# Management framework for harmonization of recreational activities on salmon rivers located in structured wildlife territories

Final version 2023







#### **Coordination and Writing**

This publication was created by the Direction générale de la valorisation du patrimoine naturel of the Ministère de l'Environnement, de la Lutte contre les changements climatiques, de la Faune et des Parcs (MELCCFP). It was produced by the Direction des communications of the MELCCFP.

#### Information

Telephone: 418-521-3830

1-800-561-1616 (toll free)

Form: <u>www.environnement.gouv.qc.ca/formulaires/renseignements.asp</u>

Internet: www.environnement.gouv.qc.ca

Cover photo: Hooké

Legal deposit – 2023 Bibliothèque et Archives nationales du Québec ISBN 978-2-550-95399-9 (PDF)

All rights reserved for all countries. © Gouvernement du Québec – 2023

## **Table of Contents**

List of Tables	V
List of Figures	vi
Context	1
Profile of the situation	3
Salmon populations	3
Indigenous communities	3
Sport fishing	4
Recreational tourism stakeholders	5
Structured wildlife territories for salmon fishing	5
Division of powers	7
Legal and administrative management tools	8
Engaged wildlife partners	11
Issue 1 - Growth of conflicts of use	14
Direction 1 - Favour harmonious sharing of the territory	15
Course of Action 1.1 – Assess the support capacity of the environments	15
Course of Action 1.2 – Develop indicators and map the sectors of activity	15
Course of Action 1.3 – Create awareness tools	15
Course of Action 1.4 – Modify the regulatory and administrative framework	15
Issue 2 – The quality of the fishing experience compromised by the multiplicity uses	
Direction 2 – Support the development of salmon rivers for fishing activities	18
Course of Action 2.1 – Recognize the salmon rivers as preferred places f	or 18
Course of Action 2.2 – Revise the governance tools, such as the recreation activity development plan (RADP) and the commercial undertaking authorizations	nal ng 18

Course of Action 2.3 – Improve the quality of the fishing experience by selection development and infrastructures	
Issue 3 – The effects of uses on resources	20
Direction 3 – Ensure conservation of resources	21
Course of Action 3.1 – Improve our scientific knowledge of the im recreational activities	
Course of Action 3.2 – Create communication tools	21
Course of Action 3.3 – Assess the possibility of broadening the power wildlife protection assistants	
Course of Action 3.4 – Ensure suitable modalities based on the harvest of rivers	_
Issue 4 – A complex sharing of roles and responsibilities	23
Direction 4 – Ensure clear and collaborative governance	24
Course of Action 4.1 – Facilitate the regional concerted action process	24
Course of Action 4.2 – Establish a dispute management mechanism	24
Course of Action 4.3 – Ensure an interdepartmental alignment	25
Course of Action 4.4 – Facilitate the territorial modification process	25
Implementation	26
Appendix	27

## **List of Tables**

Table 1: Number of Atlantic salmon fishing licences sold		
Table 2: Atlantic salmon harvesting from 2016 to 2020	28	
Table 3: Salmon fishing controlled zones (ZEC)	29	
Table 4: Wildlife sanctuaries that offer salmon fishing	31	

## **List of Figures**

Figure 1: History of Atlantic salmon runs in Québec from 1984 to 2020 $\_$	27
Figure 2: Salmon fishing controlled zones (ZEC)	28
Figure 3: Wildlife reserves that offer salmon fishing	31
Figure 4: Private lands on the edge of salmon rivers covered by agreement under sections 36 and 37 of the ACDW	an 32
Figure 5: Outfitting operations with exclusive rights that offer salm fishing	on 33

#### **Context**

Endowed with natural riches and breathtaking landscapes, **Québec has all the necessary advantages to be a preferred nature destination**. To this effect, 76% of Québec travellers who visited the province in summer 2020 indicated they wished to discover more after their tourist experience (Transat Chair in Tourism, 2020¹).

Nature and adventure tourism also saw its number of enthusiasts rise in 2020. One out of three Québec travellers affirm they increased the frequency of their outdoor activities in summer 2020 (Transat Chair of Tourism, 2020). Moreover, nearly 78% of adventure tourism enterprises experienced total revenue growth in 2019. The average growth rate of the enterprises surveyed was 13.5%, an increase twice as high as the one observed for Québec tourism as a whole (Aventure Écotourisme Québec, 2019²).

To meet the population's growing demand, enterprises were established near certain rivers where Atlantic salmon sport fishing is possible. These enterprises offer their customers services related to recreational activities other than sport fishing, such as boating equipment rental or river tour packages. Thus, rivers that were originally visited exclusively by Indigenous fishers for food and transmission of knowledge, and then by sport fishers, today are the playground of enthusiasts for all kinds of recreational activities, such as canoeing, kayaking, swimming or free diving.

Salmon rivers thus are part of territories increasingly visited by various users, because the beauty of these expanses of water makes them coveted places. Despite the efforts deployed by the stakeholders of the environments concerned, conflicts persist between the different users and solutions must be identified, then implemented to resolve the various issues. Harmonization problems may also arise between Indigenous and non-Indigenous fishers.

In this context, the Ministère de l'Environnement, de la Lutte contre les changements climatiques, de la Faune et des Parcs (MELCCFP) is developing the Management framework for harmonization of recreational activities on salmon rivers located in structured wildlife territories (TFS). The structured wildlife territories concerned (known in French as TFS) are wildlife sanctuaries, controlled zones (ZEC), outfitting operations with exclusive rights, and certain private lands covered by an agreement with the Minister responsible for wildlife, because these TFS contain particularly busy salmon rivers that need harmonization. An action plan will be produced to apply the action plans proposed in this framework.

This framework and the action plan that will result from it do not directly concern restoration of Atlantic salmon populations or optimization of the sustainable economic impacts of fishing of this

1

https://veilletourisme.s3.amazonaws.com/2021/01/LivreBlanc\_Tourisme2021.pdf.

https://aeq.aventure-ecotourisme.qc.ca/upload/contenufichiers/Etudes/sondage\_aeq/profil\_membres\_2019\_v2.pdf.

emblematic species. The preferred tool to pursue these objectives is the Atlantic Salmon Management Plan 2016-2026. It contains the modalities for managing Atlantic salmon and the population restoration methods to achieve the objectives of sustainable and profitable recreational fishing.<sup>3</sup>

-

<sup>&</sup>lt;sup>3</sup> https://mffp.gouv.qc.ca/wp-content/uploads/PG\_saumon\_ANG.pdf

#### Profile of the situation

#### Salmon populations

The Atlantic salmon populations<sup>4</sup> declined significantly in the 80s and 90s throughout the range of the species. Several factors contributed to the drop in populations, but the marked increase in mortality at sea strongly contributed to this decline. However, the salmon situation has stabilized since the 2000s in Québec, with annual variations of abundance (see Figure 1 in the appendix).

The Atlantic salmon range in North America extends from Connecticut to Ungava Bay.

