SITE C CLEAN ENERGY PROJECT

VOLUME 5 APPENDIX A20 PART 1

COMMUNITY SUMMARY:
PADDLE PRAIRIE MÉTIS SETTLEMENT SOCIETY

FINAL REPORT

Prepared for:
BC Hydro Power and Authority
<contact information removed>

Prepared by:
Fasken Martineau

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January 2013

Paddle Prairie Métis Settlement Society

Paddle Prairie Métis Settlement Society's (PPMSS) is one of eight Métis Settlement corporations established under the *Métis Settlements Act*.[1] The settlement was granted by letters patent, and that patented land is protected by an amendment to the *Constitution of Alberta* and by the *Métis Settlements Land Protection Act*.[2] The settlement has a total area of 169,909 ha and is located 75 km south of High Level, Alberta.[3] The *Métis Settlements Act* provides the Paddle Prairie Métis with rights of self-government and hunting on settlement lands.[4] In *R. v. Lizotte,* the Alberta Provincial Court found that the PPMSS is a historic and present rights-bearing community.[5]

PPMSS has a population of 1,464 members.[6]

PPMSS's economic development includes oil and gas, agriculture, construction, transportation, and outdoor recreation activities. [7]

PPMSS is a member of the Métis Settlements General Council (MSGC), which is a political and administrative body for its eight members: Buffalo Lake, East Prairie, Elizabeth, Fishing Lake, Gift Lake, Kikino, Paddle Prairie, and Peavine. The MSGC has legislative authority over membership, hunting, fishing, trapping, timber, and other land-related matters.[8]

Traditional Territory Map

No map was provided to BC Hydro by PPMSS.

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[1] *Métis Settlements Act*, R.S.A. 2000, c. M-14 ("Métis Settlements Act").

[2] *Métis Settlements Act* at Recital 0.1.

[3] Métis Settlements General Council. 2012. Paddle Prairie Métis Settlement. Available at: http://www.msgc.ca/Communities/Paddle+Prairie+Metis+Settlement/default.ksi. Accessed: December 2012 ("Métis Settlements General Council, Paddle Prairie Métis Settlement").

[4] *R. v. Lizotte*, 2009 ABPC 287 ("*R. v. Lizotte*") at para 25.

[5] *R. v. Lizotte* at para 25.

[6] Métis Settlements General Council, Paddle Prairie Métis Settlement.

[7] Métis Settlements General Council, Paddle Prairie Métis Settlement.

[8] Métis Settlements General Council. 2012. *Governance*. Available at: http://www.msgc.ca/Governance/Default.ksi. Accessed: December 2012.

SITE C CLEAN ENERGY PROJECT

VOLUME 5 APPENDIX A20 PART 2

BC HYDRO CONSULTATION SUMMARY: PADDLE PRAIRIE MÉTIS SETTLEMENT

FINAL REPORT

Prepared for:

BC Hydro Power and Authority

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Prepared by:

Site C First Nations Engagement Team

<contact information removed>

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. Each 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.

PADDLE PRAIRIE MÉTIS SETTLEMENT

CONSULTATION SUMMARY

Defined Terms	
"BCEAO"	Environmental Assessment Office, Province of British Columbia
"CEA Agency"	Canadian Environmental Assessment Agency
"EIS"	Environmental Impact Statement
"Paddle Prairie"	Paddle Prairie Métis Settlement
"Site C" or "the Project"	proposed Site C Clean Energy Project

Key events

2008

- October: BC Hydro met with Paddle Prairie (Vice Chairman and Council) in Alberta. Both parties discussed the potential impacts of the Project. The parties discussed the results from early work undertaken to assess the potential downstream changes resulting from the Project. Paddle Prairie indicated that the Project was not likely to impact their community.

2011

- March: BC Hydro sent an email to Paddle Prairie advising that the Province had announced the Project would move forward to Stage 3, the environmental and

regulatory review stage on April 19, 2010.

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

2012

- May:

- BC Hydro provided Paddle Prairie 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.

- BC Hydro wrote to Paddle Prairie regarding the process and rationale for identifying the proposed Valued Components and spatial boundaries in the draft EIS Guidelines, and expressed interest in receiving feedback from Paddle Prairie.

- September: BC Hydro wrote to Paddle Prairie 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 Paddle Prairie 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 Paddle Prairie's current use of lands and resources for hunting fishing and trapping, and other purposes, and information regarding how the Project would affect Paddle Prairie'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.

