

## **APPENDIX F**

### **KNOWLEDGE STUDY REPORT - CONFEDERACY OF MAINLAND MI'KMAQ**



# Quartz, Kaolin, and Mica Project

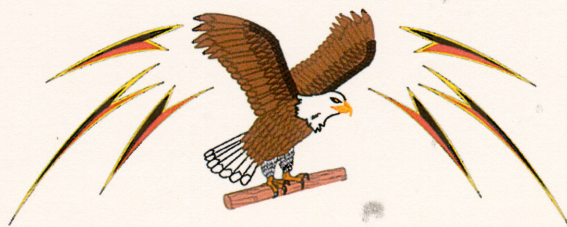
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Submitted to Black Bull Inc.

By The Confederacy of Mainland Mi'kmaq





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## **Executive Summary**

### ***Introduction***

The purpose of the study was to identify Mi'kmaq use concerns with respect to the proposed Quartz, Kaolin, and Mica project. The study consisted of three main components:

1. *Historical Review;*
2. *Mi'kmaq Use Study (Use Study); and*
3. *Mi'kmaq Significant Species Survey (MSS).*

### ***Mi'kmaq Knowledge Study***

#### ***1. Historical Review***

A historical review was completed by the CMM research department to identify information regarding Mi'kmaq use for the Quartz, Kaolin, and Mica project site as well as surrounding communities. For this, both internal and external sources were consulted.

The most significant information generated was for the Rocky Lake area (outside the claim blocks). According to the archives, a Jacques-Pierre Peminuit Paul known to Mi'kmaq as Saq Pie'l Sakmaw was born at Rocky Lake on January 5, 1800 and later died on January 10, 1895 in Shubenacadie. This information indicates that there was Mi'kmaq habitation and use within the general area.

#### ***2. Mi'kmaq Use Study***

The Mi'kmaq Use Study was completed by gathering input from several Mi'kmaq Communities regarding past use of the study area. To help achieve this, the Treaty and Aboriginal Rights Research Center (TARR) was consulted for any existing information which could have been gathered for the area and contacts for Elders and hunter/ gatherers which could possibly provide information.



From July 19, 2001 to August 25, 2001 interviews were conducted in eight Mi'kmaq Communities. From the information collected, Mi'kmaq Use within the claim block consisted of the following activities:

- Kill sites for bear, rabbit and trout (Upper Frog Pond)
- Camp Sites
- Burial Site

The exact location of the burial site is unknown but information collected during the Use Study indicated that a renowned trapper known only as "Buck" had trap lines in the area and died while trapping.

### ***3. Mi'kmaq Significant Species Survey***

A survey of plant species which are known to be significant to Mi'kmaq was conducted in the study area. Emphasis was given to concentrating on drainage areas but all habitat types were thoroughly visited to determine what plant species were present. A number of plants were identified which are considered to be of significance to Mi'kmaq. For reporting purposes, 6 separate categories of plants and their uses have been made. They are:

1. Medicinal Use-	42 plants were identified;
2. Food-	23 plants were identified;
3. Beverage-	8 plants were identified;
4. Tool or Implement-	12 plants were identified;
5. Craft, art or finishing-	5 plants were identified; and
6. Social or Ceremonial-	8 plants were identified.

(Of these 85 species identified, some were used exclusively, though most species are multi purpose)

To determine "significance", or a negative impact on Mi'kmaq learning and culture, the results were tested against four criteria (distribution, frequency, importance, and reconciliation and cross-check).



## ***Conclusion***

The following conclusion are an interpretation of the data collected during the Mi'kmaq Knowledge Study:

- 1. Historical Review** -No Mi'kmaq use was identified within the proposed leasing/mining area but was identified in surrounding areas (specifically Rocky Lake);
- 2. Mi'kmaq Use Study**- Mi'kmaq use was identified within the proposed lease/mining area which included kill sites for bear, rabbit and trout (Upper Frog Pond), camp sites and a possible burial sites (location unknown);
- 3. Mi'kmaq Significant Species Survey**- When tested against the significance criteria the population and distribution of species identified within the study area were found to be uniform with the surrounding landscape. Therefore, mining operations within the proposed lease / mining area is not felt to be a threat to these species as identified by CMM.

