

Memo Summarizing Whitefish Lake First Nation #128's Current Use of Lands and Resources for Traditional Purposes and Potential Impacts to Treaty Rights from the Proposed Summit Mine 14 Project

RE: Designation Request for the Proposed Summit Mine 14 Project the *Impact Assessment Act*

Whitefish Lake First Nation #128 (WLFN) has 2378 members. Almost 1800 live on 4535 ha of reserve around Goodfish and Whitefish Lake northwest of St. Paul and another 600 members live off reserve. WLFN has a rich tradition of historic and current involvement in the fur trade, a well-documented pattern of resiliency in the face of the collapsing bison economy, and a well-known role in the establishment of diplomatic relations with the Crown and other First Nation bands during the signing of Treaty 6.¹

Enclosure of crown lands as private property and the destruction of the bison herds since the late 19th century, the inadequacy of reserve land to sustain the traditional economy, and the cumulative effects of oil and gas activity on crownlands in the 20th and 21st centuries created hardships for WLFN. The primary response of WLFN harvesters to the encroachment of private land around their Reserve and the collapse of plains bison populations has been to intensify the hunt of other game species such as elk, moose, bighorn sheep and deer. Today, WLFN members continue their ancestral traditions of hunting, fishing, trapping and gathering across vast areas of land in the North Saskatchewan, Athabasca and Peace River basins and along the eastern slopes of the Rocky Mountains.

The onset of coal mining activity in the Grande Cache area since the 1960s has both removed available crown land from WLFN members at the same time as it has opened access to what had once been more remote areas such as the Smoky River valley. As documented in traditional land use interviews conducted with dozens of WLFN members from 2014 to the present, the map provided below depicts WLFN members' use of the Grande Cache area, including the proposed Summit Mine 14 Project for hunting, fishing, trapping, gathering, camping and medicinal plant use. The current use of lands and resources for traditional purposes, as depicted on the map, is

¹ See for example: Colpitts, George. 2015. *Pemmican Empire: Food, Trade and the Last Bison Hunts in the North American Plains, 1780-1882*. Cambridge University Press; Daschuk, James. 2013. *Clearing the Plains: Disease, Politics of Starvation and the Loss of Indigenous Life*. Regina: University of Regina Press; Erasmus, Peter. 1976. *Buffalo Days and Nights*, Calgary: Glenbow Alberta Institute, as Told to Henry Thompson. Introduction by Irene Spry. Calgary: Glenbow-Alberta Institute; Houle, Albert and Jody Houle. 2015. "Chief Pakan History as told by Jody Houle by her Grandfather, late Albert Houle." Whitefish Lake First Nation – Chief and Council – History. Accessed February 2020. http://www.wfl128.ca/chief_history.html; Ray, Arthur J. 1998 (1974). *Indians in the Fur Trade: Their Role as Trappers, Hunters and Middlemen in the Lands Southwest of Hudson Bay, 1660-1870*. Toronto: University of Toronto Press; Steinhauer, Melvin D. 2015. *Shawahnekizhek - Henry Bird Steinhauer: Child of Two Cultures*. Edmonton: Priority Printing Ltd; Whitefish Lake First Nation #128. 2011. Report to Chief and Council: Treaty Impact Assessment Devon Jackfish Pike Project. Whitefish Lake First Nation #128: Traditional Lands Office.

described in more detail here. This information was not collected with direct reference to the Summit Mine 14 Project.²

In a 2019 interview, two prominent WLFN Elders described how they hunted from Hinton to Grande Cache using the forestry trunk road and later Highway 40. Using these corridors, they accessed remote hunting areas in the foothills and eastern slopes, including portions of the proposed Summit Mine 14 Project. In this area they hunted for moose, elk, bighorn sheep and bear. They would bring large groups of up to 40 people, including friends and family, and establish hunting camps on crown land which they would use as a base to hunt for large game for subsistence and ceremonial purposes. From these camps, WLFN harvesters set traps for rabbits or gamebirds for food. Fish from creeks and rivers such as the Smoky River provide subsistence to the hunting camps. More recent interviews with friends and family members confirm that WLFN hunters continue to access the Grande Cache area to hunt for moose, elk, bighorn sheep and bears.

