

TSLEIL-WAUTUTH
SACRED TRUST INITIATIVE
2010-2016

origins,
achievements,
prospects



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1 | WHAT IS THE SACRED TRUST INITIATIVE?

The Sacred Trust is an initiative of the Tsleil-Waututh Nation (TWN). Our mandate is to stop Kinder Morgan's Trans Mountain pipeline and tanker expansion project. The project was approved recently by the federal and provincial governments without TWN's consent.

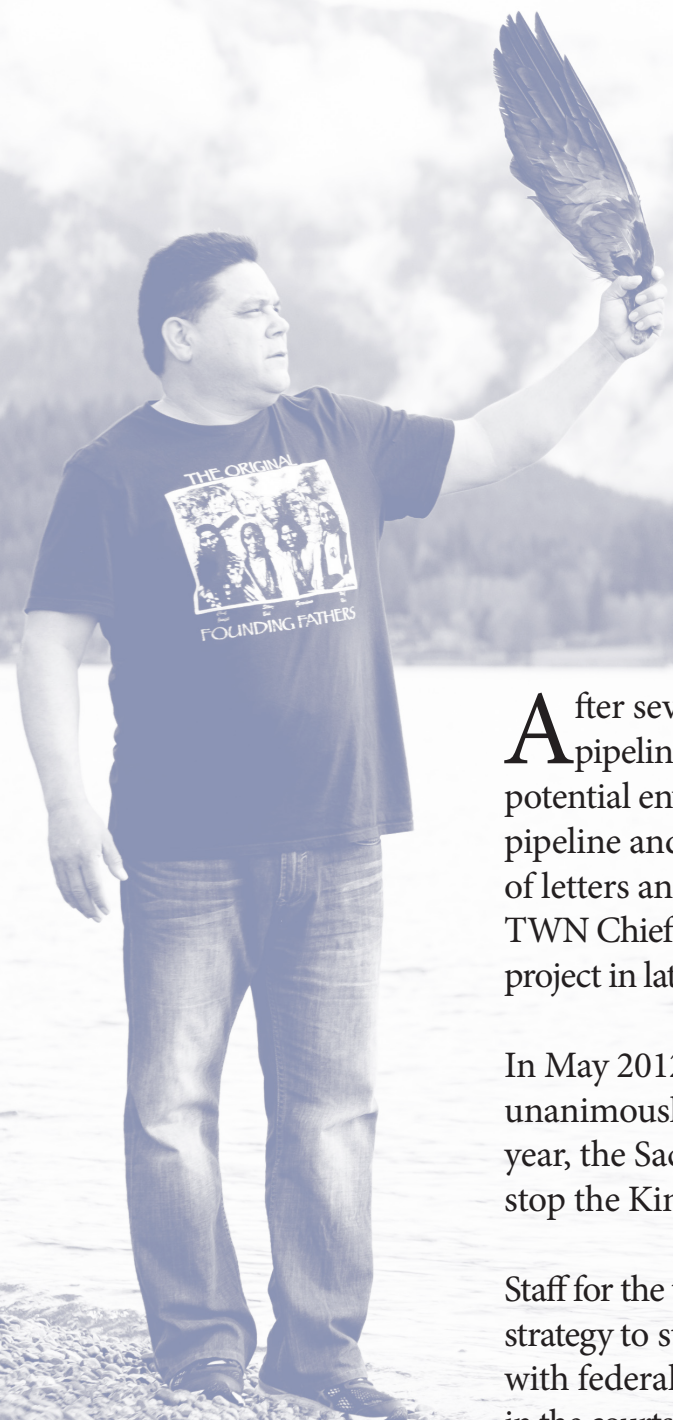


The TWN community will be directly affected by increased tanker and tug traffic in Burrard Inlet, and the oil spills resulting from the project. Construction of the Kinder Morgan pipeline will irreparably harm TWN environmental and cultural values.

