Métis Use & Occupancy Study
Port Metro Vancouver
Roberts Bank Terminal 2 Project
Review Panel

November 16, 2017
Métis Use & Occupancy Study: Port Metro Vancouver Roberts Bank Terminal 2 Project
2017 Métis Nation British Columbia (MNBC)

Prepared by MNBC Ministry of Natural Resources

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1 Introduction

This Métis Use & Occupancy Study (UOS) for the proposed Port Metro Vancouver Roberts Bank Terminal 2 Project is based on research conducted by the Métis Nation British Columbia (“MNBC”) Ministry of Natural Resources with approval of the BC Métis Assembly of Natural Resources (“BCMANR”) Captains of the Hunt. The proposed marine terminal would extend from the existing Roberts Bank Terminal in Delta, BC. The data presented in this study focuses on Métis land, sea, and resource use in the areas surrounding the proposed marine terminal, including Tsawwassen, the Fraser River, and Georgia Strait (the “Study Area”). This report will present an overview of Métis use and occupancy in these parts of the study area, and themed use and occupancy maps of Métis harvesting and cultural activities in the region of the proposed terminal.

1.1 Purpose of the Use and Occupancy Study

The purposes of this UOS are threefold:

1. To report on the historic, current, and potential future use of the Study Area by Métis citizens for traditional purposes;
2. To review, aggregate, and spatialize MNBC’s extant traditional use datasets for the Study Area;
3. To identify sites or areas of concern where the proposed project may affect Métis cultural practices and/or use.

The historical evidence indicates that the Métis were present prior to effective control of what is now known as British Columbia, and the earliest recorded instance of Métis presence is 1793. The evidence obtained from mapping interviews with contemporary Métis harvesters indicates that the Métis still occupy and use the area in and around the Study Area for the Roberts Bank Terminal 2 Project. Data from the Métis Provincial Council BC’s Multilateral Report, 2005 and previous additional research projects corroborate the findings of these mapping interviews.

1.2 Outline of the Use and Occupancy Study

This UOS is organized into six sections: the first section provides a description of the project and introduces MNBC as the rights-bearing Métis community. This section also outlines the
purposes and key arguments of this UOS for the Roberts Bank Terminal 2 Project. The second section provides a historical, legal and socio-political overview of the Métis in British Columbia; the third section articulates the research findings; the fourth section identifies potential impacts to Métis use; the fifth section concludes the report; the sixth section contains works cited, as well as appendices and supporting documentation.

1.3 UOS Limitations

Given the limited sample size, the harvesting data presented here in these UOS maps is a very conservative representation of the extent of Métis use and occupancy in this Study Area. It is important to note that the absence of data does not indicate an absence of use. The small sample of respondents (23) for this UOS represents merely a fraction of Métis harvesters who may be active in the Study Area.

This UOS also includes a brief discussion of the historic footprint of the Métis in British Columbia. As such, it is intended to capture a living body of knowledge and articulate the use patterns of harvesters from a dynamic nation of people.

2 The Métis

The Métis are a distinct Aboriginal people with unique culture, knowledge, and communities. The distinctive characteristics of the Métis must be considered prior to undertaking, designing, or implementing research with Métis individuals or communities.

2.1 Constitutional Definition of Métis

Section 35 of the Constitution Act, 1982 asserts the Métis are one of three Aboriginal groups whose rights are recognized by Canada. It states “[t]he existing aboriginal and treaty rights of the aboriginal peoples of Canada are hereby recognized and affirmed”. In this Act, ‘aboriginal peoples of Canada’ includes the Indian, Inuit and Métis peoples of Canada.”

1 Constitution Act, 1982, being Schedule B to the Canada Act, 1982(U.K.), 1982, c. 11.
2 Supra, s. 35(1).
3 Supra, s. 35(2).
2.2 Métis and Aboriginal Rights

R. v. Powley notes with regard to Aboriginal rights that “[t]he inclusion of the Métis in s. 35 is based on a commitment to recognizing the Métis and enhancing their survival as distinctive communities”.

A key part of this decision articulates who the Métis are under s. 35. As Jean Teillet notes:

The Court said that the term “Métis” in s. 35 refers to distinctive Métis peoples who, in addition to their mixed ancestry, developed their own customs, way of life, and group identity – separate from their Indian, Inuit or European forebears [. . .]. The Court said that the term “Métis” does not include all individuals with mixed Indian and European heritage.

The Supreme Court of Canada in Powley stated that Métis claimants must establish that they belong to an identifiable Métis community, which they defined as “a group of Métis with a distinctive collective identity, living in the same geographic area and sharing a common way of life”. Furthermore, it went on to state that the criteria for establishing Métis identity for the purpose of claiming Métis rights under Section 35 include self-identification as a member of the Métis community, evidence of an ancestral connection to an historic Métis community; and a demonstrated acceptance into a modern Métis community. The Métis Nation Council and its Governing Members had adopted this test for citizenship since 2002.

In order for an individual to exercise s. 35 rights as a Métis person, they and their activity must pass what is now known as the Powley Test. The following ten criteria make up this test:

1. Characterization of the right;
2. Identification of the historic rights bearing community;
3. Identification of the contemporary rights bearing community;
4. Verification of membership in the contemporary Métis community;
5. Identification of the relevant time;
6. Was the practice integral to the claimant’s distinctive culture;
7. Continuity between the historic practice and the contemporary right;

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7 Supra, at para. 31-33.
(8) Extinguishment;
(9) Infringement; and,
(10) Justification.\(^9\)

It is important to note that Section 35, as well as all existing Canadian law, indicates that treaty rights do not “trump” Métis rights, and there is no hierarchy of rights under Section 35.\(^10\) One of the principles that Thomas Isaac underscores in his report is the principle that “Métis rights are protected equally along with First Nations (Indian) and Inuit Section 35 rights”, as such a principle is “unassailable and fundamental in nature”.\(^11\)

### 2.2.1 Métis Rights Are Collective Rights

For the purposes of this discussion, verification of membership in the contemporary Métis community is particularly important. This criterion depends on the understanding that “Aboriginal rights are collective rights”.\(^12\) They belong to the collective but are exercised by individual members of the collective.

