



TECHNICAL MEMORANDUM

ACFN Knowledge and Use data
analysis in relation to Teck
Frontier Proposed Winter Drilling
Program for 2012

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Submitted To: Athabasca Chipewyan First Nation, Industry Relations
Corporation (ACFN IRC)

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1.0 Introduction

The Firelight Group (Firelight) is pleased to provide this technical memorandum summarizing key information gathered to date by the Athabasca Chipewyan First Nation (ACFN) regarding the knowledge and use of its members, and summarized with particular reference to the Teck Frontier Proposed Winter Drilling Program for 2012 located west of the Athabasca River near its confluence with the Athabasca River.

1.1 Authorship and Limitations

This memo is authored by Dr. Craig Candler, a cultural anthropologist with more than 15 years experience working with First Nations and industry in western Canada. Much of Dr. Candler's work—including graduate work—has been with Dené and Cree peoples in the boreal forest of British Columbia (BC) and Alberta. He has written components for large and small environmental assessments. He has worked extensively with ACFN staff, elders, and knowledge holders since 2010 and has participated in or supervised the majority of ACFN knowledge and use research in recent years, including leading interviews and focus groups with ACFN members, and analysis of ACFN's knowledge and use data.

This memo is based on the understandings of the author, and is not intended as

a complete depiction of the dynamic and living system of use and knowledge maintained by ACFN elders and members. The information contained herein should not be construed as to limit, or otherwise constrain the Treaty and aboriginal rights of ACFN or other First Nations or aboriginal peoples. All data are the property of the ACFN.

1.2 Site specific and Non-site Specific information

It would be incorrect to consider only site-specific information or site-specific impacts in estimating the likely effects of the proposed activities on ACFN knowledge and use. Information that is non-site specific or difficult to map may easily be as important, or more important, than information that is spatially distinct and mapped.

Site-specific values, such as cabins or kill sites, are correctly understood as specific instances of use that anchor the wider practice of livelihood within a particular landscape. For example, a particular moose kill site may be mapped with a precise point, but that value is correctly interpreted as an anchor or focal point for a wide spectrum of other related livelihood practices and values, including:

- Wider hunting areas covered in efforts to find the moose;
- Practice of travel, navigation and tracking in order to access the moose;
- Religious or ceremonial practices that may be associated with the hunt;
- Food processing and preparation techniques to utilize the moose; and
- The range of social relationships and knowledge transmission (teaching) activities that are required for a successful hunt to occur.

In other words, every mapped site-specific value implies a much wider range of activities and a wider geographic area upon which the meaningful practice of that use relies. Therefore, the area covered by recorded site-specific use values should be understood as only a tiny portion of the area actually required for the meaningful practice of ACFN rights and livelihood.

2.0 Findings

Based on available information and on our understanding of the extent and nature of the proposed winter program, there are a range of ACFN site specific and non-site specific values that are at risk as a result of the proposed activity including values associated with woodland caribou, moose, and wood bison. Full consideration of these values would require additional effort and consultation. The ACFN has identified a Caribou and Bison Protection zone in the area as a result of existing concerns (see *Nih Boghodi*, Marcel et al. 2012).

The most critical and sensitive value at risk from the proposed winter program is

almost certainly the ACFN winter hunt of woods bison. Winter drilling activities would take place in the core winter range of the Ronald and Diana Lake wood bison, would likely interfere with this year's hunt, and have potential to result in permanent and high magnitude impacts on a culturally important and SARA listed species in limited supply within ACFN territory.

