

Archived: Thursday, September 9, 2021 8:47:25 AM

From: [Peter Fortna](#)

Sent: Wednesday, August 25, 2021 9:38:13 AM

To: [Suncor Base Mine Extension Project \(IAAC/AEIC\)](#)

Cc: [Gauthier, Charles \(IAAC/AEIC\)](#); [Laggoune, Hayet \(IAAC/AEIC\)](#); [Turcotte, Isabelle \(IAAC/AEIC\)](#); [Justin Herman](#); [Justin Fontaine](#)

Subject: Re: Chard Mā̃tis Nation - Preliminary TLU Assessment Suncor Base Mine Expansion

Sensitivity: Normal

Thank you for your email Claudette,

Yes, we discussed this issue internally, and CMN is fine with the Preliminary Study being posted on the registry.

Sorry for the confusion,

Peter

On Wed., Aug. 25, 2021, 7:28 a.m. Suncor Base Mine Extension Project (IAAC/AEIC), <basemine-minebase@iaac-aeic.gc.ca> wrote:

Good morning Peter and Emily,

Thank you for your submission. Just a quick question, when I opened the Preliminary Traditional Land Use Study, I noticed that it says CONFIDENTIAL. I want to verify that Chard Metis are ok with the document being placed on the registry, thereby being public information.

Thank you for this information. We will be in touch in the coming months with next steps and to further our discussions.

Claudette Bois

Senior Consultation Analyst, Crown Consultation Operations Directorate
Impact Assessment Agency of Canada / Government of Canada
<contact information removed>

Analyste des consultations de la Couronne, Direction des opérations de consultation de la Couronne

Agence d'évaluation d'impact du Canada, Gouvernement du Canada
<contact information removed>

From: Peter Fortna <[email address removed]>

Sent: August 24, 2021 1:35 PM

To: Suncor Base Mine Extension Project (IAAC/AEIC) <[email address removed]>

Cc: Gauthier, Charles (IAAC/AEIC) <[email address removed]>; Justin herman <[email address removed]>;
Laggoune, Hayet (IAAC/AEIC) <[email address removed]>; Emily Boak <[email address removed]>; Justin Fontaine
<[email address removed]>; <[email address removed]>; <[email address removed]>; Toews, Collin <[email address removed]>; Credible
Assertion - Alberta Indigenous Relations <[email address removed]>; Kim Bastow <[email address removed]>

Subject: Chard Mā̃̃tis Nation - Preliminary TLU Assessment Suncor Base Mine Expansion

To Whom It May Concern:

Please find attached Chard Mā̃̃tis Nation's Preliminary Traditional Land Use Study: Suncor Base Mine Expansion Project as completed by Emily Boak earlier this month. The purpose of this work is to provide an initial assessment of the potential concerns of the community with regards to the proposed Base Mine Extension. It is Chard Mā̃̃tis Nation's hope that this information will help the IAAC, and all other concerned parties including the Alberta Energy Regulator, the Alberta Aboriginal Consultation Office, and Suncor to better understand how the project may affect the community's Aboriginal Rights. As the funding and scope of this project were limited, this is only a preliminary assessment and it is expected that additional research will be necessary to fully understand the scope of impact on the community. It is also expected that additional research will help to refine and potentially add to the concerns identified in this document.

The Chard Mā̃̃tis Nation looks forward to working with the proponent and all levels of government to first fully understand the community's concerns, and then to meaningfully address those concerns as soon as possible.

If you have any questions about this document, please address them to Justin Herman, CEO of the Chard Mā̃̃tis Nation with a carbon copy to myself as I assist the Nation deal with regulatory matters.

Best wishes,

Peter

Peter Fortna

Principal

Willow Springs Strategic Solutions

<contact information removed>

www.willowspringsss.com

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CHARD MÉTIS

August 2021 Preliminary Report – CONFIDENTIAL

Preliminary Traditional Land Use Study: Suncor Base Mine Expansion Project

Emily Boak

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Forward, Limitations, and Terms of Use

In July 2021, Chard Métis Nation (Chard Métis) retained Willow Springs Strategic Solutions (WSSS) Inc. to prepare a preliminary traditional land use study for the proposed Suncor **Base Mine Extension Project** (the Project). WSSS is a consultancy firm owned and operated by social scientists with experience working with Métis and other Indigenous communities affected by energy and resource projects in Canada. Past projects include analyses of the socioeconomic and cultural impacts of industrial projects; documentation, mapping, and analyses of traditional land use, occupancy, and knowledge in relation to energy and mining projects; elaboration of community-needs assessments; and evaluation of education and learning programs.

This report reviews Chard Métis traditional land use and traditional knowledge in relation to the Suncor Base Mine Extension area. This study is based upon very limited project-specific map biographies, and, as such, the findings presented here are preliminary and should not be interpreted as a full representation of Chard Métis traditional land use and knowledge of the project areas or as equivalent to a full and operational-level traditional land use study (TLUS). The information and recommendations contained in this report, moreover, are intended solely for use by the Impact Assessment Agency of Canada (IAAC) and Alberta Energy Regulator (AER) in the assessment of potential impacts and in consultation with the Chard Métis about the Project. The information contained in this report should not be used by any other parties or for any other purposes without the express written consent of Chard Métis. Nothing in this report should be construed so as to define, limit, or otherwise constrain the constitutional, legislative, or Indigenous or Aboriginal rights or interests of the Chard Métis community.

This report is the exclusive property of Chard Métis. The report, extracts of the report, and/or original information from the report may not be used, reproduced, or disseminated by any party without written permission from Chard Métis.

Acknowledgements

Chard Métis would like to express its gratitude to all those whose information from previous traditional land use interviews is incorporated into the present study. The knowledge and information you shared will promote a better understanding of the potential impacts of the proposed Suncor Base Mine Extension Project upon the traditional land and resource use and ecological knowledge of the Chard Métis community. By documenting your knowledge of cultural values, practices, and artifacts, we hope to protect and strengthen the Chard Métis way of life so that future generations can continue to participate in and benefit from the proud and vibrant culture and history of the Chard Métis community.

Author: Emily Boak, WSSS Inc.

Maps: Emily Boak, WSSS Inc.

Senior Review: Peter Fortna, WSSS Inc.



Chard Métis Nation
<contact information removed>



Willow Springs Strategic Solutions
3201-101 Sunset Drive
Cochrane, Alberta T4C 0W7

Introduction

In February 2020, Suncor Energy Inc. (Suncor, or Proponent) applied to the Alberta Energy Regulator (AER) for the approval of a new project titled “Base Mine Expansion” (the Project). On January 28, 2021, the Suncor Base Mine Extension Project was referred to an independent review panel overseen by the Impact Assessment Agency of Canada (IAAC) by the Honourable Jonathan Wilkinson, Minister of the Environment.

Suncor Energy Inc. is proposing to develop the Base Mine Extension Project to sustain the supply of bitumen to the existing upgraders at Suncor's Oil Sands Base Plant operation (Base Plant). The Project includes an open-pit mining operation and associated infrastructure to supply bitumen to new froth production facilities and various other production facilities at the existing Base Plant. The Project is located adjacent to existing Base Plant operations approximately three kilometres north of Fort McMurray, Alberta, within the Regional Municipality of Wood Buffalo (see figures 1 and 2). The Project is approximately 110 kilometers northwest of Chard, Alberta. Project construction is expected to start in 2026 and its footprint is anticipated to be approximately 30,000 hectares.

