

## BULLETS

**MEETING DATE:** November 29, 2018

**PREPARED FOR:** Jessica Wood, Assistant Deputy Minister

**REGARDING:** 2018 First Nations Leaders' Gathering 1:1 Meeting: Skin Tyee First Nation

**SUMMARY:**

- s.16
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- Skin Tyee have also expressed an interest in BC's approach to reconciliation, and in approaches to connect their remote reserves from a telecommunications perspective.

**KEY MESSAGES:**

- I encourage Skin Tyee to continue engaging in consultation. The Province will carefully review any information you are able to share about Skin Tyee's history and impacts from the Nechako Reservoir.
- The Province is interested in exploring opportunities for reconciliation with Skin Tyee in collaboration with other bands and hereditary leaders of the Wet'suwet'en Nation.
- As part of our commitment to true, lasting reconciliation with First Nations in British Columbia, our government will be fully adopting and implementing the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), and the 94 Calls to Action of the Truth and Reconciliation Commission.
- All provincial ministers have been tasked with finding ways to bring the UN Declaration into action by reviewing government's policies, programs and legislation. The Draft Principles that Guide the Province of British Columbia's Relationship with Indigenous Peoples inform government's approach to working with Indigenous peoples towards reconciliation.
- As it relates to network connectivity with your remote communities, I encourage you to explore the *Connecting British Columbia Program* offered by Network BC and administered through the Northern Development Initiative Trust.

**PREPARED BY:**

Lisa Ambus, Project Leader  
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## BULLETS

**MEETING DATE:** November 29 OR 30, 2018 (choose one)

**PREPARED FOR:** Jessica Wood, Assistant Deputy Minister

**REGARDING:** 2018 First Nations Leaders' Gathering 1:1 Meeting: Stó:lō Tribal Council

### SUMMARY:

- Stó:lō Tribal Council (STC) is an Indigenous organization representing seven First Nation communities in the Stó:lō territory including: Shxw'ow'hamel, Seabird, Cheam, Chawathil, Kwaw-Kwaw-Apilt, Sq'ewlets (Scowlitz), and Soowahlie First Nations.
- An eighth community (Kwantlen First Nation) was noted to have recently left STC, however their current membership status is not formally confirmed.
- The STC is not organized along tribal lines and includes selected communities from the Ts'elxweyeqw, Pilalt and Tyit Tribes (see attached affiliation table).
- The STC is initiating a nation rebuilding effort aimed at re-invigorating ancestral customs, governance structures and laws that are grounded in community and citizens; they see the 10 Principles adopted by BC and Canada as setting a different standard for working on a nation-to-nation level whereby the citizens need to be directly engaged.
- As part of the above process they are developing a model for citizen engagement that seeks to re-engage individual members in community rebuilding, dialogue and decisions, and to move away from current situations where community members are often inadequately engaged and informed; they would like to discuss this model with MIRR.
- STC have also advised MIRR staff of their intent to express objection to the Stó:lō Xwexwilmexw Treaty Association (SXTA) Treaty in the context of the 10 Principles.
- s.16
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### KEY MESSAGES:

- Treaties are an important part of our effort to work with First Nations to reach long-term reconciliation of and build strong Government to Government relationships.
- The new relationship being negotiated with SXTA is not intended to adversely affect any other group's Aboriginal rights, including title, which are protected under section 35 of the Constitution Act, 1982.
- BC has made a strong foundational commitment to reconciliation with Indigenous peoples across the entire Government – this includes implementing the UN Declaration on the Rights of Indigenous Peoples, the Truth and Reconciliation Commission and the Tsilqot'in decision.
- BC is working towards more meaningful government-to-government relationships with First Nations based on respect, recognition and exercise of Aboriginal title and rights.
- Rights Recognition means treaty making is about recognizing and identifying rights, not extinguishing them.
- Treaty Transformation provides an opportunity to work collaboratively to co-develop solutions that meet the interests of all parties.

**PREPARED BY:**

Barbara Miles, Manager, Governance and Government Relations  
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## BULLETS

**DATE:** 2018-11-05

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

**REGARDING:** Meeting with tye ha'wilt Chief Anne Mack, Toquaht Nation, regarding remediation of Toquaht Bay Campground and Marina, Lucky Creek hydro project, and funding for marina at Secret Beach

### SUMMARY:

- On May 3, 2018 Chief Anne Mack and Minister Fraser met at Macoah to discuss remediation of Toquaht Bay Campground and Marina, Lucky Creek hydro project, and funding for the marina at Secret Beach. Chief Anne Mack sent a letter July 17, 2018 to follow up on the matters discussed.
- **Remediation of Toquaht Bay Campground and Marina** – This work lead by the Ministry of Forests, Lands, Natural Resource Operations and Rural Development's (FLNRORD) Crown Contaminated Sites Program, has taken longer than Toquaht anticipated, however, Toquaht are satisfied with the work ongoing.
- **Lucky Creek hydro project** - BC Hydro's Standing Offer Program remains suspended pending the outcome of BC Utilities Commission comprehensive review of BC Hydro. BC Hydro expects to be in an energy surplus until late 2020 to early 2030s due to Site C. Given the suspension of the BC Hydro Standing Offer Program, the Lucky Creek hydro project has stalled as Toquaht has no buyer for the energy the project would produce.
- s.20
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### KEY MESSAGES:

- **Toquaht Bay Campground and Marina Remediation** – Continue working with FLNRORD. FLNRORD continues to examine options. Toquaht and FLNRORD's relationship continues to be positive.
- **Lucky Creek Hydro Project** – Continue working with the BC First Nations Clean Energy Working Group. This group is engaged with MIRR, Ministry of Energy, Mines and Petroleum Resources and BC Hydro on development of a new Indigenous Clean Energy Program. The BC Hydro review is expected to be complete, with announcements, by the end of the calendar year (2018).
- **Secret Beach Marina Funding Request** – I will be briefed on Secret Beach funding options in the next few weeks, and will be able to update you on next steps in early December.



