

First Nations Use and Culture Baseline Study Report

- Great Sand Hills Regional Environmental Study -



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Research report prepared for the Great Sand Hills Scientific Advisory Committee
under contribution agreement between
the University of Regina and the University of Saskatchewan

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1.0 Introduction

On 27 January 2005, the Government of Saskatchewan announced the formation of an independent Scientific Advisory Committee (SAC) to oversee the Great Sand Hills Regional Environmental Study (GSH RES) (Fig. 1). The overall purpose of the GSH RES is to create a plan that will protect the environment and integrity of the GSH, while informing an appropriate direction in relation various economic developments including: oil and gas development; ranching and grazing activities; tourism and recreation; and transportation.

The RES consists of three major components: a baseline study, impact assessment, and sustainability scenario analysis. The purpose of a baseline study component is to provide information to facilitate the identification and evaluation of trends and environmental impacts from past and present developments and activities, and serves as a basis for identifying and characterizing the impacts associated with future planning and development. In this sense the baseline study serves the primary purpose of issues scoping and establishing current natural, social, and economic conditions in the GSH RES study area. The baseline phase of the RES consists of 15 baseline studies, each addressing a key indicator resource (KIR) of concern for the study area. Included amongst the baseline study components is the First Nations Use and Culture Baseline Study.

1.1 Study purpose

The purpose of the First Nation's Use and Culture Baseline Study is to develop an understanding of current and historic First Nations land uses and interests in the GSH area. This information will be part of the GSH RES and is intended to:

- identify those important issues and parameters of First Nations use and culture that should be addressed in impact assessment, analysis and planning of future land uses and activities in the GSH region;
- focus the assessment on relevant issues and concerns and ensure appropriate First Nations participation early in the RES; and,
- ensure that the relevant information is available to the SAC to maximize information quality for decision making purposes.

The baseline study was conducted with the assistance of various First Nations members, researchers, and governments. The study adopted an open scoping process based on First Nations' research involvement in data collection, knowledge sharing, and consultation¹. Data were collected using interviews, focus groups, historical records and documentation including treaty land entitlements.

¹ Neither this research nor consultation with First Nations as part of this research constitutes the Government of Saskatchewan's legal 'duty to consult.'

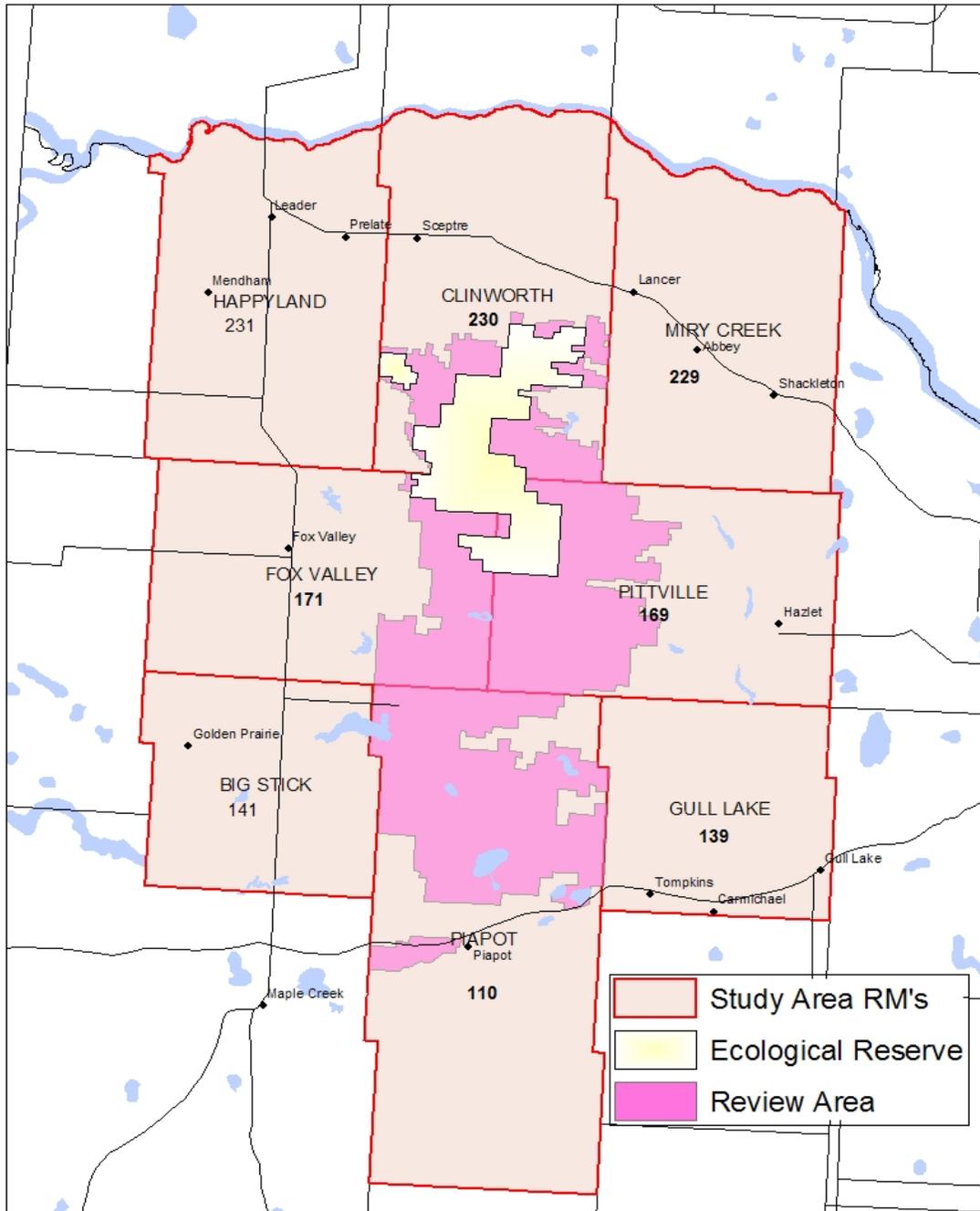


Figure 1. Great Sand Hills Regional Environmental Study Review Area

2.0 Context and Study Area

The core study area for First Nations Use and Culture Baseline study focused on the GSH proper and its respective First Nations interests – Treaty 4, Treaty 6, and Treaty 7 (Fig. 2). Many interpretations of the GSH exist, including, for example, *Acoheci* (soft sand or moving hills), *Naa-gwuh tih nuhng* (moving sand hills), and *Wah-he-youh-a-taskway-yak* (far away brush and sand). The GSH area is of historic, contemporary, and future cultural, spiritual, and economic significance to many First Nations. The area itself is considered to be the traditional territory of the Blackfoot Confederacy of Alberta and the Saskatchewan Treaty 4 First Nations, and is of significant importance to Treaty 6 and numerous other First Nations groups in Saskatchewan and North Dakota.



Figure 2. GSH RES First Nations baseline study treaty areas.

2.1 Saskatchewan Treaty Four First Nations

At least part of the GSH region itself lies within the area covered by the Qu'Appelle Treaty (Treaty 4), signed in 1874, with several adhesions. The area is currently represented by the File Hills Qu'Appelle Tribal Council, which has as members eleven First Nations from the Treaty 4 area. Most of these First Nations have reserves in the south eastern part of the province. Currently, there are a total of 36 signatories to Treaty 4, including 29 First Nations from Saskatchewan and 7 from Manitoba, consisting of Cree, Saulteaux, Sioux, and Assiniboine. The Treaty 4 region is 19,229,405 ha, covering a large part of southern Saskatchewan and extending into both southern Alberta and western Manitoba.

That being said, treaty boundaries remain an issue of dispute. The Office of the Treaty Commissioner places the issue in some contention, as it marks the boundary between Treaties 4 and 6 as uncertain on its maps. The southern boundary of Treaty 6 in the area follows the south branch of the Saskatchewan River until it meets the Treaty 4 boundary, which then it follows. However, the Treaty 4 boundary in this area is more ambiguous with some maps placing the area of Saskatchewan south of the South Saskatchewan River as Treaty 4, whereas others allocate a portion of the land along the western edge of present-day Saskatchewan to Treaty 7. The text of Treaty 4 locates its boundary as proceeding from where the valley of the west branch of the Qu'Appelle meets the South Saskatchewan, following "along and including said River to the mouth of Maple Creek, thence along said Creek, to a point opposite the Cypress Hills, thence due South to the Boundary Line." The text of Treaty 7 simply states that the boundary follows that of Treaties 6 and 4, without the exact position of those boundaries. It is unclear where the Treaty 4 boundary follows from the South Saskatchewan to Big Stick Lake. Potentially, a portion of the GSH could fall within Treaty 7 territory, of which the Blackfoot of Alberta are signatories.

Only the Nekaneet First Nation has a reserve near the GSH, located 121 km. south west of Swift Current, and occupying 5,602 hectares of land. Through its Treaty Land Entitlement (TLE) negotiations, the Nekaneet First Nation was able to increase its land base by approximately 28,000 acres, which were purchased around the Maple Creek area. The total Registered population of the Nekaneet First Nation is 409 people, of which approximately 50% live off the reserve.

2.2 Saskatchewan Treaty Six First Nations

Treaty 6 was first signed in 1876 at Ft. Carlton, then Ft. Pitt, by bands of the Plains Cree, Woodland Cree, and Assiniboine. Currently, 30 First Nations are members of Treaty 6, plus two additional First Nations (Shell Lake and Red Earth) that are located within the Treaty 6 area but adhere to Treaty 5. Several Treaty 6 First Nations from the Battleford Tribal Council and the Saskatoon Tribal Council have an interest in the GSH area. A number of Treaty 6 First Nations members either hunt or continue to hunt in the GSH, others have historical connections to the region, and there also exists considerable interest in TLE selections for gas development opportunities. The Treaty 6 area covers 29,866,812 ha and extends across central Saskatchewan and Alberta.

2.3 Alberta Treaty Seven First Nations

Treaty 7 was negotiated with the Blackfoot Confederacy (Niitsitapii) in 1877. Included amongst its signatories were the tribes of the Blackfoot Confederacy, (Siksika Nation (Blackfoot), Piikani Nation (Piegan), and Kainaiwa Nation (Blood)), the Tsuu T'ina (Sarcee), and the Stoney (Bears paw, Chiniki, and Wesley/ Goodstoney). Although the Blackfoot live primarily in Montana and in the Treaty 7 area of southern Alberta, preliminary literature reviews and discussions with various archaeological and anthropological experts on the Blackfoot Confederacy (Niitsitapii) suggested that the GSH formed part of the Blackfoot's traditional territory and currently hold a significant place in their belief system. This belief system is also reported to be held by the Tsuu T'ina (Sarcee). The Treaty 7 area encompasses approximately 10,750,242 in southern Alberta.

3.0 First Nations Use and Culture Baseline Study Design

The original study design was structured according to five phases. In the first phase the intent was to undertake a document review and baseline interviews, identify First Nations interests, and then negotiate research protocols with those First Nations to be involved in the study. In phase two, the intent was to document First Nations use and areas of significance in the GSH. Phase three would document First Nations perceptions of the impacts of development on use and culture. Phase four would focus on governance issues, documenting perspectives on current management structure and practices. The final phase would synthesize these issues, identifying key components and recommendations, and preparing the baseline study report.

However, the initial research plan was not possible due to a number of factors, namely:

- the nature in which the early scoping phases of the study unfolded, rendering baseline interviews with First Nations to establish interest in the study area not possible until August 2005;
- difficulty in negotiating research protocols due, in large part, to political agendas and confusion of the independent baseline study with the Government of Saskatchewan's 'duty to consult'; and,
- differences in cultural understandings and interpretation of the nature of the study area and of the Great Sand Hills natural environment.

