Resource Development Newsletter

Kingsclear First Nation

April 2016
Issue 5

What are Cumulative effects?

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"Cumulative effects are changes to the environment that are caused by an action in combination with other past, present and future human actions".

http://www.ceaa.gc.ca/default.asp?lang=En&n=43952694-1&toc=show&offset=6

How cumulative effects occur?

Cumulative effects can occur in various ways: **1. Physical-chemical transport:** a physical or chemical constituent is transported away from the action under review where it then interacts with another action (e.g., air emissions, waste water effluent, sediment). **2.Nibbling loss:** the gradual disturbance and loss of land and habitat (e.g., clearing of land for a new sub-division and roads into a forested area). [This can include alienation of wildlife habitat due to sensory disturbances.] **3.Spatial and temporal crowding:** Cumulative effects can occur when too much is happening within too small an area and in too brief a period of time. A threshold may be exceeded and the environment may not be able to recover to pre-disturbance conditions. This can occur quickly or gradually over a long period of time before the effects become apparent. Spatial crowding results in an overlap of effects among actions (e.g. noise from a highway adjacent to an industrial site, confluence of stack emission plumes, close proximity of timber harvesting, wildlife habitat and recreational use in a park). Temporal crowding may occur if effects from different actions overlap or occur before the VEC has had time to recover. **4. Growth-inducing potential:** Each new action can induce further actions to occur. The effects of these "spin-off" actions (e.g., increased vehicle access into a previously unroaded hinterland area) may add to the cumulative effects already occurring in the vicinity of the proposed action, creating a "feedback" effect. Such actions may be considered as "reasonably-foreseeable actions".

Inside this issue:

Aboriginal Fisheries Strategy

In 1990, the Supreme Court of Canada issued a landmark ruling in the Sparrow decision. This decision found that the Musqueam First Nation has an Aboriginal right to fish for food, social and ceremonial purposes. The Supreme Court found that where an Aboriginal group has a right to fish for food, social and ceremonial purposes, it takes priority, after conservation, over other uses of the resource. The Supreme Court also indicated the importance of consulting with Aboriginal groups when their fishing rights might be affected.
In response to this decision, and to provide stable fishery management, Fisheries and Oceans Canada (DFO) launched the Aboriginal Fisheries Strategy (AFS) in 1992. The AFS is applicable where DFO manages the fishery and where land claims settlements have not already put a fisheries management regime in place.

http://www.dfo-mpo.gc.ca/fm-gp/aboriginal-autochtones/afs-srapa-eng.htm

In January 2016 newsletter, I discussed court cases, included the R. v. Sparrow (1990) case.

What is MACA?

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. Each Maliseet First Nation Government appoints a representative and an alternate to the Committee. The Provincial Government is represented by a member and an alternate from Archaeological Services, Heritage Branch, Department of Tourism, Heritage and Culture.

Presently, with the continued support and interest of the Maliseet Chiefs and Province, MACA still continues to function. Meetings are held monthly with the exception of winter months when meetings are held depending on the weather. All the administrative duties are the responsibility of Archaeological Services. Minutes of the meeting are sent to the Chiefs and MACA members after they have been accepted by the Committee.

The Consultation Coordinator had attended one meeting on Monday April 4th, 2015. Information that was discussed in the meeting was regarding permits for 2015 for Archeology, update on the fieldwork up at Sisson, this was done by Bruce Stewart (CRM Group).

MACA members are:

Brian Stuart- Madawaska Maliseet First Nation

Sandra Nicholas and Marie Perley- Tobique First Nation

Mark Polchies- Woodstock First Nation

Phil Atwin- Kingsclear First Nation

Cecelia Brooks- St. Mary's First Nation

Warren Nash- Oromocto First Nation

Karen Perley and Brent Suttie- Province of New Brunswick

MACA next meeting will be held in Kingsclear First Nation on Thursday April 28th, 2016 at 10am located at the Band hall Culture Room. Community members are welcome to attend and observe.

Any questions, please contact Sydney Paul at sydneypaul@kingsclear.ca or 478-0136.

Sisson Mine Project Update

Please take note, the Canadian Environmental Assessment Agency (CEAA) is planning on releasing the Comprehensive Study Report (CSR) for the proposed Sisson Mine Project on Friday, April 15, 2016 for a 30-day comment period. The Report will summarize the results of the environmental assessment of the project, and will present the Agency's conclusions on whether or not the Sisson Project is likely to cause significant adverse environmental effects taking into account the implementation of recommended mitigation measures.

Written comments on the Report will need to be received by May 15, 2016. If any land users want to provide comments, please contact Sydney Paul at sydneypaul@kingsclear.ca or 478-0136

MSES (Management and Solutions in Environmental Science) will be doing our technical review of the Revised CSR.

Any questions/concerns regarding Sisson, please contact Sydney Paul at sydneypaul@kingsclear.ca or 478-0136

Kingsclear sent in a preliminary map to CEAA, along with two land user letters on February 24th, 2016.

Location of the proposed Mine with proximity to KFN.

http://ici.radio-canada.ca/regions/atlantique/2015/12/04/005-sesson-mine-autochtones-critiques-fredericton-nouveau-brunswick-acadie.shtml

TransCanada Energy East Proposed Project Update

TransCanada's Energy East Pipeline - Safety

Energy East pipeline is a proposed 4600km crude oil pipeline traveling from Alberta across Canada to a marine terminal in Saint John NB. It consists of 3000 km of converted natural gas pipeline and 1600 km of new build. The converted pipeline runs approximately to the Ontario-Quebec border, then the new runs 1200 km through Quebec until entering its last 412 km journey through our province. The majority of concerns surrounding the pipeline are environmental in nature. However, Energy East boasts 7 important safety features which are as follows:

1. Cathodic protection – a low voltage charge is applied to pieces of the pipeline. The more protected piece of metal is then attached to a more prone piece of pipe. This reduces wear and tear and corrosion. Similar methods are used in making bridges, boats and cars. Yearly inspections are made to ensure that it is working correctly

2. Corrosion resistant coating – In addition to using high strength carbon steel, corrosion resistant (no rust) fusion bonded epoxy (adhered with extreme heat) coatings are applied. This bonding means that it would take extreme temperatures to remove the paint, generally far outside of those regularly observed.

