SITE C CLEAN ENERGY PROJECT

VOLUME 5 APPENDIX A17 PART 1

COMMUNITY SUMMARY:
MÉTIS NATION OF BRITISH COLUMBIA

FINAL REPORT

Prepared for:
BC Hydro Power and Authority

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Prepared by:
Fasken Martineau

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January 2013

Métis Nation British Columbia

The Métis Nation British Columbia (MNBC), formally incorporated as the Métis Provincial Council of British Columbia, was established in 1996. MNBC represents 35 Métis Chartered Communities in B.C. and has a mandate "to develop and enhance opportunities for Métis communities by implementing culturally relevant social and economic programs and services".[1]

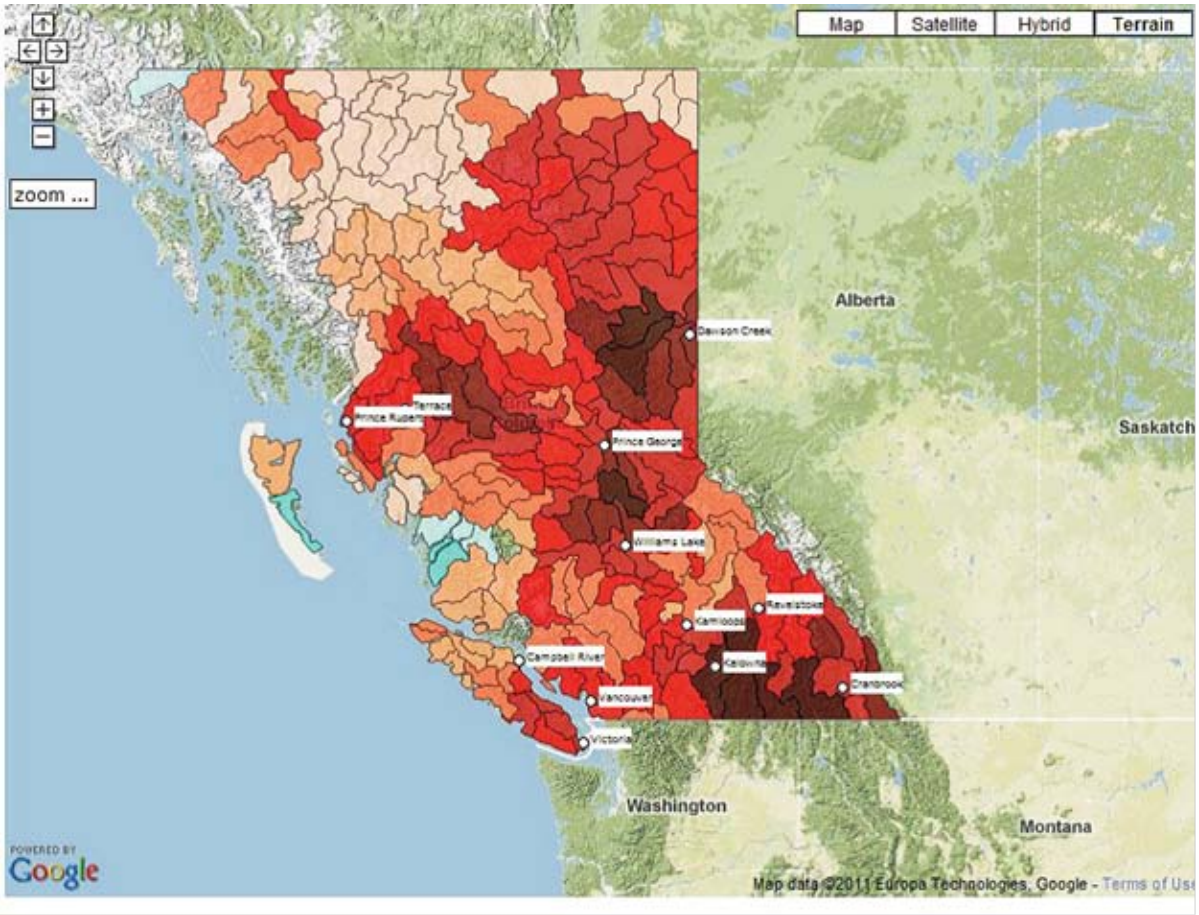
The MNBC's Governing Assembly is composed of 11 members: the seven elected Regional Directors, the elected representative for the Métis Women of British Columbia, the elected representative for the Métis Youth of British Columbia, the President, and the Vice-President.[2]

The Métis people in northern British Columbia's involvement in the fur trade industry went beyond trapping. Other Métis activities associated with the fur trade included berry picking, making pemmican, and canoe manufacturing. After the decline in fur trade, Métis economic activities included canoe building, ranching, and some farming.[3]

Métis people from northern British Columbia harvest deer, elk, moose, fish, medicinal plants, berries, small game, timber, and firewood, as well as bear, birds, bison, caribou, and sheep.[4]

[1] Métis Nation British Columbia. 2012. *About MNBC*. Available at: http://www.mpcbc.bc.ca/about-mnbc. Accessed: December 2012.
[2] Métis Nation British Columbia Constitution. Available at: <http://www.mpcbc.bc.ca/media/transfer/doc/mnbc_constitution_september_2010.pdf
[3] Métis Nation BC. 2012. *Comments re: Site C*. Abbotsford, BC ("Métis Nation BC, Comments").
[4] Métis Nation BC, Comments.

Figure 1. Map of Métis Harvesting Areas in British Columbia. The darkest areas represent the areas of greatest use (Métis Nation B.C. (2012). Métis Nation B.C. Interests in "Site C Clean Energy Project." Report submitted to BC Hydro 31 August 2012).



SITE C CLEAN ENERGY PROJECT

VOLUME 5 APPENDIX A17 PART 2

BC HYDRO CONSULTATION SUMMARY: MÉTIS NATION BC

FINAL REPORT

Prepared for:

BC Hydro Power and Authority

<contact information removed>

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.

MÉTIS NATION BRITISH COLUMBIA

CONSULTATION SUMMARY

Defined terms	
"BCEAO"	Environmental Assessment Office, Province of British Columbia
"CEA Agency"	Canadian Environmental Assessment Agency
"EIS"	Environmental Impact Statement
"Métis Nation BC"	Métis Nation British Columbia
"Potential Downstream Changes Report" or "Downstream Report"	Site C Clean Energy Project, *Potential Downstream Changes* (BC Hydro, May 2012)
"Province"	Province of British Columbia
"TLUS"	traditional land use study

Key events

2011

- March: Métis Nation BC wrote to BC Hydro and requested to meet and engage with BC Hydro in meaningful consultation regarding the Project.

- December: Métis Nation BC wrote to BC Hydro and requested a partnership to conduct a TLUS in connection with the Project.

2012

- January: BC Hydro wrote to Métis Nation BC in response its December letter. BC Hydro advised that it would engage with Métis Nation BC, but on the same basis as other stakeholder communities, and not as a group entitled to be consulted and accommodated based on assertions of section 35(1) rights; as a result, BC Hydro was not prepared to enter a partnership to conduct a TLUS in the Project area. The letter indicated that BC Hydro was guided by provincial policy with respect to asserted rights of Métis communities and its understanding that the Province did not recognize any Métis communities as capable of successfully asserting site specific Aboriginal rights in B.C. BC Hydro offered to provide Métis Nation BC with additional information about the Project, and meet with representatives of Métis Nation BC to discuss any issues or concerns.

- March/April: BC Hydro wrote to Métis Nation BC and explained that the CEA Agency had advised BC Hydro that the federal government needed to understand the impacts the Project might have on the asserted rights of the Métis. Therefore, BC Hydro was required, as the proponent, to consult with Métis Nation BC in regards to the environmental assessment of the Project. BC Hydro requested an introductory meeting with representatives of Métis Nation BC and members of its chartered communities. BC Hydro sent a follow up letter in April requesting an introductory meeting.

- May: BC Hydro provided Métis Nation BC 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.

- June: BC Hydro met with representatives of Métis Nation BC (President, Director of Industry, Consultation Coordinator). BC Hydro provided a Project overview and expressed interest in understanding how and where Métis people used the land and exercised their asserted rights. Métis Nation BC presented information regarding its history, organizational structure, elections and charter communities, and explained the concept of Métis identity.

- July:

  - BC Hydro and Métis Nation BC signed a Letter of Understanding under which BC

Hydro provided capacity funding to support (a) two meetings between BC Hydro and representatives of Métis Nation BC; (b) a community meeting in Fort St. John to seek input from members of the Métis community regarding their interests and concerns; and, (c) the preparation of a report regarding Métis Nation BC's exercise of asserted rights in and around the Project area, including available mapping.

- BC Hydro and Métis Nation BC hosted a community meeting in Fort St. John, which was attended by representatives of Métis Nation BC (President, Director of Industry Engagement, Consultation Coordinator) and six members. BC Hydro provided a Project overview and responded to questions about the Project. Members of the Métis Nation BC shared information with BC Hydro regarding hunting, trapping and other traditional activities, including observed changes in wildlife in the Peace River area. One member indicated that he hunted and trapped for lynx, wolverine, wolf, beaver, marten, fisher, elk, deer and moose in the areas north of Hudson's Hope and near Monias (a lake located to the south of the Peace River) where he had a hunting cabin.

- <u>August - September:</u>

  - Métis Nation BC submitted a report on August 31 regarding its exercise of asserted rights in and around the Project area, prepared pursuant to the Letter of Understanding (July 3, 2012). The report stated that, based on information in Métis Nation BC's traditional harvesting database and preliminary research into Métis traditional knowledge, Métis Nation BC had concluded that its citizens were "exercising their Aboriginal right to harvest within the proposed Project area" and listed a number of harvested species. BC Hydro responded on September 25 with a list of follow up questions including a request to elaborate on how the Project was expected to put Métis Aboriginal rights and traditional land uses at risk (in what way, when, where, etc.).

  - BC Hydro wrote to Métis Nation BC 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 Métis Nation BC 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 Métis Nation BC's current use of lands and resources for hunting fishing and trapping, and other purposes, and information regarding how the Project would affect Métis Nation BC'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: Métis Nation BC responded to BC Hydro's email of September 25 with additional information and clarifications regarding the report submitted by Métis Nation BC on August 31. In response to BC Hydro's request for a traditional territory map, Métis Nation BC advised that such a map did not exist, other than a very general map showing the Métis homeland in North America. Métis Nation BC acknowledged the deficiencies in the mapping, and enclosed a funding proposal to undertake a more comprehensive Land Use Research Project.

- November: BC Hydro and the Métis Nation BC finalized a supplemental Letter of Understanding which provided capacity funding to support Métis Nation BC's completion of a Land Use Research Project, which included the following components:
  - A review of existing literature regarding Métis traditional knowledge, traditional land use activities, harvesting data and Métis history in the Fort St. John area;
  - One on one interviews with approximately 10 to 20 individual Métis traditional knowledge holders to document information regarding hunting, trapping, fishing and plant gathering practices, as well as other historical land use activities;
  - The creation of detailed site mapping based on interviews with Métis traditional knowledge holders, including the identification of significant sites; and,
  - A summary report, including mapping products, to provide to BC Hydro in order to inform the assessment of the Project.

Chronology of events

2011

On March, 11, 2011, Métis Nation BC sent a letter to BC Hydro and requested to meet and engage with BC Hydro in meaningful consultation regarding the Project. The letter described Métis Nation BC's membership and purposes, and its relationship with the Province under the Métis Nation Relationship Accord (2006).

On December 9, 2011, Métis Nation BC sent a letter to BC Hydro and provided background information about its organization. The letter requested that BC Hydro and Métis Nation BC proceed with a partnership to conduct a TLUS in connection with the Project. The letter

explained that the information arising from the TLUS would be "crucial to understanding the potential impacts or benefits on the Métis people whom rely on the land for their culture, sustenance and way-of-life." The letter stated that a TLUS would present an opportunity to forge a solid relationship between BC Hydro and the Métis Nation BC.

2012

On January 25, 2012, BC Hydro sent a letter to Métis Nation BC in response to Métis Nation BC's letter of December 9, 2011. The letter advised that BC Hydro would engage with Métis Nation BC, but on the same basis as other stakeholder communities, and not as a group entitled to be consulted and accommodated based on assertions of section 35(1) rights; as a result, BC Hydro was not prepared to enter a partnership to conduct a TLUS in the Project area. BC Hydro offered to provide Métis Nation BC with additional information about the Project, and meet with representatives of Métis Nation BC to discuss any issues or concerns.

On February 7, 2012, representatives of Métis Nation BC visited BC Hydro's Fort St. John community consultation office and asked questions regarding access roads, fish passage, tree clearing, Highway 29 realignment and reservoir capacity.

On March 26, 2012, BC Hydro sent a letter to Métis Nation BC which explained that the CEA Agency had advised BC Hydro that the federal government needed to understand the impacts the Project might have on the asserted rights of the Métis. Therefore, BC Hydro was required, as the proponent, to consult with Métis Nation BC in regards to the environmental assessment of the Project to facilitate the federal government's ability to make a well informed decision. The letter requested an introductory meeting with representatives of Métis Nation BC and members of its chartered communities.

On April 16, 2012, BC Hydro sent a further letter to Métis Nation BC requesting an introductory meeting.

On May 9, 2012, BC Hydro sent a letter to Métis Nation BC and attached the 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 25, 2012, BC Hydro sent a letter to Métis Nation BC 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 June 5, 2012, BC Hydro met with representatives of Métis Nation BC (President, Director of Industry, Consultation Coordinator). BC Hydro advised that BC Hydro, as the proponent, had been delegated by the CEA Agency to consult with Métis Nation BC, and expressed interest in understanding how and where Métis people used the land and exercised their asserted rights. BC Hydro indicated that it was prepared to provide Métis Nation BC with funding to support work related to the assessment of potential effects of the Project on its asserted rights. BC Hydro explained that Métis Nation BC would be consulted with and given an opportunity to comment, and have input into, the EIS. BC Hydro provided a Project overview which addressed BC's energy gap, supply and demand, general Project information, 2011-2012 field work, potential Project opportunities in the areas of education and training, and the Integrated Resource Plan process. With respect to harvesting, Métis Nation BC showed BC Hydro a Métis citizenship card and a harvesting card. Métis Nation BC indicated that the Métis citizenship card is required before a harvesting card is granted, and anyone who has identified as Métis may apply for a citizenship card. Métis Nation BC described its relationship to other Aboriginal groups including the Kelly Lake Metis Settlement Society, the BC Métis Federation and Project area First Nations. Métis Nation BC presented information regarding its history, organizational structure, elections, charter communities and explained the concept of Métis identity. BC Hydro inquired whether the Métis Nation of BC would come forward with a view on the Project, or whether it would be left to the individual Métis communities. Métis Nation of BC confirmed that it would be mostly the latter, with Métis Nation BC representing its constituent communities.

On June 7, 2012, BC Hydro sent an email to Métis Nation BC and attached the following documents:

- Examples of Potential Contracting Work Related to Construction
- Preliminary Update on Procurement Planning Related to Site C Dam Project
- Estimate of Professional and Trades Work and Skills Requirements

On June 12, 2012, BC Hydro sent an email to Métis Nation BC and attached a draft work plan and timeline for future consultations. BC Hydro requested that the Métis Nation BC consider entering into a Letter of Understanding with BC Hydro to provide for capacity funding to support its participation in the consultation process. Métis Nation BC agreed to enter into a Letter Of Understanding.

On July 3, 2012, BC Hydro and Métis Nation BC signed a Letter of Understanding which outlined a consultation work plan and associated capacity funding. The parties agreed to undertake the following consultation activities:

- Two meetings between BC Hydro and representatives of Métis Nation BC;

- A community meeting in Fort St. John to seek input from members of the Métis community regarding their interests and concerns; and,
- Métis Nation BC to prepare and submit a report regarding its exercise of asserted rights in and around the Project area, including available mapping.

On July 5, 2012, BC Hydro and the Métis Nation BC (President, Director of Industry Engagement, Consultation Coordinator) hosted a community meeting in Fort St. John. The meeting was attended by six members of Métis Nation BC, and the Captain of Kootenay Region, BC Métis Assembly of Natural Resources. BC Hydro provided a Project overview which included information regarding the need for the Project, the environmental assessment process, the Project's major components, and associated employment and contracting opportunities. BC Hydro responded to questions from community members regarding fish passage, construction materials, impacts on Highway 29, access to specific areas (Monias), contracting opportunities, Project financing, worker accommodation, and potential environmental impacts. BC Hydro expressed interest in understanding how the Métis use the land and how the Project could affect the asserted rights of the Métis. Members of the Métis Nation BC shared information with BC Hydro regarding hunting, trapping and other traditional activities, including observed changes in wildlife in the Peace River area. One member indicated that he hunted and trapped for lynx, wolverine, wolf, beaver, marten, fisher, elk, deer and moose in the areas north of Hudson's Hope and near Monias (a lake located to the south of the Peace River) where he had a hunting cabin. Another member provided BC Hydro with an information package on seismic considerations in the Peace River area. BC Hydro provided Métis Nation BC with the following documents:

- Site C – Estimate of Professional and Trades Work and Skills Requirements
- Examples of Potential Contracting Work Related to Construction
- Site C Business Directory Information and Forms (February 2012)
- Site C Project – Procurement Update for First Nations (January 24, 2012)

On July 13, 2012, BC Hydro sent a letter to Métis Nation BC enclosing a capacity funding cheque issued pursuant to the Letter of Understanding (July 3, 2012).

On July 23, 2012, BC Hydro sent an email to Métis Nation BC in follow up to the meeting held on July 5, 2012, in which Métis Nation BC had asked BC Hydro how the Project would be financed.

On August 22, 2012, BC Hydro sent a letter to Métis Nation BC, 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 Métis Nation BC'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 23, 2012, Métis Nation BC sent an email invitation to BC Hydro to the Annual General Meeting scheduled for September 28, 2012, in Richmond, B.C. The event would be an open house focused on partnerships with projects in select industries. BC Hydro confirmed its attendance on September 5, 2012.

On August 27, 2012, BC Hydro sent a letter to Métis Nation BC 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 secured file transfer website where additional information regarding Project opportunities had been posted.

On August 28, 2012, BC Hydro sent an email and thanked Métis Nation BC for signing the Confidentiality Agreement as BC Hydro had requested in its letter of August 22, 2012. BC Hydro advised that Métis Nation BC had now been granted access to all confidential materials relating to the Project that were contained on the secured file transfer website.

On August 31, 2012, Métis Nation BC submitted a report regarding its exercise of asserted rights in and around the Project area, prepared pursuant to the Letter of Understanding (July 3, 2012). The report stated that, based on information in Métis Nation BC's traditional harvesting database and preliminary research into Métis traditional knowledge, Métis Nation BC had concluded that its citizens were "exercising their Aboriginal right to harvest within the proposed Project area". Enclosed with the report was a map of Métis harvesting areas with color gradient to represent intensity of usage around B.C. The report stated that "the two watersheds that cover the [P]roject area represent one of the most prolific Métis harvesting regions in the province" and that Métis harvest large quantities of deer, elk, moose, fish, medicinal plants, berries, small game (including trapping), as well as timber and firewood. In the report, Métis Nation BC described the history of the Métis people in the Peace River area, as well as history related to the establishment of forts and trading posts, hunting and fur trade activities.

On September 21, 2012, BC Hydro sent a letter to Métis Nation BC 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 Métis Nation BC, 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 Métis Nation BC 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 September 25, 2012, BC Hydro sent an email to Métis Nation BC, in response to the report submitted on August 31, 2012. BC Hydro thanked Métis Nation BC for the information and indicated that BC Hydro had shared the report with its subject matter experts. BC Hydro provided the Métis Nation BC with a list of follow up questions in regards to the report, including a request to elaborate on how the Project was expected to put Métis Aboriginal rights and traditional land uses at risk (in what way, when, where, etc.).

On September 28, 2012, BC Hydro attended the Annual General Meeting of the Métis Nation BC. BC Hydro set up a table and handed out pamphlets and other information regarding the Project to delegates in attendance.

On October 1, 2012, BC Hydro sent a letter to Métis Nation BC enclosing a capacity funding cheque issued pursuant to the Letter of Understanding (July 3, 2012). The cheque was the final payment in support of Métis Nation BC's report outlining its exercise of asserted Aboriginal rights in and around the Project area (August 31, 2012).

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

On October 30, 2012, Métis Nation BC responded to BC Hydro's email of September 25, 2012, and provided additional information and clarifications regarding the report submitted by Métis Nation BC on August 31, 2012. In its response, Métis Nation BC stated that "Métis harvest large quantities of deer, elk, moose, fish, medicinal plants, berries, food plants, small game, timber and firewood from [the Project area] all year round. Significant quantities of bear, birds, bison, caribou, and sheep are also harvested by Métis in the proposed [P]roject area. Métis are concerned that these resources, and the land that they rely on, may be negatively impacted by the proposed [P]roject." Métis Nation BC provided further information about the history of land use by Métis families in the Fort St. John area. Métis Nation BC clarified that the two watersheds referred to in the report as "prolific Métis harvesting regions" were the Upper Peace River and the Pine River watersheds. In response to BC Hydro's request for a traditional territory map, Métis Nation BC advised that such a map did not exist other than a very general map showing the Métis homeland in North America. Métis Nation BC acknowledged that the deficiencies in the mapping, and enclosed a funding proposal to undertake a more comprehensive Land Use Research Project. The proposal involved organizing a community meeting and conducting interviews with land users and traditional knowledge holders in Fort St. John, and using the results of the interviews to create a more detailed land use map of the area around the Project.

On November 7, 2012, BC Hydro telephoned Métis Nation BC to discuss the funding proposal submitted by the Métis Nation BC on October 30, 2012. BC Hydro advised that the EIS was scheduled to be submitted in January 2013, and suggested that Métis Nation BC revise the proposed scope of work to allow for the information gained through the additional work to be incorporated into the EIS. BC Hydro advised that information provided after the submission of the draft EIS would still be helpful and could be incorporated into the environmental assessment at a later stage. Métis Nation BC agreed to revise the funding proposal and make arrangements for additional work to be completed by the end of December 2012.

On November 14, 2012, Métis Nation BC sent an email to BC Hydro and attached an amended proposal for a detailed Land Use Research Project as agreed on November 7, 2012.

On November 15, 2012, BC Hydro sent a letter to Métis Nation BC and advised that while it had made best efforts to follow up on information requests by Aboriginal groups, some requests might be outstanding. BC Hydro requested that any inquiries from meetings or consultations it had not yet responded to be forwarded, and it would provide a response as soon as possible.

On November 20, 2012, BC Hydro sent an email to Métis Nation BC attaching a supplemental Letter of Understanding for consideration by Métis Nation BC. The

supplemental Letter of Understanding provided additional capacity funding to support Métis Nation BC completion of a Land Use Research Project, which included the following components:

- A review of existing literature regarding Métis traditional knowledge, traditional land use activities, harvesting data and Métis history in the Fort St. John area,
- One on one interviews with approximately ten to twenty individual Métis traditional knowledge holders to document information regarding hunting, trapping, fishing and plant gathering practices, as well as other historical land use activities,
- The creation of detailed site mapping based on interviews with Métis traditional knowledge holders, including the identification of significant sites,
- A summary report, including mapping products, to provide to BC Hydro in order to inform the assessment of the Project.

Métis Nation BC signed the supplemental Letter of Understanding on November 22, 2012.

On November 29, 2012, BC Hydro sent a letter to Métis Nation BC enclosing a capacity funding cheque issued pursuant to the supplemental Letter of Understanding (November 20, 2012). The payment was the first of two installments.

SITE C CLEAN ENERGY PROJECT

VOLUME 5 APPENDIX A17 PART 2(A)

UPDATED BC HYDRO CONSULTATION SUMMARY: MÉTIS NATION BC

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.

MÉTIS NATION BRITISH COLUMBIA

CONSULTATION SUMMARY

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

Chronology of events

2012

On December 13, 2012, BC Hydro sent a letter to Métis Nation BC, 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.

On December 17, 2012, BC Hydro and Métis Nation BC exchanged e-mails regarding the status of Métis Nation BC's Use and Occupancy Study. Métis Nation BC advised that it had completed interviews with eight harvesters who had identified specific kill sites, sacred sites and graves along the Peace River. Métis Nation BC advised that it was preparing for the digitization of maps in January.

2013

On January 28, 2013, BC Hydro sent a letter to the Métis Nation BC, 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.

On January 29, 2013, BC Hydro and Métis Nation BC exchanged e-mails in regards to BC Hydro's letter of January 28, 2013 advising that the EIS had been submitted. Métis Nation BC advised that it would provide BC Hydro with a copy of its detailed map within a few weeks, to be included into the final EIS.

On March 15, 2013, BC Hydro and Métis Nation BC exchanged e-mails in regards to Métis Nation BC's Use and Occupancy maps. Métis Nation BC submitted a hodge podge map and the following category maps: (1) overnight sites; (2) animals; (3) cultural sites; and, (4) plant, wood and earth material. BC Hydro thanked Métis Nation BC and advised that it would review the maps. The maps were submitted as a deliverable pursuant to the Letter of Understanding dated November 20, 2012.

On March 18, 2013, Métis Nation BC sent an email to BC Hydro attaching a document titled "A Métis Use and Occupancy Study for the BC Hydro Site C Dam Clean Energy Project" (March 15, 2013). The report was submitted as a deliverable pursuant to the Letter of Understanding dated November 20, 2012.

On March 21 and 22, 2013, BC Hydro attended a Post-Secondary Education and Skills Training Roundtable two day conference hosted by Métis Nation BC. On the first day of the conference, attendees from industry, such as Spectra Energy, Enbridge, etc., presented information on upcoming major capital projects and the forecasted labour demands required to build them. BC Hydro presented an overview of the Project, and BC Hydro provided an overview of the projected labour requirements and some preliminary strategies around labour agreements, labour attraction and retention. On the second day of the conference, post-secondary institutions presented information regarding the training programs currently in place to try to

meet the impending skills requirements. Métis Nation BC facilitated the conference and assisted the parties in identifying emerging trends in the demand for labour in BC, growing skills and training gaps, and potential strategies for addressing these shortfalls in a manner that would meet the interests of industry as well as groups currently underrepresented in the labour force, such as Aboriginal people.

On March 22, 2013, BC Hydro sent a letter to Métis Nation BC, and enclosed a capacity funding cheque issued pursuant to the Letter of Understanding dated November 20, 2012.

On May 16, 2013, BC Hydro sent an e-mail to Métis Nation BC in follow up to information requests submitted by Métis Nation BC with respect to the EIS. The email attached the following reports requested by Métis Nation BC:

- Alexander, D. 1982. An Inventory and Assessment of Heritage Resources at the Peace River Site C Dam. HAC Permit 1981018.
- Arcas Consulting Archaeologists Ltd. (Arcas). 1991. BC Hydro Peace Site C Project Heritage Resource Assessment - Status Report.
- Arcas Consulting Archaeologists Ltd. (Arcas). 2009. Peace River Site C Hydro Project: Heritage Resource Data Gap Analysis.
- Archer CRM Partnership (Archer). 2008b. Archaeological Overview Assessment (AOA) of Impervious & Slide Areas, 10km Radius from Site C NE BC.
- Burley, D and S. Hamilton. 1990. Historic Overview Dam Site C - Draft Paper.
- Golder Associates Ltd. And AMEC Earth & Environmental (Golder and AMEC). 2011. Peace River Site C Project Heritage Program Year 1 (2010) Summary Report. HCA Permit 20100378.
- Spurling, B. 1980a and 1980b. The Site C Heritage Resource Inventory and Assessment Final Report.

On May 16, 2013, Métis Nation BC sent an e-mail to BC Hydro and attached the public version of the following maps to be included to the EIS:

- Hodge Podge Map All Categories
- Animals Category Map
- Cultural Sites Category Map
- Plant, Wood, and Earth Material Category Map
- Overnight Sites Category Map

BC Hydro thanked Métis Nation BC and confirmed receipt of the maps.

On May 16, 2013, Métis Nation BC sent an e-mail to BC Hydro and attached the public version of the report titled “A Métis Use and Occupancy Study for the BC Hydro Site C Dam Clean Energy Project” prepared by Métis Nation BC dated March 15, 2013.

