

ati axa? i? tmx^wwa?x^w

“BECAUSE OUR LAND IS BEAUTIFUL”



Amber Cardenas and Joanne Alexis drumming at the *skakayent* Salmon Ceremony on the Columbia River.

THE ENDURING RELATIONSHIP
PROGRESS REPORT 2020



nk'wəttwistmntəm

"WE ARE STANDING TOGETHER WITH THEM ON THIS"

KEY PRINCIPLES OF THE ENDURING RELATIONSHIP

- Recognition and respect
- Transparency and open, regular communication between our leadership and BC Hydro executives
- Early planning involvement from conceptualization to implementation
- Consistent and meaningful dialogue
- Acknowledge our Syilx Okanagan worldviews and values
- Provide opportunities for Syilx Okanagan community members while improving the efficiency of BC Hydro operations
- Work together on measurable positive outcomes to achieve key mutual objectives
- Collaborative processes and dispute resolution
- A direct relationship through one liaison with BC Hydro on a day-to-day basis, and the ability to speak together at the highest levels regarding the effectiveness of the relationship

BCH BC Hydro
ILM Interior to Lower Mainland Transmission Line
WKTP West Kelowna Transmission Project
NTSA Non-Treaty Storage Water Agreement
Rev6 Revelstoke Dam Generating Unit #6
NNTC Nlaka'pamux Nation Tribal Council
LSIB Lower Similkameen Indian Band

OKIB Okanagan Indian Band
OIB Osoyoos Indian Band
PIB Penticton Indian Band
UNB Upper Nicola Band
USIB Upper Similkameen Indian Band
WFN Westbank First Nation
ONA Okanagan Nation Alliance

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"BECAUSE OUR LAND IS BEAUTIFUL"

The Enduring Relationship is built upon principles of respect, early involvement, greater transparent communications and meaningful resolution of the concerns of our Nation and member communities. In the past nine years, we have worked collaboratively with BC Hydro to identify opportunities for positive outcomes for both our Nation, communities, and BC Hydro operations. This agreement has created a venue to discuss Syilx Okanagan Title and Rights.

The Enduring Relationship has benefitted our Nation and communities in many ways. As part of the agreement, the Nation has received lump sum payments, jobs and contract opportunities for band and individual business owners, dedicated training opportunities for community members, regular involvement in project decisions, participation in changes to the mechanisms of interaction and communications with BC Hydro, and clean energy opportunities.

This booklet was created to inform our Syilx Okanagan community members, partners, and others on how our relationship with BC Hydro has evolved from that of minimal involvement and consultation to a dedicated relationship with early information sharing, meaningful engagement, trust and respect. There continues to be issues between our Nation and BC Hydro but it is because of the Enduring Relationship that we have the avenue to address them and ensure the protection of our land, water and resources for the good of all, for all time.

– Chief Clarence Louie, Chair
Energy Executive Committee

RESPECT AND COLLABORATION

Since 2001, the Okanagan Nation Alliance (ONA) Chiefs Executive Council (CEC) has been directly engaged with BC Hydro, who has remained the largest corporation impacting our Territory.

They operate 12 hydroelectric dams, maintain over 3,000 km of transmission lines and produce over 50% of all of BC's electricity on the territory. Work was focused on addressing the on-going and past infringements while ensuring that the impacts of future projects and activities are minimized, and that the Syilx Okanagan Nation and its communities get significant benefits from these activities now and into the future.

In 2007, the ONA, Upper Nicola Band (UNB), and Nlaka'pamux Nation Tribal Council (NNTC) united to defend and protect Title and Rights regarding a proposed third transmission line running from Merritt to Coquitlam, the Interior to Lower Mainland Transmission Line (ILM). The ONA, UNB and NNTC worked consistently, diligently, and strategically to ensure meaningful engagement took place and that Syilx Okanagan Title and Rights were respected. By 2011, the ILM Agreement was enacted to define ways that the Syilx Okanagan Nation would provide support for the project and receive certain benefits and opportunities from it, but also to advance a relationship of mutual respect and collaborative working relationships. This became the Enduring Relationship and with the ILM agreement, was signed between the Nation and BC Hydro on August 26, 2011.

After several court cases, direct action, and tough negotiations, the CEC turned BC Hydro from one of the greatest adversaries to a working partner. The Enduring Relationship opened up regular communication channels between CEC and the Senior BC Hydro Executive, including the CEO, president and vice-president.



