



# SIMPCW FIRST NATION

*"People of the North Thompson River"*



VIA EMAIL: [FLNR.Minister@gov.bc.ca](mailto:FLNR.Minister@gov.bc.ca)

January 14, 2014

Honourable Steve Thomson  
PO Box 9049, STN PROV GOVT.  
Victoria, BC  
V8W 9E2

Dear Mr. Thomson,

**Re: Decisions associated with the Proposed Transfer of Carrier Lumber FL A15429 and FL A15430 to McBride Community Forest and Valemount Community Forest**

Further to our letter of October 21, 2013, Simpcw First Nation (SimpCW) is writing to express our ongoing concerns with the proposed transfer of Renewable Forest Licences (FL) A15429 and A15430 from Carrier Lumber to the McBride Community Forest Corporation (MCFC) and Valemount Community Forest Corporation (VCFC), respectively, and to re-iterate the need for the Province to fulfil its constitutional obligation to consult and accommodate Simpcw.

Based on our previous correspondence and meetings with you, the Province is well aware that Simpcw has a strong claim of Aboriginal rights and title to the areas that are part of FL A15429 and FL A15430. Physical evidence of our use and occupation of the lands includes unique archaeological features and networks of trails that we used for hunting, accessing plant and berry harvesting areas, travel between communities and trade. There is also archaeological evidence of our dome shaped, semi-subterranean houses with earthen roofing known as *kekulis*. These features are evident along the flats and lower slopes on either side of the Fraser from Tete Jaune Cache, around the McBride area, near the mouth of the Holmes River, and north as far as Crescent Island. This area of our territory also contains cache pits, twisted and blazed trees, and burial sites. Simpcw have always and continue to use this part of our territory for hunting, harvesting plants for food and medicinal purposes, berry picking, fishing, and camping. We continue to take both children and Elders out on the land to pick berries, roots, birch bark and to speak the names of places, plants and wildlife. We visit sacred places and we share stories and lessons about these areas of our territory.

Based on our review of the referral notice provided to Simpcw in March 2013, the Province is considering a number of decisions which have the potential to impact upon the exercise of our title and rights. These decisions include:

- 1) A proposed volume equalization of the Allowable Annual Cuts (AAC's) for FL A15429 from 186,428 m<sup>3</sup>/year to 130,723 m<sup>3</sup>/year and for FL A16430 from 75,018m<sup>3</sup>/year to 130,723 m<sup>3</sup>/year;
- 2) A proposal to transfer or sell FL A15429 from Carrier Lumber to MCFC and a proposal to transfer or sell FL A15430 from Carrier Lumber to VCFC;
- 3) A proposed apportionment decision to allow MCFC and VCFC to utilize the FLs to apply for conversion of the FLs into CFA's;

- 4) The determination of specific areas that would form the land base for each CFA application; and
- 5) The conversion of FL A15429 and FL A15430, which are volume based licences, into two area based Community Forest Agreements (CFAs) to be held by MCFC and VCFC respectively.

As we have previously stated in our letters to you on September 5, 2013 and October 2, 2013, as well as in meetings and telephone calls with you, Simpcw has serious concerns about the potential impacts of a transfer or sale of FL A15429 and FL A15430 to MCFC and VCFC, as well as the impacts which could result from an apportionment decision, the choosing of land areas for the CFA's, and the conversion of the FLs to CFAs. We outline our concerns below.

Page 3 redacted for the following reason:

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As the majority of the decisions require deep consultation between Simpcw and the Province, and given the intertwined nature of the proposed decisions, it is Simpcw's position that the Province must begin to meaningfully engage Simpcw now on all the decisions, which would include providing capacity support to identify Simpcw's interests that are in the area of the current FLs, the impacts of the decisions on Simpcw's interests, and identification of meaningful accommodation measures that would address the impacts to Simpcw from these proposed decisions.

Given the need for deep consultation to occur, myself and Council are requesting a meeting with you as soon as possible to begin to meaningfully engage and consult on these decisions. Please contact Steven Patterson, Natural Resource Manager and Title & Rights Coordinator to arrange a meeting time. He can be reached at (250) 672-9995 ext. 255 or via email at [steven.patterson@simpcw.com](mailto:steven.patterson@simpcw.com)

Kukstemc,



Kúkpi7 Rita Matthew  
Simpw First Nation

cc: Honourable John Rustad  
Minister of Aboriginal Relations and Reconciliation

Honourable Shirley Bond  
MLA Prince George - Valemount

Honourable Terry Lake  
MLA Kamloops – North Thompson

John Huybers  
District Manager, Prince George District  
Ministry of Forests, Lands and Natural Resource Operations

