



Early Warning Note

Date: August 27, 2018

CLIFF: 105090

Email to: Vivian Thomas, **Communications Director, GCPE**

Email to: Paul Rasmussen, **Assistant Deputy Minister, South Area**

CC to: Dana Eckardt, **Director, Executive Operations**
Emily Tackaberry, **A/Manager Executive Issues**

From: Cariboo-Chilcotin Natural Resource District

Contact: Harold Stolar, District Manager

Ph: 250-398-4400

Issue: Taseko Mines Limited (TML) seeking issuance of an Occupant Licence to Cut (OLTC) for New Prosperity Notice of Work (NOW) after BC Supreme Court decision

Briefing Note to follow: No

Background:

There has been a long standing position taken by the Tsilhqot'in Nation Government (TNG) that they do not want to see Taseko develop New Prosperity within the traditional territory of the Xeni Gwet'in. The TNG have opposed all exploratory work by the company that would support the development of a mine.

In May 2017 TML applied to the Cariboo-Chilcotin Natural Resource District (DCC) for an OLTC to support a NOW which was not yet approved by the Ministry of Energy, Mines and Petroleum Resources (EMPR).

EMPR approved the NOW in July 2017. TML then approached DCC requesting when the issuance of OLTC would occur. During 2017, DCC was engaged heavily with fire response and recovery efforts. TML was informed that it may take some time to issue the OLTC.

Subsequently the Federal Canadian Environmental Assessment Agency (CEAA) and the TNG petitioned the BC Supreme Court, on different grounds, to halt TML from conducting activities associated with the NOW.

Both petitions were dismissed by the BC Supreme Court, with the latest occurring on August 23, 2018. Taseko requires the OLTC to harvest crown timber and the district manager is required under Section 14 of the *Mineral Tenures Act* to issue an OLTC on request of the holder of the mineral rights in this area. In addition to the Province's consultation with the TN regarding both the NOW and OLTC, which commenced in November 2016, DCC took additional steps to engage with TML and TNG and provided possible conditions that could be included in the OLTC.



Taseko has given notice to the TNG and the Province that they are preparing to conduct activities authorized in the NOW no earlier than September 1, 2018 and have contacted DCC to request a timeline for issuance of the OLTC.

The OLTC, with additional conditions, is prepared and ready to be sent to TML for signing. Once returned DCC intends to issue the OLTC.

s.13;s.16

Suggested Response:

Under Section 14 of the *Mineral Tenures Act*, the district manager must issue harvesting authority if requested by of the holder of the mineral rights in this area. Deep consultation on the OLTC and NOW occurred with the TN. With respect to that consultation process, the BC Supreme Court recently found “that both the consultation process and degree of accommodation were such that the honour of the Crown was maintained, and adequate reconciliation efforts were made in the circumstances”.

In addition to that earlier consultation, the province recently undertook further engagement with TN on additional conditions that could be attached to the OLTC to avoid and minimize, to the extent possible, impacts on TN rights and interests arising from the OLTC.



Ministry of
Forests, Lands, Natural
Resource Operations
and Rural Development

Early Warning Note

Date: August 27, 2018

CLIFF: 241843

Email to: Vivian Thomas, **Communications Director, GCPE**
Email to: Paul Rasmussen, **Assistant Deputy Minister, South Area**
CC to: Dana Eckardt, **Director, Executive Operations**
Emily Tackaberry, **A/Manager Executive Issues**
From: Cariboo-Chilcotin Natural Resource District
Contact: Harold Stolar, District Manager Ph: 250-398-4400

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Briefing Note to follow: No

Background:

In May 2017 TML applied to the Cariboo-Chilcotin Natural Resource District (DCC) for an OLTC to support a NOW which was not yet approved by ~~Ministry~~ the Ministry of Energy, Mines and ~~Petroleum~~ Petroleum Resources (EMPR).

EMPR approved the NOW in July 2017. TML then approached DCC in July 2017 asking requesting when the issuance of OLTC would occur. During 2017, DCC was engaged heavily with fire response and recovery efforts. TML was informed that it may take some time to issue the OLTC. Subsequently the Federal ~~Canadian Environmental Assessment~~ Environmental Assessment Agency Office (CEAAO) and the ~~Tsilhqot'in~~ Tsilhqot'in Nation National Government (TNG) petitioned the BC Supreme Court, on different grounds, to halt TML from conducting activities associated with the NOW.

Both petitions were dismissed by the BC Supreme Court, with the latest occurring on August 23, 2018. Taseko requires the OLTC to harvest crown timber and the district manager is required under Section 14 of the ~~Mineral Tenures Act~~, to issue an OLTC on request of the holder of the mineral rights in this area. In addition to the Province's consultation with the TN regarding both the NOW and OLTC, which commenced in November 2016, DCC took additional steps to engage with TML and TNG and provided possible conditions that could be included in the OLTC.

Taseko has given notice to the TNG and the Province that they are preparing to conduct activities authorized in the NOW no earlier than ~~Sept 01~~ September 1, 2018 and have contacted DCC to request a timeline for issuance of the OLTC.

The OLTC, with additional conditions, is prepared and ready to be sent to TML for signing; once returned, DCC will intends to issue the OLTC.

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Ministry of
Forests, Lands, Natural
Resource Operations
and Rural Development

Suggested Response:

Under Section 14 of the *Mineral Tenures Act*, the district manager must issue harvesting authority if requested by of the holder of the mineral rights in this area, ~~NOW is not required.~~ Deep consultation on the OLTC and NOW occurred with the TN. With respect to that consultation process, the BC Supreme Court recently found “that both the consultation process and degree of accommodation were such that the honour of the Crown was maintained, and adequate reconciliation efforts were made in the circumstances”.

~~Province~~ In addition to that earlier consultation, the province recently undertook ~~did undertake~~ further engagement with TNG on additional possible conditions that could be attached to the OLTC to avoid and minimize, to the extent possible, impacts on TN rights and interests arising from the OLTC.

~~Important to note the~~

~~The BC Supreme Court found “that both the consultation process and degree of accommodation were such that the honour of the Crown was maintained, and adequate reconciliation efforts were made in the circumstances.”~~

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Page 05 of 70 to/à Page 35 of 70

Withheld pursuant to/removed as

s.13; s.14



T̑ILHQOT'IN NATIONAL GOVERNMENT

253 – 4th Avenue North - Williams Lake, BC V2G 4T4 - Phone (250) 392-3918 - Fax (250) 398-5798

Media Release - August 30, 2018

T̑ilhqot'in Nation announces Peaceful Gathering at Tȇtan Biny and Yanah Biny; Seeks Injunction against Taseko Drilling Program

Copyright

Copyright

Media Contact:
Myanna Desaulniers
Communication Manager
Tsilhqot'in National Government
(250) 305-7885

Bullard, Dan FLNR:EX

From: Banford, Alexandra R IRR:EX
Sent: August 30, 2018 8:49 PM
To: Coley, Simon J EMPR:EX; Robb, Peter L. EMPR:EX; Avila, Amy EAO:EX; Rasmussen, Paul FLNR:EX; Pedersen, Mike FLNR:EX; Yearwood, Paul AG:EX
Cc: McCarthy, Tom IRR:EX; Stark, Aurian IRR:EX
Subject: Media Release: Tsilhqot'in Nation announces Peaceful Gathering at Težtan Biny and Yanah Biny; Seeks Injunction against Taseko Drilling Program
Attachments: image003.png; ATT00001.htm; 2018_08_30_Tsilhqot'inAnnounceGatheringatTeztanBiny.pdf; ATT00002.htm

FYI

Thanks,
Alexandra

From: Sharon.Pocock@gov.bc.ca
Sent: August 30, 2018 7:59 PM
To: Sarah.Plank@gov.bc.ca; Alexandra.Banford@gov.bc.ca; Aurian.Stark@gov.bc.ca; Devon.Ramsay@gov.bc.ca; dougwkonkin@gmail.com; Tom.McCarthy@gov.bc.ca; David.Haslam@gov.bc.ca; Darren.Beaupre@gov.bc.ca; Laurel.Nash@gov.bc.ca
Subject: Fwd: Media Release: Tsilhqot'in Nation announces Peaceful Gathering at Težtan Biny and Yanah Biny; Seeks Injunction against Taseko Drilling Program

