NATIONAL ENERGY BOARD
OFFICE NATIONAL DE L'ÉNERGIE

Hearing Order OH-001-2014
Ordonnance d'audience OH-001-2014

Trans Mountain Pipeline ULC
Trans Mountain Expansion Project

Trans Mountain Pipeline ULC
Projet d'agrandissement du réseau de Trans Mountain

VOLUME 12

Hearing held at
L'audience tenue à

Coast Chilliwack Hotel
45920 First Avenue
Chilliwack, British Columbia

October 24, 2014
Le 24 octobre 2014

International Reporting Inc.
Ottawa, Ontario
(613) 748-6043

Canada

© Her Majesty the Queen in Right of Canada 2014
as represented by the National Energy Board

© Sa Majesté du Chef du Canada 2014
représentée par l'Office national de l'énergie

This publication is the recorded verbatim transcript and, as such, is taped and transcribed in either of the official languages, depending on the languages spoken by the participant at the public hearing.

Cette publication est un compte rendu textuel des délibérations et, en tant que tel, est enregistrée et transcrite dans l'une ou l'autre des deux langues officielles, compte tenu de la langue utilisée par le participant à l'audience publique.

Printed in Canada

Imprimé au Canada

HEARING ORDER/ORDONNANCE D'AUDIENCE
OH-001-2014

IN THE MATTER OF Trans Mountain Pipeline ULC
Application for the Trans Mountain Expansion Project

HEARING LOCATION/LIEU DE L'AUDIENCE

Hearing held in Chilliwack (British Columbia), Friday, October 24, 2014
Audience tenue à Chilliwack (Colombie-Britannique), vendredi, le 24 octobre 2014

BOARD PANEL/COMITÉ D'AUDIENCE DE L'OFFICE

D. Hamilton	Chairman/Président
P. Davies	Member/Membre
A. Scott	Member/Membre

ORAL PRESENTATIONS/REPRÉSENTATIONS ORALES

Hwlitsum First Nation
Councillor Janice Wilson
Dr. Bruce Miller
Ms. Glenna Borsuk
Mr. Paul Reid
Mr. Jeffrey Rath (counsel)

Squamish Nation
Chief Ian Campbell
Chief Richard Williams
Mr. David Jacobs
Mr. Aaron Bruce (counsel)
Ms. Michelle Bradley (counsel)

Wednesday, October 22, 2014 - Volume 10

Should read:

ORAL PRESENTATIONS/REPRÉSENTATIONS ORALES
Suquamish Tribe
Ms. Jan Hasselman (Representative) Mr. Jan Hasselman (Representative)

Thursday, October 23, 2014 - Volume 11

Should read:

ORAL PRESENTATIONS/REPRÉSENTATIONS ORALES
Tulalip Tribes
Ms. Jan Hasselman (Representative) Mr. Jan Hasselman (Representative)

Lummi Nation
Ms. Jan Hasselman (Representative) Mr. Jan Hasselman (Representative)

TABLE OF CONTENTS/TABLE DES MATIÈRES

LIST OF EXHIBITS/LISTE DES PIÈCES

No.	Description	Paragraph No./No. de paragraphe

UNDERTAKINGS/ENGAGEMENTS

No.	Description	Paragraph No./No. de paragraphe

--- Upon commencing at 9:02 a.m./L'audience débute à 9h02

4924. **THE CHAIRMAN:** Good morning, everyone, and first of all, I'd knowledge that we are on the territory of the Stó:lō people.

4925. I'd like to welcome you to the oral traditional evidence phase of the National Energy Board's hearing regarding the Trans Mountain Expansion Project.

4926. My name is David Hamilton, and I am the Chair of the Panel. And with me on my left is Alison Scott; and on my right, Phil Davies. We want to welcome who is here today, both in the hearing room and listening on our webcast.

4927. I think it's important before we get going to -- in case there's a need for an evacuation. The emergency exits are behind you from where you entered. Then there's two exits, left and right, to take you out safely to the parking lot.

4928. In addition to the Panel, we have a number of staff in the room who would be able to answer any process-related questions, and you can recognize them by their metal badges they are wearing.

4929. With respect to the schedule, we will sit from 9:00 until noon today and take breaks as appropriate for the -- to assist us to get through this morning.

4930. Before we get under way, I just would like to remind the parties of the Panel's guidance in the Hearing Order and Procedural Direction No. 1 in regards to oral traditional evidence.

4931. The Board understands that the Hwlitsum First Nation have an oral tradition for sharing knowledge from generation to generation, and this information cannot always be adequately shared in writing. The Board recommends that those providing oral traditional evidence focus on their community's interests and rights.

4932. These hearings are not to hear evidence that will be filed subsequently in writing, including technical and scientific information, opinions or views, advice to the Board on whether to recommend approval of the project or the terms and conditions that should be imposed, or questions to the Board or other participants.

4933. Sharing your traditional knowledge and stories about the use of your traditional territory is of value to us. If you wish to share any concerns about the impacts the proposed project may have on you and your community and how any impacts could be eliminated or reduced, that would be also helpful to us.

4934. This is the type of information we're here to listen to, and we will use this information we gather today, along with all other available information, in considering the possible effects of the proposed project.

4935. We appreciate that you have chosen to be here today. Before providing oral traditional evidence, presenters will be asked to swear or affirm that the information you are presenting is accurate and truthful, and to the best of your knowledge and belief.

4936. With that, I believe we are ready to get under way. And perhaps before you present your oral traditional evidence, perhaps I would like the representatives of the Proponent, Trans Mountain, for the record, to introduce themselves.

4937. **MS. OLENIUK:** Good morning to the Board and good morning to the witness panel.

4938. My name is Terri-Lee Oleniuk, and I represent Trans Mountain along with my colleague to my right, Heather Weberg; to my left is Annie Korver, and she's a member of Trans Mountain's Aboriginal Engagement Team.

4939. **THE CHAIRMAN:** Thank you, Ms. Oleniuk.

4940. And before we ask for your witness to be affirmed or sworn that if you maybe could state at the beginning of your presentation whether you will be responding to questions orally, in writing, or both.

4941. So with that, I would pass it over to Mr. Rath, I understand. Thank you.

4942. **MR. RATH:** Thank you, Mr. Chairman. Thank you, Panel.

4943. We'd also like to extend our thanks to Kinder Morgan and the Trans

Mountain Pipeline people for the work that they've done so far in terms of their engagement with Hwlitsum First Nation.

4944. My name is Jeffrey Rath. I am the general counsel to the Hwlitsum First Nation. I am here today to introduce our panel for the oral history phase of these proceedings.

4945. To my immediate right is Councillor Jan Wilson of the Hwlitsum First Nation. Next to her is Dr. Bruce Miller, who will be presenting the bulk of the oral history evidence on behalf of Hwlitsum First Nation today, and I'll be speaking to that after the introductions.

4946. Next to Dr. Miller is Glenna Borsuk, a senior adviser to the Hwlitsum First Nation. And next to Ms. Borsuk is Mr. Paul Reid of the Nisga'a First Nation, barrister and solicitor and member of Rath and Company, who is also here as counsel to the Hwlitsum First Nation.

4947. With regard to the evidence that will be presented today, it's going to be presented in the form of a PowerPoint presentation provided by Dr. Miller, whose curriculum vitae and CV would be available to the Board and to the Panel upon request.

4948. Dr. Miller is one of the leading experts in the ethno history of Coast Salish people in British Columbia and, for the purposes of this hearing, has been officially designated in accordance with Hwlitsum First Nation history and tradition and culture as the official repository of the oral histories that he is going to be sharing today on behalf of the Elders of Hwlitsum First Nation who are unable to attend today because of health reasons.

4949. All of the evidence that is going to be presented by Dr. Miller was gathered in accordance with the culture and traditions of the Hwlitsum First Nation; is the proper oral history of the Hwlitsum First Nation presided through the person of Dr. Miller, who is the official repository of this information currently on behalf of Hwlitsum First Nation and the Elders who could not be here today.

4950. Chief Wilson himself had intended to be here today to advise you of this. He, himself, had an unfortunate incident this week with his health and had to return to the hospital for further monitoring following some fairly extensive surgery that he's undergone recently.

4951. So now, on behalf of Hwlitsum First Nation, to confirm what I've just advised the Panel, I will now turn things over to -- it would be my honour to turn things over to Councillor Jan Wilson of the Hwlitsum First Nation for some brief remarks that she would like to make prior to Dr. Miller's presentation.

4952. Thank you.

4953. **THE CHAIRMAN:** Thank you, Mr. Rath. Perhaps we could have the witnesses sworn or affirmed first before we proceed.

4954. Thank you.

4955. **MR. RATH:** Thank you, Mr. Chairman.

JANICE CASEY PATRICIA WILSON: Affirmed
BRUCE GRANVILLE MILLER: Affirmed

4956. **MR. RATH:** And Mr. Chairman, one final point of order prior to the commencement of testimony on behalf of our panel, we have elected to answer all questions that would be presented today, in writing.

4957. Thank you.

4958. **THE CHAIRMAN:** And I also maybe failed to mention that because of the time allotted, if you feel that -- at the end of the session that there may be additional information, you certainly can make a request to file oral traditional evidence by electronic means, such as a video or some other method if that's necessary. I just thought we'd leave that open for...

4959. **MR. RATH:** Thank you, sir.

4960. There may, in fact, be some additional evidence that we will be tendering in this regard. Unsurprisingly, like many First Nations in the coast and in the region, you know, Hwlitsum is involved in quite a bit of ongoing litigation with Her Majesty the Queen in Right of Canada and there's some very exciting Affidavit evidence that will be filed in the Federal Court surely in a fishing case that we may wish to tender to the Board's -- for the Board's consideration in the form of sworn Affidavits in the next several weeks, so thank you very much for that, sir.

4961. **THE CHAIRMAN:** All right. And with that, thank you, Councillor Wilson.

--- ORAL REPRESENTATION BY/REPRÉSENTATION ORALE PAR COUNCILLOR JANICE WILSON:

4962. **COUNCILLOR WILSON:** Panel Members, my name is Janice Wilson, and I'm a member of the Hwlitsum First Nation. I'm also a member of Council of the Hwlitsum First Nation. I speak here today on behalf of all Hwlitsum First Nation members, Elders and the Chief in Council.

4963. Dr. Bruce Miller has been asked by Hwlitsum First Nation members, Elders and Chief in Council to present some important aspects of our oral history and to provide an overview of our connections to our ancestral territory. The evidence that will be presented today on behalf of Hwlitsum First Nation by Dr. Miller is a collection of some of the oral histories of Hwlitsum First Nation as passed down from generation to generation from time immemorial.

4964. Thank you.

4965. **THE CHAIRMAN:** Thank you, Councillor Wilson

4966. And Dr. Miller.

4967. **DR. MILLER:** We haven't worked out -- can I say to you when I want to change the slide just like that? Okay, thank you.

--- ORAL PRESENTATION BY/REPRÉSENTATION ORALE PAR DR. BRUCE MILLER:

4968. **DR. MILLER:** Okay. Thank you very much.

4969. This is a presentation regarding Hwlitsum First Nation oral histories.

4970. I want to start by showing you one of the major locations we're talking about so you can envision it. Here is Hwlitsum.

4971. Hwlitsum is the Hwlitsum name for the location. It's called, in

English, Canoe Pass. I may move back and forth between both names, but anyhow, it's the people and it's the location.

4972. And here is a navigational map just to show you -- give you another little bit of orientation. You can see the ferry terminal there and you can see the pass, and you can see Westham Island.

4973. Thank you.

4974. Later on, I'll show you a collection of maps that my colleague, Bill Angelbeck, and I have prepared from the oral history evidence with Hwlitsum. This is just to give you a start in thinking about that.

4975. You can see Canoe Pass here, and you can see this represents the locations for sockeye harvest. Thank you.

4976. The ancestors of the Hwlitsum were also in what is now Stanley Park in a location here, but probably using resources all through the region.

4977. And I want to say -- can you move that little cursor hand away, just for elegance. Thank you.

4978. This report represents information about the Hwlitsum First Nation's traditional use and occupation of the area now known as British Columbia. The Hwlitsum First Nation represents over 300 Hul'qumi'num people on the lower mainland of British Columbia, the Gulf Islands and Eastern Vancouver Island. But I want to say that information's not definitive and represents what is known now. I do not represent that it's complete. There is no doubt more information yet to be acquired.

4979. Since 2009, there's been an oral history project under way with the Hwlitsum people. Community members have recounted their own experiences hunting, gathering and fishing, and that of their ancestors. And much of this project has been undertaken while traveling -- while I've been travelling and my colleague, Bill Angelbeck, with Hwlitsum people through their waterways and with them fishing, hunting and gathering. And the results of this work over the last five years is presented here.

4980. And we gathered visual evidence of cultural, spiritual and harvesting practices and obtained detailed accounts of traditional uses of the environment.

4981. The trip, the several trips, also allowed us to witness the ongoing relationship that Hwlitsum enjoy with the natural environment, both in obtaining a livelihood and in maintaining spiritual, cultural and social cohesion, all topics that I'll talk about in more detail. And it enabled myself and my colleague to understand the way the territory, the waterways, the islands and the other features of the land and seascape was and is understood by the Hwlitsum.

4982. Finally, the trip also enabled us to witness the damage mainstream society's business development and management practices have inflicted on Hwlitsum's society, culture and fisheries.

4983. Now, you've heard this already, but today's Elders are not here. One who was intended to be on the panel has passed away, another suffers from dementia. One is recovering from surgery. And the one gentleman in their nineties is too old to bear the weight of testimony alone. And so, as you've heard, they've asked me to provide this information today.

4984. So I'm Dr. Bruce Granville Miller from the Department of Anthropology at UBC. That's the picture of the Museum of Anthropology.

4985. The Hwlitsum, like their ancestors, the Lamalchi, are members of the Hul'qumi'num Mustimaxw. Prior to contact, the Mustimaxw employed a seasonal cycle that saw them winter December to February on the Gulf Islands and southern part of Vancouver Island and summer March to November on the lower mainland of British Columbia.

4986. Prior to 1863, the Lamalchi had a winter village at Lamalchi Bay on what is now known as Kuper Island, although I think it's sometimes being called Peneleka Island. The site was ideally situated because it was a safe harbouring place and there were abundant resources nearby to harvest.

4987. There's a picture of Lamalchi Bay and some of the Hwlitsum Band members at an event there two years ago. And I just included this picture of a midden on the bay to indicate that this is a place of long occupation, and so shell middens are refuse collecting over many generations, and the beach there is a midden site.

4988. Now the background to all this. In 1863, the British Navy bombed and then burned the Lamalchi village, and colonial authorities subsequently executed

three of their most prominent warriors. The next year, Governor James Douglas allowed the Lamalchi land to be pre-empted. Since the Lamalchi had no access to their ancestral village site, they were forced to winter elsewhere.

4989. Around 1892, many of the Lamalchi chose to live year round at Hwlitsum. In accordance with the Hul'qumi'num custom of identifying oneself with one's village, winter village, the people now identify themselves as Hwlitsum. So to be clear, the people who were once called Lamalchi are now called Hwlitsum.

4990. The Lamalchi seasonal cycles. From before contact to 1849, they employed a seasonal cycle -- I've already said this, but to remind you -- four months, November to March, at Lamalchi, the bay -- the picture you saw a minute ago. After harvesting the late-running chum salmon, the last run of anadromous fish each year, the Lamalchi focused on harvesting local resources. The Lamalchi village was ideally situated for a variety of resources listed there. I won't read all that to you.

4991. They also supplemented their winter diet by hunting and trapping deer, elk and so forth and gathering salal, ferns, cedar bark and other things for medicines, foods and food processing purposes.

4992. In April, the Lamalchi's seasonal cycle took them to their ancestral village at Hwlitsum, otherwise known as Canoe Pass, where they would spend eight months harvesting resources in the lower mainland of B.C. Hwlitsum -- I showed you the picture of it -- was well situated, and still is, because it's not only located in a prime harvesting location for the runs of fish, particularly eulachon and salmon, it was also right in the middle of an important stopover for birds on the Pacific Flyway.

4993. The Lamalchi also travelled each year to the Coquitlam River and the Pitt River where they harvested plants for medicinal and food purposes, the various runs of salmon and sturgeon. They visited relatives there. They hunted and trapped in the watershed areas. They harvested each anadromous fish run as it arrived, beginning with the eulachon, then, in order, the spring salmon, coho, sockeye, steelhead, and so forth.

4994. In addition, they harvested other species such as clams, crab, shrimp, sturgeon, and they supplemented their diet by hunting and trapping various species and gathering a number of plants.

4995. After 1891 -- now, this is a discussion of their seasonal cycle to the present. The rich history of harvesting within Hwlitsum traditional territory becomes evidence when one considers that, of the 17 people who gave oral histories, 13 of them are or had been commercial fishers. All 17 remained involved in some portions of fishing, processing of fish, beach food, land and sea mammals, plants and other species. And together, it reveals a community deeply invested in protecting their traditional harvesting activities.

4996. These activities provide a source of food and revenue and feature in the construction of personal and group identity and figure prominently in their spiritual life. The resource activities aren't just for food, but they create community solidarity through proximity, through sharing of important activities, and through the regular practice of reciprocity.

4997. All the Hwlitsum report regular participation of both giving and receiving gifts of food and exchanging valuable information about subsistence activities. This reciprocity is important in binding a community to itself and is characteristic of historic Coast Salish.

4998. I just want to also add again, I've heard all these people give this in testimony to me, but I've also witnessed all of these things that I'm talking about today. Thank you.

4999. That's just a picture to give an idea, give a face to the activities I'm mentioning.

5000. This is Chief Wilson, who's ill, can't be here today, and this is the late Mary Wilson. There were two of the people that we had hoped would have a chance to come and speak before you.

5001. Inherited knowledge. The oral histories show that the Hwlitsum have persisted in harvesting in the areas used by their ancestors. They maintain and use specific knowledge of the movement of the tides, the location of resources, and behaviours of particular species. It's been fun and interesting watching that process of knowledge exchange among Elders and junior people in the community.

5002. As an example, Jerris Wilson noted the flounder are blown by a southeast wind off the "flats" of the river to deeper river water. Consequently, at

Canoe Pass, which is shallow, their nets go to the bottom to get the flounder under these weather conditions. But as I've mentioned, there's an important spiritual component to all this.

5003. The Hwlitsum continue to practice historical spiritual observances. These include the practice of recognizing a relationship with salmon through setting aside the first salmon of the season, cooking it while still on board, sharing it with all those aboard, and carefully preserving the bones for disposal into the sea. One Elder noted that this is done so the fish return the next season.

5004. A variant on this was to carefully set aside the first salmon of the season to cut and distribute to family members once ashore. And another variant was to bring the first fish back to the Chief for him to eat and distribute. All of these are a part of what Coast Salish people refer to as first salmon ceremonies.

5005. Many of the present-day Hwlitsum people remember details of the fishing of an earlier period so they're able to talk about what their ancestors did before restrictions on fishing activities and before the serious decline in the number of particular species. Because the practice is to learn fishing and other activities by observation of their Elders, all the Hwlitsum can recall vividly their early activities with these now-deceased family members. Many can recall what the Elders of their youth told them about generations even further back, and these narratives reach back to the common ancestor, Si'nuscustan, born in the late 1700s.

5006. Canoe Pass to the Gulf Islands. So one of the important things I want to try to communicate to you is that the village where many of them live now is at Canoe Pass or Hwlitsum, but they have regular interchange through their territory in the Gulf Islands.

5007. One of the Elder fishermen, Lindsey Wilson, gave a useful account of the pattern of economic activities. He observed that the historic village of Hwlitsum, at Canoe Pass, is situated at the mouth of the Fraser River. There, his generation and those before him had access to the primary location for salmon harvesting -- it's a really wonderful place to harvest salmon -- and to the birds migrating through the area. This location also gave access to other fish, including sturgeon and eulachon. Canoe Pass allowed for direct travel upriver for species best harvested there. So they've got a grand location.

