

July 19, 2013

Ms. Linda Jones  
Panel Manager, Review Panels  
Canadian Environmental Assessment Agency  
22<sup>nd</sup> Floor, 160 Elgin Street  
Ottawa, ON K1A 0H3

Mr. Ross Neil  
Crown Consultation Coordinator  
Canadian Environmental Assessment Agency  
410 – 7901 West Georgia Street  
Vancouver, BC V7Y 1C6

Mr. Brian Murphy  
Project Assessment Director  
B.C. Environmental Assessment Office  
P.O. Box 9426 Stn Prov Govt  
Victoria, BC V8W 9V1

Dear Ms. Jones, Mr. Neil and Mr. Murphy:

**RE: Response to Question 5 to assist BCEAO and CEAA in understanding responses to 'themes' submitted during the EIS Public Review Period**

I am writing further to my letter of June 28, 2013 in which I provided responses to four questions sent to BC Hydro intended to assist the BCEAO and CEA Agency in understanding responses to selected 'themes' of comments submitted by Aboriginal groups and government agencies during the EIS Public Review Period. As follow-up to the June 28 letter, the CEA Agency requested we respond to an additional question (Question 5) respecting harvested species, sites and means preferred by specific Aboriginal groups for hunting, trapping, fishing, gathering and for other cultural uses. Our response to Question 5 is attached.

<contact information removed>

If you require additional information or clarification, please contact me at  
you.

Thank

Sincerely,

<original signed by>

Trevor Proverbs  
Director, First Nations Engagement  
Site C Clean Energy Project

Encl. Attachment 1 – Information Respecting Specific Harvested Species, Sites and Means Preferred by Aboriginal Groups.

## **Attachment 1: Information Respecting Specific Harvested Species, Sites and Means Preferred by Aboriginal Groups**

“5. *How and where specifically in the EIS has BC Hydro assessed and considered potential project effects to the availability of specific harvested species, sites and means preferred by specific Aboriginal groups for hunting, trapping, fishing, gathering and for other cultural uses as was intended by s.15.2.4 (p.74) of the EIS Guidelines?*”

### **Response:**

BC Hydro notes firstly that section 15.2.4 of the EIS Guidelines does not require an assessment of the “... potential effects to the availability of harvested species, sites and means preferred by specific Aboriginal groups.” Rather, Section 15.2.4 of the EIS Guidelines requires an assessment of the potential for the Project to “adversely affect current use of lands and resources by Aboriginal persons for traditional purposes”.

Specific “current uses” were considered separately:

- Changes in fishing opportunities and practices
- Changes in hunting and trapping opportunities and practices
- Changes in other cultural and traditional uses of the land<sup>1</sup>

In assessing these changes, the availability of preferred harvested species, sites and means of Aboriginal groups have been taken into account:

- The description of the baseline at Section 19.3 includes information on harvested species, sites and means of each Aboriginal group who reported current use of lands and resources for traditional purposes in the current use LAAs, where that information was made available to BC Hydro.<sup>2</sup>
- The Aboriginal Land and Resource Use Summaries, prepared for each Aboriginal group by Traditions Consulting Services, and included at Volume 5, Appendix A, Part 3 of the EIS, includes, for each Aboriginal group, a description of their:
  - “current use of lands and resources for hunting, trapping and fishing activities, including the location of the activity, the species targeted, and the traditional uses of the harvested animals” within the current use LAAs and RAAs

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<sup>1</sup> EIS Section 19.4, p. 19-65

<sup>2</sup> For examples, see Tables of harvested species of wildlife, birds, fish, and plants, and of cultural sites found at EIS Section 19.3, pp. 19-16- to 19-19, Tables 19.5 to 19.10; see also descriptions of baseline conditions for each Aboriginal group who reported current use of lands and resources in the LAA, set out at Sections 19.3.1.1 (BRFN), 19.3.1.2 (SFN), 19.3.1.3 (T8TA), 19.3.1.4 (MLIB), 19.3.1.5 (DFN), 19.3.1.6 (HLFN), 19.3.1.7 (DTFN). See also Aboriginal Group Amendment Report filed May 24, 2013.

- “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 LAAs and RAAs<sup>3</sup>
- One of the criteria used to characterize residual effects on the current use of lands and resources by Aboriginal groups for traditional purposes was “context”, which included a consideration of “importance of use” and “importance of area” to Aboriginal groups.<sup>4</sup>
- In Section 19.6.2 of the EIS, in the assessment of the potential cumulative effects of the Project, the potential changes to the availability of harvested species are accounted for.
- Set out below are specific examples of where these changes are taken into account in Sections 19.4 and 19.5 of the EIS, and in the Aboriginal Group Amendment Reports for MNBC and MLIB filed on May 24, 2013.

