



Summary Report

Indicators of Rights and Cultural Practices Undertaken by the Cadotte Lake Métis In Relation to the Upper Smoky River Watershed

September 2022

Prepared by the Cadotte Lake Métis

1.0 Summary Report Purpose

This summary report considers indicators of Rights and Cultural Practices Undertaken by the Cadotte Lake Métis in Relation to the Upper Smoky River Watershed. The CLM submits that there are a number of factors present which indicate that some CLM families and members continue to exercise harvesting rights and cultural practices in the Upper Smoky River Watershed and areas in the vicinity of Grande Cache.

Proposed coal mining projects (including Summit's proposed Mine 14) within the same landscape area could result in adverse impacts on the CLM's rights and practice of culture. Given the potential for such interactions and risks, a diligent approach by Crown agencies is recommended by the CLM. This would involve subsequent engagement and consultation steps with the CLM and the CLM's participation in applicable environmental/impact assessments. In the CLM's view, the relevant factors include:

- the CLM's Traditional Territory encompasses the upper reaches of the Smoky River and Smoky River watershed and areas in the vicinity of Grande Cache;
- that other federal agencies have sought to include the CLM in project reviews of major projects occurring in areas between the Wapiti and Athabasca Rivers and areas as far south as the Grande Cache area;
- that there is sufficient information to demonstrate that the CLM has maintained a cultural connection to the upper reaches of the Smoky River and Smoky River watershed and areas in the vicinity of Grande Cache;
- that CLM families and members have a record of relying on and procuring large game species, fish species and culturally significant vegetation found and present in the Upper Smoky watershed and areas in the vicinity of Grand Cache;
- that there is a reasonable level of evidence which indicates that some CLM families / members continue to travel into the areas between the Wapiti and Athabasca Rivers and spend time in Upper Smoky Watershed and areas in the vicinity of Grande Cache with the purpose of procuring large game, cool water fish species and culturally significant vegetation;
- that historically, the ancestors of the CLM adopted a seasonal round approach where family groups travelled and rotated through landscapes distant from the Cadotte Lake / Peace River area to hunt for large game. CLM's oral history suggests that this included areas between the Wapiti River and Athabasca Rivers, into the Upper Smoky watershed and areas near present day Grande Cache;
- that some contemporary CLM members have reported that they are required to cover similar distances today, given the challenges they face in procuring large game and fish

around Cadotte Lake and the Peace River given adverse cumulative impacts of regional land use change and intense levels of industrial development;

- that further coal mining development (and Summit's Mine 14) being considered in the upper reaches of the Smoky River, Smoky River watershed and the Grande Cache area has the potential to impact CLM rights, cultural practices and interests;
- that with sufficient time and a reasonable research budget (as part of an appropriate consultation and impact assessment review process), there is a high probability that the CLM could produce more detailed qualitative and quantitative information about its member's exercise of harvesting rights and practice of culture in relation to upper reaches of the Smoky River and Smoky River watershed and areas in the vicinity of Grand Cache, and
- that with sufficient time and a reasonable research budget (as part of an appropriate consultation and impact assessment review process), there is a high probability that the CLM could bring forward community Indigenous Knowledge (IK) related to the Upper Smoky Watershed and the Grande Cache area which could assist federal assessors and decision makers in the evaluation of biophysical, social and gender related effects and impacts on the CLM People

2.0 Historical Presence of the CLM's Ancestors in North-Western Alberta

The Cadotte Lake Métis (CLM) are one of the oldest Métis communities in Western Canada, whose members are an Aboriginal People within the meaning of s.35 of Canada's Constitution (*Constitution Act, 1982*). The CLM possesses and actively exercises Aboriginal rights throughout the Peace River region. The CLM is also an historic community that meets the relevant standards and tests as set out in the Powley decision. (*R. v. Powley, [2003] 2 S.C.R. 207, 2003 SCC 43*). In response to *Powley*, in July 2007 the Government of Alberta put into effect the *Métis Harvesting Policy in Alberta* which states:

In the case *R. v. Powley* (September 19, 2003), the Supreme Court of Canada found that members of the Métis community in and around Sault Ste. Marie, Ontario have, under s.35(1) of the *Constitution Act, 1982*, an aboriginal right to harvest food Some Métis in Alberta are the beneficiaries of constitutionally protected harvesting rights as described in *Powley*.

The CLM recently commissioned research by an independent expert (Peter Fortna – Fortna, P.) to compile historical and genealogical information related to the CLM. The research sets out the following in regards to the historical presence of the CLM's ancestors in North-Western Alberta:

In the 19th century, Chipewyan, Plains Cree, Salteaux, Iroquois and non-Indigenous 'Freeman' Salteaux migrated into the northwestern region of Alberta and the Peace River area and established themselves alongside and with the area's original people, the Beaver/Dene People. The general consensus held by Indigenous and Non-Indigenous scholars is this Indigenous

movement into the north-west arose out from several inter-related factors including;

- conflict between European powers and their Indigenous Allies through the 1700 and 1800 hundreds in the “Canadas” and the Pays d’en Haut (the Great Lakes region);
- western movement, extension of influence and consolidation of territory and power by colonial governments in the 1700 and 1800 hundreds in the “Canadas’ and the Pays d’en Haute (the Great Lakes Region);
- territorial conflict which arose between the Nation, its Indigenous Allies and the British Crown in late 1800’s;
- depletion of fur-bearing animals in the Great Lakes by the mid 1700’s and early 1800’s;
- healthy ecological conditions in northwestern Alberta and the Peace River region which was capable of supporting a healthy trade in fur into the 1800’s, and
- the ability for Indigenous People to a safer and more independent life, free of European control, strictures and influences than in their former traditional lands

The amalgam of Indigenous/ cultures and groups which moved into northwestern Alberta and the Peace River region were highly successful in meeting their own subsistence needs by relying on large game, fur bearers, fish and plant life. In parallel, their strong knowledge of the land, how to live with and from the land and how to cooperate in the hunt is what allowed the fur trade to grow exponentially through the region and succeed. (Fortna, P. 2021, 5).

Related families coalesced into hunting bands who adopted seasonal round strategies and a way of life based on the seasonal round, which involved a group or related families or bands moving across large areas of the land to intercept and procure large game and supporting themselves with fish, fur-bearers and smaller ungulates along on the way.

Larger summer camps occurred at waterbodies where there was a good supply of fish, berries and plant life. The relatively lower levels of biological productivity in northwestern Alberta necessitated that the CLM’s ancestors move across the region to avoid depleting areas of game and to utilize the resources available through the different seasons. (Fortna, P. 2021, 6).

Once the ancestors of the present day CLM families came to establish themselves in and around the Cadotte Lake area, their ongoing movement and round of activities could easily take them to distances of 200 – 350KM from the Cadotte area. (CLM Community Workshop: Nooskey, B. 2019).

Research compiled by Fortna confirms that a community was in place at Cadotte Lake by the end of the 19th century comprised of three main families (an independent hunting group) who are the “root ancestors” of the contemporary community at Cadotte Lake – the Cadotte Lake. (Fortna 2021, 7).

Fur post records and written dairies of post inhabitants provide additional confirmation of the ongoing presence of and successful harvesting activities of CLM families into the 1920’s. Subsequent government trapline records provide further evidence to support the CLM’s ongoing presence and harvesting activities within the Peace River region. (Fortna. P. 2021, 11).

The original root Cadotte families were joined by others to create a larger community which persisted and continued to grow through the 1900's. In the early 1970's, Cadotte families and members created the 'Cadotte Lake Métis Local 157', which among other things, had the purpose of improving the lives and supporting the needs of Cadotte families and to address the need for a secure land base for the community. The Government of Alberta recognized Cadotte Lake as a community of 192 residents in 1972 and also recognized the need for a secure land base for the people and families at Cadotte Lake. In the 1990's, the CLM asserts that it was adversely impacted and faced undue hardship when governments opted to create the 'Woodland Cree First Nation' and literally place this artificial construct on top of the CLM community. The CLM continues its efforts to have this oversight addressed through obtaining a secure land base and a more stable social, cultural and economic future for its families and community members. (Fortna, P. 2021, 40).

The CLM is currently engaged with the Government of Alberta (GOA) agencies via the GOA's 'credible assertion process' with the goal of having CLM's rights being recognized and proactively addressed through GOA's consultation processes, such as they are. In parallel, Government of Canada (GOC) Crown agencies/regulators continue to invite the CLM to participate in project review's subject to federal regulation and environmental / impact assessment. For example, GOC agencies recently invited the CLM to participate in the review of the Nova Gas Transmission Ltd. (NGTL) 2021 System Expansion Project which extends south of Wapiti River and across the Athabasca River. Further, given the concerns expressed by the CLM in relation to the critical matter of cumulative impacts on its rights and culture arising from this NGTL pipeline project, GOC agencies invited the CLM to become an active participant in the new Terrestrial Cumulative Effects Initiative (TCEI). The CLM acknowledges the proactive stance taken by the GOC in involving the CLM in these projects and important initiatives.