**PREPARED BY:**

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Withheld pursuant to/removed as

s.12;s.16;s.13

## DISCUSSION:

Although West Moberly and Prophet River are partners in their opposition to Site C, West Moberly stands to be more deeply impacted by the construction and operation of the dam due to the direct impact to the core of their traditional territory. Consequently, the accommodation measures offered to West Moberly have been greater than those offered or available to Prophet River.

s.13,s.16

s.13,s.16

Both First Nations have made strong public statements and community commitments to oppose the Site C project s.13,s.16

s.13 Although the recent court decision on the Site C injunctive relief was not in favour of the First Nations, the judge held that West Moberly's claim raised a serious issue, and that they demonstrated irreparable harm.

s.12,s.13,s.16

s.12,s.13,s.16

In addition, it is

likely that further discussion may be required on additional components that reflect this unique context. Any additional components would require the necessary approval processes and consideration of other Nations. It is also worth noting that both Nations are engaged negotiations with BC on other initiatives, including TLE. Further, the forestry, oil and gas, and mining sectors in the northeast are very concerned about any new and additional constraints affecting operating costs, access to resources and business viability.

## KEY MESSAGES:

- I acknowledge and appreciate this gesture that West Moberly and Prophet River First Nations have made in reaching out to BC to discuss options.
- I understand there have been considerable tension points between our governments on Site C and I am heartened by the opportunity to stand back from that and look for a different path.
- I look forward to working with you and I am committed to creating a safe space and time for us to explore what may be possible.
- In our discussions, we must be mindful of the limits of the mandates that BC has and how the considerations of other Treaty 8 First Nations may inform any path forward.

## ATTACHMENTS: Appendix 1

### PREPARED BY:

Geoff Recknell, Regional Executive Director  
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## Appendix 1

**Table 1: Site C TLA Negotiation and Negotiation Mandate Status**

First Nation	Status of TLA	Registered Population	Quantum (Acres) Offered or Committed *(1)	Estimated Value*(2)	Land Management Measures
Blueberry River First Nation	Negotiation Protocol 2018	480	s.16	s.12,s.13	None offered
Saulteau First Nation	Signed 2016	1,115		s.12,s.13	Peace Boudreau Protected Area Hunting restrictions in the Peace Moberly Tract
McLeod Lake Indian Band	Signed 2016	566		s.12,s.13	None
Doig River First Nation	Signed 2017	313		s.12,s.13	K'ih tsaa?dze Protection
Halfway River First Nation	Signed 2017	287		s.12,s.13	Chowade Protection & Forestry Tenure
West Moberly First Nation	Offered 2014	318		n/a	*(3)
Prophet River First Nation	Offered 2014	281		n/a	*(4)
<b>Total</b>	N/A	3,360		s.12,s.13	
Notes: s.12,s.13,s.16					

**Table 2: Provincial and BC Hydro offer (2014) to West Moberly to address the residual effects of Site C**

s.12,s.13,s.16



**Summary of Completed Agreements or Completed and Terminated Agreements with West Moberly and Prophet River First Nations:**

Agreement	First Nation	Agreement Provisions
Economic Benefit Agreement (EBA)  2006	West Moberly Prophet River	<ul style="list-style-type: none"> <li>- Share of 1.5% of the net revenue received from natural resource extraction in Treaty 8 territory in the northeast.</li> <li>- Includes Floor and Ceiling amounts to the EBA: Floor is \$857,000 per year and the Ceiling is ~ \$3,200,000. For the most part First Nations have only received Floor payments.</li> <li>- The EBA provides some legal certainty to BC which is why West Moberly and Prophet River have not actively supported civil disobedience at Site C.</li> </ul>
Pipeline Benefit Agreements (PBA)	West Moberly	<ul style="list-style-type: none"> <li>- Coastal Gas Link</li> <li>- Prince Rupert Gas Transmission (not in effect)</li> <li>- Westcoast Connector Gas Transmission (not in effect)</li> </ul> <p>The agreements have a deferred effective date contingent of the execution of Pre-Reconciliation Measures as part of their signed Memorandum of Understanding (MOU). West Moberly is also Member of First Nation Limited Partnership in support of the Pacific Trail Pipeline (2009).</p>
Pipeline Benefit Agreements (PBA)	Prophet River	<ul style="list-style-type: none"> <li>- Westcoast Connector Gas Transmission in October 2015. Agreement is signed but not yet in effect.</li> </ul>
MOU (to the PBA) and Companion Letter  2016	West Moberly	s.16
Regional Coal Agreement  2015	West Moberly	<ul style="list-style-type: none"> <li>- A consultation and engagement framework for coal development in the agreement area. Sauteau and Halfway River First Nations are also signatories to this agreement.</li> <li>- A key outcome was the development of coal reserves over large areas of the South Peace.</li> <li>- An engagement framework for new mine review and development.</li> </ul>
Collaborative Management Agreements (terminated 2017)	West Moberly Prophet River	<ul style="list-style-type: none"> <li>- Collaborative Management Agreements (CMA) related to parks, Crown land, wildlife and forest and range were terminated in April 2017 by BC.</li> <li>- Termination was necessary because the agreements were not achieving the intended objectives despite several years of efforts by BC to improve the CMA process.</li> </ul>

## BULLETS

**MEETING DATE:** November 29 OR 30, 2018 (choose one)

**PREPARED FOR:** Honourable Scott Fraser, Minister of Indigenous Relations and Reconciliation OR Doug Caul, Deputy Minister OR Trish Balcaen, Assistant Deputy Minister OR Laurel Nash, Assistant Deputy Minister (choose one)

**REGARDING:** 2018 First Nations Leaders' Gathering 1:1 Meeting: John Ridsdale of the Office of the Hereditary Chiefs of the Wet'suwet'en

