

## MONTHLY CONSULTATION NEWSLETTER: TOBIQUE FIRST NATION



### THE PROPOSED SISSON PROJECT—UPDATE

The federal government (Canadian Environmental Assessment Agency or “CEAA”) released their draft Comprehensive Study Review (CSR) to the Maliseet, Mi’gmaq and the proponent. The draft CSR did not include a significance determination on the project. Comments on the draft CSR (prepared by our technical experts - MSES) were sent to CEAA for their consideration in late February 2016. The revised CSR is set to be released in mid-April. CEAA is still accepting comments while they work on the revised CSR. The federal decision to approve/disapprove of the mine will likely come in late July or early August 2016. The decision is made by the Minister of Environment and Climate Change. The project can not go through without federal approval (the provincial approval was granted in December 2015, subject to 40 conditions).

Any members who wish to have the full report titled “Review of the Draft Federal Comprehensive Study Report Prepared by CEAA for the Sisson Mine Project” (MSES, January 2016), can contact Deana Sappier at (506) 273—5544 or [deana.sappier@tobiquefirstnation.ca](mailto:deana.sappier@tobiquefirstnation.ca). Additionally, the draft CSR can be sent to any members wishing to review it.

### This Issue

Sisson/BP	P. 1
Energy East	P. 2
Mactaquac	P. 3
Species at Risk	P. 4

### Proposed Scotian Basin Project -Update

In 2012, British Petroleum (BP) was awarded exploration licenses for four blocks off the shore of Nova Scotia. Originally, exploration drilling (for potential hydrocarbons) was expected to occur in 2017, but has now been pushed until 2018.



The Environmental Impact Statement (EIS) is expected to come out in May 2016. Tobique will pool funding with the other Maliseet communities to have the EIS reviewed by technical experts. The project has to undergo a federal Environmental Assessment process with the Canadian Environment Assessment Agency (CEAA). Tobique has been put on the duty to consult list based on our commercial fishing licenses.

A Traditional Use Study (TUS) with a focus on fisheries is being completed in Nova Scotia. As St. Mary’s and Woodstock First Nation also fish in the local deep sea area, they were invited to participate in the TUS. Swordfish, tuna and shark are the most commonly harvested species in the project area. Tobique has commercial fisheries in the larger regional area (Grand Manan) of the project.

## THE PROPOSED ENERGY EAST PROJECT —UPDATE

On March 3, 2016, there was community meeting with Tobique's legal counsel (Renee Pelletier—OKT) on the proposed Energy East Project to discuss the Communications and Engagement Funding Agreement (CEFA), the Traditional Use Study and the National Energy Board (federal body overseeing the process).

The pipeline is expected to go through the traditional territory of 180 different Indigenous communities. In other provinces where the pipeline would cross, TransCanada wants to convert existing natural gas pipelines to pipelines for crude oil. However, in NB, they would have to build an all new pipeline (approximately 412 km of pipeline) that would run parallel to the existing natural gas pipeline system. The pipeline would be underground, with the exception of pump stations and valve sites, which would be above-ground. The only marine terminal for proposed project would be located in Saint John, NB.



As a condition of the CEFA, the Maliseet communities represented by OKT have submitted a “High Level Synthesis Report” (March 31, 2016) to TransCanada which outlines preliminary concerns (e.g., concerns regarding the continued ability to exercise Aboriginal and Treaty rights) and engagement activities. Any members wishing to review the report can contact Deana Sappier at (506) 273—5544 or [deana.sappier@tobiquefirstnation.ca](mailto:deana.sappier@tobiquefirstnation.ca).

It is expected that June 2016 will be very busy regarding the Energy East Project. In June, our technical experts (MSES) are expected to come to the communities to complete technical sessions on the project, and the results for the Traditional Use Study will be presented by the Maliseet's consultant Peter Armitage (Wolverine & Associates Inc.). Additionally, MSES and Dr. Ave Dersch (Moccasin Flower Consulting) will be seeking members input on the impact assessment.

## NB Power Mactaquac Dam Project -Update



NB Power is currently exploring 3 options for the Mactaquac Dam, including:

- (1) building a new powerhouse (repower),
- (2) retain the headpond (no power) , or
- (3) river restoration.

This is because the dam is expected to end its service life in 2030 due to a chemical reaction (alkali aggregate reaction) that has caused the concrete to swell and crack.

Mactaquac is 1 of 7 hydro stations in NB and has a generating capacity of 668 MW (supplies approx. 12% of the province's energy needs).

NB Power has released a draft Comparative Environmental Review (CER) for the project which the Maliseet will make comments on with the help of our technical reviewers MSES (who also work with the Maliseet communities on Sisson and TransCanada). MSES is expected to come to the Maliseet communities in May 2016 to present the technical findings of the report and get input from community members (the CER is available online at: <http://www.mactaquac.ca/cer-documents/>).

The deadline for public input has also been extended to May 31, 2016.

Additionally, under the lead of Kingsclear, the Maliseet are preparing to undertake a Traditional Land Use Study for the project. Dillon will be the lead consultant, however, the work will involve community co-researchers to conduct interviews.

The Maliseet are also preparing internal and external consultation protocols on the Mactaquac Dam with the help of Han Martin Associates Inc (HMA) and legal Dominique Nouvet (Woodward and Company). A community meeting to provide input into the Wolastoqiyik Consultation Protocols was held in Tobique on February 6th, 2016. It is expected that HMA will be back in the community in the near future to discuss the protocols.

## SPECIES AT RISK

In 2003 the Government of Canada announced the Species at Risk Act (SARA), which was formed to help prevent the disappearance of wildlife species from our lands.

### Special Concern—> Threatened —> Endangered —> Extirpated (local extinction)

Some species listed as endangered that are found in New Brunswick include:

- Bats (Little Brown Myotis, Northern Myotis, Tri-coloured Bat) - the biggest threat to bats is white-nose Syndrome which causes the bats to wake up early and results in them dying of starvation. There has been an approx. 99% decline in the NB population over the last 5 years.
- Atlantic Salmon—populations of salmon have declined by 90% or more, with estimates of 250 in 1999 (compared to estimated populations of 40,000 in some years)
- The wood turtle is listed as threatened. Main threats to the wood turtle include road traffic, agricultural equipment, ATVs and snowmobiles.



Species that are eligible to be added to the Species at Risk Act (found in NB) include:

- Black foam lichen (threatened)—which has not been seen in NB for approx. a decade.
- Yellow-banded Bumble Bee (special concern) - historically one of the most common bumble bee species, their decline may be attributed to certain pesticides.
- Red-necked Phalarope (special concern)- the bird has been on the decline over the last 40 years.



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

Or contact Deana Sappier at:  
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