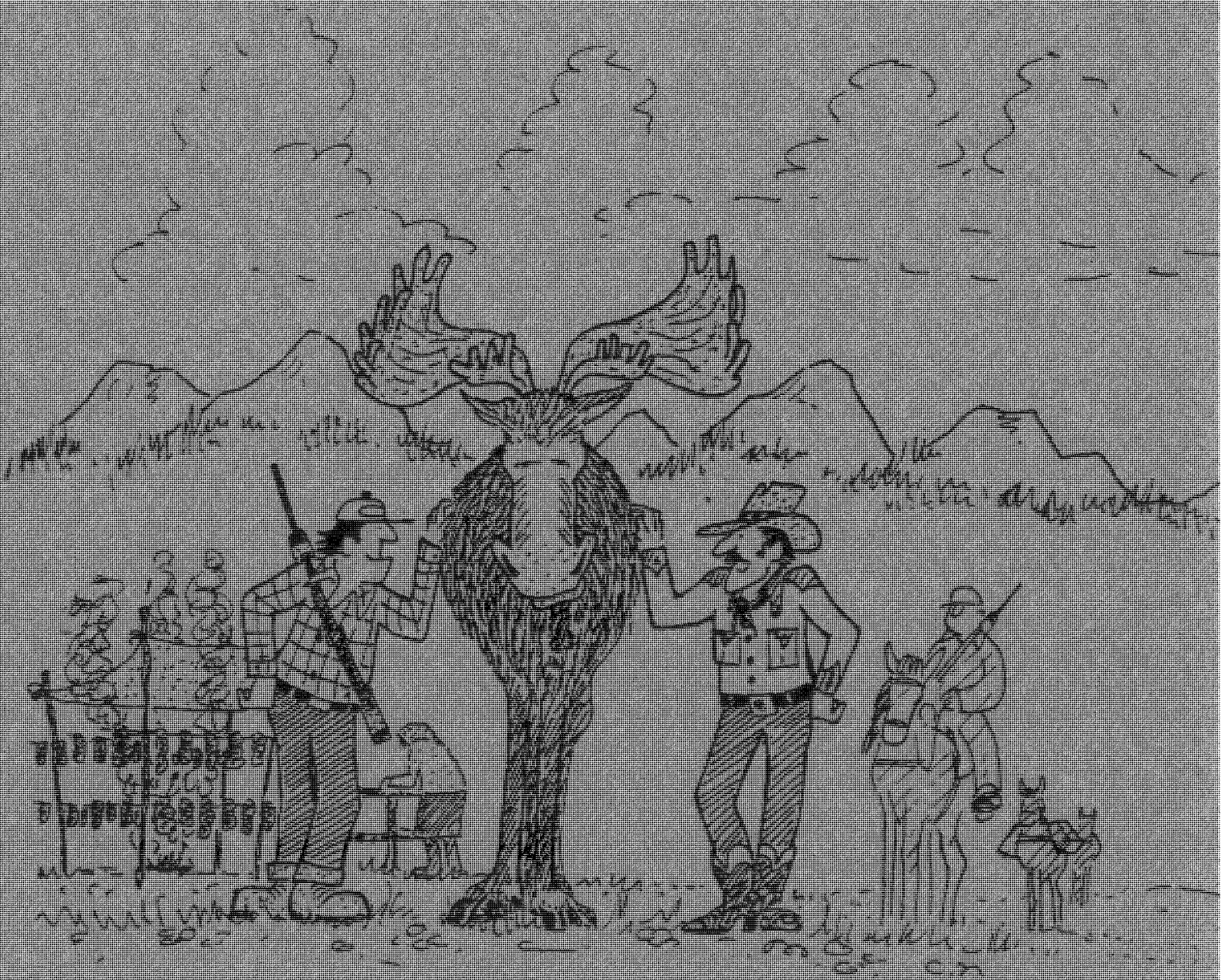


GUIDELINES TO ESTABLISH OUTFITTER QUOTAS



INTRODUCTION AND BACKGROUND:

In April 1993, Mr. Bill Brewster, the previous Minister of Renewable Resources, established an eight member Outfitter Quota Committee with representatives from the Fish and Wildlife Management Board, the Yukon Outfitter's Association, the Mayo District Renewable Resources Council, and the Department of Renewable Resources. This Committee was given the task of reaching an agreement on an approach and schedule for establishing harvest quotas for big game outfitting concessions.

