

## MONTHLY CONSULTATION NEWSLETTER: TOBIQUE FIRST NATION



### COMMUNITY EVENTS

1. There will be a community meeting on **May 12, 2016 at 6 pm** at the Mah-Sos School regarding the 3 options for the Mactaquac Project.

Dr. Megan Thompson, one of our scientific experts at MSES, will be in the community to share information on potential environmental concerns with each option and to hear specifically from community members on their concerns with the Mactaquac Project.

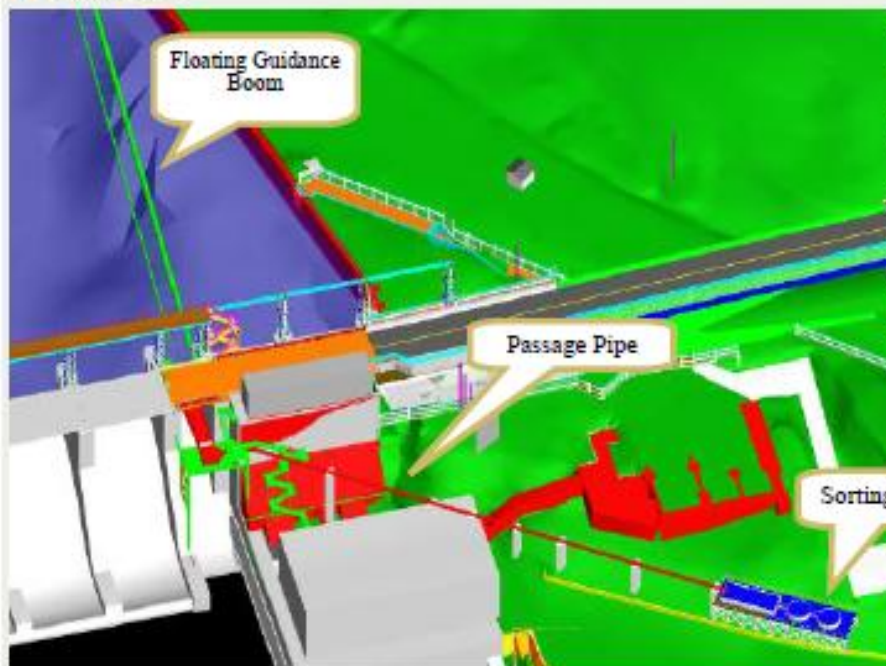
2. On **May 19, 2016, 6 pm**, there will be a presentation on "The Treaty Relationship with Canada," by Mahsos Education and Research Associates. Location to be determined.

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### Tobique Fish Passage Project

Fish passage at the Tobique Dam has been an issue due to small and fast turbines, that have affected survival rates of Atlantic salmon and American eel. In an effort to increase survival rates, NB Power have been conducting studies since 2012 regarding fish passage. Starting in 2016, work will begin on a new system that will consist of: a floating guidance boom (which will guide the fish to spillway 5); fish will then be passed over the gate into a screen that will direct them to a pipe for passage to a sorting facility. The survival rate for the new system is expected to be at least 94%.



A tender is expected to be issued in June 2016 (which will include contractors using at least 10% First Nation workers).

Most of the work will likely be completed in 2017.

Site work is to be completed in time to pass the fall smolt run in 2017.

**View of Tobique Dam and proposed fish passage.**

## THE PROPOSED SISSON PROJECT —UPDATE

On April 15, 2016, the Canadian Environmental Assessment Agency (CEAA) who represents the federal government on the Sisson Project released their Comprehensive Study Report (CSR) to the public, which is open for public comment until May 15, 2016. The report states:

*"With respect to Tobique, Kingsclear, Woodstock, and St. Mary's First Nations, the Agency considers the residual adverse effects on current use of lands and resources for traditional purposes to be of high magnitude given the size of the area that would become unavailable and the cultural importance of this area. The Agency considers the effects to be at a regional scale, as defined in the Indigenous Knowledge Study, permanent, continuous, and irreversible. The Agency considers that the measures proposed by the proponent would mitigate some effects on biophysical resources important for current use activities, but fail to address the permanent loss of access to an area of high value, and the associated use of that area.*

*Based on the above, the Agency concludes that the Sisson Project is likely to result in significant adverse environmental effects on the current use of lands and resources for traditional purposes by Maliseet First Nations."*

The results of the report have made it into CBC NB news, with articles: "Sisson mine impact on Maliseet First Nations "significant"", "5 Maliseet chief want Sisson mine rejected," where Chief Ross was quoted as saying "This open pit mine would destroy one of our last remaining areas to harvest and practise our culture" and article "Money would not solve the problem: Maliseet chief's lawyer."

Tobique will be providing additional comments to CEAA in the form of a Current Use Study and technical comments (along with the other Maliseet communities), which will further illustrate the significance of the site for the Maliseet.