The following observations are included in EIS Section 19.4.1 and Aboriginal Group Amendment Reports for MLIB and MNBC Sections 19.3.1 and 19.3.2 related to changes in fishing opportunities and practices:

### **Sites**

- Fishing for cultural, recreational, and subsistence purposes is currently practised by members of the BRFN, SFN, T8TA, DFN and HLF throughout the mainstem Peace River from the stretch of river downstream of Fort St. John to the Williston Reservoir ... Harvesters, following the availability of targeted species, appear to heavily favour the confluences of rivers, streams, and creeks with the Peace - especially at Bear Flats, Farrell Creek, Halfway River, Lynx Creek, and Moberly River.<sup>5</sup>
- Fishing is also done in a number of small lakes, creeks and streams outside of the LAA, as well as, to a lesser extent, in the Dinosaur and Williston Reservoir.<sup>6</sup>
- In the LAA, SFN fish primarily in the Peace River and the Moberly River, but also elsewhere in smaller streams and water bodies south of the Peace River.<sup>7</sup>
- T8TA indicate fishing along the north side of the Peace River at the confluences with tributaries. Fish symbols are concentrated at confluences along the Peace River at Portage Creek, Lynx Creek, Halfway River, east of Taylor, and at the mouth of the Beatton River. There is also a small concentration on the Halfway River near the Halfway River Reserve 168. In addition, several instances to the Peace Canyon dam tailrace and the Williston reservoir are made.<sup>8</sup>

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<sup>3</sup> EIS Volume 5 Appendix A Part 3

<sup>4</sup> EIS Section 19.5.4, pp. 19-100 to 19-101, Table 19.13

<sup>5</sup> EIS Section 19.4.1, p. 19-68, lines 5-11; p. 19-70, lines 1-3

<sup>6</sup> EIS Section 19.4.1, p. 19-68, lines 12-13; p. 19-70, lines 3-5

<sup>7</sup> EIS Section 19.4.1, p. 19-68, lines 36-38

<sup>8</sup> EIS Section 19.4.1, p. 19-69, lines 1-6

- 8-10 interview participants of the BRFN TLUS discussed fishing in the mainstem Peace River in the area of the future reservoir. Fishing is described as occurring along the Peace River from the Alberta border to eastern Williston Lake. The confluences of the tributary rivers and creeks with the Peace River including Beaton River, Halfway River, Cache Creek, and Farrell Creek are described as particularly important.<sup>9</sup>
- BRFN members say they rely more on the Halfway River and the mouths of the streams flowing into the Peace River for their fish needs.<sup>10</sup>
- BRFN reports a little fishing in the Dunleavy and Upper reaches of Williston Reservoir, mostly through the ice in winter for catfish, Dolly Varden, lake trout, and ling cod.<sup>11</sup>
- BRFN indicates some fishing in the Beaton for suckers, and the Pine for grayling.<sup>12</sup>
- MLIB harvesters fish on the Peace River mainstem, with some fishing activity at the mouth of the Halfway River. They also fish outside the LAA in Dinosaur Reservoir, lower Beaton River, McLeod Lake and Jackfish Lake.<sup>13</sup>
- MNBC harvesters report fishing primarily on the Peace River mainstem, with concentrations of fishing activity at confluences along the Peace River at Lynx Creek and Bear Flats, as well as Attachie and Hudson's Hope.<sup>14</sup>
- MNBC's MUOS also depicts fishing outside the LAA, including at the east of the Williston Reservoir and in Moberly Lake.<sup>15</sup>
- Access restrictions in the early years of the Project will begin to affect fishing at several confluences identified as important harvesting locations by T8TA, SFN, BRFN, and MNBC.<sup>16</sup>
- Restricting access to the Moberly and Peace River at the beginning of Year 1 of construction would affect fishing by SFN members.<sup>17</sup>

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<sup>9</sup> EIS Section 19.4.1, p. 19-69, lines 7-14

<sup>10</sup> EIS Section 19.4.1, p. 19-69, lines 19-21

<sup>11</sup> EIS Section 19.4.1, p. 19-69, lines 30-31

<sup>12</sup> EIS Section 19.4.1, p. 19-69, lines 32-33

<sup>13</sup> Aboriginal Group Amendment Report filed May 24, 2013, McLeod Lake Indian Band Traditional Land Use Baseline and Assessment Report, Section 19.3.1, p. 12, lines 33-35

<sup>14</sup> Aboriginal Group Amendment Report filed May 24, 2013, Métis Nation British Columbia Traditional Land Use Baseline and Assessment Report, Section 19.3.1, p. 12, lines 16-20

