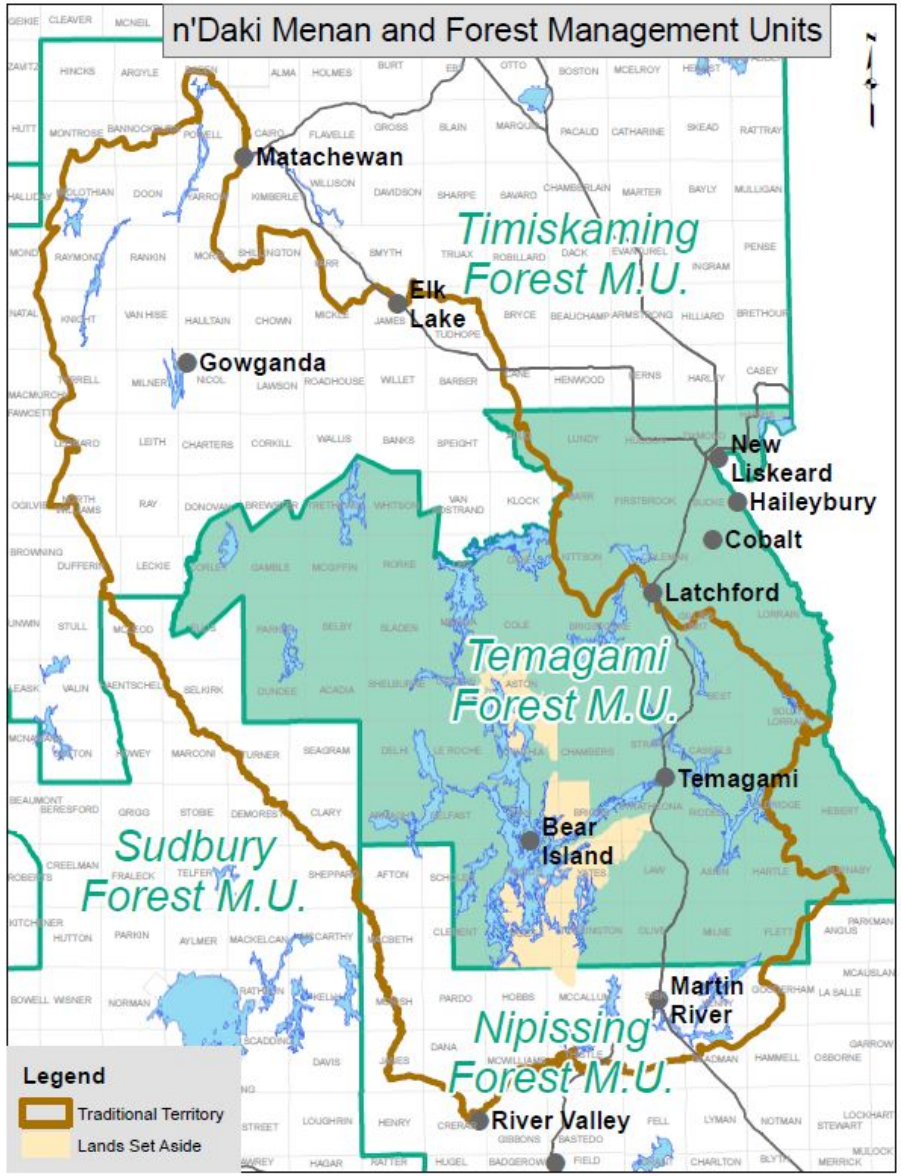
N’Daki Menan

Teme – Augama Anishnabai
Temagami First Nation

Ancestral Lands



Values and Views on herbicide use within n’Daki Menan

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Introduction

- The Roots of the Teme – Augama Anishnabai run deep into N'Daki Menan, touching a vast history, rich with culture and traditions. Our relationship with N'Daki Menan is based on over 6000 years of occupation and land management, which has been subject to archeological and anthropological study.
- N'Daki Menan is approximately 6000 square kilometers in size. When the provincial government drew a straight line through our homeland designating 130 townships, we had already drawn lines of our own and had been managing the land according to watershed for thousands of years. This land management system was well established when Europeans first made contact in this area around the middle of the seventeenth century.
- At this time the Teme Augama Anishnabai were a distinct Algonkian-speaking people organized under the traditional clan system. Each family belonged to one of six clans, which had a hunting territory based on watershed boundaries. Each area was divided into sections and was harvested on rotation to allow the area to replenish before it was used again.
- Wildlife and Timber were only taken as needed, and only when sustainability was guaranteed.

(Mary Laronde, 1993)

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Introduction

- The resources of the Teme-Augama Anishnabai are of value and not limited to Food sources, medicinal plants, Timber, and a fuel source for the people of N'Daki Menan.
- Knowing that if we did not manage our resources sustainably there would be nothing left for future generations.
- In those thousands of years management, practices such as manual tending, Natural regeneration, and prescribed burns had been used.
- The whole forest ecosystem benefited from our traditional methods of land management.

