SITE C CLEAN ENERGY PROJECT

VOLUME 5 APPENDIX 25 PART 1

COMMUNITY SUMMARY:
STURGEON LAKE CREE NATION

FINAL REPORT

Prepared for:

BC Hydro Power and Authority

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Prepared by:

Fasken Martineau

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January 2013

Sturgeon Lake Cree Nation

The Sturgeon Lake Cree Nation (SLCN) has three reserves on 15,664.5 ha.[1] The main population is located 365 km northwest of Edmonton, 97 km east of Grand Prairie, and 12 km west of Valley View.[2]

According to Aboriginal Affairs and Northern Development Canada, as of December 2012, SLCN has a registered population of 3,003, with 1,396 members living on SLCN's reserves.[3] SLCN has a Chief and six Councillors, and uses a custom electoral system.[4]

SLCN is involved in two joint ventures:[5]

- Achieve Energy Services (AES), which provides "high caliber Field Construction Management solutions (Supervision/Inspection) with a focus on Facility and Pipeline Construction".[6] The SLCN has majority ownership of AES. AES has long-term agreements with Fort McMurray First Nation and Woodland Cree First Nation.
- Savanna Energy Services Corp. (Savanna), a drilling, well-servicing and oilfield rentals company. Savanna is based in Calgary. but also has head offices in Houston, Texas and in Brisbane, Australia.

The SLCN is a member of the Treaty 8 First Nations of Alberta[7] and of the Western Cree Tribal Council (along with Duncan's First Nation and Horse Lake First Nation).[8]

Historical Background

The SLCN is composed of Woodland Cree people and is part of the Algonquian Cree linguistic group.[9]

The SLCN adhered to Treaty 8 on June 8, 1900.[10]

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[1] Aboriginal Affairs and Northern Development Canada (AANDC). 2012. *First Nation Detail, Sturgeon Lake Cree Nation*. Available at: http://pse5-esd5.ainc-inac.gc.ca/FNP/Main/Search/FNMain.aspx?BAND_NUMBER=455&lang=e. Accessed: December 2012 ("AANDC, Sturgeon Lake Cree Nation").

[2] Sturgeon Lake Cree Nation. 2012. *Welcome*. Available at: http://www.sturgeonlake.ca/index.php. Accessed: December 2012.

[3] AANDC, Sturgeon Lake Cree Nation.

[4] AANDC, Sturgeon Lake Cree Nation

[5] Sturgeon Lake Cree Nation. 2012. *Economic Development: Joint Venture*. Available at: http://www.sturgeonlake.ca/dept_joint.html. Accessed: December 2012 ("Sturgeon Lake Cree Nation, Economic Development").

[6] Sturgeon Lake Cree Nation, Economic Development.

[7] Treaty 8 First Nations of Alberta. 2012. *List of Nations*. Available at: http://treaty8.ca/default.aspx?ID=9&page=List of Nations. Accessed: December 2012.

[8] Western Cree Tribal Council. 2012. *Welcome to the Western Cree Tribal Council*. Available at: http://www.westerncree.ca/. Accessed: December 2012.

[9] Alberta Ministry of Aboriginal Relations (AB MAR). 2010*. Métis Settlements and First Nations in Alberta: Community Profiles.* Available at: http://www.aboriginal.alberta.ca/documents/MetisSettlement_FirstNation_Profile.pdf. Accessed: December 2012 at 54.

[10] Government of Canada. 1966. *Treaty No. 8, Made June 21, 1899 and Adhesions, Reports, etc.* Ottawa, ON. Available at: http://www.aadnc-aandc.gc.ca/eng/1100100028813/1100100028853. Accessed: December 2012 at 25.

Treaty Land Entitlement

SLCN entered into a Treaty Land Entitlement Agreement with Canada and Alberta in 1990. Alberta contributed $5,575,000 and 6,558.7 ha of land and Canada contributed $4,150,000.[11]

Traditional Territory Map

No map was provided to BC Hydro by SLCN.