5008. From Canoe Pass, Hwlitsum people use the tides to reach Galiano

Island in two and a half hours, where there are two major passes, Porlier Pass, formerly Cowichan Gap, in the north and Active Pass in the south. The location of these passes can be seen from Canoe Pass -- something I'll talk about more later -- and there are ancestral villages located at each. Movement through the passes allows the taking of many species.

5009. And so Lindsey Wilson described the outside, the east of Galiano Island, as the "catcher's mitt" -- that's his imagery -- which boats in Canoe Pass can easily access with the tides. Tides flowing out enabled a return to Canoe Pass. And Lindsay Wilson suggested that he has preferred to follow a roughly triangular route through the northern pass, Porlier, through the many islands to harvest a variety of species, and then go back out Active Pass and back to his home at Canoe Pass.

5010. Wilson also described the suitability of this complex for harvesting, in the same day, land mammals, shellfish and a variety of fish. So that's a depiction of it.

5011. So here is where they're starting and they can follow the tides out through this pass, access down here and can return back out this way.

5012. **MR. RATH:** Can you show them the bay on Kuper Island?

5013. **DR. MILLER:** Yeah, if my eyes were better. This is actually kind of small.

5014. Yeah. Well, I'll just go on because it's too small for me. Carry on.

5015. Okay. Now, this is depicted visually also by community spiritual leaders. Jody Wilson is one such.

5016. He's made silk screens that depict the travel from Canoe Pass to the Gulf Islands and through the passes described as the Catcher's Mitt. And so I found this, to my surprise, when I went to talk to Jody, that he, on his -- he's a noted artist. And on his walls, much of what he was depicting showed this relationship between Canoe Pass and the Islands, the Gulf Islands.

5017. The oral narratives of the Hwlitsum people reveal the use of many locations and intense resource activities concentrated in locations including Canoe Pass, Galiano Island, Reid Island, Coquitlam, Porlier and Active Passes. The

area around Coquitlam, including Munday Lake and Lost Lake, Alouette Lake, Pitt Lake and other areas along the Fraser for fishing, hunting, trapping, gathering.

5018. And I want to say that a lot of this is collective activity, and they report engaging in a number of group-based resource activities. And as I say, I've seen this, including harvesting, processing, and distributing.

5019. Janice Wilson, sitting next to me, described the gatherings during canning season in which hundreds of cans and mason jars of salmon were produced in earlier years before refrigerators were available, and Hwlitsum people relied on this salmon during the winter. They still do rely on this salmon during the winter.

5020. Zoe Wilson noted that Hwlitsum men fished together in groups and the Hwlitsum women, including those living at Gulf Islands and those at Canoe Pass, gathered for a week at Canoe Pass, gathered from the islands, gathered together for a week at Canoe Pass to can the fish.

5021. Zoe recalled her sisters, aunts, grandparents and spouses participating, as did male relatives. Boats were tied up and fish were unloaded at a wharf in front of Stan Harris' waterfront home at Hwlitsum. Later, I'll tell you more about Stan Harris.

5022. Distribution. Many Hwlitsum men report distributing fish, game and shellfish to their extended family members. In some instances, people were permitted to come to the family wharf to take what they wanted and, in other cases, fishermen took -- themselves took the fish to relatives.

5023. So there are relatives at Canoe Creek and the Gulf Islands, and these Elders report that many of these species have been and are taken all over in any location within their territory with suitable conditions. Their harvesting and processing patterns were aided by the presence of a set of houses, two wharves and two net sheds on and near the ancestral village of Hwlitsum. They were also able to harvest with Hwlitsum relatives who lived nearby at ancestral harvesting sites, Salt Spring Island, Reid Island, and other locations across the Strait of Georgia and in the Gulf Islands themselves.

5024. As I've told you, near the mouth of the south fork of the Fraser River lies the ancestral village of Hwlitsum. Elders report that this area has often been so rich in a great number of species that, for some species, there was no need to

go elsewhere.

5025. At Canoe Pass, all species of salmon are harvested along with flounder, steelhead, sturgeon, eulachon and so forth, and nearby sloughs offered opportunities for steelhead salmon. Regularly changing sand bars provided opportunities for harvest. Roberts Bank, just outside the mouth of the Fraser, yields crab and sockeye. Steveston, eulachon, Point Grey, sockeye and Tsawwassen Beach yields clams.

5026. One of the areas people talk about is known as the Drop-Off and the Straits of Georgia. It's an area where the water depth increases rapidly. It's a good place for harvesting a number of species including oyster, crabs, salmon, flounder, dogfish.

5027. Now back to these passes. The "inside". Porlier Pass was described as a location of abundance. Elders reported taking ling cod, rock cod and all species of salmon, snapper, octopus and so forth.

5028. After travelling across the Straits and passing through Porlier, Hwlitsum report extensive use of these locations on the inside, that is, inside Galinao Island, a long island running roughly north to southeast, including Trincomali Channel, Montague Harbour, the location for oysters, clams, cockle, salmon. Whaler's Bay was sought for oysters, crabs, winter and spring salmon.

5029. Now I want to change what I'm doing here a little bit from this general background to talk about specific Hwlitsum people and how they describe their traditional, cultural, spiritual and resource activities.

5030. And I want to start with Chief Rocky Wilson, who was unable to be here today, who's ill. I'm sorry to hear he's in hospital. He's a Hwlitsum Elder who served as Chief of the Hwlitsum since 1999 and is an active commercial fisher.

5031. He has lived in Hwlitsum, Canoe Pass, his entire life. He's also an oral historian of the community, having learned the Hwlitsum way of life and history from his father, mother, grandmother, uncles, aunts and cousins.

5032. The narratives Chief Wilson learned go back to the time of Si'nuscustan, who was born in the late 18th century, and link continuously to the present. So he's an informed and accurate source of information about Hwlitsum

fisheries and has harvested species in a great variety of locations, including those used by his ancestors. He has orally footnoted those ancestral practices in a continuous chain back to the 19th century.

5033. By orally footnoting, I'm -- it's a term that means referencing particular Elders and who they were and the grounds of their authority.

5034. His father, Andrew John Wilson, was born on the Coquitlam reserve in 1899, and his mother was on Galiano Island.

5035. **MS. OLENIUK:** Mr. Chair, I'm terribly sorry to interrupt, but Mr. Rath just passed the witness a note. He spoke twice to the witness asking him earlier to indicate something on the record, and I think that's inappropriate.

5036. If there's something Mr. Rath has to offer the Panel, perhaps he could be sworn and affirmed or provide his evidence that way.

5037. **THE CHAIRMAN:** Mr. Rath.

5038. **MR. RATH:** Mr. Chairman, as far as things go, I see nothing inappropriate here. And if the Panel or my friend would like to see the note that I passed to Dr. Miller, I'm happy to share it.

5039. It's -- in my experience in dealing with Panels both in this Board and the National Energy Board, the rules or procedure are somewhat more loose than they are -- would be in a Court of law. But if there's some issue in that regard, I'm happy to take the Court's -- the Board's direction on it.

5040. I certainly see no issue, and if my friend from Osler is -- seems to have a problem with it, I'm happy to hear what the Board has to say about it. I certainly see nothing inappropriate.

5041. **MS. OLENIUK:** Sir, it's inappropriate. It's contrary to the rules and it's contrary to our own Law Society rules as well to -- for a lawyer to interact with the witness when they're giving sworn testimony. So I leave it in your hands, sir.

5042. **THE CHAIRMAN:** Thank you. Give me a moment.

--- (Short pause/Courte pause)

5043. **THE CHAIRMAN:** Yes, I think it is -- there is -- our format, our process for all traditional evidence is less formal. I would -- the Panel agrees with that and we do allow counsel to sit with the witnesses. But certainly we're here to hear the oral traditional evidence from those who have witnesses on behalf of the First Nation and the fact that Dr. Miller, he's been asked to speak on behalf of them, so it would be appropriate that we keep that to those witnesses only. And any interaction between counsel and the witnesses should be at a minimum, if not none, at this time.

5044. Thank you.

5045. **MR. RATH:** That's fine, Mr. Chairman. Thank you for that guidance.

5046. **THE CHAIRMAN:** Dr. Miller, please continue.

5047. **DR. MILLER:** There we go.

5048. Anyhow, I was commenting on Chief Wilson's background and why it is that he became a noted oral historian of his community.

5049. His father suffered from severe arthritis when Rocky Wilson was a teenager and, as the youngest of eight children, he was the one who spent time assisting his dad fishing and hunting. And his father chose him, as is common in Coast Salish society, to learn the Hwlitsum way of life and history, and he did that with his father. And he also learned about the Hwlitsum resources and way of life from all these other relatives that I've mentioned. His great-great-grandmother was a resident of Stanley Park, by the way.

5050. There is Rocky Wilson, and we hope he looks like that very soon.

5051. On August 16th, 2014, I travelled from Vancouver to Canoe Pass, where I met with Chief Wilson at the Wilson Wharf, which is approximately one and a half kilometres from the Robert Super Port at the mouth of Hwlitsum, Canoe Pass.

5052. Rocky lives there in a house his great-grandfather built in 1907. The house is located within a few hundred metres of the Wilson Wharf, which I'll show you, where his boat is tied up.

5053. We travelled on that occasion to the mouth of the river. Well, we just were at the mouth of the river where Rocky gill-netted and made three sets and harvested sockeye.

5054. That gives you a -- that's Canoe Pass and you can see the Super Port. I just want to give you a sense of the proximity of the [ass and the port.

5055. Maybe I should point -- if you could go back to that. This is -- these are the big cranes and, of course, this is the Hwlitsum waters.

5056. Now, this concerns the issue of traditional knowledge.

5057. I've done this many times, actually, with Rocky and his brother and his other relatives. But on this occasion, for example, I watched closely as he fished, selecting prime fishing locations and then position the net so it would harvest more effectively. In this case, he selected a hole near Westham Island and across from Brunswick Point as a good spot to set his nets.

5058. He also exhibited a keen knowledge of the winds and the tides, once noting that a wind was shifting the location of the salmon and creating a fishing opportunity. In my opinion, he has a deep knowledge of Hwlitsum's waters and fisheries, knowing where the salmon are running and which route they've taken into Hwlitsum, which is a key issue which I'll talk about more in a moment.

5059. Over the three days of fishing, he caught 659 sockeye which were either given to his immediate family or distributed to Hwlitsum Band members, some of whom don't have the capacity to fish themselves.

5060. Now, a second person I want to talk about is Lindsey Wilson. Lindsey is a Councillor since 2002. He's now 58. He's an active commercial fisherman and hunter. I've mentioned to him previously in the catcher's mitt analogy.

5061. Community members regard him as an excellent fisherman, and he's a reliable source of information about resource activities and the resource locations of his predecessors and ancestors.

5062. He has orally footnoted these ancestral practices in a continuous chain back to the 19th century. He was raised by his grandmother and grandfather and learned much of the oral traditions from those people. He also learned fishing

from his -- observing his grandparents in this activity.

5063. As a child, he wished to emulate his grandfather, Andrew Wilson, a noted fisher and athlete. And he said -- yeah, I can't reproduce this well enough, the emphasis he put into this:

> *"I always wanted to catch fish since I was born. It's the most fun I have. It's very spiritual out there. Everything, the whole big picture."*

5064. He engages in fishing and hunting in locations his ancestors had used and he fishes and hunts throughout the year and states that he would engage in more activities if it were now financially viable and species were abundant and not restricted by licensure. He harvests a wide variety of sea and land species.

5065. Early in his life, in his twenties, his annual routine worked in the following manner. In January, February and even into March, he took steelhead in the Fraser River between Canoe Pass and New Westminster. To do this, he used a net that he'd made to honour his ancestors. He also took the winter springs at Galiano Island on the east on the outside and on the west coast, the inside, and Mayne Island.

5066. In hard times, with no salmon available, he moved across from Canoe Pass, or Hwlitsum to the Gulf Islands in the winter, to bring back food to family and friends or, as he would say, they'd do whatever is necessary. This included winter springs prawns, clams, oysters and deer. In summers, he fished the Fraser River. He also fished Galiano Island for winter springs on both the inside and the outside in and around Mayne Island.

5067. A third person to tell you about is Dan Wilson. He is a Hwlitsum Councillor. He is 60. He is an experienced commercial fisherman, trapper, hunter and net builder. His family occupies the wharf and net shed closest to the mouth of the Fraser River. I'll show you a picture of that.

5068. His father, Terry Wilson, is also a commercial fisher and is recognized as one of the most knowledgeable people about eulachon. His father, Terry Wilson, is also a tremendous storyteller. I spent a couple of days in his fishing shed -- net shed listening to -- recently listening to his fun accounts.

5069. Dan's harvesting activities have taken him throughout the Hwlitsum

traditional territory.

5070. Not such a good picture, but here's Dan Wilson. Here's the Wilson Wharf. And all through this area, the Wilson people have lived historically for more than a century and then, of course, seasonally for many centuries such that this whole area has sometimes been called Wilsonville. And Rocky Wilson's house was just across the street and over here and the houses of other Hwlitsum people along in the region.

5071. Fred Wilson is the older brother of Chief Rocky Wilson. He's 77 now, a commercial fisher and hunter. He grew up at the family home located at Hwlitsum.

5072. Fred started commercial fishing, gillnetting in front of the family home at age eight. One of the interesting things in talking with these folks and being with them over a number of years is how early they started in their resource activities.

5073. He obtained -- Fred Wilson obtained his first shotgun at 14, shooting pheasants, and hunted with his brother, Lloyd, and other family members, but he's more of a fisherman than a hunter. He hunted with -- fished and hunted with the Elders of his own youth. Fred Wilson is a very knowledgeable informant, and states his information without break to the generation of his great-grandfather, John Andrew Wilson, born in the early 19th century. He harvests in the areas used by his ancestors.

5074. Now, next, I want to talk about Stan Harris, and he has particularly important information.

5075. Mr. Harris was born in 1923 on Salt Spring Island. He noted that he "grew up everywhere," throughout the region travelling with his logger-fisherman dad. Many Coast Salish men were loggers in that period.

5076. Mr. Harris lived in Ladner since 1938, permanently since 1947. In 1938, he came to Canoe Pass with his uncle and cousins, fished seasonally, and returned home to Salt Spring Island. He married Chief Wilson's sister, Pauline, in 1947. And he moved in with his wife next to the Wilson Wharf, which I just showed you, on Canoe Pass across the street from Chief Wilson's house and near the houses of the other members of the Wilson family, including Rosalie Wilson. So he's deeply connected with the Hwlitsum network of families. There's Mr.

Harris.

5077. In 1948, Mr. Harris noted, *"you could fish pretty well all year if the fish were there."*

5078. When the salmon runs were over, he would go to the Gulf Islands to jig cod, dig clams and pick oysters. He would return to Canoe Pass with these species "*by the boatload."* These foods were made available to all of the Hwlitsum people who wished to take some. Some of the food was sold in Chinatown at a dollar a sack, which he said was *"good money in those days."*

5079. Steelheads were fished at Canoe Pass with nets *"down to Brunswick Cannery from the bridge."* Chief Wilson observed that steelhead were often Christmas dinner, and Mr. Harris noted that there might not be anything else if money was low.

5080. Good -- good job at moving the slides. I appreciate it.

5081. The Hwlitsum community living at Canoe Pass participated in many activities together, and this included the First Salmon ceremony which I've told you about. When the first salmon was caught, Mr. Harris said:

> *"It was always divided up to all the families, whoever caught it. Everybody came to the house to get a piece. It was always good news, the season started. I never got the first fish."*

5082. A lament over time.

5083. Fishing locations. Mr. Harris observed that he fished at the ferry landing, Sturdies Bay, in Galiano Island at Whaler's Bay, Montague Harbor, Ganges, and other locations. He fished the channel between Kuper or Penelekut Island and Thetis Island. He put nets across the channel.

5084. Ivan Wilson, the grandfather of Jerris Wilson, who I've mentioned, did a lot of fishing there. Mr. Harris said:

> *"That's where I got my start, the other end of Galiano Island."*

5085. He said that he fished and hunted at "Cowichan Gap", the old person's term for Porlier Pass.

5086. Most of the Wilsons, he said, came to Mr. Harris' place in Canoe Pass to gut their fish during salmon canning season. Everyone did their own cleaning. Brothers gave fish to their sisters for the women's families. And he said:

> *"The ones who didn't fish were given as much as they wanted - they had big families."*

5087. Mr. Harris fished eulachon every year, either by himself or with someone else. He used a net. These eulachon were shared with everyone. People were free to pick the eulachon out of the net "like grapes". This was about February or March, in early spring, and Mr. Harris said he would go from time to time for eulachon. Many other family members came, and he said he *"never got more than we could use."*

5088. Mr. Harris also took oysters where the Super Port is now located on Tsawwassen Reserve. There were oysters on the beach where the Ferry Landing is now. He took them "anywhere along Point Roberts" in the sand on the beach or glued onto rocks. I'm pausing because -- for emphasis here.

5089. Mr. Harris described fishing "right along the shore to the border" in the area where the ferry is now. The fish went around the point, following the shoreline, then in the channel with the tide and into Canoe Pass. So I'm saying this is how it was once.

5090. Sturgeon Channel at Tsawwassen was a location for harvesting sturgeon. There were, Mr. Harris noted, *"thousands of small sturgeon in the river after spawning."* He got sturgeon in Canoe Pass of up to seven or eight hundred pounds, and they were difficult to bring in. He put large ones crosswise on his boat.

5091. In the 1950s, before the Coal Port and the ferry, Ivan Wilson, with the help of three or four local Japanese fishermen, winched a massive sturgeon with a drum onto the boat. Large sturgeon sold for $100. Now, he says, there are no sturgeon, and Sturgeon Channel itself is lost.

5092. As an aside, there's a large sturgeon down the hall hanging from the ceiling in this hotel. It's not a real one, but it can give you an idea of the size of sturgeon.

5093. Before the ferry terminal changed the waterscape, the tide ran along the beach. I think what I'm saying now is probably the most important thing I have to tell you today.

5094. Fishermen went to drift out to block the channel with a net and get the fish coming out. As the tide went out past Brunswick Point, it pushed the water south all along the sand bars. Mr. Harris said:

5095. *"It was a different game when the Ferry came in. Everything sheered off. The pattern [of fish migration] was different and fishing was different altogether."*

5096. The fish, he said, hit barriers and go on out, not back in again with the tide. More fish went through the main channel of the Fraser River instead of Canoe Pass. With the Super Port, *"our Canoe Pass runs were gone. Now we get what's left over from other runs. Dribbles."*

5097. Concerning the loss of depth on the Canoe Pass channel, Stan Harris said:

> *"There's always a good channel [formerly, to the Gulf Islands]. There's no channel there now. Now, mainly [water comes on] the Main Channel."*

5098. This change in water depth and pattern generally increases the expenses associated with fishing

5099. Regarding the proposed one and a half mile addition to the Delta Port, Mr. Harris observed:

> *"Coal Port almost blocks all spring salmon. Next, [the addition] would wipe out Canoe Pass altogether. No tide here."*

5100. The absence of tide would be associated with a loss of salmon runs into the Pass. He observed the connection between fish habitat and the run of water, noting that the runoff:

> *"...pushes water on us, keeps it clean. Stop that and sand piles up and there is no fishing."*

5101. Mr. Harris is the last surviving Hwlitsum member who fished and hunted Canoe Pass, the Gulf Islands and the region before the ferry and port were created. That's why his oral history is so important.

5102. He is able to recount the fishing, clamming and oyster picking conditions during this period and before the loss of water into Canoe Pass and before the fish migration routes were disrupted. He recalled the sloughs and passages where sturgeon, eulachon and other species were once taken. In this earlier life, he was able to fish and hunt for eight months on Canoe Pass and vicinity and then four months on the Gulf Islands taking other species. This was a period before it was illegal to clam hunt, oyster and -- take oysters so on.

