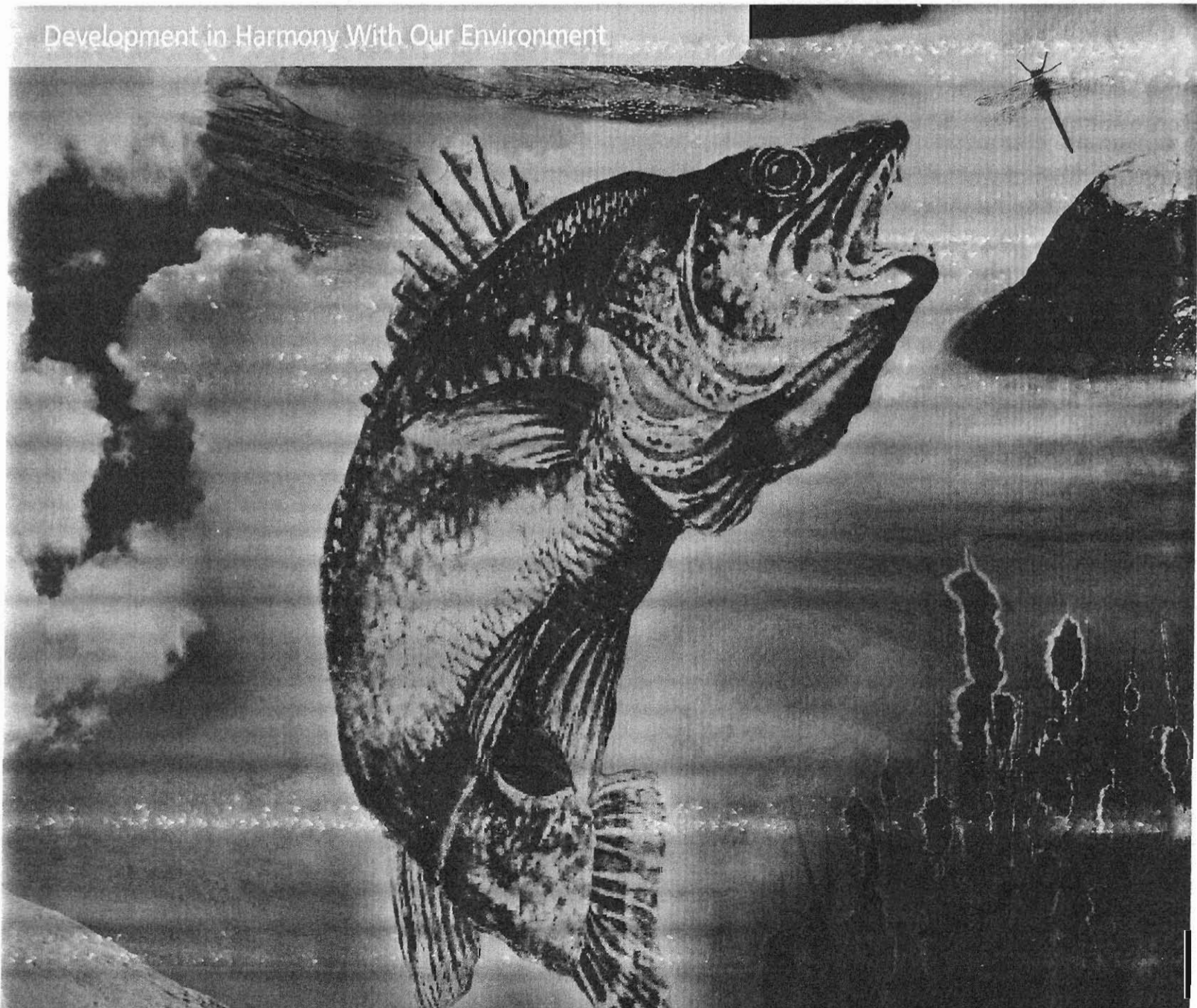


Manitoba Round Table for Sustainable Development

Fish Strategy

Development in Harmony With Our Environment



Manitoba Round Table

for Sustainable Development



Honourable Gary Doer
Government of Manitoba

On behalf of the members of the Manitoba Round Table for Sustainable Development, I am pleased to present our recommended Sustainable Development Fish Strategy for your consideration.

This strategy represents the latest addition to a Land and Water Strategy for the Province of Manitoba, our round table began some years ago. It joins our other land and water strategies for water, soils, forests, minerals, natural lands and special places and wildlife.

The fish policies presented here were developed through one of the most extensive consultation process the Manitoba Round Table has ever undertaken with the citizens of Manitoba. In that regard, our sincere gratitude goes out to all those citizens who participated in the public workshops, made presentations to our fish panel, Chaired by Mr. David Hatch, and sent in submissions and returned the fish policy questionnaire. Their advice and suggestions have been greatly appreciated. To them go our many thanks.

Under *The Sustainable Development Act*, we were required to prepare draft fish policies, consult the citizens of Manitoba, publish those results, and provide our policy advice to you. This report, in addition to our "Workbook on Fish" and "What You Told Us... Fish Strategy" fulfils our obligations under *The Sustainable Development Act*.

This is not however the end of the process. We hope that after you have considered this report, that your government will adopt our advice as provincial fish policy. It is our belief these policies when implemented will ensure the sustainability of our fish resources for present and future generations. As in the past, our round table will continue to provide advice, monitor the progress of and report on policy implementation.

Yours truly,

A handwritten signature in black ink, appearing to read 'Oscar Lathlin'.

Oscar Lathlin, Minister
Chairperson, Manitoba Round Table for
Sustainable Development

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INTRODUCTION

When, in the fall of 1997, the Government of Manitoba asked the Manitoba Round Table for Sustainable Development to make recommendations on provincial fish policies, the round table was required under section 7(4) of *The Sustainable Development Act*:

1. to "prepare, in consultation with the Interdepartmental Planning Board and departments, and publish draft policies, recommendations and proposed action plans in relations to... component strategies...";

2. to "consult the public on those draft policies, recommendations...";

3. to "publish the results of the public consultations..."; and

4. to "...provide any advice to government..." on the policies and recommendations, the Manitoba Round Table deems appropriate.

To begin, our round table established a subcommittee to oversee development of the fish policies. At the same time a provincial interdepartmental working group was established to assist and act as our in-house consultants.

The working group contacted all government departments and asked them to identify all the fish issues that should be addressed. This list of issues was reviewed by our round table and we directed the working group to confirm the importance of the issues with the public.

The Angus Reid Group, a polling company, was subsequently hired and they conducted 11 fish focus group sessions in Winnipeg, Brandon and Thompson, in May 1998. The purpose being to identify the most important fish issues, along with any issue that may have been missed.

Angus Reid reported that the issue list was well received. No issue was deemed to be unimportant although issues related to humane treatment of fish were considered of secondary importance.

Using the results of focus group sessions, the working group prepared for our consideration and approval draft fish policies to address the identified issues. Our suggested policies were subsequently outlined in our "Workbook on Fish" which was released for public review in March of 1999.

To ensure as many Manitobans could participate in the review of the policies, we established a comprehensive public consultation plan. This plan included:

- distributing the workbook with a mail-in questionnaire,
- placing the workbook and questionnaire on an internet Web site,
- holding open house sessions,
- conducting public workshops,
- hearing formal presentations and
- receiving mail-in submissions.

We had some 27 advertisements placed in local and provincial newspapers and almost 160 radio spots were bought to announce the holding of 22 fish workshops throughout Manitoba.

A Manitoba Round Table Fish Panel chaired by Mr. Davis Hatch was established to conduct the workshops and hear formal presentations. These workshops occurred in April through June of 1999.

The results of the public consultations were then published in the Manitoba Round Table's "What You Told Us - Fish Strategy" report which was released in early 2000. At the end of the consultation process, over 360 participants had attended the 22 workshops and we received 14 presentations and 170 questionnaires had been returned.

This report now completes our responsibilities under The Sustainable Development Act. It provides to the Manitoba government, our final fish policy recommendations.

HOW WE CAME TO OUR RECOMMENDATIONS

We directed the working group to evaluate the suggested fish policies and identify options for our consideration respecting the confirmation, revision, or deletion of specific policies based upon the systematic review of public comments outlined in the wildlife “What You Told Us” report.

In reviewing comments on each policy, special attention was paid to those policies and applications for which there was **10 percent or more disagreement or where the approval rate was less than 79 percent.** These levels were chosen because, in general, the policies presented to the public were well received with only two policies having an approval ratings less than 70 percent; they were Policy 2.2 and 2.3 at 57 percent and 62 percent respectively.

Even where there was very high approval of a policy or application, comments were reviewed to see if they provided suggestions for changes which would help clarify or enhance a policy or application statement. The results of the evaluation were grouped into three categories: major issues, minor issues and editorial changes.

1. Major Issues Raised by the Public

Under this category, six issue areas were identified, they are:

1. Live Bait
2. Allocation Priority List
3. Compensation
4. Freshwater Fish Marketing Corporation – FFMC
5. Commercial Lodge and Outfitting Quality Assurance Program
6. Support Programs for Remote Communities

A brief discussion of these issues and our decision on whether to confirm, revise or delete the affected policies can be found in Appendix I.

2. Minor Issues Raised by the Public

Under this category, eight issues were identified, they are:

1. Guidelines versus Regulations
2. Independence of Advisory Panels
3. Broad Based Advisory Bodies
4. Protecting Existing Fishing Rights
5. Maintaining Opportunity to Angle by Limiting Harvest
6. Fees for the Use of Fish Resources

A brief overview of each issue is presented in Appendix 2. In all cases, the decision was to retain the affected policies.