[11] Alberta Aboriginal Affairs and Northern Development. 2000. *Treaty Land Entitlement Claims*. Available at: http://www.assembly.ab.ca/lao/library/egovdocs/alaa/2000/149530.pdf. Accessed: December 2012.

SITE C CLEAN ENERGY PROJECT

VOLUME 5 APPENDIX A25 PART 2

BC HYDRO CONSULTATION SUMMARY: STURGEON LAKE CREE NATION

FINAL REPORT

Prepared for:

BC Hydro Power and Authority

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Prepared by:

Site C First Nations Engagement Team

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January 2013

Volume 5 Appendix A, Part 2, provides a summary of consultation activities undertaken by BC Hydro with each of the 29 Aboriginal groups listed in Table 9.1 of the EIS, as required pursuant to section 7.2.1 of the EIS Guidelines. This summary describes consultation activities that took place between November 1, 2007 and November 30, 2012, including meetings, phone calls, letters and emails, and consists of a high-level description of "key events" followed by a chronological summary of the consultation process during the above time period.

Volume 5 Appendix A, Part 2, will be updated with new or additional information prior to the submission of the EIS to the Joint Review Panel.

STURGEON LAKE CREE NATION

CONSULTATION SUMMARY

Defined Terms	
"BCEAO"	Environmental Assessment Office, Province of British Columbia
"CEA Agency"	Canadian Environmental Assessment Agency
"EIS"	Environmental Impact Statement
"Potential Downstream Changes Report" or "Downstream Report"	Site C Clean Energy Project, *Potential Downstream Changes* (BC Hydro, May 2012)
"Province"	Province of British Columbia
"Site C" or "the Project"	Proposed Site C Clean Energy Project
"Sturgeon Lake"	Sturgeon Lake Cree Nation

Key events

2007

- November: BC Hydro made initial contact with Sturgeon Lake and expressed its commitment to effective consultation with respect to the Project.

2008

- April: BC Hydro wrote to Sturgeon Lake and expressed interest in scheduling an introductory meeting to provide an overview of the Project and develop a consultation plan. The letter attached the Stage 1 Summary Report.

2009

- January: BC Hydro wrote to Sturgeon Lake advising that it had undertaken further work on downstream changes that might occur with Project. In light of the new information, BC Hydro was of the view that the introductory meeting proposed in BC Hydro's earlier letter to Sturgeon Lake might be of little value. However, BC Hydro remained open to meeting with Sturgeon Lake to review aspects of the proposed project, and, upon request, would continue to provide relevant new information about the Project to Sturgeon Lake.

2010

- April: BC Hydro advised Sturgeon Lake of the Province's announcement that the Project would move forward to Stage 3, and provided a link to a website containing the Stage 2 Report and 35 appended studies and reports.

2011

- May: BC Hydro advised Sturgeon Lake that it had submitted the Project Description Report and provided a link to the report.

2012

- May: BC Hydro provided Sturgeon Lake with the Potential Downstream Changes Report (May 2012) and requested input regarding the results. The letter offered to arrange a meeting with BC Hydro's subject matter expert in hydrology to discuss the report's findings.

- September/October: BC Hydro wrote to Sturgeon Lake advising that the EIS Guidelines had been issued by the BCEAO and the CEA Agency on September 7. BC Hydro highlighted the areas of the EIS Guidelines that specifically addressed the incorporation of information from Aboriginal groups, and invited Sturgeon Lake to provide additional information for BC Hydro's consideration in preparing the EIS. The letter included a specific request for a traditional territory map, as well as requests for information regarding Sturgeon Lake's current use of lands and resources for hunting fishing and trapping, and other purposes, and information regarding how the Project would affect Sturgeon Lake's current use of lands and resources, and their exercise of asserted or established Aboriginal rights and treaty rights. BC Hydro followed up in late October and advised that it remained interested in receiving additional information to support the preparation of the EIS.

Chronology of events

2007

On November 21, 2007, BC Hydro sent an introductory letter Sturgeon Lake regarding the Project. The letter introduced BC Hydro's senior advisor responsible for First Nations consultation, and expressed BC Hydro's commitment to effective consultation with First Nations should the Project proceed further through BC Hydro's multi-stage decision making process.