5103. Mr. Harris' account of his own life clearly outlines the strong links between the various Hwlitsum families, both on Canoe Pass and the Islands. These links were reinforced by mutual fishing, hunting and other resource activities, but the families were also linked ceremonially in the First Salmon ceremony, in their locations of residence, in their practices of mutual assistance, and in their recreation. And perhaps most importantly, Mr. Harris shows the connection to the land and water in the territory of the "Wild Wilsons".

5104. Sorry, Janice.

5105. Now I want to talk a little bit more about Jody Wilson. Jody Wilson is a Hwlitsum member who was born in 1958, and he is an artist and cultural leader.

5106. Mr. Wilson's house in Ladner right near Hwlitsum is his workshop and showcase for his impressive Coast Salish artwork in carved wood, in large totem poles, in two-dimensional silk screens, and in gold and silver jewellery. He said that he has been drawn -- he has drawn since he was five years old. He depicts animals associated with his own Coast Salish and Hwlitsum territory in their natural background which, he says, gives meaning to his work.

5107. He grew up across the street from Chief Wilson in what was known as "Wilsonville" on Canoe Pass. He says living on the river on Wilson traditional land he felt at home flying around in boats on the river.

5108. He described going to his Uncle Joe's place on Reid Island, a small island in the Gulf Islands, and he did that as a really young lad dropped off there.

5109. By five, he was on the deck of fishing boats and, as a boy, spent time with his grandfather Ivan, who, he said "made me work for it" on the water. His closeness to the Canoe Pass is evident.

5110. He described playing on boats as a child and carving gillnetters out of driftwood at Brunswick Point. In particular, he liked to play and hunt in the slough between his house and the road.

5111. Now, this is -- just as the notion of a catcher's mitt that Lindsay Wilson had is important, this is another important conceptual point.

5112. Of particular significance to showing Jody's connection to the whole of Hwlitsum territory is his artwork. I've shown you already one piece. One large painting on the wall of his home is "Black Fish", otherwise known as orca. In this painting, one can see from Canoe Pass to Porlier Pass.

5113. Jody noted that the painting show the closeness of the islands to the Pass, 12 miles, saying, quote:

> *"It's like a step across."*

5114. This theme is repeated in much of his work. Eagle's Moon, for example, shows an eagle departing Canoe Pass towards Reid Island and Cowichan Gap. And when I went to talk to him about all this in his home, I was just struck by the fact that his artwork was already showing these connections. It's really fundamentally what he has depicted in several decades as an artist. Jody noted that:

> *"Most of my art is related to Canoe Pass and Reid Island unless it's commissioned."*

5115. Jody Wilson, as did all of the other Wilsons of his generation and the one before, had a connection to Granny Cook on Salt Spring Island near Reid Island. Granny Cook "*always had a big pot of seafood."*

5116. Jody observed that, as a young man, he went to Reid Island, which he called Fantasy Island, meaning he enjoyed it so much despite the weather, even, he said, a Nor'wester.

5117. Another piece of art, "Legends", depicts animals including bear and

eagle, with the salmon in the middle because salmon is central to the ecosystem and to the Hwlitsum way of life and survival as a people, he says.

5118. This piece, and others, reflects Jody Wilson's view that one must be strong spiritually and physically to hold their place in fishing. Chief Wilson mentioned that the:

"...old guys said that when the sockeye die off, we die off."

5119. The "Legends" picture captures this idea directly, and there it is.

5120. This is at the centre of all the species. And they are people of the salmon and it's core to the ecosystem, he was saying, and he had depicted this in this very lovely piece of art.

5121. Just as another side note, the Wilsons and the Hwlitsum people are a very vigorous -- physically vigorous group. They are well known for fishing in the area.

5122. And when I interviewed Jody Wilson for the first time a number of years ago and he stood up, I looked at him. He was so massively strong, and he's a -- but a profound artist. And I said, "My God, what is our background?"

5123. And he said he was runner-up in the National Power Lifting Championship.

5124. Many of the Wilsons are boxers, wrestlers and athletes, and I think it's run down over the centuries because they're vigorous people maintaining a hold on their way of life.

5125. Jody Wilson reveals the close relationship between Hwlitsum art, their culture and their territory. It's depicted. And he is bound, too, in a tight social network of community members, and he commemorates and passes on these ideas via art so other Hwlitsum members visually get the idea, you know, that he's portraying for them visually.

5126. His art vividly depicts the geographic and conceptual closeness of Canoe Pass and Gulf Island, which are simply -- now here's the phrase -- a step across.

5127. Jody Wilson captures visually what he and other Hwlitsum people have said in interviews about their attachment to territory, to salmon, and to each other. It's all closely bound up.

5128. An analysis of the data produced from the study indicates that current oil tanker traffic is adversely affecting the harvest of at least 11 species named there. Of course, should there be expansion, there would be additional adverse impact due to increased tanker traffic.

5129. I just wanted to show you the site of Tl'uqtinus village, one of the Hwlitsum areas, and you can see what's happened to it now, just to give a sense of the impact on their traditional lands and waterways from commercial and other activities.

5130. The Hwlitsum people also fear that there will inevitably be an oil spill and that current oil spill response system will not be able to protect their harvesting, cultural and spiritual locations.

5131. I want to amplify that the problem here is that if there is an oil spill and it goes into the Gulf Islands, it will disrupt -- this is one of my key points here. It will disrupt their ability to harvest the shellfish and anadromous fish and other species which they use in their spiritual life. It has to be part of ceremonies, burnings, cultural burnings, which connect them to their ancestors, which bid their ancestors come. They also fear that neither B.C. or Canada or Kinder Morgan has a plan in place for remediation of sensitive habitat.

5132. There's Mary Wilson, the late Mary Wilson -- can we go back to her for a moment -- with one of the young folks. This was at a Hwlitsum tribal gathering on Galiano Island and a large picnic, and the interesting thing was what they ate. I guess I'll -- my slides aren't in the order that I'd hoped.

5133. I mentioned about ritual life. This was an event that I participated in on behalf of the Museum of Vancouver, where I am a member of the Board of Directors and Chair of the Collections Committee. And we repatriated a ancestor back to the Hwlitsum and to their relatives, Penelekut. And this is the ritual that took place then.

5134. Now, the pictures I show you can't depict the main event, but the major thing was the ritual burning in which ancestral spirits attend to their occasion. And they are, as I was mentioning before, come because the burning is

the burning of foods, of the shellfish and other of their traditional foods that are essential to this ceremony. I'm sorry I can't depict the rest of it for you, but their protocol doesn't allow it.

5135. Harvesting activities in the youth of the current Elders took place in the context of a depression, or the Depression, from our viewpoint. Even those in their fifties report growing up in a household with little available money. For this reason, fishing, hunting and gathering of a great variety of species was essential to survival.

5136. Yet another reason for the cultural attachment to these extraction activities is the great cultural significance, their connection with a way of life and to the spiritual importance of these animals to Hwlitsum understandings of life.

5137. All 17 who gave oral histories learned how to carry out fishing, hunting and gathering by direct observation of the activities of their Elders. They embraced these activities, with many reporting that they began fishing and hunting before teenage years, even as young as seven, often with other young people.

5138. Two middle-aged Hwlitsum men recall being taken to Reid Island as teenagers to hunt and trap, remaining for two weeks until their uncle returned from Canoe Pass to bring them home.

5139. Jim Hornbrook noted that, in his youth and young adult life, trips from Canoe Pass to Reid Island in the Gulf Island chain were frequent, sometimes weekly. He noted that he and the others always took their guns on these trips so that they could fish, hunt, gather and trap.

5140. The region around Canoe Pass, the homeland of the Hwlitsum, is key to these resource activities. Community members have continually occupied several permanent homes in the region since the turn of the 20th century, and much, much longer seasonally, as I've pointed out.

5141. Many of the present generation and their ancestors of the last several generations were born, raised and lived their lives at Canoe Pass. The Hwlitsum report they occupied the location solely on their own without the presence of other Aboriginal people as permanent residents. They report other non-Hwlitsum Coast Salish people visiting, however.

5142. From these homes, they harvested in the rich waters of Canoe Pass and also hunted and gathered. Canoe Pass was then, and continues to be, the location for community-wide activities, including processing, distribution of fish and other species to community members. The evidence shows their Lamalchi ancestors used Canoe Pass for the summer fisheries, but also year round for resource harvesting.

5143. Commercial activities have declined -- there's that horrible hand there again. Thank you. Hands have special meaning in the Coast Salish world. We have to be a little cautious.

5144. Commercial activities have declined in recent years as the stocks have declined and fishing openings limited. All of the Hwlitsum lament this development and feel that it has deprived them of their ability to live as their ancestors have.

5145. Several adult Hwlitsum express concern that the current generation of children is not able to fish and, as a consequence, is deprived of the ability to learn practices and locations central to the development of a group and of a personal identity as Hwlitsum. They will be deprived of a livelihood and an ancestral way of life. Part of this is a massive decline of the marshlands around Canoe Pass.

5146. Hwlitsum remains a key area for them. It is a primary residence, their favoured fish location, a work site and the site for important links which -- events which link them together and to their past and to their ancestors and, in turn, to the waters and marine life of Hwlitsum.

5147. They retain a sense of identification with the fish, crabs, birds and waters.

5148. **THE CHAIRMAN:** If you're -- I don't know how -- your presentation, Dr. Miller. If you would like a brief break, we're happy to accommodate that now if that would be helpful to you.

5149. **DR. MILLER:** No, I've got some more water.

5150. **THE CHAIRMAN:** Okay, continue.

5151. **DR. MILLER:** Thank you.

5152. When they fish, the Hwlitsum are near their ancestral burial site and the village sites of their ancestors. Each fisher relies on the wisdom of his ancestors to harvest. Simply put, the Hwlitsum are the people of Canoe Pass.

5153. The reliance on local food procured within their historic territories was evident. The food at a Hwlitsum gathering on Galiano Island, which I mentioned before, at the home of Richard Wilson, for example, was harvested by community members and included crab, fish and clam. The reliance was itself built on a thorough knowledge of the region and of techniques of gathering, hunting and fishing.

5154. Here's a picture from the -- Richard Wilson -- the gathering at Richard Wilson's house on Galiano Island. These are locally harvested species.

5155. Here's another picture. There's Richard and other Hwlitsum Band members eating chowder and fish and so forth.

5156. The Hwlitsum‘s food, social and ceremonial fishery is vital to the maintenance and well-being of their society. The harvesting of salmon is spiritual and cultural. The sharing of salmon is consistent with Coast Salish traditional values and provides a vital resource to elderly and low-income Hwlitsum households.

5157. They've made it clear that if their traditional foods, fished and gathered, became unavailable following a spill, they would be unable to carry out the spiritual activities which define them as a group and bind them together the Coast Salish people. The inter-generational sharing of knowledge would be disrupted, and it would be hard to raise their children as Hwlitsum.

5158. Now, I've got several maps here. Did you wish a break from all this, or shall I continue?

5159. **THE CHAIRMAN:** I think we will take a break because we have seen the number of maps that you've filed as well.

5160. So I think we'll just -- I think it probably a good time to take a break. So we'll take 15 minutes and come back at about 10:25. Thank you.

--- Upon recessing at 10:11 a.m./L'audience est suspendue à 10h11

--- Upon resuming at 10:29 a.m./L'audience est reprise à10h29

JANICE CASEY PATRICIA WILSON: Resumed
BRUCE GRANVILLE MILLER: Resumed

5161. **THE CHAIRMAN:** I am here and ready.

5162. **MR. RATH:** And just as we reconvene, I'd like to advise the panel that we shouldn't have any difficulty at all being done prior to 12 o'clock today for purposes.

5163. **THE CHAIRMAN:** I appreciate that, Mr. Rath. Thank you.

5164. Dr. Miller.

--- ORAL PRESENTATION BY/REPRÉSENTATION PAR DR. BRUCE MILLER: (Continued/Suite)

5165. **DR. MILLER:** Thank you.

5166. I have several maps here that we've produced from the oral histories and from the site visits that my colleague, Professor Bill Angelbeck, and I have prepared and I actually don't have the entirety of them. We had a little difficulty loading them. But I've got a number of them here, and I'm not going to dwell on these. But I just want to allow them to do two things. One is show the range of species that are historically harvested and also the extent of the region.

5167. And I realize these are really hard to read. The resolution, it's just kind of a little bit of pale here.

5168. This is a map of sockeye harvest. You can see the region here. So it's shaded like that. Here is the original homeland village. Here is the winter village and homeland. So here is Hwlitsum and here is Lamalchi.

5169. Can you go -- that's the sockeye one I just showed. Can you go down again? Here's coho. You can see the extent here and here. Pink. And then it also shows these other locations. The chum. Spring. This was an important species in the sense that people could move from here to here.

5170. An interesting historic fact was that in 1891 or '92, government policy

didn't permit the so-called Cowichan peoples to go and fish in the Fraser. But the Hwlitsum, who were living over here, could fish the Fraser and come back to their traditional homelands in this area. Thank you.

5171. The next -- here's herring. You can see in dark its locations all through the islands. Dogfish, eulachon is right in the Canoe Pass.

5172. Just to make this more obvious, there used to be a great many sloughs through the region by Canoe Pass, many of which are gone now. There are still several, but many have disappeared.

5173. So here is -- what is -- halibut, and what is the other? I can't even read my own thing here. Hang on one second.

--- (A short pause/Courte pause)

5174. **DR. MILLER:** Here's halibut and sturgeon, and you can see these locations on the river by the village. And here red snapper, crab. You can see all the harvesting right out of Canoe Pass on Roberts Bank and so forth. Prawn and shrimp, large areas.

5175. This is clams, cockles. It's hard to map that because they were taken in so many locations. But here -- these are just some of them that people mentioned to us. There would be many others if we could get an exhaustive listing of them.

5176. Urchin. Squid and octopus.

5177. Now, this is a traditional use area map that's showing in more detail Canoe Pass. Here's Westham Island. Here's the pass. All through here have been the sloughs we're talking about. And here is, again, the catcher's mitt notion going here, following the tides in and the tides out and harvesting all through the islands, hunting, harvesting and gathering.

5178. Gathering areas are also difficult to depict visually because they're so extensive. You can see. And also gathering includes things like cedar. Cedar is a form of gathering. Here is gathering areas. Did we just have that? Okay.

5179. And finally, these are places of spiritual significance that emerged in the oral histories. And I won't go through all of these, but -- and they are hard to

see. But you can see there's a number of spiritual sites in the Gulf Islands on the river itself. One, for example, is a rock that was heaved by a spirit being into a location that's associated with particular stories and so forth.

5180. And is that the last one?

5181. And here are some of the non-archaeology sites in the region. So the point here is that all these locations have a great time depth of use. And also, we have to point out that archaeology has done only really a minimal amount of work, really, considering the massive use of this region over thousands of years. They haven't had a chance to do all that might be done.

5182. **MR. RATH:** In this regard, Mr. Chairman, this is a question I had for the witness earlier today, you'll note -- and I had asked the witness to indicate it earlier -- in behind -- can I have the laser pointer for a second, please? In behind this area, that is actually Kuper Island. The little indentation on the back of it is, in fact, Lamalchi and Lamalchi Bay.

5183. And with regard to the additional evidence that I'd spoken to this morning that we'll tender attached as sworn affidavits, recent archaeological evidence that was not available when this work was done will be tendered to the Panel at a later time indicating the extremely significant archaeological sites of both Lamalchi Bay, Montague Harbour, Galiano Island, et cetera as a result of new work and archaeological surveys that were done last summer by Dr. Chris Arnett.

5184. Anyway, just wanted to pass that on.

5185. **THE CHAIRMAN:** But not giving oral traditional evidence, are you, Mr. Rath?

5186. **MR. RATH:** I'm not at all. I'm just advising the Board, from a procedural perspective, of additional evidence that we'll be tendering on the basis of this evidence being time dated to a period prior to additional new evidence being available that we'll be tendering at a later point in time.

5187. **THE CHAIRMAN:** Dr. Miller.

5188. **DR. MILLER:** There we go. Is that the last one?

5189. So all these maps, as I mentioned, were simply to show the extent over time and over space of the Hwlitsum activities. And you can also see the closeness of the region.

5190. If this map enabled me, we could look down the coast just a little bit. Well, actually, it's in outline down past Boundary Bay down into Lummi territory.

5191. Here, these were the Lummi people who I think have appeared before you, are closely related to the Hwlitsum and also are immediately in the line of movement. Just add that additional fact that many of the Hwlitsum talked about their connections across the border to the -- or before the border was in existence with the Lummi tribe.

5192. Thank you. I'm done.

5193. **THE CHAIRMAN:** Thank you, Dr. Miller.

5194. Are there any other comments from Councillor Wilson, or...?

5195. Okay.

5196. **MR. RATH:** Mr. Chairman, just as a quick point of order. I'm just asking from a procedural perspective whether it would be permissible for me to ask a few direct questions of Dr. Miller that he could answer under oath to emphasize or highlight some aspects of his testimony that I would like to have highlighted to the Panel.

--- (A short pause/Courte pause)

5197. **THE CHAIRMAN:** We're cautious of that, but it would -- I suppose I would need to be guided by the questions. We've had some experience of that from other First Nations who have appeared where their counsel has assisted them with asking them to comment but not actually to pose a question to them to comment on, so I might -- the Panel may have a bit of a difficulty, but perhaps maybe we'll wait and see.

5198. And perhaps -- maybe it would be appropriate for the Panel to note that Dr. Miller has been giving evidence on behalf of the Hwlitsum to the extent he is relaying that oral traditional evidence. The Panel accepts that the Hwlitsum are best placed to determine who speaks for them, especially in this case where

some Elders are unavailable.

5199. However, the Panel is not here to hear expert evidence. While Dr. Miller may have expert knowledge, he may submit his part of the written evidence of the Hwlitsum Nation. So any opinion evidence given today will be given no weight by the Panel.

5200. With that, we will allow you to pose your questions and we'll see how far we can go.

5201. Thank you, Mr. Rath.

5202. **MR. RATH:** Thank you, Mr. Chairman, and the Panel. I appreciate that. In the spirit of the questions I'm going to ask, I'm going to simply try as much as possible to ask the questions broadly and generally, and then I'll just let Dr. Miller fill in as best he can from his understanding and knowledge of the oral history of the Hwlitsum people.

5203. **MR. RATH:** And I guess, in that regard, the question I would pose to Dr. Miller is, in speaking earlier, you were referencing Hwlitsum First Nation traditional occupation of lands in Stanley Park.

5204. Could you please, for the record, from your knowledge passed on to you by members of Hwlitsum, expand on that evidence for the Panel including the lands in and around English Bay, Stanley Park, Burrard Inlet, Coal Harbour, et cetera?

5205. Thank you.

5206. **DR. MILLER:** Well, Chief Wilson, Lindsey Wilson and other members of the community I've mentioned, Pauline, great-great-great-great-grandmother of Rocky Wilson, who, in the middle of the 19th century, lived in what is now Stanley Park at what is sometimes called Xwayxway, and her descendants also lived there and used whatever resources -- resource stations available in that location.

5207. And -- what's the other part of your question for me?

5208. **MR. RATH:** And in that regard, could you advise the Panel of your understanding of what would have been some of the Coast Salish uses of lands

and waters in and around that area?

5209. **DR. MILLER:** So this meant that people were going up around Pointe Grey into the waters around Stanley Park, into -- Stanley Park is a bit transformed and the whole region is a bit transformed since the 19th century. And so the region around where the boat club is now was once a rich resource area that was used by the Hwlitsum ancestors.

5210. And there is a number of other processing and access sites in and around there that Lindsey Wilson has had a chance to point out to me. And also, I think I was mentioning before there was interaction down to Lummi, into that region, and one of the Wilson ancestors lived at Lummi.

