

Consultation Newsletter Wolastoqey Nation

July 2017
Issue 2



WNNB Update

The Maliseet Nation in New Brunswick (MNNB), which will soon be called the Wolastoqey Nation in New Brunswick, have recently hired a Geographic Information System (GIS) technician, an ethnohistorian and a human resource/finance administrator. There are also three Traditional Land Use co-researchers and a co-manager on contract for MNNB.

Currently, MNNB consists of:

- Consultation Director: Shyla O'Donnell (Shyla.Odonnell@wtci-nb.ca)
- Administrative Assistant: Brett Collins (admin@wtci-nb.ca)
- Ethnohistorian: Dr. Jason Hall (Jason.Hall@wtci-nb.ca)
- GIS Technician: Thomas Herbreteau (Thomas.Herbreteau@wtci-nb.ca)
- Forestry Advisor: Angie Paul (Angie.Paul@wtci-nb.ca)
- Environmental Impact Assessment (EIA) Coordinator: Deana Sappier (Deana.Sappier@wtci-nb.ca)
- HR/Finance: Sandra Polchies (Sandra.Polchies@wtci-nb.ca)
- Fisheries Biologist: Dr. Colin Curry (Colin.Curry@wtci-nb.ca)
- Traditional Use Study (TUS) Project Co-Manager: Natasha Sacobie (Natasha.Sacobie@wtci-nb.ca)

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Sisson Mine Project Federal Approval

On June 23, 2017, federal approval of the Sisson Mine project was announced. The decision of the Responsible Authorities (Natural Resources, DFO and the Coast Guard) stated that:

"...after taking into consideration the Comprehensive Study Report and taking into account the implementation of appropriate mitigation measures, the authorities are of the opinion that the project is likely to cause significant adverse environmental effects that can be justified in the circumstances."



Model of Mine at 20 years (Northcliff Resources Ltd).

The decision also listed the mitigation measures required for the project (water resources, fish and fish habitat, human health, etc.).

The province of New Brunswick gave conditional approval in December 2015. Both federal and provincial approvals were required for the mine. The Sisson Partnership still needs to obtain permits for blasting, fisheries offset and meet the provincial approvals before it can operate.

The federal decision can be found at: <http://www.ceaa-acee.gc.ca/050/details-eng.cfm?evaluation=63169>

The provincial conditions are located at: <http://www2.gnb.ca/content/dam/gnb/Departments/env/pdf/EIA-EIE/sisson/ConditionsEIASisson.pdf>

NB Power Agreement

In April 2017, the Wolastoqey communities of Madawaska, Tobique, Kingsclear, St. Mary's and Oromocto signed a Consultation and Capacity Funding Agreement with NB Power. The Agreement is intended to foster a long term meaningful relationship between the Wolastoqiyik and NB Power. It also provides funding to assist the Wolastoqiyik in building in-house capacity to respond to NB Power projects such as:

- The Mactaquac Project,
- Grand Falls Development,
- Houlton Water Company International Power Line,
- Kedgwick Transmission Line,
- Fundy Isles Submarine Cable Replacement Project,
- NB Power/DFO Protocol Agreement, and
- Point Lepreau Generating Station.

The Agreement states that NB Power and the Wolastoqiyik will always engage with each other in good faith, honestly, and with as much transparency as possible. It notes a deep relationship between the Wolastoqiyik and the natural environment, as we see our role as caretakers for the environment and for future generations.

This Agreement does not provide Wolastoqey consent to any NB Power project. It is not an accommodation, nor does it discharge the Crown's duty to consult. Rather, the Agreement will promote meaningful engagement with NB Power on their proposed projects. Most importantly, it provides capacity funding so that we can analyze proposed projects, assess impacts on our rights, and share our concerns and information with NB Power and the Province, as well as our proposals for how to meaningfully accommodate our rights. NB Power also commits in the Agreement to seriously consider and respond to Wolastoqey information, concerns and accommodation proposals in a timely manner and on request present projects at community meetings.