Chard Métis has retained the services of Willow Springs Strategic Solutions Inc. to review the application footprint for potential land-use conflicts (intersections between the footprint and known Chard Métis sites of land use and/or importance) and to determine whether the community’s Indigenous rights may be affected if the Project is sanctioned. Given the short timeline and the fact that neither the Proponent nor the IAAC has provided Chard Métis with Capacity funding to complete a project level traditional and use study, the review presented here is cursory, and it is very likely that additional land-use concerns will be identified once consultation and further studies with the community are complete.

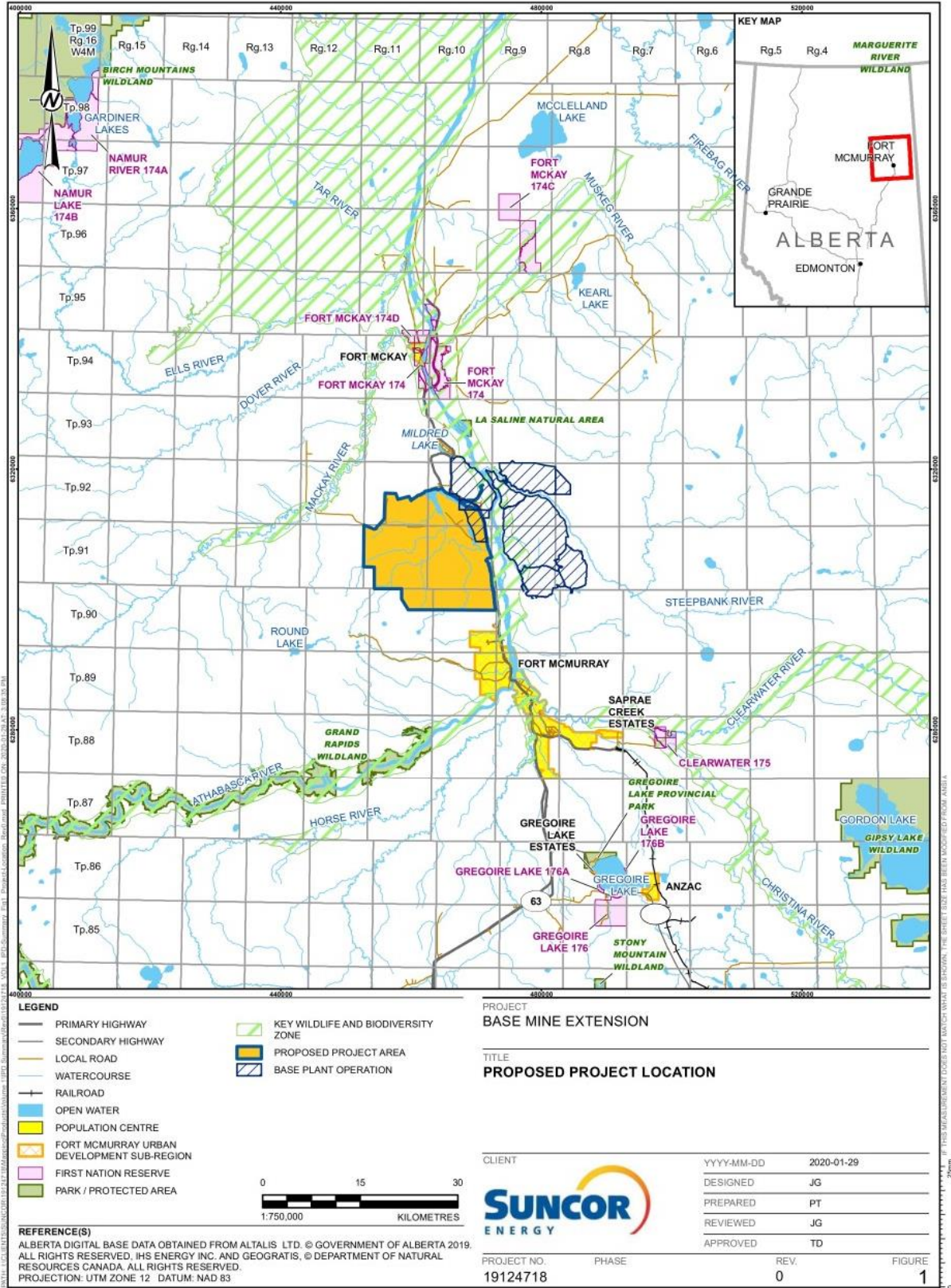


Figure 1: Map of Proposed Project Location released by Suncor Energy, Inc. Jan 29, 2020

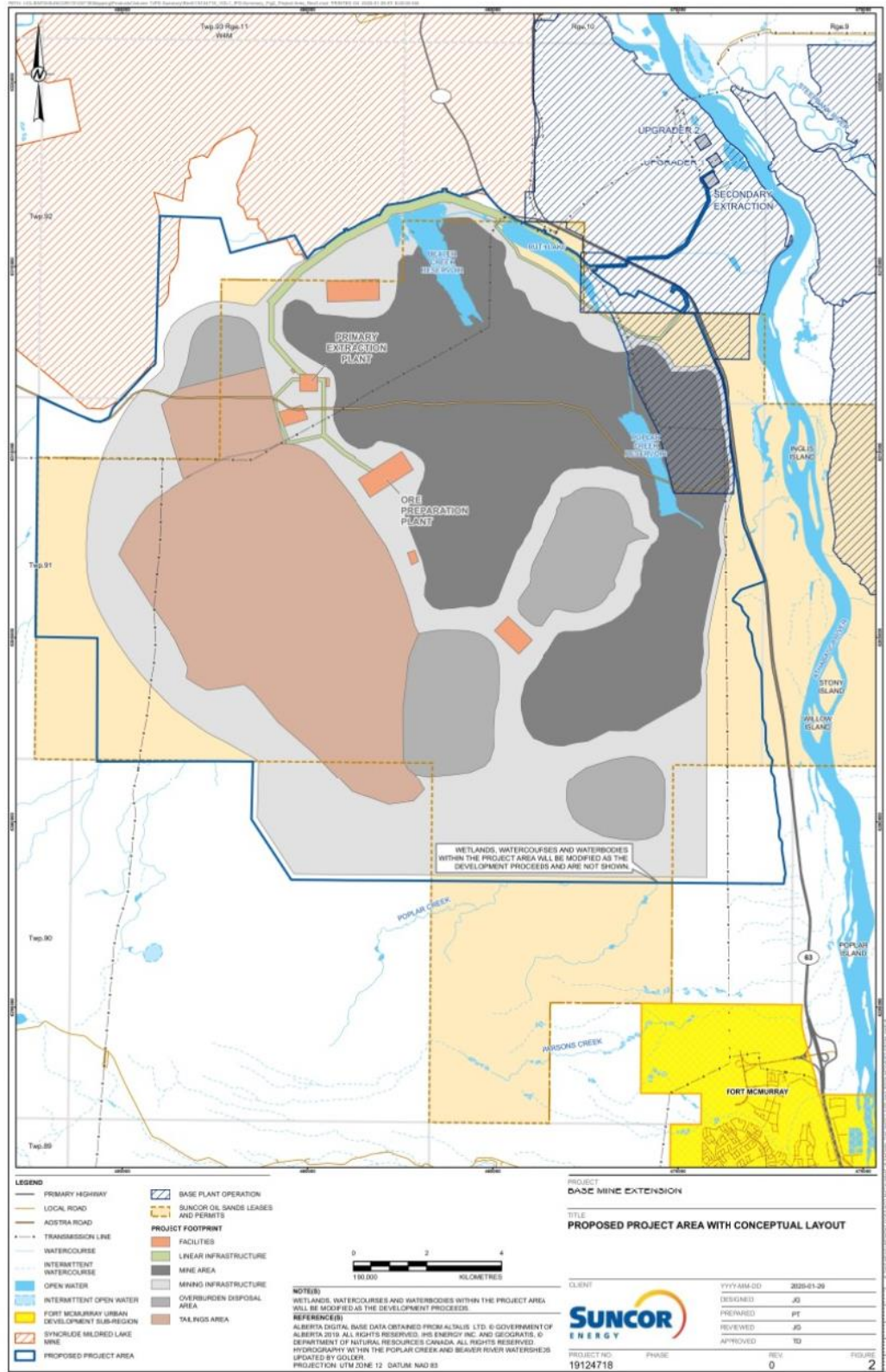


Figure 2: Map of Proposed Project Area with Conceptual Layout released by Suncor Energy, Inc. Jan 29, 2020