The ILM was the first major project in the new era of the Enduring Relationship, and since then several projects have come forward, such as the West Kelowna Transmission Project (WKTP). As the first project to be initiated following the Enduring Relationship, the Syilx Okanagan Nation is being not only engaged, but actively involved at an early stage which is unprecedented with past BC Hydro projects. Several discussions on past projects where Syilx Okanagan Title and Rights were not recognized have been re-opened. This includes the additions of the Revelstoke Dam generating unit 6 and the Mica Dam generating units 5 and 6, the Non-Treaty Storage Water Agreement in the Columbia, fish passage concerns near Wilsey Dam, and more. This early involvement in projects is critical to ensure we as Syilx Okanagan people are able to uphold our responsibilities to the *tmix*^w and *tmx^wulax*^w that they are protected.

Aside from the new model of engagement on major projects, BC Hydro also committed to supporting the Nation in other ways, offering opportunities for training, education, scholarships and bursaries to Nation members. These opportunities support future employment with BC Hydro and elsewhere in the energy sector. The EEC negotiators concluded a 5-year renewable \$10 million direct award package of opportunities primarily for band-based businesses in construction, support and technical services. BC Hydro has also been a strong supporter of several annual ONA events through consistent sponsorship. Since the Enduring Relationship was signed, BC Hydro has committed over \$100,000 towards ONA events.

We are committed to ensuring the principles of the Enduring Relationship are maintained and that the relationship continues to get better. This work is for the land, the water, and for the people.

Opposite page:

Signing of the ILM and Enduring Relationship agreements at *nk^wr'itik^w* (Glimpse Lake), 2011.

L to R: Jessica MacDonald,
BCH Negotiator;

Jay Johnson,
ONA CEC Negotiator;

Dave Cobb,
former BCH CEO;

Dr. Grand Chief Stewart Phillip,
Chair ONA;

Chief Dan Manuel,
UNB



ACKNOWLEDGE OUR SYILX OKANAGAN WORLDVIEWS AND VALUES

The work of the CEC continues to be demanding and challenging to ensure that our relationship remains rooted in Syilx Okanagan protocols, principles and interests while advancing a respectful partnership. Joint planning meetings throughout the years have identified a streamlined process, rules and structures that seek to better address the interests and concerns of the Nation within a complex energy corporation and market. Current priorities for the Nation include:

- Shared decision-making
- Economic development
- Environmental responsibility
- Effective communication
- Energy efficiency



CONSISTENT AND MEANINGFUL DIALOGUE

THE NATION COMMUNICATES WITH BC HYDRO THROUGH MULTIPLE ORGANIZED GROUPS.

CHIEFS EXECUTIVE COUNCIL (CEC)

Chiefs from all Nation member bands who make final decisions on the Enduring Relationship and BC Hydro operations in the Territory.

BC HYDRO

Meets with executives on major issues and updates.

ENERGY EXECUTIVE COMMITTEE (EEC)

Chiefs, council members, and technical community members who guide all BC Hydro activity in the Territory through recommendations to CEC. Ensures BC Hydro operations respect Syilx laws, culture and language and engages with the energy sector to pursue related economic, cultural and environmental opportunities and actions.

