

KMK Newsletter

Issue 1: January 2025



MESSAGE FROM KMK

Happy New Year! We're continuing quarterly newsletters, with this being our first issue of 2025.

Our newsletters aim to provide updates on what our team has been working on over the past few months, so if you see anything that you'd like to learn more about, as always, please feel free to reach out to our team!



Assembly Elects New Co-Chair

The Assembly of Nova Scotia Mi'kmaq Chiefs has welcomed Chief Leroy Denny of Eskasoni, as their new Co-Chair.

In November, the Assembly called an election for the position of Co-Chair that had been vacant since former Chief Annie Bernard-Daisley stepped down from the role earlier in the year. Chief Denny was voted as the successful candidate to represent the Unama'ki communities.

"We are pleased to welcome Chief Denny as our new Co-Chair for the Assembly," said Chief Sidney Peters, Assembly Co-Chair since 2014. "Chief Denny has been in politics for over 20 years and the wealth of experience he brings to the Assembly table makes him a strong counterpart as fellow Co-Chair."



Chief Denny also holds the Chair position for the boards of Mi'kmaq Kina'matnewey, Native Alcohol and Drug Abuse Counseling Association, Ta'n Etlitpi'tmk and the Health Partnership. In 2024, he was also bestowed as Honorary Lieutenant-Colonel of the Canadian Army Reserve Regiment in Sydney.

He was first elected as Chief of Eskasoni in November 2010.

WHAT'S INSIDE?

PAGE 2-3

Redfish Consultation,
Mi'kmaqitasik &
Centralization Updates

PAGE 4-5

Forestry, NSPI &
Energy and Mining
Updates

PAGE 6-7

Fisheries &
Benefits Updates

Consultation on Redfish

KMK has requested consultation with the Department of Fisheries and Oceans (DFO) on the redfish species, as a commercial redfish fishery is being considered after a 25-plus year moratorium.

There are two species of redfish - Deepwater redfish (*S. Mentella*) and Acadian redfish (*S. Fasciatus*). Redfish live about 40 years and do not become sexually mature until about six to eight years of age. Only the deepwater redfish has remained above its upper stock reference point therefore only one of two species have a viable commercial fishery. The two species have overlapping habitat use (depth range) and there are concerns from Mi'kmaq regarding by-catch, identification of species, gear use and markets.

Mi'kmaq have a strong connection to the lands and waters and maintaining a balance of sustainability and conservation for all species is a priority.



Mi'kmawitasik Update

On September 30th, at Pier 21 in Halifax, we officially launched Mi'kmawitasik: Mi'kmaq Made, the authenticity brand for the Mi'kmaq of Nova Scotia. Since that time, our team has been very busy getting things developed and rolling out.

Having shared the space and time with the annual Treaty Day celebrations and cultural showcase helped the Mi'kmaq to focus on the reclamation of culture and instilled pride in who we are as Mi'kmaq. Launching Mi'kmawitasik on the National Day of Truth and Reconciliation, and as part of the Treaty Day ceremonies, helped us to showcase this project and the importance of the roots our ancestors established for us, as Mi'kmaq.

Since that time, we have been actively in the process of promoting the brand and welcoming and encouraging the Mi'kmaq of Nova Scotia to become new members of Mi'kmawitasik. Membership approval is based on the following criteria: **Weta'peksin** - verification of ancestral connection to one of the 13 Mi'kmaq communities in Nova Scotia; **Cultural Authenticity** - transparency regarding your cultural knowledge and creative expression and a willingness to continue to learn and share Mi'kmaq culture; and **Nationhood** - as a member of Mi'kmawitasik, you become a Cultural Ambassador for the Mi'kmaq Nation.



We're excited to say that we have had a number of Mi'kmaq join as members in late 2024 and hope that continues to grow! To learn more about Mi'kmawitasik, and to soon meet our members (we're building those pages now and hope to be able to launch them very soon) visit mikmawitasik.ca.

Centralization Update

The centralization project team has been very busy, continuing to gather information on centralization. Interviews with centralization survivors across Nova Scotia continue to be conducted. Interviews tapes are being transcribed and we hope to hire a translator to translate the interviews conducted in Mi'kmaw, into English. The information that has been provided by Elders and community members is important data for the Centralization Historical Report.