### SUMMARY:

- John Ridsdale, *Nam'oks*, is one of 13 House Chiefs of the Wet'suwet'en house of *Tsa K'ex Yex* of the *Tsayu* (Beaver) Clan, and the Referral Coordinator of the Office of Wet'suwet'en. He requests a meeting to discuss "Recognition of hereditary chiefs".
- Reconciliation commitments have been proposed by the Premier, and Minister Fraser has been identified as the lead for reconciliation efforts with the Unist'ot'en and Wet'suwet'en Nation. Government proposed an intermediary to fact-find opportunities to advance reconciliation.
- Office of Wet'suwet'en replied November 8, 2018, requesting:
  - to engage in a time-limited and intense negotiations to be complete by the end of February 2019 to recognize title throughout the Wet'suwet'en territory, to further negotiate the implementation of Wet'suwet'en title and to implement UNDRIP;
  - negotiations with all Wet'suwet'en Chiefs including Unist'ot'en, necessitating recognition of Wet'suwet'en traditional government; s.16  
s.16
  - s.16,s.22
  - funding at s.16 for a small, full-time negotiation team, a Working Group, and a clans communications person to support the team.

### KEY MESSAGES:

- We are committed to reconciliation with the Wet'suwet'en Nation.
- I appreciate your agreement that bring in Dr. Roshan Danesh as an intermediary.
- I am aware that Dr. Danesh has been in contact with you and will soon meet with you to explore next steps.
- The proposed funding is expensive but we are looking at ways to support your resourcing.

### PREPARED BY:

Cory Waters, Chief Negotiator



Ministry of  
Indigenous Relations  
and Reconciliation

CLIFF 46154

Negotiations and Regional Operations Division  
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## BULLETS

**MEETING DATE:** November 29 OR 30, 2018 (choose one)

**PREPARED FOR:** Honourable Scott Fraser, Minister of Indigenous Relations and Reconciliation OR Doug Caul, Deputy Minister OR Trish Balcaen, Assistant Deputy Minister OR Jessica Wood, Assistant Deputy Minister OR Laurel Nash, Assistant Deputy Minister (choose one)

**REGARDING:** 2018 First Nations Leaders' Gathering 1:1 Meeting: [insert First Nation]

### SUMMARY:

- Blueberry River First Nations (BRFN) filed litigation against the Province in March 2015 alleging that they are no longer able to meaningfully exercise their Treaty Rights, due to cumulative effects from industrial development within their territory. s.12,s.13
- Provincial negotiators worked with BRFN towards an interim adjournment of the trial, and reached an agreement to delay the litigation on June 15th, 2018. Components include: a commitment to land-use planning; land restoration initiatives; predator control programs; and a commitment to a different consultation approach.
- The parties are now discussing putting the litigation into a longer-term settlement agreement. If that is not successful, the trial would begin on April 29<sup>th</sup>, 2019.
- s.16
- Provincial negotiators are also engaged in seeking to resolve the Treaty Land Entitlement (TLE) claim with BRFN. BRFN is not satisfied with BC's mandate around the ability to add certain TLE lands as reserve lands; and are frustrated with the length of time the negotiations have taken.

### KEY MESSAGES:

- I am very pleased we have been able to find a way to address our differences outside of the courtroom. I understand we are making good progress with implementation of the adjournment agreement, and I look forward to hearing about a more permanent resolution to the litigation.
- We are committed to working with you towards resolution of the Treaty Land Entitlement negotiations. I know we have a negotiation team that is very devoted to this, and I ask that you continue to engage with them to resolve our outstanding issues.

### PREPARED BY:

Tom McCarthy, D/CN, NROD, MIRR



## BULLETS

**MEETING DATE:** November 29 OR 30, 2018

**PREPARED FOR:** Doug Caul, Deputy Minister

**REGARDING:** 2018 First Nations Leaders' Gathering 1:1 Meeting: Stk'emlupsemc te Secwépemc Nation (SSN) regarding "G2G table funding"

### SUMMARY:

- SSN represents the communities of Tk'emlúps te Secwépemc and Skeetchestn Indian Band, and operates as a divisional entity within the broader Secwépemc Nation.
  - In September 2015, SSN filed a title claim with the BC Supreme Court over the Ajax mine project area, mainly to protect Jacko Lake, traditionally known to them as Pipsell (*pip-seth*). This legal title claim remains active, and is currently in a significant document discovery phase.
  - In September 2016, the Province and SSN signed a Government to Government (G2G) Framework Agreement related to the proposed Ajax Mine project. The Agreement committed BC and SSN to a G2G type forum for project-related dialogue.
  - Post Ajax EA-decision, the SSN has received \$200,000 in FY 18/19 as capacity funding to participate at a divisional forum with the Province, expanding and evolving beyond the Ajax project.
  - This divisional forum is intended to advance SSN interests at the regional level, with a particular focus on mining, water, stewardship, and archeology.
  - SSN was a signatory to the Secwépemc Reconciliation Framework Agreement, which expired in April 2018. SSN are now part of the Secwépemc nation-level scoping dialogue, guided by the Letter of Commitment (approval pending).
  - s.16
- 
- Engaging with SSN at the divisional entity is an important aspect of recognizing the multi-faceted Secwépemc governance structure, which operates at community, divisional, and Nation levels.

### KEY MESSAGES:

- I first want to first recognize that SSN operates as a divisional entity within the broader Secwépemc Nation, stepping beyond the individual Indian Act band structure to work as a joint entity.
- I also want to recognize the significant contributions SSN continue to make in advancing government to government collaboration on major projects. The process we took together on the Ajax Government to Government Agreement has served as a foundation for how we work together on a diverse range of mutual interests and priorities.
- I understand the SSN & BC G2G table is working to finalize a Terms of Reference, and advancing dialogue on mining, water, project assessment, and archaeology.

- MIRR, along with our key agency partners, will continue working with SSN over the coming year to advance key priorities.
- In stride alongside our work with SSN at the divisional level, we are committed to advancing strategic dialogue at the broader Secwépemc table.

