



Fisheries and Oceans Pêches et Océans
Canada Canada

PO Box 1006
Dartmouth, NS
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AUG 04 2016

Chief Terrance Paul & Councillors
Membertou First Nation
111 Membertou Street
Sydney, NS
B1S 2M9

Dear Chief Paul & Councillors:

You will find enclosed the amended communal Salmon fishing licence for food, social and ceremonial (FSC) fisheries for the period of June 1, 2016, to May 31, 2017, pertaining to Membertou First Nation.

This licence, 2016-FSC-SALMON-MEMBERTOUC-02, is issued to reflect the addition of seining as a gear method of fishing which was inadvertently omitted in the original licence issued on May 30, 2016, and is intended to provide the legal mechanism to fish for these purposes.

I hope that your fishery operations are doing well this year and that the 2016-17 fishery will prove to be successful and safe for your community. If you have any questions concerning this licence, please contact Vera Pierro, Area Aboriginal Coordinator at (902) 564-2976.

Yours sincerely,


Moyley Knight
Regional Director General
Maritimes Region

Enclosure

cc: Area Director, ENS
Director, C&P
Regional Manager, Aboriginal Fisheries
Area Aboriginal Coordinator
Central Records

Canada

Licence No.: 2016-FSC-SALMON-MEMBERTOUC-02

ABORIGINAL COMMUNAL FISHING LICENCE FOR ATLANTIC SALMON
(PLAMU) – 2016/2017

This Licence is issued under authority of the *Fisheries Act* and of subsection 4 (1) of the *Aboriginal Communal Fishing Licences Regulations*.

This Licence does not define an aboriginal right to fish or its scope; however, for the 2016/2017 fishing season, it is intended to provide a mechanism, for reasons of proper management and control of the fisheries and conservation and protection of fish, requiring compliance with the provisions of this Licence.

Nothing in this Licence affects any applicable federal requirements under the *Species at Risk Act*, S.C. 2002, c. 29.

This Licence confers on the Membertou First Nation subject to the *Fisheries Act* and regulations made thereunder, the authority to fish under the conditions set out below.

Definitions

1) The following definitions apply to this Licence:

“DFO” means Fisheries and Oceans Canada

“First Nation” means Membertou First Nation

“Fishery” means fishing under the authority of this Licence

"Fork Length" means the distance measured in a straight line from the tip of the nose to the fork of the tail.

"Grilse" means an Atlantic salmon that measures less than 63 cm in fork length

"Jigging" means fishing by manipulating one or more hooks so as to pierce a fish in any part of the body, instead of luring the fish to take the hook into its mouth

“Kelt” salmon commonly known as black or slink salmon means an Atlantic salmon that has remained in the river system during the winter period

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"MSW salmon" means an Atlantic salmon that measures 63 cm or more in fork length

"Tag(s)" for the purpose of this license, means only those tags agreed to for use by the Kwiilmu'kw Maw-klusuaqn Negotiation Office (KMKNO) and validated by DFO.

Species, Quantities, Locations, Gear and Gear Marking and Dates and Times:

- 2) Subject to amendments to the conditions of this Licence and subject to close times as may be varied in accordance with the Fishery (General) Regulations by the Regional Director General Gulf Region or Maritimes Region, DFO, the following species of fish is permitted to be taken in the quantities agreed upon and represented within a range of Blue Tags inscribed with: 2016/2017 PLAMU EAST (PC) 0000092-0000182, 2016/2017 PLAMU NORTH 0000021-0000040, and Orange Tags inscribed with: 2016-2017 PLAMU KELT 0000101-0000200;
 - a) in the Margaree River and the Mabou River located in Salmon Fishing Area 18; and the North River located in Salmon Fishing Area 19 as illustrated and enumerated in Schedule VI of the Maritime Provinces Fishery Regulations, Part IX, Sec. 59.
 - b) during the dates and times set out in Section 7 of this Licence;
 - c) using the gear and methods set out in Section 7 of this Licence; and
 - d) in accordance with any other conditions set out in Section 7 of this Licence.
- 3) Subject to Item 2, this Licence is valid from June 1st, 2016, to May 31st, 2017.

Disposition of Fish

- 4) Without prejudice to future arrangements or regulations, fish harvested under this Licence are for food, social and ceremonial purposes, and shall not be sold, traded or bartered.

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Proof of Designation

- 5) All persons fishing under the authority of this Licence shall carry proof of designation and shall produce it on request of a Fishery Officer or a Fishery Guardian.

For the purpose of these Licence conditions, proof of designation includes a certification or card indicating membership in the First Nation.

Documents that constitute proof of designation are personal and non-transferable

Monitoring and Catch Reporting

- 6) All persons fishing under the authority of this Licence shall report their Salmon MSW and Grilse (caught before December 31, 2016) by January 30, 2017 and Kelt (caught between January 1 and May 31, 2017) by July 31, 2017. The report will include the tag number(s), river(s) visited, the total hours fished, the total catch, and other relevant information.

Other Conditions of Licence

- 7) a) Fishing may be carried out only by a designated individual.
- b) Jigging for MSW salmon, grilse, or kelts is not permitted under this Licence.
- c) While fishing under this Licence, no commercial fishing activities may take place during the same trip.
- d) Nothing in this Aboriginal Communal Fishing Licence authorizes a person to fish in a National Park.
- e) All MSW salmon, grilse, and kelt caught and retained under this Licence must be tagged immediately upon capture with a numbered tag within the sequence of tags identified in Section 2(a) provided by the KMKNO and validated by DFO.
- f) All persons who catch and retain a MSW salmon or grilse in accordance with this Licence shall forthwith securely lock or seal on the fish a salmon tag that has been issued to the First Nation by the KMKNO and shall do so in accordance with the design

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of the tag so that it cannot be removed without tampering with the lock or seal, breaking or cutting the tag or cutting or tearing any part of the fish.

- g) The catch and retention of kelt (black or slink) salmon is permitted under this Licence and all kelt caught and retained must be tagged immediately with a numbered tag provided by the KMKNO that is within the sequence of tags identified in Item 2.
- h) Fishing may be carried out using the following gear and methods: Angling, seining, spin gear, fly fishing, snare and spear.
- i) This licence does not provide to any member of the First Nation any authorization to trespass on any property.
- j) Compliance with the Fisheries Act and the regulations made thereunder is a condition of this Licence.

Dated: AUG 04 2016



Morley Knight
Regional Director General
Maritimes Region