



Final Report April 2024

# Trans Canada Highway Twinning Project Neskonlith Indian Band

**Submitted to:**

The Tk'wem7íple7s re qelmúcw (Chief and Council) of Neskonlith Indian Band  
The Ministry of Transportation & Infrastructure

**Prepared by:**

O'Leary and Associates Ltd.



---

Reproduction is strictly unauthorized.

## Yerí7 skukwstsétsemc

(Thank you very much)

Special thanks for the gracious help, support and effort of a  
number of individuals through this project:

### **Tk'wem7íple7s re qelmúcw** (Chief and Council)

Kukpi7 Irvin Wai

Councillor Shirley Anderson

Councillor Joan Manuel-Hooper

Councillor Brad Arnouse

Councillor Mandy Dick

Councillor Frances Narcisse

### **Stetex7ám** (Elders)

Joe Manuel Sr

Gerry Thomas

Randy Sam

Randy Narcis

### **Community Coordinators**

Rock Deneault

## Kukwstsétsemc te sknúncwentsemc

(Thank you for helping me)

# Table of Contents

<b>SUMMARY REPORT</b>	<b>8</b>
INTRODUCTION	8
PURPOSE	8
ENGAGEMENT SUMMARY	9
INTEGRATING CULTURE, LANGUAGE AND TRADITION INTO THE PROJECT	10
RESULTS FROM THE COMMUNITY ENGAGEMENT	11
Design Priorities	11
IR2 HIGHWAY DESIGN SUMMARY OF FEEDBACK	12
The top five design considerations (ranked in order of preference)	13
Top issues that need to be addressed in the highway design	13
Cultural or Archeological Impact Feedback	14
Wildlife Impact Feedback	14
River Access Feedback	14
Environmental Impact Feedback	14
IR3 HIGHWAY DESIGN SUMMARY OF FEEDBACK	15
Top issues that need to be addressed in the highway design	15
Wildlife impact feedback	16
Environmental impact feedback	16
Cultural or archeological impact feedback	16
OVERALL PROJECT RESULTS	17
Overall opinion of whether the project should proceed	17
OVERALL PROCESS FEEDBACK	18
<b>TECHNICAL REPORT</b>	<b>19</b>
INTRODUCTION	19

BACKGROUND	19
What is the highway expansion project?	19
Why are we going through this process?	19
Where are we now in the process?	19
What has been done so far?	20
Assessment reports	20
How long will the project take?	20
PURPOSE	21
INTEGRATING CULTURE, LANGUAGE AND TRADITION INTO THE PROJECT	21
Integration of Secwépemctsin words into project materials	22
“Ye7éne le t7é1kstens lq7es te qelmúcw (these were tools of the people long ago)”	22
Metwécw - Gifts of food offerings	22
Me7 qweqwentsín-kt - Begin and end meetings with a prayer, song and a smudge	22
Kwséltkten (family) meetings	22
Me7 xyemstwécw-kp - Recognizing authority and integrity	22
Yecwmenul’ ecwem’ tmicw séwiikwe (taking care of the land and water)	23
Spluk’w (gathering or meeting to discuss things to make a decision)	23
Knuwewtwécw (helping one another collectively)	24
TSK’ELÉ ‘EM (LISTENING TO PEOPLE) - ENGAGEMENT SUMMARY	24
Detailed timeline of engagement events	24
OBJECTIVES OF THE PROJECT	25
HIGHWAY DESIGN	25
Road and intersection design	25
Design process	26
Section 35 process	27
THE OVERALL PROCESS FROM A COMMUNITY PERSPECTIVE	28
SURVEY RESULTS FROM COMMUNITY CONSULTATION	29
Place of residence	30
Communication preferences	30
Age demographic	30

DESIGN FEEDBACK	31
Safety	31
Economic development	32
Improved roads / infrastructure	32
Protection of cultural/archaeological sites	32
Financial compensation by the Ministry	32
Environment and wildlife protection	32
Other key points	32
FUTURE DEVELOPMENT (IR2 & IR3)	33
Housing:	33
Economic development:	33
IR2 HIGHWAY DESIGN COMMUNITY FEEDBACK	35
Frontage or Backage Roads	35
Top Issues/Obstacles Associated with Highway Expansion at IR2	36
Community suggestions to address the issues/obstacles cited above include:	37
Wildlife Impact Feedback	37
River Access Feedback	38
Environmental Impact Feedback	39
Cultural/Archeological Impact Feedback	39
Overall opinion of whether the IR2 project should proceed	40
IR3 HIGHWAY DESIGN FEEDBACK	41
Top issues/obstacles associated with highway expansion at IR3:	41
Wildlife Impact Feedback	42
Environmental Impact Feedback	43
Cultural or Archeological Impact Feedback	43
Overall opinion of whether the IR3 project should proceed	44
SUMMARY OF GENERAL FEEDBACK FROM COMMUNITY ENGAGEMENT	44
Summary of other discussion and concerns	45
IDENTIFIED POSSIBLE NESKONLITH COMMUNITY BENEFITS	46
Safer access both on and off the highway for vehicles	46
Safer passage across the highway for people	46
Additional infrastructure for Neskonlith could include:	46
Possible negotiated community benefits from IR2 Neskonlith Section 35 process	46
Other community benefits examples	47

Community Benefits Agreement (CBA)	47
APPENDIX 1: IR2 & IR3 COMMUNICATIONS & ENGAGEMENT	48
APPENDIX 2: IR2 & IR3 MARKETING PLAN	50
APPENDIX 3: TRANS-CANADA HIGHWAY TWINNING PROJECT MARKETING MATERIAL	51
APPENDIX 4: SECTION 35 PROCESS	56
APPENDIX 5: IR2 LAND USE PLAN FINAL MAP	58
APPENDIX 6: IR3 LAND USE PLAN FINAL MAP	59
APPENDIX 7: MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE PROJECT DEVELOPMENT STAGES	60
APPENDIX 8: COMMUNITY MEMBER SURVEY	61
APPENDIX 9: POWER POINT PRESENTATION DELIVERED TO COMMUNITY	74

# Summary Report

## Introduction

The Ministry of Transportation and Infrastructure (MoTI) is working to upgrade Trans-Canada Highway 1 from Kamloops to the Alberta border. Portions of this project traverse the Neskonlith Indian Band (Neskonlith), specifically IR2 and IR3. Neskonlith has engaged the services of O’Leary and Associates to assist the Tmicw (Lands) Department in the delivery of this project. This report summarizes community feedback on the preliminary functional design to inform the finalized functional design for IR2 and IR3.

The highway project began in 2018, with the first round of community engagement spanning from 2018 to 2020. This phase aimed to gather feedback from the community and CP holders, understand their sentiments, identify concerns and opportunities, and gain insights for creating preliminary designs. The MoTI project team utilized this feedback to prepare initial designs. Subsequently, a second round of community engagement occurred from 2022 to 2023 (the focus of this report). This phase included sharing the preliminary functional designs, gathering additional feedback, and using community members input, as outlined in this report, to advance to the finalized functional design stage of the Highway Expansion Project.

## Purpose

The purpose of this project was to facilitate meaningful engagement and consultation with the community about this proposed highway twinning. There were three main processes/objectives involved in this project which needed to be accomplished:

First of all: The Neskonlith community and Ministry of Transportation and Infrastructure needed to develop a highway design (Conceptual, Preliminary, Functional and eventually Final), which meets the needs of both parties.

Secondly: In order for the highway expansion to happen, land will have to be removed from Indian Reserve 2 (IR2) and Indian Reserve 3 (IR3) and transferred to the province so that the Ministry has room to widen the highway. In order for this to happen, the Neskonlith Community have chosen to pursue a “Section 35” process<sup>1</sup>, which involves thorough community engagement and a community vote to approve the transfer (along with a number of other “checks and balances”).

The purpose of this document is to summarize and report the findings on the community engagement undertaken for feedback on the preliminary design. A certificate of possession is proof of lawful possession issued under the authority of the Indian Act by the Minister of Indian Affairs after approval by the band council<sup>2</sup>. This is a form of property ownership (by land title) on reserve. CP holders who owned land that would be impacted by the new highway design were engaged first because without their approval the project could not proceed. After agreement was reached among the majority of CP holders, the conceptual

---

<sup>1</sup> Section 35 of the Indian Act which stipulates that Existing Aboriginal land rights can no longer be extinguished without the consent of those Aboriginal Peoples holding interests in those lands.

<sup>2</sup> Federal Department of Indian Affairs and Northern Development, 1997, pp. 7-8

and preliminary designs were brought forward to the community as a whole for feedback to finalize the functional design.

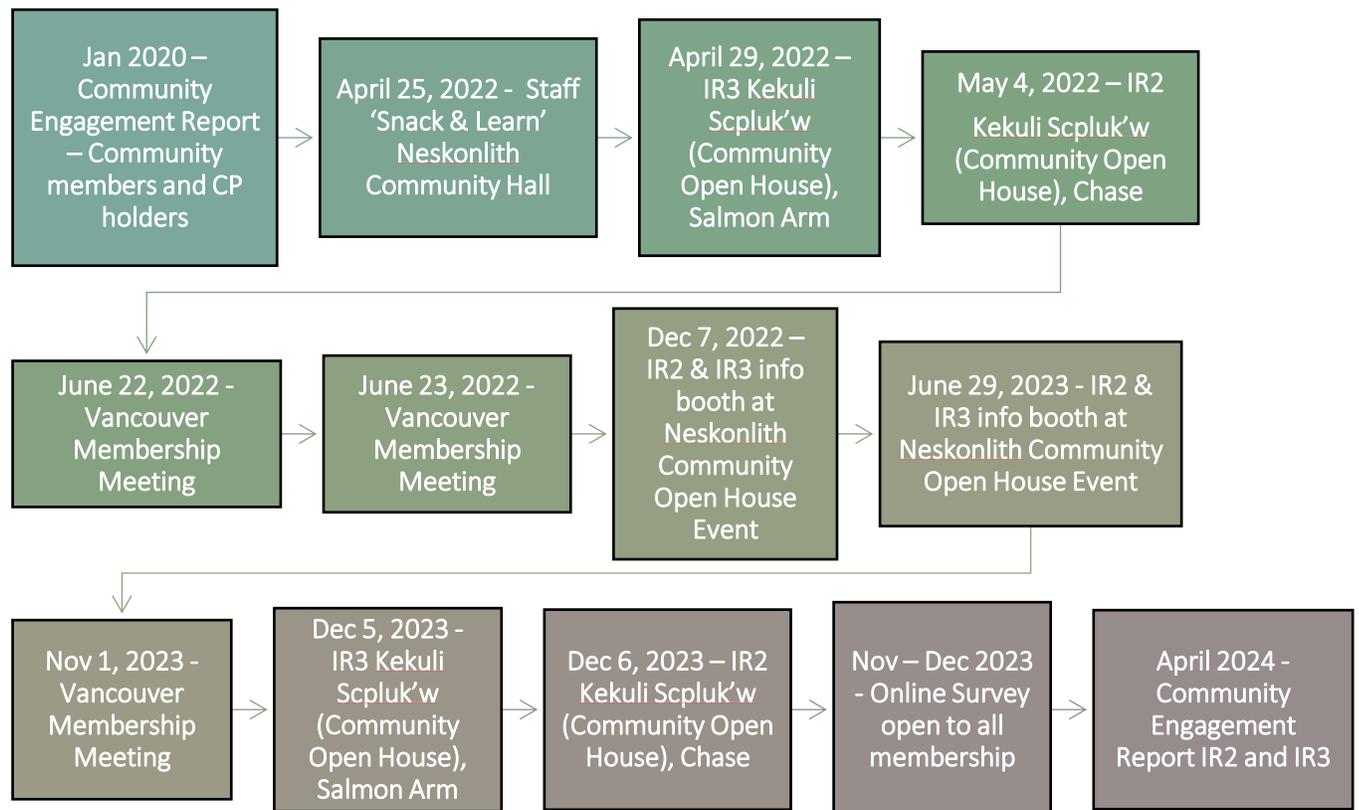
## Engagement Summary

The project team aimed to provide the community with as many options as possible to learn about the proposed project, and to provide feedback on the preliminary design and process. Building on the engagement efforts from 2018 and 2019, this report captures feedback from more recent community engagement sessions.

This information was gathered over three years between November 2021 and December 2023 via a series of open houses, and membership meetings in Vancouver, Chase and Salmon Arm.

A dedicated website, which is accessible 24/7, printed material, social media, door knocks, one-on-one meetings, emails and a survey were utilized to share information on the project and collect feedback and key insights from the community.

Detailed information about these engagement events can be found in Appendix 1: IR2 & IR3 Communications & Engagement to date at the end of this report.



## Integrating Culture, Language and Tradition into the Project

Chief and Council made it clear from the outset that it was important to integrate culture, language and tradition into the project. By doing so, we were able to empower the community and allow them to take ownership of the process.

Instead of feeling subject to the constraints of the Provincial or Federal government processes, Neskonlith would guide them through their process (still ensuring that each party was able to achieve what they needed to progress the project). Through this journey, there was an opportunity for all parties to come together, learn from each other and walk away with a better, more meaningful outcome. Listening to the Elders, known as Tskelélnemstcwes re stetex7ém, has been integral to the engagement process, along with extensive research into Secwépemc tradition and law.



## Results from the Community Engagement

### Design Priorities:

**Both community members and CP Holders share a lot of the same thoughts and priorities when it comes to the highway design,** with a couple of key differences. These differences reflect the fact that CP Holders hold a form of land ownership and so have some additional specific items of concern such as: individual compensation, access to their lot, opportunities to develop their land, disruptions to existing houses and how existing billboards will be dealt with.

The first round of engagement with community members and CP holders took place between 2018-2020, much of the feedback provided then is still true today. Common thoughts and priorities for both community members and CP holders are (in order of importance):

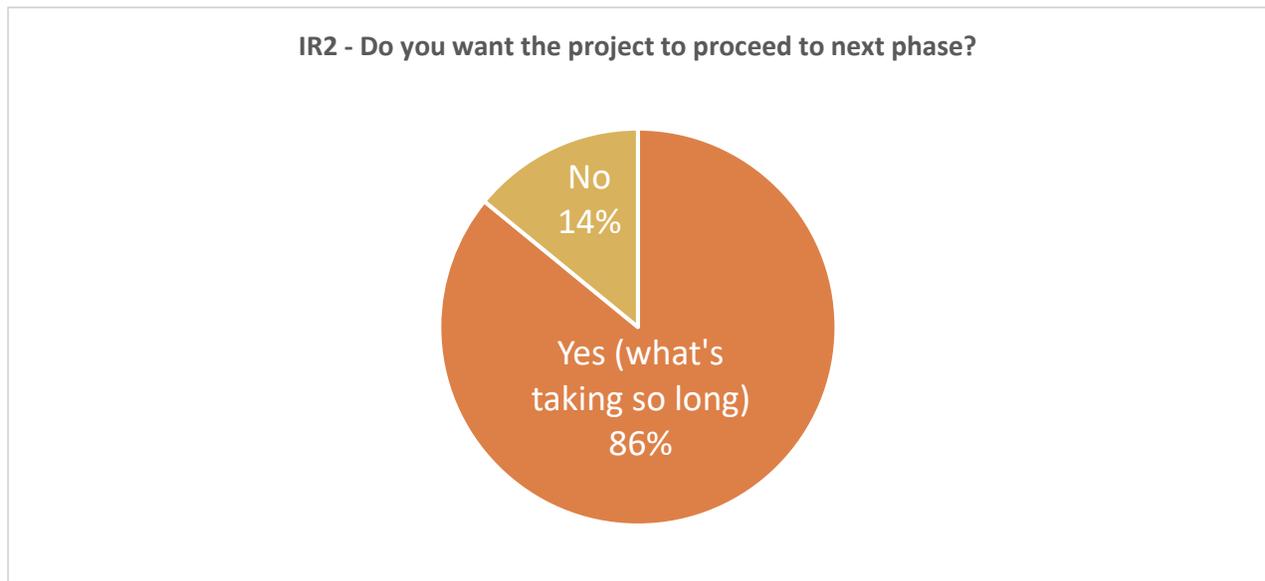
- **Safety**  
The majority of community members discussed the tragic accidents that are common on the current highway and all community members wanted improved safety with the new design. This included ideas such as: safer intersections, frontage and backage roads, lighting, multiuse pathways, improved access to the river and improved access for emergency responders (fire and ambulance).
- **Improved Infrastructure**  
When asked about existing infrastructure and the possibility of upgrading Water & Wastewater, all community members unanimously agreed this was a priority for them and they felt these upgrades should take place when construction occurs should this project proceed.
- **Financial Compensation**  
The majority of community members had questions about financial compensation, either directly as CP holders or for the band as a whole. There was a general feeling of being better informed about compensation and what that could look like (timelines/process) after attending information sessions and/or reading the project material.
- **Employment Opportunities**  
There was a lot of discussion around the possible employment opportunities this project could bring. This included opportunities to work directly on the construction of the highway project as well as the future job that would follow development of the band's land. Many community members wanted to start planning now, so that they would be ready once the project started.
- **Environmental, Cultural and Wildlife Preservation**  
Community members expressed the importance of preserving/respecting and protecting environmental, cultural and wildlife related areas.



# IR2 – Highway Design

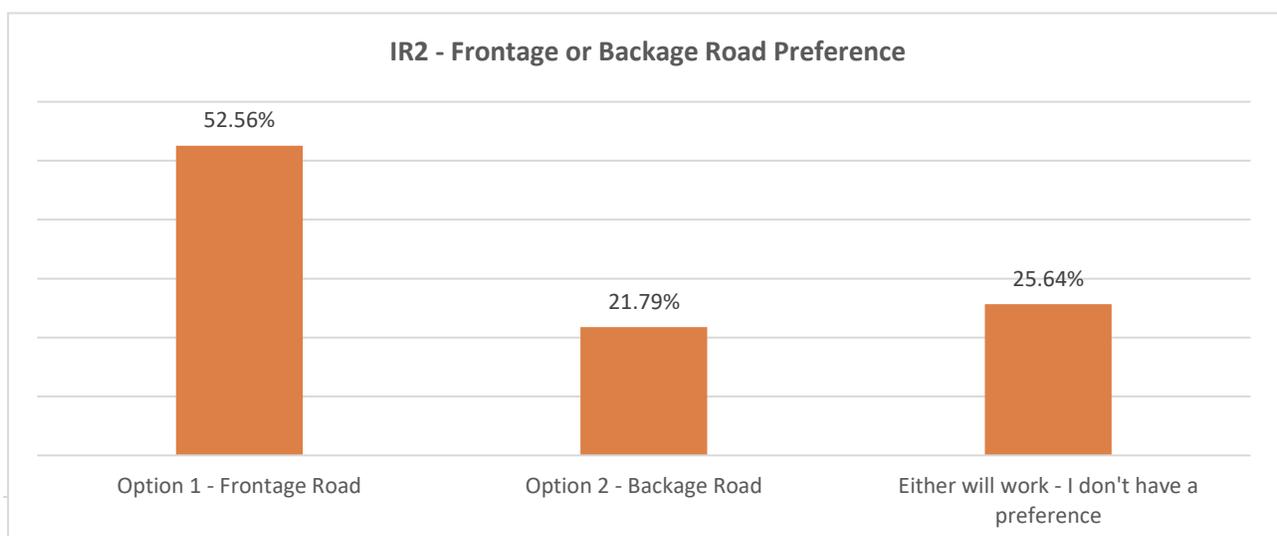
## IR2 Highway Design Summary of Feedback

Upon viewing the preliminary functional design for IR2, **the majority** of the community (86%) indicated they want the **project to proceed to the finalized functional design phase**.



With respect to improving highway access with the construction of a frontage road or a backage road 53% prefer a frontage road, 23% prefer a backage road, and 37% have no preference.

Combining the top choice (frontage road) with those who are happy with either option, we can see that **if a frontage road was built, 78.2% of the community would like this option**.