2008

On April 10, 2008, BC Hydro sent a letter to Sturgeon Lake in follow up to BC Hydro's letter of November 21, 2007. The letter advised that BC Hydro had developed an engagement strategy for the Project and formed a team to consult with First Nations. The letter advised that BC Hydro planned to begin engagement with Treaty 8 First Nations in Alberta and the Northwest Territories in May and June, and would contact Sturgeon Lake in the upcoming weeks to set up an introductory meeting. The letter attached the Stage 1 Summary Report.

2009

On January 20, 2009, BC Hydro sent a letter to Sturgeon Lake in follow up to the letter of April 10, 2008. The letter advised that BC Hydro had been able to meet with a number of First Nations in Alberta and the Northwest Territories, with the initial focus being on communities located along the Peace and Slave rivers. The letter advised that BC Hydro had undertaken further work on downstream changes that might occur with Project; and, in light of the new information, BC Hydro was now of the view that the introductory meeting suggested in BC Hydro's earlier letter to Sturgeon Lake might be of little value. The letter advised that BC Hydro remained open to meeting with Sturgeon Lake to review aspects of the proposed project, and would continue to provide relevant new information about the Project to Sturgeon Lake upon request. The letter provided a link to the Project website.

2010

On April 23, 2010, BC Hydro sent a letter to Sturgeon Lake advising that the Province had announced that the Project would move forward to Stage 3, the Regulatory and Environmental Assessment Stage. The email also provided a link to the Project website where the final Stage 2 Report and 35 appended studies and reports had been posted.

2011

On May 18, 2011, BC Hydro sent a letter to Sturgeon Lake advising that BC Hydro had submitted the Project Description Report to the BCEAO and the CEA Agency, and provided a link to the report.

On September 30, 2011, BC Hydro sent an email to Sturgeon Lake advising that the federal and provincial governments had announced a draft harmonization agreement that would refer the Project to a Joint Review Panel. BC Hydro noted that the regulators would be inviting written public comments on the draft agreement and provided links to the CEA Agency and BCEAO websites.

2012

On May 8, 2012, BC Hydro sent a letter to Sturgeon Lake which attached the updated Potential Downstream Changes Report, and requested input regarding the results. The letter offered to arrange a meeting with BC Hydro's subject matter expert in hydrology to discuss the report's findings.

On May 23, 2012, BC Hydro sent a letter to Sturgeon Lake regarding the identification of Valued Components and spatial boundaries for the Environmental Assessment, and expressed its desire to consult further with Sturgeon Lake on these issues. The letter explained the process and rationale used to identify Valued Components in the draft EIS Guidelines, and attached a graphic representation of the Valued Component identification methodology. The letter also explained the process of defining spatial boundaries for each Valued Component. The letter expressed interest in receiving feedback from Sturgeon Lake regarding the proposed Valued Components and related spatial boundaries.

On May 25, 2012, BC Hydro sent a letter to Sturgeon Lake advising that BC Hydro had created a secured file transfer website for Aboriginal groups containing commonly requested Site C documents (e.g., environmental reports, maps and presentations). The letter provided a link to the website and access information.

On August 27, 2012, BC Hydro sent a letter to Sturgeon Lake enclosing a table titled "Preliminary Summary of Construction Phase Workforce", which summarized the timing, type of jobs and number of opportunities that BC Hydro anticipated would be needed to construct the Project. BC Hydro also provided a web link to its SharePoint site where additional information regarding project opportunities had been posted.

On September 21, 2012, BC Hydro sent a letter to Sturgeon Lake advising that the EIS Guidelines had been finalized by CEA Agency and the BCEAO and provided a link to where the document was available online. The letter highlighted the areas of the EIS Guidelines that specifically addressed the incorporation of information from Aboriginal groups. The letter requested any additional information such as mapping of traditional territories, traditional knowledge, concerns regarding potential for adverse effects on the various components of the environment as identified by Sturgeon Lake, current land use information, including reasonably anticipated future use of lands and resources, current use of lands and resources for hunting, fishing and trapping, and current use of lands and resources for activities other than hunting, fishing and trapping. The letter advised that BC

Hydro would like to continue to receive information with respect to any asserted or established Aboriginal rights and treaty rights of the community that may be adversely affected by the Project, and in particular information concerning hunting, fishing, and trapping. The letter expressed interest in understanding how the environment was valued by the community for current use of lands and resources for traditional purposes, including activities conducted in the exercise of asserted or established Aboriginal rights and treaty rights, and how current use may be affected by the Project. The letter invited Sturgeon Lake to continue to identify any interests the community may have had with respect to potential social, economic, health and physical and cultural heritage effects of the Project.

