# Maa-nulth First Nations Annual Fishing Plan
## For Fisheries Conducted under the Maa-nulth Fishing Right
## (February 1, 2016 to January 31, 2017)

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## Introduction

This fishing plan has been prepared by the Maa-nulth First Nations (MFN) for submission to the Joint Fisheries Committee to assist in the planning for Maa-nulth fisheries to be conducted between February 1, 2016 and January 31, 2017.

The fishing plan describes the proposed harvest plans and harvest expectations for each species, based on pre-season run size forecasts and stock outlooks provided by DFO, to ensure that the Department of Fisheries and Oceans (DFO) is aware of potential MFN's harvest levels and preferred harvest times, areas and methods for each species or species group.

This Fishing Plan is structured to provide general information applicable to all species in the main body of text with specifics for salmon, groundfish, herring, intertidal bivalves, and unallocated species in Schedules to this document.

Formulas for calculating the Maa-nulth annual entitlements for each allocated species are provided in

Schedule **1**.

## General

Maa-nulth fisheries will be conducted in a manner consistent with the Maa-nulth Final Agreement, Maa-nulth Harvest Documents, Maa-nulth Fisheries Operational Guidelines (FOG) document, FOG Supporting Document, Maa-nulth First Nation Laws, Federal Laws, and British Columbia Laws. As indicated in the Maa-nulth Final Agreement, Maa-nulth fisheries will be conducted within the Maa-nulth Domestic Fishing Area (MDFA) (Schedule 2) or Maa-nulth Intertidal Bivalve Fishing Area (Schedule 6), unless otherwise permitted in Harvest Documents issued by DFO and protocols established with other First Nations in British Columbia.

Each Maa-nulth Nation has enacted a Natural Resource Harvesting Act and Fisheries Regulations to govern the harvesting of Fish and Aquatic Plants in Maa-nulth fisheries. The Fisheries Regulations specify measures related to designation and licencing of individuals and vessels, the identification of vessels and fishing gear, release of incidental catch, reporting of catch, trade and barter of fish or aquatic plants, and transportation of fish and aquatic plants.

Conservation measures may be needed to protect species of concern within the MDFA. Conservation issues related to any species which could be encountered in a Maa-nulth fishery are described in various documents including the DFO Integrated Fisheries Management Plans (IFMP), the Maa-nulth FOG and FOG Supporting Documents, and various recovery plans, or other such plans.

## Maa-nulth Participation in Integrated Fisheries Management Processes

The Maa-nulth Treaty enables co-operative fisheries management arrangements with Canada and BC through the Joint Fisheries Committee. The JFC meets 2-4 times per year to address a variety of fisheries related matters. In all matters, the Parties to the Maa-nulth Treaty are guided by the Treaty itself, FOG, FOG Supporting Document and Maa-nulth First Nations laws.

In addition, Maa-nulth First Nations representatives (the Maa-nulth Fisheries Committee) participate in pre-season, inseason and post season forums sponsored by DFO. These include, but are not limited to, the following:

- Input to DFO Pacific Region Integrated Fisheries Management Plans;
- Participation in the multi-sectoral Area 23 and Area 26 Salmon Round Tables;
- Inseason calls with DFO staff on a regular basis for sockeye salmon and as needed for other species to update Maa-nulth catches, total catch, and stock status;
- Post-season reviews of Maa-nulth catches, total catch, and stock status; and
- Participate in processes related to Species at Risk, Invasive Species, Canadian Science Advisory Secretariat, and Regulatory Advisory Processes.

## Catch Reporting

Each Maa-nulth First Nation's Fisheries Regulations specifies that anyone who harvests Fish and Aquatic Plants in a Maa-nulth First Nation fishery must report the quantity harvested to the Maa-nulth First Nation fishery manager in accordance with the terms and conditions identified in a Maa-nulth Harvest Document, Maa-nulth Regulations, or an Order made under the authority of a Maa-nulth Natural Resources Harvesting Act. All catch reporting will be consistent with those described in any Maa-nulth Harvest Document, the Maa-nulth FOG, FOG Supporting Document, and any management plan developed for Maa-nulth fisheries.

The Maa-nulth First Nations have developed a harmonized catch monitoring system based on complete catch accounting and reporting using standardized catch reporting books and the Maa-nulth Electronic Reporting Program (MERP) developed by DFO. Harvesters are required to record the date, gear, location, species and number and/or weight for their weekly catch (for the period Sunday to Saturday) on the Weekly Catch Report Form and deliver this form (by paper copy, email, or telephone) to their Nation's Fisheries Department before 4 pm on the following Monday. All Weekly Catch Report Forms must be delivered in paper copy to the respective Maa-nulth Nation's Fisheries Department at the end of the fishing season. Annual dock-side monitoring by Maa-nulth First Nations further supports Maa-nulth Catch Monitoring and Reporting.

A list of designated harvesters and their designation numbers as well as designated vessels for each Maa-nulth Nation is entered into the MERP and updated as new harvesters are identified throughout the fishing season. These lists of harvesters are provided to DFO through the MERP system. This includes all "high-capacity" harvesters and vessels.

Non-Maa-nulth-aht harvesters and commercially equipped vessels are those that are owned and/or operated by non-Maa-nulth-aht and designated by a Maa-nulth First Nation to fish under the Maa-nulth Fishing Right for an allocated species. Non-Maa-nulth-aht harvesters using commercially equipped vessels are designated through contractual arrangements with each Maa-nulth First Nation. Each non-Maa-nulth-aht commercially equipped vessel must fly a Maa-nulth flag, carry proper designation papers and complete all required catch reporting forms provided by the applicable Maa-nulth First Nation.

Harvesters who are no longer designated will be identified in the MERP and DFO will be notified within 24 hours.

As has been the case in previous years, the Huu-ay-aht First Nation Fisheries Department coordinates the entry of all Maa-nulth catch data into the MERP and provides to DFO.

During the Barkley Sound Sockeye fishery, Maa-nulth will provide cumulative catch and effort estimates for the period ending midnight Monday to DFO 24 hours in advance of the weekly Area 23 Harvest Committee call held every Thursday. These estimates will be provided outside of the MERP reporting process.

**Enforcement and Compliance**

DFO and the Maa-nulth First Nations have a draft communication protocol for cooperative enforcement of Maa-nulth fisheries within the MDFA. The Maa-nulth First

Nations will continue to implement domestic fisheries consistent with the draft communication protocol.

**Fishing Plans by Species**
Fishing plans for all allocated species are provided in Schedule 3 through Schedule 6. Fishing plans for unallocated species are provided in Schedule 7. Each plan describes the area, dates and times of harvest, the methods of harvest (type of gear), as well as any size restrictions or other conservation matters of relevance. Pre-season plans for high capacity fisheries or fisheries targeting single stocks are also provided. For allocated species, the plans included initial pre-season expectations for the quantity of harvest. Where appropriate, area-specific harvest amounts and timing are provided.

**The Maa-nulth Account**
As of 31 January 2015, the Maa-nulth fisheries had an accumulated underage of 50 Terminal Chinook, 7,650 Henderson Lake Sockeye and 14,833 Fraser River Sockeye. These underages are included in the harvest targets for each species specific section of this plan. THIS SECTION TO REMAIN DRAFT UNTIL AGREEMENT IS REACHED

**General Restrictions**
The following general restrictions will be in place for the period of this fishing plan:

1. From August 1 to September 30, no fishing for salmon, or other finfish by any means including gill-net, seine, hook and line in Nahmint Bay (that area bounded on the south by a line from a boundary marker at Chesnucknuw Creek to a boundary marker on the western shore of Alberni Inlet, and on the north by line from Hocking Point 127° true to a boundary marker on the opposite shore of Alberni Inlet);
2. After May 31, no fishing for Somass River Sockeye salmon inside Uchucklesit Inlet (that area bounded by a line from Limestone Island to the southern extent of former IR #1);
3. No retention of Terminal Chinook salmon inside Uchucklesit Inlet (that area bounded by a line from Limestone Island to the southern extent of former IR #1);
4. The maximum mesh size for gillnets fished in Uchucklesit Inlet (that area bounded by a line from Limestone Island to the southern extent of former IR #1) is 133 mm or 5 ¼ inches and a maximum net length of 100m.; and
5. From July 1 to October 15, except as part of the KCFN Chinook Assessment Project, no fishing for Terminal Chinook salmon within those portions of Area 26 and Area 126 within the Maa-nulth Domestic Fishing Area landward of a line one nautical mile seaward of the surfline.

## Schedule 1 Species Allocations for the Maa-nulth Fishing Right

## CHINOOK SALMON ALLOCATION

1. In this Schedule:

**"Ocean Chinook Salmon Canadian Total Allowable Catch"** means the amount established by the Minister as available for harvest in Canadian waters off the West Coast Vancouver Island by aboriginal, commercial and recreational fisheries of Chinook salmon that are predominantly of non-West Coast Vancouver Island stocks.

**"Ocean Chinook Salmon"** means Chinook salmon taken into account in the calculation of Ocean Chinook Salmon Canadian Total Allowable Catch.

**"Terminal Chinook Salmon"** means Chinook salmon in those parts of Areas 23, 26, 123 and 126 as defined in the *Pacific Fishery Management Area Regulations*, that are landward inside of a line that is one nautical mile seaward from the surfline, but does not include Ocean Chinook Salmon.

**Allocation**2. Each year, the Maa-nulth Fish Allocation for Chinook salmon is:

a. an amount of Ocean Chinook Salmon equal to 1,875 pieces plus 1.78 % of the Ocean Chinook Salmon Canadian Total Allowable Catch; and

b. an amount of Terminal Chinook Salmon equal to:

i. 200 pieces, when the return of Terminal Chinook Salmon is Critical;

ii. 1,500 pieces, when the return of Terminal Chinook Salmon is Low;

iii. 2,000 pieces, when the return of Terminal Chinook Salmon is Moderate; and

iv. 2,600 pieces, when the return of Terminal Chinook Salmon is Abundant.

3. For the purpose of paragraph 2 the terms "Critical", "Low", "Moderate", and "Abundant" are determined by the Minister as described in the Maa-nulth Fisheries Operational Guidelines.

4. Where a Maa-nulth First Nation harvests Chinook salmon under its Maa-nulth First Nation Fishing Right at a time and in a location where a harvest of:

a. Ocean Chinook Salmon is authorized by the Minister, those Chinook salmon are counted as Ocean Chinook Salmon; and

b. Terminal Chinook Salmon is authorized by the Minister, those Chinook salmon are counted as Terminal Chinook Salmon.

5. Within the Domestic Fishing Area, the time and location for the harvest of:

a. Ocean Chinook Salmon under the Maa-nulth First Nation Fishing Rights; and

b. Terminal Chinook Salmon under the Maa-nulth First Nation Fishing Rights; will be consistent with the description in the Maa-nulth Fisheries Operational Guidelines.

## CHUM SALMON ALLOCATION

1. In this Schedule:

**"Terminal Chum Salmon"** means Chum salmon in those parts of Areas 23, 26, 123 and 126 as defined in the *Pacific Fishery Management Area Regulations* that are landward inside of a line that is one nautical mile seaward from the surfline.

### Allocation

2. Each year, the Maa-nulth Fish Allocation for Chum salmon is:

   a. 3,000 pieces, when the return of Terminal Chum Salmon is Critical;

   b. 6,500 pieces, when the return of Terminal Chum Salmon is Low;

   c. 10,000 pieces, when the return of Terminal Chum Salmon is Moderate;

   d. 14,000 pieces, when the return of Terminal Chum Salmon is Abundant; and

   e. 17,500 pieces, when the return of Terminal Chum Salmon in Very Abundant.

3. For purposes of paragraph 2, the terms "Critical", "Low", "Moderate", "Abundant" and "Very Abundant" are determined by the Minister as described in the Maa-nulth Fisheries Operational Guidelines.

# COHO SALMON ALLOCATION

1. In this Schedule:

**"Ocean Coho Salmon"** means Coho salmon harvested in those parts of Areas 123 and 126 as defined in the *Pacific Fisheries Management Area Regulations* that are one nautical mile seaward from the surfline.

**"Ocean Coho Salmon Canadian Total Allowable Catch"** means the amount established by the Minister as available for harvest in Canadian waters off the West Coast of Vancouver Island by aboriginal, commercial and recreational fisheries of Coho salmon that are predominantly of non-West Coast Vancouver Island stocks.

**"Terminal Coho Salmon"** means Coho salmon in those parts of Areas 23, 26, 123 and 126 as defined in the *Pacific Fishery Management Area Regulations*, that are landward of a line that is one nautical mile seaward from the surfline, but does not include Ocean Coho Salmon.

## Allocations

2. Each year, the Maa-nulth Fish Allocation for Coho salmon is:

    a. an amount of Ocean Coho Salmon equal to 7,000 pieces; and

    b. an amount of Terminal Coho Salmon equal to,

        i. 1,200 pieces, when the return of Terminal Coho Salmon is Critical;

        ii. 1,850 pieces, when the return of Terminal Coho Salmon is Low;

        iii. 3,050 pieces, when the return of Terminal Coho Salmon is Moderate; and

        iv. 3,630 pieces, when the return of Terminal Coho Salmon is Abundant.

3. For purposes of paragraph 2, the terms "Critical", "Low", "Moderate", and "Abundant" are determined by the Minister as described in the Maa-nulth Fisheries Operational Guidelines.

