

Ministry of Indigenous Relations and Reconciliation

July 2020 – 20/21 Estimates

Budget and Ministry Key Documents (Prepared by CSNR/GCPE)

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MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION

2020 Budget Highlights

Ministry Budget

- MIRR's 2020/21 budget is \$96.672M. **This represents a (\$11.109M) or 10.3% decrease from the previous year.** The net budget decrease is comprised of:
 - o (\$1.039M) net decrease in the Ministry Operations Vote;
 - o (\$10.287M) net decrease in government transfers under the Treaty and Other Agreements Vote;
 - o (\$0.095M) decrease in government transfers under the First Citizen Fund;
 - o \$0.312M increase in government transfer payments under the First Nations Clean Energy Business Fund.
- This budget will continue to allow MIRR to effectively deliver its mandate.
 - o The (\$1.039M) net decrease in the Ministry Operations Vote is made up of:
 - (\$1.671M) decrease due to Expenditure Management;
 - \$0.632M increase for Sustainable Services Negotiated Mandate wage increases and benefit chargeback adjustments
 - o (\$10.287M) net decrease in the Treaty and Other Agreements vote to match funded agreement costs.
 - o The First Citizen Fund decrease of (\$0.095M) is primarily due to decreasing investment fund revenues.
 - o The First Nations Clean Energy Business Fund net expenditure increase of \$0.312M is because the forecast for how much money will be returned to the Fund through land and water rents associated with power projects has increased as projects come on-line.

| \$ millions | 2019/20 | \$Change | 2019/20 Restated | 2020/21 | \$ Change | % Change |
|---|---------|----------|---------------------|---------|-----------|----------|
| Vote 32 - Ministry Operations | 48,163 | - | 48,163 | 47,124 | (1,039) | (2.2%) |
| Vote 33 - Treaty & Other Agreements Funding | 49,729 | - | 49,729 | 39,442 | (10,287) | (20.7%) |
| Sub-Total | 97,892 | - | 97,892 | 86,566 | (11,326) | (11.6%) |
| First Citizens Fund | 2,000 | - | 2,000 | 1,905 | (95) | (4.8%) |
| First Nations Clean Energy Business Fund | 7,889 | - | 7,889 | 8,201 | 312 | 4.0% |
| Total | 107,781 | - | 107,781 | 96,672 | (11,109) | (10.3%) |



Ministry of
Indigenous Relations
and Reconciliation

Budget 2020

Ministry of Indigenous Relations and Reconciliation

Minister Briefing
February 2020



Ministry Budget 2019/20 – 2022/23

000's of \$

| | 2019/20 | 2020/21 | 2021/22 | 2022/23 |
|--|------------------|------------------|------------------|------------------|
| Ministry Operations – VOTE 33 | | | | |
| Negotiations and Regional Operations Division | 13,438 | 13,254 | 13,462 | 13,462 |
| Strategic Partnerships and Initiatives Division | 23,377 | 22,830 | 23,019 | 23,019 |
| Reconciliation Transformation and Strategies | 1,952 | 1,974 | 2,007 | 2,007 |
| Executive and Support Services | 9,396 | 9,066 | 8,971 | 8,971 |
| Total Ministry Operations | \$48,163 | \$47,124 | \$47,459 | \$47,459 |
| Treaty and Other Agreements Funding – VOTE 33 | 49,729 | 39,442 | 50,744 | 50,752 |
| First Citizens Fund Special Account | 2,000 | 1,905 | 1,807 | 1,807 |
| First Nations Clean Energy Business Fund Special Account | 7,889 | 8,201 | 7,808 | 7,773 |
| Total Ministry Budget | \$107,781 | \$96,672 | \$107,818 | \$107,791 |
| <u>Operations Budget Changes from Budget 2019</u> | | | | |
| Expenditure Management | | (\$1,671) | (\$1,671) | (\$1,671) |
| Negotiated Wage Increases/benefits | | \$632 | \$1,087 | \$1,087 |
| <i>Prior Year Approval:</i> | | | | |
| Transforming First Nations Consultation Info. System(TFNCI) | | \$0 | (\$120) | (\$120) |
| Total Operations Changes | | (\$1,039) | (\$704) | (\$704) |
| Percent Change to Operations from Budget 2019 | | -2% | -1% | -1% |
| Treaty and Other Agreements Changes | | (\$10,287) | \$1,015 | \$1,023 |
| Percent Change to Treaty & Other from Budget 2019 | | -21% | 2% | 2% |

Budget 2020 Highlights

- Expenditure management decrease \$1.671M per year (3.5%) over the fiscal plan
- Increase to fund negotiated wages and benefit charge backs
- One year reduction in Treaty and Other Agreements (Vote 33) to match funded agreement costs
- Other Financing Transactions:
 - One year funding for planned pre-treaty land purchases
 - Gaming Revenue Sharing payments starting 2021/22

Questions ?

MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION

Budget 2020 Estimates Summary

| By Core Business | | | | | | | | | | | | |
|---|----------------------|----------------------------------|-----------------------|---------------------------|--------------------------------|--|------------------------|---|------------------------------|----------------------|---------------------------------|----------------------|
| \$000s | | | | | | | | | | | | |
| | | | Budget 2020 Decisions | | | Budget 2020 and Prior Year Decisions for Out Years | | | | | | |
| | Estimates 2019/20 | Restated Estimates 2019/20 | Salary & Benefits | Expenditure Management | Spending Plan Adjustment | Estimates 2020/21 | Salaries & Benefits | Transforming First Nation Consultation Information | Spending Plan Adjustments | 2021/22 Estimates | Spending Plan Adjustments | 2022/23 Estimates |
| Ministry Operations | | | | | | | | | | | | |
| Negotiations and Regional Operations | 13,438 | 13,438 | 291 | (475) | | 13,254 | 208 | | | 13,462 | - | 13,462 |
| Strategic Partnership and Initiatives | 23,377 | 23,377 | 260 | (807) | | 22,830 | 189 | | | 23,019 | - | 23,019 |
| Reconciliation, Transformation and Strategies | 1,952 | 1,952 | 47 | (25) | | 1,974 | 33 | | | 2,007 | - | 2,007 |
| Minister's Office | 684 | 684 | - | - | | 684 | - | | | 684 | - | 684 |
| Executive and Support Services | 8,712 | 8,712 | 34 | (364) | | 8,382 | 25 | (120) | | 8,287 | - | 8,287 |
| Sub-Total | 48,163 | 48,163 | 632 | (1,671) | - | 47,124 | 455 | (120) | - | 47,459 | - | 47,459 |
| Treaty and Other Agreements | | | | | | | | | | | | |
| Treaty and Other Agreements Funding | 3,688 | 3,688 | | | (26) | 3,662 | | | 52 | 3,714 | 58 | 3,772 |
| Non Treaty Funding | 46,041 | 46,041 | | | (10,261) | 35,780 | | | 11,250 | 47,030 | (50) | 46,980 |
| Sub-Total | 49,729 | 49,729 | - | - | (10,287) | 39,442 | - | - | 11,302 | 50,744 | 8 | 50,752 |
| First Citizens Fund | 2,000 | 2,000 | | | (95) | 1,905 | | | (98) | 1,807 | | 1,807 |
| First Nations Clean Energy Business Fund | 7,889 | 7,889 | | - | 312 | 8,201 | | - | (393) | 7,808 | (35) | 7,773 |
| TOTAL MINISTRY | 107,781 | 107,781 | 632 | (1,671) | (10,070) | 96,672 | 455 | (120) | 10,811 | 107,818 | (27) | 107,791 |

Restated Estimates 2019-20:

No reallocations between Divisions

Budget 2020 Decisions:

Salary and Benefits represent negotiated wage increases in collective agreements under the Sustainable Service Negotiated Mandate and benefits charge back adjustments

The ministry was given a \$1.671M **expenditure management** reduction. In alignment with government and ministry priorities, we focused on protecting staff and the delivery of core services with minimal disruption to stakeholders. As such, we targeted primarily operational expenses such as travel, contract expenditures, information technology, office and business expenses and other somewhat discretionary expenditures.

First Citizen Fund annual **spending plan adjustment** based on projected increases/decreases in investment fund revenues; First Nations Clean Energy Fund annual **Spending Plan Adjustment** based on the forecast for how much money will be returned to the Fund through land and water rents associated with power projects and the Treaty and Other Agreements annual **Spending Plan Adjustments** are to fund the ministry to match agreement costs with the ability to go to Treasury Board throughout the year if needed.

Budget 2020 and Prior Year Decisions for Out Years

Ministry of Indigenous Relations and Reconciliation

2020/21 – 2022/23 SERVICE PLAN

February 2020



Minister Accountability Statement



The *Ministry of Indigenous Relations and Reconciliation 2020/21 - 2022/23 Service Plan* was prepared under my direction in accordance with the *Budget Transparency and Accountability Act*. I am accountable for the basis on which the plan has been prepared.

A handwritten signature in black ink, appearing to be 'S. Fraser', written in a cursive style.

Honourable Scott Fraser
Minister of Indigenous Relations and Reconciliation
February 5, 2020

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Purpose of the Ministry

The Ministry of Indigenous Relations and Reconciliation (the Ministry) guides and calibrates the Province of British Columbia's efforts to achieve true and lasting reconciliation with Indigenous peoples¹. The Truth and Reconciliation Commission (TRC) of Canada: Calls to Action confirms the United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration) as the framework for reconciliation in Canada.

British Columbia is the first province in Canada to recognize Indigenous peoples' human rights in B.C. law and to put the UN Declaration into action through the Declaration on the Rights of Indigenous Peoples Act. This historic law sets a process to align provincial laws with the UN Declaration, provides new direction around shared decision making, and allows flexibility for the Province to enter into agreements with a broad range of Indigenous governments. The Ministry of Indigenous Relations and Reconciliation leads these efforts in consultation and cooperation with Indigenous peoples and working closely with other organizations across government.

The Ministry will achieve its reconciliation commitments in a transformative and collaborative manner. Strengthening relationships with Indigenous communities and leveraging Indigenous knowledge and perspectives improves social and economic outcomes for Indigenous peoples and all British Columbians.

The Ministry furthers reconciliation with Indigenous peoples in B.C. by collaboratively developing related policy and practices, and negotiating and implementing agreements, partnerships, and treaties. The Ministry's focus is to build lasting relationships with Indigenous peoples, working toward flexible agreements that can evolve over time, and developing collaborative approaches to policy making. This results in better engagement with Indigenous communities, treaty partners and federal and municipal governments.

The Ministry engages with Indigenous governments, communities², organizations, federal, municipal and treaty partners, stakeholders and the public. While reconciliation is a whole-of-government responsibility, the Ministry provides guidance and leadership to other areas of government on establishing and enhancing relationships with Indigenous peoples.

The Ministry is also responsible for the Minister's Advisory Council on Indigenous Women, which provides advice to government on how to improve the quality of life for Indigenous women in B.C., and the First Peoples' Cultural Council (FPCC), a provincial Crown corporation formed by the Government of British Columbia in 1990 to administer the First Peoples' Heritage, Language and Culture Program.

¹ The term "Indigenous" used throughout this document is intended to be inclusive of all peoples of Indigenous ancestry, including First Nations (status and non-status), Métis and Inuit.

² The term "communities" means the diversity of Indigenous communities as defined by Indigenous peoples and includes descriptions such as urban, rural, metropolitan, land-based and reserve.

Strategic Direction

The Government of British Columbia remains focused on its three strategic priorities: making life more affordable, delivering better services, and investing in a sustainable economy.

Ministries are actively working to provide quality, cost-effective services to British Columbia families and businesses. By adopting the Gender-Based Analysis Plus (GBA+) lens and Business and Economic Implications Framework to budgeting and policy development, Ministries will ensure that equity is reflected in budgets, policies and programs.

Additional key initiatives underpinning lasting prosperity in 2020/21 and beyond are the implementation of:

- A Framework for Improving British Columbians' Standard of Living which will provide the foundation for quality economic growth in our province and a pathway to a more inclusive and prosperous society,
- The *Declaration on the Rights of Indigenous Peoples Act* and the Truth and Reconciliation Commission Calls to Action, demonstrating support for true and lasting reconciliation, and
- The CleanBC plan, putting B.C. on the path to a cleaner, better future – with a low carbon economy that creates opportunities while protecting our clean air, land and water.

This 2020/21 service plan outlines how the Ministry of Indigenous Relations and Reconciliation will support the government's priorities, including selected action items identified in the July 2017 Minister's Mandate Letter. Over the previous fiscal year, the Ministry of Indigenous Relations and Reconciliation made progress on these priorities by:

- Enshrining the human rights of Indigenous peoples in provincial law and establishing the United Nations Declaration on the Rights of Indigenous Peoples as the framework for reconciliation in British Columbia through the *Declaration on the Rights of Indigenous Peoples Act*.
- Transferring approximately \$195-million in provincial gaming revenue to the B.C. First Nations Gaming Revenue Sharing Limited Partnership, representing the first two years of stable, long-term funding for First Nations communities in B.C. to support community priorities through increased governance capacity and strengthened program and service delivery.
- Partnering with Indigenous leadership and the federal government to develop the Recognition and Reconciliation of Rights Policy for Treaty Negotiations in British Columbia to renew treaty-making in B.C., with a focus on lasting government-to-government relationships that recognize the inherent rights of Indigenous peoples and can grow and change over time.
- Coordinating the cross-government implementation of the Draft Principles that Guide the Province of British Columbia's Relationship with Indigenous Peoples.
- In partnership with the First Nations Leadership Council, co-hosting British Columbia's largest-ever gathering of provincial and First Nations leaders at the 2019 B.C. Cabinet and First Nations Leaders' Gathering.
- Supporting the Ministry of Public Safety and Solicitor General in delivering engagements with Indigenous leadership and communities to inform strategies and initiatives that address systemic causes of violence against Indigenous women and girls in B.C.
- Allocating \$385,000 to fund urban Indigenous reconciliation projects, including providing the Union of British Columbia Municipalities with \$110,000 to fund the Urban Communities Partnering for Reconciliation initiative.

- Establishing an agreement with the B.C. Assembly of First Nations to provide \$2.24-million to support the Sustainable Economic Development and Fiscal Relations Strategy to move forward on initiatives that focus on: economic reconciliation and governance, engagement and collaboration with the Province and industry, tools and data for that support First Nations business leaders, and the development of a First Nations economic development secretariat.

The following performance plan outlines how the Ministry of Indigenous Relations and Reconciliation will continue to track progress on key mandate letter commitments and other emerging government priorities.

Performance Planning

Goal 1: Advance equitable social and economic outcomes of Indigenous peoples.

The Ministry is committed to advancing social and economic outcomes in Indigenous communities in comprehensive and holistic ways that are determined by and organized around each community's goals and requirements.

Objective 1.1: Partner on shared initiatives that improve the quality of life of Indigenous peoples.

Key Strategies:

- Continue to collaborate with and support other ministries and partners to improve the health and wellness of Indigenous communities through initiatives that address social and economic factors.
- Work with Indigenous communities around the province to support delivery of culturally appropriate services and programs, including the protection and revitalization of Indigenous cultures and languages.
- Share the benefits of economic development with Indigenous communities and increase opportunities for the participation of Indigenous peoples in the economy.
- Partner with the BC Assembly of First Nations and Métis Nation BC to promote Indigenous-led economic development opportunities.
- Support the Ministry of Public Safety and Solicitor General to engage with Indigenous communities and leadership, including the development of strategies and initiatives that respond to the The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls and address systemic causes of violence against Indigenous women and girls in B.C.

| Performance Measure | 2018/19 Baseline | 2019/20 Forecast | 2020/21 Target | 2021/22 Target | 2022/23 Target |
|---|---------------------|---------------------|-------------------|-------------------|-------------------|
| 1.1 Cumulative number of community ¹ well-being initiatives ² | 12 | 16 | 20 | 24 | 30 |

¹The term *community* is inclusive of all First Nations, Métis and urban Indigenous communities

²Data Source: Ministry of Indigenous Relations and Reconciliation

Linking Performance Measure to Objective:

Community well-being initiatives are community-based, socio-cultural reconciliation processes where Indigenous communities and the B.C. government work in partnership to identify priorities and implementation measures to advance self-determining, thriving Indigenous communities. These partnership models take a comprehensive, holistic approach to investments in Indigenous communities to integrate social and economic priorities.

Objective 1.2: Support Indigenous communities in advancing self-determination and governance building.

Key Strategies:

- Partner with First Nations on opportunities for revenue sharing.
- Support capacity development in Indigenous governments and organizations, including Indigenous public services.
- Support an increased role of Indigenous communities and organizations in delivering services to Indigenous peoples.
- Collaborate with, align and leverage associated opportunities with the federal government.
- Work with the Ministries of Environment and Climate Change Strategy; Jobs, Economic Development and Competitiveness; and Energy, Mines and Petroleum Resources to support CleanBC objectives, including collaborating with Indigenous communities and businesses to identify and implement new clean economy opportunities and to help Indigenous communities adapt to the impacts of climate change.

| Performance Measure(s) | 2018/19 Baseline | 2019/20 Forecast | 2020/21 Target | 2021/22 Target | 2022/23 Target |
|--|---------------------|---------------------|-------------------|-------------------|-------------------|
| 1.2 Number of new opportunities ¹ for First Nations to participate in revenue sharing. ² | 11* | 9 | 4 | 4 | 4 |

¹This includes new revenue-sharing opportunities negotiated into particular agreements.

