Honouring Netukulimk

Malikewe'j

Best Management Practices

FOR THE WELL-BEING OF MALIKEWE'J & PRESERVATION OF EELS AND THEIR HABITAT

> Malikewe'j Environmental Best Management Committee Established through UINR and UNSI

Malikewe'j is an important communal ecological and historical site within Unama'ki. Malikewe'j needs our help to keep the land clean, the resources intact and the waters that surround the land and flow beneath protected.

Malikewe'j Best Management Practices

are based on the Mi'kmaq traditional practice of netukulimk and modern ways of understanding human impacts on the environment. Best management practices are voluntary and do not infringe on Mi'kmaq rights and title.

This document is endorsed by: the Mi'kmaq communities of Eskasoni, Membertou, Potlotek, Wagmatcook and Waycobah, Mi'kmaq Grand Council, Unama'ki Elders' Senate.

Unama'ki Institute of Natural Resources 2013

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Malikewe'j: Cultural and Historical Significance



Malikewe'j is a communal piece of land in Unama'ki (Cape Breton) in the western portion of the Bras d'Or Lakes. Its official name is Malagawatch 4 and is jointly shared by the five Mi'kmaq reserves in Unama'ki. Malikewe'j was designated a reserve in 1834 although Mi'kmaq have been residing here since the early 18th century. The total area of Malikewe'j reserve measures 661.3 hectares. Throughout history there were many names given to this area. The English called it Malagawatch; the French referred to it as Mirliguech and the Mi'kmaq named it Malikewe'j which translates to "the place where barrels were made". Today, we often refer to this area as "Mala".

Malikewe'j played a prominent historical role in establishing and maintaining relationships with the French and was one of four main gathering places of the Mi'kmaq people. Mi'kmaq Grand Council meetings were held here after moving from its gathering point of Minas in 1722 as a result of the war between the British and French. Malikwe'j became the base for Mi'kmaq warriors as well as the site for the Mission. From 1723-26, a church was built and became a gathering place for Grand Council until 1750 when the gathering was moved to Chapel Island. Mi'kmaq remained settled at Malikewe'j even after the Mission moved to Chapel Island.

Missionary priests that came to assist Mi'kmaq people in the 1730s learned to speak Mi'kmaq.As an aid for teaching prayers, a French missionary priest developed a system of hieroglyphic characters which is still recognized today. Malikewe'j remained a wintering camp for many families and it was during this time when religious instruction and practice took place. This reflects the close relationship between French and Mi'kmaq people with regards to Catholic religion. There is some confusion as to where the name River Denys came from. It is believed that River Denys is named for an important figure in the early history of Cape Breton Island, the French explorer, entrepreneur, administrator and author, Nicolas Denys, 1598–1688. There are also accounts of a line of hereditary Chiefs in the 18th and 19th centuries, Grand Chief John Denny, Jr., who was the son of Grand Chief John Denny and great-grandson of Grand Chief Tomah Denny. The spelling of Denys varies from Denny, Dennis to Denys.

Transportation to and from other reserves around Malikewe'j was by canoe and a route existed between Boom Island and the mainland. A portage route from Whycocomagh to Denys Basin also existed where people would carry their canoes to avoid a 30-40 mile journey around the peninsula.

Permanent and seasonal residents attended mass on special occasions, such as Christmas and Easter, at the old school in Malikewe'j until it was torn down in 1942. Students were taught by missionary priests before the school was built in 1910. The school foundation still exists today. With Centralization in 1942, many residents left Malikewe'j. Prior to Centralization, people often left when illnesses occurred to avoid getting sick.

Malikewe'j remains a culturally significant area to our people in Unama'ki. It continues to serve as our traditional hunting, trapping and fishing grounds. Medicinal plants continue to be harvested here. It remains a burial area for those who wish to be buried there and an outdoor mass is held annually. A cross, altar and monument were erected in 1985 to recognize the historical significance of several people in the discovery and restoration of the land. In 1992, clay pottery was found when the shoreline eroded. This artifact was dated to the 1730s and likely came from Louisbourg.

In addition to being an ecologically and historically important area, Malikewe'j is a great place to experience solitude and relaxation, as well as a gathering place for family and friends.



All our actions directly affect the land, air and surface and ground waters. The land we clear for cabins leaves fewer trees and habitat for animals and may permanently remove some of our sacred medicines. Our outhouses, septic systems, dumpsites, cars and recreational vehicles are potential sources of pollution to our wells, surface water and land. The shoreline is eroding quickly because we are cutting away too much land close to the water. Ideally, we would like to integrate ourselves with the natural environment of Malikewe'j so that the ecological integrity of our community is respected and preserved. Eels and other aquatic species will have a healthier environment if we take care of our land.

