

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



**Hearing Order / Ordonnance d'audience
GH-003-2018**

**NOVA Gas Transmission Ltd.
2021 System Expansion Project**

**NOVA Gas Transmission Ltd.
Projet d'agrandissement du réseau en 2021**

VOLUME 6

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

**Grey Eagle Resort and Casino
Crow Flag Meeting Room and Eagle Robe Room
3777 Grey Eagle Drive
Calgary, Alberta**

**May 16, 2019
Le 16 mai 2019**

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**HEARING ORDER/ORDONNANCE D'AUDIENCE
GH-003-2018**

**IN THE MATTER OF NOVA Gas Transmission Ltd.
2021 System Expansion Project**

HEARING LOCATION/LIEU DE L'AUDIENCE

Hearing held in Calgary, Alberta, Thursday, May 16, 2019
Audience tenue à Calgary (Alberta), jeudi, le 16 mai 2019

BOARD PANEL/COMITÉ D'AUDIENCE DE L'OFFICE

Roland George	Chairman/Président
Murray Lytle	Member/Membre
Damien Côté	Member/Membre

APPEARANCES/COMPARUTIONS

(i)

Applicant/Demandeur

NOVA Gas Transmission Ltd.

- Mr. Sander Duncanson
- Mr. Brian West
- Ms. Carrie Dunn
- Mr. Jaron Dyble
- Mr. Mark Graham

Intervenors/Intervenants

Stoney Nakoda Nations: Bears paw First Nation, Chiniki First Nation and Wesley First Nation

- Mr. Lee Carter
- Ms. Sara Louden
- Mr. William Snow
- Elder Charlie Abraham
- Elder Gilbert Francis
- Elder John Wesley
- Elder John Snow
- Elder Alvin Young
- Elder Lenny Wesley
- Elder Gary Dixon
- Elder Floyd Crawler
- Mr. Barry Wesley
- Mr. Chris Goodstone
- Mr. Conal Labelle
- Ms. Seona Abraham
- Mr. Larry David Jr.

Natural Resources Canada

- Ms. Rose LaBrèche

Environment and Climate Change Canada

- Ms. Gayle Hatchard

National Energy Board/Office national de l'énergie

- Ms. Rebecca Brown
- Mr. Andrew Matthews

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**Opening remarks
Chairman**

--- Upon commencing at 8:50 a.m./L'audience débute à 8h50

2493. **THE CHAIRMAN:** Welcome, everybody. It is my understanding that there will be a ceremony and a prayer at the beginning. I'm not quite sure who's going – ah, thank you.

2494. **MR. WILLIAM SNOW:** The opening prayer will be done by Elder Gilbert Francis and then we'll have a smudge ceremony by John Snow Junior.

--- (Prayer in Native language and smudge)

2495. **THE CHAIRMAN:** Good morning, everyone. Welcome to Calgary.

2496. I apologize to the room. We seem to have a little technical difficulty with our mics.

2497. **THE REGULATORY OFFICER:** It's good.

2498. **THE CHAIRMAN:** Is it on?

2499. **THE REGULATORY OFFICER:** Yeah, it's on.

2500. **THE CHAIRMAN:** Can you hear me now? I'll start over again here.

2501. Good morning, everyone. Welcome to Calgary for today's portion of oral Indigenous knowledge portion of the National Energy Board's GH-003-2018 hearing concerning NOVA Gas Transmission Ltd., which I'll refer to today as NGTL, for its proposed 2021 System Expansion Project.

2502. We are at the Grey Eagle's Resort on Tsuu T'ina First Nation's lands. Before we begin, the Board wishes to acknowledge the traditional territories of the people of the Treaty 7 region in Southern Alberta, which includes the Blackfoot Confederacy, the Tsuu T'ina Nation, the Stoney Nakoda, which includes the Chiniki, Bearspaw and Wesley First Nations. The City of Calgary is also home to Métis Nation of Alberta, Region III. The NEB is committed to learning and fulfilling the relationships of Treaty 7 and to moving forward together on the journey of reconciliation.

2503. For the record, I'd like to thank you for your prayer and smudging ceremony and we consider this to be your affirmation.

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Chairman**

2504. I also note that the interpreter today took part in the ceremony and we'll let the record show that you are also affirmed for your interpretation today.
2505. My name is Roland George and I am the Chair of the Panel. My fellow Panel Members are, to my right, Dr. Murray Lytle and, to my left, Mr. Damien Côté.
2506. I will now cover a few safety and housekeeping matters.
2507. In the event that we hear a building evacuation tone -- and that tone will be the loud continuous one, the intermittent one that would start off is simply saying, "Wait and be prepared to leave if they find something."
2508. Or if there is an emergency, please exit the hearing room through the same doors you entered by. From the hallway outside the hearing room, there is the building exit to the left.
2509. Please remain calm and exit the building in an orderly fashion. Once outside the building, the muster point is under the orange sign in the parking and that's at the front of the building. Please take a roll call of your group to make sure that everyone has evacuated. If someone is not accounted for, draw it to the attention of our Hearing Manager.
2510. Board staff are wearing gold nameplates for easy identification. Please feel free to approach any of them if you have general questions. We also have our Board Process Advisor, who some of you met this morning, Natalia Churilova, and our Indigenous Engagement Specialist, Carla Osborne here to assist you. If you have process-related questions, please speak with either of them.
2511. Also speak with them if you have any preliminary matters to raise.
2512. The oral Indigenous knowledge shared here today will be transcribed and will form part of the hearing record. Electronic transcripts of the proceedings will be made available on the National Energy Board website at the end of each hearing day, under the NGTL 2021 System Expansion Project home page, which you can find by following the website links.
2513. A live audio stream of the hearing is being broadcast via the NEB's

website. We welcome those who are listening in today.

2514. We request that everybody in attendance turn off or mute your mobile phones for the duration of this session, as they can be disruptive.

2515. Today, we intend to sit until approximately 5:00 p.m. We will try to take 20 to 30-minute breaks at a natural pause in proceedings. If you need a break, please do not hesitate to indicate that to me and we'll stop the process and we'll resume after a few minutes.

2516. Before we get away, I would like to remind everyone of the information set out in the Hearing Order and Procedural Direction No. 2. in regards to the sharing of oral Indigenous knowledge. There are copies of those documents at the back of the room, and they can be accessed at the NEB website.

2517. The Board understands that the Bearspaw First Nations have an oral tradition for sharing knowledge from generation to generation and this information cannot always be adequately shared in writing. We appreciate that you have chosen to be here today to share aspects of your traditional knowledge and your relationships to and uses of your traditional territory with us, and thank you for helping us to better understand how they may be affected by the 2021 Expansion Project. It is a privilege for the Board to hear the oral Indigenous knowledge today.

2518. Could you just hold for a second?

2519. I will now ask the Bearspaw First Nation to introduce themselves. We would appreciate if you would tell us who is an Elder and who is a knowledge keeper so we can identify each person in the correct and respectful way.

2520. **MR. WILLIAM SNOW:** Good day. My name is William Snow. I'm the Consultation Manager over at Stoney Nakoda Nation.

2521. If it would be more efficient, I could just read out the names of all three bands, Elders and knowledge keepers.

2522. For Bearspaw Nation, the Elder that we have here is Gilbert Francis. And the other Bearspaw member is -- Elder, is Lenny Wesley.

2523. For the Chiniki Band, the Elder that we have here is Alvin Young, and

- the knowledge holder for Chiniki Band is Barry Wesley.
2524. I myself, as I said, I'm the Consultation Manager for Stoney Tribal Administration. And for this context, I would regard myself as a knowledge keeper.
2525. Also, we have one of our translators, Chris Goodstoney with the Wesley First Nation. So he will be acting as a translator for some of our Wesley Elders.
2526. Another Elder that we have for Wesley Nation is John Snow. And then we also have another Elder for Wesley Nation is Charlie Abraham.
2527. I forgot to mention one of the Chiniki Band members. We have a translator for Chiniki Band and that is Conal Labelle.
2528. And then we also have another Elder is -- for Wesley Band is John Wesley and we have another translator for Wesley Band that is Seona Abraham.
2529. And the other Elder that we have for Wesley Band is Gary Dixon. And one more Elder for Wesley Nation is Floyd Crawler.
2530. **THE CHAIRMAN:** Thank you. Now that I've heard from the witnesses, I would like to make a correction here. I guess I should have been referring to everybody here as Stoney Nakoda Nations instead of just one of the Nations.
2531. **MR. WILLIAM SNOW:** Stoney Nakoda is comprised of the three bands so I think for a general term, Stoney Nakoda would be appropriate.
2532. **THE CHAIRMAN:** Okay, thank you.
2533. So I would like to correct the transcript on that.
2534. I now invite NGTL's representatives who are here today to introduce themselves and indicate what their roles are in this hearing.
2535. **MR. DUNCANSON:** Good morning, everyone. My name is Sander Duncanson. I'm a lawyer with the law firm Osler, Hoskin & Harcourt in Calgary and I'm Counsel for NGTL for this Project.

2536. Sitting beside me is Carrie Dunn. She's leading the Indigenous Relations for NGTL on this Project. Behind Carrie is Jaron Dyble. He's the Regulatory Manager for NGTL. Sitting beside Jaron is Mark Graham who's another lawyer with my office. And beside Mark is Brian West, who's the Project Manager for NGTL. Thank you.

2537. **THE CHAIRMAN:** Do we have any other intervenors present that wish to be identified today?

2538. **MS. LABRÈCHE:** Hi there. My name is Rose LaBrèche and I'm here on behalf of Natural Resources Canada, the major projects management office, who will be the Crown consultation coordinator.

2539. **MS. HATCHARD:** Hi, my name is Gayle Hatchard. I am an environmental assessment coordinator with Environment and Climate Change Canada. Thank you.

2540. **THE CHAIRMAN:** Thank you.

2541. I don't have in front of me any preliminary matters that have been brought to my attention. If there are any, this would be a good time.

2542. **MR. CARTER:** There are a couple -- hello? There are a couple of matters.

2543. Just a point of clarification, this morning, members from all three Nations will be speaking.

2544. And it also my understanding that each of the three Nations advise that they would not be answering questions in regard to their oral traditional evidence.

2545. The members and the Elders have advised me that they are open to answering questions of clarification in regard to the oral traditional evidence that they provide today.

2546. **THE CHAIRMAN:** And that would be in the written format?

2547. **MR. CARTER:** Sorry. They will answer oral questions today in regards to points of clarification.

2548. **THE CHAIRMAN:** Thank you.
2549. One last matter before we begin. Will any of the Elders or knowledge keepers be using any visual aids today?
2550. **MR. CARTER:** The answer to that is yes, there are a couple of maps that a couple of the Elders would like to refer to.
2551. **THE CHAIRMAN:** And have those been already submitted to the Board?
2552. **MR. CARTER:** They have. And one of the maps is currently on the screen.
2553. **THE CHAIRMAN:** Mr. Duncanson, have you seen this material?
2554. **MR. DUNCANSON:** So, Mr. Chairman, just coming in this morning, seeing a map on the screen, we've been talking with Board staff. And we've just received copies of the maps now. We had not seen the maps prior to this morning.
2555. **THE CHAIRMAN:** Thank you.
2556. Have the other intervenors also received the maps? Or do you want to receive the maps?
2557. **MS. LABRÈCHE:** I don't believe that I have, but I also don't believe that there's any issue with that either.
2558. **MS. HATCHARD:** I have also not seen the maps, but I'm comfortable to proceed.
2559. **THE CHAIRMAN:** So it's my understanding you're comfortable just to see them visually here today?
2560. **MS. LABRÈCHE:** That's correct.
2561. **THE CHAIRMAN:** Thank you. I now believe that we are ready to the sharing of the oral Indigenous knowledge.

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WILLIAM SNOW: Affirmed
CHARLIE ABRAHAM: Affirmed
GILBERT FRANCIS: Affirmed
JOHN WESLEY: Affirmed
JOHN SNOW: Affirmed
ALVIN YOUNG: Affirmed
LENNY WESLEY: Affirmed
GARY DIXON: Affirmed
FLOYD CRAWLER: Affirmed
BARRY WESLEY: Affirmed
CHRIS GOODSTONEY: Affirmed
CONAL LABELLE: Affirmed
SEONA ABRAHAM: Affirmed

**--- ORAL PRESENTATION BY/REPRÉSENTATION ORALE PAR STONEY
NAKODA NATIONS:**

2562. **MR. CARTER:** The first member speaking today is Bill Snow. He is a member of the Wesley First Nation. And as he's already advised, he is the consultation manager for the Stoney Tribal Administration.

2563. **MR. WILLIAM SNOW:** (Native word). Good morning. It's good to meet everyone and good to be here.

2564. I'll be making a presentation on some general items and with regards to the NGTL 2021 Project.

2565. The Stoney Nakoda Nation is comprised of the Bearspaw, Chiniki, and Wesley First Nations that are mainly situated on the Stoney Indian Reserve 142, 143, 144, undivided, the Eden Valley Indian Reserve 216, which is west of Longview, Alberta, and the Rabbit Lake Indian Reserve 142b, which is about 30 kilometres to the north east of Morley, as well as the Big Horn Reserve 144a, which is about 45 minutes west of Nordegg, Alberta.

2566. The NGTL 2021 project will impact the Stoney Nakoda people in a number of ways. My comments will focus on Stoney traditional territory, Stoney water rights, the importance of cultural assessments, and the consultation process.

2567. Generally, the Stoney Nakoda traditional territory begins in the Rocky

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- Mountains and north near around the area of the City of Edmonton, east to the Cypress Hills, and south to Chief Mountain. The Stoney Nakoda Nations have not surrendered, ceded the use of their water rights originating and flowing in Stoney Nakoda traditional territory, including the bed and banks of those waters since time immemorial. Stoney Nakoda have enjoyed continuous use of water in their traditional lands to facilitate hunting, fishing, trapping, as well as camping, gathering, and other cultural and spiritual activities.
2568. When Alberta was created, the interest of the waters within the province under the *Northwest Irrigation Act 1898* remained the responsibility of Canada, the *Alberta Act* section 21.1905. Aboriginal and treaty rights were unaddressed at that time.
2569. Three hydroelectric dams, the Horseshoe, the Kananaskis, and the Ghost are all located on or partially on the reserve lands of Stoney Nakoda Nations.
2570. The Stoney Nakoda have on reserve and off reserve rights to water, water powers, and water beds in their traditional territory, which arise pursuant to the Stoney Nakoda Nation's unextinguished Aboriginal title and existing Aboriginal treaty rights. These rights are constitutionally protected.
2571. Cultural assessments are important in understanding the impacts of projects, cultural resources, and grave sites. One of the projects of note where we have had -- we have not had a chance to do cultural assessments is a project called the Sharphead Reburial Project.
2572. In 1996, the project area south of the town of Ponoka within the former Sharphead Reserve was undergoing the decommissioning of an electrical line. As the power poles were removed, human remains were seen and an archeological excavation was needed for the project area. Twenty-six (26) different human remains were unearthed and eventually taken to the University of Alberta and the City of Edmonton facilities. In later years, two additional sets of the remains were unearthed.
2573. In 2007, the Government of Alberta contacted 15 Nations in order to decide how to rebury the human remains. It was not until 2014 that a special plot of Crown land west of Ponoka was set aside for a reburial ceremony that included Stoney and Cree ceremonial leaders, according to First Nation protocols.