## The top five design considerations (ranked in order of preference)

1. **Safety:** A number of broad topics fall into this category, but some key areas of focus included improved safety for walking or cycling (dedicated walking/cycling paths with lighting), making it easier and safer for residents to enter and exit the reserves (in both directions) and improved safety while driving on the highway (centre divider barrier to prevent head-on collisions). Other safety considerations included alternative exits for community members in the event of an emergency.
2. **Economic Development:** Economic development opportunities on IR2 remains a high priority for the community, who would like to see job creation on the construction of the highway upgrade itself as well as more opportunities for employment and economic growth once the project is complete.
3. **Improved roads / Infrastructure:** The community cited several improvements, in addition to the above including fibre optic infrastructure, and enhancements to band buildings and community halls. Intersection and pedestrian walkways, lighting, paved roads, and improved water and sewage connections remain important design benefits.
4. **Protection of cultural/archaeological sites:** The community expressed the importance of preserving cultural/archaeological sites such as old root cellars and fishing areas in addition to cultural sites like pit homes and pictographs. The community would like a better understanding of these sites.
5. **Environment and Wildlife Protection:** Community members reiterated the importance of preserving and respecting the environment and wildlife on IR2. As part of the survey, they were given the opportunity to mark wildlife crossing points and areas to be avoided or conserved on the site map.

### Other design considerations cited in the survey:

- **Better Signage:** Improved signage including a lit up Neskonlith sign in Secwepemctsin.

## Top issues that need to be addressed in the highway design

When asked their viewpoint on the main issues that should be considered for any future highway design, the following key topics emerged, which seemed to match many of the top design preferences already outlined above:

- **Safety and Access:** Close to a third of respondents cited safety as their main concern. There was an emphasis on speed limits, pedestrian walkways, access to river, lack of intersection lighting, evacuation routes and limited alternative exits in the event of a vehicle accident.
- **Infrastructure and Traffic Management:** This was another top issue emerging from the survey and is interrelated with safety, with specific requests for straightening the #125 curve. They would also like secondary roads paved.
- **Financial Compensation:** The community would like compensation that benefits all band members in an equitable manner. Adding land to the reserve (in return for the land lost for the development) should also be considered.
- **Environmental Impact:** Concerns about unnecessary disruption of the environment, loss of environment, and excessive expansion/development.

## Cultural or archeological impact feedback

- The community identified **29 cultural/archaeological sites on the IR2 site map** as being areas to avoid or be conserved. (Note: a full archaeological study is required for this project to proceed)
- When asked about other areas cited in the map that should be avoided or conserved for cultural or archaeological reasons, **33% of respondents expressed uncertainty or lack of knowledge about specific areas or cultural sites.**
- The community is concerned about **preserving environmental heritage**, including trees, traditional routes, old root cellars, and fishing rights in addition to cultural sites like pit homes and pictographs. There's a desire for increased awareness and understanding of heritage sites.

## Wildlife impact feedback

- The community pinpointed **42 locations where wildlife most frequently cross the highway**, or are frequently seen, on the IR2 site map.
- Areas of significance include Hoffman's Bluff (deer lick site), the fields at the West end of IR2, Canco garage, swamp areas, and the main entrance to the reserve were cited as wildlife crossings or areas where animals are frequently seen.

## River access feedback

- The community identified **a number of locations for safe river access (i.e. underground tunnel).** These areas matched earlier community engagement feedback with the majority clustered at the eastern end of IR2 to allow for safe access for children from the band hall to the river

## Environmental impact feedback

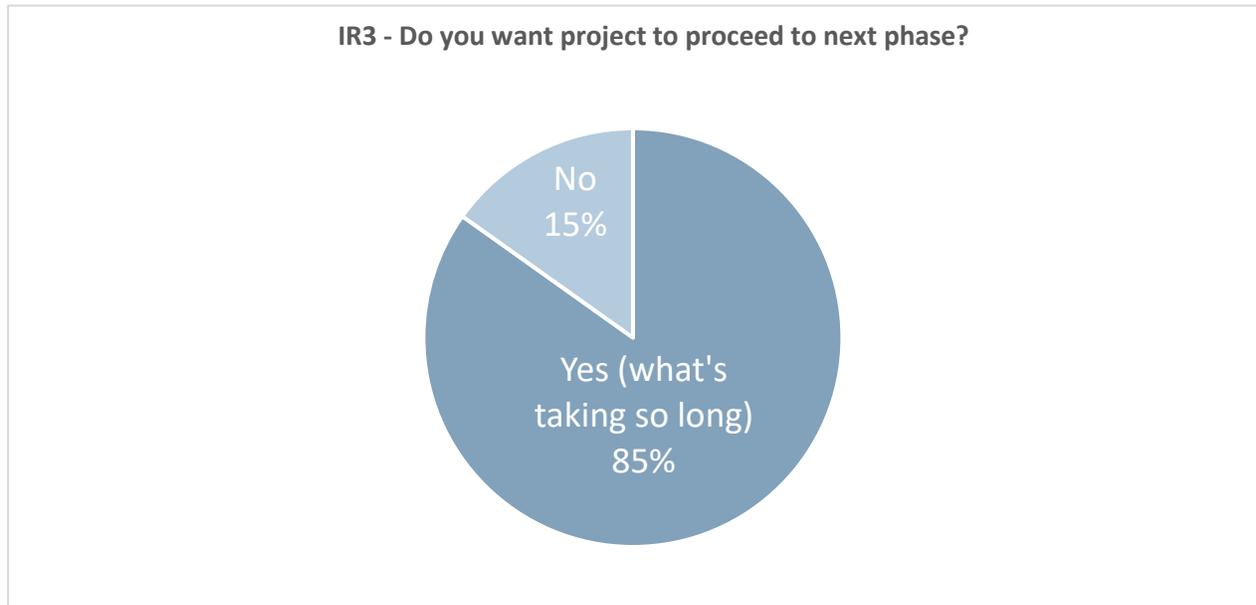
- The community marked **33 locations to be avoided or conserved for environmental reasons** on the IR2 site map.
- Environmental protection areas of particular significance to the community include Hoffman's Bluff, areas with pictographs and old pit homes, water sources, ponds and water plants, swamp and forested areas, medicinal vegetation and habitats for turtles, eagles, and other wildlife.





# IR3 – Highway Design

## IR3 Highway Design Summary of Feedback



Upon viewing the preliminary design for IR3, **the majority** of the community (85%) indicated they want the **project to proceed to the next phase**.

### Top issues that need to be addressed in the highway design

- **Infrastructure and safety needs:** the top issues cited by the community are highway access points, in particular the need for a second exit at Second Nations Road and First Nations Road. There are specific concerns about bottleneck areas/traffic congestion, accidents, speed limits, and safety issues at specific locations like station #125 curve and the area near IR3 going up the hill towards Second Nations Road.
- **Noise pollution:** Concern about horns blaring as vehicles/trucks speed up to pass each other.
- **Cultural and environmental preservation:** Conserving the land, wildlife habitats and maintaining cultural heritage amidst development efforts.
- **More Certainty:** There are some concerns and uncertainties with some members expressing confusion about future steps and the specific locations earmarked for development. Additionally, there is a strong desire for fair compensation for all community members.

## Wildlife impact feedback

- The community marked **26 locations to be avoided or conserved for wildlife impact reasons** on the IR3 site map.
- Other areas where wildlife frequently cross the highway, beyond those indicated on the map, include past Third Nation Rd, the highway section between Adams Lake Indian Band and Neskonlith Indian Bands (to access the river/lake), near the rock bluffs and along the straight stretch heading towards the Gleneden area.

## Environmental impact feedback

- The community marked **21 locations to be avoided or conserved for environmental reasons** on the IR3 site map.
- Environmentally significant areas cited by the community (and not marked in the site map) include hillsides, the area above the house on Second Nations Road (cedar root digging area), marsh area, graveyard along Third Nations Road, potential archaeological sites along the water, grave sites, and the rubber boa snakes' den (a protected species).

## Cultural or archeological impact feedback

- The community identified **16 locations that should be avoided or conserved for cultural or archaeological reasons** on the IR3 site map.
- The community was not aware of many additional significant sites beyond those indicated on the map apart from potential graveyard sites.



## Overall Project Results

### Overall opinion of whether the project should proceed

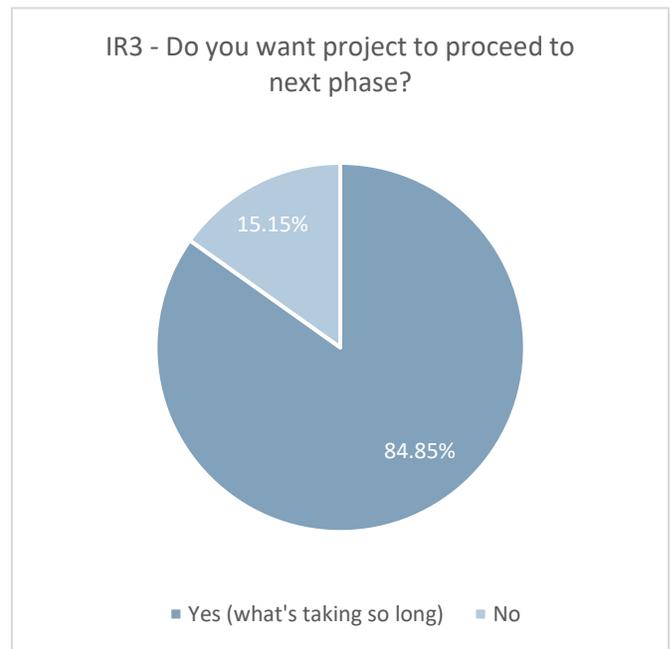
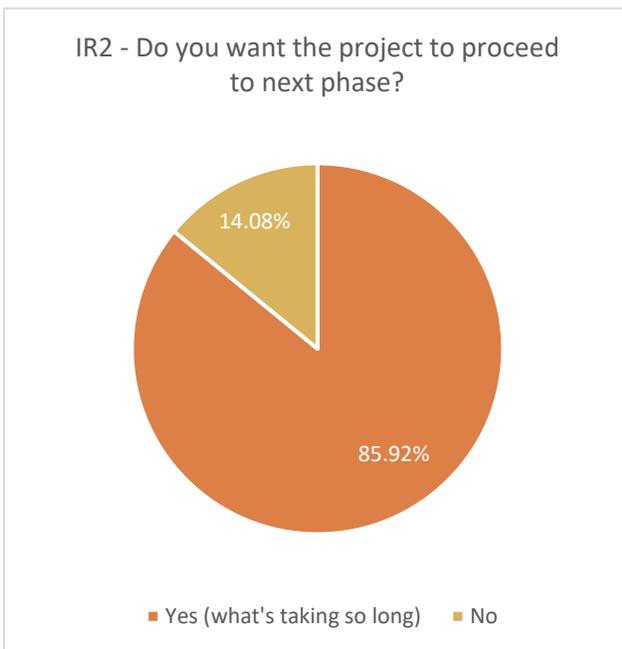
Community members were asked, given the information they currently have, if they were in favour of the Trans-Canada Highway Twinning Project proceeding to the next phase of the project.

**IR2:** of the 71 survey respondents:

- **86%** of survey respondents **want the project to move forward** to the next stage for IR2
- 14% of survey respondents did not want to proceed with the next phase for IR2

**IR3:** of the 66 survey respondents:

- **85%** of survey respondents **want the project to move forward** to the next stage for IR3
- 15% of survey respondents did not want to proceed with the next phase for IR3



## Overall Process Feedback

At the end of the survey, community members were asked to share other ideas or concerns about the Highway expansion project. In terms of process feedback, there were a few requests for improved project information distribution. Others want to see greater community participation in the engagement process, particularly from youth.

Equitable compensation distribution continues to be a concern, with one respondent pointing out it has been the source of family division within the community.

Emergency management and response is becoming more and more of a concern with climate change, as was captured in the following quote:

*“IR2 needs safe emergency evacuations exits for our community. During forest fire season last year, when the Shuswap area was being evacuated at night, we had to wait at least 10 minutes to enter the highway. This created anxiety for me and my family.”*

Safety enhancements (biking/walking trails, lighting and exits) and economic growth through construction jobs and the creation of new business opportunities remain key desired outcomes of the project.

Economic development ideas include a casino/conference centre and a daycare. Respondents also suggested incorporating industrial infrastructure capacity into the design of secondary roads and would like to explore opportunities to glean resources from the construction process.



# Technical Report

## Introduction

The Ministry of Transportation and Infrastructure (MoTI) is working to upgrade Trans-Canada Highway 1 from Kamloops to the Alberta Border. Portions of this project traverse the Neskonlith Indian Band (Neskonlith), specifically IR2 and IR3. Neskonlith has engaged the services of O’Leary and Associates to assist the Tmicw (Lands) Department in the delivery of this project. This report provides Neskonlith and the Ministry with a structured overview of the most recent community feedback regarding the highway designs.

## Background

### What is the highway expansion project?

The Ministry of Transportation has the goal of widening the highway from Kamloops to the Alberta Border. This includes safety improvements to the design (such as working to remove sharp curves, steep grades and narrow bridges), and upgrading the highway to four lanes (two in each direction), all of which will allow for safer and more efficient travel, tourism and trade.

### Why are we going through this process?

The Ministry of Transportation needs input from the community to create the highway design which best addresses what the people of Neskonlith have in mind for their future vision of the community.

In order for either of these projects to happen, the community must vote to accept the final design and negotiated benefits for the community. If the community does not agree to the negotiated benefits or design, the highway four-laning will not happen. It should be noted that the IR2 highway expansion is a completely separate project from the IR3 highway expansion. This means that the community could vote for one section to proceed and not the other – they are totally independent of each other.

We are going through this process to ensure that the community has the opportunity to provide their input on the highway design, has all of the information they need in regards to the project and have had ample opportunities to ask questions, so that they can make an informed decision when the vote happens.

### Where are we now in the process?

We are more than half-way through the overall process. Community feedback on the conceptual design was integrated into the preliminary design back in 2019 and more recently the community had an opportunity to review and provide feedback on the preliminary functional design. This feedback which was captured in person and through the online survey is summarized in this report, which, will be used to direct MoTI to complete the Functional design.

## What has been done so far?

From early engagement sessions with the community, conceptual designs were created. These early concepts were then brought forward to CP Holders for feedback and refinement. CP Holders were engaged first because the majority of the land impacted by the highway four-laning project is CP Holder land. If CP Holders did not want the project to proceed, then there would be no project to bring forward to the community.

CP Holders did agree on a common design, which was integrated by MoTI into the preliminary design, and brought to the community to refine/comment on and modify. The Ministry then took this feedback to create a preliminary functional design which was brought back to the community in multiple engagement sessions for further input. This feedback, along with the assessment reports detailed below, will now be integrated into the functional design. Assessment reports in progress will need to be completed before the functional design can be finalized.

## Assessment reports

	<b>Complete</b>	<b>In Progress</b>
IR2	Environmental Assessments Geotechnical Assessments Community Engagement Public Open House	As of the writing of this summary report, CP holder lots do not have completed geotechnical or archaeological assessments.
IR3	Environmental Assessments Community Engagement Public Open House	Archaeological Assessments

## How long will the project take?

The functional design phase is estimated to be completed by the end of end 2024. However, it cannot be completed without the remaining archaeological and geotechnical assessments. These assessments cannot be created on CP Holder land without the owner's authorization and as a result the process has taken longer than anticipated, causing delays to the overall project. Once these studies are completed MoTI will be able to finish the functional design which will then go back to the community for further input before it becomes the detailed design. It is estimated this process could take 1-2 years. The detailed design will then go back to the community one last time for input. From the detailed design negotiations will start.



## Purpose

The purpose of this project was to facilitate meaningful engagement and consultation with the community about this proposed highway twinning. There were three main processes/objectives involved in this project which needed to be accomplished:

First of all: The Neskonlith Community and Ministry of Transportation and Infrastructure needed to develop a highway design (Conceptual, Preliminary, Functional and eventually Detailed), which meets the needs of both parties.

Secondly: in order for the highway expansion to happen, land will have to be removed from Indian Reserve 2 (IR2) and Indian Reserve 3 (IR3) and transferred to the province so that the Ministry has room to widen the highway. In order for this to happen, the Neskonlith Community have chosen to pursue a “Section 35” process, which involves thorough community engagement and a community vote to approve the transfer (along with a number of other “checks and balances”).

The purpose of this document is to summarize and report the findings from both the certificate of possession (CP) holders and community engagement. A certificate of possession is proof of lawful possession issued under the authority of the Indian Act by the Minister of Indian Affairs after approval by the band council. This is a form of property ownership (by land title) on reserve. CP holders who owned land that would be impacted by the new highway design were engaged first because, without their approval the project could not proceed.

## Integrating Culture, Language and Tradition into the Project

Chief and Council made it clear from the onset of this project that it was important to integrate culture, language and tradition into the project. By doing so, we were able to empower the community and allow them to take ownership of the process. Instead of feeling subject to the constraints of the Provincial or Federal government processes, Neskonlith would guide them through their process (still ensuring that each party was able to achieve what they needed to progress the project). Through this journey, there was an opportunity for all parties to come together, learn from each other and walk away with a better, more meaningful outcome.



## Integration of Secwépemctsin words into project materials

Whenever possible Secwépemctsin words and phrases were included in project material. The Elders were consulted to ensure these Secwépemctsin words and phrases were being used correctly and respectfully.

“Ye7éne le t7élkstens lq7es te qelmúcw (these were tools of the people long ago)”

Jerry Thomas, son of the legendary Mary Thomas, has continued the legacy of his mother and has been working hard to share and teach Secwépemc cultural knowledge. He does so through demonstrations and lessons with children in school districts throughout the interior of B.C. Jerry was an Elder on the project Elder Working Committee and very graciously agreed to share his knowledge and bring in his artifacts, cultural crafts and lessons into all of our Kekuli Scpluk’w (Community Open House) engagement sessions. This continued through the more recent community engagement events as well.

## Metwécw - Gifts of food offerings

Secwépemc tradition includes food offerings and gifts to publicly acknowledge and establish or maintain relationships of respect. People build and maintain respectful relationships through a range of protocols that acknowledge one another<sup>3</sup>. Food is integrated into many Secwépemc traditional stories. The story of Wolf and Wolverine teaches how sharing of food is a form of respect and acknowledgment. For this project, we integrated breakfast, lunch and dinner into all community engagement sessions.

## Me7 qweqwentsín-kt - Begin and end meetings with a prayer, song and a smudge

To show respect to the Creator and the Ancestors and to start the meetings in a good place, it was important to follow this Secwépemc tradition. This is a way of showing gratitude for what the Creator has provided us and to ask the Ancestors to provide guidance, wisdom and strength through this process.

## Íwséltkten (family) meetings

Traditionally, decisions were driven through family groupings. Family spokespeople or leaders attended meetings to speak for and report back to the family or help to organize family meetings to ensure that everyone’s voices are represented. The Story of Grasshopper demonstrates how family representation in community gatherings helps protect families from harm and ensures they have an opportunity to contribute to the community<sup>4</sup>.

## Me7 xyemstwécw-kp - Recognizing authority and integrity

It is important to acknowledge other people’s authority and to not pretend to know their laws and practices but to recognize them as self-governing within their own territories. In other words, people should not impose on their hosts’ generosity by assuming knowledge or imposing their ways on them. This acknowledgment and respect of other people’s ways is present in many Secwépemc stories. For example, in

---

<sup>3</sup> Interview of Skeetchestn Community Member Bernadette (Garlene) Dodson née Jules by Kirsty Broadhead and Adrienne MacMillan (27 July 2015) Skeetchestn, British Columbia at 12 [Skeetchestn Interview #6: Garlene Dodson].

<sup>4</sup> Story of Grasshopper in James Teit, “The Shuswap” in Franz Boas, ed. The Jesup North Pacific Expedition: Memoir of the American Museum of Natural History Vol II, Part IV (Leiden: EJ Brill/ New York: GE Stechert, 1909) at 655

Coyote and Holxoli'p, Coyote recognizes, too late, the importance of respecting the integrity of others' laws and practices and the need to actively listen and learn what underlies them prior to assuming competence<sup>5</sup>.

These lessons of respect were especially important for this project as we were continually reminded of and reflected upon the past wrongs which have happened between governments and cultures. This wisdom is especially relevant today; it provides an excellent example of how things can be done better and was used as a guiding principle for this process.

### Yecwmenul' ecwem' tmicw séwiikwe (taking care of the land and water)

Secwépemc peoples are stewards of the land and feel a deep responsibility to protect and manage natural resources. This is because people need the land to survive and without proper management and respect, there will be nothing left for future generations.

The story of Coyote and His Son shows that people not only have the power to damage the environment, but also to undo past environmental damage<sup>6</sup>. Keeping this in mind, future environmental impacts and also opportunities to remediate past impacts were included in the data collection.