In Québec, 114 watercourses are officially designated as salmon rivers and are distributed among 11 salmon breeding zones defined by various geophysical characteristics of the territory. It is possible to participate in sport fishing on more than half of these rivers. About thirty rivers are totally closed to fishing, particularly given the small size of the populations. 21 of the 114 watercourses are partially or totally located in the controlled zones, 17 totally in outfitting operations with exclusive rights, 7 in wildlife sanctuaries and 2 on private lands covered by a memorandum of agreement pursuant to sections 36 and 37 of the *Act respecting the conservation and development of wildlife* (ACDW). **This management framework applies to the 47 watercourses found in these territories.** 

#### Indigenous communities

The wildlife territories dedicated to salmon fishing are covered by Aboriginal or treaty rights, established or claimed. Members of the Indigenous communities carry on fishing **activities** there for food, ritual or social purposes that are integral parts of their culture. However, some of them decided to suspend their fishing activities after recognition of a reduction of the resource's populations. Some Indigenous communities share the use of salmon rivers with each other and must find codes of practice to ensure good coexistence. However, conflicts are created by the absence of measures for coexistence with non-Indigenous fishers visiting the structured wildlife territories.

The Gouvernement du Québec has the obligation to consult and, if applicable, to accommodate the Indigenous communities concerned when it considers an intervention that could have prejudicial effects for these rights. Moreover, subject to the imperatives related to conservation of the resource, the MELCCFP is bound to give priority to food fishing. In fact, section 63 of the ACDW provides that, in the establishment of a fishing management plan, the MELCCFP must give priority to fishing for food purposes over the other fishing activities, sport and commercial fishing.

The Gouvernement du Québec wishes to establish and maintain relations with the Indigenous communities based on dialogue, collaboration, trust and mutual respect, in the perspective of better consideration of their rights, interests and needs in wildlife management and development and salmon fishing. More specifically, it wishes to dialogue and collaborate with the Indigenous communities, with the

One form of Atlantic salmon (Salmo salar) is anadromous, which means the individuals are born in freshwater, then migrate to saltwater before returning to freshwater to reproduce, primarily in their river of origin. The other form, known as landlocked salmon, completes its entire lifecycle in a freshwater environment. Landlocked salmon are subject to a management mode distinct from migratory Atlantic salmon. In this document, the term Atlantic salmon will be used only to evoke migratory individuals, which excludes landlocked salmon.

goal of better reconciliation of the necessities of wildlife management and conservation with food, ritual and social needs, facilitate further Indigenous development and management of wildlife resources and favour harmony and coexistence in the territory. To ensure **harmonization of sport fishing with fishing practised for food and cultural purposes by the First Nations**, governance tools exist and are used in this perspective.

In this context, this management framework does not and must not have the effect of impairing the practice of Indigenous fishing activities for food, ritual or social purposes or the existing and future agreements with the Indigenous communities concerned by salmon fishing. The MELCCFP will consult and, if applicable, accommodate, the Micmacs, Innus, Hurons-Wendat and Wolastoqiyik Washipekuk, on any measure or any decision arising from the implementation of this management framework and that may have prejudicial effects on carrying on their fishing activities for food, ritual or social purposes. Also, the MELCCFP undertakes to associate the Indigenous communities concerned with the development and implementation of the directions and courses of action set out in this management framework, the better to reflect their expectations, needs and values related to salmon fishing for food, ritual or social purposes.

#### **Sport fishing**

Contrary to the effects of recreational activities, **the effects of sport fishing are well known** and are rigorously monitored. In fact, the MELCCFP has data on visitation, harvesting (catches and releases) and abundance of salmon populations on the main rivers visited by fishing enthusiasts. On this subject, in 2021, over 90% of the fishing effort was made on rivers subjected to a salmon population count. This data is at the basis of the species management mode defined in the Atlantic Salmon Management Plan 2016-2026 of the Ministère des Forêts, de la Faune et des Parcs (MFFP).

On the average from 2016 to 2020, **over 16,000** fishers practised Atlantic salmon fishing annually in **Québec.** Of this number, 14,000 are residents and over 2,000 are non-residents (see Table 1 in the appendix). During this period, there were an average of more than 67,500 fishing days per year, with an average of more than 17,000 salmon caught (sport catches and releases), 5,000 of which are conserved annually (see Table 2 in the appendix). Consequently, at least 70% of the salmon fished annually are released.<sup>5</sup> **This activity generates annual economic impacts of about \$50 million.** During the years 2018 to 2021, salmon river activities contributed to the maintenance or creation of 630 jobs in the regions concerned.<sup>6</sup>

Atlantic salmon sport fishing is important for the Québec economy, and particularly for the salmon breeding regions. According to studies, the daily practice of this activity is the most lucrative of all the wildlife activities offered in Québec in proportion to the number of enthusiasts who engage in it. The sale of Atlantic salmon fishing licences has increased constantly since 2018-2019 (see Table 1 in the appendix) and generated over \$2 million in revenue in the Québec economy. Moreover, visitation of salmon fishing territories increased by 5% between 2016 and 2020 in comparison with the five previous years.

<sup>&</sup>lt;sup>5</sup> Recording the catches concerned is mandatory in Québec. However, releases are reported on a voluntary basis by the fishers, which means that the number of fish released and total catches represents a minimum.

<sup>6</sup> https://mffp.gouv.qc.ca/documents/faune/PG\_saumon\_FR.pdf.

#### Recreational tourism stakeholders

Calm water canoeing is one of Quebecers' favourite summer activities. It ranks second among the activities outdoor enthusiasts would like to begin. Other water activities, such as kayaking and paddleboarding, also arouse interest. The beauty of the landscapes and the environment are the main criteria in choosing a location for enthusiasts of water activities.<sup>7</sup>

Over 56 professional enterprises offering guided or self-guided recreational canoeing activities on Québec rivers are members of Aventure Écotourisme Québec (AEQ).<sup>8</sup> According to data provided by AEQ, the total venue of these enterprises in 2021 was \$140 million and the average growth rate was 51%. The AEQ members in adventure tourism and ecotourism generate annual impacts of about \$1.37 billion.<sup>9</sup>

#### Structured wildlife territories for salmon fishing

In Québec, the salmon rivers exploited for sport fishing are mostly located in structured wildlife territories (TFS). These territories are established by the Minister responsible for wildlife. They are delineated under the ACDW, for the development, harvesting and conservation of wildlife or a species of wildlife and for the carrying on of recreational activities incidental thereto (other than sport fishing). Atlantic salmon sport fishing may also be offered on private lands when this practice is covered by an agreement between the owner and the Minister for the purposes of wildlife management and accessibility, issued under sections 36 and 37 of the ACDW.

The Minister responsible for wildlife has delegated management of the exploitation of sport fishing in these territories to non-profit organizations (NPO), enterprises or the Société des établissements de plein air du Québec (Sépaq). In particular, they are responsible for ensuring the harvesting, conservation and development of wildlife and equitable access for all to wildlife resources.<sup>10</sup>

#### Controlled zones (ZEC)

Controlled zones (ZEC) were established in 1978 following the closure of private hunting and fishing clubs on public land. This management model had the goal of restoring public access to the wildlife resources of public land and entrusting their management to the local communities. Section 104 of the ACDW provides that the Minister may establish controlled zones on lands in the domain of the State for the development, harvesting and conservation of wildlife or a species of wildlife and for the carrying on of recreational activities incidental thereto. <sup>11</sup> The controlled zones are managed by NPOs whose directors are elected

<sup>&</sup>lt;sup>7</sup> https://chairedetourisme.uqam.ca/upload/files/Etude\_Plein\_air\_rapport\_final.pdf.

<sup>8</sup> Aventure Écotourisme Québec is a non-profit organization that represents the main stakeholders of many outdoor activities in Québec.

<sup>9</sup> https://aeq.aventure-ecotourisme.gc.ca/upload/profil\_des\_membres\_aeq\_2021\_vf.pdf.