The Sacred Trust Initiative is grounded in TWN's culture, spirituality, and law. TWN has a sacred, legal obligation to protect, defend, and steward the water, land, air, and resources in our territory. TWN's stewardship obligation includes the responsibility to maintain or restore conditions that provide the environmental, cultural, spiritual, and economic foundation for the community to thrive.



2 | SACRED TRUST INITIATIVE ORIGINS



After several media reports regarding the Kinder Morgan pipeline, TWN Chief and Council began to consider the potential environmental and cultural harm of 1) twinning the pipeline and 2) increasing tanker traffic. Following an exchange of letters and a meeting in Calgary with Kinder Morgan officials, TWN Chief and Council announced their opposition to the pipeline project in late 2011.

In May 2012 at a TWN community meeting, attendees voted unanimously to support Chief and Council opposition. Later that year, the Sacred Trust Initiative was created with the direction to stop the Kinder Morgan pipeline by any *lawful* means necessary.

Staff for the the Sacred Trust Initiative developed a comprehensive strategy to stop the proposed pipeline, that included engagement with federal, provincial, and municipal governments, legal action in the courts, public and First Nation outreach, and investor dissuasion.

SAVE THE FRASER
DECLARATION (2013)



INTERNATIONAL TREATY TO
PROTECT THE SACRED (2013)



INTERNATIONAL FIRST NATIONS
ALLIANCE TO STOP THE TAR SANDS
(2016)