We can achieve this by incorporating our traditional practices as Mi'kmaq people. Malikewe'j is held in communal ownership and is not owned by one individual or Band. As Mi'kmaq, we believe that land is inherited from our ancestors and will be passed down to our grandchildren for use and survival. At present, we are the caretakers of Malikewe'j. Water is sacred and must be treated with respect as all life on earth needs water to survive. We must not alter the ability of the land and water to heal and must ensure that the gifts are there for future generations. This is the concept of netukulimk that has been embraced by our people since time immemorial.

Malikewe'j Needs Our Help

Ecological integrity is the ability of the ecosystem to support and maintain life while being able to heal itself from disturbances caused by people. Netukulimk is rich in meaning and encompasses many concepts. It is the Mi'kmaq way of harvesting without jeopardizing the integrity, diversity, or productivity of our environment.

Malikewe'j Environmental Best Management Practices Committee Today, the concept of netukulimk can be applied through the use of Best Management Practices. Best Management Practices, or BMPs as they are often referred to, are guidelines or recommendations designed to reduce impacts to the environment as a result of human interference or actions. BMPs can become the standard to follow in cases where there are few controls in place to protect the environment. BMPs are voluntary and rely on the good will of the people to carry them through.

In 2010-2011, the Unama'ki Institute of Natural Resources (UINR) partnered with the Union of Nova Scotia Indians (UNSI) to form a committee to develop best management practices for Malikewe'j. In August 2010, a community survey was developed to gauge interest in committee membership and to determine what types of actions and issues were affecting eel habitats in Malikewe'j. On January 17, 2011, the committee developed terms of reference, reviewed the results from the community survey and provided the recommendations for Best Management Practices. Members of this committee include UINR, UNSI, Elders and councillors from Eskasoni, Membertou, Potlotek, Wagmatcook and Waycobah, seasonal and permanent residents of Malikewe'j and members of Mi'kmag Grand Council. Netukulimk is the foundation for Mi'kmaq resource management. This concept is the guiding principle we use to ensure that the land, water, air and all of Mother Nature's gifts are preserved for the benefit and enjoyment of future generations.

The following practices were recommended by **Malikewe'j Environmental Best Management Practices Committee** and are endorsed by the five Mi'kmaq Chief and Councils, UINR's Elders' Senate and the Mi'kmaq Grand Council. These practices are *voluntary* and do not infringe Mi'kmaq Rights and Title.

Before you build, take a close look at the land. Make sure that it is suitable for your purpose while maintaining the natural beauty and wildlife of the area. Honouring Netukulimk: Best Management Practices for Malikewe'j

Best Management Practices, also referred to as BMPs, are generally accepted ways of doing things that have proven themselves over time.

Some things to consider:

- Is this area rich in medicinal plants?
- Is it far enough from the water so there is no damage to my cabin or home?
- Will my outhouse affect my cabin, the water or the wells or my neighbour?
- Is there enough natural drainage?
- Is there enough room between my lot and my neighbours?

If you are not sure, ask your potential neighbour or anyone who lives in the area. They are the ones who are most informed about the history and location of wells, dumps and outhouses and have likely been involved in developing the BMPs.



Privileges

The privilege to take residence, seasonal or permanent, in Malikewe'j extends to members of Unama'ki Bands. This means that you must have a valid band number from Eskasoni, Membertou, Potlotek, Wagmatcook or Waycobah in order to clear land and/or take residence in Malikewe'j.

Notification

Sacred Environments

Notify the Chief and Council and Land Manager of your Band before you clear land in Malikewe'j.

The following areas are not recommended for development or to be cleared for development:

Shorelines. This includes 20 m (66 ft) from the end of the bank or shore. Erosion increases when there are no plants, shrubs or trees to stabilize the shoreline, exposing it to storm surges.

Marshy areas, ponds, streams or brooks. This includes 20 m (66 ft) of land on their banks. This distance will help to protect the quality and quantity of the water and plants and animals who depend upon specific habitats for survival.

Sand bars. Sand bars are moving areas of sand and rock. They are easily flooded and move over time.

Boom Island. Boom Island is rich in medicinal plants because of habitats specific to this area. These medicinal plants many not be easily moved or reestablished when their habitat is destroyed.