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The Views and Values of our Elders

- Herbs and plants for medicinal purposes could be found everywhere around N'Daki Menan. Herbicides that are currently used by the OMNR kill these plants. Medicines such as poultices were prepared from these plants in order to cure colds, fevers, etc.. There were no pesticides and herbicides - the animals and vegetation took care of itself. **(Elder Bill Twain, 1992)**
- Clear cutting and Chemical spraying on the land has resulted in far less places to get berries and we believe it also has effects on the wildlife. Berry crops hardly exist anymore. Blueberries, Blackberries, and Raspberries are not as plentiful as they were when the Elders were younger. Anishnabai people used controlled wildfires to create good Berry crops on islands and selected places. Wildfires used to burn freely which also created good crops and rabbit habitat. **(Mary Katt, Gilbert Katt, Jane Becker, and Gordon Turner, 1992)**
- Anishnabai hunt as a traditional way of life. Almost all of the animal is used, the entire hide is skinned and tanned. Parts such as the tongue, ribs and Internal organs are used. However, in recent times, it has been noted that the liver of moose is now spongy or mushy for some reason. Could this be cause by eating plants sprayed with chemicals?
  (Mary Katt, Gilbert Katt, Jane Becker, and Gordon Turner, 1992)

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Forest Stewardship

Forest Stewardship :

- Means that the forest belongs to the life that lives within It, and **future generations** are dependent on the continuity of the forest. Human beings must respect forest life and use it only in ways that ensure forest continuity.
- Also means being entrusted with administration of the forest in ways that will provide sustainable development and sustained life.

Sustained Life:

- Means Protecting and maintaining the quality of the earth, air, and water which in turn protects and replenishes the earth air and water and creates a home for all biological life forms within it.

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Methods of Tending

Preferred Tending Methods

- The methods that would be preferred on our traditional territory includes the use of Prescription fires, and Manual tending. These methods could benefit the forest ecosystem along with the people on N'Daki Menan in many different ways and not just for timber volumes. This can be achieved through traditional knowledge along with community voices on how to manage lands sustainably.

Not Preferred Methods

- Herbicide use is an **<u>unacceptable</u>** form of land management within the boundaries and area around N'Daki Menan.

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Advantages of Manual Tending and Prescribed Fire

Manual Tending

- One major advantage to manual tending is that you can be selective with having little impact on the soil. This means work can be done in areas with sensitive and traditionally important vegetation by selectively removing the target species while not disturbing sensitive or traditionally important vegetation. (MNRF, 1993)
- This also means that the soil will be impacted minimally and will have little effect to the possibility of benefitting the nutrients in the soil.
- Another benefit of manual tending is the increased job rate for all the people in and around N'Daki Menan.

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Advantages of Manual Tending and Prescribed Fire

Prescribed Fire

- Traditionally used by the Teme-augama Anishnabai for thousands of years on their crops, and in the forests to regenerate Berries, Timbers, along with bring nutrients back into the soils for crops. (Laronde,1993).
- Wildfire plays a important role in the natural ecosystem; and prescribed fire can mimic the critical aspects and produce similar effects.
- Some Species of vegetation need fire to germinate, and with careful selection of conditions while burning this can be achieved with minimalizing the effects of a wildfire.
- You can also use prescribed fire on steep slopes where other management practices are unable to be completed, while also being the less expensive than other methods.

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Herbicides

- Herbicides are a mixture of active and inactive chemicals that can have undesired effects on the forest ecosystem.
- Buffers cannot be maintained as buffer free zones (Laronde, Koistinen, 1992)
- This is due to factors that come into play such as leaching through soils, Run off from rainwater or snow melt, accidental spills, and through spray drift.
- This causes areas to be affected, such as riparian zones, sensitive vegetation areas, and water bodies.
- The mixture of ingredients mainly include Glyphosate, which though approved through the GROUP (Grower Request Owner Use Program) has had research done showing it is a fairly disruptive product on its own also has a Host of other chemicals called “inert’ Chemicals. (Marrs,2013)
- Research shows these “Inert” chemicals can have many adverse effects on human health along with all other life in an ecosystem. (Marrs, 2013)

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Effects of Herbicides on Traditional Lands

Herbicides target **ALL** Broadleaf plants.

