

**NATIONAL ENERGY BOARD
OFFICE NATIONAL DE L'ÉNERGIE**



**Trans Mountain Pipeline ULC
Trans Mountain Expansion Project
National Energy Board reconsideration of aspects of its
Recommendation Report as directed by Order in Council P.C. 2018-1177
Hearing Order MH-052-2018**

**Trans Mountain Pipeline ULC
Projet d'agrandissement du réseau de Trans Mountain
Réexamen par l'Office national de l'énergie de certains aspects de son
rapport de recommandation, conformément au décret 2018-1177 de la
gouverneure en conseil
Ordonnance d'audience MH-052-2018**

VOLUME 11

**Hearing held at
L'audience tenue à**

**Vancouver Island Conference Centre
101 Gordon Street
Nanaimo, British Columbia**

**December 6, 2018
Le 6 décembre 2018**

**International Reporting Inc.
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**HEARING ORDER/ORDONNANCE D'AUDIENCE
MH-052-2018**

**IN THE MATTER OF Trans Mountain Pipeline ULC
Trans Mountain Expansion Project
National Energy Board reconsideration of aspects of its Recommendation Report
as directed by Order in Council P.C. 2018-1177
File OF-Fac-Oil-T260-2013-03 59**

HEARING LOCATION/LIEU DE L'AUDIENCE

Hearing held in Nanaimo, British Columbia, Thursday, December 6, 2018
Audience tenue à Nanaimo (Colombie-Britannique), jeudi, le 6 décembre 2018

BOARD PANEL/COMITÉ D'AUDIENCE DE L'OFFICE

Lyne Mercier	Chairperson/Présidente
Alison Scott	Member/Membre
Murray Lytle	Member/Membre

APPEARANCES/COMPARUTIONS

(i)

Applicants/Demandeurs

Trans Mountain Pipeline ULC

- Mr. Sander Duncanson
- Ms. Cassie Richards
- Mr. Max Nock
- Ms. Lindsay Carnes

Intervenors/Intervenants

Natural Resources Canada

- Ms. Phoebe Miles, Senior Policy Advisor

Stk'emlupsemc te Secwepemc Nation

- Ms. Megan Young
- Chief Ron Ignace
- Mr. Travis Marr

Little Shuswap Lake Indian Band

- Mr. Arthur Grant
- Chief Oliver Arnouse
- Elder James August
- Councillor Aaron Arnouse

Adams Lake Indian Band

- Ms. Karen Campbell
- Ms. Kimberly Webber
- Elder Lawrence Michel
- Mr. Dave Nordquist
- Councillor Steven Teed

National Energy Board/Office national de l'énergie

- Ms. Jessica Lim

ERRATA

(i)

Wednesday, December 5, 2018 - Volume 10

Paragraph No.:

Should read:

4989:

“...blooms...”

“...booms...”

5028:

“...dominant...”

“...endowment...”

5034:

“...pig feed...”

“...PICFI...”

5051:

“...Dickie Lewis...”

“...Dickie Louis...”

5138:

“...McConnell...”

“...McDonald...”

5153:

“...behave...”

“...behalf...”

5226:

“...knowledge out...”

“...knowledge on...”

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Stk'emlupsemc te Secwepemc Nation
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--- Upon commencing at 9:02 a.m./L'audience débute à 9h02

5457. **THE CHAIRPERSON:** Good morning. Before we commence our hearing today, the Board wishes to acknowledge with respect the Hul'q'umin'um'-speaking peoples in whose traditional territory we are gathered, and the Snuneymuxw people whose historical relationships with the land continue to this day. It is with truth and respect we would like to acknowledge all the Indigenous ancestors of this place and reaffirm our relationship with one another.

5458. So we welcome you to the Oral Traditional Evidence phase of the National Energy Board's hearing regarding the Trans Mountain Expansion Project Reconsideration. My name is Lyne Mercier, and with me there is Alison Scott and Murray Lytle, who are Members of this Panel. We want to welcome everyone who is here today, both in the hearing room, and via teleconferences, as well as those listening in to the webcast.

5459. With respect to our schedule for hearing oral traditional evidence, today we have scheduled time to hear from three Indigenous groups. We will take breaks if it is required.

5460. In order to be fair to all presenters we have allotted up to two hours to hear from you. If two hours is not enough, at the end of the session please feel free to file additional oral traditional evidence by electronic means, such as a video or some other method.

5461. Before we get underway, I would remind parties of the Panel's guidance in the Hearing Order and Procedural Directions in regards to oral traditional evidence.

5462. There will be an opportunity for argument in later hearing steps. Today, the Panel is particularly interested in hearing about the impacts of the Project-related marine shipping on your community's rights and interests, as well as topics in the list of issues.

5463. The Board understands that SSN has an oral tradition for sharing knowledge from generation to generation and this information cannot always be adequately shared in writing.

5464. Sharing your traditional knowledge and stories about the use of your traditional territory is of value to us. We appreciate that you've chosen to

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participate in this process.

5465. Following the oral traditional evidence, Trans Mountain, other intervenors or the Board may have questions for the witnesses. If so, witnesses can choose whether they will answer questions orally, or at a later date in writing, or a combination of both.
5466. With that, I believe that we are ready to get underway. Before I call on the SSN to present their oral traditional evidence, I'd like to have the representatives of the Proponent, Trans Mountain, introduce themselves.
5467. **MR. DUNCANSON:** Thank you.
5468. Good morning to everyone listening in and everyone in the room. My name is Sander Duncanson. I'm with the law firm Osler, Hoskins & Harcourt representing Trans Mountain. With me here is Cassie Richards from our office as well as Max Nock representing Trans Mountain. Thank you.
5469. **THE CHAIRPERSON:** Thank you, Mr. Duncanson.
5470. I would also ask if there are any other intervenors who are in the room who would like to introduce themselves or if there are any preliminary matters they would like to raise. And for the record, if you could you indicate who you are, who you are representing. Thank you.
5471. **MS. MILES:** Thank you, Madam Chair. Thank you, Panel Members. And good morning, everyone. My name is Phoebe Miles. I am a senior advisor with Natural Resources Canada. I'm here as a representative of the Federal Crown to hear the witnesses' oral traditional evidence in relation to the reconsideration of the Trans Mountain Expansion Project.
5472. I do not intend to ask any questions today. I am here as a representative of several federal departments and agencies that are registered intervenors, some of whom are with me here today. If necessary, we will ask additional questions through the NEB's information process.
5473. I would like to note that I am honoured to be present at this hearing. I look forward to hearing the evidence. I understand SSN is on the phone. So good morning.

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5474. And I acknowledge that we are in the traditional territory of the Snuneymuxw First Nation. Thank you.
5475. **THE CHAIRPERSON:** Thank you, Ms. Miles.
5476. Now, I will turn to the SSN. And could you please identify who is on the line and after that we'll proceed with your affirmation. Thank you.
5477. **MS. YOUNG:** Chairperson and Panel Members, my name is Megan Young. I'm legal counsel for SSN with the law firm Miller Thomson.
5478. Here with me now is Travis Marr of SSN. We do anticipate that Chief Ron Ignace will be here as well. He hasn't arrived yet but once he does, we'll let you know.
5479. **THE CHAIRPERSON:** Thank you. And could you please repeat your name again and perhaps spell it?
5480. **MS. YOUNG:** It's Megan Young, last name Y-o-u-n-g. Megan is M-e-g-a-n.
5481. **THE CHAIRPERSON:** Thank you.
5482. Okay. So I will let you introduce your witness and lead them to the evidence. Thank you.
5483. Oh, first of all, I wish to affirm -- we'd like to affirm the witnesses.
5484. So Ms. Comte, can you go through it, please?
- TRAVIS MARR: Affirmed**
5485. **THE CHAIRPERSON:** So thank you.
5486. And Ms. Young, please go ahead and proceed with the process.
5487. **MS. YOUNG:** Chairperson and Panel Members, I'd like to give you a road map for the oral traditional evidence that you will hear this morning.
5488. We are videotaping this session and will provide that to you by

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December the 11th.

5489. First, you will hear from Travis Marr, the Information and Referral Manager at SSN. He is expected to give evidence for one hour, further to his Indigenous knowledge on the significance of Stk'emlupsemc Fisheries to SSN; in particular, the declining steelhead and salmon populations and SSN's protection and management of these resources.

5490. Next, Chief and Dr. Ron Ignace will talk about the importance of steelhead and salmon species to Stk'emlupsemc Nation. Chief Ignace has a PowerPoint presentation which you should have in your materials and it's filed with the NEB, NEB filing number A96374-2.

5491. Finally, SSN states for the record that SSN does not accept this process as an adequate means for the Crown to discharge its duty to consult and accommodate.

5492. With respect to answering any questions, again, further to the Board's Procedural Direction 1, Chief Ignace and Travis Marr will answer questions that may be required to clarify their comments, but any substantive questions should be directed to us in writing.

5493. With that, I hand it over to Travis Marr.

5494. **THE CHAIRPERSON:** Ms. Young, I just want to confirm to you that we do indeed have the PowerPoint in front of us. So if you just signal when we need to change pages, that would be great. Thank you.

5495. **MS. YOUNG:** Okay. And just to confirm, the PowerPoint presentation will be presented by Chief Ignace, who is not here at the moment. But I will let you know when he enters the room.

5496. **THE CHAIRPERSON:** Thank you.

**--- ORAL PRESENTATION BY/REPRÉSENTATION ORALE PAR
STK'EMLUPSEMC TE SECWEPEMC NATION:**

5497. **MR. TRAVIS MARR:** (Native word). I'd like to thank the Nation who is hosting this process in the area that you're in, the traditional territory within. I am calling from the Stk'emlupsemc te Secwepemc Nation known as the

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- SSN. So that's the reference for SSN throughout my presentation.
5498. My name is Travis Jonathan Marr. I am a Stk'emlupsemc member, a member of the Stk'emlupsemc te Secwepemc Nation also formerly known as the Kamloops Indian Band and historically known as the Stk'emlupsemc te Secwepemc Nation.
5499. My family background is my father is Gerald Seymour. My mother is unknown to me. My grandparents on my father's side were Lorraine Seymour and Germain Seymour. My great-grandparents were Selina Calhoun and Hyacinthe Jules. I have many uncles and mentors throughout my family numbering up to 300 plus.
5500. I am Secwepemc. That was mentioned. I have received the title as water chief in the area, which is referenced to our Secwepemc villages and areas of responsibility pre-contacting before INAC development councils were derived. We had designated leads in the community. We had people who would stand up and represent and care for ancestral the responsibilities, certain elements on the land. And my note was water where I received a title from our chiefs and councils and knowledge keepers to do ceremony as a water chief for this specific area in our traditional territory.
5501. I have registered status of the Stk'emlupsemc Indian Band, as mentioned. My position is referrals and information manager for the Stk'emlupsemc te Secwepemc Nation and for all projects within the territory. Also ancestrally, along with the water chief. I'm considered yecminme7. That is a terminology for a land protector, which falls under the responsibility of the information referral manager.
5502. My education and background is I am a First Nations technician both in natural resources and title and rights. I have a diploma in digital media, desktop publishing and multimedia development. A fisheries technician, various fisheries projects through the sea. GIF technician, an archeology tech, traditional use technician, cultural resource coordinator, also trade and negotiations, and various other things.
5503. Some of the work experience I've had within First Nations governance is I've worked on various projects, including GIF, government referrals, proponent referrals, industry referrals, traditional use studies, the development of them, the implementation of them, research, coordination of them.

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5504. Skeetchestn land inventories, not only land inventories but air, water, wildlife, fish.
5505. Software development; so that's where the transfer of my digital media education is flown into title and rights creating software for land use programs, multimedia use software for traditional use studies, Skeetchestn language, curriculum into mapping, quite extensive. This is all sort of just at the boom of the Internet era back in '99-2000.
5506. Specific land claims, specifically the Douglas Reserve claim at Tk'emlúps te Secwepemc Indian Band was my file as well.
5507. Cultural heritage assessment; the creation and the implementation of cultural heritage assessment due to archeology of the legislative Act's -- the *Heritage Act* -- inability to recognize cultural heritage evidence that is apparent amongst our traditional peoples. So we implemented and created the cultural heritage process, which is referenced in the Ajax evidence as well.
5508. Provincial and federal Crown consultations and negotiation, that's over 18 years of that.
5509. Archeological overview and impact assessment, both field and in office, organizing crews, transferring of referrals and permit applications and other projects into evidence, archeological permitting, et cetera, doing the cultural resource management.
5510. Cultural relations; helping government and academia youth be proponents on the land, learning how to appropriately discuss and educate them in Skeetchestn or Tk'emlúps processes.
5511. Natural resource policy writing; development of cultural resource policy writing more or less with Natural Resource representatives of government.
5512. Youth mentorship, socioeconomic and tmekw land assessments. Tmekw is the Skeetchestn word for an all-encompassing elements of the environment and ecosystem. So it's not only land, it's land, water, air, and its inhabitants. Those are -- also impact assessments was mentioned.
5513. Oral evidence collection, interviewing elders and knowledge keepers,

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- not just elders, youth as well.
5514. Historical transcription; so we have a series of archives of ancestral recordings going back to the wax tube when digitizing those and transcribing them into accessible documentation for reference in processes similar to this. Ancestral recordings, that's on there, interviews, songs, stories.
5515. I'm a singer. I also work with many elders in the development of our transference of stories and traditional stories of oral description for our records and archives and our databases for future reference for evidence in the territory. Video dictionary, transcribing elders' dictionaries. Actually Selina -- Selina Calhoun had created a small dictionary that I have worked in transcribing and getting put into the language. Spoken and digitized linguistic curriculum, evidential inventory database.
5516. My previous employment, I held a position as a yecminme7 officer, a land protector officer at the cultural resource land -- the cultural resource management department with the Kamloops Indian Band. I started the training in the program for recognition awareness of cultural heritage in the territory and the province and federal -- for the province -- provincial and federal representatives.
5517. The cultural heritage -- sorry -- the cultural awareness training was quite simple but it was similar to what we did at the last hearings where we went up to Jacko Lake and we did the field and view, which you actually get out onto the land with government and with proponents and point out the connectivity and the significance of Skeetchestn, our territory, and how are relation of that is to the land.
5518. I also possess Skeetchestn technical field knowledge. I have an extensive over 30 years' experience working out on the land, not only working but hunting, fishing, learning ceremony.
5519. The knowledge to mapping, silviculture, fisheries, cultural audits; those audits are cultural audits of our approach, our review of government's processes out on the land and approval of government projects similar to this but audited under our Indigenous right and process.
5520. Industry site reviews for mining, B.C. Hydro, pipelines, highways, fish and wildlife, land allotment, Crown land surveys, reclamation, range issues, wildlife protection, stream habitat enhancement, Canadian nationwide First

