

CEPI's Journey to Collaboration

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The Collaborative Environmental Planning Initiative (CEPI) is a one-of-a-kind organization in Unama'ki-Cape Breton. Fittingly, it was brought together through the vision and dedication of Charlie Dennis who was searching for a way to turn around the ecological health of the Bras d'Or Lakes or Pitupaq in Mi'kmaq, an inland estuary in the heart of Cape Breton. This essay will describe the events leading to the founding of CEPI and outline its first seven years of growth as it struggled with its identity.

Early Advocacy and the Middle Shoal Decision

To begin the story, we must start with its founder, the late Charlie Dennis of Eskasoni (1949-2015). Charlie was an oyster farmer early in his career and later he became one of the founders of the Unama'ki Oyster Farm that operated within Pitupaq/Bras d'Or Lakes. In the early 1990s, his passion for shellfish farming led him to become the Executive Director of the Eskasoni Fish and Wildlife Commission (EFWC). At the time, EFWC managed the communal fishing licenses for the Eskasoni Community. It was also during that time that I had the opportunity to work with Charlie.

I was working for the Union of Nova Scotia Indians (UNSI) now called the Union of Nova Scotia Mi'kmaq (UNSM), which is a tribal council representing most of the First Nations of Nova Scotia. One of my responsibilities was to oversee litigation related to Mi'kmaw Aboriginal and treaty rights. In 1990, the UNSI was successful in defending three Mi'kmaw fishers before the Nova Scotia Supreme Court Appeal Division. The court acquitted the fishers by finding that the fishers had an Aboriginal right to fish for food. Two of the fishers were harvesting in the Bras d'Or Lakes.

In 1996, Little Narrows Gypsum (LNG), a US owned gypsum company, applied for federal permits to dredge the Middle Shoal located near the mouth of Pitupaq/Bras d'Or Lakes in the Great Bras d'Or Channel. Charlie raised questions about the impact of the proposed dredging operation on the migration of fish entering and exiting the Lakes. Officials from the two permitting federal agencies, Environment Canada (EC) and Fisheries and Oceans Canada (DFO), were unable to determine the project's impact

on fish migration, but nevertheless, they issued two federal permits to LNG on July 15, 1996. UNSI challenged the decision before the Federal Court of Canada and, on October 29, 1996, the Court set aside the two federal permits. The dredging project was halted, even though the dredging operation was 80% finished by the time of the decision.

Because of the court case, Charlie recognized the need for the Mi'kmaq to develop their own marine science capabilities rather than rely upon others for the work. He began discussing ways of bringing together traditional and western ways of research. In time, he was successful in securing federal funding to construct the Crane Cove Seafoods Building, which is located near the eastern entrance of Eskasoni. The building featured a marine science lab on the bottom floor next to Crane Cove.

Charlie also began articulating a vision of bringing together Mi'kmaw and non-Mi'kmaw partners to protect and preserve threatened marine species within Pitupaq/Bras d'Or Lakes. These discussions led to the formation of the Unama'ki Institute of Natural Resources (UINR) in 1999. As its founding executive director, he worked diligently to bring together the five First Nations of Cape Breton with government and industry partners. The task was not an easy one given the aftermath of the Middle Shoal decision. The working relationship between the Mi'kmaq and the two federal departments involved was strained to say the least.

Gathering Across Jurisdictions and Leading with Good Intent

Fortunately, Charlie was skilled in diplomacy and in creating and maintaining personal relationships. Shortly after the court decision, he invited three federal regional-director generals from Fisheries and Oceans Canada, Environment Canada, and Indian and Northern Affairs Canada (INAC) to come to Eskasoni and meet with the five Chiefs of Unama'ki (Cape Breton). Although the initial meeting was somewhat tense, Charlie was successful in bringing the group back together the following year for further discussions. He proposed that a workshop be held with Mi'kmaq and government officials about the ecological future of Pitupaq/Bras d'Or Lakes.

The workshop was held in Wagmatcook and Eskasoni in October 2003 with about 100 people in attendance. The gathering brought together federal, provincial, and municipal officials with Mi'kmaq representatives and community organizations. One of the purposes of the workshop was "to develop a working relationship between all entities that have a responsibility to help protect the Bras d'Or Lakes."¹ The workshop went much better than anticipated.