4. Where a Maa-nulth First Nation harvests Coho salmon under its Maa-nulth First Nation Fishing Right at a time and in a location where a harvest of:

    a. Ocean Coho Salmon is authorized by the Minister, those Coho salmon are counted as Ocean Coho Salmon; and

    b. Terminal Coho Salmon is authorized by the Minister, those Coho salmon are counted as Terminal Coho Salmon.

5. Within the Domestic Fishing Area, the time and location for the harvest of:

    a. Ocean Coho Salmon under the Maa-nulth First Nation Fishing Rights; and

    b. Terminal Coho Salmon under the Maa-nulth First Nation Fishing Rights; will be consistent with the description in the Maa-nulth Fisheries Operational Guidelines.

6. During the ten year period immediately following the Effective Date, Canada will gather information on Coho salmon that return to spawn in the Malksope River.

7. At the end of the ten year period referred to in paragraph 6 the Parties will review

and discuss the information referred to in paragraph 6 to determine whether the information is representative of Coho salmon stocks in Area 26.

8. In making the determination under paragraph 7, the Parties will take into account:

   a. the information referred to in paragraph 6;

   b. the information about Coho salmon in streams in Area 26, other than the Malksope River; and

   c. other relevant information.

9. If the Parties determine that the information referred to in paragraph 6 is representative of Coho salmon stocks in Area 26, upon the request of any Party, the Parties will negotiate and attempt to reach agreement on amendments to paragraph 2 that result in an average allocation of 4,300 pieces, based on the information referred to in paragraph 6.

10. The Parties may request that the Joint Fisheries Committee consider and provide recommendations regarding the matters described in paragraphs 8 and 9.

## PINK SALMON ALLOCATION

1. In the first two year period following the Effective Date, and in each subsequent two year period, the Maa-nulth Fish Allocation for Pink salmon is 7,250 pieces.

2. The time, location and amount of harvests of West Coast of Vancouver Island Pink salmon under the Maa-nulth First Nation Fishing Rights will be consistent with the description in the Maa-nulth Fisheries Operational Guidelines.

## SOCKEYE SALMON ALLOCATION

1. In this Schedule:

**"Fraser River Sockeye Salmon Canadian Total Allowable Catch"** means the amount established by the Minister that is calculated to be available for the harvest in Canadian waters by aboriginal, commercial and recreational fisheries of Sockeye salmon that originate in the Fraser River watershed.

**"Somass Sockeye Canadian Total Allowable Catch"** means the amount established by the Minister that is calculated to be available for the harvest in Canadian waters by aboriginal, commercial and recreational fisheries of Sockeye salmon that originate in the Somass River watershed.

**"Henderson Lake Sockeye Total Allowable Catch"** means the amount established by the Minister that is calculated to be available for the harvest by aboriginal, commercial and recreational fisheries of Sockeye salmon that originate in the Henderson Lake watershed.

**"Terminal Jensen Lake Sockeye Salmon"** means Sockeye salmon that originate in the Jensen River and Lake watershed and are present in the area landward of a line one nautical mile seaward from the mouth of the Jensen River.

**"Terminal Power Lake Sockeye Salmon"** means Sockeye salmon that originate in the Power River and Lake watershed and are present in the area landward of a line one nautical mile seaward from the mouth of the Power River**.**

### Allocation

2. Each year, the Maa-nulth Fish Allocation for Sockeye salmon is:

    a. an amount of Somass Sockeye equal to:

        i. when the Somass Sockeye Canadian Total Allowable Catch is 50,000 or less, 20% of the Somass Sockeye Canadian Total Allowable Catch;

        ii. when the Somass Sockeye Canadian Total Allowable Catch is 50,000 and less than or equal to 85,000, then 10,000 plus 10% of that portion of the Somass Sockeye Canadian Total Allowable Catch that is greater than 50,000 and less than or equal to 85,000;

        iii. when the Somass Sockeye Canadian Total Allowable Catch is 85,000 and less than or equal to 412,421, then 13,500 plus 2.87% of that portion of the Somass Sockeye Canadian Total Allowable Catch that is greater than 85,000 and less than or equal to 412,421; and

        iv. when the Somass Sockeye Canadian Total Allowable Catch is greater than 412,421, then 22,886;

    b. an amount of Fraser River Sockeye Salmon will be 0.13366% of the Fraser River Sockeye salmon Canadian Total Allowable Catch;

    c. an amount of Henderson Lake Sockeye Salmon equal to 26.85% of the Henderson Lake Total Allowable Catch up to a maximum of 17,055 pieces;

    d. an amount of Terminal Jensen Lake Sockeye Salmon equal to 50% of the

amount of Terminal Jensen Lake Sockeye Salmon that the Minister determines is available for harvest; and

e. an amount of Terminal Power Lake Sockeye Salmon equal to 50% of the amount of Terminal Power Lake Sockeye salmon that the Minister determines is available for harvest.

3. Where a Maa-nulth First Nation harvests Sockeye salmon under its Maa-nulth First Nation Fishing Right at a time and in a location where a harvest of:

   a. Somass Sockeye Salmon is authorized by the Minister, those Sockeye salmon are counted as Somass Sockeye Salmon;

   b. Fraser River Sockeye Salmon is authorized by the Minister, those Sockeye salmon are counted as Fraser River Sockeye Salmon;

   c. Terminal Jensen Lake Sockeye Salmon is authorized by the Minister, those Sockeye salmon are counted as Terminal Jensen Lake Sockeye Salmon;

   d. Terminal Power Lake Sockeye Salmon is authorized by the Minister, those Sockeye salmon are counted as Terminal Power Lake Sockeye Salmon; and

   e. Henderson Lake Sockeye Salmon is authorized by the Minister, those Sockeye salmon are counted as Henderson Lake Sockeye Salmon.

4. Within the Domestic Fishing Area, the time and location for the harvest of:

   a. Somass Sockeye Salmon under the Maa-nulth First Nation Fishing Rights;

   b. Fraser River Sockeye Salmon under the Maa-nulth First Nation Fishing Rights;

   c. Terminal Jensen Lake Sockeye Salmon under the Maa-nulth First Nation Fishing Rights;

   d. Terminal Power Lake Sockeye Salmon under the Maa-nulth First Nation Fishing Rights; and

   e. Henderson Lake Sockeye Salmon under the Maa-nulth First Nation Fishing Rights,

will be consistent with the description in the Maa-nulth Fisheries Operational Guidelines.

# NON -SALMON ALLOCATIONS

## General

1. The time and location for harvest of non-salmon under the Maa-nulth First Nation Fishing Rights will be consistent with the description in the Maa-nulth Fisheries Operational Guidelines.

## Herring Allocation

2. Each year the Maa-nulth Fish Allocation for whole Herring is 90 short tons or a corresponding amount of Herring spawn on kelp or Herring spawn on boughs in accordance with the conversion rates for whole Herring to Herring spawn on kelp or Herring spawn on bough as described in the Maa-nulth Fisheries Operational Guidelines.

## Halibut Allocation

3. In paragraph 4:

**"Halibut Canadian Total Allowable Catch"** means the amount established by the Minister that is calculated to be available for the harvest in Canadian waters by aboriginal, commercial and recreational fisheries of Pacific halibut.

4. Each year, the Maa-nulth Fish Allocation for halibut is 26,000 pounds plus 0.39% of the Halibut Canadian Total Allowable Catch.

## Groundfish and Rockfish Allocations

5. In paragraph 6:

"**Rockfish Commercial Total Allowable Catch**" means the amount, established by the Minister that is calculated to be available for the harvest in Canadian waters by commercial fisheries described as the outside rockfish category ZN Total Allowable Catch for west coast Vancouver Island Yelloweye, Quillback, Copper, China, and Tiger.

6. Each year, the Maa-nulth Fish Allocation of Rockfish is 11,250 pounds, plus 2.46% of the Rockfish Commercial Total Allowable Catch.

7. Each year, the Maa-nulth Fish Allocation of Groundfish is 13,000 pounds of whole fish.

## Sablefish Allocation

8. In paragraph 9:

**"Sablefish Canadian Total Allowable Catch"** means the amount established by the Minister that is calculated to be available for the harvest in Canadian waters by aboriginal, commercial and recreational fisheries of Pacific sablefish.

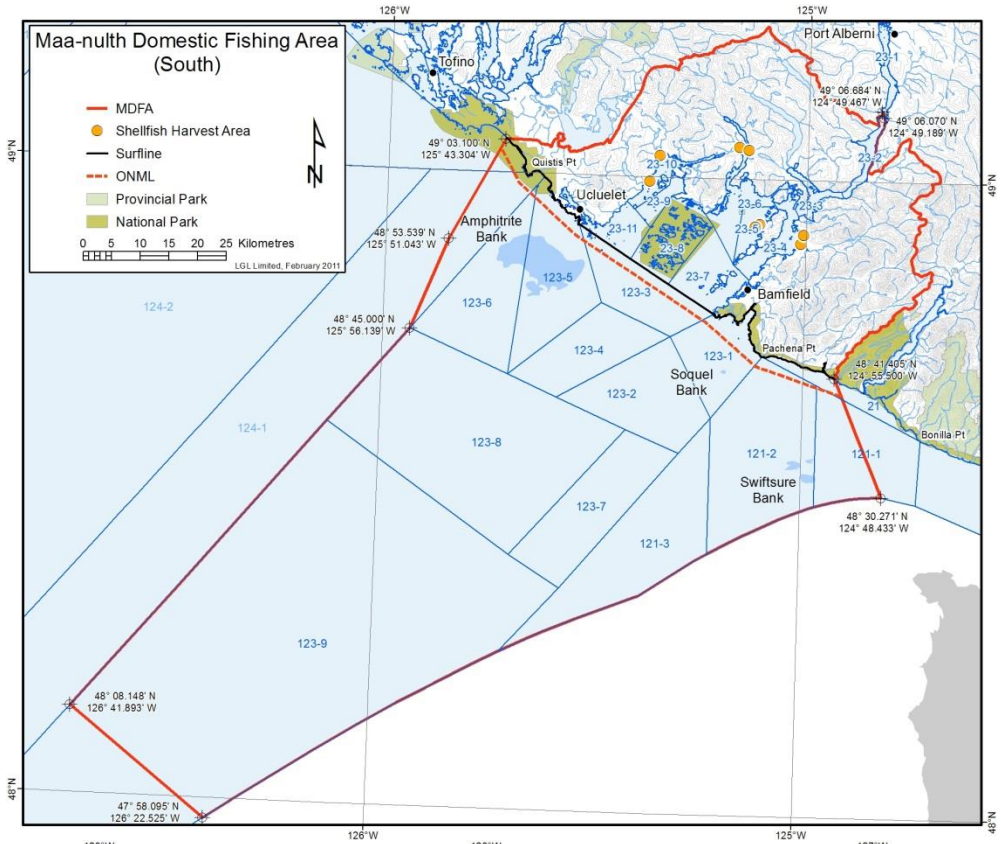
9. Each year the Maa-nulth Fish Allocation for sablefish is 0.082% of the Sablefish Canadian Total Allowable Catch.

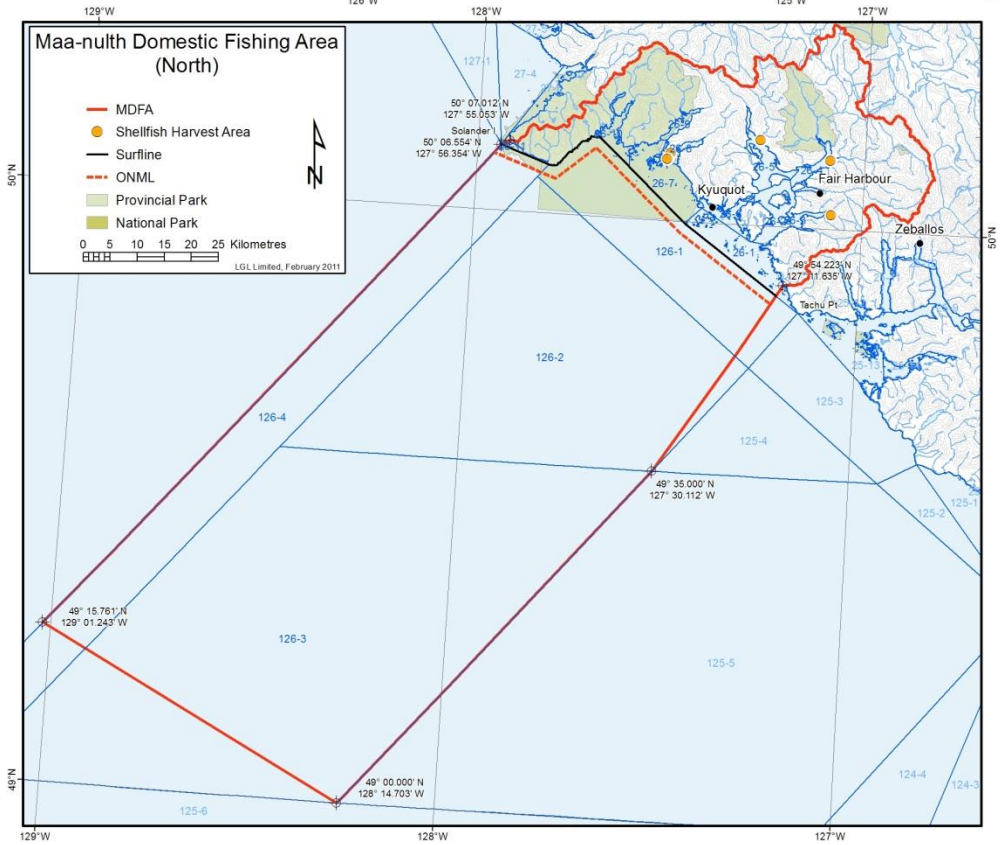
## INTER-TIDAL BIVALVE ALLOCATION

1. Each year the Maa-nulth Fish Allocation of Inter-tidal Bivalves is the total allowable catch from the beaches between the high water mark and the low water mark in the area described as “Inter-tidal Bivalve Harvest Areas” in:
   a. Part 1, Plan 1 of Appendix P for Toquart Bay;
   b. Part 1, Plan 2 of Appendix P for Effingham Inlet;
   c. Part 1, Plan 3 of Appendix P for Tzartus Island;
   d. Part 1, Plan 4 of Appendix P for Sarita River;
   e. Part 1, Plan 5 of Appendix P for Big Bunsby;
   f. Part 1, Plan 6 of Appendix P for Kauwinch River;
   g. Part 1, Plan 7 of Appendix P for Artlish River; and
   h. Part 1, Plan 8 of Appendix P for Amai Inlet.