The Committee was responsible for consulting each outfitter and First Nation, and to achieve this, the Committee invited all outfitters and First Nations to a 3-day workshop in November 1993. At this workshop, a number of principles and recommendations were drafted and supported. These principles and recommendations were then discussed at community meetings throughout the Yukon, and formed the basis for the outfitter quota guidelines, which the Committee recommended to the Fish and Wildlife Management Board in June 1995.

The Board released the Committee's guidelines to the public and recommended them to Mr. Mickey Fisher, the Minister of Renewable Resources, in October 1995. Mr. Fisher accepted these recommendations in January 1996, established August 1, 1996 as the target date for negotiating quotas for individual outfitters, and August 1, 1997 for implementation.

The following pages contain the approved guidelines for establishing harvest quotas for outfitting concessions in the Yukon, the letters of transmittal from the Outfitter Quota Committee to the Board, from the Board to the Minister of Renewable Resources, the Minister's response to the Board, and the Minister's letter to the Board announcing Cabinet approval of the recommendations.



Office of the Minister
Box 2703, Whitehorse, Yukon Y1A 2C6

fw1/BP#2/CW95-115
Min. No. A-749

1995 November 08

FILE

Gerry Couture, Chair
Yukon Fish and Wildlife Management Board
P.O. Box 5954
Whitehorse, Yukon Y1A 5L7

Dear Mr. Couture:

Re: Outfitter Harvest Quotas

Thank you for your October 20, 1995 letter, recommending implementation of the recommendations made by the Outfitter Quota Committee.

I will take this matter to my Cabinet colleagues for their review, and will advise you formally of the conclusions of our deliberations. All copies of the report will include the letter of transmittal from the Committee to the Board, as you have requested.

Thank you for your recommendation. I too hope that the process of developing quotas will encourage better communication between communities, First Nations, and outfitters.

Sincerely,

Mickey Fisher
Minister
Renewable Resources





Office of the Minister
Box 2703, Whitehorse, Yukon Y1A 2C6

fw4/hm07/gc01

January 11, 1996

Mr. Gerry Couture
Chair, Yukon Fish & Wildlife
Management Board
P.O. Box 5954
Whitehorse, YT Y1A 5L7

Dear Mr. Couture:

I am pleased to inform you that on January 4, 1996, Cabinet approved the Outfitter Quota Guidelines as per your recommendation 1995-2. Thank you for your work on this important project.

The Department will negotiate these quotas with the Outfitters between now and August 1, 1996 and have them implemented for the (August 1) 1997 season.

Thanks again.

Sincerely,

A handwritten signature in black ink, appearing to read "Mickey Fisher". The signature is stylized and cursive.

Mickey Fisher
Minister of Renewable Resources



Yukon Fish and Wildlife Management Board

Box 5954, Whitehorse, Yukon, Canada Y1A 5L7

(403) 667-3754

October 20, 1995

Hon. Mickey Fisher
Minister of Renewable Resources
Government of the Yukon
Box 2703
Whitehorse, Yukon
Y1A 2C6

A- 5 LOG # 249
BF DATE: Nov 17/95
CC: _____
For Response DN
FOR INFO Oct 26/95
URGENT _____

Dear Mr. Fisher:

Re: Outfitter Harvest Quota Recommendations

At its October meeting, the Board reviewed and considered the recommendations of the Outfitter Quota Committee. It also considered written and oral comments from a number of Renewable Resource Councils and First Nations.

After carefully weighing all of the information available to it, the Board formulated the following recommendation to you:

Recommendation 1995-2

The Yukon Fish and Wildlife Management Board recommends that the Minister implement an Outfitter Quota System following the recommendations developed by the Outfitter Quota Committee and forwarded by the Board at this time as an attachment to this recommendation letter.

Please note that the Board includes the transmission document from the Committee to the Board as an integral part of the document.