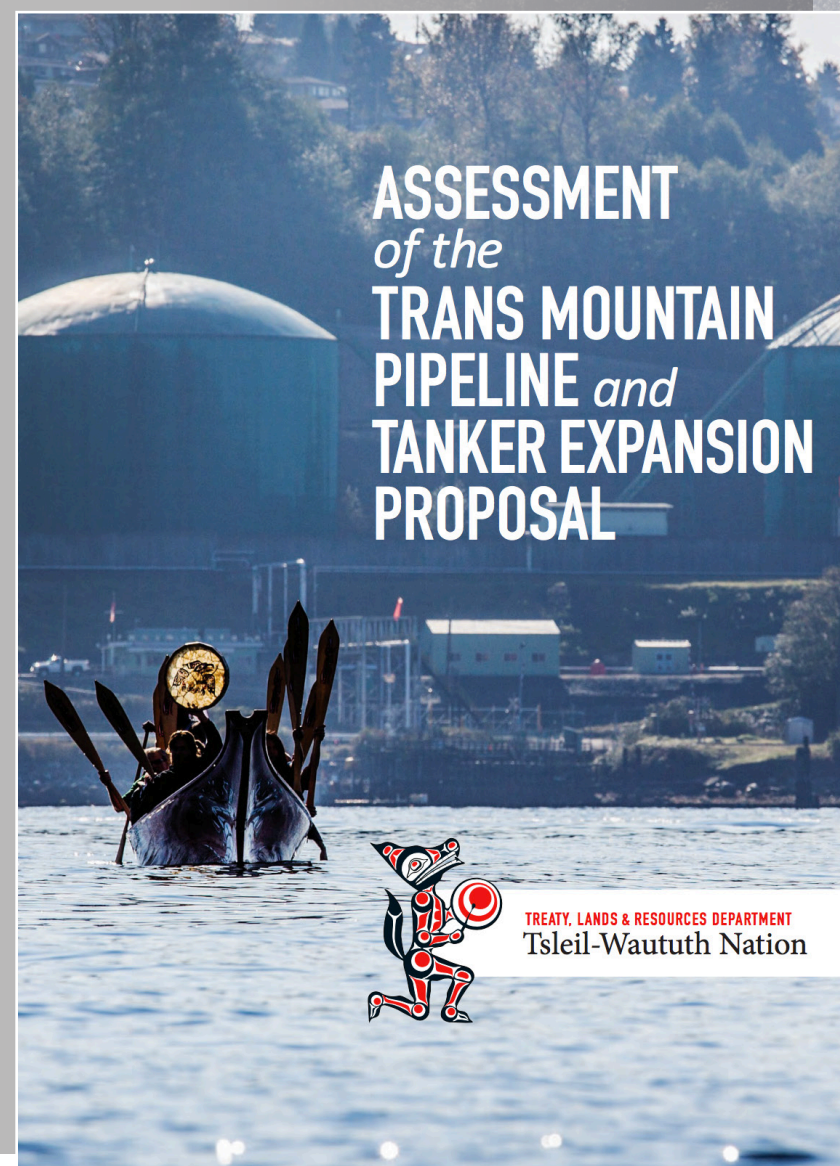
3 | TWN ASSESSMENT REPORT

To provide further evidence of the environmental and cultural harm that will result from the Kinder Morgan pipeline, TWN Chief and Council asked our Treaty, Lands, and Resources Department (TLR) to assess the project under the 2009 TWN Stewardship Policy.

The 2015 TWN Assessment was a landmark document that applied Tsleil-Waututh law, policy, and knowledge to a review of the project. It was backed by cutting edge, western science including extensive anthropology and archaeology research. Effects of the pipeline project were considered holistically. They included environmental issues, but also the interconnected cultural, spiritual, legal, and governance rights and responsibilities of TWN.

The assessment concluded: 1) oil spills from the project are inevitable, 2) spilled oil cannot be completely cleaned up, 3) if diluted bitumen (dilbit—the tarry product to be shipped by the Kinder Morgan pipeline) is spilled, it will likely submerge and linger for years, 4) spilled oil will have dire consequences for human health and the environment, and 5) additional tug and tanker traffic will accelerate erosion of the shoreline along the reserve.

Additional research revealed: 1) the target markets in Asia have no interest in buying dilbit from Alberta, 2) even if they did, Canada has sufficient, existing capacity to move oil for the next 20 years, and 3) building the pipeline is inconsistent with Canada's climate change policy—all of which argue that the project is not in the public interest.



When the TWN community reviewed the assessment in April 2015, attendees once again rejected pipeline expansion because of the potential harm to environmental values. When the effects on cultural values were examined, the sentiment for rejection was even stronger.

The National Energy Board (NEB) reviewed the TWN Assessment and found that "based on evidence filed by Trans Mountain and intervenors, a large spill in Burrard Inlet would result in significant adverse environmental and socio-economic effects. Evidence filed by parties such as the City of Vancouver, City of Burnaby, and the Tsleil-Waututh Nation indicate the potential extent of such effects. However, based on the evidence before it, the Board finds that a large spill in Burrard Inlet is not a likely event."

TWN disagreed strongly with the NEB's conclusion that large oil spills are unlikely. Based on expert evidence ignored by the NEB, TWN demonstrated that there is a ~90% chance of at least one ship-based oil spill over the 50-year lifespan of the new pipeline.

The assessment can be viewed at twnsacredtrust.ca/kinder-morgan-assessment-report.