3.0 Ongoing Exercise of Rights and Practice of Culture by the CLM

When determining the level of historical, cultural and current land use information the CLM is capable of bringing forward into a given consultation process at this time, it is important for Crown agencies to appreciate and factor in the challenges and capacity limitations the CLM face. While the CLM is one of the historic rights bearing communities of northern Alberta, it has not been engaged, consulted with or funded on the same basis as other Indigenous Nations have by the GOA and industry groups.

Given the lack of formal recognition provided by the GOA and that of industry to the CLM, the CLM has not been provided a reasonable opportunity to undertake comprehensive 'traditional land and resource use research' on a territorial basis or even on a project specific basis. In contrast, over the past twenty years in Alberta, many (but not all) First Nations and Métis societies and organizations have been provided funding to enable them to build up an inventory of information which is utilized to assert the right and need to be engaged and consulted on a given project or pending government action or decision. Thus this inequitable position and treatment has placed the CLM at quite a severe disadvantage in being able to create a compelling argument or case of why the it needs to be involved and consulted in a given project consultation or effects/impact assessment scenario.

Notwithstanding this unenviable and challenging position, the CLM has taken action to begin documenting and mapping historical and contemporary land and resource use activities of its

families and community members. The CLM has retained the Firelight Group to commence what its first baseline 'land use and occupancy study'. The study was initiated in the fall of 2021 and is ongoing. Interviews are being conducted with CLM community members with documentation of those interviews in the form of transcripts, summaries, direct to digital map biographies and thematic maps. The results of this study, when ready, will help provide an overview or baseline of CLM land use and occupancy information which the CLM will be able to bring forward into various consultative scenarios, albeit with the need of ongoing territorial, sub-landscape and more focused project specific land use studies occurring thereafter.

The CLM Firelight study is based on a methodological approach that focuses on Valued Components (VCs). Firelight defines VC's as including, 'tangible or biophysical resources (e.g., particular places or species), and may also encompass less tangible social, economic, cultural, health, and knowledge-based values (e.g., place names, Indigenous language, or traditional knowledge regarding a particular area). For the purpose of this Study, the VCs were chosen to represent the critical conditions or elements that must be present for the continued practice of CLMN culture and livelihoods, and that may be impacted by the Project. As such, VCs can range from the direct presence of traditionally hunted animals and gathered plants, to continued habitation, travel, and cultural activities on the land. VCs are also designated to include intangible cultural resources, such as the transmission of knowledge across generations. VCs for this Study are:

- Hunting
- Fishing
- Gathering Plants and Medicines
- Travel and Habitation
- Cultural Continuity

(Source: 'DRAFT: Cadotte Lake Métis Nation Use and Occupancy Study', Firelight Group, 2022)

In summary, the research undertaken under the auspices of the Firelight study effort and additional and ongoing parallel avenues of CLM community research provide support to the following statements which can be made about CLM community land and resource use activities and patterns:

- Present day CLM members can recall their parents and grandparents (and other family members) providing oral accounts of areas they travelled to and spent time at within the CLM's Traditional Territory (e.g. far flung places they travelled to, relations visited, places they spent time at, places they had repeated stays at, places where they had success in hunting, fishing, gathering and harvesting);
- Present day CLM members can vividly and accurately recall times when they were young and accompanied their families out onto the land, staying in the bush and travelling across on the land for protracted periods of time and in all seasons;

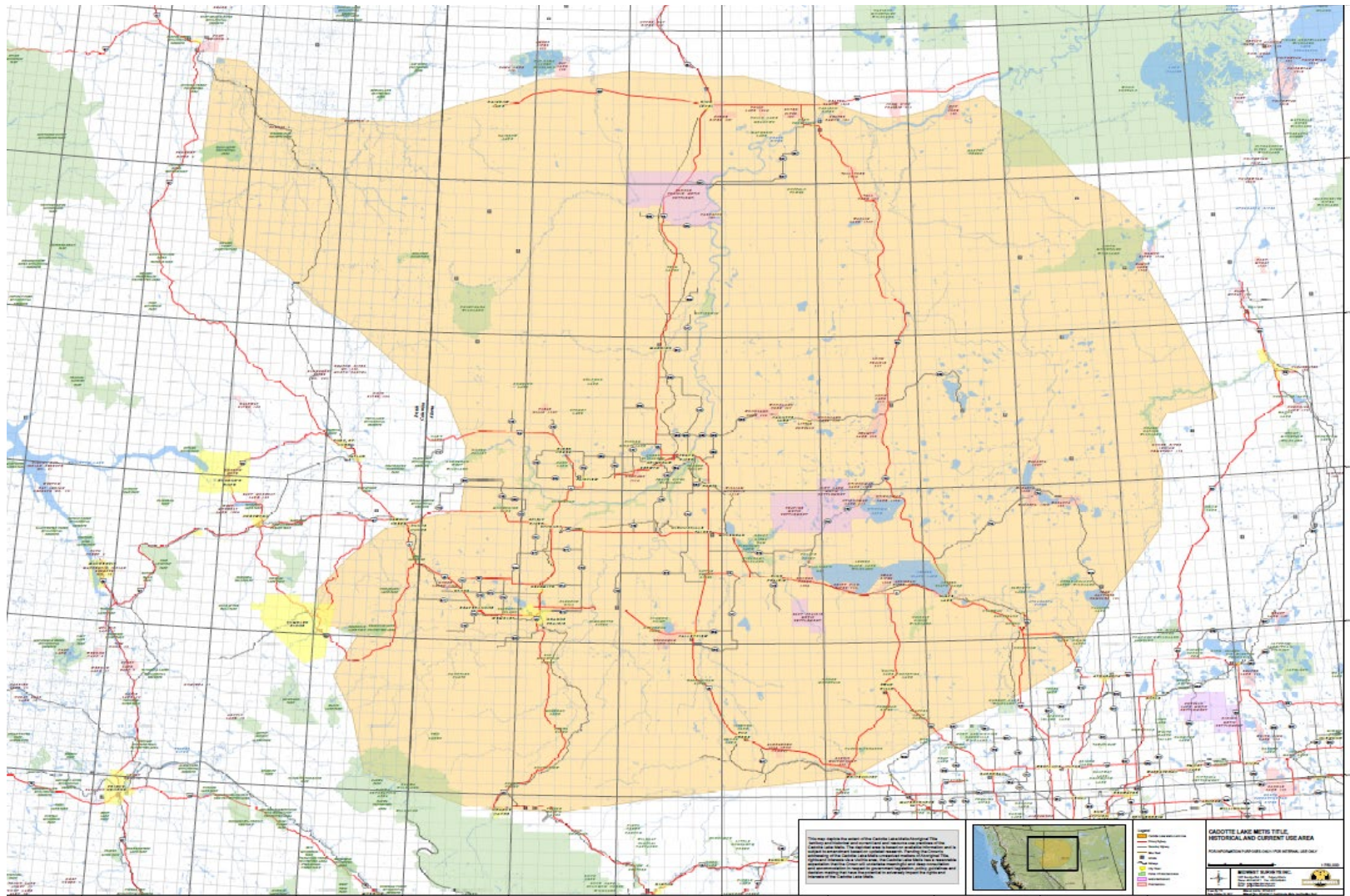
- While trapping as an economic pursuit, declined as an economic driver for the CLM community through the 1960's to 1980's (as it did for most Indigenous Nations of the region), CLM families and members continued to actively use their core areas near Cadotte Lake and traditional lands to support their sustenance and cultural needs and maintain their distinct way of life;
- Some CLM members were allocated registered traplines in areas in the vicinity of Cadotte Lake where families were present, occupying and utilizing the land prior to the development of the registered trapline system. In many cases, 'lines' were allocated to where families were. While some of these lines were lost or were reallocated by government agencies to other parties over time, some traplines have been retained by CLM members and or CLM family relations;
- The hunting of large game and harvesting is a critical activity to the CLM and plays determinative role in defining the CLM's way of life, their culture and is central/core to their distinct identify;
- There are oral accounts and some limited written historical accounts of the CLM's ancestors hunting of buffalo when larger numbers were still present in the CLM's Traditional Territory. Following the extirpation and or vast reduction of buffalo from CLM's traditional lands, CLM continued to rely on the hunting of large game such as moose, caribou, elk, deer, bighorn sheep;
- While the hunting of large game is a main driver or rationale for CLM families being on the land, other cultural practices and land and resource activities occur in tandem with the hunting or large game, such as fishing, gathering of berries, the gathering of medicines, setting up and maintaining camps, harvesting wood, gathering and distilling water, building cabins, exploring and opening new trails into the hinterland on quad, ski-doo or on foot and passing on of knowledge, skills and traditions to younger family members;
- While travelling to and setting up larger summer camps at lakes and rivers with productive fisheries diminished in recent decades, CLM members continue to travel to and fish in many of the waterbodies of the Upper and Lower Peace River basin. Warm water fish such as walleye, jackfish, trout and lingcod are caught in the lower parts of the basin while cool water species such as Grayling, Rainbow Trout and Bull Trout or 'Dollies' are caught in the upper basin;
- Within CLM families, there are ongoing cultural practices and protocols such as the of sharing what a person harvests, kills catches and gathers (e.g. game, fish, berries, medicine) with the person's extended family and Elders. This is important given that some Elders and community members can't readily travel into the bush (due to age, caring for children or other reasons) and still rely on and need to have access to traditional foods and resources;
- Traditional lessons and teachings about the importance of conservation and the need for conservation (e.g. 'not taking everything all at once or from one area') is still very much resident in the thinking and belief systems of many Cadotte land users and this ethic is