<sup>&</sup>lt;sup>10</sup> https://mffp.gouv.qc.ca/documents/faune/PG\_saumon\_FR.pdf.

<sup>&</sup>lt;sup>11</sup> Controlled zones (ZEC) | Ministère des Forêts, de la Faune et des Parcs (gouv.qc.ca).

democratically by the members. The management of hunting and fishing activities in these territories is delegated to NPOs by the MELCCFP by memorandum of agreement. The memorandum of agreement may include a recreational activity development plan specifying, among other things, the recreational activities to be offered and the fees, which may vary, applicable to each activity. We should mention that no charge may be imposed on navigation. However, it is possible to impose common pricing on all users who would use a launching ramp operated by the management agency.

The four founding principles of the controlled zones indicated in section 106 of the ACDW are to:

- encourage equitable access to the territory;
- ensure citizen participation;
- encourage the conservation of wildlife and its habitat;
- encourage the controlled zone's self-financing.

There are 85 controlled zones in Québec, including **21 salmon fishing controlled zones**, some of which cover more than one salmon river.

The salmon fishing controlled zones are divided among four administrative regions, Bas-Saint-Laurent (01), Saguenay-Lac-Saint-Jean (02), Côte-Nord (09) and Gaspésie-Îles-de-la-Madeleine (11) (see Figure 2 and Table 3 in the appendix).

#### **Outfitting operations with exclusive rights**

The ACDW defines an outfitting operation an undertaking which, in return for payment, provides lodging and services or equipment for the practice of hunting, fishing or trapping activities for recreational purposes.

The Québec network of outfitting operations includes two types of undertakings: first are those with exclusive wildlife harvesting rights in a given territory, pursuant to a lease with exclusive hunting and/or fishing and/or trapping rights signed with the Minister. These are outfitting operations with exclusive rights (PADE). These territories, in which exclusive rights have been granted, are subject to a particular wildlife use on the same basis as wildlife sanctuaries and controlled zones (ZEC).

Then there are outfitting undertakings that do not benefit from such exclusive rights. Their activities are practised in free territory (lands in the domain of the State) and on private lands. These are outfitting operations without exclusive rights.

This management framework only applies to outfitting operations with exclusive rights (PADE).

There are 188 PADEs in Québec, **19 of which offer salmon fishing.** They are divided among four administrative regions, Bas-Saint-Laurent (01), Saguenay-Lac-Saint-Jean (02), Côte-Nord (09) and Gaspésie-Îles-de-la-Madeleine (11) (see Figure 5 in the appendix).

#### Wildlife sanctuaries

The ACDW provides that the Minister may establish wildlife sanctuaries on lands in the domain of the State and dedicate them to the conservation, development and utilization of wildlife and to incidental recreational activities. The offering of activities and services for wildlife development purposes is delegated by

Wildlife sanctuaries | Ministère des Forêts, de la Faune et des Parcs (gouv.qc.ca).

**contract to operators or Sépaq** under the provisions set out in its constituting act, the *Act respecting the Société des établissements de plein air du Québec.*<sup>13</sup>

In Québec, there are a total of 21 wildlife sanctuaries, **4 of which offer salmon fishing exclusively**. They are NPOs, which see to the offering of activities and services on the four wildlife sanctuaries exclusively dedicated to salmon fishing. These are the Rivière-Cascapédia, Rivière-Sainte-Anne, Rivière-Saint-Jean and Rivières Matapédia-et-Patapédia Wildlife Sanctuaries. They are all located in the Gaspésie-îles—de-la-Madeleine region (11), and two of them overlap the Bas-Saint-Laurent region (01).

Two of the hunting and fishing wildlife sanctuaries managed by Sépaq also contain salmon rivers offering fishing activities for this species. They are the Port-Daniel (11) and Port-Cartier–Sept-Îles (09) Wildlife Sanctuaries (see Figure 3 and Table 4 in the appendix).

#### **Private lands**

To improve governance of wildlife management and favour accessibility of private land for wildlife development purposes, the MELCCFP has an intervention tool provided for in the ACDW. Under section 37 of this Act, the MELCCFP may sign a memorandum of agreement with a land owner or the land owner's representative for the purposes of wildlife management and accessibility on private lands and in private woods. Under section 36 of the ACDW, the users must comply with the terms and conditions delineated in the agreement and obtain authorization to carry on their activity. These agreements allow the responsible agency to regulate access to private lands as part of a memorandum of understanding, with the objective of increasing the accessibility of the territory for citizens who practise hunting and fishing, in exchange for the payment of the stipulated fees and compliance with certain conditions.

Two agreements made between the Minister of the agencies representing the land owners are in effect to favour access to salmon rivers bounded by private lands to practise fishing. These agreements are made with the Association de conservation de la vallée du Gouffre (Rivière du Gouffre) and Le Saumon de la Rivière-Malbaie (Malbaie River). These two rivers are located in the Capitale-Nationale region (03) (see Figure 4 in the appendix).

## **Division of powers**

The federal government, the provincial government and the municipal authorities have distinct responsibilities for the governance of fishing, navigation or other recreational activities.

#### **Fishing**

In 1867, the federal government obtained the exclusive legislative power over coastal and inland fisheries through the Constitutional Act, 1867. However, Québec has jurisdiction over the lands in the domain of the State. Fishing rights are incidental to property rights, except in navigable waters. Consequently, since Québec has jurisdiction to legislate in relation to public lands, it may adopt laws relating to fisheries in the domain of the State.

In the navigable waters affected by the Québec tide, the fishing rights belong to the public. Only the federal government has jurisdiction. To render the legal framework between the two levels of government coherent,

<sup>&</sup>lt;sup>13</sup> Wildlife sanctuary management framework (gouv.qc.ca).

the federal government and the Gouvernement du Québec signed various delegation agreements. Thus, the provincial government remains responsible for the management of Atlantic salmon fishing in Québec. Several provincial regulations arising from the ACDW government management of the structured wildlife territories (TFS) on the salmon rivers and the authorized and prohibited activities in fish habitat. The Quebec Fishery Regulations (SOR/90-214), which arise from the Fisheries Act (RSC (1985), c. F-14), allows the MELCCFP to establish the salmon fishing modalities on Québec rivers.<sup>14</sup>

#### **Navigation**

Navigation, like fishing, is under the federal government's jurisdiction. Once a body of water is navigable, the federal jurisdiction over navigation and vessels or ships applies. Management of bodies of water requires the combined action of the provincial and federal levels of government, which each have their own responsibilities.

However, the *Vessel Operation Restriction Regulations*, administered by Transport Canada, allows imposition of one or more restrictions on the use of small craft on a body of water or a part thereof. <sup>15</sup> A municipality may apply for the addition of such restrictions by following the stipulated procedure. When it meets the established requirements, the municipality then must adopt a resolution that officializes its application and transmit it to the Ministère des Affaires municipales et de l'Habitation (MAMH).