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2574. The total time slot for that reburial project was about seven years, from 2007 until the final reburial in 2014.
2575. Another project that Stoney Nakoda have been involved in is a project called Remembering the Children.
2576. In 2010, Stoney Nakoda took part in the reburial ceremony for remains that were becoming exposed along the north bank of the Red Deer River near the city -- near the Town of Red Deer. Many Stoney Nakoda families attended the ceremony and feast in 2010 at Fort Normandeu in Red Deer. The human remains from the eroded bank of the Red Deer River were graves of children that attended the Red Deer Industrial School.
2577. Also, prior to 2000 the Stoney Nakoda took part in the Dunbow Residential School reburial. Gravesites were becoming exposed in the Dunbow Residential School area at the fork of the High, Wooden and Bow Rivers south of the city of Calgary. Stoney Nakoda assisted with the relocation and reburial of the graves of children that have attended these residential schools.
2578. The reason I'm pointing out these particular instances is because when we do cultural assessments we are working with communities, working with Elders, with technicians to understand where these areas are prior to some activity happening on the landscape.
2579. For the NGTL 2021 Project, Stoney Nakoda conducted cultural assessments that were narrow in scope and the full impacts of the project area were not complete.
2580. With regards to this map, there are two areas that cover Area 2 and Area 3 that are highlighted yellow. These areas are identified as part of the Stoney Aboriginal Title Claim that was started in 2003. In 2014, as part of the Title Claim, a map was produced.
2581. As a result, two cultural areas from the Aboriginal Title Claim are identified within the footprint of the NGTL 2021 Project. These areas are a combination of camping, gravesites and gathering areas. The importance of protecting these areas is crucial to the Stoney Nakoda Nations. This is why these sites were listed in the 2003 Claim.
2582. To date, there are no alternative project routes to go around these sites

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- or other mitigation. These are important cultural sites that we believe need to be protected.
2583. I wanted to give a short overview of the importance of cultural assessments, the Stoney traditional territory and some of the impacts from not doing a proper cultural assessment. Many times when we do an assessment, we are limited to a very narrow area and that is the case here as well.
2584. In closing, the Stoney Nakoda Nation has been one of the largest gas producers in Alberta since the 1970s and know the risks and benefits of natural gas development. We look forward to working with the proponent and regulators to address the many environmental, health and culture concerns with the NGTL 2021 Project.
2585. Thank you.
2586. **THE CHAIRMAN:** Thank you.
2587. **MS. LOUDEN:** Next, Mr. Barry Wesley will be providing his evidence.
2588. **MR. BARRY WESLEY:** (Speaking in Native language).
2589. Good morning, ladies and gentlemen. The reason why I speak my language, as Stoney people or Stoney Nation, we are spiritual people, so our language is very spiritual and respected. This is why I spoke my language so our Creator will hear me as I speak.
2590. So in my -- I'm just going to translate what I've said. I said good day, everyone. And first of all, I'd like to thank the Creator for allowing us to sit here in this circle. That's what I've said in my language.
2591. So I'll just get back to what I'm presenting today in my presentation there. As Stoney people we are -- we live with the land, not off the land, we live with him. As I said earlier, we're spiritual people, so we speak on behalf of the Creator's creations, meaning the four elements: air, fire, water and rock and Mother Earth. We believe everything is alive just like you and I, we breathe the air, we warm up with the fire, we heal with the water and we walk on the rocks.
2592. So with the map -- if you can see up there, I have my map here, can

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- you use my map or no?
2593. **MR. CARTER:** This one?
2594. **MR. BARRY WESLEY:** Yeah. On that map I'm just going to touch on that Number 2. In that -- our Title Claim -- I don't know if you received that map, "Title Claim Schedule C", the "Stoney Title Claim Number 2, Tay River Cultural Resource Area". In our language we call that area (Native word), meaning Swan Lake. So this area ---
2595. **MR. CARTER:** Sorry to interrupt, he's referring to the previous map. Could you please put that up?
2596. **MR. BARRY WESLEY:** You have this map? Oh, okay.
2597. **MR. CARTER:** Could you put the previous map up, please? Thank you.
2598. **MR. BARRY WESLEY:** Sorry about that. Too many maps, yes.
2599. So now I'll just go -- get back to that other map so they can -- everyone can see that map, that first map.
2600. As you see on number -- Number 2, my people or the Stoney people, we call it (Native word), Swan Lake. We do cultural gathering in that area and also ceremonies. We do our hunting, we exercise our Treaty rights, because this is where our ancestors -- from beginning of time this is where they exercised their way of life and today we still carry that on to generation to generation. So we still utilize that area, so we pick -- we go pick medicines. And there's also burial sites within that area.
2601. And Point Number 3, that area we call it (Native word), meaning Willow Creek. This is another gathering place. We have so many gathering places within our traditional territory. So this area provides different type of plants and medicine versus number 2.
2602. So number 3, we go pick berries, huckleberries, blueberries, raspberries. That's what it provides for us, that number 3. And also, there's a moose lick right -- or mineral licks along that from between number 2 to all the way to Highway 16. So this has been there for us as Stoney people that we use

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- that was part of the Creator provided for our people to survive on earth.
2603. So those are one of the most -- this is why we mark that in our title claim. So if you look at that map there, there is lakes, but I can't see the lakes on that map. Yeah, can you get that other map on there?
2604. So on that map, you will see Wolf Lake. I think it's right about there. Then you'll see Wolf Lake and then there is another lake over here. It's Muskiki Lake. And another one down here, McGregor Lake. And Cow Lake is down below here. See, it's on the east side of that point there? There's Cow Lake, there's Jackfish Lake. Okay, there we go. There's Cow Lake over here, Jackfish Lake here, McGregor and Wolf Lake up here.
2605. So these lakes have a connection, underground channel. There is fish in there. There's pike or jackfish, and they migrate underground. And also, they're part of our diet, the fish. This is the reason why we have these gatherings (Native word) and also towards the west, Pinto Lake. It's off your pipeline but I just want to mention that there is Pinto Lake and there's Hope Lake, Allstone Lake, Fish Lake. It's all in this area right here and they all channel to each other. They have a connection.
2606. And that's how Creator provided food for us as Stoney people. Today, we still go fishing in these lakes. And also, these lakes provide medicine or medicine plants that grow under the water.
2607. So these are a very important part of our lives. In other words, they're our pharmacy and also our grocery store, I guess, or meat. They provide us food. Without these lakes or the plants or the animals that habitat in this area, even the birds or the feathered beings, they are all connected together. So if you disturb one, now you're dealing with climate change and that's very important to us, especially my great-great grandchildren. I want them to practise what I practise today.
2608. And also, I mentioned that as spiritual people, we are -- there is, within that area -- I'll point it out -- this area here, Brazeau River, Nordegg River, that area -- there's a Nation of little people exist there, but you and I cannot see them. You got to do a special ceremony for them. Today, we still have that connection.
2609. So as I speak on behalf of them, you know, you got to show and give respect to nature.

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2610. So I want to thank you for listening, take that time and listen to me.
Thank you.
2611. **MR. CARTER:** Mr. Wesley, if there may -- may I ask you a few
questions?
2612. **MR. BARRY WESLEY:** Yeah.
2613. **MR. CARTER:** You pointed out the two cultural areas claimed in the
Title Claim.
2614. **MR. BARRY WESLEY:** Yes.
2615. **MR. CARTER:** Could you show us your traditional hunting area?
2616. **MR. BARRY WESLEY:** Okay. If you look at that map, this whole
area goes all the way up right along these park boundaries. This is where we go
hunting and harvest medicine. So this whole area is where I practise. That's
where I live. I don't just live on that reserve, on that Big Horn Reserve. That's
where my house is situated, but this is where I live, this whole area right up to
Edmonton, Red Deer, down here in the parks, Jasper and Banff National Parks.
2617. So as Stoney people, we don't just live one place, but we do have
homes in these -- on our reserve. But we live our lives and practise our culture
and our Treaty rights.
2618. I hope that answers your question.
2619. **MR. CARTER:** Mr. Wesley, could you point out some burial sites or
significant cultural sites that you use or members, other members of the
community use for, for example, pipe ceremonies?
2620. **MR. BARRY WESLEY:** Yes. If you look at the map here, we do
ceremonies in this area. I'm just going to circle it. I don't want you to go
disturbing it. And right along here, even right here, all these riverbanks, Brazeau,
Nordegg River, we have burial sites along here, in here and up here, that Wolf
Lake area. So we use our land. Today, we continue to practise our culture.
2621. **MR. CARTER:** Mr. Wesley, could you please speak to the spirit of

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- the plants and how those may be disturbed by the proposed Project?
2622. **MR. BARRY WESLEY:** When you disturb a plant, you know, like I said earlier, they're a living being. They breathe just like you and I. They use the air, the sun. So they have a spirit like everyone else in this room. And we have a special connection through pipe ceremony. We communicate with these plants or the four-legged animals. We're all Creator's creation. We communicate. We sit like this in ceremonial sites.
2623. So they're very important. If we miss -- if you disturb a plant, if you go replant it, well, it's not going to work because you're not following proper protocols. Every plant has a protocol to follow to harvest, to replant. Even the rocks, everyone of them has a protocol to follow. And that's through our pipe ceremonies. If you communicate with them, we can all live in harmony.
2624. I hope that answers your question.
2625. **MR. CARTER:** Mr. Wesley, could you speak to the importance of hunting to the Stoney Nakoda?
2626. **MR. BARRY WESLEY:** When we hunt, we don't just hunt for one species. We hunt for moose, elk, whitetail, mule deer. Before the buffalo disappeared, they were part of our diet also. Even the caribou, they're part of our diet. And they also are our medicine.
2627. So today we miss some of that medicines. There's illness to some of our people.
2628. So, you know, hunting is very important to us. They feed us, these animals. So if you disturb them, they'll move on. Guess who's getting impacted by it? Me or my children, or my grandchildren. Yes.
2629. **MR. CARTER:** Mr. Wesley, how have your hunting practices been impacted by construction or private property?
2630. **MR. BARRY WESLEY:** It has a really deep impact on us. I'll use my dad's generation. Hunting was so -- animals were so abundant, so hunting was really good. Today -- so back then there was not much construction, or destruction going on, or disturbance.

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2631. Today, that's one of our challenges. We have to kind of -- we have to travel distance to get our medicine, and those are the animals. And with the construction going on, you know, these animals that habitat in these areas, they moved on. And also, they live by the season, their cycle, like a circle. They follow the four seasons.
2632. And that's how we hunt too as well. They have to -- the female, they have to calf, they go to a certain area to do that. Fall, the rutting season, they go to another place. And during those between times, they go eat. So they have these areas. So as hunters, we recognize these areas and those are our hunting areas. And all these constructions disturb those areas. Now it impacts us.
2633. Today, we have a hard time finding moose in these areas. And there's too many traffic. So it has a really deep impact on us. Yeah.
2634. **MR. CARTER:** When was the last time you caught a moose?
2635. **MR. BARRY WESLEY:** Last time I caught a moose would be about two years. That's how much it had an impact on me. Two years.
2636. So now, you know, I'm missing a medicine. That's probably why I feel sick today. If someone can bring me a moose meat, maybe I'll feel better.
2637. Really, that's our way of life is, you know, we have to have our medicine.
2638. **MR. CARTER:** And how often do you hunt for moose?
2639. **MR. BARRY WESLEY:** We hunt seasonally, like I said. You know, moose, they too, with the four seasons, they do on a diet. So they eat medicines, plants. And then they change their fur too.
2640. So when we go out hunting, we don't just go out for trophy hunting or for the sport of it. We go to survive, give us clothing or the hide we use at a certain time of the year, the moose hide is really good. So is the meat. So it's seasonal.
2641. And that goes for the other animals. So we don't just go out there and massacre, or take, or disrespect them. Yeah.

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2642. **MR. CARTER:** Mr. Wesley, how long have you lived at the Big Horn Reserve?
2643. **MR. BARRY WESLEY:** I lived there most of my life. Back in the '60s I moved out for academic purposes. And I came back. I still have to go back home.
2644. That's my home, meaning, when I say home, I'm not talking about my house. I'm talking about that area. I have that special connection. And I have to continue to connect with nature. So I'm living two worlds -- western living and my culture. And that's a challenge. Yes.
2645. **MR. CARTER:** Mr. Wesley, there was an emergency incident that occurred at the Big Horn Reserve. Could you please tell us what happened?
2646. **MR. BARRY WESLEY:** This was back in 1982, I think it was. The Lodgepole, one of the gas plants exploded and there was sour gas. So if you look at the map, you know, lots of it is right in this area somewheres. And our reserve is here. So when that exploded, within 12 hours that smell came right up to here.
2647. So travelling through this highway to go get my groceries or my hunting area, I couldn't do it. And if you look at our reserve, we are isolated from any other towns. The nearest town would be Rocky Mountain House and that's right there. So when this plant exploded, they have a security right at the gates of the mountains there, the Foothills. So you got to pass through there, you got to pass through security. And you know, it made our lives difficult during that time. And I hope my grandchildren don't have to go through that.
2648. **MR. CARTER:** Mr. Wesley, how were members of the Big Horn Reserve notified of the emergency?
2649. **MR. BARRY WESLEY:** We haven't, at that time -- we didn't get notification, nothing. We were just -- we didn't know it until we -- some community members travelling back and they ran into security, security points. Then they got home and they kind of spread the message. There was no emergency plan, nothing.
2650. Today, we still don't have any emergency plan.
2651. **MR. CARTER:** How many members of the -- or what percentage of

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- the members of the Big Horn Reserve speak English?
2652. **MR. BARRY WESLEY:** I would say 50 percent. We still have our language. As I had mentioned earlier, our language is a spirit.
2653. **MR. CARTER:** Mr. Wesley, I have no further questions.
2654. Mr. Wesley will answer any questions from the Board or the Proponent or Intervenors at this time.
2655. **THE CHAIRMAN:** Mr. Duncanson.
2656. **MR. DUNCANSON:** Mr. Chairman, perhaps we could just discuss process because I'm not entirely clear on the wishes of Stoney in terms of how the questions are going to come. I think we might have some questions from what we've heard this morning. They won't necessarily be questions of clarification. I think they might be more substantive than that. And so we can ask those orally today or we can ask those in writing. So I just want to clarify the process before I proceed.
2657. **MR. CARTER:** If the questions are going to be substantive then the written questions would be preferred.
2658. **THE CHAIRMAN:** Do you have any verbal questions for now?
2659. **MR. DUNCANSON:** No. If that's the preference, then we'll follow the process in writing.
2660. **THE CHAIRMAN:** We'll come back later to -- for the timing of those.
2661. Do other Intervenors have any questions? For the record, I see heads shaking no.
2662. **MS. LABRÈCHE:** Environment and Climate Change Canada has no comments at this time. Thank you.
2663. **MS. HATCHARD:** Similarly, Natural Resources Canada has no questions.