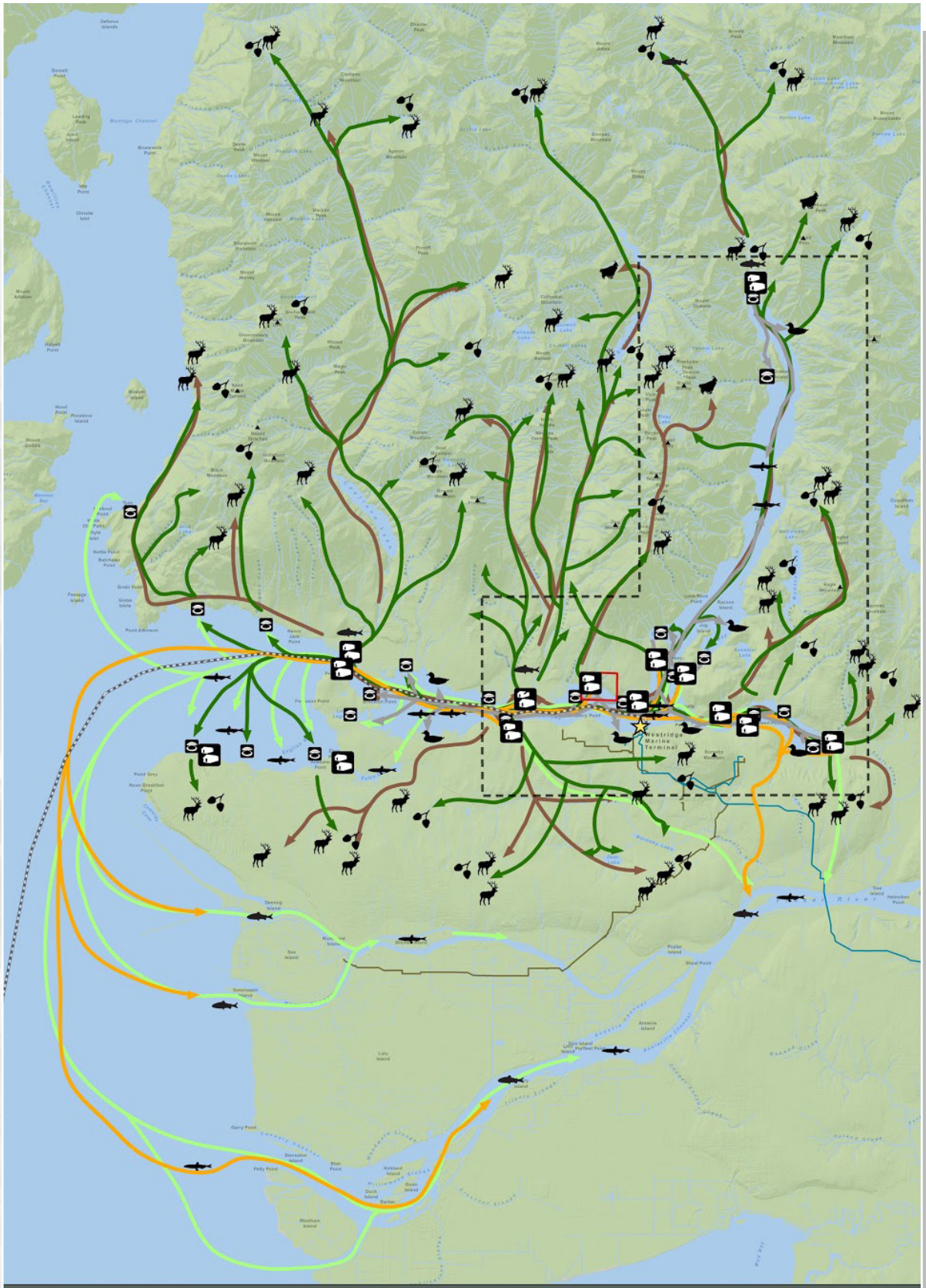
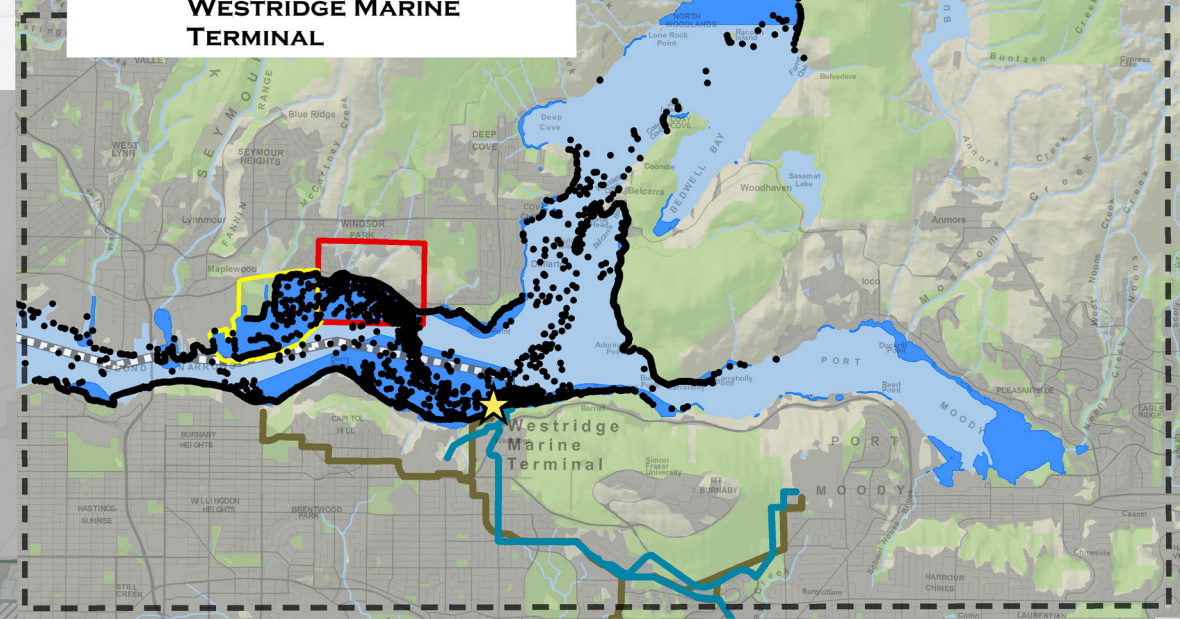
4 | MAPPING TSLEIL-WAUTUTH HISTORY AND CULTURE