Once comments are in, they are given to the Minister of Environment and Climate Change. She is expected to make a significance determinate in July/August. After the Minister's decision, cabinet will make a decision on the project, taking into account economics, etc. It is unsure when their decision will be made at this point.

The CSR can be found on CEAA's website: <http://www.ceaa-acee.gc.ca/050/document-eng.cfm?document=113759>. Members who wish to have a copy of the Current Use Study can contact: Deana.Sappier@tobiquefirstnation.ca

## THE PROPOSED ENERGY EAST PROJECT —UPDATE

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.

It is expected that in July 2016, TransCanada will be in the community to present a general overview of the project. TransCanada is currently working on an "Indigenous Contracting Strategy," where contractors bidding a job on the proposed project would be required to have an Indigenous participation plan.

## NB POWER MACTAQUAC DAM PROJECT -UPDATE

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

- (1) Repowering the station with a new powerhouse, spillway and maintaining the existing earthen dam
- (2) Maintaining the earthen dam structure to retain the headpond and replace existing concrete spillways, but no power generation.
- (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.

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 Tobique on May 12, 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/>).

A Traditional Land Use Study will also be completed for the project with Dr. Ave Dersch (Moccasin Flower Consulting) as the lead consultant (the work will also involve community co-researchers). Dr. Dersch has also worked with the Maliseet on the Sisson and Energy East projects.

## MOUNT CARLETON PROVINCIAL PARK

In late 2015, Tourism, Heritage and Culture commissioned an environmental review to identify potential impacts associated with the replacement of two existing, but dilapidated bridges (Moose Brook and Bathurst Lake), re-



View of dilapidated bridge at Mt. Carleton

building of a collapsed bridge, cutting of a new 900 m trail for snowmobiles, restoration of a former access road (fire tower road) for snowmobile use, building for two grooming machines and an additional fuelling station at Mt. Carleton Provincial Park.

Between November 3-6, 2015, archaeological testing was conducted at Bathurst Lake and Moose Brook, two locations for new bridges. Archaeological testing included 15 workers from Tobique. At Bathurst Lake, artifacts collected included: quartz, chert and volcanic flakes, a quartz scraper, spokeshave, biface, and bipolar core, burnt ceramic and charcoal samples. In the Moose Brook area, a large cobble abrader was found. A mitigation plan will have to be developed if construction is pursued.

The environmental review concluded that there is an expected low impact associated with the proposed activities and that the total footprint of human development within the Park would be less than 1% of the total area. The review also noted that there is little known regarding Indigenous Knowledge for the Park. Therefore, Tourism, Heritage and Culture have approached the Maliseet in conducting a possible Traditional Land Use (TLU) Study for the Park. No decision has been made about the TLU as of yet.

The environmental review will be made available on TFN's website.

## NEW BRUNSWICK WATER STRATEGY

In February 2016, the NB Department of Environment and Local Government (NB DELG) released a Discussion Paper titled: "Working Together to Build a Water Strategy for New Brunswick."

This was followed by open houses and controversy in the media, with a CBC NB article: "Conservationists call Liberal water strategy 'a sham.'"

NB DELG states that "a water strategy will guide New Brunswick's approach to water management now and for many years to come."

Everyone is able to comment on what is important to them, as the information has been made available online at:

[http://www2.gnb.ca/content/gnb/en/departments/elg/environment/content/water/content/water\\_strategy.html](http://www2.gnb.ca/content/gnb/en/departments/elg/environment/content/water/content/water_strategy.html)

Additionally, NB DELG wants to hear from First Nations, as our concerns may differ than the general public. Examples of issues that have come up at open houses include: blooms of blue-green algae, issues with older septic systems, compostable toilets, education of young people, etc.

As an idea of what will be incorporated into the water strategy, the province is looking to include the watershed classifications, drinking water protection, watercourse and wetland alteration permits, etc. E.g., New Brunswick is divided into 13 major watersheds (in picture), these watersheds have been monitored (quality of surface water, etc) and will continued to be monitored in the future. They watershed classifications are not the current water strategy, but will be a part of the future water strategy.



### WHAT IS THE MALISEET ADVISORY COMMITTEE ON ARCHEOLOGY?

The Maliseet Advisory Committee on Archaeology (MACA) was formed in 1996 with the beginning of the Jemseg Crossing Archaeology Project (JCAP). Chris Turnbull, now retired Manager of Archaeological Services, wanted to include Maliseet people to take part in the excavation of their history but to also include them in all aspects of the project. With the combined effort of the Maliseet Chiefs and the Province, MACA was formed. Maliseets were able to communicate their concerns, issues and sensitivities regarding archaeology through the Committee.

MACA is an officially recognized Committee set up between Maliseet Chiefs and the Province of New Brunswick to exchange information and views on archaeology and other cultural heritage matters of mutual interest.

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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