But Charlie was determined to broaden the circle by bringing community leaders, stakeholder groups, and local citizens into the discussion as well. A second workshop was held in Wagmatcook in October 2004; this time with about 150 people in attendance including 42 Mi'kmaw elders. Traditional Medicine Wheel teachings were introduced and subsequently endorsed. The Medicine Wheel includes four quadrants of a circle that symbolize knowledge, action, emotions, and spirit. "When the elements are not treated evenly, the Medicine Wheel is out of balance and will have a negative impact on an individual or subject at hand."² The Two-Eyed Seeing approach was also presented and discussed. Two-Eyed Seeing, or Etuaptmumk in Mi'kmaq, teaches that one eye

can see with the strength of Mi'kmaw traditional knowledge and the other eye with the strength of western scientific knowledge.³

These gatherings launched the process of developing a broad understanding about Pitupaq/Bras d'Or Lakes and began to identify what actions were necessary to restore their wellbeing. Charlie's vision of having all the necessary partners work collaboratively towards the environmental health of the Lakes was quickly coming together. He proposed that a new organization be formed by all four levels of government who had a responsibility for the ecological health of Pitupaq/Bras d'Or Lakes.

The vision statement of the proposed new body was "to lead a unique collaboration of partners that incorporate both traditional Mi'kmaq and western perspectives in order to foster a healthy and productive Bras d'Or Lakes Watershed ecosystem."⁴ In the months that followed, Charlie spearheaded intense discussions between the five Unama'ki Chiefs, the five municipal mayors and wardens of Cape Breton, and senior officials of four provincial and three federal departments. Finally, on November 23, 2005, at a meeting of leaders and officials of the four levels of government, the Bras d'Or Charter was signed by all 17 representatives and the Collaborative Environmental Planning Initiative (CEPI) was created (See Appendix A). Charlie was appointed as its first chairperson.

In hindsight, the establishment of CEPI was a remarkable achievement for the time. It happened when the idea of reconciliation was not even a concept, let alone a topic of discussion.⁵ Although First Nations had a long-standing relationship with the federal government at times it was a very difficult one. The federal government's failure to recognize Mi'kmaw land and treaty rights and the imposition of the *Indian Act*, residential schools, centralization, and the Sixties Scoop all had a devastating impact on First Nations in Cape Breton. The Middle Shoal dredging project did not make things any better.

The Mi'kmaw relationship with the Province of Nova Scotia had also been severely strained. The Mi'kmaq had ongoing court battles with the province over treaty hunting rights, tobacco, and tax exemption rights. The low point was the release of the final report of the Royal Commission of the Donald Marshall Jr. Prosecution in 1990. It portrayed a dysfunctional and broken relationship between the government of Nova Scotia and the Mi'kmaq. Although some progress was made during the 1990s, the relationship between the Province and the Mi'kmaw remained less than cordial.

The relationship between Unama'ki communities and Cape Breton municipalities was even worse; there really was no relationship to speak of at the time. Even though municipalities were the closest neighbors to First Nations, their respective government representatives rarely interacted with each other. In many ways, they were complete strangers. As the Marshall Report indicated, racism was still alive and well.

These realities highlight how remarkable the formation of CEPI was. It has now been almost twenty years since the Bras d'Or Charter was signed. We have not been able to identify another document like it. Its substance was unique, but its form was also quite different. The Charter was displayed on a traditional Medicine Wheel utilizing the four traditional colours: black, white, yellow and red. CEPI became a true reflection of the intended collaboration between Mi'kmaq and non-Mi'kmaw governments.

CEPI's coming-into-existence underscores Charlie's natural leadership abilities that opened the doors for relationships between the Mi'kmaq and non-Mi'kmaq governments. He was a true ambassador for the Mi'kmaq Nation. He also served two terms as the Chief of Eskasoni (2006—2010) before health issues forced him to step down. His successor, Chief Leroy Denny, commented that "[Charlie's] vision and quiet diplomatic approach achieved great success through collaboration, partnerships, working relationships and earned respect by so many."⁶ CEPI is Charlie Dennis's living legacy.