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- Nations engagement, fisheries. Fisheries is a key role in my career.
5521. Keepers of the Flame, which is a group within the Skeetchestn that are knowledge keepers, language speakers, and story tellers, and know the songs, dances, and rights of passage and being of Skeetchestn.
5522. Mentorship for youth and new coworkers coming on, parks facilitator, and the rights and title spokesperson.
5523. I am the information referral manager, as I mentioned, where I work with Tk'emlups and Skeetchestn Indian Bands to engage with Crown and industry on regulatory authorizations for Aboriginal title and rights and self-governance, including consent. It is within my ancestral responsibility to assure our ancestral water, land, air, and all inhabitants are protected.
5524. The relationship to -- my relation to the Trans Mountain Expansion process is as a referral and information manager. I've been sanctioned by our governance, the joint chief and council, to receive and review all the Trans Mountain Expansion Project and related government's regulatory processes, including the NEB documentation, to review all the various permits and coordinate them with the governance of joint chief and council, including the sub-tables within SSN governance, which is the technical working group, which I chair, which is representation of both bands, Kamloops Indian Band or Tk'emlups te Secwepemc and Skeetchestn Indian Band Natural Resource Entitlement Rights Representatives, including negotiators and also two executive representatives from the joint chiefs and council.
5525. I've been on this file since it first came through. I think the status of it to date is the continuance of stating that there has been lack of adequate dialogue or information flow, while also an extreme lack of capacity to help assist in the review. One person, I think we can -- we can probably all understand, that one person to review the extensive amount of regulatory notifications to this extent and the capacity provided was not adequate to review the entire onslaught of regulatory referrals and, yeah, government notifications.
5526. So that's my role with the TMX and TMEP for the SSN. Everything that -- decisions that come out of my recommendations do go to the joint chief and council governance for voter sanction. That's moving into this process we're in now.

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5527. Now I can get into the Secwepemc reliance on fish. As a Stk'emlupsemc member, and also within my previous positions, I've had a series of fisheries roles and fisheries experience, including traditional fishing and fishing in our territory, and getting to know the territory and monitoring it for my entire life, and getting to know the health of waters, the numbers of fish in areas, and see, through experience and hearing from elders, the health and quality of fishing in the Secwepemc territory.
5528. The Secwepemc, we predominantly fish the interior of British Columbia, including the south and north Thompson watersheds, but there's also the tributary coming up through those, and the small lakes that are also attached to those watersheds that hold trout, salmon, and other species.
5529. We rely on the returning salmon species for sustenance as part of our Indigenous economy, and lifestyle, culture. We are responsible here, as part of, as I mentioned, the word yecminme7 or caretakers for the conservation of the ecosystems, the salmon species, and other stocks, including their food sources and their habitat. Like, it's mentioned in the ecosystem, that would include the food and what they rely on to stay alive.
5530. The Secwepemc territory houses the spawning and juvenile routing waters for the Chinook Coho, which reminder, are endangered and on the species at risk list, sockeye, pink chum salmon species.
5531. The inland freshwater watersheds also house the Thompson steelhead, a traditional ceremonial food fish, which utilizes both marine -- all of these utilize both marine and fresh water for their life cycle. Therefore, the marine lifecycle is why we are presenting our evidence today.
5532. The Secwepemc have relied, and continue to rely, on our resources, including our freshwater fishery, as part of our Aboriginal economy since time immemorial. This is documented in our oral history, and the fur trade documentation, and in negotiations related to Secwepemc land commercial fisheries in Kamloops Lake. There's portions of economy relations with fish in one of the evidence packages.
5533. Trade and protocols for trading salmon with other nations is listed in there as well.
5534. We have noticed our salmon populations are reduced. And reductions

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adversely affect not only our consumption of food for survival, but it adversely affects our Aboriginal economic rights. More details regarding the Secwepemc salmon trade requirements set out in section 7, Exhibit A, that's in the package.

5535. Conservation of fish within our territory. To ensure the health -- and this is part of our responsibility as Secwepemc. To ensure the health of the ecosystems and life cycle of salmon, which I had mentioned, the Secwepemc, we have a core value, and I think it's familiar with most of the core values and the responsibilities of the First Nations along the Thompson and Fraser water systems. It's (Native word), which can be translated as, "We're all related."
5536. So we have a holistic approach to understanding our territory and the connectivity of waters, and the fish, and everything, the air, and everything that impacts it all together. By acknowledging and supporting this interconnection between all living things, including water, plants, animals, birds, fish, and the spiritual and cultural connection as well. Humans is listed on there, but we're also familiar of the connectivity of the impact of humans on the influence of non-First Nations populations to our territory through time immemorial, throughout our history.
5537. In accordance with Secwepemc knowledge, respecting conservation and resources is at the centre of engagement, and protection, and management. That's under our mandate, our responsibility -- our ancestral responsibility as yecminme7. Management of salmon and steelhead resources in many ways. There's excerpts in relation to that in Exhibit A-1.
5538. And some of the many ways that we respect conservation and these resources and their knowledge of this is I also sit on many other tables that are multi-nation tables, First Nations Fisheries Council, for instance, down in the coast where we have Secwepemc, Thompson, Okanagan, Coastal First Nations, all representatives speaking to fisheries concerns and issues.
5539. On April 5th, representatives from Secwepemc governance and the Province of British Columbia, there's a Moose and Watershed Stewardship Pilot that we started here, and that's in one of the evidence packages, that speaks to concerns of steelhead conservation, hydrology, and impacts from industry, et cetera.
5540. **MS. YOUNG:** Chairperson and Panel Members, Chief Ignace has just come in. If we could just take one minute, I'm just going to get him settled in

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here. Is that all right?

5541. **THE CHAIRPERSON:** Oh, yes. Please take the time and we will reintroduce the Panel and kind of mention who is in the room, thanks.

5542. **MS. YOUNG:** Okay. One second.

--- (A short pause/Courte pause)

5543. **MS. YOUNG:** Chairperson and Panel Members, I have now here Chief Dr. Ron Ignace.

5544. **THE CHAIRPERSON:** Good morning, Chief. My name is Lyne Mercier; I'm the Chair of the Panel. With me I've got two other Panel members, Alison Scott and Murray Lytle. I would ask Trans Mountain to kind of reiterate who was present so that you know who will be speaking.

5545. **CHIEF RON IGNACE:** Okay, thank you. Yeah.

5546. (Speaking in Native language).

5547. Good morning to you all. I'll just -- just came in to introduce myself and let you know that I'm present. I've got to step out. I got a little bit of work to do for the next half hour and I'll be back.

5548. **THE CHAIRPERSON:** Thank you.

5549. **CHIEF RON IGNACE:** Thank you.

5550. **MR. DUNCANSON:** And Chief, good morning . This is Sander Duncanson. I'm representing Trans Mountain. I'm a lawyer with the law firm Osler, Hoskin & Harcourt, and I'm here in the room in Nanaimo. With me is Cassie Richards from our office and Max Nock with Trans Mountain. Good morning.

5551. **CHIEF RON IGNACE:** Good morning to you.

5552. **THE CHAIRPERSON:** Chief, would it be ---

5553. **CHIEF RON IGNACE:** I'll be back.

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5554. **THE CHAIRPERSON:** Thank you.
5555. So Ms. Young, we can resume, I guess, with Mr. Travis.
5556. **MS. YOUNG:** Okay. Yeah. We'll hand it over to Travis Marr.
Thank you.
5557. **MR. TRAVIS MARR:** All right. Yeah, I was mentioning there's been a series of studies done throughout Stk'emlupsemc by the FSN, the Kamloops Indian Band, Skeetchestn and also our ancestors pre all this government recording and et cetera of -- of First Nations' recognition of rights and title by (Native name). But we've -- we've always managed and monitored our stocks and the ecosystem's health through all types of -- even just oral history and speaking amongst the knowledge keepers and the fishing -- the fish chiefs and the water chiefs.
5558. Through the conservation within the territory, it's become apparent that the health of salmon species and steelhead have declined both in quantity and quality. We've noticed impacts in the ecosystem as well, less water, hotter summers, warmer waters, which influence the -- the salmon and the fishes' ability to stay alive and the mortality rates have been raised and keep them from coming up and spawning.
5559. The connectivity -- the holistic approach and connectivity of our people to the water and the fish is -- is relative to this evidence that I'm bringing forward today because we all know and understand that there is a connectivity between the marine waters and the inland fresh waters. I remind coastal marine area people that, you know, salmon don't grow on trees. They grow here in the -- in the interior within the Thompson and the Fraser tributaries. So the -- the importance of the health and the ecosystem of the marine area is key to the return of our -- of the salmon that we're responsible for in the spawning areas here.
5560. So when we speak to tanker traffic and its impacts and possible threats of spills and other types of incidents, we are extremely concerned of that happening and its impacts to the returns of the fish here that we rely on for our cultural and food fish here in the territory. And our responsibility is to speak to that as well. We cannot -- we cannot recognize a separation of a marine and fresh water area for discussions here with the National Energy Board or federal or DFO. Those allotments are a western-based approach, and not realistic in our

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relations.

5561. When I say "our relations", I mean all our relations, as First Peoples in British Columbia, as we -- we have record of the -- of the relations and the economy with the coastal First Nations in trade all up through the Fraser system up to the Thompson up to the -- the end and the tributaries where the spawning beds are. The economy of fish and the understanding of its importance for survival and cultural identity is threatened by the cumulative impacts and effects of industry and immigration and emigration of non-Indigenous peoples into the land.

5562. And with that immigration and emigration comes growth of industry and impacts to these waters. The export of resources out of our territory come with -- with impacts and pose threats similar to this. The sheer size of tanker traffic coming out of -- out of an area that will cross the Fraser system, which is the key entrance for all these salmon and steelheads species.

5563. So it is -- it is that migration of fish between the ocean and fresh water fisheries that needs to be understood and recognized that all First Nations' interests are key to this marine tanker traffic. It's not just on the coast that needs to be spoken to.

5564. Yeah. As mentioned, there's government records and disregard to inland fisheries not being able to be spoken here.

5565. The migration of the fish between -- I think I've been fairly clear on that, the -- our holistic approach, the life cycle of marine and inland fish. There's also been studies of the impacts of marine spills, damage to salmon species not only just the species themselves, but the food chain, the part of the holistic circle that's required for their survival, both out in the marine area, which would include plankton, zooplankton and invertebrates for their food source like shrimp. Those would be impacted as well.

5566. Part of that entire life cycle is also the orcas' reliance on Chinook, which I think most of us have been following the news yesterday, the announcement of Causewick that there's -- there's a concern put forward to DFO about Chinook being considered for the species at risk and the low numbers. We've known that for quite some time, but it's -- it's the government that will rely on that western science and, you know, Causewick does great work, for sure, but First Nations needs to get on those -- the statements that First Nations have put

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- forward for many years, for me for 20 years seeing the depleting stocks.
5567. They need to be recognized as well. So that was an announcement yesterday, and that one's key as well because that's Chinook -- that's orcas -- orcas' food, and that's -- we have a significant amount of Chinook come up the Thompson here. They're, I think, somewhere in the 20 -- 25 percent or more for B.C.'s Chinook stocks.
5568. On that note, we also have juvenile rearing, which would need some focus and discussion as well because not only are we looking at the adult life cycle and the -- and the spawning areas, but there are areas along the Thompson and the Fraser that will have juvenile rearing areas that they're going to be reliant on healthy ecosystems to grow to their adulthood and to live out in the ocean.
5569. Also, the health of those species, the food fish, comes the steelhead. And I think Kupki'7 Ron, Chief Ronald, is speaking to that. And there's evidence in there regarding the steelhead. But yeah, the steelhead numbers here are extremely low. And those are reliance of cultural and food fish as well for the Secwepemc as well. And we've -- we've known that the numbers have dropped on that for many years, and we've stopped those fishing boats.
5570. I'd also reflect that the Coho are also the -- Coho are also the key species of the endangered -- on the endangered list.
5571. Yeah. Even speaking once to an Elder in the Okanagan who was -- it was partial and coastal, coastal and Okanagan. I can't remember what Nation he was from on the island but he spoke to the steelhead too and the stories that they have, the protection of those steelhead and that there is a significant spiritual connection to the story of the steelhead and what they stand for.
5572. I just can say that because I was relayed that story from an elder. He's moved on now. His name was Ray Simpson from Winfield.
5573. Yeah, a few other points, the last couple of points I want to make -- I've had the Trans Mountain Project consultation process under my portfolio since the beginning. I am familiar with what is adequate consultation. I am familiar with what is adequate dialogue and meaningful engagement. I have not seen that. I have seen notifications, a lot of notifications, but no real-time capacity what not to fully review and provide the appropriate input, which I'm working towards here.

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5574. I've had little to no dialogue with DFO on this. Department of Fisheries and Oceans has been absent with the SSN for quite some time. There was a TMX Indigenous Advisory Monitoring Committee that was attempting to put together with the National Energy Board and DFO federal government. The statements that SSN put forward throughout the development of that Indigenous Monitoring Committee were not reflected in the final terms of reference or the structure of that. I want to make that clear, the results. So an attempt to try to get one Secwepemc representative to be the spokesperson for the entire Secwepemc Nation, that is not traditionally our culture, how the Secwepemc present themselves, that one person is not a representative of an entire Nation. And that IMAC, Indigenous Advisory Monitoring Committee is a -- is not an adequate or meaningful engagement process.