Stacy Perkins  
Advisor, First Nations Relations  
Ministry of Forests, Lands and Natural Resource Operations

**From:** [Huybers, John FLNR:EX](#)  
**To:** [Sayle, Jim FLNR:EX](#); [Perkins, Stacy FLNR:EX](#)  
**Subject:** FW: Decisions associated with the proposed transfer of Carrier Lumber FL A15429 and FL A15430 (204103)  
**Date:** February -21-14 8:54:50 AM  
**Attachments:** [Simpchw LTR RE Carrier FLA15429 Transfer to CFA.pdf](#)  
[204103 Final.pdf](#)

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It seems like the letter went through without any changes.

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John Huybers, RPF  
Prince George Natural Resource District  
Ministry of Forests, Lands and Natural Resource Operations  
Ph: (250) 614-7442 Mobile s.22

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**From:** Minister, FLNR FLNR:EX  
**Sent:** Friday, February 21, 2014 8:43 AM  
**To:** 'Steven.Patterson@simpchw.com'  
**Cc:** Minister, ABR ABR:EX; Bond.MLA, Shirley LASS:EX; Lake.MLA, Terry LASS:EX; Huybers, John FLNR:EX; Perkins, Stacy FLNR:EX  
**Subject:** RE: Decisions associated with the proposed transfer of Carrier Lumber FL A15429 and FL A15430 (204103)

Please find the enclosed response to your email and attached letter of January 14, 2014.

Hard copy to follow by mail.

Thank you

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**From:** Steven Patterson [<mailto:Steven.Patterson@simpchw.com>]  
**Sent:** January-14-14 9:48 AM  
**To:** Minister, FLNR FLNR:EX  
**Cc:** Minister, ABR ABR:EX; Minister, JTST JTST:EX; Lake.MLA, Terry LASS:EX; Huybers, John FLNR:EX; Perkins, Stacy FLNR:EX  
**Subject:** 204103 Decisions associated with the proposed transfer of Carrier Lumber FL A15429 and FL A15430

Dear Mr. Thomson,

Please find the attached correspondence in regards to the pending decision on the transfer of Carrier Lumber FL A15429 and FL A15430 to McBride Community Forest and Valemount Community Forest.

Thank you for your consideration and I welcome the opportunity to discuss in further detail.

Best regards,

**Steven Patterson**

Natural Resources Manager and Title & Rights Coordinator  
[Steven.Patterson@simpcw.com](mailto:Steven.Patterson@simpcw.com)



Simpcw First Nation  
500 Dunn Lake Road  
P.O. Box 220  
Barriere, BC V0E 1E0  
Phone 250.672.9995  
Toll Free 800.678.1129  
Fax 250.672.5858  
<http://www.simpcw.com>

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Ref: 204103

February 21, 2014

Chief Rita Matthew and Council  
Simpw First Nation  
P.O. Box 220  
Barriere, British Columbia  
V0E 1E0

Dear Chief Matthew and Council:

Thank you for your letter of January 14, 2014, regarding the proposed volume equalization of Carrier Lumber Ltd. Forest Licences (FL) A15429/A15430; transfer of these licences to the McBride Community Forest Corporation (MCFC) and the Valemount Community Forest Company Ltd (VCFC); and converting the volume associated with these licences to area based Community Forest Agreements (CFA). I am pleased to have this opportunity to provide you with a response.

I understand that Simpcw First Nation asserts a strong claim to aboriginal rights and title to the areas that are part of volume based FL A15429 and A15430. Ministry staff recently shared a preliminary “strength of claim” with you, based on currently available information. I hope you will be able to work with them to provide additional information to substantiate the areas of your claims.

This is a multi-decision process that will occur in two distinct stages. The first stage is the volume equalization and sale/transfer of replaceable licences FL A15429 and FL A15430 to the MCFC and VCFC. I will consider an apportionment decision to allow the MCFC and VCFC to utilize these forest licences to apply for a conversion of these licenses into CFAs. The second stage, subsequent to the approval of the above, is more operational would include the determination of the specific areas which could form the land base for the CFA applications. This stage would also include operational planning and permitting. The location of the areas will require consultation with your community.

I share your concerns with the results of the September 2013 Audit of the Forest Planning and Practices of the McBride Community Forest Corporation. It is my understanding that the MCFC has developed a response to the report including measures to improve performance on the CFA.

Page 1 of 2



At this time, I am waiting for further information from the proponents and a complete staff review of implication before I make a decision. Included among these implications, I will be considering any impacts on our mutually beneficial revenue sharing agreements and our ongoing conversations regarding the Simpcw request for a tenure opportunity in the Robson Valley Timber Supply Area.