Methodology and Methods¹

Studies of Indigenous land use, occupancy, and knowledge go by many names, from traditional land and resource use studies (TLRUS) and traditional use and occupancy studies (TUOS) to traditional land use and ecological knowledge studies (TLUEKS). These terms are sometimes used interchangeably but can have important differences. For the sake of clarity, simplicity, and consistency, the term traditional land use study (TLUS) will be used throughout this report.² The study of Indigenous land use and occupancy is generally traced back to the discipline of anthropology in the late 1800s and early 1900s. Franz Boas, for instance, studied local place names in order to articulate the connection between Indigenous culture, landscapes, occupancy, and use, while Frank Speck recorded the ethnographic details of Indigenous hunting territories.³

The modern period of TLUS in Canada began in the 1970s, spurred by legal challenges and comprehensive land claim disputes. The basic model for contemporary TLUS was established by Milton Freeman and his Inuit Land Use and Occupancy Project (ILUOP), which was prepared in advance of negotiations of the comprehensive land claims settlement.⁴ Indeed, the centrality of the ILUOP to TLUS is further indicated by the fact that several of its regional research directors, including Hugh Brody and Peter Usher, would produce some of the seminal early studies of Indigenous land use and occupancy.⁵ By the 1980s, Indigenous peoples began using TLUS as a primary means to defend their rights and interests through legal proceedings, land claims, and regulatory processes for industrial projects.

The standard methods for TLUS, established by Freeman and his collaborators in the ILUOP, are individual map biographies and community-composite maps.⁶ For the former, participants are asked to locate and map harvesting and related use activities, as well as sites of historic and/or

¹ Over the years and in consultation with multiple Indigenous communities in Alberta, Saskatchewan, and Manitoba, WSSS has developed methods and methodologies that it uses for traditional knowledge and use studies. Each study is unique to the specific project, while community elements remain the same and borrow from best practices in the field.

² The customary use of the adjective “traditional” to describe Indigenous land use and knowledge can produce confusion for those who mistakenly infer from this that Indigenous cultural practices are static. The adjective “traditional,” however, does not signify something in the past but rather the transmission of practices over time. As such, “traditional” land use and knowledge are by definition dynamic and current. The adoption of new technology for the harvesting of resources, for instance, does not make the activity and its significance any less “traditional” (all traditions change and adapt) or alter its status as a protected right. See Terry N. Tobias, *Living Proof: The Essential Data-Collection Guide for Indigenous Use-and-Occupancy Map Surveys* (Vancouver: Ecotrust Canada / Union of British Columbia Indian Chiefs, 2009), 33; Thomas R. Berger, *Northern Frontier, Northern Homeland: The Report of the Mackenzie Valley Pipeline Inquiry: Volume 1* (Ottawa: Ministry of Indian Affairs and Northern Development, 1977), 111.

³ Franz Boas, “The Central Eskimo,” in *Sixth Annual Report of the Bureau of Ethnology for the Years 1884–1885* (Washington, DC: Smithsonian Institution, 1888), 399–689; Frank G. Speck, “The Family Hunting Band as the Basis of Algonkian Social Organization,” *American Anthropologist* 17, no. 2 (1915): 289–305.

⁴ Milton M.R. Freeman, ed., *Inuit Land Use and Occupancy Project, Volumes 1–3* (Ottawa: Supply and Services Canada, 1976); Milton M.R. Freeman, “Looking Back – and Looking Ahead – 35 Years after the Inuit Land Use and Occupancy Project,” *The Canadian Geographer* 55, no. 1 (2011): 20–31.

⁵ Hugh Brody, *Maps and Dreams: Indians and the British Columbia Frontier* (Vancouver: Duncan and McIntyre); Peter Usher, *Recent and Current Land Use and Occupancy in the Northwest Territories by the Chipewyan-Denesoline Bands (Saskatchewan-Athabasca Region)*, Research Report No. 1 (Prince Albert: Prince Albert Tribal Council, 1990).

⁶ Tobias, *Living Proof*.

cultural importance. Knowledge of local ecologies, such as patterns of animal movement, are also represented on maps. Individual map biographies are then aggregated into community-composite maps, which establishes the geographic extent and spatial intensity of community land use. Despite its limitations,⁷ Indigenous land-use mapping has become a standard component of legal and regulatory proceedings in Canada, as a result of its visual and presentational clarity and perception of scientific validity.⁸

These emergent critiques of the reliance on map biography methods in TLU studies are particularly important in the context of increasing pressures on the remaining, unindustrialized spaces in which to be Métis.⁹ The interconnectedness of each community member's traditional knowledge sometimes makes describing certain impacts as discrete and easily categorized impossible. Cumulative impacts of industrial development on traditional territories can be difficult to describe, particularly when TLU map biography questions are geared towards accumulating a record of specific sites for mitigation or avoidance. This said, wherever possible, this report will use the unedited words of community members to demonstrate that there is a strong likelihood that Suncor's Base Mine Expansion Project, if sanctioned, will have a direct and adverse impact on the community.¹⁰ This report has been divided into the usual subsections of a TLU study, with discussion of sites of historic and/or cultural importance, though the discussion is broad since project-specific funding has yet to be provided to complete a full assessment.

As opposed to an operational or overview study,¹¹ this study primarily draws from prior interviews, with a very limited number of project-specific interviews with community harvesters and land users. This study therefore is not the most comprehensive and reliable of the TLU study options, in part because this study was completed hurriedly without the usual rigor associated with an operational or overview study. Additional project-specific work will be necessary to understand the full potential impact of the proposed Suncor Base Mine Extension project and the Chard Métis community.

⁷ See Brian Thom and Kevin Washbrook, "Co-Management, Negotiation, Litigation: Questions of Power in Traditional Use Studies" (paper presented at the Annual Meeting of the Society for Applied Anthropology, Seattle, Washington, March 1997); David Natcher, "Land Use Research and the Duty to Consult: A Misrepresentation of the Aboriginal Landscape," *Land Use Policy* 18, no. 2 (2001): 113–22.

⁸ See Peter Usher, Frank Tough, and R.M. Galois, "Reclaiming the Land: Aboriginal Title, Treaty Rights, and Land Claims in Canada," *Applied Geography* 12, no. 2 (1992): 109–32.

⁹ Tara Joly, Hereward Longley, Carmen Wells, and Jenny Gerbrandt, "'I'm not telling you': Refusal in Traditional Land Use Mapping, Consultation, and Impact Assessment in the Athabasca Oil Sands Region" (in press: July 2017).

