

APPENDIX 3.2-A

**MI'KMAQ KNOWLEDGE STUDY (MKS)
FINAL REPORT**

MI'KMAQ KNOWLEDGE STUDY

Prepared for

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1.0 INTRODUCTION

1.1 Mi'kmaq Environmental Services

CMM Environmental Services is a program operated by the Lands, Environment, and Natural Resources directorate of The Confederacy of Mainland Mi'kmaq (CMM) that provides fee for service environmental consulting services. CMM provides advisory services to six Mi'kmaq communities in the province of Nova Scotia – Paq'tnekek First Nation, Annapolis Valley First Nation, Bear River First Nation, Glooscap First Nation, Millbrook First Nation, and Pictou Landing First Nation.

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1.2 Project Description

CMM Environmental Services was contracted by Melford International Terminals Inc. (MITI) and the Millbrook First Nation, to prepare a Mi'kmaq Knowledge Study (MKS) for the proposed Melford International Terminals Inc. The Study is to be an adjunct to the Environmental Assessment being prepared by AMEC Earth & Environmental for MITI.

The MITI (the Project) is located within the municipality of the District of Guysborough, 10 km southeast of Port Hawkesbury, on the southeast shore of the Strait of Canso. The proposed site is bounded on the northwest by a mix of Nova Scotia crown land and privately owned parcels, and to the west, south and east by lands of the Melford Industrial Reserve.

The MITI site contains 217.4 hectares, which will include all necessary components for

operation of a deepwater port and intermodal container logistics terminal. The project will include a port site along the water, plus hinterland for intermodal rail and road linkages, and possible future expansion and enhancement of the proposed facilities.

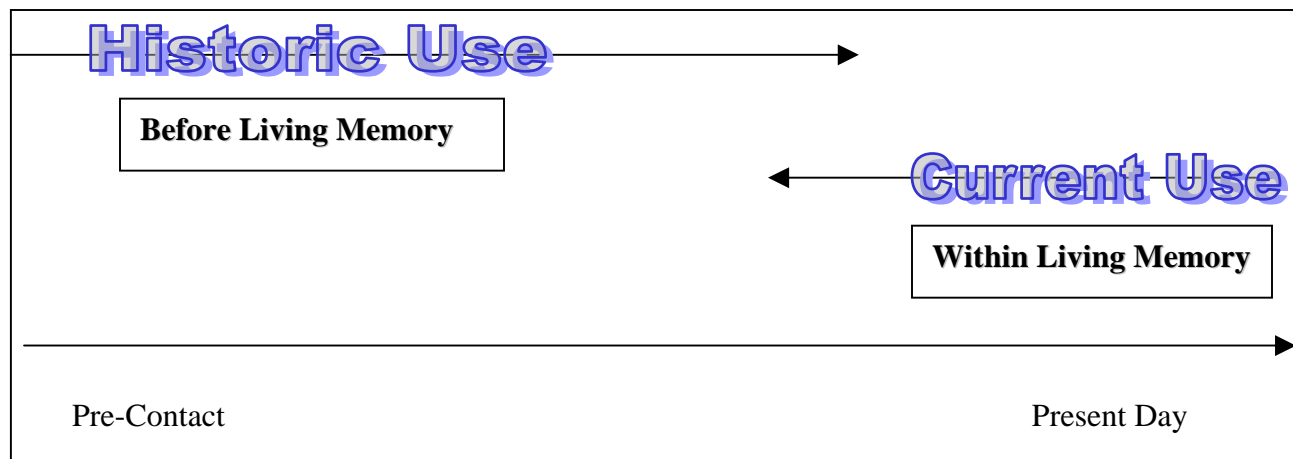
2.0 DEFINITION OF TERMS

Living Memory is the memory of living Mi'kmaw. The period of time included in living memory varies from knowledge holder to knowledge holder. Living memory often extends to the father and grandfather of the knowledge holder and can be estimated at 3 to 4 generations.

Current Mi'kmaq Land and Resource Use occurred within living memory or is occurring at the present day (Figure 1).

Historic Mi'kmaq Land and Resource Use occurred before living memory (Figure 1).

Figure 1: Historic and Current Use Timeline



Mi'kmaw Ecological Knowledge is the collective body of knowledge which Mi'kmaq possess based on their intimate relationship with their natural surroundings, which involves exploitation, conservation and spiritual ideologies, and has been passed on from generation to generation, “*kisaku kinutemuatel mijuijij*”, elder to child.

Mi'kmaq Land and Resource Use Sites are locations where Mi'kmaq land and resource use activities have taken place or are taking place at present day. These sites may or may not display physical evidence of Mi'kmaq use.