### Scpluk'w (gathering or meeting to discuss things to make a decision)

Community consultation is important when the community is facing a major decision. Although individuals understand the importance of the collective as fundamental in Secwépemc society, individuals have the ability to act independently and make their own free choices in the Secwépemc legal tradition<sup>7</sup>.

From this foundation, the project team was always putting an emphasis on the importance of respecting all project opinions and that individuals should respect other's opinions, even if they do not agree. Everyone has a voice and every thought matters.

<sup>5</sup> Coyote and Holxoli'p James Teit, *Traditions of the Thompson River Indians of British Columbia* (Cambridge, Mass.: Riverside Press, 1898) 632

<sup>6</sup> Coyote and his Son in James Teit, "The Shuswap" in Franz Boas, ed. *The Jesup North Pacific Expedition: Memoir of the American Museum of Natural History* Vol. II, Part VII (Leiden: EJ Brill/ New York: GE Stechert, 1909) at 622-623.

<sup>7</sup> SNTC, ILRU: Secwépemc Lands and Resources Law Research Project, July 2018.

## Knucwentwécw (helping one another collectively)

Secwépemc tradition includes many stories where the community comes together not only to collectively identify solutions but also demonstrates that individuals have a responsibility, given their unique position/ability to help the community as a whole<sup>9</sup>. In this context, community members who have their heavy equipment operator's ticket felt an obligation to bring their knowledge to the construction side of the project to help other community members better understand impacts.

## Tsk'elé 'em (listening to people) - Engagement Summary

The Project Team wanted to provide the community with as many options as possible to not only learn about the proposed project, but also to provide feedback on the design and process. This was achieved in a number of ways which can be summarized as:

- In-person sessions such as: open houses, door to door visits, lunch and learn sessions, family meetings and one on one meetings.
- Digital Information: Project website updates, Facebook posts, an online survey, USB drives loaded with project information documents, power point presentations and email conversations.
- Print Material: Postcards, hand-outs, posters, booklets and fact sheets.

Alongside the various information-sharing methods listed above, this project took an innovative approach to how the community was engaged by working with with Neskonlith Elders for insight into traditional knowledge and culture. From these learnings, the engagement process was created to reflect the “Neskonlith way” of engaging the community. This process is different from the Ministerial approach and instead focused on bringing Neskonlith language and culture into the process to make the engagement more meaningful and impactful to the people of the community.

### Detailed timeline of engagement events

#### Key events - 2022:

##### Staff “Snack and Learn” – Monday, April 25<sup>th</sup>

- Workshop with Neskonlith staff at the Neskonlith Hall.

##### Third Round of Kekuli Scpluk'w (Community Open House)

- IR3 Kekuli Scpluk'w — Friday, April 29, 9am-7pm, Hilltop Inn (Salmon Arm)
- IR2 Kekuli Scpluk'w — Wednesday, May 4th, 9am-7pm, Quaaout Lodge (Chase)



### **Vancouver Membership Meeting**

- Wednesday, June 22nd, 3:30pm-7:30pm, Holiday Inn & Suites (Vancouver)
- Thursday, June 23rd, 3:30pm-7:30pm, Holiday Inn & Suites (Vancouver)

### **Information booth at Neskonlith Community Open House Event**

- IR2 and IR3 Kekuli Scpluk'w — Wednesday, December 7th, 3:30 pm-7:30 pm, Quaaout Lodge

## **Key events - 2023:**

### **Vancouver Membership Meeting**

- Wednesday, November 1st, 3:30pm-7:30pm, Holiday Inn & Suites (Vancouver)

### **Information booth at Neskonlith Community Open House Event**

- IR2 and IR3 Kekuli Scpluk'w — Thursday, June 29<sup>th</sup>, 3:30 pm-7:30 pm, Quaaout Lodge

### **Fourth Round of Kekuli Scpluk'w (Community Open House)**

- IR3 Kekuli Scpluk'w — Tuesday, December 5<sup>th</sup>, 3:30 pm-7:30 pm, Hilltop Inn (Salmon Arm)
- IR2 Kekuli Scpluk'w — Wednesday, December 6<sup>th</sup>, 3:30 pm-7:30 pm, Neskonlith Hall (Chase)

### **Online Survey opens to all Membership**

- Online survey opens to all band members – November 1st to December 6<sup>th</sup>, 2023

## Objectives of the Project

As outlined earlier, the purpose of this project was to facilitate meaningful engagement and consultation with the community about the proposed highway twinning. The following sections will describe in more detail these key objectives and how they were met.

## Highway Design

There are a number of key factors involved in the design process which will be described in this section.

### Road and intersection design

The first factor involves understanding that there are a number of options available to the Ministry and the Neskonlith Community when considering a design. These variables can broadly be described as:

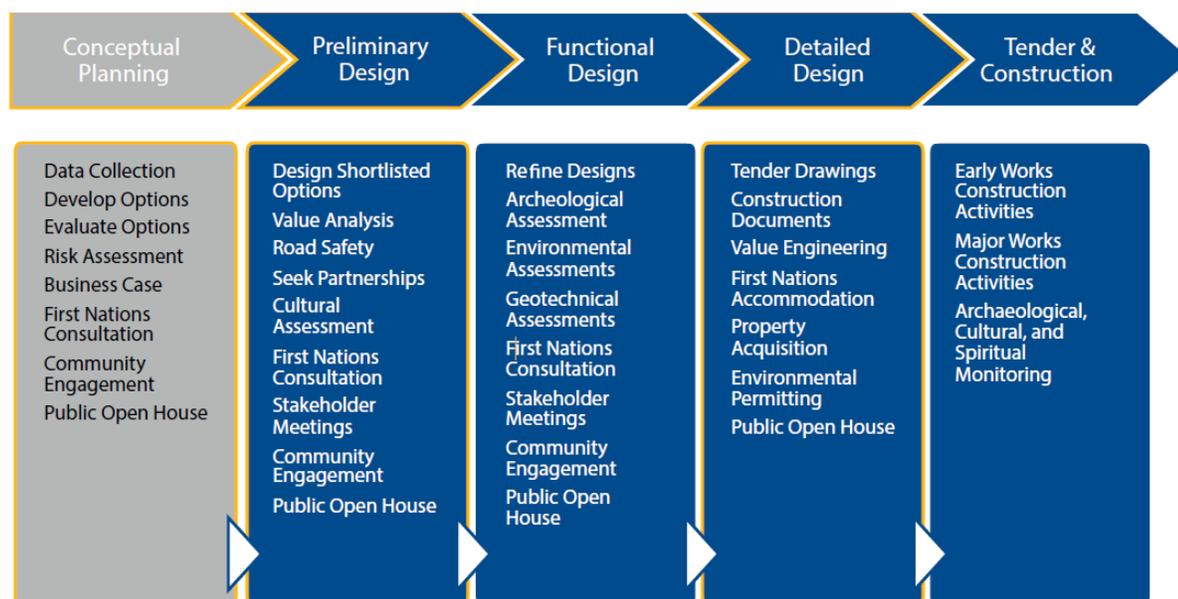
- The location and type of intersections connecting to the highway (examples include protected “T”, diamond interchange, overpass, and underpass, etc.)
- The locations and types of connecting roads, which are referred to as “frontage” and “backage” roads – depending on their location relative to the highway (if the road is close to the highway, it is called a frontage road, if it is further away it is called a backage road)
- Additional design features such as school bus pull-out locations, multi-use paths, wildlife, environmental and cultural considerations, and land use plans.

## Design process

The second factor involves the design process itself, which is summarized in the Ministry of Transportation and Infrastructure Design Development Stages Figure on the following page. The key takeaways from this process are:

- At first, broad concepts and ideas were collected from the various parties to form a Conceptual design.
- Feedback from the community on these concepts was used to further refine this design and create the Preliminary Design.
- This Preliminary design was brought back to the community again to review, ask questions and provide feedback. At this point, the community was asked if they supported the project proceeding to the next phase which involved more detailed investigations, such as: environmental, cultural, engineering, geological (earth) and hydrological (water) studies. The response from the community was presented in the 2019 Community Engagement Summary Reports for IR2 and IR3. Overwhelmingly community members wanted the highway expansion project to proceed to the next phase.
- Based on these results, the Neskonlith Council signed a BCR accepting the Preliminary Design and supporting the Highway Project Twinning, for both IR2 and IR3 to proceed to the next Phase.
- Over the course of 2021 to 2024 CP Holders were asked if they would grant authorization to perform these studies (mentioned above) on their land, most of whom agreed. These studies were also completed on land owned by the band. The results of these studies were used to create the preliminary Functional Design, which is the design that was presented to the community for further input over the course of the last 2 years for input. The results of this engagement and feedback are captured in this report and will now be used to finalize the Functional Design.
- Once again, this finalized Functional Design will be brought back to the community to review, ask questions and provide feedback. This information will be used to create the Detailed Design.
- The community will then have a chance to review the Detailed Design before it proceeds to Tender and Construction.





### Section 35 process

As mentioned earlier, in order for the highway expansion to happen, land will have to be removed from Indian Reserve 2 (IR2) and Indian Reserve 3 (IR3) and transferred to the province so that the Ministry has room to widen the highway. In order for this to happen, the Neskonlith Community have chosen to pursue a “Section 35” process<sup>8</sup>.

Section 35 is the part of the Constitution Act that recognizes and affirms Aboriginal Rights. Aboriginal Rights have been interpreted to include a range of cultural, social, political, and economic rights including the right to land, as well as to fish, to hunt, to practice one’s own culture, and to establish treaties.

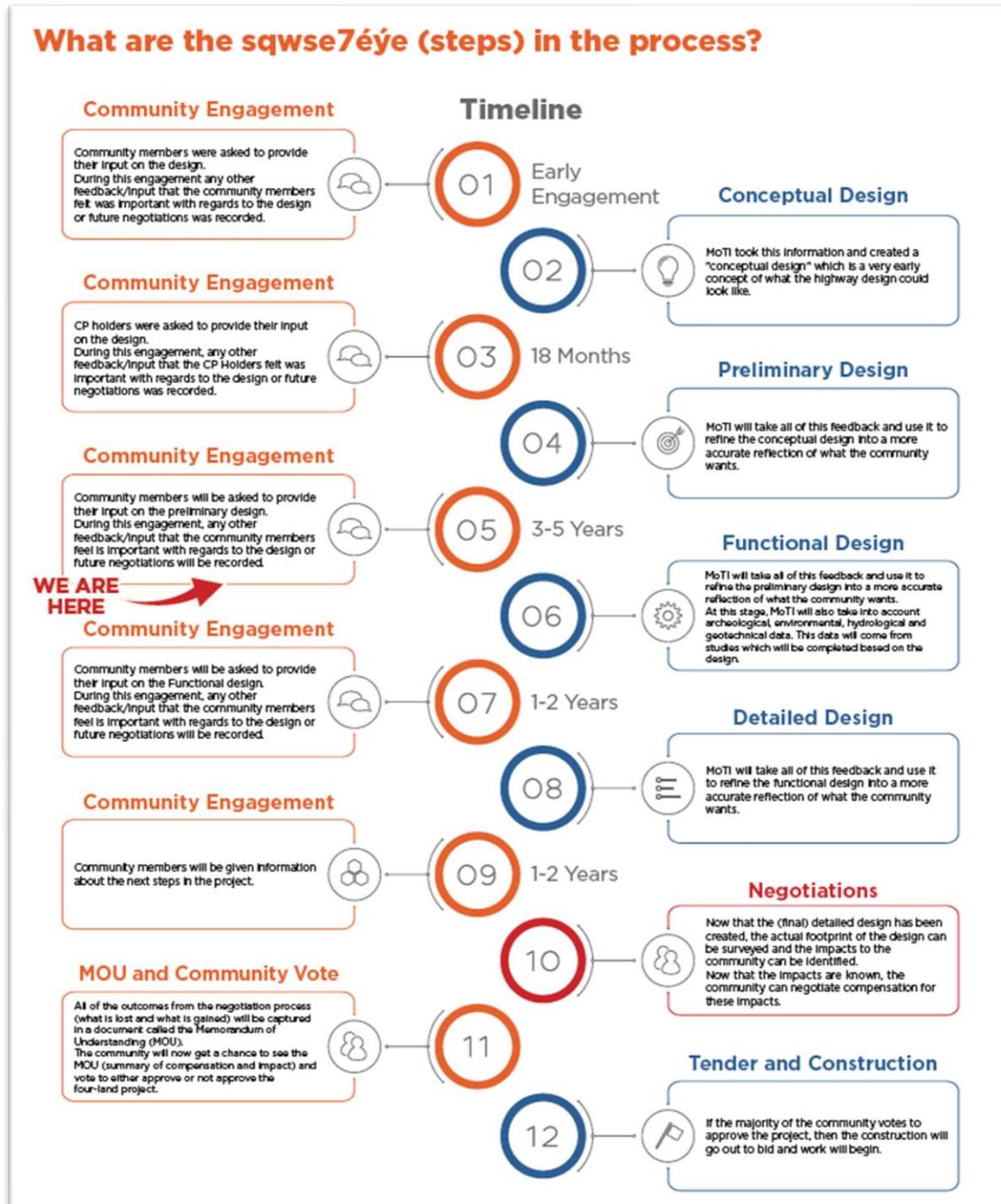
Under the Section 35 process, any project which will impact Aboriginal Rights requires the government to consult, uphold the community’s right to choose if the project will happen and fairly compensate the community if the project proceeds.

This is a very long and complex process which involves the engagement of the Federal Government, community consultation, a number of checks and balances, negotiations and a community vote to approve the transfer. From this point, the process continues on the federal government side, where ultimately the land is transferred from Canada to the province. This process is summarized below in Appendix 4: Section 35 Process.

<sup>8</sup> Section 35 of the Indian Act which stipulates that Existing Aboriginal land rights can no longer be extinguished without the consent of those Aboriginal Peoples holding interests in those lands.

## The Overall Process from a Community Perspective:

As mentioned earlier, this project was really a collection of a number of different processes which were happening alongside each other (Highway design, Section 35, Land Use Planning). To make things easier to understand and better explain the path that lies ahead of the Neskonlith Community through this journey, a process flow picture was created to show the steps which have already been completed and the steps which still lie ahead in the process (with timelines). This picture also captured the answers to the most consistent questions the project team was hearing and is outlined in the figure below.



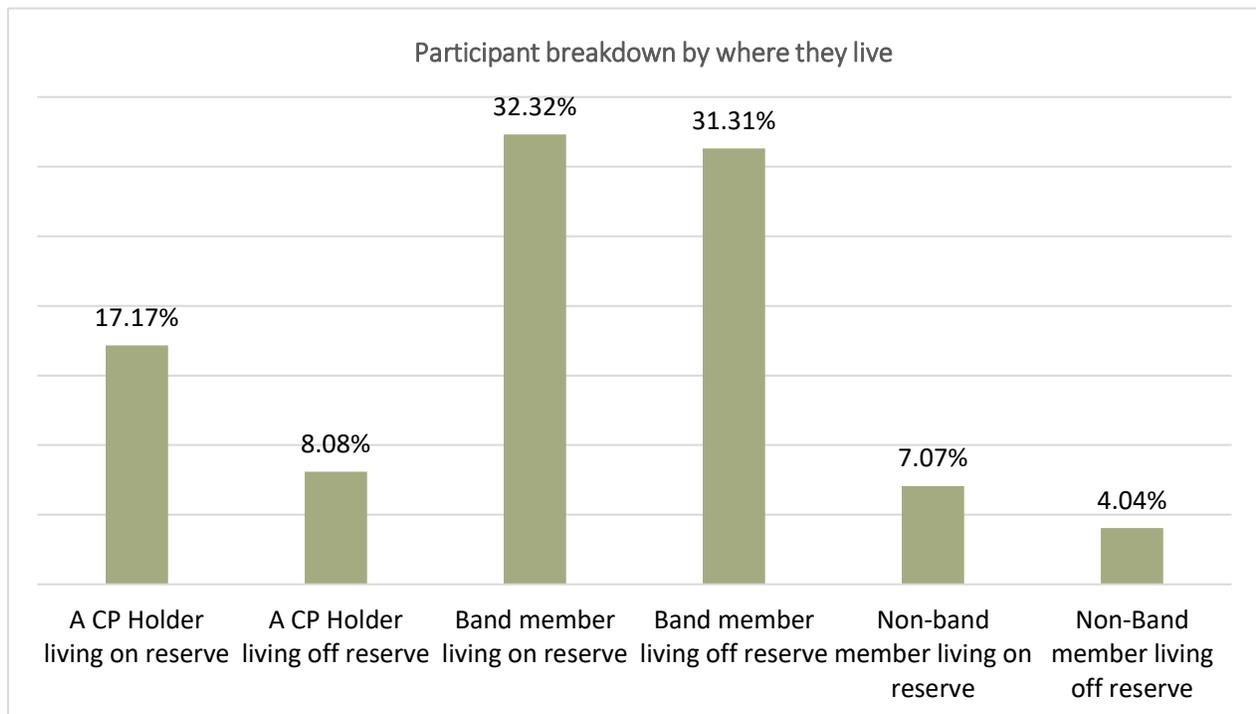
## Survey Results from Community Consultation

This section summarizes the feedback from community members as a whole (including those living on IR1, IR2, IR3 and off reserve) during the 2023 community consultation. Individuals were asked a series of survey questions which were developed in advance as part of the communications and engagement strategy. This was supplemented by a series of facilitated engagement activities such as giving people the opportunity to “mark-up” large format maps with different coloured markers which represented different design components, or express their concerns directly to Ministry staff or Neskonlith councilors.

All feedback from in-person meetings was kept strictly confidential. Survey results were stripped of any identifying information before being combined into this report. This way community members had the opportunity to speak freely and not have to fear being singled out.

The number of members who participated in the survey was 105 individuals, with a completion rate of 80%. With a population size of 684<sup>9</sup> this represents approximately 15% of the Neskonlith community. This would mean that the results from this project are statistically significant and represent a confidence level of 95% and a confidence interval of 9%. In other words, there is a 95% chance that the data in the report is representative of the population as a whole, plus or minus 9%.

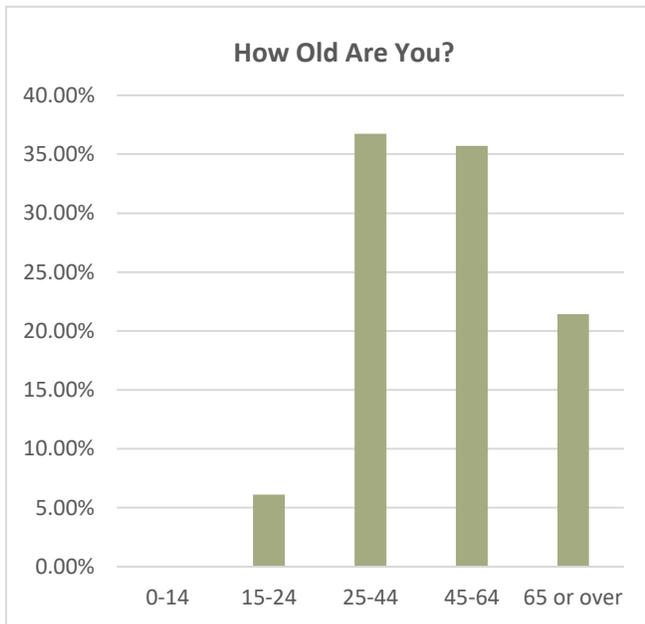
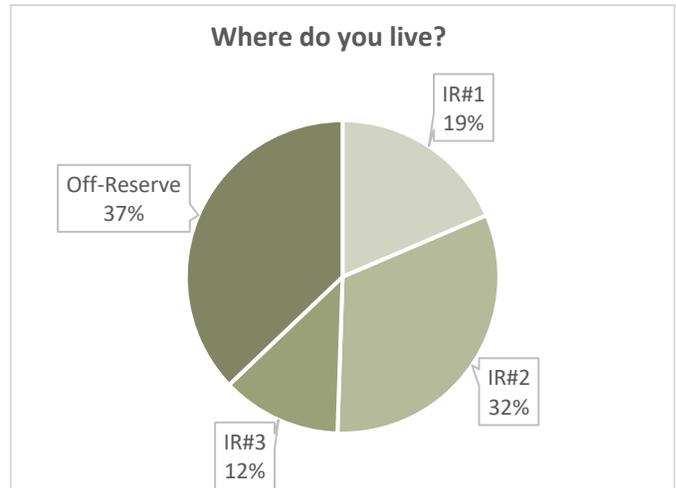
When looking at the mix of respondents from the community, we can see that 4% of the participants represented non-band members living off reserve, nearly 7% of the respondents were non-band members living on reserve, 31% were band members living off reserve, 32% were band members living on reserve, 17% were CP holders on reserve and 8% were CP holders living off reserve.