On October 25, 2012, BC Hydro sent a letter to Sturgeon Lake in follow up to BC Hydro's letter of September 21, 2012, which had invited Sturgeon Lake to provide any relevant information for consideration in preparing the EIS. The letter advised that BC Hydro remained interested in receiving information from Sturgeon Lake to support the preparation of the EIS.

On November 2, 2012, BC Hydro sent an email to Sturgeon Lake Cree Nation, requesting confirmation of its availability for a meeting scheduled for November 21, 2012.

On November 8, 2012, BC Hydro left a voicemail message for Sturgeon Lake Cree Nation, requesting confirmation of the meeting scheduled for November 21, 2012.

On November 15, 2012, BC Hydro exchanged emails with Sturgeon Lake Cree Nation. Sturgeon Lake Cree Nation confirmed its availability for the meeting scheduled on November 21, 2012.

On November 16, 2012, Sturgeon Lake Cree Nation sent an email to BC Hydro and requested that the meeting be moved to November 22, 2012. BC Hydro responded by email advising that it was unavailable on the 22nd and would be in contact with Sturgeon Lake Cree Nation to schedule a meeting in the New Year.

SITE C CLEAN ENERGY PROJECT

VOLUME 5 APPENDIX A25 PART 2(A)

UPDATED BC HYDRO CONSULTATION SUMMARY: STURGEON LAKE CREE NATION

FINAL REPORT

Prepared for:

BC Hydro Power and Authority

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Prepared by:

Site C First Nations Engagement Team

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July 2013

Volume 5 Appendix A, Part 2, provides a summary of consultation activities undertaken by BC Hydro with each of the 29 Aboriginal groups listed in Table 9.1 of the EIS, as required pursuant to section 7.2.1 of the EIS Guidelines. This summary describes consultation activities that took place between December 1, 2012 and May 31, 2013, including meetings, phone calls, letters and emails.

Volume 5, Appendix A, Part 2 is an update of the summary of consultation activities filed with the EIS on January 25, 2013.

STURGEON LAKE CREE NATION

CONSULTATION SUMMARY

Defined Terms	
"BCEAO"	Environmental Assessment Office, Province of British Columbia
"CEA Agency"	Canadian Environmental Assessment Agency
"EIS"	Environmental Impact Statement
"the Project"	Proposed Site C Clean Energy Project

Chronology of events

2012

On December 3, 2012, BC Hydro left a voicemail for Sturgeon Lake Cree Nation, requesting a call back to schedule a meeting to discuss the Project.

On December 13, 2012, BC Hydro sent a letter to Sturgeon Lake Cree Nation, providing a link to the following draft EIS Technical Data Reports on a secured file transfer website:

- Aquatic Productivity Reports
- Downstream Ice Technical Data Report
- Contaminated Sites Technical Data Report
- Fluvial Geomorphology and Sediment Transport Technical Data Report
- Microclimate Technical Data Report
- Noise Technical Data Report
- Peace River Valley Ungulates Study Program Technical Data Report
- Water Quality Technical Data Report

- Air Quality Technical Data Report

BC Hydro noted that the reports were in draft form and that edits may be made prior to submission of the EIS.

2013

On January 23, 2013, BC Hydro left a voice message with Sturgeon Lake Cree Nation and requested a call back.