Mi'kmaq/Mi'kmaw *Mi'kmaq* means the Family and is an undeclined form. The variant form, *Mi'kmaw*, plays two grammatical roles: 1) it is the singular of Mi'kmaq and 2) it is an adjective in circumstances where it precedes a noun.

Mi'kma'ki is the Mi'kmaw homeland (Atlantic provinces and Gaspé peninsula).

Specific Land Claim arises when a First Nation alleges that the federal government has not honoured its treaties, agreements or legal responsibilities. According to federal policy, a valid specific claim exists when a First Nation can prove the government has an "outstanding lawful obligation". The Mi'kmaq are currently pursuing several specific land claims in Nova Scotia.

Comprehensive Claim is based on underlying Aboriginal Title to traditional territory that has not been dealt with by treaty or other means. Aboriginal Title to lands exists as a legal right derived from First Nations historical occupation and possession of their tribal lands. The process of negotiating the settlement of comprehensive claims, which is known as modern-day treaty making, clarifies access and ownership to land and resources. Currently, the Mi'kmaq have a comprehensive claim to all lands within the province of Nova Scotia including all inland and adjacent waters.

3.0 PURPOSE AND SCOPE OF THE MI'KMAQ KNOWLEDGE STUDY

3.1 Purpose of the Mi'kmaq Knowledge Study

The purpose of the Mi'kmaq Knowledge Study is to support the integration of Mi'kmaq knowledge of use and occupation of Mi'kma'ki into development decisions via the environmental assessment process.

3.2 Scope of the Mi'kmaq Knowledge Study

The MKS includes:

- 1) A study of historic and current Mi'kmaq land and resource use;
- 2) An evaluation of the potential impacts of the Project on Mi'kmaq use and occupation and constitutionally based rights;
- 3) An evaluation of the significance of the potential impacts of the Project on Mi'kmaq use and occupation; and
- 4) Recommendations to proponents and regulators that may include recommendations for mitigation measures, further study, or consultation with Mi'kmaq.

3.3 Not included in the scope of the Mi'kmaq Knowledge Study

3.3.1 Section 35 Consultation

This study is not consultation for justification of the infringement of constitutionally protected aboriginal and treaty rights. If the project involves possible infringements of Mi'kmaq constitutional rights, the MKS recommends further action.

3.3.2 Archaeological Screening and Resource Impact Assessment

The study is not an Archaeological Screening or Archaeological Resource Impact Assessment. Results presented in the study can inform and be informed by archaeological screenings and assessments.

3.3.3 Notification of Mi'kmaw individuals or communities of the Project

The study is not intended to inform or notify Mi'kmaw individuals or communities of the Project, solicit the opinions or concerns of Mi'kmaw individuals or communities on the Project, or promote the Project to Mi'kmaw individuals or communities.

4.0 METHODOLOGY

This Mi'kmaq Ecological Knowledge Study was initiated in October 2007 prior to the creation of the MEKS Protocols established in November 2007. However, CMM feels all components of the protocols have been satisfied with the exception of the communications section, which stipulates who needs to be notified of this work and what kind of project information needs to be communicated at a minimum.

4.1 Historic Mi'kmaq Land and Resource Use

Historic Mi'kmaq land and resource use occurred before living memory. The study of historic land and resource use paints a broad portrait of Mi'kmaq use and occupation of Mi'kma'ki in centuries past.

4.1.1 Study Area

The historic land and resource use study area is in the Mi'kmaq district of Eskikewa'kik and encompasses the area of the Strait of Canso.

4.1.2 Methods

Historical Research was conducted using internal sources which include Crown Lands Index Sheets, historical documents, church records, census data, and other sources from the Public Archives of Nova Scotia, the Nova Scotia Museum, the Mi'kmaq Resource Centre, and The Confederacy of Mainland Mi'kmaq Research Library.

4.1.3 Limitations

There are numerous pieces of documentation, and secondary sources on the Mi'kmaq history, the pre-contact area cannot be documented. The Mi'kmaq story since time immemorial was oral, and therefore no documentation exists, except for the stories passed on from generation to generation. Some information used in researching post-

contact secondary sources may not be comprehensive and inaccurate, due to missing knowledge, which may not have been conveyed in translation or human knowledge gathering process.

4.2 Current Mi'kmaq Land and Resource Use

Current Mi'kmaq land and resource use occurred within living memory or is presently occurring. The MKS includes a study of:

- 1) Current Mi'kmaq land and resource use sites
- 2) Plants of significance to Mi'kmaq
- 3) Mi'kmaw communities

4.2.1 Study Areas

The study areas are described in Figure 2.