3. Editorial Changes.

Under this category 38 editorial changes to the policies and policy applications were identified, see Appendix 3. These changes are intended to make the policies and applications clearer.

FISH POLICY RECOMMENDATIONS

The following are our fish policy recommendations. They are presented in the order found in the Workbook on Fish.

Policy Area 1. Environmental Enhancement and Protection

Objectives:

1. To conserve, manage, enhance, restore and develop fish habitat including the protection of water quality and quantity so as to maintain biological diversity, protect the ability of the environment to sustain fish resources and provide environmental, educational, economic, cultural, human health and social benefits for existing and future generations.
2. To minimize all factors and activities that negatively impact on fish populations and their habitats.

Recommended Policy # 1.1:

Fish habitat shall be protected and where practical enhanced to protect biological diversity and to maintain or increase its productive capacity.

To meet the intent of this policy, the Manitoba Round Table recommends the Manitoba government:

- 1.1a Adopt the principle of "no net loss of the productive capacity of fish habitats" and apply it in the following manner:
 - a. require project proponents to assess, prevent or mitigate significant harmful alterations to productive capacity,

- b. if it is impossible to prevent or mitigate harmful alterations, require project proponents to replace losses in productive capacity with like-for-like habitat replacement, in the following order of priority:
 - i. on site,
 - ii. off site, or
 - iii. increasing the productivity of the existing habitat;

- c. where like-for-like habitat replacement is not technically feasible increase the productive capacity of off site habitat for other species or require the project proponent to provide artificial fish production [e.g., hatcheries] to supplement the resource.;

- d. require the costs of identifying, preventing, mitigating or replacing losses in productive capacity to be covered by project proponents, including the costs of staffing, maintaining and operating hatcheries.

- 1.1b Investigate the appropriateness of establishing a proponent habitat and habitat quality loss - gain ledger system and habitat compensation fund which would be used for habitat enhancement programs designed to off-set productive capacity losses.

- 1.1c Develop mechanisms to identify, designate and protect critical habitats including habitat for rare, vulnerable or endangered fish species.

- 1.1d Partner and work cooperatively with the public, Aboriginal community, stakeholders and the Canadian government to identify significant fish waterways and work towards their designation as Canadian Heritage rivers.

- 1.1e Partner and work cooperatively with the farming industry to promote and encourage land use practices that minimize negative effects to fish habitat including water quality and quantity.
- 1.1f Partner and work cooperatively with industry to develop operating and development guidelines and when necessary legislation that protect and maintain fish habitat including water quality and quantity for such activities including but not limited to: aquaculture, wild rice farming, forestry operations, mining and smelting operations, hydro development, infrastructure development, boating and urban development.
- 1.1g Develop and implement fish habitat including water quality and quantity protection guidelines and when necessary legislation for land drainage and other water management activities.
- 1.1h Base fish habitat protection decisions on the best available scientific, traditional and local information and knowledge.
- 1.1i Make every effort to provide sufficient resources for and eliminate administrative barriers to the efficient and effective enforcement of fishery legislation.

- 1.2b Assess, revise if necessary and apply the methods for establishing instream flow requirements to sustain aquatic resources and processes.
- 1.2c Change water resource allocation legislation to have the sustainability of the aquatic ecosystem as its first allocation priority.
- 1.2d Promote and regulate where necessary, land and water management practices to prevent, eliminate or mitigate water pollution at source.
- 1.2e Use comprehensive environmental assessment and review processes to ensure developments, projects and processes do not degrade water quality.
- 1.2f Undertake a variety of initiatives, including partnerships, directed at assisting or guiding local government, industry, Aboriginal community and the public in reducing pollution at source, such as: informational programs to enhance understanding of water pollution.
- 1.2g Provide adequate human and financial resources to carry out the objectives of the policies.

Recommended Policy # 1.2:

Within the context of no net loss of productive capacity, water quality shall be protected and seasonal flow volumes and patterns adequate to sustain aquatic ecosystems and processes shall be maintained.

Recommended Policy # 1.3:

Degraded or damaged fish habitat shall be rehabilitated, restored, or new habitat established, where practical.

To meet the intent of this policy, the Manitoba Round Table recommends the Manitoba government:

- 1.2a Review provincial water quality objectives to help ensure fish and fish habitat are protected.

To meet the intent of this policy, the Manitoba Round Table recommends the Manitoba government:

- 1.3a Rehabilitate degraded habitats, enhance existing habitats and develop new habitats, where economic, biological and/or social benefits generated by the increased fish productivity warrant.
- 1.3b Promote public awareness and education in the areas of habitat protection, rehabilitation and enhancement.

- 1.3c Establish partnerships with and provide guidance and support to private individuals and organizations authorized to undertake habitat enhancement and rehabilitation projects and activities by providing technical assistance and where appropriate project funding through the Manitoba Fisheries Enhancement Initiative.
- 1.3d Promote and support the development, application and testing of new methods for rehabilitation, mitigation and enhancement of habitat.
- 1.3e Develop agreements and partnerships with the Federal Department of Fisheries and Oceans and other agencies to direct scientific research to provide information and technology necessary for the protection, rehabilitation restoration and enhancement of habitat.
- 1.3f Develop an inventory of degraded or damaged habitats which are of provincial significance and conduct feasibility studies to determine the full costs and benefits of rehabilitating or restoring the habitats.
- 1.3g Establish partnerships and promote, support and encourage initiatives directed at the stewardship and rehabilitation of waterways by the Aboriginal community, various groups and organizations.

Recommended Policy # 1.4:

Instream structures such as dams, weirs and crossings shall be assessed to determine the need for the passage of fish and to be consistent with no net loss of productive capacity.

To meet the intent of this policy, the Manitoba Round Table recommends the Manitoba government:

- 1.4a Require review and approval before any new instream structure can be constructed on a river or stream of significance to fish resources.

- 1.4b Inform and educate those involved with instream structure construction of the requirements, value, and need for fish passage in streams and rivers.
- 1.4c Provide information and guidelines on where fish passage will be required and on fishway design.
- 1.4d Promote and support the development and testing of innovative fishway design.

Recommended Policy # 1.5:

Protection and wise use of riparian areas shall be promoted through education and provision of incentives and, where necessary, regulations.

To meet the intent of this policy, the Manitoba Round Table recommends the Manitoba government:

- 1.5a Coordinate its riparian programs, activities, management, buffer zone and use guidelines and determine the best methods, practices and organizational schemes which will ensure an effective and efficient coordinated approach to the protection and wise use of riparian areas.
- 1.5b Identify, appropriately designate and manage the use, development and protection of significant Crown and private riparian areas.
- 1.5c Provide information and promote awareness of the importance of riparian areas to fish, wildlife and water resources.
- 1.5d Assess and develop incentives for and partnerships with land owners that encourage appropriate land use practices in riparian areas.
- 1.5e Partner with conservation groups, local government, the Aboriginal community and other interested stakeholders to deliver riparian protection and other habitat protection programs.

1.5f Establish base line information and monitor and report on the status of significant riparian areas.

Recommended Policy # 1.6:

Within the context of no net loss of productive capacity, sturgeon habitat and populations shall be protected and maintained, and where practical and viable, degraded habitats and depressed populations shall be rehabilitated.

To meet the intent of this policy, the Manitoba Round Table recommends the Manitoba government:

- 1.6a Inventory sturgeon populations and habitats.
- 1.6b Select areas to be designated for the preservation of lake sturgeon habitat.
- 1.6c Control the harvest of sturgeon to protect and increase their population numbers.
- 1.6d Re-introduce (while protecting genetic integrity) and stock sturgeon into traditional sturgeon habitats.
- 1.6e Promote and encourage research into sturgeon populations, habitats and rehabilitation methods.
- 1.6f Promote public awareness of the status of sturgeon stocks and in the protection and rehabilitation of sturgeon habitats.

Recommended Policy # 1.7:

Irreparable harm and adverse effects from the introduction or transfer of aquatic organisms shall be anticipated and prevented or mitigated.

To meet the intent of this policy, the Manitoba Round Table recommends the Manitoba government:

- 1.7a Prohibit the introduction or transfer of all aquatic organisms, unless otherwise approved.
- 1.7b Ban or phase out the use of live-bait in Manitoba and provide compensation to existing live bait operators.
- 1.7c Investigate the benefits of establishing an "Aquatics Introduction and Transfer Committee" whose purpose would be to:
 - a. review applications for the introduction or transfer of aquatic organisms into or within the province of Manitoba and based upon a risk assessment recommend approval or denial of each application to the minister, and
 - b. establish through public, Aboriginal community and stakeholder consultations, best provincial management practices to govern the planned importation, introduction and transfer of exotic and aquatic organisms for the purposes of:
 - i. stocking Manitoba waters,
 - ii. commercial activity including the sale for human consumption, the hobby trade, lodge and outfitting operations,
 - iii. recreational angling,
 - iv. research.
- 1.7d Develop and implement programs and partnerships to increase awareness of the risks and adverse effects associated with the introduction, transfer and spread of undesirable aquatic organisms.
- 1.7e Establish partnerships and work with industry, interest groups, Aboriginal community and the public to establish measures to prevent adverse effects of accidental introductions or transfers of aquatic organisms.
- 1.7f Develop guidelines, practices, conditions and when required legislation to govern the responsibilities of authorized individuals and groups in spawn taking, rearing and stocking of species.