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--- (A short pause/Courte pause)

2664. **MR. CARTER:** The next member that will be speaking is Elder Charlie Abraham. He is a member of the Wesley First Nation and resident at the Big Horn Reserve.

2665. Mr. Abraham, could you please introduce yourself and tell us a little bit about yourself?

2666. **ELDER CHARLIE ABRAHAM:** Good morning, everybody. It's nice to see everybody here, beautiful rainy day, so what can we do? The Creator wants to be that way, so what can we do? He's the one that looks after us.

2667. But I'm Charlie Abraham. I was born at the Big Horn Reserve, a Stoney and I've been there all my life. And I was born in 1942 and I go to school here. And then when I must go out, then I started to go out in the back country, see what it's like, because I like back country more than town. So that's where my -- all the times when I had a hard time, yeah, and doing everything, riding or everything because I didn't do much education.

2668. But I said, like, oh yeah, I've been with the horses since I was born, I guess, so -- and I still ride horses a little bit but it's a little too rough for me, so -- but I'm going to do it til I fell off. So thank you.

2669. **MR. CARTER:** Mr. Abraham, what did you do for work growing up at Big Horn?

2670. **ELDER CHARLIE ABRAHAM:** At Clearwater district when I was 18 years old, I got myself a good Class A driver's licence and then go out in the back country guiding, sheep, elk, moose.

2671. And then -- so that's what my job was til later on when everything, all the regulation was changed. So I get out of the guiding and then I went to the -- I go to forestry and I worked -- and I've been working for 23 years. So we do a lot of horseback patrol in the hunting season. So I know pretty well all the Clearwater district from Ya Ha Tinda right up to Cadomin.

2672. I've been doing all my life because one time, I had several parties, it was 21 head of horses by myself. This was seven groups doing the region survey. I looked after my horses. For two months I did that in summertime. And then I

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- go to forestry. Like I said, I've been guiding in the mountains for so long and then I went to -- I repeat again, was that I go to forestry and then it was -- then I reported up to patrol cabins around the Clearwater. We put one up at Southland and there was one at Vimy but they burned that down, so we put another cabin there.
2673. And then we went up to Blackstone and we put another patrol cabin out there, so there's a patrol cabins around the pass through and then Brazeau and we ride up Brazeau, right up to Grove Creek. And then we could go to the cabin there and then we patrol on all the way up to Brazeau Falls and then back, and then Job Lake. And then we come over Job and then we come to the highway and then sometimes we go down to Pinto Lake and patrol over here and then come back through -- right into the Clearwater District. That was my job. Plus I do a lot of horse, looking for varieties, looking around, see what I do in my spare time. So that's what I like.
2674. And then the Band put me in a politician, but that's not my job. I've been there -- it was 10 years, but I'm not finished going but it's not my job, so I get out of that politician. Actually it should be better for my life on my own, looking after myself and my family. But the health is pretty bad. The health is pretty bad and then the sugar diabetes, it's the worst one. I don't like that sugar diabetes, but my wife she's in the hospital right now with sugar diabetes. And then I also had a lot of broken bones and I got 100 percent arthritis, but I still try to go around.
2675. My job was that plus in winter time I used to have a trap line and I do the trapping, back country. My trap line was from Nordegg River right up to Brazeau, looking -- Horn Creek to the highway. The road goes to Brazeau Dam; in between there, that's where I do my trapping. But I get everyone out too because there was a lot of cut logs, too many cut logs. And it seems to be going out, so I just quit on that one.
2676. And then the wild game, I like berries, they all move out. And I heard that elk -- you know, that wha you call them, that -- I can't remember the perfect word so I will just use our -- (Speaking in Native language).
2677. I know there's a lot of alcohol. And I talked to that guy and he said, "Anytime wearing something to get yourself some meat." But it's quite a ways, so one of my Elders told me, "Why don't -- why don't you get that straightened out and then deal with them and then we will get ourselves some wild meat."

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2678. But I didn't do it yet, but I might do that too to make some dry meat for our family. It's how we grew up. God made these and Elders teach us how to make dry meat of wild game. And the best time to hunt was in August, September and October. Why October? You start with the rotten -- everything goes down to -- kind of slow down and that.
2679. I know pretty well in the back country, Clearwater District. From Abraham Lake, I rode through the park, I rode up to Banff and what you call them, that lake, I can't remember -- Lake Minnewanka through the -- through the park. It took us seven days to get to -- from Big Horn to Lake Minnewanka. So that's how my old people used to travel.
2680. So I'm just trying to cover what I heard from my parents. How they do the things. It's all from Morley right across -- right up to Big Horn. Again, from there they all split up, different species and go out hunting. Do some dry meat and stayed in the big country for a while.
2681. But one thing that really bothers me, Big Horn Reserve, we got more population going, that reserve is pretty small. And then we got a homestead south of the reserve. You can see there are a lot of homesteads out there. But the government takes care of that. If we could get that back, the next generation could move out there too where our old Indian traditional land is. And then I know there's a lot of traditional lands out there too, which is confidential. You have to do it the right way to see it, to go to that place.
2682. And then we have to go to one place pretty quickly, and then there's other graves right around -- right around the Foothills, the Clearwater District, right across. I seen some of them and then some of them play. My parents told me that on the south rim they call it (Native word); that means measles. You got a lot of measles at that time. And they say there's lot of peoples killed on the north rim. So there's a lot of history back there which I know. Excuse me.
2683. So I kind of -- they kind of tell the young people, teach the young peoples. And they said one guy wants to go to Pinto Lake for food and then the young generations he wants to take him to show the country what I've said. When I say "back country", it's just a piece of view where I seen it. I've been there so many -- that's about what I did all my life.
2684. **MR. CARTER:** Mr. Abraham, could you please explain where the

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Clearwater District is?

2685. **ELDER CHARLIE ABRAHAM:** Everybody knows where
Clearwater District is.

--- (Laughter/Rires)

2686. **ELDER CHARLIE ABRAHAM:** It's in Alberta. Well, it's right
here. Right here, right there through the -- right through the -- down, down, just
east of the park, all the way down to Ya Ha Tinda, that's where the -- that's where
it is.

2687. **MR. CARTER:** Thank you, Mr. Abraham.

2688. Mr. Abraham will answer any questions of clarification at this time
and we'll reserve any substantive questions for written questions and answers.

2689. **THE CHAIRMAN:** Mr. Duncanson?

2690. **MR. DUNCANSON:** I have no questions of clarification. Thank
you.

2691. **THE CHAIRMAN:** Any other intervenors?

2692. **MS. LABRÈCHE:** No questions of clarification from Natural
Resources Canada.

2693. **MS. HATCHARD:** No questions from Environment and Climate
Change Canada. Thank you.

2694. **THE CHAIRMAN:** No, the Panel doesn't have any questions.

2695. I believe we've been going at this for about an hour now, so we'll take
a short 15-minute break.

--- Upon recessing at 10:08 a.m./L'audience est suspendue à 10h08

--- Upon resuming at 10:40 a.m. /L'audience est reprise à 10h40

WILLIAM SNOW: Resumed

CHARLIE ABRAHAM: Resumed

GILBERT FRANCIS: Resumed

JOHN WESLEY: Resumed

JOHN SNOW: Resumed

ALVIN YOUNG: Resumed

LENNY WESLEY: Resumed

GARY DIXON: Resumed

FLOYD CRAWLER: Resumed

BARRY WESLEY: Resumed

CHRIS GOODSTONEY: Resumed

CONAL LABELLE: Resumed

SEONA ABRAHAM: Resumed

2696. **THE CHAIRMAN:** Mr. Duncanson, I hear you have a preliminary matter?

2697. **MR. DUNCANSON:** Thank you, Mr. Chairman, I do. It's just a comment I wanted to make sure I got on the record this morning, and I didn't want to break up the testimony this morning in doing it.

2698. I do have a procedural concern with how that first map that came in this morning was put onto the record. The substance behind it, these cultural resource areas that are located in proximity to the Project, that's new information on the record that we didn't have previously, and apparently this map, I think as I heard it, had been generated in 2014. So it was certainly information that could have been filed with the written evidence from Stoney Nakoda, and in my view, it should have been, if that was information that they wanted presented to the Panel.

2699. For the same reasons that I expressed concerns yesterday, when this type of new information comes to us in this forum, it's much more difficult for us to review it and respond to it in the same that we could other information. And so like the information that we heard yesterday, we will address that information, to the best of our ability, through the process that the Board has established, but I did just want to make that clear on the record that that type of information, new maps with specific areas, in my view, that's not information that should be presented for the first time here, and certainly not for the first time the morning of OTE without even following the Board's procedural direction; that we should be getting that type of information at least a day in advance of the OTE.

2700. **THE CHAIRMAN:** Thank you for that. From your preliminary remarks, I'm assuming this is not a motion? You just wanted to put on the record

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- a comment; is that correct?
2701. **MR. DUNCANSON:** That's right.
2702. **THE CHAIRMAN:** Okay. Thank you.
2703. I'm not sure who's going up next.
2704. **MR. CARTER:** Alvin Young will be speaking next. He is an Elder from the Wesley First Nation. Apologize, Chiniki First Nation.
2705. Mr. Young, could you introduce yourself and start off by telling us where you grew up?
2706. **ELDER ALVIN YOUNG:** Hello. Good morning, and my name is Alvin Young, and I grew up in Morley reserve. And I was a residential school survivor, like, and mostly I've been in residential for about three years. And right now, well, I'm working as a liaison for my band, the Chiniki Band, and I've been on this job since 1999. So thank you.
2707. **MR. CARTER:** Mr. Young, do you hunt?
2708. **ELDER ALVIN YOUNG:** Yes, I do.
2709. **MR. CARTER:** And who taught you how to hunt?
2710. **ELDER ALVIN YOUNG:** My grandfathers taught us how to hunt in our younger days, like, you know, because we used to camp out in the -- like Jumping Pond areas, or west of the Ya Ha Tinda, like, you know. And as we grew up they taught us how to hunt, and skin, and butcher wild animals as we saw them, you know.
2711. **MR. CARTER:** Could you tell us how you used hunting camps?
2712. **ELDER ALVIN YOUNG:** Well, that time it was in the early -- I mean, like, about late '50s and early '60s. We used to go camping out there by horseback, or by wagons, you know. So I remember one time we went camping out at the west of Sundre, like, Ya Ha Tinda area, and it took us two days to get out there. But see, like, they taught us how to hunt a certain kind of -- certain kind of animals, like, in -- it's not all in one month, like, you know, because it's

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- certain kind of animals that are -- there's certain times that we've had to get them.
2713. You know, some moose we'd get them in the fall, and that mule deer we'd have to get them in the late, late fall, like, you know, because -- and we don't hunt out there for trophies; right? So and we take everything, like, out of the -- we use everything on the -- if we saw the moose, well, the ladies, the women, they tan the hides, and they make moccasins and gloves, jackets for us, like, for the year round, you know, so.
2714. And the food, well, we wouldn't spoil everything. It's all come to use and, like, they all dried meat and -- well, like, in certain time of the year, like, in the fall, we used to have some kind of -- we still carry that on, you know, like, the cultural feast that we would put up, like, to thank our Creator for a good summer, or in remembrance of our loved ones that had passed on in this.
2715. **MR. CARTER:** Mr. Young, what happened to the hunting camps that you used to use?
2716. **ELDER ALVIN YOUNG:** Well, right now -- like, in those days we could camp out any place and there's certain areas, like certain people like my grandfathers, they picked certain areas and we used to camp out there. And but now there's restricted areas. You can't go in there. There's gates and there are padlocks and their -- and I got chased away here about -- I believe about six years ago where we used to camp. We went out there, but there was a forestry ranger, and they told me that's a restricted area now, and it's all recreation area now, so we can't camp in there, or even the water, we can't get any water from there too.-
2717. **MR. CARTER:** Mr. Young, what are some other impacts to hunting that have happened?
2718. **ELDER ALVIN YOUNG:** Well, now, it's -- like as I was saying, you know, it's mostly all restricted areas, and now there's a law saying that we would have to have FAC to get the hunting -- I mean, to get ammunition and guns for -- without those FACs we can't get those. And even when we're out off the reserve hunting without the FACs, the forestry personnel could have the authority to take the meat and the guns away from us.
2719. And like I remember one personnel that we used to camp at his area and go hunting every year, like, you know, but then he retired and his son took over. So a few years back, we asked that guy if we could still camp out of his --

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- out at his area to hunt, but there's lots of pipelines and restricted areas. And he said that he's retired now and his son is taking over the ranch area, but then his son won't let us hunt in there until the hunting season's over, because -- but then later on, we found out that he has ridden out those areas that we used to hunt to the -- for trophies, like, for hunters, like, that's not Aboriginal.
2720. **MR. CARTER:** Thank you, Mr. Young. Is there anything else that you'd like to add?
2721. **ELDER ALVIN YOUNG:** Yeah. Like, on these pipelines that we're talking about, it's still, I guess, the Elders before me were saying that in certain areas that there's herbs and plants that we use for cultural medicine, you know, but they all just don't grow in one area. There's certain kind of plants that we have to get maybe about three-four-hour drive from here and there's some plants that we can get maybe about half an hour drive away from here. But that's -- on these pipelines, well, like as I was saying that there's no -- there's restrictions in there. We can't go in there. There's no trespassing in there. If we get in there, what do they do? They charge us for trespassing. And it damages the creeks, and like, where we used to pick berries too, well, once the pipeline is built in there, there's no more berries in there. We can't go in there and pick berries.
2722. And hunting areas, there's these clear cuttings that's going on too; well, the animals are pretty scared. They're hard to get now.
2723. And I don't know, but it's pretty hard for us to even to go out and get moose. Like, we used to get moose at the Jumping Pond areas but now there's a lot of camping areas and restricted areas. And the other day we were riding in the mountains and we were just hunting out there and we ran into a bunch of hikers there that -- and there's no animals in there. They've chased them all away, like, even by hiking and having like, those sports quads and especially like, motorcycles and that.
2724. **MR. CARTER:** Thank you, Mr. Young.
2725. Mr. Young will answer any questions of clarification. Only reserve all substantive questions to be written -- to be answered by written questions.
2726. **MR. DUNCANSON:** We have no questions of clarification, Mr. Chairman. Thank you.