As part of the TWN Assessment and to support the history of TWN use and occupancy of Burrard Inlet, TLR commissioned a report entitled *Tsleil-Waututh Nation's History, Culture, and Aboriginal Interests in Eastern Burrard Inlet*.

The 472 page report is a compendium of TWN's origins and history, place names and village sites, subsistence economy and seasonal rounds, and contemporary cultural and economic initiatives. It includes 92 maps, including the ones here. It can be downloaded from twnsacredtrust.ca.



**TSLEIL-WAUTUTH NATION
BURRARD INLET
MAP 27: SENSITIVE HABITAT
AND POTENTIAL OIL SPREAD
FROM OIL SPILL AT
WESTRIDGE MARINE
TERMINAL**



**TSLEIL-WAUTUTH NATION
BURRARD INLET AND FRASER DELTA
MAP 7: SEASONAL
MOVEMENT PATTERNS**
Focus of migration on eastern Burrard Inlet villages from AD 1500-1850.
Legend
★ Westridge Marine Terminal
■ Tsleil-Waututh Village

- KMC Existing Infrastructure**
— Trans Mountain System
— Jet Fuel System
— Tsleil-Waututh Nation Reserve
— Tsleil-Waututh Assessment Study Area
- Movement Patterns**
— Spring Movement
— Summer Movement
— Late Summer Movement
— Fall Movement
- Resource**
● Berry Gathering
● Chum/Pink/Sockeye
● Duck
● Forage Fish
● Hunting, including Deer/Elk
● Intertidal Shellfish Bed

Map Scale: 1:80,000
Projection: UTM, NAD 83, Zone 10
This map is a living document and is intended to be amended and refined over time. It is not an expression of the location of Tsleil-Waututh aboriginal title. The data used to produce this map originate from many sources and are presented without prejudice. This map is the property of the Tsleil-Waututh Nation and may not be reproduced without written permission.
Sources of spatial data for this map include Tsleil-Waututh Nation, BC Government, Government of Canada, Integrated Cadstral Information Society, Musqueam Settlement Pattern Models map (Ham, 1996).

5 | TWN GOVERNMENT ENGAGEMENT AND LEGAL ACTIONS

Beginning April 2014, TWN participated in the NEB review of the pipeline expansion project. Participation in the process was under duress because the setup of the review was deeply flawed and underfunded.