passed on in the Cadotte community through teaching on the land by family members. Examples of these include only taking what you need at the time, not to exhaust a species by overhunting them, to allow a given area to rest and recover and to leave game for others, the sharing of game and other resources with others;

- Traditional protocols are still present where CLM members take time to give thanks and acknowledge the animal, fish and plant life that has provided themselves to the person and to the land itself and or spiritual forces/agents that continue to provide for the CLM people through time;
- Traditional foods derived from the CLM's traditional lands play a key role in the lives of CLM families for various reasons including:
 - it's a tradition that has been passed on and continues to be practiced;
 - CLM families prefer to obtain meat from the bush rather than store bought meat given concerns over bacteria, additives, chemicals and steroid use;
 - CLM families need to harvest food from the land given the sheer cost of store bought sources of protein and ever rising costs;
 - that it's a good way and healthy way of life to be out on the land;
 - that it's part of a way of life that has been core to the lives of CLM members and that they wish to pass that onto younger family members;
- Notwithstanding the introduction of modern extractive industries into the area such as farming, forestry, mining and oil and gas, many CLM members continue to rely on their traditional lands given the cyclical nature of the regional resource economy and that many members simply weren't able to be engaged in the resource sector due to various barriers such as educational, training and skill requirements, lack of resources to pursue career opportunities and the networks to link to employment and work. As such and to this day, many CLM members must rely on the bush to put food on the table for their families;
- The CLM are taking active steps to support the passing on or transmittal of their culture, way of life and bush skills to the younger generation through the support and sponsoring of cultural camps, trapper training and the acquisition of a bus to facilitate the transport of youth and cultural teachers to different locations out on CLM's traditional territory;
- CLM historic and ongoing land use can be reasonably said to occur in a radius from Cadotte Lake extending as far away as 350KM (a 5 – 6 hours distance drive);
- Since the 1970's and 1980's, some CLM members report that they have found the lands around Cadotte Lake to have been subjected to ever increasing and intensive levels of farming, forestry, oil sands, conventional oil and gas and other forms of development. Some of the CLM members who report that they have witnessed this change on the landscape are of the view, that in tandem with this industrial expansion in certain areas of their Traditional Territory, they find they have less success in the bush as they once did and have experienced diminishing returns in hunting, fishing, gathering and harvesting. Examples of heavily developed areas within the CLM's Traditional Territory include the

Harmon Valley, Seal Lake, Carmon Lake, Haig and Otter Lakes, lands toward Red Earth, the Chinchaga valley, the Saddle Hills and areas west of Valley View and Fox Creek;

- The CLM's Traditional Territory is crisscrossed and bisected with linear features such as roads, large and small pipelines, power lines, 2D and 3D seismic lines, access roads, haul roads, primary and secondary roads. Some CLM hunters are of the view that this type of feature has permitted excessive human access and predator access which seems to have tipped the balance where fewer large game animals of interest (e.g moose and caribou) can be successfully scouted, hunted, processed and brought home for families;
- Areas around the Peace River have been overrun with farmlands, private lands and fenced lands where the CLM are not able to access and hunt given various land use access, hunting and firearm laws and prohibitive regulations. Some CLM members see this as impacting their ability to access and traverse the large areas of land that they need to successfully hunt and employ their traditional hunting strategies;
- As a result of the cumulative impact of development in land close to and around the Cadotte community, more and more CLM members find that they now have to travel greater distances and cover much more ground to have a chance of success in hunting and hunting in areas that are deemed to be cleaner, quieter and less disturbed;
- Based on historical information related to CLM's traditional land use patterns, contemporary land use patterns over the last 25 years and emerging land use patterns in response to cumulative land use pressures within the core of CLM's Traditional Territory, CLM's harvesting areas can reasonably be deemed to be found in a zone extending out from Cadotte Lake:
 - as far north as areas around Indian Cabins and Ft. Vermillion, AB;
 - as far west as areas around Ft. Nelson, BC and Gwilliam Lake, BC;
 - as far east as areas around Calling Lake, AB, and
 - as far south as areas around Grande Cache and Whitecourt, AB;
- Based on information that CLM has in hand as of 2021, its Traditional Territory Map appears to be reasonably extensive. However, as with all such maps, the CLM highlights that the map is subject to amendment with new information inputs and research. The CLM's Traditional Territory is depicted on the following page:



CLM Traditional Territory Map: 2022

Map is subject to revision and amendment based on new information, validated information and research by the CLM

4.0 Example of the Exercise of Rights by CLM

The CLM asserts that it holds and exercise a wide array of rights and that with sufficient time, capacity funding and methodologically appropriate research, the CLM would be able to provide a reasonable level of information that substantiates the exercise of these rights and cultural practices. The CLM asserts that it holds and continues to exercise these collective rights on the ground to meet the community’s sustenance, livelihood, cultural, spiritual, socio-economic and human health and safety needs and priorities. While the central role of some of the CLM’s rights and land use activities may have changed over time, may be practiced less than they once were (e.g. trapping for trade and commercial purposes) and are exercised in an evolving and modern form, the rights remain. The CLM asserts that potential impacts to these rights and the eco-cultural values and conditions that they are predicated upon, necessitates certain Crown actions.

Examples of the exercise of rights by the CLM include but are not limited to:

Right to Hunt Large Mammals - General
Right to Hunt Moose
Right to Hunt Caribou
Right to Hunt Elk
Right to Hunt Black Bear
Right to Hunt Brown Bear
Right to Hunt Grizzly Bear
Right to Hunt Big Horn Sheep
Right to Hunt Mule Deer
Right to Hunt Buffalo / Bison
Right to Hunt / Trap Small Mammals – General
Right to Hunt / Trap Rabbits
Right to Hunt / Trap Beaver
Right to Hunt / Trap Muskrat
Right to Hunt / Trap Lynx
Right to Hunt / Trap Weasels
Right to Hunt / Trap Marten
Right to Hunt / Trap Fisher
Right to Hunt / Trap Squirrels
Right to Hunt / Trap Wolverine
Right to Hunt / Trap Wolves
Right to Hunt / Trap Coyotes
Right to Hunt Birds - General
Right to Hunt Partridge
Right to Hunt Geese
Right to Hunt Ducks
Right to Hunt Swans
Right to Hunt Whooping Crane
Right to Hunt Sandhill Cranes
Right to Hunt Wild Turkey
Right to Harvest Duck Eggs
Right to Fish – General
Right to Fish Jackfish / Northern Pike
Right to Fish Trout
Right to Fish Rainbow Trout
Right to Fish Bull Trout
Right to Fish Grayling
Right to Fish Pickerel / Walleye
Right to Fish Goldeye
Right to Fish Ling Cod