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2727. **THE CHAIRMAN:** Do any of the other Intervenors have questions?
2728. **MS. HATCHARD:** No questions from Environment and Climate Change Canada. Thank you.
2729. **MS. LABRÈCHE:** No questions from Natural Resources Canada, thanks.
2730. **THE CHAIRMAN:** The Board has no questions either.
2731. **MR. CARTER:** Thank you.
2732. John Snow will be speaking next. He is an Elder from the Wesley First Nation.
2733. Mr. Snow, could you please provide us with a brief educational background and some of your relevant work experience?
2734. **ELDER JOHN SNOW:** I was going to refer to some notes that I prepared. Basically, I have a Master of Arts degree from the University of Calgary and that specialization is in Public Policy, Law, and Administration.
2735. I also hold a Bachelor of Science degree and a Petroleum Mineral Land Management diploma.
2736. Currently, I'm completing a Master's of Divinity degree and specializing in implementing the principles of TRC, the Truth and Reconciliation Commission, as well as working on the United Nations Declaration on the Rights of Indigenous People.
2737. I am a member of the Stoney tribe, Nakoda First Nation in Treaty 7. I am a direct descendent of the Nakoda Treaty 7 signer, Chief Jacob Stone -- Goodstoney. I also, I am a Nakoda pipe holder, ceremonial participant, and I also bring a shared experience of traditional and cultural knowledge, teachings of the Indigenous people and knowledge of the land.
2738. I'm also completing my ordination work with the United Church of Canada and bring an informed perspective of Western education and traditional upbringing with my Elders.

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2739. I have worked throughout my life to lead, teach, and develop resource land and environmental mitigation, as well as working on solutions and agreements with Indigenous people, respecting our traditional lands, traditional knowledge, cultural, environmental rights, as well as promoting social, economic, and spiritual well being. These acts of working on land issues are in alignment with our Elders' wisdom and knowing, and implementing our inherent rights with the principles of the Truth and Reconciliation Commission and the United Nations Declaration on the Rights of Indigenous People.
2740. In 1988 I began my career as a mineral negotiator with Shell Canada Limited. I have been working in the industry close to 30 years and I also worked for the Stoney Nakoda as an oil and gas manager.
2741. I have been teaching since 1996 when I got my Master's degree, so I have taught Petroleum Land Administration courses at SAIT as well as numerous other first-year extension courses at Brandon University. And currently, I am an instructor for environmental training for Indigenous environmental monitoring with Indigenous Visions. I work with Carol Crow and I am one of her instructors for BEAHR Training and they deliver ECO Canada courses across the country.
2742. Since 1999, I have participated in several national international committees and projects providing global and national context to review Indigenous land, culture, and environmental policies and regulations.
2743. In 2010, I was awarded a deputy minister award for completing an exhaustive review of the *Indian Oil and Gas Act*. This required working effectively amongst multiple governments, First Nations, councils, committees, boards. I've also had security clearance to the MC, Memorandum of Cabinet level.
2744. In 2014, I was Technical Advisor for the Hydraulic Fracturing Review and Report at Cape Breton University. Since 2016, I was appointed by Order in Council to be a governor on the board at the Banff Centre for Arts and Creativity, a program known for its Indigenous governance and leadership programs in Canada. I have just received reappointment for this important leadership position.
2745. In 2017, I was involved in delivering pre-construction, construction, and mitigation strategies for pipeline projects including Line 3 Replacement Pipeline. I worked successfully with Indigenous groups to implement a terms of reference with the National Energy Board and Natural Resources Canada to

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- ensure access and completion of the L3RP Project through the Indigenous Advisory Monitoring Committee.
2746. I apply my land and environmental expertise and knowledge to work on public participation and community engagement. This includes mediation, risk analysis, advice on uncertainty, and including emerging principles of what I have termed "Indigenous compliance" during my tenure with the Indigenous Advisory Monitoring Committee on L3RP.
2747. I have strong personal involvement with Indigenous Nations, teaching courses on Indigenous environmental monitoring, supporting and evaluating impacts of projects and mitigation plans. I develop, teach, and implement principles of Indigenous and traditional and cultural knowledge and sustainability that helped to mitigate the disturbance of burial sites and significant cultural areas for many Indigenous groups.
2748. As a long-time CPLA and capital member, I bring the most valuable skills and knowledge from a mineral land and negotiation perspective, writing solutions into many community and resource concerns and agreements.
2749. Finally, most notable of reconciliation agreements I have drafted and negotiated and had approved, include the Banff Park MOU with the Stoney Nakoda Nation in 2009, 2010. After a century of exile from the National Park, this creative agreement allows the Stoney Nakoda people National Park access, harvesting, collecting, and practicing of ceremonies. This agreement allows for community relations and reconciliation for the recognition of our ancestral rights to traditional and cultural areas.
2750. **MR. CARTER:** Thank you, Mr. Snow. Could you now please talk about your father and some of the knowledge that he passed on to you?
2751. **ELDER JOHN SNOW:** With regard to this area in the Big Horn and Nordegg area, there was a dam that went up when my father first became chief. And he would recount to me in oral tradition and through his book, these mountains are sacred places. The area that was flooded was to become Lake Abraham. And many of our graves were flooded.
2752. As a child, I went there with my father and we surveyed the area before the graves were flooded. So it was one of the darkest days in our history to have that area all flooded. Currently there are still graves beneath Lake Abraham.

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- There are current outstanding issues with land claims in the area, especially for the Stoney Nakoda.
2753. Predominately, the Wesleys live up in that area. But it's not exclusive. There's also Bears paw and Chiniki that live in that area. So when my father recounted that to me in oral tradition, in the book, and also in going to visit the people, it remains a trying circumstance, an emotional area because of what we lost there.
2754. And so anything in this area, as we traverse along the foothills, is very sensitive to our people. We have many grave sites, many burial sites. There's many harvesting areas there and throughout the foothills, eastern Rockies.
2755. **MR. CARTER:** Mr. Snow, could you elaborate on the trail systems and some of the trails used by the ancestors of the Stoney Nakoda?
2756. **ELDER JOHN SNOW:** I do some work with different museums and interpretation. And a lot of times when we're speaking from oral tradition, it's not validated or corroborated. But there's a number of Stoney trails throughout this system that has been proposed. And historically, it was known as the Morley Trail. So it would have come from the Victoria Settlement into Edmonton, and then coming along down the -- that -- the depiction of the project area.
2757. The Morley Trail was really the Stoney Trail. And that was a buffalo trail that we travelled, and gathered, and harvested. And throughout those ancient trails, we have -- our dead are buried.
2758. **MR. CARTER:** Mr. Snow, what cultural practices or ceremonies would be appropriate or required prior to any construction in the Stoney Nakoda traditional territory?
2759. **ELDER JOHN SNOW:** The practice of the Stoney Nakoda, which has developed over the decades, and I might digress here for a little bit. The Stoney Nakoda have experienced drilling since 1928. So the first wells were drilled in Morley Flats by Shell 1928. So we've been involved with the industry since 1928.
2760. One of the large productions is Jumping Pond and Wildcat Hills.
2761. When we begin our work, our health, safety, and environment

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- requirements, ceremonially, are that we would have some type of ceremony prior to construction and kickoff. So this might be a pipe ceremony, it could be a sweat lodge ceremony, it could even be a Sun Dance ceremony, which is very long and elaborate.
2762. As a Sun Dancer, I know that events take in excess of four days long to do these ceremonies.
2763. So these are some of the preparation that we would do prior to drilling, prior to pipeline construction, prior to plant construction. We've been involved over the decades with this protocol from the Stoney elders, and the Stoney tribal council, and the Stoney people, whether that is located at Eden Valley, or at Morley, or our northern reserve, Big Horn.
2764. I just wanted to jump back to the Morley Trail that came from Edmonton and through -- essentially through 22x and that whole area is one of the trails.
2765. We would go north to visit our kin, our relations. So we're related to the Paul Band, speak the language as the Paul Band. We also speak the same language and we're related to Alexis First Nation. So those are Stoney Nakoda. So that's right through our travelling route to visit our family.
2766. We still harvest, and travel, and gather today, picking medicines, berries, harvesting special and unique materials for our ceremonies, for our worship. And so when we begin these ceremonies, we'll start with a pipe ceremony or a smudging ceremony, like we did here today. And we have that as part of our protocol.
2767. **MR. CARTER:** Mr. Snow, based on the knowledge that was passed down to you from your father, what are some measures that can be implemented to reduce the impact of construction to the Stoney Nakoda's traditional territory and their cultural practices?
2768. **ELDER JOHN SNOW:** I think there's a number of opportunities. And that's why we're here, is to explore and to look at opportunities. From my own personal experience, I apply over time what my father had taught me.
2769. One of the recent successful projects I was involved in was with Line 3. And one of the things that we had to do was mitigate 109 Nations through Line

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3. With the vision of NEB and the vision of NRCan, we were able to put together terms of reference. That terms of reference included the TRC, Truth and Reconciliation principles, as well as United Nation Declaration principles.
2770. That project, as you know, has been completed on time and under budget, I hear, and without much protest.
2771. What my father taught me was to work with industry. What our people have taught me is that we share a responsibility to the land. So if we're going to operate successfully and prudently to be in relationship to one another, then we need principles to operate.
2772. So I'm thankful to the vision of the National Energy Board. I worked initially with Peter Watson. And after he had designated Dr. Robert Steedman, then we were able to put together the terms of reference for Line 3. That was one of the most recent successful opportunities of working with pipeline.
2773. In the past, with my work at Stoney, we were able to realize some really cutting-edge solutions. So one of the areas we needed an ERP, Emergency Response Plan. And as my colleagues have said, our people are Stoney speakers first, so they don't -- they're not -- they don't have the English, the level that we expect in society.
2774. So Shell, in its participation and the Stoneys in their wisdom, put together an ERP, Emergency Response Plan that's translated into Stoney. So Alvin was one of the liaisons, as well as Lenny Wesley, and there's another liaison, Clint Hunter. And they at the time that I was working at Stoney, were the liaisons and helping to interpret the emergency response planning. So I think that is a success that's something to build off of. And working with the Elders, working with companies, and then doing the teaching and lectures were key to informing industry.
2775. So one of the things my father participated in prior to kickoff for the Shell Moose Mountain Pipeline, was that we needed a cultural awareness session. So my father, before he passed, he was able to participate with Shell in a cultural awareness session. And so we were able to deliver the awareness to the proponent, to the contractors, to all the subcontractors, and the key to success, Mr. Chairman, is notification of the project. In Shell's case we were notified two years ahead of time. So that allowed us to put together plans that allowed us together -- to work together with the company on workplans, on looking at

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- providing insight on traditional areas, traditional land use studies. It allowed us to do cultural assessment. It allowed us to mitigate any type of significant sites that were involved.
2776. So with the Shell project, similar to the Line 3 project, we were involved at every step of every point of the project, right from the initial ceremony, to working with the contractors, to looking at the staking out of the route and walking the route. I also might share, Mr. Chairman, that one of the successes we had at the Line 3 is we had an area that had to be mitigated. So the contractors that were working for the proponent had traversed one particular leg of pipeline and they said there's nothing there. There's no historical resources, there's no sites.
2777. So we asked for an Indigenous environmental group contractor to be engaged so they did. That Indigenous environmental contractor brought in Elders and they did a ceremony similar to what we did here today. And do you know that leg that they identified as not having any sites, showed up about 25 sites after the ceremony. The 25 sites included burial sites, fasting sites, significant harvesting sites, and also, Mr. Chairman, had included the ability to identify springs that were in the area. So the springs had to be mitigated, that wasn't seen before the ceremony. As well as there was a species at risk that became known and involved. So I believe at that time the northern leopard frog had traversed that area.
2778. So then we had to mitigate the line construction and it was done successfully, I'm proud and happy to say. Because we had the terms of reference that we could rely on inside our Truth and Reconciliation principles as well as UNDRIP principles, which were agreed to by the NEB and NRCAN, we were able to find that solution. And to me that's a positive way to approach development. I think being a tribe that has been involved since 1928 with the oil industry, the gas industry, and we've never gone down -- meaning we've never stopped, and we've never had a big protest -- I think we understand how to work with industry, Mr. Chairman.
2779. So these are some of the things I think that can help us with our work that we want to continue. The work that -- and the training that the Stoney's need. We're hoping to deliver training to the staff as well as learning what the Elders have to share with the young people. We have a lot of challenges in our reserve. I was raised on the reserve. I know that we have high alcohol, high suicide rates and really there's -- our people are really challenged. So we need these education

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- opportunities, we need work, we need the -- to get rid of the unemployment, we need jobs. And so that's why we're so attentive and interested in becoming involved in trying to work with industry, work with the government, work with the regulators.
2780. **MR. CARTER:** Thank you, Mr. Snow. Is there anything else that you would like to add?
2781. **ELDER JOHN SNOW:** I think as we developed our terms of reference with Line 3, one of the emerging principles, or one of the emerging patterns that came out of our work with Dr. Steadman and Peter Watson was that there's the notion of Indigenous compliance, and to me simply that's the avoidance of these burial sites. It's mitigating the harvesting sites. It's respecting and setting aside Indigenous protection areas.
2782. So if there's a tipi ring, if there is a harvesting site, a medicinal site, we would like to have those areas protected. We would have those -- that route mitigated, and we've done so successfully, whether it's been a proponent like Shell, or whether we did it and were successful in working with Enbridge on Line 3. So I'm hoping that these principles will be developed and embraced by the National Energy Board.
2783. I think that there's a need, Mr. Chairman, for cultural awareness. I think there's cultural protocols that need to be observed. There's also an importance of having ceremony lead us.
2784. So one of the things I'll recount with you on ceremony, I was approached, and this was in 2008, 2009, by the then Superintendent Kevin Van Tighem in Banff. And at that time, we were commemorating our 125-year expulsion from Banff, and he came in reconciliation manner and he said, "What can we do?" So in order to initiate that program, that reconciliation, to initiate the return of the Stoney to the Banff park, we had a ceremony. We began humbly with a pipe ceremony that was followed by other ceremonies, sweat lodge, and also feasts.
2785. So this is the protocol, the validation of accepting work, accepting relationship with other entities, whether that's Banff National Park, or a proponent dealing with a pipeline. We try and work with all and we try and understand how we are able to help one another. And that's one of the teachings of our people, is working in harmony.

