



Sipekne'katik Band FSC Lobster Fishery Management Plan

Statement of Intent of Food, Social and Ceremonial Sipekne'katik Band Lobster Fishery Management Plan

The Food, Social and Ceremonial (FSC) Lobster Fishery is an important and integral part of the Sipekne'katik Band's community culture and annual social activity. The Lobster FSC Lobster Fishery is accorded the highest priority after preservation and protection of the resource.

The Mi'kmaq of Nova Scotia have an Aboriginal Right to fish for Food, Social and Ceremonial purposes.

- A. This management plan may be amended from time to time by Chief and Council by motion made at a duly convened meeting.
- B. The Sipekne'katik Band Lobster FSC Fishery Management Plan will be coordinated by the Sipekne'katik Band Fisheries Director under the authority of the Sipekne'katik Band Chief and Council.
- C. All traps used by Sipekne'katik Band FSC Lobster Fishers must be clearly marked with a Sipekne'katik Band issued Lobster tag.
- D. The Band will produce consecutively numbered FSC black tags labeled "Sipekne'katik 2022 FSC", with the expiration date of May 31, 2023.
- E. Sale of FSC Lobsters caught using Sipekne'katik Band Food Fishery Tags is strictly prohibited.

Definitions

FSC Lobster Fishery: Food, Social and Ceremonial Lobster Fishery (FSC)

LFA: Lobster Fishing Area (LFA)

Tags: Sipekne'katik Band issued Lobster tag

Management Plan: Sipekne'katik Band FSC Lobster Fishery Management Plan

Sipekne'katik Band: Shubenacadie Band



Community FSC Lobster

1. A Sipekne'katik Band owned vessel will fish up to 150 lobster traps to provide and supply FSC lobster for those who are not fishing for themselves.
2. Sipekne'katik Band members who have not been issued FSC Lobster Fishery Tags will be entitled to receive lobster caught from the Band owned fishing vessel.
3. Members, who have returned FSC Lobster Tags, will be entitled to receive lobster caught from the Band owned fishing vessel.
4. Members who have lost FSC Lobster Tags may be re-issued tags or be entitled to receive lobster caught from the Band owned fishing vessel.
5. Distribution of FSC Lobsters will be coordinated by the Sipekne'katik Band's Fishery Manager, or designate, under the authority of Chief and Council.

Individual FSC Lobster

6. Sipekne'katik Band FSC Lobster Tags are not transferrable, and cannot be allocated from one Band member to another.
7. Band members 16 and older are entitled to receive FSC Lobster Tags.
8. A Band member who wishes to fish for FSC Lobster are entitled to be issued 3 and up to 10 tags depending on the location and availability of resources in Lobster Fishing Areas (LFA's).
 - (a) LFA 35 a maximum of 3 FSC Lobster Tags
LFA 34 (including St. Mary's Bay) a maximum of 5 FSC Lobster Tags
LFA 33 a maximum of 10 FSC Lobster Tags
LFA 32 a maximum of 10 FSC Lobster Tags
LFA 31A and 31B a maximum of 5 FSC Lobster Tags
LFA 30 a maximum of 10 FSC Lobster Tags
LFA 29 a maximum of 10 FSC Lobster Tags
LFA 28 a maximum of 10 FSC Lobster Tags
LFA 27 a maximum of 10 FSC Lobster Tags
LFA 26A and 26B a maximum of 10 FSC Lobster Tags.



- (b) No person will be permitted to transfer tags from one LFA area to another LFA area without prior authorization by Fisheries Director, or designate, as authorized by Sipekne'katik Band Chief and Council. See attached LFA Area Map (Annex 1).
9. However, persons over 16 and under 18 years of age, wishing to fish for FSC Lobster, in keeping with Band custom and practice, will be eligible to fish 3 and up to 10 tags (Depending on LFA areas) and must be under the guidance of an experienced fisherperson. No one person under 16 years of age will be issued FSC Lobster Tags.
10. Catch limits shall be restricted to 40 marketable lobsters per trap, per day for all LFA areas. All band members are entitled to store their catch up to 3 days, only if they report their catch to the local CMP office and/or DFO officer the number of lobster and where the storage is and the dates of holding.
11. Any individual Band member fishing a commercial lobster license, in any LFA area, is not permitted to harvest lobster in conjunction with the Sipekne'katik Band FSC Lobster Fishery Tags while commercial fishing.

Sipekne'katik Band Member Access

12. Sipekne'katik Band members are eligible for FSC Lobster, or access to tag allocation provided they are not allocated FSC Lobster or access through another organization (such as the Native Council of Nova Scotia). Band members will be required to sign a form indicating their concurrence with Sipekne'katik Band FSC Lobster Fishery Management Plan.