²Data Source: Ministry of Indigenous Relations and Reconciliation

*Actuals have increased over reported values in the 2018/19 Annual Service Plan Report as the measure retroactively includes revenue sharing agreements established through the First Nations Clean Energy Business Fund during the reported period.

Linking Performance Measure to Objective:

Sharing revenue with First Nations communities is an important reconciliation tool that supports implementation of the UN Declaration and the self-determined pursuit of economic, social, and community development. Like all governments, First Nations require sources of revenue to support capacity and service delivery. First Nations sharing in the wealth generated by economic opportunities supports economic growth and positive outcomes in their communities and for all British Columbians.

Goal 2: Work in partnership to achieve true and lasting reconciliation with Indigenous peoples.

True and lasting reconciliation is a cross-government priority and requires collaboration with ministry partners, and transparent engagement with all British Columbians. The Ministry is committed to establishing partnerships and forums that enable meaningful participation of all those seeking to understand and advance reconciliation.

Objective 2.1: Implement the United Nations Declaration on the Rights of Indigenous Peoples, the Truth and Reconciliation Commission of Canada's Calls to Action, and the Tsilhqot'in Supreme Court decision.

Key Strategies:

- Work in partnership with Indigenous peoples to jointly develop an Action Plan that establishes a framework for reconciliation and to achieve the objectives of the UN Declaration, including alignment with provincial law and policy.
- Support government ministries and agencies to integrate reconciliation into their operations, including cross-government implementation of the Draft Principles that Guide the Province of British Columbia's Relationship with Indigenous Peoples.
- Support and engage the public, key partners and other stakeholders to build understanding and partnerships that advance reconciliation.
- Pursue opportunities to align with the federal government.

| Performance Measure | 2019/20 Baseline | 2020/21 Target |
|---|---------------------|-------------------|
| 2.1 Delivery of planning commitments and reporting obligations related to the <i>Declaration Act</i> ¹ | - | 1 |

¹Data Source: Ministry of Indigenous Relations and Reconciliation

Linking Performance Measure to Objective:

The development of an action plan in consultation and cooperation with Indigenous peoples and regular reporting will provide a transparent and accountable path forward on reconciliation in the province. Through the development of this action plan, clear objectives and associated outcomes will be jointly identified to indicate progress made towards reconciliation.

Objective 2.2: Negotiate and implement treaties and other constructive agreements with Indigenous peoples.

Key Strategies:

- Implement the Recognition and Reconciliation of Rights Policy for Treaty Negotiations in British Columbia to enable new and innovative approaches to developing treaties, agreements and other constructive arrangements that are based on the recognition and continuation of Indigenous rights and title.
- In partnership with First Nations, transform the treaty process so it respects new case law and the UN Declaration, and take deliberate and measured steps that support incremental approaches to treaty-making.
- Collaborate with the federal government and other orders of government to pursue new approaches and models that support the co-existence and exercise of the jurisdiction of Indigenous governments.
- Work the Ministry of Forests, Lands, Natural Resource Operations and Rural Development to modernize land-use planning and sustainably manage B.C.'s ecosystems, rivers, watersheds, forests and old growth.
- Make space for new approaches to negotiations and associated dispute resolution to incorporate Indigenous models of interaction and resolution.

| Performance Measure | 2018/19 Baseline | 2019/20 Forecast | 2020/21 Target | 2021/22 Target | 2022/23 Target |
|---|---------------------|---------------------|-------------------|-------------------|-------------------|
| 2.2 Number of agreements demonstrating transformed approach to treaty-making and other constructive arrangements ¹ | 5 | 7 | 9 | 11 | 13 |

¹Data Source: Ministry of Indigenous Relations and Reconciliation

Linking Performance Measure to Objective:

A transformed approach to treaty-making includes incremental agreements that support the negotiated reconciliation of Aboriginal rights and title interests, whether inside or outside the formal BC Treaty Commission Process. These agreements include: final agreement, agreement-in-principle, incremental treaty agreement, core treaty agreement, Stage 5 agreement or other constructive arrangements that seek to reconcile Aboriginal rights and title interests.

Objective 2.3: Increase British Columbians' understanding of reconciliation through transparent and cooperative engagement.

Key Strategies:

- Advance transparent and meaningful engagements with local governments, stakeholders, key partners and the public to increase awareness and knowledge of reconciliation in British Columbia.
- Conduct research to establish replicable baseline awareness measurements surrounding reconciliation among British Columbians.
- Work in partnership with First Nations and others to develop a comprehensive, multi-year plan to increase awareness and knowledge of reconciliation.

| Performance Measure | 2020/21 Baseline | 2021/22 Target | 2022/23 Target |
|--|---------------------|-------------------|-------------------|
| 2.3 Percentage increase over baseline awareness of reconciliation among British Columbians | - | 3% | 5% |

¹Data Source: Ministry of Indigenous Relations and Reconciliation

Linking Performance Measure to Objective:

The Ministry is working to establish quantifiable measures that identify the level of awareness surrounding reconciliation among British Columbians. These measures will assist the government and reconciliation partners to increase overall awareness through addressing any gaps identified. This increased awareness will, in turn, support ongoing work by all partners to build a shared understanding and support efforts towards achieving lasting reconciliation with Indigenous peoples in the province.

Resource Summary

| Core Business Area | 2019/20 Restated Budget ¹ | 2020/21 Estimate | 2021/22 Plan | 2022/23 Plan |
|--|--|---------------------|-----------------|-----------------|
| Operating Expenses (\$000) | | | | |
| Negotiations & Regional Operations Division | 13,438 | 13,254 | 13,462 | 13,462 |
| Strategic Partnerships & Initiatives Division | 23,377 | 22,830 | 23,019 | 23,019 |
| Reconciliation Transformation & Strategies Division | 1,952 | 1,974 | 2,007 | 2,007 |
| Executive & Support Services | 9,396 | 9,066 | 8,971 | 8,971 |
| Treaty & Other Agreements Funding | 49,729 | 39,442 | 50,744 | 50,752 |
| First Citizens Fund | 2,000 | 1,905 | 1,807 | 1,807 |
| First Nations Clean Energy Business Fund | 7,889 | 8,201 | 7,808 | 7,773 |
| Total | 107,781 | 96,672 | 107,818 | 107,791 |
| Ministry Capital Expenditures (Consolidated Revenue Fund) (\$000) | | | | |
| Executive & Support Services | 3,901 | 1 | 1 | 1 |
| Total | 3,901 | 1 | 1 | 1 |
| Other Financing Transactions (\$000) | | | | |
| Treaty & Other Agreements Receipts | 0,000 | 0,000 | (95,550) | (98,140) |
| Treaty & Other Agreements Disbursements | 0,000 | 15,000 | 95,550 | 98,140 |
| Net Cash Requirement (Source) | 0,000 | 15,000 | 0,000 | 0,000 |
| Total Receipts | 0,000 | 0,000 | (95,550) | (98,140) |
| Total Disbursements | 0,000 | 15,000 | 95,550 | 98,140 |
| Total Net Cash Requirement (Source) | 0,000 | 15,000 | 0,000 | 0,000 |

¹ For comparative purposes, amounts shown for 2019/20 have been restated to be consistent with the presentation of the 2020/21 Estimates.

* Further information on program funding and vote recoveries is available in the [Estimates and Supplement to the Estimates](#).

Appendix A: Agencies, Boards, Commissions and Tribunals

BC Treaty Commission

The BC Treaty Commission is an independent body responsible for facilitating treaty negotiations among First Nations and the governments of Canada and British Columbia.

First Peoples' Cultural Council

The First Peoples' Cultural Council is a First Nation-run Crown corporation that supports the revitalization of Indigenous languages, arts, culture and heritage in British Columbia.

Haida Gwaii Management Council

The Haida Gwaii Management Council (HGMC) is a strategic-level joint decision-making body for land and natural resource decisions on Haida Gwaii, as set out in the Kunst'aa guu – Kunst'aayah Reconciliation Protocol.

Minister's Advisory Council on Indigenous Women

The Minister's Advisory Council on Indigenous Women provides advice to the Government of British Columbia on how to improve the quality of life of Indigenous women across B.C.

MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION

The mission of the Ministry of Indigenous Relations and Reconciliation is to guide the Province of British Columbia's efforts towards true, lasting reconciliation with Indigenous peoples in British Columbia. The ministry works towards reconciliation with First Nations, Métis, and Inuit peoples through the implementation of the United Nations Declaration on the Rights of Indigenous Peoples, and treaties, agreements, partnerships, and other social and economic initiatives.

MINISTRY SUMMARY

(\$000)

| | Estimates 2019/20 ¹ | Estimates 2020/21 |
|---|-----------------------------------|----------------------|
| VOTED APPROPRIATIONS | | |
| Vote 32 — Ministry Operations..... | 48,163 | 47,124 |
| Vote 33 — Treaty and Other Agreements Funding..... | 49,729 | 39,442 |
| STATUTORY APPROPRIATIONS | | |
| First Citizens Fund Special Account..... | 2,000 | 1,905 |
| First Nations Clean Energy Business Fund Special Account..... | 7,889 | 8,201 |
| OPERATING EXPENSES | <u>107,781</u> | <u>96,672</u> |
| CAPITAL EXPENDITURES ² | 3,901 | 1 |
| LOANS, INVESTMENTS AND OTHER REQUIREMENTS ³ | — | 15,000 |
| REVENUE COLLECTED FOR, AND TRANSFERRED TO, OTHER ENTITIES ⁴ | — | — |

NOTES

¹ For comparative purposes, figures shown for the 2019/20 operating expenses; capital expenditures; loans, investments and other requirements; and revenue collected for, and transferred to, other entities are restated to be consistent with the presentation of the 2020/21 Estimates. A reconciliation of restated operating expenses and capital expenditures resulting from transfers between ministries is presented in Schedule A.

² A listing of estimated capital expenditures by ministry is presented in Schedule C.

³ A summary of loans, investments and other requirements by ministry is presented in Schedule D.

⁴ A summary of revenue collected for, and transferred to, other entities by ministry is presented in Schedule E.

MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION

SUMMARY BY CORE BUSINESS

(\$000)

| | 2019/20 | 2020/21 ESTIMATES | | |
|---|----------------------|----------------------|-----------------------------|---------------|
| OPERATING EXPENSES | Net | Gross | External Recoveries | Net |
| Core Business | | | | |
| Negotiations and Regional Operations Division..... | 13,438 | 13,256 | (2) | 13,254 |
| Strategic Partnerships and Initiatives Division..... | 23,377 | 23,232 | (402) | 22,830 |
| Reconciliation Transformation and Strategies Division..... | 1,952 | 1,976 | (2) | 1,974 |
| Executive and Support Services..... | 9,396 | 9,068 | (2) | 9,066 |
| Treaty and Other Agreements Funding..... | 49,729 | 120,574 | (81,132) | 39,442 |
| First Citizens Fund Special Account..... | 2,000 | 1,905 | — | 1,905 |
| First Nations Clean Energy Business Fund Special Account..... | 7,889 | 8,203 | (2) | 8,201 |
| TOTAL OPERATING EXPENSES | 107,781 | 178,214 | (81,542) | 96,672 |
| CAPITAL EXPENDITURES | Capital Expenditures | Capital Expenditures | Receipts and P3 Liabilities | Net |
| Core Business | | | | |
| Executive and Support Services..... | 3,901 | 1 | — | 1 |
| TOTAL | 3,901 | 1 | — | 1 |
| LOANS, INVESTMENTS AND OTHER REQUIREMENTS | Net | Disbursements | Receipts | Net |
| Core Business | | | | |
| Treaty and Other Agreements Funding..... | — | 15,000 | — | 15,000 |
| TOTAL LOANS, INVESTMENTS AND OTHER REQUIREMENTS | — | 15,000 | — | 15,000 |

MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION

VOTE DESCRIPTIONS

(\$000)

Estimates
2019/20

Estimates
2020/21

VOTE 32 — MINISTRY OPERATIONS

This vote provides for the programs, operations, and other activities described in the voted appropriations under the following core businesses: Negotiations and Regional Operations Division, Strategic Partnerships and Initiatives Division, Reconciliation Transformation and Strategies Division, and Executive and Support Services.

NEGOTIATIONS AND REGIONAL OPERATIONS DIVISION

Voted Appropriation

| | | |
|--|--------|---------------|
| Negotiations and Regional Operations Division..... | 13,438 | <u>13,254</u> |
|--|--------|---------------|

Voted Appropriation Description: This sub-vote provides for the participation in the negotiation of treaties, incremental treaty agreements, revenue-sharing agreements, reconciliation agreements and other agreements with First Nations, Indigenous peoples and organizations, and the federal government. In addition, this sub-vote will support negotiation of emerging policy directives that strive to achieve rights, recognition, and reconciliation outcomes. It also provides for the negotiation of agreements with the federal government to cost share treaties and other arrangements with First Nations. This sub-vote also provides for cross-government coordination of engagements with First Nations and Indigenous peoples, including development of government-to-government resource management protocols, cross-government coordination of First Nations and Indigenous peoples consultation and accommodation, and treaty implementation and treaty-related measures. This sub-vote also provides for the operation of Victoria-based and regional offices that execute negotiations, implementation, operations, and relationship management approaches. Regional offices support agencies across government at the regional level to coordinate engagements with First Nations and Indigenous peoples, including providing day-to-day advice on relationships with First Nations and Indigenous peoples, negotiation mandate development, negotiation leadership and support, and implementation to ensure that provincial government obligations are met. Costs may be recovered from ministries, other entities within government, and parties external to government for activities described within this sub-vote.

STRATEGIC PARTNERSHIPS AND INITIATIVES DIVISION

Voted Appropriation

| | | |
|--|--------|---------------|
| Strategic Partnerships and Initiatives Division..... | 23,377 | <u>22,830</u> |
|--|--------|---------------|

Voted Appropriation Description: This sub-vote provides for the support and enhancement of the government's approach to reconciliation with First Nations and Indigenous peoples through negotiations both inside and outside the treaty process considered strategically important to furthering the socio-cultural and socio-economic priorities of government, including revenue sharing and shared decision making, supporting Indigenous self-government, and by liaising with key Indigenous business groups and organizations. This sub-vote also supports community support and emergency management; provides for implementation of agreements with the federal government to cost share treaties and other arrangements with First Nations; provides for all activities supporting the closing and bringing into effect of agreements with First Nations, including the development of legislation, the closing and implementation of agreements under the British Columbia Treaty Commission process, including land transfers; supports other agencies across government to implement treaties and other agreements and ensure provincial obligations within the treaty and other agreements are addressed; and facilitates engagement and negotiation among First Nations, Indigenous communities and organizations, provincial ministries, and key stakeholders with the aim of accommodating First Nation and Indigenous interests and promoting collaboration and coordination on Indigenous issues across sectors and orders of government. This sub-vote also provides for initiatives to close the socio-economic gaps between Indigenous peoples and other British Columbians, including the identification of opportunities, removal of barriers, the cross-ministry coordination of resources and services provided to Indigenous peoples, and support for data development and reporting out on progress. This sub-vote also provides for leadership in fiscal and socio-cultural/socio-economic policy development, relationship building, cultural initiatives, community development and innovation, support to Indigenous leadership and advisory bodies, and for administration of the First Citizens Fund, the First Nations Clean Energy Business Fund special account, and related transfers. Costs may be recovered from ministries, other entities within government, and parties external to government for activities described within this sub-vote.

MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION

VOTE DESCRIPTIONS

(\$000)

| | Estimates 2019/20 | Estimates 2020/21 |
|---|----------------------|----------------------|
| RECONCILIATION TRANSFORMATION AND STRATEGIES DIVISION | | |
| Voted Appropriation | | |
| Reconciliation Transformation and Strategies Division..... | 1,952 | 1,974 |
| <p>Voted Appropriation Description: This sub-vote provides for work across government to guide the adoption of the United Nations Declaration on the Rights of Indigenous Peoples, the Truth and Reconciliation Commission of Canada: Calls to Action, and supports the implementation of the Tsilhqot'in Supreme Court Decision and learnings from other relevant case law. This sub-vote provides for the identification and pursuit of key cross-ministry and cross-government linkages to support alignment and collaboration, including the development of education, tools, and resources for the public service and external engagement approaches. This sub-vote also provides for the implementation of the <i>Declaration on the Rights of Indigenous Peoples Act</i>, and provides for the engagement processes towards, and the development of, the government's reconciliation vision and to lead the necessary transformation associated with this vision, including policy, program, and legislative priorities. This sub-vote also provides for the development of treaty and non-treaty-related governance mandates, including supporting treaty and non-treaty-related policy work; collaboration with the federal government and Indigenous governments and organizations; and working with internal and external partners and stakeholders to identify and help drive economic growth and opportunities. This sub-vote provides for development, cross-ministry coordination, implementation, and monitoring of Indigenous and external stakeholders and intergovernmental engagement. Costs may be recovered from ministries, other entities within government, and parties external to government for activities described within this sub-vote.</p> | | |
| EXECUTIVE AND SUPPORT SERVICES | | |
| Voted Appropriations | | |
| Minister's Office..... | 684 | 684 |
| Corporate Services..... | 8,712 | 8,382 |
| | 9,396 | 9,066 |
| VOTE 32 — MINISTRY OPERATIONS | 48,163 | 47,124 |

MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION

VOTE DESCRIPTIONS

(\$000)

| | Estimates 2019/20 | Estimates 2020/21 |
|--|----------------------|----------------------|
| VOTE 33 — TREATY AND OTHER AGREEMENTS FUNDING | | |
| This vote provides for the programs, operations, and other activities described in the voted appropriations under the following core business: Treaty and Other Agreements Funding. | | |
| TREATY AND OTHER AGREEMENTS FUNDING | | |
| Voted Appropriations | | |
| Treaty and Other Agreements Funding..... | 3,688 | 3,662 |
| Non Treaty Funding..... | 46,041 | 35,780 |
| | <u>49,729</u> | <u>39,442</u> |
| <p>Voted Appropriations Description: This sub-vote provides for transfers and costs to First Nations, Indigenous peoples and organizations, and third parties as a result of the settlement of treaties, incremental treaty agreements, economic benefit agreements, forest consultation and revenue-sharing agreements, and other agreements, including as a result of the federal/provincial agreement as specified under the <i>Fort Nelson Indian Reserve Minerals Revenue Sharing Act</i>. This sub-vote also provides for costs associated with acquisition, administration, and disposal of land and other assets as a result of the settlement of treaties, incremental treaties, and other agreements. Costs may be recovered from revenue received from stumpage, petroleum, natural gas, and minerals extraction or other sources. Costs may also be recovered from ministries, other entities within government, and parties external to government for transfers described within this sub-vote.</p> | | |
| VOTE 33 — TREATY AND OTHER AGREEMENTS FUNDING | 49,729 | 39,442 |

MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION

STATUTORY DESCRIPTIONS

(\$000)

Estimates
2019/20Estimates
2020/21

STATUTORY APPROPRIATIONS

These statutory appropriations provide for the programs, operations, and other activities of the following special accounts: First Citizens Fund and First Nations Clean Energy Business Fund.

FIRST CITIZENS FUND

Statutory Appropriation

| | | |
|--------------------------|-------|-------|
| First Citizens Fund..... | 2,000 | 1,905 |
|--------------------------|-------|-------|

Statutory Appropriation Description: This statutory appropriation provides for the First Citizens Fund which is governed under the *Special Accounts Appropriation and Control Act*.

FIRST NATIONS CLEAN ENERGY BUSINESS FUND

Statutory Appropriation

| | | |
|---|-------|-------|
| First Nations Clean Energy Business Fund special account..... | 7,889 | 8,201 |
|---|-------|-------|

Statutory Appropriation Description: This statutory appropriation provides for the First Nations Clean Energy Business Fund special account which is governed under the *Clean Energy Act*.

MINISTRY GROUP ACCOUNT CLASSIFICATION SUMMARY

GROUP ACCOUNT CLASSIFICATION

| | | |
|--------------------------------------|----------------|---------------|
| Salaries and Benefits | 26,125 | 26,757 |
| Operating Costs | 10,010 | 8,283 |
| Government Transfers | 331,612 | 140,755 |
| Other Expenses | 2,575 | 2,575 |
| Internal Recoveries | (156) | (156) |
| External Recoveries | (262,385) | (81,542) |
| TOTAL OPERATING EXPENSES..... | 107,781 | 96,672 |

MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION

SPECIAL ACCOUNTS¹

(\$000)

| | Estimates 2019/20 | Estimates 2020/21 |
|--|----------------------|----------------------|
| FIRST CITIZENS FUND | | |
| This account was originally created as a fund under the <i>Revenue Surplus Appropriation Act</i> in 1969, was continued under the <i>Funds Control Act</i> in 1979, and was changed to a special account under the <i>Special Accounts Appropriation and Control Act</i> in 1988. The endowment fund has a restricted balance of \$66.5 million which is not permitted to be spent. The account promotes the economic, educational, and cultural well-being of Indigenous peoples who are normally residents of British Columbia by providing financial assistance through loan guarantees and government transfers. Interest attributable to the account balance is credited to the account as revenue. Expenses consist of government transfers in support of cultural, educational, and economic opportunities, including student bursaries; heritage, language, and culture programs; Aboriginal friendship centre program delivery; and economic development programs. The account also provides funds for the administration costs of certain social and economic development programs. No financing transactions are provided for under this account. | | |
| SPENDING AUTHORITY AVAILABLE AT THE BEGINNING OF THE FISCAL YEAR ² | 881 | 881 |
| OPERATING TRANSACTIONS | | |
| Revenue..... | 2,000 | 1,905 |
| Expense..... | (2,000) | (1,905) |
| Net Revenue (Expense)..... | — | — |
| FINANCING TRANSACTIONS | | |
| Receipts..... | — | — |
| Disbursements..... | — | — |
| Capital Expenditures..... | — | — |
| Net Cash Source (Requirement)..... | — | — |
| PROJECTED SPENDING AUTHORITY AVAILABLE AT THE END OF THE FISCAL YEAR ² | 881 | 881 |

NOTES

¹ A Special Account is an account in the General Fund where the authorization to spend money from the account is located in an Act other than the *Supply Act*.

² The Spending Authority Available at the Beginning of the Fiscal Year 2019/20 is based on the 2018/19 *Public Accounts*. The Projected Spending Authority Available at the End of the Fiscal Year represents the cash and temporary investments projected to be available at the end of each fiscal year.

MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION

SPECIAL ACCOUNTS¹

(\$000)

| | Estimates 2019/20 | Estimates 2020/21 |
|--|----------------------|----------------------|
| FIRST NATIONS CLEAN ENERGY BUSINESS FUND SPECIAL ACCOUNT | | |
| This account was created as a fund under the <i>Clean Energy Act</i> in 2010. It provides for increased First Nations participation in clean energy power projects through sharing of revenue government receives from those projects or through facilitating the participation of First Nations in the clean energy sector, including supporting First Nation equity positions in those projects. The account also provides for administration costs of the account. Costs may be recovered from ministries, Crown agencies, other levels of government, and parties external to government for activities described within this account. | | |
| SPENDING AUTHORITY AVAILABLE AT THE BEGINNING OF THE FISCAL YEAR ²..... | 12,238 | 12,238 |
| OPERATING TRANSACTIONS | | |
| Revenue..... | 7,889 | 7,803 |
| Expense..... | (7,892) | (8,204) |
| Internal and External Recoveries..... | 3 | 3 |
| Net Revenue (Expense)..... | — | (398) |
| FINANCING TRANSACTIONS | | |
| Receipts..... | — | — |
| Disbursements..... | — | — |
| Capital Expenditures..... | — | — |
| Net Cash Source (Requirement)..... | — | — |
| PROJECTED SPENDING AUTHORITY AVAILABLE AT THE END OF THE FISCAL YEAR ²..... | 12,238 | 11,840 |

NOTES

¹ A Special Account is an account in the General Fund where the authorization to spend money from the account is located in an Act other than the *Supply Act*.

² The Spending Authority Available at the Beginning of the Fiscal Year 2019/20 is based on the 2018/19 *Public Accounts*. The Projected Spending Authority Available at the End of the Fiscal Year represents the cash and temporary investments projected to be available at the end of each fiscal year.

MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION

LOANS, INVESTMENTS AND OTHER REQUIREMENTS BY CORE BUSINESS

(\$000)

| | Estimates 2019/20 | Estimates 2020/21 |
|--|----------------------|----------------------|
| TREATY AND OTHER AGREEMENTS FUNDING | | |
| PRE-TREATY LAND TRANSFERS — Disbursements represent expenditures for acquisition, administration, and disposal of land and other assets as a result of the settlement of treaties, incremental treaties, and other agreements which are part of the treaty process. Negotiation and implementation costs are funded through the ministry's voted appropriations. | | |
| Disbursements..... | — | 15,000 |
| Receipts..... | — | — |
| Net Cash Requirement (Source)..... | — | 15,000 |

MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION

(\$000)

VOTE 32 Ministry Operations

| Description | Total 2019/20 Operating Expenses | 50 | 51 | 52 | 54 | Total Salaries and Benefits | 55 | 57 | 59 | 60 | 63 | 65 | 67 | 68 | 69 |
|--|---|---------------|-----------|--------------|-----------|-----------------------------------|-----------|--------------|--------------|--------------|------------|------------|----------|----------|----------|
| Negotiations and Regional Operations Division | 13,438 | 9,554 | 65 | 2,427 | — | 12,046 | — | 663 | — | 106 | 63 | 361 | — | — | — |
| Strategic Partnerships and Initiatives Division | 23,377 | 8,570 | — | 2,177 | — | 10,747 | — | 291 | — | 1,480 | 10 | 149 | — | — | — |
| Reconciliation Transformation and Strategies Division | 1,952 | 1,518 | — | 386 | — | 1,904 | — | 66 | — | 3 | 4 | — | — | — | — |
| Executive and Support Services | 9,396 | 1,464 | — | 392 | 54 | 1,910 | 35 | 107 | 2,819 | 300 | 337 | 381 | — | — | 1 |
| Minister's Office | 684 | 339 | — | 106 | 54 | 499 | — | 85 | — | — | — | 13 | — | — | — |
| Corporate Services | 8,712 | 1,125 | — | 286 | — | 1,411 | 35 | 22 | 2,819 | 300 | 337 | 368 | — | — | 1 |
| Total | 48,163 | 21,106 | 65 | 5,382 | 54 | 26,607 | 35 | 1,127 | 2,819 | 1,889 | 414 | 891 | — | — | 1 |

VOTE 33 Treaty and Other Agreements Funding

| Description | Total 2019/20 Operating Expenses | 50 | 51 | 52 | 54 | Total Salaries and Benefits | 55 | 57 | 59 | 60 | 63 | 65 | 67 | 68 | 69 |
|--|---|----------|----------|----------|----------|-----------------------------------|----------|----------|----------|----------|----------|----------|----------|----------|----------|
| Treaty and Other Agreements Funding | 49,729 | — | — | — | — | — | — | — | — | — | — | — | — | — | — |
| Treaty and Other Agreements Funding | 3,688 | — | — | — | — | — | — | — | — | — | — | — | — | — | — |
| Non Treaty Funding | 46,041 | — | — | — | — | — | — | — | — | — | — | — | — | — | — |
| Total | 49,729 | — | — | — | — | — | — | — | — | — | — | — | — | — | — |

Statutory Appropriations

| Description | Total 2019/20 Operating Expenses | 50 | 51 | 52 | 54 | Total Salaries and Benefits | 55 | 57 | 59 | 60 | 63 | 65 | 67 | 68 | 69 |
|---|---|------------|----------|-----------|----------|-----------------------------------|----------|----------|----------|----------|----------|----------|----------|----------|----------|
| First Citizens Fund | 2,000 | — | — | — | — | — | — | — | — | — | — | — | — | — | — |
| First Nations Clean Energy Business Fund special account | 7,889 | 120 | — | 30 | — | 150 | — | — | — | — | — | — | — | — | — |
| Total | 9,889 | 120 | — | 30 | — | 150 | — | — | — | — | — | — | — | — | — |

| 70 | 72 | 73 | 75 | Total Operating Costs | 77 | 79 | 80 | Total Govt Transfers | 81 | 83 | 85 | Total Other Expenses | 86 | 88 | Total Internal Recoveries | 89 | 90 | Total External Recoveries | Total 2020/21 Operating Expenses |
|----|----|-----|-----|-----------------------------|-----|-----|-------|----------------------------|----|----|-------|----------------------------|----|-------|---------------------------------|-----|-------|---------------------------------|---|
| — | — | — | 1 | 1,194 | — | — | — | — | — | — | 17 | 17 | — | (1) | (1) | (1) | (1) | (2) | 13,254 |
| — | — | — | — | 1,930 | 775 | 400 | 9,046 | 10,221 | — | — | 485 | 485 | — | (151) | (151) | (1) | (401) | (402) | 22,830 |
| — | — | — | — | 73 | — | — | — | — | — | — | — | — | — | (1) | (1) | (1) | (1) | (2) | 1,974 |
| — | — | 815 | 291 | 5,086 | — | — | — | — | — | — | 2,073 | 2,073 | — | (1) | (1) | (1) | (1) | (2) | 9,066 |
| — | — | — | — | 98 | — | — | — | — | — | — | 87 | 87 | — | — | — | — | — | — | 684 |
| — | — | 815 | 291 | 4,988 | — | — | — | — | — | — | 1,986 | 1,986 | — | (1) | (1) | (1) | (1) | (2) | 8,382 |
| — | — | 815 | 292 | 8,283 | 775 | 400 | 9,046 | 10,221 | — | — | 2,575 | 2,575 | — | (154) | (154) | (4) | (404) | (408) | 47,124 |

| 70 | 72 | 73 | 75 | Total Operating Costs | 77 | 79 | 80 | Total Govt Transfers | 81 | 83 | 85 | Total Other Expenses | 86 | 88 | Total Internal Recoveries | 89 | 90 | Total External Recoveries | Total 2020/21 Operating Expenses |
|----|----|----|----|-----------------------------|--------|----|--------|----------------------------|----|----|----|----------------------------|----|-----|---------------------------------|-----|----------|---------------------------------|---|
| — | — | — | — | — | 88,556 | — | 32,019 | 120,575 | — | — | — | — | — | (1) | (1) | (1) | (81,131) | (81,132) | 39,442 |
| — | — | — | — | — | — | — | 3,664 | 3,664 | — | — | — | — | — | (1) | (1) | (1) | — | (1) | 3,662 |
| — | — | — | — | — | 88,556 | — | 28,355 | 116,911 | — | — | — | — | — | — | — | — | (81,131) | (81,131) | 35,780 |
| — | — | — | — | — | 88,556 | — | 32,019 | 120,575 | — | — | — | — | — | (1) | (1) | (1) | (81,131) | (81,132) | 39,442 |

| 70 | 72 | 73 | 75 | Total Operating Costs | 77 | 79 | 80 | Total Govt Transfers | 81 | 83 | 85 | Total Other Expenses | 86 | 88 | Total Internal Recoveries | 89 | 90 | Total External Recoveries | Total 2020/21 Operating Expenses |
|----|----|----|----|-----------------------------|-------|----|-------|----------------------------|----|----|----|----------------------------|----|-----|---------------------------------|-----|-----|---------------------------------|---|
| — | — | — | — | — | — | — | 1,905 | 1,905 | — | — | — | — | — | — | — | — | — | — | 1,905 |
| — | — | — | — | — | 5,049 | — | 3,005 | 8,054 | — | — | — | — | — | (1) | (1) | (1) | (1) | (2) | 8,201 |
| — | — | — | — | — | 5,049 | — | 4,910 | 9,959 | — | — | — | — | — | (1) | (1) | (1) | (1) | (2) | 10,106 |

MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION

1. Meeting reconciliation mandate and expectations from Indigenous communities with limited/reduced resources

Question: How can the ministry reasonably meet mandate and reconciliation commitments, including implementation of the Declaration on the Rights of Indigenous Peoples Act, as well as increased expectations from Indigenous communities within current funding constraints and no budget lift for implementation of the Act?

Response:

- Advancing reconciliation is central to our government's mandate and we are committed to continuing to work in partnership with Indigenous peoples to make life better for everyone in B.C.

s.13

- Reconciliation with Indigenous peoples is a cross-government priority – every B.C. Cabinet minister shares this mandate.

• s.13

- Over the past two and a half years, we have taken action across government, in partnership with Indigenous peoples, to advance reconciliation and to support self-determination.
- Together with Indigenous peoples, we are working to build a more prosperous future, with revenue sharing, affordable housing on- and off-reserve, language revitalization keeping Indigenous children with their families and communities, and making sure all students in B.C. are taught about Indigenous culture and history.
- We are working collaboratively with First Nations on land-use planning and environmental stewardship, and incorporating traditional knowledge into resource decision-making.
- We are making innovative agreements with First Nations, like our recently signed agreement with shíshálh Nation, and taking new approaches to treaty-making that support self-government and self-determination, and recognize inherent rights.
- And we passed unanimously the Declaration on the Rights of Indigenous Peoples Act – legislation developed in collaboration with Indigenous partners.

2. Implementation of *Declaration on the Rights of Indigenous Peoples Act*

Question: The government has brought in the Declaration Act with no clear implementation plan. How does B.C. intend to implement the Act? How does the government reconcile government's commitments to the UN Declaration with what's happening with the Wet'suwet'en Hereditary Chiefs and Coastal Gas Link pipeline?

Response:

- The Declaration Act gives us a framework for reconciliation in B.C., creating clarity and predictability for all people in British Columbia.
- That is how we create opportunities for Indigenous peoples, businesses, communities and families everywhere.
- The Declaration Act is enabling legislation that mandates government to bring provincial laws into harmony with the UN Declaration.
- An action plan is being developed, in consultation and cooperation with Indigenous peoples, to give us the path forward for achieving the objectives of the UN Declaration.
- Implementation will happen incrementally, over time. It is generational work.
- Our commitment to this work builds on the important work we have been doing across government with Indigenous partners over the past two-and-a-half years.
- We have made significant progress already, and we'll continue to work together to build an even stronger, more inclusive and just B.C. that creates a better future for everyone.