#### **Municipal powers**

The municipalities do not have any particular power to regulate fishing activities, but pursuant to their powers, they can regulate certain objects pertaining to shoreline development and access and the practice of recreational activities in general, including pleasure boating. This regulation may be established, in particular, for the purposes of public safety, environmental protection and nuisance management. For example, the municipalities may regulate the landings by which a motorboat can access a body of water or oblige pleasure boaters to clean the hull of their boat before any launch to fight the propagation of invasive alien species. <sup>16</sup> The municipalities may also regulate the practice of certain recreational activities, such as camping near rivers. They also manage certain cases of areas developed on the riverside. As mentioned, they may also apply, under the Vessel Operation Restriction Regulations, to impose certain restrictions concerning the use of boats on one or more bodies of water. In fact, under certain conditions, the municipalities may apply the Vessel Operation Restriction Regulations, which allows restriction of the use of certain types of boats or their speed on one or more bodies of water. To do this, they must comply with certain conditions established by Transport Canada. <sup>17</sup>

## Legal and administrative management tools

Section 4 (1), The Minister or a Director may vary close times, fishing quotas or limits on the length or weight of fish applicable to sport fishing that are fixed in respect of an area under these Regulations so that the variation applies in respect of that area or any portion of that area.

<sup>&</sup>lt;sup>15</sup> Section 2, Vessel Operation Restriction Regulations (SOR/2008-120).

https://www.mamh.gouv.qc.ca/publications/bulletin-muni-express/2021/n-18-9-juillet-2021.

https://www.mamh.gouv.qc.ca/amenagement-du-territoire/guide-la-prise-de-decision-en-urbanisme/protection-de-lenvironnement/limites-concernant-la-navigation-de-plaisance.

The MELCCFP has legal and administrative management tools to govern the practice of certain activities and favour harmonization of uses on salmon rivers. These tools particularly include issuing authorizations and restriction of the practice of certain activities.

#### **Quebec Fishery Regulations**

The *Quebec Fishery Regulations* are adopted pursuant to the *Fisheries Act*. **The MELCCFP may amend certain conditions applicable to Atlantic salmon sport fishing in Québec rivers, as provided in the** *Quebec Fishery Regulations***. <sup>18</sup> The new regulations are published on April 1 of each year, but it is also possible to intervene during the season to amend them for the following reasons: closing a body of water or a watercourse to avoid overharvesting of species, change the catch limits according to the salmon runs or changing the practice of fishing in a specific sector following an agreement with an Aboriginal nation or a band council.** <sup>19</sup> In particular, these regulations allow closing of fishing activities when the water temperature reaches a critical level for salmon. <sup>20</sup>

#### Aboriginal Communal Fishing Licences Regulations

The Gouvernement du Québec is responsible for the application of the **Aboriginal Communal Fishing Licences Regulations** (SOR/93-332), which are federal regulations. These regulations allow the issuance of communal fishing licences and govern fishing practised by Aboriginals for food, ritual or social purposes in Canadian fishing waters located in Québec. To ensure management and monitoring of fishing and see to fish conservation and protection, the Minister may, in a licence, indicate any condition concerning, in particular, the fishing gear, practice dates, locations, quota and catch reporting.

#### Regulation respecting outfitters

The Regulation respecting outfitters is adopted under the ACDW. This regulation provides that every person must register when they carry on or have access to a recreational activity other than sport fishing in the territory of the outfitter during the operating season. The objective of this measure is to inform the outfitters about the persons who access the territory to guide them in carrying on their recreational activities to contribute to their safety and preserve the tranquillity of the site for the clientele.

#### Agreement between the Gouvernement du Québec and Indigenous communities

The ACDW allows the government to make agreements with Indigenous communities, represented by their band council, with the goal of better reconciling the necessities of wildlife conservation and management with the activities carried on by Indigenous people for food, ritual and social purposes, or of facilitating Indigenous management of wildlife resources. These agreements may pertain to several subjects, such as the terms and conditions of access to the structured wildlife territories (TFS), including those of the salmon rivers. Moreover, these agreements particularly facilitate the participation of Indigenous communities in the management and development of structured wildlife territories and coexistence in these

Section 4 (1), The Minister or a Director may vary close times, fishing quotas or limits on the length or weight of fish applicable to sport fishing that are fixed in respect of an area under these Regulations so that the variation applies in respect of that area or any portion of that area.

<sup>&</sup>lt;sup>19</sup> https://www.quebec.ca/tourisme-et-loisirs/activites-sportives-et-de-plein-air/peche-sportive/pecher-quebec.

<sup>&</sup>lt;sup>20</sup> https://mffp.gouv.qc.ca/la-faune/plans-de-gestion/saumon-atlantique/projet-experimental-ete\_

territories. The provisions of these agreements take precedence over those of the Act or its regulations.

#### **Delegated regulatory powers**

The ACDW provides, in sections 110(9) and 121(7), that certain regulatory powers of the Minister may be delegated to the agencies managing a controlled zone (OGZ) or wildlife sanctuaries. The government must authorize such a delegation in a regulation. The *Regulation respecting salmon fishing controlled zones* (chapter C-61.1, r. 79) and the *Regulation respecting wildlife sanctuaries* (C-61.1, r. 53) provide for the delegation of certain regulatory powers to a management agency. These powers in turn must be exercised under a by-law of the agency.

Thus, as provided in the *Regulation respecting salmon fishing controlled zones*, the agencies managing a controlled zone (OGZ) may determine the cases where registration is required of a person who, for recreational purposes, accesses the territory of the controlled zone (ZEC) or stays there or engages in any activity there. The agencies managing a controlled zone (OGZ) may also limit the number of fishers in established sectors. The terms of conditions of random draws to fish in these limited access sectors are defined in this same regulation.

For wildlife sanctuaries, a person must acquire a right of access pass. Moreover, section 20 of the *Regulation respecting wildlife sanctuaries* provides that, in order to fish in a wildlife sanctuary, a person must rent services, such as lodging, rental of equipment for the practice of fishing or other services available related to the activity, where they are offered in the place for which a right of access pass is issued. Finally, pursuant to section 21 of the same regulation, a person must have previously obtained a reservation in order to fish Atlantic salmon in a wildlife sanctuary or certain wildlife sanctuary sectors.

#### Memorandum of agreement and authorization contract

The memorandum of agreement (for controlled zones) and the authorization contact (for wildlife sanctuaries managed by NPOs) specify the business relations between the agency and the Minister, and the rights and obligations of each party. In these contracts, the Minister may establish requirements for the agencies. In case the agencies do no honour the stipulated obligations, the Minister has the power to act in order to rectify the situation.

#### The recreational activity development plan

javascript:displayOtherLang(%22se:106\_0\_1%22):Pursuant to section 106.0.1 of the ACDW, fees are payable by an agency party to a memorandum of agreement for the carrying on of recreational activities other than sport fishing in the territory of a controlled zone, on condition that a recreational activity development plan (RADP), which provides for the amount of these fees, is included in the memorandum of agreement. Section 118.1 provides a person, association or body referred to in section 118 may fix the amount of fees payable for the carrying on of recreational activities in the territory of a wildlife sanctuary. In such a case, sections 106.0.1 to 106.0.4 and 110.6 apply with the necessary modifications. Consequently, in the presence of an RADP, fees may be charged for activities. The activities that may be subject to an RADP are, for example, hiking, snowmobiling, wilderness camping, or leasing of lodging units.

The agencies managing hunting and fishing controlled zones, contrary to the agencies managing salmon fishing controlled zones and wildlife sanctuaries, may establish conditions of practice for recreational

activities, because this possibility is provided in section 25.1 of the *Regulation respecting hunting and fishing controlled zones* (CQLR, chapter C-61.1, r. 78). **The only activities for which all the agencies managing wildlife sanctuaries and controlled zones may impose restrictions are swimming and diving in the places indicated for this purpose.** In fact, the possibility of imposing certain restrictions on the practice of these activities is found in s. 23.1 of the *Regulations respecting wildlife sanctuaries* and section 20.1 of the *Regulation respecting salmon fishing controlled areas*.

