

MONTHLY ENGAGEMENT NEWSLETTER: TOBIQUE FIRST NATION



CLIMATE CHANGE INITIATIVES

The Paris Agreement on climate changes calls for significant reductions in global greenhouse gas (GHG) emissions to limit global warming to less than 2C and to pursue efforts to limit it to 1.5C above pre-industrial levels.

In April 2016, the federal government signed the Paris Agreement on climate change and committed to reducing greenhouse gas emissions by 30% from 2005 levels by 2030. In the Vancouver Declaration, the First Minister's also stated they would promote clean economic growth the create jobs, deliver mitigation

actions, increase action on adaptation and climate resilience and enhance cooperation (engagement with the public and Indigenous people).

Global GHG emissions are projected to increase average temperatures by 2C or more by 2100. Although, this might seem like a small amount, if no action is taken, irreversible and catastrophic impacts will occur. Fossil fuels account for about 95% of human-generated GHGs. In NB, we will experience more extreme hot weather, wetter weather (increase of floods), more extreme storms and rising sea levels.



NB is dominated by energy intensive and export driven industries (92% of NB's GHG emissions come from using energy in the form of heating, transportation and electricity generation).

NB also has high per capita GHG emissions.

Potential actions include:

1. Transitioning to a low-carbon economy,
2. Adaptation: responding to the risks and impacts,
3. Provincial government leadership ; and
4. Measuring and reporting

On September 13, 2016, the NB Select Committee on Climate Change (comprised of members in the legislative assembly) was in Tobique to hear Maliseet comments on climate change. Many of the comments focused on resource development, such as the proposed Energy East Pipeline and Sisson Mine, as well as forestry. Additionally, Tobique members thought that a Maliseet and Mikmaq Chief should be part of the process.

The hearings are now complete and the Select Committee now has to take all the information that they heard and report to the House with recommendations.

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EA REVIEW PROCESS

The Government of Canada is undertaking a review of the environmental and regulatory processes, including:

- Reviewing federal environmental assessment processes;
- Modernizing the National Energy Board (NEB); and
- Restoring lost protections and introducing modern safeguards to the Fisheries Act and Navigation Protection Act.

The 6 Maliseet communities in NB have applied to be a part of this review as we are directly affected by these federal reviews (Sisson, Energy East, etc). This review is expected to start in early October – December 2016. However, we anticipate delays in some parts of the review due to the current status of the NEB.

To date, it has been confirmed that we will receive funding for the Canadian Environmental Assessment Agency (CEAA) portion of this process. For the CEAA review, we plan to use OKT for legal counsel (Gillian Paul), MSES to review and provide feedback on scientific review and Peter Armitage for Land Use expertise. We have also put money away for community meetings, newsletter's etc.

An Indigenous Open Dialogue Session will be held in Fredericton on October 12, 2016, which is open to Indigenous organizations, groups, communities and individuals to share their views in a small group or participate in brainstorming exercises. Anyone wishing to register can do so at:

<http://eareview-examenee.ca/>

The Maliseet communities will also be preparing for the panel sessions, held that same week.

Community members may also wish to participate in the review online, the Panel will have a questionnaire and webinars available at:

<http://eareview-examenee.ca/participate/>

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 is now likely in October or November 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.

On September 22, 2016, Maliseet legal counsel Dominique Nouvet was in Tobique to update on the accommodation discussions. 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. At the meeting, a potential Cooperation Agreement with the company was also discussed. Tobique is in very early exploratory stages in this process.

THE PROPOSED ENERGY EAST PROJECT —UPDATE

Earlier this month, the 3 National Energy Board panelists tasked with reviewing TransCanada's proposed Energy East Pipeline resigned from their posts. This decision came after the NEB was accused of a conflict of interest scandal that involved two of the panelists meeting with former Quebec premier Jean Charest, while he was an advisor to TransCanada.

Additionally, the NEB has postponed the hearings in Montreal as a result of protests and disruptions during the hearings.

New Board Members will need to be appointed and right now it is unclear how long it will take and what the delay in the NEB process will be.

Energy East is a proposed 4500 km pipeline that would carry 1.1 million barrels of crude oil per day from Alberta and Saskatchewan to the marine facility in Saint John, NB. A portion of the oil would be refined in the Irving Oil facility in Saint John, while the rest would likely be shipped to other countries. This would triple the large ship traffic in the Bay of Fundy, if approved and would mean the construction of new pipeline extending throughout traditional Maliseet territory.

MACTAQUAC DAM —UPDATE



On September 21, 2016, Maliseet Chiefs and legal counsel Dominique Nouvet met with NB Power's CEO to discuss the Mactaquac project.

NB Power stated that they will notify the Maliseet of their Option Recommendation before meeting with their Board. The Chiefs stressed Aboriginal title in the meeting and stated the preference was Option 3.

The 4 Options include:

1. Repowering the station with a new powerhouse, spillway and maintaining the existing earth dam. This option would see intensive construction near Kingsclear for approx. 10 years including blasting of rock, etc.
2. Retaining the headpond with no power generation. This Option only appears to satisfy homeowners near the headpond.
3. River restoration.
4. Life Achievement—requires mechanical and electrical equipment replacement and ongoing work. The Maliseet do not feel there is enough information given on this Option.

NB Power is expected to make a decision by November 2016.

Field activity reports regarding Mactaquac can be found on our website: <http://www.tobiquefirstnation.ca/communityEngagement.html>

MOUNT CARLETON PROVINCIAL PARK



Tourism, Heritage and Culture and the Snowmobile Federation want to create a snowmobile hub in Mount Carleton. Snowmobiles already use Mount Carleton, but this project would include:

- 900 m of new trail for snowmobiles;
- Restoration of a former fire tower road;
- Building for grooming machines, and
- Potentially a new fueling station at the base of the park (currently there is a fueling station for park vehicles).

The project is being registered on the Department of Environment and Local Government's (DELGs) Environmental Impact Assessment (EIA) registration. Currently, the only work occurring is at the two bridge locations: Bathurst Lake and Moose Creek Bridges.

The Maliseet have an environmental monitor and archaeology technician to monitor the work occurring. Weekly updates are forwarded to the Maliseet, and will be posted on our website under "Mount Carleton"

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

A list of projects currently under EIA reviews are found on DELGs website at:

<http://www2.gnb.ca/content/dam/gnb/Departments/env/pdf/EIA-EIE/Registrations-Enregistremets/EIA.pdf>

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