The province appreciates Simpcw First Nation's participation in the consultation process and hopes to build a strong relationship with your First Nation.

You have identified a number of operational issues that would be addressed in the implementation stage should I grant approval to the proponent's request. Please continue working with the Prince George Natural Resource District staff to come to a satisfactory solution.

I have asked John Huybers, District Manager of the Prince George Natural Resource District, to arrange a meeting with you on my behalf. He can be reached through Stacy Perkins, First Nations Advisor by phone at 250 614-7503 or by email at Stacy.Perkins@gov.bc.ca.

Thank you again for writing.

Sincerely,



Steve Thomson  
Minister

pc: Honourable John Rustad, Minister of Aboriginal Relations and Reconciliation  
Honourable Shirley Bond, MLA Prince George – Valemount  
Honourable Terry Lake, MLA Kamloops – North Thompson  
John Huybers, District Manager, Prince George Natural Resource District  
Stacy Perkins, Advisor, First Nations Relations, Prince George Natural  
Resource District

**From:** [Huybers, John FLNR:EX](#)  
**To:** [Sayle, Jim FLNR:EX](#)  
**Subject:** Fwd: Letter of support - McBride Chamber  
**Date:** December-21-13 10:01:37 AM  
**Attachments:** [201312200846.pdf](#)  
[ATT00001.htm](#)

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John Huybers  
Sent from Mobile  
s.17

Begin forwarded message:

**From:** "von der Gonna, Marc FLNR:IN"  
<[marc@mcbridecommunityforest.com](mailto:marc@mcbridecommunityforest.com)>  
**Date:** December 20, 2013 at 6:28:32 PM CST  
**To:** "Huybers, John FLNR:EX" <[John.Huybers@gov.bc.ca](mailto:John.Huybers@gov.bc.ca)>  
**Subject:** FW: Letter of support - McBride Chamber

-----Original Message-----

**From:** [marc@mcbridecommunityforest.com](mailto:marc@mcbridecommunityforest.com)  
[<mailto:marc@mcbridecommunityforest.com>]  
**Sent:** December-20-13 8:49 AM  
**To:** Huybers, John FLNR:EX ([John.Huybers@gov.bc.ca](mailto:John.Huybers@gov.bc.ca))  
**Subject:** Letter of support - McBride Chamber

Hi John,

Here's a letter of support from the McBride chamber of commerce. Just one more to add to the pile. Thanks.

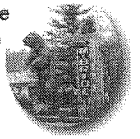
CONFIDENTIALITY NOTICE: This email message (including attachments) is confidential and may be privileged. Any use, dissemination, distribution, copying, or disclosure, of this email message and its attachments, in whole or in part, except for the purpose of conducting the legitimate business of McBride Community Forest Corporation is strictly prohibited and may be unlawful.

Marc von der Gonna, RPF  
General Manager  
McBride Community Forest Corp  
(250) 569-2229  
[marc@mcbridecommunityforest.com](mailto:marc@mcbridecommunityforest.com)

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This email is free from viruses and malware because avast! Antivirus protection is active.

<http://www.avast.com>



November 20 2013

Steve Thomson, Minister  
Ministry of Forests, Lands and Natural Resource Operations  
Office of the Minister  
PO Box 9049 Stn Prov Govt  
Victoria BC  
V8W 9E2

FAX 250-387-1040

Dear Mr. Thompson:

McBride and District Chamber of Commerce fully supports the transfer of the Carrier Forest License TSA located in the Robson/Canoe Valleys to local management.

Since 2006 we have lost the McBride Forest Industry veneer plant, TRC in McBride and Slocan in Valemount. These closures accounted for many families moving out of the area, which, in turn affect local businesses, our schools and our hospitals.

Local management of our forest is the backbone needed to help revive the Robson Valley. Local management has the real potential to spur cooperation between the many stakeholders such as tourism, farming, hunting, trapping, logging and protection of environment.

Community forests were created to provide economic stability, diversity and benefit to local communities. We strongly believe that local management of our forest resources is in the best interest of the communities of the Robson/Canoe Valleys and urge you to approve the transfer of the Carrier Forest License to local control.

Regards,

A handwritten signature in dark ink, appearing to read 'Dannielle Alan', with a large, looping flourish at the end.

