

# KMK Newsletter

April 2024



## MESSAGE FROM KMK

We're working to continue our seasonal newsletters again this year, with this one focused on what we've been working on since the beginning of 2024. Each season, our newsletters aim to provide updates on the various files and activities at KMK. If you read about something and would like to learn more, as always, please feel free to reach out to our team. Let's recap the Winter and welcome Spring!



## 2024 Nationhood Conference Recap

Our annual Nationhood Conference, which is a time for Chiefs, Councils, Grand Councils and KMK staff to come together to discuss a variety of matters, took place February 28-29, 2024 in Halifax.

The Nationhood Conference is a great opportunity to discuss the progress that we have made over the past year, to get direction for the path forward, and to work together to build a road map for how we will move forward, as a Nation. This year we had presentations and discussions on Justice, Governance, Mi'kmaq Archaeological Protocols, Governance, Forestry, Mi'kmawitasik, and Fisheries - just to name a few!

Wela'liek to Grand Council, Chiefs, Councillors, AFN Regional Chief, Senator Prosper, community youth and guests from Mi'kmaq organizations who attended and provided valuable input.



## WHAT'S INSIDE?

**Winter 2024 updates from:**

### PAGE 2-3

Governance and Justice  
Urban Parks  
Lumpfish

### PAGE 4-5

Research and Lands  
Benefits  
PDAC Conference

### PAGE 6-7

MKK  
Archaeology  
Fisheries

### PAGE 8-9

Wildlife  
Consultation  
Energy and Mines

# Governance Update

## Justice

KMK will be entering Phase 2 of engagement related to Justice, focused on issues within the provincial justice system.

Watch out for upcoming opportunities to share your perspectives and experiences with the provincial justice system to inform our report and recommendations to the Province on how to make the system work better for the Mi'kmaq.

## Centralization

KMK is currently seeking stories of individuals affected by centralization and its impacts. This includes firsthand accounts and stories passed down through family or friends.

If you have a story to share, scan the QR code to fill out our information form or contact Tyler Dunne ([tdunne@mikmaqrighs.com](mailto:tdunne@mikmaqrighs.com)) or Craig Paul ([cpaul@mikmaqrighs.com](mailto:cpaul@mikmaqrighs.com)) on the KMK team to set up an interview.



## Blue Mountain Birch Cove Lakes Wildlife Area

The proximity of Blue Mountain-Birch Cove Lakes Wilderness Area (BMBCL WA) in Halifax Regional Municipality (HRM) to urban and expanding suburban neighbourhoods has led to increased recreational use of the site. In the absence of formal trail development and management, high foot traffic has led to creation of unsanctioned and unsafe hiking trails within BMBCL WA and HRM lands - especially west of Kearney Lake and Maskwa Aquatic Club. Unplanned trails cause erosion, ecosystem disturbance and pose safety concerns for trail users. The existing canoe route, connecting Coxs Lake and Susies Lake, includes more than ten portages.



KMK has been working with HRM, the Province of Nova Scotia, and the Nova Scotia Nature Trust on the potential development of a National Urban Park in Halifax and, together, they have been looking at the BMBCL WA.

It's important for us to ensure that Mi'kmaw voices are being heard and shared through this engagement process. If any Mi'kmaw community members are interested in learning more about this work, or about other Parks related files, please contact Gerard Francis on our team at [gfrancis@mikmaqrighs.com](mailto:gfrancis@mikmaqrighs.com).

Photo: Gerard Francis, KMK Consultation Project Support Officer and Lacey Taylor, KMK Urban Parks Coordinator, recently had the chance to do a site visit at BMBCL, where they hiked 4 km.



## DISTRIBUTION

In Canadian waters, Lumpfish habitat ranges from Davis Strait to Georges Bank and the Gulf of St. Lawrence. In Nova Scotia Lumpfish are mostly found around the island of Newfoundland and Cape Breton. They occur from shallow coastal waters (<20 m) to depths of over 1,000 m and prefer water temperatures less than 5°C.