### 2.2.2 The Honour of the Crown and the Duty to Consult

The implication of collectively embodied rights extends to the Crown’s duty to consult, which it must oblige when it “contemplates conduct that might adversely impact potential or established Aboriginal or Treaty rights”.\(^13\) Since Aboriginal rights are collective rights, it follows that under this duty the Crown, which can be the Provinces or Territories and/or proponents, consults with leaders who represent the interests of a rights-bearing Aboriginal community. Thomas Isaac

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\(^12\) Teillet, *ibid* at 9-13.

states that “there is no doubt, at law, the Crown’s duty to consult Aboriginal peoples applies to Métis”.14

For First Nations under the Indian Act this is usually the Chief and Council of a Band. The community in this case is understood as the collective or group governed by the Chief and Council. Through the reserve system, these communities are geographically bound. The Métis, however, do not have a Chief and Council to represent their collective interests. Instead, the Métis are governed by provincially-based organizations called Nations. These Nations are members of the Métis National Council. Métis Nations are governed by democratically elected officials who represent the interests of localized Métis communities and the Powley-compliant citizens within those communities who have membership in the Nation. Unlike the Chief and Council of a First Nation, Métis Nations govern and represent the interests of a geographically dispersed group of people(s), which is a point that speaks to the mobility of the Métis and to the fact that, as a collective, the Métis were not forced onto reserves.15

Additionally, if provinces conduct Crown-related consultations with provincially-created public governments rather than clearly identifiable Métis rights holders in the same geographic area there is no case law that states that the Crown has satisfied its duty to consult, even if that public government contains Section 35 rights holders.16

2.2.3 The Daniels Decision17

The Supreme Court of Canada in Daniels et. al. v. Canada18 was a unanimous decision by the Supreme Court of Canada where the Court ruled that Canada has a constructional and jurisdictional responsibility for Métis under s. 91(24) of the Constitution Act, 1867. This decision is celebrated by Métis as it requires the government to negotiate in good faith.

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14 Thomas Isaac, ibid, at 16.
15 This is worth bearing in mind for project-specific Métis Use and Occupancy studies. In order to accurately capture and begin to understand Métis land-use, UOSs must consider the high mobility of Métis harvesters. Relative to a project-specific First Nations TUS, the study sample of a Métis UOS on such a project requires the participation of harvesters from all over the province who travel to the Study Area to hunt and gather resources. Industry proponents and government representatives should consider that it may be more cost-effective and efficient in the long-run to fund a single province-wide Métis UOS, independent of the Environmental Impact Assessment process (and its attendant timelines). Once a comprehensive dataset is established, it would require only maintenance and strategic updates.
16 Isaac, ibid, at 12.
17 Information in this section was taken from: Métis Nation British Columbia, “Daniels Decision”, online: <https://www.mnbc.ca/documents-resources/daniels-decision>; as well as Métis Nation British Columbia, “Frequently Asked Questions: Daniels Decision”, online: <https://www.mnbc.ca/faq/frequently-asked-daniels-decision>.
18 Daniels et. al. v. Canada (Indian Affairs and Northern Development)(“Daniels”), 2016 SCC 12.
Jurisdictional uncertainty around this issue had been used by the government of Canada to avoid dealing with Métis rights, interests and needs. This decision ended that uncertainty.

The plaintiffs in Daniels originally requested that the Court make the following three declarations pertaining to Métis and non-status Indian people in Canada: recognition and inclusion as “Indians” in s. 91(24) of the Constitution Act, 1867; that the Queen (in right of Canada) owes a fiduciary duty to Métis and non-status Indians as Aboriginal people; and the Métis and non-status Indian people of Canada have a right to be consulted and negotiated with by the federal government on a collective basis through representatives of their own choice. Since previous Supreme Court decisions already settled the latter two matters, the Court ruled it would be redundant to rule on them again.

2.2.4 United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)

UNDRIP has a number of articles that reference land and resources that are critically important to Métis people. One example is article 25 which states, “Indigenous peoples have the right to maintain and strengthen their distinctive spiritual relationship with their traditionally owned or otherwise occupied and used lands, territories, waters and coastal seas and other resources and to uphold their responsibilities to future generations in this regard.”

2.3 Métis Nation British Columbia

The governing body for Métis in this province is Métis Nation British Columbia (“MNBC”). MNBC was formally incorporated in 1996 under the Métis Provincial Council of British Columbia (MPCBC). In 2003, the Métis leadership ratified the Métis Nation British Columbia Constitution and, in so doing, established the new Métis Nation governance structure that persists today. MNBC represents over 16,500 citizens in 37 Métis Chartered Communities from seven regions in the Province. Since ratifying the Constitution in 2003, MNBC has developed laws, regulations, and policies for maintaining, protecting, and furthering the Aboriginal rights of its citizens in this province.

Under MNBC’s Métis Nation British Columbia Consultation Guidebook (“Consultation Guidebook”), MNBC’s Ministry of Natural Resources and the BCMANR have a duty to

19 For a full description of this governance structure see http://webcache.googleusercontent.com/search?q=cache:http://www.mnbc.ca/pdfs/constitution_metis_nation_bc.pdf
“advocate for consultation with government and industry where actions and activities on provincial and federal crown land (or towards crown resources) have the potential to infringe on Métis rights and traditional land-uses.” Furthermore, the Consultation Guidebook states that, “[t]he MNBC Ministry of Natural Resources will advocate and manage, where applicable, the consultation process and, where necessary consult directly with the Métis Chartered Communities where land management and resource development on provincial or federal crown land may infringe Métis rights and traditional land-use”.

MNBC’s Ministry of Natural Resources (the “Ministry”) is mandated to address natural resource issues on behalf of MNBC’s Métis citizens. The BC Métis Assembly of Natural Resources is a branch of the Ministry, and is comprised of seven representative of the each of the MNBC regions to represent the natural resources needs in that region. Eight non-political regional Captains of Natural Resources form the BCMANR, with one of the regions split in two and having two Captains.

MNBC “seeks a deeper relationship with Canada and trilateral discussions among MNBC, Canada and British Columbia to deal with matters such as self-government, funding, harvesting rights and programs and services”. They also would like to see British Columbia acknowledge the existence of Section 35 Métis rights in British Columbia.

MNBC and the Government of British Columbia signed a 2006 Métis Nation Relationship Accord “to signify a positive working relationship” with all the self-identifying Métis in BC, and set out a number of objectives address a number of concerns of the Métis community. British Columbia and MNBC signed a further a 2016 Métis Nation Relationship Accord II on Louis Riel Day (November 16) “to renew the commitment to work together for the betterment of Métis people throughout BC”.

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21 Ibid, at 4-5.
22 Métis Nation British Columbia, Ministry of Natural Resources: Strategix Plan (August 2010), online: Ministry of Natural Resources https://www.mnbc.ca/pdfs/ministry%20of%20natural%20resources%20strategix%20plan.pdf.
24 Thomas Isaac, ibid, at 23.
25 Ibid.
27 Ibid.
These accords show a cooperate approach between the Métis and the Government of British Columbia on certain issues. However, problems persist in the relationship, as British Columbia had previously stated clearly that they do not believe that there are Métis rights-bearing communities that would meet the criteria set out in Powley. Therefore, they do not consult with Métis regarding assertions of Section 35 Métis rights. The Relationship Accord II explicitly states that it does not affect Section 35 Aboriginal rights, so the previous position of British Columbia persists.

As a Governing Member of the Métis National Council, MNBC also signed the Canada-Métis Nation Accord with Prime Minister Trudeau in April of 2017. The accord details a number of agreements regarding Métis issues, addresses the need to strengthen the government to government fiscal relationship, and established a permanent bilateral forum chaired by the Prime Minister that is meant to commence negotiations on shared priorities.