In December 2023, the research contractor retained by KMK, made an application to Library and Archives Canada (LAC) for access to closed Indian Affairs files related to Centralization. As of January of 2025, there's been no response to that inquiry.

At the request of the KMK Executive Director and the Mi'kmaw Negotiating Team, a CIRNAC official contacted LAC about the delay in receiving the files requested. Although, LAC officials could not move us up the queue, as many First Nations are in front of us also seeking to have files released, LAC's Access to Information and Privacy Branch (ATIP Branch) suggested that KMK make an Access to Information Request. This request would allow us access within 30 days to the files in question, with identifying information like names that could be redacted or blacked out. On KMK's behalf the research contractor made application in December of 2024. While we had hoped to have the redacted documents by now, LAC sent an email stating they would need an extension of time to gather and review the materials requested.

As the quest for information gathering continues, through an open, transparent bidding process KMK selected a contractor to begin writing the report on Centralization. The successful contractor, Joan Holmes and Associates, (JHA) began their work in December, 2024 and will prepare a draft report, incorporating information gathered by KMK and its contractors, as well as information they themselves have gathered. JHA will be presenting a draft report for review and comment in the spring of 2025. Depending on when KMK receives the restricted file materials from LAC, this first draft report may be revised to include information from these files.

We are always seeking more information. If you, or someone you know, has any information to share on the impacts of centralization, please reach out to Tyler (tdunne@mikmaqrights.com) or Craig (cpaul@mikmaqrights.com) from KMK who have been travelling throughout the province to record stories and experiences of people, or scan the QR code to fill out a contact form.



Forestry Update

Emerald Ash Borer

KMK has been notified about the detection of Emerald Ash Borer (EAB) in Hants and Halifax counties following the Canadian Food Inspection Agency's (CFIA) annual Plant Health survey activities and surveillance results.

As EAB itself is a highly destructive invasive beetle that attacks and kills all species of ash tree, this is of extreme importance to our communities. EAB is described as a small, metallic green (teal) beetle. It is a flying insect that can move and populate on its own. However, it can also be distributed through the movement of firewood and other infested ash wood products, since it's not easily detectable.

The most effective ways to identify if EAB has infested an ash tree or are within an ash stand are:

1. D - Shaped exit holes
2. Woodpecker damage on Ash trees
3. EAB trap and Lure
4. Stump Shoots
5. Unexplained Chlorosis



EAB can effectively and efficiently kill large populations of Ash trees including Wisqoq and Aqamoq and therefore we are asking that you take charge of local forested areas. Avoid the translocation of Ash trees from Hants and Halifax counties.

Halifax County has been designated as infested with EAB and phytosanitary (plant health) restrictions are in place which restrict the movement of regulated products from Halifax County. These regulated products include any ash tree article such as nursery stock, logs/branches/lumber, wood/bark/chips, and firewood of all species. Currently, regulated articles may only be moved out of the Halifax County infected zone when authorized in writing by a CFIA inspector. If you think you have spotted EAB contact CFIA.

Hemlock Woolly Adelgid

Hemlock Woolly Adelgid (HWA) is making headlines yet again. Measuring at about 1.5 mm, this small invasive aphid-like insect with no natural predators, is wreaking havoc on our hemlock forests. So much so, it has been estimated that by 2030, 80% of our hemlock forests will be gone. The loss of this keystone species will mean complete ecological collapse to those ecosystems they support. HWA in Nova Scotia is being spread through of human activity, animals and wind. To date, HWA can be found in Annapolis, Digby, Kings, Lunenburg, Queens, Shelburne, Yarmouth, Hants, and Halifax counties.



So what is being done to mitigate this loss? Pesticides, such as dinotefuran, imidacloprid, and treeazin are being used as an active agent to slow the population of Hemlock Woolly Adelgid. However, the real showstoppers are *Laricobius nigrinus*. *Laricobius nigrinus*, native to North America, are small beetles that feed exclusively on HWA. To date, nearly 10,000 individuals have been released in Nova Scotia, and evidence shows that they are becoming established. This is great news for the hemlock defence team.