On May 16, 2013, BC Hydro called Métis Nation BC to discuss the submission received earlier that day of revised maps and a public version of the Métis Use and Occupancy study. BC Hydro enquired if the revised versions of the report and maps could be submitted to the BCEAO and CEA Agency as part of BC Hydro's Aboriginal Group Amendment Report. Métis Nation BC confirmed that the revised maps and report could be made public for that purpose. BC Hydro advised that its Aboriginal Group Amendment Report was based on the more detailed information contained in the non-public versions of the report and maps, and that some of the more detailed information would be reflected in BC Hydro's submission to the regulators which would become public. Métis Nation BC indicated that he had no concerns regarding more detailed information being included in BC Hydro’s narrative report and that Métis Nation BC's interest was limited to keeping the more detailed maps confidential.

On May 24, 2013, BC Hydro sent a letter to Métis Nation BC, advising that it had submitted an Aboriginal Group Supplementary Report for the Project to the CEA Agency and the BCEAO. The letter explained that BC Hydro had received additional traditional land use or community baseline information from five Aboriginal groups that had not been received in time to be included in the January 25, 2013 EIS submission. BC Hydro advised that the additional information had been reviewed and incorporated into its baseline information and effects assessments and that it had been provided to the CEA Agency and the BCEAO. BC Hydro attached the following reports: the Métis Nation BC Traditional Land Use Baseline, and Assessment Amendment Report and Revised Aboriginal Summary; and extended an offer to meet with Métis Nation BC.

SITE C CLEAN ENERGY PROJECT

VOLUME 5 APPENDIX A17 PART 3

REVISED ABORIGINAL LAND AND RESOURCE USE SUMMARY: MÉTIS NATION BRITISH COLUMBIA

FINAL REPORT

Prepared for:

BC Hydro Power and Authority

<contact information removed>

Prepared by:

Traditions Consulting Services, Inc.

<contact information removed>

April 2013

May 24, 2013 Aboriginal Group Amendment Report

Métis Nation B.C.[1]

In preparing responses to the questions, information on the Métis Nation B.C (MNBC), and on current and past use of lands and resources by the MNBC, was obtained from on-line research, a MNBC 2012 report and clarification letter to BC Hydro, and a 2013 Métis Use and Occupancy Study for which BC Hydro provided funding.[2] The information provided in the submissions to BC Hydro in 2012 was obtained from the MNBC Traditional Harvesting Database and the preliminary Métis Traditional Knowledge (MTK) research.[3]

The Study Area for the Métis Use and Occupancy Study (MUOS) extended from the eastern end of Williston Reservoir in the west to the Alberta boarder in the east, and from Pink Mountain in the north to Toms Lake, located south of Pouce Coupe, in the south.[4] The Study Area includes the Current Use of Lands and Resources (Wildlife Resources) and Current Use of Lands and Resources (Fish and Fish Habitat) LAAs and large parts of the Current Use of Lands and Resources (Wildlife Resources) RAA.

Ten Métis individuals were interviewed regarding their use of the Study Area for the MUOS.[5] The data from the interviews is depicted on four category maps (Animals, including fish and birds; Overnight Sites, including cabins and campsites; Cultural Sites, including burials and landmarks; and Plant, Wood and Earth Material). There is also a Hodgepodge Map with all categories depicted.[6]

1. **What is the Métis Nation B.C.'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?**

MNBC stated that Métis currently harvest large quantities of deer, elk, moose, caribou, bison, sheep, small game, birds, and fish from the Study Area. The most important

[1] The MNBC was created in 1996 to represent the Métis people of British Columbia and incorporated under the Métis Provincial Council of British Columbia (Métis Nation B.C. 2012. http://www.mpcbc.bc.ca/about-mnbc).
[2] The sources consulted for this report are set out in the References.
[3] Métis Nation B.C. 2012. Métis Nation B.C. Interests in "Site C Clean Energy Project." Report submitted to BC Hydro 31 August 2012; Métis Nation B.C. 2013. A Métis Use and Occupancy Study for the BC Hydro Dam Site C Clean Energy Project. Prepared for BC Hydro and submitted March 15, 2013.
[4] Métis Nation B.C. 2013: 7.
[5] MNBC stated that the small number of interviews was a direct result of limited funds and an accelerated timeline (Métis Nation B.C. 2013: 30). The Métis community of Dawson Creek/Pouce Coupe is not represented in the study due to the death of an elder and community leader at the time of the interviewing.
[6] Métis Nation B.C. 2013. The symbols used to denote the different species and materials harvested are difficult to differentiate on the maps in areas where there is intensity of use.

harvesting areas are the Peace River and Pine River watersheds (Figures 1 and 2).[7] Within the Current Use of Lands and Resources (Wildlife Resources) LAA there are scattered symbols for "hunted" beaver in the Peace River valley from Moberly River to Lynx Creek. There is a small concentration of deer symbols on the south side of the Peace River between Taylor and Beatton River.[8]

In the Current Use of Lands and Resources (Wildlife Resources) RAA there is a concentration of symbols for Métis harvesting in the following areas:

- lower Dunlevy Creek (moose);
- Butler Ridge (caribou);
- east of Bullhead Mountain (elk and grouse);
- between Bullhead Mountain and Portage Mountain (elk);
- north of Beryl Prairie to Farrell Creek (deer, moose);
- east of Federal Ranch (elk);
- Bull Flats (deer) and Grant Flat (deer) on the north side of the Peace River Canyon;
- north of Bear Flats (moose);
- east and south of Inga Lake (moose);
- north of Charlie Lake at Mile 62 ½ (deer);
- south side of Cecil Lake (duck, grouse);
- north and east of Cecil Lake (deer);
- the south side of the lower Pine River (moose, bear, rabbit);
- the south side of Pine River south of Monias Lake (grouse); and
- along Highway 29 between West Moberly and the Peace River (moose).[9]

In the Current Use of Lands and Resources (Fish and Fish Habitat) LAA there are concentrations of fish symbols for Metis harvesting of a variety of fish on the Peace River upstream and downstream of Hudson's Hope and west of Bear Flats.[10] Outside the Current Use of Lands and Resources (Fish and Fish Habitat) LAA there are symbols for lake trout and other fish on the eastern end of Williston Reservoir; for dolly varden on Dunlevy Creek and east of Dunlevy Creek; for other fish at Charlie Lake; for a variety of fish at Moberly Lake; and for dolly varden and lake trout at Carbon Lake.

[7] Métis Nation B.C. 2012. Letter to BC Hydro 30 October 2012; Métis Nation B.C. 2013: 22.
[8] Métis Nation B.C. 2013: Map 2, Animals Category Map.
[9] Métis Nation B.C. 2013: Map 2, Animals Category Map.
[10] Métis Nation B.C. 2013: Map 2, Animals Category Map.

Within the Current Use of Lands and Resources (Wildlife Resources) RAA there is a trapping area depicted on the south side of the Peace River opposite Hudson's Hope, and symbols for "trapped" beaver along Highway 29 between West Moberly and the Peace River.

2. **What is the Métis Nation B.C.'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?**

MNBC stated that Métis currently use the Study Area for harvesting of large quantities of medicinal plants, berries, food plants, timber and firewood year round. The harvesting areas are depicted on the Plant, Wood and Earth Material Category Map.[11] Within the Current Use of Lands and Resources (Wildlife Resources) LAA there are four small areas of food or medicine plant harvesting in the area south of Fort St. John; west of Bear Flats there is a large area for firewood gathering and a small area for food plant gathering; at the junction of Farrell Creek and the Peace River there is an area for food plants and small areas for medicine plant and other plant depicted; between Lynx Creek and Hudson's Hope there is an area of firewood gathering and for specialty wood.

Within the Current Use of Lands and Resources (Wildlife Resources) RAA, there is a concentration of symbols in the area of Beryl Prairie depicting food plant, other plant, berries, firewood, and specialty wood; south of Hudson's Hope on the south side of the Peace River there is a small area with symbols for berries, medicine plant and other plant; and the north end of Charlie Lake there is a symbol for food plant.[12]

Overnight sites are depicted on the Overnight Sites Category Map.[13] Within the Current Use of Lands and Resources (Wildlife Resources) LAA, there are symbols for overnight sites distributed from Hudson's Hope to the mouth of the Pine River. There are concentrations of symbols in the areas of Lynx Creek (cabin, other), Bear Flats (tents, under open sky) and the south side of the lower Pine River (cabins). Within the Current Use of Lands and Resources (Wildlife Resources) RAA there is a concentration of overnight sites at Dunlevy Creek (tents), Butler Ridge (tents) and along Highway 29 between West Moberly and the Peace River (mixture).

[11] Métis Nation B.C. 2013: Map 4, Plant, Wood and Earth Material Category Map. The colours used to depict specialty wood and food plant are very similar and difficult to differentiate on the map.
[12] Métis Nation B.C. 2013: Map 4, Plant, Wood and Earth Material Category Map.
[13] Métis Nation B.C. 2013: Map 1, Overnight Sites Category Map.

Cultural sites, including birth sites, burials, death sites, landmarks, and an 'other' category, are depicted on the Cultural Sites Category Map.[14] Within the Current Use of Lands and Resources (Wildlife Resources) LAA there are three burial symbols in the area of Hudson's Hope. Lynx Creek and Farrell Creek are mentioned in the MUOS report as being used to pay respect to Métis community members whose ashes have been sprinkled at those locations and for spiritual and ceremony purposes. Neither Creek is depicted on the Cultural Sites Map.[15] Also within the Current Use of Lands and Resources (Wildlife Resources) LAA there are symbols for 'other' cultural sites at Hudson's Hope, Lynx Creek and Bear Flats. Within the Current Use of Lands and Resources (Wildlife Resources) RAA, there is a birth and death symbol depicted north of the west end of Moberly Lake; an 'other' cultural site symbol east of the east end of Williston Reservoir; two landmark symbols at the east end of Williston reservoir; and one landmark symbol on the north side of Moberly Lake. On the south side of the lower Pine River is an earth material symbol.

3. **What is your understanding of the exercise of asserted Aboriginal rights or treaty rights by the Métis Nation BC 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 MNBC assert that the Métis have constitutionally protected rights in Canada which are supported by court cases, treaty claims, and scrip. The MNBC assert that Métis Nation B.C. citizens, from adjacent Chartered Communities and nearby smaller communities, are continuing to exercise their Aboriginal right to harvest within the Study Area which includes the Current Use of Lands and Resources (Wildlife Resources) and Current Use of Lands and Resources (Fish and Fish Habitat) LAAs and large parts of the Current Use of Lands and Resources (Wildlife Resources) RAA.[16]

4. **Identify past, current and reasonably anticipated future use of lands and resources by Métis Nation B.C. 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 the RAAs.**

[14] Métis Nation B.C. 2013: Map 3, Cultural Sites Category Map.
[15] Métis Nation B.C. 2013: 30.
[16] Métis Nation B.C. 2012. Métis Nation B.C. Interests in "Site C Clean Energy Project."

Historically, the livelihood of the Métis came from subsistence harvesting based on a seasonal round, and from commercial production of furs, fish and game. The MUOS report provides a history of the Métis in the Peace River region beginning in the late nineteenth century. Within the Study Area, MNBC described Métis current traditional harvest of large quantities of deer, elk, moose, bear, birds, bison, caribou, fish, medicinal plants, berries, food plants, small game, timber and firewood.[17] MNBC described the Peace River and Pine River watersheds as currently being some of the most prolific harvesting areas for Métis people in British Columbia.[18] Many of the harvesting areas are within the Current Use of Lands and Resources (Wildlife Resources) LAA and RAA and Current Use of Lands and Resources (Fish and Fish Habitat) LAA.

The MNBC is concerned that the lands and resources that the Métis rely upon will be negatively impacted by the Site C Project. MNBC described family harvesting sites as bridges between past, present and future generations of Métis people.[19] The MNBC is also concerned that the proposed Project will flood Rocky Mountain Fort at the mouth of the Moberly River.[20] The MNBC stated that the construction and operation of the Project could put local Métis Aboriginal rights including traditional land uses at risk. Métis harvesters, who rely on the Project and surrounding areas for sustenance, social and ceremonial purposes, may see negative impacts from the construction and operation of the proposed Project.[21]

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 and Fish Habitat) LAAs or RAAs?

The upper Peace River and Pine River watersheds represent one of the most prolific Métis harvesting regions in British Columbia.[22] On the Métis Use and Occupancy Study

[17] Métis Nation B.C. 2012. Clarification to BC Hydro's Review and Response in Regard to Métis Nation B.C.'s "Site C Clean Energy Project Report."
[18] Métis Nation B.C. 2012. Métis Nation B.C. Interests in "Site C Clean Energy Project": Map 1. Métis Harvesting Areas in British Columbia; Métis Nation B.C. (2012). Clarification to BC Hydro's Review and Response in Regard to Métis Nation B.C.'s "Site C Clean Energy Project Report."
[19] Métis Nation B.C. 2012. Clarification to BC Hydro's Review and Response in Regard to Métis Nation B.C.'s "Site C Clean Energy Project Report."
[20] Métis Nation B.C. 2012. Métis Nation B.C. Interests in "Site C Clean Energy Project": Map 1. Métis Harvesting Areas in British Columbia; Métis Nation B.C. (2012). Clarification to BC Hydro's Review and Response in Regard to Métis Nation B.C.'s "Site C Clean Energy Project Report."
[21] Métis Nation B.C. 2012. Métis Nation B.C. Interests in "Site C Clean Energy Project."
[22] Métis Nation B.C. 2013. A Métis Use and Occupancy Study: 22.

maps, depicted outside the Current Use of Lands and Resources (Wildlife Resources) LAA and RAA and Current Use of Lands and Resources (Fish and Fish Habitat) LAA, there are concentrations of symbols west of Pink Mountain (caribou, bison, grouse); northwest of Blueberry River Reserve No.205 (bison); west of Federal Ranch (grouse); and scattered symbols for Animals and Overnight Sites north and south of the Current Use of Lands and Resources (Wildlife Resources) RAA.[23]

[23] Métis Nation B.C. 2013: Map 2, Animals Category Map; Métis Nation B.C. 2013: Map 1, Overnight Sites Category Map

Figure 1. Map of Métis Harvesting Areas in British Columbia. The darkest areas represent the areas of greatest use (Métis Nation B.C. (2012). Métis Nation B.C. Interests in "Site C Clean Energy Project." Report submitted to BC Hydro 31 August 2012).

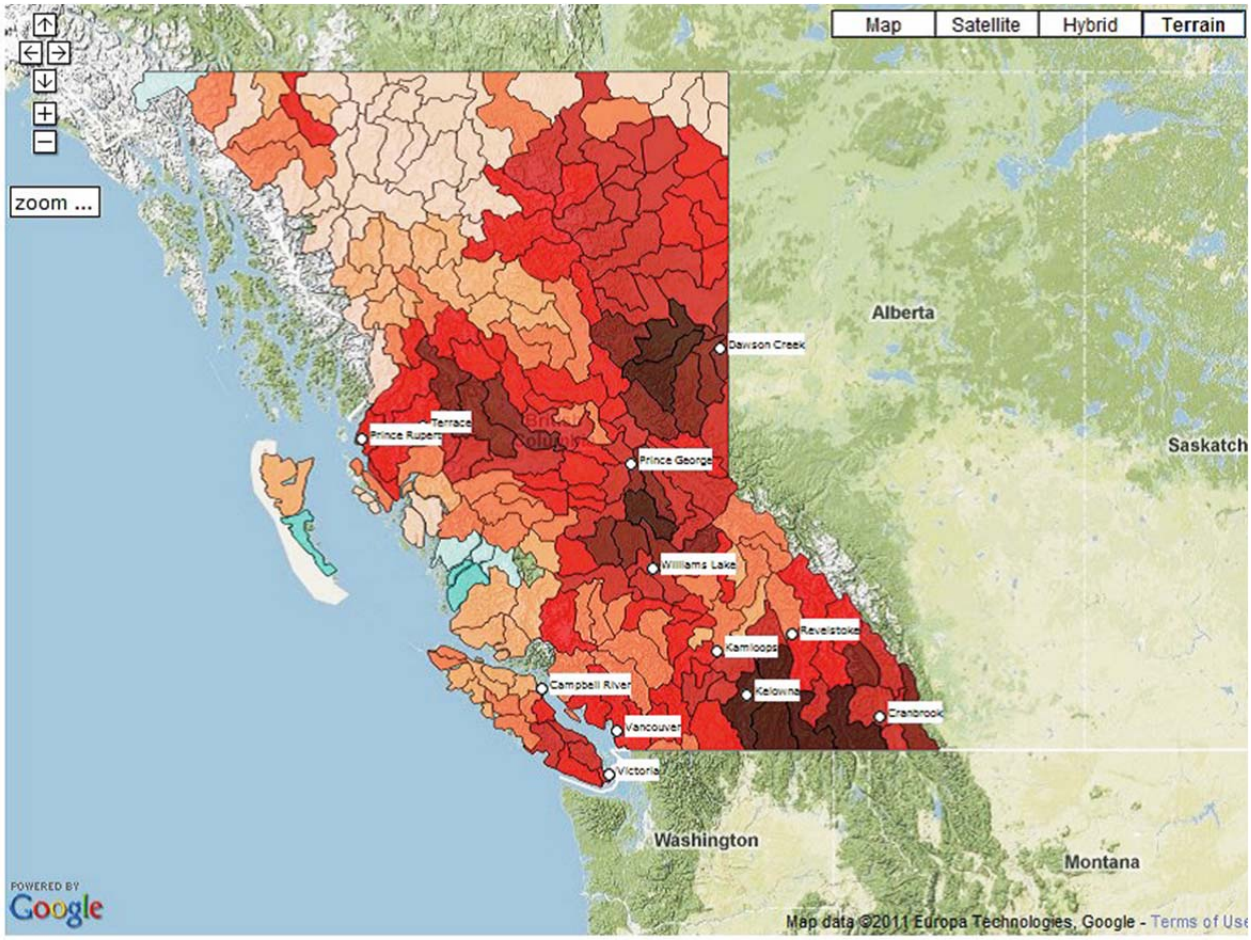
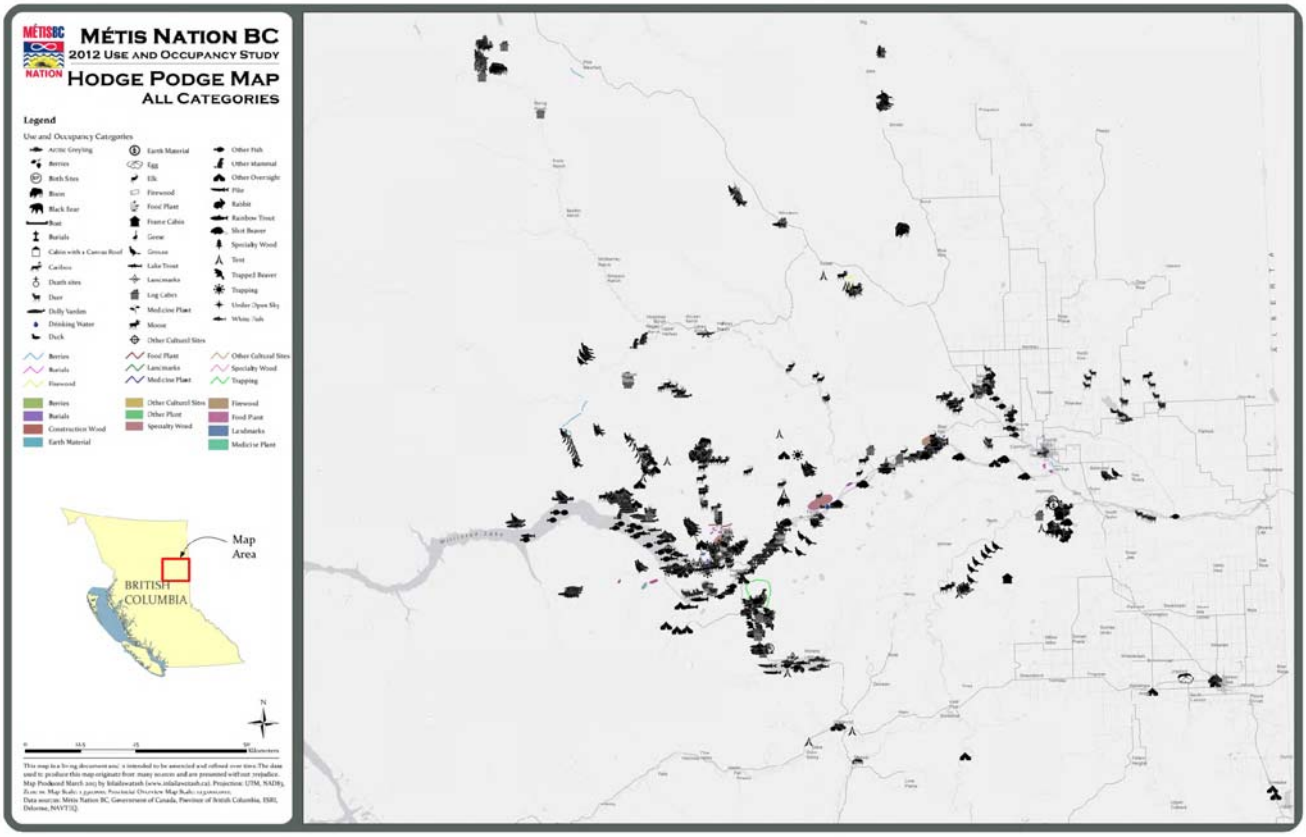


Figure 2. Hodge Podge Map, Métis Use and Occupancy Study (Métis Nation B.C. 2013. A Métis Use and Occupancy Study for the BC Hydro Dam Site C Clean Energy Project. Prepared for BC Hydro and submitted March 15, 2013).



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VOLUME 5 APPENDIX A17 PART 4

REVISED ABORIGINAL SUMMARY: MÉTIS NATION BRITISH COLUMBIA

FINAL REPORT

Prepared for:

BC Hydro Power and Authority
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May 2013

Métis Nation British Columbia

As required by Section 20.8 of the EIS Guidelines, the following summary presents BC Hydro's understanding of Métis Nation British Columbia's asserted or established Aboriginal 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 Métis Nation British Columbia.

Métis Nation British Columbia'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 Métis Nation British Columbia is one of six groups listed in Table 34.1 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). At the time of filing the EIS, no Métis rights-bearing communities in British Columbia have been recognized by a court.

For a more thorough discussion of Métis rights, see Section 34.3.2.3.

Métis Nation British Columbia's Concerns with Respect to the Project

The following table presents a high-level description of the concerns identified by Métis Nation British Columbia (MNBC) in consultation activities with BC Hydro prior to 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. The following table also includes any new issues raised in the Métis Use and Occupancy Study for the BC Hydro Dam Site C Cean Energy Project (MUOS), dated March 15, 2013.

Need for, Purpose of, the Project
Interest in how Site C was funded and whether it would be funded privately.
Cumulative Effects
Concern regarding the Project's potential contribution to the cumulative effects of development in the region, including pipelines, logging, oil and gas, coal mining and coal bed methane.
Geology, Terrain and Soils

Concern about the risk of earthquakes at the proposed dam site.
Water – Water Quality
Concerns about the potential effects of the Project on water quality.
Fish and Fish Habitat
Concern about the potential effects of the Project on fish, fish habitat, and fish species composition, including in the Peace River, Halfway River and Moberly Lake and Alberta.
Concern about the potential effects of the Project on fish passage, both upstream and downstream of the dam, including fish mortality in turbines and/or spillways.
Wildlife Resources
Concern about the potential effects of the Project on wildlife, wildlife habitat and biodiversity.
Concern about the potential effects of the Project on ungulates and ungulate habitat, including moose, elk, deer, caribou, bison and Stone Sheep.
Vegetation and Ecological Communities
Concern about the potential effects of the Project on plants for medicinal and spiritual purposes, including balsam pitch and birch bark.
Greenhouse Gases
Concern about the potential effects of Project on greenhouse gas emissions.
Labour Market
Interest in employment opportunities, including interest in ensuring equitable hiring practices which allow for Aboriginal people to access work opportunities associated with the Project.
Interest in what jobs would be available - by skills and job type - that would be realistic for members to consider.
Current use of Lands and Resources for Traditional Purposes
Interest in incorporating traditional knowledge into the environmental assessment.
Concern the proposed Project could put local Métis Aboriginal rights and traditional land-uses at risk, including for sustenance, social and ceremonial purposes.
Land and Resource Use Effects
Concern about potential effects of the Project on farmland and agriculture.
Concern that the Project would destroy a historic Métis community which holds significant value from a heritage perspective as well as yet to be realized tourism and outdoor recreation potential.
Heritage Resources
Concern that construction and operation of the Project will damage or destroy archaeological, unidentified or non-archaeological (e.g., spiritual) heritage sites.
Human Health
Concern that Métis harvesters rely on harvested foods for sustenance and a central component of a healthy traditional diet.
Concern the Project will impact food security, including access to nutritious and safe

harvested foods.
Concern with decreased water quality and additional pollution in connection with the Project.
Asserted or Established Aboriginal Rights
Interest in conducting a Traditional Land Use Study for Métis communities.
Aboriginal Interests – Aboriginal Culture and Way of Life
Concern about the potential impacts of the Project on future generations and families, including: - Inter-generational respect and loss of time together for youth and elders - Loss of capacity to pass on and receive traditional knowledge
Aboriginal Interests – Aboriginal employment, contracting and business development
Interest in contracting and procurement opportunities for local contractors and Aboriginal businesses.
Existing Hydroelectric Projects on the Peace River
Assertion that the W.A.C. Bennett and Peace Canyon dams impacted and/ or continue to impact the Treaty 8 First Nations, including their ability to exercise section 35(1) rights. Asserted impacts include: - Assertion that there was a lack of consultation by BC Hydro regarding the impacts of the W.A.C. Bennett dam before it was constructed.

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.

<u>Potential Adverse Effects of the Project on the Exercise of Asserted or Established Aboriginal Rights</u>

BC Hydro's understanding of the asserted Aboriginal rights of Métis groups is set out in EIS Section 34.3.2.3.

In the MUOS, MNBC asserts that the Métis harvesters use the Peace River valley and the LAA for current use activities including hunting, trapping, and fishing. As stated in Section 19 of this Amendment Report, there is no evidence that the use by the ten Métis harvesters interviewed in MUOS is representative of use by a historic Métis community. Consequently, in order to conduct this analysis, BC Hydro assumes that MNBC asserts that a community of Métis hold Aboriginal rights to conduct those activities, and the ten Métis harvesters in the MUOS are representative of that community.

Based on the review and consideration of baseline conditions related to the current use of lands and resources for traditional purposes VC provided in the MUOS, the baseline and effects assessment described in EIS Section 19, and BC Hydro's understanding of asserted

Aboriginal rights set out in EIS Section 34.3, an assessment of potential impacts on the exercise of asserted Aboriginal rights by the Métis harvesters is required. The methodology for assessing impacts on the exercise of asserted rights is set out in EIS Section 34 and the Technical Memo Methodology for the Assessment of the Potential Impacts of the Project on the Exercise of Asserted or Established Aboriginal and Treaty Rights, submitted by BC Hydro to the BC EAO and CEA Agency on May 8, 2013.

The following potential Project effects and mitigation measures could, if appropriate, be implemented:

Project Effect	Mitigation Measures
Changes in fishing opportunities and practices	~~Consult with Aboriginal groups respecting the~~Consider developing~~ment of~~ fish habitat compensation projects that align with BC Hydro compensation programs.
	~~Seek input from Aboriginal groups respecting mitigation strategies.~~
	Develop a communications program to inform harvesters of planned or unplanned events related to construction activities that may affect fishing opportunities or access.
	Develop a communications program to inform harvesters of longer-term changes in fish community composition.
	Implement all mitigation measures set out in Volume 2 Section 12 Fish and Fish Habitat.
	Implement measures supporting the development of 3 boat launches along the Site C reservoir accessible via Highway 29 to support navigability and navigable use, and the re-establishment of recreational sites on the Site C reservoir and downstream, and to re-establish and create new use patterns and access, as set out in Volume 3 Section 26 Navigation.
Changes in hunting and trapping opportunities and practices	~~Consult with Aboriginal groups respecting the~~Consider developing~~ment of~~ wildlife habitat compensation projects that align with BC Hydro compensation programs.
	~~Seek input from Aboriginal groups respecting mitigation strategies, such as mitigation measures related to trap lines in the Project activity zone.~~
	Develop a communications program to inform harvesters of planned or unplanned events related to construction activities that may affect hunting opportunities or access.