4.2.1.1 Current Mi'kmaq Land and Resource Use Sites

The study area for current Mi'kmaq land and resource use sites is a 5 km area surrounding the Melford International Terminals project boundary.

4.2.1.2 Plants of Significance to Mi'kmaq

The study area for plants of significance to Mi'kmaq is the 217.4 hectares of the MITI proposed Logistics Park boundary.

4.2.1.3 Mi'kmaw Communities

The study area for Mi'kmaw communities is a 5 km area surrounding the Melford International Terminals project boundary.

4.2.2 *Methods*

4.2.2.1 Current Mi'kmaq Land and Resource Use Sites

Mi'kmaq knowledge on current land and resource sites was gathered through a review of information collected during the Aboriginal Title Project and through oral interviews with Mi'kmaw knowledge holders.

All individuals who were interviewed signed consent forms. Knowledge was gathered in accordance with the *Mi'kmaq Ecological Knowledge Protocol* and an application to complete research was submitted to Mi'kmaw Ethics Watch.

Knowledge collected is reported in a general format only. No names or specific locations are published.

Collected knowledge was digitized and compiled to allow for an analysis of potential impacts of the project on current Mi'kmaq land and resource use.

4.2.2.2 Plants of Significance to Mi'kmaq

A system of stratified random sampling was employed to identify plants present in the study areas of significance to Mi'kmaq. Plants were surveyed in the fall of 2007 and the spring of 2008. Information collected is reported in a general format only. The names of the species are not recorded.

4.2.2.3 Mi'kmaw Communities

A review of Mi'kmaq communities in the study area was undertaken.

4.2.3 *Limitations*

While every attempt was made to document all available Mi'kmaw knowledge, the

knowledge gathering process may not have captured some available Mi'kmaw knowledge. It is also recognized that over generations of cultural and political suppression, much Mi'kmaq knowledge has been irretrievably lost.

5.0 RESULTS

Results of the study are divided into two categories:

- 1) Historic land and resource use, that is, use that occurred before living memory, and
- 2) Current land and resource use, or use that occurred within living memory or is occurring at the present day.

Land and resource use may be for hunting, burial/birth, ceremonial, gathering, or habitation purposes.

5.1 Historic Mi'kmaq Land and Resource Use

5.1.1 Pre-Contact

Mi'kmaq traditional use of the land in Nova Scotia involved semi-permanent and permanent settlements. Summer villages of the Mi'kmaq were usually located on the banks of streams or rivers. The most important factor in the choice of a site was the proximity of the site to a navigable body of water. Sites around the mouths of rivers with heavy spawning runs were highly favourable for use, as well as smaller rivers running back into a system of lakes.¹ It is therefore likely that the Mi'kmaq settled in the study area, which exhibits these types of natural features.

The most important factor in the choice of a habitation site for the Mi'kmaq was the proximity of the site to a navigable body of water. Such sites as the mouths of large rivers with heavy spawning runs, and smaller rivers running back into a system of lakes, were highly favoured for a variety of Mi'kmaq uses. Also favoured were sites situated on salt lagoons or ponds or in shallow bays heading large shellfish beds where some protection from the full force of the ocean and the winds was available. Other influences in the selection of summer camps included such features as level, sandy terrain with good drainage that could be easily reached in spring.²

¹ Julien, Donald M., **Historical Perspective of Micmac Indians Pre & Post Contact Period**, p. 3.

² Julien, Dr. Donald M., O.N.S. *Historical Perspective of Micmac Indians*, p.3.

Along the shores of the Atlantic Coast, the Mi'kmaq survived off eating fish and hunting mammals, birds, and shellfish. Plants provided food, smoking material, shelter, medicine and implements. Mineral pigments were used as dyes.³

Guysborough County was of great importance to the Mi'kmaq and was located in the Mi'kmaq district *Eskikewa'kik*, or "Skin Drying Place." Teaming with game and with extremes of cold much less than were to be found on the island of Cape Breton and the exposed western shore of the Gulf of St. Lawrence, the area was favoured by the Mi'kmaq.⁴ Along the rocky Cliffside, the Mi'kmaq were able to keep watch over the waters for porpoise, and to look out for unwanted enemies, who may approach their campsites. Close access to the water, made it favourable for them to escape when they needed.

A.C. Jost's made some observations of Mi'kmaq use in his book "Guysborough Sketches and Essays". A group of people so nomadic in their habits would not be long in establishing for themselves a number of well-known travel routes, and one of the best known of these, one of the trunk roads, extended almost the entire length of Guysborough County.⁵

Guysborough Harbour itself, was a "snug, safe harbour, its attendant river, and its proximity to the more extensive Salmon River system, combined with a convenient bluff guarding access to its narrow entrance, made it an ideal location for trade.⁶ This location was ideal for the Mi'kmaq, to settle temporarily for access to fishing in the summer and gathering wood to take back to their camps.