On CGL pipeline & Wet'suwet'en hereditary leadership:

- The Declaration Act gives us a path forward on reconciliation with Indigenous peoples, but like any relationship, we may not always agree on everything.
- There will be times when we can't reach agreement, and the province will continue to make decisions in the public interest.
- The Province is expected to consult and cooperate in good faith, as called for in the UN Declaration, when considering decisions that may affect Indigenous peoples.
- B.C. conducted extensive consultations with Indigenous Nations and has signed agreements with the vast majority of Indigenous communities along the route.
- Coastal GasLink has shown they understand the importance of consultation and meaningful partnerships with Indigenous Nations, with 20 agreements with First Nations, representing all elected chiefs and councils along the route.
- The new legislation is forward looking, and the Province isn't contemplating revisiting past permits, approvals or other project-related decisions.
- The work to implement the Declaration is significant and ongoing and we are dedicated to working in partnership with Indigenous Peoples on it.

3. Gaming Revenue Sharing: Structure and Accountabilities

Question: How is gaming revenue being shared and used by First Nations?

Response:

- A commitment to share \$3 billion in revenue with First Nations over the next 25 years is supporting self-government and self-determination, strong, healthy communities and services that make life better for families.
- The provincial government transferred \$194.84 million to the newly formed B.C. First Nations Gaming Revenue Sharing Limited Partnership in August 2019, providing the first two years of shared gaming revenue committed to under Budget 2019.
- Amendments to the Gaming Control Act allow the Province and First Nations to finalize a long-term gaming agreement, expected to be completed soon.
- Like every government, First Nations need stable, predictable sources of revenue to fund their priorities – critical things for every government, such as infrastructure, services that build healthy communities and the staff to get it done.
- All First Nations communities in B.C. are eligible to become members in the limited partnership.
- Each First Nation that participates in the revenue sharing agreement can use the gaming revenue to support priorities for its community, such as enhanced social services, education, housing, infrastructure, cultural revitalization and self-government capacity.
- The revenue may be used in six areas that support governance, capacity building and strengthened program and service delivery:
 - 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.
- Direct distribution of gaming revenue to individuals is not permitted.

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| 18. | First Nations have criticized the ministry has been under-staffed and under-resourced. Does this budget address that? | 10 |
| 19. | Is government still committed to funding for First Nations related to LNG? Are you still negotiating LNG agreements with First Nations? | 10 |
| 20. | What was the Standing Offer Program (SOP) for First Nations? | 10 |
| 21. | How will First Nations now be involved in the future of clean-energy development? | 11 |
| 22. | How many other organizations does MIRR directly contribute funds to, and how much will be provided in 2020/2021? | 11 |
| 23. | How much of the budget is being spent on the treaty process? | 11 |

| | | |
|-----|---|----|
| 24. | What was the BC Treaty Commission budget last year? This year? | 12 |
| 25. | Is any funding received from the Federal government and if so, what for? | 12 |
| 26. | Were there any audits of MIRR programs? | 12 |
| 27. | How much was spent on Travel in the Ministry? How does this compare to last year? | 12 |
| 28. | How much was spent on travel by the Minister? How does this compare to last year? | 12 |
| 29. | How much did the Ministry receive to cover negotiated increases for included staff resulting from existing agreements? | 12 |
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| 31. | How many people work for MIRR and where are they located? | 13 |
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| 35. | What is the Minister's compensation? | 13 |
| 36. | How many staff are employed in the Minister's Office and what is the total salary budget? What are the salaries per position? | 14 |
| | Total salary budget is \$499,000. Salaries per position are: | 14 |
| 37. | What is the ministry's budget for contracts for the coming year? How does this compare to last year? | 14 |
| 38. | Contracts – Direct Awards | 14 |

1. The ministry's 2020/21 budget decreased by \$11.109 million or 10.03% (compared to 2019/20). Why?

- Like any government, we must manage various commitments and pressures over the course of the fiscal plan,
- Ministry Operations vote received a \$1.671 million fiscal adjustment (reduction) off set by \$0.632 million increase for negotiated wage increases and other benefit adjustments
- Treaty and Other Agreements vote had a net decrease of (\$10.287) million to match funded agreement costs
- (\$0.095) million decrease to the First Citizens fund
- \$0.312 million increase to the First Nations Clean Energy Business fund

2. In 2020/21 there is a large drop in the treaty and other agreements from FY19/20 to 20/21, why?

- The ministry budget is funded to match agreement costs.
- The ministry has the ability to go back to Treasury Board throughout the year if needed

3. Why were financing transactions added to the ministry's budget?

- One-year funding in 2020/21 for planned pre-treaty land purchases
- Gaming revenue sharing payments starting fiscal 2021/22

4. How will gaming revenue sharing with first nations work?

- A commitment to share \$3 billion in revenue with First Nations over the next 25 years is supporting self-government and self-determination, strong, healthy communities and services that make life better for families.
- The provincial government transferred \$194.84 million to the newly formed B.C. First Nations Gaming Revenue Sharing Limited Partnership in August 2019, providing the first two years of shared gaming revenue committed to under Budget 2019.
- Amendments to the Gaming Control Act allow the Province and First Nations to finalize a long-term gaming agreement, expected to be completed soon.
- Like every government, First Nations need stable, predictable sources of revenue to fund their priorities – critical things for every government, such as infrastructure, services that

build healthy communities and the staff to get it done.

- All First Nations communities in B.C. are eligible to become members in the limited partnership.
- Each First Nation that participates in the revenue sharing agreement can use the gaming revenue to support priorities for its community, such as enhanced social services, education, housing, infrastructure, cultural revitalization and self-government capacity.
- The revenue may be used in six areas that support governance, capacity building and strengthened program and service delivery:
 - 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.
- Direct distribution of gaming revenue to individuals is not permitted.
- Payments are expected to begin fiscal 2021/22

5. Will the ministry restore the level of funding to the First Citizens Fund seen five years ago?

- The First Citizens Fund is a special fund within government's Consolidated Revenue Fund and the monies do not come from the ministry budget.
- As fund revenue is interest-driven, recent low interest rates have affected revenue that supports programs and will provide approximately \$1.9 million to support programs in 2020/21 which is down from \$2.0 million in 2019/20.
- This funding supports Indigenous small business development, First Nations language preservation, bursaries for Indigenous post-secondary students, and assistance for elders to attend their annual gathering.
- The First Citizens Fund provides \$0.6M annually to the First Peoples' Cultural Council to support Indigenous language revitalization.

6. Why is the ministry increasing funding to the First Nations Clean Energy Business Fund?

- The Province is increasing funding for First Nations clean-energy projects for the 2020/21 fiscal year.
- The total annual outflows includes additional funding that has been dedicated to helping remote First Nations communities reduce reliance on diesel-powered generators. The additional 5% for this initiative has been extended a further three years. In 2023/24 fiscal year the revenues into the fund will be reduced from 55% to 50%.

7. What is the impact of the expenditure management?

- In alignment with government and ministry priorities, we focused on protecting staff and the delivery of our core services with minimal disruption to our stakeholders.
- We targeted primarily operational expenses such as travel, contract expenditures, information technology, office and business expenses and other somewhat discretionary expenditures.
- Breakdown by core business is as follows:

| Core Business | Amount |
|---|------------------|
| Negotiations and Regional Operations | (\$0.475) |
| Strategic Partnerships and Initiatives | (\$0.807) |
| Reconciliation, Transformation and Strategies | (\$0.025) |
| Executive and Support Services | (\$0.364) |
| TOTAL: | (\$1.671) |

8. How can the ministry meet mandate and reconciliation commitments, as well as increased expectations from Indigenous communities, within current funding constraints?

- Advancing reconciliation is central to our government's mandate and we are committed to continuing to work in partnership with Indigenous peoples to make life better for everyone in B.C.

s.13

- Reconciliation with Indigenous peoples is a cross-government priority – every B.C. Cabinet minister shares this mandate.

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- Over the past two and a half years, we have taken action across government, in partnership with Indigenous peoples, to advance reconciliation and to support self-determination.
- Together with Indigenous peoples, we are working to build a more prosperous future, with revenue sharing, affordable housing on- and off-reserve, language revitalization keeping Indigenous children with their families and communities and making sure all students in B.C. are taught about Indigenous culture and history.
- We are working collaboratively with First Nations on land-use planning and environmental stewardship and incorporating traditional knowledge into resource decision-making.
- We are making innovative agreements with First Nations, like our recently signed agreement with shíshálh Nation, and taking new approaches to treaty-making that support self-government and self-determination and recognize inherent rights.
- And we passed unanimously the Declaration on the Rights of Indigenous Peoples Act – legislation developed in collaboration with Indigenous partners.

9. How does B.C. intend to implement the Declaration Act?

- The Declaration Act gives us a framework for reconciliation in B.C., creating clarity and predictability for all people in British Columbia.
- That is how we create opportunities for Indigenous peoples, businesses, communities and families everywhere.
- The Declaration Act is enabling legislation that mandates government to bring provincial laws into harmony with the UN Declaration.
- An action plan is being developed, in consultation and co-operation with Indigenous peoples, to give us the path forward for achieving the objectives of the UN Declaration.
- Implementation will happen incrementally, over time. It is generational work.
- Our commitment to this work builds on the important work we have been doing across government with Indigenous partners over the past two-and-a-half years.
- We have made significant progress already, and we'll continue to work together to build an even stronger, more inclusive and just B.C. that creates a better future for everyone.

10. How does the government reconcile government's commitments to the UN Declaration with what's happening with the Wet'suwet'en Hereditary Chiefs and Coastal Gas Link pipeline?

- The Declaration Act gives us a path forward on reconciliation with Indigenous peoples, but like any relationship, we may not always agree on everything.
- There will be times when we can't reach agreement, and the province will continue to make decisions in the public interest.
- The Province is expected to consult and cooperate in good faith, as called for in the UN Declaration, when considering decisions that may affect Indigenous peoples.
- B.C. conducted extensive consultations with Indigenous Nations and has signed agreements with the vast majority of Indigenous communities along the route.
- Coastal GasLink has shown they understand the importance of consultation and meaningful partnerships with Indigenous Nations, with 20 agreements with First Nations, representing all elected chiefs and councils along the route.
- The new legislation is forward looking, and the Province isn't contemplating revisiting past permits, approvals or other project-related decisions.
- The work to implement the Declaration is significant and ongoing and we are dedicated to working in partnership with Indigenous Peoples on it.

11. How is gaming revenue, first announced in Budget 2019, being used by First Nations?

- A commitment to share \$3 billion in revenue with First Nations over the next 25 years is supporting self-government and self-determination, strong, healthy communities and services that make life better for families.
- The provincial government transferred \$194.84 million to the newly formed B.C. First Nations Gaming Revenue Sharing Limited Partnership in August 2019, providing the first two years of shared gaming revenue committed to under Budget 2019.
- Amendments to the Gaming Control Act allow the Province and First Nations to finalize a long-term gaming agreement, expected to be completed soon.
- Like every government, First Nations need stable, predictable sources of revenue to fund their priorities – critical things for every government, such as infrastructure, services that build healthy communities and the staff to get it done.

12. Has revenue sharing with First Nations increased?

- B.C.'s First Nation communities receive approximately \$80 million per year through revenue sharing, reconciliation and economic benefits agreements.
- In addition to reconciliation and economic benefits agreements, as part of last year's budget, two years of gaming revenue totalling \$197 million was provided to B.C.'s 203 First Nation communities to cover 2019/2020 and 2020/21.
- This revenue means the potential for hundreds of new community projects and programs and significant economic development that benefit people in First Nations communities and beyond, bringing more prosperity to every part of the province.

13. Has the budget been increased for the Forest Consultation and Revenue Sharing Agreements (FCRSA)?

- B.C. will continue to fund the current Forest Consultation and Revenue Sharing Agreement (FCRSA) program through the Treaty and Other Agreements Funding vote. \$52.9M has been budgeted for 2020/21.
- That's an increase of \$6.9 million from 2019/20.

14. How has government supported Aboriginal Friendship Centres?

- Since Budget 2018, \$2.150 million has been provided annually to the BC Association of Aboriginal Friendship Centres.
- Aboriginal Friendship Centres are key partners in supporting urban Indigenous people who face complex social challenges.
- More importantly, this represents for the first time ever, reliable, dedicated funding for Friendship Centres so they can focus on their important work.
- The Province is working to make a difference in the lives of all Indigenous peoples in B.C. through investments in the social sector, including housing, child care and poverty reduction.

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16. Is language revitalization part of Budget 2020?

- The \$50 million to support the revitalization of Indigenous languages announced in 2017/18 (to 2020/21) was funding provided through the Indigenous led First Peoples' Cultural Council to help communities and people to reclaim connections to their language and culture.
- For too long language revitalization was neglected and now all Indigenous languages in B.C. are endangered.
- Many of the challenges communities face around language and culture are systemic and founded on our colonial practices aimed at eradication of Indigenous culture, including the residential school system.
- By investing in Indigenous languages and culture, we are starting to address those systemic social challenges.
- With this funding, the Council has accomplished so much in a short time. They surpassed all their targets last year and are on track to do the same this year, including more than doubling the number of grants to support language revitalization.
- The Council also continues to work collaboratively with several ministries including Education, Advanced Education, Skills and Training, Children and Family Development, Tourism, Arts and Cultural, and Forests, Lands, Natural Resource Operations, and Rural Development to share expertise and knowledge required to meet government's commitments to implement UNDRIP and the recommendations of the Truth and Reconciliation Commission.
- While the Council's continued work supports a foundation for the future, there is also still much to do together to support communities in their work to restore their languages, which are vital to nationhood and sovereignty.

17. How does this budget support treaty transformation?

- We are continuing with our commitment from Budget 2018 to provide \$5 million over three years to continue our work on treaties and other agreements, environmental stewardship initiatives, and socio-economic development.
- Treaties are one of the important paths to meaningful reconciliation with First Nations.

- The provincial and federal governments and the First Nations Summit worked together to develop a new policy that modernizes treaty-making in B.C., which was finalized and rolled out in Sept. 2019.
- The new policy reflects current approaches to negotiation that have emerged over the last two years as we have sought to implement the UN Declaration.

18. First Nations have criticized the ministry has been under-staffed and under-resourced. Does this budget address that?

- In Budget 2018, we made a commitment to provide \$5 million over three years to support the staffing for our work on treaties and other agreements, environmental stewardship initiatives, and socio-economic development strategies.
- Reconciliation is a cross-government priority, and we've made investments and increased support on a wide range of pressing issues for Indigenous people and communities.
- In Budget 2019, the Ministry of Indigenous Relations and Reconciliation was dedicated \$2.4 million more annually until 2022 to fund new staff positions to support negotiations and the implementation of the UN Declaration on the Rights of Indigenous Peoples.

19. Is government still committed to funding for First Nations related to LNG? Are you still negotiating LNG agreements with First Nations?

- Our government has made it clear that any proposed LNG project must respect and include First Nations as partners and also protect the environment.
- We are ensuring that First Nations communities can benefit from LNG opportunities through benefit agreements, environmental stewardship opportunities and skills training.
- We have been clear that any LNG development must fit within our climate targets and we are committed to building a cleaner future and seizing the many opportunities of a low-carbon economy.
- Done in the right way, these projects can help build healthy communities and create shared prosperity that benefits Indigenous communities and all British Columbians.

20. What was the Standing Offer Program (SOP) for First Nations?

- After a comprehensive review, BC Hydro announced Feb. 14, 2019, that it was indefinitely suspending the Standing Offer Program (SOP) and would not accept any new applications or award any new electricity purchase agreements.

- The decision to indefinitely suspend the programs does not affect existing electricity purchase agreements.
- Our government knows that many First Nations have worked with small-scale private power companies in their communities.
- We are committed to working in partnership with First Nations to support the use of clean-energy, and helping communities shift away from using diesel.

21. How will First Nations now be involved in the future of clean-energy development?

- The Ministry of Energy, Mines and Petroleum Resources (MEMPR) is now engaging with Indigenous people and organizations on Phase 2 of a BC Hydro Review, focusing on CleanBC electrification targets, new technologies, examining future market opportunities and new roles for Indigenous Nations.
- Phase 2 of the BC Hydro review will focus on:
 - BC Hydro's role in supporting CleanBC and meeting British Columbia's legislated 2030, 2040 and 2050 greenhouse-gas reduction targets;
 - future opportunities or new roles for Indigenous communities and for communities in the energy sector;
 - integrating new technologies and electricity market trends into BC Hydro's structure, services and assets while keeping rates affordable; and
 - new opportunities for BC Hydro to expand its business in markets outside B.C. for the benefit of ratepayers.

22. How many other organizations does MIRR directly contribute funds to, and how much will be provided in 2020/2021?

- The ministry provides funding for several organizations.
- The exact amounts are available in public accounts, released in June each year.