¹⁰ For guidance on decolonized and Indigenous-based research methodologies, see Julie Cruikshank, *The Social Life of Stories: Narrative and Knowledge in the Yukon Territory* (Lincoln: University of Nebraska Press, 1998); Linda Tuhiwai Smith, *Decolonizing Methodologies: Research and Indigenous Peoples*, 2nd ed. (London: Zed Books, 2012 [1999]); and Shawn Wilson, *Research Is Ceremony: Indigenous Research Methods* (Black Point, NS: Fernwood Publishing, 2008).

¹¹ Operational-level studies, the most comprehensive and reliable form of TLUS, involve a significant number of map-biography interviews that produce detailed oral histories and map documentation of traditional land use sites and values. The interviews are followed by field verification or ground-truthing of the most significant sites and the proposal of project- and site-specific mitigation measures. Overview-level studies are more limited and focus on the most significant traditional land use sites and values. They are most appropriate when the information generated by the study will be used to inform the early stages of project planning and will be supplemented later by a more robust operational-level study to determine potential impacts.

Key Definitions and Terms

There are many names used to describe the use and occupancy of land and other resources by Indigenous peoples. This report will use the term traditional land use (TLU). For the purposes of this study, TLU encompasses all activities related to living on and from the land, including the utilization of resources for subsistence, spiritual, and sociocultural purposes, occupancy of spaces and places, and movements across land and water. In addition, TLU comprises the cultural norms and practices associated with the harvesting, processing, and consumption of traditional resources, from the cultural and spiritual significance of particular places to norms of sharing and reciprocity and processes of identity formation.

It is important to emphasize that for TLU, “current” use refers to sites that were used within living memory by community members who are still alive, while “historic” occupancy refers to land use by deceased ancestors.¹² Collectively-held harvesting rights and connections to particular places are not eliminated simply because those sites are not presently occupied for traditional purposes, whether as a result of reduced access, declining natural productivity, or the emergence of alternative time demands, such as wage labour. The presence of mines and tailing ponds and the demands of urban life, while potentially reducing access to and opportunities for TLU, do not abolish the collectively-held Aboriginal rights or destroy the significance of those sites for the people who remember living and engaging in traditional activities there or who intend to use sites in the future.

Related to but distinct from TLU is traditional knowledge (TK). As with TLU, there are many terms used to describe the accumulated knowledge held by Indigenous peoples. The term used here is “traditional knowledge” and the definition is that provided by CEAA (now the IAAC) for Aboriginal traditional knowledge (ATK):

...a body of knowledge built up by a group of people through generations of living in close contact with nature. ATK is cumulative and dynamic. It builds upon the historic experiences of a people and adapts to social, economic, environmental, spiritual and political change. While those involved in EA will likely be most interested in traditional knowledge about the environment (or traditional ecological knowledge), it must be understood to form a part of a larger body of knowledge which encompasses knowledge about cultural, environmental, economic, political and spiritual inter-relationships.¹³

TK is rooted in the fundamental relationship between Indigenous peoples and their traditional territories, but it extends beyond knowledge of traditional land use practices into other aspects of social life. TK accordingly covers areas from knowledge of harvesting practices and the behaviour of different species to knowledge of history, values, and forms of family and socioeconomic organization. TK can be undermined by a variety of transformations, both dramatic and subtle: from shifts in the socialization and educational environment and changes in value systems to

¹² Tobias, *Living Proof*, 440.

¹³ Canadian Environmental Assessment Agency, *Reference Guide Considering Aboriginal Traditional Knowledge in Environmental Assessments Conducted Under the Canadian Environmental Assessment Act, 2012* (Ottawa: CEAA, 2015), 1.

delayed transmission mechanisms, particularly vis-à-vis learning in childhood, and reduced time spent on the land.¹⁴

Project Design and Data

The information used in this report was drawn from 5 project-specific interviews and complemented by previous non-project-specific interviews with Chard Métis community members. During interviews, participants were invited to mark land use and harvesting areas on Google Earth and paper maps. This report focuses on those land use values that intersect with the Project footprint and surrounding area. As the Proponent has not released a shapefile for the Project footprint, this area was approximated by digitizing the maps of the proposed project area released by the Proponent on January 29, 2020. As the Proponent has not defined the Project TLU local study area (LSA) or regional study area (RSA), these areas were approximated. To approximate the TLU LSA, we examined intersections within 10 km of the Project footprint. Because no shapefile for the TLU RSA was provided and due to the extremely limited nature of this study, information on land-use values that intersect with the TLU RSA will be discussed in general terms to identify the kinds of land-use values found within the wider area around the Project. To maintain confidentiality of harvesting locations, land-use areas have been buffered by 2 kilometers.

Upon review of the data, it was determined that there were 6 TLU sites that intersect the Project footprint, 3 additional sites within 10 km of the Project footprint, and 4 additional sites within 20 km of the Project footprint (see maps in appendix).

¹⁴ See Nancy J. Turner, Anne Marshall, Judith C. Thompson, Robin June Hood, Cameron Hill, and Eva-Ann Hill, “Ebb and Flow: Transmitting Environmental Knowledge in a Contemporary Aboriginal Community,” in *Making and Moving Knowledge: Interdisciplinary and Community-Based Research in a World on the Edge*, ed. John Sutton Lutz and Barbara Neis (Montreal and Kingston: McGill-Queen’s University Press, 2008), 46–52.

Traditional Land Use and Values

The Chard Métis Community is based in Chard, Alberta. The neighbouring town of Janvier is primarily made up of Chipewyan Prairie First Nation (CPFN) members. As such, members of the Chard Métis Community maintain similar land-use patterns and are closely related to members of CPFN. As one member put it,

“Community is where people live together and help and care for one another. I’ve got family on both sides, treaty and non-status, so I don’t look at one differently. I look at the whole community as a whole family. So, when we do harvest animals, we do share through the whole community. Family or not family. Because we consider as one, because we were all born and raised in Janvier. The Métis and the Treaties - we all carry the same practices and traditional land use. There’s no difference about it.”¹⁵

The majority of CMC members are Dene, and share genealogical roots with CPFN, but cannot qualify for their First Nations status, often because their ancestors had chosen to take Métis scrip at the turn of the twentieth century. The community first permanently settled in the region when the railway connecting Lac La Biche and “Old Waterways” (now called Draper) arrived in the early 1920s,¹⁶ though community members travelled throughout the area for generations prior. The Métis settlement at Chard remained relatively isolated for the decades following.¹⁷ In the 1950s, discovery of the Chard gas field (immediately west, south, and north of Janvier) marked the beginning of intense industrial pressures upon the traditional livelihood of the Métis and First Nation community in Chard and Janvier.

The decades since 1960 have produced an almost unimaginable transformation in the ecology of the region surrounding Fort McMurray, driven largely by the extraordinary development of the oil sands from the arrival of the Great Canadian Oil Sands (GCOS) and Syncrude in the 1960s. The population of Fort McMurray exploded as result of the influx of oil-sands workers and their families, from approximately 1,110 in the early 1960s to 30,000 by the early 1980s and more than 70,000 today. The traditional occupancy and harvesting areas of the Chard Métis throughout the region, moreover, were subjected to the enormous cumulative strain caused by oil-sands mines, steam-assisted gravity drainage (SAGD) projects, pipelines, roads, and associated infrastructure. The pace and amount of change experienced by the community has brought its share of social, economic, and cultural challenges, which limited the CMC’s capacity to actively participate in regulatory processes with the provincial government or area developers. These challenges and

¹⁵ *CLSRP-02, May 19, 2021*

¹⁶ Chipewyan Prairie Dené First Nation, “Kai’Kos’Dehseh Dené, The Red Willow River (Christina River) People: A Traditional Land Use Study of the Chipewyan Prairie First Nation,” Calgary, Nicomacian Press, 2007.