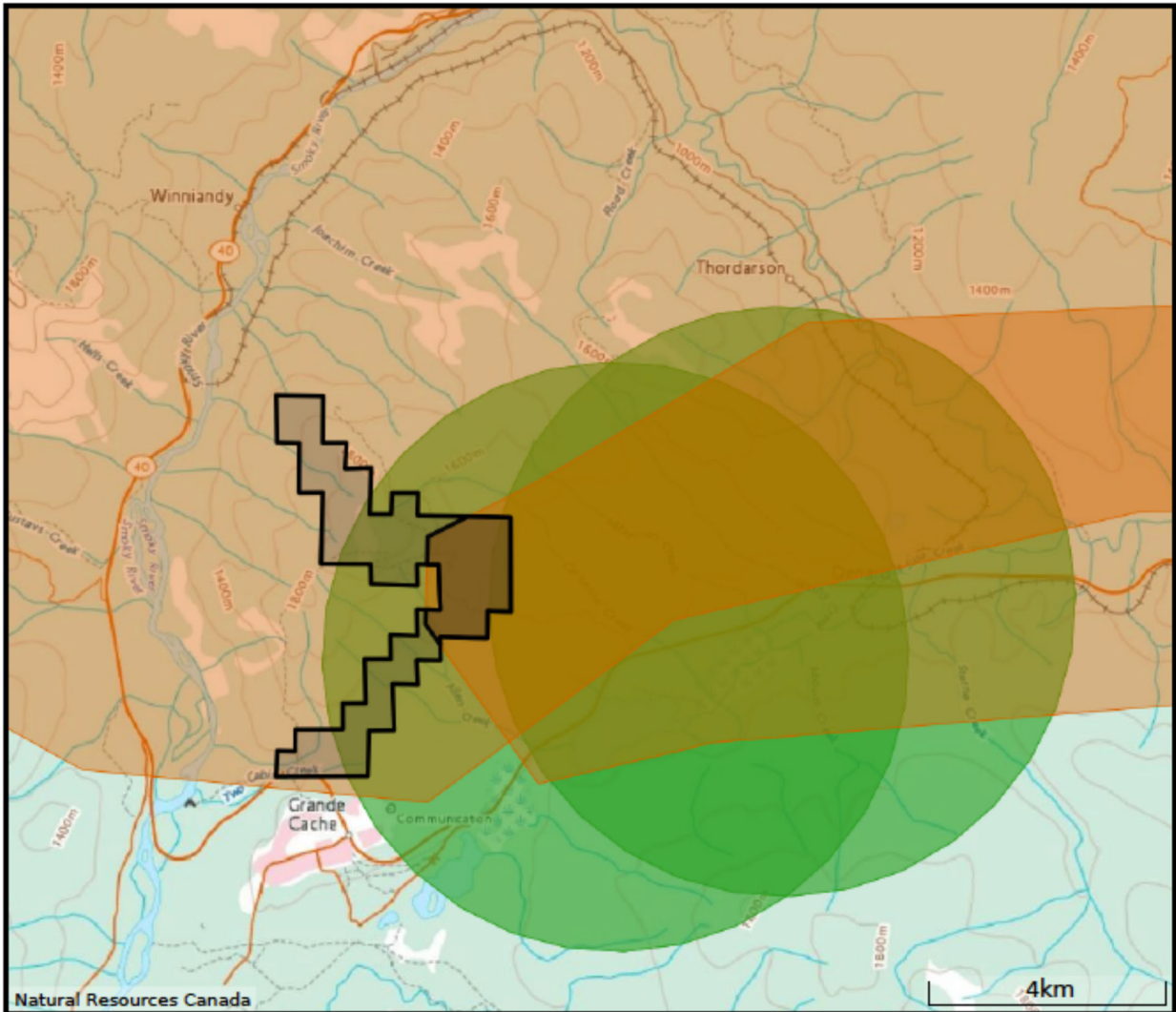
In a 2016 interview with a prominent WLFN community member, he described the Grande Cache area as a desirable destination for hunting moose and elk. He also identified the Grande Cache area as a known habitat for woodland caribou which are sensitive to environmental changes and which are designated as a species at risk. Located between the Red Rock-Prairie Creek and the A La Pêche caribou herds of the west-central range, the Summit Mine 14 Project could have negative impacts on woodland caribou recovery efforts in the Grande Cache area.

In an interview in July of 2022, a WLFN Elder and medicinal plant gatherer described how the unique foothills, subalpine and alpine ecosystems around Grande Cache make it a desirable location to harvest a variety of food and medicinal plants. The map below depicts some of these plant gathering areas within a 5 km buffer zone to protect the integrity of the sensitive plant gathering areas. WLFN members consider places where medicinal plants are gathered to be sacred and clean. Expanding coal mining operations in these areas would render them undesirable and “unclean” and would therefore negatively impact WLFN’s medicinal plant gathering activities.


While the onset of coal mining in the Grande Cache area since the 1960s enabled greater ease of access for WLFN members, the expansion of coal mining threatens to reduce access to available crownland and create disturbance to forests and wildlife that will negatively impact WLFN hunting, fishing, trapping and gathering activities and the exercise of Section 35 in the Grande Cache area. Presently, WLFN is undertaking a comprehensive and territory-wide treaty rights and cumulative effects study to document in more detail the current use of lands and resources for traditional purposes and to provide more details the state of cumulative effects to treaty rights.

² WLFN128 uses the LOUIS Toolkit to store and archive its traditional use and occupancy data. The Map data is the property of Whitefish Lake First Nation #128. All rights reserved. The information presented does not represent all relevant information from Whitefish Lake First Nation in living memory. Unauthorized viewing, distribution, reproduction is strictly prohibited. Permission to use this map does not lessen the users duty to consult with Whitefish Lake First Nation regarding any activity that may impinge on Whitefish Lake First Nation's interest, jurisdiction, rights, or title.


Whitefish Lake First Nation #128 Current Use of Lands and Resources for Traditional Purposes - RE: Summit Coal Mine Permit Area C. 2009-6 Site 14 EPEA Application



Summit Coal Mine Permit Area C. 2009-6 Site 14 EPEA Application

 Summit Coal Mine Permit Area C. 2009-6 Site 14 EPEA Application

WLFN128 Current Use of Lands & Resources for Traditional Purposes

 WLFN128 Current Use of Lands & Resources for Traditional Purposes Polygons - Hunting, Trapping, Fishing and Gathering

Medicinal Plant Area

 Medicinal Plant Area

Generated by D.O.C.
2022-09-08 - EPSG:3857



Map data property of Whitefish Lake First Nation #128. All rights reserved. The information presented does not represent all relevant information from Whitefish Lake First Nation in living memory. Unauthorized viewing, distribution, reproduction is strictly prohibited. Permission to use this map does not lessen the users duty to consult with Whitefish Lake First Nation regarding any activity that may impinge on Whitefish Lake First Nation's interest, jurisdiction, rights, or title.