Graveyard. The graveyard and monument area are sacred grounds of our ancestors. According to historical accounts, the graveyard may be larger than we realize.

Wells for Drinking Water. Leave a distance of 61 m (200 ft) between community wells and your lot. Ensure that your septic system or outhouse is 30.5 m (100 ft) from any well. Recommended lot sizes are $30.5 \text{ m} \times 45.7 \text{ m}$ (100 ft x 150 ft) for an average-size family.

Leave at least 24.5 m (80 ft) between cabins as a fire safety precaution.

Leave as many trees and shrubs as you can on your lot. Clear cutting is one of the biggest contributors to erosion and loss of habitat for wildlife.

When clearing land, leave a naturally-occurring 20 m (66 ft) buffer zone of trees, shrubs, grass and groundcover between your lot and the water to hold the soil in place. This will help minimize erosion and reduce the effect of surface water run-off. This will also protect water from accidental leaks of oil, provide habitat for wildlife and shade for fish.

If your land is on a hill or slope, there is greater chance for erosion. Create a buffer wider than 20 m (66 ft).

Clear land when there is little chance of rainfall. Exposed soil during rainfall is the largest cause of contaminants entering the water.

Ideally, have building materials ready once the land is cleared. If you cannot build within 12 months of clearing land, then it is best not to clear at all. If the land is cleared and you cannot build or have changed your mind, re-seed the area.

Lot Size and Placement

Clearing of Land

The soils of Cape Breton and Malikewe'j are susceptible to erosion. This characteristic, combined with prevailing southerly winds, make this area susceptible to greater occurrences of natural erosion. By developing the land too close to the shores of the Bras d'Or, we are speeding up the natural process.

Erosion Prevention Re-seed any bare areas immediately. Grass cover is the best way to keep sediments out of the water.

If you are clearing an area to the shore, use curved pathways so there is no direct run-off into the water. Share paths with your neighbour instead of creating many along the same shoreline.

Any ditches that are created should be re-seeded. To keep sediments from entering the water, plant grass immediately. If the ditches are steeply sloped, consider lining them with 20 cm (7-8 in) sized rock.

If soil is removed, find out who needs clean fill in Malikewe'j and distribute to them.

Refrain from setting grass fires as they contribute to erosion by destroying groundcover that holds the soil in place and can be catastrophic for the community if they spread. Mulching is a better alternative and returns the nutrients to the soil. It also helps to stabilize the soil so it does not create run-off to the water. If you have to burn, do so during the fall (September to December) and prevent burning of natural vegetation by using lined fire pits (rock lined and away from the trees and woods) instead of open fires. If you are planning to have a well, identify a suitable location before constructing your cabin, septic system or outhouse. Current and historical well placement can be found in Appendix B. Wells can be contaminated by many things including sewage, pet waste, seepage from dumps, oils from cars and oil tanks, and soaps and cleaners.

All types of wells should be located at least 61m (200 ft) from any landfills or garbage dumps and on higher ground than your home, septic or outhouse. Survey the land to make sure that there are no dumping areas within this distance. Ask local residents if there were historical dumps in the area.

Wells

Well Placement

Placement of wells depends on their type. There are three types of drinking water wells: dug wells (3-9 metres deep), bored wells (9-15 m) and drilled wells (over 15 m). Ensure that dug and bored wells are located at least 30.5 m (100 ft) from an outhouse or septic tank; locate drilled wells at least 15.25 m (50 ft) from outhouses or septic tanks. Currently, the majority of Malikewe'j wells are dug wells which are regularly contaminated by bacteria. The water from those wells is not suitable to drink untreated. Consider bored or drilled wells as an alternative to dug wells or budget for water treatment such as UV sterilization systems.

Maintenance

Maintaining your well is essential to protect the water and your health. Maintain your well to reduce or prevent contaminants from entering it.

Remove pet wastes from any areas near wells.

Keep chemicals such as fuel, oil, pesticides and fertilizers away from the well vicinity.

Mound the ground around well casing and maintain a grassy area of 3 m (10 ft) around the wellhead.

Ensure that well casings are at least 30-40 cm (1-1.3 ft) above the mound and are never buried.

Regularly inspect well caps for damage such as cracks, stains and rust.

Plug and seal unused wells using a licensed well contractor to prevent contaminants from entering the water supply.

Monitoring

Sample your private wells (with less than five connections) two or three times a year for bacteria, and every two years for water chemistry.