¹⁷ Use of the region prior to 1920 is well described in Chipewyan Prairie Dené First Nation, “Kai’Kos’Dehseh Dené, The Red Willow River (Christina River) People: A Traditional Land Use Study of the Chipewyan Prairie First Nation,” Calgary, Nicomacian Press, 2007.

failures are well documented in the Provincial Archives of Alberta, and the community is currently in the process of reviewing these documents, as well as others, as part of their credible assertion claim, which they intend to submit in late 2021.

In more recent times, the community was represented by Métis Local 214 (a chapter of the Métis Nation of Alberta), through the failure of the provincial organization to effectively represent local Métis communities has forced CMC to represent its own interests. To this end, the community has established an independent organization, and is in the process of gathering affidavits from every community member who holds section 35 rights stating that the CMC represents those Aboriginal rights. In 2021 and 2022, the CMC plans to reengage with government and industry partners in the region in an effort coordinated with their credible assertion submission. Because the Chard Métis community has used an extensive land base, its members are particularly concerned with the cumulative impacts of oil-sands activities and related infrastructure throughout the province's northeast. It is within this context of more than five decades of cumulative effects of the oil-sands industry on the traditional lands of the Chard Métis community that all future projects must be understood.

The proposed Project location for the Suncor Base Mine Extension intersects with land that was used historically and continues to be used by Chard Métis members. The CMC members historically maintained a seasonal round (see figure 3) that extended south to the northeastern edge of what is now the Cold Lake Air Weapon's Range (CLAWR), east into northwestern Saskatchewan, northeast to La Loche, and northwest to around Fort McKay. A comprehensive traditional land use study has not been completed for the Chard Métis community, but the details of this seasonal round are included in the CPFN traditional land-use study *Kai'Kos'Dehseh Dené: The Red Willow River (Christina River) People*.¹⁸ The rivers, creeks, and lakes throughout this region hold particular importance, and the community extensively uses the land north of Chard and Janvier along the Athabasca, McKay, Christina, and Clearwater rivers. Below, the TLU values that intersect the Project footprint are discussed alongside excerpts from interviews with Chard Métis community members.

¹⁸ Chipewyan Prairie Dené First Nation, "Kai'Kos'Dehseh Dené, The Red Willow River (Christina River) People: A Traditional Land Use Study of the Chipewyan Prairie First Nation," Calgary, Nicomacian Press, 2007 (28-29).

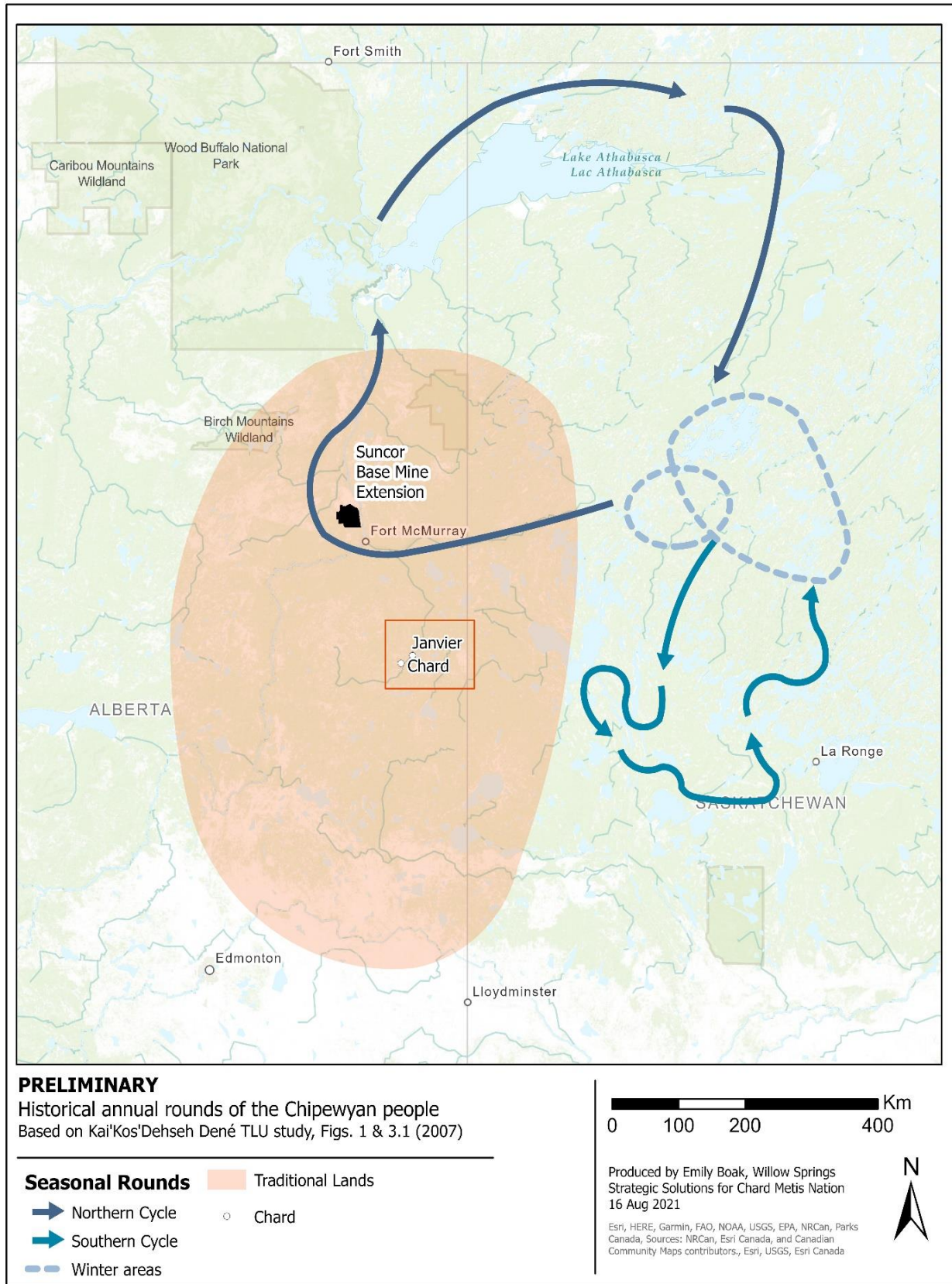


Figure 3: Historical annual rounds of the Chipewyan people, based upon maps from the Kai'Kos'Dehseh Dene TLU study. Chard Métis members share close genealogical ties to members of Chipewyan Prairie First Nation.

TLU Values That Intersect the Suncor Base Mine Expansion Project Footprint

This review draws from 5 Project-specific interviews completed in August 2021 with Chard Métis community members as well as a small number of prior interviews conducted 2007, 2008, 2014, and May 2021. Due to the limited scope of the study, this review should in no way be interpreted as representing the land use practices of the entire community.

Chard Métis community members continue to use the land throughout the area that made up their traditional seasonal rounds. As one community member described, they hunt in all four directions from the Chard/Janvier settlement:

“We hunt in all four directions. In summer we do all of our harvesting in the rivers north of Janvier towards McMurray and the Saskatchewan border. In the winter, our harvesting tends to the south, because to the northeast of us, the oil industry, the companies are not as active for winter access roads for us... to the south and the west sides of us there’s a lot of activity that goes on, so they open up a lot more access roads for us so that makes our hunting area get larger I guess... that’s the only reason why a lot of our hunting is on the south side.. more access roads available.