In addition, please note that in the first line of recommendation number 3 in the document conveyed to you has a handwritten change in the first line which substitutes "must" for "should", a change which was proposed by a Quota Committee member during the presentation of the recommendations to the Board and accepted without criticism by the other members of the Committee appearing before it.

The Board believes that implementation of this recommendation will go a long way towards addressing public concerns about the harvesting practices of the outfitting industry in the territory.

Perhaps more importantly, the process of developing quotas will encourage better communications between Yukon communities, First Nations and outfitters and a better understanding of the wildlife resources on which both rely.

Yours very sincerely,

A handwritten signature in black ink, appearing to read 'Gerry Couture', with a long horizontal flourish extending to the right.

Gerry Couture
Chair

April 20, 1995

Gerald Couture, Chair
Fish and Wildlife Management Board
Box 5954
Whitehorse, YT Y1A 5L7

Dear Mr. Couture:

The Outfitter Quota Committee is pleased to forward to you for your consideration its findings and recommendations on a quota system for outfitters.

These recommendations are the result of a 3-day workshop held in November 1993 which was attended by most outfitters and First Nations, and 27 community meetings with First Nations and the public between January and March 1994. The community meetings were done at the request of the previous Fish and Wildlife Management Board. The report and recommendations from this workshop and the report from the community meetings are attached.

The Committee was established by the Minister of Renewable Resources in June 1993 in response to a November 1992 recommendation from the previous Board that a formula for outfitter harvest quotas be established. The Board felt that the public needed to be assured that there was a ceiling on the amount of wildlife an outfitter can harvest, and that this ceiling would allow for harvesting by First Nation and licensed hunters.

The Committee was given the task of reaching an agreement on a system and a schedule for establishing outfitter harvest quotas. The Committee was responsible for consulting each outfitter and First Nation, and to report its findings and recommendations to the Fish and Wildlife Management Board.

The system recommended here will provide both guidelines and a procedure for the Boards and Councils, and the Territorial and First Nation Governments, so that criteria for allocating and administering outfitter quotas will be applied consistently throughout the Yukon. This system is intended to bring outfitters, First Nations and communities closer together in a relationship that will not only meet the wildlife management requirements and business needs of the outfitter, but also address the concerns of the local communities. It is obvious from our many public meetings that outfitters who work with local communities and provide benefits, such as employment, meat, and buying goods and services, will enjoy support for their businesses.

The outfitting industry voluntarily agreed to participate in this initiative even though it meant that outfitter harvest ceilings for moose and caribou would be established throughout the Yukon, and for reasons other than strictly conservation in some areas. This quota system also establishes a basis for sheep quotas for conservation reasons, should the situation arise, as outlined in point 9 in the attached recommendations. A multi-year quota system for grizzly bears and goats has been in place for outfitters for many years.

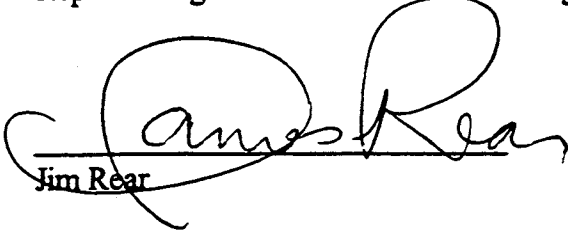
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It is the understanding of this Committee that these recommendations will in no way prejudice land claims negotiations. Furthermore, in areas where land claims agreements have not yet been settled, the community process outlined in point 8 of these recommendations should only be undertaken with the participation of the local First Nation.

The work of this Committee is now completed. As you can see, we have put considerable time and effort into this initiative and have attempted to provide recommendations that are both comprehensive and practical. It should be noted, however, that the wording in some of the recommendations was very difficult to achieve and represents considerable goodwill and understanding among the Committee members.

We wish the Board well in completing this important task.