- October: BC Hydro met with Paddle Prairie to provide a Project update, including: the characteristics of the Project, its major components, associated job opportunities, and alternatives to the Project. BC Hydro provided an overview of the potential downstream changes resulting from the Project, including on surface water and ice regimes, geomorphology and sediment transport:

    - Surface water regime: BC Hydro indicated that the only significant change in the flow regime would be that the proposed high and low flows would occur 12 hours sooner.

    - Ice regime: BC Hydro indicated that changes in water temperature were likely to occur; water was expected to be slightly cooler in summer and

slightly warmer in winter. BC Hydro indicated that as a result of this change, warmer water in the spring could lead to ice break-up 2-3 days earlier.

- Geomorphology and sediment transport: BC Hydro indicated that there would likely be slightly less sediment in the Peace River if the Project proceeded. BC Hydro indicated that some species of fish such as walleye, jackfish, and suckers prefer warmer, murkier water and would be likely to thrive, while other fish species such as trout and Arctic grayling prefer colder, cleaner water and may decline in abundance.

BC Hydro responded to questions from Paddle Prairie about the level of mercury in fish. BC Hydro indicated that its study results anticipate minimal effects from the Project downstream in the area around Paddle Prairie.

Chronology of events

2008

On September 26, 2008, BC Hydro sent a letter to Paddle Prairie advising that it developed an engagement strategy for the Project and formed a team to consult with First Nations. BC Hydro offered to meet with Paddle Prairie in late October 2008 to provide a Project overview and develop a plan for future consultation. BC Hydro also enclosed the Stage 1 summary report.

On October 21, 2008, BC Hydro met with representatives of Paddle Prairie (Vice Chairman and Council). The parties discussed the potential impacts of the Project, with Paddle Prairie raising questions of the potential effects of the Project on water levels and on ice bridges at Shaftesbury and Carcajuo. BC Hydro committed to sharing the results of its work to assess the potential downstream changes resulting from the Project. Paddle Prairie advised that few, if any, of its community members fished in, or relied on, the Peace River anymore, and suggested that the Project was not likely to impact the community.

On October 31, 2008, BC Hydro sent a letter to Paddle Prairie in follow up to the October 21 meeting. The letter advised that once BC Hydro had completed its modeling work with respect to potential downstream changes, it would be in a position to present the information to representatives of Paddle Prairie.

2009-2010

No correspondence or meetings between BC Hydro and Paddle Prairie.

2011

On March 4, 2011, BC Hydro wrote a letter to Paddle Prairie and advised that on April 19, 2010, the Province had announced that the Project would move forward to Stage 3, the Environmental and Regulatory Review Stage. BC Hydro provided a link to the Stage 2 Report, and expressed interest in meeting with Paddle Prairie to provide further information and any discuss concerns.

On May 18, 2011, BC Hydro sent a letter to Paddle Prairie 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 Paddle Prairie 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 regulatory agencies would be inviting written public comments on the draft agreement and provided website links to the CEA Agency and BCEAO websites.

2012

On May 4, 2012, BC Hydro sent a letter to Paddle Prairie 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 Paddle Prairie regarding the identification of Valued Components and spatial boundaries for the Environmental Assessment, and expressed its desire to consult further with Paddle Prairie 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 Paddle Prairie regarding their proposed Valued Components and related spatial boundaries.

On May 25, 2012, BC Hydro sent a letter to Paddle Prairie 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 22, 2012, BC Hydro sent a letter to Paddle Prairie, in follow up to BC Hydro's letter of May 25, 2012, providing a password to access the secured file transfer website for Aboriginal groups. The letter advised that BC Hydro would be uploading a new set of documents to the website (primarily PowerPoint presentations on key Project components), which contained sensitive information not yet in the public domain. The letter sought Paddle

Prairie's confirmation that persons with access to the password would not disclose any confidential information, and advised that the confidential materials would be made accessible upon BC Hydro's receipt of the attached confidentiality agreement.

On August 27, 2012, BC Hydro sent a letter to Paddle Prairie 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. The letter provided a link to the secured file transfer website where additional information regarding Project opportunities had been posted.

