

# Resource Development Newsletter

Kingsclear First Nation

## UPCOMING COMMUNITY MEETINGS

June 2016  
Issue 7

From now on, the list of all community meetings for community engagement will be listed on the first page. Should you have any questions regarding upcoming community meetings, please contact Sydney Paul at [sydney paul@kingsclear.ca](mailto:sydney paul@kingsclear.ca) or 478-0136. Below are the meeting dates.

**Sunday July 17, 2016**  
Kingsclear will be hosting a NATION meeting on Sunday July 17, 2016 at 1pm at the Wulastukw Elementary School. All six Wolastoqiyik communities will be coming

together to unite on views for the NB Power decision making process for future of the Mactaquac Dam.

At 10am, we will be organizing a site tour of the dam. Bus will be going around at 930am for anyone who is interested. Please RSVP by contacting Sydney Paul at [sydney paul@kingsclear.ca](mailto:sydney paul@kingsclear.ca) or 478-0136.

**\*\*Attached is Employment opportunities for 2016 EEP Archeology Field program.**

**\*\*DELG (Water Strategy) map of NB Watershed.**

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## Sisson Proposed Mine Update

The federal Crown has not yet decided whether it will allow the Mine to proceed. That decision might come as early as August, but more likely it will come in the fall. As Kingsclear has urged Canada to reject the Mine or at least not to make its decision until the Maliseet complete their accommodation discussions with New Brunswick. Maliseet Chiefs continue to discuss with New Brunswick potential measures to accommodate the impacts of the Sisson Mine on Maliseet Treaty rights and Aboriginal rights and title in the event that the

Mine proceeds. If a package of accommodation measures is developed, it will be presented to Kingsclear members at a community meeting, and Council will be seeking your feedback.

For this project, there is no federal legislation on a timeline for the Minister of Environment and Climate Change to make a decision. The Minister currently has some information for Sisson but not all information.

All information can be accessed by contacting Sydney Paul at [sydney paul@kingsclear.ca](mailto:sydney paul@kingsclear.ca) Or 478-0136



# NB Power Mactaquac Project Update

Mactaquac Dam project is now proposing four options for decision of the dam.

1. Option 1- New repower station
2. Option 2- New spillway
3. Option 3- Restoration of the river
4. Option 4- Life Achievement. Repairing the existing facilities so that they can operate past 2030 (this is a recent addition to the Options).

NB Power is looking to make a decision at the end of 2016.

The link for the Mactaquac project is <http://www.mactaquac.ca>

## **Mactaquac Traditional Land Use Study (TLUS)**

As mentioned in the previous newsletter, the TLUS will include 100 interviews from the six Maliseet communities. Kingsclear has a total of 30 interviews with 16 completed to date.

The Maliseet nation will be submitting a preliminary report to NB Power on findings that be documented to date.

The report will be completed in September 2016.

Should you have any questions regarding the Mactaquac TLU, please contact Sydney Paul at [sydney.paul@kingsclear.ca](mailto:sydney.paul@kingsclear.ca) or 478-0136 or Natasha Sacobie at [natashasacobie2004@yahoo.ca](mailto:natashasacobie2004@yahoo.ca)

## **Mactaquac Technical Review**

Management and Solutions in Environmental Science (MSES) reviewed and provided a report on both the Comparative Environmental Review (CER) done by Stantec and the Social Impact Comparative Review (SICR) done by Dillon Consulting. Some areas of concerns were:

- Current land use and traditional purposes
- Surface Water quality
- Hydrology
- Hydrogeology
- Vegetation and wetlands
- Wildlife and habitat
- Atmosphere environment (Air quality)
- Acoustic Environment (noise)
- Heritage Resource/Archeology

The report was completed and

submitted on June 22nd 2016 to NB Power.

\*\*Please note that in the draft Comparative Environmental Review (CER) did not include option four.\*\*

If communities members want to express concerns, provide comments or want to see any of the documents, please contact Sydney Paul at [sydney.paul@kingsclear.ca](mailto:sydney.paul@kingsclear.ca) or 478-0136.