Project Effect	Mitigation Measures
	Implement mitigation measures set out in Volume 2 Section 14 Wildlife Resources.
	Implement mitigation measures set out in Volume 3 Section 24 Harvest of Fish and Wildlife Resources pertaining to trapping.
Changes to other cultural and traditional uses of the land	Work with Aboriginal groups to ground-truth traditional land use information for specific areas within the Project activity zone prior to commencing construction.
	Develop a communications program to inform harvesters of planned or unplanned events that may affect opportunities to harvest plants, berries, and other resources.
	~~Consult with Aboriginal groups respecting the~~Consider developing~~ment of~~ habitat compensation projects that align with BC Hydro compensation programs.
	Work with Aboriginal groups to identify permanent habitation structures used in the current use of lands and resources for traditional purposes that may be lost to inundation. Effects on cabins associated with tenured trap lines will be addressed as set out in Section 24.4.9.1 in Volume 3 Section 24 Harvest of Fish and Wildlife Resources. Where untenured cabins may be impacted by the Project, BC Hydro will work with Aboriginal individuals to determine appropriate measures that could be implemented.
	Work with Aboriginal groups to identify potential sites for relocation of medicinal and food plants to compensate for areas that will be inundated.
	Use only indigenous and/or non-invasive plants and grasses in re-vegetation programs associated with the Project.
	Engage with Aboriginal groups around any reclamation phase that may present opportunities to restore ecological communities that support species of high traditional use value.
	Implement all mitigation measures set out in Volume 2 Section 13 Vegetation and Ecological Communities.
	Implement all mitigation measures set out in Volume 4 Section 32 Heritage Resources.
	Implement measures supporting the development of new shoreline recreation sites in Volume 3 Section 25 Outdoor Recreation and Tourism.

Project Effect	Mitigation Measures
	Implement measures supporting the development of 3 boat launches along the Site C reservoir accessible via Highway 29 to support navigability and navigable use, and the re-establishment of recreational sites on the Site C reservoir and downstream, and to re-establish and create new use patterns and access, as set out in Volume 3 Section 26 Navigation.

Key Findings: Current Use of Lands and Resources for Traditional Purposes

Current Use of Lands and Resources for Traditional Purposes – Fishing

After proposed mitigation, Project construction would have a residual adverse effect on fishing.

Fishing opportunities and practices would be impaired during construction for the Métis harvesters interviewed for the MUOS due to reduced access to fishing areas and potentially reduced success in harvest of targeted species.

During operations, the Project would have a residual adverse effect on fishing. Fishing opportunities and practices of the Métis harvesters interviewed for the MUOS would be adversely affected due to reduced access to fishing areas. Over time, as the reservoir develops into a stable fishery and local knowledge develops about how to practice fishing there, the Project may have a beneficial effect on fishing opportunities. However, it is not certain when these conditions may occur.

The effect would be considered low to moderate. Although some aspects of the traditional purpose of the activity may be altered by transferring them to another location, fishing practices of Aboriginal people are adaptable, spatially and temporally. The MNBC report indicates that mobility is a core feature of contemporary Métis harvesting practices (MNBC 2013: 24). Fishing in the area of the proposed reservoir may be done, and is currently being done in the Williston Reservoir, Charlie Lake, Moberly Lake, Dunlevy Creek, and Carbon Lake.

The geographic extent of the effect would be local, as it is confined within the LAA. The effect would be continuous, at least until the reservoir stabilizes and Aboriginal fishing practices adapt to the post-project environment, and not reversible, although fishing practices are adaptable to it. The effect is long term and there is uncertainty around the time sufficient to re-establish a stable fishery resource, coupled with a body of knowledge and a set of practices about its exploitation.

The geographical and environmental setting for fishing can be described as disturbed, although some elements of the setting remain undisturbed or resilient. The confidence level in the assessment is low, because the assessment is restricted by limited MUOS data, uncertainty regarding the biophysical effects of the Project, uncertainty regarding reactions

of the environment and responses to change by Aboriginal harvesters. If the Project proceeds, the effect is likely to occur.

Current Use of Lands and Resources for Traditional Purposes – Hunting and Trapping

After proposed mitigation, the Project would have a residual adverse effect on hunting and trapping opportunities and practices of the Métis harvesters interviewed for the MUOS due to temporary reductions in availability of beavers and temporarily reduced access to hunting areas during construction. The effect would be of low magnitude as hunting practices of Aboriginal people are adaptable, spatially and temporally, it is expected that beaver will recolonize after construction, and the LAA is not in the core current use hunting area for the Métis harvesters interviewed for the MUOS.

The geographic extent of the effect would be local, as it is confined within the LAA. The effect would be temporary, at least until access restrictions are lifted within the reservoir and animals and Aboriginal hunting and non-tenured trapping practices adapt to the post-project environment. The effects are reversible, and short-term. The geographical and environmental setting for the indicator can be described as disturbed, although some elements of the setting remain undisturbed or resilient. The confidence level in the assessment is high. If the Project proceeds, it is likely that an effect would occur.

Current Use of Lands and Resources for Traditional Purposes – Other Cultural and Traditional Uses

After proposed mitigation, the Project would have a residual adverse effect the Métis harvesters interviewed for the MUOS with respect to other cultural and traditional uses of the land for due to reduced access to areas used for harvesting berries, medicinal plants, and other earth materials.

The effect would be moderate because of the loss of three high value sites used for multiple cultural and traditional purposes: Bear Flats, Farrell Creek and Lynx Creek. These sites will be permanently lost and use of and access to them will be permanently impaired.

The geographic extent of the effect is local, as it will affect three sites reportedly used by the Métis harvesters. The environmental context for the effect is disturbed.

The confidence level in the assessment is low because the assessment is restricted by limited MUOS data. If the Project proceeds, it is likely that an adverse effect would occur.

The assessment of the potential effects of the Project on the traditional activities of fishing, hunting, and trapping demonstrates that the Project may impact the exercise of Asserted or Established Aboriginal Rights by the MNBC in the LAA. MNBC's members will, however, continue to have the opportunity to exercise their Asserted or Established Aboriginal Rights within the LAA and within their traditional territory.

SITE C CLEAN ENERGY PROJECT

VOLUME 5 APPENDIX A17 PART 5

TLUS PUBLIC REPORT:
MÉTIS NATION BC

FINAL REPORT

Prepared for BC Hydro Power and Authority

Prepared by Métis Nation BC

August 2012

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Site C Clean Energy Project

Introduction:

Métis Nation British Columbia (MNBC) currently represents over 7700 Powley compliant Citizens (1000+ more/year) in British Columbia, with a large number residing in the Northeast part of the province. There are many citizens in the region around the proposed project residing in Fort St. John and other neighboring communities. The Métis have had an established community in the BC Northeast for more than 200 years and still use the land and resources for traditional purposes.

Utilizing the MNBC Traditional Harvesting Database and preliminary Métis Traditional Knowledge (MTK) research confirms that Métis Nation BC citizens, from adjacent Chartered Communities and nearby smaller communities, are exercising their Aboriginal right to harvest (hunt, fish, trap, gather plants) within the proposed Project's footprint. The construction and operation of the proposed Site C Dam project could put local Métis Aboriginal rights and traditional land-uses at risk. Métis harvesters who rely on the direct and surrounding area for sustenance, social and ceremonial purposes could see negative impacts from the construction and operation of the proposed Site C project. Because there is current traditional harvesting (hunting, fishing, and plant harvesting for foods and medicines) occurring in the proposed project area, there is Métis traditional knowledge and land use information activities that could be negatively impacted.

Métis Land Use:

Métis citizens of British Columbia desire sustainable use of their natural resources which includes: managing natural resources to meet present needs without compromising the needs of future generations; providing stewardship of natural resources based on an ethic of respect for the land; balancing economic, productive, spiritual, ecological and traditional values of natural resources to meet the economic, social and cultural needs of the Métis peoples and other aboriginal and non-aboriginal communities; conserving biological diversity, soil, water, fish,

wildlife, scenic diversity, and other natural resources; and restoring damaged ecologies. All of these may be significantly impacted by the proposed project.

MNBC interests in being engaged throughout all stages in this proposed project are to protect the sustenance and cultural needs of Métis citizens and ensure adequate consultation has been undertaken. Further, that Métis Rights and Traditional Land Uses are taken into consideration, that where possible the impacts to these rights and uses are minimized and where not possible, mitigation measures are employed.

As an Aboriginal Rights holding group identified by the Canadian Environmental Assessment Agency (CEAA) and therefore the federal crown, and affirmed by *s. 35 (2)* of *The Constitution Act 1982*, MNBC would like to bring forth the following concerns/comments on the proposed project and the exercise of our asserted rights.

Métis relationships to the land are based in cultural practices. Annual harvesting of traditional foods, fuel and medicine remains a central, material part of this relationship. Currently, large quantities of deer, elk, moose, fish, medicinal plants, berries, food plants, small game, timber and firewood are harvested from this area. Métis in the proposed project area also harvest significant quantities of bear, birds, bison, caribou, and sheep. There are concerns that these resources, and the land that they rely on, may be negatively impacted by the proposed project.

Métis History in the Region:

The history of the Métis in Northern British Columbian has not been very well documented and has only recently begun to receive scholarly attention. A lack of government recognition, demonstrated by the fact that Half-Breed Scrip was never issued, although initially offered in British Columbia (Scrip Officer failed to show up) , as well as the relative isolation of the Peace River from the rest of the province, left the northeast communities to slip through the historical cracks (Dolmage 2010). The communities in the northeast developed differently than

communities in central and western British Columbia. Fur trade Posts such as Fort St. John and Hudson's Hope developed as part of the Peace River district, as opposed to Kamloops or Fort St. James, which were connected to the Columbia River fur trade. Fort St. John was administered from Edmonton and Winnipeg, not from Fort Vancouver, Fort Langley or Victoria. Several records cover the Northern Peace River fur trade, but only few deal explicitly with the Métis who settled there. The book *Prophecy of the Swan: Upper Peace River Fur Trade of 1794-1823* (1995) provides an overview of the historic Peace River fur trade, but deals very little with the presence of the Métis in the Peace River. The book mentions the early presence of Métis in the area, noting "[s]uch names as Bouche, Brunoche, Dejardin, Lafreniere, Perriard, Connoye, D'Allair, Gagnon, and Cardinal indicate the dominance of French Canadian and/or Métis employees in the North West Company" (Leonard 1995). However, it does not discuss the Métis roles as early settlers in British Columbia (Edwards 1999). Jean Barman and Mike Evans have looked at the issue of Métis ethnogenesis in BC by comparing fur trade families that settled south of the Peace River in New Caledonia, what is now central British Columbia (Edwards 1999).

The area around what is now Fort St. John has been inhabited for approximately 10,500 years (Burley et. al 1995). In 1793, when Alexander Mackenzie first travelled through the Peace River looking for an interior route to the Pacific he remarked, "this magnificent theatre of nature has all the decorations which the trees and animals of the country can afford it: groves of poplars in every shape vary the scene; and their intervals are enlivened with vast herds of elks and buffaloes: the former choosing the uplands, and the latter preferring the plains" (Mackenzie 1963).

During this time the Peace was inhabited by two First Nations, the Sekani and the Beaver. The Beaver, who call themselves *Dunne-za* (the real people), and the Sekani *Tsé-kéh-ne* (people on the rocks or mountains) remain in the area to this day and are both speakers of northern Athapaskan languages (Burley et. al 1995). Crees had been moving west into what had traditionally been Beaver and Sekani territory throughout the seventeenth and eighteenth

centuries. As a result, altercations between the Beaver, Sekani and the Cree effectively moved the Beaver and Sekani even further west. The name of the area "The Peace River" was taken from a truce forged between the Beaver and Cree at what is now known as Peace Point, near where the Peace River meets with Lake Athabasca. Burley notes, "hostilities between Beaver and Cree and Sekani groups continued and heavily influenced the development of the fur trade in the Peace River Valley" (Burley et al 1995).

The fur trade began in the Peace River in the early 1800s. Mackenzie and his partners in the North West Company saw the Peace River as an ideal place for both trade and provisioning, and to that end Mackenzie established Rocky Mountain Fort in 1794 (Burley et. al 1995) (see Appendix A). The fort ran from 1794-1804 and was then replaced by Rocky Mountain Portage House, which was established in 1804 by John Stewart MacDougall at what is now Hudson's Hope. Fraser and MacDougall additionally established a new post farther south at McLeod Lake in 1805 effectively opening the fur trade in what came to be known as New Caledonia (Burley et al 1995). However, both Rocky Mountain Portage and McLeod's Lake were located in Sekani territory, and made it difficult for the Beaver to trade so St John's was established in 1806 at the mouth of what is now known as the Beatton River. Trade was flourishing in the North Peace, and provisioning this trade was possible due to the abundance of wildlife (Burley et. al 1995).

It was this plentiful stock of furs that led the Hudson's Bay Company in 1815 to attempt to enter the Athabasca trade. This move by the Hudson's Bay Company, led by Colin Roberson and John Clarke, to establish forts along Lesser Slave Lake, the Athabasca River and on the Peace River exacerbated the tensions between the HBC and the North West Company. The Hudson's Bay Company efforts were initially disastrous and interference by the North West Company led to many of the Hudson's Bay Company men starving to death because of the lack of provisions (Burley et. al 1995). The Hudson's Bay Company continued to try to make inroads in to the new district and met with some moderate successes in 1817 and 1818. The Hudson's Bay Company's

luck in the area took a turn when the new Governor of the Northern Department, George Simpson, took charge of the company's activities in the area. James Murray Yale was sent to build a post in October 1820 directly opposite to St John's at the former location of Rocky Mountain Fort. This put the HBC and NWC posts next to one another. However, in 1821, everything changed when there was a merger of the two rival companies. The new Hudson's Bay Company, led by Simpson, now owned a virtual trade monopoly in Western North America (Hurley et. al 1995).

It was not just the local Beaver and Sekani who traded at the posts; as in other areas, the HBC and the NWC encouraged the employment of freemen at the posts. According to Nicole St. Onge between 1763 and 1821 the NWC hired over 9,000 voyageurs and explorers for its northwest trade. About half of these men worked as winterers in the remote areas of the northwest. With the 1804 merger of the NWC and the X Y Company there was an influx of new freemen. This prompted numerous complaints from wintering partners angry that French Canadians and Iroquois employees were becoming freemen and were now roaming the interior with their native-born wives and mixed race children (St. Onge 2007). In the Peace River areas many of the freemen were Métis, as well as Quebecois and Iroquois. Common names that appeared in the area, and are still prevalent are Calihoo, Testawits, Monkman, Cardinal, Lafleur, and Gladue (Leonard and Lemieux 2003). The Fort was re-opened in 1860, under the name Fort St. John, just in time for the influx of miners and trappers on route to the Klondike. Many of the prospectors such as Henry John Moberly, Alex Mackenzie, and the legendary "Twelve" Foot Davis came through the Peace River as a land route and shared their time prospecting in the summer and trading in the winter. H.J. Moberly, a trader and miner, describes the arrangement he made with two Edmonton prospectors: "Cust and Carey persuaded me to join their enterprise. I invested twelve hundred dollars but refused to take an active part in the trade, preferring to hunt and trap. After looking the country over I decided to make my home fifteen miles south of the portage on a lake which now bears my name on the

maps… no Indians frequented the spot, and I had a hunters paradise all to myself" (Moberly 1952). This influx of miners led to a semi-permanent settlement pattern along the Peace River, as the Métis and Iroquois freemen, alongside the newcomers began to settle along the river and the south lakes (Leonard and Lemieux 2003).

The land-use histories of Métis families with links to Fort St. John are also contained in the records of the Hudson Bay Company (HBC). Post journals from Fort St. John written by Frank W. Beatton provide a detailed account of Métis use of the study area by the Beatton family. Beatton's wife, Emma Shaw, was the Métis daughter of William Shaw, an HBC factor. Together they had 12 children, 5 of whom born in Fort St. John (HBC Archives Filename: Beatton, Francis Worth (1865-1945), JHB December 1991 (Revised 1995). As, demonstrated in the journals, and consistent with other families of the historic Métis Nation, their livelihood came from a mixture of subsistence harvesting activities directed by seasonal rounds and the commercial production of furs, fish and game (journal entries available at: http://www.ubc.ca/okanagan/cssej/publishing/Frank_Beaton___the_Fort_St__John_Fur_Trade.html). Beatton's sons are noted in the journals as active hunters and trappers who lived and relied on territory extending from Fort St. John to Fort Nelson. The legacy of this family is commemorated in the river valley that bears their name.

Traditional harvesting activities provide opportunities for generations of Métis to connect with one another, "to carry things on," in other words. Through these activities, out on the land, young people learn about Métis traditions, foods and culture. Family harvesting sites are often bridges between past, present and future generations of Métis people. As such, these sites are important to Métis people for their ability to heal, to ground and to remind them where they came from. Traditional land use is integral to Métis kinship networks and harvesting is an important way to ensure the continuity of Métis traditional knowledge (MTK).

Although Métis historical presence in the Site C project area is documented in archives, archeology reports and other writings from 1790 to present (Dolmage, 2010, Burley et al. 1995), historians note "that primary documents relating to this period are few, and confusion exists over the origins and location for the sites" (Burley et. Al 1995). This is particularly so for the earliest post, Rocky Mountain Fort; a number of provincial histories have failed to recognize it, suggesting lack of data or marginalization (Burley and Hamilton 1991). In fact, David Burley and Scott Hamilton suggest most evidence for Rocky mountain Fort comes from basic site data and that little is known about "the impact of the fur trade on local animal populations, the degree to which Indian peoples had become dependent on European technology, and the dynamics of the social interaction between the officer and his men in a fur trade hinterland" (Burley and Hamilton 1995). Marginalization may have occurred due to the transient nature of the posts and the Métis people. Providing direct evidence is difficult due to purposeful marginalization in four key areas. First, Aboriginals were not engaged until non-aboriginal settlers arrived and the government realized it had to 'come to terms' with Métis in the area (Burley et al., 1995). Second, the BC government refused to acknowledge Métis in Treaty 8, however, the Métis people of the Athabasca area received scrip (Collections Canada 2012). Third, Métis are not mentioned directly but can be found through derogatory and marginalizing comments such as half-breeds, French Canadian engage, mixed ancestry and Canadians (Burley et al.1995).

Forts, fur trade, guides, voyageurs and the women who supported them, strongly suggest indirect evidence of historic Métis presence in the proposed project area (Burley et al., 1995). Hudson Bay Company documents such from post records at Fort Dunvegan, Connolly Post, Hudson Hope/Rocky Mountain Fort (Portage) and Fort St. John show common Métis surnames such as; Shaw, Forsyth, Dumas, Beatton, Taylor, Becher and Coutoreille in the employee records at Fort St. John. Métis may not have been referred to directly, however, many common Métis surnames can be found in church registries and Hudson Bay Company account books (Treaty 8 Commission).

Documents also provide further indirect evidence through reference to activities. Berry picking, and knowledge of the role pemmican played in fueling the fur trade is evident and could be considered an industry (Fladmark, 1985). Of particular note is a man named Lafrenier, who was employed in wood working and canoe manufacture in both the 1799-1800 and 1822-23 seasons (Beaton 2012) at both Fort St. John and Rocky Mountain Fort. The Métis people's connection to the fur trade is well documented, however, the scale and extent of this industry goes well beyond trapping.

The enterprises Métis engaged in after the decline of the buffalo and fur trade would have been broad, and ranged from canoe building, ranching and even some farming. Canadian National Livestock Records show that some of the Métis who began to settle the Peace country in the very early twenties were seriously interested in permanent settlement and gainful enterprise other than trapping (Calverley 2012). It is important to see that the Métis people who were the children of the fur trade and buffalo hunt would have taken up other activities as these activities declined.

The two watersheds that cover the project area, Upper Peace River (UPCE) and the Pine River (PINE***),*** represent one of the most prolific Métis harvesting regions in the province of British Columbia. Métis harvest large quantities of deer, elk, moose, fish, medicinal plants, berries, small game (including trapping), as well as timber and firewood. Métis harvesters also hunt significant quantities of bear, birds, bison, caribou and sheep. As such, Métis are truly concerned about the negative impacts on fish, wildlife and bird populations the proposed project may cause. Another concern is that the proposed project will flood and destroy a documented historic Métis community Rocky Mountain Fort dating back to 1794. This was a Northwest Company fort established to trade furs and provision the Athabasca/Peace fur trade. A journal entry from the winter of 1799-1800 documents twelve Métis patronyms, and speaks to the women and children at the fort. The fort site was the focus of an Archaeological survey in the 1970s (see Appendix B) where evidence of extensive harvesting of big game was documented. Hydro dams have already destroyed several Métis historic sites including Finlay Forks (under Williston Reservoir) as well

as Boat Encampment and Dalles des Morts (under Kinbasket Reservoir) without any acknowledgement or consultation with Métis. It is important to ensure cultural continuity through the ability of current and future generations to practice traditional activities. In this regard Métis would like to have future site use and access addressed for ceremony, celebration, and other traditional activities.

Conclusion:

There are over a thousand Métis living in the greater Fort St. John and Fort Nelson area and more non-resident harvesters from around the province who travel to the project area. The Métis Peoples of BC are represented by Métis Nation British Columbia at the provincial, regional and community level. The MNBC Assembly of Natural Resources and regional Captains have an active role in the assertion of Métis inherent rights according to Section 35 of the Constitution and the MNBC Natural Resources Act. The four (4) Chartered Métis Communities in the project area are part of the area to provide multiple levels of self-government that assert their Métis rights.

Métis are stewards of the land and will work cooperatively with BC Hydro and the Canadian Environmental Assessment Agency to ensure that local Métis Citizen's Aboriginal rights are respected and appropriately addressed. MNBC will work diligently and in good faith to protect all the natural resources that Métis people have, and continue, to rely on as a way of life.

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APPENDIX A

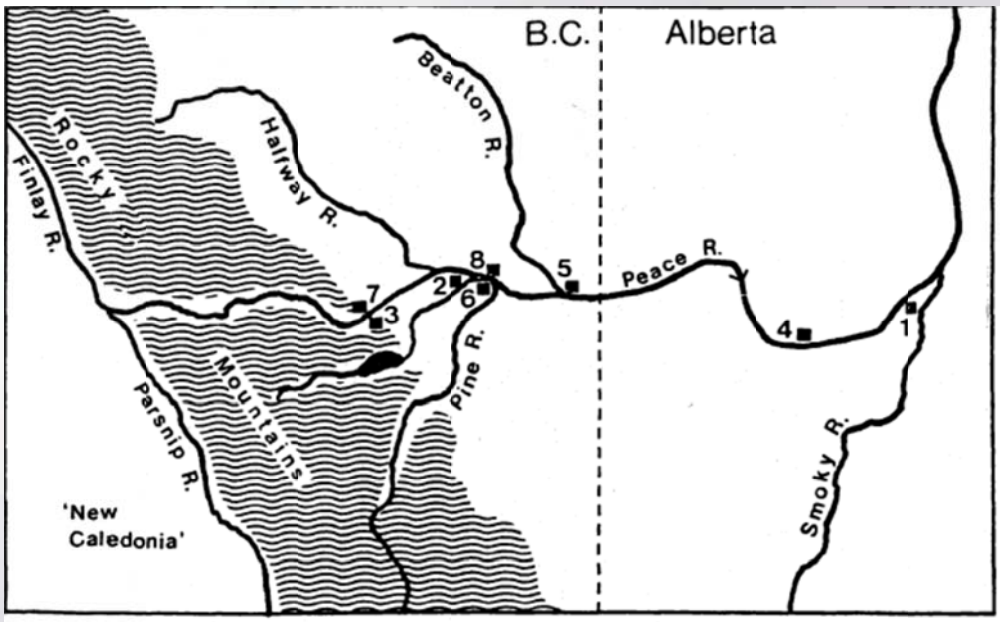

FIGURE 1

Fur trade forts of the upper Peace River: 1. Fort Fork (NWC, established 1792); 2. Rocky Mountain Fort (NWC, 1794?), Fort de Pinette/Yale's House (HBC, 1820), McIntosh's "nuisance post" (NWC, 1820); 3. Rocky Mountain Portage House (NWC, 1804); 4. Dunvegan (NWC, 1805); 5. St. John's (Fort St. John I, NWC, 1806); 6. Fort St. John (II, HBC, 1860); 7. Rocky Mountain Portage House/Hudson Hope (HBC, 1866); 8. Fort St. John (III, HBC, 1874). Not all Alberta forts shown.

The above map show s the location of the Rocky Mountain Fort (located at 2, Fort St. John is located at 6) (Fladmark 1985). The site is situated on the south shore of the Peace River near it's confluence with the Moberly. In 1975, Fladmark rediscovered the location of the Rocky Mountain Fort through descriptions found in David Thompson's journal from 1804. Test excavations (Spurling, Finlay and Fladmark 1976), verified the identification. During the survey they found three stone chimney mounds, three sizable "cellar" depressions, several smaller mounds and hollows, wall outlines, a possible door, glass beads, gun-flints, a small broach, an embossed steel button, a clasp-knife blade, part of a mattock-head, and iron arrowhead, file fragments, a gun lock-screw, lead shot, nails, fragments of sheet copper, and a fragment of an incomplete stone pipe bowl (Fladmark 1985).

APPENDIX B

There are numerous references discussing the archaeological research that took place in the 1970's (and some in the 1980's) in the Peace River area. Please refer to the following articles as examples:

Burley, D. and S. Hamilton. 1990. Rocky Mountain Fort: Archaeological research and the late eighteenth-century North West Company expansion into British Columbia. BC Studies. 88: 3-20.

Fladmark, K.R. 1980. Paleo-Indian artifacts from the Peace River district. BC Studies. 48: 124-135.

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Spurling, B., F. Finlay and K. Fladmark. 1976. Report on the Peace River archaeological survey and salvage project. Unpublished report on file with the Archaeological Sites Advisory Board, Victoria, BC.

Clarifications to BC Hydro's Review and Response in regard to the Métis Nation BC's "Site C Clean Energy Project" Report

On page 1 in the first paragraph, the report states that the dam "could put local Métis Aboriginal rights and traditional land uses at risk". Can you elaborate on this point and provide more detail; in what way, when, where, etc.?

Métis relationships to the land are based in cultural practices. Annual harvesting of traditional foods, fuel and medicine remains a central, material part of this relationship. Currently, Métis harvest large quantities of deer, elk, moose, fish, medicinal plants, berries, food plants, small game, timber and firewood from this area all year round. Significant quantities of bear, birds, bison, caribou, and sheep are also harvested by Métis in the proposed project area. Métis are concerned that these resources, and the land that they rely on, may be negatively impacted by the proposed project.

Mackenzie and his partners in the North West Company saw the Peace River as an ideal place for both trade and provisioning. The following year, in 1794, Mackenzie established Rocky Mountain Fort at the point where the Moberly River flows into the Peace near the southern tip of the Study Area.

The land-use histories of Métis families with links to Fort St. John are also contained in the records of the Hudson Bay Company (HBC). Post journals from Fort St. John written by Frank W. Beatton provide a detailed account of Métis use of the study area by the Beatton family. Beatton's wife, Emma Shaw, was the Métis daughter of William Shaw, an HBC factor. Together they had 12 children, 5 of whom born in Fort St. John (HBC Archives Filename: Beatton, Francis Worth (1865-1945), JHB December 1991 (Revised 1995). As, demonstrated in the journals, and consistent with other families of the historic Métis Nation, their livelihood came from a mixture of subsistence harvesting activities directed by seasonal rounds and the commercial production of furs, fish and game (journal entries available at:

http://www.ubc.ca/okanagan/cssej/publishing/Frank_Beaton___the_Fort_St__John_Fur_Trade.html)***.***

Beatton's sons are noted in the journals as active hunters and trappers who lived and relied on territory extending from Fort St. John to Fort Nelson. The legacy of this family is commemorated in the river valley that bears their name.