On January 28, 2013, BC Hydro sent a letter to Sturgeon Lake Cree Nation, advising that it had submitted the EIS to the CEA Agency and the BCEAO. The letter explained that the EIS described the rationale for the Project, identified potential effects and benefits, proposed measures to avoid or mitigate effects and met other information requirements set out in the EIS Guidelines. The letter included links to CEA Agency and the BCEAO's websites containing the complete EIS. In accordance with Section 20.8 of the EIS Guidelines, BC Hydro also attached an Aboriginal Summary, presenting its understanding of asserted or established Aboriginal rights and treaty rights, and other Aboriginal interests potentially impacted by, and concerns with respect to, the Project. This summary also provided BC Hydro's understanding of the potential adverse effects of the Project on those asserted or established Aboriginal rights and treaty rights and interests.

On February 14, 2013, BC Hydro attempted to reach Sturgeon Lake Cree Nation by phone to schedule a meeting to discuss the Project. BC Hydro sent an e-mail and left a voice message advising that BC Hydro would be in Edmonton on March 7, 2013, and was interested in meeting either on that day or on another date.

On May 8, 2013, BC Hydro called Sturgeon Lake Cree Nation to speak with the Director of Operations to schedule a meeting, but was advised that the Director of Operations was in a meeting, and that a message would be left for him to return BC Hydro's call.

SITE C CLEAN ENERGY PROJECT

VOLUME 5 APPENDIX A25 PART 3

ABORIGINAL LAND AND RESOURCE USE SUMMARY: STURGEON LAKE CREE NATION

FINAL REPORT

Prepared for:

BC Hydro Power and Authority

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Prepared by:

Traditions Consulting Services, Inc.

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January 2013

Sturgeon Lake Cree Nation (SLCN)

In preparing responses to these questions, information on the Sturgeon Lake Nation (SLCN) and on SLCN current and past use of lands and resources was obtained from on-line research.[1] BC Hydro did not enter into a Traditional Land Use Study agreement with SLCN, and no traditional land use information was made available by SLCN for consideration in this review.

SLCN adhered to Treaty 8 in 1899. In 1908, three Indian Reserves were established and surveyed for the SLFN: Sturgeon Lake 154 on the shore of Sturgeon Lake, Sturgeon Lake 154A, and Sturgeon Lake 154B on the shore of Goose Lake (Figure 1).[2] In 1990, SLCN completed the negotiation of a Treaty Land Entitlement and Settlement Agreement adding over 6,500 hectares to the earlier Reserves.[3]

In December 2012, the registered population of the SLCN was 3,003, nearly 1400 of whom live on-Reserve. SLCN is a member of the Western Cree Tribal Council in Alberta.[4]

1. **What is the SLCN's current use of lands and resources for hunting, fishing and trapping activities, including the location of the activity, the species targeted, and the traditional uses of the harvested animals within the Current Use of Lands and Resources (Wildlife Resources) and Current Use of Lands and Resources (Fish Habitat) LAAs and RAAs?**

   The Current Use of Lands and Resources (Wildlife Resources) and Current Use of Lands and Resources (Fish Habitat) LAAs and RAAs are distant from the location of the SLCN. No specific information was identified that described or documented current use by the SLCN of lands and resources within the Current Use of Lands and Resources (Wildlife Resources) and Current Use of Lands and Resources (Fish Habitat)LAAs or RAAs for hunting, fishing and trapping activities.

2. **What is the SLCN's current use of lands and resources for activities other than hunting, fishing and trapping, including the nature, location and traditional use purpose within the Current Use of Lands and Resources (Wildlife Resources) and Current Use of Lands and Resources (Fish Habitat) LAAs and RAAs?**

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[1] The sources consulted for this study are set out in the References. The research did not encounter any traditional land use (TLU) information that has been made publicly available by the SLCN. The documentation from an Aboriginal Traditional Knowledge (ATK) study for Enbridge, initiated in 2010, was destroyed in a fire (Enbridge Northern Gateway Project (2011). Update to Sec 52 Application, Vol. 5B: Aboriginal Traditional Knowledge, 5 - 117).

[2] Reid, J.L. (1908). Plan of Sturgeon Lake Indian Reserve No.154, and Reserves 154A and 154B. Treaty 8, Alberta. The three Reserves are located west of Valleyview, Alberta.