Dannielle Alan  
President  
McBride & District Chamber of Commerce

cc: Minister Shirley Bond, Valemount Community Forest, Dunster Community Forest

**From:** [Cole, Wendy FLNR:EX](#)  
**To:** [Huybers, John FLNR:EX](#)  
**Cc:** [Perkins, Stacy FLNR:EX](#); [Sayle, Jim FLNR:EX](#); [Pousette, John G FLNR:EX](#); [Rawling, Greg FLNR:EX](#)  
**Subject:** Simpcw First Nation: Log 204103 - Draft Minister Wording - Due: Jan 23, 2014  
**Date:** January-14-14 4:01:11 PM  
**Attachments:** [204103\\_204103 - INCOMING.msg](#)

WOW, that did not take long, we have already rec'd the request from CSS! Note they are looking for a draft response by Jan 23<sup>rd</sup>, **I will need it by the end of the day 21<sup>st</sup>** to allow Greg time to review it and get it there in time.

They will advise us on the meeting request aspect as well whether the minister will entertain meeting with them or not, as soon as I know this info I will pass it along.

*Wendy P. Cole*

Executive Operations Assistant

Ministry of Forests, Lands and Natural Resource Operations

Tel: (250) 565-6102

Fax: (250) 565-6396

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**From:** FLNR.Correspondence@gov.bc.ca [mailto:FLNR.Correspondence@gov.bc.ca]

**Sent:** Tuesday, January 14, 2014 3:58 PM

**To:** Cole, Wendy FLNR:EX

**Cc:** Correspondence Serv. Sectn, FLNR:EX; Bamford, Ashley FLNR:EX

**Subject:** Log 204103 - Draft Minister Wording - Due: Jan 23, 2014

2014/01/14T15:56 GVISCO (DM-CSS) - Please have staff draft wording for Minister's response. Wording due back to CSS for Jan 23, 2014.

Note: MO to advise on meeting request.

Thank you,

<b><u>Forests, Lands and Natural Resource Operations</u> CLIFF Log 204103</b>					
First Name	Rita	Written	2014/01/14	Log ID	204103
Last Name	Matthew	Received	2014/01/14	Type	Email Correspondence
Title	Kúkpi7	Due	2014/02/03	Action	Minister Response
Division		Interim		Office	DM-CSS
Company	Simpcw First Nation	Signed		Sign By	
Address	500 Dunn Lake Road	Closed		Entered By	GVISCO
	P.O. Box 220	File No.			
City	Barriere	Postal	V0E 1E0	Batch	
				Confidential:No Frequent Writer:No Elected	

Province	BC	Phone		Official:No	
Country		Fax		Email	c/o <a href="mailto:Steven.Patterson@simpcw.com">Steven.Patterson@simpcw.com</a>
Subject	Concerns regards to the pending decision on the transfer of Carrier Lumber FL A15429 and FL A15430 to McBride Community Forest and Valemount Community Forest.				
Other/X-Ref					
Copied To	See list				
Addressed to	Minister Thomson		Drafter		
Issue	Tenure Transfer		MLA	Lake, Terry (BC Liberal)	
Resp. Office	RED-Omineca		Electoral Dist	Kamloops-North Thompson	
<b>Notes for Log 204103</b>					
2014/01/14T15:56 GVISCO (DM-CSS) - Please have staff draft wording for Minister's response. Wording due back to CSS for Jan 23, 2014. Note: MO to advise on meeting request. Thank you,					
<b>Attachments for Log 204103</b>					
MSG: 204103 - INCOMING					

**From:** [Perkins, Stacy FLNR:EX](#)  
**To:** [Huybers, John FLNR:EX](#); [Sayle, Jim FLNR:EX](#)  
**Subject:** FW: Carrier CFOR proposal, initial response  
**Date:** April-16-13 3:43:23 PM  
**Attachments:** [carrier\\_cfor.pdf](#)