All four directions. All of us hunters, that’s all our traditional land.”¹⁹

Looking at a map of the area stretching from Fort McKay in the northwest to Janvier in the south, and the Saskatchewan border to the east, another community member explained that his hunting and fishing is so widespread throughout the entire area that it feels wrong to identify individual spots.²⁰

Community members described a range of land use activities both within and adjacent to the proposed Project area. In many of these sites, they have already seen limitations to access and intense deterioration of water quality and amount of game present. They aspire to continue using the land both now and into the future.

Land use within the Project boundary

The Project area itself was identified by community members as a place that is frequented for several uses throughout the seasons. The value of the areas both within and around the Project area is intensified because of both the sharp declines in game and restricted access brought by the large

¹⁹ CLSRP-02, May 19, 2021, 20:00

²⁰ CMNBMX-05-5-Aug-2021

mining projects of the last several decades. Land use has shifted into less heavily impacted areas that now hold importance. For instance, the Aostra Road became a significant access point once Syncrude's Mildred Lake operation cut off access between the Athabasca River and the McKay River to the north. Aostra Road, which cuts across the proposed Project area, was identified by several community members as an area that is used "to hunt, set rabbit snares, and pick berries and camp."²¹ Aostra Road serves not only as a key hunting and gathering area, but also "serve[s] as a winter road to go to Peace River, to Red Earth... all the way out to Calling Lake."²² It was described as an area where there are lots of beaver dams.²³ This access point is particularly valuable because while game cannot be found in much of the area surrounding Fort McMurray, the Aostra area has "some decent hunting... because most of the sites over there are SAGD so they don't have as much impact on the land so we can trap beavers over there."²⁴

Another community member spoke about starting hunts with his father at Supertest Hill. He and his father would pick berries at the bottom of Supertest Hill,²⁵ and then walk along trails that his father cut through the bush along the Athabasca River north of Fort McMurray around "Supertest and past Supertest on the side of the Athabasca River"²⁶. When they saw moose tracks, his father would follow the tracks:

Interviewee: He used to hunt along on the hills or used to walk in – I couldn't follow. I was making too much noise! "Don't follow me!"

Interviewer: So, you said he would hunt along the river and then go in [pointing to the Project area]?

Interviewee: Yeah, he used to go along the river and then go in.

Interviewer: About how far up?

Interviewee: Oh, Supertest – wherever there's the moose tracks, wherever the moose tracks go he tracks it in it. So, in wintertime, or in the summertime, especially in the summertime, we're picking various different moose tracks and then we're following it in.

Interviewer: So then, pretty much all along the river heading up from McMurry is where he'd be – this whole area? Was it entirely moose?

²¹ CMNBMX-01-5-Aug-2021, 17:00

²² CMNBMX-01-5-Aug-2021, 17:00

²³ CMNBMX-01-5-Aug-2021, 17:00

²⁴ CMNBMX-01-5-Aug-2021, 26:30

²⁵ CMNBMX-04-5-Aug-2021, 11:40

²⁶ CMNBMX-04-5-Aug-2021, 12:00

Interviewee: We hunt deer here every season. They'll shoot it – if they've wounded it, they'll follow it. They'll follow it in – whatever takes... sometimes it'll take two days, two days.

Interviewer: What time of year does he go?

Interviewee: All times of the year. If it was in the wintertime, he'll go in the wintertime. Because it's easy to track in the wintertime, yeah. In the summertime it's all leaves there, and in the fall. You know, sometimes we used to snare rabbits too on one of the trails he used to make by his own along the riverbank or a little creek bank or something.

Interviewer: Do you ever follow any of these roads [roads heading from 63 into the Project area]?

Interviewee: In the wintertime, he'd follow it [road heading into the Project area] out – whatever ridge he could find it was good. Good for rabbit to walk in and follow it in.

Interviewer: So basically, right into the basemine project area?

Interviewee: Yeah.²⁷

Land use adjacent to the Project area

Community members identified several key traditional land use areas adjacent to the Project footprint, especially along the Athabasca, Clearwater, and McKay Rivers. These rivers make up key transportation corridors and are heavily used by members. Community members frequent the stretch of the Clearwater between the Christina and Athabasca Rivers, both by boat or canoe in the summer and snowmobile (colloquially sled) in the winter. As one community member put it, “Historically they used to take canoes, you know the riverways were the highways.”²⁸ Additionally, there are important campsites along the Clearwater as well as places where eagle feathers are gathered.²⁹

One community member discussed fishing at the “Bridge to Nowhere,” or the “Peter Lougheed Bridge,” which crosses the Athabasca River near Fort McKay.³⁰

“Me and my family used to go take the bridge to nowhere, or the Peter Lougheed Bridge as they call it over by Fort McKay and go fishing there.”³¹

²⁷ CMNBMX-04-5-Aug-2021, 12:30-15:30

²⁸ CMNBMX-01-5-Aug-2021, 28:00

²⁹ CMNBMX-01-5-Aug-2021, 27:00

³⁰ CMNBMX-01-5-Aug-2021, 19:30

³¹ CMNBMX-01-5-Aug-2021, 19:30

Community members also spoke of fishing at the mouth of small channels that flow into the Athabasca:

“There’s a little river channel that goes in, and good fishing right there. We just fish right in the mouth of the river here.”³²

Spots along the Athabasca are also frequented by community members who gather water from seasonal springs.

“There’s like little natural springs... that flow into the river in the spring. This is further south of here... along the Athabasca. Little springs that flow down the hill and into the water. So we usually get fresh water from there. They look like little waterfalls. Even as late as June I was up there and got some fresh water there. When you’re going along the river on the boat you can see the little springs. And just bottle it. My grandma likes making tea from river water. She doesn’t like tap water, so I fill up some jugs to give to her.”³³

The stretch of the Athabasca and Clearwater Rivers between Fort McKay and the Christina River are key traditional land use areas that provide places for intergenerational connections, and many described getting out with children, family members, and Elders.

Access

Today, industry heavily influences what traditional land community members can access, especially as facilities restrict access and travel through large areas. Further restriction is a key concern to community members, especially as the Project area contains a key corridor that members travel between the Athabasca and McKay Rivers. One community member recalled travel by dog team and canoe in a loop across the Project area to the McKay River, up the McKay River, and then down the Athabasca to Fort McMurray.

“All of them [interviewee’s uncles], in the Springtime they used to come here. They take the dog team and cut across and follow the river, they lose the trail here. They take it from Athabasca and come up and take McKay [River]. They bring their canoes over in the springtime and then when the spring runs and you take your canoe back down and the dogs follow along the banks. Or somebody would walk if there was no room in the canoe – too heavy with whatever beaver meat or moose, whatever they can’t fit in a boat the dog will pack it in... and take the shortcut instead of following the ridge.”³⁴

This community member still spends time in the area, but access has gotten more difficult with the addition of gates and barriers. He recalled when the Syncrude basemine was built, saying, “after the mine was built, we couldn’t even go in there [to his uncle’s trapline]. Cause the gates were up and we couldn’t even go there.”³⁵ Speaking about the increasing roads and gates near Supertest (a

³² CMNBMX-01-5-Aug-2021, 22:40

³³ CMNBMX-01-5-Aug-2021, 25:00

³⁴ CMNBMX-04-5-Aug-2021, 8:00

³⁵ CMNBMX-04-5-Aug-2021, 8:00

local name for a stretch of highway between Fort McMurray and Fort McKay), this community member feared that an additional project in the area would make it harder to hunt:

Interviewee: By Supertest, now they've got roads and everything. They've got gates, you gotta go through the gates and if you're not from there you can't go through the gates. Not like the olden days. The olden days you could go anywhere.