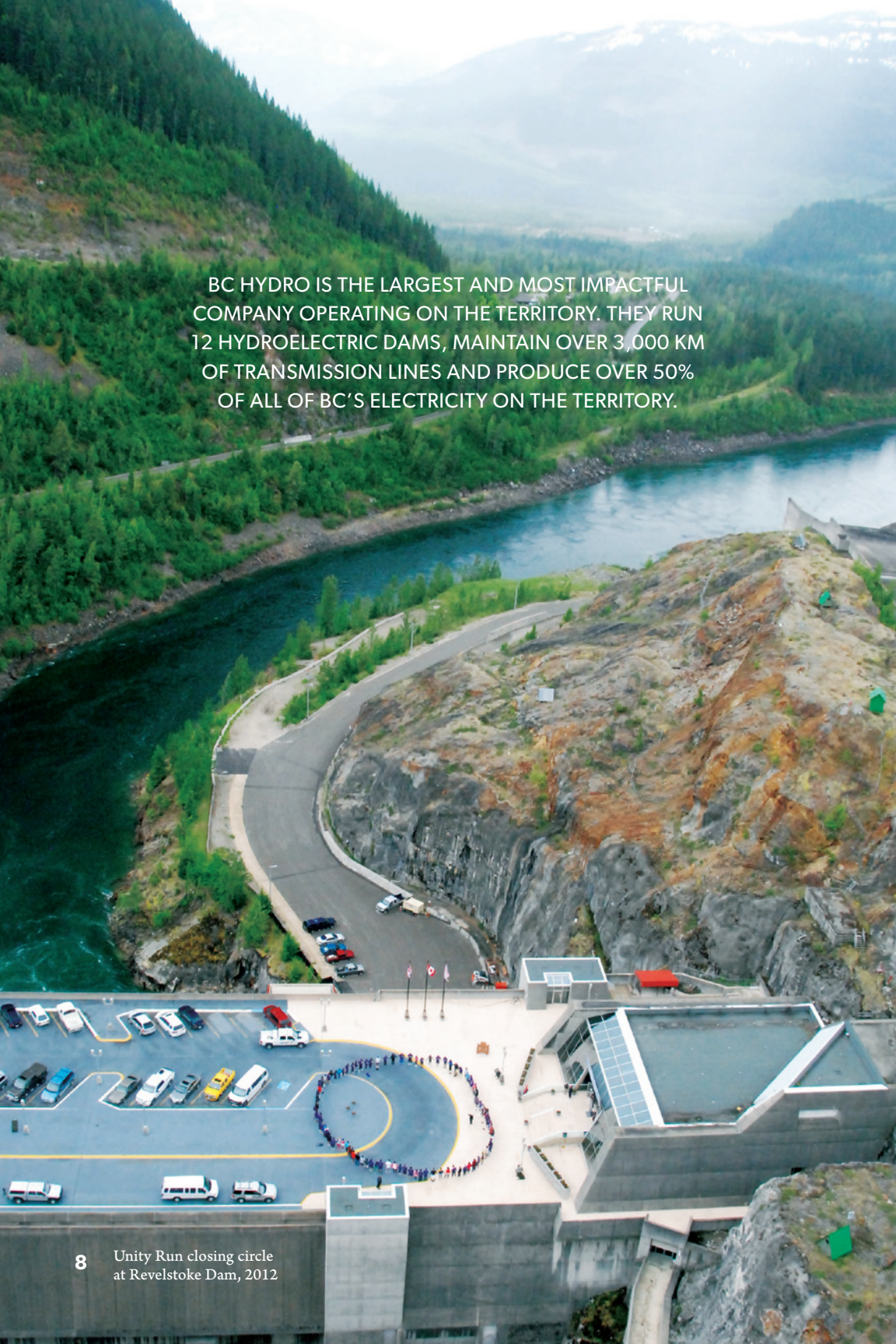
MAINTAINS REGULAR COMMUNICATIONS WITH RELATIONSHIP LEAD.

PROCUREMENT WORKING GROUP (PWG)

Ensures the Nation is engaged in job and contract opportunities with BC Hydro. Develops tools to aid Nation businesses and entrepreneurs in successfully bidding and also provides updates and recommendations to the EEC.

PROJECT REVIEW COMMITTEES (PRCs)

Project-specific review teams made up of skilled technicians and Nation members. Assess projects with technical and traditional ecological knowledge and provide recommendations to EEC. These groups are often banded and Nation supported.

An aerial photograph of the Revelstoke Dam in British Columbia, Canada. The dam is a large concrete structure with a spillway on the right. In the foreground, a paved area features a circular formation of people, a parking lot with several cars, and a modern building with a glass facade. A winding road curves along the rocky bank of the river. The background shows a lush green forested valley and distant mountains under a hazy sky.

BC HYDRO IS THE LARGEST AND MOST IMPACTFUL
COMPANY OPERATING ON THE TERRITORY. THEY RUN
12 HYDROELECTRIC DAMS, MAINTAIN OVER 3,000 KM
OF TRANSMISSION LINES AND PRODUCE OVER 50%
OF ALL OF BC'S ELECTRICITY ON THE TERRITORY.

In the late 1960s, BCH built two high voltage transmission lines – the Interior to Lower Mainland Transmission Line and in 2005, BCH began planning a third line along the route. This is ultimately what triggered the Enduring Relationship when the UNB, ONA and NNTC united to defend and protect our *skc'əx'əxwipla? uł steł tałt* (Title and Rights) in 2007. Litigation and negotiations began and continued over the next four years until the ILM Agreement and Enduring Relationship was signed in 2011.