2. Intertidal bivalves are defined in the Maa-nulth Final Agreement as:
   a. manila clams,
   b. varnish clams,
   c. butter clams,
   d. littleneck clams,
   e. razor clams, and
   f. oysters

## Schedule 2 Maa-nulth Domestic Fishing Area for All Species except Intertidal Bivalves



**Schedule 3: Maa-nulth First Nations Annual Fishing Plan – Herring (February 1, 2016 to January 31, 2017)**

This fishing plan has been prepared by the Maa-nulth First Nations (MFN) for submission to the Joint Fisheries Committee to assist in the planning for Maa-nulth herring fisheries to be conducted between February 1, 2016 and January 31, 2017.

The fishing plan describes the proposed harvest plans and harvest expectations for herring, based on pre-season run size forecasts, to ensure that the Department of Fisheries and Oceans (DFO) is aware of potential MFN's harvest levels and preferred harvest times, areas and methods. The plan details the location and dates and times of harvest, the methods of harvest (type of gear), as well as any size restrictions or other conservation matters of relevance.

| **Roe-Herring** | |
|---|---|
| Fishery: | A domestic harvest of whole herring (for roe) and herring spawn-on-kelp is proposed for the fishing period by MFN. |
| Area: | Roe Herring will be harvested within the MDFA. |
| Dates and Times: | From February 1, 2016 to April 20, 2016 fishing will be 7 days per week. |
| Gear: | Boughs, kelp, nets, rakes, angling, gillnet, seine. |
| Size: | There are currently no size restrictions for domestic harvests of Roe Herring. |
| Pre-Season Expectation: | 80 short tons of whole herring (for roe) or equivalent of spawn-on-kelp will be harvested from the July 1, 2015 to June 30, 2016 available biomass. |
| Revised Expectation: | |
| Conservation | No conservation concerns have been identified that would prohibit MFN from harvesting Roe Herring during the fishing period. |
| **Whole (Meat) Herring** | |
| Fishery: | A domestic harvest of Herring (for meat) is proposed for the fishing period by MFN. |
| Area: | Whole Herring will be harvested within the MDFA. |
| Dates and Times: | From February 1, 2016 to January 31, 2017 fishing will be 7 days per week. |
| Gear: | Dip net, rakes, angling, gillnet, and seine. It is envisioned that the majority of Whole Herring will come from test fisheries in 2014. |
| Size: | There are currently no size restrictions for domestic harvests of Whole Herring. |
| Pre-Season Expectation: | It is anticipated that 5 short tons will be taken from the July 1, 2015 to 30 June 2016 available biomass and 5 short tons will be taken from the July 1, 2016 to 30 June, 2017 available biomass. |
| Revised Expectation: | |
| Conservation | No conservation concerns have been identified that would prohibit MFN from harvesting Whole Herring during the fishing period. |

**Schedule 4 Maa-nulth First Nations Annual Fishing Plan – Salmon**
**(February 1, 2016 to January 31, 2017)**

This fishing plan has been prepared by the Maa-nulth First Nations (MFN) for submission to the Joint Fisheries Committee to assist in the planning for Maa-nulth salmon fisheries to be conducted between February 1, 2016 and January 31, 2017.

The fishing plan describes the proposed harvest plans and harvest expectations for salmon, based on pre-season run size forecasts, to ensure that the Department of Fisheries and Oceans (DFO) is aware of potential MFN's harvest levels and preferred harvest times, areas and methods. The plan details the location and dates and times of harvest, the methods of harvest (type of gear), as well as any size restrictions or other conservation matters of relevance.

| **Fraser River Sockeye salmon** | |
|---|---|
| Fishery: | A domestic harvest of Fraser River Sockeye Salmon is proposed for the fishing period by MFN. |
| Area: | Fraser River Sockeye Salmon will be harvested inside or outside the MDFA as required for the Maa-nulth Nations to achieve the allocation (including any underages). In keeping with Paragraph 10.1.6b of the Maa-nulth Final Agreement, DFO will issue a supplemental Harvest Document to Maa-nulth to permit fishing outside the MDFA. Appropriate protocols with other non-Maa-nulth First Nations will be in place prior to fishing outside the MDFA. |
| Dates and Times: | From July 15 to September 30 fishing will be 7 days per week. See also the proposed fishing strategy with respect to fishing outside the MDFA submitted to the Minister for approval. |
| Gear: | Angling, trolling, gill net, and seine. Fraser Sockeye Salmon will be harvested in 2016 primarily by commercial troll and gillnet gear in Area 123 but also in Area 126 to a lesser extent. |
| Size: | No Fraser River Sockeye Salmon less than 30cm (12inches) in nose-fork length will be harvested, other than by-catch that is unlikely to survive if released. |
| Pre-Season Expectation: | Based on the pre-season (50% probability) run size forecast, the expected harvest level for MFN fisheries in 2016 is **xxxx** Fraser River Sockeye Salmon. If fishing outside the MDFA occurs, the Maa-nulth Nations intend to fish an additional **xxxx** (xx% of the accumulated underage) pieces of the accumulated underage for Fraser Sockeye. This equates to a total harvest in 2016 of **xxxx** Fraser Sockeye. |
| Revised Expectation: | |
| Conservation | See general prohibitions on Page 3 of this Maa-nulth Fishing Plan. No other conservation concerns have been identified that would prohibit MFN from harvesting Fraser River Sockeye Salmon during the fishing period. |
| **Somass River Sockeye salmon** | |
| Fishery: | A domestic harvest of Somass River Sockeye Salmon is proposed for the fishing period by MFN. MFN will implement a targeted "high-capacity" fishery (commercial gillnets) commencing June 1 using commercial gillnets to harvest the majority of the Somass River Sockeye Salmon allocation. This fishery will |

| | |
|---|---|
| | be coordinated by Larry Johnson, Chair of the MFC. It is anticipated that the remainder of the allocation will be taken by individual Maa-nulth Nation harvesters either individually or as contract fisheries. Until advised otherwise, Maa-nulth will fish to the pre-season forecast. Maa-nulth will fish to any adjusted in-season re-forecasts and will adjust fishing plans accordingly. |
| Area: | Somass River Sockeye Salmon will be harvested within the MDFA. After May 31, fishing for Somass River Sockeye Salmon will only occur outside that portion of Subarea 23 -3 inside a line from Limestone Island to the southern boundary of former IR#1 (Uchucklesit Inlet). |
| Dates and Times: | From May 1 to August 31 fishing will be 7 days per week. Specific fishing days for the high capacity fishing gear will be decided inseason and in conjunction with the Area 23 planning process. |
| Gear: | Angling, trolling, spear, gill net, seine. |
| Size: | No Somass River Sockeye Salmon less than 30cm (12inches) in nose-fork length will be harvested, other than by-catch that is unlikely to survive if released. |
| Pre-Season Expectation: | Based on the expectation of a Canadian Total Allowable Catch (CTAC) of **420,000** Somass Sockeye, the expected harvest level for MFN fisheries in the fishing period is **22,886** Somass River Sockeye Salmon. In addition, Maa-nulth proposes to harvest an additional 3000 Somass Sockeye to offset a portion of the accumulated underage of Henderson Sockeye. |
| Revised Expectation: | |
| Conservation | See general prohibitions on Page 3 of this Maa-nulth Fishing Plan. No other conservation concerns have been identified that would prohibit MFN from harvesting Somass River Sockeye Salmon during the fishing period. |
| **Henderson Lake Sockeye Salmon** | |
| Fishery: | A domestic harvest of Henderson Lake Sockeye Salmon is proposed for the fishing period by MFN. A portion of the MFN harvest of Henderson Lake Sockeye Salmon will be taken as by catch in MFN fisheries targeting Somass River Sockeye Salmon. The remainder of the allocation will be taken by Uchucklesaht Tribe authorized harvesters inside Uchucklesit Inlet. Henderson Lake Sockeye Salmon will be fished through protocol agreement with the Uchucklesaht Tribe. |
| Area: | Henderson Lake Sockeye Salmon will be harvested within the southern portion of the MDFA. |
| Dates and Times: | From June 1 to October 15 fishing will be 7 days per week. |
| Gear: | Angling, trolling, spear, gill net, seine, trap, weir, dipnet. Gillnets used inside Uchucklesit Inlet will have a mesh size no larger than 133mm (5 ¼ inches) and maximum length of 100m. |
| Size: | No Henderson Lake Sockeye Salmon less than 30cm (12inches) in nose-fork length will be harvested, other than by-catch that is unlikely to survive if released. |
| Pre-Season Expectation: | Based on a forecasted Total Allowable Catch (TAC) of **2250**, the expected harvest level for MFN fisheries in the fishery is **604** Henderson Sockeye. |
| Revised | |

| | |
|---|---|
| Expectation: | |
| Conservation Concerns: | See general prohibitions on Page 3 of this Maa-nulth Fishing Plan. No other conservation concerns have been identified that would prohibit MFN from harvesting Henderson Lake Sockeye Salmon during the fishing period. |
| **Power Lake Sockeye Salmon** | |
| Fishery: | No fishery proposed |
| Area: | |
| Dates and Times: | |
| Gear: | |
| Size: | |
| Pre-Season Expectation: | |
| Revised Expectation: | |
| Conservation Concerns: | |
| **Jansen Lake Sockeye Salmon** | |
| Fishery: | Sockeye stocks in Jenson Lake are near extinction and at very depressed levels. No fishery targeting Jansen Lake Sockeye Salmon is planned for the fishing period. |
| Area: | NA |
| Dates and Times: | NA |
| Gear: | NA |
| Size: | NA |
| Pre-Season Expectation: | NA |
| Revised Expectation: | |
| Conservation Concerns: | See general prohibitions on Page 3 of this Maa-nulth Fishing Plan. The stock size of Jensen Lake Sockeye Salmon is presently unknown and believed to be too low to allow for any fishing mortality. |
| **Ocean Chinook Salmon** | |
| Fishery: | A domestic harvest of Ocean Chinook Salmon is proposed for the fishing period by MFN. |
| Area: | Ocean Chinook Salmon will be harvested for Domestic purposes in the MDFA. |
| Dates and Times: | From February 1, 2016 to January 31, 2017 fishing will be 7 days per week. Between August 1 and October 15, fishing for Ocean Chinook Salmon will only occur seaward of a line one nautical mile seaward of the surfline in Areas 23, 121, 123, and 124. Between July 1 and October 15 fishing for Ocean Chinook Salmon will only occur seaward of a line one nautical mile seaward of the surfline in Areas 26 and 126. |
| Gear: | Angling, trolling, Longline, gill net, and seine. Ocean Chinook will be harvested in 2016 primarily by individual harvesters and commercial troll gear in Area 23/123 and Area 26/126. A portion of the Terminal Chinook Allocation will |