Hi folks. See below just in. News release from TNG re peaceful gathering at fish lake re taseko drilling program

Thanks Sharon

Sent from my iPhone

Begin forwarded message:

From: Myanna Desaulniers <Myanna@tsilhqotin.ca>
Date: August 30, 2018 at 6:57:40 PM PDT
To: Myanna Desaulniers <Myanna@tsilhqotin.ca>
Subject: Media Release: Tsilhqot'in Nation announces Peaceful Gathering at Težtan Biny and Yanah Biny; Seeks Injunction against Taseko Drilling Program

August 30, 2018

Please find attached and below a media release issued by the Tsilhqot'in National Government:

Tsilhqot'in Nation announces Peaceful Gathering at Težtan Biny and Yanah Biny; Seeks Injunction against Taseko Drilling Program

Online version here: <https://bit.ly/2PihXrl>

Bullard, Dan FLNR:EX

From: Banford, Alexandra R IRR:EX
Sent: August 31, 2018 2:45 PM
To: McCarthy, Tom IRR:EX; Robb, Peter L. EMPR:EX; Yearwood, Paul AG:EX; Coley, Simon J EMPR:EX; Rasmussen, Paul FLNR:EX; Nash, Laurel IRR:EX; Plank, Sarah GCPE:EX
Subject: Materials: Minister Meeting: MSF Staff Briefing re: Taseko Mines/Teztan Bay



-----Original Appointment-----

From: Deputy Ministers Office Meetings IRR:EX

Sent: Thursday, August 30, 2018 3:21 PM

To: Deputy Ministers Office Meetings IRR:EX; Banford, Alexandra R IRR:EX; McCarthy, Tom IRR:EX; Robb, Peter L. EMPR:EX; Yearwood, Paul AG:EX; Coley, Simon J EMPR:EX; Rasmussen, Paul FLNR:EX; Nash, Laurel IRR:EX; Plank, Sarah GCPE:EX

Subject: Minister Meeting: MSF Staff Briefing re: Taseko Mines/Teztan Bay

When: Friday, August 31, 2018 2:45 PM-3:30 PM (UTC-08:00) Pacific Time (US & Canada).

Where: Conference Call (see attached details)

Conference Call Dial-In:

1-877-353-9184

604-681-0260 (Van. local)

Moderator: Minister

Participant ID: s.15

BULLETS

DATE: August 31, 2018

PREPARED FOR: Honourable Scott Fraser, Minister of Indigenous Relations and Reconciliation

REGARDING: Tsilhqot'in Opposition to New Prosperity Mine

Notice of Work – Injunction Removed

After a year of injunction, on August 23, 2018, the BC Supreme Court decided in favor of the Province's consultation efforts, meaning that operations under the Notice of Work that was issued in June 2017 can proceed. A Tsilhqot'in press release calls on government to "do the right thing", citing drilling is in violation of government's mandate letters to ministries, supporting implementation of UNDRIP.

On August 24, 2018, Taseko wrote to EMPR, and the Tsilhqot'in, with notice that they anticipate commencing exploratory work under the Mines Act Permit no earlier than September 1, 2018.

Occupant License to Cut

Taseko is expecting an Occupant License to Cut to be issued imminently. Under Section 14 of the *Mineral Tenures Act*, the district manager must issue harvesting authority if requested by of the holder of the mineral rights in this area.

Deep consultation on the OLTC and NOW occurred with the Tsilhqot'in. With respect to that consultation process, the BC Supreme Court recently found "that both the consultation process and degree of accommodation were such that the honour of the Crown was maintained, and adequate reconciliation efforts were made in the circumstances".

In addition to that earlier consultation, the province recently undertook further engagement with Tsilhqot'in on additional conditions that could be attached to the OLTC to avoid and minimize, to the extent possible, impacts on Tsilhqot'in rights and interests arising from the OLTC.

s.16

Most recently, on August 30th the Tsilhqot'in National Government issued a media release stating that "the Tsilhqot'in community of Xení Gwet'in is assembling for a peaceful gathering and harvesting camp at Fish Lake and Little Fish Lake", adjacent to the New Prosperity mine site. Additional camps are anticipated on key forestry access roads, in response the Province's recent allocation decision on Annual Allowable Harvest for moose in the region.

"Dasíqox Tribal Park" – Declared by TNG

The Dasíqox Tribal Park is a declaration by Yunesit'in, and Xení Gwet'in. The tribal park is on 300,000 hectares of land surrounding Fish Lake, also called Teztan Biny, about 125 km southwest of Williams Lake. There are significant natural resources within the proposed tribal park including but not limited to:

the proposed New Prosperity Mine site; Amarc's Ike property and significant areas of scheduled timber harvesting.

TNG and the Province have initiated discussions about the declared Dasidox Tribal Park. through the Nenqay Deni Accord table. s.13;s.16
s.13;s.16

CONTACT:

Alexandra Banford
778-256-1191

SPEAKING BULLETS

DATE: August 31, 2018

PREPARED FOR: Honourable Scott Fraser, Minister of Indigenous Relations and Reconciliation

REGARDING: Speaking Points for Call with Tsilhqot'in regarding New Prosperity

KEY MESSAGES:

s.13;s.16

IF PRESSED regarding the OLTC

- The province's Statutory Decision Maker is legally required under the *Mineral Tenures Act* to issue the Occupant License to Cut requested by the company.
- Because this is a statutory obligation, there is no flexibility or discretion in issuing this permit.
- B.C. has consulted extensively with the Tsilhqot'in on the proponent's Notice of Work and Occupant License to Cut applications, including conditions that could be included that would help minimize impacts to Tsilhqot'in rights and interests.
- The Occupant License to Cut is directly tied to the work to be undertaken under the NOW, which the BC Supreme Court has considered and upheld as being valid.

IF PRESSED regarding UNDRIP and "Free Prior and Informed Consent"

- The suggestion that the United Nations Declaration is reducible to a veto on development is disingenuous and inaccurate.
- Far from a threat to development, free, prior and informed consent provides a just and equitable path forward for the development of this province's incredible natural resource wealth.

s.13;s.16

PREPARED BY:

BN drafter's name, Title
Branch
(250) XXX-XXXX

Bullard, Dan FLNR:EX

From: McCarthy, Tom IRR:EX
Sent: August 30, 2018 9:34 PM
To: Banford, Alexandra R IRR:EX; Robb, Peter L. EMPR:EX; Coley, Simon J EMPR:EX; Avila, Amy EAO:EX; Rasmussen, Paul FLNR:EX; Pedersen, Mike FLNR:EX; Yearwood, Paul AG:EX; Stark, Aurian IRR:EX
Subject: RE: For Review: Materials for Minister Fraser - TNG

Alexandra –

Thanks for this. I've suggested some edits to a couple of sections. On reflection, as you will see, my suggestion is that we s.13;s.16 . I think This may be a way for us to preserve some space to think through alternatives, which I don't know we've had the time to do.

Regards



Tom

From: Banford, Alexandra R IRR:EX
Sent: Thursday, August 30, 2018 6:21 PM
To: Robb, Peter L. EMPR:EX; Coley, Simon J EMPR:EX; Avila, Amy EMPR:EX; Rasmussen, Paul FLNR:EX; Pedersen, Mike FLNR:EX; McCarthy, Tom IRR:EX; Yearwood, Paul AG:EX; Stark, Aurian IRR:EX
Subject: For Review: Materials for Minister Fraser - TNG

G'evening,

In preparation for the staff briefing with MSF tomorrow afternoon, please find attached draft speaking points and a simplified briefing note for review and feedback.

Thank you to Paul for providing prompt review and advice, which has now been incorporated.

s.13;s.16

We have included brief reference in the materials for consideration, and would appreciate any more specific input on opportunity and implications.

<< File: MSF SpeakingNotes_NewProsperity_30Aug_draft2.docx >> << File: MSF Briefing Bullets NewProsperity 30Aug draftv2.docx >>

Appreciate the review and feedback as we strive to get this up to our DMO tomorrow am.
Happy to discuss further.