- CEC LEVEL BCH RELATIONSHIP
- MAJOR PROJECT RELATED WORK
- OTHER SUPPORTS TO COMMUNITY
- PROCUREMENT AWARDS

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"FROM NOW TO THEN"

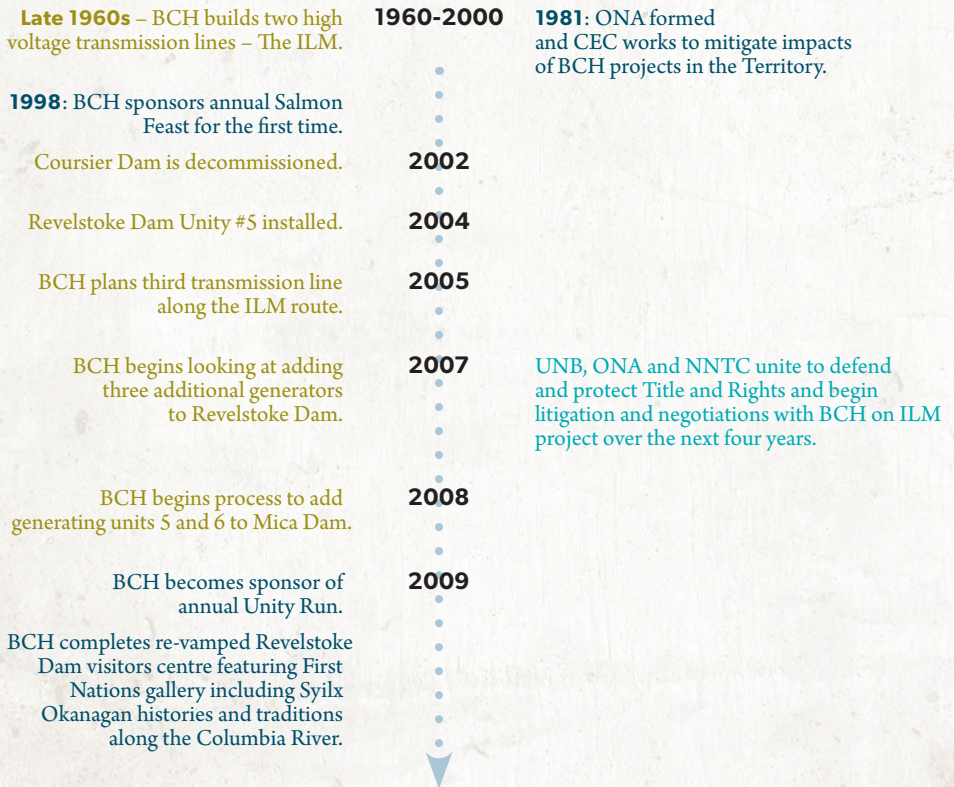
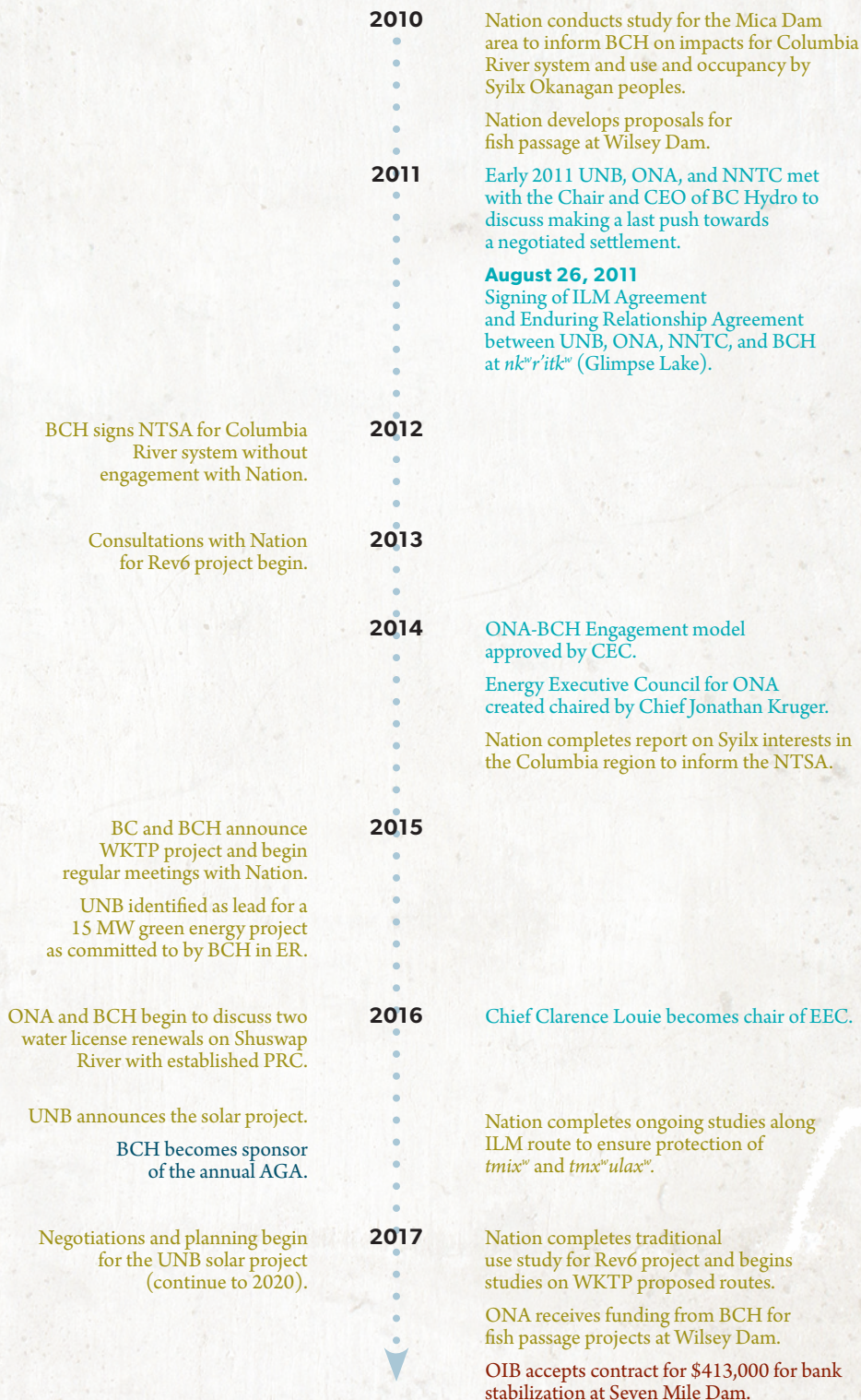