| | |
|---|---|
| | come from the Area 26 test fishery. |
| Size: | No Ocean Chinook Salmon less than 30cm (12inches) in nose-fork length will be harvested, other than as by-catch that is unlikely to survive if released. |
| Pre-Season Expectation: | As of May 28, the CTAC for PST AABM Chinook had not been set. In the absence of a PST AABM CTAC for 2016, DFO has set the 2016 CTAC at **xxxx**. Therefore, the expected harvest level for MFN fisheries in the fishing period is **xxxx** Ocean Chinook Salmon. |
| Revised Expectation: | |
| Conservation Concerns: | See general prohibitions on Page 3 of this Maa-nulth Fishing Plan. No other conservation concerns have been identified that would prohibit MFN from harvesting Ocean Chinook Salmon during the fishing period. |
| **Terminal Chinook Salmon** | |
| Fishery: | A domestic harvest of Terminal Chinook Salmon is proposed for the fishing period by MFN. Harvesting of Terminal Chinook Salmon will be by individual harvesters or incidentally in contract fisheries in areas where the Chinook being harvested are predominantly of local (WCVI) origin, but likely mixed stocks. |
| Area: | Terminal Chinook Salmon will be harvested for domestic purposes in the Southern MDFA landward of a line one nautical mile seaward of the surfline. |
| Dates and Times: | From August 1 to October 15 fishing will be 7 days per week in Areas 23, 121, 123, and 124. For Chinook Salmon in Areas 26 and 126, no directed fishing and no catch and release are permitted. |
| Gear: | Angling, trolling, weir, spear, dip net, trap, gill net, and seine. Terminal Chinook will be harvested primarily by individual harvesters using hook and line or gillnet. Some contract fishing will also occur. |
| Size: | No Terminal Chinook Salmon less than 30cm (12inches) in nose-fork length will be harvested, other than as by-catch that is unlikely to survive if released. |
| Pre-Season Expectation: | Based on the combined hatchery and wild expectations (Stock Outlook of x and x, respectively) of Moderate, the expected harvest level for MFN fisheries in the fishing period is **xxxx** Terminal Chinook Salmon. |
| Revised Expectation: | |
| Conservation Concerns: | |
| **Pink Salmon** | |
| Fishery: | A domestic harvest of Pink Salmon is proposed for the fishing period by MFN with the primary target Fraser Pink salmon. Local Pink stocks may also be fished for domestic purposes as local abundance allows and as 'by-catch' during other salmon fisheries. |
| Area: | Pink Salmon will be harvested for domestic purposes in the MDFA. |
| Dates and Times: | MFN harvests of Pink Salmon will occur between July 1 and October 31. |
| Gear: | Angling, trolling, trap, weir, gill net, and seine. |
| Size: | No Pink Salmon less than 30cm (12inches) in nose-fork length will be harvested other than as by-catch that is unlikely to survive if released. |
| Pre-Season Expectation: | 2016 is not a Fraser Pink Salmon year. The expected harvest level for the fishing period is **7,250** Pink Salmon. |

| | |
|---|---|
| Revised Expectation: | |
| Conservation Concerns: | See general prohibitions on Page 3 of this Maa-nulth Fishing Plan. No other conservation concerns have been identified that would prohibit MFN from harvesting Pink Salmon during the fishing period. |
| **Terminal Chum Salmon** | |
| Fishery: | A domestic harvest of Terminal Chum Salmon is proposed for the fishing period by MFN. Terminal Chum Salmon will be harvested in Area 23 using gillnet in Numukamis Bay, Uchucklesit Inlet, Toquaht Bay, Effingham Inlet, and Nahmint Bay. A drag seine will also be used in the Nahmint River and Uchucklesit Inlet. Terminal Chum Salmon will be harvested in Area 26 using gillnet in a number of terminal stock locations. The Maa-nulth First Nations expect to harvest the majority of the Terminal Chum Allocation in Area 26. Terminal fishing plans will be developed collaboratively with DFO prior to targeting any of these specific Chum populations. |
| Area: | Terminal Chum Salmon will be harvested for Domestic purposes in the MDFA landward of a line that is one nautical mile seaward from the surfline. |
| Dates and Times: | From August 1 to November 30 fishing will be 7 days per week. |
| Gear: | Angling, trolling, spear, dip net, weir, trap, gill net, and seine. |
| Size: | No Terminal Chum Salmon less than 30cm (12inches) in nose-fork length will be harvested other than as by-catch that is unlikely to survive if released. |
| Pre-Season Expectation: | The expected harvest level for Maa-nulth fisheries during the fishing period is **xxxx** Terminal Chum Salmon. This is based on a preseason Treaty Abundance Level of Low. |
| Revised Expectation: | |
| Conservation Concerns: | See general prohibitions on Page 3 of this Maa-nulth Fishing Plan. No other conservation concerns have been identified that would prohibit MFN from harvesting Terminal Chum Salmon during the fishing period. |
| **Ocean Coho Salmon** | |
| Fishery: | A domestic harvest of Ocean Coho Salmon is proposed for the fishing period by MFN. |
| Area: | Ocean Coho Salmon will be harvested for Domestic purposes in the MDFA seaward of a line that is one nautical mile seaward from the surfline. |
| Dates and Times: | From February 1 to December 31 fishing will be 7 days per week. |
| Gear: | Angling, trolling, gill net, and seine. Ocean Coho will be harvested in 2016 primarily by individual harvesters and commercial troll gear in Area 23/123 and Area 26/126. |
| Size: | No Ocean Coho Salmon less than 30cm (12inches) in nose-fork length will be harvested other than as by-catch that is unlikely to survive if released. |
| Pre-Season Expectation: | The expected harvest level for the fishing period is **7,000** Ocean Coho Salmon. |
| Revised Expectation: | |

| | |
|---|---|
| Conservation Concerns: | See general prohibitions on Page 3 of this Maa-nulth Fishing Plan. No other conservation concerns have been identified that would prohibit MFN from harvesting Ocean Coho Salmon during the fishing period. |
| **Terminal Coho Salmon** | |
| Fishery: | A domestic harvest of Terminal Coho Salmon is proposed for the fishing period by MFN. Harvesting of Terminal Coho Salmon will be by individual harvesters or incidentally in contract fisheries in areas where the Coho being harvested are predominantly of local (WCVI) origin, but likely mixed stocks. Terminal Coho Salmon will also be taken incidentally in Terminal Chinook and Chum salmon fisheries. Terminal fishing plans will be developed collaboratively with DFO prior to targeting any of these specific Coho populations. |
| Area: | Terminal Coho Salmon will be harvested for Domestic purposes in the MDFA landward of a line that is one nautical mile seaward of the surfline. |
| Dates and Times: | From May 1 to January 31 fishing will be 7 days per week. |
| Gear: | Angling, trolling, spear, weir, trap, gillnet, and seine. |
| Size: | No Terminal Coho Salmon less than 30cm (12inches) in nose-fork length will be harvested other than as by-catch that is unlikely to survive if released. |
| Pre-Season Expectation: | The expected harvest level is for the fishing period is **xxxx** Terminal Coho Salmon. This is based on a preseason Treaty Abundance Level of Moderate (Stock Outlook of Abundant). |
| Revised Expectation: | |
| Conservation Concerns: | See general prohibitions on Page 3 of this Maa-nulth Fishing Plan. No other conservation concerns have been identified that would prohibit MFN from harvesting Terminal Coho Salmon during the fishing period. |

## Schedule 5 Maa-nulth First Nations Annual Fishing Plan – Groundfish
**(February 1, 2016 to January 31, 2017)**

This fishing plan has been prepared by the Maa-nulth First Nations (MFN) for submission to the Joint Fisheries Committee to assist in the planning for Maa-nulth groundfish fisheries to be conducted between February 1, 2016 and January 31, 2017.

The fishing plan describes the proposed harvest plans and harvest expectations for groundfish, based on pre-season run size forecasts, to ensure that the Department of Fisheries and Oceans (DFO) is aware of potential MFN's harvest levels and preferred harvest times, areas and methods. The plan details the location and dates and times of harvest, the methods of harvest (type of gear), as well as any size restrictions or other conservation matters of relevance.

| **Halibut** | |
|---|---|
| Fishery: | A domestic harvest of Halibut is proposed for the fishing period by MFN. |
| Area: | Halibut will be harvested for Domestic purposes in the MDFA. |
| Dates and Times: | From February 1, 2016 to January 31, 2017 fishing will be 7 days per week. |
| Gear: | Hook and line and angling. Halibut will be harvested by individual harvesters or contract fisheries using commercial gear. |
| Size: | There are currently no size restrictions for domestic harvests of halibut. |
| Pre-Season Expectation: | The expected harvest level for the fishing period is **xxxx** lbs (net weight, dressed, head off) halibut. |
| Revised Expectation: | |
| Conservation Concerns: | See general prohibitions on Page 3 of this Maa-nulth Fishing Plan. No other conservation concerns have been identified that would prohibit MFN from harvesting Halibut for the fishing period. |
| **Rockfish** | |
| Fishery: | A domestic harvest of Rockfish is proposed for the fishing period by MFN. |
| Area: | Rockfish will be harvested for Domestic purposes in the MDFA. |
| Dates and Times: | From February 1, 2016 to January 31, 2017 fishing will be 7 days per week. |
| Gear: | Hook and line, angling, and trap. Rockfish will be primarily harvested by individual harvesters or as by catch in other groundfish fisheries. |
| Size: | There are currently no size restrictions for domestic harvests of Rockfish. Harvesters are encouraged to retain all fish caught. |
| Pre-Season Expectation: | The expected harvest level for the fishing period is **xxxx** lbs (gross weight) of Rockfish. |
| Revised Expectation: | |
| Conservation Concerns: | See general prohibitions on Page 3 of this Maa-nulth Fishing Plan. No other conservation concerns have been identified that would prohibit MFN from harvesting Rockfish during the fishing period. |
| **Groundfish** | |
| Fishery: | A domestic harvest of Groundfish is proposed for the fishing period by MFN. |

| | |
|---|---|
| Area: | Groundfish will be harvested for Domestic purposes in the MDFA. |
| Dates and Times: | From February 1, 2016 to January 31, 2017 fishing will be 7 days per week. |
| Gear: | Hook and line, angling, and traps. Groundfish will be harvested by individual harvesters or as by catch in other groundfish fisheries. |
| Size: | There are currently no size restrictions for domestic harvests of Groundfish. |
| Pre-Season Expectation: | The expected harvest level for the fishing period is **13,000** lbs (gross weight) of Groundfish. |
| Revised Expectation: | |
| Conservation Concerns: | See general prohibitions on Page 3 of this Maa-nulth Fishing Plan. No other conservation concerns have been identified that would prohibit MFN from harvesting Groundfish during the fishing period. |
| **Sablefish** | |
| Fishery: | A domestic harvest of Sablefish is proposed for the fishing period by MFN. |
| Area: | Sablefish will be harvested for Domestic purposes in the MDFA. |
| Dates and Times: | From February 1, 2016 to February, 2017 fishing will be 7 days per week. |
| Gear: | Hook and line, angling, and traps. Sablefish will be harvested primarily in contract fisheries using commercial gear. |
| Size: | There are currently no size restrictions for domestic harvests of Sablefish. |
| Pre-Season Expectation: | The expected harvest level for the fishing period is **xxxx** lbs (gross weight) of Sablefish. |
| Revised Expectation: | |
| Conservation Concerns: | See general prohibitions on Page 3 of this Maa-nulth Fishing Plan. No other conservation concerns have been identified that would prohibit MFN from harvesting Sablefish during the fishing period. |

## Schedule 6 Maa-nulth First Nations Annual Fishing Plan – Intertidal Bivalves
**(February 1, 2016 to January 31, 2017)**

These fishing plans have been prepared for each of the five Maa-nulth First Nations (MFN) for submission to the Joint Fisheries Committee to assist in the planning for Maa-nulth Intertidal Bivalve fisheries to be conducted between February 1, 2016 and January 31, 2017.

# HUUU-AY-AHT FIRST NATION

# DOMESTIC INTERTIDAL BI-VALVE FISHING PLAN February 1, 2016-January 31, 2017

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# CONTACTS

**Huu-ay-aht First Nations**

| | | |
|---|---|---|
| Manager Natural Resource And Trade | Christine Gruman | (250) 728-3414 |

**Fisheries and Oceans Canada**

| | | |
|---|---|---|
| DFO Resource Management: | Andrea Goruk | (250) 756-7152 |
| Fisheries Manager | Paul Preston | (250) 756-4452 |
| DFO Aboriginal Fisheries: | | |
| DFO Conservation & Protection | Jim Robson | (250) 720-4450 |

**Canadian Food Inspection Agency**

| | | |
|---|---|---|
| A/Fish Policy Officer | Hanna Boehmer | (604) 666-3598 |
| Inspection Specialist | Andre Youssef | (604) 666-3737 |

**Environment Canada**

| | | |
|---|---|---|
| Section Head, Marine Water Quality Monitoring Program | Walter Hajen | (604) 903-4475 |
| West Coast Area Coordinator | Jady Tyers | (604) 903-4478 |

# INTRODUCTION

This Intertidal Bivalve Fishing Plan has been prepared by the Huu-ay-aht First Nation (HFN) for submission to the Maa-nulth Fisheries Committee and the Department of Fisheries and Oceans (DFO) and forms part of the Maa-nulth Annual Fishing Plan (MAFP). The plan is designed to assist in the planning for HFN fisheries to be conducted between February 1, 2016 and January 31, 2017.

This is a domestic use only fishing plan and describes the harvest locations, management measures, communication plan, enforcement plans and catch reporting for Intertidal Bivalves as defined in the Maa-nulth Final Agreement. The species for which this fishing plan applies are: manila clams, varnish clams, butter clams, native littleneck clams, razor clams and oysters. This plan does not apply to unallocated bivalves under the Maa-nulth Fishing Agreement (for example, cockles and mussels).

Through a cooperative effort, the Huu-ay-aht First Nation is working with Fisheries and Oceans Canada (DFO), Environment Canada (EC) and the Canadian Food Inspection Agency (CFIA) to establish the necessary components and monitoring programs required by the Canadian Shellfish Sanitation Program (CSSP) within Area 23 portion of the Maa-nulth Domestic Fishing Area (MDFA) to allow for the management and harvest of intertidal bivalves under the Maa-nulth Final Agreement (MFA) Fishing Right. Adherence to the CSSP and the development of a co-management plan for the fishery will provide reasonable assurance regarding the safety of consuming shellfish harvested by our community members within designated areas.