5575. And with that, I'd like to thank you and once again, thank the Nation that is housing these hearings. (Native word) and (Native word). I'm done.

5576. **MS. YOUNG:** Madam Chairperson, we just need to reconfigure the room a bit so that Chief Ron Ignace can be near the microphone. May we have three minutes?

5577. **THE CHAIRPERSON:** No problem. Let us know when you're ready.

5578. **MS. YOUNG:** Thank you.

--- (A short pause/Courte pause)

5579. **MS. YOUNG:** Madam Chairperson, we actually need to take a break for 15 minutes, if that's all right?

5580. **THE CHAIRPERSON:** Yes, please let us know when we are ready to resume. Thanks.

5581. **MS. YOUNG:** Okay, thank you.

5582. **THE CHAIRPERSON:** I just realized the lady said a few minutes, but actually, she said 15 minutes, so if people want to stretch their legs and go grab a coffee, you know, we're fine with that. Thanks.

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--- Upon recessing at 9:45 a.m./L'audience est suspendue à 9h45

--- Upon resuming at 10:05 a.m./L'audience est reprise à 10h05

5583. **TRAVIS MARR: Resumed**

5584. **THE CHAIRPERSON:** The Panel is back and perhaps we could have Chief Ignace affirmed.

5585. **CHIEF RON IGNACE:** (Speaking in Native language). I will honour my talk here.

5586. **THE CHAIRPERSON:** Chief Ignace, I'm ready for you to be affirmed. Please state your full name, please.

5587. **CHIEF RON IGNACE:** My name is Ron Ignace.

RON IGNACE: Affirmed

5588. **MS. YOUNG:** Madam Chairperson, I believe Chief Ignace affirmed per his Indigenous custom.

5589. **THE CHAIRPERSON:** Yes. Okay. I wasn't sure. So we'll take that as his affirmation. Thank you.

5590. Okay. Chief Ignace, we're sorry for this misunderstanding. Thank you.

5591. **CHIEF RON IGNACE:** Are we ready?

5592. **THE CHAIRPERSON:** Yes, we are. We are all ears. And you have our full attention.

**--- ORAL PRESENTATION BY/REPRÉSENTATION ORALE PAR
STK'EMLUPSEMC TE SECWEPEMC NATION: (Continued/Suite)**

5593. **CHIEF RON IGNACE:** First off, I want to say that I'm engaging in this process under extreme duress. I'm a very busy, very, very busy man and I did not have time to prepare, nor does -- this process is flawed in many respects that I won't go into, but one key one is that it does not respect our own project assessment based on our laws and our customs, and no ability to do a proper study

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on the relationship between the ocean fisheries and the inland fisheries, status of the fisheries in both situations.

5594. And finally, I'm not allowed -- we cannot -- well, I wouldn't say I'm not allowed, but if I use my language, it's not -- it has never been recorded in any of your documents when I've used my language. And that is wrong, especially today when the -- yesterday when the Prime Minister of Canada announced that they've recognized in legislation there will be developed Indigenous languages across this country. I'm allowed to use French, I'm allowed to use English, but not my language.

5595. So those are the reasons that I object to this process. It does not respect us as a Nation of people.

5596. Having said that, I will engage in this process so that we don't -- are not -- we don't lose by default as a result of non-engagement.

5597. I will -- furthermore, I will introduce myself. I'm Chief Ron Ignace from Skeetchestn which is a community -- one of the 17 communities of the Shuswap Nation.

5598. My mother is Elizabeth Ignace. My father -- my mother is from Skeetchestn here. My father is Francis Jules from Kamloops. And but I was raised by my great-grandmother, Sulyen Eneas, who is a medicine woman. Her mother was a medicine woman. Her husband was a chief. Her brother was a chief before him. And her uncle was a chief in 1910 who spoke and sat with Sir Wilfrid Laurier in the Laurier Memorial.

5599. My father's great-grandfather was a war chief that fought alongside of the Okanagans and Thompsons in the Canyon War in 1858, who declared war on the Thompsons and the Thompsons called upon their allies to come and help them defend their territory. And we fought the Americans and we have to a standstill. And when the Americans were amassing troops from California and New York on the Columbia Plateau, were conducting reconnaissance on how to annexe the Fraser Canyon to the United States, but we fought them and we've got Peace Treaties with the United States. Otherwise, we would here be under Trump's rule today had we not done that. That is -- you talk about the War of 1812; you have to look at the Canyon War and our contribution to preserving the integrity of this land.

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5600. So that's -- and as well as my grandmother comes from a long line of chiefs that I can go back and follow my family tree back to the 1600s. And that is important, because when you go to court, it goes beyond the test that the courts put in -- I believe it's 1793 and 1846 when they state that we're -- are we a organized society? Well, in 1846 we fought the Americans to a standstill. If that's not organized, I don't know what is.

5601. But I want to begin telling you a bit of the significance of the salmon here, you know, because we've been on this land for 10,000 years. And my wife and I have written a book on our life on this land for the last 10,000 years. I can provide you with a copy.

5602. And where we get directly to the salmon it is said that one day Coyote was hankering for a salmon because Coyote -- you might not know who Coyote is. Coyote is the helper -- the Creator's helper who was sent down to establish and fix our lands up for us. And he had done all kinds of different work that I would like to get in to tell you about his significance. But one of the great works that it is said that Coyote did was bringing the salmon to us in the interior.

5603. At one time there was a -- and we have a story to that effect and it's in the book. It's the story of Coyote and the salmon, where Coyote was hungry for salmon and he went down to the river and he transformed himself four times before he was able to properly float down the river to find out why the salmon weren't coming up. He found a blockage down there, he unblocked it, and in the process through Coyote's way made himself relative to the people that were blocking the salmon, and in that process, you cannot deny your family or kinship salmon and he was able to bring the salmon up to the interior.

5604. So now we have the great runs of the Thompson -- North and South Thompson River. We have the Likely -- Horsefly Likely River in the Quesnel area, which are huge salmon bearing streams, among others. And we have some streams here, the Deadman and Bonaparte Rivers that are important to the steelheads that we will get to.

5605. But I have that story here, and you'll have to trust what I say about that story.

5606. Otherwise, I understand that I don't have much time here, and that's another reason why I find it strenuous and stressful and it puts me under duress. We cannot tell our stories properly.

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5607. But in the event that Coyote brought all the salmon up all those streams. And it's important also with that -- and Coyote was so proud of his work that he wanted to hold a great feast throughout the whole Shuswap Nation and he invited all the people to come to this great feast. And he began preparing salmon on the drying racks, and as he was working the salmon on the drying racks some were getting caught in his hair as he was working, and they would fall on the ground, and he kept getting angry and angry because of that and finally he kicked them and swore at them and so the salmon came back to life, jumped back in the river and left, and when the people came for the feast all they had to feast on was slime on a stick so they mocked Coyote.

5608. And the moral of that story is if we disrespect nature, nature will abandon us. And we see that today throughout the forest, the waters, the climate issues that were facing today is because we're disrespecting them. There's another word that we have and unfortunately you won't be able to write this up as tlemh (ph). That word speaks to the fact that the land will turn on you if you disrespect it. And we see that happening so much today. And that too is in the book.

5609. There's much that you need to know about the -- and then it talks about the interconnectedness between us as a people, the land, the environment, the water, and the salmon that we have a reciprocal accountability with all things nature on the land. Just like the trees that Coyote married, like our mothers, they give us our breath and we in turn reciprocate by giving the trees our breath. It's that kind of reciprocal accountability that we must have as a peoples.

5610. And we also have a word here it's yecminme7. That means caretaker. We've been given the responsibility by coyote and the Creator to be caretakers of the land, to care for all things on this land here within Shuswap territory. And that's so important to us, so foundational to us, that -- and even Laura Harry (ph) pointed out that the salmon are like children to us and that -- Laura Harry underscored the significance of this, the reliance of salmon in the idiom of kinship. (Speaking in Native language). Salmon are so important to us and they are like our first children.

5611. So we have to be accountable to them and respectful to them and care for them like they are our children, otherwise we'll lose them.

5612. And you know, to show 8,500 years ago there was a Gore Creek man

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- found just east of Kamloops, and they did -- he only demonstrated that he had little or no marine protein in his remains. However, 5,000 years before present it was demonstrated that we were consuming anywhere from 40 to 60 percent marine protein. And it's a really important component to our diet. It shows the increase over time. That was after Coyote brought the salmon up so that we could survive and thrive in that way.
5613. We also have a story about steelheads. Steelheads for us are a keystone species and they are the only fish that go back and forth for up to eight years into the ocean. They're ocean going. We have two kinds. The steelhead are actually rainbow trout, but they are the ocean going version. And there's the other rainbow trout that are residents in the Thompson's -- main stream Thompson and the lakes here.
5614. And we have stories where jack spring desperately wanted to travel up the river with the steelhead, the bigger fish -- they're huge monster -- and the jack spring wanted to come up with them, and he was told that it's far away and it takes a long time to get there, and jack spring said "Even though I'm little don't think too much about me. Don't worry about me. I can do it. I desperately want to see the country where you travel."
5615. This shows that in order to travel back and forth, this shows that we understood the steelhead in relationship to other salmon as well. "I desperately want to see the beautiful leaves, the fall leaves, where you travel, where you pass by." The other salmon said, "Well, we will let you come with us this year and now and then in future years the way you can see the amazing land where we pass by." That is why jack spring now travels with the big salmon in some years.
5616. So we understood that the steelhead and the rainbow trout were of the same species but there was subspecies, the ocean going and the resident salmon.
5617. And they are a keystone species because they're the only one that go back and forth, travel back and forth like that. And they are severely -- as you probably heard over and over again, they are severely endangered. As a matter of fact, the Department of Fisheries and Oceans -- we've insisted that the Department of Fisheries and Oceans protect them by legislation under -- as an endangered species. We insist that that be done because there's too few of them. I think only 30 have come back into the Nicola, Mainstem Thompson, Bonaparte, Deadman Creek River area this year. That is too few to -- it's difficult to bring them back and make them survive and thrive.

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5618. The steelhead are like the canary in the coal mine, but not just the steelhead, but also the Coho are not in very good shape as well. So we have a situation in here where we're endangering a very important cultural component of Secwepemc provides and now other Indigenous people. You know, and the reason -- let me go back when traditionally, before European times, we conducted ourselves on the land to what we call a seasonal round of lifestyle in where -- I guess I'll start in this time of the year, December.

5619. We had been hunting throughout the fall and picking the berries throughout the summer, storing our -- filling up our larder. But by January and February, our protein sources were getting low and the only valuable and available protein that we had to live on was the steelhead. We would go down to the river and pitch torch fish them. And what we would do is that we would have one person holding a pitch torch -- and this is at nighttime fishing -- one person guiding the canoe and the other spearing the salmon. And that provided a valuable source when our larder was getting low, provided a source of salmon to us.

5620. But not only then, but again in -- and during the freshet when they became mature and started going up the Deadman River or the Bonaparte River to spawn, and that's when we would be able to obtain some of that protein again to bring us through the winter, hard winter months, harsh winter months, because we didn't have a Overwaitea or Save-On-Foods and stuff like that to go to.

5621. But so and once we -- once those -- once that was -- we finished there, then we went to the high mountain lakes as they began to unthaw. We fished trout at various lakes around us. Jacko Lake, which we called Pipsell -- like, you didn't -- couldn't write their name down in your last report that we gave you -- was an important one. Hatheume Lake, you know, various different lakes around here, we went to fish for trout to provide protein for us.

5622. Then once that was over, then we began moving down into the rivers, the creeks and rivers to fish there. And then in August and September was when we had the -- especially the Sockeye run coming up the Thompson River, the Coho Chinook, spring salmon, are also -- that whole round, seasonal round, we depended on the marine protein. But the steelhead was so important because that was an important time of the year that were very cold and difficult time to go out and procure protein. We were able to get that protein. It is important that you understand that seasonal round and that way around fishery.

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5623. And but also, in losing a fish, we lose a part of ourselves. There was an elder that said, "If we lose a species of -- that was so important to us, it's like losing an arm, losing a leg, you know, losing a liver." A part of us is gone.
5624. And we have fought hard to try to protect the steelhead, protect the waters. For example, in 1985, CN was proposing to twin-track from Banff all the way down to Vancouver. And we fought them. We -- because they were going to twin-track right into the North and South Thompson River which would have destroyed countless significant salmon and habitat, fry habitat, food sources for the salmon.
5625. A eagle just went flying by. Thank you.
5626. So we fought CN and we went all the way to the Supreme Court of Canada. And while we were fighting CN in the Supreme Court of Canada not to destroy the salmon, they were saying in the Supreme Court the arrogance of them was that they are two doors down from God, was their position, that they had to be -- their position had to be recognized and respected as opposed to our position we were taking.
5627. They even went ahead and said, "Look, we will provide -- we have a no net loss policy." The no net loss policy, they said, "We will create habitat in the Thompson River. We will show you how we can create habitat in the Thompson River."
5628. And we knew that that was a pipe dream of theirs, a scheme to try to win the courts over. But we said, "Sure. This fall, coming fall, create that habitat."
5629. And they barged tons and tons of gravel into a section of the Thompson River.
5630. And I said, "Well, let's come back here next spring after the freshet and you show me how well your habitat has withstood the freshet, the spring runoff, the high water."
5631. We go back there and we look at it. All that thousands and thousands of dollars and tons and tons of gravel that they put into the river got washed away, washed away. So much for trying to take the place of Mother Nature. And it