5211. Historically, when the Lamalchi people were bombed in 1863, they went to visit -- they went to get out of harm's way with their relatives at Lummi for a while and then returned a few years later to their locations.

5212. So they used the resources through the areas I've shown you and then through English Bay and into the area around Xwayxway Village, which I think I pointed out to you with the -- it's the location that's now known as Lumberman's Arch, is the location of the Salish Village where this ancestress lived and where her children lived. And they were married also into other local First Nations in that region.

5213. **MR. RATH:** And again, just for the sake of the record, the village site that we're speaking of and the areas that we're speaking of were directly in Burrard Inlet. Is that correct?

5214. **DR. MILLER:** Yeah.

5215. **MR. RATH:** Those are all my questions, Mr. Chairman and the Panel. Thank you very much for your time.

5216. We'll look forward to answering any questions that my friends may have for us in writing. I just take it from the presentation today there won't be any questions about how much fish our clients eat, so thank you.

5217. **THE CHAIRMAN:** I'll offer any questions for -- to Ms. Oleniuk on behalf of Trans Mountain.

5218. **MS. OLENIUK:** Thank you, sir. And thank you to Hwlitsum First Nation for your presentation today.

5219. As my friend indicated, I understand that there is the possibility to provide questions in writing and that, in fact, is their preference. So I wouldn't pre-determine that we don't have any questions. We may, in fact, have some, but not at this moment in time.

5220. Thank you.

5221. **THE CHAIRMAN:** Mr. Rath?

5222. **MR. RATH:** That would conclude our submission for now, subject to what I'd indicated may be additional affidavit evidence and material that we'll be tendering for the Board to consider both of historical and oral history nature that I think you'll find quite interesting and illuminating.

5223. And with that, thank you again, everyone, for their kind attention today. It was an honour and a privilege to be here today. Thank you.

5224. **THE CHAIRMAN:** On behalf of the Panel, I would hope you would pass on the Board's good wishes and good recovery to Chief Wilson and our regret that he couldn't be here in person to share his knowledge. But we wish him well in his recovery.

5225. And I acknowledge your attendance today and appreciate that you have been here today to present this to us. And as I travel back to Vancouver Island tonight at the end of this hearing, I'll have a different sense of the catcher's mitt that I never had before. So as I'm sailing through it -- it will be dark, unfortunately, so I won't get to see the beauty of that as I normally do.

5226. So with that, the Panel, we will reconvene at 1:30 this afternoon.

--- Upon recessing at 10:47 a.m./L'audience est suspendue à 10h47
--- Upon resuming at 1:37 p.m./L'audience est reprise à 13h37

5227. (Opening native song)

5228. **THE CHAIRMAN:** Good afternoon, and I would like to welcome

you and thank you for your prayer and song, and also I'd like to acknowledge that we are on the traditional territory of the Stó:lō.

5229. Again, I'd like to welcome you to the oral traditional evidence phase of the National Energy Board's hearing regarding the Trans Mountain Expansion Project.

5230. My name is David Hamilton, and I'm the Chair of the Panel; and with me on my left is Alison Scott, and on my right, Phil Davies.

5231. We welcome everyone who is here today, both in the hearing room and who is listening to us through our webcast.

5232. Just before -- I think it's important before we get started in case there's a need to evacuate the room, the emergency exits are behind you, and exits out into the parking lots are left and right as you go out the door.

5233. In addition to the Panel, there are a number -- we have a number of staff that are here today and they are pleased to answer any process-related questions you may have, and they're recognized by their brass nameplates.

5234. We'll sit until 4:30 today, but if you feel that if that is not enough time and at the end of the session, please feel free to make a request to file additional oral traditional evidence by electronic means, such as a video or some other method of your choosing.

5235. Before we get underway, I would just like to remind the Panel of the Panel's guidance in the Hearing Order and Procedural Direction No. 1 in regards to oral traditional evidence. The Board understands that the Squamish Nation have an oral tradition for sharing knowledge from generation to generation, and this information cannot be -- always adequately shared in writing.

5236. The Board recommends those providing oral traditional evidence focus on the community's interests and rights. These hearings are not to hear evidence that will be filed subsequently in writing, including technical and scientific information, opinions or views, advice to the Board on whether to recommend approval of the project or the terms and conditions that should be imposed, or questions to the Board or other participants.

5237. Sharing your traditional knowledge and stories about the use of your

traditional territory is of value to us. If you wish to share any concerns about the impacts the proposed tariff project may have on you and your community and how any impact could be eliminated or reduced, that would be also helpful to us.

5238. This is the type of information we're here to listen to and we will use the information we gather today, along with all the other available information in considering the possible effects of the proposed project.

5239. We appreciate that you have chosen to be here today, and before providing your oral traditional evidence, presenters will be asked to swear or affirm that the information they are presenting is accurate and truthful to the best of your knowledge and belief.

5240. Before we begin the oral traditional evidence from the Squamish Nation I'd like to ask the representatives of the Proponent TransMountain, to introduce themselves for the record, please.

5241. Ms. Oleniuk, please?

5242. **MS. OLENIUK:** Good afternoon to the Board and good afternoon to the representatives of Squamish Nation. My name is Terri-Lee Oleniuk and I represent TransMountain along with my colleague to my right, Heather Weberg; to my left is Annie Korver, and she's a member of TransMountain's Aboriginal Engagement Team.

5243. **THE CHAIRMAN:** And perhaps in the beginning you could indicate if you will be prepared to respond to any questions orally, in writing, or both throughout this afternoon, and so on with that.

5244. With that perhaps I think, Mr. Bruce, if you would introduce the panel and we can have them affirmed or if you can proceed. Thank you.

5245. **MR. BRUCE:** (Speaking in native language.)

5246. Good afternoon to you, Chairman and the Panel, also to the representatives of TransMountain. I'd also like to acknowledge all the Squamish members and councillors and Chiefs that have shown up today for this very important event, making the long journey up to Stó:lō territory.

5247. I'd also like to acknowledge the Stó:lō people for hosting this event, and allowing this event to happen on their territory.

5248. The Squamish Nation has three witnesses that will be giving evidence today and it will be in the following order: Xálek'/Sekyú Siyám, Chief Ian Campbell; beside him is Paitsmauk, David Jacobs; and beside him is Xwelxwelacha Siyám, Chief Dick Williams.

5249. I shared my Squamish language and Squamish name to start this for two reasons. One, I'm very proud to be a Squamish member, and also honoured to represent my nation in this hearing. The second reason is to respect my dear family here that will be giving evidence today, who will be using their ancestral names and making the connections between those names in the territory and with our families.

5250. In terms of process today, we will be in the form of kind of a relaxed direct examination. I'll be asking a number of questions to help guide our witnesses through their presentations. But for the most part I think they will be giving you the information in a conversational type way. The witnesses will answer questions to clarify the evidence that they are giving, but we would prefer that all substantive questions will be in writing through the information request process.

5251. Squamish Nation intervenes in this process as they have serious concerns about the impacts of the projects on their rights, interests, and way of life. Squamish welcomes the opportunity to give evidence today, but before we begin Squamish has asked me to make the following comments about the process.

5252. The first point is that the Crown has indicated to the extent that it can, it will attempt to discharge the duty to consult through this process, yet the Crown has not consulted with Squamish about the process, or engaged with Squamish whatsoever. Squamish is very disappointed about the lack of Crown engagement in the process to date.

5253. Squamish feels that it is inappropriate to rely on this process to discharge that duty, given that it is a quasi-judicial process with strict timelines of three hours to share its interest and impacts. More than three hours is definitely needed for Squamish to share its interests and impacts of the project. Squamish does not accept the Crown can discharge the duty to consult in such a process.

5254. Second, Squamish has yet to receive a funding decision from the National Energy Board Participant Funding Program. As a result Squamish has not had the resources to properly review the lengthy and complex application, which is about 15,000 pages long, and to properly prepare for their evidence today.

5255. Meaningful participation in this quasi-judicial process requires a substantial amount of funding for legal counsel and for technical experts and advisors. Squamish feels that it's inappropriate that the NEB process is continuing without ensuring that all First Nations have the resources to participate.

5256. Lastly, Squamish is concerned about the timing of oral evidence. The oral evidence is proceeding without TransMountain having files all of its evidence and without intervenors having an opportunity to file evidence. The Squamish needs this information to be able to fully articulate how the project will impact on Squamish's interests and rights. Having the evidence heard at this time is prejudicial to Squamish in that respect.

5257. However, having made these points, Squamish is here today to give evidence that they are able to within these constraints. So on that I would like to introduce our first presenter, Chief Ian Campbell, Xálek'/Sekyú Siyám.

5258. **CHIEF CAMPBELL:** Do I need to swear or something?

5259. **MR. BRUCE:** Oh Yeah. Also all three witnesses will be affirming today as well.

5260. **THE CHAIRMAN:** Then we'll proceed with that now then. Thank you.

IAN CAMPBELL: Affirmed
DAVID JACOBS: Affirmed
RICHARD WAYNE WILLIAMS: Affirmed

5261. **THE CHAIRMAN:** By all means, Chief Campbell.

--- ORAL REPRESENTATION BY/REPRÉSENTATION ORALE PAR CHIEF IAN CAMPBELL:

5262. **CHIEF CAMPBELL:** (Speaking in native language). Thank you very much for the opportunity to present here today.

5263. (Speaking in native language). My first ancestral name is Xálek' and Xálek' was the third son of Xatslanexw, also known in English as Kitsilano, in the Vancouver area. (Speaking in native language). My Chief name is Sekyú and I'm a Hereditary Chief from the village of K'íḵ'elxen, which is known as Port Mellon in the west side of Howe Sound, in At'kats'hm (ph).

5264. I'm serving my third term as an elected councillor for the Squamish; they are four year terms. And I'm also appointed by Council as one of two political spokespersons to represent the political positions of the Squamish Nation. I'm employed by the Intergovernmental Relations Department of the Squamish, as one of our lead negotiators in Aboriginal rights and title, along -- as well as being the cultural ambassador for the Intergovernmental Relations Department. So these many roles certainly keep me busy and a lot of fun with modern developments.

5265. My family tree is put up on the screen before you and this is part of my mother's side of the family. My Mom's name is P'eláḵwiya, in English, Susie Campbell; and my late grandfather is Chief Lawrence Baker, Xálek'-t/Sekyú-t. And these are the ancestral names that I inherited directly from my grandfather, and I'll be speaking to that in more detail.

5266. But if I look at my grandfather's lineage, his mother was P'eláḵwiya and came from the village of Chichelxwikw, known as Seymour, down in North Vancouver. And my grandfather's father, my great grandfather, is Ketxímtn, Willy Baker. And we come from, as I mentioned the line from Xatslanexw is one of our patriarchs that goes back, and Anglicized that's known at Kitsilano.

5267. So as I mentioned, Xálek' was the third son of Xatslanexw; he had two older brothers, Kiyuls and Xitelk, and Xálek's son, Tenás Jim, was the father of my stra'mok (ph), of my grandmother P'eláḵwiya. And then on Willy Baker's side our matriarch is Tsiyáliya. She's one of the main matriarchs, where many of our family lineages; many of the family we see here from the Squamish Nation descend from Tsiyáliya and John Baker, that marriage. And you go beyond Tsiyáliya, her parents were Xáyaxilx and Xwetkámten, and their -- on the

mother's side their parents were Kawchawlut and Xwelpaltxw.

5268. So I won't quiz you later but, trust me, this is part of our in-depth family lineage, and certainly there's a lot more details that can go along with this but just to illustrate a bit of our family lineage connected to the Squamish territories.

5269. So I've been very fortunate to be raised by my grandparents. And my late grandfather, Chief Lawrence Baker, raised me from a young age, immersed me in a lot of the teachings of our connection and our relationship to our territories through our languages which you've heard earlier, little pieces of our Sḵwx̱wú7mesh Sníchim, our Squamish language.

5270. And my grandfather was an orator in our longhouses. He would often travel with him throughout Coast Salish Territory to the various longhouses, including through the Fraser Valley here, in Washington State, Vancouver Island, to attend functions and gatherings of our Coast Salish people where we witnessed a lot of the rights and the rituals and the protocols of our people and ceremony. And that's where we heard a lot of the echo and the resonance of our teachings passed down from generation to generation in those longhouses. As the orators would get up, they would share the teachings and the stories and the connections that we have are family ties.

5271. Further to that, we spent a lot of time going out on the land in the -- throughout Squamish territory. And from a young age I would often go up to the Squamish valleys, up to the Elahoe, where it's just a beautiful part of the coast here with vast hachmain (ph), vast ice fields and glaciations up there with some beautiful animals, the sk7lalam (ph), the grizzly bears; the tl'elhnáyem, the mountain goats. We've re-introduced ki'ath (ph), and I'll talk to that later, the elk, deer hunting and fishing and berry picking, cedar stripping; many activities that we did as children, fishing on the river, catching trout and whatnot.

5272. And during those times on the land we would often be taught the old place names of where the villages were, who some of the connections, such as these trees, who some of the ancestral names are that connect to those places, as well as the mythology for everywhere you go in our territory is laden with mythology. Every mountain and point of land and bay has a vast wealth of stories associated with our language and place names.

5273. So these were things that I grew up learning, and me and my sister and

my cousins were very fortunate to have that continuity of tradition considering that our grandfather had attended residential schools in Sechelt, where it was strictly forbidden for him to speak his language. And the forced assimilative tactics of the Canadian government to assimilate First Nations people, he was a survivor of that through tenacity and resilience.

5274. He managed to retain our distinct identity through our languages and our teachings. And he learned his teachings directly from his grandmother, Tsiyáliya, who you'll see on the right branch there. And Tsiyáliya was a Skwta'a7ts, a ritualist who knew the ceremonial language which is a slight higher level rather than common speech. You have to be very formal when you speak our language to use those types of terminology. So those teachings that were passed down from my Akw'auk (ph), from my great-grandmother came down to us directly through my grandfather as that conduit.

5275. And as I grew up I assumed that everyone was being taught this, that this was common knowledge. And I realized, you know, as we travelled around we were able to connect with other Coast Salish people, other young people that were being immersed in these teachings, this knok'no'wheath (ph), these words of advice from our elders.

5276. So I felt very fortunate as I went to school. Our languages are taught in the public schools where they're taught about, you know, a few hours a week, which isn't going to teach fluency or proficiency, but it was an opportunity to learn to read and write the language.

5277. So my late grandfather, Lawrence, was one of those teachers in the high school at Carson Graham Secondary, and that's really what kept me in school, was having the influence of my grandfather there; otherwise, I wasn't too interested in the continuity of assimilation, as I'd seen it, in what they were teaching us in the public school system. And the curriculum didn't reflect any of our history or the richness of our contributions to Canada and the mythology and who and what we are as a diverse First Nations people.

5278. So I managed to graduate from high school and I would've went into trades. I got offered, you know, the opportunity to get into heavy-duty mechanics and whatnot but I also was invited to Chile to go on a youth exchange. So I thought I could go back to school or I can go on an all-expense trip to South America and I decided to spend a couple months in Chile with the Mapuches, and this was in '92 shortly after the Pinochet dictatorship where it was still very much

militarized and it was a real profound eye-opener for me as a young indigenous man to travel down there in my regalia with my drum and interfacing with the Mapuches people, we seen that oppression takes many forms of colonization.

5279. I then travelled to numerous -- dozens of other countries to interface with other indigenous people such as the Aymaras where delegations of our leadership signed MOU's, indigenous to indigenous, with the Aymaras people. With the Tibetans, we've journeyed up to Tibet and we're seeing a lot of similarities in this post-colonial era as we move forward and have recognition of our Aboriginal rights and title and the continuity of our traditions in a modern context. It was the early foundations that my grandfather instilled in us that really enabled me to then go out and seek other mentors.

5280. So my grandfather comes from a generation that we had many -- he had many first cousins, who in our language is our brothers and sisters. It's the same term. Kolpates (ph) could be an older sibling or an older first cousin.

5281. So, many of his relatives are grannies who have since passed on, became our teachers and I certainly want to recognize our Auntie Lena; Lena Jacobs was one of my teachers and Chief Gibby Jacob, that's his late mother, and other Elders such as Sxenenálh-t, you know, Auntie Yvonne was there to encourage us, Yvonne Joseph, in our languages, in our teachings, Auntie Doris. You know, many of these grannies continued to teach us our languages and immerse us and encourage us as young people to become fluent and to practice our language and use it and be out on the land to exercise our traditions. And they really encouraged us to keep these songs alive as the song we sang to begin with, is one of our Chief's welcome songs; it's an old song that comes from a matriarch, we then use it as a chief's welcome song. And it's those types of handing down of knowledge through the oral traditions that I was very fortunate to be immersed in.

5282. To become a hereditary Chief, I guess, you know there's a lot of thought processes that we can engage in here, but we have many of our hereditary Chiefs with us, Xwélxwelacha here is one of our respected hereditary Chiefs, Chief Dick Williams. We have elàlsemkin/Siyám, Chief Bill Williams is a hereditary chief; KáKeltn siyám, Chief Gibby Jacob. We have many of our chiefs, our Siyám Ts'élkwílem, our Siyám Paitsmauk; these are all respected Siyáms, as well as our matriarchs Sláwiya and others that also could easily get up here and share, you know, many of these teachings.

5283. But to give you a little bit of an idea of the responsibilities that are bestowed on us, it's important to look at the context of our family ties and our lineages and how that relates to management of our resources throughout our territories.

5284. So before I get into that, I think it's important to note that the Squamish are one group of Coast Salish; who you probably heard throughout the last number of days, these intricate connections of Coast Salish. And Coast Salish territories expand, basically, through the Fraser Valley here down into Washington State, all of Puget Sound out to the coast of Washington State up into Vancouver Island around Sooke, what is now Victoria, all the way up to around Comox back to the mainland of Bute Inlet and all of the Inuit -- inlets that flow into the Salish Sea back down here to the lower mainland.

5285. This geographic region is considered the Coast Salish language family, and we've been dissected in half by the Canada/U.S. border by this imposition of these two countries that have claimed our lands and territories. Without our consent or without any compensation, they've assumed jurisdiction.

5286. And the Coast Salish have always been a strong unit who have very intricate family ties that span many thousands of years of trade and commerce and of coalitions, of very strong social and ceremonial practices that are still very, very much alive and well today, as well as a lot of the trade that continues from systems such as this Stó:lō, the beautiful Fraser River, where we would gather along these rivers in multitudes of Coast Salish people. During the summer months, we would all gather along here and take advantage of the bounty of the salmon, at that time, used to be plentiful before the commercial fisheries wreaked havoc.

5287. And the Coast Salish would have many potlatches where there'd be intermarriages amongst the tribes, and a lot of gambling would go on and exchanging of wealth and goods, namings and memorials.

5288. Many of the potlatches that you hear of took place during these times of gathering and then, in the winter months, we would gather for our winter ceremonies where we would again continue to connect with each other and reaffirm our ties.

5289. In the Squamish territory, we are one dialect. The Sḵwxwú7mesh is one dialect amongst the Coast Salish language family. So the Squamish territory

within this geographic region, basically, is a large part of the lower mainland out to Elk sn, which is Point Gray where the UBC is situated today, along the Haida land through Vancouver, out to Burnaby, including all of the lakes, out towards Titemtsen, which is known as Port Moody today, up into Indian Arm, Tsleil-Waututh, which our family is here, some of our Tsleil-Waututh family.

5290. Here we go.

5291. This is a map of the Squamish territory. So I'm at the bottom right corner right now, where -- I'll see if this -- just down in this area is -- around where Kinder Morgan is an area known as Lheklhukwaytn. And I'll ask my Kinder Morgan family, friends here to take that into your heart and mind as the real place names of these areas because we've been invisible in our own land for a very long time. And in this day and age, it's important for you to know where you're at in our territory.