Right to Fish Whitefish
Right to Fish Sucker
Right to Harvest Berries – General
Right to Harvest Saskatoon Berries
Right to Harvest Wild Strawberries
Right to Harvest Blueberries
Right to Harvest Raspberries
Right to Harvest Chokecherries
Right to Harvest Pincherries
Right to Harvest High and Lowbush Cranberries
Right to Harvest Plants – General
Right to Harvest Diamond Willow Fungus
Right to Harvest Rat Root
Right to Harvest Peppermint Tea
Right to Harvest Laboum
Right to Harvest Spruce
Right to Harvest Sweet Grass
Right to Harvest Sage
Right to Harvest Wood – General
Right to Harvest Wood for Cabins
Right to Harvest Wood for Domestic Use
Right to Harvest Wood for Tepees
Right to Harvest Wood for Overnight Shelters
Right to Harvest Wood for Fuel - Camps
Right to Harvest Wood for Domestic Heating
Right to Quarry Rock – General
Right to Quarry Rock - Pipestone
Right to Quarry Rocks – Ceremonial Purposes
Right to Collect Potable Water - General
Right to Collect Potable Water – For Camp
Right to Collect Potable Water – Domestic Purposes
Right to Construct / Maintain / Live in Shelters - General
Right to Construct / Maintain / Live in Camps
Right to Construct / Maintain / Live in Cabins
Right to Construct / Maintain / Live in Temporary Shelters e.g. (Lean – To's / Stick Houses)
Right to Travel and Access
Right to Travel to / Access Hunting, Fishing, Trapping and Harvesting Areas
Right to Build, Use and Maintain Trails
Right to Use Land / Water Travel Routes to Access Hunting, Fishing, Trapping and Harvesting Areas
Right to Practice, Maintain and Transmit Culture
Other rights that may be confirmed by way of jurisprudence, negotiation and or declaration / confirmation by the CLM

From the CLM's perspective, their ability to exercise the above example list of Aboriginal rights is contingent upon several key factors and constraints. These include:

- the CLM's Aboriginal rights are capable of being meaningfully exercised;
- the CLM's rights are dependent on key values, species, materials, habitats and conditions being present and persistent on the landscape;
- the CLM's rights are dependent on certain ecological conditions being present and within a landscape that supports and permits various ecological functions to exist and perform;
- that the supporting ecological conditions and functions are not being undermined, overly constrained by human induced stresses and anthropogenic factors;

- that CLM members are not unduly constrained or prohibited in accessing lands and waters that support the exercise of their rights;
- that the CLM's Traditional Territory is not a homogenous landscape that supports ecological and cultural values uniformly across the land at all times. There is natural diversity within and across the CLM's Traditional Territory that provides unique characteristics and features which supports certain activities and cultural practices;
- that the CLM have the ability to rotate and pivot to areas within their Traditional Territory in a manner consistent with the strategies adopted by their ancestors to conserve resources, species and permit an area to recover and repopulate;
- that CLM members have the ability to exercise their rights in their preferred and customary manner;
- that the CLM have the ability to practice, maintain and transmit the cultural aspect or component of their rights, and
- other considerations and factors that may be relevant to the CLM

5.0 Emerging and Shifting CLM Land and Resource Use Patterns

In addition to the recent Firelight research effort being undertaken with the CLM, there are other recent relevant sources of information, which have yet have to be written up in report form and formally mapped. These sources are derived from:

- the CLM's 2019/2020 engagement efforts in the recently approved Nova Gas Transmission Ltd. 2021 System Expansion Project approved by the former National Energy Board (NEB); and
- a 2019/2020 CLM community map review workshop which attempted to ascertain known community land and resource occurring in lands to in the Rocky Mountain foothills area within the Upper Smoky River watershed.

In 2019/20, the CLM opted to engage in the consultation and environmental assessment review being conducted by the NEB of the NGTL 2021 System Expansion Project. The CLM was provided a limited amount of funding and it conducted a landscape level review of known CLM land and resource use of and CLM's Indigenous Knowledge held in relation to the Project area and areas in the vicinity of the Project.

In summary, the CLM provided the following information to NGTL and Project regulators:

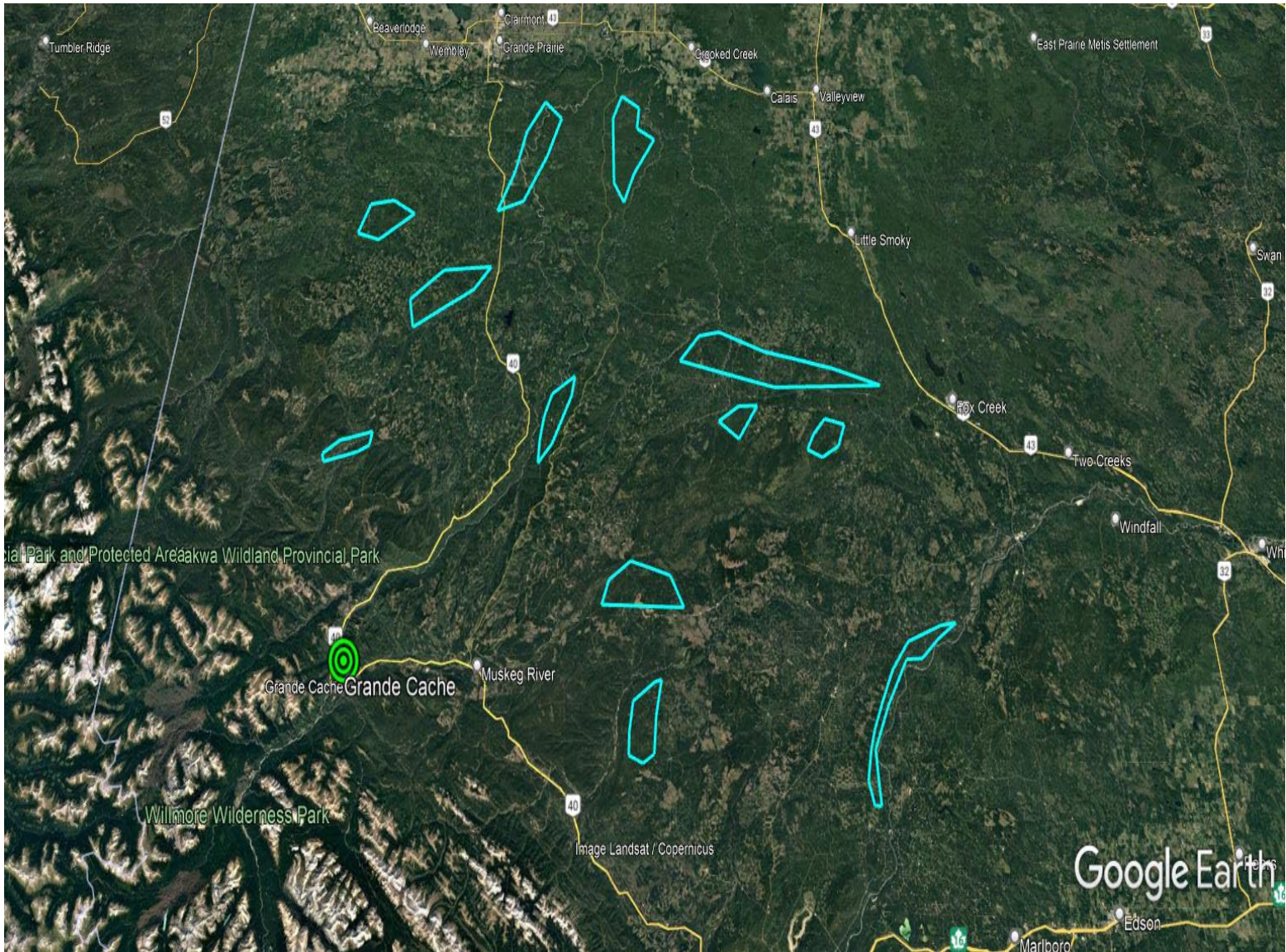
- the type and approximate location of ongoing land and resource activity by some CLM community members in lands south of the Wapiti River (near Grande Prairie, AB) extending southward to the Athabasca River;
- that some CLM members venture to the southern portions of its Traditional Territory to hunt moose and elk in areas south of Wapiti River and north of the Athabasca River;

- that the activity of hunting involves an array of interlinked activities which can occur over large area (vs a specific kill site) which can include:
 - considering timing and weather conditions;
 - travelling to an area that seems appropriate given weather conditions;
 - takes into account, the reports and thinking of fellow community and family members;
 - selecting an area that contains suitable conditions to support large game;
 - travelling, accessing, scouting, observing and listening;
 - picking up fresh trail and sign;
 - making informed assumptions about where a large game animal may be headed or be;
 - picking up trails and intercepting a fresh trail at key points but in a manner as do not disclose the hunter's location and threat they pose;
 - travelling in parallel and overtaking a game animal's position and attempting to intercept them;
 - shooting and killing the large game animal;
 - tracking and killing the large game animal if wounded;
 - cutting up and processing the animal at a site;
 - transporting the animal back to a camp;
 - cutting up the animal for transport at a camp or smoking it at a camp;
 - obtaining the necessary materials (wood, water, shelter, smoking materials) from areas adjacent to the camp; and
 - undertaking other cultural/spiritual obligations and activities.

