

Photos courtesy C. Mushumanski



Turbidity Wedge – used to determine how muddy the water is

Photo courtesy CSTS

Elsipogtog SARA Projects



Gaspereau by-catch study



School Species at Risk Program

*Gaspeg'ewaq Mi'gmaq Resource Council (GMRC) AFSAR Project:
Estimating the Abundance of Juvenile American Eels*

All photos courtesy GMRC



Monitoring Eel traps





Members of GMRC eel monitoring team



Juvenile eels from GMRC trap

NOTES

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