

Since June 1, 2017, the Acadia First Nation has been fishing under its own Netukulimk fish harvest plan as an exercise of Aboriginal self-government under section 35 of the Constitution.

That fish harvest plan is only for food, social and ceremonial harvest. It does not extend to commercial fishing or a “moderate livelihood” fishery under the *Marshall* decision.

Both the *Sparrow* decision of the Supreme Court of Canada and the *Denny, Paul and Sylliboy* decision of the Nova Scotia Court of Appeal were rendered in 1990. It is proven law that the Mi’kmaq of Nova Scotia have a right to fish for food, social and ceremonial purposes. Our FSC rights are a first priority in the fishery, after the needs of conservation have been met. Yet, the Department of Fisheries and Oceans has continued to try to manage our FSC fishery through imposed licences.

The Acadia First Nation Chief and Council authorized a series of community meetings with our harvesters in the spring and summer of 2017. From that work, we developed a detailed FSC plan, covering 46 species of fish. We have played close attention to all safety and conservation concerns. Our Netukulimk fishing plan became effective June 1st of this year.

In developing our FSC plan, we gave first priority to the Mi’kmaq relationship with the lands, waters and wildlife in Mi’kma’ki. The principles of Netukulimk are embedded in our system, acknowledging our duty to provide for our families and our communities while also engaging in a respectful gathering from the water in a manner that discourages resource waste.

In this way, we exercise our responsibility to Mi’kma’ki through our sovereign law ways to ensure and honour sustainability and prosperity for our present and future generations.

We shared our Netukulimk Fishing Plan with both the federal and provincial governments and advised them that we were prepared to consult with each of them on our exercise of this self-government right. To date, DFO has responded and we have had a few preliminary exchanges with them.

Our 2017/18 Netukulimk Fishing Plan is an interim plan and is without prejudice to future decisions of our Chief and Council.

Some of the features of our Netukulimk Fishing Plan include:

1. We are using our own Acadia First Nation fishing tags, not DFO tags.
2. Fish harvested under our Netukulimk Fishing Plan are for food, social and ceremonial purposes only. They may be sold, traded or bartered on a very limited basis if required for bait, fishing supplies or other food for the family.
3. We will have a catch reporting system so that we can track and improve FSC access for our fishers over time.
4. Band Members under the age of 18 are not authorized to fish in marine or tidal waters. Fishing by minors in inland waters is to be decided by their parent/guardian and is to be under adult supervision.

With the exercise of any right comes responsibility. If Band members wish to use our FSC Plan, they will have to comply with it. It is our intention to adopt an enforcement protocol and we have advised DFO that we may be prepared to work in collaboration with them on any problems that arise.

In the Commercial Fisheries

Kespuwick Resources Inc. (KRI) has reached a point of profitability for several years and its profits allow it to contribute funds back to the band to assist with other band programs. It hopes to continue to contribute funds to other band programs and it hopes to reinvest some of its funds into buying new access to expand our fisheries. These actions will allow the CFE to continue to develop the business for the future.

KRI has expanded its fisheries by selling its underutilized commercial swordfish license to purchase LFA 33 lobster licenses. One LFA 33 lobster was already purchased with the proceeds of the swordfish license sale and the license will be fished on one of the eight community operated vessels. We are waiting to buy another LFA 33 license with remains of the swordfish sale revenue. KRI has identified that the lobster fishery is most viable fishery to expand. We have a wealth of experience in the lobster fishery and we are looking to invest in the lobster fishery while access is still affordable.

Presently, KRI is leasing out some of its lobster license to community members. Over the next several years, it is our objective to use some of the revenue from the leased licenses to purchase other fishing access for the community. The outlook for the lobster fishery is bright and there is no doubt that the addition of lobster licenses will have a larger economic impact on the CFE in terms of employment and potential income.

KRI is striving to make the fisheries better in every way. We want KRI to be the efficient, prosperous, safest and most environmental conscious fisheries in existence. We want KRI to be an enterprise that our community can take pride and to be something that benefits all Acadia First Nations members.

May all our FSC and Communal Commercial fisherpersons be safe and prosperous in all their fishing endeavours.