

BULLETS

DATE: July 5, 2019

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

REGARDING: s.16

SUMMARY:

- s.16
 - Two facilitated visioning sessions were held in spring 2019;
 - A confidential and without prejudice 'Reconciliation Vision Plan' is currently being finalized and includes a 'Vision', 'Values', 'Mission', as well as 'Bold Steps' and 'What Success Looks Like.'; and

s.16

- Scoping for a potential mandate request related to title negotiations are ongoing in summer 2019, s.16
s.16
- Gitanyow proposals will be considered in relation to shared provincial priorities and likelihood of incremental and manageable progress.
- s.13;s.16

KEY MESSAGES:

- BC is committed to incremental progress on visioning priorities; some work has already started including establishing a social wellbeing working group, while other progress requires collaborating on a new mandate request.
- Collaborative scoping discussions are in early stages and more agreement on direction is required prior to formally seeking a mandate.
- BC negotiation team is continuing to meet with Gitanyow throughout the summer and fall.

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BULLETS

DATE: June 26, 2019

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

REGARDING: Signing of the K'omoks Treaty Revitalization Agreement (Agreement)

SUMMARY:

- Canada and K'omoks signed the Agreement on June 25th, 2019 on the understanding that British Columbia would sign it at a later date; Minister Fraser was unable to attend the signing due to scheduling conflicts.
- The purpose of the Agreement is to:
 - revitalize the treaty negotiations in order to achieve a negotiated understanding of the treaty within 2 years; and
 - establish a new approach to K'omoks Treaty negotiations, including restructuring the treaty to include only core or essential elements and relying more heavily on appendices or operational agreements to address operational issues.
- The Agreement reflects the approach also being taken at the Ktunaxa and Metlakatla treaty tables to explore a core treaty model.
- Of key importance to K'omoks is to have Canada's commitment to develop the core treaty concept prior to the federal election as K'omoks and its Chief Negotiator, Mark Stevenson, are strong advocates of the approach.
- The Agreement was approved by the Focused Agreement Board and is consistent the Area Based Approach and BC's approach to treaty revitalization.
- s.12;s.13

KEY MESSAGES:

- Signing the Agreement will demonstrate BC's commitment to transform the treaty process, build both trust between the parties and momentum to finalize a treaty.

PREPARED BY:

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BULLETS

DATE: July 29, 2019

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

REGARDING: With Celeste Haldene, BC Treaty Commission, 2018 Annual Report

SUMMARY:

- The BC Treaty Commission's work encompasses three main roles across a broad range of activities: facilitating negotiations; allocating negotiation support funding to First Nations, and educating the public about treaty negotiations
- The Commission's 2018 Annual Report provides an overview of treaty negotiations and treaty-related policy work advanced in 2018. This includes the federal government's commitment to loan forgiveness and negotiation support funding, the transition from Stage 4 to Stage 5, and core treaties.
- Chief Commissioner Haldene references ten treaty negotiation tables in advanced stages and that these negotiations can be concluded within government's first term. s.13;s.16
- s.12;s.13;s.16
- The Tripartite Treaty Negotiation Policy will support the negotiation of treaties by bringing the negotiations in line with UNDRIP and a rights recognition approach.
- The process of treaty-making, which is overseen by the BCTC, should be reviewed along with the content of treaties. The BCTC should take a leadership role in thinking through this approach.

KEY MESSAGES:

- Treaties form a key part of how we implement UNDRIP and reconciliation.
- We are focussed on trying to get to achieve key deliverables where they are achievable, such as with Kitselas/Kitsumkalum, Te'mexw and Ktunaxa – and to advance new and innovative approaches.
- We are moving the Tripartite Treaty Negotiation Policy through approvals by all Parties, and I'm confident we will land this important work. It has been critical for us that we find the right balance and ensure the policy lands well such that it does not create or further division amongst First Nations.
- We are committed to meeting Nations whether they are, regardless of the reconciliation process they choose to pursue.

- Overlaps and shared territories are an important issue that impact treaty and non-treaty nations alike, and we need concerted effort to work towards resolving this issue.
- I would encourage the BCTC to consider how they might evolve their process, and how they work, to support treaty transformation.
- I am aware of the significance of long term forest tenure to several advanced treaty tables and Minister Donaldson and I are working to find solutions to this issue.

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PREPARED BY:

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BULLETS

DATE: June 25, 2019

PREPARED FOR: Minister Scott Fraser, Indigenous Relations and Reconciliation

REGARDING: June 26, 2019 meeting with T̓silhqot'in Chiefs Russell Myers Ross and Francis Laceese regarding BC commitment to *Tripartite Transformative Change Agreement* negotiations with T̓silhqot'in Nation and Canada

SUMMARY:

Transformative Change Agreement

- The Province, Canada and the T̓silhqot'in Nation Government (TNG) will complete a tripartite *Transformative Change Agreement (TCA)* that advances commitments in the provincial *Nenqay Deni Accord* and the federal *Pathway* letter shortly following June 26th, the five year anniversary of the *T̓silhqot'in* Supreme Court of Canada decision.
- s.13; s.16
- **Since 2015, the Province has contributed more than \$48M to TNG, spanning natural resources, social, and economic sectors.** Approximately \$5.66M/yr is provided through the *Nenqay Deni Accord*. s.12; s.13; s.16
s.12;s.13;s.16
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s.12;s.13;s.16