5.1.2 Post-Contact

It was the lure of the sea and the rich fishery that brought Europeans to North America in the 16th and 17th centuries. As early as 1500 the "pier head" of Canso on Guysborough County's southeastern tip was known as a good location for fishing. Prior to this, the only inhabitants of the region were the Mi'kmaq who moved about in a seasonal manner. The

³ Davis, Derek S and Sue Browne. *Natural History of Nova Scotia: Topics and Habitats, Volume One*, p. 311.

⁴ Jost, A.C. *Guysborough Sketches and Essays*, p.7.

⁵ Jost, A.C. *Guysborough Sketches and Essays*, p.10.

⁶ Grant, John N. *Historic Guysborough: A Portrait of Home*, p. vi.

population drawn to Canso by the fishery was predominantly male and for some time remained seasonal in nature. In these early years, Canso was a fishing post, which during the cold winter months was almost completely abandoned. Although Canso's population experienced numerous fluctuations between the 16th and 17th centuries, it has been suggested that by 1812 there were still only five inhabitants.⁷

The fur trade with the Mi'kmaq helped to attract the French to this eastern portion of Nova Scotia. In the late 1630s Nicholas Denys established a trading post in a sheltered part of Chedabucto Bay, near the present site of the village of Guysborough. Also by the mid 17th century, LaGiraudiere established a trading post at the head of navigation on the St. Mary's River, near present day Sherbrooke. However, neither of these small, fortified trading posts resulted in permanent settlement. When the Treaty of Paris was signed in 1763, this eastern segment of Nova Scotia, later to be called Guysborough County, remained for the most part unsettled, except for the migrating bands of Mi'kmaq and some Acadians who had taken temporary refuge on the shores of Chedabucto Bay.⁸

Long before the white settlers arrived at Isaac's Harbour the Mi'kmaq and an African American family had already preceded them. The Mi'kmaq had two encampments at Isaac's Harbour; a small camp on School House Brook, which is thought to be their burying ground, and a larger one on the bank of the river which flows at the head of the harbour. The Mi'kmaq of the Isaac's Harbour settlements bait-fished with a bone gorge attached to a throng. The fish swallowed the baited hook and once swallowed, the gorge turned sideways in the fish and the fish would drown being out of the water with the throng. The Mi'kmaq from these two encampments roamed from the Isaac's Harbour interior to the bay and County Harbour River as far as the headwater lakes, including Sinclair, Pringle, and Eight Islands Lake near Goshen. They also traveled to Cape Mocodome, a geographical feature near the entrance to the Isaac's Harbour Bay. Winter travel to Country and Isaac's Harbour from New Harbour was up the New Harbour River to Ocean Lake and thence across country to Isaac's Harbour River and down to the settlement and then to Country Harbour.⁹

A 1686 map of the Chedabucto area showed the St. Louis of Chedabucto Fort on the point of land at the entrance of the harbour. It also indicated a little cluster of settlers'

⁷ Archibald, Timothy Fisher. *A Question of Staying or Leaving*, p.12.

⁸ Archibald, Timothy Fisher. *A Question of Staying or Leaving*, p.12.

⁹ Cooke, Findlay. *History and Stories of Isaac's Harbour & Goldboro*, p.7.

houses on the sloping hillside several hundred metres north of the fort and a Mi'kmaq encampment somewhat farther north, where the town of Guysborough is now located.¹⁰

As mentioned above, *Eskikewa'kik*, the Mi'kmaq district in which Guysborough County lies, encompasses the eastern coastline northeast of Jeddore to Chedabucto Bay. A 17th century map and census data indicates village sites at Chedabucto and on the St. Mary's River. In the following century, census information regarding this region is sparse. Mi'kmaq settlements are not shown for Chedabucto and are only indicated for the St. Mary's River in 1722. The lack of information regarding the Mi'kmaq occupation of this region during the 18th century reflects similar alterations in settlement patterns as occurred among people living between Chedabucto and Jeddore. Conflict with New England, and French attempts to establish the population in permanent missions on Cape Breton and Antigonish resulted in temporary migration to other areas. During times of peace, a Mi'kmaq village was located along the St. Mary's River.¹¹