Traditional harvesting activities provide opportunities for generations of Métis to connect with one another, "to carry things on," in other words. Through these activities, out on the land, young people learn about Métis traditions, foods and culture. Family harvesting sites

are often bridges between past, present and future generations of Métis people. As such, these sites are important to Métis people for their ability to heal, to ground and to remind them where they came from. Traditional land use is integral to Métis kinship networks and harvesting is an important way to ensure the continuity of Métis traditional knowledge (MTK).

Page 6 reads; "The two watersheds that cover the project area represent one of the most prolific Métis harvesting regions in the province of British Columbia (See Map)." Which 2 watersheds is the report referring to? Also, the map provided is for the entire province. Would it be possible to receive a copy of the map zooming in or Northeast BC? Would it be possible to provide BC Hydro with additional details regarding the methodology behind the map?

The two watersheds that the report was referring to were the Upper Peace River (UPCE) and the Pine River (PINE) watersheds.

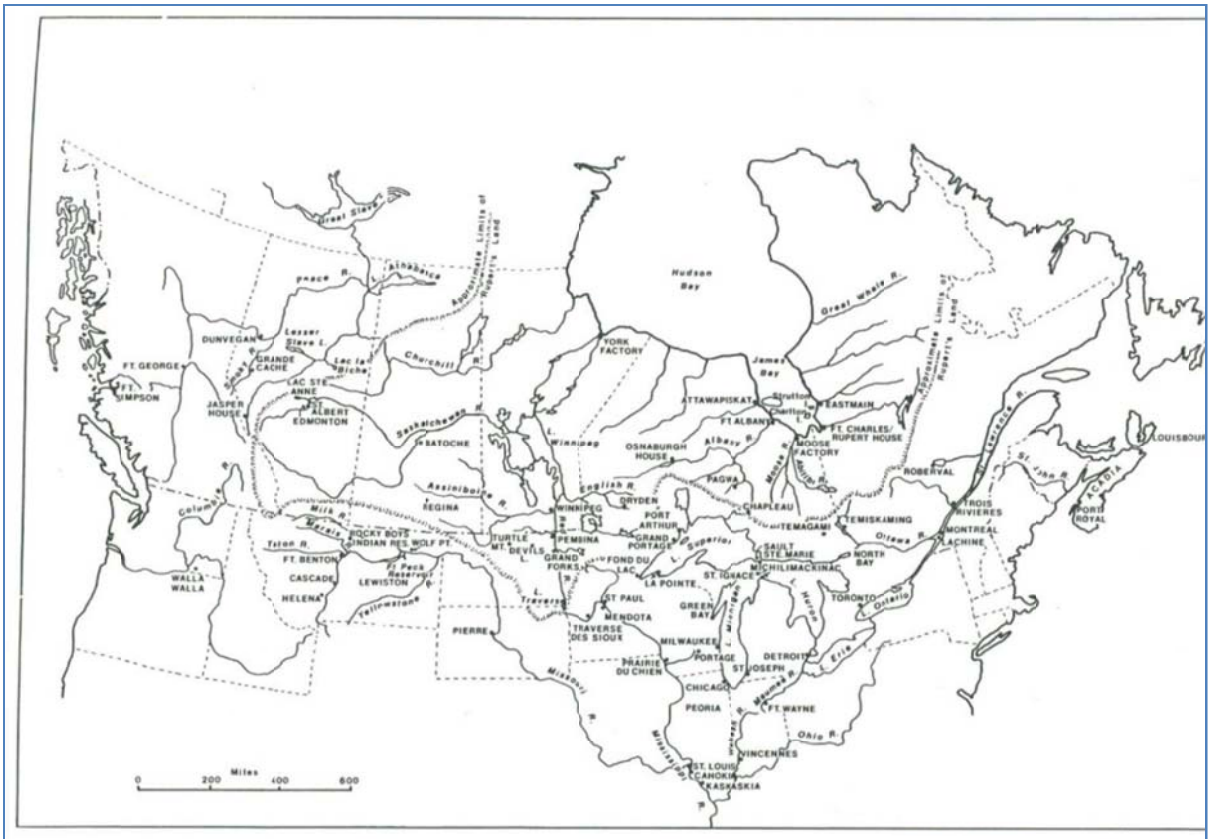
Unfortunately, we do not have a copy of the map to be "zoomed" into Northeast BC. But we can provide some methodology behind the map as well as additional maps (two included in this document and two attached separately)

The Harvesting Survey project map (original map we sent with the watersheds) gathers information on current and past harvesting practices throughout British Columbia in order to better understand their scope and density. The data gained through community-based interviews with Métis land users and local Métis Leadership is used to generate maps that can interactively demonstrate harvesting activities.

Detailed information on various animal and plant species as well as relationships between family member's harvest practices were also studied in order to better understand how harvesting practices and traditional knowledge are passed on from generation to generation. The project was developed by Dr. Mike Evans. At the time Dr. Evans was the Canada Research Chair in World's Indigenous Peoples and Research Director for Métis Nation British Columbia.

The Map showing the province by watershed was created for all data collected to date.

Additional Maps:
In the territory of what is now BC, the Peace District, part of the Athabasca drainage, was the area impacted most directly by Métis Freemen. Early (prior to 1800) and involved Métis families that can be found in the region today (eg. La Fleur, Letendre, Whitford, and Shaw).



The métis landscape. (Map by Victor Lytwyn.)

Métis Landscape

Métis Homeland

Regarding the Rocky Mountain Fort, it was noted the site was the focus of an Archaeological survey in the 1970's. What information do you have respecting the archeology survey? Can you provide additional details regarding the location of the survey?

Page 7 reads: “Another concern is that the proposed project will flood and destroy a documented historic Métis community Rocky Mountain Fort dating back to 1794.” Can you please provide us with details on the location of this Fort and if applicable any activities that currently take place at this site?

There are numerous references discussing the archaeological research that took place in the 1970’s (and some in the 1980’s) in the Peace River area. Please refer to the following articles as examples:

Burley, D. and S. Hamilton. 1990. Rocky Mountain Fort: Archaeological research and the late eighteenth-century North West Company expansion into British Columbia. BC Studies. 88: 3-20.

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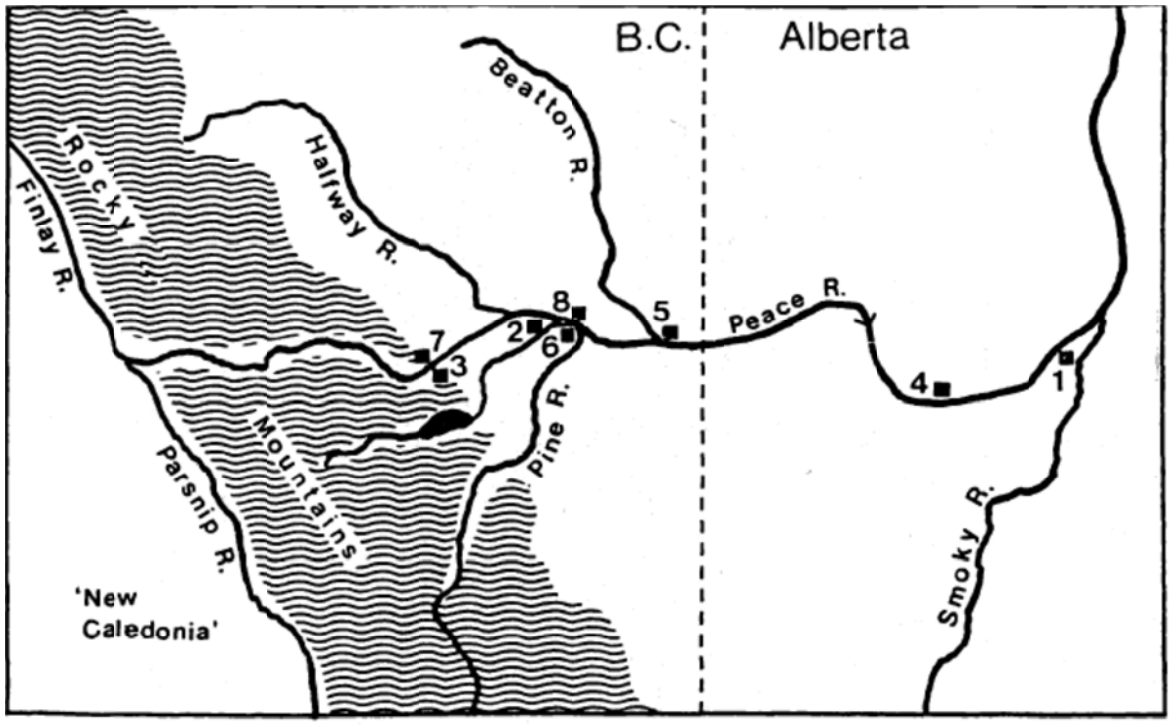

FIGURE 1

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The above map show s the location of the Rocky Mountain Fort (located at 2, Fort St. John is located at 6) (Fladmark 1985). The site is situated on the south shore of the Peace River near

it's confluence with the Moberly. In 1975, Fladmark rediscovered the location of the Rocky Mountain Fort through descriptions found in David Thompson's journal from 1804. Test excavations (Spurling, Finlay and Fladmark 1976), verified the identification. During the survey they found three stone chimney mounds, three sizable "cellar" depressions, several smaller mounds and hollows, wall outlines, a possible door, glass beads, gun-flints, a small broach, an embossed steel button, a clasp-knife blade, part of a mattock-head, and iron arrowhead, file fragments, a gun lock-screw, lead shot, nails, fragments of sheet copper, and a fragment of an incomplete stone pipe bowl (Fladmark 1985).

Currently, Métis harvest large quantities of deer, elk, moose, fish, medicinal plants, food plants, berries, small game, as well as timber and firewood from this area. Significant quantities of bear, birds, bison, caribou and sheep are also harvested by Métis in the proposed project area.

On page 7, the report refers to Rocky Mountain Fort as "documented historic Métis community" and a 1799-1800 journal entry that "documents twelve Métis patronyms". Can you provide BC Hydro with this documentation?

This documentation came from an anonymous journal written in the Rocky Mountain Fort in the winter of 1799-1800. It is now part of the Masson papers held by the National Archives of Canada, a collection of predominantly North West Company manuscripts. A copy of the Rocky Mountain Fort journal (and the patronyms) can be found as an Appendix in the following reference:

Burley, D.V., J.S. Hamilton and K.R. Fladmark. 1996. Prophecy of the swan: The upper Peace River fur trade of 1794-1823. UBC Press, Vancouver, BC. Pg 139-151.

There were actually 14 patronyms listed. Twelve having arrived with the officer in October, one having maintained the post the previous summer, and the last coming from the "lower fort" in March. The names are: Beison, Bouché, Brunoche, Cantaras, Cardinal, Connoyé, D'Allair, Dejardin, Gagnon, Lafreniere, Mandau (also spelled Mandou), Maniant, Perriard, and Sauteux.

This anonymous journal provides a good indication of what was happening on the western fringes of the Peace River district. The names of several company employees, or engagées, as they were more commonly known are contained throughout the journal. Two men named Bouché figured in the subsequent history of New Caledonia: Jean-Baptiste Bouché, also known as Waccan, and Paul Bouché also known as La Malice or Mallice. E.E. Rich places both as Half-Breeds [Métis] at Fort Wedderburn. However, it is more likely that Jean-Baptiste the voyageur who also accompanied Mackenzie to the Pacific Ocean. D'Allaire is mentioned twice

in the Journal of Daniel Harmon, a NWC trader in New Caledonia in 1810-11. D'Allaire, Gagnon, and Landry appear in the fur trade journals of New Caledonia at McLeod Lake in the early 1820s.

On page 1 and 8, Pierre's trap line is mentioned. Can you provide BC Hydro with more detail on where it is located or provide a map of the trap line?

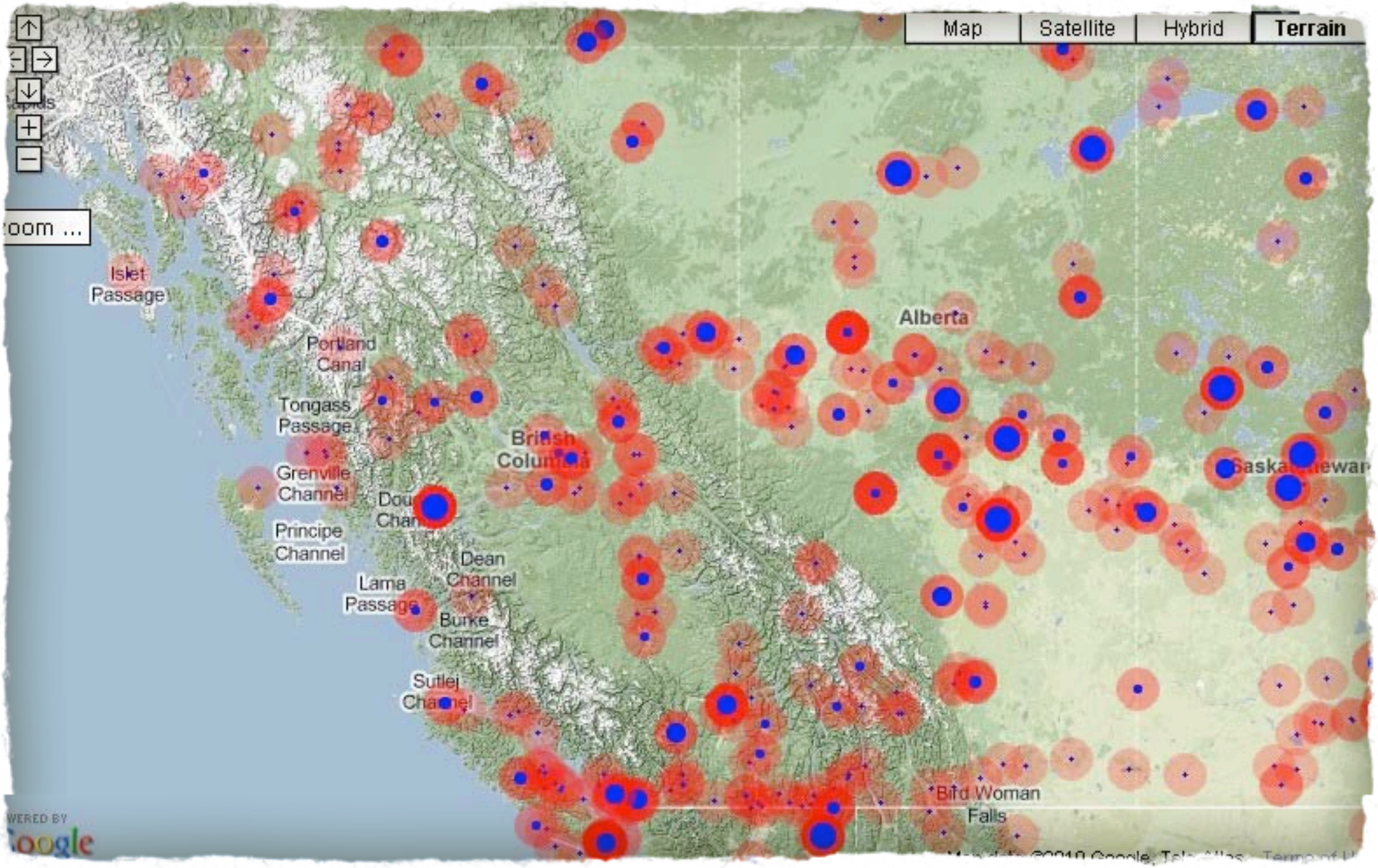
We have not been able to contact Pierre directly, but will continue to attempt to get in touch with him, and get permission to release his person contact info and trap line details.

Page 8 reads: “Gardiner family trap line is another that needs to be considered and consulted”. Can you provide us with the location of this trap line and contact information for the trap line holder?

We originally provided erroneous information and the Gardiner trap line is actually located in the Fort Nelson area, and will not be significantly impacted by the proposed project.

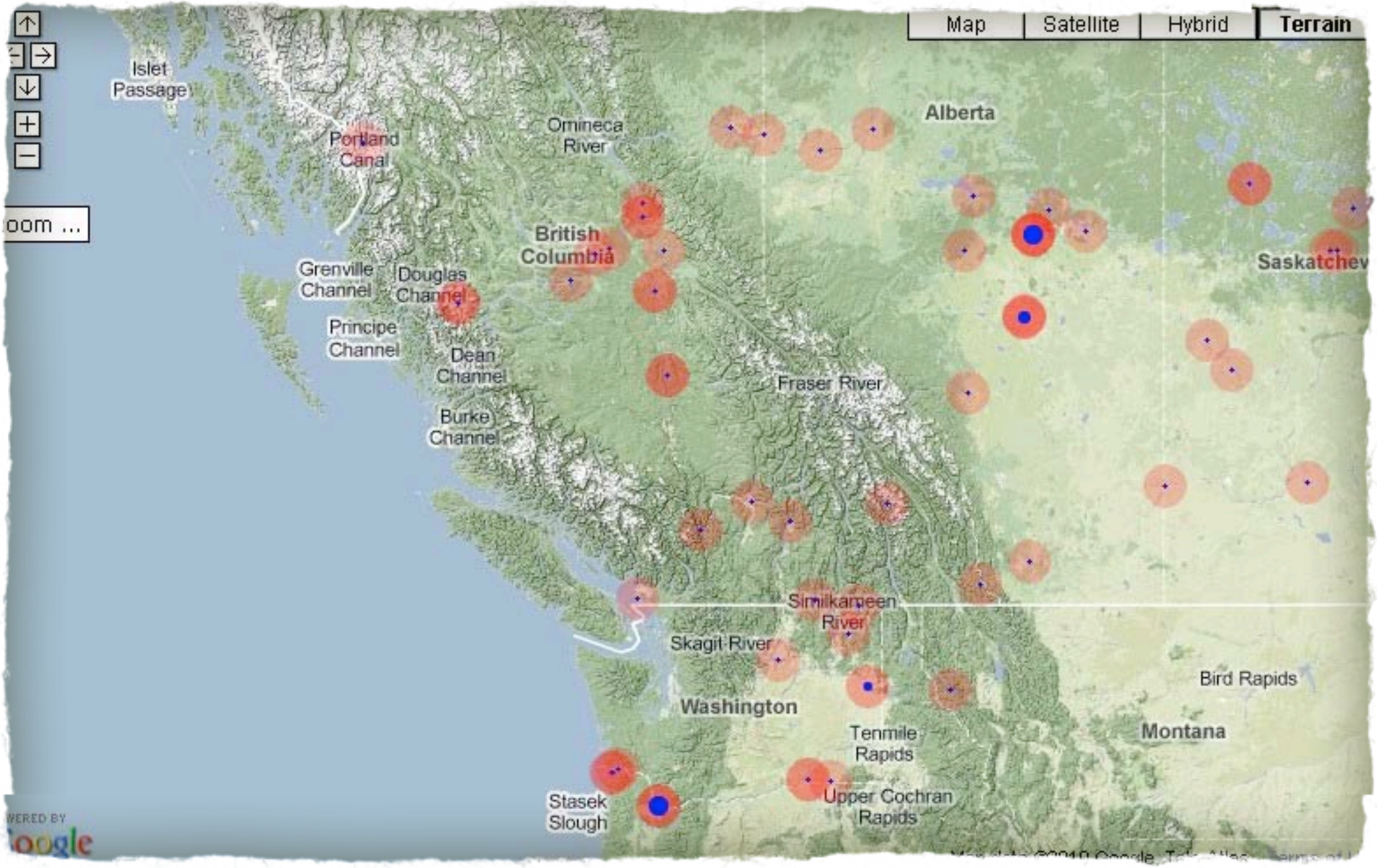
Map Series: Historic Document Database
Subject Search: Fur Trade

Documents	1 - 5	6 - 10	11 - 20	21 - 40	41+
Icon					



Map Series: Historic Document Database
Subject Search: North West Company

Documents	1 - 5	6 - 10	11 - 20	21 - 40	41+
Icon					

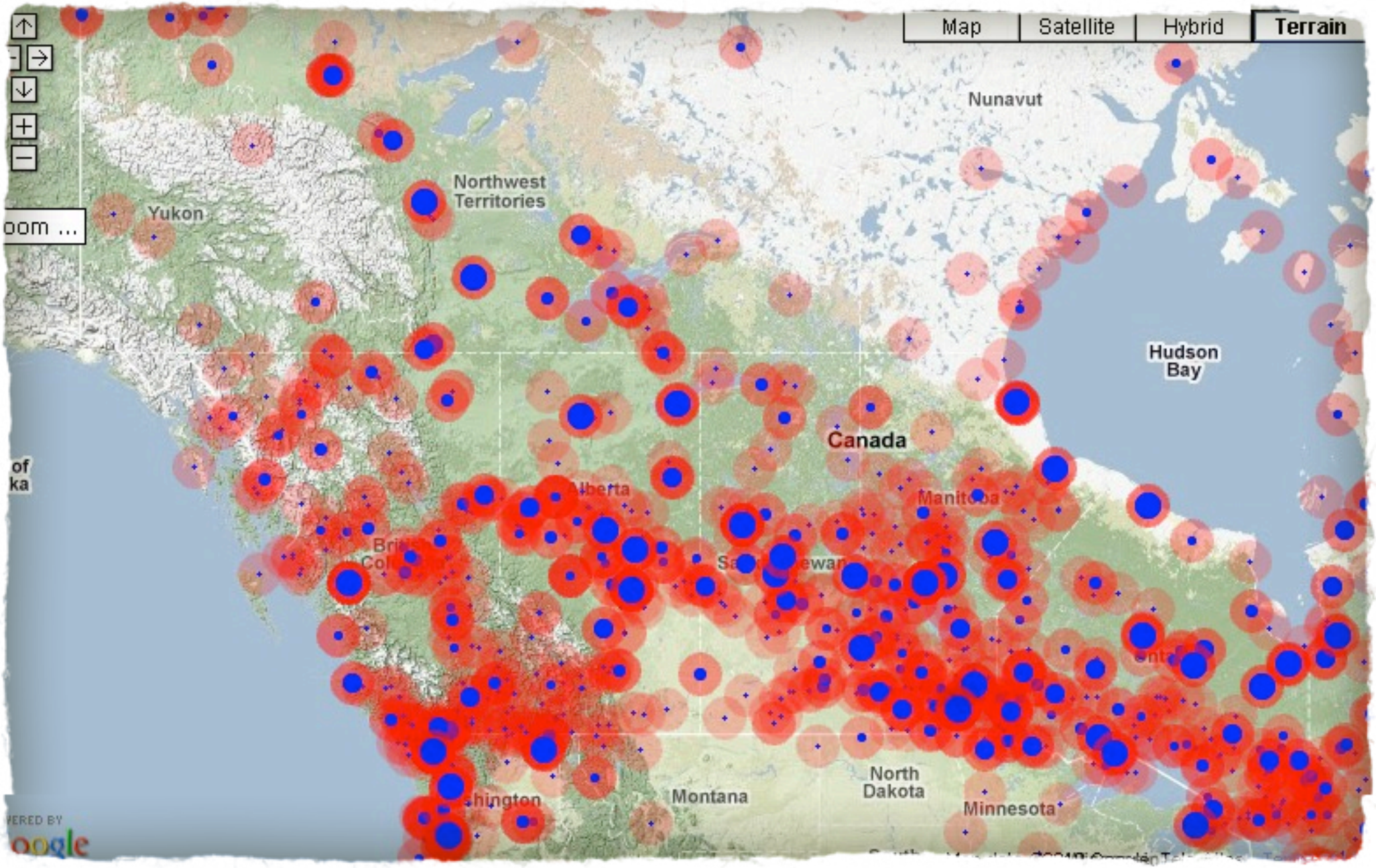


Map Series: Historic Document Database
Subject Search: North West Company

Documents	1 - 5	6 - 10	11 - 20	21 - 40	41+
Icon					

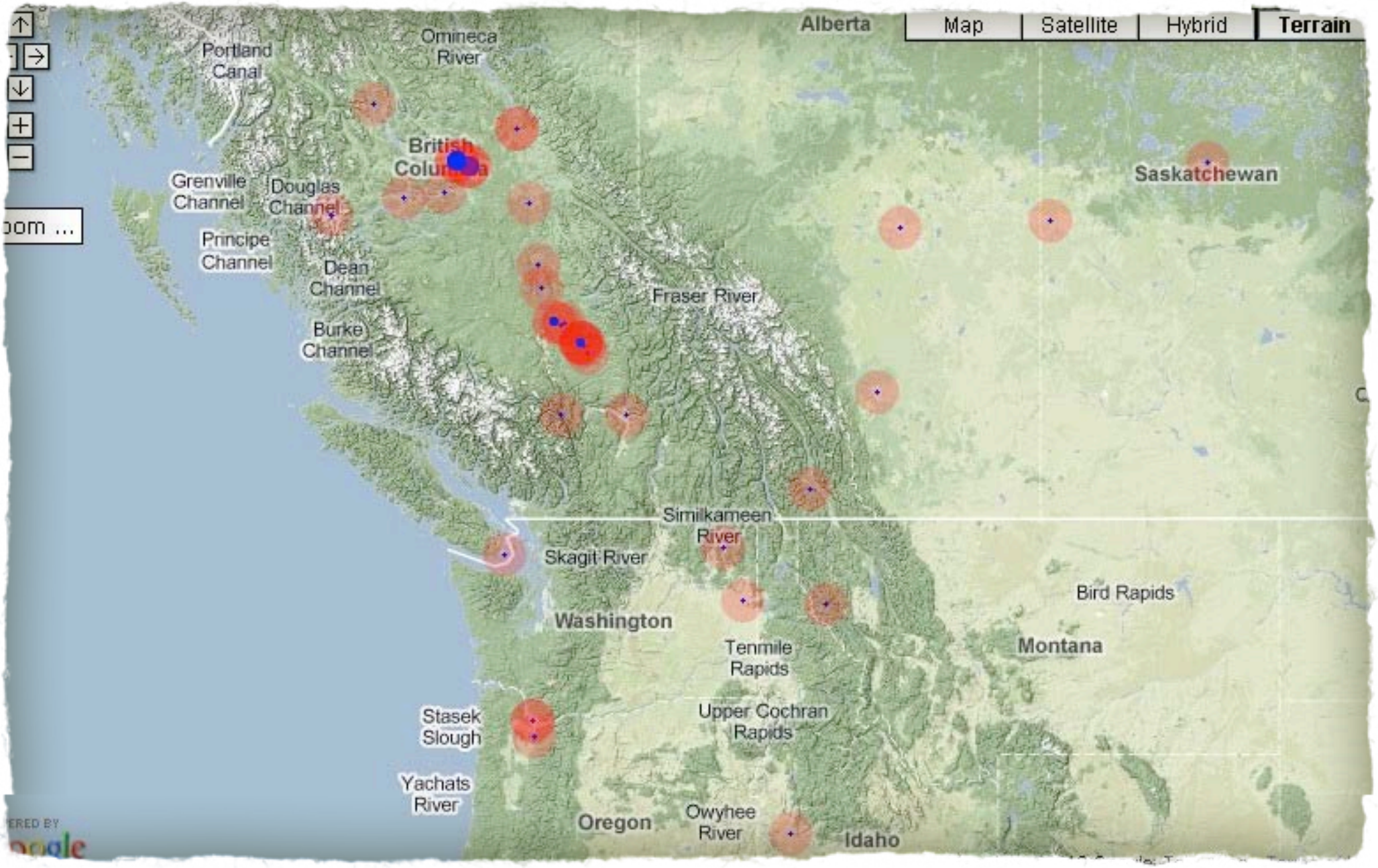
Map Series: Historic Document Database
Subject Search: Hudson's Bay Company