**PREPARED BY:**

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## BULLETS

**MEETING DATE:** November 29 OR 30, 2018 (choose one)

**PREPARED FOR:** Honourable Scott Fraser, Minister of Indigenous Relations and Reconciliation OR Doug Caul, Deputy Minister OR Trish Balcaen, Assistant Deputy Minister

**REGARDING:** 2018 First Nations Leaders' Gathering 1:1 Meeting: Cheam First Nation  
BC Treaty Process and the Stó:lō Xwexwilmexw Treaty Association

### SUMMARY:

- Cheam First Nation (Cheam), population 547, is a member of the Pilalt Tribe (Pilalt) consisting of three upper Stó:lō First Nations in the Fraser River valley. Cheam is a member of the Stó:lō Tribal Council and a signatory to the Stó:lō Strategic Engagement Agreement.
- Pilalt has expressed concerns that BC and Canada are negotiating a treaty with the Stó:lō Xwexwilmexw Treaty Association (SXTA), which includes only six Stó:lō Nations, and their perspective is that all Stó:lō First Nations collectively hold Aboriginal rights and title to their traditional territory of S'ohl Temexw.
- s.13,s.14
- SXTA's leadership have accepted a land and cash package intended to form the basis their treaty and the table recently advanced into Stage 5 of treaty negotiations.
- BC and Canada are actively engaged in shared territory discussions with First Nations whose traditional territories overlap with lands offered to SXTA and several letters and maps of the proposed SXTA Lands have been exchanged with Pilalt since July 2015.
- Modern day treaties contain non-derogation provisions stating that nothing in the treaty will adversely affect any rights, recognized under section 35 of the *Constitution Act, 1982*, of any other Aboriginal group. Should a court find that those rights have been adversely affected, the relevant provision of the treaty will not operate to the extent of the adverse effect.
- A recent court ruling, *Gamlaxyeltxw v. British Columbia*, (now under appeal) considered the non-derogation provisions in the Nisga'a Treaty and rejected the interpretation that the Treaty cannot affect Gitanyow's claims of Aboriginal rights. The Court stated its view that the Crown's duties and responsibilities flowing from the Nisga'a Treaty must take precedence over the asserted, but not yet finalized claims of Gitanyow.

### KEY MESSAGES:

- Treaties are an important part of our effort to work with First Nations to reach long-term reconciliation and build strong Government to Government relationships.
- BC is committed to meaningful and ongoing consultation with Cheam First Nation before finalizing a treaty with SXTA.
- BC takes your concerns seriously and we will take into account any potential adverse impacts that the SXTA treaty may have on your rights.

**PREPARED BY:**

Chandra Crowe, Negotiator





Ministry of  
Indigenous Relations  
and Reconciliation

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## BULLETS

**MEETING DATE:** November 29 OR 30, 2018

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

**REGARDING:** 2018 First Nations Leaders' Gathering 1:1 Meeting: Union of British Columbia Indian Chiefs

### SUMMARY:

- Elaine Alec, the Union of British Columbia Indian Chiefs (UBCIC) Women's Representative, will be in attendance for this meeting as the UBCIC representative to discuss various initiatives she has been undertaking to promote safety for Indigenous women through the creation of safe spaces through training and education.
- Through her work, the UBCIC has created the UBCIC Working Group on Uplifting and Empowering Indigenous Women. The Working Group will be hosting regional intergenerational sessions for Indigenous Women across British Columbia (BC) as well as considering the creation of a UBCIC Women's Council.
- The Ministry of Indigenous Relations and Reconciliation (MIRR) is committed to ensuring that the safety of Indigenous women is a priority across the province by implementing initiatives and partnering with organizations that are working towards ending violence. The following note provides details regarding how MIRR is fulfilling this commitment.

### KEY MESSAGES:

- The Province is committed to creating a legacy of safety for Indigenous women in BC by working to change the systemic issues that lead to violence.
- Through previous and ongoing engagement, the Province of BC has learned a great deal from family and community members regarding the systemic causes of violence against Indigenous women and girls, and opportunities to meaningfully address these causes.
- BC continues to move forward on actions and initiatives to increase safety and respond to the needs of Indigenous women and girls across the province.
- A list of key initiatives is attached to provide to Elaine if desired.

### PREPARED BY:

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- Minister's Advisory Council on Indigenous Women (MACIW) – MACIW, established in 2011, provides advice to government on how to improve the quality of life for Indigenous women in BC. MACIW works closely with the provincial Gender Based Analysis plus (GBA+) leads to provide advice on how to better serve Indigenous women. In 2013, MACIW launched Giving Voice, a project that “gives voice” to issues of violence within families and communities. Giving Voice community-led projects provide opportunities for healing that aim to stop violence by changing behaviours and attitudes and mobilizing communities. A Request for Proposals process for Giving Voice will commence in November 2018 whereby \$400,000 over two years will be allocated to support new projects.
- MOU Regarding the Development of an Indigenous Justice Strategy - In September 2017, this MOU was signed to develop an Indigenous Justice Strategy which will include a focus on addressing violence against Indigenous people, especially women and girls.
- Moose Hide Campaign – In 2018, the Province committed \$2 million (over 4 years) to support the Moose Hide Campaign, a grassroots movement of Indigenous and non-Indigenous men and boys who are standing up against violence towards women and children. As part of the Province's ongoing commitment to ending violence, in 2018 the BC Public Service co-sponsored and participated in the Moose Hide Campaign Annual Provincial Gathering and Day of Fasting.
- Indigenous Communities and Industrial Camps – The Province has established a cross-ministry working group which includes Indigenous community representatives (including a representative from MACIW, Lake Babine and Nak'azdli Whut'en) to undertake engagement and develop a provincial action plan to address the social impacts of industrial work camps on Indigenous women and communities.

## BULLETS

**MEETING DATE:** November 29 OR 30, 2018

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

**REGARDING:** 2018 First Nations Leaders' Gathering 1:1 Meeting: Haisla Nation

### SUMMARY:

- Haisla Nation would like to discuss training programs and college property.