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2786. And we really learn from nature, we observe nature and we learn from nature. So one of the stories and one of the parables my father relates to me is a story from Walking Buffalo, our late Chief, our late leader, Walking Buffalo, Tatânga Mânî. And Tatânga Mânî has a teaching and that teaching is that when you look at nature, when you look at the forest, and you ask a question, why is the forest beautiful? Inside the forest you see many things, many trees, red trees, black trees, white trees, all different colour trees, and you see different coloured plants, how the trees protect the plants. So why is that site beautiful? And our Elders tell us, "The site is beautiful because it grows according to the plan of the Creator," as my fellow Stoneys have been recounting. There's a spiritual aspect to it, and that's not lost on us.
2787. One of the notions Dad writes in his book is that when other cultures come here and they lose their language or culture, they have the ability to return to the mother country and obtain that culture back or that language. When we lose it here, it's gone forever. So as we teach, as we learn, we're looking to share what we know. We're looking to share the opportunities. We're looking to share our culture.
2788. Finally, if you look at some of our landmarks, it's not easily moved or transferable. So one of the mountains we have that's sacred to us it's mispronounced. It's mispronounced Yamnuska. Yamnuska, which means "tangled hair". It's not translated. Eyamnuska (ph). Eyamnuska. That's the name of Mount Eyamnuska, not Yamnuska.
2789. Eyamnuska cannot be moved. We cannot pick another place to have vision quest. We cannot take down -- if you're in the dominant society, you can take down a church, and you can put up a high rise, and they don't care where the church goes. Our culture is not transportable, not transferrable. That is the difference.
2790. So as my father would say, once we lose something here, it's gone forever. So that's why it's so critically important to try and preserve language, cultural teachings of the land. And we share those teachings with our northern brothers and sisters at Paul Band, at Alexis, those are our northern relatives, and this traverses our northern route. And we also have relatives in the east, and in Saskatchewan, and in Manitoba. So throughout this area, as you know, is our title case. So that continues, and that was begun by our ancestors, our forefathers, and it's really out of respect of the Treaty.

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2791. So as a Treaty person who signed -- and I come from the descendants who signed -- there's obligations that we have with government and with our people. And those obligations are on one another, reconciling differences if we have, and to us, because we did the seal, our seal is under the pipe, which we signed at Treaty 7, then we also look to the Creator for guidance.
2792. So there were three groups at Treaty: the Native people, the settlers, and the Creator. So it's not a two-party thing. So it's a different view. And when we go through our cultural awareness, we talk about these things. We talk about the principles. We talk about the stewardship. We look to our Elders for advice, for interpretation.
2793. So as we move forward, we'll need to do additional studies. And many times, as you have seen, our people have Stoney first. So in order to interpret these sites, these areas, the discussion must be in Stoney and then translated to English.
2794. Such was the Treaty. The Treaty was in Stoney, in Cree, in different languages, and it had to be translated. And we still have issues on that today because we're not sure of the translation, so these are some of the issues and concerns that the Stoney people have. They're looking at opportunities. They are trying to deal and mitigate their interests and protect their sacred sites, their sacred areas.
2795. **MR. CARTER:** Thank you, Mr. Snow.
2796. Mr. Snow will answer any questions for clarification and we'll reserve all substantive questions to be answered by written questions.
2797. **THE CHAIRMAN:** Mr. Duncanson.
2798. **MR. DUNCANSON:** So, Mr. Chairman, we don't have any questions of clarification, and any more substantial questions we will ask in writing.
2799. I did just want to observe -- again, I didn't want to interrupt out of respect for the speaker, but in Ruling Number 10 yesterday the Board was quite clear that arguments about evidence and requests for mitigation measures and accommodation is not something that should be happening as part of this oral traditional evidence, that there's other process steps that are intended for that, and

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- that's how NGTL will be responding to it.
2800. Stoney may or may not have been aware of that direction from the Board yesterday, but I just wanted to clarify that that's our understanding of the ruling and that's how we will be responding to it.
2801. **THE CHAIRMAN:** Thank you, Mr. Duncanson.
2802. Do any of the other interveners have questions?
2803. **MS. LABRÈCHE:** No questions from Natural Resources.
2804. **MS. HATCHARD:** No questions from Environment and Climate Change Canada. Thank you.
2805. **MEMBER LYTLE:** Well, thank you very much, Mr. Snow. That was most interesting, and we don't often get accolades -- so thanks for that as well -- at the NEB.
2806. I asked this question last night, and I thought I'd ask it again, given your broad background, sort of a foot in both camps, as it were. And if it's -- if you deem it to be substantive, then I'm quite prepared to have a written response.
2807. And it goes to the issue of the loss of medicinal plants. We've heard a lot about that over the last number of days. And from both a biological and cultural perspective, in your view, is it possible to start them in nurseries and replant them in the field? I don't -- I'm not a biologist, plant biologist certainly, so I don't know what the implications would be from a biological perspective, but I assume that there are ways that you can start things in nurseries and then replant them. I'm not sure about the cultural practice and whether that would be acceptable or not, so I'd appreciate your view on that.
2808. **ELDER JOHN SNOW:** Thank you. Part of the response, and there would be many responses to that ask, is that our history, our spirituality is guided by the Creator, so one of the stories captured in Dad's book comes like this. And I'll answer in part with a story.
2809. There was a man that came to Morley. His name was Andrew Ahenakew. Andrew was an Anglican priest. He had served the Anglican Church for many years. He's a Cree from Saskatchewan. He came to Morley searching,

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- and Morley is a -- it's a vision site. It's a sacred site. As well as Banff. As well as other places.
2810. And when he came there, it was over a number of years. Slowly he received instruction and slowly he began to realize his cultural background, his beliefs, his system, his knowledge.
2811. Eventually he received a pipe. After that pipe was received, he had a dream. In that dream -- and this is all recounted in my father's book -- there was a white bear that came to him and spoke of a particular medicine. And he was to pick that medicine and to boil it. And so he did. And he began to minister to people and heal people.
2812. It was said -- this part isn't recounted in the book because Dad told me. It is said he could cure cancer.
2813. So from that dream with the bear instructing him to pick a particular plant, that came from a vision. So it's very complex how our system of Indigenous spirituality works.
2814. I'm not saying no to you that we could not develop a strain or we could develop a process to recoup those plants. I guess all I'm saying is that these visions, these dreams, are experiential. And it comes from a long time of reflection. It comes from a long time of prayer, fasting, and ceremony.
2815. So at the end of those 40 years, he received a pipe. He could heal cancer. He was able to identify himself as an Indian. That was the epitome, that after all this he'd been through, residential school, all the problems, all the issues, he could still go forward with his pipe and minister to people.
2816. So in saying that, the plant, the reproduction, the destruction of the plant, it would have to become discussed by many Elders in order to recoup such a thing and how to do it. And so this is why we say it's important for consultation to occur. And I think were we to have the principles of TRC and UNDRIP, I think we could find a way. And I think that possibility is there.
2817. However, right now our experience, just like the residential school, is one that's difficult. It's difficult to recover. And just like us being the plant, it's difficult to recover.

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2818. I am a survivor of the day school. I didn't go to residential school, but I'm a survivor of the day school. And so there's some things that I lack as well. I am sorry to say I am not fluent in my Stoney. So I have English first, which is why I have all these degrees. So if I spoke Stoney, I wouldn't be able to excel in academics.
2819. So I do recount, though, when my dad interpreted to me all these stories. And now I am a holder of this pipe, which I am slowly training and understanding our language and our ceremonies.
2820. I work with Alvin on a number of our undertakings right now with ceremony. And it's a lifelong pursuit. Some of us are PhDs in the traditional world and others are learning still. And I always count myself to be learning.
2821. **THE CHAIRMAN:** I do have one question. You used an example where -- I'm not sure if it was Line 3 or another pipeline, where a group had been engaged to find historical sites and were unsuccessful and an Indigenous group went back in and found 25 sites.
2822. I think the key success factor might be obvious, but I'll ask it explicitly. What made the difference?
2823. **ELDER JOHN SNOW:** I believe on this particular project they were open to having a cultural awareness session for the leadership. And that included the regulator, the proponent, and working with the chief and council of the First Nation.
2824. So the fact that they had the awareness session, they were able to further explain, we have a protocol. This particular Indigenous group, they have a protocol, and that protocol is a ceremony. Their ceremonies are not all the same. They differ. So they had a way of sequencing the protocol, the ceremony, after their cultural awareness session.
2825. And I would say that also the importance of leadership. So the -- Peter Watson and others leading that interest and leading that participation, because they took part in the knowledge and the awareness session. Once they had the knowledge and awareness, they saw the utility, they saw the significance, they saw the importance of having ceremony. And that ceremony allowed to see other things.

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2826. So it's a sequence of events that happened.
2827. When I defended my Master's degree, I was asked a question. They said, "Does only Indigenous people know a particular area?" And I said, "Indigenous people will know the significance of a particular area if they're asked."
2828. Because they were saying, "Well, only a professor can teach this or a professor can teach that." But a professor may not be imbued with the traditional knowledge or the traditional practice. So it's difficult to convey that without training and without awareness.
2829. So I would answer your question in that. If there's training and awareness, I believe it will allow for the development of protocol. And those protocols will be realized through ceremony. And those ceremonies can further lead to feasts and other events. So in this particular case that you mentioned, they had awakened something. So they had a ceremony, they had the pipe ceremony. All these sites came alive. And then what was said after that time, when they followed up with cultural awareness sessions, that we have to have four events over the next four years.
2830. So when they explained that to the regulator, when they explained that to the proponent, it became clear that there is a different process. And that was appreciated through the cultural awareness session.
2831. **THE CHAIRMAN:** And was that based on the -- I'm probably showing my ignorance here, but I'll ask it anyways. Is that based on oral Indigenous knowledge?
2832. **ELDER JOHN SNOW:** Part of it is based on oral Indigenous knowledge. Sometimes it's corroborated by other First Nations, by other institutions.
2833. So as I was talking earlier about the Morley Trail, that comes from one of the early settler families, the McDougall family in Morley; the trail that they travelled from Edmonton to Morley, they called the Morley Trail. That corroborates our understanding. So as we learn more in cultural awareness, it's corroborating either by settler information, or could be corroborated by other tribes, or corroborated by other academic production.

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2834. **THE CHAIRMAN:** I'm trying to get your counsel's eye here. Do we have other speakers for this panel to come?
2835. **MR. CARTER:** We have one more speaker, yes.
2836. **THE CHAIRMAN:** When would be the good time to take a short break? Now or after the next speaker?
2837. **MR. CARTER:** Could we please take a break after the next speaker?
2838. **THE CHAIRMAN:** Certainly.
2839. **MR. CARTER:** Thank you.
2840. Gary Dixon will be speaking next. He is an Elder from the Wesley First Nation.
2841. Mr. Dixon, could you start off by explaining where you grew up and where you hunted?
2842. **ELDER GARY DIXON:** Good day. My name is Gary Dixon; I'm from the Big Horn Stoney First Nation, and raised up there. And it's a small community, there's only 250 to 300 people who live there. So it's -- hardly any Elders there, that's why we had to kind of step up; we're the next generation, so we had to step up and try to learn all the knowledge from these Elders so that we can continue teaching our next generation.
2843. **MR. CARTER:** Mr. Dixon, who taught you how to hunt?
2844. **ELDER GARY DIXON:** My grandfather when I was young, teenage, I used to take him, drive him around.
2845. **MR. CARTER:** Did you teach your children and your grandchildren how to hunt?
2846. **ELDER GARY DIXON:** Yes, my son -- my oldest son he likes to hunt a lot.
2847. **MR. CARTER:** And why is it important for the Stoney Nakoda to teach younger generations how to hunt?

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2848. **ELDER GARY DIXON:** We're thinking about their future so they'd have something to live on, look forward to, survival.
2849. **MR. CARTER:** How has hunting changed from when you were younger?
2850. **ELDER GARY DIXON:** Yeah, there's a lot of changes. We notice that the animals, they seem like they're moving. After all that clear cut they made out in the wilderness there, there's lot of clear cuts out there, so there's animals. Some of these animals that's where they survive in these woods here. After they all got cleaned out, they have to move because of these predators; they have to take off from them. So that's why they're kind of moving. It seems like they're moving out in the prairies now.
2851. **MR. CARTER:** What animals do you hunt for?
2852. **ELDER GARY DIXON:** We go after the three animals, the moose, the elk and the deer.
2853. **MR. CARTER:** And when was the last time you caught a moose?
2854. **ELDER GARY DIXON:** Oh, the last time I shot that moose was January 2nd, 2016.
2855. **MR. CARTER:** And how often do you hunt for moose?
2856. **ELDER GARY DIXON:** We pretty well hunt all the time, all through the season.
2857. **MR. CARTER:** When you catch an animal, who do you share the meat with?
2858. **ELDER GARY DIXON:** With the community, whoever wants some, we give it to them.
2859. **MR. CARTER:** How much of the meat do you share?
2860. **ELDER GARY DIXON:** It depends, like we -- when we get the bigger animals you get to feed more people. So if it's small like a deer, you have

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- to kind of divide it into smaller pieces just to give out to more people.
2861. **MR. CARTER:** What do you mean by that? Could you explain?
2862. **MR. GOODSTONEY:** (Speaking in Native language).
2863. **ELDER GARY DIXON:** Like to this day it's -- like even in the
meat, with the price of the meat, so that's how we had to share -- share the meat.
2864. **MR. CARTER:** Mr. Dixon, do you buy meat from grocery stores?
2865. **ELDER GARY DIXON:** Yes.
2866. **MR. CARTER:** What meat would you prefer?
2867. **ELDER GARY DIXON:** Well, we get the beef but not often, we try
to -- we try to get -- live on the wild -- the wild meat.
2868. **MR. GOODSTONEY:** (Speaking in Native language).
2869. **ELDER GARY DIXON:** Well, the wild meat, like we go to this
place like some of the -- some of the people they've been getting diabetic, like
health wise, so we try to get more -- more -- eat more wild meat.
2870. **MR. CARTER:** Thank you, Mr. Dixon.
2871. Mr. Dixon will answer any questions of clarification. We'll reserve all
substantive questions for written questions.
2872. **THE CHAIRMAN:** Mr. Duncanson?
2873. **MR. DUNCANSON:** We have no questions of clarification, Mr.
Chairman. Thank you.
2874. **THE CHAIRMAN:** Thank you.
2875. Do any of the other Intervenors have questions?
2876. **MS. HATCHARD:** No questions from Environment and Climate
Change Canada. Thank you.

