

# Listuguj Mi'gmaq Government Order-In-Council



Chronological no.: 2402 	Subject: Forestry Plan 2018-2028	Originated by:
The Council of the <b>Listuguj Mi'gmaq Government</b>		District <b>Gespe'gewa'gi</b>
Date of duly convened meeting	D   M   Y 1   8   0   9   1   8	Province <b>Gepeg</b>

**WHEREAS** the Listuguj Mi'gmaq First Nation is a Mi'gmaq community indigenous to Gespe'gewa'gi with a sacred, inherent responsibility for the stewardship of the land, waters, and living things of Gespe'gewa'gi;

**WHEREAS**, as expressed in the covenant chain and recorded in the wampum, the Mi'gmaq and the Crown agreed to share Mi'gma'gi, including Gespe'gewa'gi;

**WHEREAS**, by the *Royal Proclamation of 1763*, the Crown recognized the rights of the Mi'gmaq to our land and provided that the land rights of a First Nation could only be surrendered to the Crown, at a public meeting, with the First Nation's consent;

**WHEREAS** the Mi'gmaq of Gespe'gewa'gi, including the Listuguj Mi'gmaq First Nation, have existing Aboriginal title, Aboriginal rights, and treaty rights with respect to our lands and resources, including our forestry resources, and these rights have never been surrendered or extinguished;


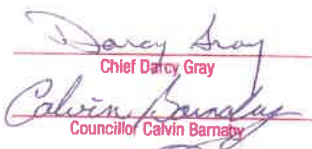

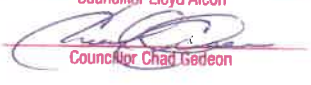








**WHEREAS** the Listuguj Mi'gmaq First Nation holds the exclusive right to decide how the lands we hold under Aboriginal title are to be used and the exclusive right to the benefits of those uses;

**WHEREAS** Mi'gmaq rights flowing from Aboriginal title, Aboriginal rights, and treaty rights—which section 35(1) of the *Constitution Act, 1982* recognizes and affirms—are communal in nature and exercised by Mi'gmaq individuals on the authority of the Mi'gmaq community to which they belong;

**WHEREAS** in *Tsilhqot'in Nation v. British Columbia* the Supreme Court of Canada determined that provincial laws governing forestry activity on Crown lands do not apply on lands to which Aboriginal title has been established;

Moved: Scott Martin  
 Seconded: Dolly Barnaby  
 Abstain:  
 Opposed:  
 Status:  Passed  Defeated  Tabled

Quorum 7

 Councillor Lloyd Alcon	 Chief Darcy Gray Councillor Calvin Barnaby	 Councillor Dolly Barnaby
 Councillor Chad Gedeon	 Councillor Gordon Isaac Jr.	 Councillor George Martin
 Councillor Scott Martin	 Councillor Gary Metallic Sr.	 Councillor Sky Metallic
 Councillor Wendell Metallic	 Councillor Sheila Swanson	 Councillor Marsha Vicaire

**Mi'gmaq Nation**

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[WHEREAS in order to govern the forestry activities of the Listuguj Mi'gmaq First Nation in Gespe'gewa'gi and on the lands we hold under Aboriginal title, the Listuguj Mi'gmaq Government adopted the *Listuguj Strategic Forest Management Plan: Community Directions for a sustainable forest 2018-2028*:

**NOW THEREFORE THE LISTUGUJ MI'GMAQ GOVERNMENT MAKES THE FOLLOWING ORDER-IN-COUNCIL:**

- 1) The Listuguj Mi'gmaq Government's Natural Resources Director is mandated to:
  - a. Increase the volume of timber to be harvested under the *Listuguj Strategic Forest Management Plan* in 2018 in accordance with the requirements of the Listuguj Mi'gmaq community; and
  - b. Engage in discussions with Québec regarding the Listuguj Mi'gmaq First Nation's forestry activities in Gespe'gewa'gi, including the exercise of the Listuguj Mi'gmaq First Nation's rights flowing from our Aboriginal title, Aboriginal rights, and treaty rights.