Any community members wanting additional information regarding the Agreement should contact their community RDCC.

NB Power – Point Lepreau Licence Renewal

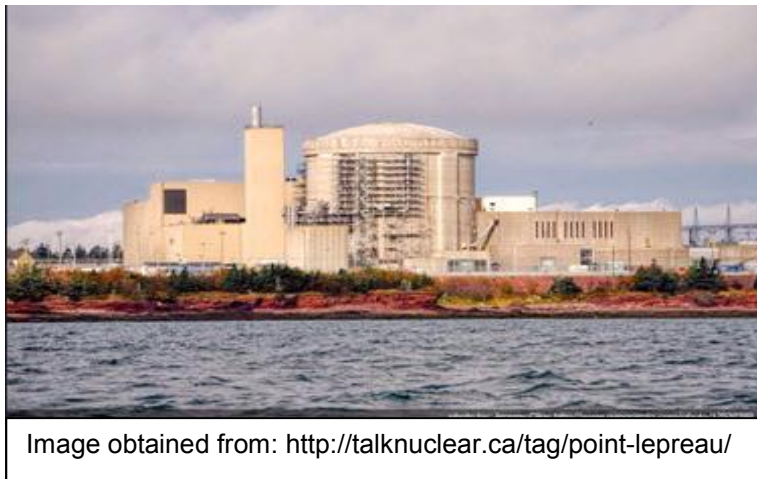


Image obtained from: <http://talknuclear.ca/tag/point-lepreau/>

On June 14, 2017, the Canadian Nuclear Safety Commission (CNSC) decided that:

“NB Power is qualified to carry on the activity that the licence will authorize. The Commission is of the opinion that NB Power, in carrying on that activity, will make adequate provision for the protection of the environment, the health and safety of persons and the maintenance of national security and measures required to implement international obligations to which Canada has agreed”.

Therefore, the Point Lepreau Nuclear Generating Station has received its licence renewal effective July 1, 2017 until June 30, 2022.

The statement by CNSC acknowledge that several Indigenous groups informed the Commission that the nuclear generating station was built on traditional and ancestral territories, and impacted Aboriginal and/or treaty rights, however CNSC stated that:

“...this licences renewal will not result in any changes to [Point Lepreau Nuclear Generating Station] operations, that the renewal will not cause adverse impacts to any potential or established Aboriginal and/or treaty rights and that the duty to consult was not triggered in this matter.”

The decision can be found at: <http://www.nuclearsafety.gc.ca/eng/the-commission/pdf/2017-05-10-SummaryRecordDecision-NB%20Power-PointLepreau-e.pdf>

NB Power – Houlton Water Company



The Houlton Water Company has requested NB Power to supply 22 MW of electrical power. The project would consist of construction of a new 15 km 69 kV transmission line within the Right of Way (RoW) of Route 95. This new line would tap the existing line on the west side of the Mednuxnekeag River. The Wolastoqiyik are undergoing a Traditional Use Study (TUS) to determine impacts on our Aboriginal and Treaty rights (field studies noted butternut trees in the area). It is anticipated that the Houlton Band will also be included in the TUS as there will be a 34.5 kV transmission line that will cross the board and continue approximately 2.4 km on the US side of the border to connect to the existing Foxcroft substation.

It is expected that an Environmental Impact Assessment will be submitted to NB Department of Environment and Local Government this summer. Depending on approval, NB Power anticipates RoW and substation clearing by fall of 2018.

Mactaquac Project

On December 20, 2016, NB Power publicly announced that it recommended Option 4 to the regulator, which would keep the dam going until 2068. Option 4 consists of either:

- a) Removing and replacing concrete in the most affected parts of the station; replacing/repairing certain mechanical and electrical equipment; or
- b) Stabilizing and replacing some concrete in the most affected parts of the station; replacing/repairing certain mechanical and electrical equipment and readjusting the position of equipment.

