

MONTHLY CONSULTATION NEWSLETTER: TOBIQUE FIRST NATION



COMMUNITY EVENTS

1. On **May 31, 2016 at 6 pm (Mah-Sos School)** there will be a technical session presented by **MSES** on the proposed **Energy East Project**.

This session will allow members to voice their concerns on how the project will impact traditional land & resource use.

2. On **June 13, 2016, 5:30 pm**, there will be a presentation on the **Traditional Land Use Study** conducted for the proposed **Energy East Project**.



Supper will be provided, as well as door prizes

Hope to see you there!

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THE NORTH AMERICAN RIGHT WHALE

The Minister of Fisheries and Oceans Canada (DFO) is proposing a Critical Habitat Order under Section 58 of the Species at Risk Act (SARA) to protect the critical habitat that is identified in a recovery strategy or action plan. For the North American Right Whale, a recovery strategy was published on the Species at Risk Public Registry on April 14, 2014. According to DFO, as of 2003, only 322 Right Whales were in the North Atlantic Ocean.

The critical habitat of the North Atlantic Right Whale is found in Grand Manan Basin (Bay of Fundy) and Roseway Basin (off southwestern Nova Scotia). These critical habitat areas support the following functions: adult foraging and feeding, calf nursing and rearing, and resting and socializing. Features of the critical habitat include the quantity and quality of prey, the acoustic environment, and the quality of water and air.



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 (the CSR can be found on CEAA's website: <http://www.ceaa-acee.gc.ca/050/document-eng.cfm?document=113759>).

The public comment period ended May 15, 2016. There were 54 submissions sent to CEAA on the CSR. CEAA is now preparing the comments to give to the Minister of Environment and Climate Change. She is expected to make a significance determinate in July/August 2016. However, there is not a legislated timeline for her decision.

Accommodation discussions are ongoing with the province, the legal counsel for those discussions is Dominique Nouvet (Woodward and Company LLP) . They 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.



THE PROPOSED ENERGY EAST PROJECT —UPDATE

On page 1, two meetings on the proposed Energy East Project are highlighted. On May 31st, our presenters will be MSES (represented by Dr. Brian Kopach, Sarah Hechtenthal, and Dr. Ave Dersch), who the Maliseet have hired to complete a technical review of the proposed project. They will present key environmental, cultural and socio-economic concerns so that members can be informed on what the proposed Energy East Project is all about. Members can also voice their concerns on the project, so that MSES can include them into their reports.

On June 13, Peter Armitage, Jamie Gorman (Idol) and Jason Hall will present the Traditional Land Use information collected for the proposed project. This will include a presentation of the map depicting all the data they collected for the 6 Maliseet communities.

Energy East are planning for a community session in early July (date TBD).



NB POWER MACTAQUAC DAM PROJECT -UPDATE



On May 12, 2016, there was a community meeting regarding the Mactaquac Dam presented by MSES (Dr. Megan Thompson, who was hired by the Maliseet). MSES reviewed the Comparative Environmental Review (CER) and explored the 3 previous options as well as the new 4th option:

- (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
- (4) Life Achievement (new option) - continued operations beyond 2030; would require mechanical and electrical equipment in the station to be replaced due to age and wear. Requires ongoing work and investment.

Dr. Thompson stated that Option 1 and 2 will require a fish passage structure and that for up to 10 years, construction activities will: create noise and impact air quality, impact river flows and potentially water quality, remove vegetation and impact fish and wildlife. Additionally, Option 1 will require a larger excavation and more land on both shores compared to Option 2.

For Option 3, the Mactaquac Lake will no longer exist and water levels up to Hartland are expected to be lower, while downstream the levels may be higher. The dam has also created sediment build up in the lake and there is some uncertainty on how the sediment will affect water quality if the dam is removed.

The Maliseet communities are beginning a Traditional Land Use study for Mactaquac, with Dr. Ave Dersch and Natasha Sacobie (Kingsclear) as the project leads. Jamie Gorman will be completing interviews for Tobique.

NB Power will be making a decision by the end of 2016 on the 4 Options.



The community presentation by MSES will be available on TFN's website for members to download. Additionally, presentations on Fish Passage options will also be made available at:

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