#### Training Programs:

- Government invests approximately \$97 million annually in industry training through the Industry Training Authority (ITA). ITA also receives about \$10 million under the Workforce Development Agreement to deliver training for equity seeking groups.
- Over 4,000 Indigenous people participated in pre-apprenticeship and apprenticeship training since 2008 through the Workforce Development Agreement (and its predecessors),
- Haisla Nation has received \$858K since 2015/16 through the Indigenous Skills Training Development Fund to deliver a range of training programs (e.g. trades, academic upgrading, business and early childhood education training) for Haisla community members.
- The Ministry of Advanced Education, Skills and Training (AEST) is undertaking an alignment analysis of its Indigenous skills training programs to ensure programs are meeting the needs of Indigenous peoples.

#### College Property:

- Coast Mountain College (CMTN) has a campus in Kitimat that it is looking to sell.
- CMTN has engaged in discussions with Haisla about a potential sale; however, due to complications with the discussions, CMTN requested approval to sell the property on the open market, which requires AEST Ministerial approval. s.13,s.16
- Haisla has raised the CMNT property as part of their Liquefied Natural Gas (LNG) negotiations and was looking for MIRR negotiators to include it in their LNG Agreement. s.13,s.16

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### KEY MESSAGES:

- Recommendations from AEST's alignment analysis will help to inform future Indigenous skills training programs and initiatives, and the Province is committed to working with Indigenous partners, the ITA, and training providers to increase opportunities for Indigenous learners in trades training.
- Regarding the CMTN property, we encourage you to continue your conversations with AEST; AEST is doing its due diligence on the request to transfer the CMTN campus in Kitimat to the Haisla Nation.



**PREPARED BY:**

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## BULLETS

**MEETING DATE:** November 29 OR 30, 2018 (choose one)

**PREPARED FOR:** Honourable Scott Fraser, Minister of Indigenous Relations

**REGARDING:** 2018 First Nations Leaders' Gathering 1:1 Meeting: CSTC and Provincial approval process for "Pathways Forward Agreement 2.0"

### SUMMARY:

- Carrier Sekani Tribal Council is coordinating negotiations with BC on behalf of seven First Nations: Nadleh Whut'en First Nation; Nak'azdli Band; Saik'uz First Nation; Stelat'en First Nation; Takla Lake First Nation; Tl'azt'en Nation; and Ts'il Kaz Koh (Burns Lake Indian Band).
- s.12,s.13

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### KEY MESSAGES:

- s.12,s.13

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### PREPARED BY:

Cory Waters, Chief Negotiator  
Negotiations and Regional Operations Division  
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## BULLETS

**MEETING DATE:** November 29 OR 30, 2018

**PREPARED FOR:** Trish Balcaen, Assistant Deputy Minister

**REGARDING:** 2018 First Nations Leaders' Gathering 1:1 Meeting: Little Shuswap Lake Indian Band (LSLIB): *'Regional G2G; Scott Creek; Horseshoe Bay Marine Park; Sun Peaks'*

### SUMMARY:

- Little Shuswap Lake Indian Band (LSLIB) is located near Chase, B.C. and are part of the Secwépemc Nation; they are one (1) of the total seventeen (17) Secwépemc Bands who live in the Thompson River Valley.
- s.16
- MIRR, FLNRORD and MOTI are also supporting LSLIB's community-specific interests, outside of the broader Secwépemc G2G table.
- LSLIB presented MIRR and FLNRORD a work-plan in July 2018 containing a list of priority project interests, including a sockeye hatchery, back road to Sun Peaks, and water & sewage infrastructure around Shuswap Lake that would serve both LSLIB and non-indigenous residents in the area.
- FLNRORD supported LSLIB in submitting an application for rural dividend funding intended to advance feasibility work on the proposed water & sewage infrastructure near Scott Creek.
- s.16
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- LSLIB are also interested in further protecting Horseshoe Bay Marine Park on Little Shuswap Lake, and seeking dialogue with BC Parks regarding partnership opportunities in protecting this culturally sensitive site.

**KEY MESSAGES:**

- I recognize the important of working together as partners to advance community-specific priorities with Little Shuswap Lake, and appreciate that there are various levels of leadership within the Secwépemc governance structure.
- I understand there are been positive conversations started between Little Shuswap and provincial ministry staff in MIRR and FLNRORD, where we're developing a joint work plan to drive opportunities forward.
- There are many exciting opportunities that Little Shuswap Lake is looking to advance, from stewardship to economic development, many of which will benefit the broader region.
- I encourage you to continue to work with regional ministry staff in the Thompson Okanagan region to advance work plan priorities.

**PREPARED BY:**

Rick Stoudt, Project Leader  
Thompson/Okanagan  
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## BULLETS

**DATE:** November 15, 2018

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

**REGARDING:** Indigenous Relations and Reconciliation update for Green Caucus Monthly Meeting

### SUMMARY:

#### Gaming:

- The Province will announce an agreement between B.C. and the First Nations Leadership Council (FNLC) to establish a new First Nations Gaming Limited Partnership, to be managed by and for First Nations, that will oversee the sharing of a portion of provincial net gaming revenue to all First Nations across the Province.
- The funding may be used by First Nations for prescribed community purposes:
  - health and wellness; infrastructure, safety, transportation, and housing; economic and business development; education, language, culture and training; community development and environmental protection; and capacity building, fiscal management, and governance.
- All funds must be directed to the approved community purposes – direct distribution of gaming revenue to individuals will not be permitted.

