

Page 001 of 105

Withheld pursuant to/removed as

s.13; s.17

Page 002 of 105

Withheld pursuant to/removed as

s.17; s.13

Page 003 of 105 to/à Page 012 of 105

Withheld pursuant to/removed as

s.13; s.17

# **Memorandum of Understanding (MOU)**

**Between**

**The Ministry of Advanced Education, Skills and Training (AEST)**

**And**

**The Ministry of Citizens' Services (CITZ),**

**(Collectively the "Parties")**

## **1) Purpose:**

The purpose of this MOU is to:

- a) Establish the roles and responsibilities of the Parties in Kwantlen Polytechnical University's (KPU) disposition of 9.33 hectares of land located at 5500 180th Street, Surrey BC to Fraser Health Authority deemed surplus with respect to First Nations consultation;
- b) Establish and define a collaborative and coordinated process to support the disposition of the aforementioned surplus properties;

## **2) Whereas:**

AEST and CITZ have reached the following understanding with regards to the proposed disposition of surplus properties (the "Properties"):

### **Roles**

AEST roles and responsibilities will be as follows:

- To provide relevant information in regard to the activities associated with fulfilling the duty to consult First Nations on the Properties;
- To support CITZ in all matters pertaining to the disposition process: i.e. the provision of any information related to the Properties including but not limited to due diligence issues such as environmental investigations, First Nations Consultation and property specific records and data;
- Fund any legal resources required to support the First Nation consultation and the disposition of the Properties.

CITZ roles and responsibilities will be as follows:

- Perform all functions related to consulting First Nations on the proposed disposition of the Properties.

- Coordinate information between AEST, KPU, the Ministry of Health and Fraser Health Authority (the “Impacted Entities”) related to First Nation Consultation Services as required.

### **Scope of CITZ services**

The Scope of CITZ services under this MOU include:

#### *First Nations Consultation*

- Manage the First Nation consultation and accommodation process necessary to dispose of the subject Properties;
- Conduct gap analysis to ensure duty to consult has been met on any previous First Nations consultation, and confirming that all required First Nations have been consulted;
- Conduct Strength of Claim work for the Properties to determine level of impact and consultation required for each First Nation;
- Continue with previous correspondence to further engage with the relevant First Nations;
- Set up meetings with First Nations to share information (appraisals, environment reports, archaeology information etc.) to further advise of the proposed dispositions and canvass any concerns;
- Negotiate with First Nations to resolve any concerns and negotiate accommodation offers if deemed appropriate;
- Create a Benefits Agreement that will provide First Nations accommodation and enable dispositions to proceed;
- Confirm the legal duty to consult First Nations has been met; and
- Obtain legal advice when necessary.
- Provide the final First Nations consultation record and relevant reports to AEST for Minister decision on property disposition.

### **3) Funding**

- a) AEST will fund any approved due diligence costs incurred by CITZ for, including costs of consultants, travel expenses, legal and labour costs;
- b) CITZ personnel will charge out (billable to AEST on a quarterly basis) at the following rates:  
Executive Director - \$200 per hour, Director, Real Estate and Indigenous Engagement - \$150 per hour, Manager, Real Estate and Indigenous Engagement - \$130 per hour, Assistant Negotiator/Senior First Nations Analyst - \$110 per hour, Project Administrator - \$70 per hour.
- c) Any negotiated Benefits agreements between the Parties or Impacted Entities are subject to the appropriate Government approvals.

### **4) Issues Management and Communications**

It is agreed that the AEST and CITZ will jointly determine who is responsible for leading communications, internal and external, and the public based the nature and scope of the project. Internal staff communication is the responsibility of CITZ and will provide relevant information to assist in internal and external communications.

**5) Term**

This MOU shall come into effect as of the date of the signing and will remain in effect until March 31, 2020 (the "Term"). This agreement may be terminated by either party upon 30 days' notice in writing.

**6) Signatures**

The signatories below are committed to working together to facilitate First Nations consultation and disposition of the Properties.