Thanks,
Alexandra

-----Original Appointment-----

From: Deputy Ministers Office Meetings IRR:EX

Sent: Thursday, August 30, 2018 3:21 PM

To: Banford, Alexandra R IRR:EX; McCarthy, Tom IRR:EX; Nash, Laurel IRR:EX; Robb, Peter L. EMPR:EX; Yearwood, Paul AG:EX; Coley, Simon J EMPR:EX; Rasmussen, Paul FLNR:EX

Subject: Minister Meeting: MSF Staff Briefing re: Taseko Mines/Teztan Bay

When: Friday, August 31, 2018 2:45 PM-3:30 PM (UTC-08:00) Pacific Time (US & Canada).

Where: Conference Call (see attached details)

Conference Call Dial-In:

1-877-353-9184

604-681-0260 (Van. local)

Moderator: Minister

Participant ID: s.15

Bullard, Dan FLNR:EX

Subject: Minister Meeting: MSF/MDD/MGH/MBR Staff Briefing re: TNG/Taseko

Location: Conference Call (see attached details)

Start: Wed 2018-09-05 8:00 AM

End: Wed 2018-09-05 8:30 AM

Show Time As: Tentative

Recurrence: (none)

Meeting Status: Not yet responded

Organizer: Deputy Ministers Office Meetings IRR:EX

Required Attendees: McCarthy, Tom IRR:EX; Plank, Sarah GCPE:EX; Banford, Alexandra R IRR:EX; Balcaen, Trish L IRR:EX; Caul, Doug D IRR:EX

Optional Attendees: Sheldan, Tim FLNR:EX; Nikolejsin, Dave EMPR:EX; Shoemaker, Wes AGRI:EX; Wright, Don J. PREM:EX; Fyfe, Richard J AG:EX; Robb, Peter L. EMPR:EX; Harvey, James AG:EX; Hammond, Monica M AG:EX; Yearwood, Paul AG:EX; Rasmussen, Paul FLNR:EX



Note: Don Bain (PO) will also call in.

Conference call details:

Dial In: 1-877-353-9184

604-681-0260 (Van. local)

Moderator: Scott Fraser

Participant ID: s.15

BULLETS

DATE: September 4, 2018

PREPARED FOR: Honourable Scott Fraser, Minister of Indigenous Relations and Reconciliation
Honorable George Heyman, Minister of Environment and Climate Change Strategy
Honorable Bruce Ralston, Minister of Energy, Mines and Petroleum Resources
Honorable Doug Donaldson, Minister of Forests, Lands, Natural Resource Operations and Rural Development

REGARDING: Tsilhqot'in Opposition to New Prosperity Mine

BACKGROUND

In July 2017, EMPR authorized Taseko Mines Ltd. (TML) to undertake an exploration program that includes new/modified trails, test pits and drill sites. After the BC Supreme Court dismissed injunctions from both the CEAA and Tsilhqot'in, on August 23, 2018, Taseko provided notice to BC and to the Tsilhqot'in, that they intend to start works under the Notice of Work (NOW), not before September 1.

Imminently, Taseko is anticipating receiving an Occupant License to Cut (OLTC). Taseko requires the OLTC to harvest Crown timber, and the district manager is required under Section 14 of the *Mineral Tenures Act* to issue an OLTC on request of the holder of the mineral rights in this area. Provincial District staff took additional steps to engage with TML and the Tsilhqot'in, and provided possible conditions that could be included in the OLTC.

ISSUE

The issuance of the OLTC will create significant tensions with TNG, who are adamantly opposed to the New Prosperity Mine project. TNG has publically announced they will appeal the decision, seek an injunction to prohibit drilling, and support a "peaceful gathering and camp" at Teztan Biny (Fish Lake) and Yanah Biny (Little Fish Lake). TML has notified the RCMP, and MIRR has notified and engaged its Critical Incidents & Emergency Management (CIEM) team.

TML has indicated that they will be accessing the project site on Friday, September 7th with helicopter support, and trucks accessing the site on Saturday, September 8th.

Notice of Work – Injunction Removed

After a year of injunction, on August 23, 2018, the BC Supreme Court decided in favor of the Province's consultation efforts, meaning that operations under the Notice of Work that was issued in June 2017 can proceed. A Tsilhqot'in press release calls on government to "do the right thing", citing drilling is in violation of government's mandate letters to ministries, including the implementation of UNDRIP.

On August 24, 2018, Taseko wrote to EMPR, and the Tsilhqot'in, with notice that they anticipate commencing exploratory work under the Mines Act Permit no earlier than September 1, 2018.

Occupant License to Cut

Taseko is expecting an Occupant License to Cut to be issued imminently. Under Section 14 of the *Mineral Tenures Act*, the district manager must issue harvesting authority if requested by the holder of the mineral rights in this area.

Deep consultation on the OLTC and NOW occurred with the Tsilhqot'in. With respect to that consultation process, the BC Supreme Court recently found "that both the consultation process and degree of accommodation were such that the honour of the Crown was maintained, and adequate reconciliation efforts were made in the circumstances".

In addition to that earlier consultation, the Province recently undertook further engagement with Tsilhqot'in on additional conditions that could be attached to the OLTC to avoid and minimize, to the extent possible, impacts on Tsilhqot'in rights and interests arising from the OLTC.

s.16

Access

Most recently, on August 30th the Tsilhqot'in National Government issued a media release stating that "the Tsilhqot'in community of Xeni Gwet'in is assembling for a peaceful gathering and harvesting camp at Fish Lake and Little Fish Lake", adjacent to the New Prosperity mine site. Additional camps are anticipated on key forestry access roads, in response the Province's recent decision to proceed with a limited licensed hunt for moose in the Chilcotin. C

Chief Joe Alphonse has directed staff to communicate with forestry licensees that community members will be shutting down Raven Lake and Mackin Creek Forest Service Roads, to 'protect moose'.

"Dasiqox Tribal Park" – Declared by TNG

The Dasiqox Tribal Park is a declaration by Yunesit'in, and Xeni Gwet'in. The tribal park is on 300,000 hectares of land surrounding Fish Lake, also called Teztan Biny, about 125 km southwest of Williams Lake. There are significant natural resources within the proposed tribal park including but not limited to: the proposed New Prosperity Mine site; Amarc's Ike property and significant areas of scheduled timber harvesting.

TNG and the Province have initiated discussions about the declared Dasiqox Tribal Park, through the Nenqay Deni Accord table. s.13;s.16

s.13;s.16

SUMMARY

- B.C. has consulted extensively with the Tsilhqot'in on the proponent's Notice of Work and Occupant License to Cut (OLTC) applications, including conditions that could be included that would help minimize impacts to Tsilhqot'in rights and interests. FLNR's statutory decision maker is in the process of issuing the OLTC.
- The area covered by the declared Dasiqox Tribal Park is of great interest and importance to the public, industry stakeholders, and indigenous communities. The Province has offered to advance discussions with the Tsilhqot'in about this geographic area through the Accord working group.
- A number of provincial and regional initiatives already operate in the spirit of UNDRIP, such as revitalizing the environmental assessment process, incorporating traditional Indigenous knowledge into resource management, and engaging in an in-depth way with the Tsilhqot'in on moose recovery and other joint stewardship initiatives.
- In recognition that the proposed New Prosperity Mine site rests on culturally sensitive land, the province will be looking at engaging TNG in a unique way that respects the spirit of UNDRIP and the intent of the provincial draft 10 Principles.

APPENDIX 1 – Proposed Speaking Points

PREPARED BY:

Alexandra Banford
778-256-1191

BULLETS

DATE: August 30, 2018

PREPARED FOR: Honourable Scott Fraser, Minister of Indigenous Relations and Reconciliation

REGARDING: Tsilhqot'in Opposition to New Prosperity Mine

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s.16

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The Parties have initiated discussions about the declared Dasiqox Tribal Park, under the Nenqay Deni Accord.s.13;s.16

s.13;s.16



s.13;s.16

PREPARED BY:

BN drafter's name, Title
Branch
(250) XXX-XXXX

SPEAKING BULLETS

DATE: September 4, 2018

PREPARED FOR: Honourable Scott Fraser, Minister of Indigenous Relations and Reconciliation

REGARDING: Call with Tsilhqot'in regarding New Prosperity

SPEAKING POINTS

WHAT WE ARE ABLE TO SAY:

s.13;s.16

Relationship

s.13;s.16

s.13;s.16

Permitting

s.13;s.16

WHAT WE ARE NOT ABLE TO SAY:

s.13;s.14;s.16

IF PRESSED regarding the OLTC

- The province's Statutory Decision Maker is legally required under the *Mineral Tenures Act* to issue the Occupant License to Cut requested by the company.
- Because this is a statutory obligation, there is no flexibility or discretion in issuing this permit.
- B.C. has consulted extensively with the Tsilhqot'in on the proponent's Notice of Work and Occupant License to Cut applications, including conditions that could be included that would help minimize impacts to Tsilhqot'in rights and interests.
- The Occupant License to Cut is directly tied to the work to be undertaken under the NOW, which the BC Supreme Court has considered and upheld as being valid.

