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MMF Metis Harvester Identification Card Application Package

Dear Applicant

This package contains the following:

1. Attention Metis Harvesters – A Message from the Manitoba Metis Federation;
2. MMF Metis Harvester Identification Card Application Form Instructions;
3. Harvesting Quick Reference Guide; and
4. MMF Metis Harvester Identification Card Application Form.

In the September 2003 Supreme Court of Canada *Powley* decision, the Court stated the need to develop an “objectively verifiable process” to identify Metis Harvesters. A Metis Harvester, as a Metis rights holder, must:

1. *Self-identify as Metis:* The application for MMF Metis Harvester Identification Card provides an objectively verifiable way of self-identifying as a Metis. The application process, and subsequent issuance of cards, protects our Metis rights by preventing non-Metis from wrongly claiming and abusing our rights.
2. *Show an ancestral connection to the Historic Metis Community:* Most MMF members will already have had a Metis genealogy (family tree with supporting documents attached) completed when they applied for their MMF card. In order to objectively verify an ancestral connection, current MMF members and new applicants of the MMF Harvester Identification Card must submit a copy of their own, or a family member’s, Metis genealogy along with supporting documents, which include documents linking to the genealogy, with their application form.
3. *Be accepted by the contemporary Metis Community:* An objectively verifiable means of showing acceptance by today’s Manitoba Metis Community is to have the MMF, as the duly elected self-government representative of the Metis Nation within Manitoba, issue you a MMF Metis Harvester Identification Card through the application process.

In order to meet this “objectively verifiable process,” this package contains the application form that will help the MMF identify you as a Metis Harvester. We also include excerpts of text of an earlier article in the Grassroots News that is intended to provide background about the Metis Harvesting Initiative, including the MMF Metis Harvester Identification Cards.

Should you have any questions or concerns, please contact your Regional Office, or the MMF Home Office Natural Resources Department at 204-586-8474. Thank you.

Yours truly,

Alfred Anderson
MMF Natural Resources Portfolio Chair

Ken Leforte
MMF Natural Resources Portfolio Co-chair

Attention Metis Harvesters

A Message from the Manitoba Metis Federation:

Moving Forward:

The Supreme Court of Canada's September 19, 2003 *Powley* decision recognized our Metis right to harvest for food. Before this decision, in anticipation of our recognition, the Manitoba Metis Federation was working on a Metis Harvesting Initiative to implement our Constitutional Section 35 rights to hunt, fish, and trap for food.

In 2001, the Manitoba Metis Federation appointed the Commission on the Metis Laws of the Hunt, which held workshops across Manitoba speaking to approximately 1,000 Metis people. Over 2,000 delegates at the 2002 Annual General Assembly ratified the Commission's report.

Since the September 2003 Supreme Court decision, the Manitoba Metis Federation has hosted a Metis Elders Conference and held over three dozen workshops throughout the province. The clear message heard from the Metis people is that we have the Metis right to harvest for food, as members of our Metis Nation and our Manitoba Metis Community.

On September 29th, 2012 the MMF signed a historic Metis Harvesting agreement with the Manitoba government at the Annual General Assembly. This agreement provides further recognition for MMF harvesters of our Constitutionally-protected harvesting rights, and provides certainty with respect to the exercise of our rights to hunt, fish, trap and gather for food and personal use in the Recognized Metis Harvesting Areas (map) within Manitoba. Under the new agreement, Conservation officers will use the MMF Harvester Card as a means of identifying Metis harvesters in the recognized area. The MMF, in moving forward, is committed to ensuring our harvesting rights and points of agreement in the signed accord will be upheld by the Province.

Meeting Our Responsibilities:

The Metis people, both before and after the *Powley* decision, have stated clearly that with our Metis right to harvest for food come responsibilities to our environment, our wildlife, and our fish resources. The Metis have also said that we also have obligations to our community as well as to our children, grandchildren, and great grandchildren. The Metis have said, and continue to say, that conservation is a priority.