CEPI's Early Years

Given the mandate of the 17 signatories of the Charter, collectively known as the Senior Council, a steering committee was established by the Senior Council to oversee CEPI's work. The CEPI Steering Committee initially consisted of 19 volunteer members drawn from the four levels of government and various non-government organizations who had expertise about Pitupaq/Bras d'Or Lakes. During its first full year of operation, the Steering Committee met on 10 different occasions and provided the necessary energy and momentum to launch the organization. Shelley Porter, a marine biologist, was selected as CEPI's first full-time coordinator. Mi'kmaq Elder, Albert Marshall, was appointed as CEPI's Elder Advisor on a part-time basis.

CEPI's early years were a time for gathering knowledge—both traditional ecological knowledge (TEK) and western scientific knowledge—and conducting research about Pitupaq/Bras d'Or Lakes. One of CEPI's first major projects was to bring together Mi'kmaq and non-Mi'kmaq elders from across Unama'ki to discuss and share their knowledge about Pitupaq/Bras d'Or Lakes. On May 3 and 4, 2006, 63 elders were brought together in Eskasoni. The participants discussed the evolution of plants, invertebrates, fish, birds, and mammals within the Bras d'Or ecosystem as well as changes in water quality and water levels over time. The TEK workshop provided a treasure trove of valuable information.⁷

CEPI and its members also conducted and completed a series of scientific studies and reports about Piti'paq/Bras d'Or Lakes. These reports included:

- *Bras d'Or Lakes Watershed Freshwater State of the Environment Report*, ADI Limited, 2006
- *Ecosystem Overview and Assessment Report for the Bras d'Or Lakes*, Nova Scotia, Oceans and Habitat Branch, Maritimes Region, Fisheries and Oceans Canada, 2007,
- *Bras d'Or Lakes Marine Environmental Water State of the Environment Report*, Bras d'Or CEPI and UINR, 2007
- *Developing an Environmental Management Plan for the Bras d'Or Lakes Watershed – an analysis of its scope and approach for addressing issues*, Jason Naug, Master's thesis, Dalhousie University, 2007

The purpose of the TEK workshop and the subsequent reports was to provide the background for the development of a management plan for Pitupaq/Bras d'Or Lakes. The Charter stated that the purpose of CEPI was "to develop an overall management plan for the Bras d'Or Lakes Watershed ecosystem and to facilitate its implementation by governments and other relevant stakeholders."⁸ From the outset, a Management Planning Task Team was established to oversee the development of the management plan. A strategy session, facilitated by Fourth Wave Strategy Inc, was held on July 4 and 5, 2007. The purpose of the session was to produce a roadmap for the delivery of a draft management plan to the Senior Council by November 1, 2008.

However, by 2007, First Nations members had begun to question the value of CEPI. Several Mi'kmaw members felt that their input was not being valued and that their advice was often ignored. Elder advisor, Albert Marshall, had repeatedly put forward Mi'kmaw perspectives at CEPI meetings but he had become frustrated and impatient that First Nation concerns were not being adequately addressed. He commented that the Mi'kmaw worldview was not being accepted or included in the CEPI process. It was also mentioned that there was even resistance to the inclusion of Mi'kmaw imagery in CEPI materials. It was obvious that the strong Mi'kmaw cultural imprint left from the 2003 and 2004 workshops was beginning to fade. Mi'kmaw representatives were having serious discussions about leaving CEPI.

These concerns were first brought to my attention on February 27, 2008, at a lunch meeting in Membertou by several Mi'kmaw members of CEPI including then Chief Charlie Dennis and Elder Albert Marshall. I was quite surprised and shocked that the relationships within CEPI had deteriorated so soon after its founding. I had assumed that once the foundation had been laid the implementation of the new organization would proceed smoothly. Sadly, it appeared to me that the Medicine Wheel teachings and the Etuaptmumk/Two-Eyed Seeing approach had fallen by the wayside (see Figure 1).

FIGURE 1 - Medicine Wheel



I was asked if I would become more involved with the CEPI process. Over the next two and half years, I played several roles in assisting with CEPI's restructuring. My first task was to determine what had happened within CEPI after the signing of the Charter in November 2005. I suggested an internal evaluation be conducted and its findings and recommendations be presented at the next meeting of the Senior Council scheduled for April 2008.