#### Commercial undertaking authorization

The MELCCFP, pursuant to sections 109 and 120 of the ACDW, may authorize the organization of activities or the provision of services for profit or the operation of a commercial undertaking, with a view to the development or utilization of wildlife or for the purposes of recreational activities, in the controlled zones or wildlife sanctuaries. These authorizations, commonly known as "commercial undertaking authorizations", may be given to the agency entrusted with the management of the controlled zone or the wildlife sanctuary, or to a third party, such as a private enterprise. Thus, the MELCCFP may govern the operation of a commercial undertaking through conditions recorded in the commercial undertaking authorization. An agency that holds a commercial undertaking authorization may also contract the services of a subcontractor or a concessionaire on certain conditions according to the reference frameworks for issuance of a commercial undertaking authorization.

Before issuing a commercial undertaking authorization to a third party, the Minister has the obligation to consult the agency managing the territory, always according to the reference frameworks, to consider the issues that the commercial undertaking authorization could represent for this agency. However, the Minister holds the discretionary power to issue or not issue the authorization after consultations, while attempting, whenever possible, to reconcile the constraints of each party.

The users who use the services of an operator whose offered activity is already part of an RADP in the controlled zone (ZEC) or the wildlife sanctuary must pay the pricing stipulated in the RADP in addition to the pricing stipulated by the operator.

#### Authorization concerning activities in a wildlife habitat

Section 128.6 of the ACDW provides for the prohibition of activities that may alter any biological, physical or chemical component peculiar to the fish habitat. This fish habitat is defined by the *Regulation respecting wildlife habitats* (chapter C-61.1, r. 18) **as, in particular, a flood zone delimited by the mean boundary of the littoral zone for a 2-year period or a watercourse.** However, section 128.7 of the ACDW provides that the Minister may authorize the carrying on of an activity that alters a wildlife habitat. Thus, to proceed with construction within the natural high water line of a salmon river, for example, a ministerial authorization is required.

## **Engaged wildlife partners**

In accordance with Chapter V.1 of the ACDW, the Minister constitutes a Québec-wide wildlife panel (TNF) and determines its composition. The main function of this panel is to advise the Minister on any question the Minister submits to it concerning the conservation and development of wildlife, especially as regards developing and promoting hunting, fishing and trapping, and the next generation of hunters, fishers and trappers. The Québec-wide wildlife panel is composed of wildlife partners, four of whom are primarily concerned with management of Atlantic salmon.

#### Fédération québécoise pour le saumon atlantique

The Fédération québécoise pour le saumon atlantique (FQSA) is a body with the mission of uniting salmon sport fishing stakeholders and representing their interests. The FQSA was founded in 1984 and includes, among its members, fishers, salmon river management agencies and agencies engaged in harvesting of Atlantic salmon. Today, 30 of its members are salmon river management agencies (wildlife sanctuaries, controlled zones, outfitters, private lands covered by a memorandum of agreement pursuant to sections 36 and 37 of the ACDW). The FQSA promotes conservation and development of the resource, sustainable development of Atlantic salmon sport fishing and maintenance of access to quality fishing at a fair price. In particular, it has adopted the mandate of providing its members with information concerning fishing equipment and techniques, promoting the accessibility of sport fishing and ensuring the representation of the management agencies and any person interested in Atlantic salmon to the government authorities.<sup>21</sup> The FQSA is the MELCCFP's main partner for any question in relation to management and conservation of Atlantic salmon.

#### Société des établissements de plein air du Québec

For over 30 years, the Société des établissements de plein air du Québec (Sépaq) has administered, operated and developed the territories entrusted to it by the Gouvernement du Québec. It offers a range of outdoor, fishing and hunting activities, as well as lodging, restaurant and equipment rental services for its clientele in the national parks, wildlife sanctuaries and tourism establishments it manages. Sépaq manages two wildlife sanctuaries that contain salmon rivers.<sup>22</sup>

#### Fédération des pourvoiries du Québec

The Fédération des pourvoiries du Québec (FPQ) was created in 1948. It includes about 300 member outfitting operations, some of which offer salmon fishing. This is a non-profit organization, which has the mission of representing its members and promoting their collective interests. In particular, the FPQ has the objective of equipping outfitters in management of their enterprise and offers expert and support services in various fields, such as integrated resources management and administration.<sup>23</sup>

#### First Nations of Quebec and Labrador Sustainable Development Institute

The First Nations of Quebec and Labrador Sustainable Development Institute (FNQLSDI) was created in 2000. Its mission is to offer First Nations support in their actions towards maintaining healthy territories and resources, developing sustainable communities and promoting the recognition of their rights. This organization offers diverse services to the 43 communities of the First Nations in Québec and Labrador based on the locally targeted priorities and vision.<sup>24</sup>

<sup>&</sup>lt;sup>21</sup> https://www.saumonquebec.com/a-propos/fqsa/notre-mission\_

<sup>&</sup>lt;sup>22</sup> https://www.sepaq.com/organisation\_

https://www.pourvoiries.com/?fpq\_l=peche-chasse.quebec.

<sup>24</sup> https://fnqlsdi.ca/

#### Issue 1 - Growth of conflicts of use

Conflicts of use among the different types of salmon river users have occurred over the past few years, more specifically during the summers of 2020 and 2021 due to the context of influx generated by the COVID-19 pandemic. Most of these conflicts involve fishers and pleasure boaters. Some conflicts also involve non-Indigenous and Indigenous fishers.

The conflicts between fishers and pleasure boaters generally arise from the fact that the fishers want to be able to fish in the salmon pools and to benefit from some tranquillity, a winning condition for successful fishing, while the pleasure boaters want to take advantage of summer days for river touring and sometimes linger in the pools where fishers are found. Over the years, recreational activities along the rivers have diversified. In fact, free diving, paddleboarding, swimming and riverside camping are now practised more frequently. The use of crafts that are difficult to control is also noted, such as inflatable buoys, which can drift toward fishers or swimmers and cause a disturbance. Swimmers, who sometimes are very numerous on hot days, may find themselves in situations compromising their safety when several watercraft are circulating nearby. Fishers sometimes accuse pleasure boaters of appropriating the conveniences installed for fishers by the management agencies of the salmon fishing territories (picnic table, gazebo, etc.).

Owners of private lands on the edge of salmon rivers sometimes note the presence of fishers, campers and pleasure boaters on their property. This situation leads to some conflicts with neighbouring property owners due to disrespect of their private property and intrusions that sometimes leave traces (campfire, garbage, damage to vegetation, etc.).

Finally, over the years the agencies managing the controlled zones have used revenue from fishing activities to establish infrastructures or facilities (rest areas, picnic tables, trash containers, etc.) along the rivers for the benefit of users, who are mainly fishers. Several types of users, such as customers of enterprises, also use these facilities. It therefore is becoming difficult to establish a fair allocation among the stakeholders of the costs and responsibilities related to maintenance of amenities or waste management.

## Direction 1 - Favour harmonious sharing of the territory

The salmon river management agencies must provide **equitable access** for the various users, in respect for the vocations of the structured wildlife territories for salmon fishing. The ACDW indicates that every person has the right to hunt, fish and trap. However, the Act does not establish the preponderance of this right with regard to other activities that may be carried on in the same territory. Harmonious sharing of the territory is therefore essential on the salmon rivers.