Interviewer: You've talked about how your uncles were cut off by the gate here, and it was difficult to get to those hunting areas. Do you see this [Suncor Project] making it harder for you to hunt?

Interviewee: Yeah, it would make it harder for me for sure.

Interviewer: You talked about this area going along the Athabasca River where your dad used to go in and hunt moose. Is this an area where you still go up or where you would still like to be able to go up if you had the time?

Interviewee: Yes.³⁶

As access is increasingly cut off, the areas where access is possible have become increasingly important.

Sustainability of land use and potential for reclamation

Community members have seen the health of key land use areas change over time. They talk about fishing areas that they once trusted for subsistence fishing becoming areas that they would only sport fish, as the fish are not healthy to eat because of the water quality downstream from Suncor on the Athabasca.

“Then there's an area just past Suncor along the river that we fish as well. Just North of Suncor. Right here there's a nice little fishing spot. I was just there the other day. But you know what, you don't want to eat the fish anymore because it's downstream of Suncor. It's a little bit too close to the plant sites. It's just sport fishing now... I don't really do subsistence fishing there as much.”³⁷

When asked if they felt that the Project will impact the way people can use the land in 25 or 50 years, many community members expressed concerns about long-term impacts on the land as well as skepticism about the feasibility of true reclamation. One community member said that he is “100 percent” worried about community members being able to use the land in the future.³⁸ He described this by saying, “Even if they can probably get the land reclaimed to get the land to look like what it used to but I don't know if it will ever be used like it used to with the wildlife coming back. It's one thing to plant trees and the grass and everything to grow back so it looks the same

³⁶ CMNBMX-04-5-Aug-2021, 8:00

³⁷ CMNBMX-01-5-Aug-2021, 23:30, 26:00

³⁸ CMNBMX-01-5-Aug-2021, 45:00

but it's another thing to get the animals to come back right? And the animals aren't going to come back if a kilometer down the road they see there's heavy haulers bombing around and shovels and horns going off. They can reclaim the land but I don't know if they can reclaim the animals coming back there."³⁹

Cumulative impacts

Concerns regarding the impacts of cumulative disturbances in and around the proposed Project were frequently discussed by community members in interviews. Community members are concerned about how the Suncor Project will further contribute to the environmental deterioration that they already observe in Chard/Janvier and throughout the surrounding region.

Interviewer: Have you already seen impacts from other projects?

Interviewee: I've seen lots of difference yeah. Animals are dying, getting sick, even the little birds are disappearing nowadays. Usually you hear birds all summer, now you barely even see anything?

Interviewer: And when you said you see stuff coming down?

Interviewee: When the rain's gone it's all yellow all over the place, eh? It's all that shit on the leaves too. Even all the animals are getting sick with it, so it's impacting everything. But they're still going to do it [the Suncor project] you know?

Interviewer: What kind of sickness do you see in the animals?

Interviewee: You'll see lots of white stuff on the lungs, the liver. We have to end up throwing the meat away.

Interviewer: Oh, like cysts and all?

Interviewee: Yeah, all over the body, the insides, some of them don't even get fat no more. They're just dying off like that. Nobody knows about it, but they're still gonna build more plants and more plants. **They don't give a shit about us though. They'll let them build it. They're not going to stop with this little interview and they're not going to stop.**"⁴⁰

One community member felt so little hope that the Chard Métis community would be listened to that he opted to end the interview early, as talking about the impacts that the Project will have was too painful. He expressed anger at the whole system, feeling that no matter what the impact will be the Project will go forward.

³⁹ CMNBMX-01-5-Aug-2021, 45:00

⁴⁰ CMNBMX-05-5-Aug-2021, 7:00. Emphasis added.

“After they touch it it’s damaged and damaged for good. It’s not going to go back to natural after that. They know that and they still do stuff like this. So I don’t want to pass the interview anymore. I’m done with the interview. It’s useless for me to talk about it.”⁴¹

Cumulative impacts have been talked about for decades by Elders. One community member said that in the 1990s his father was “always telling me already the moose are getting sick... the animals, the deers. He noticed that the birds are slowly gone. Lots of stuff like that are disappearing. Lots of little animals, lots of impact.”⁴² In interviews conducted in 2007 and 2008, Elders discussed changes to animals from environmental deterioration brought by industry.

Interviewer: So are people still going out and fishing lots?

Interviewee: Not, not, not that much either now. Not that much because that lake, eh, like Winefred Lake I said the fish is getting, they got worms like they say, eh.

Interviewer: Worms?

Interviewee: They don’t bother, eh... fishing no more. They got worms there, eh. Right there too. Lots of lakes are like that now. It’s very, you know, like you eat something and you gotta think twice before you bite it. All this all this oil and gas that’s why.

Interviewer: How ‘bout, um, you said muskrats and beavers? You guys eat those too, right?

Interviewee: Ah, yeah we used to like it but now nobody eat it right now that one too. They scared, eh.

Interviewer: What scared people? They started seeing differences?

Interviewee: Well you know like they scared of the oil and gas... poison, eh. ‘Cause there’s lots of pipes that goes that cross this river now, eh. From here, goes that way. I don’t know how many pipes that cross like this river. Too many, ‘cause... whatever, I’m mad.⁴³

Elders explained that with oil and gas development, they have seen troubling changes in the health of animals, and that these changes make community members fear eating traditional foods, because “they know they’re gonna get sick.” There is a constant anxiety that the traditional foods that sustain the community could now make them sick:

⁴¹ CMNBMX-05-5-Aug-2021, 15:30

⁴² CMNBMX-05-5-Aug-2021, 15:30

⁴³ Interview MT 09, July 18, 2007

“It’s really different. You know, you kill something; you gotta think about, you gotta think twice before you eat now. Before you wasn’t even thinking nothing at all. But now, you gotta think twice before you eat, you make sure it’s good.”⁴⁴

Back in 2008, they had already observed these changes for years. They did not recall any issues with sickness among fish and game before the intensification of industrial activity in the area. The appearance of cysts and liquid in the lungs of moose was particularly worrying to an Elder who continues to hunt every year and explained,

Now, I see moose three times there that was bad, it looks bad. Before, I never see that happen kind anything moose or... that inside [cysts and liquid in lungs] like that. Ah, my dad, he really has good moose... there were the wild things. People wasn’t get sick or nothing. But some people get sick with the moose now they say.