Photo right: Unity Run near Mica Dam, 2017



BCH now an annual sponsor of Salmon Feast, AGA, Water Forum and Unity Run committing over \$15,000 per year to Nation events.

BCH provides funding for Syilx Okanagan community members to complete assessments, monitoring, and training for of WKTP.

BCH creates Junior Construction Officer position created for a community member on WKTP.

BCH submits application for water license renewals to Comptroller of Water Rights (CWR).

BCH initiates project for fish passage at Wilsey Dam, either a fish channel, or decommissioning Wilsey Dam.

BCH submits request to CWR to put application on hold, until an alternative for the Wilsey Dam Fish Passage Project is selected

2018

Procurement Working Group created and Business Development Specialist hired at ONA.

Technical working group established to address gaps in Environmental Assessment process for Rev6.

Cultural knowledge and use study begins for Wilsey Dam led by OKIB.

2019

3 Nation businesses who received procurement opportunities donate over \$10,000 to ONA for scholarships and bursaries for Syilx Okanagan students.

UNB accepts \$105,000 contract for janitorial services at Merritt District Offices.

PIB accepts \$1.0M contract for a security fence Nicola Substation.

OIB accepts two \$90,000 contracts for transmission vegetation work.

OKIB accepts contract for \$150,000 for oil contamination collection and removal at Mica Dam.

2020

Initial discussions begin with BCH on an integrated resource plan

\$45,000 has been awarded in scholarships and bursaries to Syilx Okanagan community members since 2016.

11 Syilx Okanagan Nation members have been hired into BCH positions since 2016.

OIB accepts \$572,425 contract for road re-alignment at Seven Mile Dam.

OKIB accepts contract for \$25,000 for environmental monitoring at Mica Dam.

WFN accepts \$7.5M contract at Mica Dam for a circuit breaker.

WFN accepts \$1.5M contract for fan installation at MCA.

2021

10 YEAR ANNIVERSARY OF THE SIGNING OF THE ENDURING RELATIONSHIP

EARLY PLANNING INVOLVEMENT FROM CONCEPTUALIZATION TO IMPLEMENTATION

The effort to improve the relationship between the Syilx Okanagan Nation and BC Hydro continues while numerous new BC Hydro projects are proposed on the Territory. These projects have significant impacts on Syilx Okanagan *tmix^w* and *tmx^wulax^w* and BC Hydro is rightfully seeking input as to how these impacts might be mitigated and potentially corrected to allow for balance and respect. The health and preservation of our *tmix^w* and *tmx^wulax^w* is a Syilx Okanagan responsibility that must be upheld. Through the Enduring Relationship there is a strategic opportunity to educate BC Hydro on these connections and values.

INTERIOR TO LOWER MAINLAND TRANSMISSION LINE (ILM)

In the 1960s, BC Hydro built two high voltage transmission lines to supply the Lower Mainland with power from Columbia River dams. Then in 2005, they planned to add a third transmission line to that route. Neither of these decisions involved the Syilx Okanagan Nation nor UNB. Neither saw any recognition of the impacts the transmission lines had and will continue to have on the *tmix^w* and *tmx^wulax^w*. Because of the Enduring Relationship, several environmental assessments, archaeology impact assessments, and more have been completed to ensure that Syilx Okanagan Title and Rights were not infringed upon in the completion of the project. The transmission line was completed in the fall of 2015.