- 1.7g Assess activities in and outside Manitoba that could introduce exotic aquatic organisms via inter basin transfer and oppose such activities where appropriate.
- 1.7h Investigate other means of introduction or transfer of aquatic organisms, e.g., bait bucket transfer and introduction of diseased fish and the associated risk to fish and habitat and develop actions to prevent adverse effects.
- 1.7i Partner and work cooperatively with other jurisdictions to identify risks, adverse effects and measures to prevent the cross border introduction, transfer and spread of harmful aquatic organisms.

- b. protect fish spawning by prohibiting, limiting or regulating harvest and disturbance during the spawning season, as necessary;
- c. prohibit fish harvesting where the sustainability of fish populations are threatened; and
- d. establish, for each designated [listed commercial or other identified] water body, the sustainable fish harvest level.

- 2.1b Establish and implement penalties that encourage compliance with regulations.
- 2.1c Monitor the status of fish stocks on a regular basis to assist in the determination of annual sustainable allowable harvest levels by:
 - a. conducting stock monitoring activities and data analyses according to contemporary scientific criteria;
 - b. establishing partnerships and increasing monitoring activities with fishermen and community assistance;
 - c. ensuring catch and effort data is made available from all fishermen and fish agents in a timely and effective fashion and format;
 - d. pursuing scientific research priorities relating to sustainability of the resources, supply and availability including science agreements with the Federal Department of Fisheries and Oceans.

Policy Area 2. Allocation and Supply

Objective:

1. To manage the supply and allocation of fish resources on a sustainable basis while optimizing environmental, social and economic benefits and opportunities for Manitobans and minimizing resource user conflicts.

Recommended Policy # 2.1:

The sustainability of fish populations shall be the first priority in the allocation of fish stocks.

To meet the intent of this policy, the Manitoba Round Table recommends the Manitoba government:

- 2.1a Ensure regulations:
 - a. protect the spawning stock by:
 - i. establishing, for each designated [listed commercial or other identified] water body, the mesh size for the commercial and domestic harvest of fish, and
 - ii. establishing the allowable take home size of fish for domestic, cultural, subsistence, recreational and research purposes, as required;
- 2.1d Establish partnerships and undertake and encourage research to improve the models and techniques for establishing sustainable population and harvest levels.
- 2.1e Provide information to the public, Aboriginal community, fishermen and other stakeholders respecting established allocation priorities.
- 2.1f Regularly monitor the status of harvested species, indicator species and designated species at risk to identify threats to sustainability and take actions to prevent, eliminate or mitigate those threats.

Recommended Policy # 2.2:

Aboriginal treaty and constitutional obligations shall be the second priority in the allocation of fish stocks.

To meet the intent of this policy, the Manitoba Round Table recommends the Manitoba government:

- 2.2a Prohibit recreational harvesting and commercial fishing on water bodies, for such periods of time where the entire allowable harvest is required to meet Aboriginal treaty and constitutional domestic harvest requirements.
- 2.2b Establish partnerships and work cooperatively with the Aboriginal community to establish reasonable and sustainable community and individual domestic and cultural harvest levels and possession limits.
- 2.2c Restrict all harvesting including Aboriginal harvest of fish stocks where the sustainability of the fish resource is threatened.
- 2.2d Where practical, maintain or increase the supply of fish resources through habitat enhancement activities.
- 2.2e Provide for the exchange of information with the Aboriginal community on such topics as:
 - a. rights and obligations of Aboriginal and non-Aboriginal people,
 - b. sustainability of the fish resource,
 - c. harvest rates,
 - d. best management and harvest practices.
- 2.2f Encourage the use of alternative fish species to meet domestic requirements.
- 2.2g Prepare in consultation and partnership with Aboriginal communities management plans to address treaty and constitutional domestic fish harvesting including species specific management plans.
- 2.2h Allow Aboriginal domestic fishing of stocked trout waters, but limit the harvest to "recreational fishing methods only".

- 2.2i Establish partnerships and work with the Aboriginal community to identify needs and where possible provide sturgeon for their unique cultural, traditional and religious uses.
- 2.2j Establish partnerships to assist Aboriginal communities in educating their members in understanding of traditional approaches and sustainable fishing practices.
- 2.2k Establish mechanisms such as management agreements with Aboriginal communities to ensure local fish resources optimize benefits to the community [e.g., co-management agreements].

Recommended Policy # 2.3:

Fish stocks shall be allocated in the following general order of priority provided the sustainability of the resource is assured and treaty and constitutional obligations are met:

- 1. right of access to Crown waters for recreational fishing,*
- 2. commercial net and tourism related fish harvesting, and requests for subsistence harvesting shall be considered on a case by case basis.*

To meet the intent of this policy, the Manitoba Round Table recommends the Manitoba government:

- 2.3a Establish criteria for subsistence users and assess effects on fish stocks.
- 2.3b Evaluate all new or additional harvest requests and allocate the resources based on the established order of priority.
- 2.3c Issue general fishing licences, with conditions, for demonstrated cases of need for subsistence use of fish stocks.

Recommended Policy # 2.4:

An efficient commercial net fishing management and allocation system that ensures the sustainability of the resource shall be established.

To meet the intent of this policy, the Manitoba Round Table recommends the Manitoba government:

- 2.4a Allocate and manage commercial net fishing using scientifically determined sustainable allowable commercial net harvest limits that ensure the sustainability of fish populations.
- 2.4b Adopt a commercial fishing allocation strategy that emphasizes, in the face of scientific uncertainty, allocations at the lowest level of the allowable harvest range to ensure the harvestable surplus is not exceeded, i.e., precautionary principle.
- 2.4c Provide for the establishment of an independent panel, to whom the minister may refer any matter respecting the sustainability of fish resources. As deemed appropriate by the minister, the panel would consult with the public, the Aboriginal community, scientific community and stakeholders and report to the minister on its findings and recommendations.
- 2.4d Develop and maintain advisory bodies, comprised of stakeholders, Aboriginal peoples, community representatives and non-government organizations on commercially fished lakes where appropriate.
- 2.4e Work towards the development of a harvest strategy and monitoring program of sufficient magnitude to allow for the implementation of an annual harvest allocation.
- 2.4f Protect against and address any commercial over harvesting by investigating and establishing mechanisms that may be used to:
 - a. finance unusual management actions (e.g., closure, buy quotas when fishery ebbs and sell back as fishery recovers),
 - b. enhance monitoring activities,

c. provide for third party, scientific review of other commercial fish management issues.

- 2.4g Establish partnerships and encourage and aid fishermen in assuming more direct involvement for management activities, and strengthen their role in making management decisions, where appropriate.

Recommended Policy # 2.5:

Existing legal commitments and access and tenure rights to fish resources shall be protected providing the sustainability of the resource is assured.

To meet the intent of this policy, the Manitoba Round Table recommends the Manitoba government:

- 2.5a Through its licensing system for commercial and tourism fisheries ensure long-term access to the fish resources by:
 - a. honouring legitimate commercial and tourism access fishing rights
 - b. recognizing established commercial fishermen as having transferable rights in access to the fish resource; that is, a right of access to fishing opportunity, not ownership of an amount of fish for individuals in "good standing",
 - c. providing for the on-going renewal of existing commercial net fishing licences,
 - d. providing tenure to fishermen who presently have secured legitimate resource access rights,
 - e. allowing qualified new entrants to "buy into" the fishery,
 - f. recognizing market demands for remote and isolated wilderness tourism experiences.

- 2.5b Ensure regulations:
- a. outline the conditions under which a licence or right may be taken away,
 - b. ensure any reallocation of access and other rights to other commercial users only occurs if the tenured user is not in "good standing",
 - c. provide for the appeal of decisions that affect legal access rights and tenure,
 - d. clarify and define "in good standing" as it relates to commercial fishing.
- 2.5c Require fair compensation to affected individuals if fish resources are reallocated.

Recommended Policy # 2.6:

The commercial net fishing allocation system shall emphasize and work towards sustainable economic returns to the fishing community, industry and province.

To meet the intent of this policy, the Manitoba Round Table recommends the Manitoba government:

- 2.6a Give preference to commercial fishing proposals (including commercial net, angling based, bait fishing, and fish farming) that offer the greatest local economic benefits.
- 2.6b Continue to limit entry to economic net fishing operations such that fish stocks are shared in a fashion that allows fishermen to earn reasonable wages.
- 2.6c Formalize existing quota entitlement systems in regulation under *The Fisheries Act*.
- 2.6d Develop and implement quota entitlement systems and regulations for economic fisheries not currently managed under quota entitlement.
- 2.6e Ensure new harvest opportunities do not compromise the viability of the industry or sustainability of fish stocks.

- 2.6f Continue to enforce regulations prohibiting against the illegal sale, or movement of fish.
- 2.6g Continue to implement the Fish Transportation Loadslip for all persons as an authorizing mechanism for the transportation of fish and to help discriminate between legitimate "domestic fish" and fish destined for illegal sale.
- 2.6h Continue to support northern commercial net fishing through special programs.

Recommended Policy # 2.7:

The commercial net fishing allocation system shall accommodate commercial community operations where appropriate, within established sustainable harvest levels.

To meet the intent of this policy, the Manitoba Round Table recommends the Manitoba government:

- 2.7a Allocate fish stocks to community fishing operations where:
 - a. existing tenured fishermen are prepared to participate in such a community operation;
 - b. the community fishing operation has the support of the community.
- 2.7b Establish partnerships and work with communities to control harvest and access to these fish stocks which will enable a greater number of fishermen to fish within the established annual sustainable harvest limit.
- 2.7c Continue to support northern commercial net fishing operations through special programs.