## Course of Action 1.1 – Assess the support capacity of the environments

An assessment of a river's individual support capacity could be done to determine the maximum total traffic of recreational activities other than sport fishing that the ecological environment is able to support. This assessment must account for the results of the scientific opinion and, as applicable, the research project indicated in Course of Action 3.1.

# Course of Action 1.2 – Develop indicators and map the sectors of activity

The development of indicators, with the assistance of mapping of the river, which would help support the decision regarding the allocation of all the activities on each river, is a solution to consider. For example, the flow and depth of a watercourse could be assessed to determine the zones most conducive to river touring or swimming. Moreover, the shores could be mapped to identify the locations suitable for camping. It could also be interesting to know the fishing sectors with the greatest number of catches to limit recreational activities. Thus, these indicators would allow targeting of the sectors and times suitable for the different activities, particularly river touring, swimming and fishing. Finally, a revision of the governance tools, such as the RADP and the commercial undertaking authorizations, could be considered to integrate these new modalities.

#### Course of Action 1.3 - Create awareness tools

Creation, in collaboration with the Indigenous communities concerned, the stakeholders and the users of the environment, of awareness tools with the aim of reminding the public of the importance of public-spirited sharing of public land in harmonious coexistence and respect for private property is a solution that can be considered in the short term. In fact, the distribution of these tools to the employees of enterprises or management agencies and their dissemination to various clienteles (particularly during the purchase of salmon fishing licences), or the publication of articles aimed at a wider audience, would allow the message to be conveyed to multiple users. The awareness tools could also include a section on the Aboriginal rights of Indigenous communities, which are little known to the users. The knowledge acquired on the salmon rivers, including the results of the assessment of the support capacity of the environments (Course of Action 1.1) could also be integrated into these tools.

## Course of Action 1.4 – Modify the regulatory and administrative framework

The agencies managing the salmon fishing controlled zones do not have the possibility of establishing conditions of practice for the recreational activities that are the subject of a RADP, because this possibility is not provided in the regulations. Regulatory amendments thus would be required to delegate this power to management agencies to require the registration and payment of the fees that can be charged to carry on recreational activities that are part of a RADP. However, let us remember that, in respect for the public right to navigate, no condition or pricing could limit this right.

# Issue 2 – The quality of the fishing experience compromised by the multiplicity of uses

Salmon rivers that were originally visited exclusively by Indigenous fishers for food and transmission of knowledge, and then by sport fishers, today are the playground of enthusiasts for all kinds of recreational activities, such as canoeing, kayaking, swimming or free diving. Members of the Indigenous communities still carry on fishing activities there for food, ritual or social purposes that are integral parts of their culture. This multiplicity of uses thus may result in impacts on the quality of the fishing experience.

The effect of recreational activities on fishing varies according to several factors, including the governance of these activities by enterprises or agencies. Pleasure boaters can harm the fishing experience by their behaviour or by a heavy presence in a salmon pool.

Atlantic salmon sport fishing is practised only where the salmon populations can support this type of fishing. In Québec, nearly 80 watercourses are open to salmon fishing, including 47 located in structured wildlife territories. This particularity makes salmon rivers singular and preferred places to engage in fishing.

# Direction 2 – Support the development of salmon rivers for fishing activities

Salmon fishing is an appeal product in Québec. In the structured wildlife territories, it is important to develop the salmon rivers to offer fishers a quality experience. This development particularly depends on the recognition of salmon rivers as unique natural environments and preferred places for fishers. Consequently, amenities and infrastructures to develop the rivers must be designed in respect for these exceptional places.

The presence of Atlantic salmon, the quality of the landscape, the tranquillity of the sites and the cultural heritage associated with certain fishing sectors, make them places suitable for creating fishing memories that will last a lifetime. Recruitment of the next generation of fishers also depends on the development of these territories.

# Course of Action 2.1 – Recognize the salmon rivers as preferred places for fishing

The recognition of salmon rivers as preferred places for Indigenous or sport fishing would allow a better distribution of the various users on salmon rivers. By adopting the principle that all kinds of recreational activities cannot be carried on to the detriment of the resource and salmon fishing, the objective of restoring salmon rivers as preferred and well-known fishing places would be achieved. This recognition of the special vocation of these rivers would depend on a better consideration of the status and vocation of salmon rivers, established as structured wildlife territories, in the government policy directions and in the territorial plans.

# Course of Action 2.2 – Revise the governance tools, such as the recreational activity development plan (RADP) and the commercial undertaking authorizations

In Québec, nearly one quarter of the salmon rivers are located in controlled zones and wildlife sanctuaries. Let us remember that the ACDW provides that the Minister may establish these two types of structured wildlife territories on lands in the domain of the State for the development, harvesting and conservation of wildlife or a species of wildlife and for the carrying on of recreational activities incidental thereto. The notion of incidental is therefore included in the Act and must be translated into the governance tools, such as the RADP and the commercial undertaking authorizations.

# Course of Action 2.3 – Improve the quality of the fishing experience by suitable development and infrastructures

The development of salmon rivers for fishing also depends on amenities and infrastructures that improve access to the rivers and that contribute to the quality of the Atlantic salmon fishing experience. These amenities must be in compliance with the requirements of conservation, preservation of biodiversity and protection of salmon rivers. Appropriate planning of the amenities envisioned, after identification of the sectors most suitable for boat ramps or swimming (Course of Action 1.2), would allow sustained traffic that would leave a minimal footprint on the natural environment. In

fact, the development or improvement of new infrastructures would allow **better management of the influx of all types of clientele and prevent deterioration of the natural environments** resulting from disorganized occupancy and land use. The development of infrastructures for all users will be possible, particularly thanks to the **infrastructure assistance program for salmon fishing.** This program has been postponed to 2025. Other tools could support development of access.

Moreover, the amenities and infrastructures must be designed responsibly by integrating **the best sustainable development practices**, particularly concerning energy efficiency, accounting for weather variations during planning, and procurement of eco-responsible products, including local purchasing.

#### Issue 3 - The effects of uses on resources

The MELCCFP is responsible for assessment of the condition of the Atlantic salmon populations in the rivers and must modulate its actions and interventions according to their condition. **Fishing and other recreational activities must not be carried on to the detriment of conservation of wildlife resources.** It is therefore prudent to consider the potential effects that constantly growing traffic could have on wildlife resources.

In the first place, the **growing number of salmon river users** has consequences for the degradation or disturbance of riparian strips. Pleasure boaters, swimmers, vacationers, fishers and operators of commercial undertakings may contribute to the deterioration of the shores by carrying on their activities. Poor waste management, mooring of watercraft at places not identified for this purpose, deployment of construction or alterations of the natural environment, such as unauthorized wood cutting, are all activities that have a negative effect on the riparian environment. Moreover, the unstructured use of land, such as wilderness camping almost everywhere along the shores, causes their degradation. In fact, campers sometimes leave traces of their passage (campfire, waste, broken vegetation, etc.).