# LUMPFISH KUMEKWSIS

## IDENTIFICATION

Lumpfish is a thick, almost ball-shaped fish, with a suction disc on its underbelly. Body colour varies between shades of blue, blue-grey, olive or brown (figure 1). Adult males adopt highly visible colours (figure 2) during the annual spawning season.



Figure 2

## A SPECIES AT RISK

Lumpfish are classified as “threatened” under COSEWIC (2017). Lumpfish is to be listed by DFO as a Species at Risk. If listed, commercial and rights based directed fisheries would stop immediately and any lumpfish caught incidentally would need to be returned in the best way possible.

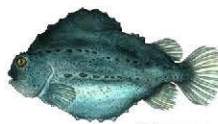


Figure 1

## TAKE PRECAUTION. DO NOT RETAIN.

### WHAT YOU CAN DO:

Throw them back! Lumpfish don't have a swim bladder, so while the post-release mortality is unknown, chances are high for survival if returned to the ocean with care and haste.

Fill out our survey to help us better understand lumpfish interactions and significance.

## WHY ARE POPULATIONS DECLINING?

### KNOWN THREATS

- Fishing – from directed roe fishery
- Fishing – bycatch and incidental mortality


### ADDITIONAL THREATS


- Climate Change – loss of habitat
- Climate Change – new predators, pathogens, increased competition





# Research & Lands: Asserting a Strength of Claim

In 2005 and 2014, the Supreme Court of Canada said that the Crown has a constitutional duty to consult with Indigenous peoples and, where appropriate, agree to accommodate them on decisions or activities that may impact their Rights and Title.

 Land or properties that have been determined to be surplus by Crown entities are “disposed” of. These decisions often require formal consultation and, sometimes, accommodation. As we always say, the Mi’kmaq Nation has a general interest in all lands in Nova Scotia as we have never surrendered, ceded, or sold the Aboriginal Title to any of our lands. We also know that the Mi’kmaq want to reclaim as much of our traditional territory as we can, with the tools at our disposal. That is why we welcome consultations on land or property disposals.

 If interest in a disposal property has been identified by the Assembly or any of their communities, an accommodation is sought. Often, this means that the Mi’kmaq Nation requests transfer of ownership of the property through communications under formal consultation with the Crown. The Crown may request an assessment to better understand our claim to the property. Through the assessment, the Crown will seek to understand the nature and scope of our asserted rights to the land or property. For example: has there been continuous occupation of these lands and/or what traditional activities took place, or are currently taking place, on these lands?

 To assert our right and claim to the property, KMK conducts research on the property and surrounding area. This helps to create a timeline and picture of how the lands were used. Mi’kmaq place names are generally a great place to start, as they tend to describe how the land was used, or what observations were made about that specific place. Archaeological site records in area are reviewed, which helps us to identify how long the Mi’kmaq have been using the lands of the property. It is important to note, however, that a lack of recorded archaeological sites in an area does not necessarily mean there is a lack of Mi’kmaq uses, occupation or even archaeology, but more likely is the result of a lack of professional archaeological examination of the area.

 We also look at the traditional activity information available to us from Mi’kmaq Knowledge Holders. This information helps to better understand where our people hunted, fished, gathered, conducted ceremonies, for example. This helps outline interactions, activities and observations of Mi’kmaq with respect to the lands of the properties. All of this information helps us to demonstrate our rightful claim to the land, on behalf of the Mi’kmaq Nation. To date, the Assembly has successfully secured transfers and accommodations in several federal land disposals throughout the province including: a property on Paint Street in Port Hawkesbury; the Canso Tickle Wharf in Canso; Carleton House in downtown Halifax; Sherbrooke Lake, Lunenburg County; Sydport in Sydney River; and the former Devco lands in Cape Breton.







# CONNECTING MI'KMAQ TO OPPORTUNITY

## MI'KMAQ LOOKING FOR EMPLOYMENT OPPORTUNITIES

May 28, 2024  
NSCC Truro Campus  
36 Arthur Street  
Truro, NS  
10:00am - 3:00pm

## SUPPLIER ENGAGEMENT SESSION MI'KMAQ BUSINESS

May 29, 2024  
NSCC Truro Campus  
36 Arthur Street  
Truro, NS  
10:00am - 3:00pm

Want to know what projects are happening and how you can get involved? Come hear about project overviews & timelines, job & contracting opportunities.