#### British Columbia Tripartite Education Agreement:

- The British Columbia Tripartite Education Agreement (BCTEA) is a new five-year agreement, expiring July 2023, intended to initiate further system changes to improve outcomes for students living on reserve no matter what school type they choose. BCTEA is the only agreement of its kind in Canada, where federal, provincial, and First Nations governments collaborate to improve outcomes for First Nations learners. The parties to the Agreement are the BC Ministry of Education (EDUC), the federal Department of Indigenous Services Canada and the First Nations Education Steering Committee (see Attachment 1 for BCTEA Fact Sheet).
- BCTEA carries forward B.C.'s commitments made in the 2012–2018 Tripartite Education Framework Agreement (TEFA), such as consulting with First Nations on potential changes to the provincial education system.
- B.C.'s additional commitments in BCTEA include the following:
  1. creating a special grant (federal funds) and mandating school districts to work on transportation plans for First Nation students living on reserve to access BC public schools;
  2. empowering interested First Nations to introduce a template local education agreement (LEA) in the absence of a unique one negotiated with the school district; and
  3. dispatching district response teams to support school districts struggling with First Nations student success.
- The BCTEA implementation oversight committee had its first quarterly meeting on October 29, 2018, and the tripartite working group has begun developing implementation materials, such as a standard format for incoming transportation plans and the template LEA. An outstanding task is a formal signing; the tentative date for that event is January 25, 2019.
- While BCTEA allows for approximately \$100 million of federal funds to flow annually to the First Nations school system, and more than \$85 million annually to EDUC and school districts for serving students living on reserve, the agreement is most exceptional for its collaborative nature.

- BCTEA aligns with BC's commitment to the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), the Truth and Reconciliation Commission's calls to action, and the Draft Principles that Guide the Province of British Columbia's Relationship with Indigenous Peoples.

#### School Curriculum and UNDRIP:

- The B.C. government is committed to the UN Declaration on the Rights of Indigenous Peoples (the UN Declaration), which has been adopted by 148 nations, including the federal government of Canada.
- Our focus is on a new relationship with all Indigenous peoples built on partnership and respect.
- Every minister's mandate letter includes a requirement to fully adopt and implement the UN Declaration and to move forward on the calls to action from the Truth and Reconciliation Commission.
- The rights in the UN Declaration include rights to self-determination, to be free from discrimination, to have access to education, healthcare and equitable social and economic outcomes.
- Implementation of the UN Declaration will create stronger partnerships between First Nations, our government, the federal government and industry.
- Four UNDRIP articles make specific reference to education.
- Three of them, 14.1 to 14.3, relate primarily to Indigenous peoples having access to, and a voice in, an education that is that is free of racism and/or rooted in Indigenous culture and language.
- One of them, 15.1, relates to how Indigenous peoples are portrayed in curriculum.
- In collaboration with Indigenous partners and teachers, and guided by Indigenous principles of learning, BC recently embedded Indigenous perspectives and content in all subject areas and grade levels, and that includes the history of residential schools (see Attachment 2 for examples).
- Additionally, EDUC is undertaking initiatives that address the four education-related articles of UNDRIP (see Attachment 3 for examples).

#### **KEY MESSAGES:**

- The Gaming Revenue Sharing fund will ensure that First Nation communities – like all governments – can benefit from stable sources of revenue, which supports self determination.
- This model of sharing provincial gaming revenues with First Nations communities is an important step toward supporting Indigenous self-determination whereby First Nations can allocate funds to initiatives and services they deem most appropriate and most likely to improve the wellbeing of families in their community.
- This renewed approach to revenue sharing is part of this government's commitment to create a new fiscal relationship with First Nations that supports Indigenous self-determination.
- We are bringing British Columbia in line with Alberta, Saskatchewan, Manitoba, Ontario, and New Brunswick, which already share gaming revenue with First Nations.
- BCTEA aligns with BC's commitment to UNDRIP, the Truth and Reconciliation Commission's calls to action, and the Draft Principles that Guide the Province of British Columbia's Relationship with Indigenous Peoples.
- BCTEA is the only agreement of its kind in Canada, where federal, provincial, and First Nations governments collaborate to improve outcomes for First Nations learners and is most exceptional for its collaborative nature.
- The parties to the BCTEA are EDUC, the federal Department of Indigenous Services Canada and the First Nations Education Steering Committee.

- BCTEA allows for approximately \$100 million of federal funds to flow annually to the First Nations school system, and more than \$85 million annually to EDUC and school districts for serving students living on reserve.
- Four UNDRIP articles make specific reference to education. In alignment with this, BC recently embedded Indigenous perspectives and content in all subject areas and grade levels, including the history of residential schools.
- Additionally, EDUC is undertaking a number of initiatives that address the four education-related articles of UNDRIP.

**PREPARED BY:**

Sarah Barnes, Sr. Fiscal Advisor  
Fiscal Branch  
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## Attachment 1: BCTEA Fact Sheet

### BRITISH COLUMBIA TRIPARTITE EDUCATION AGREEMENT

updated August 1, 2018

#### Description:

- The British Columbia Tripartite Education Agreement (BCTEA) carries forward BC's commitments made in the 2012–2018 Tripartite Education Framework Agreement.
- BC's additional BCTEA commitments include the following:
  1. Creating a special grant (federal funds) and mandating transportation for First Nation students living on reserve to access BC public schools;
  2. Empowering interested First Nations to introduce a template local education agreement (LEA) in the absence of a unique one negotiated with the school district; and
  3. Dispatching district response teams to support districts struggling with First Nations student success.
- BCTEA is for five years, expiring July 2023.
- BCTEA is intended to initiate further system changes that will improve outcomes for First Nation students living on reserve no matter what school type they choose.

#### Funding:

- With BCTEA, Canada funds on-reserve schools annually:
  - \$90M to First Nation schools; and
  - \$10M to FNESC for second- and third-level services.

#### Delivery Partners:

1. (a) The First Nations Education Steering Committee
- (b) The First Nations Schools Association
2. Department of Indigenous Services Canada

#### Key Facts:

- BCTEA aligns with BC's commitment to the United Nations Declaration on the Rights of Indigenous Peoples, the Truth and Reconciliation Commission's calls to action, and the Draft Principles that Guide the Province of British Columbia's Relationship with Indigenous Peoples.
- BCTEA is the only funding agreement of its kind in Canada, where federal, provincial, and First Nations governments collaborate to improve outcomes for First Nations learners.