**Ministry of Advanced Education, Skills and Training**



James Postans  
Executive Director

November 29, 2019

Date

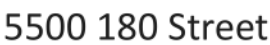
**Ministry of Citizens' Services**



Yvonne Deibert  
Executive Director

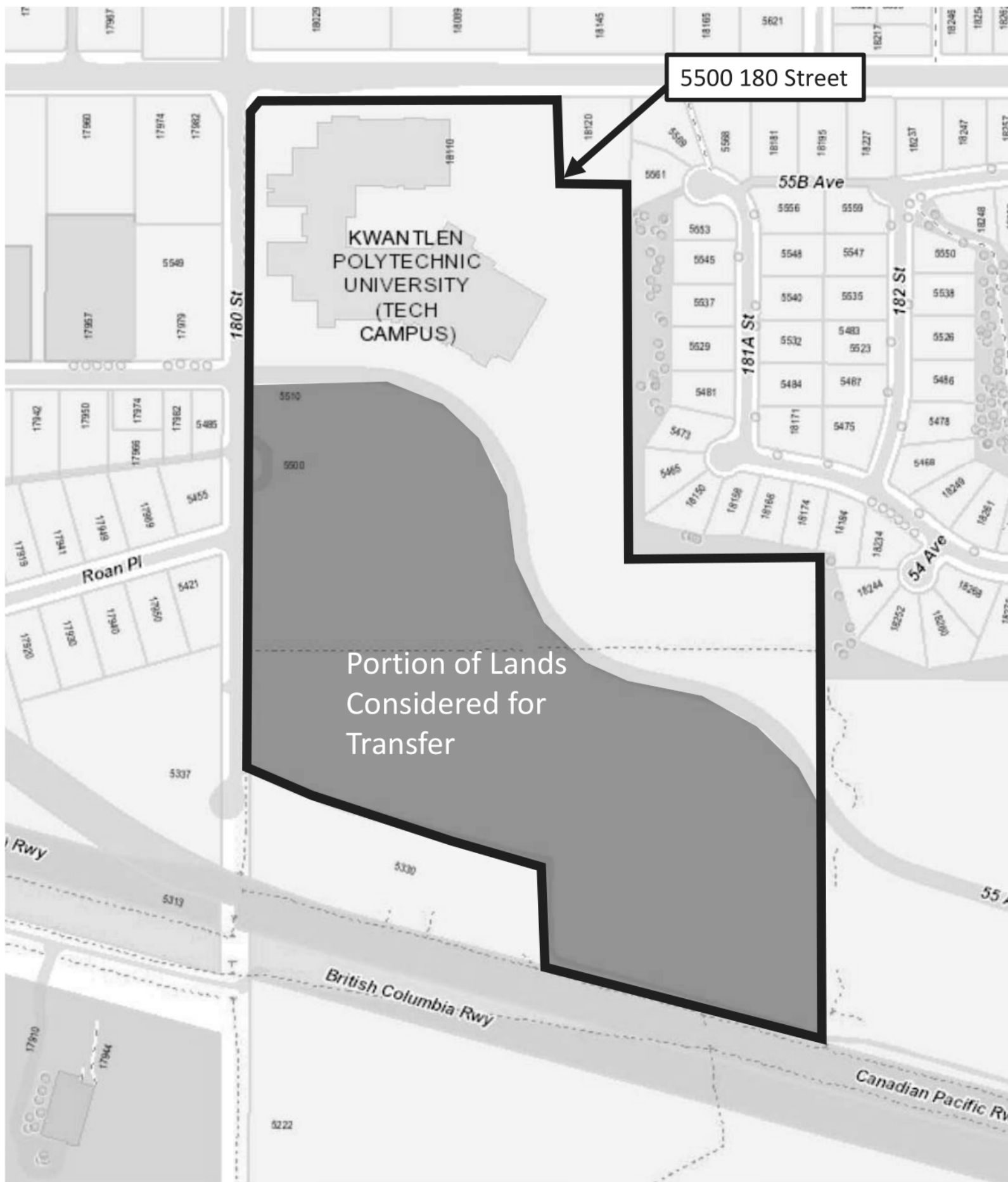
Dec 3, 2019.

Date



KWANTLEN  
POLYTECHNIC  
UNIVERSITY  
(TECH  
CAMPUS)

## Portion of Lands Considered for Transfer





s.16

**From:**

**To:**

**Subject:** Delivered: Notification of a proposed land transfer

**Date:** December 5, 2019 8:23:45 AM

**Attachments:** [Notification of a proposed land transfer .msg](#)

---

Your message has been delivered to the following recipients:

s.16

Subject: Notification of a proposed land transfer

**From:** s.16  
**To:**  
**Subject:** Delivered: Notification of a proposed land transfer  
**Date:** December 5, 2019 8:28:20 AM  
**Attachments:** [Notification of a proposed land transfer .msg](#)