23. How much of the budget is being spent on the treaty process?

- MIRR has budgeted approximately \$13.2million for the negotiations of treaties, reconciliation agreements, and economic benefit agreements.
- MIRR has budgeted \$39.4 million through the Treaties and Other Agreements Funding vote to fund existing agreements, including both treaty and non-treaty related agreements.
- B.C. and Canada split the value of settlement benefits offered in treaty equally, where Canada provides all or the majority of the cash, and British Columbia provides all or the majority of the land.

- To date this has allowed for the tabling of offers with 53 First Nations at 28 treaty negotiation tables (including the completed treaties of Nisga'a, Tsawwassen, Tla'amin and Maa-nulth) worth \$3.75 billion (2020\$) in value.

24. What was the BC Treaty Commission budget last year? This year?

- The BC Treaty Commission budget in Fiscal 19/20 was \$4.019M and will be \$4.019M in Fiscal 20/21.

25. Is any funding received from the Federal government and if so, what for?

- Yes, the Ministry will receive approximately \$84,000 in 2019/2020 under the Canada - British Columbia Information Sharing Protocol Agreement (pre treaty lands analysis)

26. Were there any audits of MIRR programs?

- To date, there were no OCG or OAG MIRR specific audits.

27. How much was spent on Travel in the Ministry? How does this compare to last year?

- The ministry spent \$1.617 million in Fiscal 18/19.
- To end of January 2020, the ministry spent \$1.332 million on travel and the annual budget is \$1.527M million.

28. How much was spent on travel by the Minister? How does this compare to last year?

- The Minister's Office travel budget is \$85,000 and was the same last year.
- My travel costs from April to March 31, 2020 are: \$46,457.
- My travel cost from April to March 31, 2019 were \$53,682.

29. How much did the Ministry receive to cover negotiated increases for included staff resulting from existing agreements?

- Budget 2020 provides \$0.628M in 2020/21 and^{s.13; s.17}
s.13; s.17

30. Was any additional budget received for increases for Excluded staff?

- Budget 2020 does not include any budget increases for excluded staff.

31. How many people work for MIRR and where are they located?

- As of March 2, 2020, MIRR had 257 staff in 12 locations around the Province.
- Locations include:

| | | | |
|---------------|-----------|---------------|-------------|
| Burnaby | 1 (0.4%) | Port Alberni | 1 (0.4%) |
| Cranbrook | 1 (0.4%) | Prince George | 4 (1.6%) |
| Fort Nelson | 1 (0.4%) | Smithers | 8 (3.1%) |
| Fort St. John | 8 (3.1%) | Surrey | 4 (1.6%) |
| Kamloops | 15 (5.8%) | Victoria | 197 (76.6%) |
| Nanaimo | 15 (5.8%) | Williams Lake | 2 (0.8%) |

32. How many FTEs are there in MIRR and how does this compare to past years?

| Year | Average # FTEs |
|-----------------------------|----------------|
| 2019/20 - March YTD Average | 235.35 |
| 2018/19 – March YTD Average | 227.67 |
| 2017/18 - March YTD Average | 226.65 |
| 2016/17- March YTD Average | 233.03 |

33. How many vacant positions are there?

- The number of positions the ministry can accommodate within its budget depends on many factors including the staff mix throughout the year, thus the number of vacant positions will fluctuate.

34. Have any programs been transferred to other Ministries?

- No programs have been transferred to other Ministries

35. What is the Minister's compensation?

- Information on compensation is available on the following website:
<https://www.leg.bc.ca/learn-about-us/accountability>
- Basic Compensation as an MLA is \$111,024
- Top-up of 50% for being a Minister is \$55,051
- Ministerial salaries are subject to a hold back of 20%. Half is accrued to meeting the government's bottom line and the other half by delivering on those accountabilities that are attributed to my ministry

- Total \$166,075 (20% holdback \$33,215)

36. How many staff are employed in the Minister's Office and what is the total salary budget? What are the salaries per position?

- Total salary budget is \$499,000. Salaries per position are:
 - Senior Ministerial Assistant 1: \$ 98,000
 - Senior Ministerial Assistant 2: \$ 98,000
 - Executive Assistant: \$61,000
 - Administrative Coordinator: \$55,000
 - Administrative Assistant: \$44,000

37. What is the ministry's budget for contracts for the coming year? How does this compare to last year?

| 2019/20 Budget | 2020/21 Budget | Change | Reason |
|----------------|----------------|------------|------------------------|
| \$2.560M | \$1.889M | (\$0.671M) | Expenditure Management |

38. Contracts – Direct Awards

- In fiscal 2019/20 as at March 30, 2020, 40 direct award contracts were entered into with a total value of \$1,505,358. The table attached details these contracts.
- Tab 10-03 – contract and transfer information notes

MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION
OPERATING BUDGET - 2019/20 to 2022/23

By Core Business

| \$000s | | | | | | | | | |
|---|----------------------|----------|---------------------|-----------------|---------------|---------------|----------------|-------------|----------------|
| | 2019/20 Estimates | Change | 2019/20 Restated | Change | 2020/21 Plan | Change | 2021/22 Plan | Change | 2022/23 Plan |
| Ministry Operations | | | | | | | | | |
| Negotiations and Regional Operations | 13,438 | - | 13,438 | (184) | 13,254 | 208 | 13,462 | - | 13,462 |
| Strategic Partnerships and Initiatives Division | 23,377 | - | 23,377 | (547) | 22,830 | 189 | 23,019 | - | 23,019 |
| Reconciliation, Transformation & Strategies | 1,952 | - | 1,952 | 22 | 1,974 | 33 | 2,007 | - | 2,007 |
| Executive and Support Services | 9,396 | - | 9,396 | (330) | 9,066 | (95) | 8,971 | - | 8,971 |
| Sub-Total | 48,163 | - | 48,163 | (1,039) | 47,124 | 335 | 47,459 | - | 47,459 |
| Treaty and Other Agreements Funding | 49,729 | - | 49,729 | (10,287) | 39,442 | 11,302 | 50,744 | 8 | 50,752 |
| First Citizens Fund Special Account | 2,000 | - | 2,000 | (95) | 1,905 | (98) | 1,807 | - | 1,807 |
| First Nations Clean Energy Business Fund Special Account | 7,889 | - | 7,889 | 312 | 8,201 | (393) | 7,808 | (35) | 7,773 |
| | 107,781 | - | 107,781 | (11,109) | 96,672 | 11,146 | 107,818 | (27) | 107,791 |

2019/20 Changes include:

no restatements

2020/21 Changes include - Decrease of (\$11.109M)

Ministry Operations - decrease of (\$1.039M)

- (\$1.671M) decrease due to Expenditure Management;
- \$0.632M increase Sustainable Services Mandate and benefit chargeback adjustments.

Treaty and Other Agreements Funding - Net decrease of (\$10.287M)

- (\$10.287M) decrease to match funded agreement costs (eg. Cheslatta)

First Citizens' Fund - decrease of (\$0.095M)

The First Citizen Fund decrease of (\$0.095M) is due to decrease of investment fund revenues.

First Nations Clean Energy Business Fund - increase of \$0.312M

The First Nations Clean Energy Business Fund expenditure increase of \$0.312M is due to:

- increase in land and water rents associated with power projects being returned to the fund

2021/22 Changes include - Increase of \$11.146M

Ministry Operations - increase of \$0.335M

- \$0.455M increase lift for negotiated wage increase for included staff (Sustainable Services Mandate);
- (\$0.120M) prior year planned decrease for the Operating maintenance expenses for the Transforming First Nations Consultation Information (TFNCI) System

Treaty and Other Agreements Funding - Net increase of \$11.302M

- \$11.302M increase to match funded agreement costs

First Citizens' Fund - decrease of (\$0.098M)

The First Citizen Fund decrease of (\$0.098M) is due to decreased investment fund revenues.

First Nations Clean Energy Business Fund - decrease of (\$0.393M)

The First Nations Clean Energy Business Fund expenditure decrease of (\$0.393M) is due to:

- decrease in land and water rents associated with power projects being returned to the fund

2022/23 Changes include - Decrease of (\$0.027M)

Treaty and Other Agreements Funding - Net increase of \$0.008M

- \$0.008M increase to match funded agreement costs

First Nations Clean Energy Business Fund - decrease of (\$0.035M)

The First Nations Clean Energy Business Fund expenditure decrease of (\$0.035M) is due to:

- decrease in land and water rents associated with power projects being returned to the fund.

Treaty and Other Agreements Vote 33
Summary of Changes
2019/20 to 2020/21

| | 2019/20 | 2020/21 | Change |
|----------------------------------|-------------------------|------------------------|-------------------------|
| GROSS PAYMENTS | | | |
| Treaty | 3,690,000.00 | 3,664,000.00 | - 26,000.00 |
| Non-Treaty | 27,216,000.00 | 15,855,000.00 | - 11,361,000.00 |
| Non- Treaty (Revenue Sharing) | 280,743,000.00 | 101,056,236.00 | - 179,686,764.00 |
| SUB TOTAL NON TREATY | 307,959,000.00 | 116,911,236.00 | - 191,047,764.00 |
| Total Gross Payments | 311,649,000.00 | 120,575,236.00 | - 191,073,764.00 |
| RECOVERIES | | | |
| Treaty | - 2,000.00 | - 2,000.00 | - |
| FCRSA Recoveries | - 33,500,000.00 | - 40,442,000.00 | - 6,942,000.00 |
| Gaming Recoveries | - 196,840,000.00 | - | 196,840,000.00 |
| EBA & Other Oil & Gas Recoveries | - 2,416,000.00 | - 1,348,000.00 | 1,068,000.00 |
| ECDA Mining Recoveries | - 28,278,000.00 | - 38,407,236.00 | - 10,129,236.00 |
| ECDA Resorts Recoveries | - 884,000.00 | - 934,000.00 | - 50,000.00 |
| SUB TOTAL NON TREATY | - 261,918,000.00 | - 81,131,236.00 | 180,786,764.00 |
| Total Recoveries | - 261,920,000.00 | - 81,133,236.00 | 180,786,764.00 |
| Net Vote | 49,729,000.00 | 39,442,000.00 | - 10,287,000.00 |

Treaty & Other Agreements (Vote 33) Budget 2020

| Budget 2020 | | | |
|---|------------------------------|-------------------------|-----------------|
| Treaty and Other Agreements Funding | 2018/19 Estimates | 2019/20 Plan | Changes |
| TREATY | | | |
| Nisga'a FFA ¹ (inflation adjusted) | 240,000 | 244,000 | 4,000 |
| Nisga'a Wildlife Management (FFA) | 10,000 | 10,000 | - |
| Nisga'a Income Tax Sharing | 797,000 | 814,000 | 17,000 |
| Nisga'a Sales Tax Sharing | 705,000 | 681,000 | (24,000) |
| Tsawwassen - Local Government Liaison | 100,000 | 108,000 | 8,000 |
| Tswwassen Sales Tax Sharing | 95,000 | 92,000 | (3,000) |
| Tla'amin FFA | 451,000 | 452,000 | 1,000 |
| Tla'amin RRS | 388,000 | 396,000 | 8,000 |
| Maa-Nulth - settlement costs | 690,000 | 690,000 | - |
| Maa-nulth Provincial Sales Tax Sharing | 212,000 | 175,000 | (37,000) |
| Recovery placeholder | 2,000 | 2,000 | - |
| Sub -TOTAL TREATY | 3,690,000 | 3,664,000 | (26,000) |
| STOB 90 - RECOVERIES | | | |
| Placeholder Recovery | (2,000) | (2,000) | - |
| TOTAL Recovery | (2,000) | (2,000) | - |
| TOTAL TREATY | 3,688,000 | 3,662,000 | (26,000) |

| NON- TREATY PAYMENTS | | | |
|--|----------------------|-------------------|---------------------|
| Non- Treaty Agreements (Others) | 2018/19 Estimates | 2019/20 Plan | Changes |
| SEAs & RAs | | | |
| AHOUSAHT FIRST NATION | 450,000 | 450,000 | - |
| COASTAL FIRST NATION INCL. HAISLA RENEWAL | 620,000 | 620,000 | - |
| COUNCIL OF HAIDA NATION | 600,000 | 600,000 | - |
| COUNCIL OF HAIDA NATION - HGMC | 150,000 | 150,000 | - |
| DITIDAHT PACHEEDAHT | 100,000 | 100,000 | - |
| GITANYOW NATION | 300,000 | 350,000 | 50,000 |
| GITXSAN | 675,000 | 675,000 | - |
| GWA'SALA-'NAKWAXDA'XW | 100,000 | 100,000 | - |
| HAISLA NATION - CFN RPA RENEWAL | 30,000 | 30,000 | - |
| HUL'Q'UMI'NUM (STZ'UMINUS) | 500,000 | 500,000 | - |
| KASKA DENA NATION | 400,000 | 400,000 | - |
| KITSELAS | 100,000 | 100,000 | - |
| KTUNAXA NATION COUNCIL | 677,000 | 620,000 | (57,000) |
| LAKE BABINE | 50,000 | 50,000 | - |
| NANWAKOLAS FIRST NATIONS - RA | 200,000 | 200,000 | - |
| NANWAKOLAS FIRST NATIONS - SEA | 685,000 | 685,000 | - |
| NICOLA TRIBAL COUNCIL NLAKA'PAMAZ NATION (NLX) | 350,000 | - | (350,000) |
| NISGA'A | 294,000 | 290,000 | (4,000) |
| NLAKAPAMUX NATION TRIBAL COUNCIL [NNTC] | 500,000 | 500,000 | - |
| NSTQ | 450,000 | 450,000 | - |
| SECWEPEMC FIRST NATIONS | - | - | - |
| SOUTHERN DEKELH NATION ALLIANCE | 400,000 | 400,000 | - |
| STO:LO NATION | 950,000 | 950,000 | - |
| STZ'UMINUS | - | - | - |
| TAHLTAN CENTRAL GOVERNMENT | 375,000 | 375,000 | - |
| TAKU RIVER TLINGIT FIRST NATION | 250,000 | 250,000 | - |
| TSILHQOT'IN NATIONAL GOVERNMENT | 3,000,000 | 3,000,000 | - |
| TSILHQOT'IN NATIONAL GOVERNMENT | 660,000 | 660,000 | - |
| Sub - Total SEA & RA | 12,866,000 | 12,505,000 | (361,000) |
| Other Agreements | | | |
| CHESLATTA CARRIER NATION SETTLEMENT | 11,400,000 | 400,000 | (11,000,000) |
| FRASER RIVER TRANSITION AREA (MUSQUEAM) | 1,200,000 | 1,200,000 | - |
| FRASER RIVER TRANSITION AREA (COWICHAN) | 850,000 | 850,000 | - |
| TAHLTAN CENTRAL GOVERNMENT - SCWG | 500,000 | 500,000 | - |
| TSILHQOT'IN NATIONAL GOVERNMENT - ECON DEVEL OPP | 400,000 | 400,000 | - |
| Sub Total Other Agreements | 14,350,000 | 3,350,000 | (11,000,000) |
| Sub-total Other Non-Treaty | 27,216,000 | 15,855,000 | (11,361,000) |

| NON- TREATY REVENUE-SHARING | | | |
|---|----------------------|-------------------|-------------------|
| Non- Treaty Agreements (Revenue Sharing) | 2018/19 Estimates | 2019/20 Plan | Changes |
| Gaming | 196,840,000 | - | (196,840,000) |
| FCRSAs | 46,000,000 | 52,942,000 | 6,942,000 |
| EBAs and other oil & gas | | | |
| Treaty 8 Economic Benefits Agreement | 2,400,000 | 3,500,000 | 1,100,000 |
| Saulteau RCA/SEA/Floor payment | 1,300,000 | 1,300,000 | - |
| McLeod Lake RCA/SEA/Floor payment | 1,325,000 | 1,325,000 | - |
| Halfway RCA/SEA/Floor payment | 1,300,000 | 1,300,000 | - |
| Recoverable: | | | - |
| Resource Revenue Sharing (Blueberry/Doig) * | 25,000 | 12,000 | (13,000) |
| Resource Revenue Sharing (Fort Nelson) * | 20,000 | 25,000 | 5,000 |
| Saulteau EBA Recovery* | 1,514,000 | 1,000,000 | (514,000) |
| McLeod Lake EBA Recovery* | 526,000 | 230,000 | (296,000) |
| Halfway EBA Recovery* | 330,000 | 80,000 | (250,000) |
| Other Sole Proponent Agreements * | 1,000 | 1,000 | - |
| Sub-total EBAs and other oil & gas | 8,741,000 | 8,773,000 | 32,000 |
| Mining ECDAs (All recoverable): | | | |
| Black Water Gold Mine (Ulkatcho) | - | | - |
| Black Water Gold Mine (Lhoosk Uz Dene) | - | | - |
| Brucejack (Nisga'a) | 1,399,000 | 1,029,000 | (370,000) |
| Brucejack (Tahltan) | 1,399,000 | 1,029,000 | (370,000) |
| Brule (TBD) | | 656,127 | 656,127 |
| Copper Mountain (Lower Similkameen) | 325,000 | 142,000 | (183,000) |
| Copper Mountain (Upper Similkameen) | 325,000 | 142,000 | (183,000) |
| Elk Valley (Ktunaxa) | 12,277,000 | 24,870,000 | 12,593,000 |
| Gibraltar (Xat'sull) | 709,000 | 119,000 | (590,000) |
| Gibraltar Alexandria (?esdilagh) | 349,000 | 58,000 | (291,000) |
| Highland Valley (Kanaka Bar IB) | 77,000 | 76,000 | (1,000) |
| Highland Valley (LNIB) | 1,837,000 | 1,092,000 | (745,000) |
| Highland Valley (NLX) | 2,869,000 | 1,859,000 | (1,010,000) |
| Highland Valley (NNTC) | 1,300,000 | 1,171,000 | (129,000) |
| Kooteney West Gypsum (Ktunaxa) | 32,000 | - | (32,000) |
| Mt Milligan (Takla Lake First Nation) | 602,000 | 368,000 | (234,000) |
| Mt Polley (Williams Lake Indian Band) | 49,000 | - | (49,000) |
| Mt Polley (Xat'sull) | 4,000 | - | (4,000) |
| Mt. Milligan (McLeod) | 903,000 | 552,000 | (351,000) |
| Mt. Milligan (Nakazdli) | 752,000 | 460,000 | (292,000) |
| Myra Falls (TBD) | - | 132,876 | 132,876 |
| New Afton - Skeetchestn | 901,000 | 1,068,000 | 167,000 |
| New Afton - Tk'emlups | 901,000 | 1,068,000 | 167,000 |
| Red Chris (Tahltan) | 542,000 | 898,000 | 356,000 |
| Silvertip (Kaska Dena Nation) | 363,000 | 357,000 | (6,000) |
| Silvertip (Tahltan) | 363,000 | 357,000 | (6,000) |
| Trent/Roman (Halfway River) | | - | - |
| Trent/Roman - Saulteau | - | - | - |
| Willow Creek (TBD) | | 260,186 | 260,186 |
| Wolverine (TBD) | | 643,047 | 643,047 |
| Sub-Total Mining ECDAs | 28,278,000 | 38,407,236 | 10,129,236 |
| Resort ECDAs (All Recoverable) | | | |
| Jumbo (Ktunaxa) | 10,000 | - | (10,000) |