<sup>9</sup> <https://www2.gov.bc.ca/gov/content/environment/natural-resource-stewardship/consulting-with-first-nations/first-nations-negotiations/first-nations-a-z-listing/neskonlith-indian-band>

### Place of residence

The majority of survey respondents live off-reserve (37%), followed closely by those living on IR2 (32%). The percentage of respondents living on IR2 is 19%. Lastly, 10% of respondents live on IR3. It is encouraging that slightly more than half of the survey respondents reside on the reserves that will be directly affected by the highway project, reflecting a meaningful level of engagement.

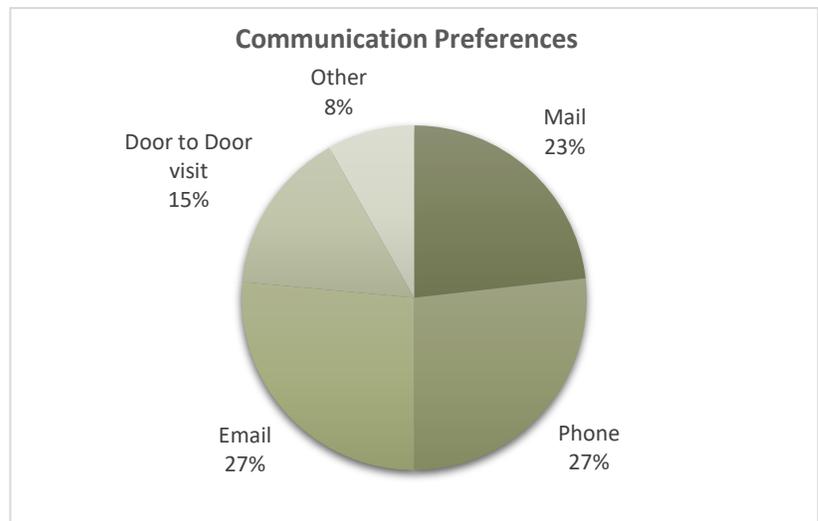


### Age demographic

Overall, the survey was completed by 98 individuals, while 7 opted not to disclose their age. The largest group of respondents falls within the 25-44 age range, comprising 37% of those who answered. This is very closely followed by the 45-64 age bracket, nearly matching the previous group with 36%. Notably, the 65 or over age group is also well represented at 21%. Younger respondents, specifically those aged 15-24, make up a smaller fraction at 6%. There were no responses from the 0-14 age group.

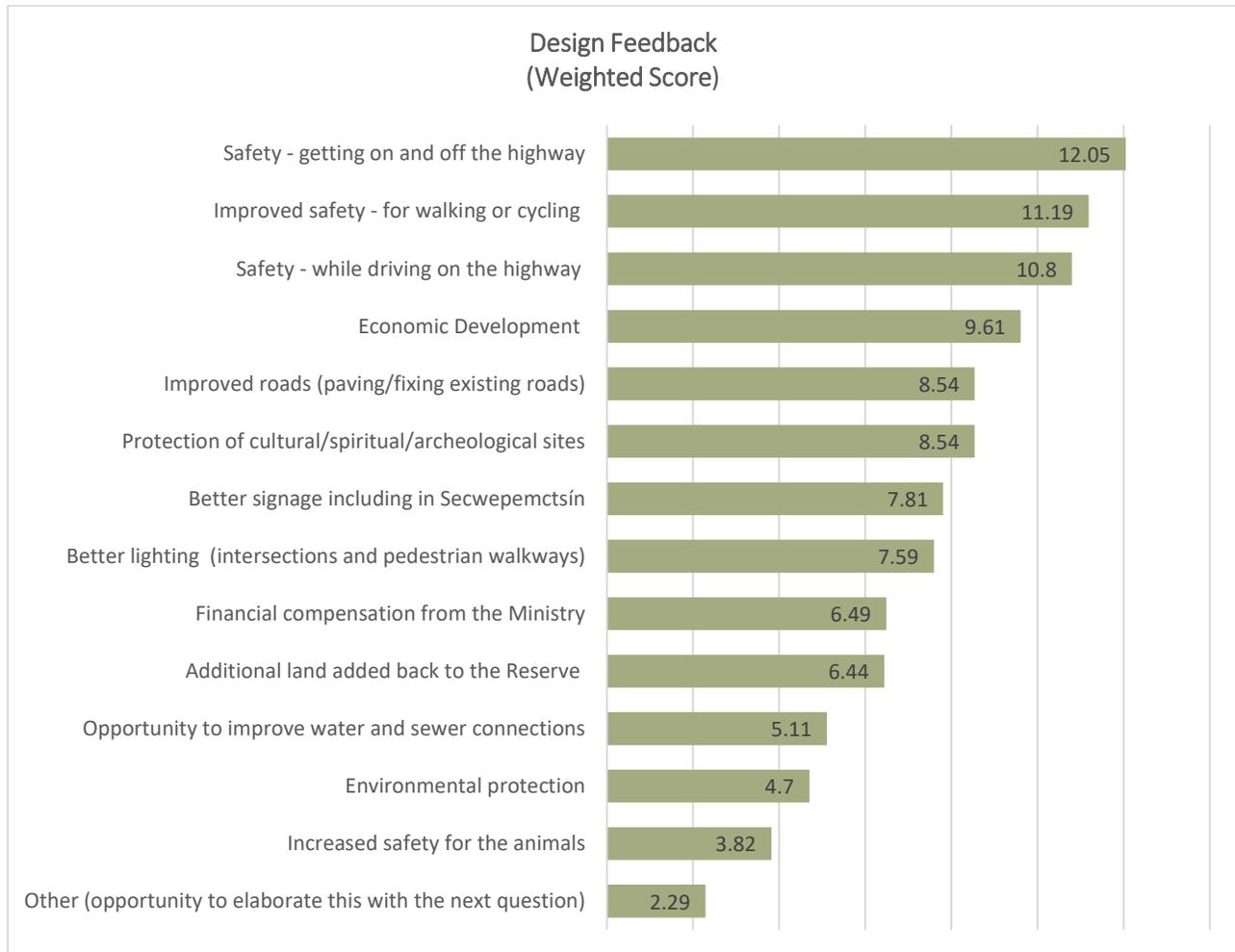
### Communication preferences

The majority of the those surveyed prefer email and phone communication at 27%, followed by mail (23%), then email. 15% of respondents would prefer door-to-door visits. It is important that these results inform the next phase of the engagement process.



## Design Feedback

This section of the report summarizes the overall design feedback from the community who were asked to rank in order the benefits from the highway twinning project that they would like to see out of the design for IR2 and IR3 (above).



### Safety

Additional safety suggestions from the community include implementing measures to make sure there are alternative exists in the event of an emergency. This infrastructure will also reduce the risk of residents being stranded in the event of a vehicle accident – a recurring issue identified by the community.

## Economic development

Enhancing economic development opportunities on IR2 and IR3 remains a top community priority. This includes job creation during highway construction and further opportunities for employment and economic growth post-project completion. Additionally, there's a desire for clarity on the Ministry's commitment to employing Neskonalith members (i.e., percentage of hires) in construction roles. The community would also like to see communication targeted at youth on the benefits of working on the highway project.

## Improved roads / infrastructure

The community cited several improvements in addition to the above that they would like to see as part of the project. They include upgrades to fibre optics infrastructure, intersection and pedestrian walkway lighting, enhancements to band buildings and community halls, lit up Neskonalith signs in Secwepemctsin, and better-maintained paved roads. Improved water and sewage connections also remain high priorities for the community.

## Protection of cultural/archaeological sites

The community expressed the importance of preserving cultural/archaeological sites such as old root cellars, and fishing areas in addition to cultural sites like pit homes and pictographs. There is a desire to enhance awareness and understanding of these sites, highlighting the importance of completing the archaeological assessments.

## Financial compensation by the Ministry

The community would like compensation that benefits all band members in an equitable manner. Adding land to the reserve, to replace land lost to the highway expansion project, should also be considered.

## Environment and wildlife protection

Community members reiterated the importance of preserving and respecting the environment and wildlife on the reserves. As part of the survey, they were given the opportunity to mark wildlife crossing points and areas to be avoided or conserved on the IR2 and IR3 site maps which are included in the report below.

## Other key points

The majority of community members continue to be enthusiastic about the prospects of developing IR2 and IR3 land for commercial or residential purposes and support the construction of a new frontage or backage road on IR2. They view this development as providing opportunities for job creation and to help the overall economy in Neskonalith.

Besides these more commonly mentioned points, there were other things community members wanted to see with the overall project design. These items include:

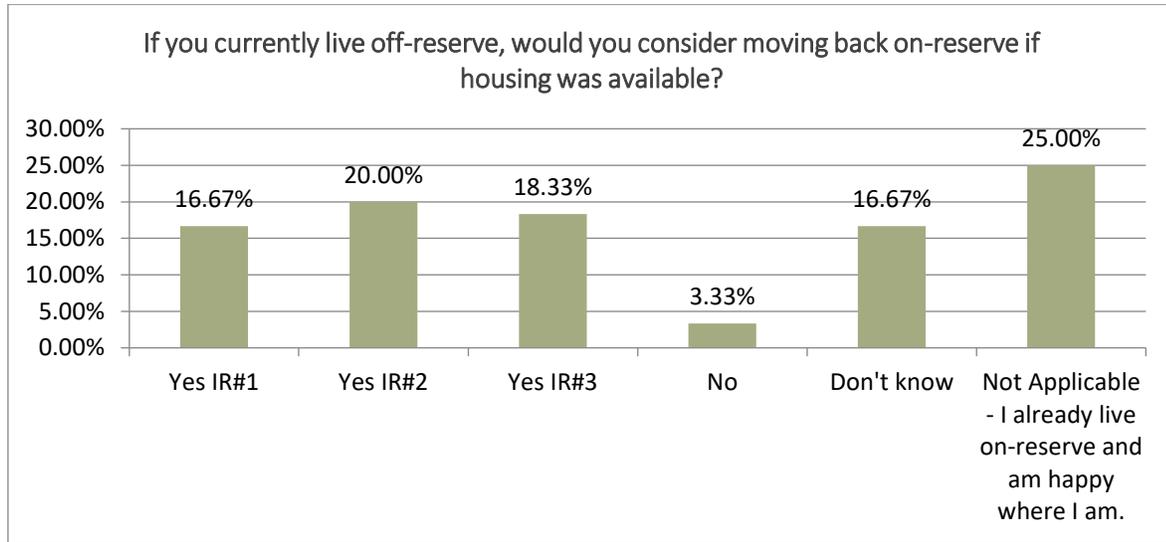
- Lighting at intersections and possibly in access culverts/tunnels
- Walking and biking paths, having multiple access options to the highway for safety purposes
- Considering fire protection and access to water for firefighting purposes

- Wanting to know in more detail the impacts/options available

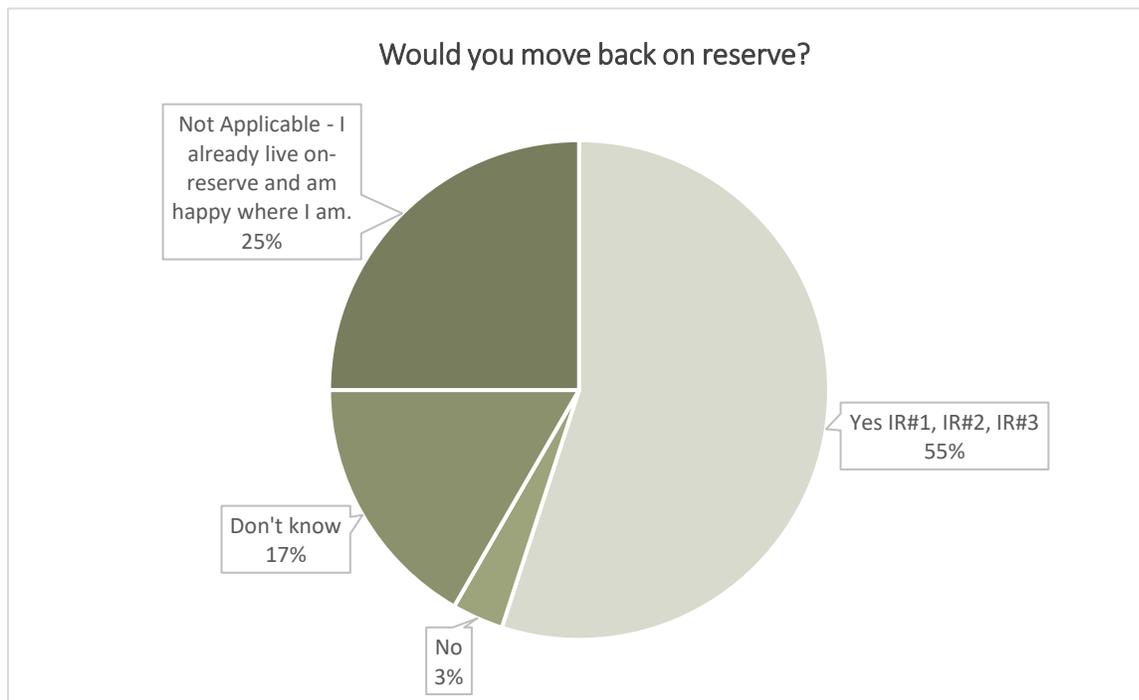
## Future Development (IR2 & IR3)

### Housing:

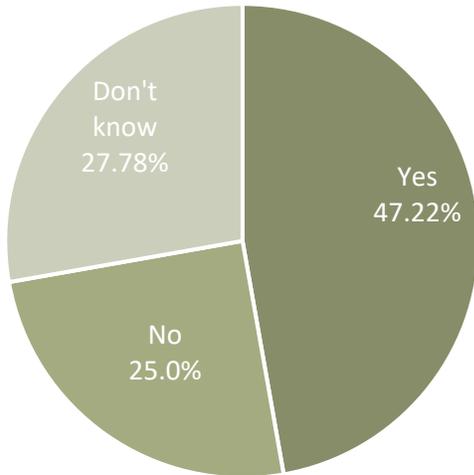
Just over half of survey respondents who were not currently living on reserve, said they would consider moving on reserve if housing were available.



### Economic development:



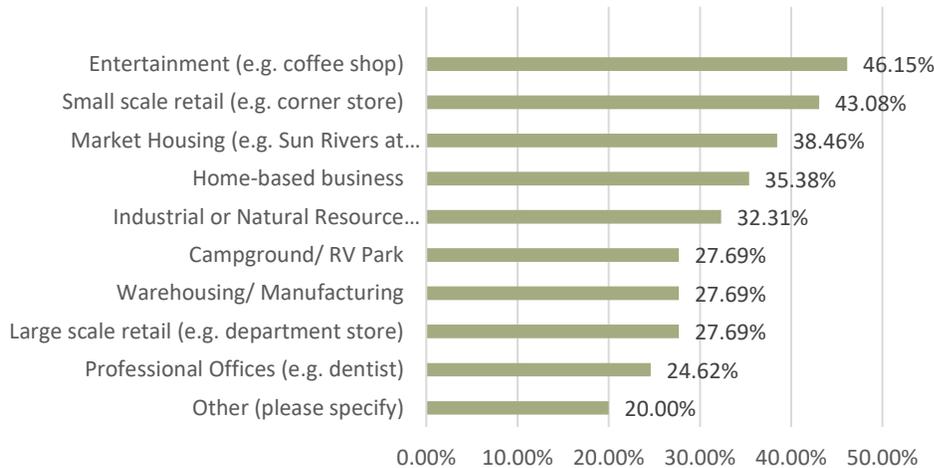
### Are you interested in starting your own business?



Out of the 72 respondents to this question, just under half indicated they would be interested in starting their own business, as categorized below:

- 11 wanted to start a construction and infrastructure business sector such as gas stations/truck stop, rebar/construction services, tire store, small engine repair shop, tree removal, custom woodwork and house siding.
- 4 were interested in a food services businesses such as a food truck, restaurant or catering.
- 4 were interested in or already work in retail and artisanal sales - cultural goods, botanicals.
- 4 were interested or already work in personal services - nail care, foster care, childcare.
- 3 were interested in business services – administration, consulting, investing services.
- A small number were interested medicine, cannabis sales, logging, a makerspace for art and technology, or were unsure.

### What types of businesses does our community need?



Among the 65 respondents, the majority (46%) would like entertainment businesses, followed by small-scale retail (43%) and market housing, such as Sun Rivers at Tk'emlúps (39%).



# IR2 – Highway Design

## IR2 Highway Design Community Feedback

The following feedback pertains to the Trans-Canada Highway Twinning Project at IR2.

### Frontage or backage roads

Due to safety, the Ministry is no longer allowing households to connect their driveways directly to any major highway. This means that all of the households on IR2 which currently have driveways directly connecting to the highway, an alternative, safer access to the homes will need to be incorporated into the upgraded highway design. This will be accomplished with the construction of either a frontage or backage road for safer access to "Protected T" intersections on IR2's east and west ends.

In the survey, the community were asked to choose between frontage or backage road options as illustrated in the maps below.

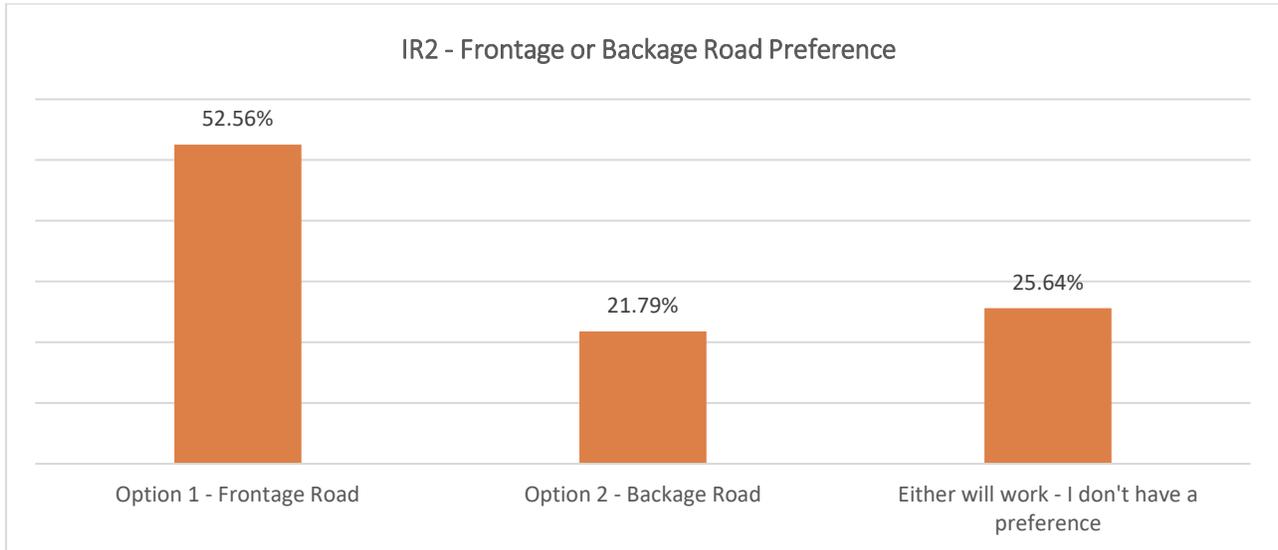


Frontage road



Backage road

The following graph summarizes the results of this question:



In summary:

- 53% of the community prefer a frontage road, 23% prefer a backage road, and 37% have no preference.
- Combining the top choice (frontage road) with those who are happy with either option, we can see that **if a frontage road was built 78.2% of the community would like this option.**
- The community recognizes the importance of a secondary road in minimizing the chances of being stranded on the reservation during highway accidents.