---

Your message has been delivered to the following recipients:

s.16

Subject: Notification of a proposed land transfer

**From:** s.16  
**To:**  
**Subject:** Delivered: Notification of a proposed land transfer  
**Date:** December 5, 2019 8:47:52 AM  
**Attachments:** [Notification of a proposed land transfer .msg](#)

---

Your message has been delivered to the following recipients:

s.16

Subject: Notification of a proposed land transfer

Page 021 of 105

Withheld pursuant to/removed as

s.16

**From:** s.16  
**To:**  
**Subject:** Delivered: Notification of a proposed land transfer  
**Date:** December 5, 2019 8:51:05 AM  
**Attachments:** [Notification of a proposed land transfer .msg](#)

---

Your message has been delivered to the following recipients:

s.16

Subject: Notification of a proposed land transfer

Page 023 of 105

Withheld pursuant to/removed as

s.16

**From:** s.16  
**To:**  
**Subject:** Expanded: Notification of a proposed land transfer  
**Date:** December 5, 2019 8:30:12 AM  
**Attachments:** [Notification of a proposed land transfer .msg](#)

---

Your message has been delivered to the following groups:

s.16

Subject: Notification of a proposed land transfer

Page 025 of 105

Withheld pursuant to/removed as

s.14



Page 026 of 105 to/à Page 027 of 105

Withheld pursuant to/removed as

s.14; s.16

Page 028 of 105

Withheld pursuant to/removed as

s.16; s.14

Page 029 of 105 to/à Page 030 of 105

Withheld pursuant to/removed as

s.14; s.16; s.17

Page 031 of 105 to/à Page 032 of 105

Withheld pursuant to/removed as

s.14

Page 033 of 105 to/à Page 034 of 105

Withheld pursuant to/removed as

s.14; s.16

Page 035 of 105

Withheld pursuant to/removed as

s.16; s.14

Page 036 of 105 to/à Page 049 of 105

Withheld pursuant to/removed as

s.14; s.16

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Withheld pursuant to/removed as

s.16; s.14



Page 051 of 105 to/à Page 053 of 105

Withheld pursuant to/removed as

s.14; s.16



## Real Property Division

December 4, 2019

s.16

Dear<sup>s.16</sup>

### Re: Notification of a Proposed Land Transfer

This letter is to advise you that the Province is considering an inter-agency property transfer of lands located within your traditional territory.

We anticipate that a public announcement about the potential future use of the lands will be made very soon. The Province is aware of<sup>s.16</sup> asserted Aboriginal Interests in the area and is writing you in advance of the announcement to confirm we will be seeking to formally initiate a consultative process with you. The Province will be following up after the announcement to identify how the proposed land transfer and potential future use may impact your Aboriginal Interests.

If you have any questions in the meantime, please don't hesitate to contact me at 778 698-3195 or [Chris.Seltenrich@gov.bc.ca](mailto:Chris.Seltenrich@gov.bc.ca).

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Seltenrich".

Chris Seltenrich  
Director, Strategic Real Estate Services

Page 055 of 105

Withheld pursuant to/removed as

s.16; s.14

Page 056 of 105 to/à Page 057 of 105

Withheld pursuant to/removed as

s.14; s.16



## Real Property Division

December 4, 2019

s.16

Dear <sup>s.16</sup>

Re: Notification of a Proposed Land Transfer

This letter is to advise you that the Province is considering an inter-agency property transfer of lands located within your traditional territory.

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Sincerely,

Chris Seltenrich  
Director, Strategic Real Estate Services

Page 059 of 105

Withheld pursuant to/removed as

s.14; s.16

Page 060 of 105

Withheld pursuant to/removed as

s.16



## Real Property Division

December 4, 2019

s.16

Dear <sup>s.16</sup>

Re: Notification of a Proposed Land Transfer

This letter is to advise you that the Province is considering an inter-agency property transfer of lands located within your traditional territory.

We anticipate that a public announcement about the potential future use of the lands will be made very soon. The Province is aware of <sup>s.16</sup> asserted Aboriginal Interests in the area and is writing you in advance of the announcement to confirm we will be seeking to formally initiate a consultative process with you. The Province will be following up after the announcement to identify how the proposed land transfer and potential future use may impact your Aboriginal Interests.

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A handwritten signature in black ink, appearing to read "Chris Seltenrich".

Chris Seltenrich  
Director, Strategic Real Estate Services





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December 4, 2019

s.16

s.16

Dear

### Re: Notification of a Proposed Land Transfer

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If you have any questions in the meantime, please don't hesitate to contact me at 778 698-3195 or [Chris.Seltenrich@gov.bc.ca](mailto:Chris.Seltenrich@gov.bc.ca).