- information that when some CLM members are engaged in the hunting of large game in the areas between the Wapiti and Athabasca Rivers, they also engage in fishing for cool water fish species and warm water fish species, harvest berries and plants for food and harvest plants for medicines, set up and stay in temporary hunting camps, seek less disturbed areas to support a protracted stay on the land and less disturbed, noisy and seemingly polluted areas (e.g. large amounts of dust and away from petroleum / gas plants);

- some CLM members reported that they opt to venture in areas to the south between the Wapiti and the Athabasca Rivers given that their view and conclusion that the core areas around Cadotte Lake (that their families once relied upon) are now moderately or heavily impacted by industrial activity and land use zonations/tenures/regulations that bar or inhibit large game hunting. However, having spent more time in the area in recent, they have found areas to the south of Grande Prairie and west of Valley View and Fox Creek also equally impacted and compromised, if not more so than areas to the north of Cadotte Lake;

- the general areas in which the CLM identified contemporary land use activities occurring in is depicted on the attached map (Google Earth Projection 2022 with 2019 KMZ Files: CLM)



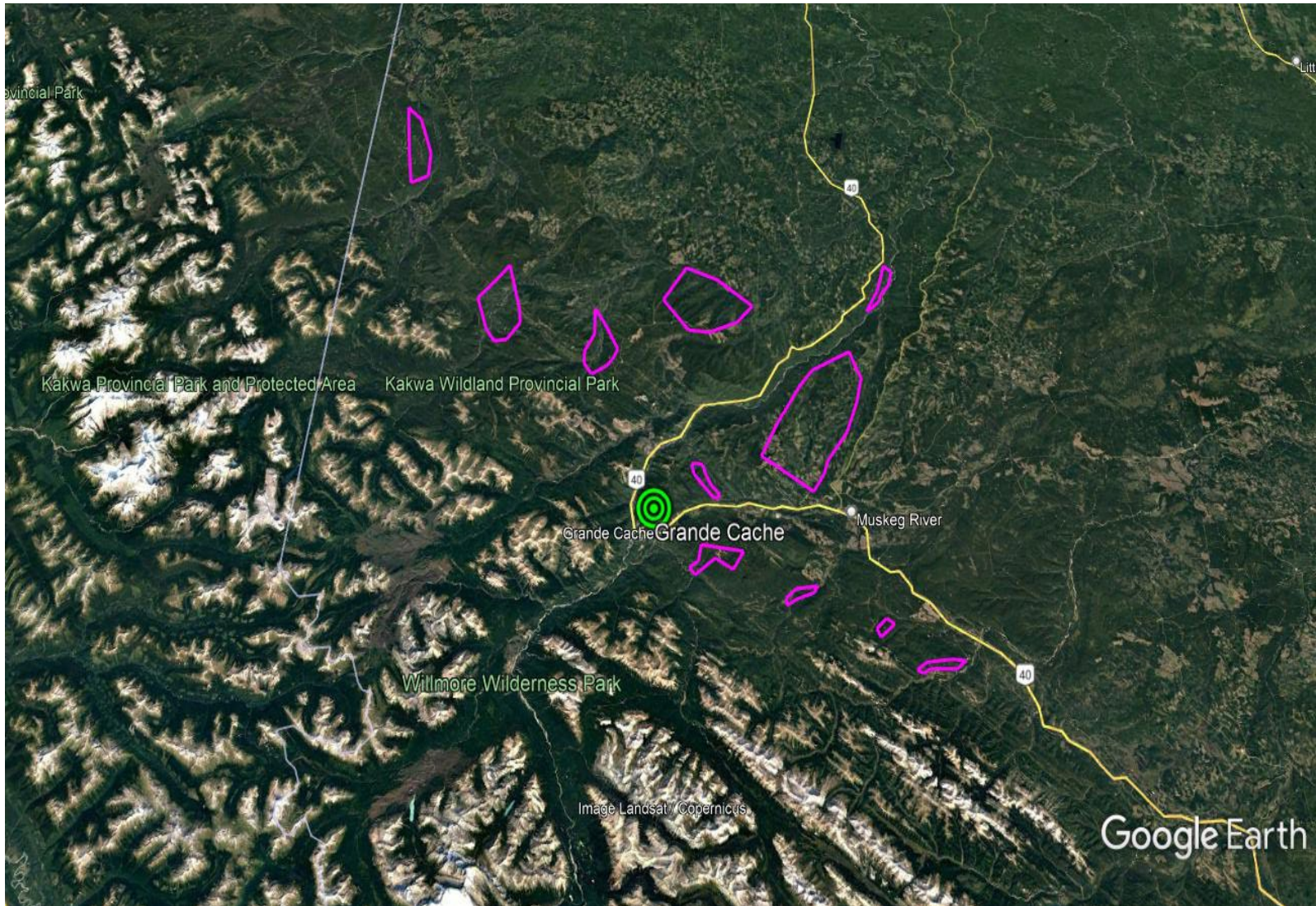
Identified Contemporary CLM General Harvesting Areas – NGTL 2021 Project: 2019/2020

In parallel to CLM's engagement efforts with NGTL on the 2021 System Expansion Project, a small CLM group held a discussion and map review workshop in the community. The objective of this workshop was to identify and to better understand some of the reasons of why some CLM members were moving out of their more customary or core areas near Cadotte Lake and opting to hunt much further afield.

In summary, there is a small group of CLM hunters who have started to travel south of the Wapiti River and westwards into the Rocky Mountain Foothills and valleys of the Rocky Mountains to target elk and moose. The hunting was reported to have occurred in the late summer and early fall. The hunters that have ventured into this area in the past 5-10 years reported to have success in locating and hunting elk however they found moose to be less plentiful and harder to find. Reasons posited include:

- there were considerable levels of development which, based on recollection of two hunters, appears to much higher and more dense than ten - twenty years ago;
- there appeared to be an intense level of activity on key access roads heading in and out of oil and gas fields west of Valleyview, Fox Lake and Whitecourt;
- there appeared to be a considerable amount logging activity with a considerable amount of new cut blocks present across much of the region;
- based on time spent in the bush, one hunter remarked on the consistent sound of rifle fire heard through the area (in the fall) indicating a high level of hunting;
- there were some 'quieter', 'cleaner' and 'less busy areas' deeper in the steeper river valleys and closer to the foothills and mountains that appear to contain sign of moose;
- those involved in the discussion noted that they have not heard anyone from the CLM community hunting caribou in the Red Earth area or out in the Chinchaga. A small herd of caribou was sited on one trip in on the north side of the Berland River. The group universally agreed that while they may have the right to hunt caribou, they would never consider it until the herds can recover and 'caribou lands' are allowed to heal from all development
- one hunter reported hunting Big Horn Sheep in the past in upper Kakwa watershed and intended to do it again in the future;
- Several in the group stated they liked going into this area, as they were told that their ancestors used to come into the area historically and that the area is different and unique from the muskeg areas and uplands around Cadotte and many parts are still 'beautiful';
- All the hunters reported that they set up temporary camps to support their stay in the area and that they also took time to fish. Some of the fish caught in the Smoky, Berland and Kakwa were deemed to taste good and fishing conditions were good given the more rapid, clearer and cooler water conditions, and

- the areas in which the CLM documented contemporary land use activities occurring in is depicted on the attached map (Google Earth Projection 2022 with 2019 KMZ Files: CLM)



Identified Contemporary CLM General Harvesting Areas – 2019 CLM Upper Smoky Watershed Mapping Workshop

8.0 High Level Consideration of Spatial Interactions

The CLM has been made aware that the coal industry has the potential to expand within its Traditional Territory and one of the key areas which could experience growth is in the Upper Smoky River watershed and in areas near Grand Cache. One example is the 'Summit Mine 14 Project' (the Project). The Project is described on the Impact Assessment Agency of Canada (IAAC) website in the following way:

'Summit Coal Inc. is proposing the construction, operation, decommissioning and abandonment of an underground metallurgical coal mine located approximately four kilometers northeast of Grande Cache, Alberta. As proposed, the Summit Mine 14 Project would have a coal production capacity of approximately 3,562 tonnes per day. The project would have a surface footprint of 53.5 hectares and a subsurface area of approximately 512 hectares'.

(Source: <https://iaac-aeic.gc.ca/050/evaluations/proj/83917>)

When considering the Project's potential effects and impacts on the CLM's exercise of rights, harvesting activities and way of life, a consideration of spatial interactions is possible and advisable. The CLM sets out the Project's approximate operational area and a Project receptor radius established by the proponent against known CLM land use indicators on the following maps (Pgs. 25-30).