Signs posted at well locations inform residents of the condition of the water. If there is a boil advisory, boil water for at least one full minute before using it for drinking, cooking, brushing your teeth, and making tea or coffee. Outhouses (also known as pit privies) and septic systems should be at least 30.5 m (100 ft) away from any water source, including wells. Keep outhouses 6 m (20 ft) from any foundation and away from flood plains.

Consider installing compostable toilets if you camp frequently.

The preferred outhouse has an enclosed pit that is 1.3 m (4 ft) by 1.3 m (4 ft), ventilation to control odour and promote decomposition, and can be moved when the pit becomes full. There are environmentally-friendly alternatives such as homemade composting systems and those that can be purchased.

Recommendations on how to build an outhouse. can be found in Appendix A. Ensure that materials used are durable and weather proof. Line the sides of the pit with reinforced walls. Grade the surface of the ground so that surface water will drain away from the pit. This can be done by ensuring that the soil around the outhouse is raised or mounded to a height of 15 cm (6 in) above the surrounding ground. Install a screened ventilation duct to promote decomposition and reduce odour. Use self-closing door hinges to keep out flies and wildlife. Put in a screened window for ventilation. Paint the interior of the outhouse so that it can be easily cleaned.

Outhouses and Septic Systems Placement

Outhouse Construction

Maintenance of Outhouse and Septic Systems

For outhouses, put used toilet paper in the trash rather than the pit to speed up the decomposition process.

To control odour, use wooden ashes or a sprinkle of sawdust, rather than lime, after each use. This also facilitates decomposition. Keep the door closed when not in use to keep out the wildlife and flies.

Use only biodegradable, phosphorous free and plant-based cleaners. Cleaners like bleach create a poisonous gas when mixed with ammonia present in urine and kill the bacteria needed for decomposition.

Create another pit when it becomes full (about 45 cm or 18 in below ground level). Use the dirt from the new pit to cover the old one. Make a mound of dirt about 61 cm (2 ft) over the old pit so that water will not accumulate. It will take about a year to decompose if there is no toilet paper or lime in the waste. Meanwhile, plant a tree in the pit and watch it grow!

Have your septic tank pumped every three to four years. Remember to flush only human waste and toilet paper. Anything else can lead to malfunctions and release of raw sewage. Conserve water.

Cabin Construction

Build cabins at least 1.25 m (4.1 ft) above the high water mark and 20 m (66 ft) from the edge of the water to protect your cabin from flooding, sea level rise and storm surges, the water from potential contaminants and the land from erosion.

Civic Address

To obtain assistance for obtaining a civic address, contact Albert Marshall Jr., Land Manager for Eskasoni at (902) 379-2800.



Heating

For seasonal residences, consider alternate sources of heat such as solar panels or wood stoves. This reduces the risk of contamination from malfunctioning oil furnaces and tanks when your cabin is not occupied.

If you chose oil heat in your permanent residence, install furnace oil tanks according to Canadian Standards Association B139 Installation code for Oil-Burning Equipment. Your Band will be able to assist you with finding the standards before installation.

Consider installing a tank tub if you choose to heat with oil. Tank tubs protect your tank from the elements and the environment from an oil leak or spill. They are approximately \$2,200 to purchase. The cost to clean up an oil spill can amount to hundreds of thousands of dollars. Another less expensive option is to have a bladder bag inside the tank.

Waste Management



Garbage and recycle pick-up is early Thursday morning.

Keep Malikewe'j clean. It is not a dumping site for any type of garbage, big or small.

Sort your recyclables according to Inverness County's Recycling Guidelines. (See Appendix C.)

Use compostable or biodegradable plates when camping. Styrofoam is not recommended.

Take old medications back to the pharmacy for disposal instead of putting them in the garbage or flushing down the toilet. They can contaminate the fish we eat and affect their reproduction.

Take old furniture or appliances to a transfer station. The nearest transfer station is the Kenloch Waste Management Facility (258-3646) near Lake Ainslie. Call for hours of operation and items accepted. Alternatively, you can take these items back with you for proper disposal within your municipality. Baddeck also has a transfer and recycling station and Port Hawkesbury has a recycling centre.

Refrain from burning garbage, tires, styrofoam and pressure-treated lumber. Harmful chemicals eventually reach the land and water through rainfall.

Take paint cans with paint, batteries, fluorescent light bulbs, aerosol cans to a recycling depot for disposal. Or, take these items back with you and dispose of properly within your municipality.

> Invest in compost bins (\$25 from ACAP, George Street, Sydney) for non-meat and non-dairy food scraps. You can also make your own. Use the compost for your garden or lawn. Share with your neighbours and others.