5292. So we have Titemtsen, which is this village right over here in what is now Port Moody. We have Temtemixwtn is a very large village that was once inhabited in Belcarra all the way up Indian Arm. We go along the Haida land, everything that flows into Burrard Inlet and Howe Sound is considered Squamish territory, including the Whistler area.

5293. And the Haida land up through the Squamish valleys up here to the northwest part of our territory is just gorgeous country up here known as Soltage (ph), and kwekwayéx kwelháynexw is our way of explaining our connection to these areas, these wild spirit places.

5294. You follow the Haida land, anything that flows to the west here would be the seashell territory. Anything that flows to the north is the Lillooet, our neighbours, all the way down through Howe Sound, anything that flows into atsnach and Toknowits (ph) into these water bodies here are considered Squamish territories, all the way to the Sunshine Coast, an area known as Swaywi (ph), which today is Robert's Creek. Our place of origin is -- one of our stories talks about our first ancestors right here in Chkwelhp and Tschung (ph) where we appeared in this physical realm and established ourselves.

5295. So this territory certainly has sustained us for innumerable generations, for many thousands of years, and we have many stories of change and transformation. In our experience as Squamish people, we don't have a land bridge story that we came across from some place called Mongolia. That's a

foreign word in our language. Our creation stories talk about our connections right here in this territory and our connections to the other Coast Salish groups.

5296. So just to add to the context, my chiefmanship comes from this village right here known as Ch'ech'ilmn. So this is part of our traditional territory, and the management of this territory was very complex in the lineages that were responsible for what we call ta swa7s ts'íts'ap. These are professionals that were pre-contact with European cultures.

5297. The first ships we discovered in our waters were in 1791 when the Spaniards came in, and then subsequently the British came in in 1792, so that's very recent history for our people. Before that, we practised a very strong economy of resource gathering and management of each of these families that inhabited many of these villages. And it's very hard to see on these maps, but ---

5298. **THE CHAIRMAN:** Would the bigger one help if you -- feel free if you want to stand up and point it.

5299. **CHIEF CAMPBELL:** Sure.

5300. Thank you. I thought I was going to have to use my longhouse voice and enunciate for you, but you'll see that many of the areas in the map here are in yellow. These would be former or contemporary village sites of our people all the way through our territories.

5301. The other areas in white writing, I won't ask you to read it or understand it, but to indicate these are a lot of the place names and the areas in our language. And this certainly isn't comprehensive. This was just put together to illustrate some of the traditional and contemporary uses that our people enjoy.

5302. You'll notice the tanned areas. These are what we'd call kwekwayéx kwelháynexw, which are known -- very difficult to say in English -- but we said wild spirit places, which are some of the last non-industrial areas, non-roaded valleys in our territory that, in our land use planning, we set aside not only for the benefit of Squamish, but for all of our future generations to enjoy these places that hum and resonate with beauty, that have some of the last old growth forest up here of the 1,200 year old Douglas firs and cedar trees that are absolutely phenomenal places to visit.

5303. So just in describing the territory, we had families that were highly

specialized in professions such as tl'elhnáyem, which would be the mountain goat hunters or the high alpine specialists. These types of specialists knew how to navigate the high alpine realms and do the peaks and gather the resources, the obsidians, the goats, the wool. The ladies would be up there picking berries and doing things as well as clay and different quarries of stone up there.

5304. And they would live up there for, you know, many weeks at a time where they would gather these goods and bring them down and trade them, not only amongst other Squamish families, but to other areas throughout Coast Salish where they may not have access to mountain goats, so our people would trade with Vancouver Island to the Coast Salish families over there in exchange for other goods.

5305. And this was a practice where many of our tools, actually, in fact, came from very good sources of obsidians that were -- that have a fingerprint. And they're traced all over well into Montana and many places where you can today do science on this and source the origins of these products, many of which came from Squamish core territories.

5306. We have a few very significant mountains to our people. Over here we have Nch'Kay, which is Mount Garibaldi. This was one our places of safe haven during the great flood post-glaciation when all the waters -- the ice melted. The waters rose drastically. A universal story, where our people went to these areas for their safe havens.

5307. We went to Sxeltskwu7, this Ice Cap Peak up here, which was another one of those mountains that was a safe haven for our people. And the third mountain is down here in Washington State known as Xwsa7k, which coincidentally is right beside us here, Mount Baker.

5308. So this triangle represented the safe haven of Squamish territory where we would go to during the great flood. And when the waters receded, the people found themselves again traumatized and having to adapt post-flood, and that's where we developed many of these professions over the last many thousands of years after the great Ice Ages.

5309. So some of the saltwater hunters, known as tchatwe (ph), would be the canoe carvers. We had seven makes and models of canoes that we used from we call hot rods to limousines. These were all different styles and shapes of canoes adapted to the inlets and the rivers and the trade, crossing the Salish Sea and

beyond that.

5310. Those people managed stands of timber such as down here in the bottom part in what is now Kitsilano and Jericho. These were big stands of cedars that were suitable for the big canoes, the 60-foot dugout canoes, for the post and beam longhouses that our Coast Salish people used, as well as these stands over here known as huphayet (ph). These were large stands of cedar that made a lot of settlers rich.

5311. When they first came to our territories, they started a lot of these mills and whatnot where our people at one time participated and then got marginalized in those industries but other professions of our people would continue on with each of the families and their lineages. They were expected to pass these knowledges down. So you'd have the nux punem (ph) the plants and medicines. You'd have the Skwta'a7ts, the ritualists, the Skwomtens (ph), the medicine peoples.

5312. You would have nuxtlunts (ph), the weavers, you know, the swéwkw'elh, those that wove the mountain goat wool blankets. Many of the families had these responsibilities that collectively created a strong economy amongst our people.

5313. So the Siyáms, those that were groomed from young ages to be like relay runners, they accepted those -- the stewardship bestowed on them. They were expected to continue that strong management of our territories and pass it down to the next generation.

5314. And those ones that rised (sic) and who were groomed were considered Siyám, what we call today Chiefs. So those were like hereditary Chiefs. They were the ones that were responsible -- the masters that were responsible for continuing to organize and mobilize the people to continue to go out into those territories.

5315. So today, we have many of the hereditary Chiefs that still remember those teachings of their families of where their lineages connect them from and what their family's forte or their professions were that were practised for many, many generations.

5316. So that's a little bit of an explanation of the type of hereditary Chiefs and how we're groomed in these ancient knowledges and how that connects to the

future descendants and how we apply that in a modern context.

5317. So part of that transfer of knowledge continues today in many different forms. We have Latash Kanum (ph) is one of our youth workers here that brings the kids out onto the land. We just went on a canoe journey this summer where we continue to paddle throughout our waters here in what is now Burrard Inlet and up into Indian Arm.

5318. We take kids and paddle throughout Toknowit (ph), throughout Howe Sound here. And since 1993, we started these big tribal journeys where we paddle to one another's territories of our neighbouring tribes. So this summer, we went to Waglisla, known as Bella Bella, on the central coast of B.C. where we took about 43 of our youth to connect them not only to Coast Salish, but to the other tribes along the coast here so that they can recognize their connection as Indigenous people and as First Nations to the neighbouring tribes.

5319. And as we collectively have this resurgence of knowledge of the canoeing and of the songs and the regalia and the language that go along with those protocols, so when we go into each other's territories, if we're going to canoe across from Xwayxway, from Ambleside over to Sna-na-mook (ph), Nanaimo or somewhere, part of the protocol is that we don't just enter those territories. We sing our songs and we ask permission from those hereditary Chiefs and matriarchs to ask permission to come into their lands and their territories. And there's a reciprocation that takes place that the youth are witness to and they engage and participate in to see that continuity of grooming them in their responsibilities.

5320. And that's something, as we did here today, and thank you for also recognizing the unceded territories of the Stó:lō where we are convening these meetings. So that's part of that protocol that we are trained in, that transfer of knowledge.

5321. So I'll talk a little bit about -- a little bit more about the governance. And the Squamish Nation traditionally governed itself, as I mentioned, with the hereditary Chiefs. Those hereditary Chiefs amalgamated in 1923 to collectively form the Squamish Nation and this was in response to, as I mentioned, 1791, the first European contact.

5322. Eighteen twenty-seven (1827), we have Fort Langley here on the Fraser River which, you know, the Fort Langley journals recite 200 canoes at a

time of Squamish travelling up and down the river participating in the economy and the bounty of the salmon and the eulachon fisheries and the other resources that were gathered and that were once plentiful.

5323. We then experienced the gold rush mentality and the successions of gold rush mentality with European arrivals that wiped out the fur trade by the 1840s on this part of the coast. We seen the gold rush that happened where people -- we had a big influx into the territories that moved, you know, north and then down into California.

5324. But those people came in. You know, it was tenuous because they were staking claims to Aboriginal lands at that time and our people experienced mass depopulation in the 1800s with epidemics.

5325. So many of the families were hit hard when many of these villages, such as Titemtsen down here, were hit pretty hard by the epidemics that were introduced by Europeans, foreign diseases that we weren't accustomed to.

5326. So those people had to then move and gather in the bigger villages of Temtemixwtn and Atsnach, Chichelxwikw, Eslha7an, Xwmelchstn and all of these villages that are still presently located in Burrard Inlet here, where our people continue to reside with the Tsleil-Waututh and the Snohomish as well as our Homuthqueam (ph), the Musqueam families over here along the mouth of the Fraser.

5327. So when they were experiencing mass depopulation, we -- it was also compounded and exacerbated with the introduction of *The Indian Act.* And I believe that was 1870s or something like this where the federal government then imposed legislative oppression that corralled native people, forcibly removed us from areas like in Stanley -- what is now Stanley Park. Many of our villages in these areas, the people were removed off of those lands and forced to reserves.

5328. So there was expropriation or confiscation of our -- of our lands and our villages to make way for settlers, without compensation to our people. And the Squamish were never idle in that process. We continued to challenge the Crown.

5329. And in 1906, as we mentioned, we travelled to England to implore the Crown of that day to seek honour in their dealings with our people. That fell on deaf ears at that time.

5330. Nineteen thirteen (1913) we were forcibly removed from the Senakw, one of the big villages here in False Creek. And the Chiefs responded and the communities responded over the next decades to establish the amalgamation in 1923, which then seen our hereditary Chiefs come together to collectively form the Squamish Nation on July 23rd, 1923.

5331. So those Chiefs continued on, you know, imploring the Crown. We weren't recognized as citizens in our own land until amendments to *The Citizenship Act* in the fifties, mid-fifties, finally implemented in the early sixties where we had the right to vote.

5332. And prior to that, we had no -- no legal recourse to challenge the Crown in their attitude that these were all free and vacant lands free for the taking, that it was this continuation of this notion of doctrine of discovery and *terra nullius* that these are all just free and vacant lands, justifying the acceptance of B.C. into the Confederation of Canada and moving along those types of colonial attitudes and practices.

5333. So we followed our hereditary system up until 1981 where we then had a referendum to switch over to a custom election, a four-year term, where anyone of age of majority of 18 or over could be nominated and elected to -- as a Councillor. So we currently have 16 elected Councillors.

5334. We don't elect our Chiefs. We're hereditary Chiefs. But we have the Chair and Co-Chair, and we have our Co-Chair, Ts'élkwílem, Byron Joseph is here. He served as Co-Chair for -- since the last -- I won't -- since the last Ice Age, I was going to say, but ---

--- (Laughter/Rires)

5335. **CHIEF CAMPBELL:** Probably the last 30 or so years, 35 years he's served as one of our leaders along with Talallshamcane Siyám. Chief Bill Williams served as a Co-Chair for many decades where they seen and witnessed firsthand the changes along with Chief Gibby Jacob, who was in there.

5336. And our two Siyáms here have been elected and recognized leaders in our community since 1981. They directly witnessed these changes as we moved from a hereditary Chief as our official government to an elected system that is still the practice today.

5337. So many of us as hereditary Chiefs continue to sit on elected positions as we're nominated, and it's a democratic process of election by our members to vote every four years on who they want to see. But the 16 elected positions are directly related to the 16 hereditary Chiefs that came together in '23 to form our government -- our traditional government.

5338. So today, we have a population of approximately 4,000 people in the Squamish Nation where the majority is youth under about -- I believe the last stats were around 60 percent or so were under the age of 30. We should get that verified but to indicate that we're largely a young population. The majority, I believe, are on reserve. Probably half of our people are on reserve. The other half live throughout our territory and abroad, such as Vancouver Island and Washington State, with their connections to other Coast Salish.

5339. I talked about our connection to other Coast Salish is notable because you've heard from Tulalip and Swinomish and Lummi and others that have been before you in the last few days.

5340. It's important to know that, over the many thousands of years of our connection with the Coast Salish, I talked about the trade and commerce, the very strong economy that went beyond Coast Salish borders. But also, during times of warfare, it was important that the Coast Salish regularly created coalitions to stand together in unity and strength to repel invaders as they came into our lands to try to usurp our territories and our jurisdiction and our authority.

5341. The Coast Salish would often come together and create, during times of warfare, coalitions that would often ensue battles on the Salish Sea, repelling enemies and protecting our resources. And those coalitions, we still reaffirm those ties today as Coast Salish people when we go on those tribal journeys, as I mentioned, with our youth.

5342. It's important that we recite those stories so that they know that, at times of conflict, we also pulled together and came together under the nationhood of Coast Salish.

5343. We have always used our resources. As mentioned, ours is a very bountiful territory with many resources that have sustained us and continue to sustain us. Down here, in Lheklhukwaytn, which is Burnaby Mountain, and this area, it comes from the term thilquoy (ph), which is the Arbutus trees. And

lhúkway is to peel, to peel off something.

5344. It was very, very rich in sea urchins. This was one of the best areas for harvesting sea urchins, which happens to be one of my favourite foods, which I can no longer harvest in this particular area. The cumulative impact.

5345. But we have rafts of ducks. At one time, the migratory ducks used to just be thick in these secluded inlets that provided safe havens for the migratory fowl.

5346. We have a very important story here. If you go from Titemtsen to Lheklhukwaytn, you have Kanamoth (ph), which is one of another story of origin around the New Brighton Park area. There's a creek there where the PNE is today.

5347. That area talks about the origins of some of our people that emerged there, and they had established themselves there and lived and had some relation that connected us as, again, in the families there. But they then were wiped out during the diseases.

5348. So you have Xepxpayay, which is East Van, and a very important area here called kwachays, which connects to this water body over here, just off of Temtemixwtn.

5349. We believe that the water is sacred, that it is life giving, that it has a spirit, and that is a water realm. And in our story, these areas connect through these ground fed water, Skwachays.

5350. You can go into those marshes and sloughs, and the underwater aquifers will connect you to other sources of lakes such as Deer Lake and Burnaby Lake and this area out here, just off of -- the lakes over by Buntzen and whatnot. These are all connected by groundwater, groundwater fed. And those are sacred areas of ours that represent doorways into the spirit realm.

5351. So when you go into your maxlemot (ph), into your trance, and you go through these places and you're visioning, you can reappear in some of these realms where you learned very important sacred information from those spirits, be it the spirit of the sturgeon or of the seal people or what it might be. And when you come to again, back into this physical realm, you then have a lot more of the responsibility and keys of knowledge that are important to managing these areas.

5352. We have many place names throughout Burrard Inlet and many villages. There are some big burial grounds here, I'll call Smemchus, where many people reside today in their condos. They're built right atop of many of our graveyards.

5353. You have Haiwask(ph) is a village here which was one of the best elk hunting areas in our territory. The elk were the first species to be extirpated with the settlers, the first settlers that came into this area.

5354. Some of the best sturgeon hunting grounds were in this area around False Creek and Burrard Inlet where they'd use long poles and they'd feel around for the fish. And they would be able to gaff the sturgeons as well as stohwets(ph), the octopus hunting that was really rich off of Papiyok, known as the Brockton Point.

5355. And you have the big village of Xwayxway, the Lumberman's Arch, and lhilhxi7elsh is Slwash Rock off of Stanley Park is one of our ancestors who was transformed into a stone. He was immortalized to demonstrate to each generation the importance of preparing ourselves for parenthood. And those -- parents know that it's important that we prepare ourselves for that responsibility. So the story of Slwash Rock, lhilhxi7elsh, demonstrates the values of family and of parenthood and how that man was praying and meditating and bathing himself.

5356. When the transformers came along, they told him, " Slhx̲i7lsh", they said, "Get out of the way." And he wouldn't break his concentration, so they immortalised him. They turned him into stone to remind us all of those duties and responsibilities.

5357. So a lot of our stories are written throughout the lands in these place names.

5358. You have these important areas. Skewkwànts (ph) is a place of clay that was used to manufacture mountain goat wool blankets. And then you have Senakw, which was a very major metropolitan centre for Coast Salish in proximity to all of the other Coast Salish tribes. They can come around the corner here and visit amongst our Coast Salish people here in Senakw.

5359. Iy'a'l'mexw is the big village over in Jericho. And then you have all the pharmaceuticals that came out of these areas as well as on the north side of

Burrard Inlet, you have Atsnach, which is the present village of our Tsleil-Waututh family.

5360. St'itsma, which were the fishing grounds and fishing weirs that are just in those mud flats. I don't know what the mud flats are called in English, but just off of Maplewood flats.

5361. So that's a village site there of St'itsma, and then you have the big villages of Ch'ich'elxwi7kw, which is recorded with -- the first early Europeans recorded 600-foot long houses in that area. That's why we call them "longhouses" because they would build -- butt it up against each other to be a contiguous house. But in fact, they're all compartmentalized, if you will, but it made it look as a really long single-sloped roof houses our Coast Salish people used. That was one of the large villages there with big longhouses.

5362. You have Xa7élcha, which is a creek that we swim in today known as Lynn Creek. It's a beautiful bathing creek. A few of us were there this morning to purify ourselves at daybreak, preparing ourselves to have a strong mind, strong body, connect to nature and to the keke7nex Siyám, Creator ,and give thanks.

5363. Then you have Elhkayem, which is the Place of Snakes here. It's where the gardener snakes like to ball up and reproduce.

5364. And then you have many villages along here, including Xlahan (ph), which is the village that I was born and raised on right here. We have our businesses there, Mosquito Creek Marina. Many of our offices. You have marinas down here in Lynnwood, our current Squamish operations.

5365. You have Tl'alhema7elks, which is Salty Tasting Creek here. I don't know what it's called in English, but it's Tl'alhema7elks, McKay Creek.

5366. And then you have Xwmelchstn, which is known as Capilano. And Capilano is an English way of saying, Cayaplanoch (ph), who was one of our great war generals. A big lanoch name just like Kitsilano and Capilano are big umbrella names that connect us back many thousands of years. You go down into West Van, it's Xwayxway. And Ch'tl'am, which were great deer hunting grounds here.

5367. You have Stk'ill, which is good rock fishing areas. You have Skiwitsut, Lighthouse Park, which means to knife your canoe 90 degrees as you

blade and go up Howe Sound.

5368. These were all good areas with different benches of urchins and rockfish and eelgrass and things out there that were very good productive grounds for the herring and the different species that would come seasonally to these waters.

5369. So the Elders would say when the tide goes out, the table was set because it was such a bountiful area for our people to harvest.

5370. And I know that the two gentlemen here are anxious to share their experience when they were young boys on oyster harvesting and duck hunting and whatnot in these areas.

5371. But we can continue right along and just explain like the whole territory if we had enough time. In fact, I would like to take you out there and show you would be even better to immerse you in those experiences firsthand, you know, being your Indian guide to show you the territory and recite these stories is pretty important.

5372. Bowen Island is Kolelakom. We have a small little island here called -- not Smuth'muthulch (ph), it's -- yeah, it's a snake island, I'm trying to think -- oh, it's probably on this map here. I was right, Smuth'muthulch (ph). So Smuth'muthulch (ph) is actually a big serpent that's coiled up and was transformed into this island, I don't know what it's called in English, but it's just right off here off of Whytecliff Park and our people would go by there. We wouldn't really necessarily go on that island because it was considered a serpent power, only those that wanted to obtain that type of training and power.