On September 21, 2012, BC Hydro sent a letter to Paddle Prairie, advising that the EIS Guidelines had been issued by the CEA Agency and the BCEAO on September 7, 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 Paddle Prairie, 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 Paddle Prairie 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 1, 2012, BC Hydro met with representatives of the Paddle Prairie (Council and Secretary) for a Project update. BC Hydro reviewed the characteristics of the Project, its major components, associated job opportunities, and alternatives to the Project. BC Hydro provided an overview of the potential downstream changes resulting from the Project, including funding with respect to the surface water regime, ice regime, and geomorphology and sediment transport:

- Surface water regime: BC Hydro indicated that the only significant change in the flow regime would be that the proposed high and low flows would occur 12 hours sooner.
- Ice regime: BC Hydro indicated that changes in water temperature were likely to occur. Water was expected to be slightly cooler in summer and slightly warmer in winter. BC

Hydro indicated that as a result of this change, warmer water in the spring could lead to ice breakup 2-3 days earlier.

- Geomorphology and sediment transport: BC Hydro indicated that there would likely be slightly less sediment in the Peace River if the Project proceeded. BC Hydro indicated that some species of fish such as walleye, jackfish, and suckers prefer warmer, murkier water and would be likely to thrive, while other fish species such as trout and grayling prefer colder, cleaner water and may decline in abundance.

BC Hydro indicated that its study results anticipate minimal effects from the Project downstream as far as the area around Paddle Prairie. BC Hydro responded to questions from Paddle Prairie about mercury levels in fish.

SITE C CLEAN ENERGY PROJECT

VOLUME 5 APPENDIX A20 PART 2(A)

UPDATED BC HYDRO CONSULTATION SUMMARY: PADDLE PRAIRIE MÉTIS SETTLEMENT

FINAL REPORT

Prepared for:

BC Hydro Power and Authority
<contact information removed>

Prepared by:

Site C First Nations Engagement Team

<contact information removed>

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.

PADDLE PRAIRIE MÉTIS SETTLEMENT

CONSULTATION SUMMARY

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

Chronology of events

2012

On December 13, 2012, BC Hydro sent a letter to Paddle Prairie, 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 28, 2013, BC Hydro sent a letter to Paddle Prairie, 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 other Aboriginal interests of the Project on those asserted or established Aboriginal and interests.

SITE C CLEAN ENERGY PROJECT

VOLUME 5 APPENDIX A20 PART 3

ABORIGINAL LAND AND RESOURCE USE SUMMARY: PADDLE PRAIRIE MÉTIS SETTLEMENT SOCIETY

FINAL REPORT

Prepared for:

BC Hydro Power and Authority

<contact information removed>

Prepared by:

Traditions Consulting Services, Inc.

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January 2013

Paddle Prairie Métis Settlement

In preparing responses to these questions, information on current and past use of lands and resources by the Paddle Prairie Métis was derived from a limited number of publicly available published and unpublished studies.[1] BC Hydro did not enter into a Traditional Land Use Study agreement with the Paddle Prairie Métis, and no traditional land use information was made available by the Paddle Prairie Métis for consideration in this review.

Paddle Prairie Métis Settlement is a rural settlement located south of High Level, Alberta. The eastern boundary of the Settlement is the Peace River (Figure 1). Paddle Prairie was established in 1938. In 1990, the Paddle Prairie Métis were incorporated as a Métis Settlement and received a land base of 169,909 hectares under letters patent from Alberta.[2] In 2009, the population of the Paddle Prairie Métis Settlement was 1,089.[3]

The Paddle Prairie Settlement consists of members who are Métis peoples whose traditional lands encompass most of northern Alberta.[4]

1. **What is the Paddle Prairie Métis Settlement'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 and Fish Habitat) LAAs and RAAs?**

   The Current Use of Lands and Resources (Wildlife Resources) LAA and RAA and Lands and Resources (Fish and Fish Habitat) LAA are distant from the location of the Paddle Prairie Métis Settlement in northern Alberta. The eastern boundary of the Paddle Prairie Métis Settlement is a section of the Peace River which is within the Lands and Resources (Fish and Fish Habitat) RAA. No specific information was identified that described or documented current use by the Paddle Prairie Métis of lands and resources within the Current Use of Lands and Resources (Wildlife Resources) and

[1] The sources consulted for this report are set out in the References.

[2] Alberta, Aboriginal Relations (2010). Métis Settlements and First Nations in Alberta: Community Profiles. March 2010. Website http://www.aboriginal.alberta.ca/documents/MetisSettlement_FirstNation_Profile.pdf.