Protecting Our Rights:

To protect our rights, and to meet our responsibilities and obligations, the Metis people have identified four principle objectives to guide the implementation of our Section 35 rights and the MMF Metis Harvesting Initiative. These are:

1. ***Metis Harvester Identification Cards.*** The cards identify Metis harvesters and prevent the fraudulent abuse of our Metis harvesting rights by non-Metis.
2. ***Metis Conservation Trust Fund.*** A trust fund was created to raise and distribute funds for local and regional Metis-directed conservation initiatives and to support and safeguard our 35 rights.
3. ***Metis Management System.*** The Metis management system is Metis-developed and recognizes Metis rights and Metis jurisdiction. Management includes a yearly harvest survey and report.
4. ***Metis Laws of the Harvest.*** Our Ancestors had our own unwritten and written rules such as the "Laws of the Buffalo Hunt." The Metis people want Metis-made common-sense rules to protect our rights and resources such as bag limits and restrictions during calving and spawning periods, and MMF-issued hunting area closures where big game populations are in decline.

Following the direction given by the Metis people, and using a step-by-step process, the Manitoba Metis Federation is continuing to put in place our people's Metis Harvesting Initiative based on these four principle objectives.

Practicing Our Rights with MMF Metis Harvester Identification Cards:

The Metis people have said there needs to be a Metis Harvester Identification Card and application process to ensure that only the Metis are practicing our Metis right to harvest for food. The card will identify Metis harvesters of fish, geese, ducks, game birds, wild turkey, big game, and other mammals, as well as wild rice and firewood gathering for family-use.

The card and application process is intended to protect our right. The card will prevent non-Metis from wrongly abusing our right to harvest for food. The card has security features to prevent copying and fraudulent use, and to protect the identity of the Metis Harvester. The card is intended to be a permanent card that will be validated each year.

Metis card holders practicing our Metis right to harvest for food, while following the Metis Laws of the Harvest, will receive protection and support from the Manitoba Metis Federation if charged by government for an infraction other than those concerning health, safety and other conservation laws.

Getting Your Application Form for a Metis Harvester Identification Card:

Application forms for Metis Harvester Identification Cards will be available at the Home Office, Regional Offices, and from Local Executives.

There will be a \$10 application-processing fee to cover the manufacturing-related costs of the card. There are no administration fees. The applicant must be a resident of Manitoba. As part of the application, the applicant will be required to submit two colour passport photos. The applicant will also need to provide a genealogy, and supporting documents as necessary, to show his or her ancestral connection to the Historic Metis Nation. Supporting documents may include scrip, census records, church records, and others.

One genealogy is required per family. If the genealogy does not show the applicant's name, the applicant must show his or her connection to the person whose name is on the genealogy. This connection can be shown, for instance, by using birth certificates (with parents names on it) or baptismal certificates.

If you intend to apply for a Metis Harvester Identification Card for the upcoming harvest, and do not as yet have a genealogy, we suggest that you obtain one right away as there may be a waiting period.

Giving Back to Nature with the Metis Conservation Trust Fund:

The Metis people have also said that there needs to be a way "to give back" to nature, protect our environment, and ensure there are strong wildlife and fish populations, and ample habitat, for future generations. There must be re-investment into our resources.

The Metis have recommended that a Metis Conservation Trust Fund be created to raise and distribute the financial resources necessary to support initiatives aimed at "giving back" and protecting our rights. Some possible examples of initiatives that may be supported by the Trust Fund include hiring our youth to repair fish spawning beds, protecting and enhancing wildlife and fish habitat, fish hatcheries, feeding deer during harsh winters, youth environmental and traditional land use education, and recording our Elders' traditional ecological knowledge.

Guided by the advice of our Elders, the Manitoba Metis Federation has accepted the recommendation that there be a yearly contribution to the Metis Conservation Trust Fund by each harvester. As suggested, this will be a small annual contribution of \$25 to the Trust Fund to ensure wildlife and fisheries resources remain available. A dated sticker will be affixed to the Metis Harvester Identification Card showing the harvester's contribution to the Trust Fund. The sticker will validate the Metis Harvester Identification Card for that operational year.

An individual's overall purchases of Federal and Provincial Government harvesting licenses and related stamps can cost in excess of \$400. The Metis have said our harvesting rights are not subject to purchasing licences and stamps from the Government. The Metis Conservation Trust Fund sticker will cover all harvests during the year with no requirement to purchase licenses and stamps from Manitoba or Canada. The fund may be used to assist in legal costs incurred in the protection of our Metis rights if Metis harvesters, in practicing their rights, are pursued as criminals by the Province.

