Acadia First Nation
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www.acadiafirstnation.ca

July 26th, 2022

Dear Members of the Acadia First Nation,

This letter is an update to my prior letters to Band members of April 13, 2021 and November 18, 2021 concerning our Treaty fishery. Many of you will also have seen periodic updates on our website from our Fisheries Department.

As noted in those prior updates, Acadia First Nation has developed a community-based treaty fishery under the Kespukwitk District Protocol, working in conjunction with Bear River First Nation, Annapolis Valley First Nation and Glooscap First Nation. We are using our traditional Mi'kmaw law-ways and customs as the basis for the livelihood fishery.

The Kespuwitk District

Imbedded in those ancient laws and customs is the stewardship responsibility that local communities and Districts have to the lands, waters and resources in their area on behalf of the Mi'kmaw Nation. Through the District Protocol, our First Nations have agreed to work together in the stewardship of the Kespukwitk District through a collaborative collective approach, to govern according to Mi'kmaw custom and law, and to demonstrate respect for all Mi'kmaw.

The Kespukwitk District approach does not create an exclusivity zone or deny other Mi'kwaw the right to harvest within the District. If members of First Nations outside of Kespukwitk wish to moderate livelihood harvest in our District in a manner outside of our Netukulimk livelihood fishery plans, their Chief and Council would consult with us to develop protocols, policies or processes to reflect any changes.

Species Specific Harvest Plans

Under our District Protocol, we have developed, so far, MLF Harvest Plans for lobster and for Elvers (juvenile Katew). Harvest plans for other species are under active development.

The DFO Experimental Fisheries

Late last year, DFO suggested to the District Nations that our Members engage in certain MLF fisheries under an experimental "authorization". Acadia has not, and is not, signing any agreements with DFO. In fact, the District Nations wrote to DFO telling them that their authorization was not required. All Mi'kmaw Treaty rights have been fully protected.

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Under this procedure, DFO issues an "authorization" that prevents DFO enforcement on the fishery under certain conditions, and allows registered fish buyers to buy the catch so that Mi'kmaq fishers can begin to experience what a livelihood Treaty fishery might look like in the future. Mi'kmaq are not fishing under the DFO authorization; they are fishing under the Kespukwitk District species Harvest Plan.

In October 2021, Annapolis Valley First Nation and Bear River First Nation announced that they would participate in a limited DFO experimental lobster fishery for the 2021-2022 seasons in LFA's 33, 34 and 35. In November 2021, Acadia elected to join that experimental lobster fishery.

In March, 2022, DFO advised that it would issue an experimental authorization for the harvest of Elvers in the Kespukwitk District. Engagement sessions with Acadia Band members to consider this option were held on:

- March 17/2022- Acadia's Livelihood Liaison, with support from KMKNO Fisheries Lead, gave a complete report on the Elver Management plan to those who attended via MS teams. Approximately 20 members joined the meeting.

- March 29/2022- In person Harvester's meeting was held in the Yarmouth Community Center to review the Elver management plan and to start issuing authorization letters to AFN harvesters.

- March 31/2022- In person Harvester's meeting was held in the Gold River Community Center to review the Elver management plan and to start issuing authorization letters to AFN harvesters.

In April 2022, DFO issued an authorization to Annapolis Valley, Bear River and Acadia First Nations for an experimental Elver fishery in the District. That harvest was implemented this spring. In total, Acadia First Nation had 43 Elver harvesters who successfully filled their community harvesters agreed to 6.25kg Elver quota.

We know that the limitations on the experimental fisheries for lobster and Elver have not allowed harvest by all the Band members who wished to do so, or to the extent they wished. We continue to work through our negotiators at the Assembly to push for greater access in the future. Participation in these experimental fisheries have allowed some members to contribute to their livelihood, allowed some others to gain greater experience in the fishery, and have served to demonstrate the credibility of our District fisheries management processes.

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Summary

Our Netukulimk Treaty fishing continues to be rights-based. Our District Species Harvest Plans can, if so authorized, extend outside the DFO experimental fisheries. However, DFO may charge harvesters who are not harvesting within the limits of the DFO experimental fisheries.

Through participating in these DFO experiments, we are gathering useful data about MLF harvest, and will use that data to work for proper and enhanced Treaty rights recognition and implementation in the future.

For clarity, all of the MLF fishing is in addition to the harvest authorized under our Food, Social and Ceremonial harvest plan, which has been in existence for some years now.

If you have any questions or suggestions in relation to our moderate livelihood plans or processes, please contact Curtis Falls at (902) 742-7214.

Sincerely,

Chief Deborah Robinson