[3] A Métis Settlement member must be of Aboriginal ancestry, identify with Métis history and culture, be 18 years of age, have lived in Alberta for the preceding 5 years, must live on the Métis settlement, and be approved for membership by the local Settlement Council (*Métis Settlements Act*, RSA 2000, c. 14).

[4] Paddle Prairie Métis Settlement. 2008. Submission of the Paddle Prairie Métis Settlement to the Natural Resources Conservation Board in the Matter of the Dunvegan Hydroelectric Project, proposed by Glacier Power Ltd. Available at: http://www.ceaa.gc.ca/050/documents/28799/28799F.pdf. Accessed: December 2012.

Current Use of Lands and Resources (Fish and Fish Habitat) LAAs or RAAs for hunting, fishing and trapping activities.

2. **What is the Paddle Prairie Métis Settlement'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 and Fish Habitat) LAAs and RAAs?**

   No specific information was identified that described or documented current use by the Paddle Prairie Métis of lands and resources within the Current Use of Lands and Resources (Wildlife Resources) and Current Use of Lands and Resources (Fish and Fish Habitat) LAAs or RAAs for other traditional activities.

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

   The Paddle Prairie Métis assert that as an Aboriginal people in Canada within the meaning of s. 35 of the *Constitution Act, 1982* they have Aboriginal rights including the rights to use their traditional lands.

   The Paddle Prairie Métis further assert that the Peace River and its environment are an important, central and integral part of their traditional lands. Paddle Prairie Métis Aboriginal rights are described as including the right to hunt, fish, trap and gather around the Peace River and the rights to beneficial use and enjoyment of the lands around the Peace River.[5]

4. **Identify past, current and reasonably anticipated future use of lands and resources by Paddle Prairie Métis Settlement 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 and Fish Habitat) LAAs and RAAs.**

[5] Paddle Prairie Métis Settlement. 2008. Submission of the Paddle Prairie Métis Settlement to the Natural Resources Conservation Board in the Matter of the Dunvegan Hydroelectric Project, proposed by Glacier Power Ltd. Available at: http://www.ceaa.gc.ca/050/documents/28799/28799F.pdf. Accessed: December 2012.

No past or current use of lands and resources by Paddle Prairie Métis members within the Current Use of Lands and Resources (Wildlife Resources) and Current Use of Lands and Resources (Fish and 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 and Fish Habitat) LAAs or RAAs by Paddle Prairie Métis members.

The Paddle Prairie Métis are concerned the Project will impact their Aboriginal rights. Historically, the Paddle Prairie Métis supported themselves by hunting, fishing, trapping and gathering throughout the area of the Settlement and traditional lands outside the Settlement including the Peace River.[6]

5. In the TLUS, is there any information relating to the Paddle Prairie Métis Settlement members' exercise of asserted Aboriginal or treaty rights outside the LAA or RAA?