**\*\*Please note, on Sunday July 17, 2016 there will be Maliseet Nation meeting where all SIX communities will come together on the Mactaquac Project . The meeting will start at 1pm at the WES gym\*\***



# TransCanada Energy East Proposed Project Update

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## May 30<sup>th</sup> – Management and Solutions in Environmental Science (MSES)

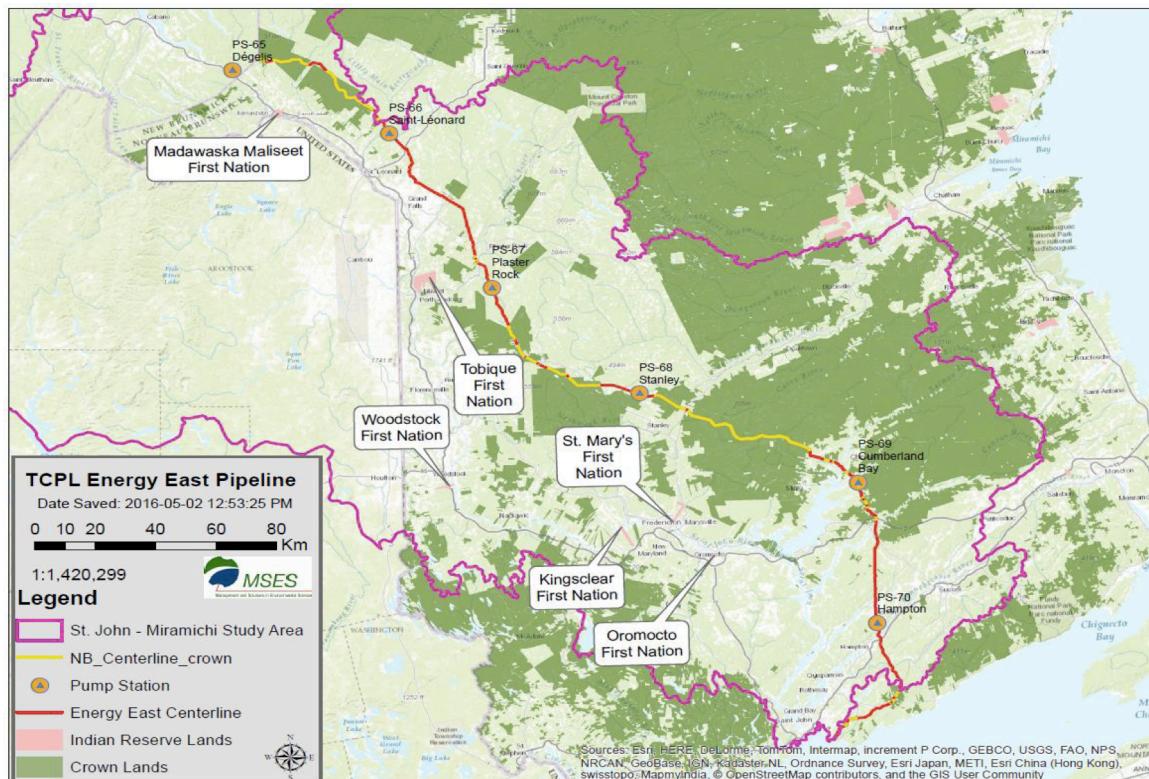
Sarah Hechtenthal and Brian Kopach from MSES and Ave Dersch from Moccasin Flowers Consulting put on a presentation recently at the bandhall and again at the school. The presentation outlined the Energy East Pipeline (EEP) impact on the environment and its basics. They then continued to explain the regulatory process and what our role would be in that process. The consolidated application of the EEP was nearly 40,000 pages in length, with one copy taking up a whooping 12 boxes to ship (2 truckloads to deliver 5 copies to the NEB offices). Next they outlined their primary concerns with the project and pipelines in general. Finally they gave an opportunity for discussions, questions and input from the community.