IF PRESSED regarding UNDRIP and "Free Prior and Informed Consent"

- The suggestion that the United Nations Declaration is reducible to a veto on development is inaccurate and over-simplified.
- Far from a threat to development, free, prior and informed consent provides a just and equitable path forward for the development of this province's incredible natural resource wealth.

PREPARED BY:

Alexandra Banford
778-256-1191



SPEAKING BULLETS

DATE: August 30, 2018

PREPARED FOR: Honourable Scott Fraser, Minister of Indigenous Relations and Reconciliation

REGARDING: Speaking Points for Call with Tsilhqot'in regarding New Prosperity

KEY MESSAGES:

s.13;s.16



IF PRESSED regarding the OLTC

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s.13;s.16

PREPARED BY:

BN drafter's name, Title



Ministry of
Indigenous Relations
and Reconciliation

Branch
(250) XXX-XXXX

CLIFF XXXXX

Page 3 of 3

Bullard, Dan FLNR:EX

From: Sheldon, Tim FLNR:EX
Sent: September 6, 2018 2:09 AM
To: Rasmussen, Paul FLNR:EX
Cc: Manwaring, Richard G FLNR:EX
Subject: Re: Dasiqox Tribal Park

Thanks.

Sent from Tim Sheldon's iPhone

On Sep 6, 2018, at 12:01 AM, Rasmussen, Paul FLNR:EX <Paul.Rasmussen@gov.bc.ca> wrote:

Should be fine.

Sent from my iPhone

On Sep 5, 2018, at 19:24, Sheldon, Tim FLNR:EX <Tim.Sheldon@gov.bc.ca> wrote:

Thanks. I would like to share with Dave Nik. Any issues with me doing that?

Sent from Tim Sheldon's iPad

On Sep 5, 2018, at 8:06 PM, Rasmussen, Paul FLNR:EX <Paul.Rasmussen@gov.bc.ca> wrote:

Tim, FYI and as requested during the call with Ministers earlier today,
re: TNG / Taseko (see below):

Please let me know if you need more on this or would like a briefing /
call with staff.

Thanks.

Paul

Sent from my iPhone

Begin forwarded message:

From: "Vanderburgh, Ken FLNR:EX"
<Ken.Vanderburgh@gov.bc.ca>
Date: September 5, 2018 at 16:50:55 MDT
To: "Rasmussen, Paul FLNR:EX"
<Paul.Rasmussen@gov.bc.ca>
Cc: "Pedersen, Mike FLNR:EX"
<Mike.Pedersen@gov.bc.ca>
Subject: Dasiqox Tribal Park

Hello Paul

Mike indicated you were looking for an update on the Dasiqox Tribal Park:

The Dasiqox Tribal Park, an initiative of the Xeni Gwet'in and Yunesit'in communities of the Tsilhqot'in, was announced on October 4, 2014. The Province did not participate in the development of the initiative and has not formerly endorsed the proposal other than acknowledging that it represents a clear statement of Tsilhqot'in values and interests in the area identified. Work by the two communities has progressed to the point of the release of the Community Vision and Management Goals for Dasiqox Tribal Park in April of this year. There are 8 Management Goals in the Dasiqox proposal related to:

- Water
- Forests and Vegetation
- Wildlife and Habitat
- Hunting, Fishing, Harvesting Plants and Animals
- Cultural Continuity and Language
- Health and Well-being and time on the Land
- Sustainable Livelihoods
- Cumulative Effects and Managing Impacts

The Nenqay Deni Accord includes a Leadership Table comprised of Provincial Ministers and the Chiefs of the six Tsilhqot'in communities. At the June 5th Accord Leadership Meeting a short term (4 month) workplan was endorsed which included the scoping of issues and options related to the Dasiqox Tribal Park.

Following discussions with the Tsilhqot'in Tribal Park Coordinator FLNR staff agreed to provide as the next step in the scoping exercise the provincial perspective on the Dasiqox goals. For each of the Dasiqox goals we are identifying Provincial interests, legislative tools and considerations related to their application. An initial draft should be complete next week. While the engagement in a land use planning exercise may be a potential option, the scoping exercise isn't directed towards that outcome. There are a number of existing legislative and policy tools that may be a more appropriate way to address Tsilhqot'in concerns.

While the New Prosperity project is a significant driver in the development of the Dasiqox proposal, forestry practices in the area are also of concern to the Tsilhqot'in. As a short term response we will commit to a joint review of forestry practices in Dasiqox and the application of voluntary practices by licencees and, where appropriate, the use of legal tools to establish interim measures to address Tsilhqot'in concerns.

I will be providing an update on the Dasiqox scoping work to Tsilhqot'in representatives at the Sept 13/14 Working Group meeting.

ADVICE TO MINISTER

CONFIDENTIAL ISSUE NOTE

Ministry: Energy, Mines and Petroleum
Resources

Date: Sept. 11, 2018 update

Minister Responsible: Hon. Michelle Mungall

Taseko New ~~Prosperity and~~ Tsilhqot'in

ADVICE AND RECOMMENDED RESPONSE:

- This is a longstanding and complex matter, and the Province is well aware of the concerns expressed by Tsilhqot'in and Taseko both parties.
- Our government is committed to working with the TNG government to deal with land use management within the framework of the Nenqay Deni Accord and the Tsilhqot'in Stewardship Agreement.

TNG September 6 letter to PJH and MMM seeking cultural heritage protection from exploration activities

- We have received the letter from the Tsilhqot'in National Government and are still reviewing the Tsilhqot'in's request.

If asked about the Occupant Licence to Cut:

- The statutory decision-maker has decided on issuing the licence will consider the application in accordance with the legislative authority granted to them him.

KEY FACTS REGARDING THE ISSUE:

The B.C. Supreme court dismissed the Tsilhqot'in National Government's (TNG) Petition for Judicial Review, which challenged the adequacy of consultation and accommodation prior to the July 2017 issuance of a permit amendment for exploration work relating to Taseko's New Prosperity Site Investigation Program.

The court stated that "both the consultation process and degree of accommodation were such that the honour of the Crown was maintained, and adequate reconciliation efforts were made in the circumstances... The petitioners do not raise any material issues with the process or the extent of the consultation... I find that the reasons for the 2017 Approval provided adequate justification, transparency and intelligibility."

TNG responded with a media release several days after the court ruling, in which they called on the provincial government to "step up" and "do the right thing," and asserting that "drilling work is

ADVICE TO MINISTER

in direct violation of the current BC NDP government's mandate given by Premier Horgan in every Minister's mandate letter issued in July 2017, the current Federal Government's commitment to fully implement the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) at the UN General Assembly in August 2016, and the Truth and Reconciliation Commission's (TRC) Calls to Action."

On Aug. 29, new counsel retained by TNG informed the Province that they are appealing the decision and may be seeking an injunction from the Court of Appeal to prevent Taseko from undertaking the drilling program until their appeal is decided - unless Taseko agrees to withhold doing the work until the appeal is decided. Taseko responded that, having waited since July 2017, they now intend to proceed with the work.

On Aug. 30, TNG issued a news release stating that members were "assembling for a peaceful gathering and harvesting camp at Teztan Biny (Fish Lake) and Yanah Biny (Little Fish Lake)."

Unconfirmed reports were received on Sept. 5, indicating TNG Elders had occupied a site near Fish Lake.

On Sept. 6, 2018 in a letter to Premier John Horgan and Minister of Energy, Mines and Petroleum Resources, Michelle Mungall, the TNG Tsilhqot'in National Government requested the minister use a invoke her power under s. 17(1) of the *Mineral Tenure Act* to protect and preserve Teztan Biny (Fish Lake), Yanah Biny (Little Fish Lake) and Nabas (the surrounding area).

s.13;s.14;s.16

Taseko Mines Ltd has commenced assessment, survey and layout work, but no work involving any form of mechanical disturbance at this time.