2.3.1 British Columbia Métis Assembly of Natural Resources

MNBC has eight captains of the hunt that make up the British Columbia Métis Assembly of Natural Resources (“BCMANR”) based on the buffalo assembly and laws of the prairies.

Métis have long-standing legal traditions that speak to a deep and extensive connection to the land as well as well as their broad territorial use. This law was derived from their time on the prairies. Once planting was done in the Red River settlement, the Métis organized around the buffalo hunt. Hunting was integral to the sustenance of Métis communities and served as the backbone of their economy. Mechanisms were designed to oversee these large expeditions, “to ensure efficiency, protection and discipline”. These hunts were biannual and “played a seminal role in fostering Métis nationalism and cultural expression, as well as political identity.” Kelly Saunders describes how the Laws of the Buffalo Hunt were set prior to the excursion, based on the first-hand account of Alexander Ross:

All the adults would gather and a council meeting would be called. At these council meetings nominations for the leaders of the hunt, referred to as captains

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28 Thomas Isaac, *ibid*, at 23.
29 *Ibid*.
31 *Ibid*. 
would be taken and a vote would be held. Ten captains of the hunt would be elected, one of them would also be chosen chief of the Hunt. Below each captain and serving under his command were ten soldiers and ten guides. The chief of the Hunt, along with his captains, were responsible for ensuring compliance with the customary rules and regulations of the hunt, as well as providing for the safety and security of the camp. Because the captains of the hunt were freely chosen by the people and were required to govern according to the laws established by the community (in this instance, the Métis of the Red River settlement), the leaders’ authority was seen as legitimate and freely accepted.32

With each successive hunt, the laws would be tweaked as necessary. The following rules were made for the 1840 hunt:

1. No buffalo to be run on the Sabbath-day.
2. No party to fork off, lag behind, or go before without permission.
3. No person or party to run buffalo before the general order.
4. Every captain with his men, in turn, to patrol the camp, and keep guard.
5. For the first trespass against these laws, the offender to have his saddle and bridle cut up.
6. For the second offence, the coat to be taken off the offender’s back, and be cut up.
7. For the third offence, the offender to be flogged.
8. Any person convicted of theft, even to the value of a sinew, to be brought to the middle of the camp, and the crier to call out his or her name three times, adding the word “Thief” at each time.33

This system of rules and punishment would evolve to become part of a system of self-government for the Métis people.

As the Métis moved out across the plains, the hunt would traverse through Rupert’s Land from Manitoba, to Saskatchewan, Alberta and down through Montana and Dakota. The Chief of the Hunt and the other Captains operated as a mobile government. As Larry Chartrand articulates, “It was the governance traditions of the buffalo hunt that were relied on by Métis communities when they grew and became more permanent as Métis families transitioned from primarily and hunting economy to a farming economy. When these larger, more permanent communities desired a more formal governing authority, they would rely on the tradition of the Laws of the

32 Ibid at 347-348.
33 George Bryce. The Remarkable History of the Hudson's Bay Company Nabu Press 1910 at 371-372 online: http://archive.org/stream/baycompanyhud00brycrich/page/372/mode/1up
Buffalo Hunt as a basis for their constitutions. This Métis legal tradition was necessary to govern the people and was a system of incentive based laws with a positivist legal base. Custom was clearly important as the law evolved with each successive hunt. These important principles continue to this day.

2.3.2 Métis Traditional Knowledge

MNBC’s Consultation Guidebook defines Métis Traditional Knowledge (“MTK”) as knowledge, values, beliefs, and practices that are derived from aboriginal and non-aboriginal cultures that inform the identity, culture, and heritage of the Métis people and their respect for the land and its resources. MNBC’s definition is adapted from Berkes et al.’s (2000) description of Traditional Ecological Knowledge (“TEK”).

…a cumulative body of knowledge, practice and belief, evolving through adaptive processes and handed down through generations by cultural transmission, about the relationship of living beings (including humans) with one another and with their environment.

MTK represents the Métis fundamental connection to the land. The foundation of Métis identity and survival, MTK is passed from generations orally and through land-based experience. Métis Traditional Knowledge continues to have relevance in current times and draws its strength from being used, adapted, and continuously updated to integrate new knowledge.

The historically continuous, yet adaptive, nature of this knowledge is the life-blood of the Métis peoples and the foundation informing their valuation of ecological and cultural components.

2.3.3 Métis Mobility

One of the distinctive features of the Métis is their mobility. As Jean Teillet notes, “historians and experts all agree that the mobility of the Métis, based on spatially extensive family networks and economies, was the foundation of their culture.” Mobility continues to be important for many Métis peoples today who rely on the kinship networks of their forebears to travel for the

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36 Berkes et. al., “Rediscovery of Traditional Ecological Knowledge as Adaptive Management.” Ecological Applications, 10(5). (1251-1262) at 1252.
37 Jean Teillet, ibid, at 1-11.
purposes of harvesting or cultural and social events. This UOS reports on contemporary Métis land use among the research participants and corroborates Jean Teillet’s analysis of the 2006 Census which found that “Métis migration rates tend, with the exception of the Province of Saskatchewan, to be higher than those of the overall aboriginal population in all of the regions, especially in British Columbia, Alberta and the Northwest Territories”. Métis mobility is purposeful, not haphazard. It follows kinship networks which were established during the earliest days of the fur trade and which persist to this day.

2.3.4 Métis Community

Kinship networks are the foundation of the historic and contemporary Métis communities. Métis scholar Mike Evans states, “[t]his history, along with the enduring family ties and distinctive culture of the Métis, lies at the heart of the persistence of Métis communities in spite of attempts to render those communities invisible after 1885”. The Métis were not collectively forced onto reserves. As such, they were and are dispersed across the Historic Métis Nation Homeland, including British Columbia.

3 Métis Use of the Study Area

3.1 Historic Footprint

Like other Aboriginal peoples, the Métis existed prior to Canada’s inception as a nation. As noted above, however, the Métis emerged out of relationships between First Nations women and European men. Thus, the Métis are a mixed-race people, (but not any mixed-race people) with their own unique government, culture, language, communities and history. The ethnogenesis or birth of the Métis as a distinct people is connected to the fur-trade. As recognized by the Métis National Council, their kinship networks past and present span from Ontario in the east to British Columbia in the west.