Recommended Policy # 2.8:

Priority shall be given to maintaining recreational angling opportunities by limiting recreational harvesting of fish to ensure the sustainability of the resource.

To meet the intent of this policy, the Manitoba Round Table recommends the Manitoba government:

- 2.8a Regularly establish recreational angling harvest limits.
- 2.8b Provide resident recreational fishermen with the right to angle for fish on Crown water bodies; this right being limited to one of opportunity, not necessarily an allowable harvest of fish.
- 2.8c Prescribe where non-residents are able to angle through a licence system.
- 2.8d Maintain and support conservation oriented recreational angling programs, such as those featuring selective harvest techniques like:
 - "high quality management creel limits",
 - "catch and release",
 - "barbless hooks" and
 - "size limits"to ensure critical components of fish populations have sufficient protection and to ensure that harvest is not excessive.
- 2.8e Maintain its recreational-fishing public, consultation process.
- 2.8f Encourage the use of techniques to prevent winter kill of important recreational angling water bodies.
- 2.8g Allow salvage fish harvesting to avoid the aesthetic impacts and environmental clean up associated with winter kill situations.
- 2.8h Continue to monitor the possible effects of lead weight on the environment and take appropriate action.

Recommended Policy # 2.9:

Stocking programs shall be considered and implemented where fish populations can be successfully increased.

To meet the intent of this policy, the Manitoba Round Table recommends the Manitoba government:

- 2.9a Evaluate the performance of Manitoba's native and non-native stocking program in terms of ecological sustainability and economic viability, meeting resource enhancement and management objectives and effects on stocks.
- 2.9b Review and revise existing fish stocking guidelines to ensure sustainability of aquatic ecosystems and direct activities where they are most likely to provide supply enhancement or rehabilitation benefits.
- 2.9c Consider experimental stocking programs where biological diversity is not compromised and significant benefits may result.
- 2.9d Establish partnerships to provide required training for all privately operated fish hatchery and stocking programs in Crown waters, to ensure fish stocks are not adversely affected.
- 2.9e Discourage stocking where it is unlikely to provide stock enhancement benefits.
- 2.9f Develop guidelines, practices, conditions and when required legislation to govern the responsibilities of authorized individuals and groups in spawn taking, rearing and stocking of species.

Policy Area 3. Development and Use

Objectives:

1. To promote the use and development of fisheries resources in an environmentally sound manner which will enhance and support an integrated and diversified sustainable economy.
2. To ensure fish are treated in a humane manner.

Recommended Policy # 3.1:

Sustainable economic development and use opportunities for the commercial net fishing industry shall be identified and facilitated.

To meet the intent of this policy, the Manitoba Round Table recommends the Manitoba government:

- 3.1a Establish partnerships and consult regularly with industry, Aboriginal community and other government organizations regarding development of new market niches and market expansion.
- 3.1b Support the expansion of intra-provincial direct sales to consumers by allowing small retailers to sell fish on behalf of specified fishermen.
- 3.1c Continue to lobby the Freshwater Fish Marketing Corporation to liberalize fish sale opportunities via "Special Dealers Licences" while maintaining overall provincial support for the corporation.
- 3.1d Establish partnerships and facilitate research into the use of under-utilized fish (i.e., rough fish) and value added processing of harvested fish resources.
- 3.1e Develop management principles for "economic" and "community" commercial net fishing operations, that identify broad objectives related to maintaining and developing the industry, including community participation, income supplement and primary income objectives.

- 3.1f Encourage the use of technologies and methods that are environmentally sound and help lower the costs of harvesting and processing operations.

Recommended Policy # 3.2:

Sustainable economic development and use opportunities for the tourism based fishing industry shall be identified and facilitated.

To meet the intent of this policy, the Manitoba Round Table recommends the Manitoba government:

- 3.2a Establish partnerships and consult regularly with the tourism industry, Aboriginal community and other government organizations regarding development of new market niches and market expansion.
- 3.2b Continue to support recreational fishing based tourism development, where it is economically viable, environmentally sound and does not interfere with existing operations in good standing.
- 3.2c Partner and work with local recreational fishing industry interests to develop tourist related services further to Winnipeg's Urban Angling Partnership and the Capital Region Sustainable Development Strategy.
- 3.2d Market recreational fishing opportunities to traditional market areas and facilitate increased promotion of recreational fishing opportunities to visitors in partnership with industry participants.
- 3.2e Increase efforts to attract non-traditional markets to view Manitoba as a recreational fishing destination.
- 3.2f Assist Manitoba tourist businesses in preparing and implementing marketing plans.

- 3.2g Work with the tourism industry and local governments on plans for maintaining and upgrading existing tourism related fishing infrastructure and facilities.
- 3.2h Work independently as well as with other provincial jurisdictions and national organizations to capture opportunities to market Manitoba internationally.
- 3.2i Partner and work with industry participants to promote responsible use of the resource and to ensure long term industry viability.
- 3.2j Develop, in partnership with the Manitoba Lodge and Outfitters Association, a mandatory tourist lodge and outfitting quality assurance program.
- 3.2k Continue to actively promote recreational angling with private sector partners, e.g., Urban Angling Partnership's Learn to Fish Clinics, Fish Winnipeg Challenge and Fish Festival and support increased promotion of recreational angling as opportunities arise.
- 3.2l Manage road access to optimize the economic potential of the tourism fishery.
- 3.2m Recognize market demands for remote and isolated wilderness tourism experiences.
- 3.2n Encourage wilderness tourist developments within protected areas.

- 3.3b Facilitate increased promotion of recreational angling opportunities to residents, seniors, students and new Canadians in partnership with industry participants.
- 3.3c Continue to actively promote recreational angling with private sector partners, e.g., Urban Angling Partnership's Learn to Fish Clinics, Fish Winnipeg Challenge and Fish Festival and support increased promotion of recreational angling as opportunities arise.
- 3.3d Encourage the use of techniques to prevent winter kill in important recreational angling water bodies.
- 3.3e Encourage the use of under utilized fish species for recreational angling.

Recommended Policy # 3.4:

Other sustainable economic development and use opportunities related to fish resources shall be identified and facilitated.

To meet the intent of this policy, the Manitoba Round Table recommends the Manitoba government:

- 3.4a Improve coordination, information exchange and prepare information packages respecting non-traditional commercial fishing related opportunities such as aquaculture, and pay to fish ponds.
- 3.4b Establish partnerships and encourage and facilitate non-traditional uses and developments of fish resources.

Recommended Policy # 3.3:

Sustainable economic development and use opportunities for the industry; servicing resident and non-resident recreational angling shall be identified and facilitated.

To meet the intent of this policy, the Manitoba Round Table recommends the Manitoba Government:

- 3.3a Partner and work with the recreational angling service industry to promote responsible use of the resource and to enhance long-term industry viability.

Recommended Policy # 3.5:

A regulatory system that recognizes and supports a diversified and sustainable economy shall be pursued and promoted.

To meet the intent of this policy, the Manitoba Round Table recommends the Manitoba government:

- 3.5a Continue to review provincial acts and regulations to reduce complexity and ensure provincial regulatory overlap and red tape is minimized without compromising resource sustainability while enhancing economic viability.
- 3.5b Ensure provincial fish legislation is written in the most direct and straightforward manner necessary to meet the intents of those acts and regulations.
- 3.5c Continue negotiations with the federal Department of Fisheries and Oceans for the transfer of administrative authority for fish habitat management to the province.
- 3.5d Work towards the elimination of federal-provincial regulatory duplication and overlap associated with fish and for habitat management and administration.

Recommended Policy # 3.6:

Prices for the commercial and recreational use and development of fish resources shall reflect its environmental, economic, cultural, human health and social value.

To meet the intent of this policy, the Manitoba Round Table recommends the Manitoba government:

- 3.6a Develop, in consultation with the public, full cost accounting methodologies for resource pricing that include environmental, economic, cultural, human health and social values.

These methodologies will be used to establish prices, fees and royalties for use of the fish resource.

- 3.6b Review and revise current means of capturing resource rent from commercial fishing by establishing a system of licence fees and royalties that ensures resources are used efficiently and the resource rent the province receives reflects the costs of administering and managing the commercial fishery.
- 3.6c Continue, in the interim, to set licence fees for recreational fishing that reflects the cost of administering an effective recreational fishing program.

Recommended Policy # 3.7:

Incentives that support remote fishing communities and encourage sustainable economic development of fish resources shall be considered and, where appropriate, established.

To meet the intent of this policy, the Manitoba Round Table recommends the Manitoba government:

- 3.7a Review existing support to the fishing industry and work with the industry to amend and establish incentives to ensure they encourage stakeholders and users of the resource to reinvest in their industry and strengthen their commitment to the sustainability of the resource and their industry and eliminate those incentives which do not.
- 3.7b Continue to provide transportation cost relief through special programs.
- 3.7c Establish partnerships and work with relevant agencies and organizations to assess the feasibility of developing a wage subsidy program for northern remote fishing lodges hiring local persons.

Recommended Policy # 3.8:

Provision of fishing related infrastructure, e.g., facilities such as breakwaters, public and community docks, boat launches and roads shall be encouraged, where appropriate, and planned to ensure the sustainability of all resources and support sustainable economic development.