The “NB Power Mactaquac Project: Maliseet Nation Traditional Land and Resource Study” (completed September 2016) described Option 4 as a continuation of “*significant negative effects on Maliseet traditional land and resource use that have gone unmitigated for almost 50 years.*”

NB Power has still not decided whether they prefer Option 4a or Option 4b. Currently, they are exploring fish passage options for the dam. MNNB has reviewed technical reports from the Mactaquac Aquatic Ecosystem Study (MAES) to weigh in on potential options, as well as some preliminary community information from watershed sessions, but will be requiring additional community feedback in the coming months as NB Power wants to determine priority species by August 31, 2017. The Wolastoqiyik have not consented to NB Power’s decision to expand the life of the Mactaquac Dam. We have expressly reserved our right to challenge the project in court based on breach of our section 35 rights, including Aboriginal title, should NB Power fail to accommodate our rights satisfactorily.

Any members wishing to see the MAES reports should contact their community RDCC.

Forestry Advisor Update

Angie Paul, MNNBs Forestry Advisor has initiated monthly meetings with community forestry coordinators and RDCCs from the 6 Wolastoq communities. The goal of the monthly meetings is to discuss issues and priorities of each community to strengthen Wolastoqey interests individually and collectively.

Additionally, the Forestry Advisor, forestry coordinators and RDCCs have met with representatives of the Department of Energy and Resource Development (DERD) to discuss issues of priority. This was followed up with a letter to Minister Doucet which highlighted the following:

- Confirmation that the duty to consult and accommodate First Nations will be a part of DERDs plans going forward;
- Working towards co-management of New Brunswick forests with First Nations;
- An opportunity to revisit the First Nations allocation for Annual Allowable Cut;
- An opportunity to explore the establishment of, and support for a First Nations owned mill;
- Establishment of non-herbicide treated areas as designated by Traditional Knowledge and direct First Nation community engagement; and
- Increased First Nations employment at all levels within the forestry industry.

Proposed Mount Carleton Grooming Hub Update

The New Brunswick Department of Tourism, Heritage and Culture (THC) is proposing the development of a grooming “hub” at Mount Carleton Provincial Park to promote winter snowmobile tourism in northern New Brunswick. The project will promote snowmobiling on existing roads which are not used during the winter months. Project components include installation of a fueling station, construction of a new groomer maintenance shed, clearing brush from existing roads, installing signage and construction of a 900m bypass trail within the Park boundary. The Environmental Impact Assessment is available online at:

http://www2.gnb.ca/content/gnb/en/departments/elg/environment/content/environmental_impactassessment/1444.html

As a result of this the Wolastoqey Nation will be conducting a Traditional Use Study to help determine what the impacts are to our constitutionally protected rights. Anyone interested in participating in this study can contact their community RDCCs (see information below).

Interested in Environmental Field Monitoring?

The Wolastoqey Nation is looking to create a database of potential environmental field monitors, archaeological field monitors and persons interested in working in either field.

If you would like your resume to be included in the database, please send a copy of your resume to your community RDCC (see below for names). Please indicate in a general cover letter your level of experience and if you are willing to work throughout New Brunswick (or if you would like to stay within a certain region).

Contact Information:

If you have any questions about the content of this newsletter and would like more information, please contact your community RDCC.

- Madawaska – Russ Letica (506-735-1744) email: leticaruss@yahoo.com
- Tobique – Jamie Gorman (506-273-5544) email: matewas@gmail.com
- Woodstock – Amanda McIntosh (506-325-3570) email: amanda3mcintosh@gmail.com
- Kingsclear – Keyaira Gruben (506-363-3028 ext. 143) email: keyairagruben@kingsclear.ca
- St. Mary’s – Timothy Plant (506-459-2200 ext. 126) email: timothyplant@smfn.ca
- Oromocto – Fred Sabattis (506-478-4929) email: tamagun@rogers.com
- Oromocto (Assistant RDCC) email: zcroftonmacdonald@gmail.com