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3.1.1 Historiography

While the ethnogenesis of the Métis is clearly linked to the fur-trade, tracking the historical movement of Métis individuals or collectives, particularly in British Columbia, proves difficult for several reasons:

1. Primary historical documents, such as fur-trade and oblate letters and journals, were written by non-Aboriginal travelers who were generally not interested or otherwise aware of the Métis as a distinct peoples;

2. Métis were often misidentified in the written accounts, for example as “Frenchmen” or “Indian;”

3. When the authors of these journals and letters incidentally identify Métis individuals and families, they do so using a number of monikers, including “half-breed,” “breed,” “country-born,” “bourgeoisie,” “cors du bois,” “bois brûlé,” and “voyageurs,” to name a few. Monikers such as “voyageur” were not used exclusively for Métis;

4. During the late nineteenth-century, the Half-Breed Scrip Commission was not allowed to operate within the Colony, and later the Province of British Columbia. The extant records of the Scrip Commission in other provinces are vital sources of information regarding the Métis. These are missing for BC;

5. Métis peoples intermarried with First Nations and Europeans;

6. There were other mixed Aboriginal/non-Aboriginal peoples in the area;

7. Métis individuals and families blended into the dominant culture around them, in order to avoid overt racism, especially after the late nineteenth-century.40

According to the Final Report for the Alaska Pipeline Project Métis Traditional Land Use Study, “The Métis that accompanied early explorers and remained in BC were only fleetingly named. Because these men kept no writings of their own, many have been omitted from the historical record. As a result, Métis use of the land captured in the historical record may be incomplete.”41 Nevertheless, it is important to remember that, in keeping with the findings of the Court in Powley, “the difficulty of identifying members of the Métis community must not be exaggerated as a basis for defeating their rights under the Constitution of Canada.”42 This applies as much to the present members of the Métis community in BC as it does to their forebears.

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40 As Jean Barman et al. state, Métis “families, clusters, and communities melded into the shadows” (78).
42 Jean Teillet, ibid, at 2-12.
3.1.2 Early Fur Trade and Exploration

Despite the difficulties noted above, recently historians have been able to provide some account of Métis in British Columbia. One of the earliest recorded instances of possible Métis presence in the province is connected to Alexander Mackenzie’s overland expeditions. An account of this Métis presence is documented in *The Final Report for the TransCanada Alaskan Pipeline Project Métis Traditional Land Use Study, May 12, 2005* (the “Final Report”).\(^4\) The Final Report observes that Rocky Mountain Fort was established shortly after this expedition in 1794 to help, among other things, provision fur brigades with pemmican and grease. Métis were integral to the establishment of this fort.

In order to supply the demands of traders who relied on these calorically dense foods to survive, Mackenzie employed several laborers or *engagées* who were skilled hunters. These *engagées* had more than enough resources to supply the demand. Mackenzie remarked on the abundance of wildlife, noting that “[t]he country is so crowded with animals, as to have the appearance, in some places, of a stall-yard, from the state of the ground, and the quantity of dung which is scattered over it”.\(^4\)

Due in part to the high cost of operating in such a remote area, Rocky Mountain Fort was closed in 1804. The next year, Simon Fraser established Rocky Mountain Portage near Hudson’s Hope. Among those travelling with Simon Fraser was a young man named Jean-Baptiste Boucher (also spelled Bouché).\(^4\) Boucher is thought to have travelled with Fraser for four years, during which time Fraser’s party established Trout Lake Fort (now Fort McLeod), Fort George (now Prince George), and Fort St. James. At the end of that four years, Boucher remained at Fort St. James, where he continued working for the North West Company, and, after 1821, for the Hudson’s Bay Company until his death in 1849. During his tenure at Fort St. James, Boucher married Nancy McDougall.

Whether this Jean-Baptiste Boucher is related to the *engagée* at Rocky Mountain Fort mentioned in the anonymous journal is unknown. What is certain, however, is that Jean-Baptiste Boucher was Métis. In fact, he was “the first person recorded as Métis to make his life in the future


\(^4\) As one of Boucher’s biographers notes, the patronym was also spelled variously as Bouche, Bouchie or Buschie. Took’oh Whunats’ulnih Rivers of Memory: Reflection on the Fraser Expedition, “Jean-Baptiste Boucher Biography”, online: [http://www.quesnelmuseum.ca/RiverofMemory/FrasersExpedition/Waccan/boucher.html](http://www.quesnelmuseum.ca/RiverofMemory/FrasersExpedition/Waccan/boucher.html).
province.” Descendants of Boucher and descendants of other fur-trading Métis with patronyms, such as Gladue, Cardinal, Lafleur, Callihoo, Desjarlais and Testawits live in the area today, which will be discussed later in this paper. Some of which harvest in and around the proposed Roberts Bank Terminal 2.

3.1.3 19th Century Settlement

In 1821, the Hudson’s Bay Company (the “HBC”) merged with the North West Company. With a monopoly on the fur trade, the HBC organized its activities into two districts with operational centres at Fort St. James and Fort Vancouver, while forts in the northeast and north central regions became part of the district of New Caledonia. Operations in this district were administered from Fort St. James. The district of New Caledonia stretched from just north of Kamloops in the south to just north of the junction of the Peace and Finlay rivers in the north, following a series of coastal mountain ranges on the west, and the Rocky Mountains on the east.

Forts in the northwest region became part of the Columbia District. Their operations were administered by Fort Vancouver. Immediately following this merger and centralization, the HBC began laying off fur trade employees. Some of the less productive forts established by the former North West Company fell into disrepair.

At the same time the HBC was closing unproductive forts like St. John, it was opening new forts in areas promising to produce more furs. According to Michael Cottrell, in order to fill these forts with laborers, then governor of the HBC, Simpson turned to a large pool of potential labourers offered by the “half-breeds” of Red River. Simpson reasoned: “If brought into service at a sufficiently early period of life, they will become useful steady Men and taking all things into consideration I think they will be found the cheapest and best servants we can get.”

These Métis were instrumental in the HBC’s expansion.

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46 Evans et al., ibid, at 60.
47 Cottrell et al., A Historical Profile of Western Mackenzie Valley Drainage Basin Area’s Mixed Indian-European Ancestry Settlement (Discussion Draft). Ottawa: Research and Statistics Division, Aboriginal Law and Strategic Policy Group, 2005 at 25.
48 In “The Roots of Early Interracial and Métis Communities in BC: A Statistical Analysis of Fur Traders and their Residential Patterns,” at xxvii, Kassandra White and Mike Evans corroborate these findings: “While most fur traders of mixed ancestry died in the Columbia Department or New Caledonia, many were born in and came from Rupert’s Land and the Red River area.”
3.1.3.1 James McMillan and the Establishment of Fort Langley

Following the 1821 merger of the North West Company and the HBC, the HBC Governor George Simpson enlisted James McMillan, a Scottish trader, to explore potential routes between Jasper House and Tête Jaune, and to scout a location for the establishment of a new fort at the mouth of the Fraser River. During McMillan’s 1824 expedition along the Fraser River, he marked a tree with the following details “HBC – 1824.” This Culturally Modified Tree, located south of Annance Island (now known as Annacis Island located on the Fraser River between Surrey and Richmond) became known as the “HBC Tree”, and acted as a signpost for future maps and as a meeting place for voyageurs traveling from the Fraser to other Pacific points.