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Hello,

I've received Canim Lake FN's response to the Carrier, MCFA and VCFA proposal. Their letter is addressed to the Regional Manager, please pass on to Greg if you think necessary.

~~~~~  
*Stacy Perkins, RPF*  
*Advisor, First Nations Relations*  
*Ministry of Forests, Lands and Natural Resource Operations*  
*Prince George District*  
*Phone: 250-614-7503 Fax: 250-614-7435*  
[Mailto:Stacy.Perkins@gov.bc.ca](mailto:Stacy.Perkins@gov.bc.ca)

---

**From:** John Kalmokoff [mailto:clbforestry@canimlakeband.com]  
**Sent:** Wednesday, April 10, 2013 1:23 PM  
**To:** Perkins, Stacy FLNR:EX  
**Cc:** s.22 sam.phillips@simpcw.com  
**Subject:** Carrier CFOR proposal, initial response

Hello, here is an initial response to this proposal.

Thanks  
John Kalmokoff, RPF  
Timber Operations Manager  
Canim Lake Indian Band  
250-397-2253 office  
250-397-2424 fax.

This electronic message transmission contains information which is confidential, may be privileged and is intended solely for the use of the individual to whom or entity to which it is addressed. If you are not the intended recipient, you are hereby notified that any reading, disclosure, copying, saving, distribution or unauthorized use of the contents of this electronic message transmission is prohibited. If you have received this electronic message transmission in error, please immediately notify us by telephone at 1.250.397.2253 or by electronic mail and delete the original transmission and its attachments.



Canim Lake Band  
PO Box 1030  
100 Mile House BC  
VOK-2E0

April 10, 2013

Dear Regional Manager

**Re: Carrier Lumber, Valemount CFOR and McBride CFOR proposal.**

Thank you for your letter dated March 11, 2013. The proposal to covert more than 250,000 m3 of AAC from a volume based licence into two dramatically expanded Community Forests is very significant. It requires deep consultation and accommodation.

This plan will be brought before Canim's Chief and Council in May. We will also be seeking legal advice and will be contacting other affected First Nations to discuss it more fully.

Some of our concerns include:

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Yours truly,

A handwritten signature in blue ink that reads "Mike Archie". The signature is written in a cursive style.

Chief Mike Archie, Canim Lake Band.





File: 10450 – 50 – **Canim Lake First Nation**

March 11, 2013

Canim Lake First Nation  
Chief Michael Archie, Council and Don Dixon  
**Attention: Don Dixon, Natural Resources Coordinator**  
PO Box 1030  
100 Mile House, BC, V0K 2E0

Dear Chief Michael Archie, Council and Don Dixon:

This letter is to inform you that the Province of British Columbia has recently received a request from Carrier Lumber Ltd. (Carrier), Valemount Community Forest Company Ltd.(VCFC) and McBride Community Forest Corporation (MCFC)and is initiating consultation on the following proposals:

1. Carrier is the holder of two replaceable forest licences in the Robson Valley Timber Supply Area (TSA) and has proposed a volume equalization of the Allowable Annual Cuts (AACs) of these licences. FL A15429 has a current AAC of 186,428 m<sup>3</sup>/year and FLA15430 has a current AAC of 75,018m<sup>3</sup>/year. The equalization of the AACs would amount to each licence equally containing an AAC of 130,723 m<sup>3</sup>/year.
2. The proposed transfer/sale of FL A15429 from Carrier to MCFC and the proposed transfer/sale of FL A15430 from Carrier to the VCFC.
3. Following the proposed transfer/sale of the licences, the conversion of each volume based licence into two Community Forest Agreements (CFAs) held respectively by the MCFC and VCFC.

It could be viewed that this multi decision process will occur in two distinct stages. The first stage is the volume equalization and sale/transfer of replaceable licences FL A15429 and FL A15430 to the MCFC and VCFC. At this point the Minister would consider an apportionment decision to allow the MCFC and VCFC to utilize these forest licences to apply for conversion of these forest licenses into CFAs. The second stage, subsequent to the approval of the above would be the determination of the specific areas which could form the land base for the CFA applications. The location of the areas will require consultation with your community.

Your review and response is requested by May 11, 2013 so that your interests can be fully considered in the decision making process.

Page 1 of 2

The Province recognizes that your First Nation has asserted aboriginal interests in the proposed area, and is interested in understanding further the nature of these aboriginal interests and how they may be impacted. We invite your input on how the proposal may impact any aboriginal interests you may have in the areas in an effort to better inform our decision-making process.

In addition to any information you may provide during this consultation process, the Province will be relying on the following information to understand how the proposed activity may impact your aboriginal interests in the area. The information may also be used to inform the development of potential measures to mitigate or avoid impacts to your interests:

- Aboriginal interests identified by your First Nation through previous consultations include hunting, fishing, gathering sustenance and medicinal plants and other cultural practices.

Please review this information and advise me should you have any questions or concerns, or wish to provide input regarding how your Aboriginal interests may be affected. I am available to meet with you, at your office and at your convenience, to discuss any questions or concerns regarding the proposals presented. Please contact me at (250) 614-7503 or [Stacy.Perkins@gov.bc.ca](mailto:Stacy.Perkins@gov.bc.ca) if you have any further questions or concerns.

Thank you in advance for your consideration in this matter.

Yours truly,

*Stacy Perkins, RPF*  
*Advisor, First Nations Relations*  
*Ministry of Forests, Lands and Natural Resource Operations*  
*Prince George District*