To meet the intent of this policy, the Manitoba Round Table recommends the Manitoba government:

- 3.8a Partner and work with the federal government and communities in the planning and development of public and community boat launches and docks.
- 3.8b Coordinate and consider all the effects of road development to optimize benefits and minimize costs to all resource users, Manitobans, the fish resource, the environment, cultures, human health and society.
- 3.8c Manage non-resident access to fish resources and angling opportunity to optimize economic benefits.
- 3.8d Ensure remote fishing related businesses and affected communities are aware of access developments and have an opportunity to participate in the decision making process.

Recommended Policy # 3.9:

Labour and management skills shall be enhanced through training and education.

To meet the intent of this policy, the Manitoba Round Table recommends the Manitoba government:

- 3.9a Establish partnerships and work with the various fishing related industries to identify the management, technical and labour skills required.
- 3.9b Establish partnerships and encourage community colleges, and schools to include

programs that develop and address the education and training needs of the industry, e.g., school-initiated courses and student-initiated projects.

- 3.9c Establish partnerships and encourage and support community and fishermen association apprenticeship and on-the-job training opportunities and programs.
- 3.9d Encourage the entrance of Aboriginal persons into training and education programs directed at employment opportunities in the area of resource management and enforcement.
- 3.9e Identify and eliminate barriers to the admission of Aboriginal persons to education and training programs and courses in the field of fish management and enforcement.
- 3.9f Provide within government departments on-the-job training programs for Aboriginal persons directly and indirectly related to fish management and enforcement."

Recommended Policy # 3.10:

The harvest and use of fish resources shall be conducted in a humane manner.

To meet the intent of this policy, the Manitoba Round Table recommends Manitoba government:

- 3.10a Prepare codes of practice for various fish resource users on the humane treatment of fish.
- 3.10b Continue to allow only barbless hooks to be used in recreational fishing for a quicker release of those fish not being kept for consumption.
- 3.10c Continue to enforce regulations prohibiting the wastage of fish.
- 3.10d Inform and educate recreational anglers, commercial net fishermen and the general public on proper fish handling procedures.

Policy Area 4. Planning and Integrated Management

Objectives:

1. To ensure an integrated ecosystem based planning and management process is implemented.
2. To ensure fish management plans are developed and implemented that balance environmental, health, cultural, social and economic needs of present and future Manitobans while balancing the needs of individuals with the greater public good.
3. To improve the quality and availability of information used in planning and managing fish resources
4. To ensure public participation in the planning and management of fish resources.
5. To protect and enhance human life and well being by maintaining and enhancing biological diversity.

Recommended Policy # 4.1:

Work towards the establishment of an ecosystem based approach to resource management and planning processes.

To meet the intent of this policy, the Manitoba Round Table recommends the Manitoba government:

- 4.1a Undertake pilot ecosystem based management projects.
- 4.1b Establish partnerships and facilitate and encourage research into ecosystem based management.

- 4.1c Foster the establishment of integrated planning and management structures and processes in provincial government departments and between departments and between the government of Manitoba and other jurisdictions.

Recommended Policy # 4.2:

All land use and resource plans shall address and integrate relevant issues related to fish resources.

To meet the intent of this policy, the Manitoba Round Table recommends the Manitoba government:

- 4.2a Regularly review and revise as required existing provincial plans by identifying and addressing fish resource issues.
- 4.2b Review existing planning processes and ensure fish resources are integrated into those processes.
- 4.2c Review and amend as required all relevant planning and management legislation to ensure fish resources are identified and accounted for in plans.
- 4.2d Review existing project and program planning, approval and licensing processes to ensure fish resources are considered and the sustainability of the resource is protected.
- 4.2e Prepare, in partnership and in consultation with the Aboriginal community, local government, stakeholders and the public, fish resource guidelines and management practices for use in such activities and projects as road planning and construction, land clearing, urban development, subdivision design and construction.

Recommended Policy # 4.3:

Fish resource plans shall be prepared and shall consider, address and integrate relevant ecological, environmental, cultural, health, social and economic factors.

To meet the intent of this policy, the Manitoba Round Table recommends the Manitoba government:

- 4.3a Prepare and implement, as part of a fish resource system plan, integrated management plans and ecosystem based management plans when acceptable methodologies are developed for fish resources and for watersheds or lake systems, as required, that:
 - a. include and address environmental, health, cultural, social, economic and resource sustainability factors,
 - b. establish, as appropriate, indicator species, other mechanisms, and
 - c. provide for public participation, including the Aboriginal community and stakeholders in defining values and establishing goals and objectives.
- 4.3b Prepare and implement, as required, specific fish species plans for those species at risk or requiring special attention due to their heritage, cultural, health, social, environmental or economic significance.
- 4.3c Review and amend, as required, legislation governing the planning and management of fish resource to:
 - a. incorporate the principles and guidelines of sustainable development;
 - b. eliminate duplication and overlapping functions;
 - c. simplify and clarify resource maintenance and protection functions.

Recommended Policy # 4.4:

The general public, fish users, government and non government agencies shall be involved in the preparation and review of fish resource management plans and decisions.

To meet the intent of this policy, the Manitoba Round Table recommends the Manitoba government:

- 4.4a Provide meaningful opportunities for the Aboriginal community, public and user groups participation in the fish resource planning processes by:
 - a. giving all participants an equitable opportunity to participate and influence plans and decisions,
 - b. ensuring timely and prior notification to those affected,
 - c. providing timely access to relevant information.
- 4.4b Develop mechanisms for ensuring public review of significant fish resource management practices that effect the sustainability of the fish resources.
- 4.4c Require provincial government departmental review of specific fish resource plans.
- 4.4d Ensure decision-making processes are clearly defined and made known to resource users and the public.
- 4.4e Develop and implement clear and consistent processes and mechanisms for dispute resolution for conflicts between competing users and the development and protection of fish resources. Consultation and negotiation shall be the preferred method of conflict resolution.

Recommended Policy # 4.5:

Research and effective information management systems shall be used to improve the information base and support fish resource planning and decision making.

To meet the intent of this policy, the Manitoba Round Table recommends the Manitoba government:

- 4.5a Upgrade existing automated information and data management systems.
- 4.5b Pursue cooperative agreements, including partnerships with Fisheries and Oceans, industry and other agencies in the research, development and enhancement of fish resource databases and information systems.
- 4.5c Conduct inventories and input data into information systems and monitor and report on the status of, including but not limited to fish habitats, stocks, water quality and quantity.
- 4.5d Establish partnerships and encourage and facilitate research and consultations with Aboriginal peoples, communities and individuals on traditional and local ecological knowledge and integrate that knowledge into databases.

Recommended Policy # 4.6:

Manitoba shall work towards a provincial accounting system that includes and reports on the natural capital, including fish resources, of the province.

To meet the intent of this policy, the Manitoba Round Table recommends the Manitoba government:

- 4.6a Establish partnerships and encourage research into mechanisms to accurately assess the value of and the improvement or deterioration of provincial natural resources including fish resources.

- 4.6b Partner with and encourage and support the efforts of the federal government in the development of national accounting processes and mechanisms to monitor and track the value of Canada's natural resources including fish resources.
- 4.6c Establish, adopt and regularly report on sustainability indicators that account for the value of provincial natural resources, including fish.

Recommended Policy # 4.7:

Planning and management legislation shall facilitate economic development of fish resources without compromising resource sustainability while maximizing administrative efficiency and compliance.

To meet the intent of this policy, the Manitoba Round Table recommends the Manitoba government:

- 4.7a Review and amend, as required, legislation to ensure there are reasonable opportunities for sustainable economic development of fish resources.
- 4.7b Review and amend planning and management legislation, as required,
 - a. to incorporate the principles and guidelines of sustainable development;
 - b. to eliminate duplication and overlapping functions;
 - c. to simplify and clarify resource maintenance and protection functions; and
 - d. to ensure maximum administrative efficiency, enforceability and compliance.
- 4.7c Provide appropriate public consultation in the review of legislation.
- 4.7d Enforce legislation fairly and reasonably across the province.

4.7e Negotiate the appropriate levels of delegation of authority for the management of fish resources from Canada to Manitoba.

information on the issues, value and benefits of fishing.

Policy Area 5. Public Awareness and Education

Objective:

1. To enhance Manitoban's understanding of the interrelationships among fish, the environment, human health, cultures, heritages, society and the economy.

5.1e As necessary, develop communication plans to ensure the public has the opportunity to become informed on specific issues and provide sufficient resources to get the information out.

5.1f Regularly assess, document and make public, information on the status, successes and sustainability of Manitoba's natural resources.

5.1g Establish mechanisms for conducting broad consultations with the general public respecting the effects and implications of the use of fish resources.

5.1h Provide for the exchange of information with the Aboriginal community on such topics as:

a. rights and obligations of Aboriginal and non-aboriginal people,

b. sustainability of the fish resource,

c. harvest rates,

d. best management and harvest practices.

5.1i Cooperate with educators at all levels in providing the necessary related skills and knowledge including biology, ecology and management of fish resources.

Recommended Policy # 5.1:

Public involvement in and enhanced public knowledge about: 1. Fish resources, 2. their finite capacity for use, 3. the effects of development activity upon fish and fish habitat and 4. the value of the fish resource to Manitoba's environmental, cultural, human health, heritage, social and economic well being shall be promoted and fostered.

To meet the intent of this policy, the Manitoba Round Table recommends the Manitoba government:

5.1a Develop general sustainable development fish and wildlife information for listing as foundation materials for use by teachers to meet school science curricula outcomes. This material should be formatted to facilitate use and to allow youth to make informed decisions about fish resource conservation and use issues (i.e., "sharing a valuable resource").