Fish Prioritization with DFO and NSPI

KMK, in conjunction with Department of Fisheries and Oceans and Nova Scotia Power, participated in a strategic exercise on fish prioritization. This exercise was designed to:

- ◆ Discuss values and establish objectives among all parties involved in river management.
- ◆ Set priorities and develop a structured prioritization of the 16 river systems within the province that are equipped with dams and associated infrastructure.
- ◆ Enhance river health and functionality. There is a focus on improving the ecological and functional aspects of rivers, particularly those involved in hydroelectric power generation. This includes addressing issues such as fish passage, where deficiencies have been identified, enhancements to the rivers and habitat offsetting, etc.
- ◆ Consider the systems through multiple perspectives, including environmental, economic, social, and regulatory, to ensure comprehensive and balanced decision-making.

This collaborative effort seeks to harmonize the interests and responsibilities of the nation, the regulator and the proponent, aiming for sustainable management and enhancement of our river systems.

A Mi'kmaq name for this initiative and group was selected as Kepmite'tmnej Wikutijik Sipu, meaning 'let us respect all life of the river.' Wela'liek to the Wagmatcook Elders Council for their effort and time in helping is select this name. This name better captures the collaboration, meaningful work, enhancement of the ecosystems, alignment of values and collaboration among our communities.

Energy and Mining Update

KMK continues working on both Regional Assessments of Nova Scotia and Newfoundland and Labrador. Both Committees have now released their final reports as the process is scheduled to conclude in early 2025. KMK has been working with AECOM as advisors for this process which includes support at the Advisory Group Meetings, reviewing of technical documents and producing a report that highlights potential environmental impacts.

There are a number of wind projects that we've been consulting on throughout 2024, including Mersey River Wind, Higgins Mountain Wind and Melvin Lake Wind and a number of mining projects. In many of these cases, we are working with the closest community such as Signal Gold close to Paqtnkek, Gold Bond and Antrim, which both involve Millbrook and Sipekne'katik. Signal Gold continues to work towards the opening of their proposed open pit gold mine in Goldboro, Nova Scotia. Consultation continues on various permits and approvals including their Metal and Diamond Mining Effluent Regulations (MDMER), exploration permits and crown land lease agreements with other permits expected in 2025.



There are things like mineral exploration in the highlands and impacts to moose that the Assembly do not support and KMK continues to raise these concerns through the consultation process. As always the goal of consultation is to ensure Mi'kmaw rights and title are protected and respected and that Mi'kmaw environmental concerns are addressed, as required.

Advancing Fisheries Governance & Seasonal Readiness

This past month, our Fisheries team has been steadfast in advancing governance frameworks, fostering collaboration with DFO, and preparing for seasonal activities in Lobster Fishing Area (LFA) 34.

Key Highlights:

- **Elver Fishery Advocacy:** We've made significant progress toward a harvester-centric allocation model, ensuring equitable access for all communities.
- **Enhanced Monitoring:** A funding request has been drafted to strengthen compliance, utilizing tools like drones and night-vision technology to ensure sustainable practices.
- **LFA 34 Readiness:** Our stewardship team completed vessel inspections and tag distribution, ensuring a strong start to the season.

Looking Ahead:

We're working to formalize Mi'kmaw jurisdiction and negotiating sustainable resource allocations with DFO, for our member communities. This will help to ensure our Treaty Rights are upheld, while promoting collaboration and sustainability.