In the 18th century, fishermen's accounts note the existence of a Mi'kmaq village in the Chedabucto. There are records that an English trading vessel encountered Mi'kmaq both at Liscomb Harbour and Chedabucto in this time period. In 1744, an English map shows a Mi'kmaq village adjacent to the English fishing station. In 1784, English settlers made complaints to Halifax regarding their Mi'kmaq neighbours. In the early 19th century, a Mi'kmaq community was located along the Guysborough River, which flows into Chedabucto Bay.¹²

As noted above, Canso was one of the principle places for trade between the Mi'kmaq and French fisherman. The area, with its offshore islands, had been in contention between English and French for several years. Under orders from Massachusetts in 1718, Captain Thomas Smart seized several French vessels and some 200,000 livres in goods. In revenge for this deed, sixty Mi'kmaq attacked Canso in the early hours of August 21st 1720, killing one man and driving the English out. On the following day French fishermen arrived and took what had been left behind—fish, cables, nets, sails, tobacco; the Mi'kmaq generously insisted that they help themselves.¹³

¹⁰ Jost, A.C. *Guysborough Sketches and Essays*, p.35.

¹¹ Wicken, William C. *Encounters with Tall Sails and Tall Tales*, p. 107.

¹² Wicken, William C. *Encounters with Tall Sails and Tall Tales*, p. 108.

¹³ Upton, L.F.S. *Micmac Resistance in Nova Scotia*, p.15.

On March 24th, 1744 France declared war on Great Britain and, on April 9th, Great Britain declared war on France. During this war, known as the "War of Austrian Succession," the Mi'kmaq immediately took up arms and joined forces with the French in an assault on Canso. The fort there was captured on May 24th, 1744 and British prisoners were taken to Louisburg.¹⁴

The following is an excerpt from Daniel M. Paul's, *We Were Not the Savages* which, illustrates relations between the Mi'kmaq and the English in the Guysborough County area in the 18th century:

October 2nd, 1749. Lord Cornwallis:

Whereas, notwithstanding the gracious offers of friendship and protection made by His Majesty's Names by us to the Indians inhabiting this Province, The Micmacs have of late in a most treacherous manner taken 20 of His Majesty's Subjects prisoner at Canso, and carried off a sloop belonging to Boston, and a boat from the Settlement and at Chignecto basely and under pretence of friendship and commerce. Attempted to seize two English Sloops and murder their crews and actually killed several, and on Saturday the 30th of September, a body of these savages fell upon some men cutting wood and without arms near they saw mill and barbarously killed four and carried one away.

For those cause we by and with the advice and consent of His Majesty's Council, do hereby authorize and command all Officers Civil and Military, and all His Majesty's Subjects or others to annoy, distress, take or destroy the Savage commonly known as Micmac, wherever they are found, and all such as aiding and assisting them, give further by and with the consent and advice of His Majesty's Council, do promise a reward of ten Guineas for every Micmac taken or killed, to be paid upon producing such savage taken or his scalp (as in the custom of America) if killed to the Officer Commanding at Halifax, Annapolis Royal, or Minas.¹⁵

¹⁴ Paul, Daniel N. *We Were Not the Savages*, p.98.

¹⁵ Paul, Daniel M. *We Were Not The Savages*, p. 108.

There is an account of Mi'kmaq in the Guysborough County area in 1781 written by Benjamin Marsden, who had been shipwrecked in area. The survivors were taken in by a group of Mi'kmaq and cared for. The incident is described in A.C. Jost's *Guysborough Sketches and Essays*, which refers to a Mi'kmaq settlement site at Country Harbour:

On Sunday, December 29th, 1781 Benjamin Marsden and his crew had shipwrecked around the area of Country Harbour and proceeded to their destination on foot, when Marsden could no longer walk due to hunger, he was left behind and the other member of the crew kept going, only later to come back with the help of two Mi'kmaq.

His mate, with two Mi'kmaq, arrived on Sunday, December 29th, and his long vigil was over. The party, diminished in numbers by the absence of their leader, had struggled onward Friday, reaching some place near the head of the Bay. Saturday morning came, and with it tragedy. They had come to a stream or river, which it was necessary to ford. This must have been Larry's River, the first stream after leaving Canso, which could not be easily crossed by wading in waters no more than waist deep ... In the attempt he perished, all efforts to save him being ineffectual. Soon thereafter, dogs were heard baying in the nearby woods, and the sound was recognized as evidence of some Mi'kmaq on the trail of game. The party succeeded in finding the Mi'kmaq, and was immediately treated with every consideration and kindness. They were taken to the camp of their hosts, and as soon as possible, the mate, with two of the Mi'kmaq, went in search of Marsden, whom they quickly found. Thus was Marsden snatched from the very jaws of death. With the assistance of the Mi'kmaq he was able to get to their huts that day, Sunday December 29th, there to receive the kindness and attention, which could be given him.