[3] Canada and Sturgeon Lake Indian Band (1990). Treaty Land Entitlement and Settlement Agreement, 11 January 1990.

[4] AANDC(2012).Website http://pse5-esd5.ainc-inac.gc.ca/fnp/Main/Search/FNMain.aspx?BAND_NUMBER=455&lang=eng.

The Current Use of Lands and Resources (Wildlife Resources) and Current Use of Lands and Resources (Fish Habitat) LAAs and RAAs are distant from the location of the SLCN. No specific information was identified that described or documented current use by the SLCN of lands and resources within the Current Use of Lands and Resources (Wildlife Resources) and Current Use of Lands and Resources (Fish Habitat) LAAs or RAAs for hunting, fishing and trapping activities.

3. **What is your understanding of the exercise of asserted Aboriginal rights or treaty rights by the SLCN within the Current Use of Lands and Resources (Wildlife Resources) and Current Use of Lands and Resources (Fish Habitat) LAAs and RAAs?**

   No information has been identified on the exercise of asserted Aboriginal or treaty rights by the SLCN within the Current Use of Lands and Resources (Wildlife Resources) and Current Use of Lands and Resources (Fish Habitat) LAAs or RAAs.

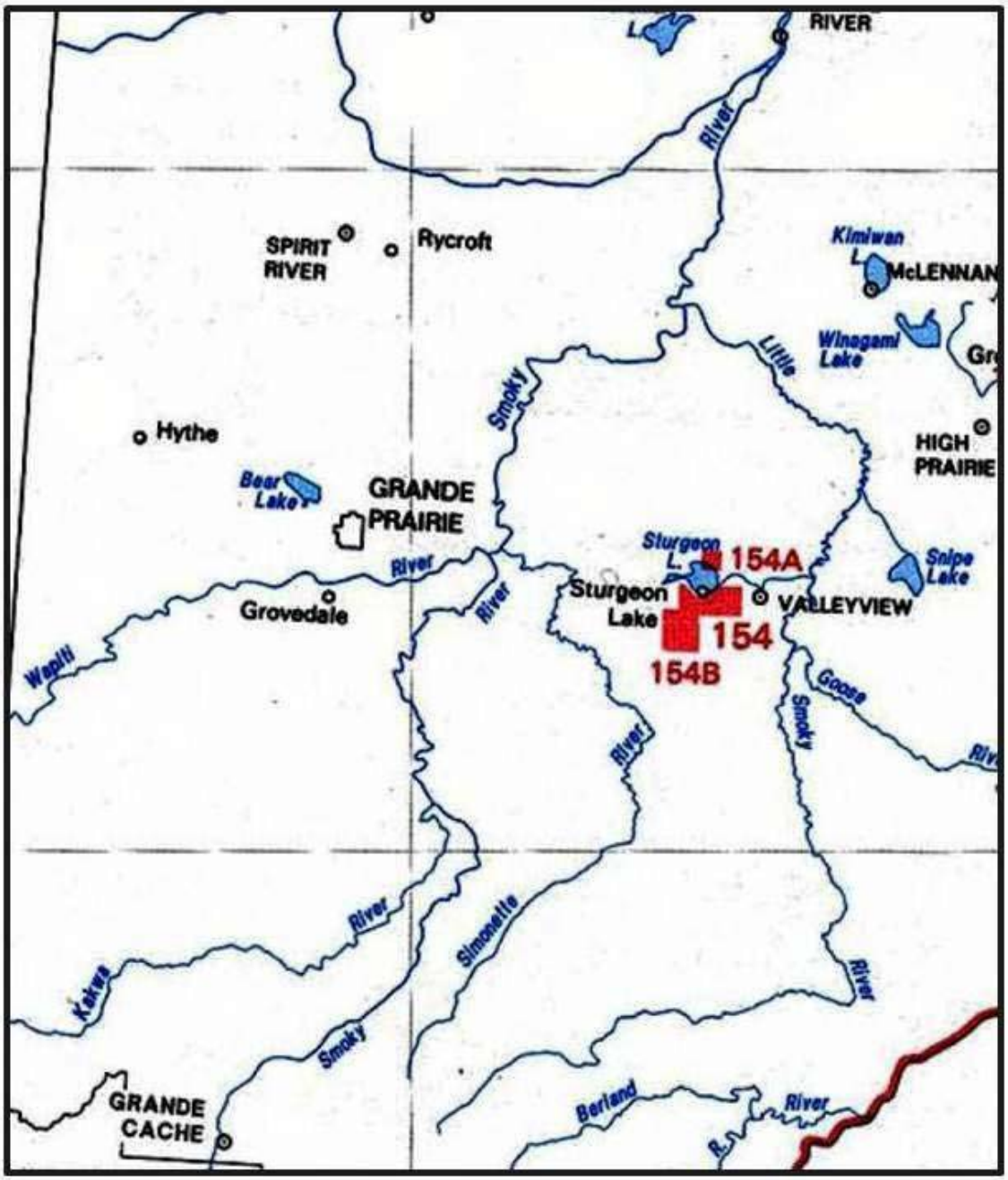
4. **Identify past, current and reasonably anticipated future use of lands and resources by SLCN members for traditional purposes who may be adversely impacted by the project within the Current Use of Lands and Resources (Wildlife Resources) and Current Use of Lands and Resources (Fish Habitat) LAAs and the RAAs.**