In 1827, McMillan established Fort Langley as a supply depot for the interior posts, and served as its Chief Factor from 1827 to 1828; this was in conjunction with the reorganization of the New Caledonia region (Northern BC) into the Columbia District. These changes signified the first attempt at centralizing the communication of the fur trade within what would become British Columbia. The main center of operations would be based in the HBC pacific forts along the Columbia. Unfortunately, Fort Langley, due to the hazardous Fraser River, was not chosen as the main fort of the pacific. Rather, Fort Vancouver in what is now Washington State became the supply depot and Fort Colville became the administrative center.

When the Oregon Boundary Dispute was finalized in the 1840s, mobilized operations north of the 49th parallel and made Fort Victoria the administrative centre and supply depot of the HBC’s operations west of the Rockies. Furthermore, to avoid the desertion of HBC employees to American interests, Simpson made a concerted effort to reduce dependency on the Columbia for travel. Fort Langley benefited by a new trail blazed by A.C. Anderson in 1847, connecting Langley to Kamloops via the Coquihalla and Nicola Valleys.

Like many of his contemporaries in the North West and Hudson’s Bay Companies, James McMillan had numerous ‘country wives’ during his tenure with the NWC and HBC before he retired to Scotland. These contracted unions were intended to provide companionship for the traders and to bolster trade alliances with local native populations, ensuring the company a supply of furs. McMillan’s first marriage was to a Métis woman (Josette Beleisle) during his clerkship with the Fort des Prairies Department, which managed a large section of what is now

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49 Annance Island was named after Francois-Noel Annance. According to Peter Gagne, in “French Canadians of the West: A Biographical Dictionary of French-Canadians and French Métis of the Western United States and Canada,”. He was a “Métis who was clerk for the Hudson’s Bay Company. He was the ‘deputy’ of chief factor Archibald McDonald.” 43/672 http://ubc bcmetis.ca/manage kt_bibliography.php?document_id=1353

central Alberta. As was customary at the time, his first marriage was dissolved when he was posted more permanently to the Columbia region. McMillan’s second wife, Marie Letendre, was the daughter of a Canadien engagé and an aboriginal woman. His third country wife, Kilakotah (Marguerite), was the daughter of a sub-chief of the Chinook tribe of Oregon. James McMillan had eight children by his three wives. Several of his descendants were employed by the HBC and assumed prominent positions in Métis society in Red River and elsewhere.

George Stewart Simpson, Métis son of HBC Governor George Simpson, was placed under the guardianship of Marguerite McLaughlin, who was the Métis wife of Chief Factor John McLaughlin, at Fort Vancouver at the age of eight. G. S. Simpson joined the HBC in 1841. He was married to Isabella Yale, the mixed aboriginal daughter of James M. Yale, second in command at Fort Langley, in 1857 at Fort Langley. He rose through the ranks of the HBC and became Chief Trader by 1858. He held the post of Chief Trader at Fort Dunvegan in the Athabasca Division until 1864 when he returned to coast, pre-empting 320 acres of land in the Fraser Valley.

The HBC formally discontinued the practice of traders taking ‘country wives’ in 1824. However, Archibald McDonald, Chief Trader at Fort Langley, continued to manage arranged marriages among local First Nations women and company men, with McDonald explaining that his policy, “had the effect of reconciling them [employees] to the place [Fort Langley] and of removing the inconvenience and…uncertainty of being able to get them year after year replaced from the Columbia”). Employees who were granted permission to obtain a First Nations wife were more likely to renew their contracts at Fort Langley and the company was less burdened with finding replacement employees. However, the HBC did not provide for the resulting mixed aboriginal families, and as a result, employees and their families relied heavily on foods they acquired from the surrounding environment. Fortunately, Fort Langley families benefitted by the proximity of the Fraser River, which provided large amounts of salmon, the regular diet of the fur trade west of the Rockies. The significant inference regarding natural resources and land use during this period is that families living at Fort Langley harvested for sustenance and for personal necessity. Employees and their families feed themselves harvested fish and timber that was harvested and produced to provide personal accommodations.

3.1.3.2 James Douglas and the Establishment of Fort Victoria

Several factors dissuaded the HBC from retaining an expanding role in what would become American territory: economic tariffs, settlement expansion, and corporate-employee relations.

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51 Morag Maclachlin, *ibid*, at 222.
provided justification for relocating the Pacific Depot and headquarters to British-held territory. In anticipation, Fort Vancouver’s Chief Factor, John McLoughlin, sent his assistant James Douglas in 1842 to establish a new base of operations on Vancouver’s Island, and by March of 1843, Fort Victoria was under construction. Once constructed, the fort acted as a centralized location for commanding the HBC’s operations in the pacific.

Once the fort was established and acting in optimal capacity as the supply depot of the pacific, it was the responsibility of the personnel to ensure that the fort was self-sufficient. This required the importation of supplies and employees from established posts within the Columbia. It also required an imposition of control amongst the First Nations of the Island and social stability within the settlement. The Métis were pivotal in achieving the abovementioned goals. Five of the first ten names listed as major land owners in 1855 were identifiable Métis families connected to both BC and the historic Homeland. Additionally, when one extends the search to include the first twenty names, eight patronyms can be identified as Métis and several others may also be likely candidates. There are forty names listed in total. A conservative estimate would suggest that Métis comprised approximately between 16 and 20% of the total population of Victoria prior to 1855. Furthermore, they comprised the upper class of wealthy landowners.

Lacking religious instruction for their growing families, many of the Métis in what would become British Columbia “appealed for help to the head of the district Peter S. Ogden” who in turn “wrote to the clerks under him…to ask the inland servants of the district to contribute” financially to import priests for that purpose. The call for funding was answered by, among others, Jean Baptiste Boucher (Waccan,) William McBean, and P.S. Ogden. The introduction of organized religious missions on the Pacific certainly contributed to the social stability of the company employees. It provided opportunities for church-sanctioned baptisms and marriages to occur, and such events were a significant part of communal interaction.

This relationship was mutually advantageous for the priests, who were provided access and opportunities to convert First Nations. For example, Rev. J. Baptiste Bolduc accompanied James Douglas to Vancouver’s Island when Douglas and his crew established Victoria and held “the holy mysteries in presence of the Hudson’s Bay Company employees and a congregation of 1,200 Indians…baptized 102 children” The Academy was constructed using a similar method to that of the Fort: poteaux-sur-soles. This is significant for several reasons. First, it suggests that

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52 http://bcgenesis.uvic.ca/imageBrowser.htm?image=co_305_06_00270r.jpg
there was a sizeable enough population of Métis to warrant religious instruction and schooling for the Métis children at the Fort. Second, the statement is indicative that the Métis were a distinct segment of the population. They were not White, and they were not First Nations. They identified as Métis.

One of the earliest organized police forces in what would become British Columbia was the Victoria Voltigeurs, “a formally organized native police force...[that] would transform the Indian encampments around Victoria into model villages”\(^{55}\). According to historian Tina Loo, the Victoria Voltigeurs consisted “largely of former fur-trading “French Canadian half-breeds with a taste for sartorial flamboyance” and were a continuation of the “tradition started by their mainland counterpart, Waccan”\(^{56}\).