It was some time before Marsden and the reunited party could proceed farther, not till Jan. The two Mi'kmaq were sent to carry the news of the shipwreck and rescue to Halifax. Marsden himself on the same day started with his Mi'kmaq hosts for the larger settlement at Country Harbour. We do not know at what part of the River this Mi'kmaq settlement was located, but in all probability it was at or above the point where the river enters

*the harbour, perhaps 32 to 40 km in a straight line from Larry's River.*¹⁶

Prior to 1784, there was a Mi'kmaq encampment near Cutler's Cove and on the smaller of the two islets in the harbour. This was near Nicholas Denys' old clearings at the harbour mouth. These encampments predate much of the European settlement in the area, when the area was known as Chedabucto instead of Guysborough.¹⁷

In 1801, Joseph Marshall wrote a letter to Michael Wallace (RG 1 Volume 430 No. 86) stating that 14 families of Indians had come from Antigonish County to Guysborough, to avoid catching small pox. He had gone on to state that these Indians were living at Salmon River, in such poor conditions that they would need some assistance. In 1802, Wallace gave meat, potatoes and blankets to a number of Indians living at Salmon River and at Country Harbour.

In 1802 there is evidence to suggest that there were at least two Mi'kmaq women living at Country Harbour.¹⁸ In 1867, Isabel, a well-known old Mi'kmaq woman who was skilled in the use of herbs and other remedies, was buried in an old Indian burial ground on the only island at the head of tide in Country Harbour. This was the last burial in that burial ground.¹⁹ Furthermore, there are several accounts of Mi'kmaq inhabitation in the Country Harbour area between 1850 and 1880 that prove continued Mi'kmaq use of the area.²⁰ By the later part of the 19th century, there was a slow drop in population among, the Mi'kmaq population in this area. The same thing was happening in the Non-Mi'kmaq communities within Guysborough County, as people were moving away from these areas to seek employment. Some had settled mainly along the railway, in order to travel to other parts of the province for work.

The chart below, collected from census information recorded in the Census Collection of Canada, and Indian Affairs Annual reports shows the drop in Mi'kmaq population over the years. The creation of Guysborough County in 1836 (formerly Sydney County, which contained Antigonish and Guysborough combined) and disease along the central part of the province may have had contributing factors to any change reflected in the numbers.

¹⁶ Jost, A.C. *Guysborough Sketches and Essays*, p.108.

¹⁷ Jost, A.C. *Guysborough Sketches and Essays*, p.150.

¹⁸ Whitehead, Ruth Holmes. *The Old Man Told Us*, p. 188.

¹⁹ Whitehead, Ruth Holmes. *The Old Man Told Us*, p. 271.

²⁰ Salsman, Lillian. *Homeland: Country Harbour, Nova Scotia*, p.190-192.

Population of Guysborough County Indians			
1838 ²¹	Guysborough County	29	(15 Males; 14 Females at St. Mary's)
1868 ²²	Guysborough County	100	(Molasses Harbour and Sherbrooke)
1871 ²³	Guysborough County	54	(6 listed as African: location unknown)
1881 ²⁴	Guysborough County	96	(Location unknown)
1891 ²⁵	Guysborough County	72	(Location unknown)
1901 ²⁶	Guysborough County	60	(8 Africans; Larry's River, Sherbrooke)
1911 ²⁷	Guysborough County	41	(Cooks Cove; 1 Non-Mi'kmaq)

Twenty hectares of land at Cook's Cove, just south of Guysborough near the mouth of the Salmon River, served as a permanent habitation site but was never acknowledged by the government as a reserve. Present day elders of that area along Dorts Cove, Port Shoreham and the Salmon River area can recall Mi'kmaq occupation in these areas as far back as the late 1800s. By 1885, the two counties of Antigonish and Guysborough were combined into one Indian Agency, but the majority of them were located within Antigonish. Guysborough County did not contain any Mi'kmaq, however, according to Indian Affairs Annual Reports, the few Indians of that county reside on lands either purchased by themselves or belonging to other parties.²⁸ Port Felix, near Canso, was also a small Mi'kmaq community never recognized by the government as a reservation. A burial site may be located at the Port Felix site.