Representing the Fish and Wildlife Management Board:

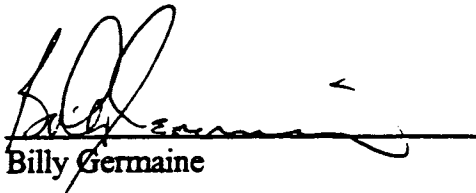


Jim Rear

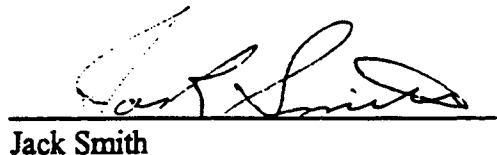


Sonia Stange

Representing the Mayo District Renewable Resources Councils:

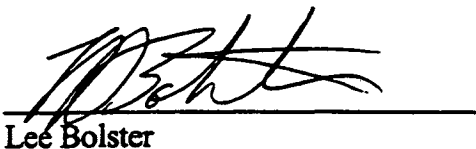


Billy Germaine



Jack Smith

Representing the Yukon Outfitters Association:

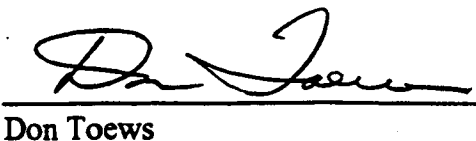


Lee Bolster

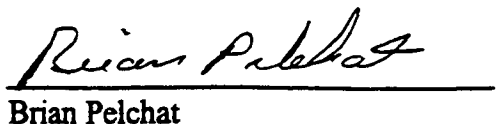


David Dickson

Representing the Government of Yukon:



Don Toews



Brian Pelchat

OUTFITTER QUOTA COMMITTEE

Recommendations to the Fish and Wildlife Management Board

1. Principles and recommendations from November 1993 workshop have good public support and should form the basis of the Outfitter Quota System (attached).
2. The outfitting industry benefits the Yukon and should be maintained as an industry that works towards providing local jobs and benefits.
 - a) An apprenticeship guide training program should be developed and requires full participation of the Yukon's outfitting industry. Trainees should be Yukon residents.
 - b) A procedure for distributing meat should be worked out between local communities, outfitters, and the Renewable Resource Council.
3. The Outfitter Quota System ~~should be~~ ^{must} consistent with the spirit of the Yukon Indian Land Claim Agreements. *MC*
 - a) First Nations and the Government of Yukon should achieve a common understanding about how wildlife will be managed under settlement legislation for land claims.
 - b) Involvement of the Yukon Fish and Wildlife Management Board and Renewable Resource Councils should follow processes set out under the Umbrella Final Agreement and First Nation final agreements.
 - c) Nothing in these recommendations should limit the ability of the Fish and Wildlife Management Board or Renewable Resources Councils to pursue wildlife harvest management and planning, as provided for in the Land Claims Agreement.
4. Quotas for outfitters will apply to moose and caribou, in addition to grizzly bear and goat that are already on a multi-year quota system. For sheep, quotas will apply for conservation purposes as outlined in point 9.
 - a) The Government of Yukon should deliver a public information program describing this quota system as well as the administration of grizzly bear, goat and sheep harvesting by outfitters.
5. Commercial outfitting operations require medium-term security to the resource with well-defined allocation formulas, as well as a process for increasing and decreasing them consistent with sustaining the resource.
 - a) Except in cases where conservation concerns are paramount, quotas should be for 3 - 5 years.
 - b) Harvest allocation guidelines should be developed that are based upon biologically sound sustainable harvest limits. These guidelines should allow for increasing and decreasing outfitter quotas as sustainable harvest levels fluctuate. Sustainable harvest here and elsewhere in these recommendations means the number of animals that can be harvested each