5.1b Ensure information is presented in a clear, concise and user-friendly format and style.

5.1c Continue to discuss issues and consult with users to ensure they have an informed opportunity to contribute their opinion and to offer suggestions on management actions.

5.1d Explore and develop new media and venues including electronic means for disseminating

Recommended Policy # 5.2:

Sustainable development of fish resources, environmentally sustainable management practices and the economic, cultural, human health, heritage and social value of fish related industry and activity shall be promoted.

To meet the intent of this policy, the Manitoba Round Table recommends the Manitoba government:

5.2a Define, explain and inform Manitobans about their rights and obligations as users of fish resources and the sustainability of natural resources.

- 5.2b Establish partnerships to develop educational and informational programs and packages that provide up-to-date information on:
- a. appropriate management practices (harvest and land use),
 - b. appropriate harvest industry practices,
 - c. the value of fishing industries and activities.

Recommended Policy # 5.3:

Understanding and respect of differing economic, cultural, heritage and social views, values, traditions and aspirations respecting fish resource use shall be promoted.

To meet the intent of this policy, the Manitoba Round Table recommends the Manitoba government:

- 5.3a Ensure general information and extension programs:
- a. include information on the rights of status Indians regarding their values, traditions and use of fish resources and
 - b. are designed to explain effects and implications of land and resource use on fish resources and habitat.
- 5.3b Develop partnerships to cooperatively establish programs for the exchange of information with Aboriginal peoples, other cultural groups and new Canadians respecting their use of fish resources and habitat.
- 5.3c Ensure government staff undertake the necessary training and gain an appreciation and understanding of the differing economic and social views, values, traditions and aspirations of the Aboriginal community with respect to the use, management and protection of fish resources.

Policy Area 6. Human and Property Health and Safety

Objectives:

- 1. To protect human life and property from the adverse effects of fish and fishing related activities.

Recommended Policy # 6.1:

Health information and proper fish handling procedures will be made available to ensure fish remains a healthy food source for Manitobans.

To meet the intent of this policy, the Manitoba Round Table recommends the Manitoba government:

- 6.1a Monitor mercury levels in fish where flooding or other causative impacts have occurred and provide that information to the public.
- 6.1b Include safe fish handling practices in appropriate communication and informational programs
- 6.1c Provide consumption guidelines for fish where elevated levels of contamination have been identified.
- 6.1d Participate in the development of a national meat, poultry and fish code to ensure and promote the safety and quality of food sources.

Recommended Policy # 6.2:

Manitoba shall prevent or minimize the risk to property from the introduction of undesirable fish species and aquatic organisms such as zebra mussels and rainbow smelt.

- 6.3c Require proponents of developments to anticipate, prevent or mitigate risks to health and safety of persons using water bodies and waterways, that may be negatively impacted by the proponent's development.

To meet the intent of this policy, the Manitoba Round Table recommends the Manitoba government:

- 6.2a Continue to educate the public on the costs associated with zebra mussel and rainbow smelt introduction and how to avoid unintentional transfer into Manitoba watersheds.
- 6.2b Investigate the feasibility and effectiveness of United States - Canada border car/boat wash stations to ensure undesirable fish species such as zebra mussels are not inadvertently brought into Manitoba.
- 6.2c Develop environmental regulations prohibiting the transfer of undesirable fish species such as zebra mussels into Manitoba.

Recommended Policy # 6.3:

Safe recreational, domestic and commercial fishing practices shall be promoted.

To meet the intent of this policy, the Manitoba Round Table recommends the Manitoba government:

- 6.3a Establish partnerships and encourage associated industries to develop training, education and information programs/literature on safe, environmentally sound fishing and boating practices.
- 6.3b Encourage Fisheries and Oceans Canada and Environment Canada to maintain or improve public safety by continued and enhanced coast guard, small craft harbours and weather information programs.

APPENDIX 1.

MAJOR POLICY ISSUES RAISED BY THE PUBLIC

1. Live Bait.

Concerns/objections were raised about the use of live bait. These concerns were centred on the harm and adverse effects that may arise from the introduction or transfer of aquatic organisms through the continued use of live bait.

By its very nature, the use of live bait represents a transfer of an aquatic organism between the location of where the bait is caught and where the bait is used by an angler. This is not an issue, however, if the bait is used only in the water source from which the bait is harvested.

The concerns are related not only to the transfer of the bait itself but also the possibility that there may be a transfer of bait water in which other aquatic organisms may be present.

To date there has been no documented adverse environmental effects attributed to the use of live bait in Manitoba. There are, however, many examples in the literature of adverse effects from introduced species, such as zebra mussels and carp, whether introduced intentionally or accidentally.

Live bait fish have been harvested and used in Manitoba since 1971. There have been two attempts to ban the use of live bait in the province due to environmental concerns, 1978 and 1986, both were unsuccessful. One of the reasons the attempts were unsuccessful was that there was no approval for the payment of compensation to those businesses adversely effected.

Presently, there are about 40 live bait fishermen who produce about 126,000 dozen live bait fish for use by anglers. Gross annual sales of live bait has ranged from \$117,000 to \$223,000 in the last 5 years

We have agreed that continued use of live bait is an environmental and economic risk that should be eliminated. We therefore have recommended that the use of live bait be banned or phased out with compensation paid to existing operators (see 1.7b).

As a result references to live bait in policy application 1.7cbii has been deleted along with the deletion of application 2.8f.

2. Allocation Priority List.

There was considerable public disagreement with the allocation priority list for fish, with the exception of ensuring the sustainability of populations as the first priority that received high approval. The suggested allocation priority list was:

1. Sustainability of fish populations - policy 2.1 [96 percent approval]
2. Aboriginal treaty and constitutional obligations – policy 2.2 [57 percent approval]
3. Recreational fishing, - policy 2.3 [62 percent approval],
4. Commercial net and tourism and subsistence harvesting – policy 2.3 [62 percent approval]

In general, the disagreement with the list was each group/stakeholder generally felt they deserved to be higher in the order of priority, that is number two. Given that the list is consistent with the rulings of the Supreme Court of Canada, we have decided that the allocation priority list should remain as originally stated.

3. Compensation.

Policy application 2.5c proposed that the government provide compensation when fishing rights/resources are reallocated. The exception being in cases of protecting population sustainability and meeting treaty obligations when compensation would not be provided.

Comments have suggested compensation should be provided regardless of the reason for the reallocation of the fish resources.

Staff from Manitoba Conservation have indicated that it is often difficult to resolve reallocation of fishing rights and quota problems because compensation is not provided in cases related to meeting treaty rights

and conservation. If compensation could be provided in these cases it would provide a very useful management tool.

We agreed that compensation should be provided in all cases. Policy application 2.5c has therefore been changed by deleting "except in cases for the protection of fish population sustainability and meeting treaty and constitutional obligations" to read: *Require fair compensation to affected individuals if fish resources are reallocated.*

4. Freshwater Fish Marketing Corporation - FFMC.

There were a number of objections raised in regards to the Freshwater Fish Marketing Corporation. Policy application 3.1c states, the Manitoba governments should: *Continue to lobby the Freshwater Fish Marketing Corporation to liberalize fish sale opportunities via "Special Dealers Licences" while maintaining overall provincial support for the Corporation.*

Some want the province to withdraw support for the FFMC, stating they can make more money doing their own selling of fish. Others are in full support of the ongoing operation of the FFMC.

It is our opinion that the industry as a whole, at this time, is better served by continued support of the FFMC by the Province of Manitoba.

5. Commercial Lodge and Outfitting Quality Assurance Program.

There were objections/concerns to the proposed mandatory quality assurance program for lodge and outfitting operations outlined in 3.2j.

This program would be similar to the star rating system now being used for hotels. The notion of having such a program is considered to be very important for enhancing and maintaining a sustainable tourism industry. The objections may however be more related to the cost operators would have to bear in the running of such a program.

We agreed that retaining the concept of a quality assurance program was important, however, to make the program more acceptable, we have removed the "fee-for-service" aspect and added that the program

be developed in partnership with the Manitoba Lodge and Outfitters Association. Policy 3.2j now reads:

Develop, in partnership with the Manitoba Lodge and Outfitters Association, a mandatory tourist lodge and outfitting quality assurance program.

6. Support Programs for Remote Communities.

There were some concerns/objections to policy 3.7 that states:

Incentives which support remote fishing communities and encourage sustainable economic development of fish resources shall be considered and, where appropriate, established.

Some have stated that if the activity is sustainable there is no need for incentives.

We recognize that in remote communities economic opportunities are limited and often constrained by the cost factors related to the isolated nature of the community. In such cases, social support programs will need to be increased if economic incentives are not available to support commercial fishing activities. We have therefore retained the policy as stated.

APPENDIX 2.

MINOR ISSUES RAISED BY THE PUBLIC

The following are minor issues raised by some of the public. We agreed to make no change or make only minor editorial amendments to address the issue. The following is a brief overview of each issue.

1. Guidelines versus Regulations.

There were re-occurring comments that “guidelines” do not work, and that regulations/legislation were required. It is our opinion that there is a place for guidelines, however legislation may be required, if satisfactory results are not obtained through the use of guidelines. We have therefore added “*and when required legislation*” to 1.1f, 1.1g, 1.7f, 2.9f, as follows:

1.1f Partner and work cooperatively with industry to develop operating and development guidelines and when required legislation that protect and maintain fish habitat including water quality and quantity for such activities including but not limited to: aquaculture, wild rice farming, forestry operations, mining and smelting operations, hydro development, infrastructure development, boating and urban development.