Leaks from furnace oil tanks contaminate soil and water supplies. Maintain your oil tank by looking for damage, rust or signs that it has moved. Remove leaves and other debris and protect the oil supply line from the weight of the snow and ice. If your tank has moved, level it immediately. Left over furnace oil can be dumped back into your tank.

Use environmentally friendly, phosphate free and biodegradable products including shampoos, conditioners, body wash, dish detergent and laundry detergent. Phosphates are responsible for algal blooms in water sources which can lead to depleted oxygen and fish kills.

Use natural alternatives for maintaining your lawn. Refrain from using pesticides as they are poisonous to animals like birds who may be feeding on your lawn.

Turn off your car or recreational vehicle instead of idling. Exhaust contributes to acid rain and climate change.

If you notice an oil spill, call 1-800-565-1633 immediately. Notify your Band immediately.

Old or derelict vehicles can be towed to a salvage yard. Call Don's Auto (1-888-588-0888) for free pick up.

Fill fuel tanks and mix oil for boats on land, away from the water. Take special care not to spill oil, diesel or gasoline.

Pollution Prevention

Wharves

To reduce negative impacts to eel grass and shorelines, share a wharf with your neighbour. Consider putting in a removable wharf if it is necessary to have one. Use fish-friendly lumber and make sure that all materials are prepared in areas away from the water. Remove the wharf and store for the winter.

Resource Use Hunt, fish, trap and gather according to the principle of netukulimk. Remember to take what you need and share what you cannot use.

Rotate hunting, fishing, trapping and gathering areas so that the gifts you take will have time to replenish.

Pay attention to the laws of Nature. Animals need time to reproduce and tend to their young. Let Nature's cues guide your fishing, hunting, trapping and gathering times rather than the calendar.

Non-natives do not have the privilege to trap, hunt or gather in Malikewe'j. Report unauthorized hunting or trapping to the RCMP (call 911). Remember to wear hunter's orange.

Notify your neighbours if you intend to hunt.

Ensure that your gun is not loaded when you are in a vehicle or riding a recreational vehicle.

Hunt at least 182 m (597 ft) away from a cabin or home if using a shot gun and at least 402 m (1319 ft) if using a gun with rifle cartridge.

Ensure that you are 30 m (98.4 ft) from any portion of the highway before hunting with a bow or gun.

Use naturally-occurring species for bait rather than purchasing bait from other areas. This reduces the risk of introducing invasive species and disease to our waters.

Take care not to destroy eel grass. When approaching land, lift outboard motors and land boats in areas where there is less eel grass. Eel grass is important to many species of fish, including eels.

Follow pollution prevention practices (page 19) when operating your boat or recreational vehicle.

It's good practice to let others know the general area where your traps are to avoid accidental injury.

Ensure that traps are in areas where they cannot harm children or pets and are 61 m (200 ft) from any dwelling.

Hunting

Think and act safely when hunting, fishing or trapping.

Fishing

Trapping

Gathering	Avoid damaging plants when you are gathering.
	Ensure that you have the correct plant before removing. If you removed the wrong plant, please re-plant it.
Annual Review of BMPs	Recommendations in this document will be reviewed annually to ensure they are adequate and applicable to the situation in Malikewe'j. Notification of any revisions will be posted in each community on uinr.

ca, and in the Marten–UINR's newsletter.



Appendix A Recommended outhouse (pit privy) design from Nova Scotia On-site Sewage Disposal System Regulations



Appendix B Map of sacred environments in Malikewe'j





Appendix C Residential sorting information for recycling



JNTY RECYCLES

Please post on your refrigerator door as a handy reminder for your family

d into four separate waste streams: stable materials and regular refuse for disposal.

Backyard Composter **Compostables Including:**



Fruit & vegetable peelings Bread & baked goods Rice, grains & pasta Egg shells



Leaves & grass clippings Hav

Soiled napkins, paper & cardboard



Place in Garbage:



Meat, fish, shell fish chicken & bones

Dairy products (milk, cheese, yogurt)

Mayonnaise & salad dressings Cooking oil & fat Pet waste

Garbage Bag Everything Else Including:



ECYCLING QUESTIONS 87-3503



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UINR–Unama'ki Institute of Natural Resources

is Cape Breton's Mi'kmaq voice on natural resources and the environment.

UINR represents the five Mi'kmaq communities of Unama'ki in forestry, marine science research, species management, traditional Mi'kmaq knowledge, water quality monitoring, and environmental partnerships.

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