The Strength of the Metis Harvesting Initiative:

The strength of the Metis people's approach is that it is flexible and will continue to develop in response to the Metis experience. The Metis Harvesting Initiative is based on Metis traditions and knowledge. It recognizes our people's distinct and unique needs while acknowledging our aspirations.

Through consultative workshops and other forums, the Metis people have given, and will continue to give, our leadership direction towards implementing our Section 35 right to harvest for food. This is the Metis people's system based on the values and principles of the Metis Nation within Manitoba.

For More Information:

Please contact the Natural Resources Department at the Manitoba Metis Federation Home Office in Winnipeg at 204-586-8474.

Also, please listen to the Metis Hour x 2 on NCI, and look for more announcements in Le Metis, Grassroots News, and other media. Or, visit the Manitoba Metis Federation Website @mmf.mb.ca where background documents regarding Metis harvesting are online.

MMF Metis Harvester Identification Card Application Form Instructions:

These instructions may change.

1. The Manitoba Metis Federation (MMF) Metis Harvester Identification Card is available through an application process.
2. The use of the card is subject to the MMF policies and procedures governing its use, the Metis Laws of the Harvest and Provincial and Federal health and safety regulations.
3. Applicants must be Metis, of Historic Metis Nation Ancestry, and Manitoba residents.
4. Each applicant must use the four-page MMF Metis Harvester Identification Card Application Form. All questions should be answered with ink in the spaces provided. If space provided is insufficient, please attach writing paper with additional answers.
5. Subject to the attached *Harvesting Quick Reference Guide*, adult Metis harvesters, 18 years and older, harvesting fish, big-game, small-game, game-bird (upland, migratory, wild turkey), wild rice and firewood, must be in possession of a validated Metis Harvester Identification Card. This Card must be validated annually for the period from April 1st through to March 31st. For validation, the Card must be affixed with the Metis Conservation Trust Fund Sticker for the applicable period.
6. In addition to the MMF Metis Harvester Identification Card and Metis Conservation Trust Sticker, hunting of big game requires the appropriate management tags for reporting and conservation purposes.
7. Subject to the attached *Harvesting Quick Reference Guide*, Metis harvesters 12 years to 17 years old, harvesting fish, big-game, small-game, game-bird (upland, migratory, wild turkey), wild rice and firewood, must be in possession of a validated Metis Harvester Identification Card, but will not be required to buy a Metis Conservation Trust Fund Sticker. These child cards will be considered valid. Additionally, Metis children 12 years to 17 years old harvesting big-game are required to have the appropriate management tags for reporting and conservation purposes.
8. Each applicant must provide and attach a copy of his or her own Birth Certificate with parents' names and/or baptismal certificate, a copy of his or her own Metis genealogy, or a family member's with supporting documents, showing that he or she is Metis and is of Historic Metis Nation Ancestry. This requirement is required of all applicants whether or not the applicant has already received an MMF Membership Card.
9. If the applicant does not have a copy of his or her own genealogy with supporting documents, and if a family member's Metis genealogy with supporting documents are to be used, the applicant must provide a copy of either a Birth Certificate with parents' names, and/or baptismal certificate(s), or other papers, showing the applicant's direct connection to the family member whose Metis genealogy is being used.
10. The supporting documents accompanying the genealogy are intended to show the applicant's Historic Metis Nation Ancestry by demonstrating an ancestor's membership in the Historic Metis Nation. These supporting documents may include: Half-Breed Scrip Documents (affidavits, index, etc); 1870 Census Records; 1901 Census Records; and other documents such as Church records, government papers, journals, newspaper clippings, etc.

11. If neither the applicant nor their family has had a genealogy done, then the Applicant should get a genealogy completed through either the:

St. Boniface Historical Society/Centre du patrimoine
340 Provencher Boulevard
St. Boniface, Manitoba
R2H 0G7
Telephone: (204) 233-4888
Fax: (204) 231-256212.
Email: shsb@shsb.mb.ca

Metis Cultural & Heritage Resource Centre
410 McGregor Street
Telephone: (204) 956-7767
www.metisresourcecentre.mb.ca