| | | | |
|---|----------------------|---------------------|----------------------|
| Jumbo (Shuswap Indian Band) | 10,000 | - | (10,000) |
| Kicking Horse - Shuswap | 4,000 | 9,000 | 5,000 |
| Mount Baldy - Osoyoos | 9,000 | 8,000 | (1,000) |
| Powder King (Doig River) | 2,000 | - | (2,000) |
| Powder King (Halfway River) | 2,000 | - | (2,000) |
| Powder King (McLeod Lake) | 2,000 | - | (2,000) |
| Powder King (West Moberly) | 2,000 | - | (2,000) |
| Sasquatch Mountain (Chehalis/Sts'ailes) | 7,000 | 7,000 | - |
| Silverstar (Okanagan Indian Band) | 13,000 | - | (13,000) |
| Silverstar (Splatshin) | 13,000 | - | (13,000) |
| Valemont Accommodation (Simpco) | 10,000 | 10,000 | - |
| Whistler/Blackcomb - Lil'wat First Nation | 400,000 | 450,000 | 50,000 |
| Whistler/Blackcomb - Squamish Nation | 400,000 | 450,000 | 50,000 |
| Sub-total Resort ECDAs | 884,000 | 934,000 | 50,000 |
| Sub Total Revenue Sharing | 280,743,000 | 101,056,236 | (179,686,764) |
| TOTAL NON- TREATY | 307,959,000 | 116,911,236 | (191,047,764) |
| STOB 90 - RECOVERIES | | | |
| Gaming Recoveries (9005) | (196,840,000) | - | 196,840,000 |
| FCRSA Recoveries | (33,500,000) | (40,442,000) | (6,942,000) |
| EBA & Other Oil & Gas Recoveries | (2,416,000) | (1,348,000) | 1,068,000 |
| ECDA Recoveries (Mining) | (28,278,000) | (38,407,236) | (10,129,236) |
| ECDA Recoveries (Resorts) | (884,000) | (934,000) | (50,000) |
| Sub-Total STOB90 Recoveries | (261,920,000) | (81,131,236) | 180,786,764 |
| Total Gross Vote | 311,649,000 | 120,573,236 | (191,073,764) |
| | | | |
| | | | |
| Net Vote | 49,729,000 | 39,442,000 | (10,287,000) |

MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION
OPERATING BUDGET - 2019/20 to 2020/21

by Group Account Classification (GAC)

| (\$000s) | | | | |
|-------------------------------|----------------|---------------|-----------------|----------------|
| Group Account Classification | 2019/20 | 2020/21 | Increase | % Change |
| All Votes & Special Accounts | Restated | Estimates | (Decrease) | |
| Salaries and benefits | 26,125 | 26,757 | 632 | 2.4% |
| Operating costs | 10,010 | 8,283 | (1,727) | (17.3%) |
| Government transfers | 331,612 | 140,755 | (190,857) | (57.6%) |
| Other expenses | 2,575 | 2,575 | 0 | 0.0% |
| Recoveries | (262,541) | (81,698) | 180,843 | 68.9% |
| Total Operating Budget | 107,781 | 96,672 | (11,109) | (10.3%) |

Variance Explanations:

Salaries and Benefits: Increased by \$0.632M

\$0.632M increase for Sustainable Services Mandate and benefit chargeback adjustments

Operating costs: Decreased by (\$1.727M)

(\$1.671M) decrease due to Expenditure Management

(\$ 0.056M) decrease due to neutral adjustment in operating expenses off set by recoveries

Government transfers: Net decrease of (\$190.857M) (See Tab 6 - Government Transfers listing)

(\$196.840M) planned decrease in gaming revenue payments as two years of gaming revenue was provided in 2019;

(\$11.361m) decrease to Non Treaty agreements to match funded agreement costs

(\$0.095M) decrease to The First Citizen fund due to decreased investment fund revenue;

(\$0.026M) decrease in Treaty agreement funding due to tax sharing projections

\$17.153M increase in projected revenue sharing payments

\$0.312M increase to the First Nations Clean Energy Business Fund forecast for how much money will be returned to the Fund through land and water rents associated with power projects as they come on-line;

Recoveries: net decrease of \$180.843M

\$196.840M planned gaming revenue sharing reduction due to no planned 2020/21 payment off set by:

(\$16.053M) increase in projected revenue sharing recovery

MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION

OPERATING BUDGET - 2019/20 to 2020/21

by Group Account Classification (GAC)

| (\$000s) | | | | |
|---|------------------------------------|----------------|---------------|---------------------|
| Vote / Special Accounts | Group Account Classification (GAC) | 2019/20 | 2020/21 | Increase (Decrease) |
| Ministry Operations | Salaries and Benefits | 25,975 | 26,607 | 632 |
| | Operating Costs | 10,010 | 8,283 | (1,727) |
| | Government Transfers | 10,221 | 10,221 | - |
| | Other Expenses | 2,575 | 2,575 | - |
| | Internal Recoveries | (154) | (154) | - |
| | External Recoveries | (464) | (408) | 56 |
| Ministry Operations Total | | 48,163 | 47,124 | (1,039) |
| Treaty and Other Agreements Funding | Government Transfers | 311,649 | 120,575 | (191,074) |
| | Internal Recoveries | (1) | (1) | - |
| | External Recoveries | (261,919) | (81,132) | 180,787 |
| Treaty and Other Agreements Funding Total | | 49,729 | 39,442 | (10,287) |
| Special Accounts | Salaries and Benefits | 150 | 150 | - |
| | Government Transfers | 9,742 | 9,959 | 217 |
| | Internal Recoveries | (1) | (1) | - |
| | External Recoveries | (2) | (2) | - |
| Special Accounts Total | | 9,889 | 10,106 | 217 |
| Grand Total | | 107,781 | 96,672 | (11,109) |

| (\$000s) | | | |
|------------------------|----------------|---------------|---------------------|
| Combined Totals | 2019/20 | 2020/21 | Increase (Decrease) |
| Salaries and Benefits | 26,125 | 26,757 | 632 |
| Operating Costs | 10,010 | 8,283 | (1,727) |
| Government Transfers | 331,612 | 140,755 | (190,857) |
| Other Expenses | 2,575 | 2,575 | - |
| Internal Recoveries | (156) | (156) | - |
| External Recoveries | (262,385) | (81,542) | 180,843 |
| Combined Totals | 107,781 | 96,672 | (11,109) |

MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION

2019/20 to 2022/23

Operating Budget Changes by STOB

| | | \$000s | | | | | |
|--------------------------------------|--|---------------------|----------------|----------------------|---------------|--------------|---------------------|
| Vote 32 - Ministry Operations | | 2019/20 Restated | Change | 2020/21 Estimates | Change | 2021/22 Plan | Change 2022/23 Plan |
| | | | | | s.13; s.17 | | |
| 50 | Base Salaries and Overtime | 20,603 | 503 | 21,106 | | | |
| 51 | Supplementary Salary Costs | 65 | - | 65 | | | |
| 52 | Employee Benefits | 5,253 | 129 | 5,382 | | | |
| 54 | Legislative Salaries - Indemnities | 54 | - | 54 | | | |
| Total Salaries & Benefits | | 25,975 | 632 | 26,607 | | | |
| 55 | Boards, Commissions, Courts Fees | 35 | - | 35 | | | |
| 57 | Public Servant Travel Expenses | 1,527 | (400) | 1,127 | | | |
| 59 | Centralized Management Services | 2,819 | - | 2,819 | | | |
| 60 | Professional Services | 2,560 | (671) | 1,889 | | | |
| 63 | Information Systems - Operating | 514 | (100) | 414 | | | |
| 65 | Office and Business Expenses | 1,347 | (456) | 891 | | | |
| 67 | Advertising | - | - | - | | | |
| 68 | Statutory Advertising and Publications | - | - | - | | | |
| 69 | Utilities Materials and Supplies | 1 | - | 1 | | | |
| 70 | Operating Equip, Vehicles and Other | - | - | - | | | |
| 73 | Amortization Expenses | 815 | - | 815 | | | |
| 75 | Building Occupancy Charges | 392 | (100) | 292 | | | |
| Total Operating Expenditures | | 10,010 | (1,727) | 8,283 | | | |
| 77 | Transfers - Grants | 775 | - | 775 | | | |
| 79 | Entitlements | 400 | - | 400 | | | |
| 80 | Transfers Under Agreement | 9,046 | - | 9,046 | | | |
| Total Grants and Transfers | | 10,221 | - | 10,221 | | | |
| 81 | Trsf Payment Between Votes | - | - | - | | | |
| 84 | Interest Costs - Non Public Debt | - | - | - | | | |
| 85 | Other Expenses | 2,575 | - | 2,575 | | | |
| Total Misc. Expenditures | | 2,575 | - | 2,575 | | | |
| 88 | Recoveries - Internal | (154) | - | (154) | | | |
| 89/90 | Recoveries - External | (464) | 56 | (408) | | | |
| Total Recoveries | | (618) | 56 | (562) | | | |
| TOTAL MINISTRY OPERATIONS | | 48,163 | (1,039) | 47,124 | | | |
| Percent Change | | | | | (2.2%) | | |

2020/21 changes: (\$1.039M) decrease

Salary & Benefits \$0.632M increase:

\$0.632M lift for negotiated wage increase for included staff (Sustainable Services Mandate) and benefits adjustments;

Operating Expenditures decrease of (\$1.727M)

(\$1.671M) decrease due to Expenditure Management;

(\$0.056M) decrease in planned operating expenses off set by reduced recoveries

Recoveries decrease of \$0.056M

\$0.056M reduced recoveries off set by reduced planned expenses in operating

s.13; s.17

MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION

2019/20 to 2022/23

Operating Budget Changes by STOB

| \$000s | | | | | | | |
|---|------------------|--------------|-------------------|---------------|--------------|--------|--------------|
| Vote 32 - Strategic Partnerships and Initiatives Division | 2019/20 Restated | Change | 2020/21 Estimates | Change | 2021/22 Plan | Change | 2022/23 Plan |
| | | | | s.13; s.17 | | | |
| 50 Base Salaries and Overtime | 8,363 | 207 | 8,570 | | | | |
| 51 Supplementary Salary Costs | - | - | - | | | | |
| 52 Employee Benefits | 2,124 | 53 | 2,177 | | | | |
| 54 Legislative Salaries - Indemnities | - | - | - | | | | |
| Total Salaries & Benefits | 10,487 | 260 | 10,747 | | | | |
| 55 Boards, Commissions, Courts Fees | - | - | - | | | | |
| 57 Public Servant Travel Expenses | 403 | (112) | 291 | | | | |
| 59 Centralized Management Services | - | - | - | | | | |
| 60 Professional Services | 2,106 | (626) | 1,480 | | | | |
| 63 Information Systems - Operating | 13 | (3) | 10 | | | | |
| 65 Office and Business Expenses | 215 | (66) | 149 | | | | |
| 67 Advertising | - | - | - | | | | |
| 68 Statutory Advertising and Publications | - | - | - | | | | |
| 69 Utilities Materials and Supplies | - | - | - | | | | |
| 70 Operating Equip, Vehicles and Other | - | - | - | | | | |
| 73 Amortization Expenses | - | - | - | | | | |
| 75 Building Occupancy Charges | - | - | - | | | | |
| Total Operating Expenditures | 2,737 | (807) | 1,930 | | | | |
| 77 Transfers - Grants | 775 | - | 775 | | | | |
| 79 Entitlements | 400 | - | 400 | | | | |
| 80 Transfers Under Agreement | 9,046 | - | 9,046 | | | | |
| Total Grants and Transfers | 10,221 | - | 10,221 | | | | |
| 81 Trsf Payment Between Votes | - | - | - | | | | |
| 84 Interest Costs - Non Public Debt | - | - | - | | | | |
| 85 Other Expenses | 485 | - | 485 | | | | |
| Total Misc. Expenditures | 485 | - | 485 | | | | |
| 88 Recoveries - Internal | (151) | - | (151) | | | | |
| 89/90 Recoveries - External | (402) | - | (402) | | | | |
| Total Recoveries | (553) | - | (553) | | | | |
| TOTAL MINISTRY OPERATIONS | 23,377 | (547) | 22,830 | | | | |
| Percent Change | | | | (2.3%) | | | |

2020/21 changes: net decrease of (\$0.547M)

Salary & Benefits \$0.260M increase:

\$0.260M lift for negotiated wage increase for included staff (Sustainable Services Mandate) and benefit chargeback

Operating Expenditures (\$0.807M) decrease

(\$0.807M) decrease due to Expenditure Management

s.13; s.17

MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION

2019/20 to 2022/23

Operating Budget Changes by STOB

| \$000s | | | | | | | |
|--|------------------|--------------|-------------------|------------|--------------|--------|--------------|
| Vote 32 - Negotiations and Regional Operations | 2019/20 Restated | Change | 2020/21 Estimates | Change | 2021/22 Plan | Change | 2022/23 Plan |
| | | | | s.13; s.17 | | | |
| 50 Base Salaries and Overtime | 9,322 | 232 | 9,554 | | | | |
| 51 Supplementary Salary Costs | 65 | - | 65 | | | | |
| 52 Employee Benefits | 2,368 | 59 | 2,427 | | | | |
| 54 Legislative Salaries - Indemnities | - | - | - | | | | |
| Total Salaries & Benefits | 11,755 | 291 | 12,046 | | | | |
| 55 Boards, Commissions, Courts Fees | - | - | - | | | | |
| 57 Public Servant Travel Expenses | 918 | (255) | 663 | | | | |
| 59 Centralized Management Services | - | - | - | | | | |
| 60 Professional Services | 151 | (45) | 106 | | | | |
| 63 Information Systems - Operating | 77 | (14) | 63 | | | | |
| 65 Office and Business Expenses | 578 | (217) | 361 | | | | |
| 67 Advertising | - | - | - | | | | |
| 68 Statutory Advertising and Publications | - | - | - | | | | |
| 69 Utilities Materials and Supplies | - | - | - | | | | |
| 70 Operating Equip, Vehicles and Other | - | - | - | | | | |
| 73 Amortization Expenses | - | - | - | | | | |
| 75 Building Occupancy Charges | 1 | - | 1 | | | | |
| Total Operating Expenditures | 1,725 | (531) | 1,194 | | | | |
| 77 Transfers - Grants | - | - | - | | | | |
| 79 Entitlements | - | - | - | | | | |
| 80 Transfers Under Agreement | - | - | - | | | | |
| Total Grants and Transfers | - | - | - | | | | |
| 81 Trsf Payment Between Votes | - | - | - | | | | |
| 84 Interest Costs - Non Public Debt | - | - | - | | | | |
| 85 Other Expenses | 17 | - | 17 | | | | |
| Total Misc. Expenditures | 17 | - | 17 | | | | |
| 88 Recoveries - Internal | (1) | - | (1) | | | | |
| 89/90 Recoveries - External | (58) | 56 | (2) | | | | |
| Total Recoveries | (59) | 56 | (3) | | | | |
| TOTAL MINISTRY OPERATIONS | 13,438 | (184) | 13,254 | | | | |
| Percent Change | (4.6%) | | (1.4%) | | | | |

2020/21 changes: (\$0.184M) net decrease due to:

Salaries & Benefits \$0.291M increase:

\$0.291M lift for negotiated wage increase for included staff (Sustainable Services Mandate) and benefit chargeback

Operating Expenditures (\$0.531M) decrease

(\$0.475M) decrease due to Expenditure Management

(\$0.056M) decrease in planned operating expenses off set by reduced recoveries

Recoveries \$0.056M decrease

\$0.056M reduction of recoveries off set by reduced planned expenses in Operating

2021/22 changes:s.13; s.17

s.13; s.17

2022/23 changes:s.13; s.17

MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION
2019/20 to 2022/23

Operating Budget Changes by STOB

| \$000s | | | | | | | |
|--|-------------------------|---------------|--------------------------|-------------------|---------------------|---------------|---------------------|
| Vote 32 - Reconciliation, Transformation & Strategies | 2019/20 Restated | Change | 2020/21 Estimates | Change | 2021/22 Plan | Change | 2022/23 Plan |
| 50 Base Salaries and Overtime | 1,481 | 37 | 1,518 | s.13; s.17 | | | |
| 51 Supplementary Salary Costs | - | - | | | | | |
| 52 Employee Benefits | 376 | 10 | 386 | | | | |
| 54 Legislative Salaries - Indemnities | - | - | | | | | |
| Total Salaries & Benefits | 1,857 | 47 | 1,904 | | | | |
| 55 Boards, Commissions, Courts Fees | - | - | | | | | |
| 57 Public Servant Travel Expenses | 91 | (25) | 66 | | | | |
| 59 Centralized Management Services | - | - | | | | | |
| 60 Professional Services | 3 | - | 3 | | | | |
| 63 Information Systems - Operating | 4 | - | 4 | | | | |
| 65 Office and Business Expenses | - | - | - | | | | |
| 67 Advertising | - | - | - | | | | |
| 68 Statutory Advertising and Publications | - | - | - | | | | |
| 69 Utilities Materials and Supplies | - | - | - | | | | |
| 70 Operating Equip, Vehicles and Other | - | - | - | | | | |
| 73 Amortization Expenses | - | - | - | | | | |
| 75 Building Occupancy Charges | - | - | - | | | | |
| Total Operating Expenditures | 98 | (25) | 73 | | | | |
| 77 Transfers - Grants | - | - | - | | | | |
| 79 Entitlements | - | - | - | | | | |
| 80 Transfers Under Agreement | - | - | - | | | | |
| Total Grants and Transfers | - | - | - | | | | |
| 81 Trsf Payment Between Votes | - | - | - | | | | |
| 84 Interest Costs - Non Public Debt | - | - | - | | | | |
| 85 Other Expenses | - | - | - | | | | |
| Total Misc. Expenditures | - | - | - | | | | |
| 88 Recoveries - Internal | (1) | - | (1) | | | | |
| 89/90 Recoveries - External | (2) | - | (2) | | | | |
| Total Recoveries | (3) | - | (3) | | | | |
| TOTAL MINISTRY OPERATIONS | 1,952 | 22 | 1,974 | | | | |
| Percent Change | (86.1%) | | 1.1% | | | | |

2020/21 changes: \$0.022M net increase

Salary & Benefits \$0.047M increase:

\$0.047M lift for negotiated wage increase for included staff (Sustainable Services Mandate) and benefit chargeback adjustment;

Operating Expenditures (\$0.025M) decrease

(\$0.025M) decrease due to Expenditure Management

2021/22 changes: s.13; s.17

s.13; s.17

2022/23 changes: s.13; s.17

MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION
2019/20 to 2022/23

Operating Budget Changes by STOB

| | | \$000s | | | | | |
|---|--|-------------------------|---------------|--------------------------|---------------|---------------------|---------------|
| Vote 32 - Executive and Support Services | | 2019/20 Restated | Change | 2020/21 Estimates | Change | 2021/22 Plan | Change |
| | | | | | | | |
| 50 | Base Salaries and Overtime | 1,437 | 27 | 1,464 | s.13; s.17 | | |
| 51 | Supplementary Salary Costs | - | - | - | | | |
| 52 | Employee Benefits | 385 | 7 | 392 | | | |
| 54 | Legislative Salaries - Indemnities | 54 | - | 54 | | | |
| Total Salaries & Benefits | | 1,876 | 34 | 1,910 | | | |
| 55 | Boards, Commissions, Courts Fees | 35 | - | 35 | | | |
| 57 | Public Servant Travel Expenses | 115 | (8) | 107 | | | |
| 59 | Centralized Management Services | 2,819 | - | 2,819 | | | |
| 60 | Professional Services | 300 | - | 300 | | | |
| 63 | Information Systems - Operating | 420 | (83) | 337 | | | |
| 65 | Office and Business Expenses | 554 | (173) | 381 | | | |
| 67 | Advertising | - | - | - | | | |
| 68 | Statutory Advertising and Publications | - | - | - | | | |
| 69 | Utilities Materials and Supplies | 1 | - | 1 | | | |
| 70 | Operating Equip, Vehicles and Other | | - | | | | |
| 73 | Amortization Expenses | 815 | - | 815 | | | |
| 75 | Building Occupancy Charges | 391 | (100) | 291 | | | |
| Total Operating Expenditures | | 5,450 | (364) | 5,086 | | | |
| 77 | Transfers - Grants | - | - | - | | | |
| 79 | Entitlements | - | - | - | | | |
| 80 | Transfers Under Agreement | - | - | - | | | |
| Total Grants and Transfers | | - | - | - | | | |
| 81 | Trsf Payment Between Votes | - | - | - | | | |
| 84 | Interest Costs - Non Public Debt | - | - | - | | | |
| 85 | Other Expenses | 2,073 | - | 2,073 | | | |
| Total Misc. Expenditures | | 2,073 | - | 2,073 | | | |
| 88 | Recoveries - Internal | (1) | - | (1) | | | |
| 89/90 | Recoveries - External | (2) | - | (2) | | | |
| Total Recoveries | | (3) | - | (3) | | | |
| TOTAL MINISTRY OPERATIONS | | 9,396 | (330) | 9,066 | | | |
| Percent Change | | 113.9% | | (3.5%) | | | |

2020/21 changes: (\$0.330M) net decrease

Salary & Benefits \$0.034M increase:

\$0.034M lift for negotiated wage increase for included staff (Sustainable Services Mandate) and benefit chargeback adjustment;

Operating Expenditures (\$0.364) decrease

(\$0.364) decrease due to Expenditure Management

2021/22 changes: s.13; s.17

s.13; s.17

2022/23 -s.13; s.17

MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION

2019/20 to 2022/23

Operating Budget Changes by STOB

| | | | | \$000s | | | |
|--|------------------|------------------|-------------------|------------|--------------|--------|--------------|
| Vote 33 - Treaty & Other Agreement Funding | 2019/20 Restated | Change | 2020/21 Estimates | Change | 2021/22 Plan | Change | 2022/23 Plan |
| 50 Base Salaries and Overtime | - | - | - | s.13; s.17 | | | |
| 51 Supplementary Salary Costs | - | - | - | | | | |
| 52 Employee Benefits | - | - | - | | | | |
| 54 Legislative Salaries - Indemnities | - | - | - | | | | |
| Total Salaries & Benefits | - | - | - | | | | |
| 55 Boards, Commissions, Courts Fees | - | - | - | | | | |
| 57 Public Servant Travel Expenses | - | - | - | | | | |
| 59 Centralized Management Services | - | - | - | | | | |
| 60 Professional Services | - | - | - | | | | |
| 63 Information Systems - Operating | - | - | - | | | | |
| 65 Office and Business Expenses | - | - | - | | | | |
| 67 Advertising | - | - | - | | | | |
| 68 Statutory Advertising and Publications | - | - | - | | | | |
| 69 Utilities Materials and Supplies | - | - | - | | | | |
| 70 Operating Equip, Vehicles and Other | - | - | - | | | | |
| 73 Amortization Expenses | - | - | - | | | | |
| 75 Building Occupancy Charges | - | - | - | | | | |
| Total Operating Expenditures | - | - | - | | | | |
| 77 Transfers - Grants | 268,243 | (179,687) | 88,556 | | | | |
| 79 Entitlements | - | - | - | | | | |
| 80 Transfers Under Agreement | 43,406 | (11,387) | 32,019 | | | | |
| Total Grants and Transfers | 311,649 | (191,074) | 120,575 | | | | |
| 81 Trsf Payment Between Votes | - | - | - | | | | |
| 84 Interest Costs - Non Public Debt | - | - | - | | | | |
| 85 Other Expenses | - | - | - | | | | |
| Total Misc. Expenditures | - | - | - | | | | |
| 88 Recoveries - Internal | (1) | - | (1) | | | | |
| 89/90 Recoveries - External | (261,919) | 180,787 | (81,132) | | | | |
| Total Recoveries | (261,920) | 180,787 | (81,133) | | | | |
| TOTAL | 49,729 | (10,287) | 39,442 | | | | |
| Percent Change | | | (20.7%) | | | | |

2020/21 Changes:

(\$10.287M) net decrease in the Treaty and Other Agreements vote is the result of:

- (\$196.840M) planned decrease in gaming revenue for 2020/21
- \$5.766M net increase for agreements with First Nations (\$17.153M increase in revenue sharing, (\$0.026M) decrease in treaty payments, (\$11.361M) decrease in non-treaty payments) ; off set by
- \$180.787M net decrease in recoveries associated with revenue sharing payments ((\$196.840M) decrease in Gaming revenue, \$6.942M increase Forest Consultation & Revenue Sharing Agreements(FCRSA), and \$10.179M increase in Economic & Community Development Agreements (ECDA) and (\$1.068M) decrease in Economic Benefits Agreements (EBA)

Operating Budget Changes by STOB

The First Citizen Fund decreases are due to decreased investment fund revenues.

MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION
2019/20 to 2022/23

Operating Budget Changes by STOB

| | | | | \$000s | | | |
|---|------------------|------------|-------------------|------------|--------------|--------|--------------|
| First Nations Clean Energy Business Fund | | | | Change | 2021/22 Plan | Change | 2022/23 Plan |
| | 2019/20 Restated | Change | 2020/21 Estimates | s.13; s.17 | | | |
| 50 Base Salaries and Overtime | 120 | - | 120 | | | | |
| 51 Supplementary Salary Costs | - | - | - | | | | |
| 52 Employee Benefits | 30 | - | 30 | | | | |
| 54 Legislative Salaries - Indemnities | - | - | - | | | | |
| Total Salaries & Benefits | 150 | - | 150 | | | | |
| 55 Boards, Commissions, Courts Fees | - | - | - | | | | |
| 57 Public Servant Travel Expenses | - | - | - | | | | |
| 59 Centralized Management Services | - | - | - | | | | |
| 60 Professional Services | - | - | - | | | | |
| 63 Information Systems - Operating | - | - | - | | | | |
| 65 Office and Business Expenses | - | - | - | | | | |
| 67 Advertising | - | - | - | | | | |
| 68 Statutory Advertising and Publications | - | - | - | | | | |
| 69 Utilities Materials and Supplies | - | - | - | | | | |
| 70 Operating Equip, Vehicles and Other | - | - | - | | | | |
| 73 Amortization Expenses | - | - | - | | | | |
| 75 Building Occupancy Charges | - | - | - | | | | |
| Total Operating Expenditures | - | - | - | | | | |
| 77 Transfers - Grants | 5,101 | (52) | 5,049 | | | | |
| 79 Entitlements | - | - | - | | | | |
| 80 Transfers Under Agreement | 2,641 | 364 | 3,005 | | | | |
| Total Grants and Transfers | 7,742 | 312 | 8,054 | | | | |
| 81 Trsf Payment Between Votes | - | - | - | | | | |
| 84 Interest Costs - Non Public Debt | - | - | - | | | | |
| 85 Other Expenses | - | - | - | | | | |
| Total Misc. Expenditures | - | - | - | | | | |
| 88 Recoveries - Internal | (1) | - | (1) | | | | |
| 89/90 Recoveries - External | (2) | - | (2) | | | | |
| Total Recoveries | (3) | - | (3) | | | | |
| TOTAL | 7,889 | 312 | 8,201 | | | | |
| Percent Change | | | 4.0% | | | | |

Notes:

The changes in the First Nations Clean Energy Business Fund are due to projected forecast for how much money will be returned to the Fund through land and water rents associated with power projects as they come on-line and due to additional government investment

Ministry of Indigenous Relations & Reconciliation

February 2020 - 2020/21 Estimates

Summary of Grants and Transfers

| MINISTRY OPERATIONS VOTE | 2019/20 Estimates | 2020/21 Plan | 2021/22 Plan | 2022/23 Plan |
|---|----------------------|-------------------|-----------------|-----------------|
| STOB 79 - GRANTS | | | s.13; s.17 | |
| 3rd Party, McLeod Lake , Treaty Adj | 400,000 | 400,000 | | |
| STOB 77 - GRANTS | | | | |
| First Nations Summit | 275,000 | 275,000 | | |
| First Nations Leadership Council | 500,000 | 500,000 | | |
| STOB 80 - TRANSFERS UNDER AGREEMENT | | | | |
| BC Assoc. of Aboriginal Friendship Centres | 271,000 | 271,000 | | |
| First Nation Child & Family Wellness Council | 36,000 | 36,000 | | |
| Knowledgeable Aboriginal Youth Association | - | - | | |
| British Columbia Assembly of First Nations | 36,000 | 36,000 | | |
| BC Treaty Commission | 4,019,000 | 4,019,000 | | |
| Youth Leadership | | - | | |
| Youth Workers | | - | | |
| First Nations Summit | | - | | |
| First Peoples Heritage Language & Culture Crown Corp | 451,000 | 451,000 | | |
| Imagination Library | 16,000 | 16,000 | | |
| Métis Nation BC | 421,000 | 421,000 | | |
| Treaty Related Measures | 50,000 | 50,000 | | |
| Aboriginal Business Awards | 30,000 | 30,000 | | |
| Kwakwaka'wakw (Quatsino) Family Gathering | | - | | |
| Hesquiaht Languages | | - | | |
| Other Recoverable Agreements Placeholder (e.g. Moosehide) | 140,000 | 140,000 | | |
| FN Events (FN Leaders' Gathering, & other e.g. Children & Family Gathering) | 800,000 | 800,000 | | |
| Treaty Implementation Costs | 100,000 | 100,000 | | |
| Other Agreements (to be determined) | 141,000 | 141,000 | | |
| Friendship Centres | 2,150,000 | 2,150,000 | | |
| Off Reserve Aboriginal Action Plan (ORAAP) | 385,000 | 385,000 | | |
| Sub Total STOB 80 - Transfer Under Agreement | 9,046,000 | 9,046,000 | | |
| GROSS MINISTRY OPERATIONS GRANTS & TRANSFERS | 10,221,000 | 10,221,000 | | |
| RECOVERIES | | | | |
| McLeod Lake - Resource Sharing Agreement Recoveries: | (400,000) | (400,000) | | |
| Imagination Library | (10,000) | (10,000) | | |
| Other Recoverable Agreements Placeholder | (140,000) | (140,000) | | |
| Total Recoveries | (550,000) | (550,000) | | |
| NET MINISTRY OPERATIONS GRANTS & TRANSFERS (Vote 32) | 9,671,000 | 9,671,000 | | |