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- didn't work. And fortunately, we have a permanent injunction against CN from twin-tracking into the Thompson River.
5632. And we fought. It cost us a lot of time, effort, and money. And that's -- and I don't trust western science in their attempts to do what Mother Nature does. Nothing can replace Mother Nature's good work. Far too often, we are impacting -- there's cumulative impacts on the Thompson River, on the fisheries, and -- but we fought hard and we won that case.
5633. So in 1985, we here in Skeetchestn passed a bylaw to protect that, to -- because we were fighting with the fisheries. Fisheries was taking our nets out of the river, coming at us with guns and helicopters, and we had to fight. We fought them. And we won. And so -- but under the *Indian Act*, it says that laws of general application, if you occupy the field, will not apply to you. So in 1985 we passed the fishing bylaw here in Skeetchestn, occupied the field, pushed fisheries out. You have no role here with us. You can't tell us how and when and where to fish. If we want to fish 28/7, 24 hours a day, 7 days a week, we will do it.
5634. But you know what we did? Immediately after we passed the fishing by-law, we enacted closure on the Deadman River. We said, "Look, we want to bring back the salmon." We've created a fish hatchery. We began rehabilitating the fisheries habitat up and down the Deadman River. We fought, worked with, and got the ranchers to come outside so that we could fence off and protect the Deadman River from cattle incursions and bank stabilization efforts. All of that we did.
5635. We even went for steelhead. We bought a ranch, a magnificent spawning bed area for steelhead up the Deadman River. We paid \$850,000 for that ranch, just so that we could protect the spawning bed of the steelhead. And we took care of it.
5636. We tried -- we've taken the milk of the steelhead and we've preserved it cryogenically. We still have that today because we knew we could not trust the Department of Fisheries and Oceans and non-Native people managing the fisheries. We didn't want to take that chance, because we've seen so many things go sideways on us.
5637. Not only that, we bought another ranch up at the headwaters of the Deadman Creek so that we could -- the forestry companies -- the province allowed the forestry companies, and they knew the headwaters of the Deadman

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- Creek. Now we have -- this year we have four highwater run offs, which is unusual, we normally only have one in the spring. And a lot of silt coming down. And we're trying to rehabilitate that forest to fix that. And no help from the federal or provincial governments in that. But we dug into our own pockets and bought that ranch so we could take care -- that whole ranch is 2,200 acres that encompasses a serious portion of the headwaters of the Deadman Creek, so we could protect the water coming down.
5638. We have worked and as hard as we could to try to bring the salmon back. But you know what? We have still not been able to fish in the Deadman River since we imposed self-closure, voluntarily imposed self-closure of ourselves from the '80s to the present day.
5639. And that saddens me. It saddens me. And I'll tell you why. Because in order to try to save the salmon in the Deadman River by our community imposing upon themselves self-closure, we have caused, you might well say, cultural genocide on the younger generations today because they don't know the culture of that fishery. I did it. I fished in the Deadman River as a young man. I knew how to make the technologies to catch them, the methodologies of catching that salmon, the culture, and the language related to that fishery. Our younger generations, from 1985 to this present day, have lost that.
5640. It's no different than when the forestry companies in the headwaters of the Deadman Creek mowed down all the birch and poplar trees, which are the irrigators of the forest and replantation forest a long time. And now the waters, there's nothing -- the irrigators are gone, there's nothing to hold back the water.
5641. Not only that, in cutting down the birch, we no longer have any birch to go and make our birch bark baskets. That, to me, is also adding to the cultural genocide of who we are as a people. We're getting torn apart piece by piece by piece.
5642. When is this going to stop? We have done everything that we can to protect the resources on the land, the wildlife, the deer, the moose, the Coho, the Chinook, the rainbow trout, the steelhead, all of that. And who -- the companies, they don't pay. They just reap the resources and leave us; they're gone. Weyerhaeuser is a big example. They denuded a whole mountain. They packed up their bags, took their money, and went back to the United States, and we're left with the mess.

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5643. So it's important, you know, that we cannot lose the resource, such a renewable resource as a fishery.
5644. And, like, I come back to the point about the steelhead, if you want, are the canaries in the oceans and fisheries. How are you going to guarantee to me that you're not going to harm those fish?
5645. We grow those fish. The biggest producers of salmon in British Columbia are we here in the Secwepemc area. We have the North Thompson, we have the South Thompson, the huge sockeye runs. We have the Horsefly Likely areas are magnificent spawning areas of salmon.
5646. We grow the salmon. And yet we do not benefit from the salmon; we suffer from the loss of the fisheries, even though -- no matter what we do here in the interior, the problem is not with us, as I've demonstrated. We've done everything; fish hatcheries, cryogenics, banks re-stabilization, purchasing the spawning grounds, and protecting spawning grounds. All of that. And still we do not benefit from the fisheries. The problem is not us, although we are the strawmen that are always beaten down about causing disruption to the fisheries, but we've proven it by our by-law and self-imposing closure on ourselves since 1985 to the present. We would like to get back to the fisheries.
5647. And this is regardless of even though we have section 35 of our rights, which it's the Supreme Courts that have ruled our lands and our resources, we have a fundamental economic interest in our land. Where is the law protecting our rights? Like our chiefs in 1910 said, to us it seems like there's one law for the rich, white men, another law for the poor, white men, and the other, a third, for the Indian. That, there's no -- yes, the law of Canada is blind. Yes, I'd say that. But it's blind to us as a people and to our life.
5648. We have -- need I remind you of *R. v. Sparrow* in 1990? We have *Sparrow*. Where is that being upheld? The judgement in *Sparrow*. I don't see it.
5649. Also, we have now important declarations, the Human Rights Declaration of the United Nations, UNDRIP Article 7.2, and especially Article 20.1. I won't read those, because you know them.
5650. So we have -- we are worried about the impacts of the ocean fisheries. If that's -- because already what's going on there, that's significantly caused cultural genocide in many ways to us, piece by piece by piece.

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5651. And I have here and now spoken my piece to you. Thank you.

5652. **MS. YOUNG:** Madam Chair, Chairperson, this is the end of SSN's presentation, subject to your questions.

5653. **THE CHAIRPERSON:** Thank you. I'm going to verify with Trans Mountain first.

5654. **MR. DUNCANSON:** Madam Chair, if we could just have one minute to confer?

5655. **THE CHAIRPERSON:** Yes.

--- (A short pause/Courte pause)

5656. **MR. DUNCANSON:** So we have no questions on behalf of Trans Mountain, but thank you very much to both of the presenters for presenting to us this morning.

5657. **THE CHAIRPERSON:** Chief Ignace and Mr. Marr, the Panel has no questions for you.

5658. And we thank you for presenting remotely. We understand it's much more difficult. But rest assured that we heard you loud and clear and you made a cogent presentation, and that we're looking forward to see your submission in writing, and we'll read it with our utmost attention.

5659. We thank you very much. And we'd like to acknowledge everything that you shared with us today. And we will consider all that we've heard as we decide on our recommendation in this hearing.

5660. We will reconvene this afternoon at 12:30 to hear from the Little Shuswap Lake Indian Band.

5661. And once again thank you very much for participating.

--- Upon recessing at 10:42 a.m./L'audience est suspendue à 10h42

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--- Upon resuming at 12:27 p.m./L'audience est reprise à 12h27

5662. **THE CHAIRPERSON:** Before we commence our hearing today, the Board wishes to acknowledge with respect the Hul'q'umin'um'-speaking peoples in whose traditional territory we are gathered, and the Snuneymuxw people whose historical relationships with the land continue to this day. It is with truth and respect we would like to acknowledge all the Indigenous ancestors of this place and reaffirm our relationships with one another.

5663. Good afternoon, everyone. Welcome to the Oral Traditional Evidence phase of the National Energy Board's hearing regarding the Trans Mountain Expansion Project Reconsideration. My name is Lyne Mercier. I am the Chair of the Panel. With me on my left is Alison Scott and on my right is Murray Lytle. We want to welcome everyone who is here today, both in the hearing room, as well as those listening in to the webcast.

5664. As a matter of housekeeping, I would like to describe the evacuation procedures in the event of an emergency. Please note where the nearest emergency exits are. If the building's evacuation tones begin sounding and we are asked to leave the building, the muster point for the venue is Terminal Avenue. Please exit in an orderly fashion through the lobby. At the muster point, please ensure your party is accounted for.

5665. In addition to the Panel, we have staff in the room to answer process-related questions that you may have. You will be able to recognize them by their brass tag names.

5666. With respect to our schedule for hearing oral traditional evidence, today we have scheduled time to hear from three Indigenous groups. We will take breaks if required.

5667. In order to be fair to all presenters we have allotted up to two hours to hear from you. If two hours is not enough, at the end of the session please feel free to file additional oral traditional evidence by electronic means, such as a video or other method.

5668. Before we get underway, I would like to remind parties of the Panel's guidance in the Hearing Order and Procedural Directions in regards to oral traditional evidence.

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5669. There will be an opportunity for argument in a later hearing step. Today, the Panel is particularly interested in hearing about impacts of Project-related marine shipping on your community's rights and interests, as well as topics in the list of issues.
5670. The Board understands that the Little Shuswap Lake Indian Band has an oral tradition for sharing knowledge from generation to generation and this information cannot always be adequately shared in writing.
5671. Sharing your traditional knowledge and stories about the use of your traditional territory is of value to us. We appreciate that you've chosen to be here today.
5672. Following oral traditional evidence, Trans Mountain, other intervenors, or the Board may have questions for the witnesses. If so, witnesses can choose whether they will answer questions orally, or at a later date in writing, or a combination of both.
5673. With that, I believe that we are ready to get underway. Before I call on the Little Shuswap Lake Indian Band to present their evidence, I would like to have the representative of the Proponent, Trans Mountain, introduce themselves.
5674. **MR. DUNCANSON:** Thank you, Madam Chair.
5675. Good afternoon, everyone. My name is Sander Duncanson. I'm with the law firm Osler, Hoskins & Harcourt representing Trans Mountain. With me is today is Cassie Richards who is also from our office as well as Lindsay Carnes who is with Trans Mountain. Thank you very much.
5676. **THE CHAIRPERSON:** Thank you, Mr. Duncanson.
5677. I would also ask if there are any other intervenors in the room who would like to introduce themselves or if there is any preliminary matters they would like to raise. And for the record, if you could indicate who you are and who you are representing. Thank you.
5678. **MS. MILES:** Thank you, Madam Chair. Thank you, Panel Members. Good afternoon. My name is Phoebe Miles. I am a senior advisor with Natural Resources Canada. I'm here as a representative of the Federal Crown to hear the witnesses' oral traditional evidence in relation to the reconsideration of the Trans

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Mountain Expansion Project.

5679. I do not intend to ask any questions today. I am here as a representative of several federal departments and agencies that are registered intervenors, some of whom are here with me today. If necessary, we will ask additional questions through the NEB's Information Request process.
5680. I would like to note that I am honoured to be here today and grateful to hear the evidence from Little Shuswap Lake Indian Band in the traditional territory of the Snuneymuxw First Nation.
5681. **THE CHAIRPERSON:** Thank you, Ms. Miles.
5682. I understand that Little Shuswap Lake Indian band would like to start with a prayer.
5683. **MR. GRANT:** Yes, if that's possible. Kukpi'7, which is the Shuswap word for chief, Kukpi'7 Oliver Arnouse would like to do the prayer, please.
5684. **THE CHAIRPERSON:** Thank you. And we will take that as your affirmation of the truth of what you're going to do today, this afternoon. Thank you.
5685. **CHIEF OLIVER ARNOUSE:** On behalf of our Secwepemc community, I would like to say (Native word) and thank you to Kukpi'7 Mike Wyse, Chief Mike Wyse, the Snuneymuxw Nation for allowing us to be in their territory today, this beautiful territory.
5686. I'd like to open the session here with a prayer and thank you for allowing me, Chief Mike Wyse, to (Native word) and Secwepemc to say my prayer in Shuswap in your territory. It's just the proper protocol we have from Nation to Nation. We have to ask permission whether it's to say a prayer or speak our language in another territory. When we come fishing in another territory, we have protocol for that as well. (Native word).

--- (Opening prayer)

OLIVER ARNOUSE: Affirmed

JAMES AUGUST: Affirmed

AARON ARNOUSE: Affirmed

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5687. **THE CHAIRPERSON:** Thank you for leading us into prayer.

5688. So Mr. Grant, I will let you lead the direct evidence.

**--- ORAL PRESENTATION BY/REPRÉSENTATION ORALE PAR LITTLE
SHUSWAP LAKE INDIAN BAND:**

5689. **MR. GRANT:** Thank you, Madame la présidente, and thank you,
Board Members.

5690. I have the short opening statement to put in context some of the things
you'll hear today. We understand that the purpose of this hearing today is to
receive the oral traditional evidence or the oral history evidence of Little Shuswap
Lakes Indian Band's elders.

5691. Now, Little Shuswap Lake Indian Band has filed affidavits with
evidence that will be supported to and added to by this oral traditional evidence.
And we understand, as Madame la présidente just outlined, that the submissions
to this Board respecting the ramifications and implications of this evidence as it
pertains to the Trans Mountain Pipeline Expansion will be made later, so we
won't be making those submissions today.

5692. So today we'll focus on the oral traditional evidence, the oral history
evidence of the Little Shuswap Lake Indian Band. And we have with us two
elders, Kukpi'7 Oliver Arnouse, and Elder James August. Also with us today is
Councillor Aaron Arnouse who is one of the councillors of the Little Shuswap
Lake Indian Band.

5693. To set today's oral traditional evidence in context for you, I'd like to
just make -- take a moment to explain what is -- why it's being given.

5694. First, we would like you to understand who the people, the Little
Shuswap Lake Indian Band, are, what constitutes their lands, and where in British
Columbia they are situated so you can put in context the evidence you're going to
hear.

5695. Second, we want you to understand the importance of salmon to the
people and lands of the Little Shuswap Lake Indian Band, their history, tradition,
culture, and nourishment on a practical level.

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5696. Third, and quite importantly, we hope that you will come to appreciate that downstream events can have profound effects and have had profound effects on upstream Indigenous people such as Little Shuswap Lake Indian Band.

5697. Finally, we hope that you come to appreciate the Indigenous laws and practices of the Shuswap Lake Indian Band and the Secwepemc people and how they may be relevant to the questions of not only consultation, but in particular accommodation.

5698. Later, when the time comes for submissions, we will be arguing that the federal government when it consults and accommodates Indigenous peoples that they should take into account these Indigenous laws and measures and practices and that the accommodation measures should be consistent with and dovetail with the Indigenous laws and practices wherever possible. And so that's -- we want to make sure we lay the basis before the Board today so you have that evidence, you have that understanding of why that's there and why it's important.