### Top issues/obstacles associated with highway expansion at IR2

When asked their viewpoint on the main issues/obstacles associated with the highway twinning project on IR2 the following key themes emerged:

- **Safety and Access:** Close to a third of respondents cited safety as their main concern. There was an emphasis on speed limits, pedestrian walkways, access to river, lack of intersection lighting, specific requests for straightening the #125 curve, evacuation routes and limited alternative exits in the event of a vehicle accident.
- **Community Roads and Traffic Management:** This was another top issue emerging from the survey and is interrelated with safety. Most of these items referenced improved means to move around on IR2 (not the highway) and included topics like secondary roads and access including cycling and pedestrian walkway as well as access to river and the need to have these roads paved and well maintained.
- **Financial Compensation:** A few respondents are concerned about exclusion from compensation and are seeking equitable compensatory measures for all band members.
- **Environmental Impact:** Concerns about unnecessary disruption of the environment, loss of environment, and excessive expansion/development.

Community suggestions to address the issues/obstacles cited above include:

- With regards to safety – many community members feel that the current design will address many of the problems. They did, however, want to ensure that items such as signage, lighting, secondary access routes and under-highway access to the river and a few other design considerations are not forgotten.
- Community members feel that these solutions have and will continue to come about through ongoing discussions and interactions with the MoTI designers and community engagement processes like what has been happening to date. They feel it is important these interactions continue with future iterations of the highway expansion design.

## Wildlife impact feedback



Survey respondents marked the area where the majority of wildlife cross or are frequently seen on the highway on the IR2 map above. (It should be noted that respondents could only pick one site per person). In summary:

- The community pin-pointed 42 locations.
- Looking at the spread of locations, it would appear wildlife is regularly observed through-out IR2, without any overly concentrated areas or “pinch points”.
- This being said, there is a slightly denser cluster of points at the far west side near Hoffman's Bluff, which was identified as a known deer lick and sacred site location.
- Animal crossings were most often linked to “access to water” with animals such as deer, moose, bear and birds cited as being most often killed on the highway.
- Linked to the point above; community members want to ensure that there are multiple animal crossing locations, under or over the highway, so that the animals have safe access to water.

## River access feedback

The graphic below outlines the Highway access points (purple diamonds) identified by community members during the preliminary design phase of the project:



The community were asked to mark the location (on the map above) where they would most like to see safer access under the highway to the river. (Respondents were limited to selecting one site each). In summary:

- 44 locations were marked as potential sites for safe river access, with the majority clustered at the eastern end of IR2.
- This feedback matches earlier data collected from the community and summarized in the IR2 Highway Expansion Technical Report (2019).
- The largest cluster of points correspond to the need to construct safe passage from the Neskonlith Hall under the highway for community members (often children) access the river.
- Access to the river is culturally very important for community members – this feedback matches earlier community engagement results.
- Another important consideration was mentioned: *“we need safer access to the water that is not on cp lands, so this passage is not restricted by cp holder”*.

## Environmental impact feedback



The community were asked to pinpoint the areas that should be avoided or conserved for environmental reasons on the map above. (Again, respondents could select one site each). To summarize:

- 31 locations were marked.
- Environmental protection areas of particular significance to the community include Hoffman's Bluff, areas with pictographs and old pit homes, forested areas (especially old cotton trees), fruit trees and medicinal vegetation areas.
- There is some concern that the development and pollution could affect salmon, medicinal plant supplies and riparian areas – so extra caution will need to be taken to account for drainage and run-off.
- Water is very important to Secwépemc culture and tradition. This was very evident as many responses centered around protecting existing water bodies (ponds, swamps and the river) as well as concerns about the animals who live there, including salmon, turtles and the eagle habitat along the river.

## Cultural/archeological impact feedback



Survey respondents identified 30 cultural/archaeological sites on the IR2 site map above as being areas to avoid or be conserved. (Respondents could select one site each.) Other insights include:

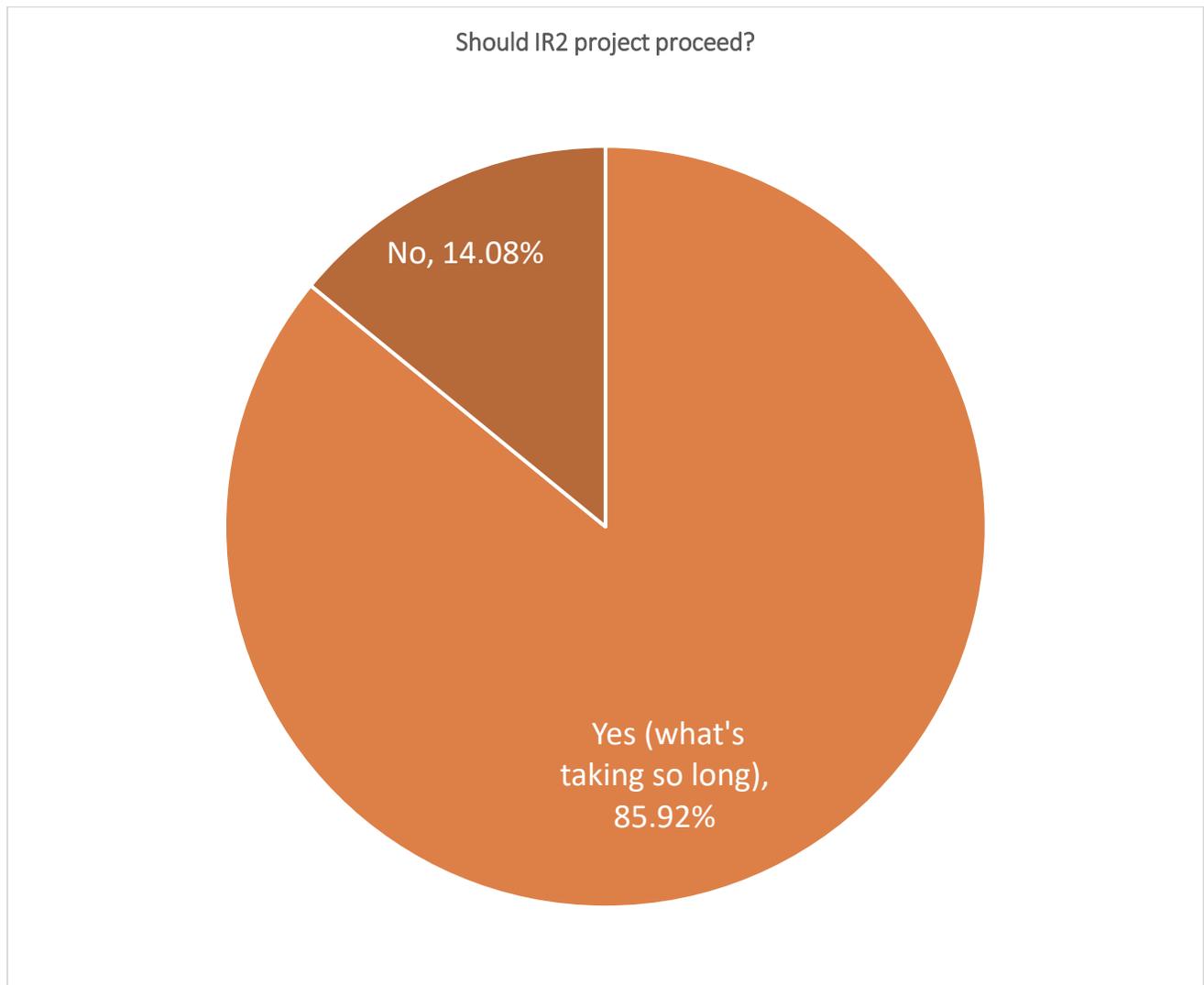
- When asked about other areas cited in the map that should be avoided or conserved for cultural or archaeological reasons, 33% of respondents expressed uncertainty or lack of knowledge about specific areas or cultural sites. This reinforces the importance of a full archaeological study of IR2, which is required for this project to proceed.

- The community is concerned about preserving environmental heritage, forested areas, traditional use areas/routes, old root cellars, and fishing access in addition to cultural sites like pit homes and pictographs. There's a desire for increased awareness and understanding of heritage sites, which will be addressed in the full archaeological study, and required for this project to proceed.

### Overall opinion of whether the IR2 project should proceed

Community members were asked, given the information they currently have, if they were in favour of the Trans-Canada Highway Twinning Project proceeding to the next phase of the project. Of the 71 survey respondents:

- **86%** of survey respondents **want the project to move forward** to the next stage for IR2
- 14% of survey respondents did not want to proceed with the next phase for IR2





# IR3 – Highway Design

## IR3 Highway Design Feedback

The following survey feedback pertains to the Trans-Canada Highway Twinning Project at IR3.

Top issues/obstacles associated with highway expansion at IR3:

- **It should be noted that the top response to this question was “none”** which was indicated by over 1/3 of the respondents. This would seem to indicate that most respondents are happy with the design and don't see any issues or obstacles.
- **Infrastructure and safety needs:** the second most common category of responses cited by the community were related once again to improved safety. This included items such as safer highway access points, in particular the need for a second exit at Second Nations Road and First Nations Road.
- **Some community members are concerned about the potential for future disruptions:** Items in this category which were mentioned included specific concerns about bottleneck areas/traffic congestion, accidents, speed limits and noise pollution such as engine noise and horns as vehicles/trucks speed up to pass each other or use engine brakes down the hill.
- **Cultural and environmental preservation:** Conserving the land, wildlife habitats and maintaining cultural heritage amidst development efforts was also mentioned.
- There are some concerns and uncertainties with some members expressing confusion about future steps and the specific locations earmarked for development. Additionally, a couple respondents expressed frustration over conflicts between community members and staff and a **strong desire for fair compensation for all community members.**



The community proposed potential solutions to address the main issues and obstacles related to the IR3 design, including:

**Infrastructure and Safety Improvements:**

- Installing streetlights at every turn off, creating wildlife corridors, reducing speed limits, and implementing noise reduction barriers.
- Additional signage, larger signs, flashing lights, and barriers/fencing.

**Community Engagement and Communication:**

- Better communication with community members, including elders, and encouraging greater attendance at community events.

Wildlife impact feedback



- Survey respondents marked 26 locations where wildlife frequently cross the highway on the IR3 site map above. (Respondents were limited to selecting one site per person.)
- One area that seemed to be mentioned more frequently than the others was an area located between First Nations and Second Nations road, along the straight stretch heading towards the Gleneden area. This makes sense as this stretch of roadway is not too steep on the sides and has lots of tree and vegetation cover for animals.
- Other areas where wildlife frequently cross the highway, beyond those indicated on the map, include past Third Nation Rd, the highway section between Adams Lake Indian Band and Neskonlith (to access the river/lake) near the rock bluffs.
- Wildlife most mentioned include coyote, deer, moose, bear and elk.

## Environmental impact feedback



- Survey participants marked 21 locations to be avoided or conserved for environmental reasons on the IR3 site map above.
- Environmentally significant areas include hillsides, the area above the house on Second Nations Road (cedar root digging area), the large marsh area close to the lakes edge, and the rubber boa snakes' den (a protected species).
- It should be noted that a large number of participants commented that they do not know of specific areas that need to be protected, but there was a strong feeling that environmental impact from the highway project should be as limited as possible.

## Cultural or archeological impact feedback

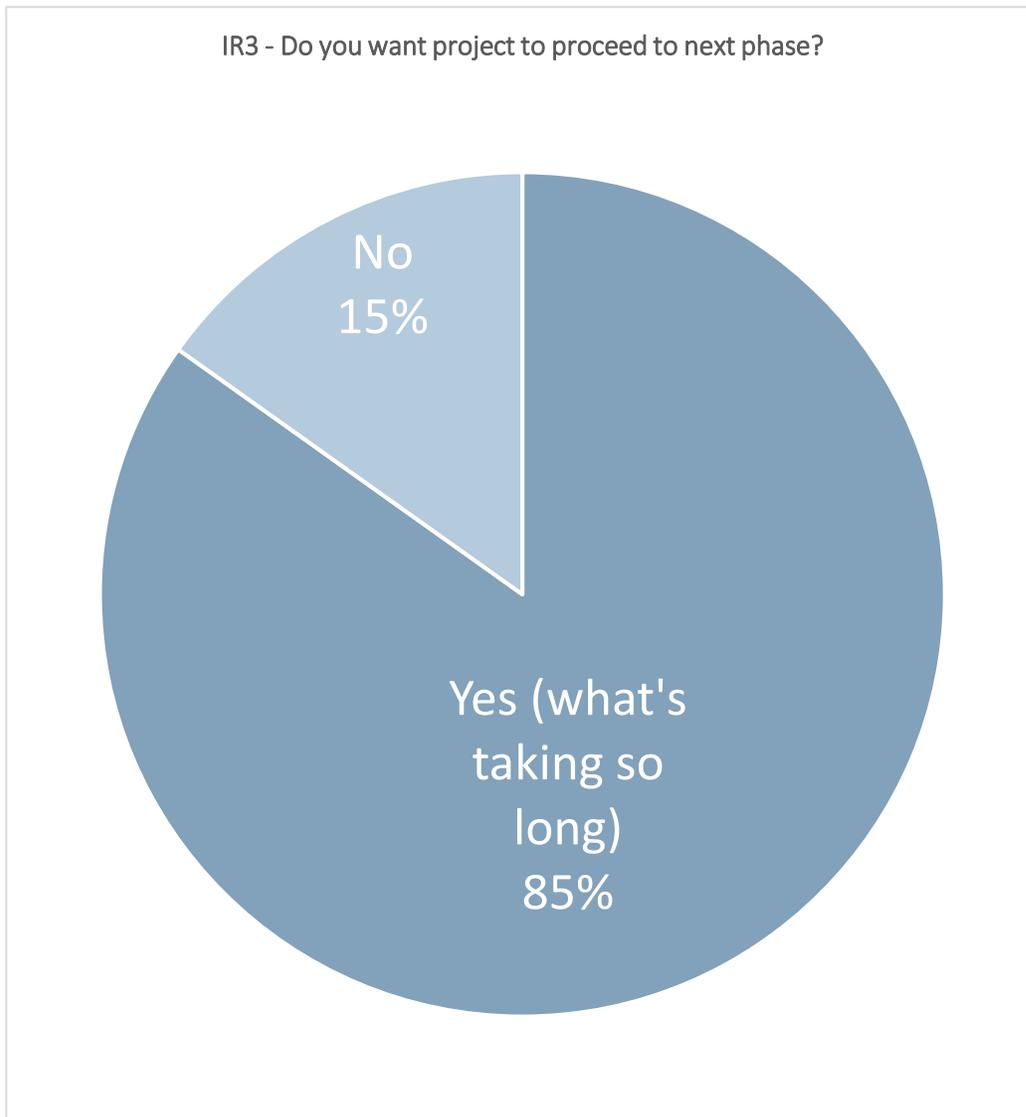


- The community identified 16 locations that should be avoided or conserved for cultural or archeological reasons on the IR3 site map.
- When it came to culturally important areas, cedar areas were specifically mentioned, which are found along the train tracks and highway.
- The community was not aware of many additional significant sites beyond those indicated on the map apart from the graveyard and potential grave sites along Three Nations Road and a possible village and grave sites close to the water. Again, the completion of the full archeological study was very important to community members as they wanted to make sure that any unknown archeological or cultural sites are identified and protected.

### Overall opinion of whether the IR3 project should proceed

Community members were asked, given the information they currently have, if they were in favour of the Trans-Canada Highway Twinning Project proceeding to the next phase of the project. Of the 71 survey respondents:

- 85% of survey respondents **want the project to move forward** to the next stage for IR3
- 15% of survey respondents did not want to proceed with the next phase for IR3



## Summary of General Feedback From Community Engagement

### Summary of other discussion and concerns:

The following section summarizes some of the more common concerns and discussion points raised by community members at the various Community engagement events, along with responses to how these concerns will be addressed:

**Some members feel the highway expansion is not benefiting the community.** Discussions on how this project could be a benefit included:

- This design upgrade has the potential to unlock future economic development opportunities.
- This project includes a requirement for the construction contractor to hire a certain % project value to Neskonlith – either through employment or contracting.
- This project includes community benefits agreements which are direct cash contributions to future community projects.
- This project would include the design and construction of millions of dollars' worth of infrastructure on the reserve (frontage and backage roads) to improve access on reserve for community members.
- This project includes improved safety for the community including safer intersections, better lighting, safer river access for community members and wildlife.

**Some membership feel they do not have enough information to make a decision:**

- The purpose of these engagement sessions is to provide information and identify any additional information required for community members to make decisions.
- Membership has been provided all documents and forms identified through our preliminary research that are relevant to the IR2 highway expansion.
- Neskonlith has created a dedicated webpage to the Highway Expansion project. On this website community members can access previous reports and information related to the Highway Expansion project 24/7. There is also a portal for community members to ask questions or voice their concerns at any time.
- Community members were informed that this is not their “only chance” to decide. This feedback will be used to create the Functional Design. Once the Functional Design is complete, community members will once again have an opportunity to modify and provide input on the Functional Design, before the Detailed Design is created. After this point, all information will be collected to start the negotiation process, which will not likely happen for at least another 5-7 years. Community members have this time to digest information and provide more input.

## Identified Possible Neskonlith Community Benefits

This section of the report summarizes the potential community benefits of the project proceeding, which were discussed by both CP Holders and MoTI representatives during the various CP holder meetings.

### Safer access both on and off the highway for vehicles

All options will offer safer means for leaving the highway onto band roads as well as pulling out onto the highway. These options are safer for the following identified reasons:

- Better lighting – the new intersections would have lighting.
- Acceleration and deceleration lanes – new intersections include a separate lane off the highway to accelerate or decelerate at intersections.
- Protected locations to turn left across oncoming traffic lanes – reducing the risk of being rear-ended while waiting for a safe time to turn.

### Safer passage across the highway for people

The new design would incorporate the feedback identified by CP Holders regarding where to access to the river for Neskonlith Members and their children. MoTI agreed this was an important component of the design. This design would incorporate upgraded bigger culverts and a higher number of culverts under the new highway.

### Additional infrastructure

Additional infrastructure for Neskonlith could include:

- New frontage and backage roads, allowing for safer access for community members to travel from their homes onto the highway, allowing for access to future commercial ventures and better access for emergency vehicles, both ambulance and fire.
- Whatever the final recommendation for frontage road(s), there's an opportunity for MoTI to award that component of the construction work to Neskonlith. Assurance that these roads will meet MoTI standards for safety.
- Upgrade of existing drainage/culverts to take climate change into consideration. As a result of the climate change calculations, some of the existing pipes/culverts have to get bigger.
- A multiuse path network (walking and bike lanes) for community members, to improve community access and get people off of the roads (safer).
- Possible upgrade of existing road networks; possible to negotiate the upgrade of existing roads on IR2 Neskonlith, and IR1 Neskonlith.
- Opportunity to improve utility infrastructure – while the roads are being constructed or improved, there could be an opportunity to improve or install water, sewer, electricity or fibre networks at a reduced cost.

### Possible negotiated community benefits from IR2 Neskonlith Section 35 process

Neskonlith must receive compensation for reserve land lost from the highway expansion process.

Compensation involves two components:

- Direct financial compensation for the lost land, as well as,

- Additional land to replace the land lost to reserve (Last Hoffman's Bluff Section 35, more land was returned than lost. This will ensure the total amount of reserve land does not shrink).

MoTI has the ability to make the successful construction contractor commit to a minimum dollar value used to hire Neskonlith Members while working on the project, as part of an incentive package. A ballpark estimated dollar value could be anywhere from \$850,000 to \$1.5 million for the work that must be direct awarded to community members.

Legacy benefits/projects: Opportunity to have direct funding set aside for community legacy projects/funding. This dollar value could be significant. This funding is fairly flexible but demonstrated a benefit to the community. Examples from other communities include bursaries for education, environmental or wildlife projects, cultural centres, activity centers, etc.

### Other community benefits examples

- During Construction if surplus material (dirt) is available, there may be an opportunity to do things for CP Holders such as filling sink holes on properties. As long as those wishes are documented early enough, they can be put forth to the winning contractor, and they will make final decisions.
- Detouring through Neskonlith band land when there is a highway accident will be reduced or eliminated as new backage roads will not be public.
- Ability to test increase of highway noise after construction. Results of sound measurements will dictate possible impact reduction work.
- New design will improve existing dangerous corner located on West End of IR2 Neskonlith. This corner was identified by a number of band members as being too sharp and dangerous.

