SITE C CLEAN ENERGY PROJECT

VOLUME 5 APPENDIX C

DENE THA' FIRST NATION SUPPLEMENT TO CURRENT USE OF LANDS FOR TRADITIONAL PURPOSES

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Revision 1 – July 19, 2013

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1. DENE THA' FIRST NATION SUPPLEMENT TO CURRENT USE OF LANDS AND RESOURCES FOR TRADITIONAL PURPOSES

Dene Tha' First Nation has provided supplemental TLU/TEK information to BC Hydro, based on interviews with two land users and harvesters who reside in BC and who are active in the LAA. The supplemental information has been incorporated into Volume 5 Appendix A04 Part 3 *Aboriginal Land and Resource Use Summary: Dene Tha' First Nation*, and forms the basis of this supplemental report to Section 19.

1.1 Key Issues

Table 19-1 includes key issues regarding current use of lands and resources for traditional purposes raised in the DTFN supplemental report.

1.2 Revisions to Current Hunting and Trapping

The DTFN supplemental report provides no new material information on the harvest by either hunting or trapping of large or small game in the LAA. It notes that one interviewee hunts moose from summer to winter at Williston Lake and in the Peace River valley from the Bennett Dam to Peace River, while the other reports fall hunting along Peace River between Fort St. John and Williston Lake. Species noted include moose, bear, elk, deer, beaver, rabbits, chickens, ducks and geese, each of which was noted as being hunted by DTFN in the EIS.

1.3 Revisions to Fishing

The DTFN supplemental report contributes some new information to the assessment of possible project effects on DTFN fishing. The two individuals interviewed for the supplemental report indicate fishing within the LAA, along the Peace mainstem in June and July, between the Bennett Dam and Fort St. John (and beyond) for bull trout and rainbow trout. No specific locations or habitats are provided. The DTFN interviewees also indicated fishing for rainbow trout in the east end of Williston Lake. The EIS, based on information provided previously by DTFN, indicated fishing on "the Peace River east of Manning, Alberta", an area outside the fish and fish habitat LAA (Stevenson, and DTFN Lands and Environment 21 Department 2012: 12).

1.4 Revisions to Current use of Plants, Trees and Additional Resources

The DTFN supplemental report provides no material new information on the use of plants, trees, or additional resources. It indicates that some Dene Tha' members pick huckleberries and Saskatoons near Flatrock Creek (July 8, 2013: 3).

1.5 Revisions to Trails, Places and other Cultural Features

The DTFN supplemental report provides no new material information on trails, places, and other cultural features. It indicates that the two interviewees use a mix of permanent and more transient camps in their harvesting in the LAA (July 8, 2013: 4).

1.6 Revisions to Effects Assessment and Mitigation

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

Changes in Use of and Access to Fishing Areas / Changes in Availability

Section 19.4.1 of the EIS notes that access restrictions during construction may limit the current fishing practices of DTFN, among others. In addition, during river diversion (years 5-7), opportunities to harvest fish from the cold/clearwater group, including bull trout, may decline.

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

Changes in Use of and Access to Fishing Areas

Section 19.4.2 of the EIS describes changes in access and access management during the operations phase of the Project, which may affect the ability of DTFN fishers who indicated fishing along the mainstem of the Peace River between the Bennett Dam and Fort St. John. It also describes changes in the availability of species pursued by the interviewed DTFN fishers during operation, with rainbow trout increasing and bull trout declining. The changes in fishing opportunities and practices during operations of the project described in 19.4.2 would apply to DTFN members harvesting of rainbow trout and bull trout.

1.6.3 Mitigation Measures – Change in Fishing Opportunities and Practices

No changes are required to the mitigation measures described in EIS Section 19.4.3.

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

The DTFN supplemental report provides no new material information on DTFN hunting and trapping practices in the current use of lands and resources (wildlife resources) LAA. Consequently, no changes are required to the assessment of hunting and trapping opportunities and practices described in Section 19.4.

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

No changes are required to the mitigation measures described in EIS Section 19.4.5.

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

The DTFN supplemental report provides no new material information on other cultural and traditional uses of the land by DTFN. Consequently, no changes are required to the assessment of other cultural and traditional uses of the land described in Section 19.4.

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

No changes are required to the mitigation measures described in EIS Section 19.4.7.

1.7 Residual Effects

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

After proposed mitigation, Project construction would have a residual adverse effect on the current use of lands and resources for fishing. Fishing opportunities and practices of BRFN, SFN, DTFN, T8TA, DFN, MNBC, MLIB and HLFN would be adversely affected due to reduced access to fishing areas (including potentially increased competition with non-Aboriginal anglers), and potentially reduced success in harvest of targeted species.

During operations, the Project would have a residual adverse effect on the current use of lands and resources for fishing. Fishing opportunities and practices of BRFN, SFN, T8TA, DTFN, DFN, MNBC, MLIB and HLFN 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.

Characterization of Residual Effects Current Use of Lands and Resources for Traditional Purposes - Fishing

The current use of lands and resources for fishing by T8TA, SFN, BRFN, DFN, DTFN, MNBC, MLIB and HLFN would be adversely affected by the Project. The effect on fishing opportunities and practices is adverse, as the nature of the indicator is negatively altered in comparison to baseline trends. Fishing opportunities and practices will be negatively altered within the LAA by the construction of the Project.

Boat and shore-based river fishing along an 85-km stretch of the main stem Peace River and practices will be negatively altered within the LAA by the construction of the Project.

Boat and shore-based river fishing along an 85-km stretch of the main stem Peace River between the dam site and the Canyon dam will be inundated. This loss encompasses the inundation of several river and stream mouths valued for their fishing. The effect would be of moderate magnitude for T8TA, SFN, and BRFN. 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.

Fishing currently undertaken in the area of the proposed reservoir may be done, and in some cases is being done, downstream at the confluences of the Pine and Beatton rivers. Additional confluences are farther downstream at the Kiskatinaw, Pouce Coupe, and Clear River.

The effect would be of low to moderate magnitude for MNBC and MLIB and low magnitude for DFN, HLFN, and DTFN, as the Peace River section within the LAA is at the periphery of their use of fish resources. Fishing practices of Aboriginal people are adaptable, spatially and temporally, and the traditional purpose of the activity would not be undermined for members of DFN, HLFN, and DTFN**,** although an increase in cold water species downstream of the dam would pose an adaptive challenge and opportunity for harvesters.

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 TLUS 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, there would be a high probability that an adverse effect would occur because the physical changes in the Project activity zone, particularly Site C reservoir filling, would alter fishing areas.

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

No changes are required to the residual effects for the current use of lands and resources of traditional purposes for hunting and trapping.

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

No changes are required to the residual effects for the current use of lands and resources of traditional purposes for other cultural and traditional uses of the land.