

Resource Development Newsletter

Kingsclear First Nation

UPCOMING COMMUNITY MEETINGS

**May 2016
Issue 6**

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 sydneypaul@kingsclear.ca or 478-0136. Below are the meeting dates.

Monday May 30th, 2016
Energy East Technical meeting will take place at the Band hall cutlure room on Monday May 30th, 2016 at 12pm. We

will be serving lunch. An evening meeting at 6pm located at the school gym. Door Prizes and snacks are provided.

Saturday June 4, 2016
Maliseet (Wolastoqi) Treaty Day will be located at St. Annes Point starting at 1pm.

Tuesday June 14, 2016
Energy East Traditional Land Use Study Community meeting on Tuesday June 14, 2016 located at the School Gym at 6pm. Door Prizes and refreshments.

Tuesday June 21, 2016

National Aboriginal Day will be located at the school on Tuesday June 21, 2016 starting at 9am-3pm.

Thursday June 23, 2016

TransCanada Energy East community meeting on Thursday June 23, 2016 at 6pm located at the school gym. Door Prizes and refreshments.

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Sisson Proposed Mine Update

The comment period for the revised Comprehensive Study Review (CSR) for the Sisson proposed mine closed on Sunday May 15th, 2016. Canadian Environmental Assessment Agency (CEAA) is currently working on a on the briefing package that will go to the Minister of Environment and Climate Change to inform her on the EA decision.

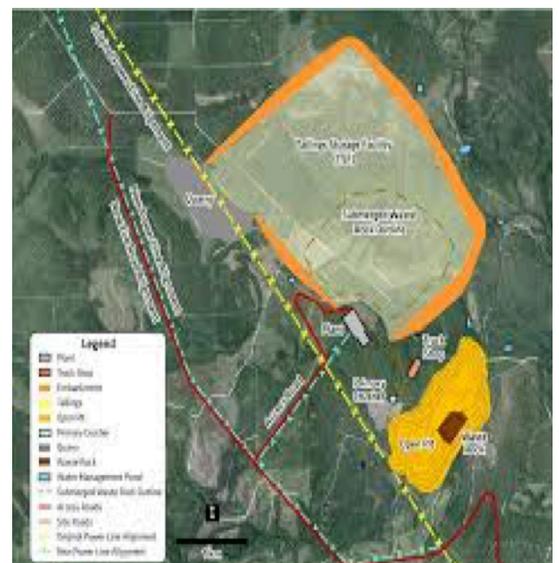
Minister's decision is tentatively scheduled for mid-summer (late July or early August). This timing would mean the Agency would have

to provide the Minister with their briefing package by the end of June. It is important to note, however, that any new information can and would be considered right up until a point when the Minister makes the EA decision. It is also important to note that this is not a legislated or otherwise firm timeline.

The Revised CSR can be found on CEAA website at: <https://www.ceaa-acee.gc.ca/050/documents/p63169/113759E.pdf>

Or a hard copy at Sydney's office. Image found from

Northcliffe website.



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

All six Maliseet communities are working on a Traditional Land Use Study (TLUS) specific to the Mactaquac Dam project. The project managers for the TLUS are Dr. Ave Dersch from Moccasins Flowers and Natasha Sacobie from Kingsclear First Nation. Kingsclear will be conducting 30

interviews starting in June 2016. The entire study will be conducting 100 interviews. The report will be completed in September 2016.

Should you have any questions regarding the Mactaquac TLU, please contact Natasha Sacobie for Kingsclear.

Mactaquac Technical Review

Management and Solutions in Environmental Science (MSES) will be reviewing the draft CER on the Mactaquac Project.

Kingsclear had MSES come into the community on Tuesday May 10, 2016 to collect

The report will be completed in June 2016.

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

Canadian Rivers Institute (CRI)

“The Mactaquac Aquatic Ecosystem Study (MAES) is a planned, whole-river ecosystem study and manipulation. It begins with a multi-year assessment of

the structure and function of a large river ecosystem, followed by a manipulation of flow, sediment load, and thermal regime with consequential effects on the ecosystem, and then a multi-year period to monitor the recovery to a new river state.”

The project is separated in three themes: Whole River Ecosystem Studies, Fish Passage and Environmental flows. Within the three themes, hold 29 project components.

All information can be found on the Canadian Rivers Institute website <http://canadianriversinstitute.com/research/mactaquac-aquatic-ecosystem-study/>

Field Monitor Report

Kingsclear, along with the five remaining Maliseet communities receive's bi-weekly field monitor reports from the First Nation Liason, Austin Paul. All reports will be accessible in hard copies by contacting Sydney Paul at sydneypaul@kingsclear.ca

Mount Carleton- Update

In late 2015, Tourism, Heritage, and Culture (THC) commissioned an environmental review of the potential impacts of the two existing bridges (located at Bathurst Lake and Moose Brook), cutting of new 900m trails for snowmobiles, restoration of access road, building for two new grooming machines and a fuelling station for the snowmobiles.

“Archaeological Services Unit (ASU) conducted an archaeological impact assessment(AIA) in Mount Carleton Provincial Park, New Brunswick (NB) between November 3rd- 6th 2015. The AIA consisted of archaeological testing at both Bathurst Lake and Moose Brook (Figures 1, 2 and 3)

where two wooden bridges have been proposed for replacement, and a pedestrian survey of approximately 900m where a new snowmobile trail has been proposed”.