To address research delays and complications, the research plan was amended to simultaneously assess land use and cultural significance in the GSH, concerns surrounding development, and governance issues. This allowed for compression of study phases and conformation to data collection approaches as suggested by First Nations participants. Prior to describing the resultant research methods and study participants, the following section describes briefly how the actual research process and baseline study unfolded (Fig. 3).

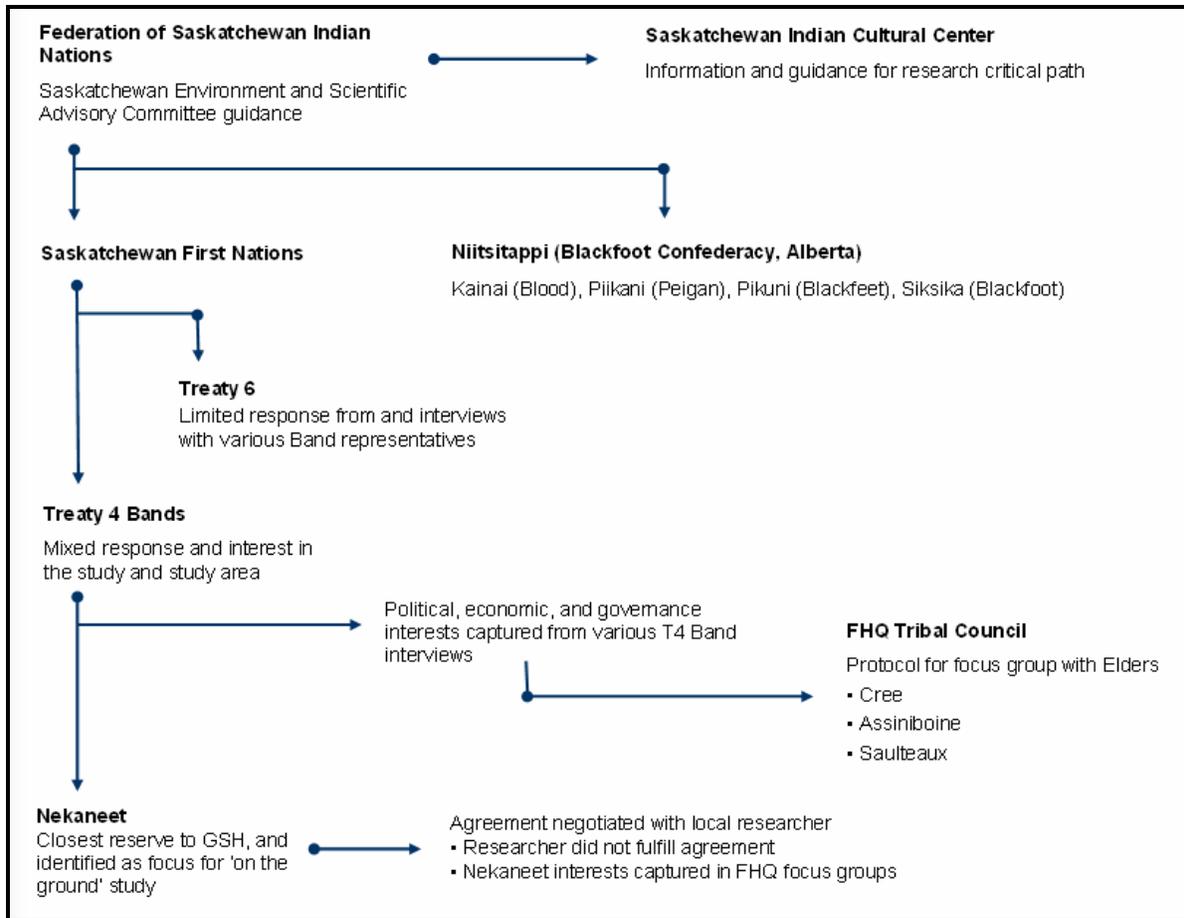


Figure 3. First Nations use and culture baseline study evolution

3.1 Baseline study: scoping process and evolution

3.1.1 Initial consultation and participant scoping

In April 2005 the first, formal component of First Nations involvement in the GSH RES design occurred in the form of an information session involving the Federation of Saskatchewan Indian Nations (FSIN), representatives of Saskatchewan Environment (SE), and a representative of the GSH Scientific Advisory Committee (SAC). At this meeting the proposed nature and scope of the GSH RES was presented to the FSIN, as well as a list of the proposed study participants (Table 1), and an opportunity provided for feedback and guidance. Nekaneet were identified by SE and SAC as the key First Nation, given their relative proximity to the study area, and thus the focus of baseline data on historic and current land use and environmental change.

The key comments and questions that emerged from this session focused on the 'duty to consult' and on the nature of the current moratorium on gas development in the study area. No comments or suggestions were received as to the nature of the study itself or the proposed list of study participants, but concern was noted that First Nations should have been consulted earlier in the study design process and before the Scientific Advisory Committee was formed. The FSIN agreed to offer its support for the GSH RES. Following the meeting all potential participants identified during this phase of the study were sent an information package by Saskatchewan Environment describing the proposed GSH RES (Appendix 1).

Table 1. Preliminary First Nations and Tribal Council participant list provided by Saskatchewan Environment

Saskatchewan First Nations	Blackfoot Confederacy
Red Pheasant First Nation (Treaty 6)	Kainiawa Tribal Government (Blood)
Poundmaker Cree Nation (Treaty 6)	TsuuT'Ina Nation (Sarcee)
Muskeg Lake Cree Nation (Treaty 6)	Siksika Nation (Blackfoot)
Thunderchild First Nation (Treaty 6)	Piikani Nation (Peigan)
Nekaneet First Nation	
Cowessess First Nation	
Piapot First Nation	
Carry the Kettle First Nation	
George Gordon First Nation	
Wood Mountain First Nation	
Yellow Quill First Nation	
Tribal Council	Other Suggested Participants
File Hills Qu'Appelle Tribal Council	Mosquito Grizzly Bear's Head
Battlefords Tribal Council Management Corp.	Swift Current Métis Local
Saskatoon Tribal Council	

After consulting with the Saskatchewan Indian Cultural Centre (SICC) for guidance on research protocol, and after receiving ethics approval from the University of Saskatchewan, Treaty Band Chiefs, Band Offices, and/or Band representatives were contacted from Saskatchewan Treaty 4 and Treaty 6, and from Alberta Treaty 7, as well as the Swift Current Métis Local # 35, Saskatchewan. The purpose was to further refine the initial participant list and to establish which Saskatchewan Aboriginal groups have cultural, historical or economic interests in the GSH region. The Swift Current Métis, based on consultation with community members, chose not to be actively involved in the baseline study.

3.1.2 Blackfoot research protocol

The Blackfoot in the Treaty 7 area of Alberta were identified early in the research process as participants in the baseline study. Contact was made with the former Director of History and Associate Director of the Glenbow Museum, who has engaged in extensive research with these First Nations, to explore appropriate protocols and approaches for research involvement. Interviews were also conducted with a number of anthropologists and archeologists who had done research with members of the Blackfoot Confederacy, as well as with Mr. Narcise Blood, a Blood tribal historian who teaches at Red Crow Community College. While attempts were made to contact members of all four nations represented in the Blackfoot Confederacy as well as the Tsuu T'ina, these were not successful in the time period available. However, a research protocol for involvement was negotiated with the Blood Tribal Government.

3.1.3 Treaty Four and Treaty Six scoping

Treaty 4 and Treaty 6 were the initial focus of research inquiry for Saskatchewan First Nations interests, with the purpose of further scoping interest in the study area and various First Nations connections to the GSH. A number of initial interviews were conducted with Treaty 4 and Treaty 6 members, but in large part either the Band Offices and Band member contacts were unresponsive (see Section 3.2.2) or political agendas hampered the research process. For example, one member of First Nation's Use and Culture Baseline Study was invited to present an overview of the First Nations baseline study at a Treaty 4 gathering in Fort Qu'Appelle, Saskatchewan. This meeting was held in association with Saskatchewan Environment and in what turned out to be a highly politicized setting. As such, the baseline study presentation by the

researcher did not occur. While it was noted at the gathering that the GSH RES was managed by an independent Scientific Advisory Committee, it was noted that Saskatchewan Environment was not bound to accept the independent committee's recommendations. Following this meeting, the GSH RES and First Nations Use and Culture Baseline Study became largely associated with a political process and the Government of Saskatchewan's 'duty to consult.'

3.1.4 Nekaneet research protocol

Given that the Nekaneet First Nation is the only First Nation with a reserve near the GSH study area, Nekaneet was identified as a focal First Nation for on the ground research and detailed study of historic and current land use. Early in the study design, it was found that a consulting company based out of Saskatoon, WestWind Consulting, had previously completed a detailed land use study and several interviews with Nekaneet Elders. The results of the study, however, were never returned to Nekaneet or released for publication due to reported complications in funding arrangements. Several attempts were made to strike an agreement between the GSH RES and West Wind Consulting to access and update the existing data. All attempts were unsuccessful. As such, based on guidance received from the Nekaneet Band Office, a research protocol was negotiated with a local Nekaneet band member to interview Elders concerning land use and environmental change in the GSH study area. The intent was that the interviewer would turn over maps and tapes from the interviews by 15 October 2005. Unfortunately, the interviewer did not fulfill the research agreement and the work was never completed. Multiple attempts were made to contact the researcher through the Nekaneet Band office, the researcher's family members, and through informal community contacts. All efforts were unsuccessful, and Nekaneet involvement was thus limited to preliminary interviews and Elder participation in a series of Treaty 4 focus groups.

3.1.5 FHQ research protocol

Based on close consultation and a negotiated protocol with the FHQ Tribal Council, a series of focus groups with Elders of Treaty 4r Cree, Saulteaux, and Sioux/Assiniboine were organized to discuss issues and impacts of concern in relation to the GSH study area. It is the intent that these focus groups will play a critical role in future impact assessment and land use scenario phases of the RES.

3.2 Research Methods

The research methods adopted for baseline data collection are literature review, interviews, and focus groups. The purpose of the literature review was to establish and summarize previous studies on First Nations land use and areas of cultural or historical significance in the study area. Included in this review are the location and status and TLE lands, and any implications of Treaty negotiations for land use within the area. The review attempted to identify historical land uses within the area for use in subsequent interviews.

In certain cases interviews and focus groups required that a research protocol between the researchers and the First Nation(s) be negotiated. A research protocol goes beyond the concerns of research ethics applications, and addresses issues of partnership, protection and participation. *Partnership* refers to the importance of research outcomes that address issues of relevance to First Nations communities and the mutual sharing of research skills. *Protection* has to do with the protection of First Nations individuals and groups from any negative impacts that might result from the findings of the project being made public. This element goes beyond individual consent to participate in research that is governed by university research ethics considerations. *Participation* has to do with the inclusion of First Nations people in every aspect

of the research process and results. The necessity of negotiating a protocol means that some aspects of the suggested approach to research may change, as the partnership develops. One outcome of the research protocol was the establishment of a group of individuals comprised of academic and First Nations members or researchers who guided the study.

3.2.1 Cross-cultural Treaty Four and Treaty Six interviews

Initial interviews were cross-cultural in focus and attempted to involve a variety of First Nations from Treaty 4, Treaty 6, independent First Nations, and the Swift Current Métis Local. The objective was to gather First Nations perspectives concerning land use in the GSH and its impacts in relation to each of the various GSH RES baseline study components including vegetation, water, biodiversity, social components, economics, and governance. Attempts to contact Council and Band members to gauge their interest in the study, however, and to request an interview, were met with only limited success (**Table 2**). Moreover, due in part to the limited access of First Nations to the GSH area over the past 200 years, it was realized that there was little such detailed and site specific knowledge available for reporting. Attention thus turned to a number of broader issues concerning First Nations use and culture in the GSH, namely:

- type of use, interest in and relationship to the area;
- effects of development on First Nations use and values;
- effects of development on the GSH environment;
- current management;
- First Nations role in management; and
- balance between preservation and development.