### Community Benefits Agreement (CBA)

Launched in 2018, CBA will provide direct benefits to the community outside of MoTI's current commitments to Neskonlith for this project. This initiative is NOT overseen by MoTI or Neskonlith and is a separate opportunity. The stated aims of the CBA are to develop and maintain a skilled workforce for major projects, and include the following:

- To allow any contractor to bid on and perform a project – this will allow possible Neskonlith contractors a chance to bid on pieces of this project, where they might not have had a chance before due to minimum requirements in an RFP.
- To provide hiring flexibility for contractors, who can "name hire" all supervisors, and between two and four employees (depending on the number of trades and employees required).
- To develop and grow skilled and experienced labour by providing funding and access to existing training programs, while identifying and addressing skills gaps.
- To maximize apprenticeship opportunities and skills training with the aim to develop a skilled workforce.
- To ensure that local areas benefit from local infrastructure projects through priority hiring for individuals who live within close proximity to projects. This means that Neskonlith community members will have priority on the project when contractors are hiring.
- To provide wage alignment to prevailing industry rates through an agreement that all wages and benefits will be increased two per cent per year for the duration of the CBA.

## Appendix 1: IR2 & IR3 Communications & Engagement

### Key events in 2019:

**Elders working committee formation** to help incorporate Language and Culture into the second half of this project.

- The introduction meeting with Elders Committee – Wednesday, September 25th.
- Elders committee – Brainstorming culture and language integration – Friday, October 4th.
- Elders committee – Focus on language - Wednesday, October 9th.
- Elders committee – Focus on cultural processes - Friday, October 18th.
- Elders committee – Coordination of integrating culture and language - Wednesday, October 23rd.

#### **Staff “lunch and Learn” – Friday October 25<sup>th</sup>**

- Workshop with Neskonlith staff at the Neskonlith Hall.

#### **First Round of Kekuli Scpluk’w (Community Open House)**

- IR2 Kekuli Scpluk’w — Wednesday, October 30th, 9am-7pm, Quaaout Lodge
- IR3 Kekuli Scpluk’w — Friday, November 1st, 9am-7pm, Chances (Salmon Arm)

#### **Vancouver Membership Meeting**

- Wednesday, November 20th, in Vancouver

#### **Sqwelentém (Family) Meetings IR2 & IR3**

- November 1st - November 30th

#### **Online Survey opens to all Membership**

- Online survey opens to all band members – November 1st to 30th
- Online Survey distributed to the community via email, social media, via the Neskonlith Indian Band website, print material (postcards, hand-outs, posters, booklets and fact sheets) and in hardcopy (door knocking, band office, events).

#### **Second Round of Kekuli Scpluk’w (Community Open House)**

- IR2 Kekuli Scpluk’w — Wednesday, December 4th, 9am-7pm, Quaaout Lodge
- IR3 Kekuli Scpluk’w — Wednesday, December 11th, 9am-7pm, Chances (Salmon Arm)

#### **Video Interview Sessions**

- Videographers coming for the full day on December 19th and December 20th at Quaaout Lodge

## Key events in 2020 to 2021:

Due to COVID-19 restrictions one on one and in-person gatherings were not permitted.

## Key events in 2022:

### Staff “Snack and Learn” – Monday, April 25th

- Workshop with Neskonlith staff at the Neskonlith Hall.

### Third Round of Kekuli Scpluk’w (Community Open House)

- IR3 Kekuli Scpluk’w — Friday, April 29, 9am-7pm, Hilltop Inn (Salmon Arm)
- IR2 Kekuli Scpluk’w — Wednesday, May 4th, 9am-7pm, Quaaout Lodge (Chase)

### Vancouver Membership Meeting

- Wednesday, June 22nd, 3:30pm-7:30pm, Holiday Inn & Suites (Vancouver)
- Thursday, June 23rd, 3:30pm-7:30pm, Holiday Inn & Suites (Vancouver)

### Information booth at Neskonlith Community Open House Event

- IR2 and IR3 Kekuli Scpluk’w — Wednesday, December 7th, 3:30 pm-7:30 pm, Quaaout Lodge

## Key events in 2023:

### Vancouver Membership Meeting

- Wednesday, November 1st, 3:30pm-7:30pm, Holiday Inn & Suites (Vancouver)

### Information booth at Neskonlith Community Open House Event

- IR2 and IR3 Kekuli Scpluk’w — Thursday, June 29<sup>th</sup>, 3:30 pm-7:30 pm, Quaaout Lodge

### Fourth Round of Kekuli Scpluk’w (Community Open House)

- IR3 Kekuli Scpluk’w — Tuesday, December 5<sup>th</sup>, 3:30 pm-7:30 pm, Hilltop Inn (Salmon Arm)
- IR2 Kekuli Scpluk’w — Wednesday, December 6<sup>th</sup>, 3:30 pm-7:30 pm, Neskonlith Hall (Chase)

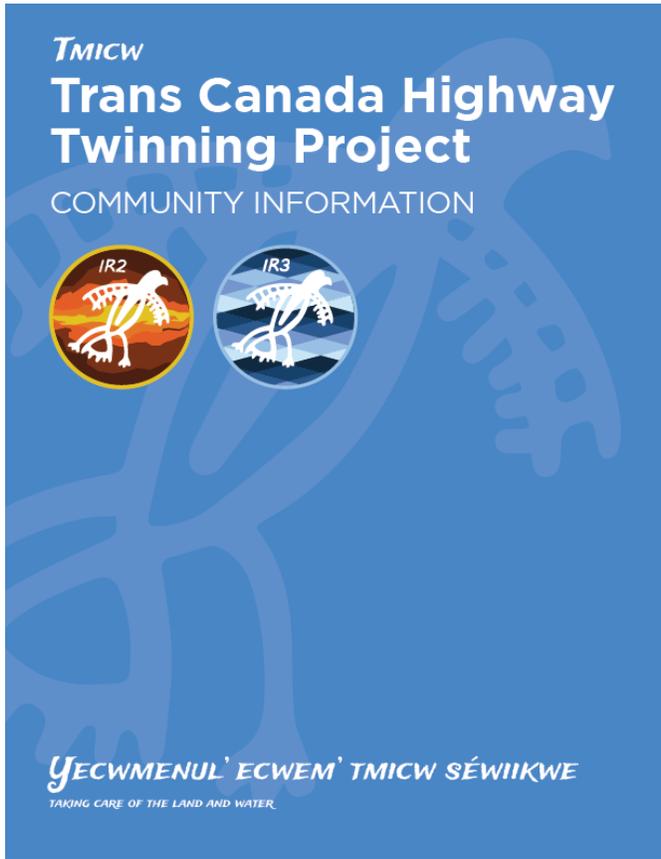
### Online Survey opens to all Membership

- Online survey opens to all band members – November 1st to December 6<sup>th</sup>, 2023
- Online Survey distributed to the community via email, social media, via the Neskonlith Indian Band website, print material (postcards, hand-outs, posters, booklets and fact sheets) and in hardcopy (door knocking, band office, events).

## Appendix 2: IR2 & IR3 Marketing Plan

<p><b>Poster Print Pieces</b></p>	<p><b>Target:</b> Community buildings &amp; message boards</p> <p><b>Details:</b> Key Messages on Poster: Project update/overview, FAQ, key dates, steps in the project</p>
<p><b>Printed Handouts</b></p>	<p><b>Target:</b> Community members of IR2 and IR3</p> <p><b>Details:</b></p> <ul style="list-style-type: none"> <li>- FAQ - what is the project, updates to distribute at meetings and have at key places in the community. Plain language free to technical jargon, include high-resolution images (reflect traditional and contemporary Neskonalith values and aspirations related to land use planning, work with language expert to translate).</li> <li>- Maps of area being discussed.</li> <li>- Key dates</li> <li>- Benefits/challenges of project</li> <li>- MoTI process</li> <li>- Section 35 Process</li> </ul>
<p><b>Social Media</b></p>	<p><b>Target:</b> Community members of IR2 and IR3</p> <p><b>Details:</b> Facebook campaign (Neskonalith Indian Band FB Public Group – 773 Followers) to invite community engagement and attendance and in-community consultations. Digital assets – imagery (photos) to brand the project, Sharable project awareness image(s) and designed content (web poster).</p>
<p><b>Website - internal</b></p>	<p><b>Target:</b> On and off reserve members</p> <p><b>Details:</b> Neskonalith Indian Band Website page devoted to highway project (overview, upcoming events, opportunities to provide input and guidance, contact details etc.). Info for off reserve members to have info and increase awareness.</p>

# Appendix 3: Trans-Canada Highway Twinning Project Marketing Material



## What is the highway expansion project?

The Ministry of Transportation has the goal of widening the highway from Kamloops to the Alberta border. This includes safety improvements to the design such as working to remove sharp curves, steep grades and narrow bridges) and upgrading the highway to four lanes (two in each direction), both of which will allow for safer and more efficient travel, tourism and trade.

## Why are we going through this process?

The Ministry of Transportation needs input from the community to create the highway design that best addresses what the people of Neeskoniith have in mind for their future vision for the community.

In order for this project to happen, the community must vote to accept the design and negotiated benefits for the community, if the community does not agree to the negotiated benefits or design, the highway four-laning will not happen.

We are going through this process to ensure that the community has the opportunity to provide their input on the highway design, has all of the information they need and have had many opportunities to ask questions, so that they can make an informed decision when the vote happens.

## Where are we now in the process?

We are midway through the overall process. Right now, there has been some engagement with the CP holders and based on that feedback a concept of a highway design has been created (conceptual design). We are just about to go out to the community with this design concept to collect feedback and input.

We collected feedback on initial design options from CP holders and community members in 2019. This feedback was then used to guide MOTI to identify where to do Archeology, Environmental and Geotechnical studies. This data is 80% complete and will guide functional design options for the community to review and provide feedback. Feedback from the community will be collected between Dec 2023 - Jan 2024 and will be used to direct MOTI with the remaining functional design.

## What has been done so far?

From early engagement sessions with the community, conceptual designs were created. These early concepts were then brought forward to CP Holders to refine/comment on and modify. CP holders were engaged first because the majority of the land impacted by the highway four-laning project is CP holder land. CP holders did agree on a common design that was combined by MOTI into the preliminary design, which we will be bringing to the community to refine/comment on and modify. Since this time, MOTI has completed a number of archeology, geology and environmental studies which have been used to refine the design further. We are now bringing these more refined designs back to the community for further input. Since this time, MOTI has completed a number of archeology, geology and environmental studies which have been used to refine the design further. We are now bringing these more refined designs back to the community for further input.

## How long will the project take?

The functional design can not be completed without the archeological, geotechnical and environmental studies. These studies can not be created on CP holder land without the owner's authorization. This process has taken longer than anticipated causing delays to the overall project.

Once these studies are completed MOTI will be able to create the completed functional design which will then go back to the community for further input before it becomes the detailed design. It is estimated this process could take 1-2 years.

The detailed design will then go back to the community one last time for input. From the detailed design negotiations will start because the impact of the design and impact of the highway will be determined.

## How will the highway expansion project affect me?

### Improved safety for both vehicles and community members

- Safer, protected intersections with improved lighting, acceleration and deceleration lanes for vehicles pulling on and off the highway

## TRANS CANADA HIGHWAY TWINNING PROJECT

- Safer traveling on the highway with a centreline barrier which prevents vehicles from crossing the middle line and getting into head-on collisions
- Safer passage across the highway for people with options to travel under the highway rather than crossing traffic

### Additional infrastructure for Neeskoniith

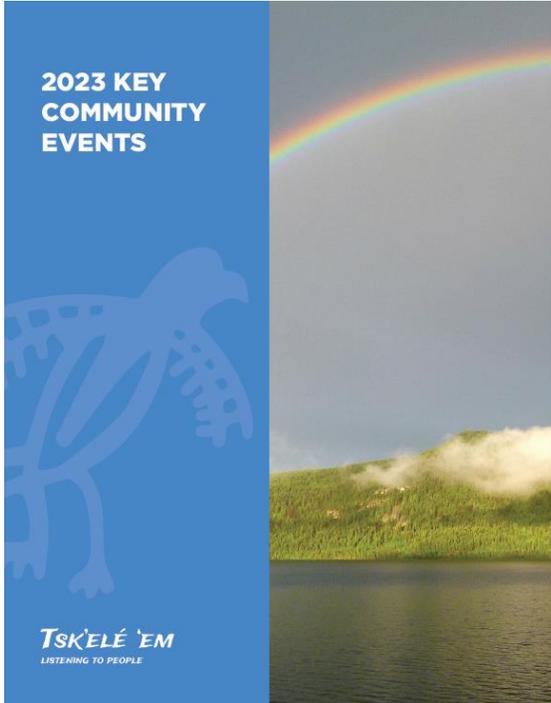
- Millions of dollars of new frontage and backage roads
- Installation of new drainage or upgrade of existing drainage/culverts
- Possible upgrade of existing road networks

### Ability to unlock future economic development potential

- Safer highway access and new frontage and backage roads will help to unlock land for future development/developers
- All intersections and frontage roads will be built to handle commercial traffic

### Possible negotiated community benefits both provincially (through the new Community Benefits Agreement) and federally (through the Section 35 process).

- Compensation for reserve land lost from the highway expansion process - this includes the addition of more land that was lost to the reserve as well as financial compensation
- Commitment of the construction contractor to hire Neeskoniith members while working on the project.
- Possible negotiated community benefits both provincially (through the new Community Benefits Agreement) and federally (through the Section 35 process).
- The creation of a Legacy Fund which can be used as direct cash contributions to future community projects such as community centres, cultural centres, tourist information centres, bursaries, museums, etc.
- Skills training for community members, not only for direct construction jobs, but other opportunities such as entrepreneurship, tourism, safety, economic development, etc.



**How can I provide feedback, ask questions, or get more information on the project?**

**IN PERSON EVENTS (NOVEMBER-DECEMBER)**

- NOVEMBER**
- Kekuli Scpluk'w (Community Open House):**
- Vancouver Membership Meeting**
- Wednesday, November 1st, in Vancouver
- DECEMBER**
- Online Survey – neskonlith.net/tmicw/highway/**
- November 1st - December 11th
- Kekuli Scpluk'w (Community Open House):**
- IR2 Kekuli Scpluk'w – Tuesday, December 5th, 3:30pm-7:30pm, Salmon Arm
  - IR3 Kekuli Scpluk'w – Wednesday, December 6th, 3:30pm-7:30pm, Chase
- Dinner will be served for each open house session.*

Please Visit the Project Website for more Information: [neskonlith.net/tmicw/highway/](https://neskonlith.net/tmicw/highway/)



**What is the land use plan?**

Land use plans provide a shared vision for the future for IR2 and IR3, and a plan for how to get there. They are carefully and collaboratively drafted by planners, community members and Sk'wam?ipia? (Chief and Council).

All land use plans consider the physical or built environment and how it interacts with the natural environment. Land use plans also help to guide the types of future activities or uses that can take place in different areas to help avoid future land use conflicts.

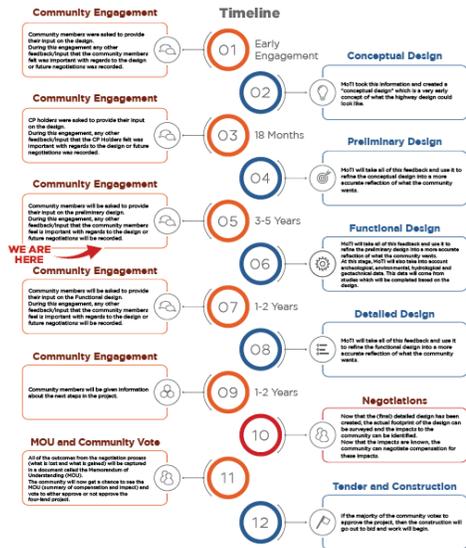
**What is the Section 35 Process?**

Section 35 is the part of the Constitution Act that recognizes and affirms Aboriginal rights. Aboriginal rights have been interpreted to include a range of cultural, social, political and economic rights including the right to land, as well as to fish, to hunt, to practice one's own *sikwemtem* (culture) and to establish treaties.

Under the Section 35 process, any project which will impact Aboriginal rights requires the government to consult, uphold the community's right to choose if the project will happen and fairly compensate the community if the project proceeds.

<sup>1</sup> Asch, Michael. Home and Native Land: Aboriginal Rights and the Canadian Constitution. Agincourt: Methuen, 1984. 30.

**What are the sqwse7éyé (steps) in the process?**





## TRANS CANADA HIGHWAY TWINNING PROJECT SURVEY



Complete the Survey and Enter your name for a chance to win an iPad or 1 of 3 \$250 Visa gift cards!

(Draw will happen end of the day December 6th, 2023)

### KEY MESSAGES

#### Improved safety

Data from IR2 and IR3 over recent years shows that 40% of the accidents and nearly all fatalities were caused by vehicles crossing the center line. The new highway design includes a continuous centerline barrier preventing this from happening.

The next largest cause of accidents were drivers going off the road to the right (30%). The improved lighting and rumble strips will help to reduce these occurrences.

The other 14% of serious incidents are related to people trying to pull out onto the highway or into the community. Protected T intersections and frontage roads provide much safer access both on and off the highway by giving drivers a protected lane (like the turn off for Quabout Lodge).

No highway design is perfect, but these three changes alone reduce or eliminate 84% of the fatalities/major incidents that affect Neskonlith.

#### TSK'ELÉ'EM LISTENING TO PEOPLE

#### How can members provide feedback, ask questions, or get information on the project?

##### Vancouver Membership Meeting

- Wednesday, November 1st, in Vancouver

##### Online Survey - [neskonlith.net/tmicw/highway/](https://neskonlith.net/tmicw/highway/)

- November 1st - December 11th

##### Kekull Scpluk'w (Community Open House):

- IR3 Kekull Scpluk'w - December 5th, 3:30pm-7:30pm, Salmon Arm
- IR2 Kekull Scpluk'w - December 6th, 3:30pm-7:30pm, Chase

Dinner will be served for each open house session.



### TRANS CANADA HIGHWAY TWINNING PROJECT

#### SCPLUK'W GATHERING OUR HEARTS TO DISCUSS THINGS TO MAKE A DECISION

#### Community members have a choice

We are midway through the overall process. The community will have multiple opportunities to provide input on the design before negotiations begin.

After the professional negotiators from both sides have reached an agreement (based on the input from the community), the details of the agreement will form the Memorandum of Agreement (MOA).

Community members will then have the opportunity to read the MOA and vote if they agree to the deal and want the project to happen or if they choose to not let MoTI do the highway four-laning project through the reserve and instead keep the highway as it is.

The IR2 four-laning project is separate from the IR3 four-laning project, with separate benefits and outcomes. The community could vote to accept one project and not the other if they want.

#### K'NUCWENTWÉCW HELPING ONE ANOTHER COLLECTIVELY

#### Community impacts

##### Improved safety for both vehicles and community members

- Safer, protected intersections with improved lighting, acceleration and deceleration lanes for vehicles pulling on and off the highway with a centerline barrier preventing vehicles from crossing the middle line
- Safer passage across the highway and along roads for people with options to travel under the highway rather than crossing traffic and the creation of multi-use paths and school bus pull-outs

##### Ability to unlock future economic development potential

- Safer highway access and new frontage and backage roads will help to unlock land for future development/developers
- Millions of dollars of new frontage and backage roads and possible upgrade of existing road networks, with all intersections and frontage roads built to handle commercial traffic

#### Possible negotiated community benefits both provincially (through the new Community Benefits Agreement) and federally (through the Section 35 process)

- Compensation for reserve land lost from the highway expansion process - this includes the addition of more land that was lost to the reserve as well as financial compensation
- Possible negotiated community benefits both provincially (through the new Community Benefits Agreement) and federally (through the Section 35 process)
- Commitment of the construction contractor to hire Neskonlith Members while working on the project
- The creation of a Legacy Fund which can be used as direct cash contributions to future community projects such as community centres, cultural centres, tourist centres, bursaries, museums, etc.
- Skills training for community members, not only for direct construction jobs, but other opportunities such as entrepreneurship, tourism, safety, economic development, etc.