For more information, please contact Tracy Menge | [tmenge@mikmaqrighs.com](mailto:tmenge@mikmaqrighs.com)

# Benefits Update

On April 10-11, KMK partnered with the Mi'kmaq Economic Benefits Office to host an employment and engagement session in Membertou. Chief Bob Gloade opened the event as the Lead of Benefits for the Assembly of Nova Scotia Mi'kmaq Chiefs.

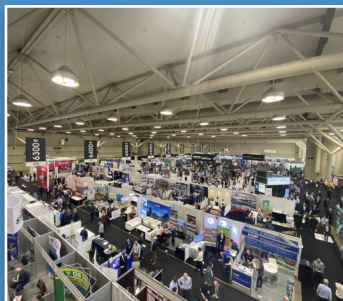
This event provided an opportunity for Mi'kmaq community members to learn more about the employment and procurement prospects for various projects happening in Nova Scotia. It was also an opportunity to network and build relationships within our Mi'kmaq business community, and with other partners supporting economic development in our communities.

We hope that you can join us at a similar event, in Truro at the NSCC on May 28 and 29 from 10am - 3pm!

# PDAC Conference

KMK's Energy Advisor and Grand Council member, Keptin Jeff Purdy from Wasoqop'q (formerly Acadia First Nation) attended Prospectors Development Association of Canada (PDAC) in Toronto from March 3-6, along with 30,000 other participants. Their attendance at the conference was sponsored by the Department of Natural Resources and Renewables through the Mineral Resources Development Fund (MRDF). Hundreds of mining proponents from across the world were in attendance and this event was a great opportunity to see how other First Nation organizations and groups work within the mining industry.

One of the highlights included a visit to the Royal Ontario Museum and backroom tour to view Mi'kmaq artefacts. The curator showed artefacts dating back 1800's, up until the 1980's. Some were identified with the maker's name while others had unknown sources of origins.



# Assembly Responds to SCC Decision in Bill C-92

On February 9, 2024, the Supreme Court of Canada (SCC) ruled on the constitutionality of Bill C-92. The Assembly of Nova Scotia Mi'kmaq Chiefs celebrated the decision, as they have been developing a process to make positive long-term changes for their children, families and communities' overall health and well-being, under the Maw Kleyu'kik Knijannaq Initiative.

"We have always asserted that the inherent right to make decisions regarding our children and families must be with Indigenous people," said Chief Annie Bernard-Daisley, Assembly Co-Chair. "The decision from the Supreme Court is bittersweet for the Mi'kmaq. This ruling comes after years of colonizing policies that were detrimental to our culture, languages, family structures and community spirit." The Mi'kmaq of Nova Scotia have been in a process to develop a Mi'kmaq customary law, as a Section 35 Constitutional right, long before the Act was implemented, or this decision was issued by the SCC. This customary law will support the reclamation of jurisdiction and asserts Mi'kmaq authority over the well-being of the children and families in their communities.

"Building a path forward for our children and families was always our right to manage. Indigenous people, across Turtle Island, should have the right to assert control over child welfare for their people," continued Chief Bernard-Daisley.

The Assembly feels that the decision from the SCC lays a solid foundation for Indigenous People across Turtle Island to build upon and believes that this decision validates that they have been moving in the right direction to develop a law, created by the Mi'kmaq, for the Mi'kmaq.



## Archaeology Protocols

In the months before the pandemic, Wasoqopa'q First Nation (formerly Acadia), with the support of KMK's Archaeology Research Division (ARD) asked the Assembly to review and support the *Kespukwitk Archaeological Protocols* before putting them into use. The Assembly supported the document and its contents but felt that, before endorsing them on behalf of the Mi'kmaq Nation in Nova Scotia, that all NS Mi'kmaq communities should have a chance to review and offer feedback. They were also re-named Mi'kmaq Archaeological Protocols to reflect the wider scope of interest across districts other than Kespukwitk. Sadly, the pandemic shut down planned community engagement activities until 2022. The *Mi'kmaq Archaeological Protocols* were circulated and discussed with community members across Nova Scotia over a series of communities-based, in-person community sessions, as well as five online sessions.