Subsequent research with Treaty 4 First Nations depended in large part on the success of negotiations at a 16 September 2005 gathering of Treaty 4 members, and invited guests of Saskatchewan Environment and the GSH Scientific Advisory Committee. As reported earlier, these negotiations were not successful and, due in large part to the association of the baseline study with political relations and responsibilities, further research with individual Treaty 4 First Nations in this capacity was not possible. Efforts turned to organizing focus group sessions with the assistance of researchers from the File Hills Qu'Appelle Tribal Council.

Table 2. Treaty 4 and Treaty 6 cross-cultural participant scoping results

First Nations or Aboriginal organization	# attempts to contact	response or outcome
Saskatoon Tribal Council	8	interview with Tribal Chief
Battlefords Tribal Council	13	no success
Muskeg Lake Cree Nation	7	interview with Lands Manager
Red Pheasant First Nation	13	interview with consultant
Thunderchild First Nation	7	interview with Lands Resource Staff
Nekaneet First Nation	22	contracted local researcher
Carry the Kettle First Nation	13	meeting with Chief, no success
Cowessess First Nation	11	no success
George Gordon First Nation	9	meeting with Chief and Council
Piapot First Nation	5	no success
Wood Mountain First Nation	3	response, no interest in participating
Yellow Quill First Nation	9	no success
Mosquito Grizzly Bear's Head First Nation	6	interview with consultant
Swift Current Métis Local	1	response, no interest in participating

3.2.2 Blackfoot Confederacy interviews

Interviews with members of the Blackfoot Confederacy were primarily limited to the Kainai (Blood) First Nation (Table 3). This was due to a number of factors. A member of the Piikani Nation (Peigan) expressed interest in participating, but the First Nation experienced a change in government at the time this baseline study was taking place, making it impossible to finalize arrangements for the research to proceed. The researchers made numerous attempts to contact the Tsuu T'Ina, Pikuni and Siksika First Nations without success. Under the direction of Annabel Crop Eared Wolf, interviews with fourteen Blood elders were conducted by members of the Blood First Nation, and these interviews were translated and transcribed as agreed upon in the protocol between the researchers and the Blood Tribe Tribal Government. A University of Saskatchewan research assistant was also able to conduct interviews with one Siksika and one Sarcee elder in Calgary, as well as three academic researchers knowledgeable about these issues.

Table 3. Blackfoot Confederacy participant scoping results

First Nations or Aboriginal organization	# attempts to contact	response or outcome
Kainiawa Tribal Government (Blood)	20	negotiated research protocol, interviews with elders
Siksika Nations (Blackfoot)	6	interview with elder
Pikuni Nations (Blackfeet)	5	no success
Piikani Nation (Piegan)	4	no success due to elections
TsuuT'Ina Nation (Sarcee)	4	interview with elder

Questions administered during the interviews with Blood elders focused on five major themes, namely:

- nature and current understanding of the Great Sand Hills;
- significance of the Great Sand Hills;
- Blood's past and present use of the Great Sand Hills;
- nature of land use and development in the Great Sand Hills; and
- Blood involvement in management and decision making concerning the Great Sand Hills.

Elders gave oral consent for their transcripts to be used for this study. A copy of the Blood portion of the report was sent to the Blood Tribal Government for their information.

3.2.3 Treaty Four focus groups

Three focus groups with elders of Treaty 4 Cree, Saulteaux, and Sioux/Assiniboine were organized to discuss issues and impacts of concern in relation to the GSH study area². The focus groups were held over a period of three days, with one day per cultural/language group. Each focus group was preceded by a meeting between the elders and Treaty 4 staff so as to explain the nature and intent of the focus group and of the GSH RES. Interpreters were on site for simultaneous translation, and dialogues were transcribed by a Treaty 4 staff member and communicated to the researchers after screening for culturally sensitive information.

² Prior to successful arrangement of the focus groups, nine unreturned telephone calls or messages were placed to the File Hills Qu'Appelle Tribal Council.

The focus groups were organized by the FHQ Tribal Council (Appendix 2). A research protocol was established where by the Tribal Council was responsible for:

- organizing the focus groups with the Treaty 4 First Nations;
- organizing a pre-session to explain the project to participants;
- arranging for the focus group conversations to be transcribed; and
- arranging for the dissemination of the summary report prepared by the researchers.

The University of Saskatchewan research team was responsible for:

- conducting the focus group sessions and synthesize the results;
- drafting the First Nations Use and Culture baseline report;
- providing a copy to the File Hills Qu'Appelle Tribal Council of the part of the report that addresses the Treaty 4 focus groups;
- incorporating feedback into the final version of the report; and
- arranging to return the original data to the community at the completion of the research.

In total, 33 individuals from across a number of Saskatchewan Treaty 4 First Nations attended the focus groups (Table 4). Based on consultation with FHQ Tribal Council, three principle themes were posed at the focus groups for discussion:

- historical and present significance and use of the GSH for First Nations people;
- whether First Nations have some knowledge about the effects of economic development on the GSH, and what their views are; and
- First Nations views on how they and their interests should be involved in managing the GSH.

Focus group participants requested that the researchers present them with the report before it was released to the SAC. The FHQ Tribal Council organized another round of three focus groups for the 11th, 12th, and 13th April, 2006. The elders also requested that ceremonies be held on the land at the GSH to seek guidance before the report was released. Pipe and sweat ceremonies were held on the 3rd, 4th and 5th of May, 2006, and the elders subsequently agreed to have the report released and to be involved in the next phases of the research.

Table 4. Treaty 4 First Nation participants

Cowessess First Nation	Cote First Nation	Carry the Kettle First Nation
Kahkewistahaw First Nation	Daystar First Nation	Standing Buffalo First Nation
Kawacatoose First Nation	Fishing Lake First Nation	Whitebear First Nation
Little Black Bear First Nation	Gordon First Nation	
Nekaneet First Nation	Kinistin First Nation	
Ochapowace First Nation	Muscowpetung First Nation	
Okanese First Nation	Pasqua First Nation	
Peepeekisis First Nation		
Piapot First Nation		
Starblanket First Nation		
Sakimay First Nation		

5.0 Historic First Nations Use of the Great Sand Hills

Elders from the Treaty 4, 6 and 7 areas indicated that the Great Sand Hills had significance for many First Nations peoples.

There are many First Nations that took part in the Sand Hills. I hear many elders speaking of bands or chiefs that took part in that area and that it was a neutral ground. I have many relatives that speak of the sand hills as a neutral territory. They prayed there, buried their dead there. There were medicine rings, tipi rings. There are all sorts of Indian things that were done a long time ago in that area. (Treaty 4 Focus Group Participant)

It is not sand hills, it is a land that is alive, that moves. To you a cactus is a cactus. To us a cactus is a protection, one of the elements that we use. That cactus comes alive in the spirit world and protects our homes. What I am trying to describe to you is how you see it. We cannot be studied like animals, we are not animals. You can't describe how we feel. The best way is to take some of our spiritual people there to get the feel of the land so the land can talk to them. Turtles come from there. To you it is just an animal. You study it, [and] flip it upside down. Our study is different. (Treaty 4 Focus Group Participant)

Back then it was a place where they hunted, and like the Cree we too fished and things like that. We used, roots for medicine (Elder Rosie Red Crow, Treaty 7).

In order to understand the Great Sand Hills and what the laws of nature are in the Great Sand Hills and the ceremonies that have to take place within the boundaries of the Great Sand Hills. There are burial grounds out there. There are certain areas that are used for healing. Certain areas... ceremonial areas that were used a long time ago.They have to respect the laws of the land of the Great Sand Hills. The Great Sand Hills has its own laws. When you go on the boundaries of the Great Sand Hills make sure you understand that. It is a whole different world when you go in there. You don't want to just drive in there and walk in there, ride in there...you have to go in there prepared to meet its talents (Treaty 6 representative).

Historically, a number of First Nations in what are now Alberta and Saskatchewan, as well as First Nations from the United States, used areas around the GSH. While these First Nations do not currently use the area for traditional hunting activities, for example, there do remain spiritual and cultural uses, as well as newly developing economic interests. The TLE process negotiated between the Federation of Saskatchewan Indian Nations (FSIN), Saskatchewan, and Canada, allows First Nations to select additional lands for cultural, historical, and economic purposes. There is also evidence that the GSH continue to be important in the cultural worldview of the First Nations of the Blackfoot Confederacy, currently settled in Alberta.

It is beyond the scope of this baseline study to provide an in-depth summary of archeological and historical evidence of First Nations use and occupation of the Great Sand Hills; however some background is important to provide a context for the material presented in the interviews. Even more importantly, the available materials suggest the importance of a more in-depth study of historic First Nations relationships to this area in order to support First Nation's interests and rights.

5.1 Pre-Treaty Use of the Great Sand Hills

There is considerable archeological evidence of use by historic peoples of the Great Sand Hills. Archeologist Henry Epp's extensive work in and near the Great Sand Hills documents extensive use of the area (1991, 2005, Epp et al 1980, 1983). Epp indicates that:

It is safe to conclude that the Great Sand Hills and their immediate environs indeed were favoured for settlement by past hunting and gathering prehistoric and early historic peoples who inhabited the area. Therefore, the present explanation of the observed site distributional phenomenon is that the Great Sand Hills were preferred for settlement over the surrounding prairies because of the greater variety and, hence, stability of resources found in the sand hills environment. Here the people had ready access to berries and other vegetal foods, to shelter, firewood and to a variety of large game animals, namely Plains Bison, Mule Deer and Antelope the year round. As well, the rough partially treed topography of the Great Sand Hills provided many excellent locations for viewing, stalking, trapping and killing game animals; such locations were rare on the nearly flat prairies surrounding the sand hills environment." (Epp and Townley-Smith 1980:128)

While it is not possible to identify the cultural origins of the original inhabitants of the Great Sand Hills, there is information about more recent use. Various accounts by First Nations and by Europeans suggest that this area was used by a variety of First Nations groups. Epp and Townley-Smith (1980:136) note that:

The tribal affiliations of the prehistoric inhabitants are unknown. At about A.D. 1725 the area was inhabited by Gros Ventres, and they were replaced in the mid 1700s by the Blackfeet, and finally in the 1800s by the Assiniboine and Plains Cree.

Other accounts also suggest changing and overlapping use. Captain John Palliser's maps of what is now Alberta and Saskatchewan showed a number Blood camps in the Great Sand Hills, and Palliser identified this area as Blackfoot territory (1865). However, based on interviews with Plains Cree in the 1930's, anthropologist David Mandelbaum's map of Cree and Assiniboine territory between 1860 and 1870 includes the Great Sand Hills (1979:13). Historian John Milloy's research on the Plains Cree places the Great Sand Hills within Blackfoot territory, with Cree-Blackfoot boundary considerably to the east in 1850, and the Assiniboine boundary considerably south 1990:x). However his map also shows a "Cree Push" into the Great Sand Hills area between 1850 and 1870. It is clear from other accounts that a number of First Nations groups passed through the area regularly during seasonal migrations, raids and battles, and hunting (Ahenakew 1973, Dempsey 1984, Kenedy 1972). For example, Potyandi (1995:21) cites Hudson's Bay employee Isaac Cowie's observations during his service between 1867-74.

According to Cowie, the Cypress Hills fell within Blackfoot territory. The allied Assiniboine, Cree, and Saulteaux visited the Hills at their risk, but visited nonetheless. He said that in 1868 a combined camp of Assiniboine, Cree, Saulteaux, and Métis ventured into the Sandy Hills some twenty miles (30 km) north of the Cypress Hills, which they recognized as Blackfoot territory.