Documents	1 - 5	6 - 10	11 - 20	21 - 40	41+
Icon					



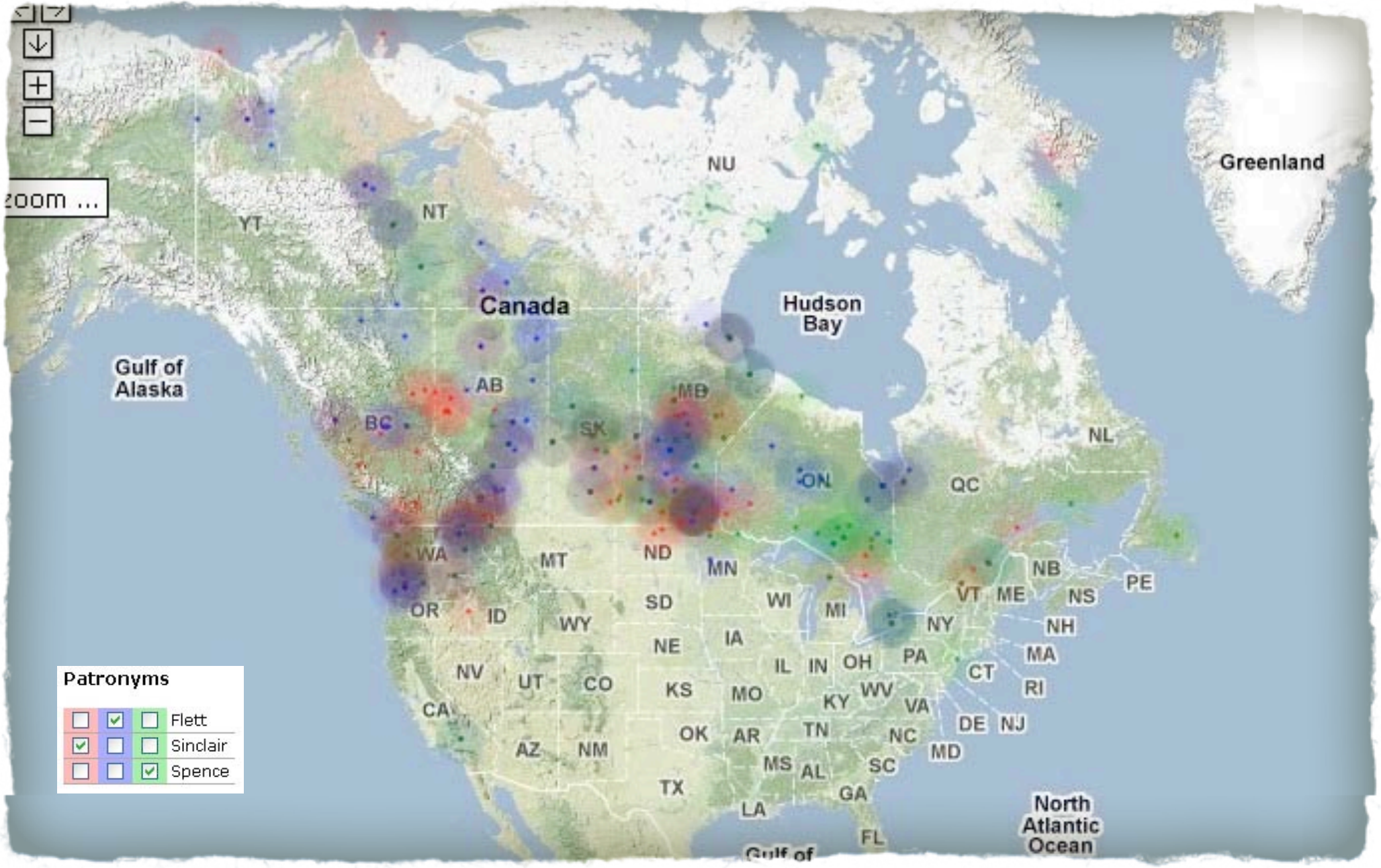
Map Series: Historic Document Database
Patronym Search: Ogden

Documents	1 - 5	6 - 10	11 - 20	21 - 40	41+
Icon					



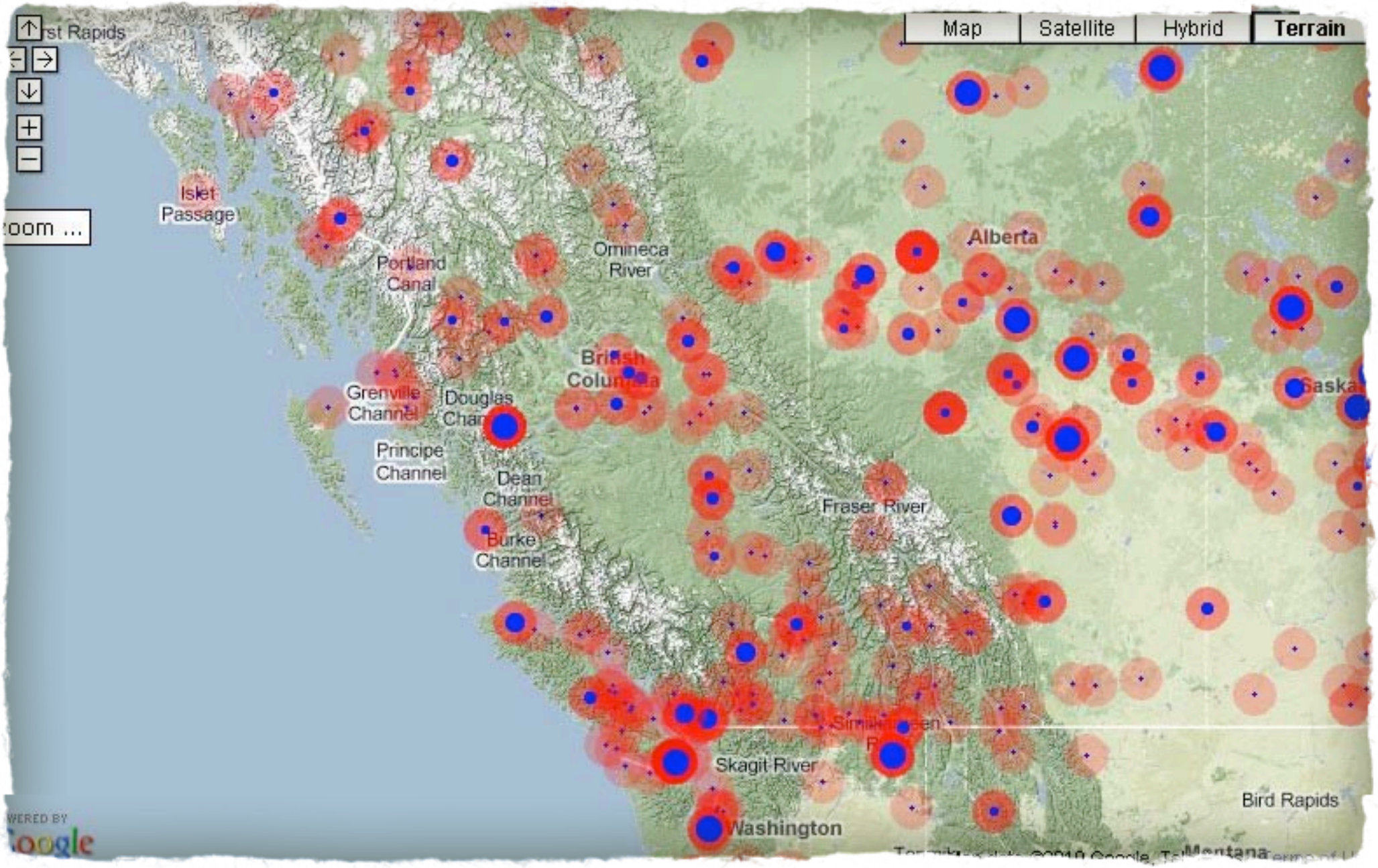
Map Series: Historic Document Database
Patronym Search: Flett, Spence, Sinclair

Documents	1 - 5	6 - 10	11 - 15	16 - 20	21 - 25	26 - 30	31 - 35	36 - 40	41 - 45	46+
Icon										



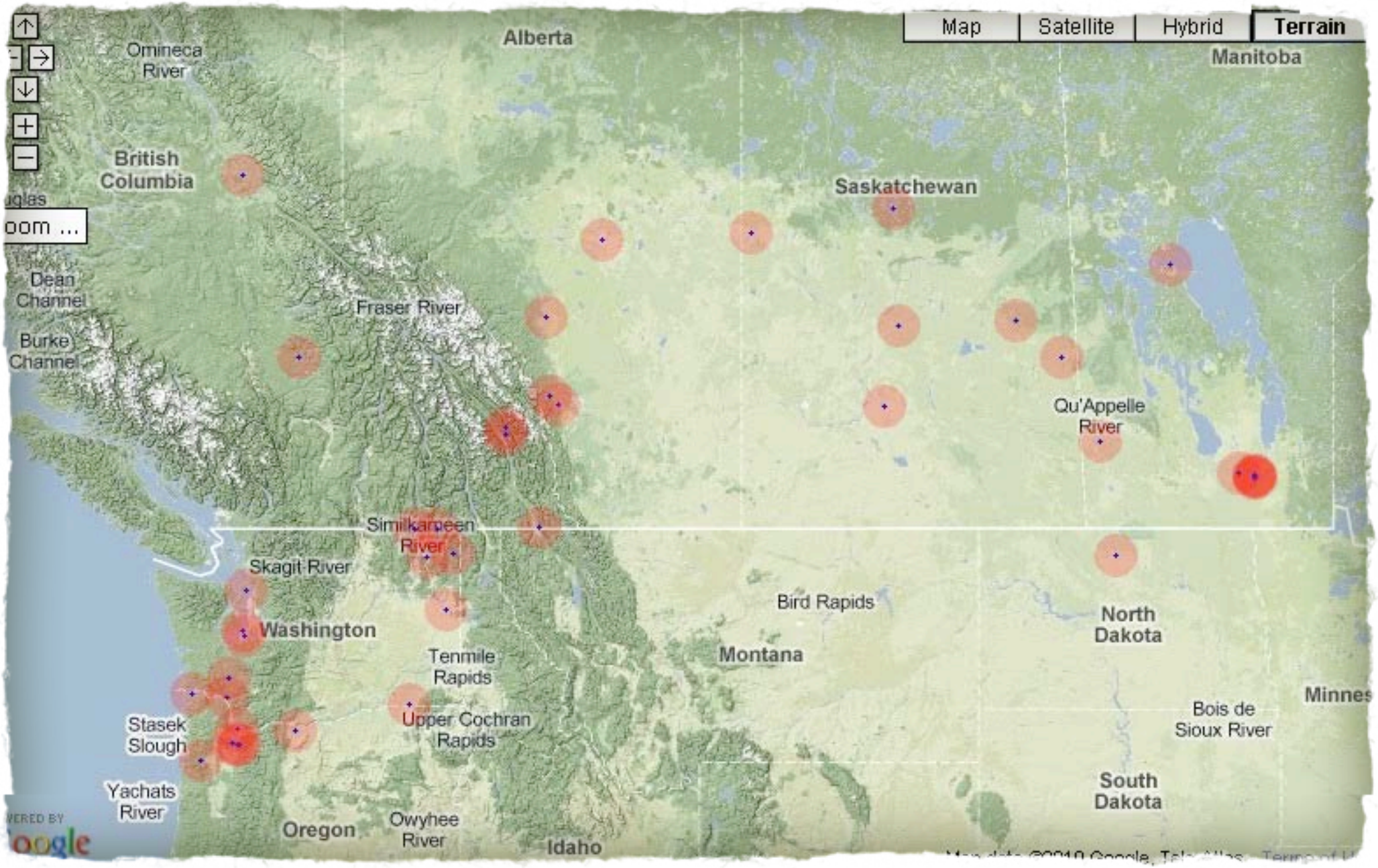
Map Series: Historic Document Database
Subject Search: Hudson's Bay Company

Documents	1 - 5	6 - 10	11 - 20	21 - 40	41+
Icon					



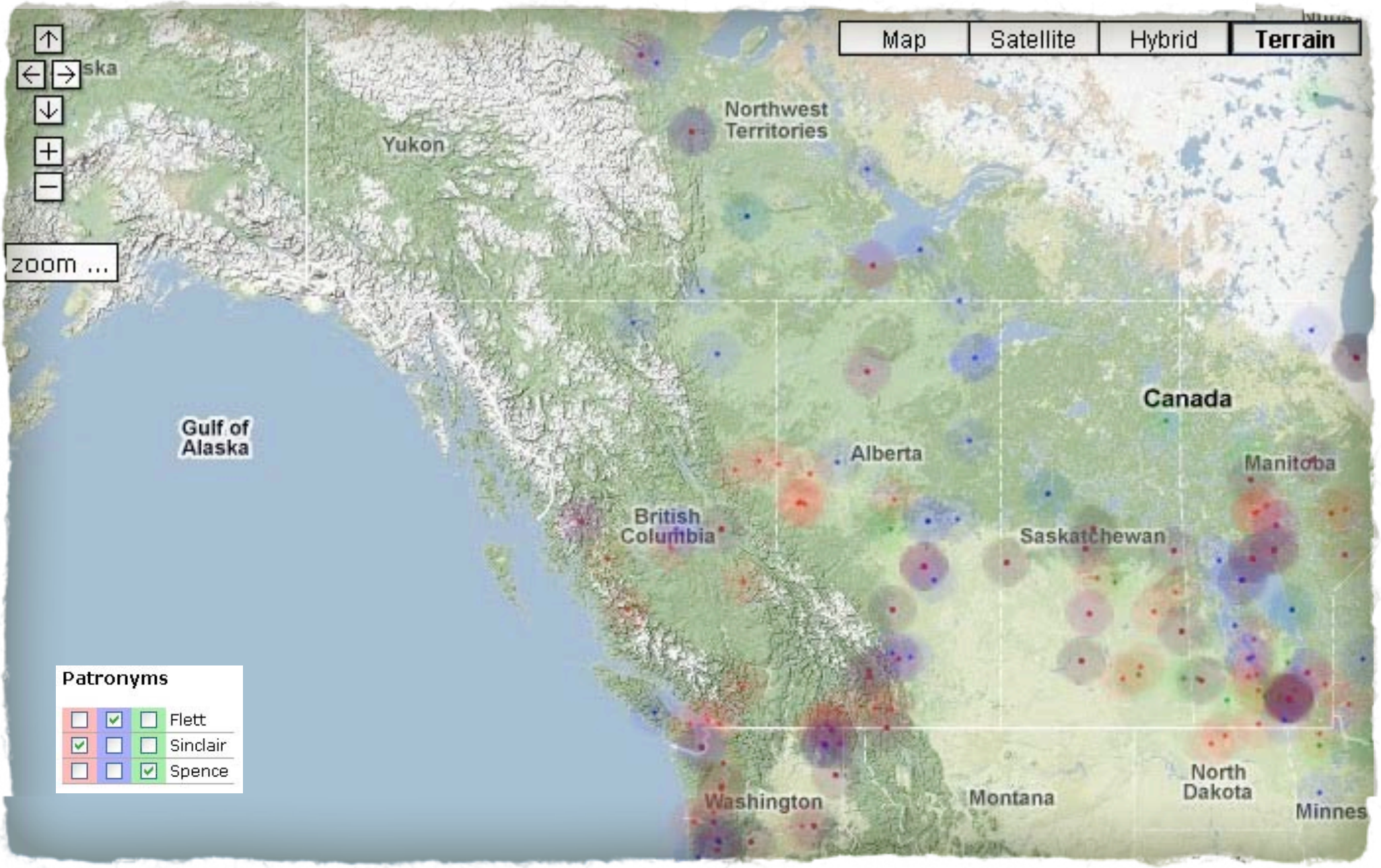
Map Series: Historic Document Database
Subject Search: Sinclair Expedition

Documents	1 - 5	6 - 10	11 - 20	21 - 40	41+
Icon					



Map Series: Historic Document Database
Patronym Search: Flett, Spence, Sinclair

Documents	1 - 5	6 - 10	11 - 15	16 - 20	21 - 25	26 - 30	31 - 35	36 - 40	41 - 45	46+
Icon										



MÉTIS NATION BRITISH COLUMBIA

MÉTIS NATION BRITISH COLUMBIA USE AND OCCUPANCY STUDY

May 24, 2013 Aboriginal Group Amendment Report

A Métis Use and Occupancy Study for the BC Hydro Site C Dam Clean Energy Project

Prepared for: BC Hydro

Prepared by: Métis Nation British Columbia

March 15, 2013

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1 INTRODUCTION

Métis Nation British Columbia (MNBC) would like to present strong evidence based on recent data gathered to dispute BC Hydro's assertion that:

"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 Métis Nation British Columbia. Métis Nation British Columbia has indicated use of the Peace River valley in a general sense, but has not provided sufficient specific information on use within the Local Assessment Area (LAA) to enable an effects assessment. Should additional information regarding current and reasonably anticipated future use of lands and resources within the LAA be received from Métis Nation British Columbia, BC Hydro will consider and incorporate it in the EIS, as appropriate, during the EIS review phase. Consultation is ongoing between BC Hydro and the Métis Nation British Columbia, and may yield additional information on the Métis Nation British Columbia's current and reasonably anticipated future use of lands and resources that may potentially be affected by the Project. Should Métis Nation British Columbia 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" (BC Hydro, Site C EIS, 2013).

The data collected during our recent study clearly shows there is the potential for adverse effects on Métis due to the project. Due to the limited funds available, only a

small number of respondents were interviewed. As such, this is an incomplete picture of Métis land use as data saturation was not reached.

1.1 Purpose of Study

The purpose of this Métis Traditional Knowledge Study for the BC Hydro Site C Dam Clean Energy Project (the study) is to report on Métis land and resource use in the vicinity of the proposed Site C Clean Energy Project (the project) area. BC Hydro and the Métis Nation BC finalized a supplemental Letter of Understanding which provided capacity funding to support Métis Nation BC's completion of a Land Use Research Project, which included the following components:

- A review of existing literature regarding Métis traditional knowledge, traditional land use activities, harvesting data and Métis history in the Fort St. John area;
- One on one interviews with 10 individual Métis traditional knowledge holders to document information regarding hunting, trapping, fishing and plant gathering practices, as well as other historical land use activities;
- The creation of detailed site mapping based on interviews with Métis traditional knowledge holders, including the identification of significant sites; and,
- A summary report, including mapping products, to provide to BC Hydro in order to inform the assessment of the Project.

1.2 Organization of this Report

This report is divided into six sections. Section 1 outlines the scope and objectives of the study. Section 2 discusses the methodology developed and utilized for the study. Section 3 provides a brief overview of the historical presence of Métis in the study area. Section 4 presents aggregated MTK data. Section 5 describes the anticipated impacts of the proposed pipeline on Métis land uses. Recommendations for next steps are outlined in Section 6.

1.3 Protocol governing the use of this report

The Métis Nation of British Columbia Ministry of Natural Resources Guidelines and Métis Traditional Knowledge Policy define Métis Traditional Knowledge (MTK) as Information contained in this final report remains the sole property of MNBC. Citation, use or reproduction of any information contained in this final report is permissible only with the written consent of MNBC.

2 METHODOLOGIES

2.1 Research Design

After receiving budgetary approval from BC Hydro to proceed with the research in late November 2012, the research design and interview methodology was developed, participants solicited, and interviews were arranged. The BC Métis Assembly of Natural Resources (BCMANR) was consulted for approval, direction and feedback, as was the MNBC Regional Director for the Northeast, and the community office in Ft. St. John.

Work was initiated in December 2012. Emails were also sent to the local charted communities.

2.1.1 Study Area

The Study Area was identified to provide a basis for assessing the effects of the proposed project on Métis traditional land uses in the region. Maps of UTM, NAD 83, Zone 10 at a scale of 1:75000 were used to cover the area along the Peace River as well as the areas north and south. This stretched from West of Hudson's Hope to the Alberta boarder and from Pink Mountain in the North to Toms Lake in the South.

2.1.2 Temporal Parameters

MNBC understands MTK as the body of information, values, beliefs and practices passed from one generation to another by oral means or through land-based experience that pertains to the identity, culture and heritage of the Métis people and their respect for the land and its resources. The use of land and resources for traditional purposes is one aspect of MTK. The temporal parameters of the study include the personal use of the study area by British Columbia (BC) Métis throughout their lifetime i.e. living personal experience.

Participants interviewed for the study were asked to discuss their personal use of the study area. Consistent with standard techniques in land-use and occupancy mapping (Tobias 2010), personal use encompasses land and resource use during a respondent's lifetime.

2.1.3 Study Population

The study population began with a list of Harvesters from MNBCs Harvesting Card Registry. Purposeful sampling of Harvest Card holders in the Hudson's Hope and Fort St. John areas were balanced by known harvesters from Prince George, Mackenzie and the Lower Mainland. By including harvesters who live away from the Peace River but who harvest resources and have potential rights along the peace demonstrates the need for a larger survey to ensure the best information possible is provided to the proponent. The few respondents from the local area revealed tremendous use of the area effected by the project and showed the need for further data collection.

Key knowledge holders were also identified through conversations with local harvesters from the Fort St. John and Hudson's Hope Métis communities. MNBC maintained sole responsibility for verifying individual eligibility for participation in the study prior to undertaking the interviews. In total, ten (10) individuals identified by MNBC participated in use and occupancy interviews for this study.

2.1.4 Review of Existing Data Sources

Since 2007, MNBC has compiled the following MTK databases that document traditional land use and knowledge of the BC Métis community:

- Dr. Evans Interviews with Elders (2004-2006)
- BC Métis Land Use Study (2007-2009)
- Northern Gateway Pipeline Study (2009-2010)
- Caribou Study (2009)

- Species at Risk Survey (2009-2011)
- MNBC Harvester Database (2010-2013)
- Alaska Pipeline Project (2011-2012)
- MTK Study for the Kyklo and Komie TransCanada pipeline Projects (2012)

While the existing data MNBC possesses does show Métis land use in the region, it does not conform to best practices within the discipline and is not detailed enough.

2.1.5 Site C BC Hydro and MNBC Consultation Meeting

On June 5, 2012, BC Hydro met with representatives of MNBC (President, Director of Industry, and Consultation Coordinator). BC Hydro advised that BC Hydro, as the proponent, had been delegated by the CEA Agency to consult with Métis Nation BC, and expressed interest in understanding how and where Métis people used the land and exercised their asserted rights. BC Hydro indicated that it was prepared to provide Métis Nation BC with funding to support work related to the assessment of potential effects of the Project on its asserted rights. BC Hydro explained that Métis Nation BC would be consulted with and given an opportunity to comment, and have input into, the EIS. BC Hydro provided a Project overview which addressed BC's energy gap, supply and demand, general Project information, 2011-2012 field work, potential Project opportunities in the areas of education and training, and the Integrated Resource Plan process. With respect to harvesting, Métis Nation BC showed BC Hydro a Métis citizenship card and a harvesting card. Métis Nation BC indicated that the Métis citizenship card is required before a harvesting card is granted, and anyone who has

identified as Métis may apply for a citizenship card. Métis Nation BC described its relationship to other Aboriginal groups including the Kelly Lake Métis Settlement Society, the BC Métis Federation and Project area First Nations. Métis Nation BC presented information regarding its history, organizational structure, elections, and charter communities and explained the concept of Métis identity. BC Hydro inquired whether the Métis Nation of BC would come forward with a view on the Project, or whether it would be left to the individual Métis communities. Métis Nation of BC confirmed that it would be mostly the latter, with Métis Nation BC representing its constituent communities

2.1.6 Site C Use and Occupancy Mapping Interviews

MNBC researchers undertook interviews with four Métis harvesters in Hudson's Hope, two in Fort St. John one in Mackenzie, one in Prince George, and two in the Lower Mainland. Interviews were carried out during December 2012 and January 2013. The average interview lasted three hours. Although interviews were based on a standardized questionnaire designed to meet study objectives, the format was conversational, permitting community interviewers to pursue interview participants down useful tangents. However, the Interviewers maintained control and directed the flow of the interview at all times. Map data were collected using 1:75,000 scale maps, and based on standard techniques (Tobias 2010). Interviews were recorded using standardized interview data capture forms and audio recorders. Each interview was guided by a standardized questionnaire to collect data that was locally specific, and based on personal use. All data points for animals were based on use as food only by

the respondent, their family, or others in the Métis community. All other sites were based on use by the respondent personally and resources were either used by the respondent or their family directly.

2.1.7 Data quality control, processing and storage

Attribute data for each mapped feature was captured using Area Data Capture forms and entered into a web-based, spatially enabled and searchable database by MNBC Ministry of Natural Resource staff. MNBC staff reviewed this data for accuracy and consistency. Ambiguities were addressed through discussions with community interviewers and by careful reviews of the original audio recordings.

2.1.8 MNBC review and approval of Final Report

The MNBC Ministry of Natural Resources and the British Columbia Métis Assembly of Natural Resources (BCMANR) is responsible for all natural resource issues under the authority of the *MNBC Natural Resources Act* (the *Act).* The *Act* designates the BCMANR Captains Assembly as the committee responsible for reviewing and approving the use of MTK in research projects involving Métis knowledge-holders. This includes the MTK collected and published in this final report.

2.2 Limitations of the Study

The limitations to this study are based on MNBC's capacity and level of funding. An unfortunate event that had implications on MNBC's ability to collect data from respondents in Dawson Creek was the funeral of a Métis elder and leader in the community at the time of scheduled interviews. There were a handful of respondents' who MNBC was unable to interview and would like to in the future.

2.2.1 Funding and Capacity

MNBC has no steady stream of revenue to support the questions and requests of industry and government. MNBC is the only organization in British Columbia mandated to find and communicate with Métis people who may be affected by a potential project. The funding provided by BC Hydro enabled MNBC to build its capacity to connect with its citizens as well as MNBC's ability to do research on Métis use and occupancy. The collection of data also builds capacity of the database of information MNBC has about its citizen's use of resources and locations.

2.2.2 Funeral in Dawson

After MNBC researchers arrived in Fort St. John they learned of the passing of a prominent Métis elder and leader. This caused difficulty with the interviews scheduled for the Métis communities of Dawson Creek and Pounce Coupe. MNBC would like to return to Dawson Creek to interview those who were unable to participate in the earlier sessions if more funds become available. The passing of a knowledge holder stresses the importance and need for timely data collection in order to maintain and document MTK.

3 OVERVIEW OF THE MÉTIS IN BC

The following is from MNBC's previously submitted 'Site C Clean Energy project Report'. The following section provides context to the historic presence of Métis in the study Area. This section is based on published literature and community sources provided by MNBC. It is neither comprehensive nor exhaustive and many gaps exist. Additional research is needed to fully describe the historic footprint of the Métis in the study area. At a minimum, this would require undertaking a comprehensive ethnohistorical analysis of church records (marriage, baptism and death registrations compiled by the Oblates), vital statistics (marriage, birth and death registrations compiled by the BC provincial government), provincial government trap line registrations and fur-trade records (post journals, account books, lists of servants and reports on districts for Fort Nelson and nearby Hudson Bay Company (HBC) forts from the HBC Archives in Winnipeg, M.B).

3.1 Who are the Métis?

According to Section 35 of the Canadian Constitution, 1982, which replaced the British North America Act, 1867, the Métis are one of the Aboriginal peoples of Canada. Section 35 reads: "(I) the existing aboriginal and treaty rights of the aboriginal peoples of Canada are hereby recognized and affirmed. (2) In this Act, 'aboriginal peoples of Canada' includes the Indian, Inuit and Métis peoples of Canada." Métis means a person who self-identifies as Métis, is of historic Métis Nation Ancestry, is distinct from other Aboriginal Peoples and is accepted by the Métis Nation. To be exact, the Métis National

Council's definition of Métis, adopted on 27 September 2002, reads: Historic Métis Nation' means the Aboriginal people then known as Métis of Half-Breeds who resided in the Historic Métis Nation Homeland; 'Historic Métis Nation Homeland' means the area of land in west central North America used and occupied as the traditional territory of the Métis or Half-Breeds as they were then known; 'Métis Nation' means the Aboriginal people descended from the Historic Métis Nation, which is now comprised of all Métis Nation citizens and is one of the "aboriginal peoples of Canada" within s. 35 of the Constitution Act of 1982 (Métis National Council 2008). Prior to Canada's national formation the Métis people emerged from the relationships between First Nations women and European men. While the initial offspring of unions were individuals who possessed mixed ancestry, the gradual establishment of distinct Métis communities, outside of First Nation and European cultures and settlements, as well as the subsequent intermarriages between Métis women and Métis men, resulted in the genesis of a new Aboriginal people - the Métis.