5699. So I'll start with Kukpi'7 Arnouse.

5700. And I'm going to be going in the -- instead of Kukpi'7 simply giving a long recital, I'm going to be asking questions he'll be answering. And that'll be the same also with Elder James August.

5701. Could you please give your full name for the record, please?

5702. **CHIEF OLIVER ARNOUSE:** My name is Oliver Arnouse.

5703. **MR. GRANT:** And do you have Secwepemc names as well?

5704. **CHIEF OLIVER ARNOUSE:** Yes, I do.

5705. **MR. GRANT:** And have they changed over time?

5706. **CHIEF OLIVER ARNOUSE:** Yes, they have.

5707. **MR. GRANT:** And could you explain to the Panel Members what your names have been and how they've changed over time, and why?

5708. **CHIEF OLIVER ARNOUSE:** During the stages of your life, like,

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- everything that's inter-related within our culture of the Secwepemc people, your name changes from a child. And in English, my first name was Eagle Boy. We lived along the lake where, you know, we had a lot of eagles, so I used to -- when I was younger, I had a voice that I could make the sound of an eagle, and eagles would talk back at me.
5709. So the grandmothers called me Eagle Boy, but they told me to quit bugging the eagles.
5710. And as time went by, my name changed to Searching Hawk, which was a name that was -- in Secwepemc is (Native name), which is a name where I tried to help people find solutions to issues that they had. So I was always looking around to find help for people whether it was in the counselling field or whatever it was.
5711. And so the men called me -- the Elder men in the community called me to sweat lodge and they gave me that name of Searching Hawk.
5712. And later on when I was dealing with those issues or I started working with people that came out of residential school and their issues and, you know, continuing on with the traditional teachings of our -- of our people and healing ways, the sweat lodge and various things that we did, the powwows and what have you, taking the older people around, and so that's part of it.
5713. And I was working on a sign one time to promote our healing gathering, and a can of red paint spilled. And I kind of got really upset because it was the final part of the -- the sign I was making. So the kyé7s of the community, the grandmothers, they called me Red Thunder, which is a name that -- the moment they saw me and I was kind of angry, so they called me Red Thunder.
5714. And as a Chief, I've gotten the name of "He Yells at the Mountains" in another type of ceremony, so that was my Chief's name, is "He Yells at the Mountains" in English.
5715. **MR. GRANT:** Thank you, Kupki'7.
5716. Right now, can you explain what your -- what Nation you're a part of?
5717. **CHIEF OLIVER ARNOUSE:** I am part of the Secwepemc Nation.

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5718. **MR. GRANT:** Okay. And can you explain to the Panel Members where the Secwepemc Nation is located and sort of what are the extent of its territories?
5719. How -- there's a map that we've had put up on the projector there, and it's just to be an aid to Panel Members to understand the extent of it.
5720. **CHIEF OLIVER ARNOUSE:** Are you asking me if -- my part of the Nation or are you asking the 17 Bands in the Nation?
5721. **MR. GRANT:** Go with the 17 Bands, Kupki'7.
5722. **CHIEF OLIVER ARNOUSE:** Our Nation goes as far as northways up to Canim Lake down to in the Fraser area here and goes up into the Kootenays up to Invermere. And our community of Little Shuswap Lake Indian Band extends right into the Rocky Mountains. Our claim's at the point. We are approximately 97 kilometres east of Kamloops, is where our little community is located along the Little Shuswap Lake and the Adams River and the Scotch Creek.
5723. **MR. GRANT:** When you look at the map there's -- you can see Kamloops right located in the centre of that -- the map that's on the screen. Where would -- how -- which direction would you move to find Scowlitz?
5724. **CHIEF OLIVER ARNOUSE:** East of Kamloops.
5725. **MR. GRANT:** So to the right of the screen?
5726. **CHIEF OLIVER ARNOUSE:** M'hm, to the right.
5727. **MR. GRANT:** And you see there's a bunch of lakes there that one looks like an X and there's another one that goes up north of that. What are those lakes?
5728. **CHIEF OLIVER ARNOUSE:** Those are -- within our community here we have the Little Shuswap Lake which extends into the Big Shuswap Lake, and Seymour Arm and Sicamous area.
5729. **MR. GRANT:** And the lake to the north, the big lake that's just along sort of -- curved almost like a C?

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--- (A short pause/Courte pause)

5730. **CHIEF OLIVER ARNOUSE:** The lake up on the upper area there is the Adams Lake.

5731. **MR. GRANT:** Okay. So you'll -- there's a river that connects Adams Lake to Shuswap Lake. What's the name of that river?

5732. **CHIEF OLIVER ARNOUSE:** Adams River.

5733. **MR. GRANT:** Okay. And I'm going to have -- if you can cursor out from the -- please, show the coast, please.

5734. **CHIEF OLIVER ARNOUSE:** Pardon me?

5735. **MR. GRANT:** I'm just asking Madam Danielle there to move out so we can actually see the coastline. All right.

5736. So we're currently right now on Vancouver Island, and the body of water between us and the mainland is -- do you understand to be the Salish Sea?

5737. **CHIEF OLIVER ARNOUSE:** Not really, no.

5738. **MR. GRANT:** All right. If you were to go from here today by water, how would you get to Scowlitz which is the -- how would you get from Scowlitz -- from here in Nanaimo -- by water?

5739. **CHIEF OLIVER ARNOUSE:** Back in the day or now?

5740. **MR. GRANT:** Now. Just as if you were to go by water now.

5741. **CHIEF OLIVER ARNOUSE:** I would cross over here from ferry over to Horseshoe Bay.

5742. **MR. GRANT:** Okay. All right.

5743. **CHIEF OLIVER ARNOUSE:** Are you talking about a boat or a fish?

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5744. **MR. GRANT:** How would a fish get there?
5745. **CHIEF OLIVER ARNOUSE:** Oh, a fish. Well, the -- we have to -- the salmon have two different runs, and there's an early run and a late run. And it would be -- they'd come through and enter in at the Fraser, and they would set in the estuaries there for a little while til their gills are adapted to fresh water. It would be -- and they would travel up to the Kamloops area and their bodies. And then from the salt water to the fresh water begin to change colour.
5746. **MR. GRANT:** When they get up to -- up the Fraser, do they turn onto a river?
5747. **CHIEF OLIVER ARNOUSE:** Yes, they would move up into the Fraser River up into the Lytton area and then divide into the Thompson and the -- Thompson River is where the division is between the Thompson and Fraser River, up to Lytton.
5748. **MR. GRANT:** And then -- I'm sorry. At Kamloops is there a division of the Thompson River?
5749. **CHIEF OLIVER ARNOUSE:** Yes, there is. There's the Thompson River and --
5750. **MR. GRANT:** Does it divide into the north and south at that point?
5751. **CHIEF OLIVER ARNOUSE:** Yes.
5752. **MR. GRANT:** And then if you want to get to Scowlitz on the south Thompson, how do you go?
5753. **CHIEF OLIVER ARNOUSE:** From Kamloops?
5754. **MR. GRANT:** Yeah.
5755. **CHIEF OLIVER ARNOUSE:** You just follow up to -- to Little Shuswap Lake area and then you would get into the Adams River and the Scotch Creek area. That's where the spawn's coming.
5756. **MR. GRANT:** All right. Can you describe the Fraser River? Is it a calm river?

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5757. **CHIEF OLIVER ARNOUSE:** No. It's quite grueling, actually. There's a place in there that's called Hell's Gate that's fairly – it's got strong current in there.
5758. **MR. GRANT:** What about the Thompson River? Is that another -- is that a calm river too?
5759. **CHIEF OLIVER ARNOUSE:** It's fairly calm compared to the Fraser, yeah.
5760. **MR. GRANT:** Are there rapids?
5761. **CHIEF OLIVER ARNOUSE:** There are some, yes.
5762. **MR. GRANT:** Okay. So if this is the route that the salmon take to get there, is the -- is it -- how many kilometres is it? Is it hundreds of kilometres? Or tens of kilometres to get there?
5763. **CHIEF OLIVER ARNOUSE:** Oh, it's hundreds of kilometres ---
5764. **MR. GRANT:** Okay.
5765. **CHIEF OLIVER ARNOUSE:** --- to get there. You can imagine, we travel from our community down to here, it takes about five hours along the highway and that river's all along the highway, along the corridor there.
5766. **MR. GRANT:** Now, you've talked about the Secwepemc people. Are there different groupings of the Secwepemc people? Divisions.
5767. **CHIEF OLIVER ARNOUSE:** Yeah, there are, you know, the -- broken into different dialects of the areas that they come from. You know, there's Thompson, the Shuswap people. We all have the same language, just a different dialect, and we live along the same corridors of the river, Thompson River, and Adams River, and the river proceeds up into the Little Shuswap Lake area.
5768. **MR. GRANT:** And what division -- of what division or grouping does the Shuswap Lake Indian Band belong?
5769. **CHIEF OLIVER ARNOUSE:** We belong to what we call the Lakes

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- Division. There's approximately -- well, there are five bands in the Lakes Division.
5770. **MR. GRANT:** Tell the Panel Members which are the five bands.
5771. **CHIEF OLIVER ARNOUSE:** There's Splantsin, which is Enderby Band, the Adams Lake Indian Band, Neskonlith Indian Band, Little Shuswap Lake Indian Band.
5772. **MR. GRANT:** And where's Shuswap?
5773. **CHIEF OLIVER ARNOUSE:** Pardon me?
5774. **MR. GRANT:** Shuswap?
5775. **CHIEF OLIVER ARNOUSE:** Shuswap Indian Band up in the Invermere and the Earle Lakes area.
5776. **MR. GRANT:** Now, can you explain to the Panel Members -- you've described the route the salmon take when going up to your territories, can you explain to the Panel Members the importance of salmon to your people, now and in the past?
5777. **CHIEF OLIVER ARNOUSE:** It's really hard to explain how important it is. The importance is -- it's really hard to, you know, talk about it because it's the loss over the years. And you know, the people that harvest the salmon up there for their lives and to teach their children how to do this and carry it on intergenerationally. And we've done that for years, ever since I was a little kid. And that's how I learned how to do all these things and learned about the salmon in the water and where they come from, and how they -- where they go and where they come back to.
5778. I've heard stories of the CNR back in 1913, 1914 from my grandparents about what impact they had on the salmon of the rockslide they had. And our decline started there. And we lost around up on the Adams River due to some of these things.
5779. And, you know, we live for our salmon; we work really hard to maintain the Adams River and the Scotch Creek to ensure that they have a good place to spawn when they come back.

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5780. And we've actually had other people come in to see what it is we do. We've had people come out all the way from Lummi, Lummi, Washington. We share the same salmon that go down there, so they come up to see -- up in the Shuswap territory to see what's going on up there because they're just as concerned as everybody else.
5781. So when I say the Fraser River, the Thompson River, and all these areas are all interconnected. They have an impact. And like anything else, it's a protocol that we have with those people and other tribes along that river. And when they come up to see us, they have the same protocol to come see myself, being the chief, to have permission to walk along the river to borrow some of our resource people to help them understand what's going on.
5782. And when there's a decline in salmon for harvesting, the impact that it has is there's also going to be a decline in moose and deer and other game because -- and elk up in the Invermere area because when there's a decline in salmon, they have to substitute their salmon for something else, so they get moose, deer, and elk. And so there's beginning to be a decline in that as well.
5783. So that's the impact that it has on our people up in the Little Shuswap Lake Indian Band.
5784. **MR. GRANT:** Can you tell the Panel Members -- there's different types of salmon that run up the river. What's the most important salmon species to your people?
5785. **CHIEF OLIVER ARNOUSE:** The sockeye is.
5786. **MR. GRANT:** Okay. Is that the one that turns all red and green?
5787. **CHIEF OLIVER ARNOUSE:** M'hm, green head, yeah.
5788. **MR. GRANT:** And there's a famous run of sockeye salmon that comes up through your territories and goes into Adams Lake. What's that run called? The Adam River Run?
5789. **CHIEF OLIVER ARNOUSE:** Yeah, it's the fourth year run we have. And then there's -- it just occurred here in the fall, and we had a great big celebration for that.

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5790. **MR. GRANT:** Okay. Can you explain also to the Panel Members, you'd sort of started a bit on that, about how the impacts of diminished salmon could have effects on other species. Does the -- can you explain how the relationship with salmon between not just your people, but also the other creatures, such as some of the other animals that may feed on salmon in your territories?
5791. **CHIEF OLIVER ARNOUSE:** You notice a change in how many eagles are around and how many bears are around. And what happens to the bear, particularly in the municipalities, you'll see that people are complaining about bears, they're complaining about bears attacking their dogs and various things. And that's because of the decline in the amount of salmon.
5792. When I was a younger man, I recall walking down the Adams River and Scotch Creek and you couldn't even see the gravel on the bottom of the creek in the river because the salmon was so red on top. It looked like you could walk across on them. But now, you know, you can see a lot of gravel and very few salmon.
5793. So the animals, as well, you know, they have to substitute their diet for whatever's around. And they go after, you know, people's dogs and different things. So that's what happens.
5794. **MR. GRANT:** Could you also explain to the Panel Members how the salmon may have -- the spawning salmon, their bodies may have an effect on the plants in the forest around the watershed area?
5795. **CHIEF OLIVER ARNOUSE:** There was a time, you know, like I say, when the salmon, the sockeye, were so red in that river that, you know, they would do what they came for, spawn up there, and then they would -- their carcasses would lie along the river and stuff and people would just throw them either up into the bush or back into the river and creeks to live their, you know, purpose of re-harvesting and in the waterways and the banks. And now you hardly see, with the decline in them -- they call that pitching salmon, I guess -- you hardly see any vegetation along the rivers and the creek banks anymore.
5796. **MR. GRANT:** Could you also -- you mentioned the eagles that used to be plentiful. What would happen, from the perspective of eagle feathers and how would you gather them as a result of the spawning salmon?