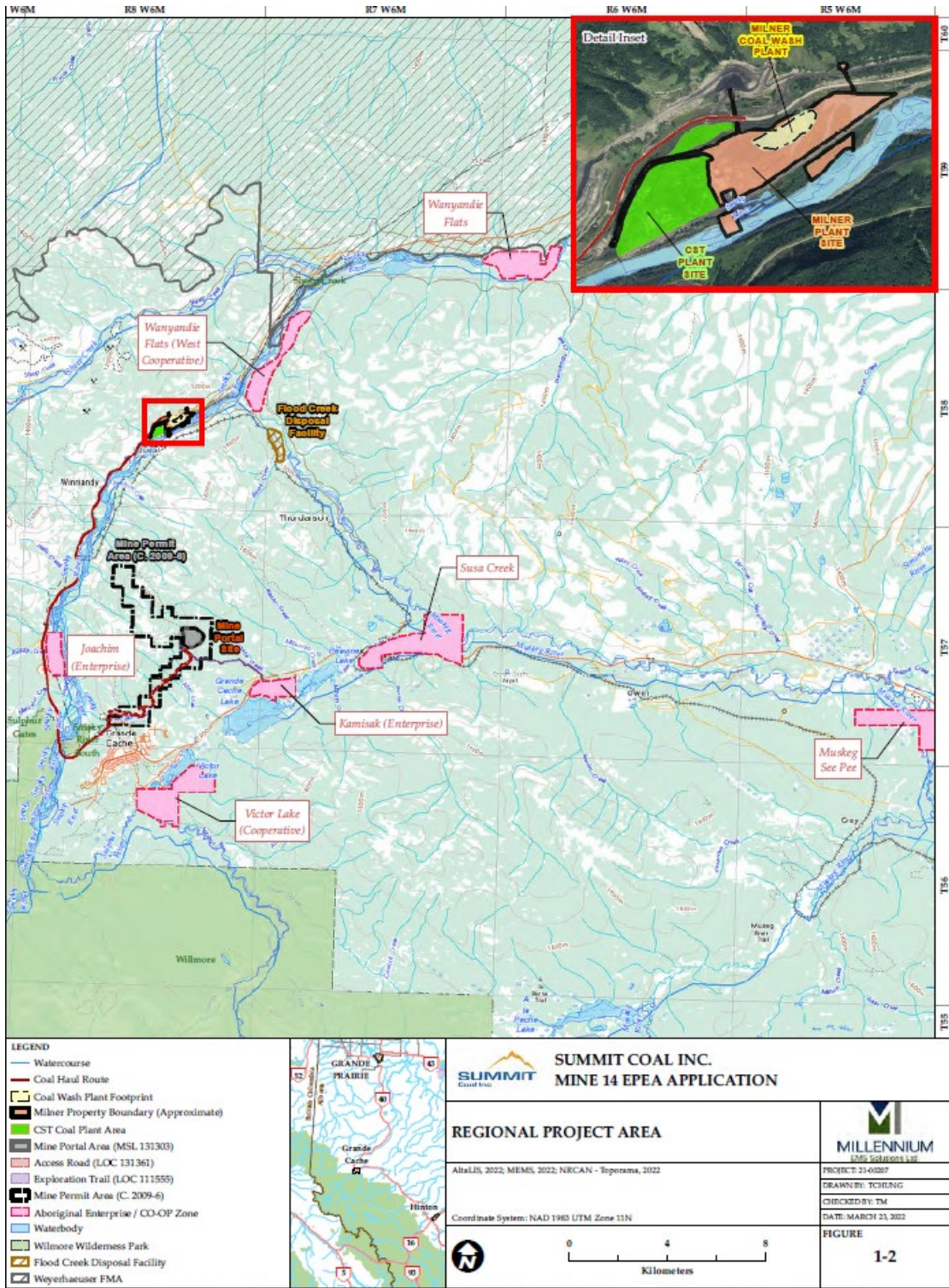
Based on a viewing of available information and with CLM's existing technical and financial resources (which are very limited), there appears to be a level of spatial interaction between the Project's mining area, the proponent's identified 'Project Receptor' zone and the CLM's Traditional Territory and known CLM harvesting areas within the Upper Smoky watershed. This factor in of itself is sufficient to warrant Crown engagement and consultation and CLM participation in project review processes.



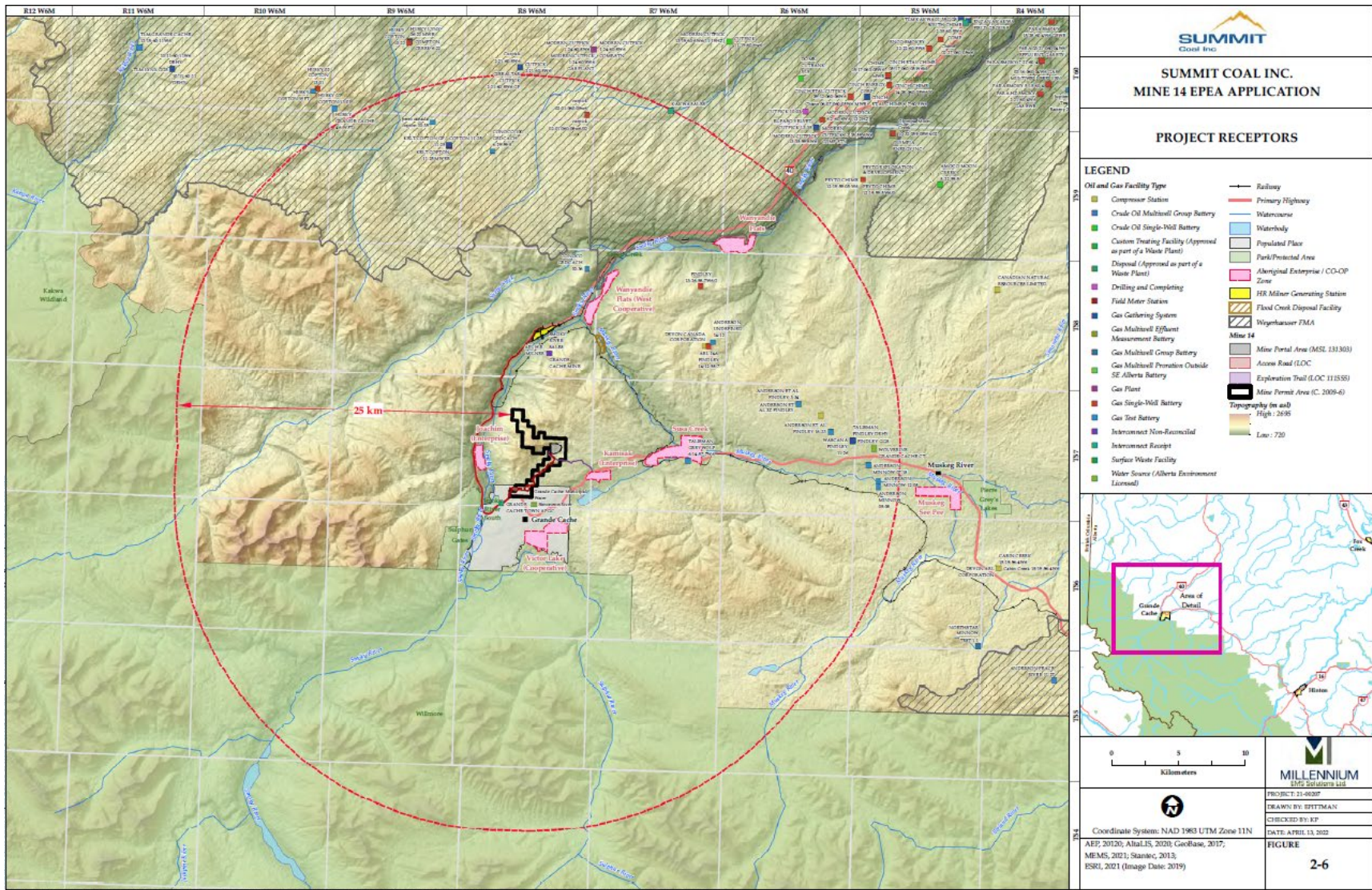
LEGEND Site Location Park/Protected Area First Nations Reserve/Metis Settlement Populated Place		SUMMIT COAL INC. MINE 14 EPEA APPLICATION		
		LOCATION OF #14 MINE PROJECT IN ALBERTA <small>AtlasGIS, 2019, 2020; GeoBase, 2015, 2017, 2019; MEMS, 2022; NRCAN, 2015</small> <small>Coordinate System: NAD 1983 UTM Zone 11N</small>		
				 <small>PROJECT: 21-03207</small> <small>DRAWN BY: TCHUNG</small> <small>CHECKED BY: TM</small> <small>DATE: MARCH 23, 2022</small> FIGURE 1-1

Disclaimer: This figure was derived from multiple data sources and while we make every effort to assure its accuracy, Millennium EMS Solutions Ltd. disclaims any representation or warranty and assumes no liability either for any errors.