3.2 MNBC

Métis Nation British Columbia (MNBC) currently represents over 8200 Powley compliant Citizens (1000+ more/year) in British Columbia, with a large number residing in the Northeast part of the province. There are many citizens in the region around the proposed project residing in Fort St. John and other neighboring communities. The Métis have had an established community in the BC Northeast for more than 200 years and still use the land and resources for traditional purposes. Utilizing the MNBC Traditional Harvesting Database and preliminary Métis Traditional Knowledge (MTK)

research confirms that Métis Nation BC citizens, from adjacent Chartered Communities and nearby smaller communities, are exercising their Aboriginal right to harvest (hunt, fish, trap, gather plants) within the proposed Project's footprint. The construction and operation of the proposed Site C Dam project could put local Métis Aboriginal rights and traditional land-uses at risk. Métis harvesters who rely on the direct and surrounding area for sustenance, social and ceremonial purposes could see negative impacts from the construction and operation of the proposed Site C project. Because there is current traditional harvesting (hunting, fishing, and plant harvesting for foods and medicines) occurring in the proposed project area, there is Métis traditional knowledge and land use information activities that could be negatively impacted.

3.3 Background Historical Documentation of Métis Use in the Study Area

The history of the Métis in Northern British Columbian has not been very well documented and has only recently begun to receive scholarly attention. A lack of government recognition, demonstrated by the fact that Half-Breed Scrip was never issued, although initially offered in British Columbia (Scrip Officer failed to show up) , as well as the relative isolation of the Peace River from the rest of the province, left the northeast communities to slip through the historical cracks (Dolmage 2010). The communities in the northeast developed differently than communities in central and western British Columbia. Fur trade Posts such as Fort St. John and Hudson's Hope developed as part of the Peace River district, as opposed to Kamloops or Fort St. James, which were connected to the Columbia River fur trade. Fort St. John was administered from Edmonton and Winnipeg, not from Fort Vancouver, Fort Langley

or Victoria. Several records cover the Northern Peace River fur trade, but only few deal explicitly with the Métis who settled there. The book *Prophecy of the Swan: Upper Peace River Fur Trade of 1794-1823* (1995) provides an overview of the historic Peace River fur trade, but deals very little with the presence of the Métis in the Peace River. The book mentions the early presence of Métis in the area, noting "[s]uch names as Bouche, Brunoche, Dejardin, Lafreniere, Perriard, Connoye, D'Allair, Gagnon, and Cardinal indicate the dominance of French Canadian and/or Métis employees in the North West Company" (Leonard 1995). However, it does not discuss the Métis roles as early settlers in British Columbia (Edwards 1999). Jean Barman and Mike Evans have looked at the issue of Métis ethnogenesis in BC by comparing fur trade families that settled south of the Peace River in New Caledonia, what is now central British Columbia (Edwards 1999).

The area around what is now Fort St. John has been inhabited for approximately 10,500 years (Burley et. al 1995). In 1793, when Alexander Mackenzie first travelled through the Peace River looking for an interior route to the Pacific he remarked, "this magnificent theatre of nature has all the decorations which the trees and animals of the country can afford it: groves of poplars in every shape vary the scene; and their intervals are enlivened with vast herds of elks and buffaloes: the former choosing the uplands, and the latter preferring the plains" (Mackenzie, 1963).

During this time the Peace was inhabited by two First Nations, the Sekani and the Beaver. The Beaver, who call themselves *Dunne-za* (the real people), and the Sekani *Tsé-kéh-ne* (people on the rocks or mountains) remain in the area to this day and are both speakers of northern Athapaskan languages (Burley et. al 1995). Crees had been

moving west into what had traditionally been Beaver and Sekani territory throughout the seventeenth and eighteenth centuries. As a result, altercations between the Beaver, Sekani and the Cree effectively moved the Beaver and Sekani even further west. The name of the area “The Peace River” was taken from a truce forged between the Beaver and Cree at what is now known as Peace Point, near where the Peace River meets with Lake Athabasca. Burley notes, “hostilities between Beaver and Cree and Sekani groups continued and heavily influenced the development of the fur trade in the Peace River Valley” (Burley et al 1995).

The fur trade began in the Peace River in the early 1800s. Mackenzie and his partners in the North West Company saw the Peace River as an ideal place for both trade and provisioning, and to that end Mackenzie established Rocky Mountain Fort in 1794 (Burley et. al 1995). The fort ran from 1794-1804 and was then replaced by Rocky Mountain Portage House, which was established in 1804 by John Stewart MacDougall at what is now Hudson’s Hope. Fraser and MacDougall additionally established a new post farther south at McLeod Lake in 1805 effectively opening the fur trade in what came to be known as New Caledonia (Burley et al 1995). However, both Rocky Mountain Portage and McLeod’s Lake were located in Sekani territory, and made it difficult for the Beaver to trade so St John’s was established in 1806 at the mouth of what is now known as the Beatton River. Trade was flourishing in the North Peace, and provisioning this trade was possible due to the abundance of wildlife (Burley et. al 1995).

It was this plentiful stock of furs that led the Hudson’s Bay Company in 1815 to attempt to enter the Athabasca trade. This move by the Hudson’s Bay Company, led by Colin

Roberson and John Clarke, to establish forts along Lesser Slave Lake, the Athabasca River and on the Peace River exacerbated the tensions between the HBC and the North West Company. The Hudson's Bay Company efforts were initially disastrous and interference by the North West Company led to many of the Hudson's Bay Company men starving to death because of the lack of provisions (Burley et. al 1995). The Hudson's Bay Company continued to try to make inroads in to the new district and met with some moderate successes in 1817 and 1818. The Hudson's Bay Company's luck in the area took a turn when the new Governor of the Northern Department, George Simpson, took charge of the company's activities in the area. James Murray Yale was sent to build a post in October 1820 directly opposite to St John's at the former location of Rocky Mountain Fort. This put the HBC and NWC posts next to one another. However, in 1821, everything changed when there was a merger of the two rival companies. The new Hudson's Bay Company, led by Simpson, now owned a virtual trade monopoly in Western North America (Hurley et. al 1995).

It was not just the local Beaver and Sekani who traded at the posts; as in other areas, the HBC and the NWC encouraged the employment of freemen at the posts. According to Nicole St. Onge between 1763 and 1821 the NWC hired over 9,000 voyageurs and explorers for its northwest trade. About half of these men worked as winterers in the remote areas of the northwest. With the 1804 merger of the NWC and the X Y Company there was an influx of new freemen. This prompted numerous complaints from wintering partners angry that French Canadians and Iroquois employees were becoming freemen and were now roaming the interior with their native-born wives and mixed race children (St. Onge 2007). In the Peace River areas many of the freemen were Métis, as well as

Quebecois and Iroquois. Common names that appeared in the area, and are still prevalent are Calihoo, Testawits, Monkman, Cardinal, Lafleur, and Gladue (Leonard and Lemieux 2003). The Fort was re-opened in 1860, under the name Fort St. John, just in time for the influx of miners and trappers on route to the Klondike. Many of the prospectors such as Henry John Moberly, Alex Mackenzie, and the legendary “Twelve” Foot Davis came through the Peace River as a land route and shared their time prospecting in the summer and trading in the winter. H.J. Moberly, a trader and miner, describes the arrangement the made with two Edmonton prospectors: “Cust and Carey persuaded me to join their enterprise. I invested twelve hundred dollars but refused to take an active part in the trade, preferring to hunt and trap. After looking the country over I decided to make my home fifteen miles south of the portage on a lake which now bears my name on the maps… no Indians frequented the spot, and I had a hunters paradise all to myself” (Moberly, 1952). This influx of miners led to a semi-permanent settlement pattern along the Peace River, as the Métis and Iroquois freemen, alongside the newcomers began to settle along the river and the south lakes (Leonard and Lemieux 2003).

The land-use histories of Métis families with links to Fort St. John are also contained in the records of the Hudson Bay Company (HBC). Post journals from Fort St. John written by Frank W. Beatton provide a detailed account of Métis use of the study area by the Beatton family. Beatton’s wife, Emma Shaw, was the Métis daughter of William Shaw, an HBC factor. Together they had 12 children, 5 of whom born in Fort St. John (HBC Archives Filename: Beatton, Francis Worth (1865-1945), JHB December 1991 (Revised 1995). As, demonstrated in the journals, and consistent with other families of the historic

Métis Nation, their livelihood came from a mixture of subsistence harvesting activities directed by seasonal rounds and the commercial production of furs, fish and game (journal entries available at: http://www.ubc.ca/okanagan/cssej/publishing /Frank Beaton_the Fort_St_John_Fur_Trade.html) . Beatton's sons are noted in the journals as active hunters and trappers who lived and relied on territory extending from Fort St. John to Fort Nelson. The legacy of this family is commemorated in the river valley that bears their name.

Traditional harvesting activities provide opportunities for generations of Métis to connect with one another, "to carry things on," in other words. Through these activities, out on the land, young people learn about Métis traditions, foods and culture. Family harvesting sites are often bridges between past, present and future generations of Métis people. As such, these sites are important to Métis people for their ability to heal, to ground and to remind them where they came from. Traditional land use is integral to Métis kinship networks and harvesting is an important way to ensure the continuity of Métis traditional knowledge (MTK).

Although Métis historical presence in the Site C project area is documented in archives, archeology reports and other writings from 1790 to present (Dolmage, 2010, Burley et al. 1995), historians note "that primary documents relating to this period are few, and confusion exists over the origins and location for the sites" (Burley et. Al 1995). This is particularly so for the earliest post, Rocky Mountain Fort; a number of provincial histories have failed to recognize it, suggesting lack of data or marginalization (Burley and Hamilton 1991). In fact, David Burley and Scott Hamilton suggest most evidence for Rocky mountain Fort comes from basic site data and that little is known about "the

impact of the fur trade on local animal populations, the degree to which Indian peoples had become dependent on European technology, and the dynamics of the social interaction between the officer and his men in a fur trade hinterland" (Burley and Hamilton 1995). Marginalization may have occurred due to the transient nature of the posts and the Métis people. Providing direct evidence is difficult due to purposeful marginalization in four key areas. First, Aboriginals were not engaged until non-aboriginal settlers arrived and the government realized it had to 'come to terms' with Métis in the area (Burley et al., 1995). Second, the BC government refused to acknowledge Métis in Treaty 8; however, the Métis people of the Athabasca area received scrip (Collections Canada 2012). Third, Métis are not mentioned directly but can be found through derogatory and marginalizing comments such as half-breeds, French Canadian engage, mixed ancestry and Canadians (Burley et al.1995).

Forts, fur trade, guides, voyageurs and the women who supported them, strongly suggest indirect evidence of historic Métis presence in the proposed project area (Burley et al., 1995). Hudson Bay Company documents such from post records at Fort Dunvegan, Connolly Post, Hudson Hope/Rocky Mountain Fort (Portage) and Fort St. John show common Métis surnames such as; Shaw, Forsyth, Dumas, Beatton, Taylor, Becher and Coutoreille in the employee records at Fort St. John. Métis may not have been referred to directly, however, many common Métis surnames can be found in church registries and Hudson Bay Company account books (Treaty 8 Commission). Documents also provide further indirect evidence through reference to activities. Berry picking, and knowledge of the role pemmican played in fueling the fur trade is evident and could be considered an industry (Fladmark 1985). Of particular note is a man

named Lafrenier, who was employed in wood working and canoe manufacture in both the 1799-1800 and 1822-23 seasons (Beaton 2012) at both Fort St. John and Rocky Mountain Fort. The Métis people's connection to the fur trade is well documented, however, the scale and extent of this industry goes well beyond trapping. The enterprises Métis engaged in after the decline of the buffalo and fur trade would have been broad, and ranged from canoe building, ranching and even some farming. Canadian National Livestock Records show that some of the Métis who began to settle the Peace country in the very early twenties were seriously interested in permanent settlement and gainful enterprise other than trapping (Calverley 2012). It is important to see that the Métis people who were the children of the fur trade and buffalo hunt would have taken up other activities as these activities declined. The two watersheds that cover the project area, Upper Peace River (UPCE) and the Pine River (PINE***),*** represent one of the most prolific Métis harvesting regions in the province of British Columbia. Métis harvest large quantities of deer, elk, moose, fish, medicinal plants, berries, small game (including trapping), as well as timber and firewood. Métis harvesters also hunt significant quantities of bear, birds, bison, caribou and sheep. As such, Métis are truly concerned about the negative impacts on fish, wildlife and bird populations the proposed project may cause. Another concern is that the proposed project will flood and destroy a documented historic Métis community Rocky Mountain Fort dating back to 1794. This was a Northwest Company fort established to trade furs and provision the Athabasca/Peace fur trade. A journal entry from the winter of 1799-1800 documents twelve Métis patronyms, and speaks to the women and children at the fort. The fort site was the focus of an Archaeological survey in the 1970s where

evidence of extensive harvesting of big game was documented. Hydro dams have already destroyed several Métis historic sites including Finlay Forks (under Williston Reservoir) as well as Boat Encampment and Dalles des Morts (under Kinbasket Reservoir) without any acknowledgement or consultation with the Métis. It is important to ensure cultural continuity through the ability of current and future generations to practice traditional activities. In this regard Métis would like to have future sites use and access addressed for ceremony, celebration, and other traditional activities.

4 MÉTIS USE OF THE STUDY AREA

This section presents aggregated data for Métis harvesters in the Study Area. The past and continued importance of the Study Area for the meaningful practice of Métis traditional land-use is clear from the responses of these participants. Métis relationships to the land are based in cultural practices. Annual harvesting of traditional foods, fuel and medicine remains a central, material part of this relationship.

During the interviews, participants noted that land-based harvesting was most often conducted with family and other Métis or First Nations. One respondent mentioned he would float the river in a local spring beaver hunt with a local First Nations group. Another family group with multiple generations showed that although use and locations may vary there was a sharing of knowledge. This was central for the transmission of cultural values and traditional knowledge about the land and its resources. Participants emphasized that language was taught, stories were shared and food preparation techniques were learned during time spent on the land hunting, fishing, trapping and gathering.

There is growing recognition that the mobility of the Métis, based on spatially extensive family networks and economies, was the foundation of their harvesting traditions. The seasonal movements of harvesters identified in this research indicate that mobility is also a core feature of contemporary Métis harvesting practices recorded in the study area. It was valuable to get an account of the use of harvesters who lived in communities away from the project. Harvesters used and occupied a vast area together with their families according to a seasonal round directed by the availability of resources. Métis harvesters still return to and seasonally occupy many of these areas according to annual harvesting patterns. In fact the timeline of this study coincided with family time but also work related to harvesting activities such as logging or snow removal.

4.1 Resources of importance to MNBC – Métis Traditional Knowledge

Aboriginal people are very diverse and generalization about their communities and cultures cannot be easily made. Economic, practical, spiritual, political, and historical relationships to homelands are unique to each indigenous community (Turner et al. 2000). Therefore, Aboriginal knowledge, including Traditional Ecological Knowledge (TEK), is not a uniform concept across all indigenous people (Smith 1999, Pidgeon and Hardy Cox 2002, Ball and Simpkins 2004). Aboriginal knowledge is so much a part of the clan, band, community, and the individual that it cannot be separated from the possessor to be codified into a single definition (Battiste and Henderson 2000). This

knowledge is not only elaborately tied to place and location, but also relationships and ways of being over time (Ball and Simpkins 2004).

The MNBC Ministry of Natural Resources Consultation Guidelines and Métis Traditional Knowledge Policy define Métis Traditional Knowledge (MTK) as the body of information, values, beliefs and practices that is passed from one generation to another by oral means or through land-based experience that pertains to the identity, culture, and heritage of the Métis people and their respect for the land and its resources. This definition is based off of the following definition of Traditional Ecological Knowledge (TEK) ‘‘a cumulative body of knowledge, practice and belief, evolving through adaptive processes and handed down through generations by cultural transmission, about the relationship of living beings (including humans) with one another and with their environment’’(Berkes et al. 2000, 1252). It has also been described as the knowledge and insights acquired through extensive observation of an area or species (Huntington 2000). The definition of MTK, and TEK, demonstrate that there is a component of local observational knowledge of species and other environmental phenomena, a component of practice in the way people carry out their resource use activities, and a component of belief regarding how people relate to resources and ecosystems (Colding et al. 2003). Participants reported harvesting a diverse range of aquatic and terrestrial resources for food, medicinal, spiritual and other purposes (Table 1).

Table 1: Métis traditional land use resources and activities in the Site C/BC Hydro proposed project area.

Mammals	Birds	Fish	Other	Activities
Beaver Bison Black bear Caribou Deer Elk Moose Muskrat Porcupine Rabbit	Ducks Geese Grouse Owl	Arctic greyling Char Lake trout Pike Rainbow trout Whitefish	Berries Drinking water Earth materials Firewood Food plants Medicine plants Wood (construction and specialty)	Birth sites Burial sites Campsites Death sites Landmarks Cabins (log and frame)

4.1.1 Food uses

Métis harvesters interviewed for this study rely on harvested foods for sustenance and as a central component of a healthy traditional diet. The Métis place a high-value on harvested foods and harvesting activities. Participants engaged in the study also harvested a variety of upland game birds as well as waterfowl from rivers and lakes. Harvested fish include northern pike, whitefish, pickerel, grayling and trout. Berries and other food plants were harvested during the spring and summer months and while

camping or on big game harvests. The aggregated data indicates that the Métis are not strictly hunters; they harvest a diverse range of resources to supplement their diets.

4.1.2 Medicinal and Spiritual Uses

In addition to the various food plants used for subsistence, participants reported their use of a number of plants for medicinal and spiritual purposes. These plants include balsam pitch and birch bark and are some of the key plants used by the harvesters. The harvesting activities for all they entail, including the harvested foods and medicines, represent more than biomedical health, they are an aspect of the right- and well-lived life. For the Métis being out on the land engaged in harvesting activities with family and friends is the realization of “minopimatisiwin” or being alive well. For the Métis who live with this understanding of wellness, harvested foods are important to all facets of life. There is no other term that comes close to capturing all that harvesting encapsulates.

4.1.3 Distribution of Harvested Resources

The distribution seemed to be grouped by harvester or family preferred areas. Those rural residents harvested close to home. Those who lived away had preferred campsites or friends houses that they would return to. Most resources harvested occurred close to where they stayed and shared the same way. Distributing harvested resources within Métis family networks is an important part of traditional Métis harvesting protocols still practiced today. All of the Métis interviewed for the study reported sharing harvested food with family and other Métis. Participants identified designated harvesters who provided harvested foods for elders, families in need, community feasts and social

gatherings. These networks are historically rooted and reflect interconnections between families traversing a broad geographical area.

4.1.3.1 Continuity of Traditional Knowledge

Evidence of MTK knowledge being passed on through traditional methods was evident from a young Métis harvester. He possessed a vast amount of information about resource use that he obtained from his Elders and family. Through these activities, out on the land, young people learn about Métis traditions, foods and culture. As one participant noted, family harvesting sites are often bridges between past, present and future generations of Métis people. As such, these sites are important to Métis people for their ability to heal, to ground and to remind.

This is consistent with other Aboriginal communities in Canada. Before the arrival of written or electronic media in Aboriginal communities, TEK was passed on verbally to younger generations from older generations (Brant-Castellano 2000, Turner et al. 2000). It drew upon the shared experience of a common environment and history over many generations (Brant-Castellano 2000). Narratives told over and over to children and adults were an important mode of communicating TEK (Turner et al. 2000). This method of listening to stories about personal experience was, and is, a very effective way to learn as it allows the channels of communication to remain open and the flow of information can remain undistorted (Brant-Castellano 2000). Verbal teachings of this sort were intrinsic with the development of interpersonal relationships between the teacher and pupil. The teachings focused not only on the intellectual content, but also

the emotional quality of the relationship. Through these traditional methods, younger generations were able to gain practical experience and knowledge through assisting and listening to Elders, or experts, and in the gathering and management of traditional resources and were also socialized into the culture of their community (Turner et al. 2000). Sharing MTK can be used as a way for younger generations to learn about their people's way of knowing, and to be involved in the intergenerational transmission of MTK and wisdom. Although the traditional way for a young Métis to learn about MTK was through verbal teachings, due to lack of access to MTK holders and fragmented communities, written documentation now plays a larger role in their learning.

To a lesser extent this mapping interview study helped provide a continuity of knowledge for the Métis people of BC. MNBC is proud to be the custodians of this knowledge for future generations.

4.2 Recorded Territory

Due to the small sample size of this study, the data may not represent broader use trends among the Métis who are active in the study area but have not been interviewed. Subsequent interviews with a more representative study population may reveal higher incidences of use within areas impacted directly by the proposed project.

4.2.1 Burial Site

Participants mentioned that Lynx Creek and Ferrell Creek are used to pay respect to Métis community members whose ashes have been sprinkled at those locations and for

spiritual and ceremony purposes. There were also several important burial sites mapped.

5 ANTICIPATED PROJECT SPECIFIC IMPACTS

This section outlines the anticipated impacts of the proposed pipelines on Métis cultural practices and traditional land-use. Recommendations are designed to structure an approach for incorporating Métis Traditional Knowledge (MTK) into the long-term management and planning of the study area and to minimize project-specific impacts. These concerns are derived from interviews with a small population of Métis harvesters living within the study area.

To reiterate, the small population sample was the direct result of both the limited funds and the accelerated timeline of the study. Interviews with a larger population of Métis harvesters may identify other concerns for species and habitat areas within the area of the proposed dam. A more comprehensive study, however, requires a broader timeline and additional funding. For now the results are limited to a small sample population of Métis Harvesters. Nevertheless, these harvesters articulated concerns with project-specific impacts to the following species and/or species habitat areas: food security, Métis ability to practice tradition and culture, and cumulative impacts.

5.1 Food Security

Traditional land and resource use, such as harvesting, is still a core component of Métis economies in the northeast region; an area where, because of the historical presence of Métis, kinship networks are strong. Harvesting activities take place within these kinship

networks and are integral to them. Métis harvesters also expressed concerns about their ability to access and obtain adequate amounts of nutritious and safe harvested foods within the study area. These culturally acceptable food sources are vital to Métis health (physical, mental and spiritual), traditional knowledge and social practices.

5.2 Métis Ability to Practice Tradition and Culture

Continued support for collecting contemporary harvest information on a resource-basis and recording harvesting by species (big game, medicinal plants, berries, fish, etc.).

5.3 Cumulative Impacts

Cumulative impacts may have an effect on the Métis people's ability to carry on traditional practices due to loss of natural resources. There are many proposed projects in the area that represent significant cumulative impacts. MNBC is in a unique position, from First Nations groups, to be involved in EA's throughout the province and may be more aware of cumulative impacts from projects throughout the province.

6 RECOMENDATIONS

MNBC provides the following recommendations based on experience with Aboriginal issues within the regulatory review process and discussions with the BC Métis community during the study.

1. Fund further Traditional Land Use studies to collect data from those missed.
2. Consider cumulative impacts on the Métis use and rights or the area in light of the large number of proposed projects in the area.

3. MNBC would like to continue engagement with BC hydro on the project and into monitoring.
4. BC Hydro and MNBC are both provincial organizations and it is hoped that similar studies and capacity building agreements can be reached on other projects throughout the province.

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8 Maps

Métis Nation BC
2012 Use and Occupancy Study
Hodge Podge Map
All Categories

Legend

Use and Occupancy Categories

- Use and Occupancy Site (Randomized within a 1000m buffer)
- Use and Occupancy Line
- Use and Occupancy Polygon

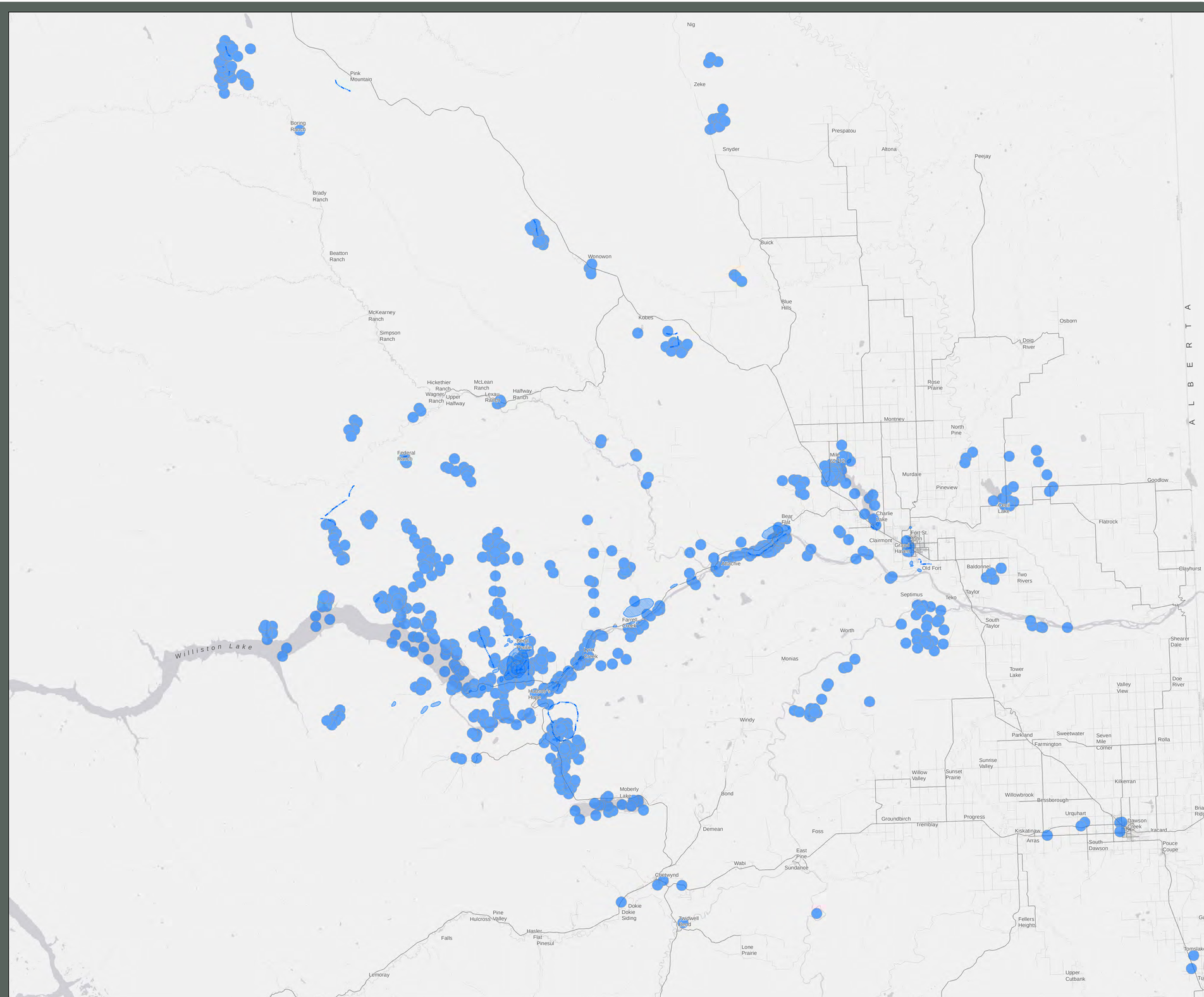
N

0 12.5 25 50 Kilometers

This map is a living document and is intended to be amended and refined over time.The data used to produce this map originate from many sources and are presented without prejudice.

Map Produced May 2013 by Inlailawatash (www.inlailawatash.ca). Projection: UTM, NAD83, Zone 10. Map Scale: 1:350,000; Provincial Overview Map Scale: 1:13,000,000;

Data sources: Métis Nation BC, Government of Canada, Province of British Columbia, ESRI, Delorme, NAVTEQ.