The existing documentation concerning heritage sites confirms extensive First Nations use of the Great Sand Hills area. In his interview for this project, Henry Epp noted that there had not been extensive excavation of sites in the Great Sand Hills. Most artifacts have been identified by amateurs, or when development has occurred. What is significant, though, is that when there has been development (for example the installation of a pipeline) the number of artifacts found has been extensive (Figure 4). In this context, Epp noted:

I would evaluate it in this way: I don't think there is any particular site that has been found in the Great Sand Hills that is a very highly significant aboriginal site. Now, let me follow that with another statement. First I'll give you the reason for that. The reason for that is that the area has been so heavily moved by wind, eolian movement as you would call it in Geography. So much of it that there are very, very few sites that are actually intact and excavatable in the traditional archeological manner. So, my evaluation is, there is no site that I can identify in the Great Sand Hills that is truly significant to aboriginal heritage. However, the sum is sometimes greater than the totality of the parts. And in this particular instance, I would say that the Great Sand Hills themselves form a very important aboriginal heritage site because of the great number of artifacts that have been found there and the significance of their distribution. (Henry Epp Interview. 2005:5-6)

5.2 Post-Treaty Use of the Great Sand Hills

The First Nations that had frequented the Great Sand Hills area historically, continued to use it following the signing of treaties. Treaty 4r was negotiated in 1874, Treaty 6 in 1876, and Treaty 7 was negotiated with the Blackfoot Confederacy in 1877. A number of scholars have noted that by middle of the 1870's the buffalo had almost been exterminated, creating enormous hardship for the plains First Nations. In the winter of 1877-78 a variety of First Nations camped near the Cyprus Hills and the Great Sand Hills where the remains of the buffalo went (Dempsey 1980:103; 1976: 108-109; Tobias 1983). As D'Arcy Jenish describes it:

Crowfoot [Blackfoot chief] and some two thousand followers sought refuge on the edge of the Great Sand Hills. There were Crees and Assiniboines camped south of them, and they too were far removed from their normal winter camp. And still farther south, from the Cypress Hills to the border, there were several thousand fugitive Sioux fled to Canada with the famous Sitting Bull. (Jenish 1999:139)

Tobias (1983:527) reports that soon after taking treaty, Cree Chiefs Piapot and Little Pine, and ten other bands including most of the Assiniboine nation selected reserve sites contiguous to each other north east of Fort Walsh. According to Tobias (1983:527-8):

If all these reserve sites were granted, and if Big Bear were to take treaty and settle in the Cypress Hills, the result would be concentration of much of the Cree nation and the creation of an Indian territory that would comprise most of what is now south-western Saskatchewan.

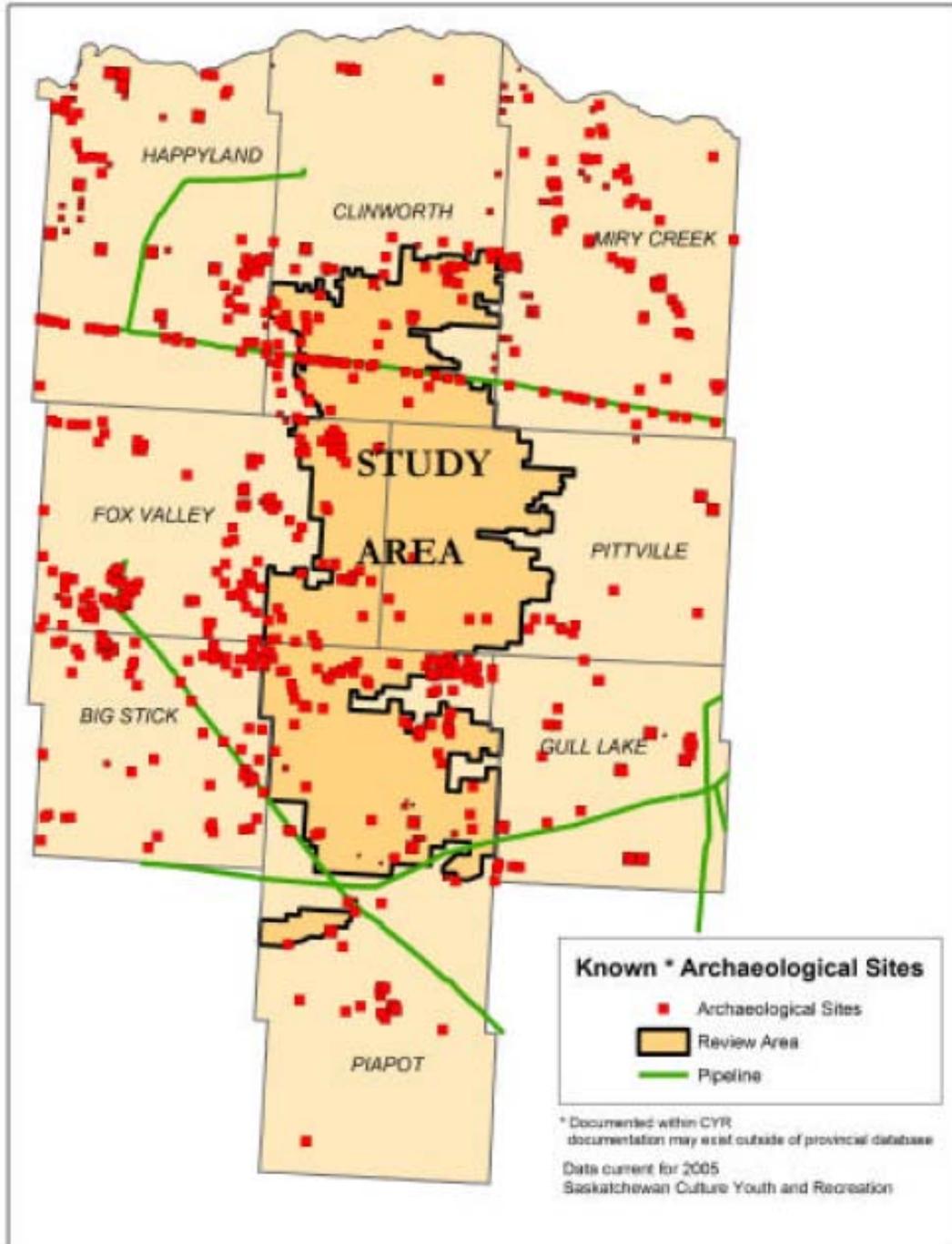


Figure 4. Archaeological sites documented within the GSH RES review area³.
 Map created by Bonnie Galenzoski

³ Within the 8 RMs there are 772 labeled as sites of cultural or archaeological significance; 224 of which occur within the GSH RES review area. Many of these sites fall coincident with pipeline development, such as the Trans-Canada pipeline dissecting the northern part of the review area, and are discovered during development activities. See 'Heritage Resources' baseline study for details.

While some reserves were surveyed in this area in the spring of 1880, Canadian officials soon realized the challenge to their authority posed by the concentration of the Cree and Assiniboine next to the Blackfoot Confederacy to the west and the Sioux to the south. In violation of treaty promises, officials refused to grant reserves on the sites selected by First Nations. Fort Walsh was closed and rations were issued only to First Nations who agreed to move to other areas. In the face of starvation, First Nations were forced to move away from the Cypress and the Great Sand Hills (Tobias 1983).

Only the Nekaneet band stayed in the area. Research by the Department of Indian Affairs and by the Treaty Research Division of the Federation of Saskatchewan Indians Nations (FSIN) in 1968 supported the conclusion that the Nekaneet Band was a signatory to Treaty 4. Treaty payments were received by Nekaneet ancestors for eight years following the signing of Treaty 4. The last payment made to them was in 1882. Their chief, Foremost Man had been promised a reserve in the area for his band in 1881 and 1884. This request was subsequently denied, and the government refused to pay Treaty entitlement after 1881-82 in order to force the band to move from the Cypress Hills area. Foremost Man refused to move. The government until 1968, refused to recognize their treaty status and the right to treaty entitlement. On April 13, 1976, Nekaneet Band members received their first Treaty payment since 1882 (Saskatchewan Indian 1975). In the Treaty 4 focus groups, Nekaneet elders emphasized that they continued to use the Great Sand Hills for gathering food and medicines, for ceremonies and for hunting, although they noted that access was more difficult than it used to be because of fences and private property.

With settlement on reserves and the imposition of the pass system (Barron 1988), other First Nations' access to the Great Sand Hills was drastically curtailed by the early 1890's. This history resonates in First Nations elders' memories. Elders from all of the Treaties mentioned that they had been kept away from the Great Sand Hills.

We went to the Big Sand Hills [in the past]. Now it is difficult for us because of policies and legislations. ...But we were always aware of it. It is in our sights, this area. But you have to understand we were herded onto these reserves; that prevented us from wandering off so that we don't disturb the Sand Dunes (laughs)...So here we are: we were herded off to reserves; there was a real, deliberate attempt at genocide – they would starve people, the policies deliberately speak to that. That's been our legacy (Narcise Blood, Blood historian, Treaty 7)

Back then it was a place where they hunted, and like the Cree we too fished and things like that. We used, roots for medicine. And now we can't go on to the land. We hold those lands dearly, we acknowledge its sacredness and that we reap what we could (meat, roots, etc.) (Elder Rosie Day Rider, Treaty 7)

What the white man takes you can never get back. They said they will keep the wild animals for us. But now we can't hunt like we used to. Now you asked us where those places are. You kept us fenced in like animals. We weren't allowed to go back there. Our grandfathers knew where. We had to sneak to get in there to hunt, get medicines. But we were forced to move from there. You ask about this place. That is good. I cannot say exactly where those ceremonial places are but they are there. All I know is that they did those things there. ... We haven't

been there in a 100 years, how do you expect us to know where the places are.
... You are about 100-130 years too late (Treaty 4 focus group)

It was the government that moved us this way. (Treaty 4 focus group)

Our people were forced to move this way. (Treaty 4 focus group)

Because of the restrictions of the reserve system that we haven't been mobile to go back to these lands for ceremonies. (Treaty 4 focus group)

During the time that we signed treaties until now we have been under the influence and control of the Indian act. There was a time we couldn't leave our reserves without a pass.... The link to this land may have been lost during those times but what these gentlemen are saying is to reconnect we have to contact our spiritual elders. (Treaty 4 focus group)

6.0 Treaty Four First Nations

Be careful of touching these Sand Hills. There is lots of spiritual stuff in there that can hurt you.

We used to be free, go any place. They would keep their horses in the bush. That was their land, all over the place, we lived all over [in the Great Sand Hills]. My old man said there was unfinished business.

We, the Neekaneet people, still use that land.

Treaty 4 First Nations elders indicated that it was good to involve them in considerations about the Great Sand Hills. Many of the elders expressed deep emotions about this area and the loss to their cultures resulting from being unable to use the GSH region. They wondered how the researchers would be able to communicate these emotions using 'ink and paper'. The following sentiment was echoed by a number of participants.

Bringing us (Elders/Historians) together to talk about this place is a good step. It is very, very late in the game, but still a good step. The Great Sand Hills have great spiritual significance for First Nations. There might not be First Nations activities there but that is only because we were banned from going there.

As noted earlier, the method for conducting research with Treaty 4r elders differed from that used with Blood elders. In the focus groups, Treaty 4 elders described how the Great Sand Hills were significant for them, and made recommendations for future development. This forum, however, was not conducive to the kind of storytelling that was part of the research with Blood elders. We cannot conclude on the basis of focus group content that Treaty 4 participants do not have an oral tradition that connects them to the Great Sand Hills. The comments of the following participants were echoed throughout the focus group sessions:

I recommend for First Nations people, that an interpreter to visit these people that heard these stories. You say research...there are still stories out there that our older people remember. With the presence of tobacco some people will tell me the stories. They have more stories, our old people about that area. We need to put a strong foot forward to make the government understand that before treaties, this land has value and meaning and purpose to us.

This study you are conducting it sounds to me like you want to learn what our connection was to this land at one time. Stories that have been passed down will tell what our connection was at one time.