## ***Recommendations***

1. Due to the fact that Mi'kmaq use and occupation has been established within the study area, any clearing and/or grubbing as a result of mine operations should be aware of possible Mi'kmaq artifacts, burial sites or hearth sites which could be encountered. It is felt that mine operations be made aware of this potential and precautions taken to protect artifact resources, if encountered. Upon the discovery of any of these sites, Mi'kmaq should be contacted immediately.
2. Mi'kmaq feel that the taking of any resources (ie. plants) which are significant to Mi'kmaq should be compensated by the protection of habitats within the surrounding area. Moreover, the discovery of Rocky Lake having a potential settlement in the area should be considered in any protection/land use plan for the surrounding area.



## ***Introduction***

**T**he Confederacy of Mainland Mi'kmaq (CMM) is a Tribal Council which provides advisory services to six (6) Mi'kmaq Communities in Nova Scotia. They include Afton First Nation, Annapolis Valley First Nation, Bear River First Nation, Glooscap First Nation, Millbrook First Nation and Pictou Landing First Nation.

Incorporated in 1986 under the Societies Act of the Province of Nova Scotia, the objectives of the Society are recorded in the Memorandum of Association as follows:

- to promote justice and equality for all;
- to promote the socio-economic development of Member Bands and their membership;
- to promote the rights and freedoms of the Member Bands in their pursuit of self-determination;
- to promote the recognition of Aboriginal Rights of the Bands;
- to promote cultural awareness of the Bands and their membership;
- to identify and promote programs that can be beneficial to the socio-economic development of Member Bands;
- to establish and maintain harmonious relationships with government and private interests for the promotion of the interests of Member Bands;
- to work for and promote diligently on behalf of the Member Bands and their membership, a final and favorable settlement of all outstanding specific claims and disputes, notably the Treaty of 1752.

To ensure our commitment and to accomplish these goals, CMM has adopted the following Mission Statement:

***“To proactively promote and assist Mi'kmaw communities' initiatives toward self-determination and enhancement of community.”***



## *Purpose*

CMM was retained by Black Bull Resources Inc., to conduct a Mi'kmaq Knowledge Study (the study) for the proposed Quartz, Kaolin and Mica Project (the project) located along Route # 203 at Flintstone Rock in the Shelburne Barrens.

The following report has been prepared for the purposes of providing additional information to baseline information collected for the proposed project to incorporate the Mi'kmaq concerns into the Environmental Registration Document for the Nova Scotia Department of the Environment's consideration.

The study is not exhaustive but is believed to be a representative sample of Mi'kmaq interests with regard to the project.

## *Study Area*

The Quartz, Kaolin and Mica Project claim consists of a 20 square kilometer block of land in the northeastern corner of Yarmouth County. The proposed leased or mining area consists of approximately 30% of this total.

For the purposes of the study, the spatial boundary was determined, at a minimum, to be the claim block area. It was felt that because the claim block is part of a greater landscape which also needed to be evaluated to identify Mi'kmaq concerns, that it was impossible to define specific boundaries.



## *The Study*

The study was an attempt to identify Mi'kmaq concerns with regards to the project. Mi'kma'ki, the territory and home of Mi'kmaq, included all of what is now called Nova Scotia. Mi'kmaq and their ancestors are known to have lived in Nova Scotia for more than 11,000 years. The recorded history of Mi'kmaq speaks of social democracy, a belief in a great spirit and a recognition of the land as Mother Earth. "Native Spiritual life is founded on a belief in the fundamental inter-connectedness of all living things, all forms of life with primary importance being attached to Mother Earth".

The Mi'kmaq relationship and respect for Mother Earth is further captured in the Mi'kmawey concept of harvesting the natural bounty, provided by the Creator, for the support and well being of the individual and the Nation. Mi'kmaq realized that people do not dominate the forest but rather treat all parts of the forest with respect. Nothing is to be used without protecting the integrity of the whole. This concept is referred to as Netukulimk and is further developed to describe harvesting so as not to jeopardize the integrity, diversity nor productivity of the environment. The Nation has a conscience and a spirit to care for the earth and all life thereon. Netukulimk is the Mi'kmaq gift to Nova Scotia, to Canada and to all who connect with the Earth.

With this in mind, the scope of the study consisted of three main parts:

- 1. Historical Review of existing literature of Mi'kmaq use within the study area;*
- 2. A Mi'kmaq Use Study (Use Study); and*
- 3. A Mi'kmaq Significant Species Survey (MSS).*

The rationale for completing this work was three fold. Firstly, because a historical review is completed prior to archaeological field work being conducted, it was felt that a review of existing historical information within the Mi'kmaq Community would provide valuable input into the design and level of archaeological assessment conducted. Moreover, the historical review provided valuable information on Mi'kmaq use and habitation within the study area that proved to be valuable during the Mi'kmaq use study.