The fur trade provided the infrastructure that facilitated the movement of goods and people within the Pacific Northwest. These communication networks were maintained and expanded by familial connections. They ensured that even in the remote districts of New Caledonia and Columbia, cultural familiarity was shared locally, regionally, and nationally. Kinship ties were solidified, and communities were tight-knit within the fur trade. Métis were fundamental to the growth and development of policing, and religious expansion throughout the province. These historic Métis of the Pacific Northwest were a distinct and definable aboriginal collective.

### 3.1.4 Current Métis Families Tied to Historic Families

Many of our citizens who we have mapped as harvesting in the project area, belong to families with strong historic ties in B.C.. A few individuals are highlighted below, but are unnamed to protect their identity, with one exception. As noted above, Jean-Baptiste Boucher’s descendants still live in the area today. Several of those descendants are members of the of the Cowichan Valley Métis Association. They are descended from Mr. Boucher’s daughter Ellen (Nellie) Boucher, who was born near Stuart Lake around 1820. Ellen Boucher married Charles Favell (Métis) in the 1850s. Charles Favell was born in 1823 to Thomas Favell and Sally Cree Trout. Thomas Favell was born in 1781 in Rupert’s Land to John Favell and Titameg (Home Guard Cree from York Factory). Their family has been in B.C. since at least 1805. The family remained near Stuart Lake until the 1880s when they moved first to 150 Mile House, and then to Kelowna, B.C. around 1900. From Kelowna, the family moved to Victoria around 1960 and to Campbell River by the mid-1980s.


\(^{56}\) Ibid.
Another descendant of Jean-Baptise Boucher is a member of the Mid Island Metis Nation. He is descendant from Jean-Baptiste Boucher’s granddaughter Emilia (Mary, Amelia) Boucher, who married James Bird. The family remained in the Fort St. James area until approximately the mid-twentieth century, at which time they moved to Wells, B.C., and later to Vancouver Island. This descendant’s ancestors, Emilia Boucher Bird and James Bird are recorded as being the parents on the scrip application of Marion Carruthers (nee Bird). Marion Carruthers was residing in Golden, B.C. at the time of her application. Given that land scrip was never issued by British Columbia, she was forced to relocate to Alberta.

In addition to recording the distinct Métis relationship patterns that were in existence within the Pacific, the Catholic registries also provide insight into the mobility of the Métis within what would become British Columbia. For example, the presence of two Boucher women in the Columbia is revealing and significant because, despite being useful, their father was not a senior official or officer within the Hudson’s Bay corporate structure, nor was he posted to the Pacific coast. In other words, mobility was not conditional on status or corporate rank.

One member of the Fraser Valley Métis Association, was an ancestor to Joseph Demarais, the Métis child of Francois Desmarais and Marie de la tribu des Sauteaux. The family resided in Red River until 1901 when they moved west, settling in the lower mainland. His ancestor’s participated at the Battle of Seven Oaks, and provided evidence within the Coltman Report of 1818.

Gary Biggar, is an elected official with the Métis Nation BC, our Minister of Natural Resources, and a member of the Nova Métis Heritage Association. His Grandfather was Ambrose Theodor St. Germain, who arrived in B.C. via Alberta around the mid-1950s. Minister Biggar descends from Pierre St. Germain, who was the interpreter and hunter of the first Franklin Expedition. In addition, Minister Biggar is a descendant of Cuthbert Grant Jr. (Métis), the “Warden of the Pines” and Chief of the Half-breeds. Grant was a key figure in the Battle of Seven Oaks, the battle in which our national (infinity) flag was flown for the first time 201 years ago (1816). Métis from the Pacific, Thomas McKay and Nicolas Montour Jr., both participated with Grant during the Battle of Seven Oaks. Relatives of Pierre St. Germain were documented in B.C. as early as 1805 (Paul Boucher dit La Malice, who married Francoise St. Germain). Another relative of Pierre St. Germain travelled with James Sinclair from Red River to the Cowlitz Prairie (Washington State) in 1841. Additionally, the two Métis sent by David Thompson to cut a trail were Nicolas Montour Jr. and Jacco Finlay. Finlay’s mother was a Sauteaux woman named St. Germain.
3.2  Contemporary Métis Use of the Study Area

Respondents identified and marked 1,647 harvest sites in the region surrounding the Study Area (Figure 1). In addition to harvesting sites, those interviewed marked 116 overnight and cultural sites including cabins, burial sites, and other overnight sites. These numbers are an incomplete representation of the respondents’ lives on the land for two reasons. Firstly, the recall interval for this UOS was within living memory, and for some questionnaire categories, such as heritage cabins, even longer. As Tobias has demonstrated, it is impossible to fully represent a lifetime of land-use activity during a single map interview session for a single map survey study. Secondly, the Métis harvesters interviewed in this survey represent a fraction of the active harvesters in the area.

Overview Map of Métis Use and Occupancy represents general Métis use in the Study Area based on interview responses. Based on the data collected during these interviews, Métis use is clustered along the shores of the Fraser River, Roberts Bank, Boundary Bay, Delta, and on and around the Gulf Islands (Galiano, Mayne, Saturna, Valdes, Pender, Salt Spring, etc.)
Figure 1: Hodgepodge Map demonstrating Métis Use and Occupancy Sites within the proposed project area.
3.2.1 Extensivity and Intensivity

Map survey data for this UOS demonstrates the extent of Métis respondents’ use and occupancy (extensivity) in the Study Area. Extensivity differs importantly from intensivity in several ways. Where extensitvity aims to capture the “geographic extent of use and occupancy”, intensivity is a “depiction of various measures of the relative importance and value of different areas for use and occupancy”. 57 A map survey designed to document extensivity will not adequately capture intensivity, likewise, a survey designed to capture Métis land-use intensivity will not necessarily accurately reflect the extensivity of the land-use. These different methodological design approaches also extend to the interpretation of UOS data.

The challenge of interpreting extensivity and intensivity of land use is compounded by sample size. Data from a single study alone may indicate areas of high use 58, and other areas that appear to be unused. Combining datasets can help offset limitations in respondent sample size, or in the case of this UOS, help to extend the geographical range of the available data to account for harvesting activity in the study corridor. The ‘blank-spaces’ that appear on a UOS map may be explained by the limitations inherent in the interview questionnaire, or by restricted respondent sample size. While the questionnaire is designed to collect data pertaining to the acquisition of specific resources, it is not exhaustive. The questionnaire employed for this UOS does not capture travel routes, for instance, and does not capture the use of land for recreational purposes in cases where no resources were harvested.

