

## Willow Lake Métis Nation Harvester Application

|             |  |
|-------------|--|
| First Name: |  |
| Last Name:  |  |
| Address:    |  |
| Home phone: |  |
| Cell phone: |  |

Alberta considers, for the purpose of Métis harvesting, four harvesting areas shown in the attached map. An application must demonstrate a historic (pre-1900 ancestral) and contemporary connection to the Harvesting Area for which the application is made.

I would like to be considered a Willow Lake Métis Harvester in Harvesting Area(s) \_\_\_\_\_

*In support of this application, I am submitting the following information (please check all that apply):*

- ☐ Copy of Willow Lake Métis Nation citizen card or other evidence of self-identification (e.g. statutory declaration)
- ☐ Visual check of valid government issued picture ID (e.g. Driver's Licence) verifying place of residence (NOTE: *If Applicant resides in a location other than the community they are applying for, further evidence or explanation of a contemporary connection is required*).
- ☐ Copy of **Long Form** Birth Certificate (*includes information about parents*)
- ☐ Mailing address
- ☐ Name of the Métis community the applicant is connected to (*attachment*)
- ☐ Genealogical record
- ☐ File number(s) of any approved family member(s)
- ☐ Other relevant documents (*please specify*) \_\_\_\_\_.
- ☐ I have received the document entitled "Métis Harvesting in Alberta Policy (2018)". Available online here at <https://www.alberta.ca/indigenous-hunting-and-fishing-in-alberta.aspx>

### **PERSONAL INFORMATION COLLECTION NOTIFICATION**

This personal information is collected under section 33(c) of the *Freedom of Information and Protection of Privacy Act* (Alberta) for the purposes of informing your application to be recognized as a WLMN Métis Harvester in Alberta, in accordance with the criteria set out in the "Métis Harvesting in Alberta", and any updates or activities related to your Métis Harvesting Recognition. Questions regarding the collection of this personal information may be directed to the Willow Lake Métis Nation (780) 334.0008.

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Date

## Introductions

The following Policy is designed to ensure that Métis people who might be beneficiaries of Indigenous harvesting rights, as guaranteed by s. 35 of the Constitution Act, 1982, have the ability to hunt, fish and trap for food. The Willow Lake Métis Nation aims to continue to ensure the protection and sustainability of these harvesting rights for eligible Métis individuals, while showing cultural sensitivity to the importance of this practice when enacting the Policy.

## Métis Harvesting Context

Métis are included as one of three Aboriginal peoples of Canada in s. 35 of the Constitution Act, 1982, in addition to First Nations and Inuit. Métis people have played an integral role in Alberta's history, society, and economy. Hunting, fishing, and trapping are important to many Métis peoples' way of life throughout history and remains important to the culture today. In 2003, the Supreme Court of Canada released a decision, in *R. v. Powley*, finding that members of the Métis community in Sault Ste. Marie, Ontario have an Aboriginal right to hunt for food protected under section 35 of the Constitution Act, 1982, in the Sault Ste. Marie area and its environs. In that case, the Supreme Court of Canada set out the test to be applied to determine whether a Métis collective has an aboriginal right. This test forms the basis of how this policy is applied. Métis harvesting for the purposes of this policy refers to individuals recognized as potentially having Métis rights to hunt, fish, and trap for subsistence (food) purposes within defined Métis Harvesting Areas in Alberta. The Government of Alberta considers these specific areas for the purposes of Métis harvesting. These activities must be conducted in accordance with safety regulations and should consider the conservation of fish and wildlife populations.