#### YECWMENUL' ECWEM' TMIKW SÉWIIKWE TAUING CARE OF THE LAND AND WATER

#### Archaeology and the environment

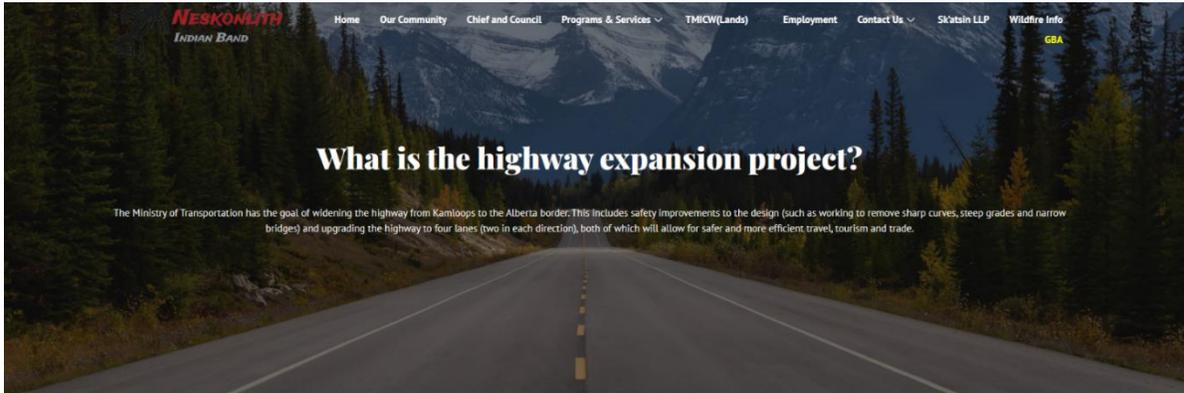
With the Provincial Ministry of Transportation design process the following studies are required:

- Archaeological (cultural and heritage impacts)
- Environmental (animal and plant impacts)
- Geotechnical (soil and earth impacts)
- Hydrological (water impacts)

With the Federal Section 35 process, the following studies are required:

- Archaeological (cultural and heritage impacts)
- Environmental (animal and plant impacts)

This work is being completed by Sixatin Resources - Neskonlith's development corporation, with money provided to Neskonlith from MoTI.



## What is the highway expansion project?

The Ministry of Transportation has the goal of widening the highway from Kamloops to the Alberta border. This includes safety improvements to the design (such as working to remove sharp curves, steep grades and narrow bridges) and upgrading the highway to four lanes (two in each direction), both of which will allow for safer and more efficient travel, tourism and trade.

### Improved safety

Data from IR2 and IR3 over recent years shows that 40% of the accidents and nearly all fatalities were caused by vehicles crossing the center line. The new highway design includes a continuous centerline barrier preventing this from happening.

The next largest cause of accidents were drivers going off the road to the right (30%). The improved lighting and rumble strips will help to reduce these occurrences.

The other 14% of serious incidents are related to people trying to pull out onto the highway or into the community. Protected T intersections and frontage roads provide much safer access both on and off the highway by giving drivers a protected lane (like the turn off for Quaaout Lodge).

No highway design is perfect, but these three changes alone reduce or eliminate 84% of the fatalities/major incidents that affect Neskonlith.



## How can members provide feedback, ask questions or get information on the project?

### Vancouver Membership Meeting

- Wednesday, November 1st, in Vancouver

Online Survey - <https://www.surveymonkey.com/r/NJ9MWZP>

- November 1st – December 11th

### Kekuli Scpluk'w (Community Open House):

- IR3 Kekuli Scpluk'w – December 5th, 3:30pm-7:30pm, Salmon Arm
- IR2 Kekuli Scpluk'w – December 6th, 3:30pm-7:30pm, Chase

*Dinner will be served for each open house session.*

## TRANS CANADA HIGHWAY TWINNING PROJECT SURVEY



Complete the Survey and Enter your name for a chance to win an iPad or 1 of 3 \$250 Visa gift cards!

(Draw will happen end of the day December 6th, 2023)



## Trans Canada Highway Twinning Project COMMUNITY OPEN HOUSES

Join us for a community update and opportunity to provide feedback on the Trans Canada Highway Twinning Project.

Food & Beverages will be served.

**NOV 1 VANCOUVER**  
3:30PM - 7:30PM  
Holiday Inn Downtown  
1110 Howe Street

Enter to win  
**DOOR PRIZES!**

**DEC 5 CHASE**  
3:30PM - 7:30PM  
Location To Be Confirmed.

**DEC 6 SALMON ARM**  
3:30PM - 7:30PM  
Prestige Harbourfront Resort  
251 Harbourfront Drive



## Trans Canada Highway Twinning Project COMMUNITY OPEN HOUSES

Join us for a community update and opportunity to provide feedback on the Trans Canada Highway Twinning Project.

Food & Beverages will be served.

**DEC 5 SALMON ARM**  
3:30PM - 7:30PM  
Prestige Harbourfront Resort  
251 Harbourfront Drive

Enter to win  
**DOOR PRIZES!**

**DEC 6 CHASE**  
3:30PM - 7:30PM  
Neskonlith Community Hall

### TRANS CANADA HIGHWAY TWINNING PROJECT SURVEY

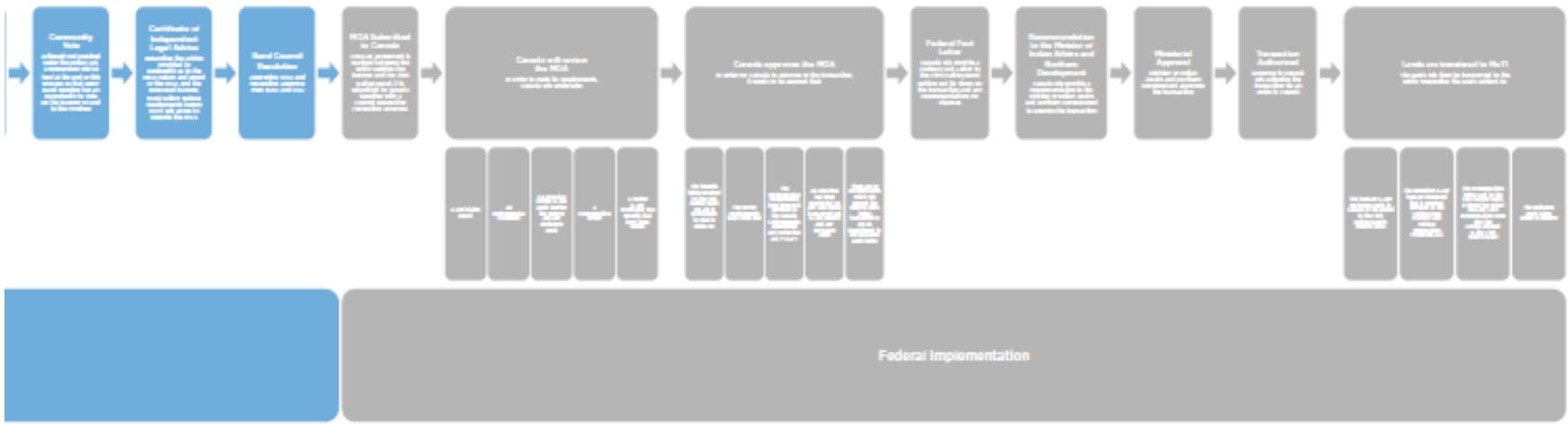


Complete the Survey and Enter your name for a chance to win an iPad or 1 of 3 \$250 Visa gift cards!

(Draw will happen end of the day December 6th, 2023)

Learn more about the project:  
[neskonlith.net/tmicw/highway](https://neskonlith.net/tmicw/highway)





# Appendix 5: IR2 Land Use Plan Final Map



## Neskonlith IR2 Land Use Plan Land Use



- Neskonlith IR2 Boundary
  - Woodlot 1823
  - 30m Water Setback
  - Fee Simple Lands
- Land Use**
- Residential
  - Highway Commercial
  - Aggregate Production
  - Light Industry
  - Community Core
  - Community Facility
  - Open Space - Band Administered
  - Environmental Protection Area

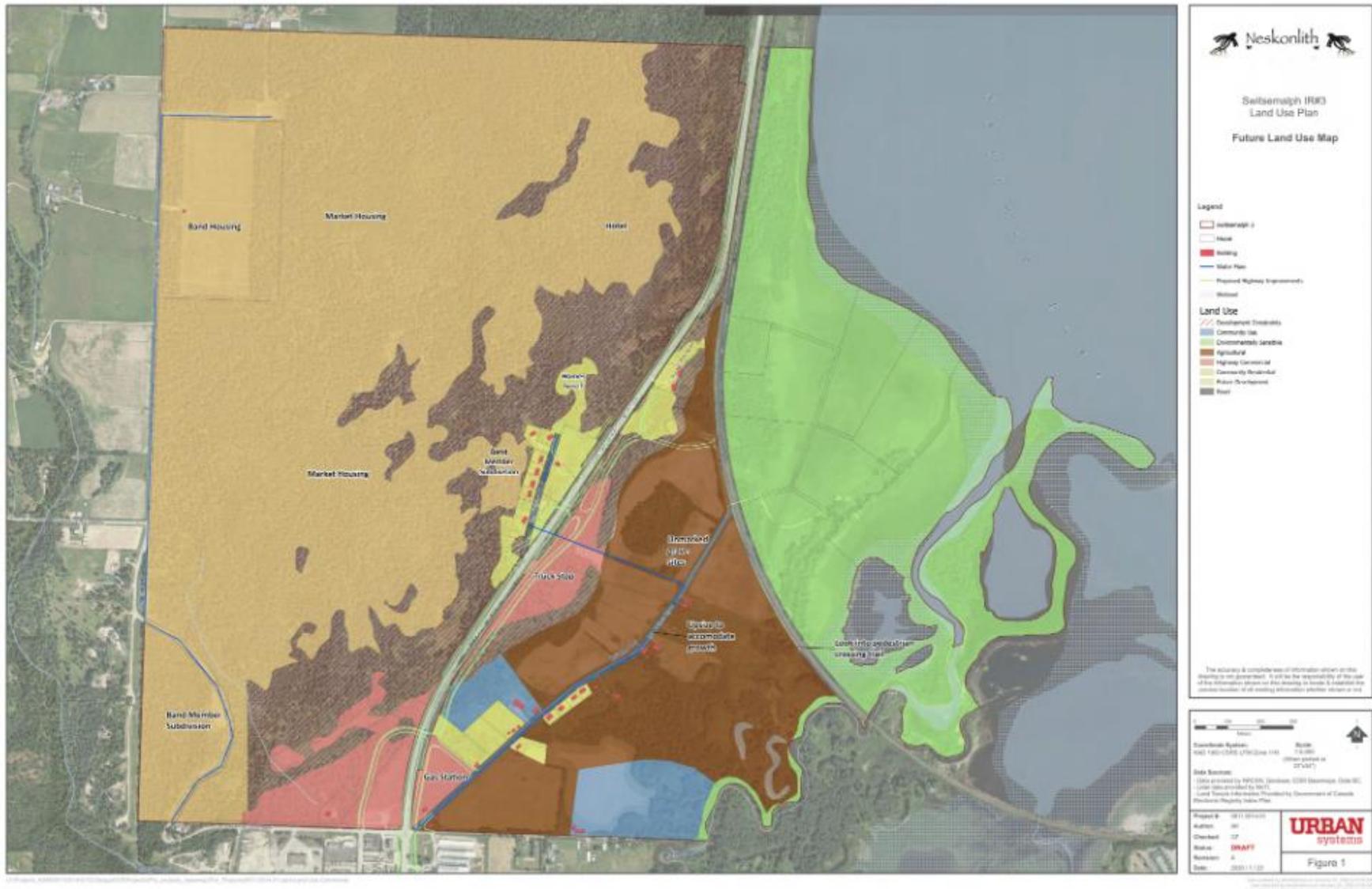
**SOURCE:**

- Imagery provided by ESRI basemap.
- Reserve boundary and on-reserve parcel data provided by Natural Resources Canada.
- Off-Reserve parcel data provided by the Thompson Nicola Regional District, May 2018.
- Woodlot and fee simple parcels provided by Sk'atsin Resources.

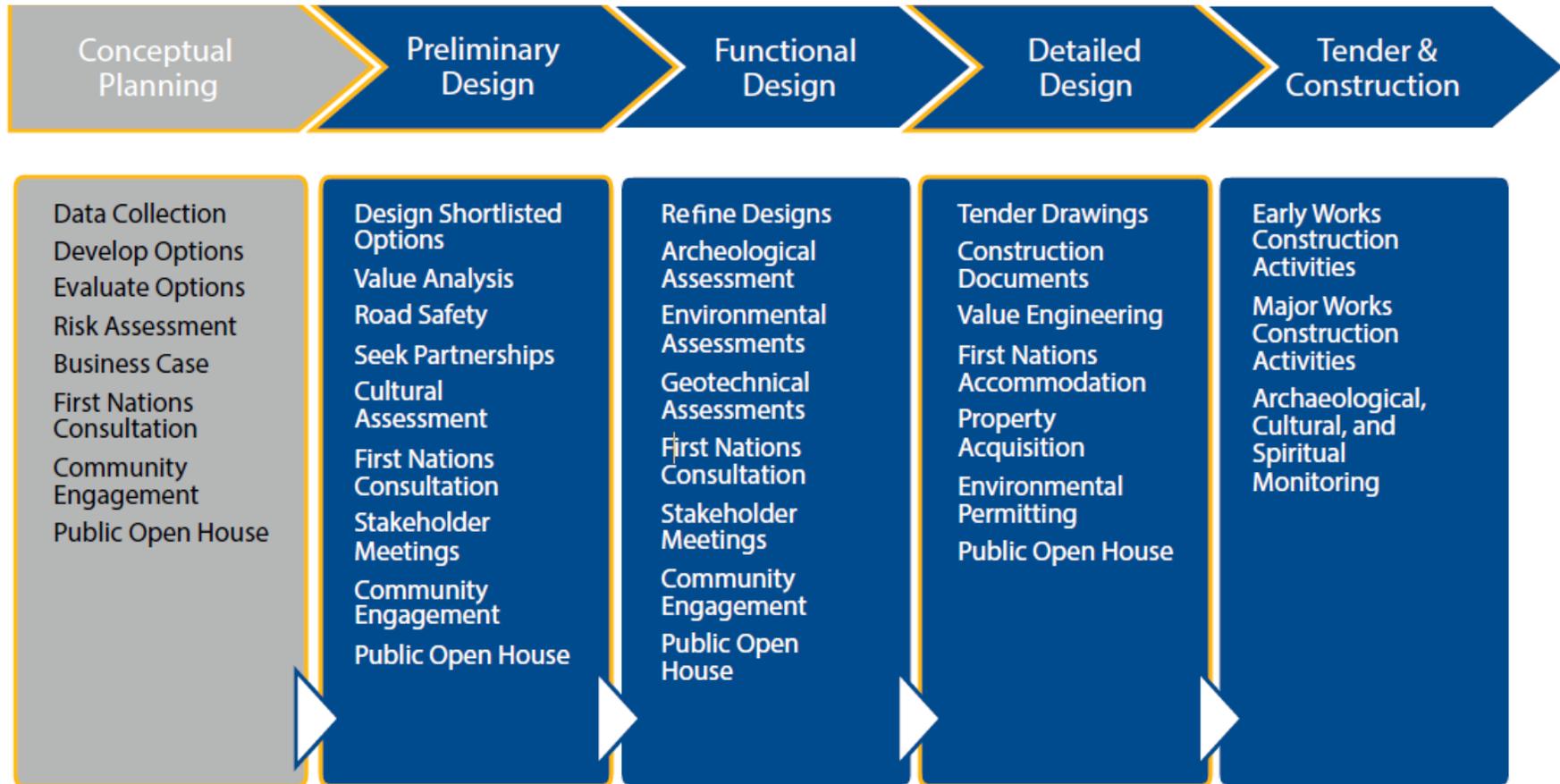
**THE ACCURACY & COMPLETENESS OF INFORMATION SHOWN ON THIS DRAWING IS NOT GUARANTEED. IT WILL BE THE RESPONSIBILITY OF THE USER OF THE INFORMATION SHOWN ON THIS DRAWING TO LOCATE & ESTABLISH THE PRECISE LOCATION OF ALL EXISTING INFORMATION WHETHER SHOWN OR NOT.**

## SCHEDULE 1

# Appendix 6: IR3 Land Use Plan Final Map



## Appendix 7: Ministry of Transportation and Infrastructure Project Development Stages



## Appendix 8: Community Member Survey



### 2023 Fall - Trans Canada Highway Expansion Project - Community Engagement Survey

#### Survey Overview

Thank you for taking the time to complete this survey. Your input is critical as it will help guide the design and consideration of the Trans Canada Highway Expansion. It will take you approximately 15-20 minutes to complete.



## 2023 Fall - Trans Canada Highway Expansion Project - Community Engagement Survey General Contact Information

Please enter your information below so that we know how to best keep you informed of highway updates going forward.

**Also; we will use this information to enter your name for a chance to win an iPad or 1 of 3 \$250 Visa gift cards (Draw will happen end of the day December 6th, 2023)!**

1. Name:

2. Rank your preferred method of communication (drag your top choice to the top of the list or use the drop down to make it number 1)?

☰	▼	Mail
☰	▼	Phone
☰	▼	Email
☰	▼	Door to Door visit
☰	▼	Other

3. Please enter your contact info:

Mail	<input type="text"/>
Phone	<input type="text"/>
Email	<input type="text"/>

4. How old are you?

- 0-14
- 15-24
- 25-44
- 45-64
- 65 or over

5. Are you a:

- A CP Holder living **on** reserve
- A CP Holder living **off** reserve
- Band member living **on** reserve
- Band member living **off** reserve
- Non-band member living **on** reserve
- Non-Band member living **off** reserve

6. Do you live on:

- IR#1
- IR#2
- IR#3
- Off-Reserve

7. A Will is a simple and important document that can help ensure your wishes are fulfilled after you have passed away. If you don't have a will, rules under the Indian Act will dictate what happens to your property after your death.

**Do you have a Will?**

- Yes
- No

8. If you do not have a Will, would you be interested in some free support to create a Will?

- Yes
- No



2023 Fall - Trans Canada Highway Expansion Project -  
Community Engagement Survey  
IR2 - Highway Design

This section is related to the design of the highway expansion on IR 2. All community members, regardless of where you live, have a say for the future highway design as it will impact all Neskonlith community members.



Option 1 - frontage road



Option 2 - Backage road



9. With the highway expansion, the Ministry is eliminating all driveways that connect directly to the highway as they are unsafe. Because of this, the Ministry will need to build either a frontage road or a backage road for people to connect their driveways to, so they can access the safer "Protected T" intersections located on the east and west ends of IR2.

**Looking at the two maps above, please pick your top choice for either a frontage or backage road for IR2 (RED lines).**

- Option 1 - Frontage Road
- Option 2 - Backage Road
- Either will work - I don't have a preference

10. Please rank in order (the top item being your most preferred item) the following benefits from the Highway twinning project that you would like to see out of this design for yourself and the community?

- Improved safety - getting on and off the highway** in your vehicle (for example: Protected T intersections)
- Improved safety - for walking or cycling** (for example: dedicated walking/cycling paths with lighting)
- Improved safety - while driving on the highway** (for example: center divider barrier to prevent head-on collisions).
- Economic Development** (jobs, attracting businesses and economic opportunities created on reserve)
- Better signage** including signs in Secwepemctsin
- Improved roads** (paving/fixing existing roads with better maintenance in the future)
- Better lighting** around intersections and pedestrian walkways
- Protection of cultural/spiritual/archeological sites**
- Financial compensation** from the Ministry
- Additional land** added back to the Reserve (either right next to the reserve or another location)
- The opportunity to **improve water and sewer connections**
- Other** (opportunity to elaborate this with the next question)
- Environmental protection**
- Increased **safety for the animals**

11. Is there a key benefit associated with the highway twinning project **that was not mentioned in the previous question** that you would like to highlight?

12. What are the main **issues/obstacles** associated with the highway twinning project on IR2 that you are most concerned about?

13. What are **solutions** to main issues/obstacles associated with this design?

14. Please click on the map below to select the area where the majority of **wildlife cross the highway or are frequently seen**



15. Please describe other areas where **wildlife cross the highway or are frequently seen** beyond what you have indicated in the map above:

16. Please click on the map below to show the location where you would most like to see **safer access under the highway to the river**.



17. Please describe other areas where you would most like to see **safer access under the highway to the river** beyond what you have indicated in the map above:

18. Please click on the map below to show the top location that should be avoided or conserved for **ENVIRONMENTAL** reasons



19. Please describe other areas that should be avoided or conserved for **ENVIRONMENTAL** reasons beyond what you have indicated in the map above:

20. Please click on the map below to show the location that should most be avoided or conserved for **CULTURAL or ARCHEOLOGICAL** reasons



21. Please describe other areas that should be avoided or conserved for **CULTURAL or ARCHEOLOGICAL** reasons seen beyond what you have indicated in the map above:

22. Based on all of the information you have right now, **do you want the project to proceed to the next phase**, knowing that there will still be future opportunities to provide input before negotiations?