New Prosperity Mine

- On June 13th the TNG's application for leave to appeal to the Supreme Court of Canada a lower court decision upholding the validity of a Mines Act Permit authorizing a drilling program in the Fish Lake area was dismissed.
 - Taseko Mines has started moving equipment into the project site, and building access routes and staging areas. They intend to begin their drilling program commencing sometime after July 2nd.
 - TNG has indicated that it will continue to protest/resist the authorized drilling program
- s.16

Key Messages:

Transformative Change Agreement

- I recognize the significant effort that went into the negotiation of the tripartite Transformative Change Agreement.
 - I also recognize the significant pressure that exists to make visible progress in regard to management of the declared title lands.
 - We are pleased that Canada has now come to the table. Bringing the Tâsilhqot'in Nation, Canada and Province together has been a long term goal and is an important next step in the reconciliation process. The tripartite approach will help us address the pressures for change in the title lands.
- s.12; s.13; s.16

s.12; s.13; s.16

New Prosperity Mine

- I recognize the impact and stress associated with the recent Supreme Court decision regarding Taseko's proposed work program.

s.13

- Taseko does not have a Canadian Environmental Assessment Agency certificate, and the major mine project cannot be built without this federal approval.
- During these difficult times communication is critical and we need to talk directly and often.

APPENDIX 1: Provincial Funding Commitments Summary -s.16

APPENDIX 2: TNG Elections Calendar

Appendix 1: Summary of Provincial Funding Commitments -s.16

Current Commitments					
Agreement	FY 18/19	FY 19/20	FY 20/21	Rationale for Request	Funding Source
<i>Nenqay Deni Accord (RA)</i>	\$3M	\$3M	\$3M	Years 4 and 5 of Accord – transition to TCA	MIRR base budget
<i>TNG Stewardship Agreement</i>	\$660k	\$660K	\$660K	Ongoing operational agreement	MIRR base budget
<i>Economic Development Opportunity</i>	\$400k	\$400k	\$400k	Ongoing – in lieu of ECDA	MIRR base budget
<i>Forestry revenue share</i>	\$1.6M	\$1.6M	\$1.6M	Ongoing – in lieu of FCRSA	MIRR base budget - FCRSA
				Total	\$5.66M annually \$22.64M to date, since FY 2016/2017

s.13; s.16

s.13;s.16

<i>FLNRORD Forest Tenure Opportunity Agreement (FTOA)</i>	400,000m3 total			FTOA was signed in 2019, to deliver 400,000 cubic meters as committed in the Accord; tenure is in progress.	FLNR Tenures Branch
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s.13; s.16

<i>Rural Dividends Funding – Road Maintenance certification</i>	\$281,107			TRAN – ISO Certification and Proposal Assistance, highway maintenance	One-time payment. Bid unsuccessful.
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s.13; s.16

s.13;s.16

Funding Source	FY 14/15	FY 15/16	FY 16/17	FY 17/18	FY 18/19	FY 19/20	Purpose
<i>First Peoples Cultural Council Funding</i>		\$47,492	\$60,588	\$120,512.27	\$214,109.11		Language nest; B.C. Language Initiative; Aboriginal Language Initiative; Mentor-Apprentice Program

s.13; s.16



Ministry of
Indigenous Relations
and Reconciliation

CLIFF: 47684

s.13;s.16

APPENDIX 2: TNG Elections Calendar

ʔEsdilagh First Nation (Alexandria)	<i>Chief Victor Stump</i>	In: 12/15/2016 Out: 7/30/2020
Tl'etinqox Government (Anaham)	<i>Chief Joe Alphonse</i>	In: 02/23/2019 Out: 02/22/2020
T̓s̓ideldel First Nation (Alexis Creek)	<i>Chief Otis Guichon</i>	In: 01/10/2018 Out: 01/09/2020
Xeni Gwet'in First Nations Government (Nemiah)	<i>Chief Jimmy Lulua</i>	In: 02/28/2018 Out: 02/28/2023
Yunesit'in Government (Stone)	<i>Chief Russell Myers Ross</i>	In: 07/22/2016 Out: 07/21/2020
Tl'esqox (Toosey)	<i>Chief Francis Laceese</i>	In: 08/08/2018 Out: 07/07/2020

BULLETS

DATE: June 13, 2019

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

REGARDING: Meeting with We Wai Kai Chief Brian Assu to sign Incremental Treaty Agreement

SUMMARY:

- Incremental Treaty Agreement approved by Treasury Board April 29 will see the transfer of 3,070 ha of provincial Crown lands within the BC Timbers Sales chart area in two phases, subject to the completion of transition processes identified by line agencies.
- Forestry operation on the transferred lands will deliver significant economic benefit to We Wai Kai and provides the nation with a key asset in its forestry portfolio. s.16
s.16
- The Incremental Treaty Agreement together with recently signed Commitment Agreement will allow for innovative ways for We Wai Kai and the Province to move toward reconciliation including through negotiation of a Government to Government Agreement with elements that may include:
 - co-managing the implementation of the Incremental Treaty Agreement;
 - s.16
 - leveraging advanced Geographic Information Systems technology to inform water allocation discussions, especially in light of climate change.

KEY MESSAGES:

- Very much appreciate the innovative, principled approach We Wai Kai brings to collaborating with the Province and encourage We Wai Kai to continue this exciting work.
- Chief Assu – I hear from my team that you are a remarkable leader and that you and your team are great to work with.
- My staff will continue to work with you as we move toward reconciliation rooted strongly in the spirit and intent of UNDRIP
- I look forward to receiving regular updates on the progress being made.

PREPARED BY:

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