- 63 environmental audits
- 10 amphibian surveys
- 19 plant surveys
- 2 bird surveys
- 1 stick nest survey
- 3 Williamson Sapsucker surveys
- 2 rare plant surveys completed



MICA DAM GENERATING UNITS 5-6 AGREEMENT

An Impact Benefits Agreement has involved several years of negotiations between the Syilx Okanagan Nation and BC Hydro. Prior to the Enduring Relationship, the CEC withdrew from frustrating negotiations and re-engaged a few years ago with the BC Hydro Vice President to reach a respectful benefits agreement for the facility. By 2013 both generating units were delivered to Mica dam and were installed and in service by 2015. In 2019, for the first time, the Mica agreement moved BC Hydro away from a standard Impact Benefit Agreement that demanded broad and often permanent releases from First Nations towards a more title-based approach that recognizes contributions to date. WFN is currently moving forward with a procurement opportunity at the Mica Dam.

NON-TREATY WATER STORAGE AGREEMENT (NTSA)

In February, 2012 BC Hydro unilaterally signed the NTSA with Bonneville Power Company in the USA for an extension to the previous 10-year water storage agreement in the Upper Columbia. The Nation has challenged this agreement with serious concerns over water flow impacts to returning Okanagan Sockeye salmon stocks, among other issues. Under the CEC direction the Nation negotiated a letter agreement with Senior BC Hydro Vice President to research issues and impacts of the NTSA and its water flows to Okanagan sockeye salmon, conduct gap analysis and design and conduct studies to address gaps on impacts. The Syilx Okanagan Nation is the only First Nation to have such a process with BC Hydro.



REVELSTOKE DAM GENERATING UNIT #6 (REV6)

This project pursues the construction of a new and final generator in the last bay of the Revelstoke Dam. The CEC has rejected old consultation processes and is designing more dedicated and advanced processes reflecting the new Enduring Relationship. The Project Review Committee (PRC) for this project is led by OKIB and includes WFN, PIB and ONA and are working on a full technical review and analysis of the project, including mitigation measures to accommodate for impacts from the facility. BC Hydro informed the Nation that they are moving back the in-service date from 2020 to allow more time to ensure that proper engagement with the Syilx Okanagan Nation can occur under the evolving Enduring Relationship.



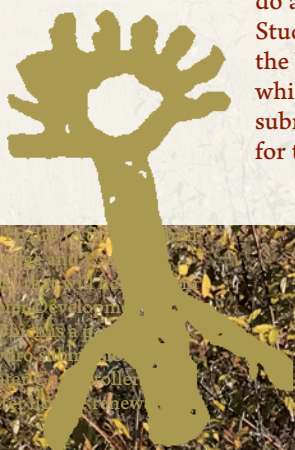
The PRC identified an extensive list of areas of interest, such as the creation of cultural competency training programs for BC Hydro staff and the need for multiple rehabilitation and restoration projects. BC Hydro has committed additional funding on these areas.

WILSEY DAM – FISH PASSAGE PROJECT AND WATER LICENSE RENEWAL DISCUSSIONS

Projects associated with Wilsey Dam have a long-standing history with BC Hydro, Department of Fisheries and Oceans, and the Syilx Okanagan Nation. For the last 81 years Wilsey Dam has prevented salmon from using at least 20 km of former spawning and rearing habitats above Shuswap Falls. The ONA has been releasing fry into the Shuswap River above the dam in the past, was a part of a fish passage steering committee, and has been conducting studies on increasing knowledge on survival of juvenile salmon through Wilsey Dam despite any support, discussions or funding from BC Hydro. Assessments concluded that there are no serious impediments to re-establishing fish passage above Wilsey Dam and it was recommended that planning for fish passage proceed.

In 2016 and in spirit of the Enduring Relationship, discussions began on two water license renewals on the Shuswap River, set to expire at the end of 2018. OKIB found funding to do a cultural knowledge and use study in the area to help inform the water development plan for BC Hydro. The discussions on renewals and inclusion of Syilx Okanagan culture and worldview have created even more leverage for fish passage needs.

OKIB is funded by BC Hydro to do a Cultural Knowledge and Use Study (CKUS) that will help inform the Water Development Plan, which is a part of the BC Hydro submission to the Water Comptroller for the water license renewal.