Both Dr. Rene E. Lavoie (a retired DFO fisheries scientist) and I were commissioned with the task. We reviewed all available documentation with CEPI. After I had re-read the proceedings from the 2003 and 2004 workshops, I compared CEPI's achievements with the four quadrants of the Medicine Wheel (see diagram below). The exercise revealed some startling results.

It was evident that the knowledge and action quadrants had demonstrated considerable progress since 2005. CEPI had increased its knowledge about Pitupaq/Bras d'Or Lakes through its TEK workshop and its various studies and reports. It also demonstrated action by producing the Charter (2005) and Terms of Reference (2006) and conducting a Project Strategy Session – Synopsis and Project Plan (2007). The knowledge and action quadrants are sometimes viewed as 'strong areas' for non-Indigenous Peoples.

However, it was obvious that there was very little progress in the other two quadrants feelings/emotions and spirit/values areas of strength that are often associated with Indigenous Peoples. It was evident that Mi'kmaw participation in the CEPI process had significantly diminished by 2007. The views and perspectives expressed by Mi'kmaw representatives were often not respected and they certainly felt marginalized by the entire process. Unfortunately, little or no progress had been achieved in spirit/values quadrant since the 2004 workshop, which had upheld strong spiritual values such as trust building, cooperation, respect, and cultural sharing.

Dr. Lavoie and I submitted the executive summary of our internal evaluation report titled '*Unama'ki First Nations and CEPI*' to the CEPI Senior Council on April 8, 2008. In our findings, we commented that "based on the Medicine Wheel analysis, it appears that CEPI has lost its balance and harmony that was envisioned in 2003 and 2004... From a Mi'kmaw perspective, all four quadrants are vital and critical to the success of CEPI." (fn). Without progress in the feelings/emotions and spirit/values quadrants, the Mi'kmaq had experienced a serious disconnection with CEPI.

Among our recommendations, Dr. Lavoie and I suggested that CEPI "consider hosting a Talking Circle of participants in the process so far to clear the air."⁹ In the coming months, Dr. Lavoie and I discussed the evaluation report with the Steering Committee and a Mi'kmaw learning component was added to the Committee's monthly agenda. Presenters were invited to share their teachings about the Medicine Wheel and Etuaptmumk/Two-Eyed Seeing approach with the Steering Committee. The Committee also suggested that Mi'kmaw elders should be brought together prior to the CEPI Talking Circle. Their advice about CEPI would be crucial for its future. Both the Elders meeting and the Talking Circle with the Steering Committee members occurred during the summer months of 2008. It was an intense period of learning about each other, self-reflection, and acceptance of our differences.

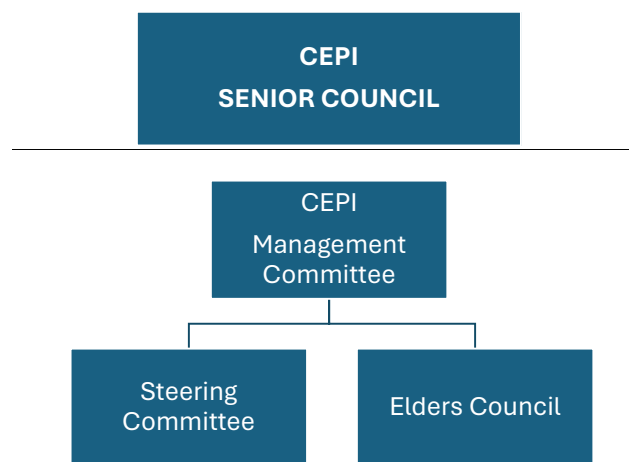
When the Steering Committee reconvened in the fall of 2008, there was a renewed sense of purpose in CEPI's vision and mandate. The Mi'kmaw learning component continued with the Steering Committee. We discussed improvements to CEPI's management structure, integrating input from the Elders, and revising CEPI's Terms of Reference. There was also a considerable amount of discussion as to how to approach the proposed management plan for Pitupaq/Bras d'Or Lakes.