A related theme that was repeated in every focus group was that that these meetings needed to be seen as only a beginning of documenting their knowledge and relationship to the Great Sand Hills. Many elders indicated that they had not had time to consult with all of the elders who know about the Great Sand Hills and that there were many others who had stories that should be heard. Another theme was that this was not the appropriate place to tell these stories, but that the researchers should go to the different communities and take time to hear the stories of the elders about this place. Finally, elders indicated that to understand the significance of the Great Sand Hills to Treaty 4 people required appropriate ceremonies on the land itself.

This was a sacred place, the bones of our grandfathers are there, medicines and ceremonial grounds are there. In order for us to go back there we need to pipes, permissions from the spirits. Going back to look at this spiritual place, we need to gather people, pipes, a ceremonial procedure and proper blessing before we even begin the study.

This confirms the suggestion in anthropologist Gerald Oetelaar's interview:

For people with oral traditions, it's important to take elders to there, to that location. And when they see that place, that's when their memories start coming back. Their memories do not work very well by giving them a picture of the Sand Hills or giving them a map showing the Sand Hills (Oetelaar 2005).

6.1 Significance of the Great Sand Hills to Treaty Four Cultures

Many elders did describe the relationship they had with the Great Sand Hills. It is important to remember that the Treaty 4 First Nations represent different cultural traditions. Nevertheless, all of the elders emphasized that the Great Sand Hills represents a source of cultural values. Elders identified the Great Sand Hills with ceremonies including the rain dance, the sun dance, sweats, fasting, songs, and stories that communicated values. For example, it was noted during the focus groups with Treaty 4 elders:

- The bands that gathered there made sun dances.
- That is what they did there. Have ceremonies, sweats, feast in this place you call the Sand Hills.
- This area that you call the Great Sand Hills; is important in us. We used that sand in the rain dance lodges also at the foot of the base of our grandfather that stands in the middle. It has strong cultural value.

- All you see is sand. That land in that area is alive because it moves. That sand area, the powerful area to fast, we also use it for cleansing.
- There are songs we still sing today about this area. This area holds things that we need to reenergize with...our people have ceremonies that we still do to this day.
- This is where we got our economic value from. This is where the spirit of the horse is, but also the physical presence.
- If anything I would like you to express the deep feeling and emotional attachment we have to the land—the ceremonies, prayers, burial sites and their importance.

A number of elders also talked about the significance of the area as places where ancestors were buried or spirits went upon death. For example:

- There are many First Nations that took part in the Sand Hills. I hear many elders speaking of bands or chiefs that took part in that area....They prayed there, buried their dead there. There were medicine rings, tipi rings. There are all sorts of Indian things that were done a long time ago in that area.
- It was a place where the spirits when we died that is where they'd go before they went to the spirit world.

Another frequently repeated theme had to do with the plants in the Great Sand Hills. Elders recognized that some of the plants in the Great Sand Hills were rare. However they also indicated that, because of the climate and difficult growing conditions, plants from the Great Sand Hills were recognized to be especially significant. In other words, the importance of medicines from the Great Sand Hills was not limited to plants that grew only there, but had to do with the power developed in the plants because they grew in the Great Sand Hills. Some elders indicated that they continued to harvest medicines from the Great Sand Hills. Others suggested:

- Ecologically that land is fragile but the plants and creatures that live there are very powerful. We need to go there to learn about the discipline of strength and power. The medicines there are not found anywhere else. We will be destroying a very fragile community that has taken many years to get where it is. We know that in our own understanding of ecology and fragility. We bless those lands, the very fragile and important lands.
- But those lands are considered sacred lands because of the medicines. Ceremonies were performed every year to adhere to the appreciation of these medicines that existed. We thanked the creator for this land....The land is traditional, spiritual and sacred.
- In the sand hills, there are thousands or hundreds of plants we have identified that were used for medicine.

- This is a place our people used to gather a long time ago. They would go over and camp there. These are important grounds for they contain medicinal herbs and soils where medicines live very well. They are powerful medicines because they fight to exist and are therefore some of the best medicines we have.
- Some of the plants are very rare especially for this area. There are animals and birds only found there. This is an intense area. The plants and animals that are there have to be more powerful than others because of the intense winters and summers.
- The medicine in there it grows. There is a bunch of it. We sneak in and pick up what we want.

6.2 Treaty Four Key Issues and Recommendations

A number of themes emerged from the relationships between the Great Sand Hills and Treaty 4 First Nations cultures. Treaty 4 elders' recommendations addressed both the future of the Great Sand Hills, and the legal and political context that for addressing these kinds of issues.

The overwhelming recommendation by the elders was that the Great Sand Hills *should not be developed*, and that a special area be set aside for First Nations use for ceremonial use. This was recommended on the basis of several rationales:

- i) the spiritual significance of the area was seen as more valuable and more important than development;
- ii) development was viewed a similar to desecrating grave sites; and
- iii) development is poisoning the medicines.

6.2.1 Development and future land use

Comments and suggestions from Treaty 4 elders with regard to the future direction of the GSH include:

- I would say set it aside, leave it alone the way it was meant to be.
- This whole area is of great significance to First Nation people and they don't want to see it disturbed. They want it preserved. What is more important, the value of the resources you can get or the historical significance that is seen here. So what is more valuable?
- Those are all recognized as traditional hunting grounds and all these sites are sacred. It is just like me going to Regina and digging up a graveyard, smashing up a church. That is the same thing.
- To them it's a lot of money, to us it's spiritual. And they want to trample over it. Do they see us trampling over what they value. No. We respect what they have. We want to keep it as it is, once disturbed it will never be the same again. We want to see it left alone.

- Before you proceed with further drilling you should present what has been said here today to the minister and companies. Ask them to stop drilling temporarily in the best interest of our Elders and all First Nation.
- That medicine needs protection. There is lots of stuff in there. The pipeline we work in, anything tipi rings you have to go around. Keep those around for the future, I don't know how long. Are you guys taking it or what is this? The sand hills what are you doing, dig around and destroy everything?
- We try to go to a clear place where they don't poison anything. We don't pick medicine close to the road. We pick in a private place. I guess there would be something in there. There is poison in gas, it burns whatever it touches. There is too many of us in Saskatchewan, by the time they dig one well there will be nothing there. I would rather leave it make it stronger.

6.2.2 First Nations access to the GSH

Another very strong theme was the request that First Nations be allowed access to the Great Sand Hills. One speaker spoke with a great deal of feeling about the importance of this area and the feeling of responsibility First Nations had for its importance. He requested that at least First Nations be given access to the Great Sand Hills so that they could restore their relationship to that land:

You've had some indication of First Nation views of the environment.... All the things that you've heard relate to our sense of the sacredness of the earth....The provincial government; they are asking us to compromise to whatever the province needs. You can see how badly that makes us feel. Our concept of the earth and what makes it sacred are very different from yours.

All of these things together you have come to asking us, is asking us to compromise. Preserving only one sq. m still compromises what we believe. Even when we don't know we still respect and have a right to respect what was there before. We may not know where the exact location of ceremonies was, but, we do know that they were there. If we go there and do our ceremony we can learn and feel and hear the sacredness and power of that area. ...

I think this whole area should be left alone. But when people hear that, they don't like it. They say we are not willing to share. I don't think that will be possible (government will not allow it). I think if nothing else it is important that you at least give us the opportunity to take Elders to the area and have ceremonies.

I'm not sure what you would do with this information. But at least it would help us deal with the feelings we have about that area.

While most of the elders recommended that the Great Sand Hills be protected, there was some suspicion that the research and recommendations would keep First Nations from being able to finalize Treaty Land Entitlement selections. For example:

I am afraid that what we say will be used in a wrong way. It might be used to prolong the moratorium or shut down oil activity all together in an attempt to stop TLE bands from buying land and their own developing gas wells (future) over there. Right now when we develop gas wells the province is cut out from revenue sharing. I suspect the provinces ulterior motive is to cut us out of the economic activity that is happening over there. We are being used to help them screw us in the future out of economic possibilities. I am sorry to say this.

The File Hills Qu'Appelle Tribal Council also took this position, based on the Treay 4 focus groups: "This process should not in any way interfere with any First Nation's Treaty Land Entitlement process. This is separate" (Anaquod 2005). At the focus groups where the report was reviewed for the elders, this element was also emphasized.

Some of the elders assumed that economic development would occur in spite of their interventions. They asked that in these plans there be provisions to allow First Nations to have access to this area.

- There are different tribes that would like to visit this place. We would like other tribes to visit the sand hills. It should be open to those that haven't been there for 100 years.
- Is there a place to be set-aside for Elders or to do ceremonies? I think there is a lot of places there that are still clean.

The File Hills Qu'Appelle Tribal Council summarized the issues in this way:

Set aside lands (would like all, but realize it probably won't be done) for specific First Nation spiritual/ceremonial purposes. Let First Nations decide (after visiting area) what site(s) would be best. First Nations would like to be able to go to a place on a regular basis for spiritual and ceremonial purposes and/or pick plants for medicines (Anaquod 2005).

After the pipe and sweat ceremonies help May 3, 4, and 5, 2006, the elders asked the File Hills Qu'Appelle Tribal Council representatives to stress to the researchers that this was a very important request, and they asked to have it emphasized in the final report.

6.2.3 First Nations involvement in GSH decision-making

Some participants suggested that decision-making about the future of the Great Sand Hills should involve First Nations in a different role than the research process had taken to date. One often repeated observation was that First Nations decision-making involved asking for spiritual guidance rather than relying purely on scientific research. Elders suggested that the Scientific Advisory Committee and government officials participate in ceremonies on the land, with First Nations elders. This represented a route that could complement the scientific studies. As a number of elders suggested:

- You have scientific people that go out, we have a different way [of making decisions about the management of the land' with our own ceremonies. We could ask questions that need to be answered by the spirit people.

We would like your scientific people to sit in these ceremonies to understand where we are coming from.

- It would be a very good idea to help your thinkers in developing a scenario if you sat down with the pipe holders. And to take our people to visit that land, that is a very good suggestion. It is not sand hills, it is a land that is alive, that moves. To you a cactus is a cactus. To us a cactus is a protection, one of the elements that we use. That cactus comes alive in the spirit world and protects our homes. What I am trying to describe to you is how you see it. We cannot be studied like animals, we are not animals. You can't describe how we feel. The best way is to take some of our spiritual people there to get the feel of the land so the land can talk to them.
- Our old people had a lot of feeling for this place. But not once did I hear you inviting some of our ceremonial people in a traditional way to have whatever ceremony that might be appropriate that the government will respect this area.... If I was the government that would be the approach I would take.
- We need to have a sweat and ceremony there before you guys touch it. That is all I will say, be careful. We should go in there and have a sweat first, sometime in summer.⁴

Elders also felt that there was a need for representation on decision-making bodies. They felt that this was the only way that they could be sure that the message was communicated in the way and with the depth of concern that they felt.

- We are placing trust in you. You say you will say our concerns. Why can't we have our own people there to make sure you voice our concerns? Maybe what we say here might not be said. We don't really know what you will say. Maybe when you go there you will leave it all out. If we have our own people there we can have more confidence that we will be heard. I don't really trust you. You say will do these things. People say a lot of good things that never happen.
- This meeting is not good enough. We are honored to be here. One meeting and deadline gives mixed feelings and mistrust. I have seen a lot of broken promises in my years.
- Why can't your committee be 50% [First Nations]?

The File Hills Qu'Appelle Tribal Council framed the recommendation this way:

Bring Elders from the communities to the area to meet and talk (with government officials and Scientific Advisory Committee). By meeting with Elders in area, it

⁴ Treaty 4 elders refused to release the report summarizing their focus groups until they had conducted ceremonies in the GSH to consult with the spirits of the land to ascertain whether they were meant to be involved in the process.

would allow SAC and government officials to hear, for themselves, the importance of this area to First Nations. Groups are skeptical that recommendations are not enough to give a true representation of what is felt amongst First Nations.... Add a First Nations representative to be involved in recommendation and/or future decision processes. Involvement will add integrity and sincerity (Anaquod 2005).