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2877. **MS. LABRÈCHE:** No questions from Natural Resources Canada.

2878. **THE CHAIRMAN:** Thank you.

2879. The Board has no questions.

2880. **MR. CARTER:** This would be a good time to take a break or perhaps break for lunch, but I leave it into the Board's hands.

2881. **THE CHAIRMAN:** I think my stomach is growling, so we'll break for lunch and back here at one o'clock.

--- Upon recessing at 11:48 a.m./L'audience est suspendue à 11h48

--- Upon resuming at 1:19 p.m./L'audience est reprise à 13h19

2882. **THE CHAIRMAN:** Welcome back, everyone. It is my understanding, Mr. Carter, that there will be an opening prayer and ceremony this afternoon?

2883. **MR. CARTER:** That's correct.

2884. **THE CHAIRMAN:** Thank you.

--- (Opening prayer and smudge)

2885. **THE CHAIRMAN:** Thank you. I also understand that we've been joined by some new Elders and knowledge keepers and an interpreter since this morning's prayer. I'd like to thank you for joining us here today.

2886. I will also ask that the record show that this prayer and ceremony we have just heard and seen serves as your affirmation in providing evidence and in providing interpretation, as appropriate.

WILLIAM SNOW: Resumed

CHARLIE ABRAHAM: Resumed

GILBERT FRANCIS: Resumed

JOHN WESLEY: Resumed

JOHN SNOW: Resumed

ALVIN YOUNG: Resumed

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LENNY WESLEY: Resumed
GARY DIXON: Resumed
FLOYD CRAWLER: Resumed
BARRY WESLEY: Resumed
CHRIS GOODSTONEY: Resumed
CONAL LABELLE: Resumed
SEONA ABRAHAM: Resumed
LARRY DAVID JR.: Affirmed

2887. **MEMBER:** Mr. Carter, you have the floor.
2888. **MS. LOUDEN:** My name is Sara Louden. I will be speaking with our first elder today -- this afternoon, who is Mr. Lenny Wesley.
2889. Might we have the other map put on the screen? I just note that Mr. Wesley has the other map in front of him, so it might be easier to reference that.
2890. So Mr. Wesley is a member of and councillor of the Bearspaw First Nation. He has also worked as an oil and gas monitor for Stoney Tribal Administration.
2891. Mr. Wesley, can you start by telling us if you exercise any of your Treaty rights in the areas shown on the map in front of you that's also up on the screen here? Yeah.
2892. **ELDER LENNY WESLEY:** Yes. Good afternoon. I'll just make the introduction. There's various types of exercise or Treaty rights that my dad and I have went and you know, venture in this area, this proposed pipeline area. And he'd share information with me as he showed me a terrain and a distant -- our measurement, the horizon, was told to me in Stoney, about 20 miles within. That's the same measurement, he told me, that my ancestors used the instruments through astrology, measuring with the stars and that's how we navigate.
2893. And going back through oral history, they shared some of that three, four generations before my dad to David Thompson. And talks about -- he told me Edmonton, Depaw (ph.), Rocky Mountain House, today's -- the rivers there this proposed within these boundaries, they point out to start with our topography and it's changed a lot. And where his ancestors, like, they didn't survive, they thrived. And there's a line from Edmonton, Red Deer to Calgary called -- in Stoney it's (speaking in Native language), wolf trio, which was not travelled by

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- Stoney Nakoda. They had their reasons.
2894. There was like a boundary, a border. Other tribes that weren't too friendly with our nation travelled that area. It's like a highway with highway robbers., and the stagecoach robbery infects the -- occurred in between Innisfail and Airdrie. That was passed on to him through game wardens he talked to back in the 1920s.
2895. I guess it became an effect that was translated by our tribe going back. We always stayed in the wooded area west of Rocky Mountain House in the forest, conifer trees, right up to Athabasca, and then you would make a detour to (speaking in Native language), which is Edmonton, and that was our habitation, because Buck Lake is translated "let them do it". Buck is for a species, deer. Our naming of that lake is (speaking in Native Language), Bull Moose Lake, and the forests right up to the mountains was our traditional hunting and cultural grounds, land for the Stoney Nation.
2896. And I've went with him on trips, walked from Nordegg right up to east of Edson there, and then west. And later on when he passed away, I continued that, to use of land, traditional use. Like I'd go with my family, and first I'd identify herbal medicine, and then plants. And there's vintage that my dad showed me, passed on from -- he could go far and back as 1790s to 1825. I guess his great-great-grandfather was present 1825 when they started notching the first building or fort for Rocky Mountain House. That's why the Stoney's named it Big House, (Native word). And that was the history that he shared with me.
2897. And then the last -- when I was a young man growing up we'd frequent, you know, like -- and then we were seasonal hunters, not just big game hunters. The provisions, you know, issued to us, we practiced. It's like that, and it's an ongoing thing as far as, you know, time immemorial. Because we didn't just go out and hunt, you know, like how we're looked at, portrayed, or whatever you want to call it. We are seasonal hunters, still are. There are seasons that some of it's intellectual property, but I'd like to share it. I was listening to -- earlier to the Elder Johnny Wesley made a point that -- I think it was Lee that asked him, did you ever go on a private land.
2898. You know, we are very careful for that, you know, like on established cart, but also our traditional knowledge of hunting is that we needed the protein. And then in big game species, moose, deer, and we know, passed down through knowledge from our ancestors, to survive these harsh Canadian winters, you

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- know, and sometimes called an element of surprise so that we're not caught in a blizzard with a lean meat diet. So choice is a factor; it comes with a season.
2899. All along this proposed pipeline we've harvested and there was history, a recall, you cannot survive on a lean meat diet. My brother, late brother told me Hudson's Bay Company perished somewhere up north, north easterly, staying on a lean meat rabbit diet. You get ill, so you need the protein that's fat. You know, some call it cholesterol, but it's very low in a big game animal.
2900. We know when -- what time of the season to harvest moose, and we can identify a cow moose that doesn't have a calf. All the -- my relatives from Big Horn, starting with Barry, are experts in that way of hunting. It's not just locating a moose in some, you know, like bog or wetted area.
2901. There are times that we didn't find what we were looking for, so we had to keep going, travelling within this proposed pipeline. And there we'd find out -- we'd find, locate what we were looking for at a different time of the season, and like in the fall, and the moose wrecked I think berries early. We do not hunt the bull moose because there's a vital run in the throat, that collar, that spreads to the meat and we don't eat them. We changed to a different diet of the species. It's been handed down, I don't know, thousands of years because we had to -- we like to thrive here. And in order to, you know, be successful or of your big choice, it's not trophy hunting. Sometimes we have to travel to Edson.
2902. The way it is with all these pipelines, clear cuts, this choice game is very hard to locate as it is. Put another pipeline there, we'll lose considerable amount. In fact, it's an impact to our choice of hunting.
2903. That goes with the fish. There's certain species that we hunt for medication, such as -- I don't know, like to -- for an infant feeding, and we can identify fish. There's 11 species that we go and look for and a pipeline will disrupt that. The nutrients will cause the creeks, unnamed tributaries to pollute and then they turn oily.
2904. We've practised thousands of years catch and release. Well, that changed later to all this game laws and the pipelines. We changed the catch and release. You catch and release into the frying pan on site. That's how we're pushed back. No one is there to see us and how can we share that? Because a lot of it is contained with intellectual property.

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2905. But still our thoughts are there, and I've flown this area with helicopter, and it's like a jigsaw puzzle. I've flown it, two, three years ago, from Edson. There's lakes and there's bogs where everything is organic, but we can identify. It's been handed down, generations. There's got to be some, you know, type of antibiotics without testing microscopic, then to further testing to prove that this is, like, you know, a medicine, or some sort of antibiotic that it can be used. We've already figured that out. It's a choice by experience, using it.
2906. And such a pipeline -- I don't know, I can't see how it will be -- it's going to be a devastation. Because the bull moose will be forced to detour. They won't go to Buck Lake for instance. You know, that's going to be a big impact, because they travel from the hot springs this side of Athabasca, west of somewhere -- Edson. That's going to be polluted too.
2907. You know, and we don't really want to walk along these pipelines, proposed pipelines because the vintage is spoiled for picking huckleberries and blueberries. Invasive species start to come in and turn and choke, along with the insects and starts feeding on -- we call them fruit flies. It kills the berries. And this is what we've noticed already anyway.
2908. So I hope the Energy Board takes consideration in this. Maybe give us -- wait a few years, because we want to be heard too. Thank you.
2909. **MS. LOUDEN:** Thank you, Mr. Wesley. I'm just going to ask you a few more questions. You've referred to accessing certain areas for particular plants and medicines.
2910. **ELDER LENNY WESLEY:** Yes.
2911. **MS. LOUDEN:** If those plants and medicines are removed or disturbed, how easy is it to replant those or to access those in other areas?
2912. **ELDER LENNY WESLEY:** Pardon me, forgive me a cruel chuckle. Our culture does not allow -- doesn't accept replanting. So you just go and find it what -- we just pray, we light a smudge, we go by that, it's an instinct. Whereas God gave you this, you know, like carbohydrates to build a sugar in your body? You'll find it, you can't replant it. If you replant it you disrupt that design. That's -- so we can't. So we're -- if this pipeline kind of chops up the vintage, what are we going to do? We can't go to the park, because there's rules there.

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2913. **MS. LOUDEN:** You also referred to travelling the lands with your father when you were younger. What are some of the ways that the lands are different now than they were when you were younger?
2914. **ELDER LENNY WESLEY:** There's choice alkaline licks that we used to walk to, camp to -- and then the choice -- it's not a trophy hunt for out of season, a season like in August for bull moose. We've noticed -- we flew over it in helicopter, there's a big clear cut and a substation, a riser there, maybe it's natural gas, maybe H₂S. And we can see from the air that the alkaline lick, or that puddle is drying up. There's no moose tracks; that's one thing. So we're concerned of safety or security.
2915. Where are we going to get the medicine for our bodies to -- for the healing? Because there's three things my dad told me, First Nations, we can't tolerate. Currency, we don't have a bank account. We're all lactose intolerant and alcohol. So that doesn't match, so we need those lakes back to acquire, you know, and get our way of life, food; actually, it's medicine.
2916. **MS. LOUDEN:** Mr. Wesley, can you speak about any safety concerns that you might have during the construction or operation of the pipeline?
2917. **ELDER LENNY WESLEY:** Yes. Eight years ago -- I didn't make notes, so I have to go through -- Dean, is he here? Maybe, yeah. Exactly, because I was right in the middle of that, where a human error, can you imagine human error? It's everywhere. All we get for that is an apology. What good is that? Over 100 people got injured in their eyesight, of an explosion 42 kilometres away from Morley. They said it will never happen.
2918. On January -- December 27th, sub-zero, it was 36 I think minus, very cold. At Crick Creek, that's by Esso -- no, Imperial. Someone, one of the maintenance guys forget -- forgot to leave a valve, you know, and then he was supposed to shut it. Somehow it got loose and blew a plume for five kilometres straight up. In fact, earlier, we know these thermal patterns to hunt. It caught up three, four kilometres then a southwest wind carried it over as the crow flies, low, low, shorter than 42, and then it carried over the south end of Morley and then it disseminate and everybody -- all those band members lived on the south side, the high plateau, Morley, started phoning.
2919. The phones were started ringing, Alvin was phoning me, you know, the liaison which I worked for, and said they have a rotten egg smell, that's the

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- closest translation. "Maybe we should go up there?" And then another phone, you know, it started ringing and we called the ERCB that time. Of course, we knew what was going to happen. We went up and sure enough we had our own reading, it was 14.5 parts per million.
2920. So we called the gas companies that owned these pipelines. We couldn't locate them. We had to locate one that didn't own a big part of one gas -- he -- we located him in B.C. and then so he started moving that time, because it's Christmas, I guess. And they came in and monitor trucks were all over and me, Alvin, and Clint were trained through mock exercises. So we got -- we did what we were -- our certificate, our ticket that allows us to do, and we followed that and went up again. There was no evacuation, just sheltering. But there was a strong smell. And then after, we were told, "It's okay."
2921. The next step is not us, it's the gas and oil companies who build these pipelines to give us a history of where it came from, which we got about four days after. I think that -- so that was a little too long. And in the meantime, we were advised to get all these people who had the red eye to go see a doctor, so we did. And over 130, I think, had red eye. Out of that 80 came back with doctor reports that there was injury and we forwarded it, I think, to consultation -- Peter, I think, then passed on. There's a paper trail. And all we got was -- we were told, thank you for going to the doctor; we'll look at it. It's eight years, still waiting.
2922. So that's my concern. What if that thing happens here? Like Barry was saying, he's isolated. Some form of maybe what Barry suggested should take part, maybe, you know, relates to us, maybe including that emergency response plan with these companies. They should contact us often and help -- you know, invite them to these meetings or update them. That's my concern. We already went through it. I can tell you, it was kind of strange.
2923. **MS. LOUDEN:** Do you think it would have been helpful if there was an emergency response plan that was specific to Stoney Nakoda Nations?
2924. **ELDER LENNY WESLEY:** You mean for this new proposed? Like, we already have one. Oh yeah, thanks for reminding me. I kind of just about forgot. Then Imperial Gas phoned us after and told us, "I got some really good news."
2925. I said, "Yeah, what is that?"