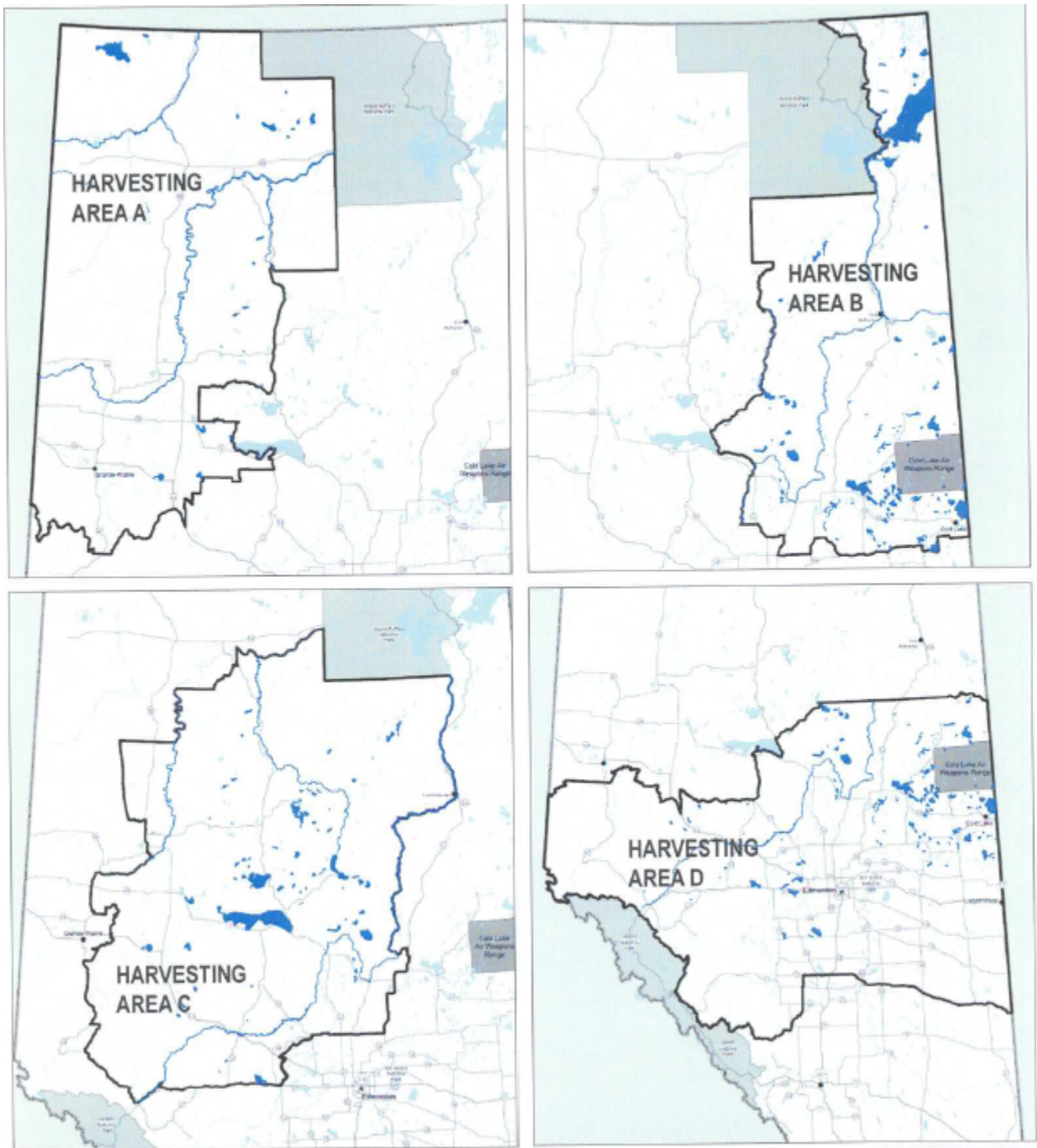
## Policy Parameters

### **Registration Process**

To determine eligibility to be recognized as a Métis harvester, applicants must demonstrate a historical connection to one of four Métis Harvesting Areas in Alberta, as well as a contemporary connection to the same community.

The application process could take up to three months, depending on the information provided by the applicant.

Alberta considers these Areas for the purposes of Métis harvesting, as shown in figures 1-4 below. Title: Métis Harvesting in Alberta Policy (2018)



In order to be compliant with existing case law, and establish that a person has potential Powley rights to harvest for subsistence (food) in one of the four Métis Harvesting Areas in Alberta, applicants must meet three requirements:

1. Self-identify as Métis and state for how long they have self-identified; A statutory declaration confirming self-identification
2. Show an ancestral connection to the Métis Harvesting Area in Alberta they are applying for; This is shown by: Genealogical history, including where ancestors lived and when they lived there. Applicants must show a pre-1900 connection to the Métis Harvesting Area where they are applying.

3. Show a contemporary connection to the same Métis Harvesting Area; This is shown by: Showing a current address in the Métis Harvesting Area or describing your acceptance by and involvement in the Métis Harvesting Area. Métis Harvesters Recognized Métis harvesters may:

- Hunt for food within the specified Métis Harvesting Area for which they have been recognized.
- Fish for food on waterbodies for which they acquire a Domestic Fishing Licence within the specified Métis Harvesting Area, subject to restrictions on the licence(s).