Non-Native Participation

13. Absolutely no Non-Native will participate or be involved in the harvesting of Sipekne'katik Band FSC Lobster.

Safety

14. All persons involved in the Sipekne'katik Band FSC Lobster Fishery will be expected to adhere to safe fishing practices reflected with the Sipekne'katik Band FSC Lobster Fishery Management Plan.
15. All vessels used in Sipekne'katik Band FSC Lobster Fishery shall be registered, inspected and insured, as required.



16. All persons operating a vessel 15 tones and over are required to have a minimum Master Class 4 Captain's Ticket.
17. While operating a small pleasure craft, all persons are required to have a Small Pleasure Craft Operators Card issued by National Boating Safety of Canada.
18. All persons involved in the Sipekne'katik Band FSC Lobster Fishery will be expected to adhere to safe fishing practices.
19. All vessels involved with the Sipekne'katik Band FSC Lobster Fishery shall be equipped with life jackets for all persons on the vessel, navigation lights, First Aid kit, emergency flares, and any other safety devices required.
20. No Captain or crewmember may be impaired or under the influence of any narcotics while on board or operating a vessel at any time.
21. The Fisheries Director, or designate, has the authorization to inspect food fishing vessels to ensure safety measures are adequate.
22. Sipekne'katik Band members must ensure and provide proof that their vessel is fit to engage in Sipekne'katik Band FSC Lobster Fishery activities.
23. All fishing camps and all related harvesting activities must be maintained in a manner that is respectful to the environment.

Lobster Preservation Measures

24. Sipekne'katik Band FSC Lobster fishers must harvest in accordance with environmentally ethical practices that will not compromise the sustainability of the lobster fishery or the health of the environment.
25. The Fisheries Director, or designate, will review catches to determine molting activity and report conditions to Sipekne'katik Band Chief and Council.
26. Having Lobsters with eggs attached is prohibited.
27. Having Lobsters of a size LESS than 82.5 mm (3 ¼ inch) CARRABUS is prohibited.



28. Sipekne'katik Band Chief and Council may close the FSC Lobster Fishery in specific areas under this Management Plan for environmental or preservation purposes. The specific areas and durations of the closure will be posted in three public places including the Band Office. Lobster fishing during closed periods as determined by Sipekne'katik Band Chief and Council is prohibited.
29. No Lobster trap may be left unattended for more than 72 hours. Fishers must notify the Fisheries Director, or designate, in the event that a food fisher will be unable to attend their traps for unforeseen reasons.

Lobster Traps Specifications

30. All lobster traps being fished or onboard a vessel must have in the exterior walls of each parlour in the trap and not more than 250 mm from the floor of each trap at least:
- (a) two unobstructed circular openings the diameter of each of which is not less than 57.2 mm, or
 - (b) one unobstructed rectangular opening the height and width of which is not less than 44 mm (height) by 127 mm (width).
31. No person shall fish with or have on board a vessel a lobster trap that exceeds:
- (a) 125 cm in its greatest length;
 - (b) 90 cm in its greatest width; or
 - (c) 50 cm in its greatest height.
32. No person shall fish with, or have on board a vessel, a lobster trap unless the trap:
- (a) has in one exterior wall of each parlour an escape panel that provides, when removed, an unobstructed opening not less than 89 mm in height and 152 mm in width and that is fastened to the lobster trap with
 - (i) untreated cotton or sisal twine that does not exceed 4.8 mm in diameter, or
 - (ii) uncoated ferrous metal wire, other than of stainless steel, that does not exceed 1.6 mm in diameter; or



- (b) is a wooden lobster trap that has in one exterior wall of each parlour two softwood laths that are adjacent to each other and that are not treated with a wood preservative.”

Reciprocity

33. When another Mi'kmaq, Maliseet or Passamaquoddy Band has passed a lobster management plan similar to this one and includes in it a similar clause to this extending reciprocity to the Sipekne'katik Band and its members, the other Band and its members may fish:
- (a) With our Band and/or the members of our Band, under and subject to the terms and conditions contained in our authorization given pursuant to this management plan.
 - (b) Where necessity and/or hardship require access to Lobster fishery resources distant from the reserve lands under the authority of another Band in order to obtain a fish for food, social and ceremonial purposes for the members of the other Band, upon notice to our Chief and Council, under written authorization by the other Band Chief and Council.

Non-Compliance to Lobster Fishery Regulations

34. Sipekne'katik Band members who fail to comply with the terms and conditions of the Sipekne'katik Band FSC Lobster Fishery Management Plan may result in but not limited to:
- (a) Loss of access under the Sipekne'katik Band's FSC Lobster Fishery Management Plan for the remainder of the season and for two subsequent years; and/or
 - (b) Community service, or other penalties, as determined by Sipekne'katik Band Chief and Council at a duly convened meeting.



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