1.1g Develop and implement fish habitat including water quality and quantity protection guidelines and when required legislation for land drainage and other water management activities.

1.7f Develop guidelines, practices and conditions and when required legislation to govern the responsibilities of authorized individuals, commercial enterprises and groups in spawn taking, rearing and stocking of native species.

2.9f Develop guidelines, practices and conditions and when required legislation to govern the responsibilities of authorized individuals, commercial enterprises and groups in spawn taking, rearing and stocking of native species.

2. Independence of Advisory Panels.

Concerns/objections were noted in respect of policy application 2.4c, in regards to the independence of

advisory panels and the limitations that could be placed on broad based public consultations on issues related to the commercial net fishing industry. The policy application provides for the establishment of independent advisory panels and gives the minister the discretion of determining the scope of public consultations. On the other hand, concerns were often expressed about involving the general public in fish management issues as it was stated the public was not well enough informed about the issues to be consulted.

We have agreed to retain 2.4c as presently stated:...the Manitoba government: *Provide for the establishment of an independent panel, to whom the minister may refer any matter respecting the sustainability of fish resources. As deemed appropriate by the minister, the panel would consult with the public, the Aboriginal community, scientific community and stakeholders and report to the minister on its findings and recommendations.*

3. Broad Based Advisory Bodies.

Policy application 2.4d, provides for the establishment of advisory bodies. Concerns/questions have been raised about the composition of these advisory bodies and the need for these bodies to have broad representation to ensure all issues and factors are addressed.

We agree and have amended 2.4d by adding “*comprised of stakeholders, Aboriginal peoples, community representatives and non-government organizations*” after “advisory bodies, to read:

Develop and maintain advisory bodies, comprised of stakeholders, Aboriginal peoples, community representatives and non-government organizations, on commercially fished lakes where appropriate.

4. Protecting Existing Fishing Rights.

There was a relatively high disapproval rate of 12 percent [70 percent approval] for policy 2.5 that stated that: *Existing legal commitments and access and tenure rights to fish resources shall be protected.*

Concerns were related to those opposed to assigning fishing rights to individuals, concern with over-fishing and the sustainability of the fish populations if rights are protected.

We have agreed to add, “*providing the sustainability of the resource is assured*” to the end of the policy. It now reads:

Existing legal commitments and access and tenure rights to fish resources shall be protected providing the sustainability of the resource is assured.

5. Maintaining Opportunity to Angle by Limiting Harvest.

There was a relatively high level of disapproval [10 percent] to policy 2.8 which states: *Priority shall be given to maintaining recreational angling opportunities by limiting recreational harvesting of fish to ensure the sustainability of the resource.*

The concern/objection to this policy and the policy applications that support this policy is directed at limiting the harvest of recreational anglers.

We have agreed to retain the policy as stated.

6. Fees for the Use of Fish Resources.

There were concerns / objections raised about charging fees for the use of, or access to, fish resources. As an example, there was a 11 percent disagreement level (72 percent approval and 16 percent neutral) to policy 3.6; which states: *Prices for the commercial and recreational use and development of fish resources shall reflect its environmental, economic and social value.*

It is our opinion that this policy and applications are consistent with the intent of Sustainable Development Guideline 1 of *The Sustainable Development Act* which states: ‘Efficient Use of Resources... means (a) encouraging and facilitating development and application of systems for proper resource pricing... (b) employing full-cost accounting...’ We support the concept of charging for the use of or access to Crown fish resources and moving towards having those fees reflect the true environmental, social and economic value of fish consistent with *The Sustainable Development Act*.

APPENDIX 3

EDITORIAL CHANGES

These suggested editorial changes are of a minor nature and in general are intended to make the policy/application clearer.

1. “cultural , human health” has been added after “economic” in Objective 1 Policy Area 1; to read:

Objective 1: *To conserve, manage, enhance, restore and develop fish habitat including the protection of water quality and quantity so as to maintain biological diversity, protect the ability of the environment to sustain fish resources and provide environmental, educational, economic, **cultural, human health** and social benefits for existing and future generations.*

2. “to protect biological diversity and” has been added after “enhanced” in policy 1.1; to read:

1.1: *Fish habitat shall be protected and where practical enhanced to **protect biological diversity and** to maintain or increase its productive capacity.*

3. The phrase “ and if necessary” which occurred after “to assess” has been deleted from 1.1aa; to read:

1.1a *Adopt the principle of "no net loss of the productive capacity of fish habitats" and apply it in the following manner:*

a. *require project proponents to assess, prevent or mitigate significant harmful alterations to productive capacity,*

4. The word "management" has been changed to “protection” and “traditional and local” has been added after “scientific” in 1.1h; to read:

1.1h *Base fish habitat **protection** decisions on the best available scientific, **traditional and local** information and knowledge.*

5. The word “resources” has been changed to “ecosystems” in 1.2; to read:

1.2: *Within the context of no net loss of productive capacity, water quality shall be protected and seasonal flow volumes and patterns adequate to sustain aquatic **ecosystems** and processes shall be maintained.*

6. The word “Identify” has been changed to “Coordinate” and “which will ensure an effective and efficient coordinated approach to the protection and wise use of riparian areas” has been deleted from 1.5a; to read:

1.5a ***Coordinate** its riparian programs, activities, management, buffer zone and use guidelines and determine the best methods, practices and organizational schemes.*

7. “, commercial enterprises” which occurred after “individuals” has been deleted from 1.7f; to read:

1.7f *Develop guidelines, practices and conditions to govern the responsibilities of authorized individuals and groups in spawn taking, rearing and stocking of native species.*

8. “and implement” has been added after “establish” in 2.1b; to read:

2.1b *Establish **and implement** penalties that encourage compliance with regulations.*

9. “for such periods of time” has been added after “...water bodies,” in 2.2a; to read:

2.2a *Prohibit recreational harvesting and commercial fishing on water bodies, **for such periods of time** where the entire allowable harvest is required to meet Aboriginal treaty and constitutional domestic harvest requirements.*

10. “where possible” has been added after “...identify needs and” in 2.2i; to read:

2.2i Establish partnerships and work with the Aboriginal community to identify needs and where possible provide sturgeon for their unique cultural, traditional and religious uses.

11. “right of access to Crown waters for” has been added before “recreational fishing...” in policy 2.3; to read:

2.3: Fish stocks shall be allocated in the following general order of priority provided the sustainability of the resource is assured and treaty and constitutional obligations are met:

- 1. right of access to Crown waters for recreational fishing,*
- 2. commercial net and tourism related fish harvesting, and requests for subsistence harvesting shall be considered on a case by case basis.*

12. “, i.e., precautionary principle” has been added to the end of 2.4b; to read:

2.4b Adopt a commercial fishing allocation strategy that emphasizes, in the face of scientific uncertainty, allocations at the lowest level of the allowable harvest range to ensure the harvestable surplus is not exceeded, i.e., precautionary principle.

13. “closure,” has been added after “e.g.,” in 2.4fa; to read:

2.4f Protect against and address any commercial over harvesting by investigating and establishing mechanisms that may be used to:

- a. finance unusual management actions (e.g., closure, buy quotas when fishery ebbs and sell back as fishery recovers),*

14. “to reduce pressure for more licenses or quota” has been deleted from the end of 2.5ae; to read:

2.5a Through its licensing system for commercial and tourism fisheries ensure long term access to the fish resources by: e. allowing qualified new entrants to “buy into” the fishery,

15. “within established sustainable harvest levels” has been added to the end of policy 2.7; to read:

2.7: The commercial net fishing allocation system shall accommodate commercial community operations, where appropriate, within established sustainable harvest levels.

16. The word “all” located just before the word “Crown” has been deleted from 2.8b; to read:

2.8b Provide resident recreational fishermen with the right to angle for fish on Crown water bodies; this right being limited to one of opportunity, not necessarily an allowable harvest of fish.

17. “native and non-native” has been added before “stocking program” and “ecological sustainability and” has been added before “economic viability” in 2.9a; to read:

2.9a Evaluate the performance of Manitoba's native and non-native stocking program in terms of ecological sustainability and economic viability, meeting resource enhancement and management objectives and effects on natural stocks.

18. “ensure sustainability of aquatic ecosystems and” has been added after “...guidelines to” in 2.9b; to read:

2.9b Review and revise existing fish stocking guidelines to ensure sustainability of aquatic ecosystems and direct activities where they are most likely to provide supply enhancement or rehabilitation benefits.

19. “biological diversity is not compromised” has been added after “where” in 2.9c; to read:

2.9c. Consider experimental stocking programs where biological diversity is not compromised and significant benefits may result.

20. “commercial enterprises” which was located after “individuals” has been deleted from 2.9f; to read:

2.9f Develop guidelines, practices and conditions to govern the responsibilities of authorized individuals and groups in spawn

taking, rearing and stocking of native species.

21. “Aggressively” from the beginning of 3.2d has been deleted; to read:

3.2d Market recreational fishing opportunities to traditional market areas and facilitate increased promotion of recreational fishing opportunities to visitors in partnership with industry participants.

