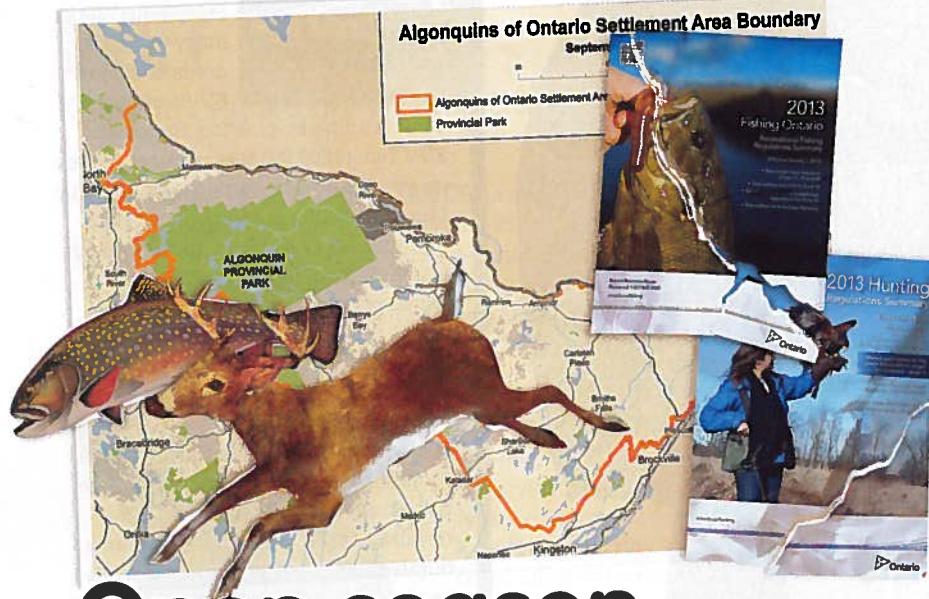


BY PHIL MORLOCK



# Open season

Why the Algonquin Land Claim deal is bad for conservation

**H**AVE YOU EVER considered what the future of fishing, hunting and conservation would look like if there were no closed seasons, no creel or bag limits and no restrictions on gear, harvest methods and the trade in wild fish and game meat? Probably not. After all, Canada is not a developing nation where natural resource conservation has yet to be adopted.

Well, you'd better sit down before reading on. Lawyers and bureaucrats representing the Canadian and Ontario governments, who wouldn't know a brook trout from a bass, have been working secretly behind closed doors for years to produce exactly such a policy for the 10,000 members of Ontario's Algonquin First Nation.

This bizarre regression to the anything-goes fishing and hunting practices of the 19th century is spelled out in the agreement-in-principle (AIP) for the Algonquin Land Claim, which encompasses 36,000 square kilometres of eastern Ontario. That's one-seventh of the province, and home to 1.4 million people. The AIP was quietly released in December, and public information meetings were held in mid-March.

But what chance is there of making changes? According to Brian Crane, Ontario's chief negotiator in the settlement negotiations, members of the Algonquin First Nation will vote to ratify the AIP this spring. A partner in the law firm Gowlings, Crane is also on record as saying few changes would be possible once the AIP has been made public. That is disturbing, considering the AIP typically forms the basis for the actual treaty in land claim settlements.

It gets worse. Algonquin Park is included in the land claim region, meaning the unregulated harvest of fish and wildlife will be permitted within its boundaries. Algonquin is one of the world's great wilderness parks and home to diverse flora and fauna, including the largest naturally reproducing population of brook trout remaining on the planet. This environmentally sensitive species has disappeared across

much of its original range, yet the AIP allows for the unregulated use of commercial harvest gear, such as gill nets, in Algonquin Park's brook trout waters. The same goes for all lakes and streams for all fish species across the entire land claim region.

FOR THE ONTARIO GOVERNMENT'S PERSPECTIVE ON THE ALGONQUIN LAND CLAIM, VISIT [WWW.ONTARIO.CA/LANDCLAIMS](http://WWW.ONTARIO.CA/LANDCLAIMS). TO LEARN MORE ABOUT OBJECTIONS TO THE PROPOSED DEAL, GO TO [WWW.ALGONQUINLANDCLAIM.CA](http://WWW.ALGONQUINLANDCLAIM.CA).

Certainly, many members of the Algonquin First Nation respect conservation and abide by fish and game regulations. But with Ontario's Ministry of Natural Resources endorsing the AIP, many no doubt assume unlimited fishing and hunting is now okay. Then there are outlaws, as found in any community asked the Algonquin First Nation's chief negotiator, Robert Potts, if the Algonquin would take a stand on behalf of brook trout conservation and insist the province charge anyone found fishing in the park during a closed season. He rejected the idea out of hand, saying it is "our right to fish. Then there's Ottawa's chief negotiator, Gowlings lawyer Ron Doering, who once commented, "Just how many can a few hundred Algonquin shoot?"

Already, the commercial sale of fish and game is common practice in towns and ships adjacent to Algonquin Park. Under the AIP, the overharvest of fish and wildlife resources—made easy with modern technology and commercial gear—will be sanctioned. No law enforcement will be possible, as there will be nothing to enforce. This when Ontario has developed more than 110 years of fish and wildlife management regulations, starting when the legislative assembly created the Ontario Game and Game Commission in 1890.

For its part, Ottawa insists the revised federal Fisheries Act exists for the primary purpose of conserving and sustaining fish populations for recreational, First Nation and commercial uses in perpetuity. Really?

Yes, every Supreme Court ruling on First Nation harvest issues has placed conservation as the first priority under government responsibility. That's just common sense—conservation benefits all people. But in secret negotiations, the urban-based lawyers for Canada, Ontario and the Algonquin ignored the input of fish and wildlife organizations, thus reversing more than a century of successful fish and wildlife conservation on a scale unprecedented in North America.

Is this to be the model for future land claims across the country? All Canadians, native and non-native alike, deserve far better. ☐

PHIL MORLOCK IS SHIMANO'S NORTH AMERICAN DIRECTOR OF ENVIRONMENTAL AFFAIRS.