Thanks to the input of community members, revisions were made, which included additions and changes to wording and re-organization of some sections. The discussions were dynamic and some people even reached out one-on-one by phone and email. The document will hopefully be going to the Assembly for their review and approval in April 2024, but it will remain evergreen (able to be revised and amended) as Mi'kmaq have need to do so. We anticipate the document to be made available in the coming weeks, so please stay tuned for a publicly-released version that all Mi'kmaq can read, use and continue to provide feedback on.



# FISHERIES IMPLEMENTATION TEAM UPDATE

Issue 1 | March 2024 |



Maw-lukutjiik **Saqmaq**  
Assembly of Nova Scotia  
Mi'kmaq Chiefs

## ABOUT THE FIT

This update is to help keep our community members informed on what's on the go for our Fisheries Implementation team (FIT).

The FIT has representatives from KMK, CMM and UNSM, working alongside community liaisons, on behalf of their member communities and the Assembly of Nova Scotia Mi'kmaq Chiefs.

Have questions for our FIT? Are there things that you want to learn more about? Let us know!



## WHAT'S BEEN HAPPENING?

### Fisheries Coordinators at CMM & UNSM

Our Fisheries Coordinators have been working with the community liaisons and held multiple harvester engagement sessions in February to talk about the elver fishery. At these sessions they talked about effective communication channels and any ongoing concerns. They have also been reaching out to lobster harvesters to assess progress and address compliance, as well as to DFO on issues like lost gear and unauthorized harvesting. They do have other sessions coming up in April in the Unama'ki communities and Pictou Landing to discuss the upcoming lobster season.

### Stewardship (Compliance) – CMM and UNSM

An email has been set up to receive complaints for Treaty Rights Protected harvesters: [trphotline@cmmns.com](mailto:trphotline@cmmns.com). So far, they've completed 17 follow-up actions in response to complaints received or general monitoring activities. They have also conducted pre-season vessel inspections and in-season catch inspections and monitored activities and engaged with harvesters in Shag Harbour, Clark's Harbour, Yarmouth, Saulnierville, and Digby.

### Fisheries Lead – KMK

Chiefs have met with the Minister of DFO to express concerns regarding the unilateral decision to close the 2024 elver fishery without prior consultation. They have demanded compensation for elver harvesters and communities and have proposed changes in fisheries management to reflect Mi'kmaq knowledge systems and traditional practices.

### Community Liaisons

The liaisons will be holding community sessions in their respective communities to address questions and hear any concerns. Vessel/gear inspections are planned for the Unama'ki communities and there is an upcoming meeting scheduled with harbour masters.

## UPCOMING...

- FIT wants to increase communication channels – the reason for this new update format – and to increase engagement with communities.
- Information sessions for lobster harvesters in Unama'ki and Pictou Landing First Nation in early April.
- Meeting with lobster industry representatives in late March.
- Further discussions at KMK and the Assembly on Mi'kmaq-led governance and fisheries management measures.



Kwilmu'kw Maw-khousuq  
**Mi'kmaq Rights Initiative**  
Our Rights. Our Future.



The Confederacy of Mainland Mi'kmaq

# Wildlife Update

## Spring Bear Hunt

Over the last few months there has been a push from provincial wildlife groups to initiate a spring bear hunt. KMK has had several discussions on this, and the notion of a spring bear hunt is not one that is favorable for the Mi'kmaq. KMK has advised the province that Section 35 rights must be respected, and proper consultation with the Mi'kmaq must be carried as there might be rights infringements, if not properly addressed. We are hoping that the Provincial Minister of DNRR will listen to our advice and not go ahead with a plan for a spring bear hunt. We are advising that if the bear population is too high then maybe increase the tag limits in the regular fall hunt might help to alleviate this problem.