Sincerely,

Chris Seltenrich  
Director, Strategic Real Estate Services

**From:** [Wilcox, Gracie CITZ:EX](#)  
**To:** s.16  
**Subject:** Notification of a proposed land transfer  
**Date:** December 4, 2019 4:21:00 PM  
**Attachments:** s.16 [Proposed Land Transfer 2019 12 04.pdf](#)

---

s.16  
Dear

Please find the attached letter regarding a proposed land transfer.  
A hard-copy is also being couriered.

Kindly,  
Gracie Wilcox

Senior Analyst I Strategic Real Estate Services | Ministry of Citizens' Services  
Cell: 778 677-1659 | Desk: 778 974-2077  
PO Box 9412, 4000 Seymour Place  
Victoria, B.C. V8W 9V1

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**From:** [Wilcox, Gracie CITZ:EX](#)  
**To:** s.16  
**Cc:**  
**Subject:** Notification of a proposed land transfer  
**Date:** December 4, 2019 4:25:00 PM  
**Attachments:** s.16 [Proposed Land Transfer 2019 12 04.pdf](#)

---

s.16  
Dear

Please find the attached letter regarding a proposed land transfer.  
A hard-copy is also being couriered.

Kindly,  
Gracie Wilcox

Senior Analyst I Strategic Real Estate Services | Ministry of Citizens' Services  
Cell: 778 677-1659 | Desk: 778 974-2077  
PO Box 9412, 4000 Seymour Place  
Victoria, B.C. V8W 9V1

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**From:** [Wilcox, Gracie CITZ:EX](#)  
**To:** s.16  
**Subject:** Notification of a proposed land transfer  
**Date:** December 4, 2019 4:33:00 PM  
**Attachments:** s.16 [Proposed Land Transfer 2019 12 04.pdf](#)

---

s.16  
Dear

Please find the attached letter regarding a proposed land transfer.  
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Kindly,  
Gracie Wilcox

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Victoria, B.C. V8W 9V1

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**From:** [Wilcox, Gracie CITZ:EX](#)  
**To:** s.16  
**Subject:** Notification of a proposed land transfer  
**Date:** December 4, 2019 4:07:00 PM  
**Attachments:** s.16 [Proposed Land Transfer 2019 12 04.pdf](#)

---

s.16  
Dear

Please find the attached letter regarding a proposed land transfer.  
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Kindly,  
Gracie Wilcox

Senior Analyst I Strategic Real Estate Services | Ministry of Citizens' Services  
Cell: 778 677-1659 | Desk: 778 974-2077  
PO Box 9412, 4000 Seymour Place  
Victoria, B.C. V8W 9V1

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**From:** [Wilcox, Gracie CITZ:EX](#)  
**To:** s.16  
**Subject:** Notification of a proposed land transfer  
**Date:** December 5, 2019 8:03:00 AM  
**Attachments:** s.16 [Proposed Land Transfer 2019 12 04.pdf](#)

---

s.16  
Dear

Please find the attached letter regarding a proposed land transfer.  
A hard-copy is also being couriered.

Kindly,  
Gracie Wilcox

Senior Analyst I Strategic Real Estate Services | Ministry of Citizens' Services  
Cell: 778 677-1659 | Desk: 778 974-2077  
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Victoria, B.C. V8W 9V1

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**From:** [Wilcox, Gracie CITZ:EX](#)  
**To:** s.16  
**Subject:** Notification of a proposed land transfer  
**Date:** December 4, 2019 4:24:00 PM  
**Attachments:** s.16 [Proposed Land Transfer 2019 12 04.pdf](#)

---

s.16  
Dear

Please find the attached letter regarding a proposed land transfer.  
A hard-copy is also being couriered.

Kindly,  
Gracie Wilcox

Senior Analyst I Strategic Real Estate Services | Ministry of Citizens' Services  
Cell: 778 677-1659 | Desk: 778 974-2077  
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Victoria, B.C. V8W 9V1

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**From:** Wilcox, Gracie CITZ:EX  
**To:** s.16  
**Cc:**  
**Subject:** Notification of a proposed land transfer  
**Date:** December 4, 2019 4:05:00 PM  
**Attachments:** s.16 [Proposed Land Transfer 2019 12 04.pdf](#)

---

s.16  
Dear

Please find the attached letter regarding a proposed land transfer.  
A hard-copy is also being couriered.