## June 14<sup>th</sup> & 15<sup>th</sup> – Traditional Land Use (TLU)

Peter Armitage, Jason Hall and Natasha Sacobie are the team responsible for the recent presentation on the TLU this last week. Peter and Natasha were primarily responsible for doing interviews with community members. What they were looking for was current land and resource use. Broadly these uses consisted of hunting (moose, deer, rabbit, grouse, etc.), fishing (salmon, trout, bass, eel, etc), vegetation use (medicines, fiddleheads, berries, firewood, etc) and land use (cultural sites, camp sites, burial sites, etc.). These uses were recorded on maps, which were then combined. This was done in Madawaska, Tobique, Woodstock, St. Mary's, and Oromocto as well. These were combined to give a picture of what land use by the majority of Maliseet in New Brunswick looks like. It is impressive. Jason Hall's job was to use the interviews and process them into a coherent document. Being a historian, Jason focused on the colonial footprint, land access issues, issues with the Ganong line, and the effect of things like dams on our ability to use the land in a traditional way.

The importance of this study resides in its universal character. It is a tool that can be used for consultation and engagement of any variety within the province now and in the future. Should the Maliseet one day decide to seek title, it is an important first step.

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 from Monday –Thursday 9:45-3:30 at 363-3028 ext 162, by email at [greywag@hotmail.com](mailto:greywag@hotmail.com), or cell at 259-6163 office (room 113)**



# Department of Environmental and Local Government- DELG

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KFN representatives have recently been attending meetings with DELG in regards to a New Brunswick Water Strategy. 3 meetings have taken place thus far. The first was typical in that it introduced the players; Michelle Daigle, Chandra Clowater, and Katie Petie are the contact points for the initiative, with Michelle Daigle as the lead. Attendees for Kingsclear include Nick Sacobie, Mark Francis, and myself Gordon Grey. Madawaska, Tobique, Woodstock, Oromocto and Saint Mary's all had representatives present as well. The main takeaway points concerned the number of watersheds in NB as there was a bit of confusion concerning the total number versus the apparent number as presented on the DELG maps (142 total sub-watersheds versus the simplified 13 for an easier visual).

Watershed – also called a catchment basin represents a specific land area which drains into a river/stream/lake system. The area is typically defined by geographical boundaries such as mountains and hills highest points (benchmarks) as water travels downhill.

The second meeting included Amber Giles from the Maliseet Nation Conservation Council (MNCC) as they have many of the same interests and studies ongoing concerning water in NB. We briefly touched on enforcement of standards (up to \$1,000,000 for corporate violators, and \$1,200 for individuals) and where funding comes from. The Environmental Trust Fund (ETF) gets its funding from redemption centers (bottle depots).

The third meeting offered us presentations on Impact Management (regulations and taxation), and water monitoring. Effluent discharge (waste water) subjects industry to taxation whereby more discharge equals larger taxes. These standards are set by the Canadian Council of Ministers of the Environment (CCME) and can be viewed on their website <http://www.ccme.ca/>. They also set standards for air quality, chemicals, human health, aquatic health and many other things. For water things like Biochemical Oxygen Demand (BOD) and Total Suspended Solids (TSS) are a couple of the things that are monitored. BOD is an important measure because oxygen is important for most living things, if it is being depleted because of pollution obviously the water becomes uninhabitable for fish, mussels, and other desirable species. In the case of industry, monitoring is carried out by the industry itself, although watershed groups, river associations, and DELG also monitor as a form of auditing the information they are receiving. In the event of an industry exceeding a standard, they can be fined up to \$1,000,000 although the money collected often goes into a general fund. This is counter intuitive as money collected for pollution should be used to clean up the area. You can get a comprehensive look at the information they provide at the DELG website <http://www2.gnb.ca/content/gnb/en/departments/elg.html>.

## **The Royal Proclamation of 1763**

"Royal Proclamation explicitly states that **Aboriginal title** has existed and continues to exist, and that all land would be considered Aboriginal land until ceded by treaty. The Proclamation forbade settlers from claiming land from the Aboriginal occupants, unless it has been first bought by the Crown and then sold to the settlers. The Royal Proclamation further sets out that only the Crown can buy land from First Nations."

- 1) Only the Crown can buy land
- 2) Recognized Indians as Nations (recognized our Nationhood across Canada)
- 3) Fiduciary protection – the Crown has a special obligation to protect Indian people
- 4) **Recognized Aboriginal title over land**  
<http://indigenousfoundations.arts.ubc.ca/home/government-policy/royal-proclamation-1763.html>

