

# Ganawenjigejik Niibi Bemaadiziwin

“Caretaker, Water, Life”

Mississaugas of the New Credit First Nation

Department of Consultation and Accommodation



## Ganawenjigejik Niibi

Volume 1, Issue 1

November 17, 2017

Welcome to the first edition of the “Ganawenjigejik Niibi Bemaadizin” Newsletter. The English translation of Ganawenjigejik Niibi Bemaadiziwin means “Caretaker, Water, Life”. The Ganawenjigejik Niibi Bemaadizin committee (affectionately known as the Water Committee”) was mandated by the Chief and Council of the MNCFN to provide advice to the Treaty and Aboriginal Rights Committee (TARC) of the Mississaugas of the Credit First Nation regarding the stewardship of water within the Treaty Lands and Traditional Territory of the Mississaugas of the Credit.

In order to provide the best advice possible to TARC, the Committee has met twice a month since its inception in January 2016. Meetings have been held with the Ontario Ministry of the Environment and Climate Change to discuss such things as permits to take water, basic hydrology, and how the Ministry works to protect water in the province. We have also discussed New Credit’s Aboriginal Title Claim to water within its Treaty Lands and Territory as well as the impact of developments on the waters within the claim area.

Committee members have also made site visits within

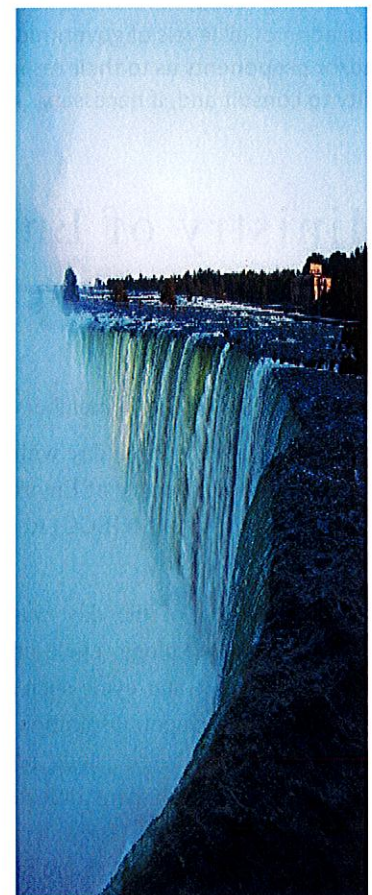
our Territory to see how projects are impacting our waters. Currently, members of the Water Committee include:

**Margaret Sault**  
*Band Council*  
**Cathie Jamieson**  
*Band Council*  
**Fawn Sault**  
*Consultation Manager*  
*-DOCA*  
**Kim Fullerton**  
*Legal Counsel*  
**Julie LaForme**  
*Acting Director/LRM*  
**Darin P. Wybenga**  
*Committee Chair*

Special Thanks to Val King (Traditional Knowledge Keeper) for her work on behalf of the Committee.

## The formation of the Ganawenjigejik Niibi Bemaadiziwin Committee

Council approved the formation of the **Ganawenjigejik Niibi Bemaadiziwin Committee** (Water Committee) in January of 2016 as a sub-committee of the MNCFN Treaty and Aboriginal Committee (TARC). The Committee has been delegated the responsibility to advise TARC on the stewardly management of water, beds of water, and floodplains within the Territory of the Mississaugas of the Credit First Nation for the benefit of the MNCFN.



Kahkejewing (The Water Falls)  
Niagara Falls, Canada

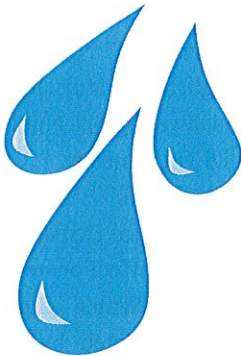
# The formation of the Ganawenjigjik Niibi Bemaadiziwin Committee

## Duties of the Committee include:

- 1. Advising the TARC as to possible courses of action pertaining to Crown and/or proponent projects submitted to, and assessed by, the Department of Consultation and Accommodation (DOCA) that have the potential to impact water, beds of water and floodplains within the Territory of the Mississaugas of the New Credit First Nation.
- 2. Providing recommendations as to the education of all levels of government and/or proponents as to their responsibility to consult and, if necessary, reach

- accommodation(s) with the MNCFN on all projects within MNCFN Territory that have the potential to impact water, beds of water and floodplains.
- 3. Providing recommendations as to the education of the MNCFN membership regarding their right to be consulted by the Crown and/or the proponents of projects within their Territory- especially those projects concerning water, and their right to accommodation(s) when concerns are raised.
- 4. Seeking out like-minded organizations and individuals to learn of best practices

- that will enhance and inform the MNCFN’s stewardship and management of the waters within their Territory for the benefit of the First Nation.
- 5. Developing a water code, reflective of MNCFN values, to which projects must adhere in order to use the waters within MNCFN Territory.
- 6. Advising the TARC as to strategy relating to the advancement of the MNCFN water claim.