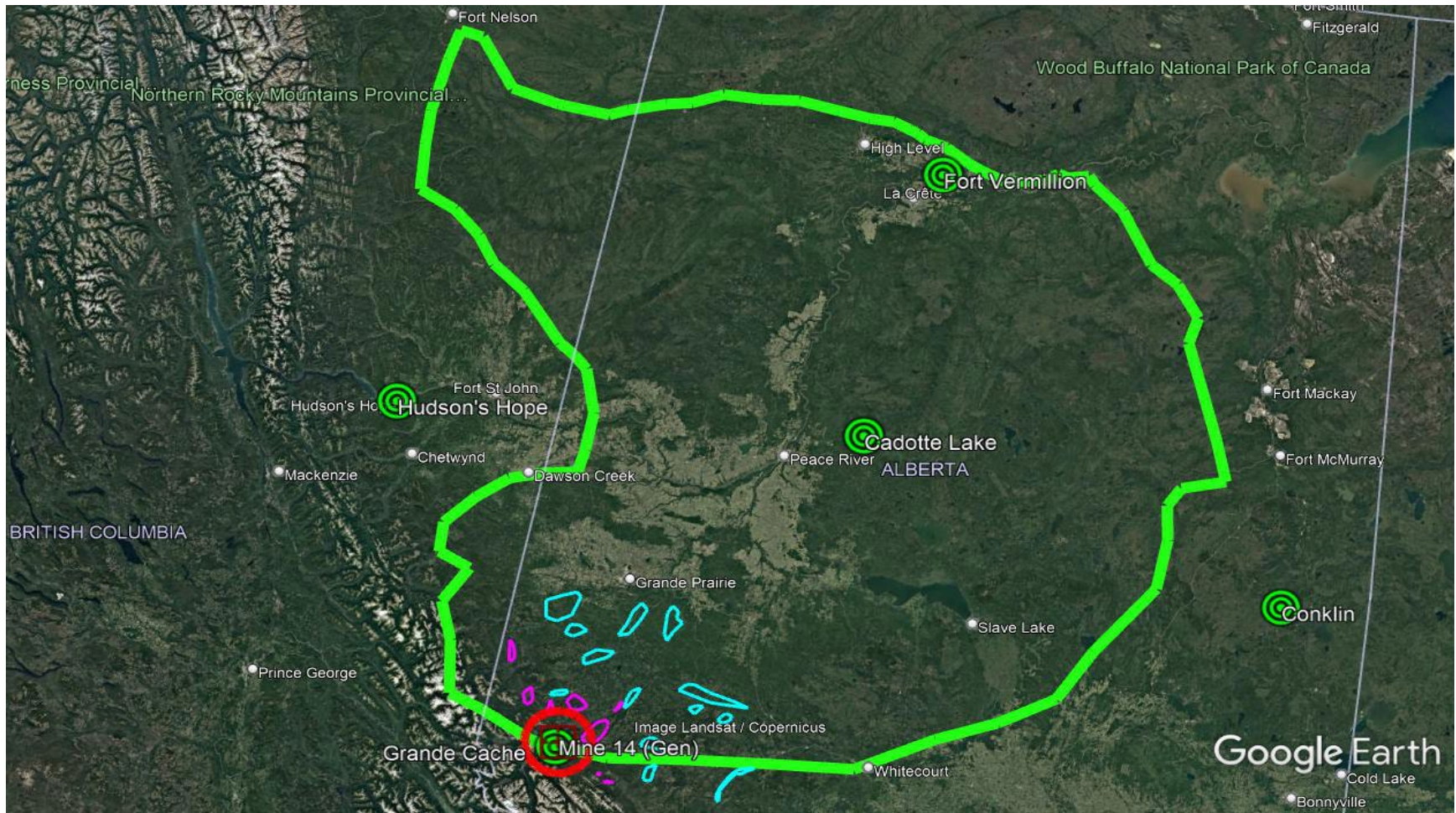
Project Location within Alberta



Project's Operating Area (Mine, Haul Road, Transport, Processing Areas)



Project 'Receptors' (25KM Radius from Mine 14 Site)