**Prior to any harvesting, it is critical that all harvesters confirm that the beach is open for harvesting and that no closures are in place due to water quality or biotoxin contamination. Water quality or biotoxin closures of the beaches are implemented for the health and safety of the Huu-ay-aht people, and anyone who may consume the product. Please see Section for 2.2 for more information on finding notices of closures within the community. Also, information may be obtained at the following DFO website:**

**http://www.pac.dfo-mpo.gc.ca/fm-gp/contamination/index-eng.htm**

## Canadian Shellfish Sanitation Program

Intertidal bivalve fisheries are limited by programs for marine biotoxin (PSP, ASP) monitoring and sanitary growing water surveys.

## Water Quality Assessment

Environment Canada (EC) conducts water quality surveys to assess the sanitary conditions in shellfish growing waters. These surveys are a requirement under the CSSP to establish and/or maintain approved growing area classification.

Harvesters may not harvest intertidal bivalves in areas which are unclassified or closed due to the risk of possible sewage contamination. For information on the location of current sanitary shellfish closures please check with the nearest Fisheries and Oceans Canada office or refer to the Shellfish Contamination page on the DFO Internet site at:

http://www.pac.dfo-mpo.gc.ca/fm-gp/contamination/index-eng.htm

Permanent bivalve harvesting closures are in place for Canadian fisheries waters of the Pacific Ocean within:

a. 300 m radius around industrial, municipal and sewage treatment plant outfall discharges;
b. 125 m radius of any marina, ferry wharf, finfish net pen, and subject to subsection (c), any floating living accommodation facility; and
c. 25 m of any floating living accommodation facility located within a shellfish aquaculture tenure where a zero-discharge waste management plan is a condition of the Provincial aquaculture licence and is approved by the Regional Interdepartmental Shellfish Committee.

## Biotoxin Monitoring

Area openings are dependent upon regular submission and analysis of samples for PSP/ASP analysis, as set out in a biotoxin monitoring protocol administered by the Canadian Food Inspection Agency (CFIA).

Three consecutive mussel samples (*Mytilus californianus or Mytilus edulis*), along with a sample of the targeted food species containing acceptable levels of biotoxin must be received in order for CFIA to lift a harvest restriction in an area. CFIA will recommend lifting the PSP prohibition and a harvest site can then be considered by DFO for fisheries openings. Once an area is open, on-going submission of mussel samples is required to maintain the opening. CFIA will recommend closure of the harvest area to DFO if there is a lapse in sample submissions or if unacceptable levels of PSP/ASP are detected (>80 ug/100g PSP and >20 ppm domoic acid).

## Communication Plan

Copies of this fishing plan will be made available to all harvesters, and will be posted on the Huu-ay-aht First Nations webpage: www.huuayaht.org. Public Notice of harvest areas, openings, closures and biotoxin results will be posted at the following locations: bulletin boards at the HFN administration offices in Anacla and Port Alberni. Notices of closure are included in the Anacla Newsletter and are posted on the HFN website, www.huuayaht.org, as well as on Facebook. Those members living in remote areas are provided the information about a closure by telephone or a visit in person by the HFN Fisheries crew.

# OVERVIEW OF THE FISHERY

## Harvest Locations

Harvest locations are beaches in Numukamis Bay that are not aquaculture tenures. The locations of beaches in Numukamis Bay are described as:

**Part 1, Plan 4 of Appendix P for Sarita River;**

i. "Northeast Numukamis Bay" That portion of northeast Numukamis Bay in Subarea 23-4 at the mouth of Carnation Creek: east of a line

| | | |
|---|---|---|
| that starts at …… | 48°54.920' N | 125°00.423' W |
| then following the low water mark to ……. | 48°54.722' N | 125°00.468' W |

ii "Kookswiis (Sarita River)" That portion of Numukamis Bay in Subarea 23-4 at the mouth of the Sarita River (Kookswiis) inside a line

| | | |
|---|---|---|
| that starts at ……. | 48°54.434' N | 125°'00.652' W |
| then following the low water mark to ……. | 48°53.731' N | 125°01.278' W |
| then following the eastern shoreline of Santa Maria Island to …….. | 48°53.529' N | 125°01.565' W |
| then straight across the channel to …….. | 48°53.486' N | 125°01.486' W; |

and bounded on the east by a line

| | | |
|---|---|---|
| that starts at ……..…… | 48°54.187' N | 125°00.540' W |
| then straight to ……..……. | 48°54.148' N | 125°00.612' W |
| then straight to ….…… | 48°54.086' N | 125°00.632' W |
| then straight to ….…… | 48°54.064' N | 125°00.592' W |
| then straight to ….…… | 48°54.030' N | 125°00.599' W |
| then straight to ….…… | 48°53.786' N | 125°01.034' W. |

There is a closure (Closure 23.17) in Numukamis Bay off Santa Maria Island which is in place due to the presence of a dock with potential live-aboards tying up there.

## Species

Species of Intertidal bivalves for which this Fishing Plan applies are; manila clams, varnish clams, native littleneck clams, butter clams, razor clams, and oysters.

## Time Frame of the Fishery

Intertidal bivalve harvesting will occur mainly from October 1 to March 31. However, harvesting occurs throughout the year. Openings will be announced through Fishery Notice issued by DFO and the HFN Fishery Manager, and will only take place once the appropriate monitoring has been established and acceptable biotoxin and water quality results are determined. The fishery may be closed at any time if elevated PSP levels are detected through the on-going monitoring program.

**Please see Section for 2.2 for more information on finding notices of closures within the community. Also, information may be obtained at the following DFO website:**

**http://www.pac.dfo-mpo.gc.ca/fm-gp/contamination/index-eng.htm**

## Participants

HFN members with a valid harvesting licence will participate in harvest of bivalves. All licensed harvesters are required to report their harvest weekly. See Section 3.7 regarding reporting requirements.

## Additional Management Measures

The harvest limit is set at 10 kg of clams and 2 dozen oysters per license per day.

The Huu-ay-aht First Nation requests that all harvesters backfill their dig holes to ensure that remaining clams are not exposed to freezing conditions or overheating.

## Fishery Monitoring and Enforcement

The HFN Fisheries Program, in consultation with DFO's Conservation and Protection staff, will develop a monitoring and enforcement protocol to govern the FSC intertidal bivalve fishery. The HFN may have on-ground monitoring during openings to monitor harvesters' activities, and may carry out joint patrols with C&P members as outlined in the Enforcement Protocol.

## Catch Reporting

HFN Fisheries Regulations specify that anyone who harvests in a HFN fishery must report the quantity harvested to the HFN Fishery Manager in accordance with the terms and conditions identified in the regulations or in an order of the Director. The catch reporting will be consistent with those described in any Maa-nulth Harvest Documents, the Maa-nulth Fisheries Operational Guidelines, and any harvest plan developed for HFN and Maa-nulth fisheries.

HFN harvesters are required to record the date, gear, location, species, number and/or weight daily and to submit record of catch each week.

A list of designated harvesters and their designation numbers will be submitted to Fisheries and Oceans and updated as new harvesters are identified throughout the year.

## Product Handling

To avoid contamination or spoiling of your product, be sure to keep product cool, keep out of the sun and clean and preserve right away.

## ASSESSMENTS

A number of clam assessments were conducted in Numukamis Bay including Carol Swan (1993), Yangze Co (1996), Graham Gillespie (1997), Geoff Lindsay (1999), HFN (2003), Kevin Vauthier (2008) and HFN (2010).

## POST-SEASON REVIEW

At the end of the fishing period, HFN Fisheries staff will meet with DFO staff to discuss the harvest season to identify any issues or areas of concern that need to be addressed. The HFN Domestic Intertidal Bivalve Fishing Plan will be amended as needed to reflect changes to the management and harvest of the intertidal bivalves.

# Uchucklesaht Tribe

## DOMESTIC INTERTIDAL BI-VALVE FISHING PLAN
## February 1, 2016-January 31, 2017

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# CONTACTS

**Uchucklesaht Tribe**

| | | |
|---|---|---|
| Director Lands and Resources | Monty Horton | (250) 724-1832 |

**Fisheries and Oceans Canada**

| | | |
|---|---|---|
| DFO Resource Management: | Andrea Goruk | (250) 756-7152 |
| Fisheries Manager | Paul Preston | (250) 756-4452 |
| DFO Aboriginal Fisheries: | | |
| DFO Conservation & Protection | Jim Robson | (250) 720-4450 |

**Canadian Food Inspection Agency**

| | | |
|---|---|---|
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**Environment Canada**

| | | |
|---|---|---|
| Section Head, Marine Water Quality Monitoring Program | Walter Hajen | (604) 903-4475 |
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# INTRODUCTION

This Intertidal Bivalve Fishing Plan has been prepared by the Uchucklesaht Tribe (UT) for submission to the Maa-nulth Fisheries Committee and the Department of Fisheries and Oceans (DFO) and forms part of the Maa-nulth Annual Fishing Plan (MAFP). The plan is designed to assist in the planning for UT fisheries to be conducted between February 1, 2016 and January 31, 2017.

This is a domestic use only fishing plan and describes the harvest locations, management measures, communication plan, enforcement plans and catch reporting for Intertidal Bivalves as defined in the Maa-nulth Final Agreement. The species for which this fishing plan applies are: manila clams, varnish clams, butter clams, native littleneck clams, razor clams and oysters. This plan does not apply to unallocated bivalves under the Maa-nulth Fishing Agreement (for example, cockles and mussels).

**Prior to any harvesting, it is critical that all harvesters confirm that the beach is open for harvesting and that no closures are in place due to water quality or biotoxin contamination. Water quality or biotoxin closures of the beaches are implemented for the health and safety of the Uchucklesaht Tribe people, and anyone who may consume the product. Please see Section for 2.2 for more information on finding notices of closures within the community. Also, information may be obtained at the following DFO website:**

**http://www.pac.dfo-mpo.gc.ca/fm-gp/contamination/index-eng.htm**

## Canadian Shellfish Sanitation Program

Intertidal bivalve fisheries are limited by programs for marine biotoxin (PSP, ASP) monitoring and sanitary growing water surveys.

## Water Quality Assessment

Environment Canada (EC) conducts water quality surveys to assess the sanitary conditions in shellfish growing waters. These surveys are a requirement under the CSSP to establish and/or maintain approved growing area classification.

Harvesters may not harvest intertidal bivalves in areas which are unclassified or closed due to the risk of possible sewage contamination. For information on the location of current sanitary shellfish closures please check with the nearest Fisheries and Oceans Canada office or refer to the Shellfish Contamination page on the DFO Internet site at:

http://www.pac.dfo-mpo.gc.ca/fm-gp/contamination/index-eng.htm

Permanent bivalve harvesting closures are in place for Canadian fisheries waters of the Pacific Ocean within:

d. 300 m radius around industrial, municipal and sewage treatment plant outfall discharges;
e. 125 m radius of any marina, ferry wharf, finfish net pen, and subject to subsection (c), any floating living accommodation facility; and
f. 25 m of any floating living accommodation facility located within a shellfish aquaculture tenure where a zero-discharge waste management plan is a condition of the Provincial aquaculture licence and is approved by the Regional Interdepartmental Shellfish Committee.

## Biotoxin Monitoring

Area openings are dependent upon regular submission and analysis of samples for PSP/ASP analysis, as set out in a biotoxin monitoring protocol administered by the Canadian Food Inspection Agency (CFIA).

Three consecutive mussel samples (*Mytilus californianus or Mytilus edulis*), along with a sample of the targeted food species containing acceptable levels of biotoxin must be received in order for CFIA to lift a harvest restriction in an area. CFIA will recommend lifting the PSP prohibition and a harvest site can then

be considered by DFO for fisheries openings. Once an area is open, on-going submission of mussel samples is required to maintain the opening. CFIA will recommend closure of the harvest area to DFO if there is a lapse in sample submissions or if unacceptable levels of PSP/ASP are detected (>80 ug/100g PSP and >20 ppm domoic acid).

## Communication Plan

Copies of this fishing plan will be made available to all harvesters, and will be posted on the Uchucklesaht Tribe webpage: www.uchucklesaht.ca. Public Notice of harvest areas, openings, closures and biotoxin results will be posted at the following locations: bulletin boards at the UT administration office in Port Alberni and in the village of Ehthlateese. Those members living in remote areas are provided the information about a closure by hand delivered mail, telephone, email notices, or a visit in person by the UT Fisheries crew.

# OVERVIEW OF THE FISHERY

## Harvest Locations

**Part 1, Plan 3 of Appendix P for Tzartus Island;**

i. "**Geer Islets** (Tzartus Island)" That portion of Subarea 23-5 surrounding the Geer Islets inside a line
that starts at ……..48°55.828'N 125°06.707' W then south following the low water
mark to……..48°55.673'N 125°06.672' W then north following the low water mark to the point of commencement, including the intertidal zone between the north and south islets.

ii. "**Meade Islets** (Tzartus Island)" That portion of Subarea 23-5 surrounding the Meade Islets inside a line
that starts at……...48°55.650'N 125°07.290' W
then south following the low water
mark to……..48°55.423'N 125°07.507' W
then north following the low water mark to the point of commencement, including the intertidal zone between the east and west islets.

## Species

Species of Intertidal bivalves for which this Fishing Plan applies are; manila clams, varnish clams, native littleneck clams, butter clams, razor clams, and oysters.