12. Once the Metis genealogy and supporting documents are complete, the completed application form, a copy of the applicant's Government issued photo identification a copy of the applicant's Birth Certificate with parents' names and/or baptismal certificate, a copy of the Metis genealogy and supporting documents, and two coloured passport photos of the applicant, must be brought to the Local Chair in which the applicant is a voting member, or if not a voting member, brought to the Local Chair for the area in which the applicant resides, for an authorizing signature.
13. Where a Local is deemed by the Regional Executive to be inactive, a local signing authority may be designated by the Regional Vice-President.
14. The Local Chair, or Local Executive designate, will check the application to certify that it includes a Metis genealogy with supporting documents which include documents linking to the genealogy, passport photos and Government issued photo identification, then will sign the application to certify completeness.
15. Once the Local Chair, or the Local Executive designate, signs the application and initials the documents, the applicant, or the Local Chair of designate, will submit the signed application, Metis genealogy, supporting documentation, passport photos, and processing fee to the Regional Office for processing.
16. The applicant must include with his or her application the \$10 processing fee for the current manufacturing related costs of the MMF Metis Harvester Identification Card, payable as a cheque or money order payable to the 'Manitoba Metis Federation'. The Card is intended to be a permanent Card and does not need to be renewed unless lost or damaged.
17. Subject to the Harvesting Quick Reference Guide, the Card is validated on a yearly basis with a small annual contribution to the Metis Conservation Trust Fund. The current contribution has been set at \$25, payable as a cheque or money order to the 'Metis Conservation Trust Fund'. Upon contribution to the Trust, a numbered and dated Metis Conservation Trust Fund Sticker will be issued to the Cardholder and is to be affixed to the back of the Card. If you intend to harvest fish, big-game, small-game and game-bird (upland, migratory, wild turkey), please make your contribution at the same time you submit your application for the Card.
18. In addition to the possession of a validated MMF Metis Harvester Identification Card, Metis Harvesters of big game must use big game tags. These tags are intended for wildlife management recording purposes. These tags are available from your Regional Office.
19. Further information packages will be available at the time of your card pickup. Or contact the MMF Natural Resources Department at 204-586-8474.

HARVESTING QUICK REFERENCE GUIDE Revised August 31, 2011

This reference guide is intended to help the Metis Harvester identify what requirements must be met if he or she intends to harvest various resources on the land. This guide may change.

Identify the resource you want to harvest on the left hand column. You will notice there are separate lines for harvesters who are 18 years of age or older, 16 to 17 years, and 12 to 15 years. Please choose the applicable line and move to the boxes to the right to determine the requirements needed to harvest.

For example, if you are over 18 and want to harvest deer, you would look under big game and follow the “18 or older” row and would determine that you require an MMF Metis Harvester Identification Card, a Metis Conservation Trust Sticker, and Management Tags.

| IF I HARVEST... | DO I NEED?... | | | |
|-----------------------------------------------------------------------------------------|-------------------------------------------------------------|--------------------------------------------------------|------------------------------|-------------------------------------|
| | MMF Metis Harvester Identification Card ¹⁰ | Metis Conservation Trust Fund Sticker ¹¹ | Management Tags ⁹ | Adult Accompaniment ¹ |
| BIG-GAME² | | | | |
| 18 years old or older | Yes | Yes | Yes | No |
| 16 to 17 years old | Yes | No | Yes | No |
| 12 to 15 years old | Yes | No | Yes | Yes |
| SMALL-GAME³ | | | | |
| 18 years old or older | Yes | Yes | No | No |
| 16 to 17 years old | Yes | No | No | No |
| 12 to 15 years old | Yes | No | No | Yes |
| UPLAND⁴ AND MIGRATORY⁵ GAME-BIRDS | | | | |
| 18 years old or older | Yes | Yes | No | No |
| 16 to 17 years old | Yes | No | No | No |
| 12 to 15 years old | Yes | No | No | Yes |
| FISH⁶ | | | | |
| 18 years old or older | Yes | Yes | No | No |
| 16 to 17 years old | Yes | No | No | No |
| 12 to 15 years old | Yes | No | No | Yes |
| SMALL-GAME FURBEARERS⁷ | | | | |
| 18 years old or older | Yes | Yes | No | No |
| 16 to 17 years old | Yes | No | No | No |
| 12 to 15 years old | Yes | No | No | Yes |
| BERRIES, MUSHROOMS, MEDICINES, FIREWOOD, WILD RICE AND OTHER PLANTS ⁸ | | | | |
| 18 years old or older | Yes | No | No | No |
| 16 to 17 years old | Yes | No | No | No |
| 12 to 15 years old | Yes | No | No | Yes |