In May 2014, TWN filed early litigation to challenge the scope of the NEB review. Among the many deficiencies, it did not include an environmental assessment of the effects of increased tug and tanker traffic on TWN environmental and cultural values.

In May 2016, the NEB recommended that the federal cabinet approve the project subject to 157 conditions. In September 2016, the federal court dismissed TWN's early litigation on procedural grounds, while the substantive arguments were reserved for future action.

Between September and November 2016, TWN held an intense set of meetings with the federal government to try and achieve recognition of TWN governance rights and institute joint decision-making for the upcoming pipeline expansion approval decision.

The engagement discussions ended in failure when the federal cabinet unilaterally approved the Kinder Morgan expansion without TWN consent in November 2016.

In June 2016 and January 2017, TWN filed new litigation to challenge both the NEB recommendation and the federal cabinet decision respectively. Eighteen other First Nations including Musqueam and Squamish joined the cases.

For TWN, the core of the challenges is the failure of the federal government to adequately consult TWN about the project and acknowledge that the nation's consent is necessary for the pipeline project to proceed. The latest litigation will unfold over the next year or two, and may end up at the Supreme Court of Canada. Future TWN legal costs are being supported by RAVEN, a nonprofit based in Victoria.



6 | TSLEIL-WAUTUTH PUBLIC OUTREACH

TWN's public outreach campaign has been a very active part of the Sacred Trust Initiative. The objective is to ensure a majority of the public understands the risks associated with the proposed pipeline expansion, and collectively voices opposition to the project. Strong, vocal opposition will help deny Kinder Morgan the social license necessary to proceed with the pipeline's construction.

Outreach activities have included public speaking at townhall meetings, rallies, press conferences, ceremonies, concerts, and other events organized by the Sacred Trust team and allies, locally and internationally.



FIRST NATIONS OUTREACH

Sacred Trust representatives spent two years travelling along pipeline and tanker routes from Alberta to Vancouver Island to talk to First Nation communities. Our team built a number of strong relationships with First Nations, as well as with many municipal governments and grassroots organizations.

We also participated with the Lummi Nation House of Tears in three Totem Pole journeys building solidarity among communities across Canada and the United States to oppose the new pipeline and other fossil fuel projects.



7 | TSLEIL-WAUTUTH INVESTOR DISSUASION

The investor dissuasion strategy targets the financial backers of the pipeline project, including Kinder Morgan shareholders and investors, and the oil companies intending to contract use of the new pipeline.

The objective is to create financial uncertainty by making sure the investors understand that construction of the pipeline is not a “done deal”—that TWN actions will at a minimum delay construction if not outright kill the project.

Delays in construction will drive up the cost of the project—perhaps making the project so expensive that the oil companies contracted to use the pipeline withdraw or alternatively, that the construction costs far exceed any financial benefit to Kinder Morgan, and the company cancels the project.

Tsleil-Waututh representatives attended two Kinder Morgan annual general meetings in Houston, Texas, and visited investors based in New York City twice, all to deliver a message of the strength of TWN’s opposition to the pipeline expansion, and the nation’s determination to stop it.



8 | TIMELINE OF EVENTS 2011-2017

2011

2012

2013

2014

DECEMBER 2, 2011.

Tsleil-Waututh Nation (TWN) Chief and Council announce their opposition to Kinder Morgan, and TWN holds its first public Kinder Morgan event.

MAY 14, 2012.

At a TWN community meeting, attendees vote unanimously to support the Chief and Council's opposition to the pipeline expansion. A mandate is formally given to the Sacred Trust Initiative.

MAY 24, 2012.

First town hall meeting with the Sacred Trust Initiative.

JUNE 8, 2012.

TWN member visits Rio De Janeiro, and gives speeches at multiple events, including those with the United Nations.

2012 - PRESENT.