<sup>15</sup> Aboriginal Group Amendment Report filed May 24, 2013, Métis Nation British Columbia Traditional Land Use Baseline and Assessment Report, Section 19.3.1, p. 12, lines 21-22

<sup>16</sup> EIS Section 19.4.1, p. 19-70, lines 33-35; Aboriginal Group Amendment Report filed May 24, 2013, Métis Nation British Columbia Traditional Land Use Baseline and Assessment Report, Section 19.3.1, p. 12, lines 24-39, p. 13, lines 23-29

<sup>17</sup> EIS Section 19.4.1, p. 19-70, lines 35-36

- Access to the mouth of Wilder Creek, and the area downstream to Moberly River will be altered in Year 2.<sup>18</sup>
- It is likely that access restrictions on the mainstem Peace River will limit the current fishing of MLIB harvesters who fish in the Peace River, and who report fishing Bull trout and Dolly Varden.<sup>19</sup>
- Road and river access to the mouth of the Halfway River, indicated as an important fishing location by T8TA, SFN, and BRFN, will not be restricted in the early years of the Project.<sup>20</sup> MLIB also notes fishing at this confluence.<sup>21</sup>
- Effects on movement and aquatic productivity may alter fishing effort by limiting the availability of desirable fishing locations due to increased turbidity or the perception of disturbance.<sup>22</sup>
- 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 identified as important harvesting locations by First Nations, including Cache Creek (BRFN, T8TA), Farrell Creek (BRFN, DFN, T8TA), Halfway River (BRFN, T8TA), Moberly River (SFN, DFN, T8TA). Consequently, inundation will adversely affect the current use of lands and resources for fishing for BRFN, DFN, SFN and T8TA.<sup>23</sup>

### **Means**

- In recent decades ... cars and improved transport have facilitated the practice of traditional pursuits throughout a wider geographical area.<sup>24</sup>
- Ownership of pickup trucks is now common among BRFN members, making possible day-trips to hunting grounds and fisheries along the Peace River and elsewhere ...<sup>25</sup>
- An increased preference for the Peace may also reflect the diffusion of sport-fishing technologies and techniques for fishing. Bouchard and Kennedy make an observation that lends some credence to this, noting that Beaver traditional knowledge is limited on the subject of fish: "A few of the younger men who fish for sport with a rod and line have a broader knowledge of nomenclature and distinguish Dolly Varden (bull trout), rainbow

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<sup>18</sup> EIS Section 19.4.1, p. 19-70, lines 36-38

<sup>19</sup> Aboriginal Group Amendment Report filed May 24, 2013, McLeod Lake Indian Band Traditional Land Use Baseline and Assessment Report, Section 19.3.1, pp. 12, lines 41-43, p. 13 line 1

<sup>20</sup> EIS Section 19.4.1, p. 19-70, lines 39-41

<sup>21</sup> Aboriginal Group Amendment Report filed May 24, 2013, McLeod Lake Indian Band Traditional Land Use Baseline and Assessment Report, Section 19.3.1, p. 13, lines 24-26

<sup>22</sup> EIS Section 19.4.1, p. 19-72, lines 21-24

<sup>23</sup> EIS Section 19.4.1, p. 19-73, lines 1-7

<sup>24</sup> EIS Section 19.4.1, p. 19-68, lines 19-20

<sup>25</sup> EIS Section 19.4.1, p. 19-68, lines 21-24

trout, grayling, lake trout, kokanee, and ling (burbot) from the less desirable jackfish, suckers, walleye and squawfish".<sup>26</sup>

- Lake fishing does not make up a large portion of BRFN fishing efforts. Several species are pursued in Moberly Lake, and other lakes and small streams are indicated as places where a single or two species are pursued, including Stuart Lake (white fish), Jackfish Lake (jackfish), Charlie Lake (suckers), Chinaman Lake (trout), Gwill Lake (walleye).<sup>27</sup>

### **Species**

- Fish harvesting by SFN members suggest that their preference is, for the most part, for the coldwater fishes, with the exception of jackfish and sucker.<sup>28</sup>
- Rainbow trout are described as being caught generally throughout the southwestern parts of the LAA with concentrations of activity in the Peace River and Moberly River.<sup>29</sup>
- Bull trout and Dolly Varden are reported to be caught in the LAA in the Peace River and to a lesser extent in the Moberly River.<sup>30</sup>
- Jackfish and grayling are caught in the Moberly River.<sup>31</sup>
- MLIB's preference is, for the most part, for whitefish, Dolly Varden, and Bull trout.<sup>32</sup>
- MNBC harvesters interviewed for its MUOS prefer, for the most part, whitefish, Dolly Varden, pike and rainbow trout.<sup>33</sup>
- Effects on movement and aquatic productivity may reduce fishing success by way of direct impact on availability of targeted fishes.<sup>34</sup>
- 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). Both fish groups are harvested in the LAA as part of the current practices of First Nations who supplied information on land use to BC Hydro. The cold water group ... were indicated by British Columbia First Nations, while DFN and HLFN members reported more walleye