6.2.4 Heritage and burial sites

Treaty 4 elders recommended that there be a regularized process for contacting appropriate ceremonial people so that heritage sites and artifacts would be dealt with appropriately.

- I would like to have respect for what you find [heritage sites]. First Nations people should go there to acknowledge the find and respect it and leave it alone.
- These places [heritage sites] you find, the proper respect should be shown. Elders should go there and make peace.

This was echoed in the recommendations from the File Hills Qu-Appelle Tribal Council:

Bring ceremonial Elders to the area so they can have a ceremony. There are certain protocols FN must follow when dealing with sacred sites (burial sites, ceremonial sites). Contacting First Nations allows us to ensure we are able to follow our protocols with respect to our ancestors.... Establish a rule that when something is found (excavated), First Nations should be contacted. This allows First Nations to be involved in determining what needs to be done (First Nation protocol wise) with findings (Anaquod 2005).

6.2.5 Treaty rights and resource benefits

Finally, the elders made comments about the broader context in which these focus groups were taking place. They indicated that decisions about economic development in the area needed to be based on treaty principles (sharing) rather than on principles contained in the *Natural Resources Transfer Agreement* (provincial ownership). Elders felt strongly that there was “unfinished business” because of the oral records of promises made at the time of treaty that were not reflected in the written text or the interpretation of treaty wording.

- There was a treaty signed saying the government will share renewable and nonrenewable resources and that hasn’t happened yet.
- What the government takes they never share with us. It was never given to you. All you wanted was to share the land with settlers.
- The native people say what about our mineral rights or if they find something else. It is good for us to mention it and let the government know we are interested. They need to know how we feel and that we should get something.

An important component of the remarks about Treaty implementation focused on the insistence of elders that Treaty negotiations only dealt with surface rights, and that there were assurances given at the time of Treaty making that subsurface rights were not addressed. These comments were repeated often, and there is academic research that supports the verity of these ongoing oral traditions (Milloy 2005).

- The previous speaker was talking about unfinished business. My uncle used to talk about this. The time treaties were signed, Euros were only given the depth of the plough but after I guess they went a little further. That is what they are talking about, going where they weren't supposed to go further. They are making money with the gas oil they find. They are making money off mother earth.
- The stories we are hearing about mineral rights in this particular territory have to be addressed now. The interpretation of elders come form a long way back.
- It is clear that Canada and the province do not have a clue about the deal with the land. According to our people they (ancestors) did not give up their mineral rights. To define what the government of the day wanted it was land for agricultural purposes and that is all we adhered to. We still have to give a share of these resources and the government has to give a share of those resources.
- At the time of the treaties, they didn't want anything that was below one foot in the ground. And now today that is what they want. It was promised that this wouldn't be taken from us.
- It used to be 6 inches to the ground.
- Even in the treaties we didn't give you what was under the ground.

The File Hills Qu'Appelle Tribal Council recommended that:

Future resource benefits should be shared with First Nations. The land was never given up. Our ancestors signed an agreement to share the land not give it up. We should also share in benefits (Anaquod 2005).

The elders did not address the potential conflict between recommendations about resources revenue sharing and recommendations that the Great Sand Hills area should not be developed. This suggests that there needs to be an ongoing process of negotiation about these issues.

7.0 Treaty Six First Nations

First Nations use the land for spiritual purposes, as ceremonial sites. First Nations ancestors are buried in the land. First Nations need to be respected with regard to economic development in the area (Johnstone 2005).

There should be areas for economic [development] but there also should be areas designated ... perhaps for historical sites; there should be also areas designated where we can still gain access and do ceremonies. Because right now our ceremonies aren't outlawed as they once were in the early 1900s....To me anyways there should be designated areas for ceremonies ...medicine gathering...and there could be other economic development areas (Jacks 2005).

Research with the Treaty 6 First Nations occurred mostly with the political leadership and with various individuals concerned with land management and economic development rather than with elders. As a result, the information we collected was more focused on economic development issues. Even here, though, the cultural and ecological significance of the Great Sand Hills was recognized.

The land is such that it is a very mystical place; you know it is not normal landscape. I think there is something mystical about it, something spiritual about it ...I think the Sand Hills is an ecological treasure (Johnstone 2005).

Some of the First Nations in the Treaty 6 area recognized that this area was *not* part of their traditional territory. While they would like to benefit from economic development for First Nations if it occurred there, they also indicated that part of their role was to support other First Nations.

Our bands are not from that area, so there is no historical connection there. It would be the people in that area. We could play a role if we did, like we are doing now, giving insight. We would play a role in supporting the First Nations that are there. We would just side with them and give them our support. And we would be observing. We would like to have observer status because we want to make sure that we do have the opportunity if we want to get involved... like for tourism or whatever (Johnstone 2005).

Other First Nations had interests that were both historical and economic.

7.1 Significance of the Great Sand Hills for Treaty Six First Nations

Treaty 6 First Nations were more likely than other Treaty groups to talk about the implications of TLE processes for their interests in the Great Sand Hills. This was a result of the fact that we were asked to speak to First Nations who had expressed some TLE interests in the area, and because the approach to First Nations in the Treaty 6 area was through individual interviews which were more likely to ask specifically about TLE interests. Many bands felt their historical ties to these lands and current Treaty Land Entitlement selections should bring them in as interested parties of the land and that they could be involved in its management with a voice and role to its future integrity.

The TLE process exists because First Nations did not, in all instances, receive the land that was promised to them by Canada in the Treaties. Under the Natural Resources Transfer Agreement (1930), Saskatchewan has a legal obligation to provide land so that Canada can fulfill these promises (First Nations and Métis Relations, per com 2006). The Saskatchewan TLE Framework Agreement was signed by Saskatchewan, Canada, and 25 First Nations in September 1992; a separate agreement was signed with Nekaneet shortly thereafter and, in 1996 Cowessess and Carry the Kettle First Nations signed TLEs⁵. The TLE process allows First Nations to make selections anywhere in the province, allowing them to be more involved locally or in a different community than the area of the home reserve, for economic, traditional and/or cultural purposes. In the past few years, five First Nations reserves have applied for permission to make TLE purchases in the area of the Great Sand Hills: Carry the Kettle (Treaty 4), Red

⁵ See First Nations and Métis http://www.fnmr.gov.sk.ca/html/lands/tle_intro.htm for discussion of the Saskatchewan TLE process and TLE Framework Agreement.

Pheasant, Poundmaker, Muskeg Lake and Piapot First Nations (all Treaty 6). As groups are not required to disclose the reasons for their selections, the patterning of the selections has led to an assumption of interest in mineral rights, or tourism opportunities. Most First Nations prefer to select available land with mineral rights, with a preference for available/surplus Crown Lands. Lands which were selected that lie external to the GSH review area have been approved; however, those lands within the review area have been placed on hold. Carry the Kettle First Nation has recently chosen to withdraw its selections.

Treaty 6 interviewees expressed interest in pursuing economic development in the Great Sand Hills. They saw the potential for resource extraction and tourism opportunities. For some, this was a general interest in improving the economies of First Nations peoples.

Somebody is expecting to get something out of it. We know that and we want to have a share in it. So if there is going to be tourist development in the area, for sure we need to be a part of it because that is our lands, our traditional lands that are going to be marketed. So we want to be...and also it is uninteresting to the tourists if you have the land without the original occupants who bring their rich history (Johnstone 2005).

Some of the interested First Nations groups expressed their interests in economic development (oil and gas) through TLE's as this would bring much needed income into their communities and a degree of stability. Muskeg Lake currently has TLE selections in the Great Sand Hills area. Those parts of their selections within the ecological reserve were denied, those within the 2003 review area were frozen and those outside the 2003 review area have been approved to proceed forward in the land purchasing process. They are now looking at doing some seismic assessment of the potential of those lands to determine if Muskeg Lake wants to make some purchases (Lafond 2005). Red Pheasant and Thunderchild indicated that they also had TLE interests in the Great Sand Hills area.

Right now...now we are talking the last year or so, two years ... we have some interest in the Great Sand Hills. In fact we were approached by some of the neighbouring bands ... where Thunderchild had an interest in there...there was some land available they had selected but they wanted to proceed with it (Jacks, 2005).

Red Pheasant has tens of thousands of TLE selection lands, so we are interested to some degree (Red Pheasant 2005).

A number of participants were concerned that the current study would be used to further delay the approval of TLE selections and revenue gathering from the area.

Like Treaty 4 elders, Treaty 6 interviewees raised the issue of mineral rights.

The biggest issue I think for this whole area as far as First Nations peoples are concerned, I would guess, would have to be the issue around mineral rights. Because our people have always held a position that they never gave up the mineral rights. They allowed use of the land under treaty ... but did not allow the use or withdrawal of any of the resources under the ground. And this has been a contentious issue for generations, for decades. Now with development in the Great Sand Hills... I think that there's probably oil there. I don't know. I think there has to be something of interest there. It brings to light again this whole unsettled matter.

And now what we've been told by the government indirectly is that they use the money for the minerals to fund us, which is good for us because we can counter the taxpayers federation and all those people who are always on our case....saying that their income taxes are funding us. It's not their income taxes it's minerals that are apparently funding us. This is sort of the government's way of saying we are giving you a share of them, this is how we do it. And, I don't really buy that completely; I think it is a convenient excuse to get us off their case which doesn't fly anymore (Johnstone 2005).

Some concern was expressed by the Treaty 6 representatives that it was not only the interest in oil, gas and minerals that some bands might look at, but it might be the opportunity for sacred ceremonies or medicinal gathering. There was a perception that the province might be overstating First Nations intentions of going into the Great Sand Hills primarily because of the potential for oil and gas, but not all bands are necessarily looking at the area for resource development. Thunderchild interviewees indicated that the land had significance economically, but that it also had significance culturally.

It's not only ...because it's got oil, possibly oil [there is also the] cultural side of it. Maybe some bands look at it just for the oil. There could be significant ties to that land that to them is [cultural] (Jacks 2005).

A number of Thunderchild band members had recently traveled to the Great Sand Hills area to explore whether they could identify the ceremonial sites used by historic Chief Thunderchild. However they were unable to access the area because of private property regulation.

We wanted to go in and out, go look around at where our Chief Thunderchild had ceremonies.... And we were restricted to go in there because of the grazing leases that were in place at that time.I believe the land is leased out to certain individuals that restricted us from going in there. The one I'm thinking of is a grazing lease (Jacks 2005).

Red Pheasant participants also indicated that the Great Sand Hills held cultural significance for them.

The Great Sand Hills is a sacred site. In the summer we would do a gathering in a specific location, hold a sun dance or hold ceremonies. Prior to the 1880's it was a place for vision questions for any warrior brave (Red Pheasant 2005).

Red Pheasant participants also noted that historically, there had been "stopover lands" for northern bands that used the Great Sand Hills. These lands disappeared after 1930, when the Great Sand Hills were no longer federal crown lands.

7.2 Treaty Six First Nation Key Issues and Recommendations

Treaty 6 participants suggested that there is a need to know how broad the First Nations' interest is in the Great Sand Hills, including the intensity of their traditional and current use of the area, which areas were used and the historical importance of the area to First Nations people.

What we could do is interview the elders, a whole area of elders of different bands that have been in that area then. That's how we learn past stories and things like that that were passed down from generation to generation. That's the only way that I could look at it. Our elders here will have a good idea of what areas were used for cultural activities, not only for Thunderchild but probably other bands (Jacks 2005).

Red Pheasant and Saskatoon Tribal Council representatives made similar suggestions (Bugler 2005, Johnstone 2005).

Like all of the other Treaty areas, representatives from Treaty 6 suggested that areas should be set aside so that First Nations people could engage in ceremonies and other cultural practices and gather medicines. This was most clearly stated by Thunderchild representatives, but it was also mentioned by others.