Sacred Trust representatives travel along the pipeline and tanker routes, talking with First Nations communities.

MARCH 19, 2013.

TWN signs the Save the Fraser Declaration.

DECEMBER 16, 2013.

Kinder Morgan applies to the NEB to expand the Trans Mountain Pipeline.

APRIL 19, 2013.

TWN signs the International Treaty to Protect the Sacred from the Tar Sands Projects.

FEBRUARY 22, 2014.

Winter Gathering 2014, and Stop Kinder Morgan Solidarity Night. Co-produced by Coast Salish LIVE and the TWN, with A Tribe Called Red.

FEBRUARY 16, 2016.

In Kamloops, the First Nations of the Interior Alliance pass a motion to support the TWN in its struggles against the pipeline expansion.

OCTOBER 9, 2015.

TWN participates in a 'Stop Kinder Morgan Expansion' rally in Montreal, Quebec.

MAY 26, 2015.

TWN's Treaty, Lands, and Resources department produces its 90-page Assessment Report, a landmark document that applies TWN law, policy and knowledge to a review of the project.

MAY 7, 2015.

TWN's members protest at Kinder Morgan's Annual General Meeting, at its headquarters in Houston, Texas.

AUGUST 10, 2014.

Salish Sea Summer Gathering, at Cates Park.

APRIL 2, 2014.

The NEB determines the Trans Mountain Pipeline expansion application to be complete, and launches public hearings on the proposal.

2016

2015

MAY 8, 2016.

TWN representatives visit Houston, Texas, for Kinder Morgan's Annual General Meeting. They deliver a message of TWN's strong opposition to the pipeline expansion project.

OCTOBER 27, 2015.

TWN versus Kinder Morgan-NEB-Attorney General of Canada, held at the Federal Court of Appeal, in Vancouver.

AUGUST 23, 2015.

TWN participates in photographer Nancy Bleck's "Children of Tomorrow" exhibit, at the Seymour Art Gallery, Deep Cove.

APRIL 2015 & JUNE 2016

TWN Chief and Council visit Wall Street to inform them of the risks.

SEPTEMBER 22, 2014.

TWN and other Nations sign the Treaty to Protect the Salish Sea.

APRIL, 2014.

TWN participates in the NEB's review of the pipeline expansion project through public hearings.

MAY 19, 2016.

The NEB formally recommends that the federal cabinet approve the project with 157 conditions.

SEPTEMBER 12, 2016.

The Federal Court of Appeal dismisses TWN's early litigation on procedural grounds.

NOVEMBER 28, 2016.

TWN leaders meet on Parliament Hill for one last meeting with Natural Resources Minister Jim Carr.

JANUARY 18, 2017.

TWN files new litigation to challenge the federal cabinet's decision to approve the project. Eighteen other First Nations join the cases.

MAY 12, 2016.

Solar panels are gifted to the TWN, at the Press Conference of UNITY, with three Grand Chiefs and other First Nations leaders from across North America.

JUNE 22, 2016.

TWN files litigation to challenge the NEB's recommendation.

SEPTEMBER - NOVEMBER, 2016.

TWN holds an intense set of meetings with the federal government to try and achieve recognition of TWN governance rights, and institute joint decision-making for the project.

SEPTEMBER 22, 2016.

TWN and 50 other Nations from across North America sign the International First Nations Treaty Alliance to Stop the Tar Sands.

NOVEMBER 29, 2016.