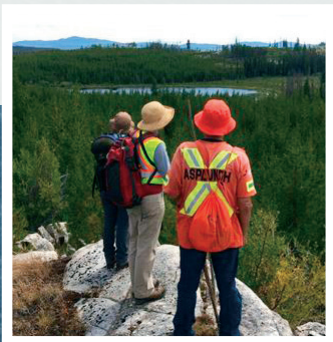
WEST KELOWNA TRANSMISSION PROJECT (WKTP)

BC Hydro proposed a new, secondary transmission line to deliver electricity to West Kelowna and Peachland. Discussions with the Nation began in 2015 on route options to minimize impacts on the environment and sites of cultural significance. The close working relationship since the beginning of the project has allowed the Nation to co-design a project that respects Syilx Okanagan Title and Rights. This has been the first project to be fully planned, studied and engaged with the Syilx Okanagan Nation under the full terms of the Enduring Relationship. Work is on-going, collaborative and successful to date and the best route is currently being determined. WFN is the lead of the Project Review Committee for this project with support from the Nation.

JOBS AND TRAINING FOR COMMUNITY MEMBERS

- **2** Syilx Okanagan Nation members hired as full-time construction officers
- Funded training for **15** community members as Environmental Field Technicians
- Funded **14** community members in Biogeoclimatic Ecosystem Classification & Terrestrial Ecosystem Mapping
- First Aid, ATV/UTV and a winter safety course for **15** Nation members

*All trainings were offered through BC Hydro's Indigenous Employment and Training Program (IET)



UNB-ONA SOLAR PROJECT — AN ILM NEGOTIATED ENERGY PURCHASE AGREEMENT

Part of the Enduring Relationship agreement includes the commitment for BC Hydro to provide a negotiated purchase agreement for a 15 megawatt cleaner energy project. UNB was tasked by CEC as the lead on advancing the energy opportunity. It was decided that the project would be a solar farm. The detailed data collection work for the solar resource is underway on the selected location and the next stage is for the Nation advisors to review the project, create business development plans, and determine financial models and partnership arrangements so the Nation is better informed to make decisions. A confidentiality agreement is currently being drafted and detailed planning and price negotiations are underway.



WHY SOLAR?

- Solar power doesn't release any greenhouse gases
- Solar projects are considered low risk during construction and operation
- Solar energy is stable and lessens dependence on fossil fuels and other projects impacting our land and waters

WORK TOGETHER ON MEASURABLE POSITIVE OUTCOMES TO ACHIEVE MUTUAL OBJECTIVES

The Procurement Working Group (PWG) was established as part of implementing the business aspects of the Enduring Relationship. Successful procurement for Syilx Okanagan Nation businesses and individuals results in contracting through direct awards, employment opportunities, training, and experience. The PWG ensures our member communities benefit from the negotiated minimum \$10 million direct award target from BC Hydro's Ten Year Capital Plan for construction, supply and services contracts. This \$10 million amount is renewable each time the target is reached.

- Since its establishment, the PWG has identified 46 potential projects/contracts available to Nation businesses
- **11** contracts have been awarded to Syilx Nation member communities since 2019 for a total of over \$12 million in value
- Achieved procurement target 2 years into the 5 year commitment
- **2** Nation members offered to donate over \$10,000 back to the Nation as scholarships and bursaries for Syilx Okanagan students

The PWG is currently under review and being revised to better support Nation members, as well as looking at the role of the business development specialist.



Successful procurement contractors offering money towards scholarships and bursaries for Syilx Okanagan Students. L to R: Raf DeGuevara, Lance McLean, Chief Clarence Louie, Delaney Hall, Brian Holmes, 2019.

PROVIDE OPPORTUNITIES FOR SYILX OKANAGAN COMMUNITY MEMBERS WHILE IMPROVING THE EFFICIENCY OF BC HYDRO OPERATIONS

The Enduring Relationship is about more than just collaboration on major energy projects and economic development opportunities in the Nation. It's about working together to support and hold up the Syilx Okanagan Nation and its members. BC Hydro has provided several programs and training courses to help community members develop the necessary skills to reach their career goals and provide funding through scholarships and bursaries available to Syilx Okanagan students. Under the leadership and negotiations of the EEC, the following projects were introduced for Syilx Okanagan community members.

BC HYDRO'S INDIGENOUS EMPLOYMENT AND TRAINING (IET) PROGRAM

In collaboration with Okanagan Training and Development Council (OTDC), there have been several courses and training opportunities for Syilx Okanagan community members. These courses provided classroom learning and hands-on, in the field training so students can get firsthand experience.