Maybe there should be a process in place that involves both the federal and Saskatchewan government where if there is a historical significance for some of the bands that were forced to move further up north, there should be a preserve made not just with our own monies but maybe there should be a federal and provincial notice to have a place where we can have ceremonies. ...Maybe there should be an area preserved for aboriginal groups to do their ceremonies....like we have provincial parks and federal parks, why can't there be one specifically for aboriginal people? Which is historical significance?

There's not only doing our cultural activities, ceremonies...there's also hunting and also medicine gathering which is one of the things that was probably done in this area. There seems to be a very significant interest from First Nations people a long time ago to come to this area and have ties with the land. So not only ceremonial, it could be medicine gathering....We should be allowed an area where we can gain access and that area could be designated for First Nations people...not only Thunderchild but all the different bands that have strong connections to that land. ... So it has a lot of history to it, like horse stealing and all that going on in-between the two borders.... But there was not only the Cree, there were the Blackfoot and the Saulteaux bands have been around this area for a long time. So maybe the Blackfoot even have different areas that they had ceremonies here a long time ago, maybe 1700s, 1800s (Jacks 2005).

Red Pheasant participants indicated that there should be research to find out what had happened to the "stopover lands" that had been set aside in the Great Sand Hills for northern First Nations. They also suggested that some of the Cree names for lakes and other locations should be restored because 'we're at a lost where the location is at" (Red Pheasant 2005).

8.0 Blackfoot Confederacy - Blood First Nation

The significance of the Great Sand Hills is that they complete the cycle of life--death does not end this cycle. Death gives the soul its release, which is to go to the Great Sand Hills, and continue to live and practice our traditional Blood way (Elder Louise Crop Eared Wolf, Treaty 7)

The Blood interviews involved a small group of elders, and the session focused on oral traditions associated with the Great Sand Hills. Issues concerning the interpretation of treaties and mineral rights were not extensively discussed in these interviews, although one elder did mention that treaties only dealt with surface rights. Like the Treaty 4 elders, Blood elders considered their participation to be an important first step in decision-making about the Great Sand Hills. Blood elders expressed interest in working with Treaty 4 First Nations to identify appropriate ways of managing the Great Sand Hills.

I can only state again that I am very honoured for myself and for the rest of the Blood Tribe, that the Cree Tribe gave us this opportunity to participate in this impact assessment of the Great Sand Hills. I believe that the cultural and historical information that I have provided will benefit both of our Tribes.

This information should and will help to protect the sacred lands known as the final resting place of all Blood people souls. I encourage the Cree Nations to pursue this action and support us (Blood Tribe) in preserving and protecting the Great Sand Hills. (Elder Louise Crop Eared Wolf, Treaty 7)

8.1 Significance of the Great Sand Hills for Blood First Nation Culture

For the Blood First Nations, the Great Sand Hills have significance as the place where the spirits of the ancestors dwell and where all Blood souls will eventually travel to in death. This belief is common to all of the members of the Blackfoot Confederacy including the Blackfoot in Montana, the Siksika, the northern and southern Pikuni (Piegan), the Kainai (Blood). Interviewees also indicated that this belief was held by the Tsuu T'ina (Sarcee) (Blood 2005, Dempsey 2005, Oetelaar 2005).

The interviews conducted as part of the baseline study focused on Kainai (Blood) elders. The following summarizes some of their words and depict the significance of the GSH:

- It is where our spirits go....Now, the white man has documented it, it is because they think it is there they began the project. Those (spirits) that go there. There is no place to go. They have returned here. They are now traveling around. Over there, the white man has taken that too. (Elder Rosie Day Rider, Treaty 7)
- I heard that our spirits traveled to the Great Sand Hills once they left this world (Elder Mary Louise Oka, Treaty 7)
- Over there, I understood it is a place where we go, when we die. We have a claim to it as very important (Elder Leroy Heavy Runner, Treaty 7)
- I had heard that the Big Sand Hills is where our spirits go when we leave this life- there is no other place (Elder Frank Weasel Head, Treaty 7)
- There are concepts of a gateway to the world beyond. I think that's essentially what this place is (Narcisse Blood, Historian)

These interviews support the statement in the interview with Gerald Oetelaar, Professor of

Archaeology, University of Calgary, where he stressed the uniqueness of the Great Sand Hills:

The Blackfoot recognize numerous sand hill complexes on the Canadian prairies. And they identify as different the Great Sand Hills. So they have a special name for the Great Sand Hills. And within the Great Sand Hills they have a special name for a place which is identified by them as the place where the souls of their ancestors, but also the ancestors of the bison and all other living things, end up. In their version of the story the world in the Great Sand Hills operates in exactly the same way as their world, except that only the spirits of the dead are interacting. So the spirits living in the Sand Hills are hunting buffalo exactly just like the Blackfoot are hunting buffalo here. The spirits of the buffalo are behaving towards the spirits of the humans in exactly the same way as they do in the real world. So it's just, it's an exact duplicate, a mirror image of their world – the basic, important difference being that this is the world of the people who have died. (Oetelaar 2005:1)

The stories told by the elders demonstrate the continuity between the historical and the contemporary significance of the Great Sand Hills for the Blackfoot. Historically, references to the "Big Sand Hills" figured prominently in the stories and histories of the Blackfoot peoples, providing evidence of a cultural and physical Blackfoot presence in the area (Dempsey 2003, Eggermont-Molenaar 2005, McClintock 1968, Mountain Horse 1989). The elders interviewed for this study continued to tell these stories. Oral traditions embody both the cultural knowledge and collective/personal/family histories of First Nations people within a specific space or place (Berthelot 2004). As described by McLeod "narratives are thus essentially maps which emerge out of a relationship to a specific area...wisdom emerges from voice and memory within that landscape" (see Nabakov 1998). Through these stories, generations internalize the sacredness of the Great Sand Hills to Blackfoot culture.

The elders interviewed told a number of the stories about the significance of the Great Sand Hills in Blood cosmology that have been documented historically. Three of them told stories about how ancestors' travels to the Great Sand Hills in search of loved ones who had died, were the source of ceremonies (for example Kanotisisin/All Smoke) and the ghost medicine pipe bundle. Six had stories about near death experiences - of people they knew personally or had heard of, where souls traveled to the Great Sand Hills but were turned back and returned to the individual's body. There were a large number of stories about individuals camping in the Great Sand Hills and hearing the noise of a Sundance or other activities by the spirits all night. For three individuals this story was situated in their lifetimes, associated with a long distance run to Ottawa in 1980 when runners camped near the Great Sand Hills. Five individuals told stories about hunters or individuals on raids against the Cree who decided to camp in the Great Sand Hills and heard the spirits at night. There were also four stories of Blood hunters or war parties following game or someone they took to be Cree, into the Great Sand Hills, and once they came close to their quarry it had turned into a mouse (three stories) or a chokecherry bush (one story).

The role of oral traditions in communicating Blood links to this land over generations was explicitly confirmed in one of the interviews with the Blood elders. She noted: "Throughout my entire 84 years of life it was known to me that the Great Sand Hills is the spiritual resting place for the departed souls of the Blood Tribe, it has not changed and will not change". Then she went on to say:

The Blood Tribe's oral tradition further confirms and sanctums that notion of the sacredness of the Great Sand Hills.... It is through the continuance of the oral tradition that we are aware that all members of religious society members, oral sacred spiritual leaders, healer, seers, are known to go to the Great Sand Hills when they were deceased prior to contact. This belief is still held strongly in 2005, that the members of the Blood Tribe when deceased, that their souls will return to the Great Sand Hills, to live out their spiritual life in this sacred monument (Elder Louise Crop Eared Wolf, Treaty 7).

8.2 Blood First Nation Key Issues and Recommendations

The Blood First Nation has a spiritual connection to the Great Sand Hills, and one that is a significant part of their history and culture. Three key issues and recommendations emerged from the Blood First Nation elders and representatives, namely in relation to the nature of land use and protection, access to the Great Sand Hills, and consultation.

8.2.1 Development and future land use

Confinement to the reserves and contemporary private property ownership of the Great Sand Hills area meant that few Blood members traveled extensively in that area recently.⁶ Their inability to access the Great Sand Hills regularly meant that elders were unable to evaluate the effects of contemporary development. However, because of the significance of the Great Sand Hills in Blood cosmology, the elders asked that the area not be disturbed. Two elders commented on this at length.

This land is sacred it is the place that Bloods believe their souls go to upon death. If they (government) use this land area for the above mentioned things, then where would our souls go to rest? If these changes to the land take place and this sacred land area is molested then our souls would have no final resting place. The Blood souls would be forced to wander aimlessly in this world, with no place to return to upon death....

We as members of the Blood Tribe would like this land area to remain untouched or altered by development e.g. sports, tourism, recreation and or for pasture land....If the government is intent on using it for the above mentioned purposes, then they would be disrespecting our sacred land base.

These Hills hold a sacred, spiritual, and cultural significance in the traditional lifestyle of the Blood Tribe. These hills were left to us Blood members by our ancestors to be protective, and to maintain respect so deserving of such a sacred monument. This land area is most sacred among our ancestors and the present day Blood people. It is our sacred duty to ensure that these lands and hills are not disturbed, disrupted or altered in any shape or form. I, as an elder of the Blood, make a plea to those who wish to molest these sacred, that they respect

⁶ Gerald Oetelaar indicated that whenever Blackfoot elders traveled to the Cypress Hills to perform ceremonies before and after his field work, they would ask to stop and visit the Great Sand Hills. They would access the northern area in the ecological preserve where public access is possible, perform ceremonies and take sand back for medicine bundles. More recently Professor Narcisse Blood has been able to organize a number of trips to the Great Sand Hills, assisted by the PFRA.

our religious beliefs (Elder Louise Crop Eared Wolf, Treaty 7).

I have never heard that this area was used as a seasonal encampment; it was used to seek vision, spiritual guidance and to communicate with the spiritual aspects of our traditional lifestyle. There is a significant difference between a temporary stay over camp, which is just for a spiritual purpose, compared to semi-permanent encampment. Our ancestors did not frequent this land area, it was due to its sacredness and it had a purpose as a spiritual land area. This is the place we go to find the knowledge acquired to make us who we are Blood Tribe members. For this reason alone we did not disturb this place it was likened to a shrine, a place of worship or spiritual attainment. We do not want neighbouring tribes or white society to come to any conclusion that suggests that we have given up our territorial claims to the "Great Sand Hill", merely because we didn't permanently inhabit this land area. Our main reason is that this land area is known to be a sacred monument and its purpose is to serve our spiritual needs and strengthen our religious belief system. We've given so much respect to this land, that we do not disturb its tranquility and wish it to remain an undisturbed place totally free of any type of economic development. (Elder Andy Blackwater, Treaty 7)

In this regard the Blood have a predominantly spiritual connection to the Great Sand Hills, as it is the place where people go when they die in their traditional religion. They and are interested in maintaining their access to the site as a part of their religious practices and expressed a concern that there is a responsibility to maintain the Great Sand Hills as an ecologically intact space as it is one of their sacred sites. A number of elders commented on this aspect:

- Now it is not good for people to drill all over that place or to build roads, or to put a gas station. It is best to leave the place as it existed (Elder Rosie Red Crow).
- There maybe many buildings there now, I have never been there. It is difficult because the white man has already said there is the way it will be.
- That is all I have to say about the Big Sand Hills, now these companies who drill for oil, not to anymore to fence off the area, so that the area will no be disturbed. If there are any existing roads, they shouldn't be anymore and to keep the children off. It is a place we regard as sacred and that is a place where we all (will) go when we die. I feel that the Sand Hills should be respected. The oil and gas companies should not be disturbing the area, they are drilling too close to the Sand Hills. There should be no public access. (Elder Mary Louise Oka)
- Would it be possible to have it (declared) limited access, what they talk about a park also that they would not disturb it. Maybe they will listen to us, so that it will remain the way it was? (Elder Leroy Heavy Runner)

8.2.2 Blood access to the Great Sand Hills

A second issue and key recommendation from the Blood elders concerned access to the Great Sand Hills. Access is currently a major issue as the leases to ranchers do not provide insurances of access rights to First Nations, or the Blood First Nation in particular. Thus, it was recommended that Blood members be assisted to have access to the land.