Often, Métis families have specific harvesting areas. Although other Métis harvesters may know these areas, unless members of that family are recruited to participate in the UOS, this use and occupancy will not be represented in the dataset. The lack of overlap in study sample populations

57 Terry Tobias states:

Intensity mapping demands exceptional attention to methodology for three reasons: (1) difficult technical challenges; (2) research contexts in which findings regarding relative value of land can play pivotal roles in communities’ access to resources; and (3) an inclination by some external audiences to incorrectly assume that a single measure can reflect value of land to a culture. Practitioners of intensivity mapping have an ethical obligation to do everything possible to safeguard against misinterpretation of the findings, and to ensure that the community’s interpretation of findings plays a prominent role in the development of policy decisions.


58 High-use refers to (1) numbers: several respondents use the area for harvesting and for cultural purposes; (2) variety: within this group, individual respondents use the land to harvest several different resources; (3) frequency: individual respondents frequently return to use the area.
results in an assembly of datasets that reflect the harvesting patterns of particular kinship networks, rather than the broader Métis population. ‘Blank-areas’ should be scrutinized carefully, especially those surrounded by use and occupancy sites, as these areas are likely also in use by Métis families. At the very least, these ‘blank-areas’ indicate that the UOS dataset is incomplete. These ‘blank-areas’ merit further investigation before determining their use status.

While informative, UOSs of this minute scale are merely suggestive of the extensivity and intensivity of Métis land use in a given region.

3.2.2 Activities on the Land

Respondents interviewed for this UOS were actively engaged in land- and marine-based activities, including harvesting of food, as they felt it was important to harvest their own food for a variety of reasons. When trying to understand the reasons why Métis say harvesting their own food is important, it is important to look at the matter in terms of the Métis conceptualization of health and wellness. The Métis understanding of health is different from biomedical models, which often describe health as an absence of disease. For Métis people, the idea of health and wellness is derived from the Cree miyopimatisiwin, which means living well, or being alive well. Miyopimatisiwin is a way of life; in fact it is the Métis way of life. The Métis harvest their own food because they need the sustenance that the food provides, and harvesting their own food is less expensive than buying it. Métis report a higher rate of obesity, heart disease and diabetes than the general population. Harvesting their own food helps cut down on the intake of food that is high in calories, and low on nutrients and also contain a lot of fat and sugar. Métis also appreciate the natural quality of harvested foods. This is closely related to health, but also captures ideas about tradition, purity or organic virtues, and nutritional value, and warrants a separate acknowledgement. Métis also like the taste of harvested food compared to the taste of food bought in stores. The activities surrounding the harvesting of food, including scouting, searching, and tracking, is also something that Métis enjoy that they would not get by simply buying food in a store.

3.3 Access to Harvested Foods

While it is clear that many Métis prefer to harvest their own food rather than buy it, this is not always possible. One of the main obstacles to Métis harvesting their own food is government-set hunting restrictions. This obstacle is even more difficult for Métis harvester because they are not only harvesting for themselves, they are harvesting for their immediate families, as well as their extended or adopted families. Able-bodied harvesters are obligated to provides for elderly, youth, and children, and some are even providing for two or three families in a year. Métis
harvesters are also willing to travel hundreds of kilometers away to acquire the most valued types of meat. That is why Métis families rely on prolific harvesters to provide for many in their community, and why kinship networks are so important for their well-being.

### 3.3.1 Harvest by Species

The respondents interviewed for this study harvested a number of different species for sustenance, including deer, beaver and muskrat. Respondents also identified birds and aquatic species as important sources of food. Figure 4 represents the distribution of harvest sites in categories of animal or material types: aquatic species, birds, mammals, and plant, wood and earth materials.

Of the 1,647 harvest sites recorded during the mapping interviews, 61% (1,003) are represented by aquatic species harvesting sites, 4% (71) are mammal harvest sites, and 25% (410) represent bird harvest sites. Gathering-sites for plants, woods and earth materials account for the final 10% (163).
3.3.3.1 Animals

3.3.3.1.1 Aquatic Species

During the mapping interviews, respondents were asked to mark sites where they had killed a variety of fish to feed themselves, their families and their communities. There are a variety of species that makes up the fish and marine invertebrate kill sites: salmon (34%), trout (7%), cod (7%), ooligan (3%), clam (4%), crab (36%), prawn or shrimp (2%), and oysters (3%) (Figure 2). ‘Other’ captures species whose kill sites number less than 1% of the total kill sites, comprising of sea cucumber, flatfish, herring, kokanee, mussels, octopus or squid.

Figure 2: Percentages of each aquatic species harvested in the proposed project area.

Figure 3 indicates Métis harvesting activity in the Study Area for aquatic species. It should be noted that while each point represents a spot where respondents have killed fish, or marine invertebrates, in many cases the respondents have killed more than one fish (usually several) in a single spot. This is particularly true of favorite fishing locations where individual respondents would return to the same spot over the course of a lifetime.

Métis harvesters documented numerous kill sites for aquatic species. Respondents recorded, Strait, along Galiano Island, through Porlier Pass, Ladysmith Harbour, and off the southwest shores of Pender and Salt Spring Islands.
Figure 3: Aquatic species harvest site map.
### 3.3.3.1.2 Mammals

The Métis harvesters reported numerous mammal kill sites around the study area and in the surrounding regions. Deer kill sites were the most numerous of the recorded mammal harvest sites, nearly ten times as numerous as the next species. Black bear, muskrat and beaver were also recorded among mammal kill sites, but to a much lesser extent (Figure 4).

![Pie chart showing percentages of each mammal harvested.](image)

**Figure 4:** Percentages of each mammal harvested in the proposed project area.

Figure 5 represents the distribution of mammal harvest sites reported in the Study Area. Mammal harvest sites are clustered in the study area.
Figure 5: Mammal harvest site map.
3.3.3.1.3 Birds

Harvesters in the Study Area recorded 410 harvest sites for various bird species. Figure 6 represents the relative distribution of reported bird kill sites by species class. Duck kills account for 78% of all bird harvest, followed by Geese (12%), Grouse (3%), and Pheasant or Quail (2%). Figure 7 represents the distribution of bird harvest sites in the Study Area. Birds are often harvested incidentally to bigger game or other desirable species, thus it is unsurprising that many of the bird harvest areas overlap with mammal and aquatic species harvest sites.

![Pie chart showing the percentage of each bird harvested in the proposed project area.](image)

Figure 6: Percentages of each bird harvested in the proposed project area.
Figure 7: Bird harvest site map.
3.3.3.2 Plants, Wood and Earth Materials

The class of *Plants, Wood, and Earth Materials* is divided into lines of inquiry pertaining to the gathering of berries, food plants, medicinal or ceremonial plants, specialty wood, firewood, earth materials and drinking water. Figure 8 represents the distribution of harvesting sites for these materials.

3.3.3.2.1 Berries
Métis harvesters interviewed have identified gathering sites for a number of berry types. The respondents interviewed thus far have been mostly men, who tend to do far less gathering than Métis women.

3.3.3.2.2 Food Plants
Métis harvesters interviewed have identified gathering sites for a number of food plant types. The respondents interviewed thus far have been mostly men, who tend to do far less gathering than Métis women.