In 2009, one focus of my work with CEPI was improving its management structure. By this time, there were approximately 40 members serving on the Steering Committee from at least 20 different government departments, First Nations, and other organizations. It was becoming increasingly difficult to manage such a large and diverse group. Informal discussions were held with various government and First Nations leaders and a revised management structure was discussed with the Steering Committee on June 26, 2009.

On December 1, 2009, I presented a recommendation to the Senior Council that a seven-member management committee be established with one representative for each of the four levels of government plus three ex-officio members. The three ex-officio members would be the chair of the Steering Committee, the UINR Executive Director, and the CEPI Coordinator. The management committee would report directly to the Senior Council and meet monthly. The new committee would be responsible for the annual workplan, the budget, staffing, communications, and reporting. I also recommended that the Steering Committee meetings be held quarterly. The recommendation was unanimously accepted by the Senior Council. Please see the new organizational chart below.

My second focus was to develop a path forward for the drafting of the management plan for Pitupaq/Bras d'Or Lakes. A previous task team was established in 2005. However, due to CEPI's organizational problems, the task team was unable to move forward. I recommended that a new task team be formed with the goal of preparing a draft management plan by March 31, 2010. This recommendation was also approved by the Senior Council on December 1, 2009. Dr. Lavoie and I offered to co-chair the new Management Planning Task Team.

FIGURE 2
New Organizational Chart



Unfortunately, Chief Charlie began to experience serious health problems around this time, so I was asked to serve as the chair of the Steering Committee on an acting basis. I also offered to serve as the Unama'ki representative on the new Management Committee, also on an interim basis. Charlie assumed both roles after his return to health in 2011.

Rejuvenation: Planning as a Process & The Lakes as a Living Being

The new Management Planning Task Team held its first meeting on January 22, 2010, in Sydney. Dr. Lavoie and I succeeded in assembling a diverse group of individuals who shared a passion for the Bras d'Or Lakes and who also brought relevant expertise to the table. The group included Pat Bates (Bras d'Or Lakes Stewardship Society), Shelley Denny (UINR), Paul Gentile (DFO), Annie D. Johnson (UINR), Rick McCready (Cape Breton Regional Municipality), Lorne Penny (DFO), Shelley Porter (CEPI), Guy Rochon (EC) and Lisa Young (UINR). Chief Charlie also participated when he could.

From the outset, the Task Team decided "to write a document that would be inspiring, simple, short, non-threatening, saleable and engaging."¹⁰ Given that the goal was to produce a draft by March 31st, the group worked intensely over the winter months. Remarkably, a transformation began to take place. The Etuaptmumk/Two-Eyed Seeing approach became most evident during the initial meetings. Centuries of traditional and scientific knowledge about the Lakes was shared and expressed. The group embraced the traditional teaching that the Lakes are a living being. Soon members of the Task Team began drafting 18 vignettes in the first-person voice of Pitupaq/Bras d'Or Lakes. Each section began with "I am the heart of Cape Breton." Appropriately enough, the document was titled *The Spirit of the Lakes Speaks*.

The other big change was also unexpected. The drafting exercise was no longer about writing a management plan (a noun) but instead the Task Team began describing a management planning process (a verb) for Pitupaq/Bras d'Or Lakes. The group saw the management plan as a static document that would only be relevant for a short period of time. By outlining a planning process, future generations would have a clear process as to how they could work together in taking care of Pitupaq/Lakes regardless of the issues at hand. Like the Charter, *The Spirit of the Lakes Speaks* introduced a one-of-kind document—an on-going planning process—that would apply the Medicine Wheel teachings to Pitupaq/Bras d'Or Lakes.

The March 31st draft was submitted to a group of reviewers from a mix of federal, provincial, and municipal agencies as represented on the Senior Council. During the summer of 2010, the Task Team reconvened and integrated the reviewers' comments into the final draft. After discussions with the Steering Committee, the final version was presented to the Senior Council on October 18, 2010, and, subsequently, approved. As a point of interest, document's executive summary was written in English, French, Gaelic, and Mi'kmaq—the languages spoken around Pitupaq/Lakes. The printed version was publicly released on July 8, 2011, at an outdoor ceremony along the shores of Crane Cove at Eskasoni.