“Initial Environmental Evaluation for the Snow mobile hub and associated work in the Mount Carleton Provincial Park area” was conducted by Arc Geobac Consulting and Kikahan Skitomik.

Please note, that all relevant documents on Mount Carleton can be found by contacting Sydneypaul@kingsclear.ca

The environmental review concluded to have low impact from the proposed activities and that the total footprint for human development is less than 1% of the total area.



(the yellow stars are locations for the two bridges for Bathurst Lake and Moose Brook- GNB archeological report).

TransCanada Energy East Proposed Project Update

TransCanada Energy East Project Maliseet Community Workshops:

TransCanada has applied to construct and operate a 4,500 Kilometer pipeline called the Energy East pipeline that will carry 1.1 million barrels a day of crude oil from Alberta and Saskatchewan to refineries in Eastern Canada. In addition, Trans Canada wants to construct and operate a marine terminal in St. John, NB to allow for marine transport of oil overseas. The National Energy Board (NEB) is the regulator in charge of assessing the Energy East Project and will be conducting formal hearings across Canada from mid-2016 until 2018.

***Consultation with Maliseet in New Brunswick on the Energy East project is still in its early stages and it is critical that members become informed on all aspects of the project now, and provide input whenever possible.**

Kingsclear First Nation is involved in several aspects of the review for the Energy East project with the goal of becoming informed about the project and protecting Maliseet rights. Along with the other 6 Maliseet Nations, KFN hired MSES Inc to conduct an independent scientific technical review

of Trans Canada's Application. Ms. Sarah Hechtenthal and Dr. Brian Kopach are the Maliseet's science advisors for the Energy East Project; Dr. Ave Dersch is the lead author for a study that will outline how the Energy East Project may impact Maliseet traditional land and resource use.

Sarah, Brian, and Ave will be here hosting workshops May 30th 2016 to do 2 critical things:

1. *Present key environmental, cultural, and socio-economic concerns with project so that our membership can be informed by their own scientists on what the Energy East Project is all about.*
2. *Record our membership's perspective on how the project may impact our traditional land and resource use. This is a **UNIQUE and CRITICAL** opportunity for community members to have their concerns recorded and included in the reports that are going to Trans Canada for consideration.*

This is your first opportunity to learn directly from your own scientists about the technical aspects of the Energy East Project and your primary opportunity to have your concerns heard!

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 office (room 113)**

The North Atlantic Right Whale (NARW)

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 NARW, 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) (Figure 1). 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.

DFO sent an email on Tuesday May 10, 2016 regarding this information. Also, what was recently brought to the Maliseet's attention is a proposed Tidal turbine in the Bay of Fundy. This is of concern to the Right Whale's habitat. - We have yet to follow up on this matter.



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Resources for UN Declaration of IR

<http://www.cbc.ca/news/canada/new-brunswick/un-declaration-energy-east-pipeline-veto-1.3576710>

http://www.vice.com/en_ca/read/what-does-it-mean-for-the-liberals-to-adopt-the-un-declaration-on-indigenous-peoples-rights

<http://www.cbc.ca/news/aboriginal/canada-un-indigenous-rights-questions-1.3578074>

http://www.un.org/esa/socdev/unpfii/documents/DRIPS_en.pdf

UN Declaration of Indigenous Rights

On Tuesday May the 10th 2016 Indigenous Affairs Minister, Carolyn Bennett, stated that Canada would back the UN Declaration on the Rights of Indigenous People "without qualification". Further, "Canada believes that our constitutional obligations serve to fulfill all of the principles of the declaration, including free, prior and informed consent,". Along with the duty to consult, this would require that Indigenous be partners in decision making right from the get go, and not merely asked to say yes or no.

It is still unclear if this will be implemented into legislation and what it would mean for the existing Indian Act. With no clear plan set forth there is still great concern about what this means.

The UN declaration of Indigenous rights states that native peoples have the right to self-determination, language, equity and land. The document isn't legally binding, however, with Canada removing itself from the objector list, it would seem they intend to enforce it within the constitutional framework.

Darrel Paul, executive director of the Union of NB Indians, along with Ron Tremblay, the Grand Chief of the Wolastoq Grand Council, agree that this could bolster the ability for Indigenous to have their say on whether resource projects such as Energy East move forward.

Currently the constitution has a duty to consult, but not a duty to consent. If the UN paper is passed into law, then consent would have to be required, essentially giving Natives veto power on industrial resource projects. However, many are still skeptical that it will be put into law. Vice.com expresses their doubt, "Unfortunately, it's almost certainly a vapid rhetorical exercise that reinforces an understanding of 'reconciliation' as defined by the Canadian government."

Archeological Technican Level 1 Training

On Friday May 20th, 2016, Kingsclear had 13 students graduate from the Archeological Technician Level 1 training that was delivered through New Brunswick Community College (NBCC) and Collège communautaire du Nouveau-Brunswick (CCNB).

The partnerships were between Post-Secondary Education Training and Labour (PETL), Archeological Services Unity (THC), NBCC, CCNB and the Maliseet Chiefs.

We would like to congratulate the new Archeological Field Technicians.

