

Consultation Newsletter Wolastoqey Nation

Nov 2017
Issue 6



WNNB Office

The Wolastoqey Nation in New Brunswick (WNNB) provides technical advice to Wolastoqey leadership and Resource Development Consultation Coordinators (RDCC's) in resource development consultation matters that related to the implementation and exercise of Wolastoqey constitutionally protected rights. WNNB also acts to protect and promote traditional lands, ceremony, cultural practices, and language. WNNB 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)
- Atlantic Link Liaison: Stone Bear (Stone.Bear@wtci-nb.ca)

WNNB now has a facebook page called: Wolastoqey Nation in New Brunswick

<https://www.facebook.com/groups/676375235894529/>

Strategic Rights Plan Study - Survey Deadline

The Strategic Rights Plan (SRP) is still completing online surveys for the study (as well as some community surveys by researchers), the intent of the survey is to help determine:

- How many members are currently engaged in Traditional Use;
- The extent of harvest and consumption (or other use) of items gathered through Traditional Use;
- The extent to which individuals and families are no longer able to engage or benefit from Traditional Use.

An example question: on average, over the past two years, how often have you had a meal of any of the following traditional foods? (list of foods will include: moose, deer, hare/rabbit, duck, bear, etc.).

Off reserve members may participate in an online survey for a chance to win a \$100 dollar gift card (5 gift cards will be given away). The online survey can be found at:

https://www.surveymonkey.com/r/SRP_Plan

For more information, visit our video on YouTube:

<https://www.youtube.com/watch?v=Wjn2cii1RC4>

Inside this issue:

WNNB	1
SRP	1
Cultural Trees.....	2
Reporting a Spill.....	2
Sisson Project	3
Federal Reviews.....	4
Community.....	4
Field Monitoring.....	4

Cultural / Craft Trees – Community Interest?

During a recent project, a number of trees were identified in a Right of Way that could be used for cultural craft-making purposes (e.g., yellow birch). The trees were selectively cut and given to identified artists for cultural purposes.

If you would like more information on how to potentially receive cultural/speciality trees, 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 – Natasha Sacobie (506-363-3028 ext. 143) email: natashasacobie@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



Reporting a Spill

Environment and Climate Change Canada (ECCC) enforces several Acts, including the Species at Risk Act, the Canadian Environmental Protection Act (Act aims to eliminate certain toxic substances from the Canadian environment) and the Fisheries Act (prohibits the deposit of deleterious (degrading) substances in waters frequented by fish).

For example:

- In 2013, the officers were noticed about a number of migratory birds found dead (total of 7500 birds died) on the Canaport LNG facility in Saint John, NB. Canaport LNG was ordered to pay a penalty of \$750K after pleading guilty to the charges under the Migratory Birds Convention Act and the Species at Risk Act.
- Between 2013-2014, Twin Rivers Paper Company were charged with three spills that impacted the Madawaska and Saint John Rivers. The company was fined \$320K after pleading guilty to charges under the Fisheries Act and the Pulp and Paper Effluent Regulations.

If you suspect an offence or want to report a spill, the number is:

1-800-565-1633



The Sisson Project – Federal Permits

Environment and Climate Change Canada (ECCC) is leading the federal government's consultation efforts required as part of the Sisson Project's application to amend the Metal Mining Effluent Regulation (MMER). The Sisson Project is applying to add streams in the Sisson mine project area to Schedule 2 of the MMER, which requires

- a submission of an Assessment of Tailings Management Alternatives (ATMA), and
- a Fish Habitat Offsetting Plan.

WNNB has hired an environmental consultant (MSES Inc.) to review the technical documents and provide comments. Additionally, MSES will be attending some community meetings (week of December 11-15, 2017) to explain the technical work and get community feedback on potential fish offsets (e.g., do communities know of existing barriers?).

Assessment of Tailings Management Alternatives (ATMA)

MSES identified several ways in which the company did not conduct a comprehensive, detailed and transparent comparison of tailings management alternatives in its ATMA (as required by guidelines).

Several alternative design and management options for the tailings facility and open pit were removed in the pre-screening stage without adequate reasoning. This left analysis to be completed on two options that mainly differ only on their locations.

The company did not explain why it didn't consider different tailings disposal methods, including increased back-filling of the open pit or water treatment options.

The company has not collected sufficient baseline environmental or traditional use data for one of the tailings locations it considered in the process.

Fish Habitat Offsetting Plan

The Draft Fish Habitat Offsetting Plan (DFHOP) submitted by the company assessed:

1. The loss of fish habitat and fisheries productivity in the streams that will be impacted by the construction of the tailings facility
2. The potential for an increase in fisheries productivity that will result from the proposed offset – removal of a partial barrier at Nashwaak Lake
3. Discussed the net gain in fisheries productivity they expect from removal of the partial barrier

However, the habitat loss assessment for the streams to be destroyed (in the Sisson are – e.g., Bird Brook) is incomplete and appears to minimize impacts to fish habitat.

Additionally, the improved access to habitat at Naskwaak Lake will apply mainly to a single species of fish (alewife). Therefore, the company should likely consider additional offsets, a more effective offset or a habitat banking program.

Amendments to Schedule 2 of the MMER typically takes 18-24 months from when consultation ends (we have yet to start consultation).

The company can not construct the tailings facility until it has received the permit from the federal government.



Federal Environmental Reviews

The federal government is currently reviewing the Canadian Environmental Assessment Act (CEAA), the National Energy Board (NEB), the Fisheries Act and the Navigation Protection Act.

To review the Acts, panels were created for the CEAA and NEB process, whereas the Fisheries Act and the Navigation Protection Act had Standing Committees. The Wolastoqey submitted comments on all four acts, both at the initial stage of the process and in response to Canada's Discussion Paper on how it was going to implement "what it heard."

New legislation for the federal reviews is likely to come out early in 2018, which will be followed by regulation and policy development. Additionally, the Assembly of First Nations has been heavily involved in the federal reviews and has released a number of resolutions to address the process (e.g., Resolution no. 21/2017: Respecting Inherent Rights-Based Fisheries in Parallel with the Review of Canada's Fisheries Act).

Community Update

SEE ATTACHED NOTICE

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 – Natasha Sacobie (506-363-3028 ext. 143) email: natashasacobie@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

