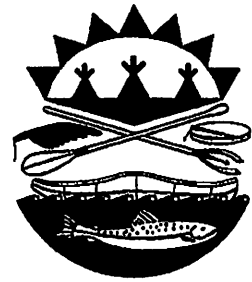


Listuguj Mi'gmaq Government Order-In-Council



Chronological no.: 2555	Subject: LMG Salmon Fishing Plan 2020	Originated by:
The Council of the Listuguj Mi'gmaq Government		District Gespe'gewa'gi
Date of duly convened meeting	D M Y 2 7 0 5 2 0	Province Gepeg

WHEREAS Gisiteget vested the Gespe'gewa'gi Mi'gmaq with sacred responsibilities for stewardship of the land, waters, and all living things within Gespe'gewa'gi, the seventh district of Mi'gma'gi;

WHEREAS Gespe'gewa'gi includes what is known today as the Gaspé Peninsula and northern New Brunswick (as well as parts of Maine and the islands in the Bay of Chaleur and their surrounding coastal and marine areas);

WHEREAS the Listuguj Mi'gmaq First Nation, because of its unique history and geography, depends on, contributes to, and has deep ties with its neighbouring communities in both Québec and New Brunswick, all of which lie within Gespe'gewa'gi;

WHEREAS the Gespe'gewa'gi Mi'gmaq have existing aboriginal title, aboriginal rights, and treaty rights with respect to our lands, waters, and resources throughout Gespe'gewa'gi that have never been surrendered or extinguished;

WHEREAS the aboriginal title, aboriginal rights, and treaty rights of the Mi'gmaq of Gespe'gewa'gi are communal in nature and exercised by Mi'gmaq individuals on the authority of the local Mi'gmaq community to which they belong;

WHEREAS the aboriginal title, aboriginal rights, and treaty rights of the Mi'gmaq of Gespe'gewa'gi include the right to fish for salmon to satisfy each local Mi'gmaq community's food, social, and ceremonial needs;

WHEREAS Listuguj Mi'gmaq came together in 1995 to develop and ratify the *Listuguj Mi'gmaq First Nation Law on Fisheries and Fishing* (the "Listuguj Mi'gmaq Fishing Law") to govern the Listuguj Mi'gmaq First Nation's salmon fishery;

.../2

Moved: Sky Metallic
 Seconded: Dolly Barnaby
 Abstain: -
 Opposed: -
 Status: Passed Defeated
 Tabled

Quorum 7

 Councillor Lloyd Alcon

 Councillor Chad Gedeon

Scott Martin
 Councillor Scott Martin

W. Webb
 Councillor Wendell Metallic

Darcy Gray
 Chief Darcy Gray

Calvin Barnaby
 Councillor Calvin Barnaby

Gordon Isaac Jr.
 Councillor Gordon Isaac Jr.

Gary Metallic Sr.
 Councillor Gary Metallic Sr.

Sheila Swasson
 Councillor Sheila Swasson

Dolly Barnaby
 Councillor Dolly Barnaby

 Councillor George Martin

 Councillor Sky Metallic

 Councillor Marsha Vicaire

Mi'gmaq Nation

Listuguj Mi'gmaq
Government
Order-In-Council



Chronological no.: 2555	Subject: LMG Salmon Fishing Plan 2020	Originated by:
----------------------------	------------------------------------------	----------------

WHEREAS the COVID-19 global pandemic and the consequential restrictions imposed on the New Brunswick border have presented the Listuguj Mi'gmaq First Nation with unique challenges, including increased economic uncertainty, job losses, store closures, and unprecedented difficulties in accessing nutritious foods;

WHEREAS Part III of the *Listuguj Mi'gmaq Fishing Law* provides that “the Listuguj Mi'gmaq First Government may by Order-in-Council adopt the Fishing Plan for the current year and may by order replace or amend the Schedule to this law to incorporate the Fishing Plan for the current year;”

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

- 1) The Listuguj Mi'gmaq First Nation's salmon fishery for the current year will begin on May 27, 2020 (the last Wednesday of May), or one week earlier than last year in order to allow community members to access salmon required for food in a timely manner in this time of crisis; the salmon fishery will end on July 26, 2020 (St. Anne's Day);
- 2) Schedule A of the *Listuguj Mi'gmaq Fishing Law* will be replaced by the “Listuguj Mi'gmaq First Nation Fishing Plan – Atlantic Salmon 2020,” attached as Appendix A to this Order in Council;
- 3) All Listuguj salmon harvesters are to respect the “Listuguj Mi'gmaq First Nation Fishing Plan – Atlantic Salmon 2020,” on the entire Restigouche River watershed and estuary.