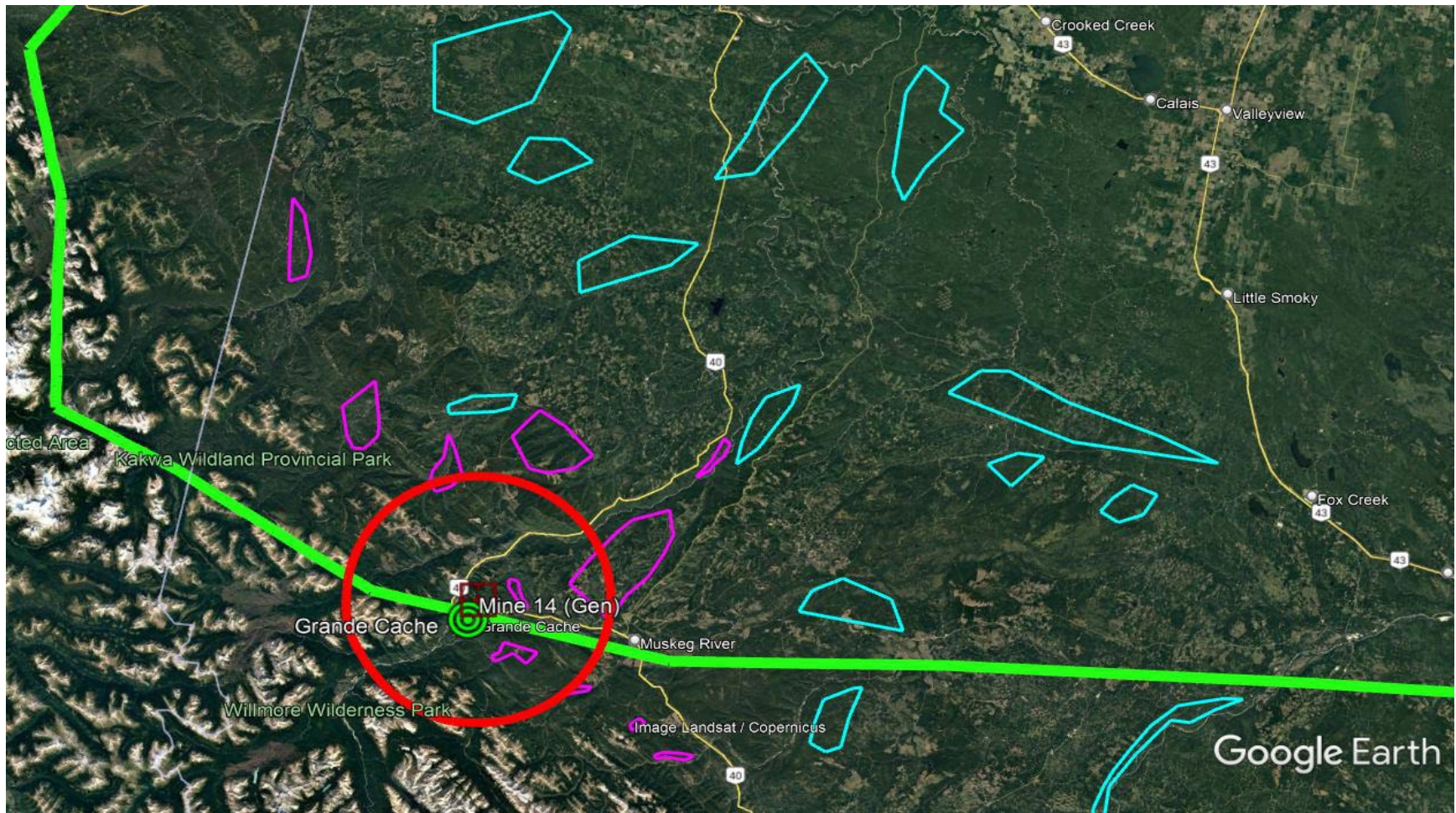


Approximate Location of Mine 14 Within CLM Traditional Territory

CLM Territory (Approximate): Green

CLM: Known Harvesting Areas (Approximate): Blue, Purple

Mine 14 Location and Project Receptor Zone: Red

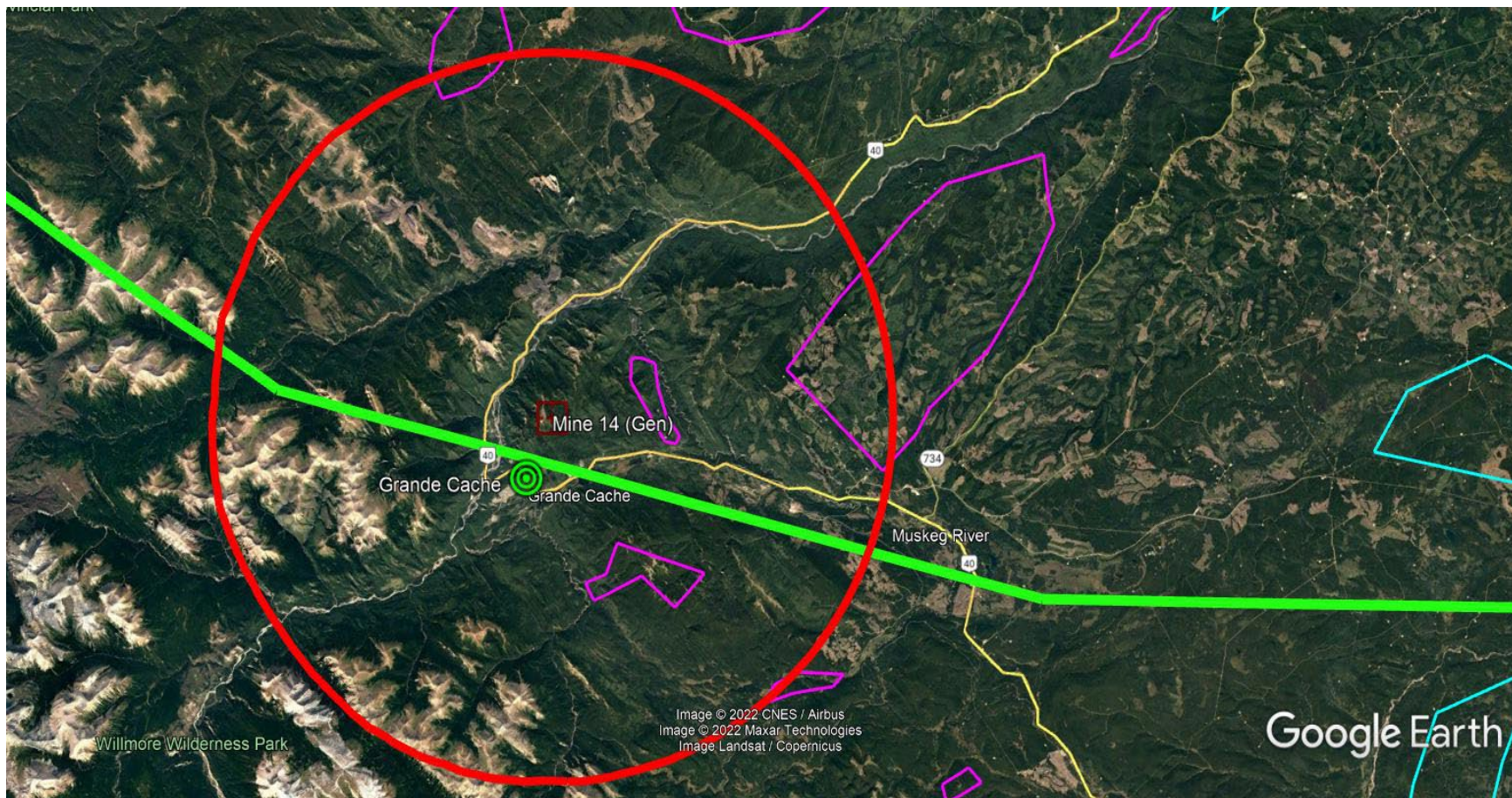


Approximate Location of Mine 14 Within CLM Traditional Territory

CLM Territory (Approximate): Green

CLM: Known Harvesting Areas (Approximate): Blue, Purple

Mine 14 Location and Project Receptor Zone: Red



Approximate Location of Mine 14 Within CLM Traditional Territory

CLM Territory (Approximate): Green

CLM: Known Harvesting Areas (Approximate): Blue, Purple

Mine 14 Location and Project Receptor Zone: Red

9.0 High Level Consideration of Project Interactions with CLM Rights

Based on information available and level of review possible at this time, the CLM is of the view that there is potential for Project interactions with CLM rights and cultural interests:

Project Component / Impact	Eco-Cultural Values Which Support CLM Exercise of Rights and Cultural Practices	CLM Right and Associated Cultural Practices
<p>Mine Footprint (Portal)</p> <ul style="list-style-type: none"> -Displacement of Large Game -Direct habitat loss for Large Game 	<ul style="list-style-type: none"> -Elk and Elk Habitat around Grande Mountain -High Elevation Culturally Significant Vegetation 	<ul style="list-style-type: none"> -Hunting/Harvesting of Large Game / Elk -Harvesting of High Elevation Culturally Significant Vegetation
<p>Haul Road Footprint from Mine Portal to Grande Cache</p> <ul style="list-style-type: none"> -Displacement of Large Game -Direct habitat loss for Large Game 	<ul style="list-style-type: none"> -Elk and Elk Habitat around Grande Mountain -High Elevation Culturally Significant Vegetation 	<ul style="list-style-type: none"> -Hunting/Harvesting of Large Game / Elk -High Elevation Culturally Significant Vegetation
<p>Wash Plant / Processing Facility on Smoky River</p> <ul style="list-style-type: none"> -Displacement of Large Game -Direct habitat loss for Large Game 	<ul style="list-style-type: none"> -Moose and Riparian Forest Moose Habitat along Smoky River 	<ul style="list-style-type: none"> -Hunting/Harvesting of Large Game / Moose
<p>Ongoing Mining Operations and Coal Hauling</p> <ul style="list-style-type: none"> -Increased large game mortality along Haul Road and along Highway #40 -General disturbance to Large Game near Grande Mountain -General disturbance to Large Game in adjacent valleys and ranges -Auditory disturbance to Large Game near Grande Mountain -Auditory disturbance to Large Game in adjacent valleys in ranges -General disturbance to CLM land users in landscape -Auditory disturbance to CLM land users 	<ul style="list-style-type: none"> -Moose and Elk in Grande Mountain area -Moose and Elk in adjacent valleys and ranges -Big Horned Sheep in adjacent valleys and ranges -Caribou habitat and herds (SARA) -Unique high elevation areas and valleys within CLM's Traditional Territory which are valued -Less disturbed high elevation and valleys within CLM's Traditional Territory which are valued 	<ul style="list-style-type: none"> -Hunting/Harvesting of Large Game / Elk / Big Horned Sheep -CLM right to harvest caribou and interest in restoring populations and habitat -High Elevation Culturally Significant Vegetation -Need for less disturbed / quieter areas for CLM land users

<p>-Visual disturbance to CLM land users</p>		
<p>Wash / Processing Plant on Smoky River</p> <p>-Deleterious substances released into Smoky River downstream fish habitat</p> <p>-Impact on Bull Trout (SARA)</p> <p>-Increased release of coal dust into surrounding area</p>	<p>-Cold water and warm fish species and habitat in Smoky River</p> <p>-Bull Trout populations (and habitat) at risk</p> <p>-CLM confidence in health of downstream fish populations</p>	<p>-Right to fish cold and warm water species</p> <p>-Right to Bull Trout and interest in restoring populations and habitat</p>
<p>Cumulative Impacts of Project with Other Territorial / Regional Developments, Footprint and Stressors</p> <p>-Overall increase of footprint, disturbance and impacts in landscape, region and CLM Territory</p>	<p>-Area available within Traditional Territory, Host Landscape, Upper Smoky Watershed and CLM family / individual to support the hunting of large game and undertake associated cultural practices</p> <p>-Areas present with less disturbance within Traditional Territory, Host Landscape, Upper Smoky Watershed and CLM family / individual to support the hunting of large game and undertake associated cultural practices</p> <p>-Capability of CLM Traditional Territory and sub-landscapes (Upper Smoky Watershed) to support range of CLM uses of its land and core sustenance and cultural needs</p>	<p>-Right to hunt</p> <p>-Right to trap</p> <p>-Right to fish</p> <p>-Right to gather plants</p> <p>-Right to harvest</p> <p>-Ability to maintain culture and way of life</p> <p>-Ability to exercise rights in preferred manner</p> <p>-Ability to maintain and transmit oral traditional knowledge</p> <p>-Ability to meet sustenance needs</p> <p>-Ability to meet cultural needs</p> <p>-Ability to have access to range of unique ecological landscapes within Traditional Territory</p>
<p>Other</p>	<p>-TBD</p>	<p>-TBD</p>