## Time Frame of the Fishery

Intertidal bivalve harvesting will occur mainly from October 1 to March 31. However, harvesting occurs throughout the year. Openings will be announced through Fishery Notice issued by DFO and the UT Director of Lands and Natural Resources, and will only take place once the appropriate monitoring has been established and acceptable biotoxin and water quality results are determined. The fishery may be closed at any time if elevated PSP levels are detected through the on-going monitoring program.

**Please see Section for 2.2 for more information on finding notices of closures within the community. Also, information may be obtained at the following DFO website:**

**http://www.pac.dfo-mpo.gc.ca/fm-gp/contamination/index-eng.htm**

## Participants

UT members with a valid harvesting licence will participate in harvest of bivalves. All licensed harvesters are required to report their harvest weekly. See below regarding reporting requirements.

## Additional Management Measures

The Uchucklesaht Tribe requests that all harvesters backfill their dig holes to ensure that remaining clams are not exposed to freezing conditions or over-heating.

## Fishery Monitoring and Enforcement

The UT may have on-ground monitoring during openings to monitor harvesters' activities.

## Catch Reporting

UT Fisheries Regulations specify that anyone who harvests in a UT fishery must report the quantity harvested to the UT in accordance with the terms and conditions identified in the regulations or in an order of the Director. The catch reporting will be consistent with those described in any Maa-nulth Harvest Documents, the Maa-nulth Fisheries Operational Guidelines, and any harvest plan developed for HFN and Maa-nulth fisheries.

UT harvesters are required to record the date, gear, location, species, number and/or weight and to submit record of catch each week.

## Product Handling

To avoid contamination or spoiling of product, be sure to keep product cool, keep out of the sun and clean and preserve right away.

## ASSESSMENTS

There are currently no assessments occurring in UT Intertidal Bivalve Fishing Areas.

## POST-SEASON REVIEW

At the end of the fishing period, UT fisheries staff may meet with DFO staff to discuss the harvest season to identify any issues or areas of concern that need to be addressed. The UT Domestic Intertidal Bivalve Fishing Plan will be amended as needed to reflect changes to the management and harvest of the intertidal bivalves.

# TOQUAHT NATION

# DOMESTIC INTERTIDAL BI-VALVE FISHING PLAN
# February 1, 2016-January 31, 2017

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# CONTACTS

**Toquaht Nations**

| | | |
|---|---|---|
| Director Lands and Resources | Lisa Morgan | (250) 726-4230 |
| Fisheries Manager | David Johnsen | (250) 726-4230 |

**Fisheries and Oceans Canada**

| | | |
|---|---|---|
| DFO Resource Management: | Andrea Goruk | (250) 756-7152 |
| Fisheries Manager | Paul Preston | (250) 756-4452 |
| DFO Aboriginal Fisheries: | | |
| DFO Conservation & Protection | Jim Robson | (250) 720-4450 |

**Canadian Food Inspection Agency**

| | | |
|---|---|---|
| A/Fish Policy Officer | Hanna Boehmer | (604) 666-3598 |
| Inspection Specialist | Andre Youssef | (604) 666-3737 |

**Environment Canada**

| | | |
|---|---|---|
| Section Head, Marine Water Quality Monitoring Program | Walter Hajen | (604) 903-4475 |
| West Coast Area Coordinator | Jady Tyers | (604) 903-4478 |

# INTRODUCTION

This Intertidal Bivalve Fishing Plan has been prepared by the Toquaht Nation (TN) for submission to the Maa-nulth Fisheries Committee and the Department of Fisheries and Oceans (DFO) and forms part of the Maa-nulth Annual Fishing Plan (MAFP). The plan is designed to assist in the planning for TN fisheries to be conducted between February 1, 2016 and January 31, 2017.

This is a domestic use only fishing plan and describes the harvest locations, management measures, communication plan, enforcement plans and catch reporting for Intertidal Bivalves as defined in the Maa-nulth Final Agreement. The species for which this fishing plan applies are: manila clams, varnish clams, butter clams, native littleneck clams, razor clams and oysters. This plan does not apply to unallocated bivalves under the Maa-nulth Fishing Agreement (for example, cockles and mussels).

Through a cooperative effort, the Toquaht Nation is working with Fisheries and Oceans Can-ada (DFO), Environment Canada (EC) and the Canadian Food Inspection Agency (CFIA) to establish the necessary components and monitoring programs required by the Canadian Shellfish Sanitation Program (CSSP) within Area 23 portion of the Maa-nulth Domestic Fish-ing Area (MDFA) to allow for the management and harvest of intertidal bivalves under the Maa-nulth Final Agreement (MFA) Fishing Right. Adherence to the CSSP and the develop-ment of a co-management plan for the fishery will provide reasonable assurance regarding the safety of consuming shellfish harvested by our community members within designated areas.

**Prior to any harvesting, it is critical that all harvesters confirm that the beach is open for harvesting and that no closures are in place due to water quality or biotoxin contamination. Water quality or biotoxin closures of the beaches are implemented for the health and safety of the Toquaht people, and anyone who may consume the product. Please see Section for 2.2 for more information on finding notices of closures within the community. Also, information may be obtained at the following DFO website:**

**http://www.pac.dfo-mpo.gc.ca/fm-gp/contamination/index-eng.htm**

## Canadian Shellfish Sanitation Program

Intertidal bivalve fisheries are limited by programs for marine biotoxin (PSP, ASP) monitoring and sanitary growing water surveys.

## Water Quality Assessment

Environment Canada (EC) conducts water quality surveys to assess the sanitary conditions in shellfish growing waters. These surveys are a requirement under the CSSP to establish and/or maintain approved growing area classification.

Harvesters may not harvest intertidal bivalves in areas which are unclassified or closed due to the risk of possible sewage contamination. For information on the location of current sanitary shellfish closures please check with the nearest Fisheries and Oceans Canada office or refer to the Shellfish Contamination page on the DFO Internet site at:

http://www.pac.dfo-mpo.gc.ca/fm-gp/contamination/index-eng.htm

Permanent bivalve harvesting closures are in place for Canadian fisheries waters of the Pacific Ocean within:

a. 300 m radius around industrial, municipal and sewage treatment plant outfall discharges;
b. 125 m radius of any marina, ferry wharf, finfish net pen, and subject to subsection (c), any floating living accommodation facility; and
c. 25 m of any floating living accommodation facility located within a shellfish aquaculture tenure where a zero-discharge waste management plan is a condition of the Provincial aquaculture licence and is approved by the Regional Interdepartmental Shellfish Committee.

## Biotoxin Monitoring

Area openings are dependent upon regular submission and analysis of samples for PSP/ASP analysis, as set out in a biotoxin monitoring protocol administered by the Canadian Food Inspection Agency (CFIA).

Three consecutive mussel samples (*Mytilus californianus or Mytilus edulis*), along with a sample of the targeted food species containing acceptable levels of biotoxin must be received in order for CFIA to lift a harvest restriction in an area. CFIA will recommend lifting the PSP prohibition and a harvest site can then be considered by DFO for fisheries openings. Once an area is open, on-going submission of mussel samples is required to maintain the opening. CFIA will recommend closure of the harvest area to DFO if there is a lapse in sample submissions or if unacceptable levels of PSP/ASP are detected (>80 ug/100g PSP and >20 ppm domoic acid).

Toquaht Nation is currently working with CFIA providing shellfish samples for Biotoxin Monitoring.

## Communication Plan

Copies of this fishing plan will be made available to all harvesters, and will be posted on the Toquaht Nations webpage: www.toquaht.ca Public Notice of harvest areas, openings, closures and biotoxin results will be posted at the following locations: bulletin boards at the TN administration office in Ucluelet. Notices of closure are included in the Toquaht Newsletter and are posted on the TN website, www.toquaht.ca.

# OVERVIEW OF THE FISHERY

## Harvest Locations

Harvest locations are beaches in Numukamis Bay that are not aquaculture tenures. The loca-tions of beaches in Numukamis Bay are described as:

**Part 1, Plan 4 of Appendix P for Sarita River;**

i. "Northeast Numukamis Bay" That portion of northeast Numukamis Bay in Su-barea 23-4 at the mouth of Carnation Creek: east of a line

| | | |
|---|---|---|
| that starts at ……. | 48°54.920' N | 125°00.423' W |
| then following the low water mark to …… | 48°54.722' N | 125°00.468' W |

ii "Kookswiis (Sarita River)" That portion of Numukamis Bay in Subarea 23-4 at the mouth of the Sarita River (Kookswiis) inside a line

| | | |
|---|---|---|
| that starts at ……. | 48°54.434' N | 125°'00.652' W |
| then following the low water mark to …… | 48°53.731' N | 125°01.278' W |
| then following the eastern shoreline of Santa Maria Is-land to | 48°53.529' N | 125°01.565' W |
| then straight across the channel to …….. | 48°53.486' N | 125°01.486' W; |
| and bounded on the east by a line that starts at …… | 48°54.187' N | 125°00.540' W |
| then straight to ……. | 48°54.148' N | 125°00.612' W |
| then straight to ……. | 48°54.086' N | 125°00.632' W |
| then straight to ……. | 48°54.064' N | 125°00.592' W |
| then straight to ……. | 48°54.030' N | 125°00.599' W |
| then straight to ……. | 48°53.786' N | 125°01.034' W. |

There is a closure (Closure 23.17) in Numukamis Bay off Santa Maria Island which is in place due to the presence of a dock with potential live-aboards tying up there.

## Species

Species of Intertidal bivalves for which this Fishing Plan applies are; manila clams, varnish clams, native littleneck clams, butter clams, razor clams, and oysters.

## Time Frame of the Fishery

Intertidal bivalve harvesting will occur mainly from October 1 to March 31. However, harvesting occurs throughout the year. Openings will be announced through Fishery Notice issued by DFO and the TN Fishery Manager, and will only take place once the appropriate monitoring has been established and acceptable biotoxin and water quality results are determined. The fishery may be closed at any time if elevated PSP levels are detected through the on-going monitoring program.

**Please see Section for 2.2 for more information on finding notices of closures within the community. Also, information may be obtained at the following DFO website:**

**http://www.pac.dfo-mpo.gc.ca/fm-gp/contamination/index-eng.htm**

## Participants

TN members with a valid harvesting licence will participate in harvest of bivalves. All licensed harvesters are required to report their harvest weekly. See Section 3.7 regarding reporting requirements.

## Additional Management Measures

The Toquaht Nation requests that all harvesters backfill their dig holes to ensure that remaining clams are not exposed to freezing conditions or overheating.

## Fishery Monitoring and Enforcement

The TN Fisheries Program, in consultation with DFO's Conservation and Protection staff, will develop a monitoring and enforcement protocol to govern the FSC intertidal bivalve fishery. The TN may have on-ground monitoring during openings to monitor harvesters' activities, and may carry out joint patrols with C&P members as outlined in the Enforcement Protocol.

## Catch Reporting

TN Fisheries Regulations specify that anyone who harvests in a TN fishery must report the quantity harvested to the TN Fishery Manager in accordance with the terms and conditions identified in the regulations or in an order of the Director. The catch reporting will be consistent with those described in any Maa-nulth Harvest Documents, the Maa-nulth Fisheries Operational Guidelines, and any harvest plan developed for TN and Maa-nulth fisheries.

TN harvesters are required to record the date, gear, location, species, number and/or weight daily and to submit record of catch each week. A list of designated harvesters and their designation numbers will be submitted to Fisheries and Oceans and updated as new harvesters are identified throughout the year.

## Product Handling

To avoid contamination or spoiling of your product, be sure to keep product cool, keep out of the sun and clean and preserve right away.

## ASSESSMENTS

There are currently no assessments being conducted on Toquaht Nation beaches.

## POST-SEASON REVIEW

At the end of the fishing period, TN Fisheries staff will meet with DFO staff to discuss the harvest season to identify any issues or areas of concern that need to be addressed. The TN Domestic Intertidal Bivalve Fishing Plan will be amended as needed to reflect changes to the management and harvest of the intertidal bivalves.

# Yuułu?il?ath First Nation

# 2016/2017
# DOMESTIC INTERTIDAL BI-VALVE
# FISHING PLAN
# February 1, 2016-January 31th, 2017

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# CONTACTS

| | | |
|---|---|---|
| **Yuułu?il?ath First Nation** | | |
| **Ucluth Fisheries LP** | | |
| CEO | Trevor Jones | (250) 735-0744 |
| Fisheries Resource Officer | | |
| | | |
| **Fisheries and Oceans Canada** | | |
| DFO Resource Management: | Andrea Goruk | (250) 756-7152 |
| Fisheries Management Biologist | Juanita Rogers | (250) 756-7268 |
| Fisheries Resource Manager | David Fogtmann | (250) 336-3799 |
| DFO Aboriginal Fisheries: | Paul Preston | (250) 720-4452 |
| DFO Conservation & Protection | Jim Robson | (250) 720-4450 |
| **Canadian Food Inspection Agency** | | |
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| Inspection Specialist | Andre Youssef | (604) 666-3737 |
| **Environment Canada** | | |
| Section Head, Marine Water Quality Monitoring Program | Walter Hajen | (604) 666-2947 |
| West Coast Area Coordinator | Jady Tyers | (604) 903-4478 |

**INTRODUCTION**

This Intertidal Bivalve Fishing Plan has been prepared by the Yuułu?iɬ?atḥ First Nation (YFN) for submission to the Maa-nulth Fisheries Committee and the Department of Fisheries and Oceans (DFO) and forms part of the Maa-nulth Annual Fishing Plan (MAFP). The plan is designed to assist in the planning for YFN fisheries to be conducted between February 1, 2016 and January 31, 2017.