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<sup>26</sup> EIS Section 19.4.1, p. 19-68, lines 25-31

<sup>27</sup> EIS Section 19.4.1, p. 19-69, lines 26-29

<sup>28</sup> EIS Section 19.4.1, p. 19-68, lines 35-36

<sup>29</sup> EIS Section 19.4.1, p. 19-68, lines 38-40

<sup>30</sup> EIS Section 19.4.1, p. 19-68, lines 41-43

<sup>31</sup> EIS Section 19.4.1, p. 19-68, lines 43-44

<sup>32</sup> Aboriginal Group Amendment Report filed May 24, 2013, McLeod Lake Indian Band Traditional Land Use Baseline and Assessment Report, Section 19.3.1, p. 12, lines 30-32

<sup>33</sup> Aboriginal Group Amendment Report filed May 24, 2013, Métis Nation British Columbia Traditional Land Use Baseline and Assessment Report, Section 19.3.1, p. 12, lines 13-15

<sup>34</sup> EIS Section 19.4.1, p. 19-72, lines 21-22

and jackfish ... It is anticipated that, during river diversion years, fishing opportunities and practices for the cold water group will diminish - this effect will be felt most acutely upstream on the Peace River and its tributaries in British Columbia.<sup>35</sup>

- The operation phase of the Project may adversely affect some species of fish while benefitting others. These anticipated changes in fish community composition may, in turn, result in a change in the availability of fish species targeted by Aboriginal fishers.<sup>36</sup>
- Only BRFN indicated harvesting burbot and kokanee in the LAA; SFN and BRFN both indicated harvesting rainbow trout; whitefish are indicated by T8TA and BRFN. Since these species are predicted to increase in the first ten years of the reservoir, their presence would require adaption of fishing practices by Aboriginal harvesters.<sup>37</sup>
- The following effects would be felt by all Aboriginal groups who current use the LAA and in particular, by T8TA, BRFN, SFN, DFN and MLIB as follows:
  - A relative increase in kokanee and lake trout downstream of the dam ... as neither appear to be target species, except where indicated by T8TA (lake trout) and BRFN (kokanee);
  - A decrease in the availability of bull trout would affect T8TA, SFN, BRFN, DFN, and MLIB who indicated harvest of bull trout in TLUS reports;
  - The movement of a coldwater regime and fish species downstream may affect DFN and HLFN members, who current favour cool water species ...<sup>38</sup>
- Table 12.6 sets out a summary of fish species and areas where they are pursued by Aboriginal groups, which was considered in the assessment in Section 19.4.1.<sup>39</sup>

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<sup>35</sup> EIS Section 19.4.1, p. 19-72, lines 29-39; Aboriginal Group Amendment Report filed May 24, 2013, McLeod Lake Indian Band Traditional Land Use Baseline and Assessment Report, Section 19.3.1, p. 15, lines 9-16; Aboriginal Group Amendment Report filed May 24, 2013, Métis Nation British Columbia Traditional Land Use Baseline and Assessment Report, Section 19.3.1, p. 13, lines 12-22

<sup>36</sup> EIS Section 19.4.2, p. 19-74, lines 40-43; Aboriginal Group Amendment Report filed May 24, 2013, McLeod Lake Indian Band Traditional Land Use Baseline and Assessment Report, Section 19.3.1, p. 16, lines 33-41; Aboriginal Group Amendment Report filed May 24, 2013, Métis Nation British Columbia Traditional Land Use Baseline and Assessment Report, Section 19.3.1, p. 14, lines 10-13

<sup>37</sup> EIS Section 19.4.2, p. 19-76, lines 11-24

<sup>38</sup> EIS Section 19.4.1, p. 19-76, lines 32-42; Aboriginal Group Amendment Report filed May 24, 2013, McLeod Lake Indian Band Traditional Land Use Baseline and Assessment Report, Section 19.3.1, p. 17, lines 6-11

<sup>39</sup> EIS Section 19.4.1, p. 19-68, lines 32-34; EIS Section 12.3.1, pp. 12-11 to 12-14, Table 12.6



The following observations are included in EIS Sections 19.4.4, 19.4.5 and Aboriginal Group Amendment Reports for MLIB and MNBC Section 19.3.4 related to changes in hunting and trapping opportunities and practices:

- The construction of Portage Quarry may affect T8TA's hunting opportunities; they have identified subsistence values (moose and deer) and an environmental area near the site.<sup>40</sup>
- The West Pine Quarry may affect the use of lands for hunting of HLFN, who identified two moose hunting sites in the area.<sup>41</sup>
- Harvesters who are accustomed to using the Peace River as a transportation corridor between the Peace Canyon Dam and stretches downstream of Fort St. John will have to transport their boats around the dam site.<sup>42</sup>
- Site preparation and earthworks at Del Rio Pit may affect the use of lands for hunting by MLIB, who identified hunting values (moose, white-tailed deer, ruffed grouse, sharp-tailed grouse, spruce grouse) near the site.<sup>43</sup>
- Key indicator groups for the wildlife assessment (in Section 14) were selected based in part on Aboriginal concerns ... As a result there is considerable overlap between the key indicator groups used in Section 14 and the species reported as currently harvested in TLUS's, including bald eagles, sharp-tailed grouse, ruffed grouse, fisher, beaver, moose, elk, mule deer, white-tailed deer.<sup>44</sup>
- Changes to wildfowl, upland and other birds are described at pages 19-80 to 19-81 of the EIS, and at various places in the Aboriginal Group Amendment Report filed May 24, 2013, and the following effects on Aboriginal groups are noted:
  - Waterfowl hunting within the LAA is noted by SFN and to a lesser extent BRFN and DTFN; one waterfowl site (BRFN) will be inundated; some pintail duck hunting sites and goose hunting sites will be inundated (SFN);<sup>45</sup>
  - MLIB also indicated hunting waterfowl in the LAA; depending on exact location, the waterfowl (Canada Goose, Mallard, Pintail, Blue and Green Wing Teal, and Greater and Lesser Scaup) hunting area at the slough side on the south side of the Peace River opposite Wilder Creek may be within the inundation zone;

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<sup>40</sup> EIS Section 19.4.4, p. 19-79, lines 32-34

<sup>41</sup> EIS Section 19.4.4, p. 19-79, lines 34-35

<sup>42</sup> EIS Section 19.4.4, p. 19-79, lines 13-16; Aboriginal Group Amendment Report filed May 24, 2013, McLeod Lake Indian Band Traditional Land Use Baseline and Assessment Report, Section 19.3.1, p. 18

<sup>43</sup> Aboriginal Group Amendment Report filed May 24, 2013, McLeod Lake Indian Band Traditional Land Use Baseline and Assessment Report, Section 19.3.1, p. 18, lines 22-24

<sup>44</sup> EIS Section 19.4.4, pp.19-77 to 19-78; lines 38-42 and lines 1-15; Aboriginal Group Amendment Report filed May 24, 2013, McLeod Lake Indian Band Traditional Land Use Baseline and Assessment Report, Section 19.3.1, p. 18, lines 35-39

<sup>45</sup> EIS Section 19.4.4, p. 19-80, lines 35-44

waterfowl hunting on the wetlands north of the lower Moberly River may also be affected by creation of the reservoir, depending on exact location;<sup>46</sup>

- No measurable effects to the Blue and Green Wing Teal are expected, indicated as species hunted by MLIB in the Peace River;<sup>47</sup>
- T8TA indicated some wildfowl hunting in the LAA, but no specific information;<sup>48</sup>
- Changes in availability of sharp-tailed and ruffed grouse may affect members of SFN and T8TA at least during construction, who indicated harvesting them in the LAA. BRFN indicates grouse is hunted opportunistically;<sup>49</sup>
- MLIB indicated hunting sharp-tailed, spruce and ruffed grouse in the LAA; hunting these species at Monias Lake will not be affected by the Project; loss of habitat would affect sharp-tailed and ruffed grouse; noise and disturbance at Del Rio Pit has the potential to disturb or displace grouse. No measurable effects on sharp-tailed or ruffed grouse are expected, and effects are expected to dissipate with time.<sup>50</sup>
- Changes to small game and furbearers are described at pages 19-81, and at various places in the Aboriginal Group Amendment Report filed May 24, 2013, and the following effects on Aboriginal groups are noted:
  - Loss of furbearers and small game may affect SFN and T8TA members, although these effects will be confined to the construction period;<sup>51</sup>
  - SFN harvest beaver, marten, wolves, squirrel, muskrat, weasel, coyote, jackfish, mink, wolverine and fox along the Moberly River, the Pine River and around Boucher Lake; additional harvesting areas of these species are identified outside the LAA;<sup>52</sup>
  - Depending on their location, some small game sites indicated by T8TA members in the LAA would be affected by Highway 29 realignment or inundation of the reservoir, including two beaver harvesting sites and one marten harvesting site near Bear Flats;<sup>53</sup>

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<sup>46</sup> Aboriginal Group Amendment Report filed May 24, 2013, McLeod Lake Indian Band Traditional Land Use Baseline and Assessment Report, Section 19.3.1, p. 19, lines 25-32