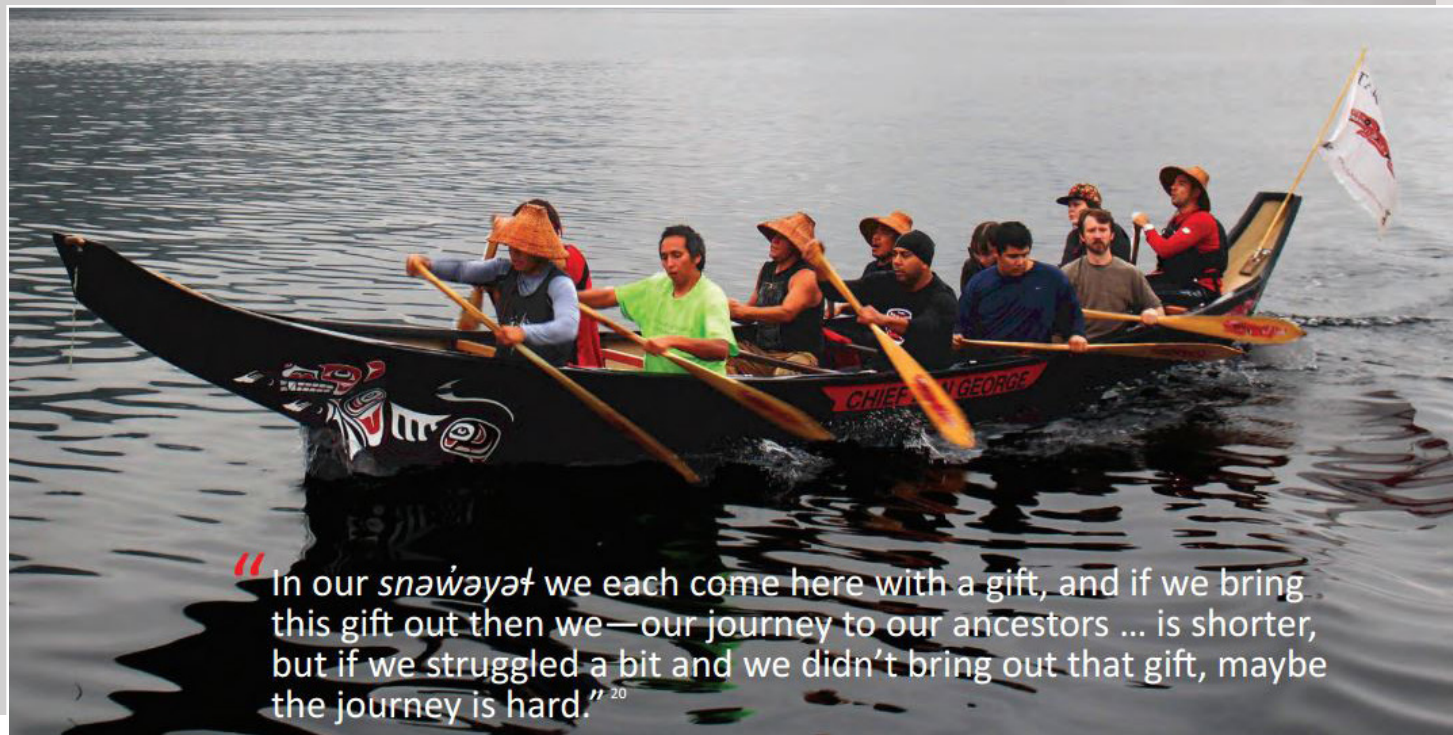
Federal cabinet unilaterally approves the Kinder Morgan expansion without TWN's consent.

MARCH 19, 2017.

TWN meets with Zuhair Kuvana-Mills at Vancouver Fashion Week, to participate in her Empty Oceans collection.

2017

9 | COMMUNITY PHOTOGRAPHS



SACRED TRUST BUDGET, 2010-2016

INCOME:

FUNDRAISING \$1,121,238

+TWN CONTRIBUTION \$1,848,100

TOTAL EXPENSES \$2,969,338



We stand here together as Tsleil-Waututh people and we say "no." We say "no," the risk is too great. Our obligation is not to oil. Our obligation is to our land, our water, our people, our life, our "snəwayəṭ." According to our snəwayəṭ, our law, this project represents a risk that we the Tsleil-Waututh people are not willing to take.

— Leah George-Wilson,
2014 testimony before the National Energy Board