This is a domestic use only fishing plan and describes the harvest locations, management measures, communication plans, enforcement plans, and catch reporting for each species.

Through a cooperative effort, the Yuułu?iɬ?atḥ First Nation is working with Fisheries and Oceans Canada (DFO), Environment Canada (EC) and the Canadian Food Inspection Agency (CFIA) to establish the necessary components and monitoring programs required by the Canadian Shellfish Sanitation Program (CSSP) within Area 26 portion of the Maa-nulth Domestic Fishing Area (MDFA) to allow for the management and harvest of intertidal bivalves for under the Maa-nulth Final Agreement (MFA) Fishing Right. Adherence to the CSSP and the development of a co-management plan for the fishery will provide reasonable assurance regarding the safety of consuming shellfish harvested by our community members within designated areas.

## Canadian Shellfish Sanitation Program

Intertidal bivalve fisheries are limited by programs for marine biotoxin (PSP, ASP) monitoring and sanitary growing water surveys.

### Water Quality Assessment

Environment Canada (EC) conducts water quality surveys to assess the sanitary conditions in shellfish growing waters. These surveys are a requirement under the CSSP to establish and/or maintain approved growing area classification.

Harvesters may not harvest intertidal bivalves in areas which are unclassified or closed due to the risk of possible sewage contamination. For information on the location of current sanitary shellfish closures please check with the nearest Fisheries and Oceans Canada office or refer to the Shellfish Contamination page on the DFO Internet site at:

http://www.pac.dfo-mpo.gc.ca/ops/fm/shellfish/biotoxins/closures/default_e.htm

Permanent bivalve harvesting closures are in place for Canadian fisheries waters of the Pacific Ocean within:

a. 300 m radius around industrial, municipal and sewage treatment plant outfall discharges;
b. 125 m radius of any marina, ferry wharf, finfish net pen, and subject to subsection (c), any floating living accommodation facility; and
c. 25 m of any floating living accommodation facility located within a shellfish aquaculture tenure where a zero-discharge waste management plan is a condition of the Provincial aquaculture licence and is approved by the Regional Interdepartmental Shellfish Committee.

### Biotoxin Monitoring

Area openings are dependent upon regular submission and analysis of samples for PSP/ASP analysis, as set out in a biotoxin monitoring protocol administered by the Canadian Food Inspection Agency (CFIA).

Three consecutive mussel samples (*Mytilus californianus or Mytilus edulis*), along with a sample of the targeted food species containing acceptable levels of biotoxin must be received in order for CFIA to lift a harvest restriction in an area. CFIA will recommend lifting the PSP prohibition and a harvest site can then be considered by DFO for fisheries openings. Once an area is open, on-going submission of mussel samples is required to maintain the opening. CFIA will recommend closure of the harvest area to DFO if there is a lapse in sample submissions or if unacceptable levels of PSP/ASP are detected (>80 ug/100g PSP and >20 ppm domoic acid).

# OVERVIEW OF THE FISHERY

## Harvest Locations

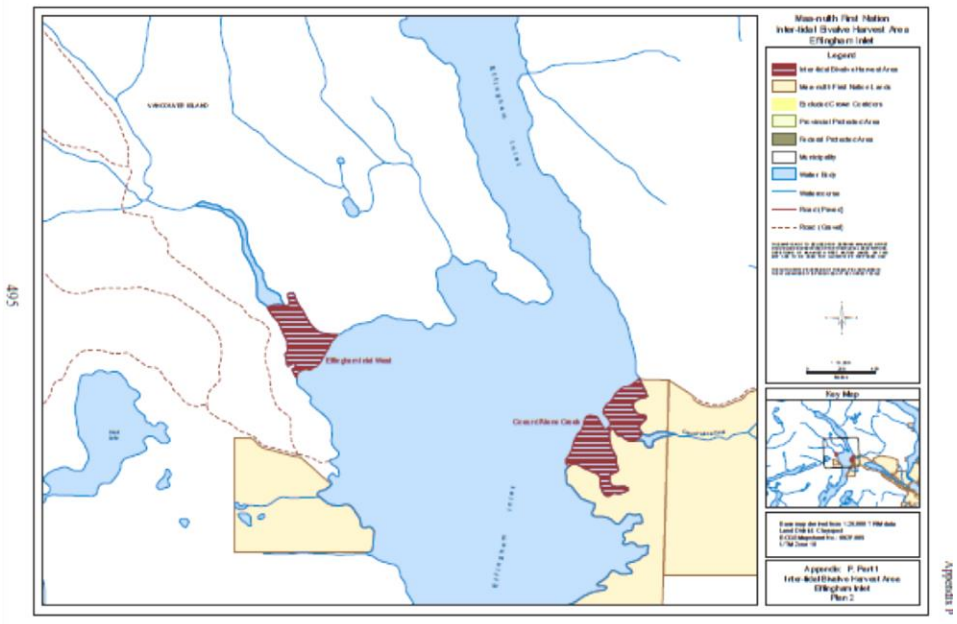
Harvest locations are beaches in Effingham Inlet that are not aquaculture tenures. The locations of these beaches are identified in the map below.

## Species

Species of Intertidal bivalves for which this Fishing Plan applies are; Manila clams, varnish clams, native littleneck clams, butter clams, razor clams, and oysters. There is a closure in Ucluelet Harbour off of Hitacu which is in place due to the chronic presence of fecal coliform there.

## Time Frame of the Fishery

Intertidal bivalve harvesting will occur mainly from October 1 to March 31. However, harvesting occurs throughout the year. Openings will be announced through Fishery Notice issued by DFO and the YFN Fishery Officer, and will only take place once the appropriate monitoring has been established and acceptable biotoxin and water quality results are determined. The fishery may be closed at any time if elevated PSP levels are detected through the on-going monitoring program.




## Participants

YFN members with a valid harvesting licence will participate in the harvest of bivalves. All licensed harvesters are required to report their harvest weekly. See below regarding reporting requirements.

## Additional Management Measures

The harvest limit is set at 10 kg of clams and 2 dozen oysters per license per day.

## Communication Plan

Public Notice of harvest areas, openings, closures and biotoxin results will be posted at the following locations:

Notices are usually posted on the bulletin boards at the YFN administration offices in Hitacu and at the Friendship Centre in Port Alberni. Notices of closure are included in the Hitacu Newsletter and are posted on the YFN website and well as on Facebook. Those members living in remote areas are provided the information about a closure by telephone or a visit in person by the YFN Fisheries crew.

## Fishery Monitoring and Enforcement

The YFN Fisheries Program, in consultation with DFO's Conservation and Protection staff, will develop a monitoring and enforcement protocol to govern the FSC intertidal bivalve fishery. The YFN may have on-ground monitoring during openings to monitor harvesters' activities, and may carry out joint patrols with C&P members as outlined in the Enforcement Protocol.

## Catch Reporting

YFN Fisheries Regulations specify that anyone who harvests in a YFN fishery must report the quantity harvested to the YFN Fishery Officer in accordance with the terms and conditions identified in the regulations or in an order of the Director. The catch reporting will be consistent with those described in any Maa-nulth Harvest Documents, the Maa-nulth Fisheries Operational Guidelines, and any harvest plan developed for YFN and Maa-nulth fisheries.

YFN harvesters are required to record the date, gear, location, species, number and/or weight daily and to submit record of catch each week.

A list of designated harvesters and their designation numbers will be submitted to Fisheries and Oceans and updated as new harvesters are identified throughout the year.

## Product Handling

Any product harvested is for food, social and ceremonial purposes only, and is not to be sold.
To avoid contamination or spoiling of product, be sure to keep product cool, keep out of the sun and clean and preserve right away.

## ASSESSMENTS

Currently there are no assessments being conducted on Yuułu?ił?atḥ Intertidal bivalve beaches.

## POST-SEASON REVIEW

At the end of the fishing period, YFN Fisheries staff will meet with DFO staff to discuss the harvest season to identify any issues or areas of concern that need to be addressed. The YFN Domestic Intertidal Bivalve Fishing Plan will be amended for future years to reflect any changes to the management and harvest of the Intertidal bivalves.

# KA:'YU:'K'T'H'/CHE:K'TLES7ET'H' FIRST NATIONS

# DOMESTIC INTERTIDAL BI-VALVE FISHING PLAN
# February 1, 2016-January 31, 2017

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# CONTACTS

**Ka:'yu:'k't'h'/Che:k'tles7et'h' First Nations**

| | | |
|---|---|---|
| Director Lands and Resources | Tony Hansen | (250) 332-5259<br>Cell (250) 202-6176 |
| Fisheries Manager | Tony Hansen | (250) 332-5259<br>Cell (250) 202-6176 |

**Fisheries and Oceans Canada**

| | | |
|---|---|---|
| DFO Resource Management | Andrea Goruk | (250) 756-7268 |
| Fisheries Management Biologist | Juanita Rogers | (250) 756-7268 |
| Fisheries Resource Manager | David Fogtmann | (250) 336-3799 |
| DFO Aboriginal Fisheries<br>Fisheries Manager | Paul Preston | (250) 756-4452 |
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**Canadian Food Inspection Agency**

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| A/Fish Policy Officer | Hanna Boehmer | (604) 666-3598 |
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**Environment Canada**

| | | |
|---|---|---|
| Section Head, Marine Water Quality Monitoring Program | Walter Hajen | (604) 903-4475 |
| West Coast Area Coordinator | Jady Tyers | (604) 903-4478 |

# INTRODUCTION

This Intertidal Bivalve Domestic Fishing Plan has been prepared for the Ka:'yu:'k't'h'/Che:k'tles7et'h' First Nations (KCFN) for submission to the Department of Fisheries and Oceans (DFO), for inclusion in the Maa-nulth Annual Fishing Plan (MAFP), the KCFN Fishing Plan, and to assist in the planning for the KCFN Fisheries to be conducted between February 1, 2016 and January 31, 2017.

This domestic harvest plan, describes the proposed harvest plans and harvest expectations for each species, to ensure that DFO is aware of potential KCFN product inventory, harvest levels, and preferred harvest times, areas and methods for each species.

Through a cooperative management effort, Ka:'yu:'k't'h'/Che:k'tles7et'h' First Nations is working with Fisheries and Oceans Canada (DFO), Environment Canada (EC) and the Canadian Food Inspection Agency (CFIA) to establish the necessary components and monitoring programs required by the Canadian Shellfish Sanitation Program (CSSP) within our traditional territory to allow for the management of specific beach areas for the harvest of intertidal bivalves for food, social and ceremonial (FSC) purposes. Adherence to the CSSP and the development of a co-management plan for the fishery will provide reasonable assurance regarding the safety and health of consuming shellfish harvested by our community members within designated areas.

## Canadian Shellfish Sanitation Program

Intertidal bivalve fisheries are limited by programs for marine biotoxin (PSP, ASP) monitoring and sanitary growing water surveys.

## Water Quality Assessment

Environment Canada (EC) conducts water quality surveys to assess the sanitary conditions in shellfish growing waters. These surveys are a requirement under the CSSP to establish and/or maintain approved growing area classification.

Harvesters may not harvest intertidal bivalves in areas which are unclassified or closed due to the risk of possible sewage contamination. For information on the location of current sanitary shellfish closures please check with the nearest Fisheries and Oceans Canada office or refer to the Shellfish Contamination page on the DFO Internet site at:

http://www.pac.dfo-mpo.gc.ca/ops/fm/shellfish/biotoxins/closures/default_e.htm

Permanent bivalve harvesting closures are in place for Canadian fisheries waters of the Pacific Ocean within:

a. 300 m radius around industrial, municipal and sewage treatment plant outfall discharges;
b. 125 m radius of any marina, ferry wharf, finfish net pen, and subject to subsection (c), any floating living accommodation facility; and
c. 25 m of any floating living accommodation facility located within a shellfish aquaculture tenure where a zero-discharge waste management plan is a condition of the Provincial aquaculture licence and is approved by the Regional Interdepartmental Shellfish Committee.

## Biotoxin Monitoring

Area openings are dependent upon regular submission and analysis of samples for PSP/ASP analysis, as set out in a biotoxin monitoring protocol administered by the Canadian Food Inspection Agency (CFIA).

Three consecutive mussel samples (*Mytilus californianus or Mytilus edulis*), along with a sample of the targeted food species containing acceptable levels of biotoxin must be received in order for CFIA to lift a harvest restriction in an area. CFIA will recommend lifting the PSP prohibition and a harvest site can then be considered by DFO for fisheries openings. Once an area is open, on-going submission of mussel samples is required to maintain the opening. CFIA will recommend closure of the harvest area to DFO if

there is a lapse in sample submissions or if unacceptable levels of PSP/ASP are detected (>80 ug/100g PSP and >20 ppm domoic acid).

# OVERVIEW OF THE FISHERY

## Harvest Locations

Harvest locations are beaches at Amai Inlet Subarea 26-3, Artlish River Subarea 26-4, Kauwinch River 26-5, and Big Bunsby (Malksope-Upsowis Subarea 26-8, Malksope-Bunsby Subarea 26-7).

Harvest locations are confidential information and are included here for the purpose of ensuring adequate monitoring coverage by water quality and biotoxin monitoring programs. As such, any information provided here may be shared between KCFN, DFO, EC and CFIA for this purpose.