5.1.3 Archaeology

There are several Mi'kmaq archaeological sites within Guysborough County area. A set of Indian relics made of stone were found at Site BhCf-01, which is located at Canso, Glasgow Head. Another site, BhCj-01, is located at Isaacs Harbour in Guysborough County, and contains materials from the Lithic and Ceramic periods. Site BhCl-01 is

²¹ 1838 Census of Guysborough. <http://www.rootsweb.ancestry.com/~canns/1838-19.xls>

²² Indian Affairs Annual Report, 1868, http://www.collectionscanada.gc.ca/indianaffairs/020010-119.01-e.php?page_id_nbr=61&PHPSESSID=8vcd0498s9hdv8lclbjbsbn23q5

²³ Census of Canada, 1871.

²⁴ Census of Canada, 1881.

²⁵ Census of Canada, 1891.

²⁶ 1901 Census of Canada. <http://automatedgenealogy.com/census/index.html>

²⁷ 1911 Census of Canada. <http://data2.collectionscanada.ca/1911a/e079/e001969929.pdf>

²⁸ Dominion of Canada. Annual Report of the Department of Indian Affairs, 1886, p. xxxiv http://www.collectionscanada.gc.ca/indianaffairs/020010-119.01-e.php?page_id_nbr=4609&PHPSESSID=aehkc24qvv43s80roqtuej1ha4 (accessed on May 14, 2008)

located on the Country Harbour River and is thought to have been an Indian burying ground. Site BiCi-01 is located in Guysborough County and was also thought to be an Indian burial ground. There were concentrations of artefacts adjacent to a section of small rapids at the mouth of the Salmon River on a now submerged sand spit located just north of Dorts Cove.

Site BhCm-01 is located at Glenelg, Guysborough County near the fork of the east and west branches of the St. Mary's River. Stone implements were found on the opposite bank from John Silver's Camp. BhCm-02 is also in Glenelg, Sheep Island (locally known as Oak Island), which was thought to be an Indian burial ground. BhCm-03 is located in Glenelg, on the southeast bank of the East St. Mary's River just below the entrance to Glenelg Lake at the fork of the East and West branches of the St. Mary's River. It is opposite the bank of Glenelg Lake outlet from BhCm-01. There was also an unfinished stone bowl pipe found on Sheep Island at site BhCm-04. Site BhCm-06 is located on North St. Mary's River on the west bank just north of Wallace Lake, approximately 3 km north of Aspen, Guysborough County. This was a temporary campsite on a small, dry strip of land bordered by the river. There are no visible surface features, but testing showed a long, thin site conformed to the dry area with sparse scattering of lithic material. The artifactual record collected during testing was quite limited, consisting of small secondary flakes and one biface tip. Site BiCf-01 is located near Canso on George's Island, where a set of Indian relics made of stone were found.

5.2 Current Mi'kmaq Land and Resource Use

The study of current Mi'kmaq land and resource use is comprised of a study of current Mi'kmaq land and resource use sites, plants of significance to Mi'kmaq, and Mi'kmaq communities.

5.2.1 Current Mi'kmaq Land and Resource Use Sites

Current Mi'kmaq land and resource use activities are divided into five categories:

- 1) Kill/hunting
- 2) Burial/birth

- 3) Ceremonial
- 4) Gathering food/ medicinal
- 5) Occupation/habitation

Table 1 provides a description of activities undertaken at the sites.

Table 1: Description of Activities Undertaken in Current Mi'kmaq Land and Resource Use Sites

TYPE OF SITE	DESCRIPTION OF ACTIVITIES IN STUDY AREA
KILL/HUNTING	6 Sites, including deer, eel, lobster, scallop, urchin and trapping.
BURIAL/BIRTH	
CEREMONIAL	
GATHERING	6 Sites, including feathers, sea shell wild fruit, stones and clays, decoration plants and log harvesting.
HABITATION	1 Site, including canoe route.

Burial or Ceremonial Sites were not identified within the project footprint.

5.2.2 Plants of Significance to Mi'kmaq present in study area

Plants of significance to Mi'kmaq in the study area are divided into three categories:

- 1) Medicinal
- 2) Food/Beverage
- 3) Craft/Art

The following table describes the number of plants of significance present in the study areas during the fall and spring surveys.

Table 2: Number of Plants of Significance to Mi'kmaq Present in the Study Areas Fall 2007

TYPE OF USE	NUMBER OF SPECIES PRESENT FALL 2007
MEDICINAL	31
FOOD/BEVERAGE	14
CRAFT/ART	10

Plant Study Area 1, 2 and 3 is comprised of some farmlands, mixed forest habitat, active select cuts, and areas of clear-cut in various stages of regeneration. Study Area # 2 contained the largest concentration of specimens. Specimens were scattered throughout Study Area 1 & 3.