## Moose Population



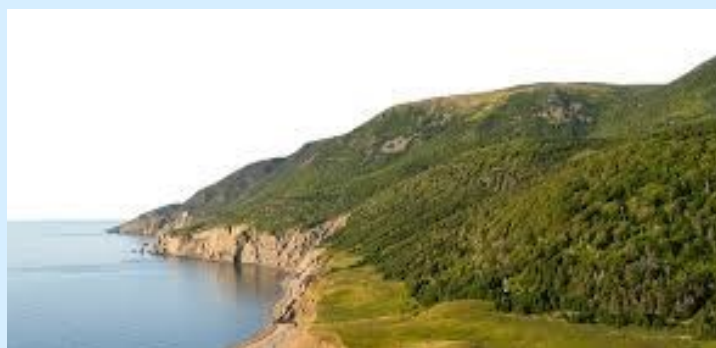
There has been a significant decline in the moose populations in the Highlands of Cape Breton. After a few years of advising the province of our concerns with the declining population, it is important that action is taken to protect the herd from devastation. Last year, after advice from KMK, the Province initiated a bull-only hunt. The Mi'kmaq have practiced, for the most part, a bull only harvest, as we have seen this gradual decline in the population.

With the province, UINR, CMM, and KMK had a moose check station to help monitor the counts and have taken samples from animals for science purposes, including checking for the presence of brainworm. We have also conducted counts on the moose population with aerial studies by helicopter. Through our moose check stations over the years, we know that the Mi'kmaq take upwards of 60 -70 animals yearly. Over the past 20 years, the provincial hunt has taken over 300 animals annually. The declining population is obviously concerning to everyone, and we will be working alongside other Mi'kmaq organizations and the province to discuss this further. KMK will continue keep the Mi'kmaq updated.

## Seawall Jajikteq Trail

The Seawall Trail project was started by the Seawall Trail Society, with the purpose to develop a multi-day hiking trail covering over 50km, from Polletts Cove to Meat Cove. These hand-built trails would cross through the coastal areas over the Polletts Cove - Aspy Fault Wilderness Area. The society is also proposing to build overnight facilities as part of their construction plan.

Consultation for the seawall trail is ongoing and KMK continues to ensure that Mi'kmaq voices are being heard and shared throughout the consultation process. We're looking forward to a collaborative approach on this project.





# Energy and Mines Update

## NR-CAN's Regional Table

KMK continues working on NR-CAN's Regional Table to identify opportunities for The Mi'kmaq in various energy sectors. These tables include: 1) Forestry Bio Economy 2) Carbon Capture, Utilization, and Storage (CCUS) 3) Marine Renewables 4) Hydrogen 5) Clean Electricity and 6) Critical Minerals.

## Regional Assessment of Offshore Wind in Nova Scotia and Newfoundland

KMK continues work on the Regional Assessment of Offshore Wind in both Nova Scotia and Newfoundland. An interim report has been released by IAAC and The Committee to highlight the work done on the Regional Assessment to date.

The interim report for Nova Scotia may be viewed here: <https://iaac-aeic.gc.ca/050/evaluations/proj/83514>

## Cape Breton Highlands Study

Work is nearly complete on the UINR-led and Nova Scotia's Department of Natural Resources and Renewables (DNRR) led studies on how mineral exploration will impact moose and salmon in the Cape Breton highlands. This work began because of Transition Metals Mineral Exploration in the Cape Breton highlands. While this work did not trigger Consultation with the Mi'kmaq through the KMK Office, through correspondence with DNRR and the Assembly of Nova Scotia Mi'kmaw Chiefs, all mineral exploration has been paused in this area since 2021. Both studies are nearing completion. UINR's study, which includes interviews community harvesters and highlights the Mi'kmaw connection to the area, and DNRR's study, which focuses on Western Science, combined, will demonstrate Two-Eyed Seeing in action and will help influence future decisions in the Cape Breton highlands.



## N'multis aqq Wela'lin

To stay up to date, check out our website at [www.mikmagrights.com](http://www.mikmagrights.com), find us on Facebook @Mi'kmaqRights Initiative or follow us on Instagram @KMKNO1752.