Métis Nation BC
2012 Use and Occupancy Study

Animals
Category Map

Legend

- Use and Occupancy Site (Randomized within a 1000m buffer)
- Use and Occupancy Line

N

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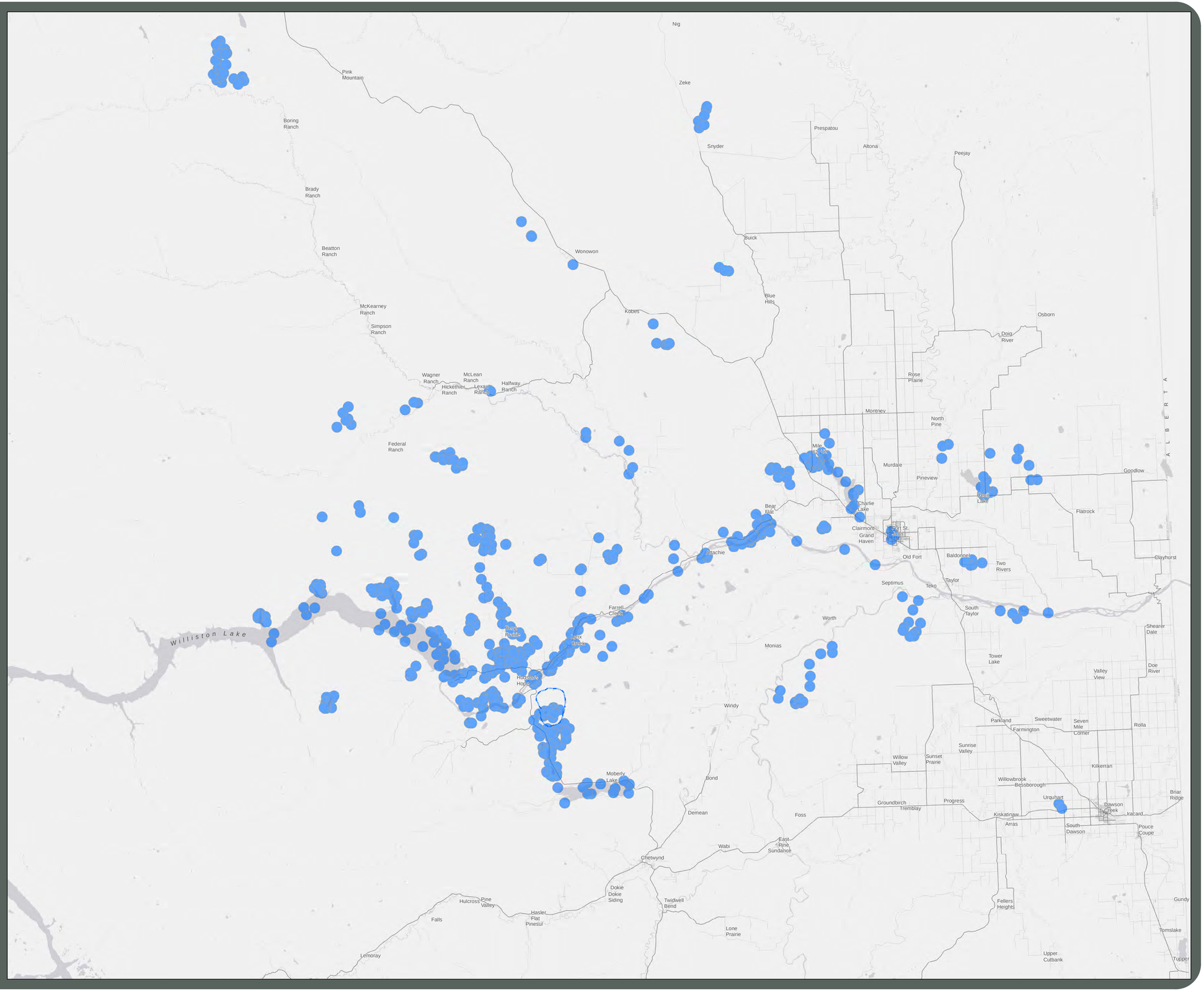

Métis Nation BC
2012 Use and Occupancy Study

Cultural Sites
Category Map

Legend

- Use and Occupancy Site (Randomized within 1000m buffer)
- Use and Occupancy Line
- Use and Occupancy Polygon

N

0 12.5 25 50 Kilometers

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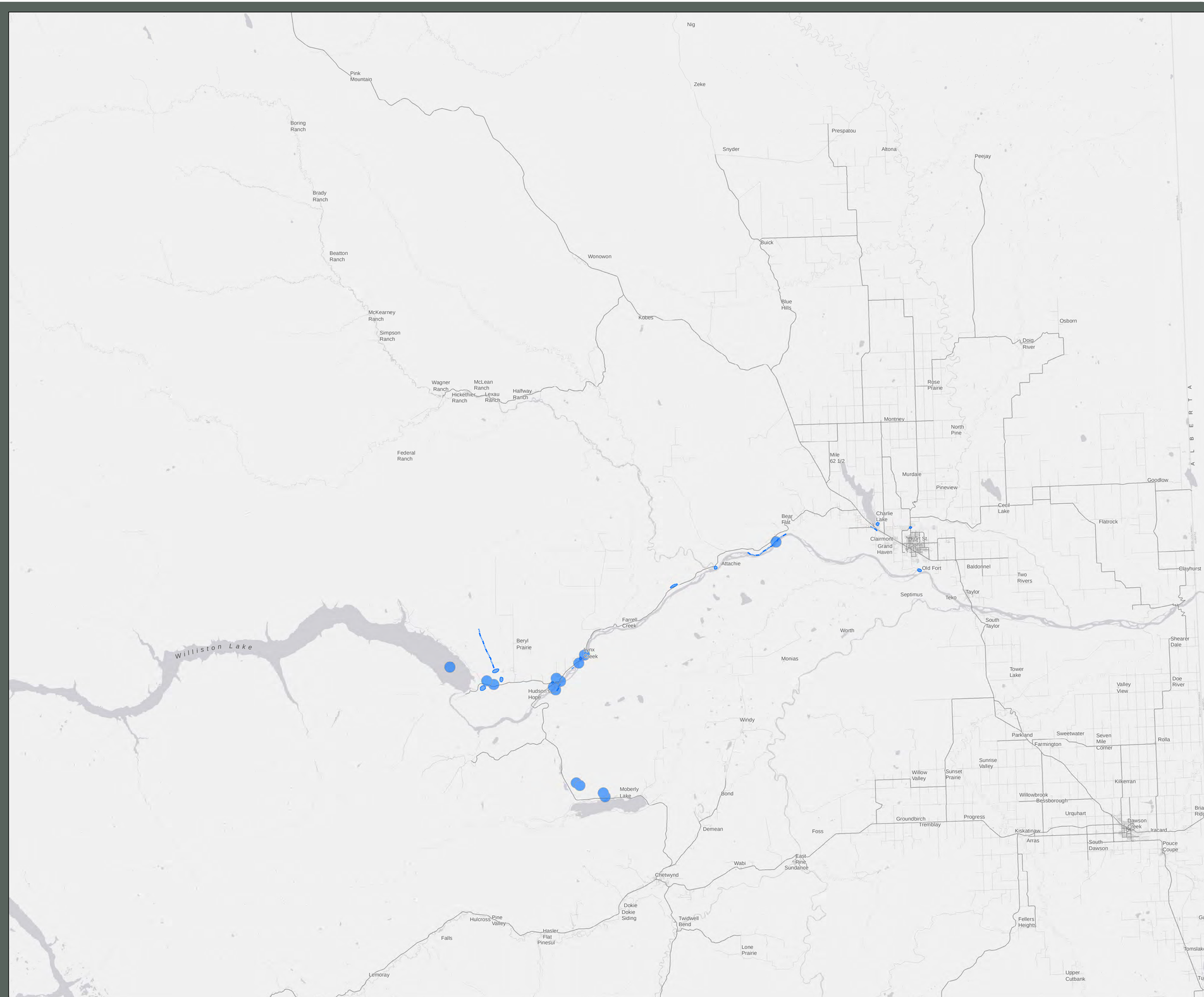

Métis Nation BC
2012 Use and Occupancy Study
Plant, Wood, and Earth Material
Category Map

Legend

- Use and Occupancy Site (Randomized within 1000m buffer)
- Use and Occupancy Line
- Use and Occupancy Polygon

N

0 12.5 25 50 Kilometers

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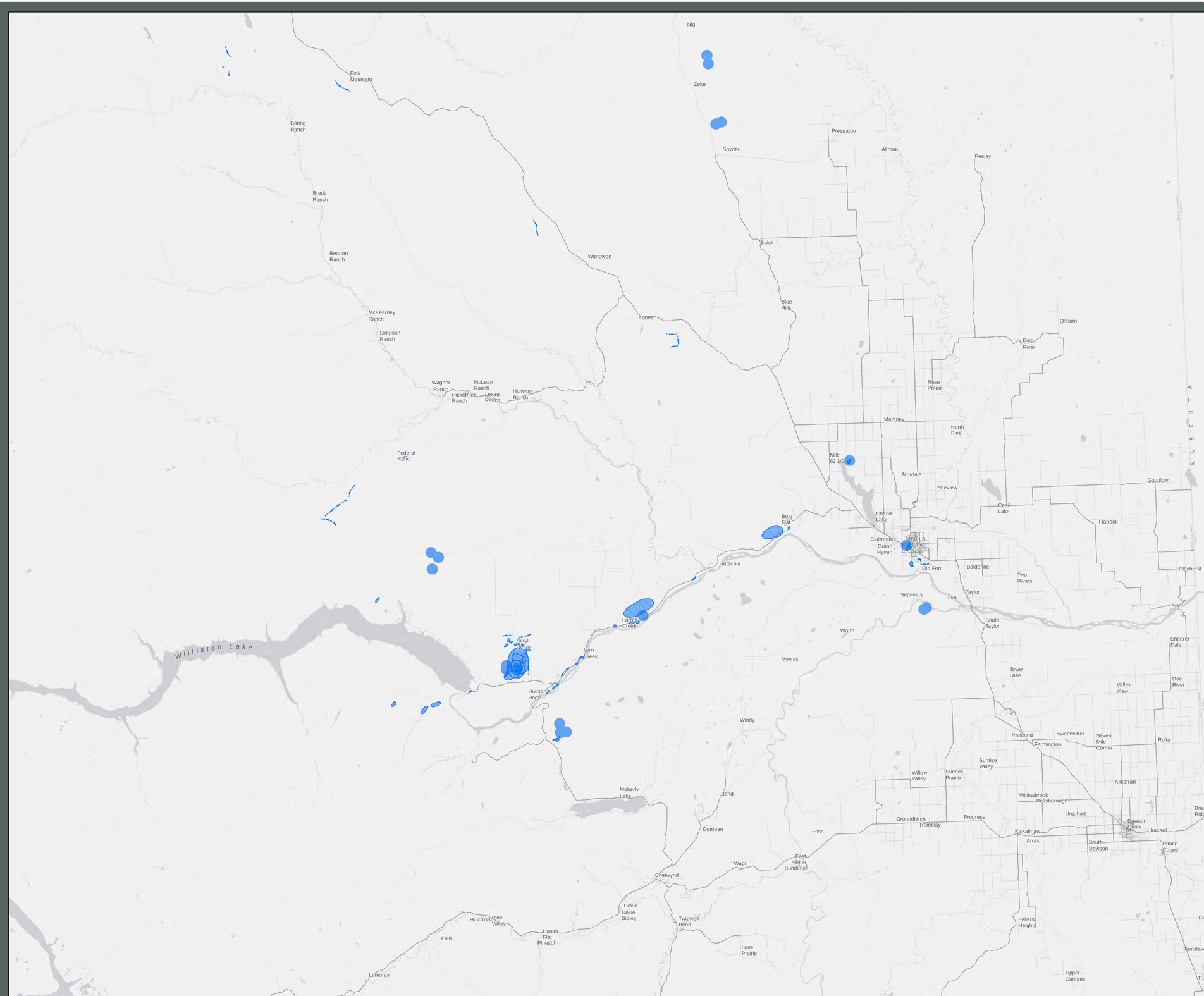
Data sources: Métis Nation BC, Government of Canada, Province of British Columbia, ESRI, Delorme, NAVTEQ.



Métis Nation BC
2012 Use and Occupancy Study
Overnight Sites
Category Map

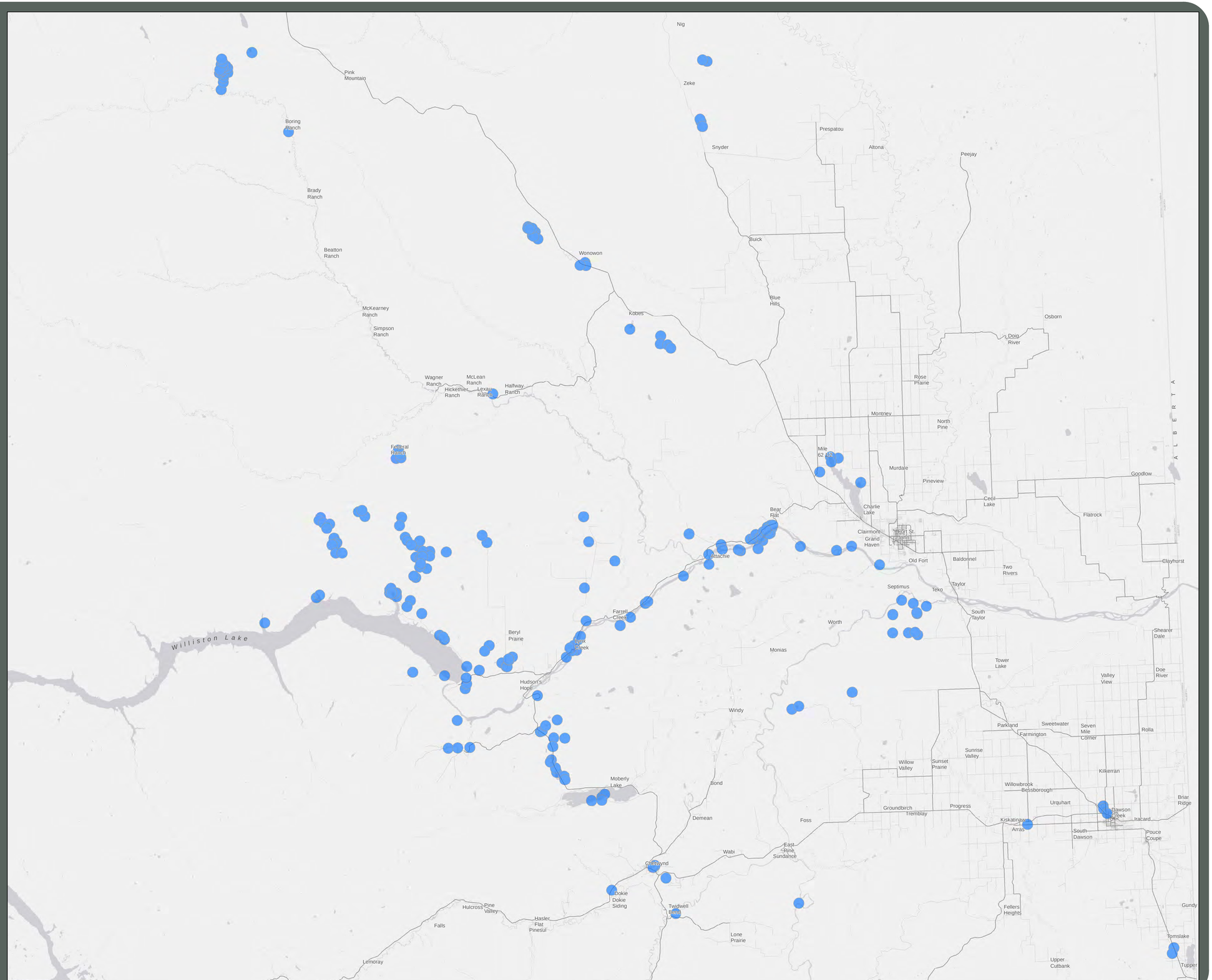
Legend

Use and Occupancy Site (Randomized within 1000m buffer)

N

0 12.5 25 50 Kilometers

This map is a living document and is intended to be amended and refined over time.The data used to produce this map originate from many sources and are presented without prejudice.
Map Produced May 2013 by Inlailawatash (www.inlailawatash.ca). Projection: UTM, NAD83, Zone 10. Map Scale: 1:350,000; Provincial Overview Map Scale: 1:13,000,000;
Data sources: Métis Nation BC, Government of Canada, Province of British Columbia, ESRI, Delorme, NAVTEQ.



SITE C CLEAN ENERGY PROJECT

MÉTIS NATION BRITISH COLUMBIA

TRADITIONAL LAND USE BASELINE AND ASSESSMENT AMENDMENT REPORT

Prepared for:

BC Hydro Power and Authority

<contact information removed>

Prepared by:

Big Sky Consulting Ltd.

<contact information removed>

and

Site C First Nations Engagement Team

<contact information removed>

May 2013

May 24, 2013 Aboriginal Group Amendment Report

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32. Heritage Resources 21

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1. INTRODUCTION

1.1 Approach

1.1.1 Consideration of Supplemental Information

The Environmental Impact Statement (EIS) submitted on January 25, 2013 includes an assessment of the potential effects of the Project on the current use of lands and resources for traditional purposes by Métis Nation British Columbia (MNBC) (section 19.4), as well as on the potential impacts of the Project on the exercise of MNBC's asserted Aboriginal rights (section 34.3.3). The assessment considered baseline information, described in section 19.3.1.24, made available by MNBC to BC Hydro and from other publicly available sources. As described in section 19.4, on page 19-66, Métis Nation British Columbia indicated use of the Peace River valley in a general sense, but have not provided sufficient specific information on use within the LAA to enable an effects assessment. MNBC was therefore not considered further in the effects assessment. Similarly, section 34.3.3 described that MNBC asserts that it uses the Peace River valley and the LAA for current use activities including hunting, trapping, and fishing, but has not provided sufficient specific information to enable an effects assessment on current use or asserted rights. In the EIS, BC Hydro noted that should additional information regarding current and reasonably anticipated future use of lands and resources be received from MNBC, BC Hydro would consider and incorporate it in the EIS, as appropriate.

The MNBC prepared the Métis Use and Occupancy Study for the BC Hydro Dam Site C Clean Energy Project (MUOS) (MNBC 2013) for consideration in the Site C Clean Energy Project (the Project) Environmental Assessment Process. The full report was submitted to BC Hydro on March 15, 2013, and a public version of the report was submitted to BC Hydro on May 16, 2013. The full report included a more detailed set of maps that were used to inform the assessments and the analyses presented below. The public version of the report is presented in Appendix 3 and contains maps that include a buffer around each site and less detailed information regarding the specific nature of each site. Because the MUOS was received after BC Hydro had submitted the EIS to the B.C. Environmental Assessment Office and the Canadian Environmental Assessment Agency, BC Hydro considered the MUOS during the EIS review phase.

The full version of the MUOS, including the more detailed set of maps, was provided to the Wildlife, Fish, Vegetation, Heritage and Current Use of Lands and Resources for Traditional Purposes Technical Leads for review and consideration in this Aboriginal Group Amendment Report.

Issues and concerns presented in the MUOS during the pre-Application phase are addressed in the EIS (January 25, 2013). Issues and concerns raised in the MUOS that were not raised during the pre-Application phase are outlined in this Aboriginal Group Amendment Report. Similarly, baseline information from the MUOS that is additional to what was provided in the EIS is presented in this Aboriginal Group Amendment Report. No additional data was gathered by BC Hydro to prepare this Aboriginal Group Amendment Report.

New baseline information is presented by Valued Component (VC) and considered against the effects assessment undertaken for that VC, using the methodology applied in the EIS (Volume 2 Assessment Methodology and Environmental Effects Assessment Section 10 Environmental Assessment Methodology).

Integration of the MUOS data posed a number of challenges. To begin with, the study area defined in MUOS report submitted to BC Hydro does not align precisely with the LAA or RAA. Interpretation of the MUOS and other maps was necessary in an attempt to discern the location of activities in relation to the LAA or RAA. In addition, the MUOS at times refers to Métis and it is unclear if it is referencing the Métis harvesters interviewed for the study or Métis in general.

12. FISH AND FISH HABITAT

12.1 Key Issues

The MUOS does not raise any new issues or concerns related to the fish and fish habitat VC.

12.2 Baseline Conditions

The MUOS documents use of the following species: Arctic grayling, char, lake trout, pike (pickerel), rainbow trout, and whitefish. The locations of the harvesting included various locations in the Upper Peace River and Pine river watershed. All of the fish species identified in the MUOS had previously been accounted for in the Fish and Fish Habitat baseline conditions in EIS section 12.3.

12.3 Effects Assessment and Mitigation

The new baseline conditions described above for EIS section 19.3 were outside the LAA or were already taken into account in the assessment. The new baseline information provided in the MUOS does not alter:

- the assessment of the potential for the Project to result in effects described in EIS sections 12.4 and 12.5; or
- the requirements for, the scope of, or the effectiveness of, the mitigation measures described in EIS sections 12.5.

12.4 Residual Effects

No changes are required to the residual effects section for the fish and fish habitat VC in EIS section 12.6 because the effects assessment has not changed.

12.5 Cumulative Effects Assessment

No changes are required to the cumulative effects assessment for the fish and fish habitat VC in EIS section 12.7 because the residual effects have not changed.

12.6 Follow-up Programs

No changes are required to the monitoring and follow-up for the fish and fish habitat VC in EIS section 12.8.

13. VEGETATION AND ECOLOGICAL PLANT COMMUNITIES

13.1 Key Issues and Identification of Potential Effects

No new key issues were identified in the MUOS.

13.2 Baseline Conditions

The information provided within the MUOS does not identify specific food and medicinal plants used by the MNBC in the LAA. As such, no new information was provided that can be incorporated into the Vegetation and Ecological Plant Communities baseline conditions.

13.3 Effects Assessment and Mitigation

No new baseline information was presented in the MUOS and as such, no changes are required to the assessment of the vegetation and ecological plant communities VC described in EIS Section 13.

13.4 Residual Effects

No changes are required to the residual effects for the vegetation and ecological communities VC provided in EIS section 13.4 because the effects assessment has not changed.

13.5 Cumulative Effects Assessment

No changes are required to the cumulative effects assessment for the vegetation and ecological communities VC in EIS section 13.5 because the residual effects have not changed.

13.6 Monitoring and Follow-up Programs

No changes are required to monitoring and follow-up for the vegetation and ecological communities VC in EIS section 13.6

14. WILDLIFE RESOURCES

14.1 Key Issues

Most of the wildlife species mentioned within the MUOS were either directly assessed (beaver, deer, elk, moose, ducks, geese, grouse, and owls) or were considered and excluded for various reasons (bison, black bear, caribou, muskrat, and snowshoe hare). Baseline studies for sheep were conducted in the Peace River Valley to address comments from the Blueberry River First Nation. No sheep were documented in the Peace River Valley and this species was not considered further in the EIS. Porcupine have not been considered in the EIS. The process for identification of key issues, key species groups, and key indicators is described in Section 14.1 of the EIS. Porcupine was not identified at any step of that process.

14.2 Baseline Conditions

The MUOS does not describe new baseline conditions related to wildlife resources.

14.3 Effects Assessment and Mitigation

No new baseline information was presented in the MUOS and as such, no changes are required to the assessment of the wildlife resources VC described in EIS Section 14.

14.4 Residual Effects

No changes are required for the wildlife resources VC provided in EIS section 14.5 because the effects assessment remains unchanged.

14.5 Cumulative Effects Assessment

No changes are required for the wildlife resources VC provided in EIS section 14.6.

14.6 Monitoring and Follow-up

No changes are required to monitoring and follow-up for the wildlife resources VC in EIS section 14.7.

19. CURRENT USE OF LANDS AND RESOURCES FOR TRADITIONAL PURPOSES

19.1 Key Issues

Table 19-1 outlines key issues regarding current use of lands and resources for traditional purposes raised by MNBC in the MUOS, and BC Hydro's approach to addressing them.

Table 19-1 Key issues: Current Use of Lands and Resources for Traditional Purposes

Key Issues	Approach to Addressing Key Issues
Métis harvesters rely on harvested foods for sustenance and as a central component of a healthy traditional diet. Concerned the Project will impact food security, including access to nutritious and safe harvested foods. Concerned about negative impacts on fish, wildlife and bird populations the proposed project may cause. Concerned the Project will impact plants for medicinal and spiritual purposes, including balsam pitch and birch bark.	• EIS Volume 3 Economic and Land and Resource Use Effects Assessment Section 19 Current Use of Lands and Resources for Traditional Purposes provides an assessment of the potential effects of the Project on the current and reasonably anticipated future use of lands and resources for traditional purposes, including the potential effects on hunting, fishing, trapping and other cultural and traditional activities (including harvest of berries and plants). Section 34 provides an assessment of Project impacts on the exercise of asserted or established Aboriginal and treaty rights. • Information provided by MNBC in the MUOS was considered and incorporated into this Assessment Report. • The effects assessment undertaken in Section 19 and this Assessment Report draws on results of the effects assessment on fish and fish habitat, vegetation and ecological communities, and wildlife resources, presented in Sections 12, 13, and 14 of the EIS respectively and Sections 12, 13, and 14 of this Amendment Report.
Raised concern that cumulative impacts may have effect on Metis people's ability to carry on traditional practices due to loss of natural resources.	• EIS Section 19 assesses the cumulative effects on current use of lands and resources for traditional purposes.

Key Issues	Approach to Addressing Key Issues
Interest in incorporating traditional knowledge into the environmental assessment.	• Where traditional knowledge information has been made available by Aboriginal groups, BC Hydro has considered that information in the baseline of the EIS.

19.2 Baseline Conditions

The MUOS Study Area extends from the eastern end of the Williston Reservoir in the West to the Alberta boarder in the east, and from Pink Mountain in the north to Toms Lake, located south of Pouce Coupe, in the south. The Study Area includes the Current Use of Lands and Resources (Wildlife Resources) and Current Use of Lands and Resources (Fish and Fish Habitat) Local Assessment Areas (LAA) and large parts of the Current Use of Lands and Resources (Wildlife Resources) Regional Assessment Area (RAA).

The MUOS reports that "Métis Nation BC citizens, from adjacent Chartered Communities and nearby smaller communities, are exercising their Aboriginal right to harvest (hunt, fish, trap, gather plants) within the proposed Project's footprint" (MNBC 2013, Section 3.2, page 15). Those "Chartered Communities" are not identified.

Ten harvesters of Métis heritage from five different areas (four in Hudson's Hope, two in Fort St. John, one in Mackenzie, one in Prince George, and two in the Lower Mainland) were interviewed regarding their use of the Study Area for the MUOS. The interview participants are not identified as members of any contemporary Métis community that has historic ties to a historic community. Consequently, this Amendment Report considers the potential effects of the Project on those ten individuals. This is not generally done in an environmental assessment.

The data from the interviews is depicted on four category maps (Animals, including fish and birds; Overnight Sites, including cabins and campsites; Cultural Sites, including burials and landmarks; and Plant, Wood and Earth Material). A "Hodgepodge Map" depicts all categories.

The MUOS states that the Upper Peace River and Pine River watersheds are important for the practice of Métis traditional land use, and the relationship between engagement in traditional activities and cultural well-being (MUOS 2013). Baseline conditions presented in the MUOS are summarized below.

19.2.1 Current Hunting and Trapping

In areas within the Current Use of Lands and Resources (Wildlife Resources) Local Assessment Area (LAA), the MUOS identifies beaver hunting activity scattered in the Peace River valley from Moberly River to Lynx Creek, and a small concentration of deer hunting activity on the south side of the Peace River between Taylor and the Beatton River.

Harvesting outside the LAA, but within the RAA, is concentrated in the following areas (MNBC 2013: Animals Category Map):

- lower Dunlevy Creek (moose)

- Butler Ridge (caribou)
- east of Bullhead Mountain (elk and grouse)
- between Bullhead Mountain and Portage Mountain (elk)
- north of Beryl Prairie to Farrell Creek (deer, moose)
- east of Federal Ranch (elk)
- Bull Flats (deer) and Grant Flat (deer) on the north side of the Peace River Canyon
- north of Bear Flats (moose)
- east and south of Inga Lake (moose)
- north of Charlie Lake at Mile 62 ½ (deer)
- south side of Cecil Lake (duck, grouse)
- north and east of Cecil Lake (deer)
- the south side of the lower Pine River (moose, bear, rabbit)
- the south side of Pine River south of Monias Lake (grouse) and
- along Highway 29 between West Moberly and the Peace River (moose).

Within the Current Use of Lands and Resources (Wildlife Resources) RAA, but outside the LAA, a trapping area is depicted on the south side of the Peace River opposite Hudson's Hope, and beaver trapping is depicted along Highway 29 between West Moberly and the Peace River (MNBC 2013: Animals Category Map).