Kindly,  
Gracie Wilcox

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**From:** Wilcox, Gracie CITZ:EX  
**To:** s.16  
**Subject:** Notification of a proposed land transfer  
**Date:** December 4, 2019 4:19:00 PM  
**Attachments:** s.16 [Proposed Land Transfer 2019 12 04.pdf](#)

---

Dear s.16

Please find the attached letter regarding a proposed land transfer.  
A hard-copy is also being couriered.

Kindly,  
Gracie Wilcox

Senior Analyst I Strategic Real Estate Services | Ministry of Citizens' Services  
Cell: 778 677-1659 | Desk: 778 974-2077  
PO Box 9412, 4000 Seymour Place  
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**From:** Wilcox, Gracie CITZ:EX  
**To:** s.16  
**Subject:** Notification of a proposed land transfer  
**Date:** December 4, 2019 4:14:00 PM  
**Attachments:** s.16 [Proposed Land Transfer 2019 12 04.pdf](#)

---

Dear s.16

Please find the attached letter regarding a proposed land transfer.  
A hard-copy is also being couriered.

Kindly,  
Gracie Wilcox

Senior Analyst I Strategic Real Estate Services | Ministry of Citizens' Services  
Cell: 778 677-1659 | Desk: 778 974-2077  
PO Box 9412, 4000 Seymour Place  
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**From:** [Wilcox, Gracie CITZ:EX](#)  
**To:** s.16  
**Subject:** Notification of a proposed land transfer  
**Date:** December 4, 2019 4:28:00 PM  
**Attachments:** s.16 [Proposed Land Transfer 2019 12 04.pdf](#)

---

s.16  
Dear

Please find the attached letter regarding a proposed land transfer.  
A hard-copy is also being couriered.

Kindly,  
Gracie Wilcox

Senior Analyst I Strategic Real Estate Services | Ministry of Citizens' Services  
Cell: 778 677-1659 | Desk: 778 974-2077  
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Page 073 of 105 to/à Page 074 of 105

Withheld pursuant to/removed as

s.16

Page 075 of 105 to/à Page 076 of 105

Withheld pursuant to/removed as

s.14; s.16

Page 077 of 105

Withheld pursuant to/removed as

s.16; s.14

Page 078 of 105 to/à Page 080 of 105

Withheld pursuant to/removed as

s.14; s.16; s.22

Page 081 of 105

Withheld pursuant to/removed as

s.14



## Wilcox, Gracie CITZ:EX

---

**From:** Wilcox, Gracie CITZ:EX  
**Sent:** December 4, 2019 12:38 PM  
**To:** Seltenrich, Chris CITZ:EX  
**Subject:** RE: First Nation invites

Hi Chris,

s.16

Hope that is what you were looking for, please let me know if I can be of further assistance.

Kindly,  
Gracie

---

**From:** Seltenrich, Chris CITZ:EX <Chris.Seltenrich@gov.bc.ca>  
**Sent:** December 4, 2019 11:42 AM  
**To:** Wilcox, Gracie CITZ:EX <Gracie.Wilcox@gov.bc.ca>  
**Subject:** FW: First Nation invites

Can you please review? <sup>s.16</sup> needs to be updated. I also think we should add <sup>s.16</sup> to this list.

---

**From:** Prevost, Jean-Marc GCPE:EX <[Jean-Marc.Prevost@gov.bc.ca](mailto:Jean-Marc.Prevost@gov.bc.ca)>  
**Sent:** December 4, 2019 11:38 AM  
**To:** Seltenrich, Chris CITZ:EX <[Chris.Seltenrich@gov.bc.ca](mailto:Chris.Seltenrich@gov.bc.ca)>  
**Cc:** Shepherd, Brent GCPE:EX <[Brent.Shepherd@gov.bc.ca](mailto:Brent.Shepherd@gov.bc.ca)>; Lawrie, Hannah GCPE:EX <[Hannah.Lawrie@gov.bc.ca](mailto:Hannah.Lawrie@gov.bc.ca)>  
**Subject:** First Nation invites

Thanks for the call Chris.

Here is who we have for FN contacts to invite:

s.16



**Jean-Marc Prevost**

COMMUNICATIONS DIRECTOR

Desk: 236-478-0302

Cell: 250-886-2154

Page 084 of 105 to/à Page 085 of 105

Withheld pursuant to/removed as

s.14; s.16

**From:** s.16  
**To:** [Wilcox, Gracie CTZ:EX](#)  
**Subject:** Read: Notification of a proposed land transfer  
**Date:** December 5, 2019 8:25:55 AM

---

Your message

To:  
Subject: Notification of a proposed land transfer  
Sent: Wednesday, December 04, 2019 4:26:33 PM (UTC-08:00) Pacific Time (US & Canada)  
was read on Wednesday, December 04, 2019 4:24:46 PM (UTC-08:00) Pacific Time (US & Canada).