Hunting Within their Métis Harvesting Area, a recognized Métis harvester may hunt for food only within the Harvesting Area, and within that area, a Métis harvester may hunt on unoccupied Crown land and other land to which they have a right of access for hunting.

Please refer to the annual Alberta Guide to Hunting Regulations, for further information on land access for hunting as well as other regulations related to hunting safety and conservation.

When Hunting Can Take Place Métis harvesters may hunt for food at all times of the year, subject to specific conservation closures.

### **Laws that Apply to Métis Harvesters**

Safety - laws dealing with hunting safety apply to Métis harvesters. For example, a Métis harvester is not permitted to hunt in a dangerous manner, illegally discharge a weapon or firearm (such as from a provincial highway, or within 200 yards of an occupied building, or at night), discharge a weapon from a vehicle or have a loaded firearm in a vehicle. Local municipal bylaws that prohibit the discharge of weapons in some areas may also apply. Métis Settlements include: Buffalo Lake, East Prairie, Elizabeth, Fishing Lake, Gift Lake, Kikino, Paddle Prairie, Peavine

Wastage of Meat - laws that require that the edible meat of any game animal or bird not be wasted, destroyed, spoiled or abandoned apply to Métis harvesters

Sale of Wildlife (Trafficking) - selling, buying, bartering, soliciting or trading in wildlife or wildlife parts, and offering to do so, are activities governed by the Wildlife Act and regulations. Many of these activities are strictly prohibited, while others are regulated. Hunting for the purpose of unlawful trafficking in wildlife, including parts such as meat, trophy heads, antlers, horns, or skins, is prohibited. However, the incidental sale of skins from deer, elk, moose or pronghorn antelope that were lawfully hunted (including by a Métis harvester) is permitted under the Wildlife Act.

Registration - for the purposes of conservation and management of the following species, all persons, including Métis harvesters, must register the kill of each of these animals in person and submit certain parts. Refer to the annual Hunting Guide for information on registration.

Export of Wildlife from Alberta - the export of wildlife from Alberta is governed by both federal and provincial laws. Certain types of wildlife and certain wildlife parts cannot be exported from Alberta by any person, including a Métis harvester; this includes bear paws and bear gall bladders.

Migratory Birds - certain federal laws including the Migratory Birds Convention Act and the Migratory Birds Regulations apply to all hunters, including Métis harvesters. A Métis harvester

may hunt migratory game birds at all times of the year, however bag limits, permit requirements and other laws concerning migratory game bird hunting do apply. Environment and Parks defers to the Canadian Wildlife Service to provide details of the application of these laws to Métis harvesters.

### **Fishing**

Recognized Métis harvesters are able to apply for a Domestic Fishing Licence within their harvesting area. Domestic Fishing Licences permit recognized Métis harvesters to harvest fish for food from specified water bodies, following specified conditions on the licence. Domestic Fishing Licences allow for the use of rod and reel; and, the use of one gill net of no more than 95 meters in length, and of a specified mesh size at specified waters. Both of these opportunities are subject to the conditions on the Domestic Fishing Licence. Commercial fishing is not permitted in Alberta. All commercial fisheries in Alberta were closed as of August 1, 2014. For more information, please see the Alberta Environment and Parks, Fish and Wildlife website.

### **Trapping**

The use of traps in harvesting animals for food is permitted under this policy, within the same access provisions discussed under Hunting, above. The commercial trapping of furbearers, however, is not enabled by this policy. All commercial harvest of furbearers in Alberta must conform to Alberta's obligations under the Agreement on International Humane Trapping Standards (AIHTS). This requires trappers to possess a Fur Management License and to use traps certified to be humane under the AIHTS. For more information on commercial trapping please see: the Alberta Guide to Trapping Regulations Conservation

Many Métis harvesters value the importance of conservation and ensuring the sustainable management of fish and wildlife populations in Alberta.

## **Cultural Governance**

Willow Lake Métis people have lived on and derived their livelihood from the lands in the region beginning in the late 18th century. Today Willow Lake Métis people continue to use the lands in this area to exercise their Aboriginal rights, sustain their culture and identity as Métis people, support their community, and pass their knowledge and way of life on to their descendants.

Historic Cultural practices that characterized the Willow Lake Métis community included living off the land by hunting, trapping, fishing and plant gathering.

In this present-day Willow Lake Métis Citizens were taught these same harvesting skills by their parents and grandparents, many of them on traplines that have been in their families for several generations. Willow Lake Metis Nation Citizens traditional practices of harvesting and sharing of food characterize the community today.