#### Expected Outcomes (Short Term):

- Accreditation process for First Nations to award the Adult Dogwood school graduation certificate to students on reserve in schools or learning centres not under BC's jurisdiction.
- Harmonization of government-to-government-to-government administrative processes to reduce errors and ensure accurate First Nations student funding.
- Creation of a First Nations student data committee to find strategies for providing individual First Nations and FNESC access to student-level data.
- Publication of a February Count in the *How Are We Doing* report.

#### Statistics:

- More than 13,000 school-age First Nation students live on reserves in BC, and they are the funding responsibility of the federal government.
- Almost 5,000 of these students stay and study in band-operated First Nation schools.
- More than 8,000 commute to off-reserve schools, making up a portion of the 70,487 (2017/18) students that self-identified as Aboriginal.

#### Completion Rates:

- BC's six-year completion rate for public schools in 2016/17 is as follows:
  - 85.9% for non-Aboriginal students;
  - 66.2% for all Aboriginal students; and,
  - 57.3% for First Nation students living on reserve.

#### Services to Ministry:

- Through BCTEA, Canada will provide \$4M in federal funding for non-status students living on reserve choosing BC public schools.
- This is in addition to reimbursing the Province, in the absence of an LEA, for services provided by public schools to Status First Nation students living on reserve.

#### Agreements:

- New Relationship document;
- Transformative Change Accord or "Kelowna Accord"; and
- Education Jurisdiction Framework Agreement.

Contact: Ted Cadwallader, Provincial Director, Aboriginal Education, Learning Division, 250-888-7739

## Attachment 2: Indigenous Perspectives in Curriculum — How it is Embedded

- The Ministry of Education recognizes that the inclusion of First Nations, Metis, and Inuit histories, cultures, languages, worldviews and perspectives into curriculum promotes understanding of Indigenous peoples in BC among all students, leads to enlightened discussion of Indigenous matters, and gives Indigenous students a greater sense of place and belonging.
- In a recent redesign of BC's curriculum, all grade levels and all subjects were benefited from increased inclusion of Indigenous histories, cultures, languages, worldviews and perspectives.
- Below are examples of how this could look in BC classrooms.
  - The Science Kindergarten Curriculum links to traditional ecological knowledge, which could be explored by inviting a guest from a local First Nation to take students berry picking, make jam, and give the jam away in a traditional gift-giving ceremony.
  - The English Language Arts Grade 5 Curriculum links to the oral tradition, which could be explored by seeking permission from a local First Nation to share a First Peoples story that relates to respect, asking students to re-tell the story to a classmate, discussing the messages, and finding ways to share those messages throughout the school.
  - The Mathematics Grade 9 Curriculum links to mathematical concepts illustrated in First Peoples traditional design, which could be explored by developing a diagram and a scale model of a traditional circle dwelling, applying knowledge of circles, polygons, and surface area.
- BC has provided support for teachers to embed Indigenous worldviews and perspectives, from producing instructional samples and a teacher guide, to designating a non-instructional day for teachers to focus on Indigenous education.
- Indigenous partner groups and educators were part of each curriculum revision team, and all revisions were informed by the First Peoples Principles of Learning.
- The recent revision of all curriculum complements earlier efforts, including the development of Indigenous content-focused courses: English First Peoples 10, 11, 12 and BC First Nations Studies 12.
- This work reflects BC's commitment to the United Nations Declaration on the Rights of Indigenous Peoples, the Truth and Reconciliation Commission of Canada's calls to action, and now the Draft Principles that Guide the Province of British Columbia's Relationship with Indigenous Peoples.

### Attachment 3: Ministry of Education Initiatives that Address UNDRIP Articles

UNDRIP	Example Initiatives in the Ministry of Education
<b>Article 14.1</b> Indigenous peoples have the right to establish and control their educational systems and institutions providing education in their own languages, in a manner appropriate to their cultural methods of teaching and learning.	<p>The British Columbia Tripartite Education Agreement (BCTEA) provides First Nation schools with federal funding comparable to what the Province provides public schools, and the Province pays reciprocal tuition to First Nations serving eligible students in schools on reserve.</p> <p>Purist of the Education Jurisdiction Framework Agreement has substantially advanced the principle of First Nations control of First Nations education.</p>
<b>Article 14.2</b> Indigenous individuals, particularly children, have the right to all levels and forms of education of the State without discrimination.	The Ministry accepted and acted on all 11 Auditor General recommendations from 2015. For example, BC lead the development of an equity scanning tool for school districts to identify and address obstacles to Indigenous student success with the goal of creating learning environments free of racism.
<b>Article 14.3</b> States shall, in conjunction with indigenous peoples, take effective measures, in order for indigenous individuals, particularly children, including those living outside their communities, to have access, when possible, to an education in their own culture and provided in their own language.	<p>The Ministry of Education invests approximately \$74 million annually, over \$1,200 per student who self-identifies Aboriginal ancestry, in additional and targeted funding for enhanced Aboriginal language and culture programs.</p> <p>The Ministry continues to support partnerships between school districts and Indigenous communities developing curriculum documents for Indigenous languages.</p>
<b>Article 15.1</b> Indigenous peoples have the right to the dignity and diversity of their cultures, traditions, histories and aspirations which shall be appropriately reflected in education and public information.	<p>BC recently embedded Indigenous perspectives and content in all subject areas and grade levels, including addressing the history of residential schools.</p> <p>All teachers graduating from BC teacher education programs, as of September 2012, must complete three credits related to the historical context of First Nations, Inuit, and Métis learners. In BCTEA, the Ministry committed to ensuring at least one non-instructional day each year is focused on Indigenous education.</p> <p>Again, the Ministry of Education invests approximately \$74 million annually, over \$1,200 per student who self-identifies Aboriginal ancestry, in additional and targeted funding for enhanced Aboriginal language and culture programs.</p>

## BULLETS

**MEETING DATE:** November 29 OR 30, 2018 (choose one)

**PREPARED FOR:** Honourable John Horgan, Premier

**REGARDING:** 2018 First Nations Leaders' Gathering 1:1 Meeting: Lax Kw'alaams

### SUMMARY:

- The Province and Lax Kw'alaams have made significant progress in our relationship over the past several years, largely based on the negotiation of benefits arrangement related to proposed LNG development. s.16  
s.16
- The cancellation of LNG projects in the Prince Rupert area has resulted in a largely inoperable LNG benefits agreement and Lax Kw'alaams is seeking to revise the agreement to allow the realisation of benefits, including cash and land ownership.  
  
