

SECTION: Furbearer Management

POLICY: WiPo.4.3 (replaces FWBull.1.1.8)

SUBJECT: **Criteria for establishing a historic Indigenous family connection to a registered trapline**

DATE: **DRAFT FOR CONSULTATION (September 2020)**

1.0 PURPOSE

This policy provides criteria for establishing that an applicant has a historic Indigenous family connection to a registered trapline for the purpose of allocating a head trapper designation on a registered trapline area. These considerations are intended to benefit all Indigenous people with established or credibly asserted Aboriginal and treaty rights in Ontario. Historic Indigenous family connections to registered traplines may be established by both First Nations and Métis trappers in Ontario.

2.0 POLICY DIRECTION

2.1 CONSIDERATION OF INDIGENOUS RIGHTS AND INTERESTS IN TRAPPING

Prior to the allocation of any registered traplines, consideration must first be given to the existence of any Aboriginal and treaty rights protected by Section 35 of the *Constitution Act, 1986*.

Only commercial fur harvesting involving the preparation and sale of raw pelts (e.g., to Fur Dealers or auction houses) requires the issuance of an Ontario Trapping Licence and assignment to a registered trapline area. Fur harvesting for non-commercial purposes by First Nation or Métis individuals is not covered by this policy but is subject to MNRF's Interim Enforcement Policy.

This policy supports Step 2 in *WiPo.4.2 Trapline allocation policy* for reconnecting Indigenous trappers to areas where historic family members carried out trapping activities prior to the establishment of the registered trapline system in Ontario.

Historic Indigenous family connections may be established to a registered trapline where information evidences the practicing of trapping by historic family members to the general area that includes or surrounds the registered trapline.

2.2 CRITERIA FOR ESTABLISHING A HISTORIC INDIGENOUS FAMILY CONNECTION

The criteria below are to be used in conjunction with Step 2 of *WiPo.4.2. Trapline allocation policy* to support MNRF in documenting the existence of a historic Indigenous family connection to a registered trapline. An applicant seeking to establish a First Nation or Métis historic family connection to a registered trapline shall submit the following relevant documentation to the local MNRF District office.

1. Information about their family connection to a trapline

Written documentation of the applicant's historic family connection to a registered trapline may include, but is not limited to:

- Name of the applicant
- Name and relationship, to the applicant, of the person upon whom the family connection is based. Family connection includes birth, marriage and adoption.
- Date(s) during which the applicant's family member is known/believed to have been trapping the area in question.
- Other relevant information evidencing a historic practicing of trapping within the area (i.e. maps, photographs, news articles, government documents, transcribed oral histories from elders, etc.)

2. Information about First Nation or Métis community membership

Written documentation of the applicant's and family member's membership to a First Nation or Métis community may include, but is not limited to:

- Name of the First Nation(s) or Métis Community (these communities must be recognized by Ontario with established or credibly asserted Aboriginal and treaty rights).
- Any information or evidence of the applicant's membership to the First Nation or Métis community (e.g. Métis Nation of Ontario Harvester's Card, Certificate of Indian Status card for First Nations members).
- Evidence of the applicant's family members genealogical connection to the First Nation or historic Métis community.

3. First Nation or Métis community support for the applicant

Written documentation of the community's support for allocating a registered trapline to the applicant should include, but is not limited to:

- A letter of support from the applicant's First Nation or Métis community. This support may include a Band Council Resolution from the applicant's First Nation or a letter of support from the Métis individuals Regional Consultation Committee (which includes support from the Captain of the Hunt).

3.0 PROTECTION OF PERSONAL INFORMATION

Documents received from applicants claiming a family connection to a registered trapline may contain highly sensitive personal information. The collection, use, disclosure, retention and destruction of this information must be in compliance with the Freedom of Information and Protection of Privacy Act (FIPPA) and the OPS Information Security Privacy Classification (ISPC) Procedures.

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