- Yes (what's taking so long)
- No



2023 Fall - Trans Canada Highway Expansion Project -  
Community Engagement Survey  
IR3 - Highway Design



23. What are the main **issues/obstacles** associated with the highway twinning project on IR3 that you are most concerned about?

24. What are **solutions** to main issues/obstacles associated with this design?

25. Please click on the map below to show area where the majority of **wildlife cross the highway or are frequently seen**



26. Please describe other areas where **wildlife cross the highway or are frequently seen** beyond what you have indicated in the map above:

27. Please click on the map below to show the location that should be most avoided or conserved for **ENVIRONMENTAL** reasons



28. Please describe other areas that should be avoided or conserved for **ENVIRONMENTAL** reasons beyond what you have indicated in the map above:

29. Please click on the map below to show the location that should be most avoided or conserved for **CULTURAL or ARCHEOLOGICAL** reasons



30. Please describe other areas that should be avoided or conserved for **CULTURAL or ARCHEOLOGICAL** reasons beyond what you have indicated in the map above:

31. Based on all of the information you have right now, **do you want the project to proceed to the next phase**, knowing that there will still be future opportunities to provide input before negotiations?

- Yes (what's taking so long)
- No



2023 Fall - Trans Canada Highway Expansion Project -  
Community Engagement Survey  
Future Plans

This section is related to the highway expansion and what you would like to see happen in the future. This could be economic development ideas or community amenities.

32. If you currently live off-reserve, would you consider moving back on-reserve if housing was available?

- Yes IR#1
- Yes IR#2
- Yes IR#3
- No
- Don't know
- Not Applicable - I already live on-reserve and am happy where I am.

33. Are you interested in starting your own business?

- Yes
- No
- Don't know

34. If you are interested in starting your own business, what type of business are you interested in starting?

35. What types of businesses does our community need?  
(select all that apply)

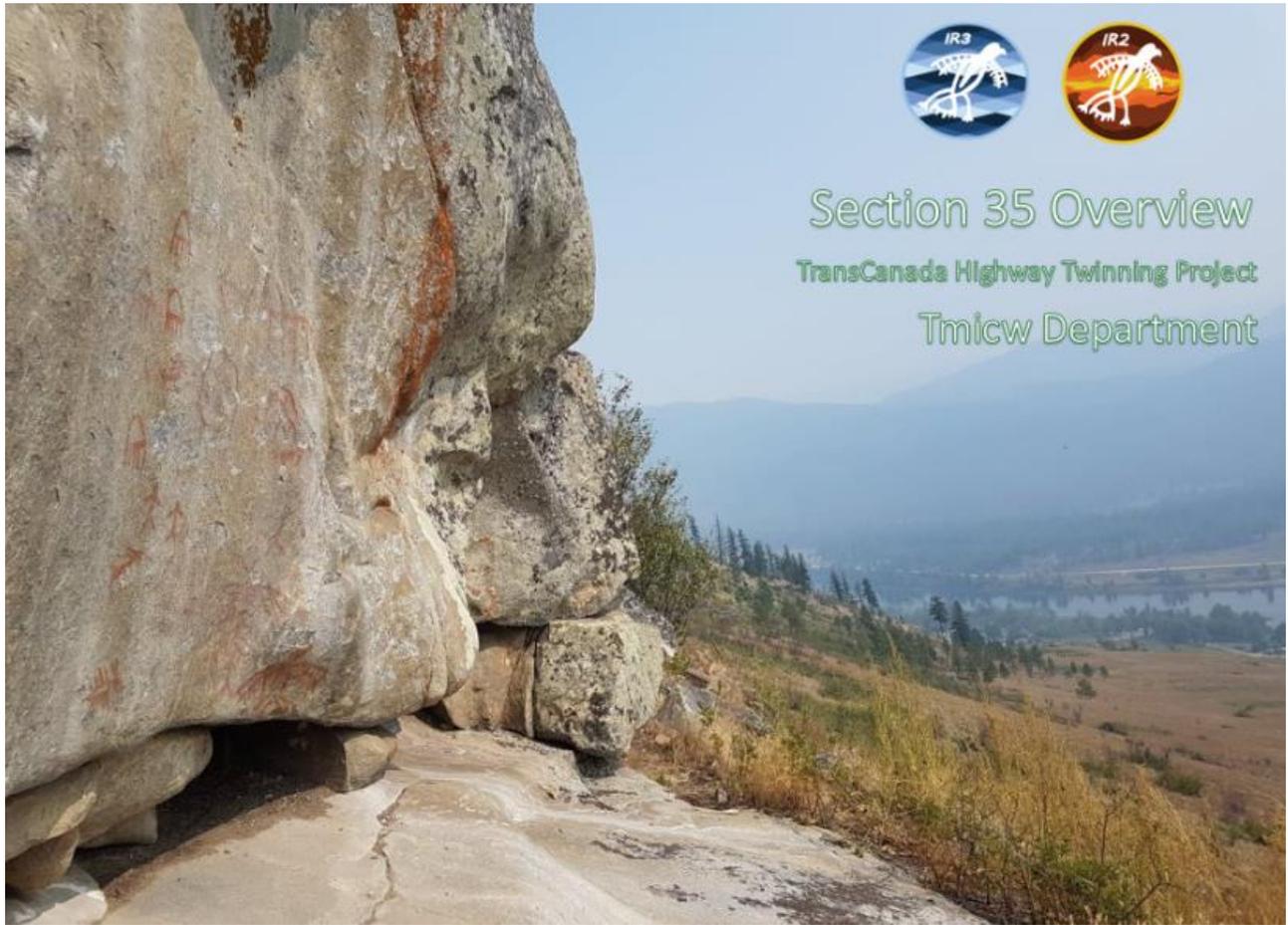
- Small scale retail (e.g. corner store)
- Large scale retail (e.g. department store)
- Professional Offices (e.g. dentist)
- Entertainment (e.g. coffee shop)
- Warehousing/ Manufacturing
- Other (please specify)
- Market Housing (e.g. Sun Rivers at Tk'emlúps)
- Industrial or Natural Resource Development (Lumber, gravel)
- Home-based business
- Campground/ RV Park
- Beach/ Marina



2023 Fall - Trans Canada Highway Expansion Project -  
Community Engagement Survey  
General

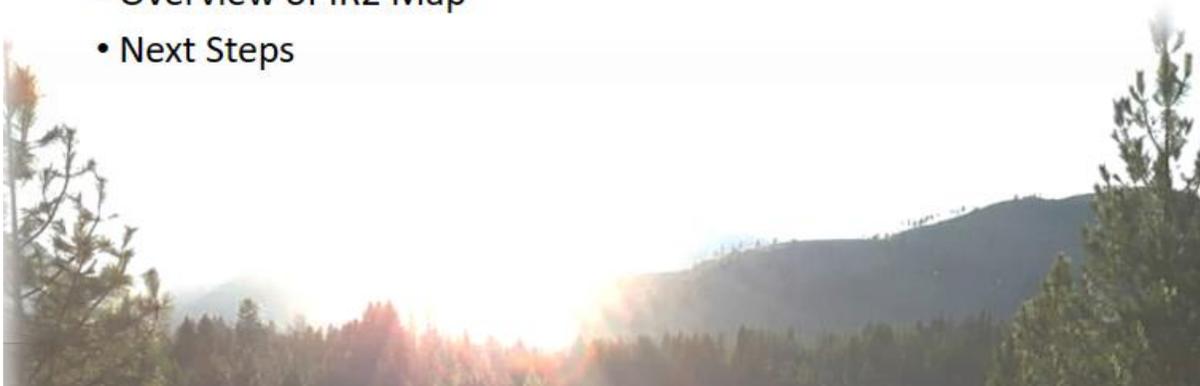
36. Are there any other ideas or concerns you would like to share about the Hwy expansion project?

Appendix 9: Power Point Presentation Delivered to Community



## Agenda

- The Highway Design Process
- The Section 35 Process
- Overview of IR3 Map
- Overview of IR2 Map
- Next Steps



## Highway Design Process



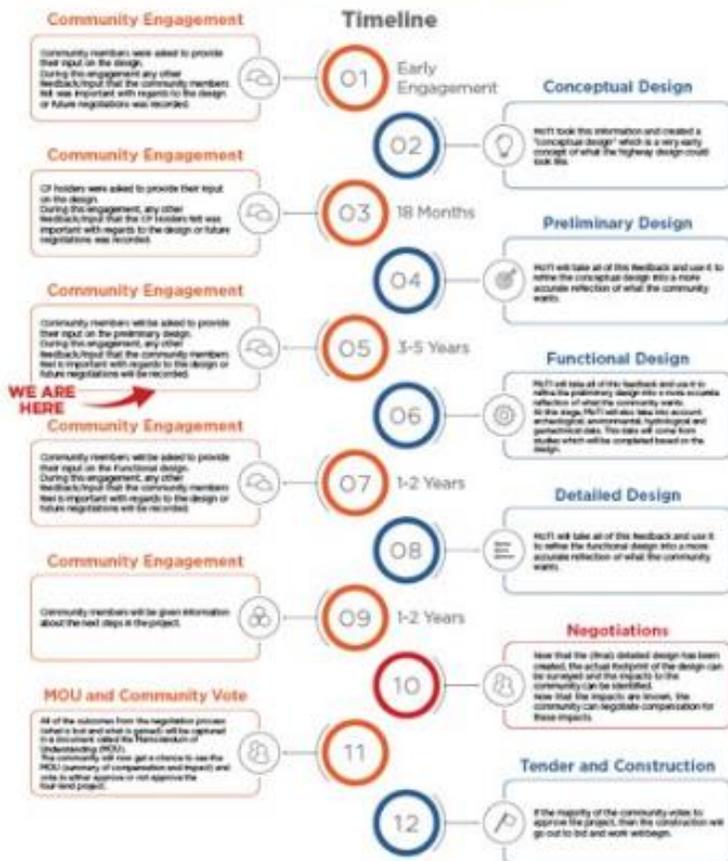
# Project Development Stages



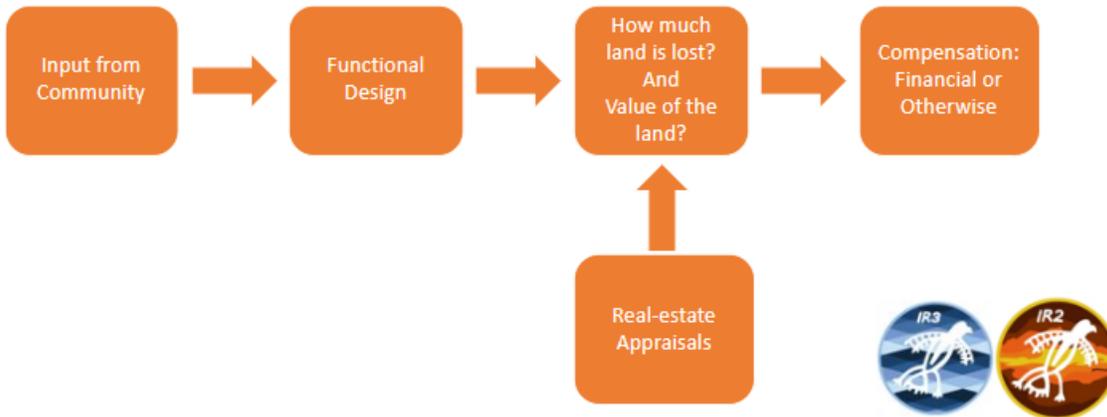
Ministry of Transportation and Infrastructure

4

## What are the sqwse7éyé (steps) in the process?



# Why Negotiations happen at the End

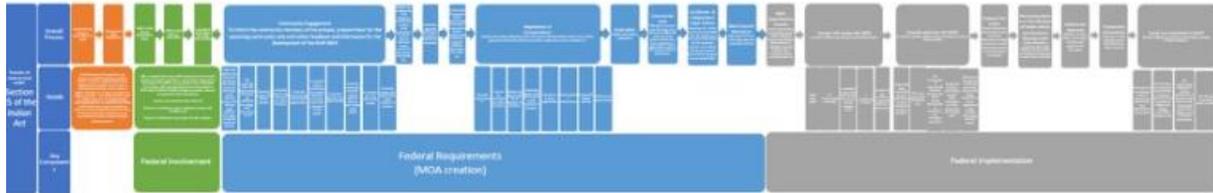




## Section 35 Process



# Section 35 process

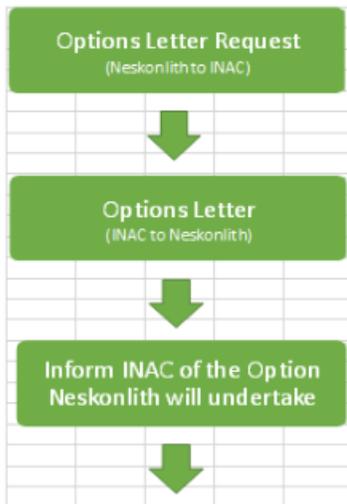


# Section 35 process



The BC Ministry of Transportation and Infrastructure (MOTI) negotiates with First Nations towards an agreement that, when implemented by Canada, would result in a federal transfer of Indian reserve land to British Columbia for so long as required for highway purposes. The federal transfer would be "Without Prejudice" to aboriginal rights, including title (there is no diminishment of title), and it would carry an express reversionary clause: *the Province would be required to return the lands to Canada for addition to reserve, once the Province ceases using the lands for highway purposes.*

# Section 35 process



After a comprehensive review of the Supreme Court of Canada's decision in *Osoyoos Indian Band v. Town of Oliver*, there may be three options, from INAC's present point of view, if all parties were to agree, with any proposed transfer of reserve lands to the Province of British Columbia for highway purposes. They are, in no particular order of preference:

- Transfer of an easement under section 35;
- Transfer of a full interest under an absolute surrender with conditions; and
- Transfer of a full interest under section 35 with conditions.

# Section 35 process



## Community Engagement

To inform the community members of the process, prepare them for the upcoming community vote and collect feedback and information for the development of the draft MOA

Elders felt that the first step was to go 'back to the people' to request their input on the planning process. This will help avoid problems and delays during the Section 35 process.

To develop a Land Use Plan for IR2 and IR3

To ask the community how they want to apply the land use plan findings to the project

This community input will help identify the history and traditional knowledge of the Trans-Canada route

To identify cultural, environmental and other significant issues that need to be considered for this project

To identify Employment opportunities for the members of the Band

To identify Contracting opportunities for the Band and the members of the Band

To identify Environmental enhancement opportunities

To identify Locatee (CP Holder) interests

To identify Infrastructure improvements

To identify Lands to be exchanged and added to reserve



This happens multiple times with further and further refinement of the Highway Design until we get to the Detailed (last) Design



### Section 35 process



Federal Requirements (MOA creation)

**Legal Survey**  
Completed by a CLS designated professional surveyor, under instructions issued by Natural Resources Canada pursuant to the *Canada Lands Survey Act*

**Real Estate Appraisals**  
with regards to all lands impacted by the project

**Environmental Assessment (CEAA)**  
Environmental assessment is a process to predict environmental effects of proposed initiatives before they are carried out.

# Section 35 process



## Negotiation of Compensation

In practice, the entity seeking the transfer of the land and the First Nation or Band must reach an agreement on the terms of the transfer which usually includes, but is not limited to:

Financial compensation	Economic or business opportunities
Lands to be exchanged and added to reserve	Environmental enhancement
Employment opportunities for the members of the Band	Locatee (CP Holder) interests
Contracting opportunities for the Band and the members of the Band	Infrastructure improvements

# Section 35 process

## Federal Requirements (MOA creation)



## Section 35 process



### MOA Submitted to Canada

Once an agreement is reached between the entity seeking the transfer and the First Nation/ Band, it is submitted to Canada together with a Council Resolution requesting approval.

## Section 35 process



### Canada will review the MOA

In order to fulfill its requirements, Canada will undertake:

A land status report

An environmental screening

An appraisal review of the lands leaving the reserve and any exchange lands

A compensation review

A review of any occupancy use permits that have been issued

## Section 35 process

**Canada approves  
the MOA**

In order for Canada to approve of  
the transaction, it needs to be  
assured that:

The benefits being received by the First  
Nation/Band are fair in comparison to what is  
giving up

The survey requirements have been met

The environmental requirements have been met  
pursuant to the Canada Environmental Assessment  
and Protection Act ("CEA")

An appraisal has been conducted on any land being  
transferred out of the reserve and any exchange  
lands

There are no encumbrances which will prevent the  
reserve lands being transferred or are an  
impediment to the exchange lands being added  
to reserve



## Section 35 process

**Federal Fact Letter**

Canada will provide a Federal  
Fact Letter to the First  
Nation/Band setting out its  
views on the transaction and  
any recommendations for  
changes

**Recommendation to  
the Minister of INAC**

Canada will provide a  
recommendation to the  
Minister of Indian Affairs and  
Northern Development to  
approve the transaction

**Ministerial Approval**

Minister of Indian Affairs and Northern  
Development approves the transaction

**Transaction Authorized**

Governor in Council will authorize the  
transaction via an Order in Council



## Section 35 process



### Lands are transferred to MoTI

The lands will then be transferred to the entity requesting the lands subject to:

The transfer of any exchange lands to Canada to be added to the First Nation/Band's reserve lands;

The execution of any transfer document that is required pursuant to the Federal Real Property and Federal Immovables Properties Act;

The compensation being paid to the First Nation/Band. It should be noted that any cash compensation goes into the capital account of the First Nation/Band;

The exchange lands being added to reserve.



## Next Steps

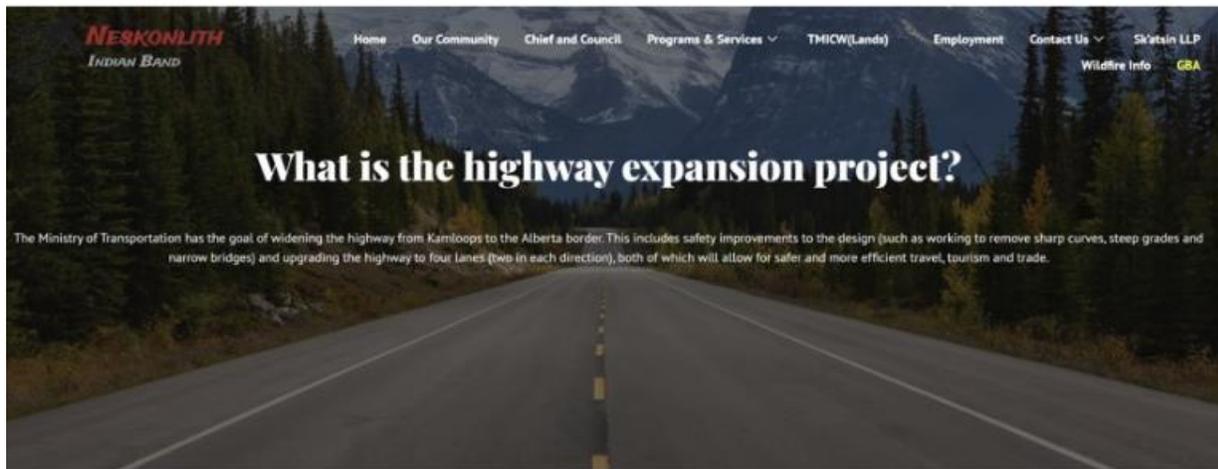




Complete the Survey and Enter your name for a chance to win an iPad or 1 of 3 \$250 Visa gift cards!

(Draw will happen end of the day December 6th, 2023)

## Website: Tmicw - Highway



### Improved safety

Data from IR2 and IR3 over recent years shows that 40% of the accidents and nearly all fatalities were caused by vehicles crossing the center line. The new highway design includes a continuous centerline barrier preventing this from happening.

The next largest cause of accidents were drivers going off the road to the right(30%). The improved lighting and rumble strips will help to reduce these occurrences.

## Kukwstsétsemc



View the maps up-close today and ask questions and provide comments to the project manager's directly.













[www.olearyandassociates.ca](http://www.olearyandassociates.ca)

O'Leary and Associates Ltd. and Neskonlith Indian Band  
Reproduction is strictly unauthorized.