5373. There's other places on these islands, Lhaxwm, Anvil Island, which was also a big serpent power up on top of that peak. You have the story of Sunuth'kai (ph), which is one of our big double-headed sea serpents that climb the chief mountain, etched the black mark into it. Hutchtal (ph) who is not with us, but one of our ancestral name was the serpent slayer who pursued the Sunuth'kai (ph), and eventually slayed it up here in the northern part of our territories.

5374. So everywhere you go, you know, you have the Twin Sisters here, they're known as Ch'ich'iyúy Elxwíkn, The Lions in English. So they'll talk about the mounds on the north shore, these are two ste7k'nech (ph), known as two princesses, chief's daughters who were immortalized and transformed into these

mountains during one of these times of warfare when there was battles amongst the northern tribes and our Coast Salish people. They just continued to kill each other and these daughters implored for peace, they asked for peace and they created peace and Xexá:ls transformed them and immortalized them into those twin sisters. Again, to remind us each generation to live together in peace and more amicably with each other.

5375. So there's many, many stories that we can recite throughout the territories. I'm going to continue on because I could spend all day telling you about the place names and the mythology, but -- so I talked about the protection of our -- of our lands. There's many battles that took place just off of Skiwitsut out here, when the northerners would come down. We would have scouts in these areas that would protect these doorways. We had battle stations over here in Aulksen (ph), this point of land out in Point Grey that would observe the canoes as they came and went.

5376. They would have tywik, the sleek fast canoes that were sprinters, that would paddle out and intercept anyone coming into our waters. And those sprinters would then report back to other villages, and if it was imminent danger, they would muster the people and they would send out the big wítex, the big war canoes that would be loaded with slings and rocks, bows and arrows, wattles, and all the various tools that they would then engage in battle to protect our waters and territories.

5377. They could call upon the families from Tsleil-Watuth, from Hul'q'umi'num, from all of these villages throughout these areas to come in and repel people during times of warfare. And there was many battles that took place up here in Howe Sound in our of our islands called Kwum Kwum and Nanish Kwum Kwum, known as Defence Islands; still many loved ones buried in these areas and there's burial grounds throughout our territories.

5378. Part of the challenge, not only with these types of NEB processes, but other governmental processes, is that we're not afforded any protection of our graveyards that they're under the grave -- under the archaeological branch where other Canadians would expect their loved ones to be protected under the *Graveyard and Cemetery Act*.

5379. There's these dynamics that we're continuing to deal with that continue to marginalize First Nations' people and alienate us and make us invisible from sharing these beautiful stories. So I'm going to continue on with

more of our contemporary processes, because I've shared a lot about the historic context of our lineages and our connections.

5380. But I'd like you to now turn your attention how the Squamish has undertaken processes intergovernmental or otherwise, to protect and enhance our aboriginal rights and title. I'm sure you're all familiar with the Chilcotin case, the Tsilhqot'in, as of recent. This is something that's certainly been in the hearts of many First Nations people in -- for many generations of effort to get to where we are today.

5381. And as I mentioned before, we were not recognized as citizens in our lands, so we had no legal recourse under Canadian legislation to protect our territories from the influx of settlers, who then claimed -- claimed our lands and became very affluent at our expense.

5382. But in order to counter that, the Squamish developed our own Xay Temix, known as the Land Use Plan, which was conducted -- it started in '99, went through the early 2000, was finalized, I believe, in 2003, where we then merged it with the provincial LR&P Process, Land and Resource Management Planning Process. That's where our community identified these wild spirit places which comprise about 50,000 hectares; they represent about 8 percent of Squamish territory. We -- our territory is 6,732 square kilometres.

5383. And we didn't ask anyone's permission, we said "These are important places to us." And they're -- it's really hard to describe the importance of them in a Western sort of methodology, because Western methodology does not have spirituality in their vocabulary when it comes to management of these types of places.

5384. So it was very challenging, but what we settled on was conservancies; that there would be co-management of conservancies to demonstrate the ability for us to move forward and work together on planning processes that would still recognize Aboriginal uses of rights and title of hunting. And we opened up the other areas where we acquired TFL 38, Tree Farm Licence 38 from Interfor, where we control about -- just over 200,000 hectares under the Forest Licence.

5385. We've engaged in a number of IPPs, Independent Power Projects, where we have six of them up and running in our territories to look at more renewable energy, and green sources of energy, and sustainable uses of our territory that would not adversely impact the environment, or have minimal

impact. There were very important values that had been instilled in us from our hereditary systems, from our teachings. And it's something that our community still said is important to us today in how we engage in business.

5386. So with that land use planning, we also developed a lot of youth programs where we said, "Why; why have these areas up here if there's not a youth connection?" So we wanted to ensure that our young people were afforded the opportunity to go here and be immersed for weeks at a time in our traditional training techniques of bathing, of swimming in the waters, of carrying rocks under the lakes, of really pushing them to do fasting and solos and whatnot, and teaching them a lot of the techniques of our traditional training.

5387. So these continue to be training grounds where we bring up youth. As I mentioned, my friend over here is bringing youth up there next week. We've been bringing youth up there up into these areas for a few years now, reconnecting them, for a number of years in fact.

5388. With that we then built the youth programs to became ambassadors for our cultural centre up here in Squeak in Whistler. You know, if you ever have a chance, please come up to Whistler and visit the Squamish Lil'wat Cultural Centre where you'll see our young people being the ambassadors, directly interfacing with the general public, welcoming them to a living museum, to an area where they're able to showcase the continuity of our tradition through a venue such as the Cultural Centre.

5389. Along the highway here we created the naming recognition, the Sea to Sky Highway, Highway Number 99, where you'll see a lot of the signage in our language. It's not in French and English, it's in Skokomish, and people don't know how to read it or understand what it means, but it immediately conveys a message that we're still here, that you know, it's important to recognize the Squamish's history.

5390. We are also engaged, as I mentioned, in the context of the Coast Salish of all the other tribes. We're also engaged with the Coast Salish gathering, which is approximately 60 or so Coast Salish tribes that have come together, both trans-boundary and the Canada-U.S. side to start looking at the health of the Salish Sea. And working with what is our vision for marine use planning, building on land use planning, how do we then look at marine use planning and look at what world class safety really, really looks like and what has been the cumulative impact that we've had, and where is the decision-making that indigenous people bring to the

table, as opposed to being treated as stakeholders in our land where we're going right back to the sixties, where we might as well not even be citizens in our own lands the way that these regulatory processes have continued to marginalize First Nations people.

5391. That's been something that all Coast Salish has stood together to say, "This is unacceptable, we must come together and look at what is our truth and how do we look to the long-term sustainability and protection of the Salish sea.

5392. So the Coast Salish gathering has been one of those opportunities to get together and strategize on those types of issues and look at the science as well as the traditional ecological knowledge in bringing those two disciplines together and saying, "How does that help us to do visioning and planning and expand on the coalitions to protect the sacred -- the water and all of the species that live there".

5393. We've seen a revitalization of Howe Sound in the last number of years and that's, again, because of the work of many of the individuals here and others that have held these companies accountable and the pulp mills in the -- one of the worst single source polluters was coming out of Britannia Mines where we had huge dead zones here in Howe Sound where we couldn't eat the sustenance -- the food from these areas, the prawns, the bottom fish.

5394. We're now seeing a revitalization of herring biomass coming in here and spawning along Sla-Holt and other areas in our territory.

5395. We're seeing the orcas coming in and hundreds of porpoises coming in and the kwanase (ph), the big grey whales and whatnot, are all coming back to these areas where we're seeing a revitalisation. So in our visioning and our planning, it's taken a very monumental effort to get to that place.

5396. And this eminent risk that is being posed by this Trans Mountain pipeline with increased shipping and whatnot, we ask ourselves, you know, how does that meet the metrics of the Squamish Nation in our timeline, in our studies, in everything we've built since amalgamation in '23 to get to where we are in our relations with the Crown.

5397. We're saying how does this bring benefit to us, how is it of interest to the Squamish Nation and who, ultimately, is the one benefiting or the affluence that is being generated and who is ultimately bearing risk.

5398. So it necessitates that we engage in planning processes and as my good friend here, Kelts'-Tkinem said, we haven't been afforded those resources to adequately look at those potential risks and impacts.

5399. So there's many things the Nation is doing to continue exercising our authority and our connection to our territories. We are not assimilated people. We simply adapt to our ever-changing environment.

5400. So I'm going to -- I'm going to leave it at that. I'm going to turn it over to Kelts'-Tkinem once again to introduce our next speaker.

5401. And thank you for your patience in allowing me to very quickly highlight some of the thousands of years of history of our Squamish people and our relation, the continuity of that tradition. So I'm very pleased to share that with you this afternoon.

5402. **THE CHAIRMAN:** Thank you, Chief Campbell.

5403. And Mr. Bruce, feel whenever you think is appropriate for a short break, we're happy to oblige. We'll leave that up to you because you're the one -- we don't want to break the trend of your evidence.

5404. Thank you.

5405. **MR. BRUCE:** I think right now would be a good time to take a short break. And I also wanted to let the Panel know that Sekyu Siyám will be providing some concluding remarks at the end of our presentation.

5406. Thank you.

5407. **THE CHAIRMAN:** And the Panel will probably keep any questions we may have or Trans Mountain have until the end as well.

5408. **MR. BRUCE:** Thank you.

5409. **THE CHAIRMAN:** And we'll take a 15-minute -- 3 o'clock, if that's fine with everybody?

--- Upon recessing at 2:42 p.m./L'audience est suspendue à 14h42
--- Upon resuming at 2:54 p.m./L'audience est reprise à 14h54

IAN CAMPBELL: Resumed
RICHARD WILLIAMS: Resumed
DAVID JACOBS: Resumed

5410. **THE CHAIRMAN:** So understand, Mr. Bruce, it's -- Mr. Jacob is next. Am I correct?

5411. **MR. BRUCE:** Yes, you are correct.

5412. So I'd like to introduce Paitsmauk, David Jacobs, respected Elder of the Squamish Nation.

5413. And maybe, Paitsmauk, you could tell us what it means to be an Elder and what the role of an Elder is in the Squamish community.

--- ORAL PRESENTATION BY/REPRÉSENTATION ORALE PAR MR. DAVID JACOBS:

5414. **MR. JACOBS:** First of all, I want to thank you for giving this opportunity to listen to our people, our Squamish people, and the concerns we have. I thank you for that.

5415. As an Elder of the nation is something that our people cherish Elders of our nation because of the wisdom. And the wisdom that they gathered is from their parents and their parents.

5416. What we teach in the communities today, which I teach in the communities today, is something that we don't write down. My grandfather told me you start writing things down, you'll forget. So when I talk to you, you will listen and you'll start to understand more of what I'm saying.

5417. So I followed that to this day as an Elder of the nation of teaching my children, my grandchildren and my great-grandchildren, teaching them to honour and respect the Elders of our nation that one day, when you get old like me -- because I consider myself old now in a sense that I used to look up to and I talked about and I called them "old people" because I don't like really using the term "ancestors" because I didn't talk to my ancestors, but I talked to my grandfathers.

That was my teachings.

5418. What we say in our language snewayelh is the teachings that you get as a child, your way of life. So as an Elder today, I follow those teachings, snewayelh. It's important for us.

5419. **MR. BRUCE:** Thank you, Paitsmauk.

5420. Can you describe your Squamish lineage for us, please?

5421. **MR. JACOBS:** Up on the chart there, up on the wall, you see on the right side is my father's side of the family, which I have come, Lakiya.

5422. My father was born and raised in our village, Xwmelch'stn. My grandfather, Tsenawton. My great-grandfather, they call him Squamish Jacob, Katxmeltxw. Khayhilton, Paitsmauk, Sklapchen, these names in my family are so important because every name there is connected to a village, to a river, to the ocean, to water. It is so important that those names be remembered.

5423. When we pass on those names to our children and grandchildren and great-grandchildren, when -- that's when we tell them the history, the story of those names.

5424. On the right -- the left side, my mother's side, she was from Snuneymuxw, Nanaimo. Very, very strong family from Snuneymuxw. That was my first language when my mother opened my eyes, spoke to me, Snuneymuxw, my father, Squamish.

5425. So those names you see there, the families, is very, very dear to me. Those names are carried by my family. I could get into it more, but that really opens the eyes a little bit to where I'm from, my lineage, Squamish, Snuneymuxw. We talk a thousand years, those names come from there.

5426. **MR. BRUCE:** Thank you, Paitsmauk. Can you tell me where the generations of your family lived in Squamish territory?

5427. **MR. JACOBS:** Well, my father was born in Vancouver. My grandfather, as well, born in Vancouver. Great grandfather, Tsitsusem, today it's called Potlatch Creek, but that's where he was -- he come from that village, Tsitsusem. Paitsmauk, the name I carry, Tsitsusem. Skeloptchin (ph) Tsitsusem,

that was the village of my family.

5428. **MR. BRUCE:** And did your grandfather live on one of the Reserves in the Vancouver area?

5429. **MR. JACOBS:** My grandfather lived in, they call it, or it's known today as Capilano. You can see on the map at the -- in that area there, that's where he lived. Our family lived there from my grandfather and my great grandfather. That was the village that we -- they lived at and I lived at.

5430. **MR. BRUCE:** And your children and grandchildren live on the Capilano Reserves?

5431. **MR. JACOBS:** I have five children, 13 grandchildren, I think at last count about 20 great grandchildren, I think at the last count. I haven't talked to my grandchildren lately, so I'll do that when I get home, and maybe I'll have to fix that number.

--- (Laughter/Rires)

5432. **MR. JACOBS:** But we all live on the Capilano Reserve, in that village. I'm very fortunate that I see my grandchildren, great grandchildren every day. But the good thing about it is when it gets dark, they can go home. I don't have to put up with them.

5433. **MR. BRUCE:** Can you tell us about your upbringing on the Burrard Inlet and Capilano Indian Reserve, please?

5434. **MR. JACOBS:** Well, I was raised there and I lived not far from the other families that --if look back at it on that village there, when I was -- before I went to residential school there was nine houses and the Lions Gate Bridge on that Reserve. That was it. So I've seen everything from building levenon (ph) everything that's put on that village I've seen built. Many, many changes. So I was -- seen all of that, the changes.

5435. **MR. BRUCE:** Did you do any activities such as collecting shellfish or anything like that when you were younger?

5436. **MR. JACOBS:** Before residential school we used to go down the beach. Well, we lived on that village there, Xwmelchstn, Capilano. Our homes

were on the waterfront. We used to go down -- my father brought us down to the beach, digging clams, getting oysters, crab, codfish, seaweed. So basically when the tide went out, our table was set. It was abundance of seafood for us. We never had to worry about that, that food. It was always there. We used to -- we learned from my grandfather and my granduncle that -- how to preserve that -- the clams and the oysters. We would preserve them for the winter use. During residential school, at times when we would get -- allowed to get home, we would still go down and dig clams and oysters.

5437. Then in the mid-fifties, the industrial age began in the harbour. The dredges came in and destroyed those beds, clam beds. They destroyed them forever. We cannot go down the beach anymore, get clams, or anything in front of our village. It's gone. We -- I go over to Snuneymuxw to my cousins, my family over there, and I get some from them. They give me buckets of clams, and oysters, and it's the only way I can enjoy that food anymore.

5438. In my wildest dreams I would never have thought they would destroy that, take our food away from our mouths. But that happened. It's -- I can't tell -- I can't teach my grandchildren, my great grandchildren how to dig clams, get crab, cook the crab, dry the seaweed. I can't do that. It's gone. I don't know how to explain that to my grandchildren.

5439. All we see outside from our windows looking down the beach are freighters, ships, in and out. That's why I'm afraid today what the damage that if anything happened, it would destroy our home because that harbour, that bay there that's the home of the Squamish people. It's always been a home, our home.

5440. We look at the maps. We show the territories of the Squamish. I don't like to use the word "territory". I say, "That is our home. That is our home". That land will never go away. Our Squamish people will never go away, so we got to be careful what we do today.

5441. **MR. BRUCE:** Paitsmauk, can you maybe paint a picture for us of what the area looked like when you were a young boy in the early fifties?

5442. **MR. JACOBS:** Well as I said earlier there was nine houses, the landscape bridge. Strangely enough, there was one car -- one truck on that whole reserve, one old truck. It used to belong to Old Mathias.

5443. There were no roads, there were little trails. And the Water Board had a road coming down our village.

5444. I'll tell you a little thing happened here. I was involved in a trial in Vancouver sitting in the courtroom one time and then I explained that there was no water -- running water or electricity in our house. This is the mid-fifties. They looked across there and they said, "I can't believe this. Of the third-largest city in this country on the Indian Reserve, there's no running water."

5445. So I've seen the changes. But the days -- those days of our -- the food was a-plenty for us. The deer would come down the rivers and they would lick the salt off the rocks. There was a lot of deer. We didn't have to go to the mountains; the deer came to us.

5446. It was -- unless you've -- can vision of something that you go on an island and there's nothing but you and plenty food and peaceful, that's what it was like in those days. Things have changed.

5447. **MR. BRUCE:** Thank you, Paitsmauk.

5448. Can you tell us the importance of the longhouse to the Squamish people?

5449. **MR. JACOBS:** I belong to the longhouse. I'm Chairman of the committee that runs the present-day longhouse.

5450. My grandfather was longhouse CO, and he wore the paint. My mother as well wore the paint. Our family wore the paint. That's the ones that the traditional dances in the longhouse.

5451. The longhouse for our people celebrates from birth to death, our whole lives, things of origin from the longhouse where we blessed children with one of the most sacred -- the most sacred things that our Squamish people we own, the sxwayxway mask. That is the importance of our people that -- this sxwayxway mask.

5452. We bless babies, puberty rights, namings that match the names that we hand down family to family, all with the sxwayxway mask.

5453. And after life, we celebrate when we have -- we show the picture we

call memorials. We gather the people and celebrate an individual's four years after the passing, a big celebration. And in the longhouse, there's so much talk about unity, respect, togetherness because our people invited to other longhouses, we bring something, a gift to help the family who are celebrating, sharing.

5454. When we go to the longhouse the families that are celebrating, they look at us, acknowledge us. That's a sign of respect. The old people used to say, "You have respect for yourself, other people will have respect for you".

5455. You always hear those words in the longhouse, respect one another, especially honour your Elders. That is so important. That's the importance of learning, as I said earlier, snewayelh. That's what you learn, you teach.

5456. I today, I emphasize with my children about a longhouse. It's been here for 1,000 years, 1,000 years.

5457. I sit there some nights watching the work go on and sit there until 2:00, 3:00, 4:00 in the morning and I think our people have done this for thousands of years. What's happening outside those doors doesn't matter; we're still here.

5458. Our traditions and values that we've been taught are with us, they're still with us today. Our families and others, we always talk about, you know, well, they say, "Well, gee, that's nice of you to bring one or two sacks of clams to help them for the work, some salmon, some ducks, deer meat".

5459. But they always talk about, is there still a lot of deer left, is there a lot of fish left, the clams. Make sure you leave enough for the next peoples to come along. Don't take it all.

5460. So we just said, "Ah" -- to the people, we shake our head, "Ah, we're listening; we're listening". But then when they destroyed the clam beds in front of our village, no one was listening.

5461. It's saddening, especially when I think back and I reflect on the old people on our village. They didn't speak too much English. They couldn't read the newspapers. It was hard for them to understand what was going on in the world. No one would tell us, tell the old people.

5462. So today you are telling us something; I appreciate that. I'm not a

learned man. I just went to residential school.

5463. When I got out of residential school, I still wasn't allowed to go to high school. That was the law. It's hard to reflect because it hurts. It hurts.

5464. **MR. BRUCE:** Paitsmauk, in the longhouse, is there spiritual practices?