TNG has also reiterated their calls for the establishment of a park, Dasiqox Tribal Park, "to protect this critical area for future generations."

~~The proponent has applied for Taseko is in the process of receiving an Occupant Licence To Cut, which is necessary to cut down trees for the exploration work under undertake the scope of the work that the Notice of Work granted. That application is currently with the Statutory Decision Maker (at FLNRO) for consideration.~~

~~However, the proponent has indicated its plans to begin work on Sept. 1, since there is a degree of work that the company can proceed with whether or not the Occupant Licence To Cut is issued.~~

~~Previously, on July 5, 2018, the BC Supreme Court ruled in favour of the TNG's request for an interim injunction to stop Taseko from undertaking the drilling program authorized by the 2017 notice of work, until the court gave a decision on the petition. The injunction was set to expire on Sept. 10, 2018 or upon release of the court's decision on the petition.~~

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BACKGROUND:

On Dec. 5, 2017 the Federal Court of Canada dismissed Taseko's two judicial review applications challenging the federal government's rejection of the New Prosperity proposal.

In dismissing Taseko's applications, the Federal Court of Canada determined that there had been no breach of procedural fairness and that the findings of a panel tasked with evaluating the impacts on the environment of tailings were "reasonable."

Taseko had challenged the federal panel report and process, as well as the federal decision.

On January 3, 2018 Taseko submitted notices to appeal the Federal Court's findings.

Amendments to Notice of Work permit:

In July 2016, Taseko began preparations for an exploration program to collect data for permitting under the provincial Mines Act, and for potential redesigns of New Prosperity. Taseko applied under the Mines Act for permits, including an amendment to an existing permit, MX-3-131, and a licence under the Forest Act.

In July 2017, the Ministry of Energy and Mines issued an amendment to permit MX-3-131 to Taseko for the New Prosperity Site Investigation Program. The CEAA then wrote to Taseko, asking if the permit work included anything connected to New Prosperity, and also asked whether any of the activities were designated activities under CEAA 2012.

Taseko responded that the work was not connected to New Prosperity.

The CEAA took the position that the activities proposed were contrary to s. 6 of the CEAA 2012 and therefore those activities would constitute a federal offence. Taseko responded, disputing the view that the activities were unlawful.

In August 2017, the federal government filed an injunction petition enjoining Taseko from carrying out the work outlined in Permit MX-3-131. The following month, Taseko filed its own petition, maintaining that Section 6 of CEAA 2012 doesn't apply to the activities that Taseko has been provincially authorized to perform pursuant to Permit MX-3-131 issued under the Mines Act.

TNG has asked the EAO to terminate the amendment review process given Taseko does not have federal approval of the New Prosperity Project nor the ability to conduct the NOW activities, which puts Taseko's ability to demonstrate a substantial start of the project by January 2020 in question.

Concurrently with its review of the amendment, between February and May 2018, the EAO conducted a process on whether it is possible for Taseko to substantially start the Project by January 14, 2020 and the appropriateness of the Associate Deputy Minister refusing to amend the Certificate. EAO noted that it would not be in the public interest to review a proposal that has no utility.

The EAO has received submissions from Taseko and Indigenous groups. The EAO is

ADVICE TO MINISTER

considering the submissions and will be concluding this process shortly. The EAO continues to work on the assessment of the proposed amendment.

New Prosperity, a proposed conventional open-pit mining project with a 20-year operating life and a production capacity of 70,000 tonnes of mineral ore per day, is 125 km southwest of Williams Lake. The mine would be located outside of the declared aboriginal title area of the Tsilhqot'in Nation, but within an area where the Tsilhqot'in Nation has established Aboriginal rights. The Tsilhqot'in National Government has recently declared a proposed Dasiqox Tribal Park area, which includes the area where the mine would be built. The most recent capital cost estimate for the proposed mine is \$1 billion, with annual operating costs of \$200 million.

Communications Contact:	Robin Platts	250 213-6451
Program Area Contact:	Julie Chace	250 953-3884
	Rick Adams	250 828-4583
File Created:	Feb. 2, 2017	
File Updated:	Sept. <u>11</u> ⁷ , 2018	

Bullard, Dan FLNR:EX

From: Robb, Peter L. EMPR:EX
Sent: September 12, 2018 7:41 AM
To: Mike.Peterson@gov.bc.ca
Cc: Adams, Rick EMPR:EX; Rasmussen, Paul FLNR:EX
Subject: Fwd: IN_Taseko New Prosperity Mine_Sept 11_450pm
Attachments: IN_Taseko New Prosperity Mine_Sept 11_450pm (SC).doc; ATT00001.htm

Mike did the oltc get issued after the changes were requested last week?

Begin forwarded message:

From: "Coley, Simon J EMPR:EX" <Simon.Coley@gov.bc.ca>
Date: September 11, 2018 at 11:18:58 PM PDT
To: "Haslam, David GCPE:EX" <David.Haslam@gov.bc.ca>, "Plummer, Glen GCPE:EX" <Glen.Plummer@gov.bc.ca>
Cc: "Robb, Peter L. EMPR:EX" <Peter.Robb@gov.bc.ca>, "Platts, Robin GCPE:EX" <Robin.Platts@gov.bc.ca>, "Chace, Julie EMPR:EX" <Julie.Chace@gov.bc.ca>, "Caul, Doug D IRR:EX" <Doug.Caul@gov.bc.ca>
Subject: RE: IN_Taseko New Prosperity Mine_Sept 11_450pm

David and Glen,
I've added some further edits and cleaned up the IN further tonight.
Peter, it would be helpful if you could confirm the updates.
Sorry for the delay. We were at UBCM functions this evening.
Thanks,
Simon Coley
Acting / Deputy Minister
Ministry of Energy, Mines and Petroleum Resources
Office: 778-698-7176 / Cell: 250-507-6585 / Fax: 250-952-0269

From: Haslam, David GCPE:EX
Sent: September 11, 2018 7:01 PM
To: Plummer, Glen GCPE:EX <Glen.Plummer@gov.bc.ca>
Cc: Coley, Simon J EMPR:EX <Simon.Coley@gov.bc.ca>; Robb, Peter L. EMPR:EX <Peter.Robb@gov.bc.ca>; Platts, Robin GCPE:EX <Robin.Platts@gov.bc.ca>; Chace, Julie EMPR:EX <Julie.Chace@gov.bc.ca>
Subject: Re: IN_Taseko New Prosperity Mine_Sept 11_450pm
All. Doug caul requested the update to brief PJH tomorrow am in prep for a meeting with Joe Alphonse.
Appreciate feedback soon. Thx.

Sent from my iPhone

On Sep 11, 2018, at 5:06 PM, Plummer, Glen GCPE:EX <Glen.Plummer@gov.bc.ca> wrote:

Hi Simon and Peter,
Here is the revised note based on input from Simon.
Understanding this note will need further revision in the coming days, just want to have something for the short-term.

Please let me know ASAP if the highlighted updates work for you.

Thanks,

Glen

Glen Plummer

Senior Communications Officer

Ministry of Energy, Mines and Petroleum Resources

250 952-0559 office

250 213-5667 cell

Bullard, Dan FLNR:EX

From: Beadman, Krista FLNR:EX
Sent: October 26, 2018 4:02 PM
To: Eckardt, Dana R FLNR:EX
Cc: Rasmussen, Paul FLNR:EX; Pedersen, Mike FLNR:EX; Sapp, Janice FLNR:EX; Manwaring, Richard G FLNR:EX; Weir, Shauna FLNR:EX; Beadman, Krista FLNR:EX
Subject: Heads Up: THANKS: TNG Nov 2 event - MDD
Attachments: R5-Tsilhqot'in National Government.docx

Dana

Heads up from the Cariboo Region. MDD has confirmed with MIRR that he will be in Williams Lake attending an event with the TNG. FLNRORD staff have not been involved to this point.

Has this been on the DMO's radar?

Krista Beadman

Executive Administrative Assistant to
Paul Rasmussen, Assistant Deputy Minister
Phone: 250-828-4449

Check out the South Area Intranet Page!