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2926. "In fact, it's the best news that you may have heard since you guys signed that Treaty with the government."
2927. "So what's that?"
2928. "You're included in our ERPs."
2929. So please, don't let that happen on this one. That's all I'm saying.
2930. **MS. LOUDEN:** Thank you, Mr. Wesley. Is there anything else you'd like to add?
2931. **ELDER LENNY WESLEY:** Yeah. When is my doctor's report going through? Thank you.
2932. **MS. LOUDEN:** Mr. Wesley will now take any questions regarding points of clarification and anything substantive will be taken in written format.
2933. **MR. DUNCANSON:** Thank you, Mr. Wesley. We have no questions of clarification.
2934. **ELDER LENNY WESLEY:** Thank you so much, sir.
2935. **THE CHAIRMAN:** Do the other Intervenors have any questions?
2936. **MS. LABRÈCHE:** No questions from Natural Resources Canada.
2937. **MS. HATCHARD:** No questions from Environment and Climate Change Canada, thank you.
2938. **THE CHAIRMAN:** Thank you, Mr. Wesley.
2939. **MR. CARTER:** John Wesley will be speaking next. He is an Elder from the Wesley First Nation.
2940. Mr. Wesley, could you please start off by describing your traditional hunting area?
2941. **ELDER JOHN WESLEY:** Before I start describing my traditional area, I'll greet all of you with (Native word) this good day. In my language,

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- (Native word), it means "Good day". It doesn't matter. Right now, if you look outside, it's kind of raining, but we never turn ourselves down, you know? Always start with a good day. And that's how our Creator put us in this world with a good day, you know? It means our mind is in the good spirit, hopefully.
2942. My name is John Wesley of a Stoney Elder of Big Horn Stoney Nation Reserve. And my birthday is August 13th, '41.
2943. **MR. CARTER:** Mr. Wesley, could you please describe your traditional hunting area?
2944. **ELDER JOHN WESLEY:** If I describe my traditional area, you know, I do have a question. Will those big games will be coming back to those areas or no?
2945. Our traditional area, not only me, but the others do, you know, we use certain places for our traditional hunting areas. And we hunt moose, elk, deer. And that's our way of survival back then before any damages has been done with the companies. It's really our wilderness area and which our Creator has given us to live on.
2946. **MR. CARTER:** Mr. Wesley, how has construction or industrial development impacted your traditional territory?
2947. **ELDER JOHN WESLEY:** That will be a good one. You know, with the contracting such as clearing, the pipeline boundaries or pipeline lines, and forestry lumber companies, they're really taking our -- it gives us a big impact with our hunting. The reason I'm saying that is that I'm talking about health within our Stoney Nation.
2948. Before any construction or clearing has been done within those areas, the big game, what they feed on, has been destroyed. And I would say it's never been the same. We tried. It doesn't matter who tried to replant within those areas, it will be not the same because of using chemical fertilizer. And this is affecting the creeks too, which is affecting the beavers, the fishes, and all of those because us Stoney people, we do a lot of trapping within that area.
2949. And also, before I -- while I remember, all those medicine herbs, that's very important to us Stoney people, especially our medicine man. You know, it's a vision to become a medicine man. You just can't go there and try and be a

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- medicine man. It's given to you. You have to earn it. You can't -- it's not a plaything.
2950. So once you take medicine within that disturbed area and try to replant it, it won't be the same.
2951. **MR. CHRIS GOODSTONEY:** (Speaking in Native language).
2952. **ELDER JOHN WESLEY:** And also, the game along that area, they don't stay close. They move away from it to search for areas where they're feed better than it has been because through the big game meats, that's medicine to us because the plants and the willows they eat and it gives us medicine to doctor us.
2953. So we give a lot of respect. We don't go out hunting just for sports. The reason I'm saying that, I know. I'm a guide too, so I do take out hunters that go only for sport, trophies.
2954. **MR. CARTER:** Mr. Wesley, do you have a trapline?
2955. **ELDER JOHN WESLEY:** I did have a trapline at one time from my grandfather. I was raised by my grandfather. He taught me to trap. And he passed his trapline on to me before he died. He teaches me a lot of hunting, trapping, and how to take care of big games. Things like that.
2956. It's very -- to us Stoney people, it's very sacred, how to handle a big game. We just don't cut up and throw parts of the meat away.
2957. **MR. CARTER:** Mr. Wesley, what happened to your trapline?
2958. **ELDER JOHN WESLEY:** My trapline? Us Big Horn Stoney people, you know, we -- sometimes we have -- back then, we had a hard time. You know, you have to try and make a living. So we sold our traplines.
2959. The reason I'm saying that we had hard times, we normally -- there's no social services at that time. And the only way we can survive is trying to work elsewhere, which we did. So we don't really have time to trap. We tried to make a few bucks bigger than what we get from our traplines.
2960. **MR. CHRIS GOODSTONEY:** (Speaking in Native language).

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2961. **ELDER JOHN WESLEY:** The other thing is that nowadays, the land base is not there. As we're getting -- the population grew and too many constructions going on. We don't benefit from any construction.
2962. At the same time, our population grew. So this is why our land base is getting -- it seems that there's no place.
2963. **MR. CARTER:** Mr. Wesley, was your trapline damaged at all by commercial or industrial development?
2964. **ELDER JOHN WESLEY:** Yes. It's damaged by -- they did a seismic line. At that time, they're using bulldozer. When I said bulldozer, you know, I'm talking about a big damage.
2965. And at the same time, there has been a logging within that area. And that's a big damage too. The reason I'm saying that is big damage within that area. So furs that we're trapping, they're moving out of that area because the feed, they have been destroyed. And at the same time, they destroyed the medicine, herbs, too. And other things, special trees.
2966. When I say special trees, we do use within our medicine, within our smudge too. So it's very sacred trees I'm talking about, which was destroyed.
2967. **MR. CHRIS GOODSTONEY:** (Speaking in Native language)
2968. **ELDER JOHN WESLEY:** And with the medicine, herbs, it's very spiritual. You use that for healing. So we have to do a proper protocol.
2969. And we're trying to replant those medicine herbs. It will not be there. Because of what I've said, it's been destroyed. With a big construction, like, you never know, there's diesel fuel spilling on those -- within those areas. You know, it seeps all into the earth. And that's quite a big damage.
2970. **MR. CARTER:** Thank you, Mr. Wesley.
2971. Mr. Wesley will answer any questions of clarification and reserve the right to answer any questions of substance via written questions.
2972. **MR. DUNCANSON:** We have no ---

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2973. **THE CHAIRMAN:** Mr. Stoney, could you close off your mic?
2974. **MR. DUNCANSON:** We have no questions of clarification. Thank
you.
2975. **THE CHAIRMAN:** Do any other intervenors have questions?
2976. **MS. HATCHARD:** No questions from Environment and Climate
Change Canada. Thank you.
2977. **MS. LABRÈCHE:** No questions from Natural Resources Canada.
Thanks.
2978. **THE CHAIRMAN:** The Panel has no questions.
2979. **ELDER JOHN WESLEY:** Thank you.
2980. **THE CHAIRMAN:** You're welcome. And thank you for sharing
your wisdom.
2981. **MR. CARTER:** Gilbert Francis will be speaking next. He is an Elder
from the Bearspaw First Nation.
2982. Mr. Francis, could you introduce yourself and tell us where you grew
up?
2983. **ELDER GILBERT FRANCIS:** Thank you. I came from Morley. I
grew up in Morley since I was born.
2984. And my friends, they talk, all the stories that I learned too. And I've
got another one that I would like to talk about.
2985. My grandpa used to tell me that before the White man came to this
place, they usually stayed, like eagles, crows, or ducks. In the fall they go back
south to North Dakota. They stayed over there for the winter. And in the spring,
they'll come this way and they stayed any place they want. They don't fight over
the land. They don't say, "This is my land." They just go any place they want.
And there's a few in Saskatchewan and west of Edmonton.
2986. And in 2006, I read in the newspaper that they found an arrowhead in

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- Lake Louise by the railroad track. And they looked for that stone all over Alberta and they can't find it. And I think one of them find out that it's from North Dakota, the stone, it's from there. So they lost it there and it's been there for a long time, he said.
2987. And about this business, they all talk about it with them. Whatever they say, I know I can repeat, but I'm going to have to wait.
2988. But what we need now is agreement for that pipeline and whatever they're going to do, they can rely on the Elders here. And I'll just say thank you.
2989. **MR. CARTER:** Mr. Francis, do you hunt?
2990. **ELDER GILBERT FRANCIS:** Yes, I hunt all the time and I teach the boys how to hunt, how to cut the animals, and I'm doing this about that, to hunt and make dry meat and everything.
2991. **MR. CARTER:** How have pipeline corridors impacted your ability to hunt?
2992. **ELDER GILBERT FRANCIS:** For me, I've kind of quit hunting because I'm getting old. So it's up to them that they can, if they want to hunt after they do the business, they can go hunt again.
2993. So what's going to happen if we're going to go hunt there?
2994. **MR. CARTER:** What happens to the animals during construction?
2995. **ELDER GILBERT FRANCIS:** They have to leave the area after they start working. Maybe they'll come back later or after they're done. What do you mean?
2996. **MR. CARTER:** How does construction impact your ability to hunt?
2997. **ELDER GILBERT FRANCIS:** Like I said, the animals won't be around there if they start construction.
2998. **MR. CARTER:** Thank you, Mr. Francis. I have no further questions.
2999. Mr. Francis will answer any questions of clarification and again,

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reserve any substantive questions for written questions.

3000. **THE CHAIRMAN:** Mr. Duncanson.
3001. **MR. DUNCANSON:** Thank you, Mr. Francis. We have no questions of clarification.
3002. **THE CHAIRMAN:** Do any of the other Intervenors have questions?
3003. **MS. LABRÈCHE:** No questions from Natural Resources Canada, thank you.
3004. **MS. HATCHARD:** No questions from Environment and Climate Change Canada, thank you.
3005. **THE CHAIRMAN:** The Panel doesn't have any questions. And we'd like to thank Mr. Francis for sharing today. Thank you.
3006. **ELDER GILBERT FRANCIS:** Thank you.
3007. **MR. CARTER:** Seona Abraham will be the last member speaking today, but perhaps right now would be a good time to take a break.
3008. **THE CHAIRMAN:** Certainly. Would 15 minutes be good?
3009. **MR. CARTER:** Absolutely.
3010. **THE CHAIRMAN:** So we'll be back here at 2:30.

--- Upon recessing at 2:13 p.m./L'audience est suspendue à 14h13

--- Upon resuming at 2:39 p.m./L'audience est reprise à 14h39

WILLIAM SNOW: Resumed
CHARLIE ABRAHAM: Resumed
GILBERT FRANCIS: Resumed
JOHN WESLEY: Resumed
JOHN SNOW: Resumed
ALVIN YOUNG: Resumed
LENNY WESLEY: Resumed
GARY DIXON: Resumed

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FLOYD CRAWLER: Resumed
BARRY WESLEY: Resumed
CHRIS GOODSTONEY: Resumed
CONAL LABELLE: Resumed
SEONA ABRAHAM: Resumed
LARRY DAVID JR.: Resumed

3011. **MEMBER:** Welcome back, everybody.
3012. Mr. Carter.
3013. **MR. CARTER:** Good afternoon. The last member that will be speaking for the three Nations today is Seona Abraham. She is a member of the Wesley First Nation.
3014. Ms. Abraham, could you please introduce yourself and give us some background on where you grew up?
3015. **MS. SEONA ABRAHAM:** Good afternoon. My name is Seona Abraham. I'm from the Big Horn Stoney Nation. I'm 44 years old. I grew up in Big Horn. I was born in Rocky Mountain House and then throughout my life I've resided in Big Horn up until 2011 when I left for education purposes.
3016. And I guess my background, myself living on the Big Horn Reserve was -- I remember in my -- in the eighties the land was really quiet and peaceful and a lot of animals in the area. Even just the trips into Rocky Mountain House, you would see a lot of deer. And at nights we would always be on the lookout for moose just crossing because that was their best time to travel.
3017. And I received my education at the Nordegg School for grade school and high school in Rocky Mountain House. But up until Grade 9, the travel from -- I went to Rocky Mountain House from Grade 6 to 9 and the travel just got too much. So me and my sister ended up just kind of not going after Grade 9. And we just decided to live with our parents and help them out. And because we were so close with our parents and our grandparents, at home our first language was Stoney and we barely ever spoke English.
3018. I had to learn English when I was just seven years old and attending a school off the reserve, it was hard for me to communicate with anybody. And I appreciate that my parents kept this alive in me because it makes me the person

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- that I am today, a strong individual. And I'm independent now and I currently reside on the -- in Red Deer.
3019. **MR. CARTER:** Ms. Abraham, who taught you how to hunt and gather?
3020. **MS. SEONA ABRAHAM:** I actually never hunted myself, but my family, my father and my mother always took us with them when they would go out for hunting down the Trunk Road, the Nordegg Trunk Road, up the Nordegg Trunk Road and down the South Trunk Road, all up to -- I guess to Sundre area and sometimes back, coming up. We'd sometimes pop up into Morley. And we'd wonder how we got there but knew we'd get there.
3021. And then from there, we would just visit with family and like I said, everybody, our relations were strong with our families and all my cousins were close to us and everybody spoke the language.
3022. And my father and mother were close and -- to us children and they would always take us with them everywhere they went. And every time my father went out hunting, we would actually help my mother berry or gather berries in wherever we went up the Trunk Road. And that could be an all-day trip.
3023. And back in the '80s, like I mentioned, and in the early 90's, there was a lot of trees. But now you can see that there's a lot of open areas. You can see just big patches of -- it looks like field now. And that's not really a good sight to see when you go back down, until you just kind of look up at the mountains and you just kind of know that that cannot be moved and that's something that we still respect today. And, yeah.
3024. **MR. CARTER:** Ms. Abraham, what are some of the changes that you've noticed to the animals and plants in the Big Horn area?
3025. **MS. SEONA ABRAHAM:** Like I mentioned, there used to be a lot of animals just going up west from the reserve down to the south. In all directions there was animals everywhere. But now it seems like the predators are moving in and the prey is moving out, which I mean by cougars, and links, and bears that are coming onto the reserve and the deer, rabbit, moose, elk, they're all hard to find. You have to go a distance, sometimes way into the northern areas, just to catch game for our families.

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3026. And it's not -- that's not really a good thing to see today.
3027. **MR. CARTER:** Ms. Abraham, what are some of the changes to the water and the water quality that you've noticed in the Big Horn area?
3028. **MS. SEONA ABRAHAM:** Ten (10) years ago we never really had to buy water, bottled water. We would just drink from the tap. And water was fresh back then and it was safe to drink from the river, the waterfalls, the lakes. And we wouldn't -- we would not be worried about getting sick.
3029. And nowadays it seems like even though there's a water treatment plant on the reserve, it's not really benefitting the community that much because of that need for a water truck. And yeah, the people have to just kind of go there, sometimes go wait into the west to a spring and just get water for themselves and just drink it. And you don't even have to boil it. And they're okay with it.
3030. **MR. CARTER:** Ms. Abraham, you worked at the health centre at Big Horn. How long did you work there and what did you do there?
3031. **MS. SEONA ABRAHAM:** I worked -- started my employment at the Big Horn Reserve in 1995. And in 1996 I got promoted to the health coordinator, which promoted me again in a year to -- as the health director, which I had to learn, just from other people, and how to just get the programs up and going.
3032. And I was a health director for 17 years. Yeah, about 17 years. Or was it 15? I'm not sure. But yeah. I was the health director for about 15 years. And I supported the members with -- I guess, to prevent, to bring awareness, to stay safe, and to bring concerns that they themselves have with all that's happening around the areas, the traditional lands for Stoney.
3033. And it wasn't how the people were not being consulted for all these projects that were happening on TransCanada did not mitigate with Stoney, or did they try? Back in my time when I was health director, I don't ever remember TransCanada coming on, questioning, or asking Stoney for their support in this project.
3034. And Stoney does not support the project because of the way it is now, where it's already affected a lot of the plants, and berries, and medicines. And that will not be -- that will not return to its original state.