   No past or current use of lands and resources by SLCN members within the Current Use of Lands and Resources (Wildlife Resources) and Current Use of Lands and Resources (Fish Habitat) LAAs or RAAs has been identified, nor has any information been identified relating to reasonably anticipated future use of lands and resources within the Current Use of Lands and Resources (Wildlife Resources) and Current Use of Lands and Resources (Fish Habitat) LAAs or RAAs by SLCN members.

5. **In the TLUS, is there any information relating to the exercise of asserted Aboriginal or treaty rights outside the Current Use of Lands and Resources (Wildlife Resources) and Current Use of Lands and Resources (Fish Habitat) LAAs or RAAs?**

   BC Hydro did not enter into a Traditional Land Use Study agreement with SLCN, and no traditional land use information was made available by SLCN for consideration in this review.No publicly available information relating to the traditional territory or current traditional activities of the SLCN was identified from research. In the Land Entitlement and Settlement Agreement negotiations, the region of the SLCN Indian Reserves was identified as the most important to SLCN. The expanded Indian Reserve areas agreed to in negotiations were located in this region west of Valleyview, Alberta.

Figure 1: Map Depicting the Location of the Sturgeon Lake Cree Nation Indian Reserves (Portion of map from Alberta. Aboriginal Relations (1996). Map of Alberta Indian Reserves 1996).



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Alberta. Aboriginal Relations (1996). Map of Alberta Indian Reserves 1996. http://www.aboriginal.alberta.ca/.

Canada and Sturgeon Lake Indian Band (1990). Treaty Land Entitlement and Settlement Agreement, 11 January 1990. INAC. Indian Land Registry No. 234939, 16 August 1995. Ottawa.

Enbridge Northern Gateway Project (2011). Update to Sec 52 Application, Vol. 5B: Aboriginal Traditional Knowledge, 5 - 111 to 117 [Sturgeon Lake Cree Nation]. http://www.northerngateway.ca/assets/pdf/application/Volume%205A%20-%20Aboriginal%20Engagement%20Update%20-%20June%202011.pdf.

Aboriginal Affairs and Northern Development Canada (2012). Website. http://pse5-esd5.ainc-inac.gc.ca/fnp/Main/Search/FNReserves.aspx?BAND_NUMBER=455&lang=eng.

Reid, J.L. (1908). Plan of Sturgeon Lake Indian Reserve No.154, and Reserves 154A and 154B. Treaty 8, Alberta. Natural Resources Canada. Lands Survey System T952CLSR AB. Ottawa.

Sturgeon Lake Cree Nation (2012). Website http://sturgeonlake.ca/.

Tera Environmental Consultants (2010). Consolidated Traditional Land Use Study for the Proposed Nova Gas Transmission Ltd. Watino Crossover and Calais Extension Pipeline Project for the Communities of Duncan's First Nation and Sturgeon Lake Cree Nation. Prepared for TransCanada Nova Gas Transmission Ltd., Calgary, December 2010: 14-16 [Sturgeon Lake Cree Nation].