**From:** s.16  
**To:** [Wilcox, Gracie CTZ:EX](#)  
**Subject:** Read: Notification of a proposed land transfer  
**Date:** December 5, 2019 8:50:48 AM

---

Your message

To:  
Subject: Notification of a proposed land transfer  
Sent: Thursday, December 05, 2019 8:45:35 AM (UTC-08:00) Pacific Time (US & Canada)  
was read on Thursday, December 05, 2019 8:45:28 AM (UTC-08:00) Pacific Time (US & Canada).

**From:** s.16  
**To:** [Wilcox, Gracie CTZ:EX](#)  
**Subject:** Read: Notification of a proposed land transfer  
**Date:** December 5, 2019 8:26:41 AM

---

Your message

To:  
Subject: Notification of a proposed land transfer  
Sent: Wednesday, December 04, 2019 4:26:43 PM (UTC-08:00) Pacific Time (US & Canada)  
was read on Wednesday, December 04, 2019 4:24:54 PM (UTC-08:00) Pacific Time (US & Canada).

**From:** s.16  
**To:** [Wilcox, Gracie CTZ:EX](#)  
**Subject:** Read: Notification of a proposed land transfer  
**Date:** December 5, 2019 8:49:42 AM

---

Your message

To:  
Subject: Notification of a proposed land transfer  
Sent: Thursday, December 05, 2019 8:38:45 AM (UTC-08:00) Pacific Time (US & Canada)  
was read on Thursday, December 05, 2019 8:36:51 AM (UTC-08:00) Pacific Time (US & Canada).

**From:** [Microsoft Outlook](#)  
**To:** s.16  
**Subject:** Relayed: Notification of a proposed land transfer  
**Date:** December 5, 2019 8:24:58 AM  
**Attachments:** [Notification of a proposed land transfer .msg](#)

---

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:  
s.16

Subject: Notification of a proposed land transfer



**From:** Microsoft Outlook  
**To:** s.16  
**Subject:** Relayed: Notification of a proposed land transfer  
**Date:** December 5, 2019 8:32:28 AM  
**Attachments:** [Notification of a proposed land transfer .msg](#)

---

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:  
s.16

Subject: Notification of a proposed land transfer

**From:** [Mail Delivery System](#)  
**To:** s.16  
**Subject:** Relayed: Notification of a proposed land transfer  
**Date:** December 5, 2019 8:45:56 AM  
**Attachments:** [Message Headers.msg](#)

---

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:

s.16  
Subject: Notification of a proposed land transfer

**From:** [Mail Delivery System](#)  
**To:** s.16  
**Subject:** Relayed: Notification of a proposed land transfer  
**Date:** December 5, 2019 8:46:27 AM  
**Attachments:** [Message Headers.msg](#)

---

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:  
s.16  
Subject: Notification of a proposed land transfer

**From:** [Mail Delivery System](#)  
**To:** s.16  
**Subject:** Relayed: Notification of a proposed land transfer  
**Date:** December 5, 2019 8:46:09 AM  
**Attachments:** [Message Headers.msg](#)

---

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:  
s.16  
Subject: Notification of a proposed land transfer



## Real Property Division

December 4, 2019

s.16

Dear <sup>s.16</sup>

Re: Notification of a Proposed Land Transfer

This letter is to advise you that the Province is considering an inter-agency property transfer of lands located within your traditional territory.

We anticipate that a public announcement about the potential future use of the lands will be made very soon. The Province is aware of <sup>s.16</sup> asserted Aboriginal Interests in the area and is writing you in advance of the announcement to confirm we will be seeking to formally initiate a consultative process with you. The Province will be following up after the announcement to identify how the proposed land transfer and potential future use may impact your Aboriginal Interests.

If you have any questions in the meantime, please don't hesitate to contact me at 778 698-3195 or [Chris.Seltenrich@gov.bc.ca](mailto:Chris.Seltenrich@gov.bc.ca).

Sincerely,

Chris Seltenrich  
Director, Strategic Real Estate Services



## Real Property Division

December 4, 2019

s.16

Dear <sup>s.16</sup>

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s.14; s.16; s.17

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s.14; s.16; s.17

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s.16; s.17



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s.17; s.16

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