2.1 Importance of ACFN Winter Bison Hunt and Associated Practices

Elders from Point Brule and Poplar Point recall 'being raised on bison'. Prior to the 1960's, bison hunting was primarily a winter activity because of the amount of meat resulting from a successful hunt. In interviews and supporting documents, ACFN members frequently make reference to the sacred nature of bison:

...there's even buffalos up there, woodland buffalos, like you, that you, that live up in the Birch Mountains ... So you go into [Ronald and Diana Lakes] in there, that's where a lot of the buffalos hang out and feed or whatever, that's where they basically stay ... how is that going to effect those animals there? Like they're sacred those animals to the Native's, if the spiritual part of our culture is to respect those animals and we do our spiritual ceremonies, our spiritual prayers, we ask, we have respect for those animals. For me, you know, that's the way I use the land, I respect it for what it is. So before I go in there and take an animal I always say a prayer and make an offering... (A06 interview transcript, July 31, 2007).

In an affidavit sworn January 30, 2009, Raymond Cardinal stated the following regarding bison in the area of the winter drilling:

Once you chase away the buffalo they're not coming back, or else if they stay, because they are used to that area, what's going to happen to them? How will their health be affected? The buffalo is sacred to us. The traditional foods will be taken away and part of my spiritual being won't be there, because the animals won't be there anymore.

While our understanding of the ACFN bison hunt is not complete, the following points are clear:

- Bison are important to the ACFN practice of livelihood and fulfill subsistence as well as cultural / spiritual needs.
- The proposed drilling activity is located directly within the area mapped and documented by ACFN knowledge holders as known and observed

core bison habitat. This area extends from the area of Ronald and Diana Lakes, south to include the entire area of the proposed drilling across from the confluence of the Firebag and Athabasca Rivers, and west into the Birch Mountains.

- ACFN hunting of wood bison is current and ongoing. Multiple kill sites have been recorded in the area of the proposed drilling and north to Diana and Ronald Lakes, along with associated camping areas and other uses.
- ACFN hunting of wood bison takes place primarily in the winter when the herd (if undisturbed) is close to the Athabasca River and can be accessed by sled or ski-do. Winter snows allow tracking of the herd, and allow the large amount of meat harvested from bison kills to be transported without spoiling.
- Wood Bison are a rare and culturally important species listed under SARA. The Ronald and Diana Lake herd, in particular, is of unique and central cultural importance to the ACFN as they are the only harvestable herd within ACFN territory.

2.2 Risk to ACFN Winter Bison Hunt and Associated Practices

ACFN members report that in recent winters, industrial drilling and exploration activities in the core bison habitat have impacted the bison and impaired the ACFN winter bison hunt. ACFN members report that the bison are responding to disturbance in at least two ways:

- The herd, which is often seen in groups of more than forty animals, is scattering into small groups as a result of noise and industrial disturbance, making it difficult for ACFN members to successfully track and hunt them.
- In addition to breaking into small groups, the bison are moving back from the river into inaccessible areas (escape terrain) in or near the Birch Mountains as a result of industrial disturbance. Again, this makes it difficult or impossible for ACFN members to hunt them.
- Failure of the winter bison hunt would have cascading effects on ACFN use and knowledge, result in reduced opportunities for cultural sharing of knowledge and resources, and reduced ACFN's ability to practice livelihood rights.

Beyond disturbance of the winter bison hunt, ACFN members indicate that the Ronald Lake bison currently have no meaningful protection from hunting by non-natives and are subject to unlicensed hunting. ACFN members report that poaching and unlicensed hunting has had adverse impacts on the Ronald and

Diana Lake herd in the past, and that this is likely to increase dramatically with increased access into the area by industry workers.

If winter work goes forward and more workers are in contact with the bison, ACFN members fear that an uncontrolled, unregulated, unmonitored slaughter of the bison will take place. As the Diana and Ronald Lake herd of wood bison are a SARA listed species relied upon by ACFN members, are the only harvestable herd of wood bison in ACFN territory, and lack regulatory protection, winter work may not only disturb, but may permanently threaten the future of the ACFN winter bison hunt.

3.0 Closure

Should there be questions or clarification required regarding this technical memorandum, please email requests to craig.candler@thefirelightgroup.com.

Signed October 19, 2012

ORIGINAL SIGNED

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