MC

- year from a population without causing the population to decline in numbers over the long term.
- c) Quotas should be administered by the Government of Yukon in such a way as to allow full use of these quotas by outfitters through 'roll-over' or 'evergreen' provisions in the final year of the quota, similar to grizzly bear quotas.
6. Where harvest restrictions on moose and caribou populations are required for conservation purposes (i.e. where permit hunts apply), harvest allocations will give priority to Native hunters, and a sharing of the resource by resident non-Native hunters and outfitters.
 - a) In areas where First Nation Final Agreements have been legislated, sharing formulas in these agreements will be followed.
 - b) Outfitters should be allocated between 25% and 50% of the non-Native allocation for moose and caribou within their concession, but allowing for local and regional variations within each concession based upon resident harvest and demand.
 7. Where moose and caribou populations are not over-harvested (i.e. where open seasons apply), outfitter quotas should reflect recent outfitter harvest levels and outfitter harvest plans which can be sustained by the resource.
 - a) The average of the 3 years of highest harvest between 1989 and 1993 inclusive should be used to establish the recent harvest figure.
 - b) Outfitter harvest plans should be reviewed by fish and wildlife staff and the local Renewable Resource Council to ensure that proposed harvests are within sustainable harvest limits.
 - c) If recent outfitter harvest levels are well below that which can be sustained, more weight should be given to the outfitter harvest plans.
 8. Each outfitter should participate in establishing harvest allocations and quotas for his concession, as well as the process for changing quotas, including all meetings with the Fish and Wildlife Management Board and the Renewable Resource Councils or, in the absence of a Council, other local committees as required.
 - a) The operating procedures of the Fish and Wildlife Management Board and the Renewable Resource Councils should provide for outfitter participation.
 - b) The Council or Committee should set up meetings with individual local outfitters and the Department of Renewable Resources for the purpose of reaching agreement on the specific quotas for the outfitter concessions.
 - c) If agreement is not reached with the outfitter within a 90 day period, the outfitter can refer the matter to an appeal process.
 9. As stated in point 4 above, the intent of these recommendations is to establish outfitter harvest quotas for moose and caribou. In the future, however, quotas could apply to sheep in specific areas when the ages of harvested sheep by an outfitter have declined to biologically significant levels over time (i.e. for conservation purposes).

- a) Sheep populations within each outfitting concession should be delineated and regarded as discrete units. Sheep population here means those animals occupying a GMS, or group of GMSs, where natural boundaries probably limit their contact with sheep in other GMSs. For consistency, the locations of sheep in June or July will determine the range of a sheep population. Some outfitting concessions may contain more than one sheep population and adjacent outfitting concessions may share sheep populations.
 - b) If the average age of harvested sheep in an identified sheep population by an outfitter should fall below 8 years in any single hunting season, the Department of Renewable Resources should undertake the following actions:
 - i) Notify immediately in writing the outfitter and the Renewable Resource Council of the situation.
 - ii) Take steps immediately, with full involvement of the outfitter, to determine the causes for this decline in the age of harvested sheep and to correct the situation. The focus at this time should be a cooperative initiative by the Department and the outfitter to increase the age of harvested sheep in the identified sheep population.
 - c) If the average age of harvested sheep in a identified sheep population by an outfitter falls below 8 years twice during any 3-year period, the outfitter will be placed on a 5-year sheep quota for that identified sheep population using the process indicated in point 8 above.
 - d) If the average age of outfitter harvested sheep taken under the terms of the 5-year sheep quota is greater than 8 years, the quota should be discontinued.
 - e) Notwithstanding the conditions stated above, if a sheep permit area is established for resident hunters, all outfitters who harvest sheep in that permit area should be placed on sheep quotas for that specific area.
10. An independent appeal process should be established and accessible to outfitters who feel that their assigned quotas are unfair. This process should be structured as follows:
- a) A committee should be established with the following membership:
 - i) One member selected by the Yukon Outfitters Association.
 - ii) One member selected jointly by the Fish and Wildlife Management Board and Renewable Resources Councils.
 - iii) These two members jointly select a third member.
 - iv) Committee members should not be outfitters, Government of Yukon employees, or members of the Fish and Wildlife Management Board or a Renewable Resource Council.
 - b) Members of the Committee should be appointed by the Minister of Renewable Resources to serve a three-year term.
 - c) The Committee should hear testimony from the affected outfitter, the local Renewable Resource Council, and the Department of Renewable Resources on the quotas in question, and make its recommendations to the Minister of Renewable Resources within 30 days.



- d) The Minister of Renewable Resources should make the final decision on the quota in question within 30 days of receiving the Committee's recommendation.
- e) The Committee should be in place before any quotas are assigned to outfitters.

11. The Outfitter Quota System should be in place by fall of 1996.