3.3.3.2.3 Medicine Plants and Ceremony Plants
Métis harvesters interviewed have identified gathering sites for a number of medicine plant types. The respondents interviewed thus far have been mostly men, who tend to do far less gathering than Métis women.

3.3.3.2.4 Specialty Wood
Métis harvesters collect willow for use as walking sticks and other carvings, and yew for longbows and carving. Other examples of specialty wood include cedar for making “root cellars” and canoes, and birch for making hats, canoes, drums, bowls, furniture, and moose calls; willow for fabricating chairs and making whistle, pine for furniture, and cottonwood for carving.
Figure 8: Plants, Wood and Earth Materials harvest site map.
3.3.3.2.5 Firewood

For this UOS, firewood is the most harvested resource among plant, wood, and earth materials. The Multilateral Report notes,

> A resource often overlooked is the use of wood for fuel and heating. Many Métis families have annual incomes that necessitate the use of wood for heating their homes. The Northeast B.C., Kootenay, North Central B.C., and Thompson/Okanagan consumes 5.69, 5.01, 4.70, 4.28 cords of wood per year, respectively, whereas the Lower Mainland consumes the least at 1.61 cords per year.\(^5^9\)

As with the resources in this UOS, the number of firewood harvest sites is not indicative of the quantity of wood obtained.

3.3.3.2.6 Earth Materials

The category of harvested earth materials includes rocks and soil. Métis harvesters interviewed identified rocks for use in saunas, obsidian for keepsakes, black-shale for a fire-pit, rocks for retaining walls and landscaping, peat for gardens, mud for medicinal purposes, soil for gardens, rocks for spiritual or ceremonial purposes, and sun-bleached bones for carving. The respondents interviewed for this UOS indicated 20 earth material collection sites.

3.3.3.2.7 Drinking Water

Drinking water collection sites are often associated with gathering places, temporary overnight sites (e.g., tenting sites), and harvesting activities such as fishing. Respondents for this UOS identified two drinking water collection sites near Delta.

3.4 Cultural Sites

Cultural sites may include Métis birth sites, burial sites, death sites, settlements, gathering places, and protection sites. Gathering places are generally associated with overnight sites, as Métis will meet in a location on a semi-regular basis to hunt and gather or for cultural/spiritual purposes. These gathering places are important sites for solidifying, maintaining, and developing Métis kinship networks. Figure 9 is a map representing the location of each cultural and overnight site for this UOS. Overnight sites include cabins (both abandoned and in-use), tents, boats, and other overnight sites. This final category serves as a catchall class to describe locations where

\(^5^9\) At 21.
respondents stayed overnight in a truck, camper, lean-too, or other temporary structure during a harvesting trip. Respondents identified eight cabins, 37 overnight boat sites, and two other overnight sites.

3.4.1 Death, Birth and Burial Sites

Respondents identified burial sites and seven ‘other cultural sites’ in the regions surrounding the Study Area.

Figure 9: Cultural and overnight sites overview map.
3.4.2 Métis Settlements

Métis settlements are places where Métis families have resided together for several years, often with historical connections to Métis communities. As part of the interview, respondents are asked to identify the location of any known contemporary or historical Métis settlements, the families who lived therein, the length of occupancy of the site, how long ago it was occupied, and any Métis place names that may be affiliated with the site. Fort Langley and Fort Victoria were key Métis settlements on either side of the proposed project, with the Fraser River being an important travel route between.

3.4.3 Cabins

Respondents were asked to identify the location of different types of Métis cabins, including heritage cabins, abandoned cabins, current-use cabins, log cabins, canvas-roof cabins, and frame cabins. Métis harvesters interviewed for this UOS identified eight cabins, and 2 other temporary overnight sites in the regions surrounding the proposed terminal.

3.4.4 Gathering Places

Métis mainly harvest for sustenance and social reasons (i.e. food for extended family, others, or for cultural/social gatherings). In keeping with the social nature of harvesting, the Métis often gather in one location to harvest resources collectively. Respondents for this UOS indicated seven cultural sites.

The use in and around gathering places indicates that these sites are important to Métis kinship networks, especially during hunting season. Some of these sites are limited in their use to one Métis family. Sometimes, however, gathering places are sites where multiple families come together on a regular basis in order to harvest and socialize.
3.4.5 Temporary Overnight Sites

Temporary overnight sites mark locations where respondents stayed in vehicles, boats, lean-tos or other structures while on a harvesting trip. Where these sites are marked beside or in gathering places, they may indicate a repetitive use of the land. Respondents for this UOS marked 39 temporary overnight sites, primarily overnight boat trips.

4 Areas of Concern

Métis are using the land extensively for traditional activities around the Roberts Bank Terminal 2 Study Area. This use depends on the integrity of several valued components for subsistence and for cultural purposes. In this section, the potential impacts and sites of concern are identified and accompanied by recommendations.

4.1 Identifying Areas of Concern

The data presented in this assessment is a conservative estimate of Métis use in the area surrounding the proposed Terminal 2, given the small study sample size.

4.2 Assessment of Anticipated Site-Specific Project Effects

Several harvest sites recorded for this UOS intersect directly with the proposed Terminal 2 project area. These features include salmon, crab, and oyster kill sites, as well as firewood harvest sites. In the nearby surrounding area, Métis harvesters also documented bird kill sites. Figure 10 represents the area surrounding the proposed Roberts Bank Terminal 2 project site in greater detail.

As discussed in the preceding pages, limitations inherent in this type of UOS and in the size of the respondent sample allow for only a conservative representation of Métis use of the land in the study area. Areas that appear to be devoid of harvest data warrant further investigation, particularly if they are nearby other areas of extensive Métis harvest activity.
Figure 10: Detailed hodgepodge map showing all documented harvest sites within the Roberts Bank Terminal 2 proposed project area
5 Conclusion

Métis have used and continue to use the area in and around the proposed Roberts Bank Terminal 2 Project Study Area for traditional harvesting activities. The small sample size of this UOS limits the representation of Métis use and occupancy, and is cautiously suggestive of the extent of Métis use in the Study Area. As a result, the estimated potential impact of the construction of Terminal 2 on Métis harvesting activities and traditional practices is conservative. Although the respondents in this study have documented over 1,647 harvest sites, this data only represents the marine and land activities of 23 Métis harvesters. Many more use and occupancy interviews are required to accurately represent the interests and activities of the Métis in this area.

The aim of this UOS is to convey the value and importance of harvested resources and harvesting activities in the maintenance and continuance of the Métis way of life. The endangerment or destruction of harvest resources threatens Métis subsistence practices, and given the communal nature of Métis resource distribution, its impact is potentially widespread throughout the Métis community. Métis Nation British Columbia and the British Columbia Métis Assembly of Natural Resources seek to protect the traditional and substantive resource base that supports the cultural and harvesting activities of the Métis people.