Encl. (1) Listuguj Mi'gmaq First Nation Fishing Plan – Atlantic Salmon 2020

Listuguj Mi'gmaq First Nation Fishing Plan

Atlantic Salmon 2020

Part I Conservative Targets

Deposition Levels: 71 Million Salmon Eggs

Escapement Levels: 12,200 Salmon

2,500 Grills

Part II Harvesting in the Estuary Area

Location:

The estuary area of the Restigouche River Watershed for the purpose of the fishing plan is defined as being bounded on the East side by a line from Miguasha Point adjacent to the ferry landing dock to the ferry landing dock in Dalhousie. New Brunswick on the North and South sides by lines running along the respective shorelines and on the West side by a line that begins at the marker pier (PINK). Quebec running in a Southwestern direction to marker No. 1 located in the Restigouche River and then to the Old Mission Point in New Brunswick.

Harvesting Techniques:

The following rules apply to harvesting techniques in the Estuary area:

- a) Rod and Reel – unrestricted use
- b) Trap Nets – permitted with a prior approval from the Listuguj Mi'gmaq First Nation Government
- c) Spearing – permitted with a prior approval from the Listuguj Mi'gmaq First Nation Government
- d) Gill Nets – permitted with a prior approval from the Listuguj Mi'gmaq First Nation Government

Special Provisions for the use of gill nets in the Estuary area:

- a) The length of any gill net shall not exceed 500 feet;
- b) Gill nets shall be made immobile when placed in the Estuary area and are to be perpendicular to the shoreline;
- c) Gill nets shall not be placed in the Estuary area for two consecutive days after five consecutive days have expired;
- d) For the purpose of this plan there shall be no fishing between the times of 08:00 hours (Monday Morning) and 16:00 hours (Wednesday afternoon);
- e) Fishing with gill nets is restricted to the period of time between 16:00 hours and 08:00 hours the next morning.
- f) For the benefit of the Mi'gmaq harvesters, gill nets should have floats that indicated the owners band number, thus avoiding any misunderstanding when nets which were removed from the water are returned to the owner;
- g) The owner of a gill net shall maintain a log book to record the daily number of fish caught and is required to present it to a Mi'gmaq Ranger upon request.

Part III Harvesting in the River Area:

Location:

The River Area is located up river from the Estuary area and includes all the rivers and tributaries contiguous thereto.

Harvesting Techniques:

The following rules apply to harvesting techniques in the river area:

- a) Rod and reel, conducted in accordance with prescribed regulations as agreed to by the Listuguj Mi'gmaq First Nation Government and the appropriated river manager;
- b) Trap nets permitted with a prior approval of the Listuguj Mi'gmaq First Nation Government and in accordance with any agreements between the Listuguj Mi'gmaq First Nation Government and the appropriate river manager.
- c) Spearing permitted with a prior approval of the Listuguj Mi'gmaq First Nation Government and in accordance with any agreements between the Listuguj Mi'gmaq First Nation Government and the appropriate river manager.
- d) Gill nets not permitted.

Special Protection Areas:

1. The bottleneck – being that area commonly referred to as the “bottleneck” located from the last pier of the North boom proceeding Westerly to the Western point of Mcbeath Island;
2. Spawning beds – those areas located in the upper reaches of the various river of the Restigouche rivers system containing salmon eggs which are not to be disturbed from October 1st to March 31st of any year.

Part IV Salmon Fishing

The Listuguj Salmon Fishing Season will begin on May 27th 2020, and the season will end on July 26th, 2020. The schedule will start on Wednesday and end on a Sunday (16:00 hours to 08:00 hours). Off days will be a Monday and Tuesday. The schedule will be based on a 80 hours per week salmon fishing.