Secondly, the Use Study provides information on Mi'kmaq use and occupation of the study area within living memory. This information is important because it establishes what kind of activities were conducted in the area and provides valuable input into the archaeological assessment.



Finally, the MSS provides information on species of significance to Mi'kmaq. Due to the fact that a large portion of these species are not normally considered "valuable" to biological assessments, it was felt important to quantify species known within the Mi'kmaq Community as important and determine what effect the proposed project has on these species.

Although all three components of the study were completed separately, all team members were kept informed of new developments and information generated so that the final product would be as comprehensive as possible.

## *Historical Review*

A historical review was completed by the CMM research department in an attempt to identify information regarding the Mi'kmaq use for the study area. To accomplish this, both internal and external sources were consulted.

For the purposes of this report, the study area extended well beyond the claim block area. This is due, in part, to the Flintstone Rock portion of the Shelburne Barrens being somewhat uniform with the rest of the barrens making it hard to distinguish it specifically. In general, there was no information generated specific to the proposed lease/mining area. However, other information indicated Mi'kmaq use and habitation in surrounding areas which, is felt to be applicable in establishing the presence of Mi'kmaq in the area. The information is as follows:

- ▲ The Rocky Lake area, which is approximately 2.5 kilometers south of the proposed lease/mining area, has been identified as the birth place of Mi'kmaq, Jacques-Pierre Peminuit Paul, known to Mi'kmaq as Saq Pie'l Sakmaw, was born at Rocky Lake on January 5, 1800 and died on January 10, 1895 in Shubenacadie;
- ▲ According to several sources, maps from the early seventeenth century indicate that there were Mi'kmaq settlements at Port Rossignol, known as Shelburne today, at Pubnico just west of Cape Sable, and Port La Tour. This information is verified from census information from several sources during the seventeenth and eighteenth centuries;
- ▲ Information on principle river systems used in Mi'kma'ki included the River Tusket, the Clyde River and the Roseway River.



## *Mi'kmaq Use Study*

The purpose of the Use Study was to provide information on Mi'kmaq use and occupation of the study area within living memory. The scope of the Use Study was to document information from the following Mi'kmaq Communities: Annapolis Valley First Nation, Glooscap First Nation, Bear River First Nation, Acadia First Nation (including the Wildcat Reserve, the Ponhook Reserve and the Gold River Reserve) and the Pennal Reserve (part of the Shubenacadie First Nation). All information collected was completed according to processes established by the Treaty and Aboriginal Rights Research Center (TARR Center) and in accordance with the Mi'kmaq Research Principles and Protocols issued by the Mi'kmaq Ethics Committee.

After a two day consultation with the TARR Center, individual Mi'kmaq Communities were contacted to gain permission to conduct the study and identify possible Mi'kmaq contributors. Once completed, each individual contributor was contacted, the project was described (background) and information was collected in accordance with the above ensuring confidentiality.

Due to the time frame of the Use Study, vacations and other activities coincided with community interviews. This made it difficult to make contact with some Mi'kmaq contributors.

For the purposes of this report, the study extends well beyond the claim block area. This is due, in part to the uniformness of the barrens area but also because the names of lakes and brooks have changed over time. From the period from July 19, 2001 to August 25, 2001 interviews were conducted to identify Mi'kmaq use. The following information was generated:

- Clyde River Area: Kill sites for trout, bear, deer, beaver, muskrat  
Travel way  
Camp sites
- Rocky Lake Area: Kill sites for moose  
Birth site
- Flintstone Rock Area: Moose sighting eight years ago  
Trapping  
Burial site
- Blue Mountain: Fire approximately 1800



- Upper Frog Pond: Kill sites for trout
- First Bear Lake: Kill sites for trout
- Second Bear Lake: Kill sites for trout, bear
- East Branch Tusket: Kill sites for trout  
Campsites to South Wallace Lake  
Travel way
- Nepsedek Lake: Mawiomi area ( Mi'kmaq gathering)  
Basket making  
Hunting area  
Campsites
- Thompsons Bluff: Kill sites for bear
- Roseway River Area: Kill sites for trout, eel  
Campsites  
Travel way

From the information collected above, the following Mi'kmaq use would have taken place within the proposed lease/mining area:

- Kill sites for bear, rabbit, trout (Upper Frog Pond)
- Camp sites
- Burial site

The exact location of the burial site is unknown. What is known is that a renowned Mi'kmaq hunter and trapper known only as "Buck" had trap lines in the area. He died while trapping and it is assumed that he was buried in the area.