Table 3: Number of Plants of Significance to Mi'kmaq Present in the Study Areas Spring 2008

TYPE OF USE	NUMBER OF SPECIES PRESENT SPRING 2008
MEDICINAL	62
FOOD/BEVERAGE	21
CRAFT/ART	10

5.2.3 *Mi'kmaw Communities*

There are no Indian Reserves located within the current use study area, however, there are two reserves located within approximately 12 kms of the project area.

The closest Mi'kmaq communities to the study area are located in Antigonish County, at Paq'tnkek IR #23 (formerly Pomquet and Afton IR #23) and Potlotek First Nation (formerly Chapel Island IR #5). Paq'tnkek is located 24 kms east of Antigonish and was established in 1820.

Potlotek is located in Richmond County and is located 68.8 kms southwest of Sydney, near St. Peters. It was established in 1792, from a land grant give to Chief Michael Thomas, from the Province in order to erect a new mission church. A mission has taken place on this island annual since 1742. Potlotek holds 20% ownership* of a satellite community, Malagawatch IR #4, located 62.4 kms from Sydney in Inverness County. (* 20% ownership held by Potlotek, Membertou, Eskasoni, Wagmatcook and We'koqma'q First Nations).

6.0 POTENTIAL PROJECT IMPACTS ON MI'KMAQ LAND AND RESOURCE USE

The following table presents potential project impacts on historic and current Mi'kmaq land and resource use.

Table 3: Potential Project Impacts on Mi'kmaq Land and Resource Use

POTENTIAL IMPACTS ON MI'KMAQ LAND AND RESOURCE USE	
6.01	The historic review of Mi'kmaq use and occupation documents considerable historic Mi'kmaq use and occupation in the study area, and potentially the project area. A potential impact of the project is the disturbance of archaeological resources.
6.02	Several species of significance to Mi'kmaq have been identified in the study area. Permanent loss of some species is an impact of the project.

7.0 SIGNIFICANCE OF POTENTIAL PROJECT IMPACTS ON MI'KMAQ LAND AND RESOURCE USE

The concept of significance in the Mi'kmaq Knowledge Study is distinct from the concept of significance under the *Canadian Environmental Assessment Act* or the *Nova Scotia Environmental Assessment Regulations*. Significance to Mi'kmaq is evaluated only in accordance with the criteria listed below. The MKS evaluation of the significance of the potential project impacts on Mi'kmaq should be used by regulators to inform their determination of the significance of the environmental effects of the Project.

7.1 Significance Criteria

The following criteria are used to analyze the significance of the potential project impacts on Mi'kmaq use:

- 1) Uniqueness of land or resource
- 2) Culture or spiritual meaning of land or resource
- 3) Nature of Mi'kmaq use of land or resource
- 4) Mi'kmaq constitutionally protected rights in relation to land or resource

7.2 Evaluation of Significance

Table 4: Significance of Potential Project Impacts on Mi'kmaq Land and Resource Use

POTENTIAL IMPACT	EVALUATION OF SIGNIFICANCE
<p>6.01 The historic review of Mi'kmaq use and occupation documents considerable historic Mi'kmaq use and occupation in the study area, and potentially the project area. A potential impact of the project is the disturbance of archaeological resources.</p>	<p>7.2.01 Mi'kmaq archaeological resources are extremely important to Mi'kmaq as a method of determining Mi'kmaq use and occupation of Mi'kma'ki and as an enduring record of the Mi'kmaq nation and culture across the centuries. Archaeological resources are irreplaceable. Any disturbance of Mi'kmaq archaeological resources is significant.</p>
<p>6.02 Several species of significance to Mi'kmaq have been identified in the study areas. Permanent loss of some specimens is an impact of the Project.</p>	<p>7.2.02 The plant species of significance to Mi'kmaq identified within the study area exist within the surrounding area. The destruction of some specimens within the study areas does not pose a threat to Mi'kmaq use of the species. The impact of the permanent loss of some specimens of plant species of significance to Mi'kmaq is evaluated as not likely significant.</p>

8.0 CONCLUSIONS AND RECOMMENDATIONS

- 8.01 In the event that Mi'kmaw archaeological deposits are encountered during construction or operation of the Project, all work should be halted and immediate contact should be made with the Nova Scotia Museum and with Donald M. Julien at The Confederacy of Mainland Mi'kmaq.
- 8.02 There are no land claims registered with the Specific claims branch of Indian Affairs in Ottawa for any of the Mi'kmaq communities in Nova Scotia within the Guysborough County area. However, that does not suggest that any other Mi'kmaw claimants for this area may not submit land claims in the future
- 8.03 The Paqtnkek First Nation would like to follow up the previous meeting with MITI, to explore the socio-economic opportunities with this Project.

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