Lots of oil companies you know, like right now, Syncrude, you see the big smoke just started going up. It goes all over, eh. Even berries now; I’m scared to eat berries ‘cause, you know, all the big smokes goes all over and it goes down and the fish; same thing. Everything’s getting, like right now, everything’s really bad. You know, you kinda scared to eat them now, eh. A long time ago, back in 1970 there was nothing, nothing wrong. Even this river, you go fishing in the river. You eat the fish, you drink the water from the river, and nobody used to get sick. But now everybody’s getting sick. Cancer: when you hear someone’s sick, he’s got cancer. Cancer, gallstones, everything stuff like that, eh. Before nobody was sick like that, nothing. Back in 1970, ’60, nothing. My dad lived 99 years, just about never got sick.⁴⁵

Traditional foods like berries and fish, “they all different taste now” to community members as the growth and health of plants and animals is impacted by pollution as well as equipment and crews disturbing the muskeg. Further, the quality of water has significantly declined. Whereas previously community members gathered water directly from the rivers and creeks, “now you can’t even get the muskeg water... you can’t drink that one, ‘cause it’s dirty.” People can smell the air from the tar sands⁴⁶ and see sulfur dust on the leaves after it rains.⁴⁷ Community members are concerned about the impacts of their environment on their health, which was never a concern previously. One Elder explained,

“Pollution – lots, all over now, around us. It’s all over now. We’re not that far from here to La Loche. And people there are dying left and right, right there too with cancer. Same thing Fort Chip. Same thing Fort McKay. Same thing in Anzac.”⁴⁸

⁴⁴ Interview MT 09, July 18, 2007

⁴⁵ Interview MT 09, July 18, 2007

⁴⁶ Interview MT 09, July 18, 2007

⁴⁷ CMNBMX-05-5-Aug-2021, 7:00

⁴⁸ Interview MT 09, July 18, 2007

Potential Effects and Impacts of the Suncor Base Mine Extension

As reflected in the interview excerpts and discussion above, there are several potential effects and impacts that are of concern to the community. These are summarized below:

1. Water usage and quality

Community members have been using the waterways (especially the Christina, Clearwater, Athabasca, and McKay rivers) for generations to provide for themselves. One leader of Chard Métis cited water use as the community's main concern, explaining that the rivers are all interconnected:

“The Christina River flows into the Clearwater River, which flows into the Athabasca River, and you know the plant site is along the Athabasca River... and our number one worry is about water usage. And everything is all connected, right? So if... I think they take millions of gallons or liters of water a day from the river to run the plant, and then you know like I said the Christina River runs all along the community and drains into the Clearwater which drains into the Athabasca and so it's just... wondering if the water levels go down, which they seem to be getting lower and lower all the time, what impact is that going to have on our ability to utilize the river to provide for.”⁴⁹

2. Cumulative effects on wildlife, plants, general environmental health

As was discussed in detail throughout the interview excerpts above, cumulative effects from industrial activities in the region surrounding the Chard/Janvier community and Fort McMurray are regularly observed and lived by community members. The health of wildlife, plants, and the environment as a whole has a direct impact on community mental, physical, and socioeconomic health, as members are forced to make difficult decisions about whether to gather berries that they fear may be contaminated or discard fish or game that is sick. Community members frequently cite fears about getting sick from eating fish, game, and plants that they once did not worry about. Community members are concerned about being able to rely upon traditional foods as there are already hunting, fishing, and gathering places where they can no longer trust the safety of foods.

3. Access to land

Community members hunt, fish, pick berries and herbs, set snares, gather water from natural springs, and camp within and adjacent to the Project region. Several community members interviewed this past week talked about having access blocked by Syncrude's Mildred Lake operation and are frustrated by potential further restrictions. As discussed earlier in this report, as more land is blocked off for industrial operations, less restricted areas gain significance. This is

⁴⁹ CMNBMX-05-5-Aug-2021, 11:25

the case with the Suncor Project area, which has become a key transportation corridor between the McKay and Athabasca Rivers. Because projects in the proposed area have previously been SAGD, the land there has not been impacted as heavily as some other areas around Fort McMurray.

4. Changes to health, social, or economic conditions

Much about the potential economic impact of this project on Chard Métis is unknown. One leader remarked, “on an economic standpoint, you know there’s going to be more economic opportunities so maybe more of our community members will move away? I don’t know.”⁵⁰ The community’s largest socioeconomic concern is that they could be excluded from Project consultation. More projects in the region that fail to involve and adequately consult Chard Métis will further exacerbate existing disparities in housing and economic well being.

5. Effects to community sub-groups (intersection of sex, gender, and identity)

Due to the limited nature of this study, a narrow range of perspectives have been captured. In particular, the views of youth have largely not been captured, although it has been mentioned in interviews that land use is very active among the younger generation. As one leader said, “the younger generation they’re expanding their hunting areas. I think that’s one of the biggest things for our community is the younger generation still gets out on the land and utilizes it a lot. And we have more mobility now than we ever had before, so our traditional territory and hunting areas are actually expanding.”⁵¹ Beyond youth, very few female community members have participated in Project-specific interviews thus far. Overall, the 5 interviews that have been possible so far are not close to representing the range of sub-groups and identities within the community, and it’s difficult to speak to specific impacts on sub-groups. Chard Métis would like to receive the funding necessary to include the wide diversity of practices and identities across the community.

6. Sustainability

As seen throughout the interview excerpts above, most community members interviewed do not see the level of impact brought by an open pit mine as sustainable. They have already seen intense impacts to their land use. One said,

“Every year is getting worse. Every year. Even lots of little birds are disappearing or are all gone. And the future, I don’t know if anyone will see anymore birds and animals left.”⁵²

⁵⁰ CMNBMX-01-5-Aug-2021, 11:25

⁵¹ CMNBMX-01-5-Aug-2021, 48:30

⁵² CMNBMX-05-5-Aug-2021

Community members are frustrated that the government and proponents do not seem to notice or care about the stark changes they have seen across the landscape. Many do not see reclamation as feasible. One community member interviewed in August 2021 expressed anger and frustration that both Suncor and the government know that community members use this land and that it can never be restored to what it was. He said, “They know that, and they still do stuff like this.” He believes that no matter how Chard is impacted the Project will go through. He was so frustrated and saw so little possibility that the land would be there for the community to use in the future that he did not want to continue the interview. He said, “It’s useless for me to talk about it.”⁵³

Approach to Consultation and Engagement

It is Chard Métis Nation’s position that they are a Section 35 rights-bearing Métis community, and they wish to be recognized and consulted as such. Community members feel they will be impacted, and Chard Métis wants Suncor and the government (federal and provincial) to include the community in the consultation process, work with them, keep them informed, and work to avoid, mitigate, and/or accommodate potential Project-specific impacts. From the limited number of interviews conducted for this report, it is clear that there will be impacts to the community, but the full depth and range of these impacts cannot be known without involving Chard Métis fully in the consultation process and allowing the time and capacity funding necessary for a detailed study to be completed. The Chard Métis community would like to have a clear understanding of the impact that will come from the Project, but cannot be expected to fund necessary studies itself. Without understanding what impacts may arise from the Project, impacts cannot be mitigated and discussions with the Proponent cannot take place. As one of Chard Métis Nation’s leaders explained,

“I know that this project is important to Suncor and it’s going to be important to the Wood Buffalo community as a whole, so it’s just a matter of how can we effectively collaborate, and make sure that we’re included in any consultation and any opportunities. Provide us with the knowledge. Without giving us the knowledge how could you respect the land that we’ve used?”⁵⁴

⁵³ CMNBMX-05-5-Aug-2021, 15:30

⁵⁴ CMNBMX-01-5-Aug-2021, 51:45

Conclusion

The evidence presented here demonstrates current traditional land use by Chard Métis traditional harvesters within and adjacent to the Suncor Base Mine Extension Project footprint. As discussed above, however, this study and its findings should not be considered a complete or adequate representation of Chard Métis traditional land use for the purposes of impact assessment and mitigation. Because this study is based upon a limited number of TLU interviews and does not fully incorporate a true Indigenous studies methodology, it should be understood only as merely the first step in the consultation process. The study should not be considered as commensurate with or as a substitute for a complete TLUS but should provide evidence that Chard Métis members extensively use the area in and around the Suncor Base Mine Extension Project and require a deep level of consultation with both the government and Proponent.