From: Sapp, Janice FLNR:EX
Sent: Friday, October 26, 2018 2:34 PM
To: Beadman, Krista FLNR:EX
Subject: FW: THANKS: TNG Nov 2 event - MDD

From: Ramsay, Devon IRR:EX
Sent: October 25, 2018 3:17 PM
To: Banford, Alexandra R IRR:EX <Alexandra.Banford@gov.bc.ca>; Stark, Aurian IRR:EX <Aurian.Stark@gov.bc.ca>
Cc: Pedersen, Mike FLNR:EX <Mike.Pedersen@gov.bc.ca>
Subject: THANKS: TNG Nov 2 event - MDD

Thanks for letting us know, Alexandra.

Mike P and Janice should be back in the office tomorrow (Friday) after their week away with RMT.

I'm sharing our FLNG Community Profile as an internal reference in the interim, in case it is of help to FLNR.

Devon

Devon Ramsay

A/Regional Manager
Ministry of Indigenous Relations and Reconciliation
640 Borland Street
Williams Lake BC
E: Devon.Ramsay@gov.bc.ca

P: 250.398.4247

C: 250.267.1268

From: Banford, Alexandra R IRR:EX
Sent: Thursday, October 25, 2018 12:43 PM
To: Stark, Aurian IRR:EX; Ramsay, Devon IRR:EX
Cc: Pedersen, Mike FLNR:EX
Subject: RE: TNG: Nov 2 event

UPDATE: Minister Donaldson has confirmed he is able to attend the Nov.2 event.

Thanks,
Alexandra

From: Banford, Alexandra R IRR:EX
Sent: Thursday, October 25, 2018 10:13 AM
To: Stark, Aurian IRR:EX; Ramsay, Devon IRR:EX
Subject: TNG: Nov 2 event

Hi Aurian and Devon,

Our MO just confirmed that MSF is no longer able to attend the Nov.2 exoneration event with our federal and TNG partners.

The MO is looking to see if another Minister may be available, and Trish may be offering to attend. They are calling the Chiefs this week to explain.

Please standby for any other updates. No material/support requests have come in to date.

Thanks,
Alexandra

Alexandra Banford Chief Negotiator, South Area - Negotiations and Regional Operations Division | Ministry of Indigenous Relations and Reconciliation
2957 Jutland - Victoria, BC ☎ 778-974-2140 📁 [MIRR Website](#) 📧 [E-mail Alexandra Banford](#)

Our Vision: "British Columbia is a place where communities are healthy, prosperous, sustainable, and self-determining founded upon positive, lasting relationships between Indigenous people and all British Columbians".

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Ministry of Indigenous Relations and Reconciliation

Tsilhqot'in National Government

Governance

- Tribal Chair, Chief Joe Alphonse
Tl'etinqox, re-elected February 21, 2017
- Vice Chair, Russell Myers Ross
Yunesit'in
- Nits'il?in Francis Laceese
Tl'esqox,
- Nits'il?in Roy Stump
?Esdilagh,
- Nits'il?in Otis Guichon (Tsi Deldel)
- Nits'il?inj Jimmy Lulua (Xeni Gwet'in)

Information

- Pronunciation: tsil-coh-tin
- Location: Representing First Nations of the Chilcotin Plateau, Coast Mountains, and north of Williams Lake
- Member Nations: Tl'etinqox, ?Esdilagh, Yunesit'in, Tl'esqox, Tsi Del Del and Xeni Gwet'in
- Population: approx. 3,818
- Address: 253 4th Ave North, Williams Lake, BC V2G 4T4

Current Activities

- Tsilhqot'in National Government (TNG) is a tribal council representing six member bands. Tsilhqot'in communities are not party to the BC Treaty Process.
- The 2007 Tsilhqot'in court case, referred to as "the William case" after previous Xeni Gwet'in Chief Roger William, who filed on behalf of Xeni Gwet'in and the Tsilhqot'in Nation, was the first time the SCC granted aboriginal title in Canada. This was in June 2014.
- On June 21, 2016, the Tsilhqot'in Nation filed a Notice of Civil Claim seeking a declaration that aboriginal title exists on submerged lands, private lands and Indian reserves within the declared title area. They have advised this is a protective claim against a litigation period and do not intend to advance the claim. However, in June 2017 the case was served to the Province of BC.
- On March 26, 2018, Prime Minister, Justin Trudeau delivered a statement of exoneration on behalf of the Government of Canada to the Tsilhqot'in Nation and the descendants of six Tsilhqot'in Chiefs. In 1964, five Tsilhqot'in Chiefs were hanged for murder after they led their nation's war efforts in response to a colonial road crew attempting to build a road through their territory without any legal agreement with the Tsilhqot'in Nation.¹ Premier Horgan issued a statement in support of Trudeau's exoneration.
- On November 1, 2018, Premier Horgan and Chief Joe Alphonse signed a letter that renewed commitment to the Nenqay Deni Accord, to make progress on the eight 'pillars of reconciliation'.

¹ <https://pm.gc.ca/eng/news/2018/03/26/prime-minister-delivers-statement-exoneration-six-tsilhqotin-chiefs>
Oct 2018

Ministry of Indigenous Relations and Reconciliation

Tsilhqot'in National Government

Other/Completed Negotiations

- **Nenqay Deni Accord**, signed on February 11, 2016, is a five year framework agreement that establishes a shared vision, principles and structures to negotiate a comprehensive reconciliation between the Tsilhqot'in Nation and the Province. The Accord has established five implementation tables, jointly chaired by representatives of the Province and the Tsilhqot'in, to guide progress in the following areas: Tsilhqot'in Governance; Economic Development; Social, Culture, Education and Justice; Lands and Resources and Declared Title Area Implementation. The Province currently is preparing a Treasury Board submission to secure funding for Year 4 and Year 5 of the Accord.

s.16

- **Moose Co-Management Agreement** (Sept 2018): The Province and TNG have been working on moose recovery for many years. This fall, a Moose Co-Management Agreement heightens commitments that support growing more moose for all. A key priority for 2018 is jointly hosting a Moose Solutions Roundtable, where neighboring nations and stakeholders will be invited to constructively discuss solutions.
- **Tsilhqot'in Stewardship Agreement** (2017-2020): Five of six communities signed on to the 3 year renewal of this Strategic Engagement Agreement (Yunesit'in chose not to).
- **Collaborative Emergency Management Agreement** (April 2018): focuses on improving emergency management within the six Tsilhqot'in communities, including enhancing the role and capacity of Tsilhqot'in communities in mitigation, preparedness, response and recovery pillars of emergency management, and exploring opportunities for partnership.

Issues/Opportunities:

- **Aboriginal Title Area Transition:** transitioning benefit and control of the aboriginal title area has been a focus of the Land and Resource Sub-Table under the Nenqay Deni Accord. Five "Bridging Agreements" were renewed in spring 2018, in lieu of a final arrangement, to ensure continuity for provincially authorized activities in the short term.
- **Prosperity Mine:** The proposed Prosperity mine is located within Xení's caretaker area of the proven aboriginal rights area (not the aboriginal title area). Xení and the Tsilhqot'in Nation remain steadfast in their opposition to the project. In 2017, MEM granted a Notice of Work for a series of drill holes; in August, FLNR issued a long awaited OLTC with specific conditions, and TNG initiated court injunction which ends later in November.