• s.12,s.13,s.16
- MIRR and EMPR staff are exploring a broader engagement approach for Lax Kw'alaams, s.16

### KEY MESSAGES:

- Regarding Nasoga Gulf transaction with the Nisga'a, it is important that we find economic and social opportunities for all communities on the north coast, including Lax Kw'alaams. We will continue to explore those opportunities with you.
- I am hopeful that our current work together on specific issues or projects will create a basis for a more comprehensive vision of opportunities for reconciliation between us.

### PREPARED BY:

Robert Leece, Senior Negotiator  
NROD  
(250) 889-4123

## BRIEFING NOTE FOR DECISION

**DATE:** December 24, 2018

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

**ISSUE:** Gitxsan Nation (Gitxsan) has requested confirmation of the previous Minister's commitment regarding resolution of the Kitselas First Nation (Kitselas) and Kitsumkalum First Nation (Kitsumkalum) treaty lands overlap with Gitxsan, and funding to participate in consultation with the Province.

**RECOMMENDED OPTION:** Confirm the Province's commitment to ongoing consultation with Gitxsan

### BACKGROUND:

Kitselas and Kitsumkalum are in Stage 5 of the BC Treaty Process: Negotiation to Finalize a Treaty. The Agreements in Principle (AIPs) were signed in July, 2015. Kitselas and Kitsumkalum AIP lands overlapped with three Gitxsan Wilps within the Gitwangak watershed – now represented by the Simigiget'm Gitwangak Society (SGS). In addition to the overlap of AIP lands, Kitselas and Kitsumkalum's treaty rights areas also overlap with the Gitxsan territory.

s.16

s.16

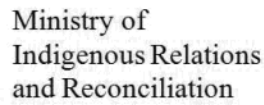
Gitxsan, Kitselas and Kitsumkalum all hold strong beliefs regarding their history and claims to the areas in question. s.14

s.14

Despite federal and provincial consultation, Gitxsan remains opposed to any treaty lands or treaty rights for Kitselas and Kitsumkalum in their territory. s.16 MIRR's former Minister committed in a July 2015 letter to requiring a satisfactory resolution to the overlap before considering transferring the lands in dispute or concluding Final Agreements with Kitselas or Kitsumkalum. Similar statements were made in letters to Kitselas and Kitsumkalum in July 2015, prior to signing their AIPs.

During an overlap consultation meeting on May 30, 2018, SGS requested confirmation that the commitment made by Minister Rustad in the July 2015 letter will be upheld. A request for funding to





**DISCUSSION:**

s.13,s.16

s.13,s.14,s.16

s.13,s.16

**Option #1: Confirm the Province's commitment to ongoing consultation with Gitxsan, independent of the previous Minister's commitment (draft letter attached).**

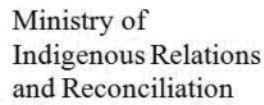
s.14,s.16

s.14,s.16

**Option#2: Recommit to the previous minister's statements to Gitxsan.**

s.13,s.16

s.13,s.16



- Draft letter from Minister Scott Fraser to Simgiget'm Gitwangak Society
- July 2015 Letter from Minister Rustad to the Office of the Gitxsan Hereditary Chiefs
- Gitxsan, Kitselas and Kitsumkalum Treaty Settlement Land and Harvest Area Overlap Map
- Gitxsan and Kitselas Treaty Settlement Land Overlap Map
- Gitxsan and Kitsumkalum Treaty Settlement Land Overlap Map

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## BRIEFING NOTE FOR INFORMATION

**DATE:** November 22, 2018

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

**MEETING:** Principals' Meeting and Signing of Principals' Accord on December 1, 2018

**ISSUE:** Providing direction on actions to transform and reinvigorate the BC treaty negotiations process

### SUMMARY:

- Provide recommended response (synopsis) if questioned on this subject; three to five bullets.
- Always spell out abbreviations in the first instance, and then use the acronym: First Nations Health Council (FNHC).
- This section should be in bold.

### BACKGROUND:

Principals are meeting to provide direction on actions to

### DISCUSSION:

This is in paragraph form.

What could be? This key section of the briefing note emphasizes critical analysis without duplicating facts in the background section.

Outline why this issue is important and present professional judgement, policy and program implications.

Identify who is affected / consulted by the issue, referencing his/her input and identify the timeframe.

Outline what is being done to deal with the issue and discuss potential need for ministry decision. Note any additional information attached (i.e. previous briefing note, appendices, website address etc).

Attachments/Appendices (if applicable)

### PREPARED BY:

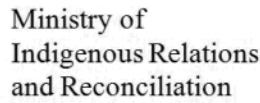
Barbara Miles, Manager, Governance and Government Relations  
Strategic Policy Branch  
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### REVIEWED BY:

First Name Last Name, Title  
Division  
First Name Last Name, Title  
Division

### INITIALS:

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**ISSUE:** Funding Proposal for Remote Electrification in Indigenous Communities

**RECOMMENDED OPTION:**

- **Provide \$175,000 to support an Indigenous Innovation Lab in BC.**

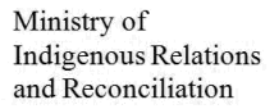
**BACKGROUND:**

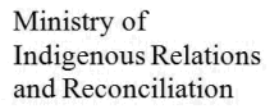
Raven Capital Partners (RCP) is a national Indigenous financial intermediary which develops products and services in partnership with Indigenous enterprises to provide access to capital, technical assistance, and private & government partnerships with the objective of strengthening Indigenous participation in the economy.

s.21

**DISCUSSION:**

s.12,s.13,s.21





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