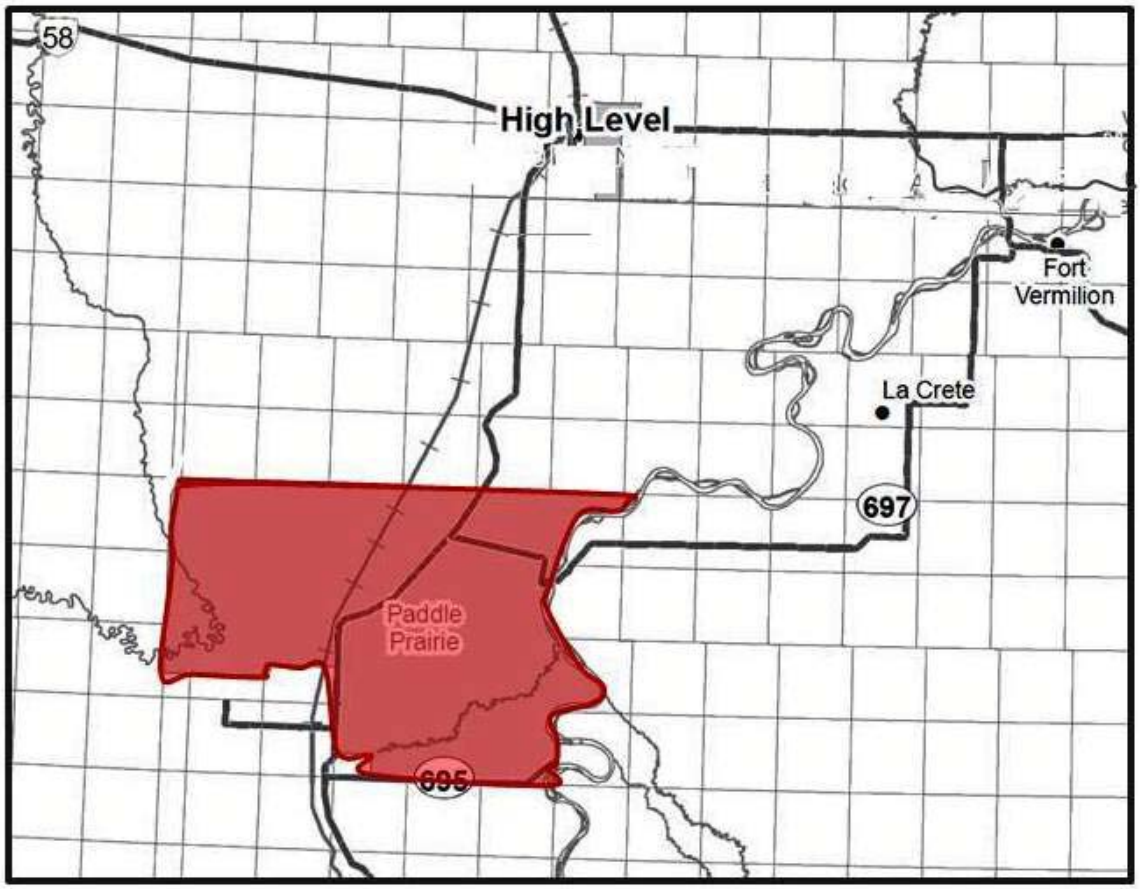
BC Hydro did not enter into a Traditional Land Use Study agreement with the Paddle Prairie Métis, and no traditional land use information was made available by the Paddle Prairie Métis for consideration in this review. The Paddle Prairie Métis were involved in a TLUS project between 2009 and 2011 which resulted in an "Atlas of Traditional Use."[7] A reference to this project was identified but the TLUS was not located.

No study was publicly available that provided information on the exercise of asserted Aboriginal rights by members of the Paddle Prairie Métis Settlement. The Paddle Prairie Métis assert that the Peace River and its environment are an important, central and integral part of their traditional lands on which community members hunted, fished, trapped and gathered historically.

[6] Paddle Prairie Métis Settlement. 2008. Submission of the Paddle Prairie Métis Settlement to the Natural Resources Conservation Board in the Matter of the Dunvegan Hydroelectric Project, proposed by Glacier Power Ltd. Available at: http://www.ceaa.gc.ca/050/documents/28799/28799F.pdf. Accessed: December 2012.

[7] EcoPlan (2011?). "Atlases of traditional land use and historical communities of the Paddle Prairie, Kikino and East Prairie Métis." Métis Settlements General Council (Alberta, Canada).

Figure 1: Map depicting the Location of the Paddle Prairie Métis Settlement in Northern Alberta (Map based on Alberta, Intergovernmental and Aboriginal Relations. Map of Métis Settlements and Métis Nation of Alberta Association Regional Zones (University of Alberta (2012). Métis Map. Website: http://www.ualberta.ca/~nativest/home/metismap.htm).



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EcoPlan (2011?). "Atlases of traditional land use and historical communities of the Paddle Prairie, Kikino and East Prairie Métis." Métis Settlements General Council (Alberta, Canada). http://www.ecoplan.ca/1193/knowledge-and-experience/traditional-use-studies/traditional-land-use-and-historical-communities-mapping-pilot-project-paddle-prairie-kikino-and-east-prairie-metis-settlements/.

> *Between 2009 and 2011, EcoPlan conducted three concurrent Traditional Land Use and Historical Communities Mapping projects in the Paddle Prairie, Kikino, and East Prairie Métis Settlements. The project included interviews, rigorous ground-truthing and validation, and extensive archival research.*

Paddle Prairie Métis (1993). Testimony to Royal Commission on Aboriginal Peoples. Ms. Florence Wanuch, Chairperson, Paddle Prairie Métis Settlement, June 16, 1993.