Oct 2018

Contact: Devon Ramsay, Regional Manager

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Ministry of Indigenous Relations and Reconciliation

Tsilhqot'in National Government

- **Dasiqox Tribal Park:** In October 2014 the Xeni Gwet'in along with the Yunesit'in announced that they had declared an area of approximately 3,000km² in the Taseko Lake area in the South Chilcotin. The declared park area is outside of the Tsilhqot'in title land. The area of land covered by the tribal park is rich in natural resources and contains many known ore bodies, including the Prosperity site. BC has maintained that the area in question remains under Provincial authority. The Nenqay Deni Accord Working Group is discussing Tsilhqot'in interests relating to the declared Tribal Park.
- **Tourism Operators:** Tourism operators around the Aboriginal Title Area have lobbied provincial and federal governments to resolve the conflict around bear viewing, access uncertainty and use of roads in the Declared Title Area, or to 'buy them out'. Currently, appraisal work is underway, to inform the province's options.
- **Forestry Tenures and Revenue Sharing:**
 - Each Tsilhqot'in community is pursuing a First Nations Woodland Licence.
 - Forestry Consultation and Revenue Sharing Agreement offers were declined by the Tsilhqot'in. To secure an accommodation option for FLNR decision makers, the Tsilhqot'in have been provided with \$1.6m per year for the last four years.
 - Forest Tenure Opportunity Agreement for the Nenqay Deni Accord volume commitments are with the TNG for signing
- **Moose Recovery.** TNG and FLNR representatives actively engaged in discussion around management options for licensed moose hunting prior to the October hunting season. Licensed hunting opportunity has been reduced, in consideration of TNG's concerns, and uncertainty around impacts from wildfire; through discussions, TNG maintain there should be no licensed hunt. A moose co-management agreement was signed September 28th committing both the Province and the TNG to working together to manage moose. One of the deliverables from the agreement is a Moose Solutions Roundtable that is set to take place early December.
- **Williams Lake Timber Supply Review (TSR)** decision was made in 2015 after significant engagement with the Chief Forester. TNG remains concerned over the rate of cut, and the Annual Allowable Cut particularly post 2017 wildfire season. The Chief Forester met with TNG representatives in July 2018.
- **Mushroom Picking.** Post wildfire, the Tsilhqot'in set up a permitting system to manage volume and stewardship behavior of mushroom pickers. TNG prepared a press release in August 2018, thanking everyone for their partnership through the season.

Page 001 of 214 to/à Page 096 of 214

Withheld pursuant to/removed as

s.16

Bullard, Dan FLNR:EX

From: Standen, Jim ENV:EX
Sent: March 7, 2018 3:50 PM
To: Ethier, Tom FLNR:EX; Balcaen, Trish L IRR:EX
Cc: Ranson, David ENV:EX; Wheeler, Hilary FLNR:EX; Andrews, Sarah ENV:EX
Subject: RE: Indigenous protected and conserved areas
Attachments: ICE Report Condensed.docx; ICE Full DRAFT Report 2nd Offering.pdf

Thanks Tom. The issues you raise are why I wanted to have you and I and Trish get together to lay out the expectations and agree on timelines and approach so that we can fully empower a team to run with this. I already have a commitment to work with CFN on the three undesignated conservancies in the GBR and they are thinking an IPCA model and the pressure to respond to other nations interests in IPCAs is growing daily. As background to our discussion I have attached both the full Indigenous Circle of Experts report and an executive summary that Hilary and her team put together. The quick read is convenient but you really need to review the full draft ICE report to get the true gist of the changes being recommended and the breadth of what ICE is recommending.

Sarah will be in touch with your EAs to arrange a time for the three of us to meet.

Jim

Jim Standen
Assistant Deputy Minister
BC Parks | Ministry of Environment
Telephone: 250-387-1288
jim.standen@gov.bc.ca
www.bcparks.ca



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From: Ethier, Tom FLNR:EX
Sent: Wednesday, March 7, 2018 1:06 PM
To: Standen, Jim ENV:EX; Balcaen, Trish L IRR:EX
Cc: Ranson, David ENV:EX; Wheeler, Hilary ENV:EX; Andrews, Sarah ENV:EX
Subject: RE: Indigenous protected and conserved areas

Ok Jim – sounds good and I think we can provide a knowledgeable person to help out. What timeline are you looking for product? Another route would be a contractor who could take direction from a small team and shape it from there' I suspect this policy would need an indigenous lens put on it sooner rather than later. Is that correct>?

From: Standen, Jim ENV:EX
Sent: Wednesday, March 7, 2018 10:31 AM
To: Ethier, Tom FLNR:EX; Balcaen, Trish L IRR:EX
Cc: Ranson, David ENV:EX; Wheeler, Hilary ENV:EX; Andrews, Sarah ENV:EX
Subject: Indigenous protected and conserved areas
Importance: High

Tom/Trish,

For a while now we have been tossing around the concept of IPCAs as part of the discussions around Canada's target 1 and biodiversity targets. I have been suggesting we need to engage with nations to flesh out the concepts for a made in BC approach to IPCAs but first need to get our own thinking straight. I also think that IPCAs may represent at least a partial solution to the issue of Parks as TSL. Unfortunately we have been caught in a bit of a decision swirl around this topic and have not received a formal mandate from DMs. Based on what I am hearing it's my thinking that we are cleared to start working on the concept and need to "just do it". I am hoping that we can find some time to sit down and together figure out who from each of our agencies we can task with developing a discussion paper on IPCAs?

Because of the growing interest in indigenous conservation areas (CFN, TNG, Haida, others) time is of the essence if we are to be prepared to respond meaningfully to nations. I will ask my assistant to find us a half hour. Please feel free to suggest others who should be part of the conversation.

Jim

Jim Standen

Assistant Deputy Minister
BC Parks | Ministry of Environment
Telephone: 250-387-1288
jim.standen@gov.bc.ca
www.bcparks.ca



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From: [Hiltner, Clementine FLNR:EX](#)
To: [FLNR ADM Committee Natural Resources](#)
Cc: [NRS ADM Committee Natural Resources Associates](#)
Subject: ICE Report
Date: May 10, 2018 11:15:11 AM
Attachments: [PA234-ICE_Report_2018_Mar_22_web.pdf](#)
[image001.png](#)

Sent on behalf of ADM Jim Standen – Please note this is now a publically available document

Folks,

As I mentioned in my presentation on Target 1 last week, I would strongly encourage all natural resource ADMs to read the attached report from the Indigenous Circle of Experts. While it speaks specifically to indigenous views on their role in protected areas establishment and management, it also contains great insights into indigenous thinking on land management in general. The ICE work is expected to continue and will have linkages to Land Use Planning and our ongoing efforts to reach various agreements with nations.

Jim

Jim Standen

Assistant Deputy Minister
BC Parks | Ministry of Environment
Telephone: 250-387-1288
jim.standen@gov.bc.ca
www.bcparks.ca



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We Rise Together

Achieving Pathway to Canada Target 1 through
the creation of Indigenous Protected and
Conserved Areas in the spirit and practice
of reconciliation

THE INDIGENOUS CIRCLE OF EXPERTS'
REPORT AND RECOMMENDATIONS
MARCH 2018

Front Cover photograph:

The Indigenous Circle of Experts and participants of the Northern Regional Gathering on Indigenous Protected and Conserved Areas (IPCAs) at Aurora Village in Yellowknife, NWT.

Photographer: Jeremy Williams, River Voices Productions

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Cette publication est aussi disponible en français sous le titre:

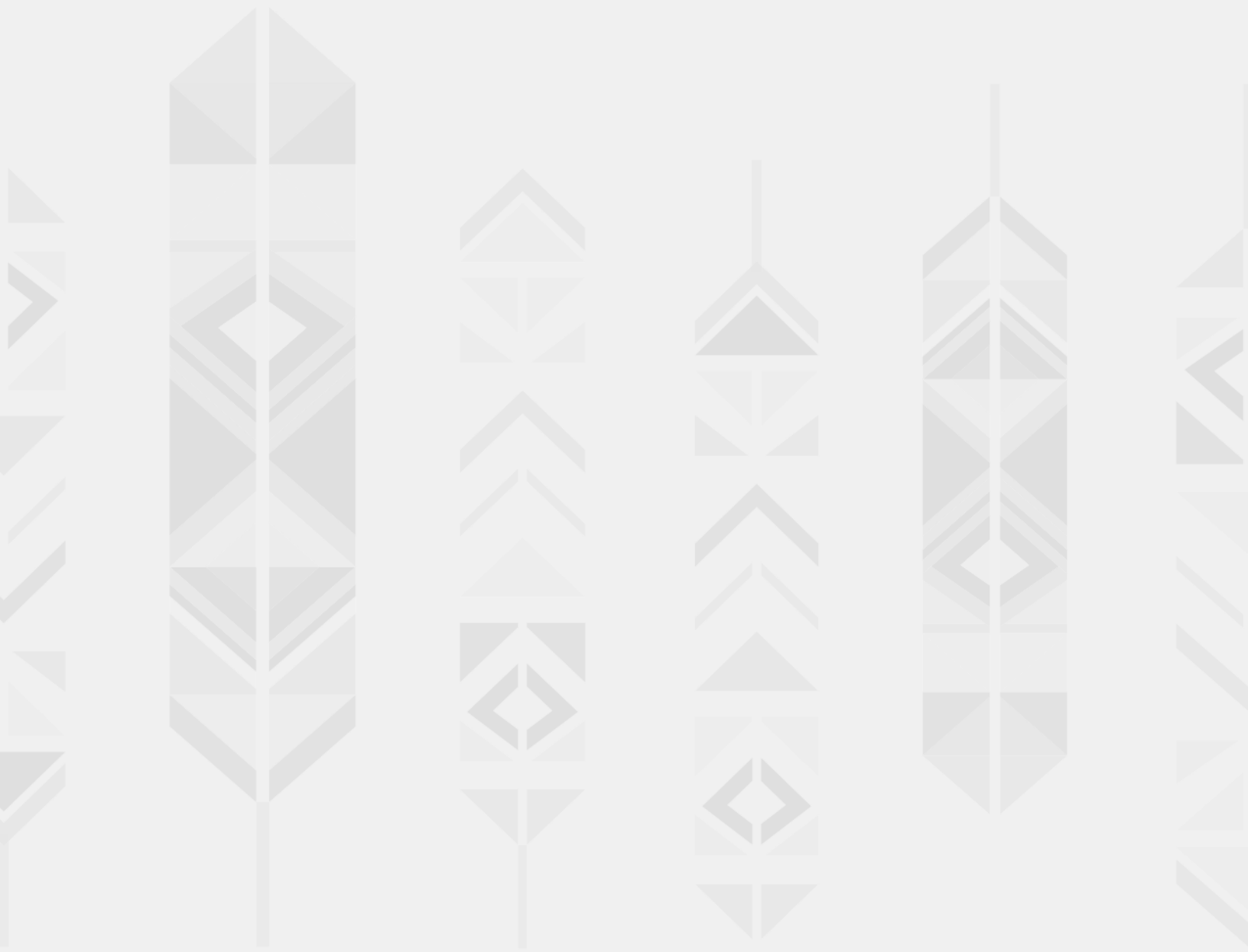
Nous nous levons ensemble : atteindre l'objectif 1 du Canada en créant des aires protégées et de conservation autochtones dans l'esprit et la pratique de la réconciliation



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FW: Steelhead Closure

January 30, 2019 10:25 AM

Subject	FW: Steelhead Closure
From	Ethier, Tom FLNR:EX
To	Nasadyk, Alanah FLNR:EX
Sent	December 27, 2018 9:22 AM

From: Ethier, Tom FLNR:EX

Sent: Friday, March 16, 2018 3:40 PM

To: Ramsay, Mike K FLNR:EX

Subject: Re: Steelhead Closure

Excellent. Are you acting and able to sign? Should probably do a note for Minister.

Sent from my iPhone

On Mar 16, 2018, at 2:28 PM, Ramsay, Mike K FLNR:EX <Mike.Ramsay@gov.bc.ca> wrote:

Tom:

We have been working with TNG to help protect Chilcotin steelhead. As of yesterday we have an endorsement from all chiefs for a full closure. The letter above states TNG concern with the remaining DFO fisheries. I thought you should see it ASAP.

Mike Ramsay

**Associate Director: Fisheries Management
Forests, Lands and Natural Resource Operations
Phone: 250.398.4546**

From: Reedman, Dave FLNR:EX

Sent: Friday, March 16, 2018 2:22 PM

To: Stewart, Rodger W FLNR:EX; Pedersen, Mike FLNR:EX; Williston, Lee X FLNR:EX; Ramsay, Mike K FLNR:EX; Ramsay, Devon IRR:EX; Vanderburgh, Ken FLNR:EX

Subject: FW: Steelhead Closure

Please see the attached letter from TNG to the Minister of Fisheries and Oceans Canada.

Dave Reedman

Fish and Wildlife Section Head - Cariboo Region
Forests, Lands, Natural Resource Operations and Rural Development
400 – 640 Borland Street
Williams Lake, BC V2G 4T1
Phone: 250-398-4368
Dave.Reedman@gov.bc.ca

From: J.P. Laplante [<mailto:jlaplante@tsilhqotin.ca>]

Sent: Friday, March 16, 2018 2:10 PM

To: Reedman, Dave FLNR:EX; Jay Nelson

Cc: John Lerner; Williston, Lee X FLNR:EX

Subject: RE: Steelhead Closure

FYI – please share with relevant provincial officials.

From: Reedman, Dave FLNR:EX [<mailto:Dave.Reedman@gov.bc.ca>]

Sent: Friday, March 16, 2018 2:03 PM

To: Jay Nelson

Cc: John Lerner; J.P. Laplante; Williston, Lee X FLNR:EX

Subject: Steelhead Closure

Hi Jay,

Very glad to hear the support for the closure to steelhead retention in the Chilcotin watershed. We will have that regulation change request in to the Director ASAP and expect that it will be in place by next week sometime.

Also glad to hear that TNG wants to work with us on a guardian program on the Chilcotin River for this period where steelhead are in the system and vulnerable to fishing. We don't need to wait for the regulation change to get this up and running.

Due to the end of the fiscal year approaching we will have to deal with funding the project in two stages.

The initial piece, from when we start until the end of the month will have to be done through direct invoice from the TNG to FLNRORD Fish and Wildlife section. We will have to get together to develop a plan for this initial period.

We will then follow-up with a contract commencing on April 1 to the end of the steelhead fishing season and have to develop a second schedule and plan for this portion.

Please let me know who we should connect with at TNG to develop the schedules and work plan for this project. Lee Williston, our Senior Fisheries Biologist will be our lead for the Chilcotin steelhead guardian project and will connect with your lead early next week.

Let me know if you have any other questions.

Thanks and looking forward to working with TNG on this project.

Dave Reedman

Fish and Wildlife Section Head - Cariboo Region

Forests, Lands, Natural Resource Operations and Rural Development

400 – 640 Borland Street

Williams Lake, BC V2G 4T1

Phone: 250-398-4368

Dave.Reedman@gov.bc.ca

From: Jay Nelson [<mailto:jay@jaynelsonlaw.com>]

Sent: Thursday, March 15, 2018 5:01 PM

To: Reedman, Dave FLNR:EX

Cc: John Lerner; Williston, Lee X FLNR:EX; jlaplante@tsilhqotin.ca

Subject: Steelhead Closure

Hi Dave,

Chiefs approved a formal closure of the Chilcotin River Steelhead fishery for this year to Tsilhqot'in and other First Nations. Public announcement should be coming soon.

We're looking at various ways to get the word out to members (signs, posters, pamphlets, etc.).

They also accepted the \$10k to support a collaborative monitoring program with the Rangers and COs. They'd like to see that up and running next week.

Let us know what you see as next steps. Thanks for this interesting opportunity to work together - could be very positive.

All the best,

J.

On Mar 13, 2018, at 8:47 AM, Reedman, Dave FLNR:EX

<Dave.Reedman@gov.bc.ca> wrote:

Hi Jay and John,

I can do a call this afternoon at 4pm. It looks like I will be heading to Bella Coola tomorrow morning until Friday.

s.22

What is the best number to reach you?

Thanks,

Dave

Dave Reedman

Fish and Wildlife Section Head - Cariboo Region

Forests, Lands, Natural Resource Operations and Rural Development

400 – 640 Borland Street

Williams Lake, BC V2G 4T1

Phone: 250-398-4368

Dave.Reedman@gov.bc.ca

From: Jay Nelson [<mailto:jay@jaynelsonlaw.com>]

Sent: Monday, March 12, 2018 1:49 PM

To: Reedman, Dave FLNR:EX

Cc: John Lerner

Subject: Check in Tuesday or Wed?

Hi Dave,

There's some interest in Tsilhqot'in partnering on steelhead closure monitoring. Are you available for a call at **4 pm tomorrow (Tuesday) or Wednesday before 3 pm?**

I've copied John Lerner, who is TNG's lead for the Declared Title Area, as he has more practical knowledge around this type of monitoring program — he can join us on the call and hopefully we could iron out some of the details about what the program could look like.

Thanks, all the best,

J.

Jay Nelson

Executive Lead

Negotiations & External Affairs

Tsilhqot'in National Government

180 Yorston St., Williams Lake, B.C

cell: (778) 678-4699

email: jay@jaynelsonlaw.com