It has quite an impact on us. We have had to struggle. Within the Canadian Constitution as a Canadian citizen you have the right to practice whatever faith you have except Natives and First Nations. Some of our ceremonies occur at these sites and we have to seek permission to go to these sites. And so yes, it has a profound impact.... I'd like you to leave with this philosophy. Our loss is your loss. And the things that we have lost by way of access to the sites that have been destroyed have had a profound impact on us, but ultimately the newcomers are also affected. (Narcisse Blood, Historian)

At the same time, the Blood recognize that there are also other people and interests in the Great Sand Hills now, and there is a need to negotiate between these different interests.

8.2.3 Information and consultation

Finally, the Blood asked that they be kept informed about decisions about the Great Sand hills and that their views and positions on this area should be publicized.

The Blood Tribe would recommend that a permanent communication process be established to keep the Blood Tribe updated on future developments in the Great Sand Hills area. The Blood Tribe would also like to see its views and position included in any further publication materials (Blood Tribe 2005).

9.0 Synthesis and Key Issues

There is a long history of First Nations use of the GSH, and the area is highly significant in terms of medicines, culture and spiritual practices. First Nations traditionally used the GSH review area for hunting and gathering activities and the region is identified as a transitional one; occupied by different First Nations over time as they migrated and camped through the area or as they forced other groups out of the area in warfare. There is considerable archeological evidence of use by historic peoples of the Great Sand Hills. In recent years however First Nations report being kept away from the GSH by government and private land owners, and most do not currently use the region for traditional hunting activities. There do remain spiritual and cultural uses and gathering of plants for medicines or ceremonial purposes. In addition, there are emerging economic interests.

There is general consensus amongst First Nations participants on the need for First Nations' perspective on, and involvement in, land use planning and decision making in the GSH. In this regard, it is important to recognize that First Nations perceive the GSH as an entity, and not a landscape comprised of individual biological, cultural, or economic components. The GSH continue to be important in the cultural worldview of First Nations and hold significant spiritual significance in respect to the surrounding landscape. For many, the GSH are identified as sacred. Preservation of the site is called for across First Nations groups, but there is also recognition that gas development will likely continue in the region. As such, land-based impacts and revenue sharing are issues of concern.

There are a number of issues that differ between First Nations groups concerning the current baseline and future management of the GSH; however, several key issues and impact areas (expressed here in no particular order of importance) emerge across groups in relation to:

- impacts on First Nations culture
- land access by First Nations peoples
- impacts on heritage (archaeological resources)
- impacts on and access to plants collected for medicinal and ceremonial purposes
- economic benefits from gas activity
- First Nations involvement in decision making processes

9.1 Impacts on First Nations Culture

The impacts of development on First Nations culture is not a point specific concern. Notwithstanding the rich archaeological resources of the GSH, the point specific nature of these phenomena is not a good indicator of the spiritual and cultural significance of the area for First Nations. Protecting the archaeological sites alone does not equate with protecting First Nations spiritual or cultural values in regard the GSH.

9.2 Land Access by First Nations Peoples

The contemporary 'private' property ownership of the GSH area is seen as a restriction on First Nations access to 'their own land'. Thus, few First Nations people have traveled extensively in the area recently and can provide little point specific information concerning the impacts of development and areas of specific importance. A common request across First Nations' participants was that (at a minimum) an area be set aside in the GSH for access for First Nations spiritual and ceremonial purposes.

9.3 Impacts on heritage resources

A significant number of artifacts and remains have been discovered in the GSH, due in large part to surface disturbance associated with gas development activities. Given that the GSH area is recognized as a transitional area, occupied by different First Nations at different points in time, confirmation of the origins of these archeological resources is often difficult. The key concern is the impacts of gas development and exploration. There is an expressed need for proper ceremonial practices and elders guidance (or a council of elders) when archaeological sites are found, and that remains be re-buried in the GSH and not removed.

9.4 Impacts on and Access to Plants Collected for Medicinal and Ceremonial Purposes

The GSH are reported as providing important sources of medicines for First Nations. No primary data were available from First Nations participants as to the types of plants that are currently used or their location (secondary sources do indicate First Nations medicinal uses of certain plants known to be founds in the GSH), but there are several reports that these plants are being poisoned by the gas industry and in other cases not easily accessible to First Nations due to their location on leased land. Many of the known medicinal plants gathered from the GSH, for example Chokecherry and Sweet grass, are found at locations outside of the GSH region and throughout much of southern Saskatchewan. However, the medicinal and cultural values of

plants found within the GSH are perceived to be greater than those same plants found in other locations. This is due to the spiritual significance of the GSH to First Nations and thus the plants in the GSH are seen as providing “stronger medicines.”

9.5 Economic Benefits from the Gas Industry

There is widespread concern that current economic development (gas development) in the GSH has occurred without due consideration for First Nations rights and interests. Overall there is a desire to see the GSH protected. Concerns for protection were expressed by elders from both Treaty 4 and Treaty 7. Only Treaty 6 members spoke directly of economic interests in gas development; however, this is in large part a reflection of those individuals interviewed (e.g., Band leaders and development officers). That being said, there is a general sense that gas development will continue in the GSH and that under such conditions First Nations should at minimum be involved in revenue sharing.

9.6 First Nations involvement in decision making processes

Overall, First Nations participants expressed concern that they have not been involved in decision making concerning land use and development in the GSH. It was suggested by Treaty 4 that the Scientific Advisory Committee overseeing the RES should consist of a First Nations member. A recommendation emerged to establish a “council of elders and traditionalist” for government to consult and work with so as to ensure that proper protocols are followed concerning development, land use, land access, heritage resource management, and to ensure that the sacred nature of the GSH is properly respected.

- Appendix 1 -

Saskatchewan Environment GSH RES Information Package to First Nations

May 27, 2005

«Title» «FirstName» «SecondName»
«FirstNation»
«Address»
«Town»

Dear «Title» «SecondName»:

This letter is to inform you of the upcoming implementation of the Great Sand Hills Regional Environmental Study. It further serves to invite you to provide your advice on the content of the Terms of Reference and participate in this very important study. The study is expected to begin in June 2005 and to be completed in the fiscal year 2006-07. Recognizing the interest and significance that this region has for the First Nations, a major component of the study is dedicated to working closely with First Nation tradition and protocols. We are aware of, and want to be as sensitive as possible to these issues. This study also has the potential to advance a sense of cooperation in creating a better understanding between the Aboriginal and Non-aboriginal community.

We also recognize that First Nations have an interest in the Great Sand Hills pursuant to Treaty Land Entitlement. We are working to move this study forward so as to minimize any delays that may be experienced with land identified in the study area for consideration under the Treaty Land Entitlement process.

On March 18, 2005, in my letter to the Federation of Saskatchewan Indian Nations (FSIN) Vice Chief Wapass, I confirmed Saskatchewan Environment's commitment to working with the FSIN and individual First Nations as we undertake the Regional Environmental Study. I understand that protection of the sand hills was also discussed at the FSIN session of the Legislative Assembly in February 2005. On May 3, 2005 Saskatchewan Environment and FSIN Lands and Resources Secretariat staff met to gain advice and recommendations on the study Terms of Reference.

... 2

«Title» «FirstName» «SecondName»
Page 2

May 27, 2005

I have enclosed the study Terms of Reference and a summary document for your review and comment. Our staff will also be contacting your office to arrange an opportunity to meet directly to discuss the Study and Terms of Reference. You may also provide your advice and recommendations by June 24, 2005 to: Fred Beek, Manager, Strategic Environmental Studies, 3211 Albert Street, Regina, S4S 5W6, phone (306) 787-3019.

I look forward to working with you during this study and discussing the choices that will face us upon its completion.

Sincerely,

David Forbes
Minister of Environment

Enclosure

cc: Vice Chief Wapass, Federation of Saskatchewan Indian Nations

bcc: Bob Ruggles, ADM, Planning and Risk Analysis Division, SE
Dennis Sherratt, Executive Director, Planning and Evaluation Branch, SE
Randy Seguin/Fred Beek, Strategic Environmental Studies, SE
Jack Kinnear/Roger Brown, Aboriginal Affairs, SE

- Appendix 2 -

FHQ Tribal Council Invitation to First Nations Treaty Four Focus Group Participants

May 10, 2007

Dear Participant;

The Government of Saskatchewan is conducting a study to determine the historical (cultural and/or ceremonial) use by First Nations with respect to the Great Sand Hills region. The Great Sand Hills consists of approximately 2900 square feet in southwestern Saskatchewan (north of TransCanada Highway by Piapot, SK), thus lying primarily within Treaty 4 territory. The information you provide will help in determining and planning the environmental protection needed for this area.

Your name was forwarded to the tribal council as one who knows the history/story of the name of reserve First Nation and could possibly speak to your family and/or communities' historical ties to the Great Sand Hills region.

I am inviting you to attend this focus group session as well as a briefing session which will take place before the focus group session. The briefing session will begin at 10:00 a.m. on Thursday, December 15, 2005 in the Treaty 4 Governance Tipi. The focus group session with the province will begin at 1:00 p.m.

Please confirm your attendance with Gaylene Anaquod, Program Services, FHQ. Gaylene can be reached at (306) 332-8238 or by fax (306) 332-8211.

Respectfully,

Dean Bellegarde
Chair, FHQ Tribal Council

Cc: First Nation Chief

OVERVIEW OF THE GREAT SAND HILLS FOCUS GROUP SESSIONS

BACKGROUND INFORMATION:

- The province of Saskatchewan is conducting the study
- The purpose of the study is to gather information that will help in determining and planning the environmental protection needed and economic opportunities offered by the Great Sand Hills.
- The Great Sand Hills region is located in the southwest part of the province in an area that Treaty 4 has historical ties to.
- At the last Treaty 4 gathering (September), FHQ was asked to lead the Great Sand Hills process on behalf of Treaty 4. FHQ is thus assisting the province by coordinating the focus group sessions.
- A study report will be written and provided in the early new year.

LOGISTICS OF FOCUS GROUP:

- Focus groups will be conducted by language groups.
- FHQ called each community for a list of Elders and/or historian (someone who could speak to possible historical ties to the Great Sand Hills region).
 - We are inviting two Elders/historians from each First Nation. Elders will receive mileage and per diems.
- The briefing sessions and focus group sessions will be held in the Treaty 4 Governance Tipi.
 - Briefing sessions will take place at 10:00 a.m. (by FHQ)
 - Focus group sessions will begin at 1:00 p.m. (by researchers)
 - Cree speaking First Nations – December 15
 - Saulteaux speaking First Nations – December 16
 - Sioux/Assiniboine speaking First Nations – December 20
- Chiefs are invited to sessions as well (no per diems/mileage).

References

Interviews

Blood Elders

- Elder Louise Crop Eared Wolf, Lone Fighter Clan, Nov. 2, 2005
- Tsi na ki or Elder Rosie Red Crow, Fish Eater Clan, Nov. 2, 2005
- Puto ki Tupi or Elder Denis First Rider Sr., Tall Timber Clan, Nov. 2, 2005
- Elder Annie Heavy Head, Nov. 2, 2005
- Mah Ko yipitaki or Elder Rosie Day Rider, Nov. 2, 2005
- Khis tu yi tsi mahn or Elder Mary Louise Oka. Nov. 2, 2005
- Elder Andy Blackwater, no date
- Elder Frank Weasel Head, no date
- Elder Leroy Heavy Runner, Nov. 2, 2005
- Ah tun or Elder Margaret Hind Man, Lone Fighter Clan, Nov. 2, 2005
- Professor Narcise Blood, , 20 July, 2005
- Elder Pete Standing Alone, no date
- Elder Adam Delaney, no date
- Elder Winston Day Chief, no date

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