For years, an **increase in the influx of sport fishers** has been observed on several rivers, which eventually could generate a rise in the harvesting rate which, in turn, could have an adverse effect on resources (Table 1 in the appendix). It must be mentioned that fishers are also concerned about disturbances that harm species conservation and habitat protection. The Minister responsible for the application of the *Act respecting the conservation and development of wildlife* has the powers, under the *Quebec Fishery Regulations*, to adapt the fishing modalities with regard to this issue, and these modalities are governed by the Atlantic Salmon Management Plan 2016-2026.<sup>25</sup>

Finally, the disturbance of salmon in the low water period (the lowest level of a watercourse) and of warm water by different groups of users (swimmers, divers, fishers, pleasure boaters) potentially could have an adverse effect on Atlantic salmon. At the present time, the small quantity of scientific studies on the subject makes it impossible to measure the real effect of these activities on the populations. However, the constantly growing traffic on certain rivers and the many activities carried on give reason to believe that the salmon potential could suffer an adverse impact. In fact, the Atlantic salmon is a freshwater fish species particularly sensitive to thermal changes. In warm water periods, the salmon concentrate in river sectors called "thermal refuges", where the water temperature and oxygenation are suitable. The disturbance of the adult and juvenile salmon found in these thermal refuges risks forcing them to move to zones where the water temperature is higher, thus accentuating the heat stress on these individuals.

20

<sup>&</sup>lt;sup>25</sup> Section 4 (1), The Minister or a Director may vary close times, fishing quotas or limits on the length or weight of fish applicable to sport fishing that are fixed in respect of an area under these Regulations so that the variation applies in respect of that area or any portion of that area.

#### Direction 3 – Ensure conservation of resources

Wildlife sanctuaries and salmon fishing controlled zones (ZEC) are territories dedicated to wildlife conservation and development and incidentally to the practice of recreational activities. They must contribute to the sustainability of the Atlantic salmon populations, in a quality habitat, by advancing management based on sustainable development. Considering the growing traffic and the proliferation of uses on the salmon rivers, the MELCCFP must ensure the preservation of these territories and wildlife resources.

# Course of Action 3.1 – Improve our scientific knowledge of the impact of recreational activities

At the present time, the **impact of recreational activities on the Atlantic salmon populations and their habitat is unknown.** It is difficult to assess the potential effect these activities could have on salmon, because the diversity of the activities carried on simultaneously on a river means it is complex to assess the individual effect of each of them. Consequently, the MELCCFP particularly plans to **mandate a university researcher who has relevant expertise in this field to obtain an independent scientific opinion on the situation, including recommendations**.

#### Course of Action 3.2 - Create communication tools

The MELCCFP, in collaboration with the wildlife partners, intends to create communication tools to help the wildlife protection assistants<sup>26</sup> and all the employees concerned communicate better to the users on the best Atlantic salmon fishing practices. A large part of the work of the wildlife protection assistants already involves raising awareness. By **providing them with adapted tools that account** for the problem of harmonization of uses, they will be able to convey a measure adapted to the situation.

# Course of Action 3.3 – Assess the possibility of broadening the powers of the wildlife protection assistants

The Minister has the power to appoint wildlife protection assistants to assist wildlife protection officers in the exercise of their functions. The assistants, according to the rules of supervision of wildlife protection assistants, perform interventions in the salmon fishing wildlife territories to enforce certain laws and regulations determined by the Minister, including the *Regulation respecting salmon fishing controlled zones* and the *Regulation respecting wildlife sanctuaries*. **The assignment of new powers to the assistants** could allow them to broaden their interventions to all users of the territory instead of only fishers. In addition to the information based on the regulations cited, interventions could be made to enforce the conditions in the commercial undertaking authorizations and the modalities of carrying on recreational activities in the

<sup>&</sup>lt;sup>26</sup> Under section 8 of the ACDW, the Minister may appoint wildlife protection assistants and area wardens to assist wildlife protection officers in the exercise of their functions. For this purpose, the Minister shall determine the provisions of the Acts and regulations referred to in section 5 that they are mandated to enforce and the place where they are to exercise their functions. The assistants generally work for the management agency of a structured wildlife territory (TFS). They are trained and supervised by the wildlife protection officers.

salmon fishing wildlife territories. The MELCCFP will have to assess the possibility of broadening the current powers of the assistants.

# Course of Action 3.4 – Ensure suitable modalities based on the harvesting rate of rivers

To ensure the conservation of Atlantic salmon and the sustainability of the populations, the MELCCFP has the power to vary the fishing modalities to ensure the achievement of the conservation thresholds and management targets.<sup>27</sup>

As indicated in the Atlantic Salmon Management Plan 2016-2026, the MELCCFP must pursue the deployment of fishing modalities that limit the consequences of this activity for resources, all in a context of the increase in traffic on certain rivers.

22

Section 4 (1), The Minister or a Director may vary close times, fishing quotas or limits on the length or weight of fish applicable to sport fishing that are fixed in respect of an area under these Regulations so that the variation applies in respect of that area or any portion of that area.

## Issue 4 – A complex sharing of roles and responsibilities

Several government authorities and agencies may be engaged in the allocation or development of the territory near salmon rivers. This multiplicity of the stakeholders concerned may generate problems, for example, during the development of infrastructures in the territory or the issuance of rights or authorizations without accounting for the issues of all the agencies concerned. This can also make it difficult to pursue the objectives of harmonization of uses set out in the Public Land Use Plan (in French, PATP) and the Regional Public Land Development Plan (in French, PRDTP).

Due to the multiplicity of uses and the growing popularity of certain rivers, it appears necessary to strengthen the spirit of partnership and cohesion among the different departments and agencies affected and the managers of the salmon rivers, to ensure consistent, concerted and sustainable management of these territories and wildlife resources.

## Direction 4 - Ensure clear and collaborative governance

The Minister entrusts the management of most of the salmon fishing territories to non-profit organizations or enterprises to favour the participation of citizens interested in wildlife management. These agencies have the duty to ensure management of these territories in compliance with the applicable laws and regulations. To do this, they must collaborate regularly with the many partners concerned, whose vision and ideas could interfere with their own. Thus, it appears necessary to equip the management agencies so that they can ensure management of the territories in concert with the community partners and the Indigenous communities concerned, and with the other departments and the various levels of government. The enterprises and organizations concerned and the regional units of the MELCCFP must receive training on the courses of action adopted and how to implement them to ensure uniform application.

# Course of Action 4.1 – Facilitate the regional concerted action process

Several regulations may sometimes apply to the same salmon fishing wildlife territory. In fact, in some places, municipal by-laws apply in addition to the provincial regulations. In a context where the MELCCFP would like to grant the delegated agencies the possibility of establishing conditions of practice for recreational activities, it appears necessary to be aligned upstream with the community stakeholders to harmonize the applicable regulations.

The management and development of salmon fishing wildlife territories must include the participation of local and regional stakeholders, particularly the regional county municipalities (RCM), the regional associations and the Indigenous communities concerned. To facilitate the concerted action process among the stakeholders, the MELCCFP could develop tools intended for the delegated managers, with the goal of facilitating concerted action by the various partners. Another solution that could be considered would be the deployment of harmonization panels involving the various stakeholders affected by management of these territories, including the departments concerned, the local and regional stakeholders and the Indigenous communities.

#### Course of Action 4.2 – Establish a dispute management mechanism

A dispute resolution process will be deployed in cases here no reconciliation is possible between the different types of salmon river users. The process will include the steps, the situations in which it will be applicable, the actors concerned who will have to participate, and the deadlines to undertake the process following a conflict and to render a decision. This process must only be implemented as a last resort, in case of failure of the negotiations between the two parties concerned. A separate process could apply to conflicts involving Indigenous communities.