3. Weld inspections – Every weld made along the entire 4600 km Energy East project will be inspected by x-ray imagery and more advanced ultrasonic technology by a qualified independent (not directly paid by

TransCanada) inspector.

4. Shut-off valves – The pipeline will have hundreds of shut-off valves, placed strategically around areas such as wetlands, potable water sources (drinking water), major water crossings, water wells, and populated areas. If an anomaly is detected the pipeline is shut down by turning off the pumps that move the oil, and remotely closing the valves isolating the area where there has been a drop in pressure or temperature. As of December 2015 there are 57 valves located in NB.

5. Inspection and maintenance – Smart PIGs are used to identify even the tiniest crack or flaw in a pipeline. These PIGs are sent through the pipeline, propelled by the oil, to inspect the pipe millimeter by millimeter via hundreds of electronic sensors detecting changes in the steel (dents, cracks, or metal loss). They will also conduct regular ground and aerial patrols.

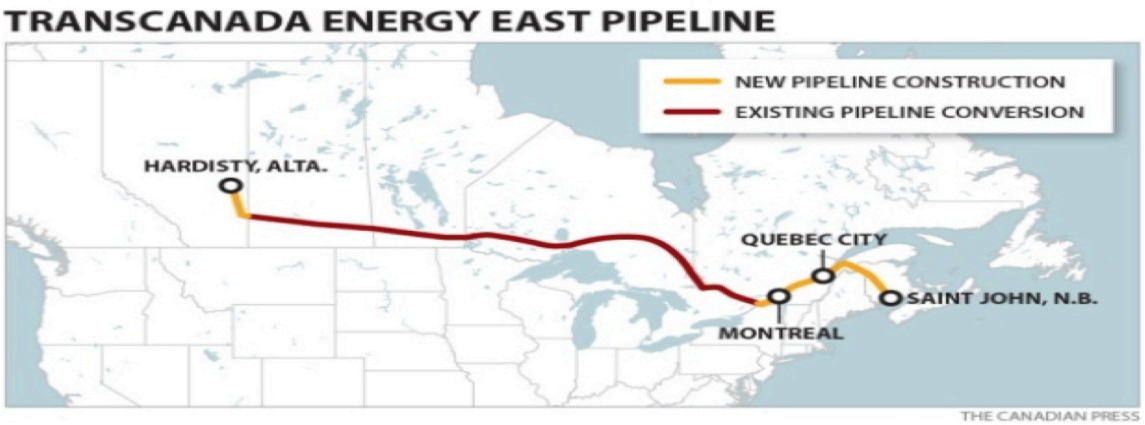
6. 24/7 monitoring – Monitoring from their state of the art control center will be handled quickly and professionally. They receive information from thousands of sensors every five seconds. In the event of some problem, shut off protocols are enacted. 24 hours a day, 7 days a week.

7. Emergency response plans – They are currently developing emergency response plans, and testing them

with local emergency responders. This will help ensure a quick and efficient response in the event of a pipeline mishap.

TransCanada, the company behind Energy East, boasts a safety rating of 99.999%. While this seems like a lot, when moving billions of barrels of oil a loss of even just 0.001% is still significant. For example the keystone pipeline has safely moved 1.2 billion barrels of oil since 2010, at a 99.999% safety rating that equates to approximately 12000 barrels of oil that did not arrive without incident. A barrel of oil is 159 liters. This means nearly 2 million liters of oil was spilled along this Keystone pipeline since 2010.

http://www.energyeastpipeline.com/7-things-you-need-to-know-about-pipeline-safety/
http://www.energyeastpipeline.com/pigs-in-the-pipes/
http://www.energyeastpipeline.com/myths-debunked-energy-east-and-winnipegs-drinking-water/



If you have any further questions or concerns regarding TransCanada Energy East Proposed Pipeline, please reach Gordon Grey at the band hall during regular working hours at 363-3028 ext 162, by email at greywag@hotmail.com, or cell at 259-6163 offi(room 113)

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https://www.registrelep-sararegistry.gc.ca/default.asp?lang=En&n=18D50944-1

Species At Risk (SAR)

What is 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.

NB Power Project Update

As stated in previous newsletters, NB Power is proposing three options. NB Power is looking to make a decision on the Mactaquac Generating Station in Fall 2016.

Kingsclear will start having technical meetings in May 2016 to explain what each of the three proposed options will do to our community and use of the land.

MSES will be doing the Maliseet Nation technical review of the draft Comparative Environmental Review (CER). Their comments will be submitted to NB Power June 30th, 2016 on behalf of the Nation.

Maintenance requirements

The consultation Coordinator received a letter from NB Power- they will be doing work at the Mactaquac Generating System on Wednesday April 27th, 2016 from 10am-2pm- high voltage transmission line that crosses the St. John River.

With this work, community members may experience; noise and low flying aircrafts.

Any questions or concerns, please contact Sydney Paul at sydneypaul@kingsclear.ca

Or 478-0136.

http://www.newbrunswickbeacon.ca/29348/nb-power-dilemma-dam/