<sup>47</sup> Aboriginal Group Amendment Report filed May 24, 2013, McLeod Lake Indian Band Traditional Land Use Baseline and Assessment Report, Section 19.3.1, p. 19, lines 33-37

<sup>48</sup> EIS Section 19.4.4, p. 19-81, lines 1-2

<sup>49</sup> EIS Section 19.4.4, p. 19-81, lines 3-17

<sup>50</sup> Aboriginal Group Amendment Report filed May 24, 2013, McLeod Lake Indian Band Traditional Land Use Baseline and Assessment Report, Section 19.3.1, p. 19, lines 38-46, p. 20, lines 1-4

<sup>51</sup> EIS Section 19.4.4, p. 19-81, lines 31-34

<sup>52</sup> EIS Section 19.4.4, p. 19-81, lines 35-39

<sup>53</sup> EIS Section 19.4.4, p. 19-81, lines 40-42

- Beaver, reported as being hunted by MNBC harvesters, will be displaced during Stage 1 and Stage 2; it is anticipated beavers will re-colonize the reservoir area during operations.<sup>54</sup>
- Changes to ungulates are described at pages 19-82, and at various places in the Aboriginal Group Amendment Report filed May 24, 2013, and the following effects on Aboriginal groups are noted:
  - Temporary reduction to moose availability in the LAA would affect harvesting in the area, reported by SFN, T8TA, BRFN, DTFN, DFN, HLFN, and MLIB,<sup>55</sup>
  - SFN, BRFN, T8TA, and MNBC members harvest deer in the LAA (no change in availability of white-tailed deer; no change in numbers to mule deer),<sup>56</sup>
  - SFN's current use of hunting for moose, mule-deer and elk in the southwestern portion of the LAA would be affected by changes in ungulate distribution, while their current use of hunting in the Monias and Boucher Lakes may be affected by increased access and/or competition. Moose is the main ungulate species harvested,<sup>57</sup>
  - T8TA members' harvest of moose, deer and elk may be affected at hunting locations within the LAA. Specifically, areas in the path of the future transmission line (moose) near the Peace Canyon Dam would be affected by increased access and competition; areas on the north shore of the Peace River at Lynx Creek (white-tailed and mule deer), on opposite banks between Farrell Creek and the Halfway River (deer and moose), along the north bank near the mouth of the Red/Cache Creek (moose, elk, deer) would be inundated; areas on the south side of the Peace River near Taylor (moose) are outside the inundation but could be affected by changes to downstream flows; other areas may be affected by increased access and competition;<sup>58</sup>
  - Site preparation and earthworks and associated noise at Del Rio Pit will affect MLIB's harvest of ungulates.<sup>59</sup>
- SFN members' reported black bear harvesting in the southwestern portion of the LAA and in and around Moberly, Boucher and Monias lakes, will not be directly affected<sup>60</sup>

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<sup>54</sup> Aboriginal Group Amendment Report filed May 24, 2013, Métis Nation British Columbia Traditional Land Use Baseline and Assessment Report, Section 19.3.1, p. 15, lines 8-17

<sup>55</sup> EIS Section 19.4.4, p. 19-82, lines 18-20; Aboriginal Group Amendment Report filed May 24, 2013, McLeod Lake Indian Band Traditional Land Use Baseline and Assessment Report, Section 19.3.1, p. 20, lines 21-23

<sup>56</sup> EIS Section 19.4.4, p. 19-82, lines 14-16, 20; Aboriginal Group Amendment Report filed May 24, 2013, Métis Nation British Columbia Traditional Land Use Baseline and Assessment Report, Section 19.3.1, p. 15, lines 22-32

<sup>57</sup> EIS Section 19.4.4, p. 19-82, lines 26-29

<sup>58</sup> EIS Section 19.4.4, p. 19-82, lines 31-41

<sup>59</sup> Aboriginal Group Amendment Report filed May 24, 2013, McLeod Lake Indian Band Traditional Land Use Baseline and Assessment Report, Section 19.3.1, p. 20, lines 26-27

- Mitigation measures include seeking input from Aboriginal groups respecting mitigation strategies related to traplines in the Project activity zone.<sup>61</sup>

The following observations are included in EIS Sections 19.4.6, 19.4.7, 19.5.4 and Aboriginal Group Amendment Reports for MLIB and MNBC Sections 19.3.6 and 19.4.3 related to changes in other cultural and traditional uses of the land:

- Ceremonial and sacred sites, medicinal plant gathering sites, burial sites and other places of reported spiritual or cultural use importance were described in the TLUS's but not always with geographic precision; T8TA's TLUS combined these into one class of sites so that the location and nature of the sites is unidentified.<sup>62</sup>
- With respect to sites identified by Aboriginal groups, changes in cultural and traditional uses of the land included an analysis of the effect on: burial sites, habitation sites (cabins and campsites), trails and water routes, cultural and spiritual places, and gathering sites for berries, herbs and medicinal plants.<sup>63</sup>
- MNBC identified three burial sites in the vicinity of Hudson's Hope that appear to be within the area that would be submerged.<sup>64</sup>
- BRFN, SFN and T8TA identified cabins and campsites along the north shore of the Peace River at Farrell Creek, Lynx Creek, Halfway River, Bear Flats and Cache Creek.<sup>65</sup> MLIB identified a seasonal camp at the mouth of the Halfway River.<sup>66</sup> MNBC identified permanent and transient habitations 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.<sup>67</sup>
- SFN identified 11 cabin sites to the south and east of Boucher Lake not directly affected; however, temporary changes in availability of wildlife resources may temporarily alter their utility.<sup>68</sup>
- Trails located in the area to the south of Boucher Lake, and south and west of Monias Lake (identified by SFN) will not be affected; trails near the mouth of the Moberly River

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<sup>60</sup> EIS Section 19.4.4, p. 19-83, lines 4-7

<sup>61</sup> EIS Section 19.4.5, p. 19-83, lines 16-17

<sup>62</sup> EIS Section 19.4.6, p. 19-84, lines 3-9

<sup>63</sup> EIS Section 19.4.6, pp. 19-84 to 19-89

<sup>64</sup> Aboriginal Group Amendment Report filed May 24, 2013, Métis Nation British Columbia Traditional Land Use Baseline and Assessment Report, Section 19.3.1, p. 16, lines 10-13

<sup>65</sup> EIS Section 19.4.6, p. 19-85, lines 2-13

<sup>66</sup> Aboriginal Group Amendment Report filed May 24, 2013, McLeod Lake Indian Band Traditional Land Use Baseline and Assessment Report, Section 19.3.1, p. 21, lines 5-6

<sup>67</sup> Aboriginal Group Amendment Report filed May 24, 2013, Métis Nation British Columbia Traditional Land Use Baseline and Assessment Report, Section 19.3.1, p. 16, lines 21-26

<sup>68</sup> EIS Section 19.4.6, p. 19-85, lines 14-17

and two locations on south side of Peace River would be affected by construction clearing and inundation.<sup>69</sup>

- Portions of transportation routes identified by T8TA that cross the Peace River in the flood zone will be disrupted or flooded.<sup>70</sup>
- Transportation routes identified by MLIB along the Peace River will be submerged and fragmented; potentially some portion of another trail identified by MLIB (from east end of Williston Reservoir along the north side of the Peace River south to Charlie Lake, Fort St. John and Alberta) will be inundated. Most the trails listed by MLIB in its TLUS are outside the LAA.<sup>71</sup>
- T8TA indicated gathering places and teaching areas at Coffee Pot, Lynx Creek, Dry Creek, Farrell Creek, Attachie, Bear Flats, near the Moberly River confluence and near the Fort St. John Historical Site.<sup>72</sup>
- BRFN identified a spiritual site at Attachie.<sup>73</sup>
- MNBC interview participants identified Lynx Creek and Farrell Creek as being used for spiritual and ceremonial purposes, although they were not identified on their MUOS maps and are geographically broad. MNBC interviewees also identified “other cultural sites” at Hudson’s Hope, Lynx Creek and Bear Flats, which depending on their exact location, may be inundated.<sup>74</sup>
- Aboriginal groups also identified other distant highly valued cultural and spiritual places not affected by the Project.<sup>75</sup>
- NENAN holds an annual youth and elders gathering at the campground at Bear Flats; T8TA, BRFN and SFN indicate the importance of holding the event at Bear Flats.<sup>76</sup>
- T8TA, BRFN, DFN, DTFN and SFN reported harvesting berries in the LAA. Multiple harvesting locations were reported along the Peace River at the proposed dam site (T8TA), at the Lynx Creek confluence (T8TA), near Hudson’s Hope (T8TA), at Bear Flats (T8TA, BRFN), and at Attachie (T8TA), each of which will be inundated.<sup>77</sup>

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<sup>69</sup> EIS Section 19.4.6, p. 19-86, lines 28-32

<sup>70</sup> EIS Section 19.4.6, p. 19-86, lines 33-37

<sup>71</sup> Aboriginal Group Amendment Report filed May 24, 2013, McLeod Lake Indian Band Traditional Land Use Baseline and Assessment Report, Section 19.3.1, p. 21, lines 42-43, p. 22, lines 1-7