## *A Mi'kmaq Significant Species Survey (MSS)*

The purpose of the MSS was to preserve and protect species of significance to Mi'kmaq. Specifically, the survey was conducted to predict the effects of the project on Mi'kmaq culture, learning or practice.

In July, 2001, field surveys were conducted to develop an observed species list to familiarize field personnel with topographic features. The data gathered was analyzed and reconciled with known species of significance to Mi'kmaq. For the purposes of this report, the study area was generally the claim block area with emphasis placed on drainage areas but all habitat types were thoroughly considered.

From the field surveys, 85 plant species were identified as being significant to Mi'kmaq. In order to protect the confidentiality assured to Mi'kmaq sources of information, the following headings were used to categorize the species:

- I) Medicinal Use;
- II) Food;
- III) Beverage;
- IV) Tool or Implement;
- V) Craft, art or finishing; and
- VI) Social or ceremonial.

42	Medicinal use
23	Food use
8	Beverage
12	Tools or Implements
5	Crafts
8	Social or Ceremonial
Of the 85 species identified, some are multi purpose.	

To determine the significance of the project on species of significance to Mi'kmaq, the species information was tested against four different criteria:



1. **Distribution-** consideration of the occurrence of the plants in the proposed lease/mining area, the occurrence of the plant species in the subject county and within the Province of Nova Scotia;
2. **Frequency-** the abundance of the plants of Mi'kmaq significance in existence outside the proposed lease/mining area;
3. **Importance-** included a subjective consideration of the use of the plants and the significance to Mi'kmaq; and
4. **Reconciliation and Cross-Check-** the list of plants if Mi'kmaq significance was generated from multiple sources and was reconciled with information gathered from interviews in the use study. Priority was assigned to each species based on all findings in the Mi'kmaq Knowledge Study.

The MSS is based on the following assumptions:

- ▲ The survey for Mi'kmaq significant species was complete. In the circumstance that a species of significance was not recorded, it would be prudent to make other species surveys conducted available;
- ▲ The knowledge of Mi'kmaq significant species is complete. If additional information regarding Mi'kmaq significant species is forthcoming, future amendments may be required;
- ▲ That consideration of national and regional lists of vulnerable, threatened and endangered species have been made by other parties involved in collection and analysis of environmental baseline conditions.



## ***Conclusion***

The following conclusions are based on interpretation of the data collected during the Mi'kmaq Knowledge Study:

1. Historical Review- No Mi'kmaq use was identified within the proposed leasing/mining area but was identified in surrounding areas (specifically Rocky Lake);
2. Mi'kmaq Use Study- Mi'kmaq use was identified within the proposed lease/mining area which included kill sites for bear, rabbit and trout (Upper Frog Pond), camp sites and possibly a burial site;
3. Mi'kmaq Significant Species Survey- Species of significance identified within the study area do not demonstrate a negative impact on Mi'kmaq learning or culture as tested against the four significance criteria utilized.



## ***Recommendations***

CMM recommends the following:

1. Due to the fact that Mi'kmaq Use and Occupation has been established with the study area, any clearing and/or grubbing as a result of mine operations should be aware of possible Mi'kmaq artifacts, burial sites or hearth sites which could be encountered. It is felt that mine operations be aware of this potential and precautions taken to protect artifact resources, if encountered. Upon the discovery of any of these sites, Mi'kmaq should be contacted immediately.
2. Mi'kmaq feel that the taking of any resources which are significant to Mi'kmaq should be compensated by the protection of habitats within the surrounding area. Moreover, the discovery of Rocky Lake having a potential Mi'kmaq settlement in the area should also be considered in any protection/land use plan for the surrounding area.



This report was prepared by The Confederacy of Mainland Mi'kmaq for Black Bull Resources Inc.

The material in it reflects CMM's best judgment in light of the information available to it at the time of preparation. Any use which a third party makes of this report, or any reliance on or decisions to be made based on it, are the responsibility of such third parties. CMM accepts no responsibility for damages, if any, suffered by any third party as a result of decisions made or actions based on this report.