1. All harvesting is subject to, and harvesters must meet the requirements of, all federal and provincial health and safety regulations. For harvesting requiring firearms or bows, or for activities involving potentially hazardous conditions, or exposing the harvester to risk or possible harm, adult accompaniment is recommended. The adult must meet all his or her adult requirements for the resource being harvested.
2. Moose, elk, barren-ground caribou, white-tailed deer, black bear and gray wolf.
3. All other animals not listed in footnotes #2 or #7.
4. Ruffed grouse, gray partridge, wild turkey, rock ptarmigan, willow ptarmigan, spruce grouse, sharp-tailed grouse and ring-necked pheasant.
5. Ducks, geese, coots and snipe, sandhill cranes.
6. Artic char, artic grayling, black crappie, brook trout, channel catfish, goldeye, mooneye, lake trout, muskellunge, northern pike, rock bass, smallmouth bass, largemouth bass, brook trout, brown trout, rainbow trout, walleye, white bass, whitefish, yellow perch, and freshwater mussels, and other species.
7. Beaver, short-tailed weasel, long-tailed weasel, coyote, fisher, artic fox, red fox, river otter, badger, bobcat, marten, mink, muskrat, red squirrel, wolverine, raccoon, lynx.
8. Gathering of berries, plants, firewood and wild rice does not require any stickers or tags. Gathering is intended for own use and not for commercial sale. Firewood is to be gathered as deadfall and not taken out as logs or sold for commercial use.
9. Tags required for big-game reporting and conservation management purposes. Other species-specific reporting to be used.
10. Youth 12 to 17 years, require a card. Children 11 years or younger may apply for and receive a card, but do not require it. Children must meet all health and safety requirements for the harvesting he or she will be engaged in. Children should be accompanied by an adult at all times.
11. Metis Harvester Identification Card will be considered validated without a sticker for those 12 to 17 years of age or younger.

Declaration for Metis Harvester Identification Card Section:

I, _____,
Surname First Name Middle Name Maiden Name
(If applicable)

am a Metis resident of Manitoba and do hereby make application for the Manitoba Metis Federation (MMF) Metis Harvester Identification Card (the "Card").

I declare that I am a "Metis", and of "Historic Metis Nation Ancestry," as per the following MMF Constitutional definition:

- 1.1 "Métis" means a person who self-identifies as Métis, is distinct from other Aboriginal peoples, is of Historic Métis Nation ancestry, and is accepted by the Métis Nation.
- 1.2 "Historic Métis Nation" means the Aboriginal people then known as Métis or Half-breeds who resided in the Historic Métis Nation Homeland.
- 1.3 "Historic Métis Nation Homeland" means the area of land in west central North America used and occupied as the traditional territory of the Métis or Half-breeds as they were then known.
- 1.4 "Métis Nation" means the Aboriginal people descended from the Historic Métis Nation which is now comprised of all Métis Nation citizens and is one of the "aboriginal peoples of Canada" within the meaning of s.35 of the Constitution Act 1982.
- 1.5 "Distinct from other Aboriginal peoples" means distinct for cultural and nationhood purposes.

I agree that I must provide a copy of my Birth Certificate with parents' names and/or baptismal certificate, my or a family member's, Metis genealogy with supporting documents which include documents linking to the genealogy showing that I am Metis, and of Historic Metis Nation Ancestry.

If I do not have my own genealogy with supporting documents, and if a family member's Metis genealogy with supporting documents are to be used, I understand I must provide either a Birth Certificate with parents' names, and/or baptismal certificate(s), or other papers, showing our family ties.

I have attached the following documents, or portions thereof (check only those included):

- _____ Genealogy;
- _____ Birth Certificate with parents' names and/or baptismal certificate(s);
- _____ Half-Breed Scrip Documents (affidavits, index, etc);
- _____ 1870 Census Records;
- _____ 1901 Census Records;
- _____ Other (Church records, government documents, journal, etc.) as described below:

I certify that these attached documents, and other documentation and information supplied by me, are to the best of my knowledge, reliable and authentic, and would qualify me as "Metis" and meet the "Historic Metis Nation Ancestry" requirements.