SITE C CLEAN ENERGY PROJECT

VOLUME 5 APPENDIX A25 PART 4

ABORIGINAL SUMMARY: STURGEON LAKE CREE NATION

FINAL REPORT

Prepared for:

BC Hydro Power and Authority

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Prepared by:

Site C First Nations Engagement Team

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January 2013

Sturgeon Lake Cree Nation

As required by Section 20.8 of the EIS Guidelines, the following summary presents BC Hydro's understanding of Sturgeon Lake Cree Nation's asserted or established Aboriginal rights and treaty rights, and other Aboriginal interests potentially impacted by, and concerns with respect to, the Project. The summary also provides BC Hydro's understanding of the potential adverse effects of the Project on the treaty rights and interests of Sturgeon Lake Cree Nation.

Sturgeon Lake Cree Nation's Treaty Rights

Section 35(1) of the Constitution recognized and affirmed treaty rights of Aboriginal groups. Treaty 8 was entered into in 1899 and guarantees the First Nation signatories the "right to pursue their usual vocations of hunting, trapping and fishing throughout the tract surrendered" subject to two limitations: (i) "such regulations as may from time to time be made by the Government of the country," and (ii) "saving and excepting such tracts as may be required or taken up from time to time for settlement, mining, lumbering, trading or other purposes."

The following Aboriginal groups listed in Table 34.1 of Volume 5 Section 34 Asserted or Established Aboriginal Rights and Treaty Rights, Aboriginal Interests and Information Requirements are signatories or adherents to Treaty 8: Blueberry River First Nations, Fort Nelson First Nation, McLeod Lake Indian Band, Saulteau First Nations, Doig River First Nation, Halfway River First Nation, Prophet River First Nation, West Moberly First Nations, Athabasca Chipewyan First Nation, Beaver First Nation, Dene Tha' First Nation, Duncan's First Nation, Horse Lake First Nation, Little Red River Cree Nation, Mikisew Cree First Nation, Smith's Landing First Nation, Sturgeon Lake Cree Nation, Tallcree First Nation, Woodland Cree First Nation, Deninu K'ue First Nation, and Salt River First Nation.

For a more thorough discussion of rights under Treaty 8, see Section 34.3.2.1 of Volume 5 Section 34 Asserted or Established Aboriginal Rights and Treaty Rights, Aboriginal Interests and Information Requirements.

Sturgeon Lake Cree Nation's Concerns with Respect to the Project

Sturgeon Lake Cree Nation has not identified any concerns with the Project to BC Hydro during the consultation period between November 2007 and November 2012, nor to the regulators during the comment periods for the EIS Guidelines.

Potential Adverse Effects of the Project on Sturgeon Lake Cree Nation's Treaty Rights

Based on the assessment undertaken by BC Hydro and set out in Volume 3 Section 19 Current Use of Lands and Resources for Traditional Purposes, it is BC Hydro's understanding that the Project will have no adverse effects on the current use of lands and resources for traditional purposes of the Sturgeon Lake Cree Nation.

Volume 5 Section 34 Asserted or Established Aboriginal Rights and Treaty Rights, Aboriginal Interests and Information Requirements presents BC Hydro's assessment of the potential impacts of the Project on the exercise of asserted or established Aboriginal rights and treaty rights of the 29 Aboriginal groups with which BC Hydro was instructed to consult. Based on that assessment, it is BC Hydro's understanding that the Project will have no adverse impacts on the exercise of treaty rights by the Sturgeon Lake Cree Nation.

Consultation is ongoing between BC Hydro and the Sturgeon Lake Cree Nation, and may yield additional information on the Sturgeon Lake Cree Nation's current and reasonably anticipated future use of lands and resources that may potentially be affected by the Project. Should Sturgeon Lake Cree Nation provide additional information to BC Hydro, it will be considered and incorporated in the effects assessment during the EIS review phase and prior to submission of the EIS to the Joint Review Panel.