

MONTHLY ENGAGEMENT NEWSLETTER: TOBIQUE FIRST NATION



REVIEW OF ENVIRONMENTAL & REGULATORY PROCESSES



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The Government of Canada is reviewing the environmental and regulatory processes to focus on:

- Reviewing federal environmental assessment process;
- Modernizing the National Energy Board; and
- Restoring the lost protections and potentially introducing modern protections to the Fisheries Act and the Navigation Protection Act.

There will be a 4-member Expert Panel to undertake the review of the federal environmental assessment processes. The panel includes Renee Pelletier who represent Tobique on the proposed Energy East Pipeline project.

According to Canada: "As part of the government's commitment to renewing its relationship with Indigenous people based on trust, respect, and cooperation, the Expert Panel will work directly with Indigenous groups to ensure that their concerns are heard and taken into account throughout the review."

The federal government is currently accepting funding applications for participation in review of the Environmental Assessment Processes and the National Energy Board Modernization components (review will occur from September to December 2016). A maximum of 90K is available to the Maliseet Nation (6 NB communities) to review the CEAA and NEB process. Additionally, another 150K will be available to review the Fisheries Act and Navigation Protection Act. The Maliseet communities will be enlisting the help of professionals to help aid in this process, including legal, technical experts, etc.

For more information on the proposed projects please visit the website:
<http://www.tobiquefirstnation.ca/communityEngagement.html>

Or contact Deana Sappier at:
Deana.Sappier@tobiquefirstnation.ca
Office: 506-273-5544

MOUNT CARLETON



During recent months the proposed Mount Carleton snowmobile hub has created controversy, as the provincial park is classified as a wilderness park and the park is a place of cultural significance to the Maliseet.

Beginning in the Fall of 2016, an environmental evaluation was undertaken as well as archaeological testing near three bridge locations. All information can be found on our website:

<http://www.tobiquefirstnation.ca/communityEngagement.html>

More recently, Tourism, Heritage and Culture have announced that they will register the project with the Department of Environment and Local Government. The Environmental Impact Assessment (EIA) registration means that the project is on hold, with the exception of the bridge repairs (Moose Creek Bridge, Bathurst Lake Bridge). Roy Consultants will be completing the environmental assessment.

As the bridge work will be completed this year, further archaeological work has to be completed. At Bathurst Lake and Moose Brook, 5 professional archaeologists and 17 certified archaeological technicians will undertake a controlled excavation of areas proposed for bridge development, in areas which were shown to be heavily disturbed during the 2015 archaeological testing. Monitoring of the construction work by a professional archaeologist and two certified archaeological field technicians will also occur; weekly reports will be put on the TFN website for members to view.

Additionally, during bridge construction, Indigenous environmental monitors will be on site to observe contractors work and ensure they are following environmental regulations.

THE PROPOSED SISSON PROJECT—UPDATE

The federal government has still not decided on the Sisson project (the project needs both federal and provincial approvals to go forward—the provincial approval was given in December 2015, subject to 40 conditions). The federal decision may come at any time now, but likely in September 2016. The Maliseet Chiefs continue to discuss with New Brunswick, potential measures to accommodate the impacts of the Sisson Mine on Maliseet treaty and Aboriginal rights in the event that the mine proceeds.

Accommodation measures include: a training and employment strategy, a mining accident/malfunction compensation fund, revenue-sharing on mine profits and the protection of other lands in Maliseet Territory from future development. If a package of accommodation measures is developed, it will be presented to Tobique members at a community meeting and Council will be seeking your feedback.

THE PROPOSED ENERGY EAST PROJECT —UPDATE



On July 16, 2016, the six NB Maliseet communities presented to the National Energy Board (NEB) as intervenors to the proposed Energy East Pipeline. The hearings were held in Fredericton and allowed each intervenor 20 minutes to present high level issues. Due to the time constraints, each community focused a specific topic. The topics covered by the Maliseet included: Aboriginal and treaty rights (including title), marine shipping, water, fish, socio-economic conditions and the flaws with the NEB process. Each Maliseet community adopted the other presentations as part of their record and noted that the Maliseet communities were working in unity on the proposed project.

The Maliseet also noted that they were still undertaking a Traditional Land Use study (anticipated to be completed at the end of September 2016) and technical review of the project and that more issues and concerns were likely to be raised later in the process.

The audio from the presentations will be available on the NEB's website (go to "Energy East and Eastern Mainline projects", then click on 2016-08-16 on the left):

<http://www.neb-one.gc.ca/prtcptn/hrng/hrngnspst-eng.html>

The next steps of the NEB process is for intervenors (including Tobique) to send information requests to TransCanada. Oral traditional evidence will be provided in January 2017 and we will file written evidence in April 2017. The NEB will release its report by March of 2018.



Note: This diagram will be updated periodically as information becomes available

MALISEET TRADITIONAL USE STUDY—EEP

The Maliseet Traditional Use (TU) Study for the proposed Energy East Pipeline project is nearing completion. All 6 NB Maliseet communities participated in the study that will help with the environmental assessment of the proposed EEP project; part of which would run through Maliseet territory in NB if approved by the Government of Canada. The TU study documents land use activities such as hunting, fishing, collecting medicines, overnight stays, sacred sites and other places of cultural or historic importance. A great deal of TU information is recorded on maps during interviews with experienced land users.

Altogether, 239 people were interviewed for the study during 250 interview sessions. Once the interviews were finished, the remaining maps had to be put into a GIS database. Also, the audio recordings had to be transcribed so that important stories and other information from the interviews could be used in the Study report. The transcription work was finished on July 25, 2016.

TU study researchers held community meetings and workshops in June 2016, in all 6 Maliseet communities to show interviewees and other community members the draft results of the study. A "final" draft of the TU report (with maps) is currently being prepared. It includes the results of the community verification process, as well as, information from the complete set of interview transcripts. The draft report will be provided to the Maliseet communities in September and once reviewed, a report will be provided to Energy East (likely the end of September 2016). The 6 Maliseet communities in NB own the TU study information.

WATER STRATEGY SURVEYS

Beginning in August 2016, water strategy surveys were distributed in various locations around Tobique. To date approximately 10 surveys have been returned for input into the strategy and to determine Tobique's desire to have an information session in Fall 2016.

The water strategy will include goals and actions that need to be taken in order to protect water in New Brunswick. Members are encouraged to be involved in the identifying their biggest concerns related to water in New Brunswick. The surveys can be picked up at local locations (e.g., Chief's office, Tobique Employment & Training), can be emailed to members or can be dropped off to members by calling Deana Sappier or Doreen Paul-Sappier at the Training Centre (506-273-5533).