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5797. **CHIEF OLIVER ARNOUSE:** At one time there was a lot of eagles who would sit in those poplar trees. And while they were waiting for salmon to arrive, they would clean themselves with the means of they'd pull some of their feathers out while they were waiting there. So it was a dual purpose for them as well to, you know, catch some of these salmon that were there and they cleaned some of their feathers out that were there, and people would go along and collect those things and make regalia and different things that they have.
5798. And this is one of the feathers that comes from along the river.
5799. **MR. GRANT:** Can you tell the panel members what the word "skwlax" means in the language?
5800. **CHIEF OLIVER ARNOUSE:** Skwlax is a word in our language and it means black bear. And when they were putting in the CPR track along the area -- up in our community they were putting in a track and there was a black bear family walked across the track and one of the peoples had pointed to them and said "skwlax".
5801. So that's how our area got the name. It's actually called skwlax but people couldn't pronounce that so they call it Squilax.
5802. **MR. GRANT:** Are there some ceremonies or cultural celebrations that you have in relation to salmon and can you describe them?
5803. **CHIEF OLIVER ARNOUSE:** We have what we call a salmon ceremony, and when the first salmon comes in it's ---
5804. **UNIDENTIFIED SPEAKER:** Pardon me?
5805. **MR. GRANT:** I'm just going to see if they moved to the photograph of the first fish ceremony.
5806. Next one. That one, yeah. Thank you.
5807. **CHIEF OLIVER ARNOUSE:** When there is a first salmon that's been harvested through the fish nets and it's prepared for the community by the elders of the community, and they cook it and they invite people to come in to celebrate the first salmon ceremony. And during that time we drum and sing and

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- we have what we call a salmon song and salmon dance and -- something we pass along onto the younger generation.
5808. **MR. GRANT:** What is the salmon song used for and how does it describe the path of the salmon?
5809. **CHIEF OLIVER ARNOUSE:** The salmon song is a song that's sung by men and women, and the reason that it's sung by men and women is because of the purpose of the lifecycle of the salmon is that they travel up into our territory and during that time they experience difficulty in coming up the river, and so the song is really fast because the salmon have to swim harder and faster to make it through Hell's Gate for example. To make it by there they've got to swim.
5810. So the song really indicates what they go through on their journey up to our territory and how they -- you know, they clean an area to lay their eggs, and the male does the final chore on covering up the eggs.
5811. **MR. GRANT:** I'd like to return to the Indigenous laws here, the laws of your Nation regarding salmon and about how much you can take and what you should do with what you catch.
5812. **CHIEF OLIVER ARNOUSE:** Yeah, they say that we practise that nothing belongs to you, and what you take of what you take you must share. So that means that when the harvest goes on, we keep salmon and we give it out to the elders and to single moms that are unable to provide for themselves, and we keep some in a freezer for ceremonies and for things, or people that need them.
5813. **MR. GRANT:** When you say "we have a freezer" are you talking about the Little Shuswap Lake Indian Band keeps a freezer?
5814. **CHIEF OLIVER ARNOUSE:** Yes, we do, yeah.
5815. **MR. GRANT:** And in that freezer is it stocked full of sockeye salmon?
5816. **CHIEF OLIVER ARNOUSE:** I wouldn't say full but it has some in there.
5817. **MR. GRANT:** Not a good year.

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5818. What would happen, in terms of your Nation, if say a child was found abusing or taking too many salmon?
5819. **CHIEF OLIVER ARNOUSE:** They'd get talked to by the elders and by people like myself, the chief, that, you know, it's not our way to do that kind of stuff; we only take enough for what we need.
5820. **MR. GRANT:** Have you seen elders actually do this?
5821. **CHIEF OLIVER ARNOUSE:** Yes, I have, yeah.
5822. **MR. GRANT:** And what happened?
5823. **CHIEF OLIVER ARNOUSE:** They pulled a couple aside for that for catching too many and, you know, that wasn't useful and it was a destruction of, you know, future generations of salmon, because they have 3,000 eggs that have been lost.
5824. **MR. GRANT:** And is this explained to your young, the importance of preserving the salmon?
5825. **CHIEF OLIVER ARNOUSE:** Yes, it does, you know, an explanation of -- again, you revert back to the salmon song on their journey and how, you know, out of 3,000 eggs that are laid up in say the Adams River, by the time they make their cycle of four years and come back, out of those number of eggs there's only going to be four sockeye that are going to make it back up in that territory.
5826. **MR. GRANT:** One of the things that I'd like you to explain to the Panel members is what practices the people of the Little Shuswap had in relation to the improvement or enhancement of the environment for the salmon. What would you do?
5827. **CHIEF OLIVER ARNOUSE:** We have a crew that does that, looks after it. And many, many years back in the late '80s I was part of that group. It was called the salmon enhancement program. And we tried to -- well, we not tried, we trained people how to look after salmon, what they were at sort of different stages of their life, you know, the egg to the button up stage, to the freshet season, to checking on the creek and riverbeds, on the turbidity of the

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- gravel to ensure that, you know, it was loose enough in areas that the salmon could wave their tails and clean enough area to lay their eggs.
5828. **MR. GRANT:** Can you tell the Panel members about what would happen with beaver dams that were blocking salmon channels historically?
5829. **CHIEF OLIVER ARNOUSE:** Beaver dams were taken down by hand because, you know, the entire water system is based on everything, you know; it's all interrelated. The beavers play a part in the production of sockeye as well. But you have to know what it is you're doing when you do that, because there are certain times of the year that you can take a beaver dam down and not to impact the young beaver and not to take it down too quickly when the salmon are too young, because if you wash them down in the river and the creeks too young they will die. So you have to be very careful. You have to know what you're doing to remove those beaver dams. It has to be the right time of year.
5830. **MR. GRANT:** And is this something that's been done for as long as you know?
5831. **CHIEF OLIVER ARNOUSE:** M'hm. Yeah. We still continue on with that.
5832. **MR. GRANT:** Okay. And just a couple more points and we'll move on to Elder August.
5833. Can you tell the Panel members about the Battle of the Bluffs? The last battle between the Okanogan and the Shuswap.
5834. **CHIEF OLIVER ARNOUSE:** That battle had a -- I think that it was sockeye. And our homes are built -- we have special homes that were built to harvest salmon in during the winter. They're called kekulis. They were kind of underground homes. So the -- again we get back to talking about interrelated in a salmon. You know, the seasons that we go through, there are particular times that we do different things. And basically, in the fall, was a time to harvest salmon. And the Okanogans were having difficult time in obtaining salmon, so they came downriver to grab some of our salmon, and that battle over the salmon, that's what took place because they wanted salmon for the winter months and we had it and all prepared, dried, and everything, and that's what they wanted to get. And they never got it.

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5835. **MR. GRANT:** Okay. So that was a battle where the -- was that the Lakes Division that was (Native name)?
5836. **CHIEF OLIVER ARNOUSE:** Yes, basically the Lakes Division bands along right down into -- as far as Kamloops.
5837. **MR. GRANT:** That was a -- and this was many, many, many, many years ago, correct?
5838. **CHIEF OLIVER ARNOUSE:** Yes. M'hm.
5839. **MR. GRANT:** And it's part of your oral history that you've learned about, this battle?
5840. **CHIEF OLIVER ARNOUSE:** Yes.
5841. **MR. GRANT:** There is another photo that was -- predates -- it's the black and white photo was -- yes. I understand this is a photo from about 1865 or so taken from the B.C. archives showing -- are those salmon that -- you understand it to be salmon drying there on those racks?
5842. **CHIEF OLIVER ARNOUSE:** M'hm. Yeah.
5843. **MR. GRANT:** Was that how it was done in -- before in the old days?
5844. **CHIEF OLIVER ARNOUSE:** Still today.
5845. **MR. GRANT:** It's still today?
5846. **CHIEF OLIVER ARNOUSE:** M'hm.
5847. **MR. GRANT:** And that is -- was that -- can you advise the Panel Members whether this is a small part of the Secwepemc people's diet or a large part of the Secwepemc people's diet?
5848. **CHIEF OLIVER ARNOUSE:** It was a large part of our diet. You know, families would get together and we just actually had a park in British Columbia in our territory. The name was changed from Roderick Haig Park to -- into our language and that's where all the people went to get their Sockeye, was in that area, in town. It was a time of teaching or learning, you know, a lot of those

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- things during those times and it was all preparation for the winter to come and they would smoke their salmon there, you know, just family after family after family would go down there and they would do that and they would share it.
5849. By the way, the new name of the area of the park and along the Adams River is called Tsútswecw now which means "our water is the river".
5850. **MR. GRANT:** Subject to any questions arising, that's the evidence that we'd like to adduce from Kukpi'7 Arnouse.
5851. **THE CHAIRPERSON:** No questions so far.
5852. **MR. GRANT:** I'd like to turn to now to Elder James August, please. I understand that the prayer stands as the affirmation for Mr. August as well.
5853. Can you please state your full name for the record?
5854. **ELDER JAMES AUGUST:** James August.
5855. **MR. GRANT:** And what Indigenous Nation are you part of?
5856. **ELDER JAMES AUGUST:** Little Shuswap.
5857. **MR. GRANT:** How old are you, sir?
5858. **ELDER JAMES AUGUST:** Seventy-one (71).
5859. **MR. GRANT:** Where is -- you just heard the evidence of Kukpi'7 Arnouse. And did you agree with his description of the territories of the Little Shuswap Lake Indian Band?
5860. **ELDER JAMES AUGUST:** Yes.
5861. **MR. GRANT:** Okay. I'm going to be asking you questions about the importance of salmon and your laws of your people and the practices of your people regarding salmon. But can you tell me, how did you come to know these things that you'll be telling us?
5862. **ELDER JAMES AUGUST:** I grew up in a place called Salska (ph), B.C. and Sicamous, B.C. as most of my grownup years over there. And a lot of

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the things that we used to do around that area was -- had to do a lot with fishing in all the little creeks and within the Eagle River system.

5863. And when I was about 10 or so years old, we made a trip to Squilax and at that time is when it's first saw the salmon. Like my friend here said, red river in those days, the salmon were so much in the river. And I began to learn a little bit about the salmon around that time and get to know them.

5864. And then through talking with many people, both spiritual and elder, I began to learn a lot more about the importance of ourselves to our relations like the salmon.

5865. **MR. GRANT:** When you say the river was red, can you -- what do you mean by that? Are you talking about the salmon in the river?

5866. **ELDER JAMES AUGUST:** Yes. Way back at that time there was so much salmon in that river that it looked like just under the water there would be a blanket of red and it looked like you could just about walk across that. That's how many salmon there were in them days and today it's nothing near that.

5867. **MR. GRANT:** And you're referring to Little River?

5868. **ELDER JAMES AUGUST:** Little River. The salmon that I'm talking about is what I saw in the Adams River.

5869. **MR. GRANT:** Okay. And is that just on the surface of the water or would those salmon be down deep into the water as well?

5870. **ELDER JAMES AUGUST:** Those salmon would fill that river.

5871. **MR. GRANT:** So from side to side, top to bottom?

5872. **ELDER JAMES AUGUST:** Yeah.

5873. **MR. GRANT:** And now what happens when you look at the river?

5874. **ELDER JAMES AUGUST:** Today it gets kind of sad when you go. Today -- this year, I understand, was supposed to have been the big run again. Every four years they have a big run. And this year, what we call the big run looks nothing near what I saw as a 10-year-old boy when I came back that first

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time. There's lots of black water and there, by that I mean is that you could see right through the salmon and see the rocks and stuff underneath there, whereas way back then you couldn't even see the bottom of the river, there was salmon, so many.

5875. **MR. GRANT:** When you talked earlier -- you just mentioned at the beginning about how important the salmon were to -- and you learned about this from your elders and what -- was it -- were they used as food or how was it important to the people of the Little Shuswap Lake Indian Band and its territories?
5876. **ELDER JAMES AUGUST:** How are the salmon important to our people?
5877. **MR. GRANT:** Yeah.
5878. **ELDER JAMES AUGUST:** In our -- I guess our way, all other living things are important to us, and that includes everything that grows or is on Mother Earth. The salmon is important to our people as an important food source. It was our main source of nutrition at one time.
5879. It is also important in a health way. Today, our health suffers because of the lesser amounts of salmon that we're able to get out of the rivers.
5880. **MR. GRANT:** What about the lands and the creatures on the land? Does the salmon have importance to them too?
5881. **ELDER JAMES AUGUST:** The salmon are very important to all the other living things that live close to the water. There are so many things that rely on those salmons to make it from down here all the ways up to where I live. And the salmon is not only important to the other animals, it was important to the growth of the bush and the grasses that grow as far in as 500 feet away from that water, because the birds pick up those remaining salmons and they go and fly a little ways and eat them, and then their bones and that become a part of this food source for the trees and the other things that are growing on the ground, and also there are the insects and whatever else eats those things.
5882. So it's an important part of the maintenance of balance on our Mother Earth to have the salmon in our area.