# Ministry of Environment and Climate Change

On September 8, 2017, members of the Water Committee spent a day with representatives of the Ministry of Environment and Climate Change (MOECC) to discuss topics related to water.

The first portion of the day was spent reviewing the hydrologic cycle and how processes in the water cycle such as precipitation and evapotranspiration affect groundwater discharge and recharge. The Committee also spent time learning how the MOECC policy for water quantity management is used to ensure fair sharing, conservation, and the continued sustainable use of the surface and ground waters in the province. Legislation to protect the quantity of groundwater used in Ontario includes permit requirements for water withdrawal exceeding 50000

litres a day, prohibitions on specific water taking activities such as water used for water bottling, and water charges for highly consumptive industrial and commercial uses.

The Committee was impressed with the great amount of information the MOECC must take into account before issuing a permit to take water. The MOECC considers: the impact of water taking on the ecosystem including the potential impacts on water and stream flow and how they in turn affect habitat; also considered is the amount of water in a watershed and how the water taking will impact municipalities as well as users for domestic and agricultural purposes. It is also important that the proposed water use will be in accord with best water management practices.

**Much more fresh water is stored under the ground in aquifers than on the Earth’s surface**

The MOECC will continue to meet with the Water Committee and discuss issues of mutual interest. The Committee learned much that will help it to advise the Treaty and Aboriginal Rights Committee (TARC) on matters regarding water in the Treaty Lands and Territory of the MNCFN.



# Aboriginal Title Claim to Water

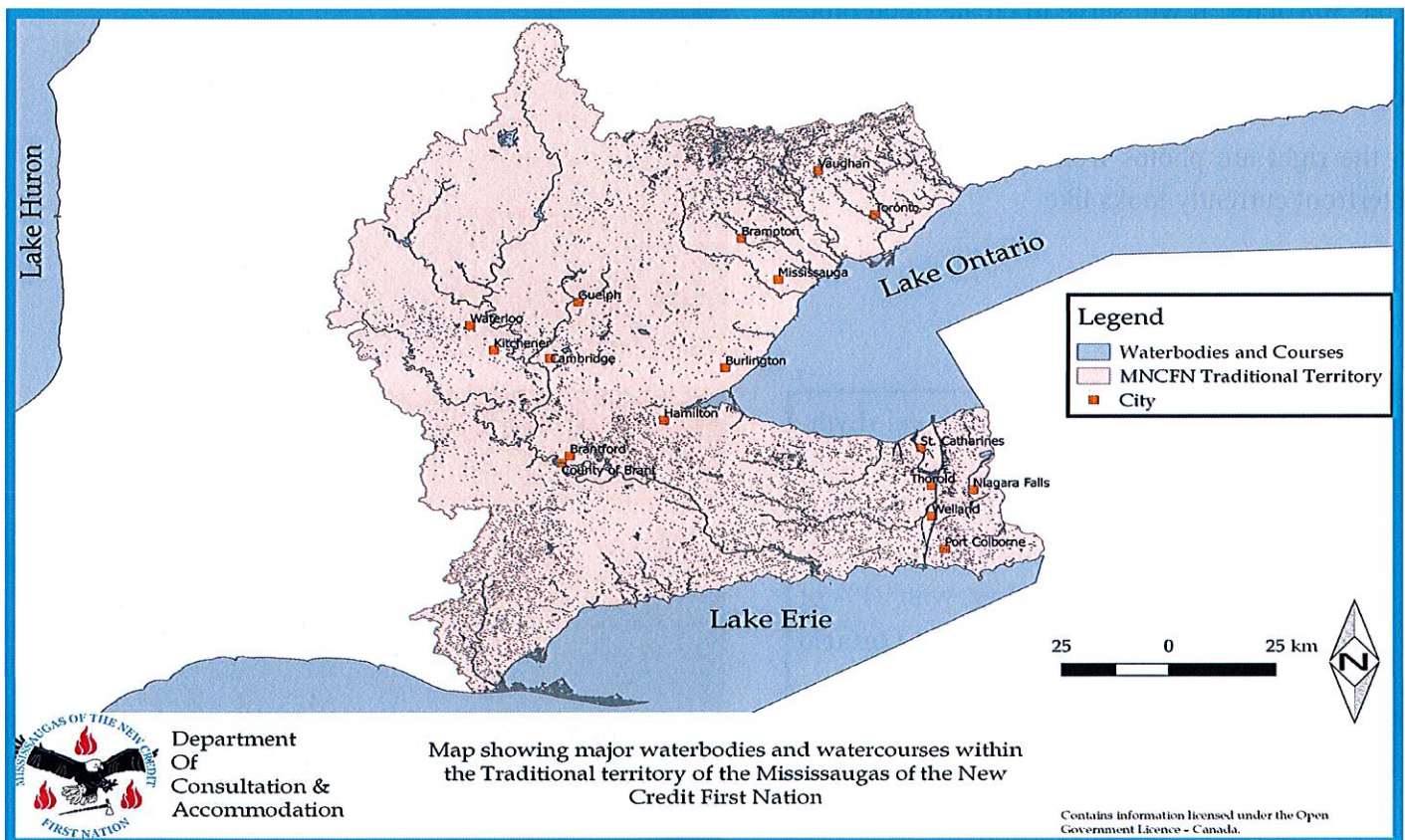
When the ancestors of the Mississaugas of the Credit arrived in Southern Ontario in the late 17<sup>th</sup> century they occupied, controlled, and exercised stewardship over some 3.9 million acres of territory. The arrival of loyalists and other immigrants to Upper Canada in the late 18<sup>th</sup> and early 19<sup>th</sup> centuries placed pressure on the British Crown to acquire land for their settlement. Recognizing that the much needed lands were possessed by the Mississaugas of the Credit, the Crown, between 1781 and 1820, entered a series of treaties with MNCFN ancestors that opened up much of their territory to settlers.