19.2.2 Current Fishing

Within the Current Use of Lands and Resources (Fish and Fish Habitat) LAA, the MUOS depicts concentrations of fishing activity for a variety of fish, including dolly varden, rainbow trout, and white fish, on the Peace River upstream and downstream of Hudson's Hope and west of Bear Flats. In the MUOS study area, but outside the Current Use of Lands and Resources (Fish and Fish Habitat) LAA, participants interviewed reported fishing for lake trout and other fish on the eastern end of Williston Reservoir; for dolly varden on Dunlevy Creek and east of Dunlevy Creek; for other fish at Charlie Lake; for a variety of fish at Moberly Lake; and for dolly varden and lake trout at Carbon Lake (MNBC 2013: Animals Category Map).

19.2.3 Current use of Plants, Trees and Additional Resources

The Métis harvesters interviewed currently use the MUOS Study Area for harvesting of large quantities of medicinal plants, berries, food plants, timber and firewood year round. Balsam pitch and birch bark are amongst the plants harvested for medicinal purposes (MNBC 2013).

Within the Current Use of Lands and Resources (Wildlife Resources) LAA, gathering areas are depicted as follows:

- south of Fort St. John: four small areas of food or medicine plant harvesting
- west of Bear Flats: one large area for firewood gathering and a smaller area for food plant gathering
- junction of Farrell Creek and the Peace River: area for food plants and smaller areas for medicine plants and other plants
- between Lynx Creek and Hudson's Hope: one area of firewood gathering and one for specialty wood

Within the Current Use of Lands and Resources (Wildlife Resources) RAA, there is a concentration of harvesting of food plants, other plants, berries, firewood, and specialty wood in Beryl Prairie. The MUOS maps also depict a small area with symbols for berries, medicinal plants and other plants south of Hudson's Hope on the south side of the Peace River, and a symbol for food plants at the north end of Charlie Lake (MNBC 2013: Plant, Wood and Earth Material Category Map). An earth material symbol is depicted on the south side of the lower Pine River (MNBC 2013: Cultural Sites Category Map).

19.2.4 Trails, Places and other Cultural Features

Overnight sites are depicted on the MUOS Overnight Sites Category Map. Within the Current Use of Lands and Resources (Wildlife Resources) LAA, overnight sites are distributed from Hudson's Hope to the mouth of the Pine River. There is a concentration of overnight sites in the areas of Lynx Creek (cabin, other), Bear Flats (tents, under open sky) and the south side of the lower Pine River (cabins) (MNBC 2013: Overnight Sites Category Map).

Within the Current Use of Lands and Resources (Wildlife Resources) RAA overnight sites are concentrated at Dunlevy Creek (tents), Butler Ridge (tents) and along Highway 29 between West Moberly and the Peace River (mixture).

Cultural sites, including birth sites, burials, death sites, landmarks, and 'other', are depicted on the Cultural Sites Category Map. Within the Current Use of Lands and Resources (Wildlife Resources) LAA, there are three burial symbols in the area of Hudson's Hope. Lynx Creek and Farrell Creek are reported as being used to pay respect to Métis community members whose ashes have been sprinkled at those locations and for spiritual and ceremony purposes (MNBC 2013: 23), however, neither Creek is depicted on the Cultural Sites Map. Also within the Current Use of Lands and Resources (Wildlife Resources) LAA, there are symbols for 'other' cultural sites at Hudson's Hope, Lynx Creek and Bear Flats (MNBC 2013: Cultural Sites Category Map).

Within the Current Use of Lands and Resources (Wildlife Resources) RAA there is a birth and death symbol depicted north of the west end of Moberly Lake; an 'other' cultural site symbol east of the east end of Williston Reservoir; two landmark symbols at the east end of Williston Reservoir; and one landmark symbol on the north side of Moberly Lake (MNBC 2013: Cultural Sites Category Map).

19.3 Effects Assessment and Mitigation

Based on the review and consideration of key issues and baseline conditions related to the Current Use of Lands and Resources for Traditional Purposes VC provided in the MUOS, and the baseline and effects assessment described in the EIS, changes are required to the effects assessment presented in Section 19.4 of the EIS.

The layout of this and subsequent sections of this Assessment Report mirrors the layout in the EIS effects assessment (Section 19.4). Where needed for the analysis, information from Section 19.4 was incorporated into the sections below. Please also refer directly to Section 19.4 for additional information on Project effects.

19.3.1 Effects Assessment – Construction – Change in Fishing Opportunities and Practices

Current Use of and Access to Fishing Areas – Overview

Fish harvesting depicted on the MUOS Animals Category Map (MNBC 2013) suggests that the Métis harvesters interviewed for the MUOS prefer, for the most part, whitefish, dolly varden, pike, and rainbow trout.

In the Current Use of Lands and Resources for Traditional Purposes (Fish and Fish Habitat) LAA, those Métis harvesters fish primarily on the Peace River mainstem, with concentrations of fishing activity concentrated at confluences along the Peace River at Lynx Creek and Bear Flats. There are also small concentrations at Attachie and Hudson's Hope. The MUOS also depicts fishing outside the LAA, including at the east end of the Williston Reservoir and in Moberly Lake.

Changes in Use of and Access to Fishing Areas During Construction

Access restrictions described in EIS Section 19.4.1 pages 19-70 and 19-71 apply to the assessment of effects to the use of and access to fishing during construction by any harvester, including any Métis harvester. It is likely that access restrictions on the mainstem Peace River will limit the current fishing practices of people that fish in the Peace River. The following project interactions are of particular relevance, given the fish harvesting sites identified on MUOS maps:

- Both the Lynx Creek and Halfway river boat launches are proposed to remain open during construction through to reservoir filling (in Year 7), although temporary closures may occur;
- Site C reservoir may be closed during reservoir filling due to debris and slope stability hazards;
- Road and river access to the mouth of the Halfway River (Attachie) will not be restricted in the early years of the Project;
- Although access to the Peace River upstream of Wilder Creek would be permitted through the final six years of construction, temporary restrictions would be imposed for occasional, specific project activities that take place; and

- Use of the river will be fragmented, as travellers will be restricted from attempting to go either upstream or downstream of the proposed dam site from Year 1 of construction. River travel may be impeded at Year 2 by the boom to be installed at Wilder Creek.

As indicated in EIS Section 19.4, page 19-71, Aboriginal fishers may adapt to Project-related restrictions on access by using other access points and fishing areas, such as the Peace River downstream of the Project site, the Pine River, Dinosaur Reservoir, or other areas in the region.

Changes in Availability of Targeted Species During Construction

Changes to fish and fish habitat described in Section 19.4.1 page 19-71 and 19-72 apply to the assessment of effects to Métis fishing during construction.

During river diversion (Years 5-7), opportunities to harvest fish from the cold/clear water group (including bull trout, Arctic grayling, and mountain whitefish) are anticipated to decline. In the same period, no effect is anticipated on opportunities to harvest fish from the cool/turbid water group (including walleye, burbot, and northern pike). It appears from MUOS maps that Métis harvesters interviewed fish whitefish (unspecified) in the LAA; consequently, their opportunities and practices to harvest that species will be diminished.

Also during river diversion, anticipated changes in water quality and turbidity may affect cold water species from Cache Creek to Pine River confluence, as they seek to avoid turbidity. This effect is likely to be experienced by Métis harvesters who fish in the Peace River.

Inundation and the creation of the reservoir will reduce opportunities for fishing in the main stem Peace River and at its tributaries between Fort St. John and the Peace Canyon Dam by reducing access to fishing areas at a number of confluences with the Peace, including Cache Creek and Halfway River, which were identified as fish harvesting areas on MUOS maps (MNBC 2013: Map 2 Animals Category Map). Consequently, inundation will adversely affect fishing in those areas by Métis harvesters..

Changes in Use of Harvested Species During Construction

The MUOS does not provide specific information on how MNBC members use fish. It states generally that Métis in the study area use harvested foods for sustenance, as well as social and recreational purposes. Harvesters interviewed for the MUOS expressed concern regarding their “ability to access and obtain adequate amounts of nutritious and safe harvested foods within the study area” (MNBC 13: 24), however, no details were provided.

19.3.2 Effects Assessment – Operation – Change in Fishing Opportunities and Practices

Changes in Use of and Access to Fishing Areas During Operations

Access management and restrictions described in EIS Section 19.4.2 page 19-74 apply to the assessment of effects to the use of and access to fishing during operations by the Métis harvesters engaged in the MUOS.

The discussion of the ability of Aboriginal fishers to adapt to and exploit new seasonal opportunities on the reservoir applies to Métis harvesters that are accustomed to fishing on the Peace River. For example, the MUOS Animals Category Map depicts harvesting of lake trout and other fish in the Williston Reservoir.

Changes in Availability of Targeted Species During Operations

Changes to fish and fish habitat described in Section 19.4.2 page 19-74 to 19-76 apply to the assessment of effects to fishing during operations by the Métis harvesters engaged in the MUOS.

Changes in species availability may affect those Métis fishers at different times after the reservoir has been created. Of the species that are predicted to increase in the first ten years of the reservoir, rainbow trout and whitefish (unspecified) are harvested by Métis in the MUOS study.

Changes in Use of Harvested Species During Operations

The changes in use of harvested species would carry over from construction.

19.3.3 Mitigation Measures – Change in Fishing Opportunities and Practices

The measures set out in Section 19.4.3 of the EIS would mitigate effects on fishing by Métis harvesters. No changes or additional mitigation measures are required.

19.3.4 Effects Assessment – Change in Hunting and Trapping Opportunities and Practices during Construction and Operations

Changes in Use of and Access to Hunting Areas During Construction

Access-related changes to hunting and non-tenured and subsistence trapping opportunities and practices described in EIS Section 19.4.4 pages 19-78 and 19-79 apply to the assessment of effects to use of and access to hunting areas during construction by the Métis harvesters engaged in the MUOS. To the extent that those Métis harvesters hunt and trap in the LAA, they will be affected by restricted access to the Peace River described in Section 19.4.4.

Within the LAA, the MUOS depicts scattered symbols for “hunted” beaver in the Peace River valley from Moberly River to Lynx Creek, and a small concentration of deer symbols on the south side of the Peace River between Taylor and Beatton River.

Based on the Animals Category Map (MNBC: 2013), hunting appears to be more intense outside of the LAA than within it.

Changes in Use of and Access to Hunting Areas During Operations

Access-related changes to hunting and non-tenured and subsistence trapping opportunities and practices described in EIS Section 19.4.4 pages 19-79 and 19-80 apply to the assessment of effects use of and access to hunting areas during operations by the Métis harvesters engaged in the MUOS.

Changes in Availability of Targeted Species During Construction and Operations

Changes to targeted species described in Section 19.4.4 pages 19-80 to 19-83 apply to the assessment of effects to hunting during construction and operations by the Métis harvesters engaged in the MUOS.

The following project interactions are of particular relevance, given the species identified on the MUOS Animals Category Map (MNBC: 2013) within the LAA, namely beaver and deer.

Beaver:

- Beaver will be displaced during reservoir clearing, flooding during Stage 1 and Stage 2 construction, and reservoir filling. More than 60 beaver lodges will be lost along the Peace and its tributaries during construction activities and filling of the reservoir. Removal of riparian vegetation may decrease food prior to inundation. It is anticipated that beavers will recolonize the reservoir area during the operation period. Loss of furbearers and small game could affect Métis harvesters who indicated current use overlapping the LAA.. However, these effects would be confined to the construction period. In addition, the MUOS identified multiple harvesting areas outside the LAA.
- Depending on their exact location, beaver harvesting sites identified in the MUOS that lie within the LAA would be affected by inundation of the reservoir.

Deer

- In areas within the Current Use of Lands and Resources (Wildlife Resources) LAA, the MUOS identifies deer hunting activity on the south side of the Peace River between Taylor and Beatton River. Section 19.4.4 page 19-82 describes the potential effects of loss of habitat on ungulates, including mule and whitetail deer. Section 19.4.4 summarizes the results of the effects assessment in Section 14 Wildlife Resources. Section 14 found the following:
    - no significant residual effects to ungulates are predicted as a result of the Project;
    - there will be no change in availability of white-tail deer; and
    - mule deer numbers will vary based on winter severity but the Project will not affect numbers.

19.3.5 Mitigation Measures – Change in Hunting and Trapping Opportunities and Practices

The measures set out in Section 19.4.5 of the EIS would mitigate effects on hunting and trapping by Métis harvesters. No changes or additional mitigation measures are required..

19.3.6 Effects Assessment – Change in Cultural and Traditional Uses of the Land

Potential Project effects on other cultural and traditional uses of the land are assessed in EIS Section 19.4.6.

The MUOS identifies other cultural and traditional uses of the land including habitation sites (overnight sites), firewood, berries, medicinal plants, burials, and birth and death sites.

Changes in Other Cultural and Traditional Uses of the Land During Construction

Birth and Burial Sites

The location of three burial sites depicted on the MUOS Cultural Sites Category Map (MNBC 2013) in the vicinity of Hudson's Hope and within the Current Use of Lands and Resources (Wildlife Resources) LAA appear to be within the area that would be submerged when the reservoir is filled.

MUOS interview participants indicated that they use Lynx Creek and Farrell Creek to pay respect to community members whose ashes have been sprinkled at those locations. However, these areas do not appear to be depicted on either of the category maps, are geographically broad and do not allow for an assessment of potential Project effects.

Birth and death symbols as well as "cultural symbols" are also depicted outside the LAA. These sites will not be affected by the Project.

Habitation Sites (Cabins and Campsites)

MUOS interview participants identified cabins and campsites within the LAA. Locations of both permanent and transient habitations are indicated along the Peace River from Hudson's Hope to the mouth of the Pine River, with concentrations at Lynx Creek, Bear Flats and the south side of the lower Pine River (MNBC 2013: Overnight Sites Category Map). Most of these sites appear to be within the area of the river valley that will be transformed into a reservoir.

The overnight sites concentrated at Dunlevy Creek, Butler Ridge and along Highway 29 between West Moberly and the Peace River are outside the LAA and will not be affected by the Project.

Firewood / Specialty Wood

One firewood gathering area and one specialty wood gathering area depicted by MNBC between Lynx Creek and Hudson's Hope will be cleared and inundated. One area for firewood gathering west of Bear Flats will be cleared and inundated.

Cultural and Spiritual Places

MUOS interview participants identified areas at Lynx Creek and Farrell Creek as being used for spiritual and ceremony purposes. However, these areas do not appear to be depicted on either of the category maps, are geographically broad and do not allow for an assessment of potential Project effects. "Other cultural sites" were identified at Hudson's Hope, Lynx Creek and Bear Flats (MNBC 2013: Cultural Sites Category Map). These sites, depending on their exact location, may be inundated.

Within the Current Use of Lands and Resources (Wildlife Resources) RAA there is a birth and death symbol depicted north of the west end of Moberly Lake; an 'other' cultural site symbole

Berries, Herbs and Medicinal Plants

The effects assessment on practices and opportunities to harvest resources for traditional purposes undertaken in EIS Section 19 draws on the biophysical effects described in EIS Section 13 Vegetation and Ecological Communities. The effect pathways described in EIS Section 19.4.6 page 19-88 also apply to the assessment of effects to Métis harvesters interviewed for the MUOS.

Four small areas of food or medicine plant harvesting identified south of Fort St. John including medicinal plants would likely be affected by the construction of the dam site. The Métis harvesters also identified a small area for food plant gathering west of Bear Flats and one at the junction of Farrell Creek and the Peace River. These areas, depending on their exact location, may be altered or lost during highway realignment and then possibly inundated.

MUOS maps indicate that the Métis harvesters also harvest outside the LAA.

<u>Changes in Other Cultural and Traditional Uses of the Land During Operations</u>

It is anticipated that the effects on other cultural and traditional uses of the land induced during construction would continue during the Operations Phase. The discussion of effects at EIS Section 19, page 19-89 applies to use of other cultural and traditional uses by the Métis harvesters interviewed for the MUOS.

<u>Changes in Use of and Access to Culturally Important Places and Valued Landscapes During Construction</u>

The MUOS does not explicitly indicate specific harvesting areas as "culturally important" or "valued". However, the category maps depict multiple uses (fishing, hunting, gathering, other cultural uses) at certain areas along the Peace River, where use appears to be more intense than in other areas. The most intensely used areas appear to be Lynx Creek, Farrell Creek, and Bear Flats and consequently, those locations are treated as highly valued in this assessment. These will be inundated by the reservoir.

<u>Changes in Use of and Access to Culturally Important Places and Valued Landscapes During Operations</u>

It is anticipated that the effects on use of and access to the multiple use areas identified above induced during construction would continue during the Operations Phase, as the places indicated on banks of the Peace River will be inundated. As noted in EIS Section 19 page 19-91, it is possible that other gathering places may be reconstituted at the confluences of the old creeks and the new lake. It is also possible that the harvesters engaged in the MUOS will shift their attention outside the area of the Project to other special places within their asserted traditional territory.

19.3.7 Mitigation Measures – Construction and Operations – Change in Cultural and Traditional Uses of the Land

The measures set out in Section 19.4.7 of the EIS would mitigate effects on cultural and traditional use of the land by Métis harvesters. No changes or additional mitigation measures are required.

19.4 Residual Effects

The criteria used to characterize residual effects on current use of lands and resources for traditional purposes are presented in Section 19.5 Table 19.13, page 19-100.

19.4.1 Current Use of Lands and Resources for Traditional Purposes – Fishing

After proposed mitigation, Project construction would have a residual adverse effect on fishing.

Fishing opportunities and practices would be impaired during construction for the Métis harvesters interviewed for the MUOS due to reduced access to fishing areas and potentially reduced success in harvest of targeted species.

During operations, the Project would have a residual adverse effect on fishing. Fishing opportunities and practices of the Métis harvesters interviewed for the MUOS would be adversely affected due to reduced access to fishing areas. Over time, as the reservoir develops into a stable fishery and local knowledge develops about how to practice fishing there, the Project may have a beneficial effect on fishing opportunities. However, it is not certain when these conditions may occur.

The effect would be considered low to moderate. Although some aspects of the traditional purpose of the activity may be altered by transferring them to another location, fishing practices of Aboriginal people are adaptable, spatially and temporally. The MNBC report indicates that mobility is a core feature of contemporary Métis harvesting practices (MNBC 2013: 24). Fishing in the area of the proposed reservoir may be done, and is currently being done in the Williston Reservoir, Charlie Lake, Moberly Lake, Dunlevy Creek, and Carbon Lake.

The geographic extent of the effect would be local, as it is confined within the LAA. The effect would be continuous, at least until the reservoir stabilizes and Aboriginal fishing practices adapt to the post-project environment, and not reversible, although fishing practices are adaptable to it. The effect is long term and there is uncertainty around the time sufficient to re-establish a stable fishery resource, coupled with a body of knowledge and a set of practices about its exploitation.

The geographical and environmental setting for fishing can be described as disturbed, although some elements of the setting remain undisturbed or resilient. The confidence level in the assessment is low, because the assessment is restricted by limited MUOS data, uncertainty regarding the biophysical effects of the Project, uncertainty regarding reactions of the environment and responses to change by Aboriginal harvesters. If the Project proceeds, the effect is likely to occur.

19.4.2 Current Use of Lands and Resources for Traditional Purposes – Hunting and Trapping

After proposed mitigation, the Project would have a residual adverse effect on hunting and trapping opportunities and practices of the Métis harvesters interviewed for the MUOS due to temporary reductions in availability of beavers and temporarily reduced access to hunting areas during construction. The effect would be of low magnitude as hunting practices of Aboriginal people are adaptable, spatially and temporally, it is expected that beaver will re colonize after construction, and the LAA is not in the core current use hunting area for the Métis harvesters interviewed for the MUOS.

The geographic extent of the effect would be local, as it is confined within the LAA. The effect would be temporary, at least until access restrictions are lifted within the reservoir and animals and Aboriginal hunting and non-tenured trapping practices adapt to the post-project environment. The effects are reversible, and short-term. The geographical and environmental setting for the indicator can be described as disturbed, although some elements of the setting remain undisturbed or resilient. The confidence level in the assessment is high. If the Project proceeds, it is likely that an effect would occur.

19.4.3 Current Use of Lands and Resources for Traditional Purposes – Other Cultural and Traditional Uses

After proposed mitigation, the Project would have a residual adverse effect the Métis harvesters interviewed for the MUOS with respect to other cultural and traditional uses of the land for due to reduced access to areas used for harvesting berries, medicinal plants, and other earth materials.

The effect would be moderate because of the loss of three high value sites used for multiple cultural and traditional purposes: Bear Flats, Farrell Creek and Lynx Creek. These sites will be permanently lost and use of and access to them will be permanently impaired.

The geographic extent of the effect is local, as it will affect three sites reportedly used by the Métis harvesters. The environmental context for the effect is disturbed.

The confidence level in the assessment is low because the assessment is restricted by limited MUOS data. If the Project proceeds, it is likely that an adverse effect would occur.

19.4.4 Determination of Significance of Residual Effects

As noted in Section 19.2 Baseline Conditions, the ten Métis harvesters that were interviewed for the MUOS are not identified as members of any contemporary Métis community with historic ties to a historic community. As a result, the assessment in Sections 19.3 and 19.4 considers the Project effects on the ten harvesters identified in the MUOS as currently using the Project LAA for hunting, fishing, trapping, and other traditional activities. However, there is no evidence that the use by the ten Métis harvesters interviewed in the MUOS is representative of use by a historic Métis community.

Consequently, it is not appropriate to determine the significance of the Project effects described in Section 3.10 on the ten Métis harvesters identified in the MUOS.

19.5 Cumulative Effects Assessment

The MUOS does not provide any baseline information that would alter the results of the Cumulative Effects Assessment. As a result, no changes are required to the cumulative effects assessment for the Current Use of Lands and Resources for Traditional Purposes VC undertaken in section 19.6 of the EIS or the Technical Memo: Cumulative Effects Assessment submitted by BC Hydro to the BC EAO and CEAA on May 8, 2013.

19.6 Monitoring and Follow-up

No changes are required to the monitoring and follow-up described in Section 19.

32. HERITAGE RESOURCES

32.1 Key Issues

The MUOS does not raise any new issues or concerns related to the heritage resources VC that have not already been identified in section 32 of the EIS.

32.2 Baseline Conditions

The MUOS indicates that Métis use of the LAA is greatest at Bear Flats, with other Métis use identified at the mouth of the Moberly River, Attachie (mouth of Halfway River), Farrell Creek, Lynx Creek, and Hudson's Hope. Activities described in the MUOS included a spring beaver hunt on the Peace River, as well as hunting (9 mammal, 4 bird species), fishing (6 species), gathering, and camping.

The MUOS indicates that three "burials" are located near Hudson's Hope, but the text and maps provided do not provide enough detail to determine if they are in the LAA, or on the north or south side of the river. While the MUOS implies that the burials are in the LAA this cannot be confirmed with the information provided. The MUOS also states that the areas of Lynx Creek and Farrell Creek are used to pay respect to Métis community members, whose ashes have been sprinkled at those locations, and for spiritual and ceremonial purposes.

32.3 Effects Assessment

Based on the review and consideration of the baseline information provided in the MUOS, and the baseline and effects assessment described in EIS section 32, no changes are required to the results of EIS section 32 and the mitigation identified in EIS section 32 is appropriate. Key reasons for no changes to the results are:

- The information provided in the MUOS is not specific enough to locate additional heritage sites attributable to Métis. The descriptions of use do not provide sufficient detail and the accompanying maps do not permit accurate plotting of sites.
- The historical information provided in the MUOS is consistent with what has been presented in Volume 4 Appendix C with respect to Métis presence within the LAA.

32.4 Residual Effects

No changes are required to the residual effects for the heritage resources VC provided in EIS section 32.

32.5 Cumulative Effects

No changes are required to the cumulative effects assessment for the heritage resources VC in EIS section 32.

32.6 Monitoring and Follow-up Programs

No changes are required to monitoring and follow-up for the heritage resources VC in EIS section 13.6.

34. ASSESSMENT OF POTENTIAL IMPACTS ON THE EXERCISE OF ASSERTED OR ESTABLISHED ABORIGINAL AND TREATY RIGHTS

34.1 Potential Impacts on the Exercise of Asserted or Established Aboriginal and Treaty Rights

BC Hydro's understanding of the asserted Aboriginal rights of Métis groups is set out in EIS Section 34.3.2.3.

In the MUOS, MNBC asserts that the Métis harvesters use the Peace River valley and the LAA for current use activities including hunting, trapping, and fishing. As stated in Section 19 of this Amendment Report, there is no evidence that the use by the ten Métis harvesters interviewed in MUOS is representative of use by a historic Métis community. Consequently, in order to conduct this analysis, BC Hydro assumes that MNBC asserts that a community of Métis hold Aboriginal rights to conduct those activities, and the ten Métis harvesters in the MUOS are representative of that community.

Based on the review and consideration of baseline conditions related to the current use of lands and resources for traditional purposes VC provided in the MUOS, the baseline and effects assessment described in EIS Section 19, and BC Hydro's understanding of asserted Aboriginal rights set out in EIS Section 34.3, an assessment of potential impacts on the exercise of asserted Aboriginal rights by the Métis harvesters is required. The methodology for assessing impacts on the exercise of asserted rights is set out in EIS Section 34 and the Technical Memo Methodology for the Assessment of the Potential Impacts of the Project on the Exercise of Asserted or Established Aboriginal and Treaty Rights, submitted by BC Hydro to the BC EAO and CEA Agency on May 8, 2013.

<u>Asserted right to fish</u>

The Project would reduce the ability of Métis harvesters identified in the MUOS to fish (Volume 3 Section 19 Current Use of Lands and Resources for Traditional Purposes) in the LAA, during construction and operation. Opportunities for boat and shore-based river fishing along an 85-kilometre stretch of the Peace will be reduced. Several fishing areas, where streams and creeks join the Peace, will be inundated, although the confluences of those streams with the new reservoir may develop into good fishing areas. The impact of the creation of the dam will diminish as the reservoir begins to create a new fishery. However, it is not certain when these conditions may occur. As indicated in EIS Section 19 and Section 19 of this Amendment Report, other fishing areas currently used by the Métis harvesters would not be affected by the Project, and the reservoir would, in time, create compensatory fishing opportunities for the Métis harvesters in the MUOS. No cumulative effects of the Project were identified with respect to fishing for traditional purposes (EIS Section 19). The Métis harvesters will continue to have the opportunity to exercise their asserted right to fish within the fish and fish habitat LAA and within the Study Area identified in the MUOS.

<u>Asserted rights to hunt and trap</u>

The Project would reduce the ability of the Métis harvesters in the MUOS to hunt and trap beaver in the Current Use of Lands and Resources (Wildlife Resources) LAA. However, these impacts would be temporary and other areas available to MNBC harvesters, both within and outside the LAA, will not be affected by the Project. According to the MUOS, the Métis harvesters currently hunt and trap intensively outside the LAA. No cumulative effects of the Project were identified with respect to hunting and trapping for traditional purposes (EIS Section 19). The Métis harvesters will continue to have the opportunity to exercise their asserted rights to hunt and trap, within the LAA, and within the Study Area identified in the MUOS.

Other activities

The Project would reduce the ability of the Métis harvesters to participate in other traditional activities in the Current Use of Lands and Resources (Wildlife Resources) LAA.

Three firewood and wood gathering areas will be cleared and inundated. It is likely that six small areas of food or medicine plant harvesting areas will be altered or lost. However, MUOS maps indicate that the Métis harvesters also harvest plants, berries and other earth materials outside the LAA.

It is possible that other gathering places may be reconstituted at the confluences of the old creeks and the new lake. It is also possible that the Métis harvesters will shift their attention outside the area of the Project to other places.

The Métis harvesters will continue to have the opportunity to exercise their asserted rights to undertake other traditional activities within the LAA and within the Study Area identified in the MUOS.

34.2 Aboriginal Accommodation

The mitigation measures set out in Section 34.2 could, if appropriate, be implemented to mitigate impacts to rights to fish, hunt, trap and undertake other traditional activities of the Métis harvesters. No additions or changes are required to the Aboriginal Accommodation described in Section 34.4 of the EIS.

34.3 Outstanding Aboriginal Issues

No changes are required to the discussion of outstanding Aboriginal issues in Section 34.5 of the EIS.