5465. **MR. JACOBS:** That has been going on ever since I opened my eyes because my mother was Seyowen (ph), my grandfather. There today, yes, they are going on.

5466. Times when my grandfather moved from the waterfront where we lived, he moved up to in Park Royal area. He built a house. He built a little -- they called it a Shaker Church, another little building on the back, and on the end on the gabled roof he put a cross. But our people used to gather there, they used to sing, dance because, as you know, our traditions -- the longhouse tradition was outlawed, was banned; we could not practice that.

5467. So my grandfather thought about it a bit, so he put a cross up on the top of the roof and the policemen drove by and they look at, "Oh, it's just a church. That's okay. We don't have to bother them." He kind of fooled them a little bit, but we still practised our -- the longhouse traditions, and it goes today.

5468. It's kind of difficult because our longhouse is in the middle of the third-largest city in this country and it's -- we have difficulty with it because our longhouse practice is so private that who knows? Who knows what's to come?

5469. **MR. BRUCE:** Can you tell us where the longhouses are located in the Burrard Inlet area?

5470. **MR. JACOBS:** There's two of them, one at Xwmelchstn and one at Chichelxwikw, Seymour on the -- one little one there. That's the two that I'm aware of that are used today in practice in those two.

5471. But there were many at one time. Every little village they had homes, houses, longhouses. On the north side of the inlet where our villages were, there was a longhouse. On the south shore where our people lived, there was a longhouse.

5472. You could always tell. You'd see the smoke. My grandfather told me, he said, "When you see that smoke when the fire is built, that's the time to go because there's no calendar. There's no watch. There's no time. When them fire's are lit, you go. You go and help."

5473. **MR. BRUCE:** Is there any connection between the longhouse and the rivers, creeks, and ocean?

5474. **MR. JACOBS:** Sorry?

5475. **MR. BRUCE:** Is there any connection between the longhouse and the rivers, creeks, and ocean?

5476. **MR. JACOBS:** Because of all of the -- the travelling, the movement of -- our people would move from different villages by canoe to go to longhouses bringing food, blankets, baskets. So there was movement to the longhouse always.

5477. It was -- the Squamish people were very well known as basket makers. And that was a trade that they had -- our people had, these baskets. And it was great because, you know, you could transport your clam, your oysters, your salmon in the big -- in the canoes. I've seen that. I've seen that, put them in the baskets.

5478. My mother told me her granny, Halanamit, from Senamuk (ph) and family, they used to paddle across the Salish Sea in their big canoe. We're going over there, Skwxwú7mesh. They're having a potlatch. We're invited. We're invited.

5479. They'd put their families in the canoes and they would paddle across, middle of winter. But they had to be there because they were invited. You never disappointed a family when you were invited. You never make an excuse because you don't want to shame your family.

5480. That's important. That's still today, that's important for our people, never to shame. Never shame one another. That's what we've been taught; taught as children.

5481. **MR. BRUCE:** Are any resources from Squamish waters used in the longhouse ceremonies or for regalia?

5482. **MR. JACOBS:** Part of the ceremonies. When we -- the new ones, the new dancers, xekselkwelh dancers. Xekselkwelh, we call them. They're new.

5483. When we bring them around the house for the first time, we spread feathers, duck feathers all on the floor because it's new. They're new. They're babies. They're new. They cannot touch the dirt at that time, so they put them on the feathers to walk. It's because their dance, their light. We get the ducks and cover the floor.

5484. We get all the foods for the longhouse ceremonies, and across the Xwmelchstn Xwayxway is where I mentioned the mask, the cedar masks. They come from there. Long story there, but it was important for us to know and always mention that our families here owned, belonged to that. Those ceremonies for our people here in the valley, we go to their ceremonies with respect.

5485. **MR. BRUCE:** Sekyú Siyám mentioned in his presentation getting prepared for this day, taking a bath. Is that related to the longhouse culture?

5486. **MR. JACOBS:** You're taught that as part of initiation to cleanse yourself because your new baby -- what you do with your new babies, you bath them, cleanse them. And that continues through your life, to cleanse yourself, to wash, go in the river.

5487. It sounds crazy for some people who don't understand it. In the middle of winter -- you're going down to have a bath in the river in the middle of winter, and they say, "Oh, you're a little bit crazy". I don't know.

5488. But when you begin that as a young age, it's just another thing that you do. It's part of who we are. It's part of what we do. That is important.

5489. **MR. BRUCE:** Do any Squamish people do this bathing practice in the Burrard Inlet area?

5490. **MR. JACOBS:** Yes, we do. Sometimes at some point because the accessibility at times for the rivers and streams in this area, developments are going -- are covering every stream and river there is. It's difficult for us to have privacy. We do use the rivers and the bays, the salt water at times, but yes, we've always used that.

5491. You see, you have to put yourself back a long ways, that everything that there is there today that you made use of is because this is the way it is. This -- you try to understand. At times it's difficult, but even now, when I say you bath and you cleanse yourself, well, yes, you do that today, but not in the fashion that we do our cleanse. To get that cold, cold water, what is the first thing you do? You holler. You scream "cold".

5492. You see, I am a mask dancer. I have a mask; I dance. I go back. I holler. I wake it up. I wake up what was given to me a long time ago. It's here. And I only understand it as being Sḵwx̱wú7mesh.

5493. You see, people, you know, the mistake they made when they called us Indians, then they called us -- now they're calling us First Nations and they call us Aboriginal, a lot of things. But when I look at my families, the Sḵwx̱wú7mesh, that's what we have inside here, Sḵwx̱wú7mesh. That's who we are. To me that is so important when I look at my brothers and sisters and family, Sḵwx̱wú7mesh. It's because they carry that what's inside of us.

5494. The genealogy you look, that's where we -- that's where it come from. They did this hundreds of years ago. They pass it on.

5495. **MR. BRUCE:** Thank you, Paitsmauk. I have one last question for you.

5496. So would you say that the longhouse is the hub of Squamish culture?

5497. **MR. JACOBS:** What we have that's been passed on to us from the old peoples, it is so important to Squamish because we all look -- as I said, we look at the genealogy. They're connected.

5498. On my father's side, we're talking about my father's grandfather, Kay-Tulk. It's the same as my brother here, the same family. The same family. My partner on this side here, my great-great-grandmother, and my brother on this side was his sister. And we understand that -- how close-knit we are and yet we're -- you know, we live -- today we live different lives. Times we sit down and reflect, we're together as one.

5499. It all begins at the longhouse. The importance of the longhouse to our people is everything, everything in life that -- as I understand it. When I open the

doors in the longhouse, it all comes alive and life to our people. I can't compare it to anything else because I don't know anything -- others' beliefs and religions. I don't. I just know my own, what I've been taught.

5500. **MR. BRUCE:** Thank you, Paitsmauk.

5501. I will now move on to Xwelxwelacha Siyám, Chief Dick Williams.

5502. **MR. JACOBS:** Could I say one more?

5503. **MR. BRUCE:** Okay. Paitsmauk actually would like to say some more words here.

5504. Thank you.

5505. **MR. JACOBS:** Just one thing that I always think about. I think about love and our homelands and our villages. It's love for that. It's like the wind. It's still with us. It'll never go away.

5506. For that, I thank my grandfathers. I thank them, and I thank you. O'siem.

5507. **MR. BRUCE:** Thank you.

5508. So Xwelxwelacha Siyám, can you describe the roles you have in the Squamish community?

--- ORAL PRESENTATION BY/REPRÉSENTATION ORALE PAR CHIEF RICHARD WILLIAMS:

5509. **CHIEF WILLIAMS:** My role? Since '77 we implemented a -- yeah, my role in the nation, kind of difficult to address that, but my official capacity is as fisheries officer under the by-law, fisheries by-law in -- enacted in 1977 by Council. And you had to have an officer within that, and been employed under that description and now fisheries manager, to this day, under the revised 1992 By-Law No. 16 amending our by-law, fisheries by-law, for our people under the *Indian Act*, Section 81, and protected by the *Statutes of Instruments Act* where the -- we've been fighting the government since we implemented that, and even prior to that. And that's why we enacted the by-law.

5510. You're marginalizing us, eliminating us from access to our own resources within our own Reserves, and criminalizing members of our tribe that were attempting to subsist not just with salmon, with other things. If they could find something to do to us that was within their parameters, they did that. Not just DFO; the provincial police, prior to '56-'57, and members of other -- I could go on about whatever.

5511. But I have also been on Council since April of 1977. I was elected -- after my third effort to run for Council, I was elected, and along with 15 other of my compatriots. And we are an amalgamated tribe since 1923.

5512. Prior to that, because the amalgamation came because the government took over half of our allocated Reserve lands that were supposed to be set aside for us and protected under the protection of the Federal Crown, the exact opposite was happening, so we formed an amalgamated tribe after 10 years of discussion, as has been identified earlier.

5513. Again, I was on Council until '93, was not re-elected. I was the elected -- the first time I was elected, we were there for life. It was changed in '81 to four-year terms.

5514. I got up to 1993. I was not re-elected, was not successful on that term or the next one. Not -- 2001, again, I was -- applied to be on Council. And to this date, again, I think it was 2013, the last election, I was successful again. They have to put up with me for another four years from then.

5515. The issue here as well is for purposes of my role -- and I am hereditary Chief. I did not claim to be a Chief. My family identified I was the next in line from our generation.

5516. My grandfather, Chief Edward Williams, was one of the founding Chiefs of the amalgamation in 1923.

5517. **MR. BRUCE:** Thank you, Siyám.

5518. Can you tell us when you were born?

5519. **CHIEF WILLIAMS:** I was born in 1948, February 25th.

5520. **MR. BRUCE:** Where did you grow up?

5521. **CHIEF WILLIAMS:** I grew up first three and a half years at Eslhá7an, Mission IR No. 1 as identified under the Reserves. We were in a rental home. My Dad and mother were renting a home because they started a new family.

5522. And '53, we moved to Xwmelchstn, Mathias Road, 209 Mathias. And they had a wartime house that was -- they got a -- at that time, a -- I guess you call it a loan from the Department of Indian Affairs. They used our capital funds and moved a wartime house on the Reserve.

5523. We paid for the cost of moving it and we -- the -- I think it was $4,000 per move was identified as being the total cost for the foundation, as well as the move and chimney placed in the middle. And we had a wood stove and I guess you'd call it ice box in one corner. That was how they were constructed.

5524. And grew up there until 1971. The condominiums were being built at North Vancouver in Block 123 of IR No. 1. We received that back in '62 because of the expropriation by the -- who were these people, anyway? The black robes, anyways, these nuns or priests or whoever. They got title because they were going to teach the kids.

5525. And at that time, they attempted to sell it off and were advised they had to return it back to Reserve status if there was to be any disposition of it. And they also had an elementary school there that was discontinued, and there was 40 or 42 residences of condominiums built there for low income and social housing.

5526. And the band still is paying a mortgage on it to this day. I think another 35 or 40 years of payments are due on that.

5527. Nineteen -- I think five months before my oldest daughter started school, we were approved our own house; I think it was 1975 or '74. We moved in in 1975, I think.

5528. And we moved back to Xwmelchstn, my present address where I live today.

5529. **MR. BRUCE:** Thank you.

5530. Could you tell us a little bit about what fishing means to you

personally and how you learned fishing and how you teach your children?

5531. **CHIEF WILLIAMS:** My experience of fishing and teaching fishing and what it means to me is that our people have always fished, generational and commercially, as well as for personal use. My great-grandfather, Chief Dick Williams, was a victim of expropriation of his whole Reserve when our people were -- and others of our tribe were -- went up north to go to the fishing grounds where the canneries were, up Nights Inlet and Rivers Inlet and these huge canneries were offshore, and the fish were so numerous that people could go up there and access them.

5532. The majority of boats did not have motors; they had sails and oars. They -- my great-grandfather, Captain Louie, had an East Hope engine in his boat, and he towed about 15 or 20 boats of extended family members and other community members up to that area.

5533. The men went out daily to get the fish. The ladies and the young women worked in the canneries to process those fish in those canneries at that time for -- from the late 1800s up until the canneries closed and the fish started becoming fewer.

5534. And when they did close the canneries up there, the women continued to work in the canneries closer to home in Steveson and West Vancouver, North Vancouver, Vancouver, Fraser River, that type of thing where -- up until the mid-sixties, I think, the majority of them closed down.

5535. Getting back to fishing, what it means to me is it was taught to me by example by my grandparents, my uncles, my grand-uncles and my relatives. We fished trouting, foreshore fishing, hand-line at first when I was a young kid, going to the beaches with my -- with the people. And Xwmelchstn, where a large amount of the families had moved to different homes that were -- had electricity in them somewhere else and that were in a new subdivision.

5536. The issue here is the majority of them all had fruits -- fruit trees and berries and all sorts of sustenance that was seasonal, plums, apples, cherries, currants, blackberries, strawberries, raspberries. All the broad range where all the people had storage places for their preserves on the north sides of their homes, and it was very evident that they had that. We also had, I don't know if you call it fishing, but oysters, clams, crabs, prawns and that type of thing.

5537. And in season, coho in July right through to January in the Capilano. In the Squamish it's anywhere from end of September to the end -- middle of December for coho.

5538. Dog salmon, we still catch them and smoke them and delivery it to the Elders on reserve and put them in the freezers for dinners and funerals.

5539. We do about three loads a year. That's about 200-300 sides every load. We do that ourselves and provide for our own people, and we have a budget for it for doing those things.

5540. Getting -- teaching the younger ones is having people along that want to fish, to be able to show them and demonstrate different methods of doing that by -- with rods in the Squamish River, how to make nets and how to set nets, where to set them and the appropriate times of year for which fish are available and when they are available.

5541. We have -- we're attempting as well to -- under my young associate, Christopher Lewis, wanting to have us get our people back out onto the Salish Sea and other areas where we have traditionally fished in the Gulf of Georgia as well as in the Fraser River up until 2003-2004 when DFO got one of our neighbours to prohibit us from fishing in their area because we wanted to help another group have access for the sockeye resource at that time.

5542. For purposes again of wanting to make sure that -- I get off the subject here about teaching kids how to fish. But what we're doing is attempting to re-access resources that we know we've always done, generational, early 1800s.

5543. The original speaker that was talking about 200 canoes coming down the river, that was just the first wave of people coming back because they had their quota or their winter supply. There were still more people than that up river yet still in the fishing grounds because there's only so much space for people to process and to dry the product once you get it, and people had to make room for other people.

5544. And we were not the only tribe up there. All the tribes from Puget Sound, Juan de Fuca, Saanich tribes, Cowichan, all the Desolation Sound tribes, Lummi, all of the different peoples that had access to this river, Great River, for those resources.

5545. It was not just salmon. It was ducks, geese, bottom fish, sturgeon, cranberries, any and all the medicines. That time of year as well was used for trading goods from the interior, the grease trails, the different times of the year, for inter-marriages of daughters that needed husbands and, if people had eligible bachelors, the majority of the time the ladies went to the husbands' villages. But if they needed men and there was too many men in one village, they would accommodate and send the men to the different villages. And all of this stuff is documented.

5546. I was a part of the Kitsilano trial, being an observer along with Paitsmauk, for eight years. And they wanted us to document who we were, what are place names were, who the people were and what their names were, what year it was. And all of this is documented in the Langley Journals.

5547. So when they started building Fort Langley, our people gave them fish, gave them seal meat, gave them deer meat, helped them with, I guess, probably trade goods that they needed and sustenance.

5548. And as well, I think there was some of the members at that time were becoming nuisances because they were getting into the alcohol as well. So there's -- it wasn't all one way or it wasn't all good. So there are those things in the journals.

5549. And our people were not the only ones there. There was records of a huge amount, and these people from Fort Langley were trading for furs as well as fish and they were sending salted fish to Europe and other colonies to provide a variety of sustenance for those people as well.

5550. Getting back to our own young people, we have, I guess you call it, different departments where we have under-privileged children, we have people that have not had the opportunity to get out into our river systems.

5551. I was taught by my uncles and by my grand-uncles through them showing us, not telling us. Be there, do it and understand what's needed. Safety measures, how to operate canoes, how to -- in -- since the fifties, how to operate outboard motors.

5552. The majority of the teachings was safety on the water and not wear white man's boots when you're out there.

5553. No, it might be funny but it's very dangerous. You've got to be safe than sorry.

5554. The other issue as well is the opportunities by people. People take for granted what we've had to do to provide sustenance back in the day. There was no such thing as this low income -- or what do you call it now, poverty level? There was no such thing as that in the fifties.

5555. You started hearing poverty level in the sixties and seventies, I think, after the hippie generation where people weren't working and, all of a sudden, they had to provide for them. That's when I started hearing about it, anyway.

5556. But we still have our young people out in the rivers and whatever, and under protecting -- trying to protect them and keep them separate from other fishermen that aren't members so we could properly -- and our guardians that we hire seasonally help them understand slip jigs, what proper process is, respect for other fishermen when they're out there, times to fish in, dangers of what happens if the dam -- we have a dam that we have, Cleveland Dam on the Capilano, and dangers of that.

5557. Just two weeks ago, a huge amount of non-band members -- or non-members. I don't know what colour they were, but they weren't ours. They were trapped just below the upper levels and they had to be moved off by rescue people.

5558. We also, for purposes of wanting to make sure we're doing the right thing and seen to be doing the right thing, help people understand hunting and fishing is hand in hand. And you don't just go out hunting or you just don't go out fishing. You try to utilize time if and when it's available to do those things if and when it's -- the opportunity arises.

5559. **MR. BRUCE:** Thank you, Xwelxwelacha Siyám.

5560. You mentioned in the fifties there was no poverty in the community. You were using the -- the Squamish Nation was using the resources, and you provided us a very good overview of the Squamish history to date.

5561. I was wondering if you could tell us a little bit what it was like fishing as a young boy in the Mission and Capilano Reserves.

5562. **CHIEF WILLIAMS:** Yes. At Mission, remembering what was happening there at that time as well, they had canoe races in the summer months. In the spring, they were training.

5563. And there was very, very, big populations of herring. And my parents and other people in the community would go down along the Mosquito Creek, we'd call that creek. The old timers call it First Creek.

5564. And when the tide goes out, they would put out a bunch of cedar boughs down on a log, hanging into the water and, two days later, they would go back and they would have about two and a half, three inches of herring and herring roe covering all the branches that were in the water. And they tried to put it where the log wouldn't go dry on the ground. So we had that happening.

5565. We use to catch crabs along the -- there was a large -- very large mud bank at the bottom end of Mosquito Creek, right in front of the Uslahan (ph) Reserve, and we used to get crabs there and dig clams down along where the creek was emptying because that was where the water was the cleanest.

5566. We would be fishing and we'd catch flounders and cod off the end. Then we'd catch trout in the creeks. And coho did go into those creeks in quite a few numbers, up into Mahan Creek. And I think, for purposes again of not being in the fifties, I think it was the mid-sixties, they put -- how do you call it -- these sewer trunks because it was straight down from the Upper -- Upper North Vancouver to right down to the Marine Drive to where the major trunks running east-west, they'd have them run down the creeks.

5567. They ran -- at that time, they ran it, and it became a flume after that. There was no more fish that was available and there was nowhere for the fish to spawn and/or sit out of the current. It was just a straight creek.

5568. They did the same thing with Sister Creek in the mid-seventies, and all of the people above -- we went on a helicopter ride. All the people in the upper levels had swimming pools.

5569. DFO was accusing us of killing all the fish off and these people would drain their pools in the winter so that they wouldn't crack their swimming pool walls and we'd see the water go blue from time to time. And this would kill all the smelts and the small ones no matter where they were in the river system and in the creek system.

5570. We often wondered why there was no -- no small trout in those creeks when I was a youth. The fish would come back into Capilano and they would turn off in there and we would catch a few up there, but usually we would not have any trout caught in those -- those systems because of the effluent coming out of those swimming pools.