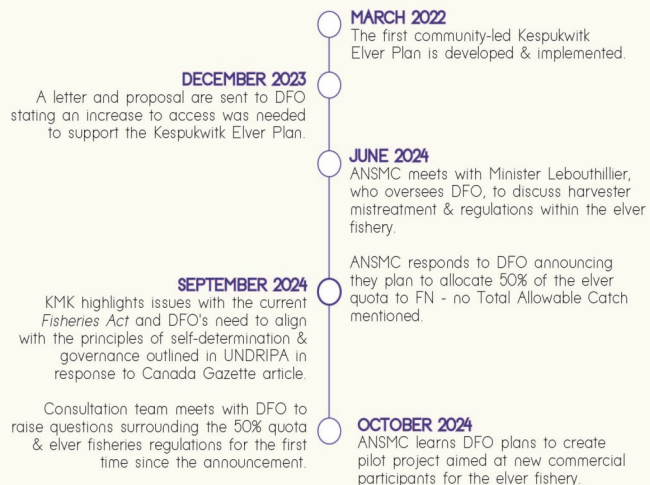
Kwilmu'kw Maw-klusuaqn
Mi'kmaq Rights Initiative

ELVER FISHING

Consultation Update

INTRODUCTION

The 1999 *Marshall Decision* affirmed First Nations' treaty right to fish, hunt, and gather in pursuit of a moderate livelihood. During the early 2000s, the Canadian government provided commercial licences to Mi'kmaw communities to pursue that Right, creating challenges for individuals to pursue a moderate livelihood. After 20 years of waiting for movement from the federal government to support individual efforts, the Mi'kmaq implemented their own Treaty Rights Protected fisheries. Those fisheries launched in 2020, and following that, Canada began formal consultation with the Mi'kmaq through the *Terms of Reference for a Mi'kmaq-Nova Scotia-Canada Consultation Process*.



CURRENT/ONGOING CONSULTATION

50% TAC: During the first and only consultation meeting with DFO regarding the potential 50% total allowable catch (TAC). Our team focused on key questions to inform consultations with community. We inquired about how DFO plans to incorporate Mi'kmaw self-governance in quota allocation, the 2025 TAC, and how DFO will work transparently with Mi'kmaw communities as the fishery evolves.

Regulations & Gazette: The KMK consultation team pointed out flaws in the *Fisheries Act* in response to the DFO's letter on new elver fishery regulations in the Canada Gazette. They emphasized that Mi'kmaq have the capacity to manage their fisheries, but the current *Fisheries Act* doesn't support Indigenous self-governance.

Pilot Project: Mi'kmaw communities received an update from DFO about a new elver fishery pilot project. This initiative aims to redistribute elver quotas to experienced participants and adult eel license holders without increasing stock pressure. DFO did not provide specific quota amounts per license. Our team is working to understand this pilot project for Mi'kmaw communities.

KEY GOALS

Our goal is to ensure that all harvesters can exercise their Treaty Right to harvest elvers with available room and quota. To keep our community members well-informed, we will be sending regular video updates to those who sign up using the QR code.



Benefits Update

Signal Gold

A Mutual Benefits Agreement (MBA) was signed between the Assembly and Signal Gold in November 2024. The agreement will cover all phases of the Goldboro Project and outlines the economic, environmental, cultural, employment and other benefits to be provided to the Mi'kmaq of Nova Scotia. This includes a multiyear funding agreement, royalties in the company and commitments for employment and procurement.

The Mi'kmaq play an important role in the environmental stewardship of our lands and resources in Mi'kma'ki and this agreement with Signal Gold is an example of how Mi'kmaq can be meaningfully engaged and participate in the development of our lands, while respecting our rights and title.

Simply Blue

Simply Blue signed a Memorandum of Understanding (MOU) with the Assembly in October 2024. Simply Blue proposes to develop a sustainable fuels production facility to be located at Goldboro, Nova Scotia, with renewable energy generation facilities and power transmission infrastructure located in Guysborough County, Nova Scotia. We are hopeful that this MoU with Simply Blue Group will provide an opportunity to continue to collaborate on how we can make energy more sustainable in Mi'kma'ki.

Nova East Wind

An MOU was signed with the Assembly in October 2024. Nova East Wind is proposing to develop a 300-400 MW floating offshore wind farm off Goldboro, NS. During the term of the MoU, the parties will seek to develop a Mutual Benefits Agreement, building on existing Mi'kmaw renewable energy capacities, to create meaningful and direct participation in the project. Nova East Wind is committing to develop a Two-Eyed Seeing (Etuaptmumk) program to support a greater understanding of the project respecting the traditional knowledge of the Mi'kmaq.



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