#### Course of Action 4.3 – Ensure an interdepartmental alignment

Several departments apply their regulations in salmon fishing wildlife territories, and these overlapping powers may sometimes provoke problem situations in the field, particularly regarding the occupancy rights granted. To ensure the **best possible cohesion**, an interdepartmental committee composed of representatives of the Ministère des Ressources naturelles et des Forêts (MRNF), the Ministère du Tourisme (MTO), the Ministère des Affaires municipales et de l'Habitation (MAMH) and the MELCCFP could be created. In particular, this committee would make it possible to improve and facilitate communications within the different departments concerning management of activities on salmon rivers. Ultimately, directions in relation to the development of the territory and recreational activities could result from this. The public and Indigenous consultation processes remain for any document this committee would produce.

#### Course of Action 4.4 – Facilitate the territorial modification process

The agencies managing the controlled zones and wildlife sanctuaries may acquire private lands in their own name. These lands subsequently may be included in the territory of the controlled zone or the wildlife sanctuary. The regulations of the management agencies apply to the land only once it is included within the limits of the territory. It thus would be necessary to **facilitate the process to change the limits of the territory.** 

## **Implementation**

The MELCCFP is responsible for taking measures to support the agencies managing the territories concerned to apply this framework. To do this, it particularly intends to produce an action plan in the near future to apply the **courses of action proposed** in this framework. The agencies managing territories, the government departments and the Indigenous communities concerned will be associated with the development of this action plan. It will determine the priorities, designate the parties responsible for implementation of the actions, and establish the implementation schedule.

## **Appendix**

Figure 1: History of Atlantic salmon runs in Québec from 1984 to 2020

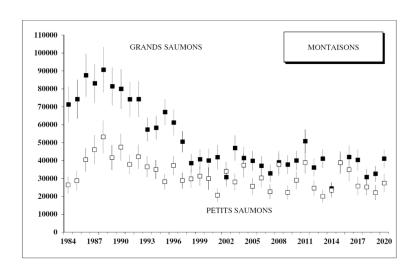


Table 1: Number of Atlantic salmon fishing licences sold<sup>28</sup>

	2018-	2019	2019-	·2020	2020-	9-2021 Tota	
	Residents	Non- residents	Residents	Non- residents	Residents	Non- residents	
Annual licence	7,684	345	7,931	310	8,396	65	24,731
3-day licence	2,067	209	2,241	237	2,478	52	7,284
Releases	3,532	2,014	4,144	1,969	4,764	262	16,685
Total	13,283	2,568	14316	2,516	15,638	379	

27

<sup>28</sup> https://mffp.gouv.qc.ca/faune/statistiques/vente-permis-peche.jsp.

Table 2: Atlantic salmon harvesting from 2016 to 2020<sup>29</sup>

	2016	2017	2018	2019	2020	Total
Sport catches	7,074	5,065	5,133	4,629	4,394	26,475
Food fishing	3,499	3,506	3,869	3,557	4,152	18,583
Total catches (sport catches + food fishing)	10,573	9,111	9,002	7,826	8,546	45,058
Releases	15,439	13,373	11,270	12,694	9,769	62,545
Fishing days	67,727	68,738	64,406	69,114	67,809	337,794

Figure 2: Salmon fishing controlled zones (ZEC)

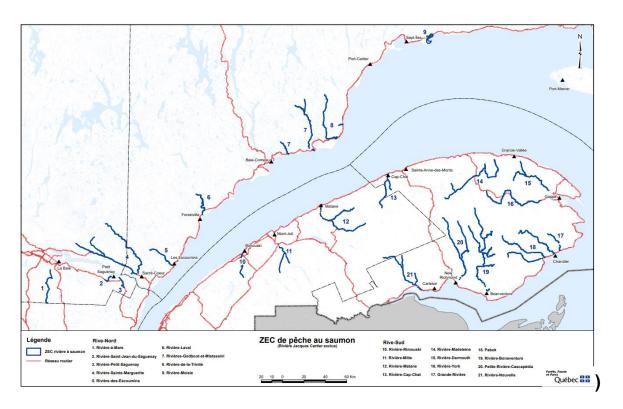


Table 3: Salmon fishing controlled zones (ZEC)

<sup>29</sup> https://mffp.gouv.qc.ca/documents/faune/especes/BI\_exploitation\_saumon\_2020.pdf.

Controlled zone name	Region	Length (km)	Creation date
Rivière-Matane	01	102.00	1992
Rivière-Mitis	01	43.90	1993
Rivière-Rimouski	01	18.00	1993
Rivière-à-Mars	02	44.50	1995
Rivière-Saint-Jean-Saguenay	02	12.20	1994
Rivière-Sainte-Marguerite	02	184.40	1980
Rivière-Petit-Saguenay	02	14.00	1998
Rivière-des-Escoumins	09	34.00	1992
Rivière-de-la-Trinité	09	73.00	1986
Rivières-Godbout-et-Mistassini	09	90.00	1980
Rivière-Laval	09	45.50	1980
Rivière-Moisie	09	19.10	1987
Grande-Rivière	11	23.00	1980
Petite-Rivière-Cascapédia	11	127.50	1992
Rivière-Bonaventure	11	199.00	1980
Rivière-Cap-Chat	11	56.60	1992
Rivière-Dartmouth	11	63.10	1983
Rivière-Madeleine	11	115.80	1992
Rivière-Nouvelle	11	86.20	1997
Rivière-York	11	94.10	1980
Pabok	11	165.00	1997



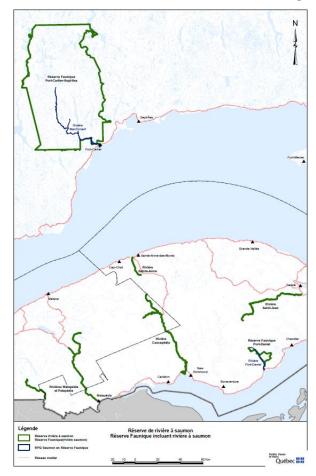


Table 4: Wildlife reserves that offer salmon fishing in Québec

Sanctuary name	Region	Lengths (km)	Creation date
Rivière-Cascapédia	01 and 11	118.0	1982
Rivières-Matapédia-et- Patapédia	01 and 11	155.0	1974
Rivière-Saint-Jean	11	84.5	1957
Rivière-Sainte-Anne	11	28.6	1946
Port-Daniel	11	30.5	1953
Port-Cartier-Sept-Îles	09	107.5	1965

Figure 4: Private lands on the edge of salmon rivers covered by an agreement under sections 36 and 37 of the ACDW

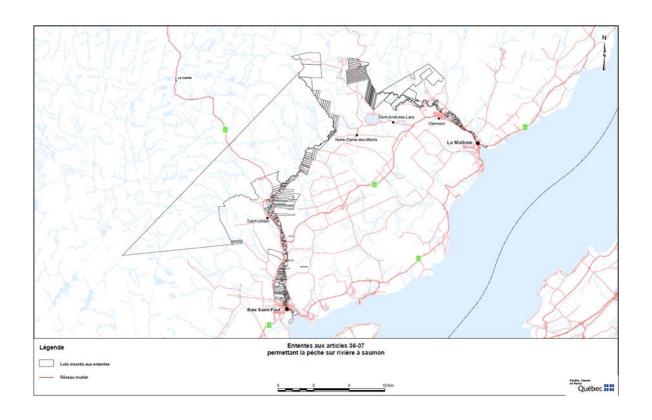


Figure 5: Outfitting operations with exclusive rights that offer salmon fishing