**e. Part 1, Plan 5 of Appendix P for Big Bunsby;**

i. "Malksope-Upsowis" That portion of Malksope Inlet-Bunsby Islands in Subarea 26-8: inside a line

| | | |
|---|---|---|
| that starts at …… | 50°06.836' N | 127°30.502' W |
| then straight to …… | 50°06.865'N | 127°30.505' W |
| then straight to …… | 50°06.878'N | 127°30.485' W |
| then straight to ……... | 50°06.873' N | 127°30.427' W |
| then straight to …… | 50°06.877' N | 127°30.381' W |
| then straight to …… | 50°06.878' N | 127°30.361' W |
| then following the shoreline | | |
| southeasterly to …….. | 50°06.805' N | 127°30.224' W |
| then straight to …… | 50°06.783' N | 127°30.137' W |
| then straight to …… | 50°06.757' N | 127°30.104' W |
| then straight to …… | 50°06.714' N | 127°30.064' W |
| then straight to …… | 50°06.675' N | 127°30.058' W |
| then straight to …… | 50°06.567' N | 127°30.057' W |
| then straight to …… | 50°06.591' N | 127°30.195' W |

then following the shoreline northward to the point of commencement.

ii. "Malksope-Bunsby Islands" That portion of Malscope Inlet–Bunsby Islands in Subarea 26-7: inside a line

| | | |
|---|---|---|
| that starts at ……... | 50°06.180' N | 127°30.845' W |
| then straight to ……... | 50°06.252' N | 127°30.837' W |
| then straight to …… | 50°06.246' N | 127°30.810' W |
| then straight to …… | 50°06.215' N | 127°30.650' W |
| then straight to …… | 50°06.184' N | 127°30.602' W |
| then straight to …… | 50°06.187' N | 127°30.555' W |
| then straight to …… | 50°06.212' N | 127°30.542' W |

then following the shoreline southward then northward to the point of commencement, and that portion of Malscope Inlet–Bunsby Islands in Subarea 26-7: east of a straight line

| | | |
|---|---|---|
| from …….……... | 50°06.322' N | 127°30.692' W |
| to …… | 50°06.284' N | 127°30.573' W |

**f. Part 1, Plan 6 of Appendix P for Kauwinch River**

"Kauwinch River" That portion of Kashutl Inlet at the mouth of the Kauwinch River in Subarea 26-5: bounded on the west by a line

| | | |
|---|---|---|
| that starts at …… | 50°08.749' N | 127°16.844' W |
| then following the low water mark | | |
| to ……... | 50°08.401' N | 127°16.360' W |
| then straight to …… | 50°08.281' N | 127°16.017' W |
| then following the low water mark | | |
| to ……... | 50°08.249' N | 127°15.876' W; |

and bounded on the northeast by a straight line

| | | |
|---|---|---|
| from ..... | 50°08.728' N | 127°16.226' W |
| to ..... | 50°08.710' N | 127°16.164' W. |

g. Part 1, Plan 7 of Appendix P for Artlish River; and

"Artlish River" That portion of Tahsish Inlet in Subarea 26-4 at the mouth of the Artlish River: bounded on the west by a line

| | | |
|---|---|---|
| that starts at …… | 50°07.191' N | 127°05.561'W |
| then following the low water mark | | |
| to…… | 50°06.166' N | 127°05.568' W; |
| and bounded on the east by a straight line | | |
| from ..... | 50°06.956' N | 127°05.275' W |
| to ..... | 50°06.815' N | 127°05.109' W. |

**h. Part 1, Plan 8 of Appendix P for Amai Inlet.**

"Amai Inlet" That portion of Amai Inlet in Subarea 26-3: southeast of a straight line

| | | |
|---|---|---|
| from …… | 50°01.469' N | 127°05.021' W |
| to …… | 50°01.524' N | 127°04.899' W |

## Species

Species for which this Intertidal Bi-valve plan applies are: Manila clams, littleneck clams, varnish clams, butter clams, razor clams and oysters.

Note: There is no harvestable quantity of butter clams due to predation (sea otter, ducks). KCFN Hawiih, Nuu Chah Nulth Tribal Council, and Ua-thluck are in agreement that domestic bivalve harvests is an objective, that is made more difficult with the over population of sea otter, being the main predator, that has caused and continues to cause harm to our domestic bi-valve catch beaches.

## Time Frame of the Fishery

Harvesting occurs throughout the year. Openings will be announced through Fishery Notice issued by DFO, and the KCFN Fisheries Manager and will only take place once the appropriate monitoring has been established and acceptable bio-toxin and water quality results are determined. The fishery may be closed at any time if elevated PSP levels are detected through the on-going monitoring program.

Please see section 3.6 for more information on finding notices of closures within the community. Also information may be obtained at the following DFO Website (http://www.dfo-mpo.gc.ca/fm-gp/contamination/index-eng.htm)

## Participants

KCFN members with a valid harvesting licence will participate in the harvest of intertidal bivalves. All licensed harvesters are required to report their harvest monthly.

Other Maa-nulth harvesters with valid harvesting licenses and the appropriate protocol arrangements may participate in harvest of bi-valves.

Non-KCFN Maa-nulth-aht with valid harvesting licenses and the appropriate protocol arrangements may participate in the harvest of Intertidal Bivalves in the KCFN Intertidal Bivalve Domestic Fishing Areas.

## Additional Management Measures

The harvest limit is set at 10 kg of clams and 2 dozen oysters per license per day. KCFN requests all harvesters back fill their dig holes to ensure that remaining clams are not exposed to freezing and over heating conditions.

## Communication Plan

Public Notice of harvest areas, openings, closures, conservation closures (enacted by KCFN Fisheries Dept.) and biotoxin results will be posted at the following locations:

Copies of this fishing plan will be made available to all harvesters, and will be posted on KCFN's website. Notices are usually posted on the bulletin boards at the KCFN administration offices in Campbell River and

Houpsitas. Notice of closure will be included in the KCFN Newsletter and posted on the KCFN website and well as on Facebook. Those members living in remote areas are provided the information about a closure by telephone or even a visit in person by the KCFN Fisheries crew. KCFN members will be referred to the DFO website for current information. Additionally, it will be announced via VHF Channel 14 in the community of Houpsitas.

## Fishery Monitoring and Enforcement

The KCFN Fisheries Program, in consultation with DFO's Conservation and Protection staff, will develop a monitoring and enforcement protocol to govern the FSC intertidal bivalve fishery. Overharvesting will not be allowed, and for the success of our beaches to continue to be productive, conservation will be first and foremost. KCFN bi-valve beaches will be closed during Commercial openings, and monitored.

The KCFN may have on-ground monitoring during openings to monitor harvesters' activities, and may carry out joint patrols with C&P members as outlined in the Enforcement Protocol.

The details of the agreement are currently being developed.

## Catch Reporting

KCFN Fisheries Regulations specify that anyone who harvest in a KCFN fishery must report the quantity harvested to the KCFN Fishery Manager in accordance with the terms and conditions identified in the regulations or on an order of the Director. The catch reporting will be consistent with those described in any Maa-nulth Harvest Documents, the Maa-nulth Fisheries Operational Guidelines, and any harvest plan developed for KCFN and Maa-nulth fisheries.

KCFN harvesters are required to record the date, gear, location, species, number and/or weight daily and to submit record of catch on the 30$^{th}$ of each month.

A list of designated harvesters and their designation numbers will be submitted and updated as new harvesters are identified throughout the year.

## Product Handling

Any product harvested is for domestic-food, social and ceremonial purposes only.

Note: Butter clams currently have no harvestable quantity therefore KCFN prohibits members from the harvesting of them. Three areas of concern, around this include environmental from the result of river flooding and logging, predation by ducks, and predation by the sea otter, which was introduced into the area and have caused great damage to our bivalve beaches.

## ASSESSMENTS

There is currently no stock assessment of KCFN intertidal bivalve beaches. However, a research program is proposed to address the lack of clams on many of the beaches.

**What is the research about?** The proposed research brings together aboriginal and academic partners to conduct research that will contribute to aboriginal rights and ability to maintain healthy and productive clam beaches in traditional territories.

**Why is it important?** Clams are a key indicator of marine health, and for many First Nations and rural communities on the east and west coasts of Canada, they are the only remaining fishery for which there is local commercial access, often providing the sole winter income, as well as being an important food source.

**Who are the partners?** Musgamagw Tsawataineuk Marine Management Society (MTMMS), Musgamagw Tsawataineuk Tribal Council (MTTC), KCFN, Nuu-chah-nulth Tribal Council Northern Region Fisheries, Simon Fraser University's School of Resource and Environmental Management, University of British Columbia's Faculty of Law. The aboriginal partners are expected to play an active role in guiding the

research so that it can address the most pertinent issues in their communities. The Nuu-chah-nulth and Kwakwaka'wakw areas have complementary successes to share and also commons needs.

**What specific problems does the research aim to address?** {The following list is preliminary, based on initial discussions among the parties above. Further issues will be identified through interactive planning with community-based clam diggers and their leadership at the project's beginning}. The following challenges/problems that currently limit a healthy, productive clam fishery have been identified so far:

(1) There is a need to clarify the role of aboriginal rights to food security and livelihoods to properly inform and provide policy direction to the new joint federal-provincial jurisdiction over clam beaches. The Supreme Court of Canada has recognized an obligation for governments to "consult and accommodate" First Nations in instances in which their decisions may infringe upon aboriginal rights and title. For example, currently it is not possible to enhance depleted wild clam beaches without taking out an expensive provincial aquaculture tenure. The change in jurisdiction will require new and informed ideas about how to balance public priorities.

(2) There is a need to share experiences about how to co-manage clams among neighbouring tribes with traditionally different or overlapping access protocols, and how to make rules locally for managing clams sustainably.

(3) There are poor measures and regulations to protect clam beaches from impacts of industrial development, particularly in the case of salmon farming; current regulation excludes aboriginal knowledge and perspectives on the existence and extent of pollution of clam beaches;

(4) Under provincial jurisdiction, there have been pressures to industrialize and privatize the inter-tidal zone through clam aquaculture (farming) tenure agreements; however, these agreements include provisions for the transferability of tenures and this risks the displacement of aboriginal people over time from their historical clam grounds;

(5) There are currently no measures of the comparative risks, costs, and benefits of managing clam beaches for wild or farmed production, measures that could inform aboriginal people and other rural communities in areas where the industry is pressuring to expand clam farming operations;

**What research activities are proposed so far?** It has been suggested that in KCFN territory, researchers would systematically compare the ecological and financial costs of managing a clam beach for wild vs farmed fisheries (and attempt to understand recent clam disappearances). In Kwakwaka'wakw territory, researchers and a former KCFN fisheries manager would share their experience of managing a wild clam fishery sustainably as well as worldwide experiences in doing this. The communities will decide how and if interactive discussion and/or other additional research is needed and what direction it should take. Recent suggestions include clam enhancement experiments and stock assessment that develop data that communities need. Researchers will provide timely reports and dialogue on progress to date, while also developing plans for future research activities. Through interactive workshops directing and informing ongoing research, the research team proposes to document and discuss past findings and current ones as they emerge.

## POST-SEASON REVIEW

At the end of the traditional harvest period, KCFN Fisheries staff will meet with DFO staff to discuss the harvest season to identify any issues or areas of concern that need to be addressed. At this time, the Community Harvest Plan will be amended to reflect these changes to the management of the intertidal bivalve fishery.

## Schedule 7 Maa-nulth First Nations Annual Fishing Plan – Unallocated Species
**(February 1, 2016 to January 31, 2017)**

This fishing plan has been prepared by the Maa-nulth First Nations (MFN) for submission to the Joint Fisheries Committee to assist in the planning for Maa-nulth fisheries targeting unallocated species to be conducted between February 1, 2016 and January 31, 2017.

The fishing plan describes the proposed harvest plans and harvest expectations for unallocated species, based on pre-season run size forecasts, to ensure that the Department of Fisheries and Oceans (DFO) is aware of potential MFN's harvest levels and preferred harvest times, areas and methods. The plan details the location and dates and times of harvest, the methods of harvest (type of gear), as well as any size restrictions or other conservation matters of relevance.

| **Unallocated Species** | |
|---|---|
| Fishery: | A domestic harvest of numerous unallocated species is proposed for the fishing period by MFN. |
| Area: | Unallocated Species will be harvested for Domestic purposes in the MDFA. |
| Dates and Times: | From February 1, 2016 to January 31, 2017 fishing will be 7 days per week. |
| Gear: | Hook and line, throw nets, trap, spear, angling, handpicking, urchin rake, Tutsup (urchin) pole, dip net, ring nets, traps, diving, and firearm. |
| Size: | There are currently no size restrictions for domestic harvests of Unallocated Species. |
| Pre-Season Expectation: | Harvest limits per harvester are specific to each Maa-nulth Nation. KCFN proposes a harvest of up to a maximum of 50 sea otters with the actual harvest being determined using the calculation formula in the Nuu-chah-nulth Sea Otter Management Plan for Nuu-chah-nulth Territory. Large males will be targeted in the harvest. |
| Conservation Concerns: | See general prohibitions on Page 3 of this Maa-nulth Fishing Plan. No other conservation concerns have been identified that would prohibit MFN from harvesting Unallocated species during the fishing period. |