22. “cultural, human health” has been added after “economic” in 3.6; to read:

*3.6: Prices for the commercial and recreational use and development of fish resources shall reflect its environmental, economic, **cultural, human health** and social value.*

23. “cultural, human health” has been added after “economic” in 3.6a; to read:

*3.6a Develop, in consultation with the public, full cost accounting methodologies for resource pricing that include environmental, economic, **cultural, human health** and social values. These methodologies will be used to establish prices, fees and royalties for use of the fish resource.*

24. “subsidies and” which occurred after “existing” has been deleted from 3.7a; to read:

3.7a Review existing support to the fishing industry and work with the industry to amend and establish incentives to ensure they encourage stakeholders and users of the resource to reinvest in their industry and strengthen their commitment to the sustainability of the resource and their industry and eliminate those incentives which do not.

25. “facilities such as breakwaters” has been added before “public” in 3.8; to read:

*3.8: Provision of fishing related infrastructure, e.g., **facilities such as breakwaters**, public and community docks, boat launches and roads shall be*

encouraged, where appropriate, and planned to ensure the sustainability of all resources and support sustainable economic development.

26. “cultures, human health” has been added after “environment” in 3.8b; to read:

*3.8b Coordinate and consider all the effects of road development to optimize benefits and minimize costs to all resource users, Manitobans, the fish resource, the environment, **cultures, human health** and society.*

27. “cultural,” has been added after “health” in Policy Area 4, Objective 2; to read:

*Objective 2: To ensure fish management plans are developed and implemented that balance environmental, health, **cultural**, social and economic needs of present and future Manitobans while balancing the needs of individuals with the greater public good.*

28. “Regularly” has been added to the start of 4.2a; to read:

*4.2a **Regularly** review and revise as required existing provincial plans by identifying and addressing fish resource issues.*

29. “cultural,” has been added after “health” in 4.3; to read:

*4.3: Fish resource plans shall be prepared and shall consider, address and integrate relevant ecological, environmental, health, **cultural**, social and economic factors.*

30. “cultural” has been added after “health” in 4.3aa; and “other mechanisms” has been added after “species” in 4.3ab; to read:

4.3a Prepare and implement... integrated management plans and ecosystem based management plans... for fish resources and for watersheds or lake systems, as required, that:

*a. include and address environmental, health, **cultural**, social, economic and resource sustainability factors,*

*b. establish, as appropriate, indicator species, **other mechanisms** and*

31. “cultural, health,” has been added after “heritage” in 4.3b; to read:

*4.3b Prepare and implement, as required, specific fish species plans for those species at risk or requiring special attention due to their heritage, **cultural, health, social, environmental or economic significance.***

32. ” Fish resource” has been deleted from the beginning of 4.7 and “of fish resources” has been added after “...economic development”; to read:

*4.7: **Planning and management legislation shall facilitate economic development of fish resources without compromising resource sustainability, while maximizing administrative efficiency and compliance.***

33. “cultures, heritages” has been added after “health” in Policy Area 5 Objective 1; to read:

*Objective 1: **To enhance Manitoban’s understanding of the interrelationships among fish, the environment, human health, cultures, heritages, society and the economy.***

34. “cultures, human health, heritage,” has been added after “environmental” in 5.1; to read:

*5.1: **Public involvement in and enhanced public knowledge about: 1. fish resources, 2. the finite capacity for use, 3. the effects of development activity and 4. the value of the fish resource to Manitoba’s environmental, cultures, human health, heritage, social and economic well being shall be promoted and fostered.***

35. “, successes” has been added after “status” in 5.1f; to read:

*5.1f **Regularly assess, document and make public, information on the status, successes and sustainability of Manitoba’s natural resources.***

36. “, cultural, human health, heritage” has been added after “economic” in 5.2; to read:

*5.2: **Sustainable development of fish resources, environmentally sustainable management practices and the economic, cultural, human health, heritage and social value of fish related industry and activity shall be promoted.***

37. “,cultural, heritage” has been added after “economic” in 5.3; to read:

*5.3: **Understanding and respect of differing economic, cultural, heritage and social views, values, traditions and aspirations respecting fish resource use shall be promoted.***

38. Application 6.3d has been deleted as winter ice fishing is not regulated in regards to ice conditions and would be difficult to do so.

*Delete - 6.3d **Regulate winter ice fishing to avoid unsafe ice and conditions.***

GLOSSARY

Access rights: in regards to commercial net fishing means fishermen who are in "good standing" and can expect the annual renewal of their authorization to participate in the commercial net fishing industry.

Aquatic organisms: all living organisms; plants, animals and protista that reside in water for some or all of their life stages.

Biological diversity: the variability among living organisms from all sources including terrestrial, marine and other aquatic ecosystems, and the ecological complexes of which they are part. This includes diversity within species, between species and ecosystems.

Community fishing operations: a commercial net fishing operation where a collective allocation at a "community" level is made, to enable the fulfilment of social objectives [e.g., increased participation] as opposed to allocations made to individual fishermen.

Ecosystem: a community of organisms functioning and interacting together within their physical environment. It is composed of all living and nonliving parts of the environment in a defined space and time.

Ecosystem based management: the integrated management of ecological systems (natural landscapes, ecological processes, and physical and biological components) and human activities (policies, programs, actions and evaluations) to maintain or enhance the health and integrity of an ecosystem.

Exotic [aquatic species or organisms]: any species or organism not having originated naturally or not having become naturalized in a particular region or environment.

Fish: fish as well as an aquatic invertebrates [e.g., leeches], shell fish [e.g., clams] and crustaceans [e.g., crayfish].

Fish transportation loadslip: a form required by provincial regulation for transporting "commercial quantities of fish".

Full cost accounting: accounting for the economic, environmental, land use, human health, social and

heritage costs and benefits of a particular decision or action to ensure no costs associated with the decision or action, including externalized costs, are left unaccounted for.

Habitat: freshwater environments that directly or indirectly support fish stocks or fish populations.

Local government: municipal governments as per *The Municipal Act*, including Northern Affairs communities and the city of Winnipeg.

Native species: species existing and having originated naturally or having become naturalized in a particular region or environment.

Natural: the resources and services provided by the ecosystems that are indispensable to human economic activity and survival. Natural capital can be either *non-renewable* (e.g., fossil fuels, mineral deposits) or *renewable*. Fish resources represent a renewable component of natural capital, generating a flow of goods in the form of an amount of fish that can be harvested each year without affecting the sustainability of the stock.

No net loss of productive capacity: a working principle which strives to balance unavoidable habitat losses with habitat replacement on a project-by-project basis so that reductions to Manitoba's fish resources due to habitat loss or damage may be prevented, and is to be interpreted consistent with application 1.1a.

Non-government Organization (NGO): any organization that is not part of federal, provincial, territorial or municipal government. Includes private voluntary organizations, corporations, educational institutions and labour unions [from Caring for the Earth]. Example organizations include: Manitoba Naturalist Society, Delta Waterfowl Station, Field And Stream Association For Manitobans With Disabilities, Indigenous Caucus For The Convention on Biological Diversity, Manitoba Lodges and Outfitters Association, Manitoba Cattle Producers Association, Manitoba Wildlife Federation, Riding Mountain Landowners Association, Winnipeg Humane Society, Canadian Parks and Wilderness Society, community round tables, chambers of commerce.

Precautionary principle: having particular careful regard to decisions whose impacts are not entirely certain but which on reasonable and well-informed grounds, appear to pose serious threats to the economy, the environment, human health and social well-being and requires that we anticipate and prevent or mitigate any significant adverse effect of those decisions and actions.

Productive capacity: the maximum natural capacity of habitats to produce healthy fish or to support or produce aquatic organisms upon which fish depend. Note: the measurement of the natural capacity of habitats is an evolving science.

Protist: any of a kingdom or other group of unicellular or acellular organisms comprising bacteria, protozoans, various algae and fungi and sometimes viruses.

Quota Entitlement System: a proprietary interest in the access right of commercial fishermen and allows for the sale or transfer of those access rights to another qualified individual. This system allows fishermen to recoup some of their investment in fishing by selling their quota entitlement upon retirement and defines their authorized harvest level (individual quota) which allows them to minimize over-capitalization by making appropriate capital investments.

Right to angle: the principle that licensed resident recreational anglers can fish on all Crown waters, where angling is allowed (exceptions: during spring closed times and on Limestone Bay which is closed to all fishing). The "right" is one of opportunity to "angle" and not one of tenured harvest, that is the harvest limit could be zero. Non-resident recreational anglers are considered an "economic opportunity" and angling can be restricted or directed to generate economic benefits for Manitoba.

Riparian areas: the zone along rivers, creeks, lakes, sloughs, potholes and springs.

Subsistence harvesting: the harvesting of fish for subsistence reasons [necessity for life] and includes food fishing in remote northern areas by non-status persons and the constitutionally protected right of status Indians to fish for food.

Salvage fish harvesting: the harvest of fish that would otherwise go to waste in such situations as

might occur due to winter oxygen depletion and an impending fish kill or due to an impending habitat alteration and expected high level of fish mortality.

Sustainability: the capacity of a thing, action, activity or process to be maintained indefinitely in a manner consistent with the spirit of Manitoba's Principles and Guidelines of sustainable development.

Sustainable development: meeting the needs of the present without compromising the ability of future generations to meet their own needs.

Tenure: the management principle that recognizes the right of licensed commercial fishing operators (net and tourism based) to continue to fish or provide angling opportunities provided they meet specified performance standards. The tenure right is considered to be transferable to other commercial operators subject to provincial approval and is a right of access to, not ownership of fish.

Water quality: the characteristics of water that help determine its usefulness for whatever purpose desired; e.g., flow, volume, pH, temperature, hardness, trace elements, etc. In this case, the characteristics of water that determine if fishes can or will live in the water.