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3035. **MR. CARTER:** Ms. Abraham, how have the plants and medicines been impacted?
3036. **MS. SEONA ABRAHAM:** Well, I guess the drilling of the mud to drill underground, concerns of fracking out and drilling and contaminating the waters, which also affects the plants. And erosion of side hills where pipelines run.
3037. Erosion on watersheds, increased people, public activities in the areas. Areas once not accessible will be opened up to more ATV and other people that are not -- that are just visitors within the Stoney traditional lands.
3038. The integrity of pipe used. The current pipeline concern is the gas or oil; does it have H₂S in it? Well, I guess, what emergency procedures are in place for H₂S? I'm pretty sure the community members are not aware of H₂S, or, like I say, that it has a rotten egg smell. And H₂S can kill anybody in seconds.
3039. And with these pipe -- yeah, the pipelines and the plans in the area, H₂S can go a distance and I think the community members need to be taught the dangers of H₂S, or even just going out into these -- along these near traditional lands are just to go berry picking or something, to hunt. What if there's H₂S in the area? Sometimes it's in solid ground.
3040. And hunters sometimes go out alone. What happens if they don't come back?
3041. And like I said, there just needs to be safety concerns addressed to the community members.
3042. **MR. CARTER:** Ms. Abraham, you mentioned that there was increased access. What is the problem with increased access such as ATVs to the Big Horn area?
3043. **MS. SEONA ABRAHAM:** It's not only just the Big Horn area. It's. I guess, all of Stoney traditional land.
3044. During the long weekends, like I said, I resided on the reserve for so many years. And there would always be trespassing. And no matter how much we would kind of approach these trespassers, they cannot be on reserve lands or on the lands of Stoney just damaging unused land, traditional land. They do not

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- respect that. They just go -- it's -- the land is open to everybody; that's what they think.
3045. And the increase has made the people come onto the reserve with -- sometimes bikes, some people are hiking. You see canoes going by the Big Horn River, and ATVs just on the reserve, on the reserve roads in the back, reserve areas. And that's really disturbing the people and the lands.
3046. **MR. CARTER:** Ms. Abraham, why do you think there's increased access by people to the Big Horn area?
3047. **MS. SEONA ABRAHAM:** Probably because there's really no law enforcement in the area. The people are quiet people. We're not aggressive. We're passive, and we like to approach things in a polite way. If we ask people to leave, we're not so aggressive about it. We go to approach them quietly and just politely ask them to leave, not go over there, and with a gun, or threaten, or anything like that. We just let them know that they're on private property.
3048. **MR. CARTER:** Ms. Abraham, how have pipeline right-of-ways and other right-of-ways impacted the Big Horn area?
3049. **MS. SEONA ABRAHAM:** The hunting, I guess. You can't really hunt close to home. And because there is no -- not that much employment on the big foreign reserve, and the nearest services is Rocky Mountain House, the pipeline has already moved the game to the north, more to the north. And nowadays when you see a deer on the side of the road it's -- it looks like it's -- it just looks starving. You could see the bones, and this is -- it's not right.
3050. And the pipeline, the right-of-way is already affecting the ground, the -- what the animals eat, and the plants. Some of the plants are not growing like they used to. There is certain plants there that we don't see any more that we used to see all the time, like along the gravel roads, and we just don't see them anymore.
3051. And the berry picking, like berries are too contaminated or too dusty. They're just too unclean and unappetizing to even go and pick.
3052. **MR. CARTER:** Ms. Abraham, what are some of the health issues affecting members of the Big Horn community?

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3053. **MS. SEONA ABRAHAM:** There's too much chronic disease happening with the community members, especially with our Elders. Within a six-year -- or, yeah, six-year period I believe there was about five Elders that passed due to the poor care of, I guess, the access to health services and the access to the grocery store. They're not getting those nutrients that they normally got from the wildlife, like the deer and the moose and all that. They're -- and we -- they were used to. Many of the Elders do not eat how we -- my generation would eat, or how the millennials eat. And there's just no animals around to even go hunt to take for the Elders. And I believe that's one of the reasons why there's a high rate of diabetes.

3054. When I was a health director, I promoted awareness of diabetes so much, and I just wanted children to know that it's a long-term chronic illness that will be with you and stay with you unless you take care of yourself and eat healthy. But at the same time, I had to work with the services in the Rocky Mountain House where we would have a contract in place -- excuse me -- to have fresh fruits and vegetables that were delivered out to the community on a weekly basis. But with that we -- I worked with the nurses and the home care to make these services happen, and just transportation being available at all times for members to go in to utilize the services in Rocky Mountain House or Red Deer for their treatment.

3055. And then there's also the problem with air quality. Many of our youth, the young children have asthma, bronchitis. There's a high rate of, like, pneumonia in the winter times, and it's not something that I saw when I was living out there, due to the fact that -- of the -- I guess the post-natal, the nutrients that -- not having the basic funds to go and provide their children with nutrients that they needed. Their diet is affected as well.

3056. And that's one of the issues that's really, I guess, affecting the community, the young children, and also with the gas or the pipeline that's in place, it's not helping them get any better. It just seems like it's getting worse because they're not getting out there as much too because of all this pipeline and all the traffic that's going out there in the back country.

3057. **MR. CARTER:** Ms. Abraham, do you know if there's air quality monitoring at the Big Horn community?

3058. **MS. SEONA ABRAHAM:** I'm not sure at this moment. I can't really say yes, but it is a big concern, and it needs to be addressed, and something that

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- needs to be -- I guess, that needs to be brought aware to not only the community members, but also industry to be able to support the community, because their pipelines are on our traditional lands. And this is one of the reasons why there's problems on our -- with our youth and young children.
3059. **MR. CARTER:** How would members of the Big Horn community evacuate in the event of an emergency?
3060. **MS. SEONA ABRAHAM:** There is -- I guess members would not -- the community of Big Horn does not have an emergency response plan in place. And the only access into the community is Rocky Mountain House, and unless you go towards Highway 11 towards Saskatchewan Crossing, towards Jasper or Lake Louise, but in the wintertime that's -- that road is usually closed, so if something ever happened, just so many people would be stuck there.
3061. And if Highway 11 going east is closed off due to an emergency, if something happened with the land, or the pipeline, or something within that range, and the people would be stuck there, and what would they do for everything, their basic needs, their health, their -- what -- there's nothing in place. So that needs to be addressed and I guess have a plan in place immediately because there's too much happening with the land and the air. And with the earthquake that happened recently, they could have been out there, even though it was in the Sylvain Lake area, that would have been -- that can happen out there in -- on the traditional lands, and that can affect the Stoney people because we have - - we would have no clue what to do if that ever happens, and, like, what procedures do we take to have the people safe?
3062. **MR. CARTER:** Ms. Abraham, you mentioned that there was an earthquake. Could you explain what happened?
3063. **MS. SEONA ABRAHAM:** There was an earthquake and -- well, I know that there was one between Sundre and Silvan Lake, and it was minor, but there was already, like, an alarm that went off, the radio, our cell phone that all kind of gave us a heads up on this.
3064. That happened during the -- or early morning of March, I believe it was the 4th of this year. And it didn't really affect us all the way into Red Deer, but if it did, we would be -- we would have someone to contact within Red Deer for -- to get some support on what to do. But for Big Horn, who would they call? What would they do? It's just something that needs to be brought up and dealt

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with immediately.

3065. There was also a flood back in 2013, which washed out the -- a part of the river, or part of the road that was on the Big Horn Reserve. And the people -- there was nobody in charge, like to coordinate, to close off the road, there was nobody and it was really dangerous because the water was going higher, and higher, and the rain just wouldn't stop. And I remember I was visiting my parents with my daughter and that happened, and everybody was just in a panic not knowing what to do. And along with me, myself, I just didn't know what to do. I kind of just packed up and left the area.

3066. So that's what I mean, we all kind of have to just look at ourselves, our families, and just do what we have to do -- and to fend for our own families at this time and -- which is not right. It's just as a small community of 150 to 200 people; we should all be helping each other and have all the supplies on the Reserve somewhere at a safe location in case if something ever happened. When nature strikes and -- because Mother Nature can strike anywhere at anytime, and it's just sometimes it's because of pipelines that the -- this happens for within -- in the areas. I think that's it.

3067. **MR. CARTER:** Ms. Abraham, could you explain how cultural practices, such as hunting and gathering are important to pass on the Stoney Nakoda language to the future generations?

3068. **MS. SEONA ABRAHAM:** (Speaking in Native language). Well, I guess the best way for me to explain from my experience through when I was going up, everything was taught to me by my parents and family, like my aunts and my uncles, grandma and grandpa. And it was easier for them to teach it to us because they spoke the language. The language was strong and to teach us, their children, the next generation -- the next generation, all these skills. It was easier for them because everything related back to how to live and how to survive, all from -- which was delivered through the -- by the Nakoda language. This helped us learn a lot and show respect to the -- everything that the Elders and our parents taught us.

3069. And cultural and traditional ceremonies are also important because it's -- I continue to teach my children that too, and it's who we are as Nakoda people or Stoney People, our language. And there's only one Creator that we all look up to who will guide us and help every man -- all humans or mankind in any situation, and that's the way -- well, I guess ceremonies and Sun Dances and

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- sweat lodges are very much important to the Stoney People and I have continued to teach my children that, but only if my father would kind of lead us into that. Because as myself, as an individual, I kind of feel, I guess, out of place for going into, like ceremony alone. So I always follow my father's directions and I continue to learn more and more from him.
3070. And for a cultural -- or cultural purposes, we still need to teach our children that, along with the language. The language is our culture because of how people go to pow wows, and just the round dances, that's our culture. The drum is our culture. That's our way of celebrating and we continue to use that and teach our children that.
3071. But like I mention, it kind of gets difficult because to make a drum we need -- we still need those animals to be around. Because when a hunter makes a kill, they still need that hide to -- and the fur, just to make the crafts that -- which is delivered and used for our cultural purposes too. So it all combines into one. The animal is our food chain and we need to kind of just respect it and hope that they come back and continue to -- or bring better health to the Stoney People.
3072. **MR. LEE CARTER:** Thank you, Ms. Abraham. I have no further questions. Again, Ms. Abraham will take questions of clarification and reserve all substantive questions to be answered by way of written questions.
3073. **MS. SEONA ABRAHAM:** Do you want me to make -- or ---
3074. **THE CHAIRMAN:** Mr. Duncanson?
3075. **MR. DUNCANSON:** Thank you. We have no questions of clarification.
3076. **THE CHAIRMAN:** Any questions from the other intervenors?
3077. **MS. LABRÈCHE:** No questions from Natural Resources, thank you.
3078. **MS. HATCHARD:** No questions from Environment and Climate Change Canada. I would like to thank all the panelists today for providing their testimony and sharing their knowledge with us. Thank you.
3079. **THE CHAIRMAN:** The Panel has no questions.

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3080. **MR. LEE CARTER:** If it's okay with the Board, before we close proceedings today, Elder John Snow would like to say a closing prayer.
3081. **THE CHAIRMAN:** Certainly. Right now, before my closing statement maybe?
3082. **MR. LEE CARTER:** Sure. Is it okay if the closing statement precedes?
3083. **THE CHAIRMAN:** I'm in your hands on that one, so I will start with my closing statement.
3084. **MR. LEE CARTER:** Thank you.
3085. **THE CHAIRMAN:** And we'll follow that with Elder Snow's prayer. But before starting my closing statement, are there any other matters to take care of?
3086. I see nobody jumping up to speak, so I assume that are no other matters.
3087. So we will now conclude for the day.
3088. First, I have one procedural matter to take care of. Stoney Nakoda Nation said they would be taking substantive questions arising from today in writing. The parties are pointed to section 2.5 of Procedural Update Number 2 which says that written questions must be filed with the Board and served on Stoney Nakoda Nation within 24 hours following this session.
3089. Has there been any questions -- I might as well ask now -- that require to be answered in writing?
3090. **MR. DUNCANSON:** So Mr. Chairman, we haven't asked any substantive questions out of the wishes of Stoney Nakoda. But my understanding of the process would be that within 24 hours of the close of the proceeding today, we could ask whatever substantive questions we had in writing.
3091. **THE CHAIRMAN:** That is correct. And the response from Stoney Nakoda Nation Elders or knowledge keepers will then be due within one week, which will be Friday, May 24th, and must be filed with the Board and served on

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- the questioning party by that date.
3092. Since there were no other matters, remaining matters, I'd like to -- on the behalf of the Board, I would like to thank the elders and knowledge keepers from Bearspaw First Nation, Chiniki First Nation, and Wesley First Nation who are present today.
3093. Thank you for coming today and for sharing your knowledge with us.
3094. I now will pause for your prayer.
3095. **ELDER JOHN SNOW:** Thank you, Chairman.
3096. Just in closing, I wanted to just to reiterate that we continue to have concerns, as Seona identified as well as the other Elders about our hunting areas, our traditional areas, health concerns, the emergency response, and other issues arising.
3097. So we are thankful to you and the Proponent that we've been able to have this opportunity to speak to our concerns. We are thankful to the Board for their work in this matter. We are thankful for the Intervenors that have attended and heard our question. And we thank you for listening to our story, because this is our tradition, our oral testimony, our understanding, and our way of life. And it has been difficult because as you see, our people speak their language first and so English is a second language. It's foreign to us and so therefore difficult to translate. And so it's important to have many translations in order to have understanding.
3098. So with that, we're going to end in our closing prayer and ask for the Creator to watch over all of you, to watch over our people, our land, and our country. You can rise and we'll say the closing prayer.
- (Closing prayer)
3099. **THE CHAIRMAN:** Thank you.
3100. This portion of the oral hearing is adjourned. We will continue this oral portion tomorrow hearing from Saddle Lake First Nation tomorrow morning at 8:00 a.m. and after, we will hear from Driftpile First Nation.

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3101. Thank you all very much and safe travels.

--- Upon adjourning at 3:18 p.m./L'audience est ajournée à 15h18