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5883. **MR. GRANT:** Can you explain to the Panel Members please about the laws of your nation respecting how much you should catch and what you should do with what you catch in terms of salmon?
5884. **ELDER JAMES AUGUST:** I guess in a time quite a while ago, most of our teachings came to us through the stories that we told to our children. A lot of those would be about coyote, and raven, and eagle, and those kinds of things. And they all related to specific teachings that came out of the stories.
5885. And a lot of the stories didn't end; you had to figure out how to work with those stories. So those stories and the teachings, we really, at those times, talked to our children about the importance of looking after everything that we could see. And that's from where you're standing. If I was standing outside this building here, I'm responsible for looking after everything that's out there to make sure that they continue growth in a good way so that our Mother Earth will survive in a good way. And that's the trees, the fish, and all those kinds of things, so that they will be always there for our children in the future.
5886. **MR. GRANT:** And is there a principle or law that you should only catch as much as you need?
5887. **ELDER JAMES AUGUST:** Yes. And that's one of the big important laws that come out this. That's part of looking after your relations on Mother Earth, is you only take what you need to feed your family so that the rest of the fish and animals and stuff will maintain and keep growing for years and years to come.
5888. **MR. GRANT:** And do you do this with your children and grandchildren now?
5889. **ELDER JAMES AUGUST:** I've taught them as much as I could until they grew up and moved out on their own. And I have to say that I didn't teach them as much as I wished I could have, because a lot of their -- my knowledge came after, through other ways.
5890. **MR. GRANT:** You heard Kukpi'7 Arnouse talk about sharing your catch. Is that something you know anything about?
5891. **ELDER JAMES AUGUST:** Yes, I remember another time, as a young child, we were -- my dad used to take us to a creek called Yard Creek in

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- the Malakwa area. And that creek was just loaded with kokanee fish. And we used to go there and we used to catch those kokanees, two or three hundred kokanees. We'd load those all up in the truck and we'd take them to Salmon Arm. And we'd start at the beginning of the reserve and start handing them out until they were all gone at the end. But that's the way that many of our First Nations people lived in those times.
5892. **MR. GRANT:** What about the practices of your nation in regards of ensuring that the salmon channels are open or that the beaver dams are taken care of? Do you know anything about that?
5893. **ELDER JAMES AUGUST:** I know about as much as what I hear, Oliver talking about here. But I also know that to do those things, to keep our rivers clean, the water clean, keep it, yeah, clean, so that our salmon can return is very important. There's a lot of changes that happened over the years that is the reason why our salmon are not so great anymore.
5894. **MR. GRANT:** Can you advise the Panel Members about how many people you used to see fishing for salmon, people from your nation, and how many you see now?
5895. **ELDER JAMES AUGUST:** Way back when I was talking and I came to Little Shuswap when I was 10 years old, we'd drive in from the east, coming into Squilax where the old, old bridge used to be. We used to see the fires lined up along the river, and I guess drying the salmon. And we used to see the boats. They used to have little firepits on the sides of the boats that they used to fish with.
5896. Today, hardly anybody fishes anymore. Those boats that used to -- I seen in the old days are no more. We tried our best to start bringing back some of those old culture's ways, but we still have to maintain those old beliefs about take as much as you can and leave the rest.
5897. **MR. GRANT:** Does the reduced number of salmon affect that principle for you?
5898. **ELDER JAMES AUGUST:** It does. Like, when you look in -- especially when you look into that big run that was supposed to have been this year, and you see how much less salmon there is in relation to how much is in there and how much a family should take out of there, it greatly decreases what

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- you should be taking out of there as a family. And in Little Shuswap there's not too many families, but then there's other families from other communities that come and join the families that you have.
5899. And I guess way back in the day when the salmon made those rivers red, the salmon was way more easier to catch. When they're in the river now and they're spread out so much, it makes it quite difficult to catch as much salmon as you would require.
5900. **MR. GRANT:** What would happen for your people if the salmon stopped coming?
5901. **ELDER JAMES AUGUST:** I think for our -- some of our people, that would be a big, big loss, big loss to our spiritual way of life, our physical way of life, those ways, I guess. When something, when you can't do anything anymore in our world it's kind of like filled with ceremonies, you heard all the talk about the coming home ceremony and the songs that we sing for the salmon and the salmon dance. If there's no more salmon coming back in the river, there would appear that there wouldn't be no need for that ceremony to happen anymore. Those ceremonies would be lost. That would be lost because we don't use it anymore. It would be still probably in a book somewhere but those are the sad things I see, plus, like, the sadness of knowing that our salmons are getting less and less in the river already.
5902. **MR. GRANT:** Subject to any questions the Panel may have or Trans Mountain may have, those are the testimony of Mr. August.
5903. **THE CHAIRPERSON:** Anything?
5904. **MR. DUNCANSON:** No, we have no questions, Madam Chair.
5905. **THE CHAIRPERSON:** Now, you were very eloquent in your rendition of the importance of salmon to your Nation. So that's -- we have no questions.
5906. Is Mr. Arnouse going to testify as well?
5907. **MR. GRANT:** Mr. Arnouse is here as just a councillor of the band, so we're concluding our testimony at this point. He has provided an affidavit and his evidence is in an affidavit.

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5908. **THE CHAIRPERSON:** Thank you. I just wanted to make sure I'm not skipping over an important person.

5909. So we would like to really thank you and acknowledge you for your testimony today. And we will consider all that we've heard when we decide on our recommendation for this hearing.

5910. We will reconvene this afternoon at 2:30 to hear from the Adams Lake Indian Band.

5911. And we wish you safe travel when you go back home. Thank you.

--- Upon recessing at 1:28 p.m./L'audience est suspendue à 13h28

--- Upon resuming at 2:55 p.m./L'audience est reprise à 14h55

5912. **THE CHAIRPERSON:** Good afternoon, everybody. One of our elders will start with prayer.

--- (Opening prayer)

DAVE NORDQUIST: Affirmed

STEVEN TEED: Affirmed

LAWRENCE MICHEL: Affirmed

5913. **THE CHAIRPERSON:** We thank Elder Lawrence Michel for starting off with the prayer.

5914. So before we commence our hearing today, the Board wishes to acknowledge with respect the Hul'q'umin'um'-speaking peoples in whose traditional territory we are gathered, and the Snuneymuxw people whose historical relationships with the land continues to this day. It's with truth and respect we would like to acknowledge all the Indigenous ancestors of this place and reaffirm our relationship with one another.

5915. Good afternoon, everyone. Welcome to the Oral Traditional Evidence phase of the National Energy Board's hearing regarding the Trans Mountain Expansion Project Reconsideration. My name is Lyne Mercier. I am the Chair of the Panel. With me on my left is Alison Scott and on my right is Murray Lytle. We want to welcome everyone who is here today, both in the hearing room, and

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- as well as those listening in to the webcast.
5916. As a matter of housekeeping, I would like to describe the evacuation procedures in the event of an emergency. Please take note of the nearest emergency exits. If the building's evacuation tones begin sounding and we are asked to leave the building, the muster point for the venue is Terminal Avenue. Please exit in an orderly fashion through the lobby. At the muster point, ensure your party is accounted for.
5917. In addition to the Panel, we have staff in the room to answer process-related questions that you may have. You will be able to recognize them by their brass name tags.
5918. With respect to our schedule for hearing oral traditional evidence, today we have scheduled time to hear from three Indigenous groups. We will plan to take breaks if it is required and just request one if you need one.
5919. In order to be fair to all presenters we have allotted up to two hours to hear from you. If two hours is not enough, at the end of the session please feel free to file additional oral traditional evidence by electronic means, such as a video or some other method.
5920. Before we get underway, I would remind parties of the Panel's guidance in the Hearing Order and Procedural Directions in regards to oral traditional evidence.
5921. There will be an opportunity for argument in later hearing steps. Today, the Panel is particularly interested in hearing about impacts of the Project-related marine shipping on your community's rights and interests, as well as topics in the list of issues.
5922. The Board understands that the Adams Lake Indian Band has an oral tradition for sharing knowledge from generation to generation and this information cannot always be adequately shared in writing.
5923. Sharing your traditional knowledge and stories about the use of your traditional territory is of value to us. We appreciate that you have chosen to be here today.
5924. Following oral traditional evidence, Trans Mountain, other

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- intervenor, or the Board may have questions for the witnesses. If so, witnesses can choose whether they will answer questions orally, or at a later date in writing, or a combination of both.
5925. With that, I believe that we are ready to get underway. Before I call on the Adams Lake Indian Band to present their evidence, I would like to have the representative of the Proponent, Trans Mountain, introduce themselves.
5926. **MR. DUNCANSON:** Thank you, Madam Chair.
5927. Good afternoon, everyone. My name is Sander Duncanson. I am counsel for Trans Mountain with Osler, Hoskins & Harcourt. With me is Cassie Richards who is in our office as well as Lindsay Carnes with Trans Mountain. Thank you.
5928. **THE CHAIRPERSON:** Thank you, Mr. Duncanson.
5929. And I'd also ask if there are any other intervenors in the room who would like to introduce themselves or if there are any preliminary matters they would like to raise. And for the record, if you could indicate who you are and who you are representing.
5930. **MS. MILES:** Thank you, Madam Chair. Thank you, Panel Members. My name is Phoebe Miles. I am a senior advisor with Natural Resources Canada. I'm here as a representative of the Federal Crown to hear the witnesses' oral traditional evidence in relation to the reconsideration of the Trans Mountain Expansion Project.
5931. I do not intend to ask any questions today. I am here as a representative of several federal departments and agencies that are registered intervenors, some of whom are here with me today. If necessary, we will ask additional questions through the NEB's Information Request process.
5932. I would like to note that I am honoured to be present at this hearing, grateful for the evidence we are about to hear, and grateful to be on the traditional territory of Snuneymuxw First Nation. Thank you.
5933. **THE CHAIRPERSON:** Thank you, Ms. Miles.
5934. So since we started the session with a prayer, we will use that as your

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affirmation that what you're about to say is accurate and truthful to the best of your knowledge. So we thank you for that.

5935. And now I would ask the lawyer, Ms. Campbell, to lead the witness to the direct evidence, please.

5936. **MS. CAMPBELL:** Good afternoon. Thank you very much.

5937. My name is Karen Campbell and I am legal counsel to the Adams Lake Indian Band. And here with me is my articling student, Kimberly Webber.

5938. We have three representatives who will be giving direct evidence today: Elder Lawrence Michel, Councillor Steven Teed, and Title and Rights Manager and community member Dave Nordquist.

5939. Those speakers have indicated that they would like to take questions in writing and we've already had the affirmation, so I'd like to pass it over to Elder Lawrence. Thank you.

--- ORAL PRESENTATION BY/REPRÉSENTATION ORALE PAR ADAMS LAKE INDIAN BAND:

5940. **ELDER LAWRENCE MICHEL:** (Speaking in Native language).

5941. I said, "Hello. My name is Lawrence Michel," and Adams Lake is -- it's not the Indian name for our community. That's Sexqeltqín and we're one of the five regional lakes people of the Shuswap Nation where at this time and right now.

5942. And I'm Lawrence Michel and I'm the elder of the Chief Atahm School and the community I guess. Therefore they give me a name as Sleha (ph) Larry, which has been for the last 30 years. And, you know, I teach cultural and language there and they ask me where I learned the stories from. I learned my stories from my elders, passed on from generation to generation. And they also asked me here what am I going to do with the stories when I'm gone. I said I have taught all my stories to the children already graduated and out. They know the stories of our legends and our legends all have laws.

5943. Only this one more thing I didn't mention the lineage of my name and place. All right; we have my Indian -- the name of my grandfather Kwikwewist

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- (ph). He was a great chief. And at that time there was four different men in our Adams Lake Band. And the chief there said, "You people got to get married within your community." Everybody died. There was an epidemic, you know. But there was always a gathering for Shuswap Nation people in Green Lake at that time where we recite our laws and rules of our Nation. So they were told don't come back. Chief said, "Don't come back til you pick a wife for that gathering."
5944. So they all went, and lo and behold somebody ordered seven priests go there also to marry all the different Shuswap Nation men who survived through that epidemic. So a lot of us married. And at that time the grandmothers were the heads of all our Shuswap Nations. So when our men came back they held their names but we went under the -- our clan was our grandmothers. So the first one was Tehwoels (ph) -- Anthony Tehwoels and his wife -- his sister. They knew all the sisters I guess married into five of our men -- four of our men. There's the Anthonys or the -- and there's Spumulas. There's -- well, there's Danjoes. All those -- and the Kinbaskets. So they married in. And their wives all were sisters.
5945. Therefore we were related, close relatives. Different names but relatives. We couldn't make a lineage with just that one family, it wouldn't work for us. It had to be all our one clan. So my lineage is that. And my grandfather, a Marcel (ph) family, we couldn't -- his grandmother came from down south. He's way down to the States in the community of Spokane. So we're quite a lineage of people in my family.
5946. Therefore we had -- a lot of stories were passed on from generation to generation, and some stories I know were a little different from the northern brothers of ours in Shuswap country. And the stories about the laws and the rules of our people were all enacted into our -- in our legends. And we as elders, we're the ones responsible for finding out what it really meant. After many years of learning this -- hearing the story over and over it just always adds on something else too to the story. And now when I told the legend stories to my people, they try to find the laws and rules of it right away, which it didn't -- it was never -- but when it's passed down from generation to generation it hardly changes, the story, but the laws is written in there, even predicts what will happen.
5947. Right now there's a story that tells us what's happening to us right in 2018-2019. It happened. And yet these we couldn't teach them. They have to learn it. Our job is to tell the story. The elders' work is to tell the story over and over. It's not our -- really our work to say this is what it means, this is where the

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- laws are.
5948. So anyway, coming back to tmicw, our beliefs, our -- as people call religion, I guess. We as First Nations people all over the world believe like in the way. First of all, our k'wselktknéws is one of the major principles in our lives, meaning we are related to Mother Earth and all its growths on it, everything. Kenokwetoot (ph) meaning help yourself from beginning to the end of your life.
5949. Metlek (ph) meaning that you give time for rest -- play, and rest, and hunt, Metlek. And sluhlu (ph), meaning wisdom. You gain wisdom through everything. Wisdom is one of our principles. You gain it as you grow older, from the beginning of your life for right and wrong. And lastly -- and most last thing, the fifth one, is praying. We have to give thanks to the Creator who has given us everything, done all this.
5950. So this is the belief that we have that's generally thought that all over the First Nations, people and world. And when we say k'wselktknéws, it means we are related to Mother Earth, and we are related to water, the water that we drink, fire, and all the airs of -- it is -- and we have -- when we say the air, we also are related to the universe, everything in the universe. When you hear about, in our language, the star people, there's all kinds of people that has visited around world of our First Nations.
5951. So we, we in general, were named, so they put it in place that we looked after Mother Earth and all the things in there.
5952. Right now, we have -- you know, we pray for them, and they pray for us too. And we sit side by side. This is how, when, and where we're needed. We pray for it. And I think my role as a seleya (ph), sort of like a (Native words) in our language, so the keeper of knowledge to share with the children. Kyé7e are the grandmothers. We teach singing and everything, like ceremonies for everything that we do, which means that everything is connected with Mother Earth.
5953. And this is our belief. Not only First Nations in Canada, that's around the whole world.
5954. So when we speak our language, our language is very sacred to us; it's a living language. (Native word) thinks we sort of left out years ago now, the story telling times, the real times that we trade our stories with others. And how

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- our (speaking in Native language). What it means is that we used to have a spiritual quest, but now it has changed so much so that we have electronic age, so our version of our what, we used to call (Native word) has changed now. We have learned teachers in the language who knows -- who has PhDs. We had two of them achieve it now; one of them went to the other direction, they were the founders of the school; they had, when they were young, and all them masters. So we, as elders have honoured them by giving them the name of (Native word) because they have doctorates.
5955. So the change is there, the modern change. I like, you know -- but seeing the disturbance of Mother Earth, you know, (Native word), that is the blood of Mother Earth. And we are using it as a tool so that (Native word) enough in the one place, places, but somehow discovered it, overly using it. Our forest is the same. Now it's our water, pollution. We have to -- I don't know what my grandparents' parents would be thinking now, that we have to buy this anywhere we travel outside of Canada. Even in Canada we have lots of water. And so we have to pay. And we were given land, and we give it the name (Native word).
5956. And the fifth year right now in British Columbia, everything goes through our land. The highways -- 50 percent of the highways is through Shuswap country. Railroads. Even now we have the airstrips up in the skies, so precious.
5957. But there's also -- and when we start digging Mother Earth's body up, taking its blood, transporting it, you have so much that you transport it, you fly it to provinces, while we call on the provinces, we're not part of the provinces, we're Secwepemc first and foremost. We see that it's misused.
5958. And the 1950s, when they first put in the Trans Mountain, we weren't even involved in the decisions. We were outlawed to talk about it. We couldn't gather.
5959. So it's illegally -- the way you put it in modern ways, and modern ways that everything is -- even just to British Columbia, our First Nations people, the damage was done. Residential schools, the loss of language. I can go on and on, but I see it's pretty empty to talk to our people who say that making decisions on our land.
5960. I guess I can't continue too much. I'll sit.