<sup>72</sup> EIS Section 19.4.6, p. 19-87, lines 9-12

<sup>73</sup> EIS Section 19.4.6, p. 19-87, line 13

<sup>74</sup> Aboriginal Group Amendment Report filed May 24, 2013, Métis Nation British Columbia Traditional Land Use Baseline and Assessment Report, Section 19.3.1, p. 16, lines 35-40

<sup>75</sup> EIS Section 19.4.6, p. 19-87, lines 11-12, 14-17, 18-20

<sup>76</sup> EIS Section 19.4.6, p. 19-87, lines 30-35

<sup>77</sup> EIS Section 19.4.6, p. 19-88, lines 38-44

- SFN, T8TA report berry harvesting in the area south of Boucher Lake, which, depending on exact location, may be altered or lost during clearing of the transmission line right-of-way.<sup>78</sup>
- MLIB report plant harvesting on lower Farrell Creek and lower Moberly River. The lower Farrell Creek area, depending on exact location, may be altered or lost during highway re-alignment, and possibly inundated. The lower Moberly River location, depending on exact location, may be inundated.<sup>79</sup>
- MNBC interviewees identified a small area for food plant gathering west of Bear Flats and one at the junction of Farrell Creek and the Peace River, which, depending on their exact location, may be altered or lost during highway re-alignment and possibly inundation.<sup>80</sup>
- MNBC interviewees identified a firewood gathering area and a specialty wood gathering area between Lynx Creek and Hudson's Hope that will be inundated; another firewood gathering area identified near Bear Flats will be inundated.<sup>81</sup>
- The Project will affect opportunities for T8TA, SFN, BRFN and DFN to harvest plants and berries in the LAA; while it may be possible to find alternate harvesting areas, these may be farther afield relative to their current travel distance, more costly to access or less abundant. As a result, harvesting success may be reduced.<sup>82</sup>
- Table 19.11 lists places that Aboriginal communities indicated have a high value and their uses by Aboriginal groups.<sup>83</sup>
- Attachie, Bear Flats and Farrell Creek appear to have the highest special importance; more than 80% of these lands are either owned in fee simple or by BC Hydro (although precise calculations are difficult).<sup>84</sup>
- In the MNBC MUOS certain areas depict multiple uses (fishing, hunting, gathering, other cultural uses), including Lynx Creek, Farrell Creek, and Bear Flats, which were treated as "highly valued" in the assessment on other cultural and traditional uses of the land by Métis harvesters interviewed in the MUOS.<sup>85</sup>

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<sup>78</sup> EIS Section 19.4.6, p. 19-89, lines 1-3

<sup>79</sup> Aboriginal Group Amendment Report filed May 24, 2013, McLeod Lake Indian Band Traditional Land Use Baseline and Assessment Report, Section 19.3.1, p. 21, lines 25-28

<sup>80</sup> Aboriginal Group Amendment Report filed May 24, 2013, Métis Nation British Columbia Traditional Land Use Baseline and Assessment Report, Section 19.3.1, p. 17, lines 10-15

<sup>81</sup> Aboriginal Group Amendment Report filed May 24, 2013, Métis Nation British Columbia Traditional Land Use Baseline and Assessment Report, Section 19.3.1, p. 16, lines 31-33

<sup>82</sup> EIS Section 19.4.6, p. 19-89, lines 27-31

<sup>83</sup> EIS Section 19.4.6, p. 19-91 to 19-94, Table 19.11

<sup>84</sup> EIS Section 19.4.6, pp. 19-90 to 19-91, lines 21-26, 39-41, and line 1

<sup>85</sup> Aboriginal Group Amendment Report filed May 24, 2013, Métis Nation British Columbia Traditional Land Use Baseline and Assessment Report, Section 19.3.1, p. 17, lines 24-29

- Mitigation measures identified include working with Aboriginal groups to identify permanent habitation structures to determine appropriate measures, and working with Aboriginal groups to identify potential sites for re-location of medicinal and food plants to compensate for areas that will be inundated.<sup>86</sup>
- The effect on other cultural and traditional uses would be significant for T8TA, SFN and BRFN at particular high value places along the Peace River in the LAA, most notably at Bear Flats, Farrell Creek and Attachie.<sup>87</sup> The effect would be significant for MLIB at the confluence of the Halfway River and the Peace River (Attachie).<sup>88</sup>

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<sup>86</sup> EIS Section 19.4.7, p. 19-94, lines 12-19

<sup>87</sup> EIS Section 19.5.5, p. 19-105, lines 3032

<sup>88</sup> Aboriginal Group Amendment Report filed May 24, 2013, McLeod Lake Indian Band Traditional Land Use Baseline and Assessment Report, Section 19.3.1, p. 24, lines 42-45, p. 25, lines 1-2