The last remaining piece in the restructuring process was to update CEPI's Terms of Reference. In the previous couple of years, several significant changes had been made about how CEPI would operate. As mentioned earlier, there were major changes to CEPI's management structure. The Spirit of the Lakes Speaks had outlined a new planning cycle plus it had articulated eight new guiding principles for CEPI that "offer a moral compass, or theme, which will influence how decisions are made and which actions are to be taken."¹¹ These principles included:

- We are part of Nature, not the owners of Her.
- We will assist in healing previous damages.
- We will consider the impact of our present actions on future generations.
- We will pay attention.
- We will cause no net loss of habitat.
- We will work together.
- We are accountable.¹²

These new components were incorporated in the revised Terms of Reference. After extensive discussions with the Steering Committee, the updated Terms of Reference were presented and approved by the Senior Council on October 18, 2010. For me, this completed a journey that began on February 27, 2008, when I was first advised that CEPI was in danger of collapsing. Charlie returned to good health the following year and I stepped down from CEPI confident that the Medicine Wheel teachings and the Etuaptmumk/Two-Eyed Seeing approach had found a home within the organization.

One of the most memorable moments was the day when *The Spirit of the Lakes Speaks* was released. It was a beautiful sunny July morning. The gathering was held near the wharf along Crane Cove in Eskasoni. The Lake was shimmering in the sunlight. CEPI had arranged for a large outdoor tent for the announcement, which I had agreed to MC. A large crowd turnout for the event. It was a perfect morning in many ways.

My only regret was that Charlie was not there with us that morning. He was still in a local hospital. But as we were wrapping up the event, I noticed someone walking down the driveway leading towards the tent. I couldn't believe my eyes. It was Charlie. He had just been released from the hospital that morning. I remember giving him a copy of *The Spirit of the Lakes Speaks* and telling him that I was giving him back his chair. The smile on his face was priceless.

About the Authors

Dan Christmas, a Mi'kmaq from the Community of Membertou, assisted Charlie Dennis with the founding of CEPI and served as the interim Chair of CEPI from 2009-11 while Charlie was on sick leave. Dan was appointed as CEPI Chair when Charlie passed away in 2015 and continued in that role until his retirement in 2023. During

his career, Dan worked for the Union of Nova Scotia Indians for 15 years and was employed with Membertou for another 25 years. He also served as a Canadian Senator from 2016 to 2023.

Charlie Dennis from Eskasoni (1949-2015) was instrumental in the creation of several initiatives that promoted the wellbeing of the Bras d'Or Lakes including the Eskasoni Fish and Wildlife Commission, the Unama'ki Institute of Natural Resources and the Collaborative Environmental Planning Initiative just to name a few. He was also elected as Chief of Eskasoni and served two terms from 2006 to 2010.

END NOTES

- ¹ Unama'ki Institute of Natural Resources, *Bras d'Or Lakes Workshop 2003 Proceedings*, 1.
- ² Unama'ki Institute of Natural Resources, *Bras d'Or Lakes Workshop 2004 Proceedings*, 15.
- ³ This concept was developed and introduced by Albert and Murdena Marshall of the Eskasoni First Nation, NS to the Integrative Science program at University College of Cape Breton in the early 1990s.
- ⁴ Collaborative Environmental Planning Initiative, *Bras d'Or Charter*. <https://brasdorcepi.ca/cepi-homepage/bras-dor-charter/>.
- ⁵ The TRC process in Canada would be launched two years later, in 2007.
- ⁶ Greg MacNeil, "When Charlie Spoke, people listened," Cape Breton Post, May 1, 2015.
- ⁷ Collaborative Environmental Planning Initiative, *Bras d'Or Lakes Traditional Ecological Knowledge Workshop Proceedings*.
- ⁸ Collaborative Environmental Planning Initiative, *Bras d'Or Charter*. <https://brasdorcepi.ca/cepi-homepage/bras-dor-charte r/>.
- ⁹ Christmas, Dan and Rene E. Lavoie, *Unama'ki First Nations and CEPI, An Internal Evaluation*, 3.
- ¹⁰ Bras d'Or Lakes Collaborative Environmental Planning Initiative, *The Spirit of the Lakes Speaks*, 50.
- ¹¹ Ibid, 17.
- ¹² Ibid, 18.

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APPENDIX A