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5961. **MR. STEVEN TEED:** (Speaking in Native language).
5962. My name is Steven Teed, Councillor for the Adams Lake Indian Band, here today to speak with everybody.
5963. And we're gathered here today to talk about one of the biggest environmental decisions of our lifetime. But before we do that, we need to look back, to go back to a time before our land was surveyed, divided into resource sectors, regions, and municipalities, and even countries, a time of purity, of innocence, where Secwepemc were free and happy. We lived in abundance. We travelled freely across this land where our people could walk on the backs of salmon in the river, there were so many; where we could drink from our lakes and our streams; where our villages were strong, full of language, culture, songs, and happiness; where our people learned to take care of the land through stories, experiences, and knowledge.
5964. We learned how to take care of this land to keep it better than it was for the generation before. We have archaeological data that has confirmed that Adams Lake members died approximately 9,000 years ago, was 80 percent composed of marine life and salmon.
5965. So for over 9,000 years, we learned how to take care of those salmon and our waters until the time of contact, where even of 1900s when the first discoverers came over here they talked about the abundance and the size of the animals and the salmon.
5966. For 9,000 years of data, and now, in that short time, we look around, things have changed. Things are gone. Things are disappearing. And we ask ourselves why?
5967. Our salmon are almost gone and we can see it. We can feel it. But we are not alone. The Committee on the Status of Endangered Wildlife in Canada just published reports on the dwindling and endangered count of salmon in our waters. The Cohen Commission of Inquiry into the Decline of Sockeye Salmon the Fraser River Recommendations Report cited a wide range of factors contributing to the decline over six years ago. What has been done? What did you learn from those reports?
5968. Our people have relied and still continue to rely on salmon. We have

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- ceremonies, we teach, we bring back our culture through the salmon. We bring back memories. We bring back our stories. And these salmon, they travel a long way to bring us those stories, all the way from the ocean and to places we've never been.
5969. So we're here talking about what kind of effects this type of project can have on us. It can have every type of effect and they're all negative if this goes through.
5970. While Adams Lake is not a marine side Nation, the life cycle of the salmon species upon which the Adams Lake rely is dependent upon the survival of the marine environment. And again, there's multiple studies being done on these numbers. We have just had what was supposed to be a large salmon run this year. Those numbers did not come through. And these numbers are low from 50 years ago for them to be considered appropriate or acceptable.
5971. Adams Lake also objects to the 12-mile limit on what marine impacts the National Energy Board may examine. We support the Tsleil-Waututh's motion to review that limit, to view the scope of impact their 12 miles is looking with blinders on.
5972. And it's not just Sockeye but Chinook, Coho, which then feed other rivers.
5973. So I'll keep this short. But when you're making your recommendations and you leave to go discuss, remember that not if but when an incident occurs in our waters, orcas, gone. Salmon, gone. Clean water, gone. Our culture, gone. Our people, gone. Kukwstsétsemc. Thank you.
5974. **MR. DAVE NORDQUIST:** (Speaking in Native language).
5975. Good afternoon. Dave Nordquist. I'm a member of the Adams Lake Indian Band and I am the Title and Rights person for the band. And I have worked there for over 20-plus years. I'll leave it at that.
5976. My children go to Chief Atahm School. You know, they're the first generation -- my family has been raised in language for a couple of generations. They speak it, they learn it, they practise it. It's one of the -- I think it's one of the first, second immersion school that was put in place and then the people that put it in place were great fighters for the language and the culture. They overcame so

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- many obstacles. I -- you know, we'd have to have a separate presentation just to talk about what they overcame to be in a place to raise Secwepemc children understanding the language and the culture.
5977. I'm a member or a descendent of one of the families Lawrence talked about, the Anthonys, you know, and we've been in place at Adams Lake -- well, our stories tell us for a long time, 9,000-plus years. If we relayed our stories and we cross-reference that with scientific papers, we have -- Coyote taught us many things. Coyote broke the dam in the Fraser and the Columbia River to bring the salmon back and he brought the salmon up. We have stories about that. And if you cross-reference that with the geology, that's 9,000 years ago. That's how long we've been in place. We haven't been anywhere else. We don't know what it would be like to live anywhere else. We've only ever lived at Adams Lake.
5978. And when we talk sort of -- and Elder Lawrence talked about Coyote, you know, he had many stories. We have a story where a boy fell into the river and floated down to the ocean and they kept him there. And he wanted to come home but when the Sockeye came in, he wasn't allowed to. And when the -- he was only allowed to come back with the King Salmon, the Chinook. And they brought him back. And his grandfather caught him in a net, but one of the things we are taught is to be observant of our environment, and his grandfather saw a human eye, so he let the salmon dry out, and as the salmon dried out, he turned back into a boy and then they had a big feast, you know?
5979. So Coyote through his adventures and his misadventures teaches us a lot of things: respect your environment, be observant of your environment.
5980. And I'm just going to offer a correction to what Steven said. We have an ancestor that was -- when we were fixing a waterline that broke and we came across an ancestor, and that was 86 percent of her diet was composed of salmon. That was 1,700 years ago.
5981. So we know our relationship with the salmon goes back. We have two great salmon runs, the Lower Adams and the Upper Adams. And the Upper Adams tells us a story, a story that needs to be paid attention to at this table. That salmon was bigger than the Lower Adams. We had 85 kilometres of salmon habitat, and it's gone due to mismanagement, due to lack of being observant of your environment.
5982. Hells Gate, when it occurred in 1913, really impacted this run, but

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- most importantly the forest industry stuck a splash dam across the Lower Adams that would not allow a single salmon to get to the Upper Adams. So that run was basically extirpated.
5983. And we had a nine-pound sockeye. We don't see those around anymore. That run was a unique one. It's gone now forever. It becomes part of our stories, I guess, these large sockeyes.
5984. And the continuing story is we spent -- the fisheries manager at the time spent three cycles, 12 years of his life, trying to return the Upper Adam salmon. And what happened was we got 70,000 one year. We were ecstatic. We thought, you know, we're going to see the return to the run in the old days. It used to feed the nation of millions. Well, guess what, 24 hours of extra commercial fisheries on the ocean and it was gone.
5985. And this is the relationship that we talk about, observing your environment and being responsible, was what happens if you have an oil tanker spill. That's going to be there for five or six days. All it took was 24 hours to kill off our Lower Adams run, 24 hours. And we got 3,000. Instead of 300 we got 3,000 salmon back. You know, that was DFO mismanagement.
5986. But if we're not careful -- I mean, what -- that was just to our run. What is that going to do to a bunch of runs? We've seen what Mount Polly did, you know, when that dam burst and it flooded Quesnel Lake, which was the deepest most pristine lake in B.C.
5987. You know, we have the Adams Lake, which is the second deepest and probably, I guess, the most pristine undisturbed lake in the territory.
5988. You know, we are taught to manage the land for the seventh generation, not for a five-year return on investment but the seventh generation, that our grandchildren, our children's children's children should be living in an environment as good or better than what we have today.
5989. And I think that's what is missing from this decision process is what are we leaving. If it's just a monetary return, well, you can't eat that or drink that. And I think as Canadians and as Secwepemc that would be a poor choice for the future generations to leave them nothing.
5990. You know, and cumulative effects, I just -- I believe that the system in

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- place is just -- you know, even the NEB system is arbitrarily constrained. And I think if you would ask enough Californians right now do you think that all of the environmental assessment projects that followed all of your rules, you know, was the right way to go about it. You know, I mean, you see -- I mean, what a name -- Paradise City is gone, right. And the word "paradise" well that's not a paradise anymore. All those projects were probably approved according to certain criteria, but look what happened with fire.
5991. You know, we talk fire, climate change, you know, we're contributing to climate change. Viewing, you know, this marine in a context of walling it off from the rest of the proposed projects from, you know, the oil sands exploitation, you know, at its source just seems irresponsible. Mother Nature's not viewing it that way and she's certainly not reacting to it that way.
5992. You know, we spent -- Adams Lake was an intervenor at the Cohen Commission. Steven talked about that. We spent a year -- one of the community members spent a year of his life preparing evidence, and digging, and -- you know, a big portion of his life was spent on that, trying to get those results. You know, and those were announced and they still haven't been enacted, and I'm not even sure if they're, you know, part of these discussions per se.
5993. And then we talk about the loss of salmon. I went on a tour a few years back where we went to the States and we toured all of the southern communities south of the border. They call it the Upper Columbia. So I guess that makes, you know, our Columbia relatives the Upper Upper Columbia on the Canadian side of the border.
5994. But when we toured that it disturbed me greatly when you go into communities and you have a people that are still doing their salmon ceremony but they haven't seen a salmon since 1918 when Chief Joseph -- you know, we talk about -- you know, it's not just losing the 2000 calories per pound that a salmon represents, you know, when you have a relationship and stories that go back thousands and thousands of years, you know, when you have ceremony, when you have beliefs -- I mean, I couldn't imagine my children now not -- you know, we have a salmon station.
5995. It's probably unique in Canada because we build a platform where our children can go and watch what's going on and be a part of it, you know, the little ones, and the older ones are expected to participate and fillet salmon, and gut them, and cut them up. And then those salmon go back into the community, into

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- the feasts, and they contribute, and learn how to be part of the cycle. You know, I can't imagine them not being able to do it, or their children's children not being able to do it, which one mistake.
5996. Like I -- you know, I'll reiterate what happened before, 24 hours, that's all it took. You know, if you -- and you know, we've seen boating accidents. We seen what happened further north in the diesel spill, and that's still not cleaned up.
5997. You know, and the Secwepemc -- we've never ceded or surrendered our territory to anybody. The last conflict we had was with the miners in the Fraser Valley, and we certainly didn't lose that. That was in 1858, you know, and six treaties were signed. I think posterity calls them, you know, the Schneider Treaties, and what was in those treaties was lost to history I guess, because nobody has them. We just know that they were signed. And that was between three Nations and the miners that were coming up during the gold rush.
5998. You know, so -- you know, and I'm going to read our vision statement for our community, if I can make my mouth work here. I'm not going to read the Secwepemc version because I would butcher it, and we're being recorded.
5999. Our Creator placed us on this land to take care of our people, our land, our language, our customs, our knowledge, our culture, our title, to be ours for ever and ever, ensuring that we live in a safe healthy self-sufficient community where cultural values and identity are consistently valued, promoted, and embraced by all.
6000. That's the vision for our community. And in there you will find all the five principles that Elder Lawrence talked about, you know, taking care of ourselves, taking care of the land, respecting.
6001. And we ask that you take the same care and protection, you know, in these decisions that you're -- or recommendations that you will be doing.
6002. We've been here a long time. Our stories tell us we've been here a long time. We've seen the changes on the landscape. You know, and we've been taken off the land, you know, but we're back, and our responsibilities never went away. You know, so we've flown all this way, and came all this way here to tell you that what you do and the decision you make and what happens in the ocean, it affects us. It affects our relatives, the salmon.

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6003. So yeah, I think I've covered everything I had in my notes. So I think that's all I've got to say here. I think that's (Native word). Kukwstsétsemc.

6004. **MS. CAMPBELL:** We have nothing further this afternoon. Thank you.

6005. **THE CHAIRPERSON:** Mr. Duncanson? That's right. So I know questions have to come in writing but I'm just going for clarification, you know, what we've heard is like, did we hear properly?

6006. **MR. DUNCANSON:** So we have no questions, but thank you very much to each of you for coming quite a distance to be here today and sharing your knowledge with us. So thank you.

6007. **THE CHAIRPERSON:** I just have one clarification and it's going to be clear on the transcript and I'm just -- Mr. Nordquist, you just mentioned that you went on a tour of the southern communities in the States and did I hear you right, that they haven't seen a salmon run since 1918 but they're still doing the ceremony. I wasn't sure if it was 1918 or 1980.

6008. **MR. DAVE NORDQUIST:** Nineteen-eighteen (1918).

6009. **THE CHAIRPERSON:** So I heard it right.

6010. Thank you very much for your presentation and this completes the oral traditional evidence session for the Trans Mountain Project Reconsideration. So you were our last one. So it will be fresh in our memory.

6011. But we want to take the opportunity to thank all the Indigenous intervenors who not only came a long way to share their oral traditional evidence, but they attended the session in Victoria, Nanaimo, and we know that some people came from the interior and to share with us their story. And we are very grateful for that.

6012. With that, we are adjourned. We thank you very much and we wish you safe return.

--- Upon adjourning at 3:48 p.m./L'audience est ajournée à 15h48