If I intend to harvest fish, big-game, small-game, game-bird (upland, migratory, wild turkey), firewood, and other resources, I have demonstrable proof of sufficient knowledge of firearm, vehicular, and boating safety and operation. I am solely responsible to ensure I have met all health and safety regulations and requirements, including possessing all applicable federal and provincial firearms, vehicular, and boating safety and operating certificates and licences.

- I understand that my participation in the MMF Metis Harvesting Initiative, which includes the use of the Card, is an exercise of my Metis Rights. I accept, and agree to abide by, the MMF Constitution and Bylaws, and all MMF procedures and policies governing the use of the Card, including the MMF Metis Laws of the Harvest.
- I certify that the foregoing is true and accurate. I acknowledge and agree that if the information contained in this application form is subsequently determined to be false, the Card issued by MMF will be deemed invalid and will be revoked by MMF.
- I acknowledge and agree that the use of my Card does not guarantee me protection from seizures, charges, or prosecution pursuant to federal and provincial laws. I understand that in such event, MMF may provide me with legal assistance provided that I am charged for exercising my aboriginal harvesting rights, and that there is no allegation that I have contravened any safety, health, or other applicable conservation laws.
- I hereby release and discharge MMF, its officers and employees, of and from all manner of action, claims, demands, and damages whatsoever which I have or otherwise hereafter may have for or by reason of any injury, loss or damage arising from the issuance of a Card and/or the use of such Card by me.

| | | |
|-------------------|-------------------------------------------------|----------------|
| _____ | _____ | _____ |
| Name of Applicant | Applicant Signature (in ink within marked area) | Date: mm/dd/yy |

| | | |
|-----------------|-------------------|----------------|
| _____ | _____ | _____ |
| Name of Witness | Witness Signature | Date: mm/dd/yy |

Application checked for completion and certified on behalf of the _____ Local

| | | |
|-------------------------|-------------------------------------------------------|----------------|
| _____ | _____ | _____ |
| Name of Local Authority | Local Authority Signature (in ink within marked area) | Date: mm/dd/yy |

Internal Office Use Only

Approved by:

| | | |
|----------------------------|----------------------------------------------------------|----------------|
| _____ | _____ | _____ |
| Name of Regional Authority | Regional Authority Signature (in ink within marked area) | Date: mm/dd/yy |

Metis Harvester Card #: _____ Issued: _____

Issued by:

| | | |
|---------------------------------|-----------------------------------|----------------|
| _____ | _____ | _____ |
| Name of Natural Resources Chair | Natural Resources Chair Signature | Date: mm/dd/yy |

Authorization for Information Section

With respect to an application for, and the use of, the Manitoba Metis Federation (MMF) Metis Harvester Identification Card:

Name in Full (Please print):

Surname First Name Middle Name Maiden Name
(If applicable)

Address: _____ City/Town: _____ Postal Code: _____

Telephone #: (H): _____ (W): _____ Other: _____

Date of Birth: _____ Place of Birth: _____
mm/dd/yy

I, _____, an applicant for the MMF Metis Harvester Identification Card, hereby authorize the Aboriginal Affairs and Northern Development Canada to release to the MMF and its representatives information in respect to my registration under the *Indian Act*.

I agree and authorize the MMF to undertake a background check with the appropriate organizations, agencies, and/or individuals as may be necessary for the purpose of confirming my Historic Metis Nation Ancestry, and hereby authorize such organizations, agencies, and/or individuals to release to the MMF and its representatives such information as may be required to verify my Historic Metis Nation Ancestry.

In the event that I am charged, have property seized, or am under investigation for exercising my aboriginal harvesting rights, I agree and authorize the MMF to request such information as required to determine the nature of such charges, seizures, and/or investigations, and hereby authorize Manitoba and Canada to release such information to the MMF and its representatives in respect to such charges, seizures, and/or investigations.

I hereby acknowledge that a photocopy or fax of this authorization shall be sufficient to allow for the release of the specific information requested.

Applicant Applicant Signature Date: mm/dd/yy

Name of Witness Witness Signature Date: mm/dd/yy

Please be sure you have answered all the questions and attached the required documentation. Also be sure you have all the Applicant, Witness, and Local Authority signatures, and the applicable processing fee (cheque or money order) is included.