Today the treaty lands of the Mississaugas of the Credit are among the most heavily industrialized and densely populated regions in Canada and include major cities such as Toronto, Hamilton, St. Catharines, and Kitchener-Waterloo. Within those lands apart from Treaty No. 23 in 1820, no waters within the territory of the Mississaugas of the Credit were ceded to the Crown. Petitions to the Crown, and other documents written by the Mississaugas in the late 1820s, categorically state that they had reserved to themselves all

their fishing grounds in their treaties. In fact, Crown agents repeatedly assured the Mississaugas that the Crown “did not want their water”.

As neither the Mississaugas of the New Credit First Nation, nor their ancestors, have lawfully surrendered the waters within their territory, the MNCFN asserts that it has unextinguished aboriginal title to all water, beds of water, and flood-plains contained therein. An Aboriginal Title Claim by the MNCFN was submitted to the Government of Canada and the Government of Ontario on September 21, 2016. The claim is currently under legal review by both governments and the MNCFN looks forward to negotiating a settlement with Canada and Ontario that could take the form of a modern-day treaty.

The Mississaugas of the Credit remained committed, as they have been for generations, to utilizing, protecting and treating the waters in a holistic way that promotes continued sustainability.



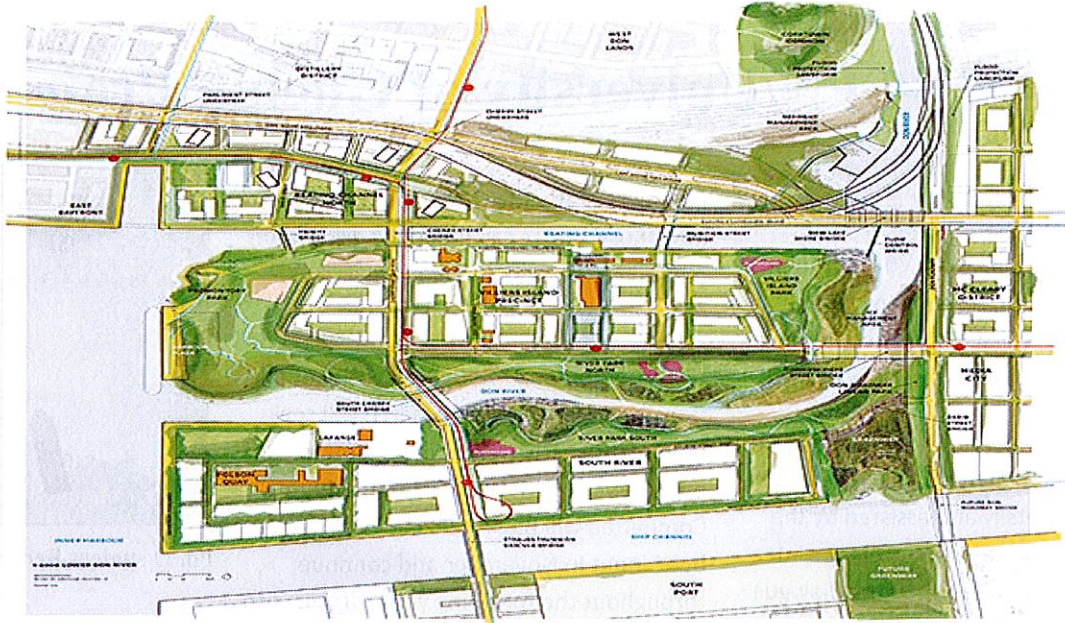
## Waterfront Toronto

Waterfront Toronto and Toronto and Region Conservation Authority (TRCA) have several projects planned for the lakeshore along the GTA area. Ganawenjigejik Niibi Bemaadiziwin Committee members and staff from DOCA attended a tour to assess two areas of interest, the Lower Don Lands and the Scarborough Bluffs. The Lower Don Lands consist of 308 acres of land that runs from Parliament Street Slip east to the Don Roadway and from the rail corridor south to the Ship Channel. The Lower Don Lands were originally one of the largest natural wetlands on Lake Ontario. By 1922 the area had concrete channels and hundreds of acres of in-fill to serve as an industrial area. The current plans are to revitalize the Don River and naturalize much of the 308 acres. It will serve to create flood protection, open green space, lake connected wetlands, woodlands and recreational use.

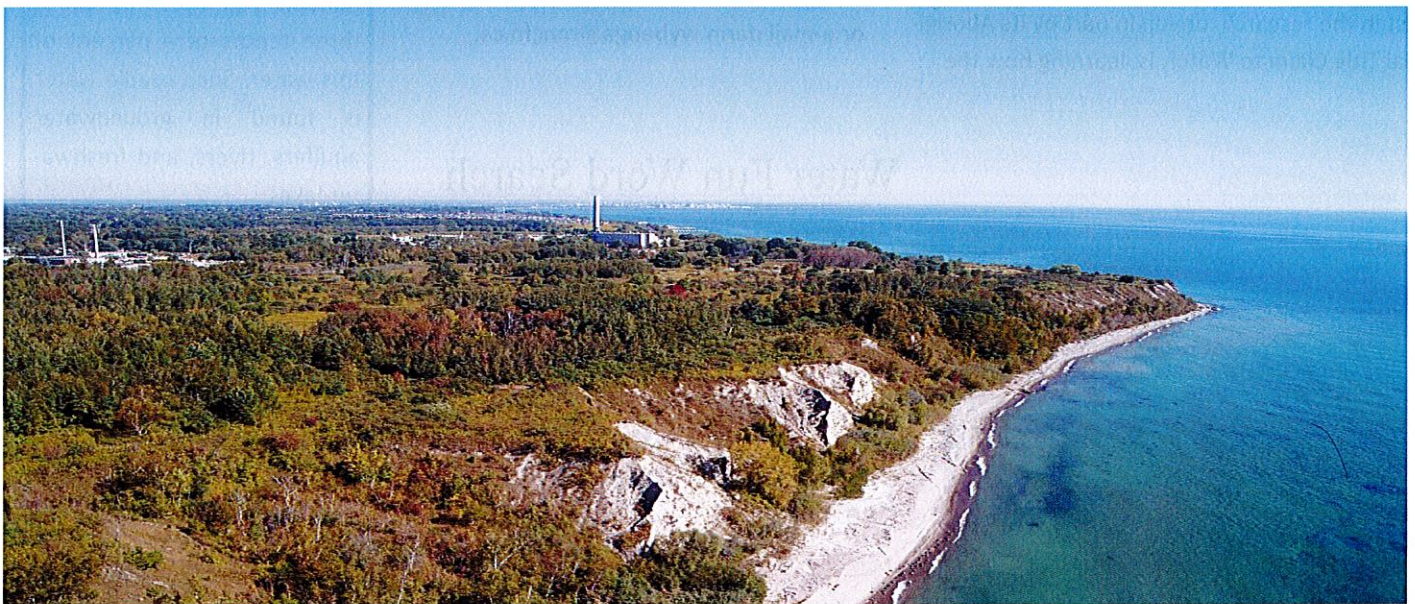
To the right are photos from the tour of what the waterfront currently looks like.