Paddle Prairie Métis (2008). Submission of the Paddle Prairie Métis Settlement to the Natural Resources Conservation Board re: Glacier Power Applications NRCB 0602 and AUC 1485454. Ackroyd LLP, September 10, 2008.

Tera Environmental Consultants (2011). Traditional Knowledge Report for the Nova Gas Transmission Ltd. Northwest Mainline Expansion. Prepared for TransCanada Nova Gas Transmission Ltd., Calgary, April 2011: Sec. 7.5 Paddle Prairie Métis Settlement, page 21.

Tera Environmental Consultants (2011). Traditional Knowledge Report for the Nova Gas Transmission Ltd. Tanghe Creek Lateral Loop No.2 (Sloat Creek Section). Prepared for TransCanada Nova Gas Transmission Ltd., Calgary, October 2011: Sec. 3.5.5 Paddle Prairie Métis Settlement, pages 18-20.

SITE C CLEAN ENERGY PROJECT

VOLUME 5 APPENDIX A20 PART 4

ABORIGINAL SUMMARY:
PADDLE PRAIRIE MÉTIS SETTLEMENT SOCIETY

FINAL REPORT

Prepared for:

BC Hydro Power and Authority

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Prepared by:

Site C First Nations Engagement Team

<contact information removed>

January 2013

Paddle Prairie Métis Settlement Society

As required by Section 20.8 of the EIS Guidelines, the following summary presents BC Hydro's understanding of Paddle Prairie Métis Settlement Society'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 asserted or established Aboriginal rights and interests of Paddle Prairie Métis Settlement Society.

Paddle Prairie Métis Settlement Society's Asserted or Established Aboriginal Rights

A Métis group holds Aboriginal rights if it establishes: (i) it is a contemporary Métis community; and (ii) the existing community is grounded in a historic Métis community. Métis rights, like all Aboriginal rights, must be integral to the community member's distinctive culture. Unlike other Aboriginal rights, however, a present-day Métis right must have been an existing practice at the date of "effective European control" (in contrast to prior to contact with Europeans).

The Paddle Prairie Métis Settlement Society is one of six groups listed in Table 34.1 of Volume 5 Section 34 Asserted or Established Aboriginal Rights and Treaty Rights, Aboriginal Interests and Information Requirements that asserts rights as a Métis group. The six groups consist of two located in British Columbia (Métis Nation British Columbia, Kelly Lake Métis Settlement Society), three located in Alberta (Métis Nation of Alberta – Region 6, Paddle Prairie Métis Settlement Society, Fort Chipewyan Métis Local 125), and one in the Northwest Territories (Northwest Territory Métis Nation).

For a more thorough discussion of Métis rights, see Section 34.3.2.3 of Volume 5 Section 34 Asserted or Established Aboriginal Rights and Treaty Rights, Aboriginal Interests and Information Requirements.

Paddle Prairie Métis Settlement Society's Concerns with Respect to the Project

The following table presents a high-level description of the concerns identified by Paddle Prairie Métis Settlement Society in consultation activities with BC Hydro between November 1, 2007 and November 30, 2012, including those identified in meetings, phone calls, letters, emails, reports and any submissions made during the comment periods for the EIS Guidelines.

Water- Thermal and Ice Regime
Concern about the potential effects of the Project on ice flow, ice formation, ice break-ups and ice bridges, including of the ice bridges at Shaftesbury, Dunvegan and Carcajou.

Land and Resource Use Effects
Concern about the potential changes to ice bridges and ferry operations required for the transport of people, goods and access to traditional hunting grounds including the Shaftsbury and Tompkins Landing ice bridges.

These concerns are presented in an issues tracking table under Volume 1 Appendix H Aboriginal Information, Distribution and Consultation Supporting Documentation, which outlines BC Hydro's consideration and/or response to the concern or provides a reference to where the concern is considered or responded to in the EIS.

Potential Adverse Effects of the Project on Paddle Prairie Métis Settlement Society's Asserted or Established Aboriginal 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 Paddle Prairie Métis Settlement Society.

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 asserted or established Aboriginal rights by the Paddle Prairie Métis Settlement Society.

Consultation is ongoing between BC Hydro and the Paddle Prairie Métis Settlement Society, and may yield additional information on the Paddle Prairie Métis Settlement Society's current and reasonably anticipated future use of lands and resources that may potentially be affected by the Project. Should Paddle Prairie Métis Settlement Society 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.