5571. And I think in the mid-eighties, there were some restrictions from emptying the --emptying their pools directly into the creeks. By then, all the fish are decimated.

5572. Did you want me to talk about Capilano as well, or...?

5573. **MR BRUCE:** Sure. I think you've segued into a pretty critical question that I had for you is, what has the Squamish Nation done to preserve the right to fish within its territory?

5574. **CHIEF WILLIAMS:** Yeah. Well, what we've done and attempt to do is we've enacted a by-law in 1977 and amended it in '92. We have arrangements with DFO for them. We got stream keepers, they call them.

5575. They fund a whole bunch of non-Indian stream keepers, West Van and North Van and other places and as well the hatcheries. And they've discontinued the -- DFO has discontinued supporting the hatchery in Seymour, and the steelheaders have taken that over.

5576. We, under the by-law, have the ability to capacity build and introduce our different spawning areas in the Squamish Valley where we do have side streams that are totally within the reserves. And we attempt to try to get, I guess you'd call it, capital infrastructure put in so we can do just that.

5577. But to this date, we have not ever been -- had the opportunity. We had communication with the Chehalis people, who have very successful efforts in their area. They're on the Harrison. And we've -- we were a part of their effort to deal with it, but because we're fighting DFO in Court all the time, they don't fund us with anything other than this other thing from '93.

5578. So for our purposes, we attempt to give recommendations back to DFO on rewatering streams that they've put dikes in to protect the Town of Squamish, the Valley, Garibaldi Heights or Garibaldi Lowlands or whatever they

called and Brackendale and other areas that, for their reasons, they just put huge dikes in to protect their infrastructure.

5579. What we try to do is put butterfly traps -- have them recommend to put butterfly traps as well as access for rewatering. Even the Mamcem, which they put into the Squamish River because the town of Squamish is below sea level -- in 1930 or 1929, whenever it was, they -- because they didn't want two rivers flooding on both sides of town, they'd rather have one side protected and the other side, it's the reason why they call it the Mamcem Blind Channel.

5580. They killed a hell of a lot of our resources off. We used to have eulachons in there and smelts and sturgeon, all other sorts of our resources our people used to use and all the different things where we're trying to make sure that we want to have the best practices identified, but the government and the government permits for industry, pulp mills, mercury being contaminant in the estuary at Squamish as well as Britannia, a mine that's been there since the 1800s.

5581. Just got acid water coming out of that mine ever since they've opened it, but very self-evident when -- when they had to close the whole of Howe Sound because of the mercury poisoning as well as the acid -- acid -- not acid rain, but when it rains, it goes down into the mine and the mine overflows and goes into the creek and everything turns black and purple and not normal colours for our environment.

5582. We attempt to agree with the hatchery people to make sure that we can provide for our people with different things. And we do have the ESSR yearly, but it's not part of our normal thing. But we have had good cooperation with the -- with the hatchery people because of the ongoing agreement with -- with DFO for purposes of -- we have a kind of a -- I guess you'd call it an uneasy truce at this time. But we normally notify West Van and North Van for helping when we have guardians, and DFO has a totally adversarial approach to -- we should not be a part of the management. We should be part of some stakeholder somewhere. That's their approach. They always approach us with that.

5583. So it's not a matter for me to tell people what to do or not to do. I'm telling you the experiences we have to deal with.

5584. If Indians or tribes of Indians sign a piece of paper that says DFO is all power authority, they'll give them everything they want for a couple years and then have that hanging over them for the rest of their lives. We choose not to do

that.

5585. **MR. BRUCE:** Xwelxwelacha Siyám, could you confirm for me that -- does the by-law apply to the Capilano River?

5586. **CHIEF WILLIAMS:** Yeah, the by-law itself, our Squamish Nation by-law, applies on reserve. There is a decision in -- I'm not too sure what year it was. It may have been '93 or '97 or -- I'm not too sure what it was.

5587. We had went to Court and they identified that any reserve that has a boundary on the river, the authority only goes to midstream, if that, if it's on one side. If it's -- there is no reserve on the other side of the river, we have no authority to deal with the issues on that component, but there are parts of reserves that we have.

5588. Capilano, for instance, we have a straight line boundary on the north side and we have a straight line boundary on the south side, so we own both banks of the river and the jurisdiction belongs to the people that control the by-law.

5589. And the by-law says our Council have the jurisdiction in that case. And DFO has not challenged us on that because I don't think their lawyers have found a loophole to get rid of us yet and they've left us alone since -- since those other Court cases.

5590. **MR. BRUCE:** Thank you, Xwelxwelacha Siyám.

5591. I think now -- I'm looking at the time. I think we have about 15 minutes left, and we wanted to have some time for Xálek'/Sekyú Siyám to do some concluding remarks. And I think right now would be a great time to do that.

5592. **CHIEF WILLIAMS:** Could I say one more thing?

5593. **MR. BRUCE:** Sure. We'll have some more remarks from Chief Dick.

5594. **CHIEF WILLIAMS:** I'm not used to these things.

5595. Just for purposes, again, of having our position identified and who we are and what we represent, this map that you see on the easel here is our core territory map. It is our primary territory where we have our villages and our

resources that are exclusive to us.

5596. We have secondary resource areas that our people have travelled since before contact, and those are in conjunction with tribes, our neighbours, that we don't over-rule them. We have, I guess you'd call it, political protocols with those people. And we agree -- it's almost as if we're trading access to their resources when they can have certain access to our resources that we agree upon without the interference with anybody else other than our own jurisdiction.

5597. And for purposes of maintaining how we do that and when we have done that, none of the evidence that has been given so far has been identifying our access and our presence on the Fraser River.

5598. Prior to the reserves system being established, Squamish Charlie was compensated for his house and his barn and his animals where the railway ran a railway trestle over the Fraser and the right-of-way across his party destroying everything that was his there. There was a permanent residence with a barn, with fences and with livestock and chickens and pigs. And all of those were taken away and fed to the workers.

5599. It is documented, and his name was Techuxanem. And that was the same name that our hereditary Chief, Chief Joe Mathias, carried and was given at the longhouse at Xwmelchstn.

5600. The other thing is, Denny Jack, he grew up there. The White men made the colony capital at New Westminster and moved all of the Indians across the river. Denny Jack grew up there.

5601. And my Uncle Willie used to bring him there in the fifties to visit where his boyhood area was that he actually grew up and fished and hunted from, and his parents grew up and lived there as well. And that reserve was expropriated by the Crown and all of the people had to move off.

5602. Oh, by the way, as well, Old Mama, Siyelia (ph), that's where she got Johnny Baker at Annacis Island. He was one of the sailors off one of those ships visiting that place. And that's where some of our great-grandparents and parents, grandparents, come from. I'm one of them.

5603. Thank you very much.

5604. **MR. BRUCE:** Thank you.

5605. So I've outlined in my introduction a number of constraints that are impacting on the Squamish Nation providing fully-informed information today, namely, the lack of funding to properly review the application to conduct the studies and to obtain technical advice that Squamish required to discuss impacts on its interests.

5606. Despite these constraints, Xálek'/Sekyú Siyám, can you tell us the concerns Squamish has with this project proceeding?

5607. If I could just ask you to put up the last slide of the project? Thanks.

5608. **CHIEF CAMPBELL:** (Speaking in native language.) I'm very honoured to have this opportunity to provide some closing remarks on behalf of the Squamish Nation. And this is a very complex matter that brings to mind a number of issues and concerns that the Squamish have in relation to the legitimacy of Canada to issue rights within the territories of our Coast Salish people.

5609. First of all, the Squamish Nation does not consent to this project, to Kinder Morgan's application. We weren't afforded the opportunity to engage in the initial project. That was installed prior to us being citizens in our own country or any legal recourse that was afforded to the Squamish to protect our interests with the advent of Port Metro Vancouver and these types of operations within our territories.

5610. We do not consent to the Canadian government assuming jurisdiction of our sovereignty and our Aboriginal rights and title. This is a question of authority for us where we are not a vanished race. We are not in a museum behind glass where tradition is something 200 years ago. Tradition is today.

5611. It is that continuity of tradition that will leave a legacy for our collective futures.

5612. The Siyams talked about a concept in our language called siyamints, which means to conduct yourself as a Siyam, with integrity and honour. These go along with our responsibilities and our obligations to adhere to our laws.

5613. Not once in any of these processes have I seen the respect afforded to

us. Just as successive governments in the past have neglected to recognize Squamish authority and governance to make decisions in our own territories, these laws are not being adhered to, in my observation of this process thus far.

5614. We have real words called chiyax that are real stories and real history that's been handed down for many thousands of years, and snewayelh, which are our laws and our teachings.

5615. There still seems to be a confusion in this country that this foundation of this country is premised off of French and English. That is the story that -- the myth that continues to be told. And it neglects our own true identity; that which is a country founded on many solid First Nations, indigenous nations that have made this country what it is and continue to contribute to the quality of life that Canadians are afforded when many First Nations still are dealing with abject poverty, even in urban settings like this.

5616. We are not going to manage welfare. We're going to manage wealth. But it isn't going to be at the expense of our integrity for the wilful destruction of our relationship to our lands and waters and our territories.

5617. We've been invisible in our own land for far too long. We're not even sure, sitting here and sharing with you the vast history and knowledge of our people, how this will be used. I don't know how you, as Panel Members, will take this and absorb it and balance it so that we can move away from being treated as stakeholders in our own land so even the process I am unsure of, the procedural fairness of how we've even gotten to this point because, to me, it comes with baggage. And that baggage is hard to articulate in three hours to you the experience that the Squamish have had with all levels of government in this country.

5618. Our archaeology and the science talks about a minimum of 9,800 years of use and occupation. When you look at the history before that when all the water was locked in ice, the sea level was a lot lower than it is today, so much of our history is under water, under 60 metres of water today.

5619. So Canada continues to perpetuate this myth that we crossed a land bridge and that somehow minimizes the legitimacy of our connections to this land.

5620. We have terms called eslhelhekwhiws, which is a very spiritual term.

It talks about our interconnectedness to creation. Our language is largely a verb-based language, as opposed to English, which is largely noun-based in relation. Where in English you'll say "that's a rock", there's no real relation to it. In our language is -- that rock is a connection; it's at play.

5621. Value isn't given in English to things like the Salish Sea unless it's economically viable, and that is only one compartment of our connection. We've always had a strong economy from this territory.

5622. So we have to dispel that this is a free and vacant land and that the government has legitimacy to issue these types of rights to this Kinder and this Morgan. We don't know who these people are or why they should have rights in our territory because we did not consent to that, free prior informed consent.

5623. Everything in our territory is named in English. We have English Bay, British Properties, Howe Sound, Vancouver, Fraser River. Nothing here indicates that our history is your history, that it doesn't just start with 1791 or with B.C. joining Confederation, but it spans well beyond that.

5624. So this is an opportunity to redefine those relationships with Canada because they continue to go abroad internationally with FIPA.

5625. They continue to arbitrarily change laws and legislation around omnibus Bills 38 and 45. Those are arbitrary decisions that do not reflect our Aboriginal laws or our consent.

5626. We are not signatories to those international agreements that this party here would like to have recognized as being legitimate. We are a true signatory to those contractual agreements. Without our signature on those agreements, who is giving away the rights to our lands and our waters?

5627. The cumulative impact -- we're well beyond this issue of probability. Our minds go to the issue of consequence, of catastrophic events that have been experienced by many other peoples, Exxon and BP and Kalamazoo and many other offshore drilling catastrophes, seismic. There are many issues that we have with this product.

5628. We've been to the tar sands. We've met with the Athabascan Chippewa, and we signed on to the Save The Fraser Declaration, the Salish Sea Declarations. These are important to us. These are important steps in building

that awareness of who and what we are as a people.

5629. The ability to clean up this type of product, we are not satisfied that Canada is capable of the propaganda that they will put out to say that this is world class. With dispersants, with the impacts to the surface, the subsurface, the sea floor, the intertidal, the ability to truly manage this type of product and the sustainability or the long-term impacts that this poses the risk to my grandchildren. And if it's jobs to clean up, then we're not interested. We don't want to clean up this type of mess that is carcinogenic.

5630. Personally I prefer eulachon oil versus Alberta oil in my food. I don't want to see the operations of this leaking into our waters and contaminating our crab, our shellfish, all those things that me and my children enjoy eating.

5631. This area that we're talking about, Lhekw'ihukw'aytn, this was the traditional calving grounds of the yew yews, of the killer whales. They have also been displaced as a result of this industrial activity. We have tremendous love for the killer whales and we want to see this area revitalized as Howe Sound has been seeing the killer whales returning, the herring biomass.

5632. Is this conducive to that type of revitalization? We have serious doubts. Titemtsen is a village, I explained to you early on, in Port Moody. You could see that there is a -- the quickest path from Titemtsen down here to the Fraser River to Kikayt to our old villages, it's about nine kilometres. Our people use the entire area. It wasn't site specific of our strength of title.

5633. We ask Canada, where is their strength of title, British Columbia, in the absence of First Nations being a party to decision making, environmental stewardship.

5634. We are not enemies of the state. We have inherent responsibilities to protect the sacred. We are decision makers. We are in an era called "truth and reconciliation" in this country, and I ask you, "What are the actions that go with truth and reconciliation? What does it look like?"

5635. When we were in Africa last year, we visited South Africa and Namibia. We visited these places and seen the changes from their oppressive legislation, from apartheid to world leaders like Mandela who effected positive change. And we ask ourselves in Canada, "Is this part of your vision, is it part of your dream to see reconciliation? And what does that look like?"

5636. Is it national reform of laws and policies that truly bring First Nations to the table as decision makers and as governments, as stewards and incorporating our laws, incorporating western-based science because we're not here to impede economy.

5637. We understand economy. We were a very affluent people for a very long time, and that's changed by design over the last number of decades. And that's unacceptable.

5638. We have an Elder in Tsleil-Waututh, Ta7a, she says, "We're smart enough to know better. We have innovation, we have renewables. We continue to contribute to carbon emissions and global warming". She goes, "We're going to be known as the age of stupidity if we don't change our way".

5639. And those are profound words coming from our Elders because they have firsthand seen the cumulative impact of industrialization of our territories and the loss of sustenance, loss of spiritual connections, that newcomers have come into our lands assuming this jurisdiction.

5640. So we're here to reaffirm that I don't know what you want to do with this information, but we do not provide consent. And it's an honour to share our story with you today, to share a small piece of our history through these place names and these images. And again, it would be even better to get you out on the land to show you firsthand.

5641. Again, our history is your history and we know that these affluent people next to us here, who they represent. They wish to continue to make more and more money at our expense, and that's something that our membership do not feel is something we can support.

5642. So thank you for listening. It's an honour to be here. And thank you to our legal team for bringing this together along with our Elders, all of our Chiefs and our matriarchs, our family that are here today. I really appreciate all of our community members.

5643. Again, thank you to the Stó:lō for allowing us in your territory to share a small piece of our history with you this afternoon.

5644. **THE CHAIRMAN:** Thank you, Chief Campbell.

5645. And we've been asked to -- been offered an invitation a number of times throughout the last -- what was it, last week and this week, to go on to the land and to go on to the river and everything else. And we would all love to and we've all kind of agreed that in -- perhaps in another time when we're past this, that it would be of great honour to do something like that. Sure.

5646. Perhaps I could offer Trans Mountain, Ms. Oleniuk, if you wish to ask any questions of clarification at this point to ---

5647. **MS. OLENIUK:** On behalf of Trans Mountain I'd just like to thank the Squamish Nation for your presentation, and we have no questions, sir.

5648. **THE CHAIRMAN:** I'm just trying for -- if I may, Chief Campbell and also Chief Williams made some mention about it. And I understand the hereditary Chiefs and your responsibility from the beginning of the Chiefs to -- for the protection and management of the land and the water and that now that's fallen to the Council as the -- for that protection, enforcement.

5649. And Chief Williams talked about the relationship with DFO and the management of the Capilano River, for example, and the by-laws and the strength of those by-laws.

5650. And you also mentioned, Chief Campbell, the wild spirit places and the co-management of that aspect of it.

5651. I was just interested in the Burrard Inlet. I am aware that there's the -- you know, there's the two shores, the north shore and your home is there along the north shore, but also use on the south shore.

5652. Is there any sort of protection management of those waters in the Burrard Inlet that you are involved in, that you have any wish to have in or have any been recognized of that and any management of that and protection of those particular waters in the Burrard Inlet? I'd be interested to understand that aspect of it.

5653. **CHIEF CAMPBELL:** Thank you for the question, and also thank you for recognizing the Squamish Land Use Plan was a very powerful tool to remove the ambiguity of where the Squamish's vision is for the northern part of our territories.

5654. We've now engaged in starting the scoping of a marine use planning process that would look at, primarily beginning with Howe Sound, in the inventory of the types of sponge reefs and the building blocks that will facilitate sustainable revitalization of those waters as well as the -- I guess, working with the Coast Salish gathering, as I mentioned in my presentation on the Salish Sea in a broader context from headwater to sea floor, from mountaintop to sea floor. And there, we've looked at engagement with Environment Canada and EPA on the U.S. side on having more strengthening of the relationships to work with those entities in how we would look towards co-management.

5655. Port Metro Vancouver, we've attempted to create some sort of, I don't know if it was an MOU or a protocol of some sort. That didn't go very far with Minister Oliver, who really pushed a lot of these issues and how we can get involved with the federal aspects as well as the Port Metro Vancouver aspects of business.

5656. We've looked to other First Nations on how they've managed to engage elsewhere on the coast, such as the coastal simshan (ph), the Prince Rupert Port, you know, the larger context of decision-making, of economic activity, as well as environmental, those three pillars. So those are our aspirations is to certainly have the First Nations recognized and participating, as opposed to bearing the risk.

5657. **THE CHAIRMAN:** I appreciate the clarification.

5658. And we heard, and I think you probably referred to it is the joint -- is it the Pacific Marine Council or Pacific Management Council that the Tulalip and the others have mentioned that. Is that in the -- the three parties, six parties to that? So that's part of what you refer to as the big marine study that's going on?

5659. **CHIEF CAMPBELL:** Yes, thank you.

5660. Yes, absolutely, with the other Coast Salish intervenors we've been able to meet with them to strategize on those types of next steps.

5661. And I'd like to thank my colleague. Councillor Chris Lewis also wanted to mention in our explanation with the Vancouver Aquarium and other groups, that we're looking at science-based MOUs with more of those types of entities that are able to look at science as well as TEK.

5662. So restoration of our Mosquito Creek, Seymour and Mackay Creeks and salmon enhancement, to answer your first question -- I apologize -- but those are some of the activities that the nation is engaged in, to just lightly touch on those areas to let you know that we've certainly been proactive to look at ways that we can revitalize Burrard Inlet and incorporate our TEK, traditional ecological knowledge.

5663. Thank you.

5664. **THE CHAIRMAN:** Thank you for that.

5665. The Board, the Panel don't have any further questions of clarification, and I understand you may wish to close with a prayer. Am I correct?

5666. So perhaps I'll close and then we can close formally with a prayer, if that's your wish. In another life, that's been my recognition is to open and to close. So if it's fine with you, I'd be -- we'd be -- the Panel would be pleased for that.

5667. We would like to acknowledge the information you've shared with it, the voices from your heart that you have brought to us today. And I want to assure you that what you have shared with us today we will consider and we will have -- and we will consider it along with everyone else we will hear and have heard already of whether we decide to -- whether or not to recommend approval of this project.

5668. I also recognize before we finish the -- those who have travelled with you and the other chiefs and members of the Squamish Nation that you have brought with you, and you have travelled, and I wish you all to travel safely home back to your communities.

5669. With that, we are adjourned and we will reconvene at 9:00 a.m. on Thursday, November the 13th in Kamloops, British Columbia.

5670. (Closing prayer)

--- Upon adjourning at 4:43 p.m./L'audience est ajournée à 16h43