Courses on archaeology research and sampling skills

8 Nation members funded for Construction Craft Worker apprenticeship technical training

Career energizers for on the job experience

Several trainings offered for some major projects (see WKTP).

Cameron Jack and Brandon Wilson at Construction Craft Worker Training, 2016



ENERGY CONSERVATION ASSISTANCE PROGRAM (ECAP)

The ECAP is an assessment of low income homes to examine the energy efficiency and identify areas for improvement. Upgrades for Syilx Okanagan homes included installation of LED light bulbs, carbon monoxide detectors, weather stripping, high performance shower heads and faucets, and more.

OKIB: Ongoing, 2013 – 2019

56 homes received upgrades including **19** energy star refrigerators and **1** freezer. **1** home received a new heat pump, **2** homes, crawl spaces and **1** attic were properly insulated.

UNB: Oct 2016 – mid 2017

31 homes received regular upgrades and **6** homes received refrigerator upgrades.

WFN: Dec 2019 – Mar 2020

5 homes received upgrades and **1** home received refrigerator upgrade.

RESERVOIR ARCHAEOLOGY PROGRAM (RAP) AND GUARDIAN WATCH

The RAP works to assess and manage impacts to protected archaeological sites and active erosion zones. The Nation is currently calling for more appropriate monitoring, enhancement and protection measures for Syilx Okanagan archaeology. This new approach has already been a point of discussion with BC Hydro and was met with enthusiastic agreement and commitment from BC Hydro staff.

The Guardian Watch Program educates reservoir users about cultural heritage and local ecological values. **15** guardians from the Syilx Okanagan Nation and other First Nations communities participated in the program and have interacted with the public, shared information and engaged in discussions around protection of archaeological sites.

CAREER ENERGIZER: PRE-APPRENTICE UTILITY ARBORIST (2019)

13 community members participated in foundational training and an on the job practicum to understand utility line clearing operations in proximity to energized electrical equipment, structures and conductors. The objective is to grow the talent pool for the Utility Arborist Trade and work with Contractors to grow Nation capacity.

11 Syilx Okanagan Nation members have hired into BC Hydro positions since 2016. Some of these include the BC Hydro engineer in-training program, full-time Syilx Okanagan project coordinators to support engagement with BC Hydro on mega projects, a construction manager for the WKTP.

"I like what I'm doing, so I want to grow into my current role as much as I can and see where it takes me. I'm looking forward to what opportunities might arise as I continue down my career path."

– Raymond Paul, OKIB,
BC Hydro Construction Officer

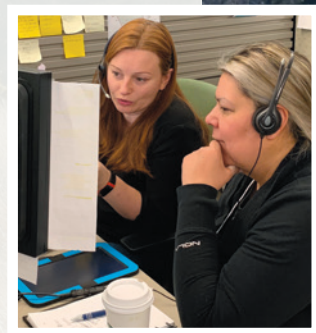
\$45,000 has been awarded in scholarships and bursaries to Syilx Okanagan community members since 2016.

"I hope that by going to school, I can inspire others in my community."

– Shaylene Decock-Kruger,
Recipient of BC Hydro scholarship, 2015

CAREER ENERGIZER: CUSTOMER SERVICE SKILLS (2018 & 2019)

11 community members got an inside look at what it's like to work in BC Hydro's customer service department. The program provided opportunity to learn what it takes to work in a customer service role at BC Hydro and gain valuable experience to prepare to apply for future opportunities with the company.



“Initially we were dealing with lower level [BC Hydro] bureaucrats that would just repeat the policy by rote, and those meetings were incredibly frustrating, but when the senior officials came to the table we knew that we were going to make progress.”

— Dr. Grand Chief Stewart Phillip, 2011

“Our agreement that we have with BC Hydro contemplates an enduring relationship that involves our *snaqsil*, our relatives, that we’re going to work together.”

— Chief Daniel Manuel, 2011



yilmix^m nkwala and UNB youths drummers at the Signing of the ILM Agreement and Enduring Relationship at *nk^wr'itk^w* (Glimpse Lake), 2011



Through multiple organized groups, the Syilx Nation is constantly working to enhance the partnership with BC Hydro. The Enduring Relationship will continue to evolve and ensure the principles are being met in the best possible way.

For Syilx Okanagan People, the ways of knowing our *tmx^wulax^w* (land) and *siw^wlk^w* (water) are embedded in our language and bequeathed to us by our ancestors. Maintaining the integrity of *tmx^wulax^w* and *siw^wlk^w* is essential to our identity and is entrenched in our responsibilities to our homelands.



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