- Birch and Aspen are some of the main targets in n'Daki Menan.
- Since most medicinal and food plants are broad leafed shrubs they they tend to get destroyed via herbicide use.
- These plants include: Blueberries, Strawberries, Raspberries, Blackberries, Labrador Tea, and many other cultural and medicinal plants
- In many first nations communities across Canada elders have found impacts or disappearances of Medicinal plants in traditional harvest areas that have had chemical spraying.
- Quote :
  - *Medicinal plants found to be blistered and withered and seldom sees game in such areas that have been sprayed. Noticed areas of spray turned black like a forest fire, and regeneration in these areas yield fewer fruits and the community fears contamination and are reluctant to pick from the bush. (Elder Raymond Owl, Sagamok First Nation(2016))*

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Herbicides – Effects on Soil

- Though Much of Herbicide falls on foliage, soil is a major receptor of herbicides.
- Factors that determine how soil will be affected are predominantly Weather, the chemical properties, and the soil type itself.
    - Soils high in clay may retard leaching herbicides, while soils low in PH tend to absorb more of the herbicide.
    - Soils high in clay may tend to cause more runoff in sloping areas rather than leakage.
    - Research shows Microorganisms in the soil have had both detrimental effects due to herbicides and increased decomposition rates from herbicide use on areas. (MNRF,(1993).
- Glysophates time span in soil can vary greatly due to soil type. It has been researched to span in soil from 2 days to as long as 200 days. (Mosanto,2017) Though in some research it has shown to still be present in soil of sandy loam 335 days later. (Laronde,1992)

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Herbicides – Effects on Water

- Waters are able to become contaminated by herbicides through runoff, spray drift, accidental spills, and leaching.
- They also may indirectly affect surface waters by reducing riparian zone vegetation causing loss of channel stability along with increasing water temperatures and reduction in dissolved oxygen. (MNRF,1993)
- It has been researched that in standing ponds, effects may be greatly increased and have disruptive effects on aquatic ecosystems, where amounts can go beyond the estimated environmental concentration.(Perez,Vera,Miranda,2011)

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Herbicides – Effects on Amphibians

- Amphibians in Ontario are on the decline, with 6 of its species on the endangered species list to date.
- Amphibians are one of the most sensitive species to the effects of herbicides and any other pollutants, they can be affected by direct spraying, spray drift via aerial spraying, and runoff.
- In some applications of glysophate herbicides, the estimated environmental concentration may be above the Lethal concentration for amphibians.(MOEBC,2008)
- Amphibians may also suffer from a variety of sublethal effects such as impaired growth and development, and effects on genomic characteristics. (MOEBC,2008)

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Herbicides – Effects on Cervids

- Traditionally Moose, Deer and Caribou were harvested throughout n'Daki Menan. Since European contact the people have lost caribou from their traditional lands and the deer populations have greatly depleted.
- Moose is a very important source of food for the Teme-Augam Anishnabai to this day.
- Moose and deer browse on buds of broad leaved vegetation, such as alders and willows. Browse is also limited to a small area in the winter months. Moose also have highly important aquatic feeding areas where they feed on the aquatic vegetation in ponds, Marshes and small lakes.
- The use of herbicides targets these browse populations and greatly depletes them in the short term. (Ministry of Forests,1990) causing moose and other cervids to move to find a food source or cause starvation in areas. Herbicides can also potentially cause damage to aquatic vegetation when circumstances such as drift, and runoff occur.
- See Video, New Brunswick- http://www.cbc.ca/news/canada/new-brunswick/herbicide-spraying-on-crown-land-hurts-deer-herd-biologist-1.2541327

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There is Case Law with respect to Duty to Consult and Accommodate:

- Haida Nation v. BC (2004)
- "Where the Crown is contemplating a course of action or a decision that could have a negative effect on asserted aboriginal rights it must consult with the relevant aboriginal groups and, if appropriate, seek to achieve a reasonable accommodation of those rights"

- R. v Douglas, 2008 BCSC
- "A First Nation cannot, in good faith, avoid or refuse to actively participate in the consultation process then argue later that it has not been consulted."

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Scope of the Duty

- The scope and content of the duty lies on a spectrum. The stronger the claim, and the more serious the infringement, the greater the duty to consult.

- Requirements for meaningful consultation:
- Rio Tinto Alcan v. Carrier Sekani Tribal Council [2010] 2 S.C.R. at para. 44
- The Crown is required to consult First Nations when making “strategic, high level decisions” that may impact Aboriginal claims and rights.

- With respect to developments that could have had serious impacts and infringements on our rights. We simply, cannot, in good faith, avoid or refuse to actively participate in the consultation process then try and argue later that we have not been consulted.

- However, the Crown has a responsibility to ensure we have been meaningfully consulted and accommodated.

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Conclusion

- Herbicide use on n'Daki Menan affects our people in many ways, from affecting our people's traditional values, to their health and well being. Our people greatly depend on the land and the resources that this land provides. If the land is no longer able to provide these resources sustainably and where it is known that the people's health will be affected by use of these resources, it will be quite damaging to the health and way of life of our people.
- It is strongly stated that herbicide use on our traditional lands is **unacceptable.**
- Our staff and politicians can only carry the message so far, we need community support to stop the use of chemicals on our land.

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