**Lake Ontario** has a “seiche”, a natural rhythmic motion as **water** sloshes back and forth every 11 minutes. Glaciers formed the **lake** between 14,000 and 10,000 years ago. The **lake** is one of the 5 Great **Lakes**, with 21% of the world's surface freshwater. **Lake Ontario** is the 14th largest **lake** in the world.





Above is a concept of what the area will look like after the project is complete.



The Scarborough Bluffs are a very beautiful natural space.

### Scarborough Bluffs

Unfortunately the quickly eroding bluffs are becoming unsafe for public use. People are getting stuck on the bluffs trying to get access to the waterfront. TRCA and Waterfront Toronto plan to create a safe path for the public to use to access the waterfront. They will also try to replace the stone that was originally quarried from the shoreline and revegetate the bluffs to help with the erosion issues. The main concern with the bluffs is the safety for the public.

# Mississaugas of the New Credit First Nation Department of Consultation and Accommodation

## Joint MNCFN/University of Guelph Project

The Mississaugas of the New Credit First Nation and the University of Guelph are collaborating on a University of Guelph research project that aims to study how the First Nation peoples and their rights can play a role in water governance in Canada.

The study will be led by University of Guelph Ph.D student Renee Goretsky and assisted by the MNCFN Water Committee. Ms. Goretsky's interest in the project is contributing to the dialogue taking place in Canada about what it means to indigenize water systems to achieve social justice for First Nation peoples. New Credit's interest in the research, driven in part by its Aboriginal Title Claim to Water, is learning how the

members of the MNCFN value water, and how those values can influence discussions regarding MNCFN's water claim and its resolution.

Using one-on-one interviews, group discussions, and surveys, the research will seek the input of MNCFN members, both on and off reserve. Ms. Goretsky and the Water Committee will begin seeking band members' input in November and continue throughout the following year. If you wish to participate in the project call Darin Wybenga at the MNCFN Dept. of Consultation and Accommodation at (905) 768-4260 or e-mail [darin.wybenga@mncfn.ca](mailto:darin.wybenga@mncfn.ca).



Ph. D student Renee Goretsky

Of all the water on Earth, humans can use only about three tenths of a percent of this water. Such usable water is found in groundwater aquifers, rivers, and freshwater lakes.

### Water Fun Word Search

#### Water Committee :

**Margaret Sault**

*Band Council*

**Cathie Jamieson**

*Band Council*

**Fawn Sault**

*Consultation Manager- DOCA*

**Kim Fullerton**

*Legal Counsel*

**Julie LaForme**

*Acting Director/LRM*

**Darin P. Wybenga**

*Committee Chair*

CONDENSATION

EVAPORATION

FRESHWATER

GROUNDWATER

OCEAN

PRECIPITATION

RAIN

RIVER

RUNOFF

SEA

SNOW

TRANSPIRATION

WETLANDS

L	F	I	X	V	Q	N	I	A	E	N	N	A	X	N
J	G	T	Y	U	P	Z	T	E	R	O	R	I	O	Q
O	Q	K	A	N	N	M	R	C	I	I	E	I	I	R
N	P	Y	V	G	Z	F	B	T	V	T	T	Z	B	Q
H	C	Q	M	I	L	G	A	Y	E	A	A	D	R	Y
U	A	Z	I	S	Z	S	P	W	R	R	W	X	U	R
I	S	B	J	I	N	A	P	I	O	O	D	H	N	D
V	B	N	A	E	C	O	P	S	F	P	N	C	E	G
M	Y	Y	D	A	E	S	W	F	K	A	U	B	Y	M
B	Y	N	W	D	N	E	B	J	R	V	O	P	M	A
N	O	I	T	A	T	I	P	I	C	E	R	P	F	R
C	D	N	R	L	L	J	A	L	V	C	G	S	K	X
R	E	T	A	W	H	S	E	R	F	H	F	E	K	U
R	U	N	O	F	F	X	S	O	V	Y	M	B	V	O
Y	D	X	U	H	Y	M	S	C	F	X	D	A	F	A

By Fawn Sault