| TREATY & OTHER AGREEMENTS VOTE | 2019/20 Estimates | 2020/21 Plan | 2021/22 Plan | 2022/23 Plan |
|--|----------------------|-------------------|-----------------|-----------------|
| TREATY & OTHER FUNDING | | | s.13; s.17 | |
| Nisga'a FFA ¹ (inflation adjusted) | 240,000 | 244,000 | | |
| Nisga'a Wildlife Management (FFA) | 10,000 | 10,000 | | |
| Nisga'a Income Tax Sharing | 797,000 | 814,000 | | |
| Nisga'a Sales Tax Sharing | 705,000 | 681,000 | | |
| Tsawwassen - Local Government Liaison | 100,000 | 108,000 | | |
| Tswwassen Sales Tax Sharing | 95,000 | 92,000 | | |
| Tla'amin FFA | 451,000 | 452,000 | | |
| Tla'amin RRS | 388,000 | 396,000 | | |
| Maa-Nulth - settlement costs | 690,000 | 690,000 | | |
| Maa-nulth Provincial Sales Tax Sharing | 212,000 | 175,000 | | |
| Recovery placeholder | 2,000 | 2,000 | | |
| GROSS TREATY AND OTHER FUNDING | 3,690,000 | 3,664,000 | | |
| TREATY & OTHER AGREEMENTS VOTE | 2019/20 Estimates | 2020/21 Plan | | |
| NON TREATY FUNDING | | | | |
| SEAs & RAs | | | | |
| AHOUSAHT FIRST NATION | 450,000 | 450,000 | | |
| COASTAL FIRST NATION INCL. HAISLA RENEWAL | 620,000 | 620,000 | | |
| COUNCIL OF HAIDA NATION | 600,000 | 600,000 | | |
| COUNCIL OF HAIDA NATION - HGMC | 150,000 | 150,000 | | |
| DITIDAHT PACHEEDAHT | 100,000 | 100,000 | | |
| GITANYOW NATION | 300,000 | 350,000 | | |
| GITXSAN | 675,000 | 675,000 | | |
| GWA'SALA-'NAKWAXDA'XW | 100,000 | 100,000 | | |
| HAISLA NATION - CFN RPA RENEWAL | 30,000 | 30,000 | | |
| HUL'Q'UMI'NUM (STZ'UMINUS) | 500,000 | 500,000 | | |
| KASKA DENA NATION | 400,000 | 400,000 | | |
| KITSELAS | 100,000 | 100,000 | | |
| KTUNAXA NATION COUNCIL | 677,000 | 620,000 | | |
| LAKE BABINE | 50,000 | 50,000 | | |
| NANWAKOLAS FIRST NATIONS - RA | 200,000 | 200,000 | | |
| NANWAKOLAS FIRST NATIONS - SEA | 685,000 | 685,000 | | |
| NICOLA TRIBAL COUNCIL NLAKA'PAMAZ NATION (NLX) | 350,000 | - | | |
| NISGA'A | 294,000 | 290,000 | | |
| NLAKAPAMUX NATION TRIBAL COUNCIL [NNTC] | 500,000 | 500,000 | | |
| NSTQ | 450,000 | 450,000 | | |
| SECWEPEMC FIRST NATIONS | - | - | | |
| SOUTHERN DEKELH NATION ALLIANCE | 400,000 | 400,000 | | |
| STO:LO NATION | 950,000 | 950,000 | | |
| STZ'UMINUS | - | - | | |
| TAHLTAN CENTRAL GOVERNMENT | 375,000 | 375,000 | | |
| TAKU RIVER TLINGIT FIRST NATION | 250,000 | 250,000 | | |
| TSILHQOT'IN NATIONAL GOVERNMENT | 3,000,000 | 3,000,000 | | |
| TSILHQOT'IN NATIONAL GOVERNMENT | 660,000 | 660,000 | | |
| Sub - Total SEA & RA | 12,866,000 | 12,505,000 | | |
| Other Agreements | | | | |
| CHESLATA CARRIER NATION SETTLEMENT | 11,400,000 | 400,000 | | |
| FRASER RIVER TRANSITION AREA (MUSQUEAM) | 1,200,000 | 1,200,000 | | |
| FRASER RIVER TRANSITION AREA (COWICHAN) | 850,000 | 850,000 | | |
| TAHLTAN CENTRAL GOVERNMENT - SCWG | 500,000 | 500,000 | | |
| TSILHQOT'IN NATIONAL GOVERNMENT - ECON DEVEL OPP | 400,000 | 400,000 | | |
| Sub Total Other Agreements | 14,350,000 | 3,350,000 | | |
| Sub-total Other Non-Treaty | 27,216,000 | 15,855,000 | | |

| TREATY & OTHER AGREEMENTS VOTE | 2019/20 Estimates | 2020/21 Plan | 2021/22 Plan | 2022/23 Plan |
|--|----------------------|-------------------|-----------------|-----------------|
| NON-TREATY FUNDING (REVENUE SHARING) | | | s.13; s.17 | |
| BC Lottery Corporation - Gaming Revenue | 196,840,000 | - | | |
| FCRSAs | | | | |
| Per Capita (STOB 80) | 12,500,000 | 12,500,000 | | |
| Revenue Sharing (STOB77) | 33,500,000 | 40,442,000 | | |
| Sub-total FCRSAs | 46,000,000 | 52,942,000 | | |
| EBAs and other oil & gas - STOB 77 | | | | |
| Treaty 8 Economic Benefits Agreement | 2,400,000 | 3,500,000 | | |
| Saulteau RCA/SEA/Floor payment | 1,300,000 | 1,300,000 | | |
| McLeod Lake RCA/SEA/Floor payment | 1,325,000 | 1,325,000 | | |
| Halfway RCA/SEA/Floor payment | 1,300,000 | 1,300,000 | | |
| Recoverable: | | | | |
| Resource Revenue Sharing (Blueberry/Doig) | 25,000 | 12,000 | | |
| Resource Revenue Sharing (Fort Nelson) | 20,000 | 25,000 | | |
| Saulteau EBA Recovery | 1,514,000 | 1,000,000 | | |
| McLeod Lake EBA Recovery | 526,000 | 230,000 | | |
| Halfway EBA Recovery | 330,000 | 80,000 | | |
| Other Sole Proponent Agreements | 1,000 | 1,000 | | |
| Sub-total EBAs and other oil & gas | 8,741,000 | 8,773,000 | | |
| Mining ECDAs (All recoverable): | | | | |
| Brucejack (Nisga'a) | 1,399,000 | 1,029,000 | | |
| Brucejack (Tahltan) | 1,399,000 | 1,029,000 | | |
| Brule (TBD) | | 656,127 | | |
| Copper Mountain (Lower Similkameen) | 325,000 | 142,000 | | |
| Copper Mountain (Upper Similkameen) | 325,000 | 142,000 | | |
| Elk Valley (Ktunaxa) | 12,277,000 | 24,870,000 | | |
| Gibraltar (Xat'sull) | 709,000 | 119,000 | | |
| Gibraltar Alexandria (?esdilagh) | 349,000 | 58,000 | | |
| Highland Valley (Kanaka Bar IB) | 77,000 | 76,000 | | |
| Highland Valley (LNIB) | 1,837,000 | 1,092,000 | | |
| Highland Valley (NLX) | 2,869,000 | 1,859,000 | | |
| Highland Valley (NNTC) | 1,300,000 | 1,171,000 | | |
| Kooteney West Gypsum (Ktunaxa) | 32,000 | - | | |
| Mt Milligan (Takla Lake First Nation) | 602,000 | 368,000 | | |
| Mt Polley (Williams Lake Indian Band) | 49,000 | - | | |
| Mt Polley (Xat'sull) | 4,000 | - | | |
| Mt. Milligan (McLeod) | 903,000 | 552,000 | | |
| Mt. Milligan (Nakazdli) | 752,000 | 460,000 | | |
| Myra Falls (TBD) | - | 132,876 | | |
| New Afton - Skeetchestn | 901,000 | 1,068,000 | | |
| New Afton - Tk'emlups | 901,000 | 1,068,000 | | |
| Red Chris (Tahltan) | 542,000 | 898,000 | | |
| Silvertip (Kaska Dena Nation) | 363,000 | 357,000 | | |
| Silvertip (Tahltan) | 363,000 | 357,000 | | |
| Trent/Roman (Halfway River) | | - | | |
| Willow Creek (TBD) | | 260,186 | | |
| Wolverine (TBD) | | 643,047 | | |
| Sub-total Mining ECDAs | 28,278,000 | 38,407,236 | | |
| Resort ECDAs (All recoverable): | | | | |
| Jumbo (Ktunaxa) | 10,000 | - | | |

| | | | |
|--|--------------------|--------------------|------------|
| Jumbo (Shuswap Indian Band) | 10,000 | - | s.13; s.17 |
| Kicking Horse - Shuswap | 4,000 | 9,000 | |
| Mount Baldy - Osoyoos | 9,000 | 8,000 | |
| Powder King (Doig River) | 2,000 | - | |
| Powder King (Halfway River) | 2,000 | - | |
| Powder King (McLeod Lake) | 2,000 | - | |
| Powder King (West Moberly) | 2,000 | - | |
| Sasquatch Mountain (Chehalis/Sts'ailes) | 7,000 | 7,000 | |
| Silverstar (Okanagan Indian Band) | 13,000 | - | |
| Silverstar (Splatins) | 13,000 | - | |
| Valemont Accommodation (Simpco) | 10,000 | 10,000 | |
| Whistler/Blackcomb - Lil'wat First Nation | 400,000 | 450,000 | |
| Whistler/Blackcomb - Squamish Nation | 400,000 | 450,000 | |
| Sub-total Resort ECDAs | 884,000 | 934,000 | |
| TOTAL NON-TREATY REVENUE SHARING | 280,743,000 | 101,056,236 | |
| GROSS NON TREATY FUNDING | 307,959,000 | 116,911,236 | |
| GROSS VOTE 32 TREATY & OTHER AGREEMENTS TRANSFERS | 311,649,000 | 120,575,236 | |
| STOB 90 - RECOVERIES | | | |
| Gaming Revenue Recoveries (BC Lottery Corp) | (196,840,000) | - | |
| FCRSA Recoveries (Forestry) | (33,500,000) | (40,442,000) | |
| EBA's & Other Oil and Gas Recoveries: | (2,416,000) | (1,348,000) | |
| ECDA Recoveries (Mining) | (28,278,000) | (38,407,236) | |
| ECDA Recoveries (Resorts) | (884,000) | (934,000) | |
| Treaty Funding Recovery place holder | (2,000) | (2,000) | |
| | (261,920,000) | (81,133,236) | |
| NET TREATY & OTHER GRANTS & TRANSFERS (Vote 33) | 49,729,000 | 39,442,000 | |
| SPECIAL ACCOUNTS | 2019/20 | 2020/21 | |
| | Estimates | Plan | |
| First Citizens Fund (STOB 80) | | | |
| BC Assoc. of Aboriginal Friendship Centres | | | |
| Administration | 54,600 | 54,600 | |
| Elders Transportation | 21,000 | 21,000 | |
| Student Bursaries | 63,000 | 63,000 | |
| Program Funding | 504,000 | 504,000 | |
| First Peoples Heritage, Language & Culture | 600,000 | 600,000 | |
| Business Loan Program | 390,400 | 295,400 | |
| All Nations Trust (ANTCO) | 115,000 | 115,000 | |
| Business Centres | 252,000 | 252,000 | |
| First Citizens Fund | 2,000,000 | 1,905,000 | |
| First Nations Clean Energy Business Fund | | | |
| Capacity & Equity (STOB80) | 1,923,000 | 2,293,000 | |
| Diesel Displacement (STOB80) | 718,000 | 709,000 | |
| Revenue Sharing (STOB77) | 5,098,000 | 5,049,000 | |
| Administration (STOB50/52) | 150,000 | 150,000 | |
| First Nations Clean Energy Business Fund | 7,889,000 | 8,201,000 | |
| TOTAL SPECIAL ACCOUNTS TRANSFERS | 9,889,000 | 10,106,000 | |

MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION

CAPITAL BUDGET - 2019/20 to 2022/23

\$000s

| | 2019/20 Restated | Change | 2020/21 Estimates | Change | 2021/22 Plan s.13; s.17 | Change | 2022/23 Plan |
|----------------------------|---------------------|----------------|----------------------|----------|-------------------------------|--------|-----------------|
| Ministry Operations | | | | | | | |
| Land | 3,900 | (3,900) | 0 | - | | | |
| Furniture & Equipment | 1 | - | 1 | - | | | |
| MINISTRY CAPITAL | 3,901 | (3,900) | 1 | - | | | |

Changes in 2020/21 Budget include: At this time the ministry does not have any planned capital purchases in this category

2020/21 Budget No changes

2022/23 Budget s.13; s.17

MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION

LOANS, INVESTMENTS AND OTHER REQUIREMENTS - 2019/20 to 2022/23

\$000s

| | 2019/20 Estimates | Change | 2019/20 Restated | Change | 2020/21 Estimates | Change | 2021/22 Plan | Change | 2022/23 Plan |
|--|----------------------|--------|---------------------|--------|----------------------|------------|-----------------|--------|-----------------|
| Other Financing Transactions (Schedule D Inventory) | | | | | | s.13; s.17 | | | |
| Treaty and Other Agreements Receipts | - | - | - | - | - | | | | |
| Treaty and Other Agreements Disbursements | - | - | - | 15,000 | 15,000 | | | | |
| Ministry Other Financing Transactions (Schedule D Inventory) Total Net Cash Requirement | - | - | - | 15,000 | 15,000 | | | | |

Changes in 2020/21 Include:

- Treaty and Other Agreements Disbursements
 - \$15,000 increase for pre-treaty land transfers

2021/22 Changes include s.13; s.17

s.13; s.17

2022/23 Changes include s.13; s.17

PRE-TREATY LAND TRANSFERS - Disbursements represent expenditures for acquisition, administration and disposal of land as a result of the settlement of treaties, incremental treaty and other agreements part of the treaty process. Negotiation and implementation costs are funded through the ministry's voted appropriations.

MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION

REVENUE COLLECTED FOR, AND TRANSFERRED TO, OTHER ENTITIES

\$000s

| | 2019/20 Estimates | Change | 2019/20 Restated | Change | 2020/21 Estimates | s.13; s.17 |
|---|----------------------|--------|---------------------|--------|----------------------|------------|
| Other Financing Transactions (Schedule E) | | | | | | |
| Treaty and Other Agreements Receipts | - | - | - | - | - | |
| Treaty and Other Agreements Disbursements | - | - | - | - | - | |
| Ministry Other Financing Transactions (Schedule E) | - | - | - | - | - | |
| Total Net Cash Requirement | | | | | | |

Changes in 2020/21 Include: No changes

2021/22 Changes include
s.13; s.17

2022/23 Changes include:
s.13; s.17

Disbursements are provided by the province to the BC First Nations Gaming Revenue Sharing Limited Partnership as per the formula set out in the Gaming Control Act of the actual net income (receipts) of the lottery corporation collected on behalf of the Partnership. Administration costs are funded through the ministry's voted appropriations.



July 18, 2017

Honourable Scott Fraser
Minister of Indigenous Relations and Reconciliation
Parliament Buildings
Victoria, British Columbia V8V 1X4

Dear Minister Fraser:

Congratulations on your new appointment as Minister of Indigenous Relations and Reconciliation.

It has never been more important for new leadership that works for ordinary people, not just those at the top.

It is your job to deliver that leadership in your ministry.

Our government made three key commitments to British Columbians.

Our first commitment is to make life more affordable. Too many families were left behind for too long by the previous government. They are counting on you to do your part to make their lives easier.

Our second commitment is to deliver the services that people count on. Together, we can ensure that children get access to the quality public education they need to succeed, that families can get timely medical attention, and that our senior citizens are able to live their final years with dignity.

These and other government services touch the lives of British Columbians every day. It is your job as minister to work within your budget to deliver quality services that are available and effective.

Our third key commitment is to build a strong, sustainable, innovative economy that works for everyone, not just the wealthy and the well-connected. Together, we are going to tackle poverty and inequality, create good-paying jobs in every corner of the province, and ensure people from every background have the opportunity to reach their full potential.

These three commitments along with your specific ministerial objectives should guide your work and shape your priorities from day to day. I expect you to work with the skilled professionals in the public service to deliver on this mandate.

.../2

As you are aware, we have set up a *Confidence and Supply Agreement* with the B.C. Green caucus. This agreement is critical to the success of our government. Accordingly, the principles of “good faith and no surprises” set out in that document should also guide your work going forward.

As minister, you are responsible for ensuring members of the B.C. Green caucus are appropriately consulted on major policy issues, budgets, legislation and other matters as outlined in our agreement. This consultation should be coordinated through the Confidence and Supply Agreement Secretariat in the Premier’s Office. The secretariat is charged with ensuring that members of the B.C. Green caucus are provided access to key documents and officials as set out in the agreement. This consultation and information sharing will occur in accordance with protocols established jointly by government and the B.C. Green caucus, and in accordance with relevant legislation.

British Columbians expect our government to work together to advance the public good. That means seeking out, fostering, and advancing good ideas regardless of which side of the house they come from.

Our government put forward a progressive vision for a Better B.C. that has won broad support with all members of the legislature. There is consensus on the need to address many pressing issues such as reducing health-care wait times, addressing overcrowded and under-supported classrooms, taking action on climate change, tackling the opioid crisis, and delivering safe, quality, affordable child care for all. As one of my ministers, I expect you to build on and expand that consensus to help us better deliver new leadership for British Columbians.

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 Calls to Action of the Truth and Reconciliation Commission. As minister, you are responsible for moving forward on the calls to action and reviewing policies, programs, and legislation to determine how to bring the principles of the declaration into action in British Columbia.

In your role as Minister of Indigenous Relations and Reconciliation I expect that you will make substantive progress on the following priorities:

- Work collaboratively and respectfully with First Nations to establish a clear, cross-government vision of reconciliation to guide the adoption of the United Nations Declaration on the Rights of Indigenous Peoples, the Truth and Reconciliation Commission Calls to Action, and the Tsilhqot’in Supreme Court decision.
- In partnership with First Nations, transform the treaty process so it respects case law and the United Nations Declaration on the Rights of Indigenous Peoples.
- Support Indigenous communities seeking to revitalize connections to their languages.
- Provide reliable, dedicated funding and support for Friendship Centres.
- With the Minister of Finance, negotiate with First Nations leadership and communities around expanding opportunities for their share of B.C.’s gaming industry.

.../3

All members of Cabinet are expected to review, understand and act according to the *Members Conflict of Interest Act* and to conduct themselves with the highest level of integrity. Remember, as a minister of the Crown, the way you conduct yourself will reflect not only on yourself, but on your Cabinet colleagues and our government as a whole.

I look forward to working with you in the coming weeks and months ahead.

It will take dedication, hard work, and a real commitment to working for people to make it happen, but I know you're up to the challenge.

Sincerely,

A handwritten signature in black ink that reads "John Horgan". The signature is written in a cursive, flowing style with a large initial "J" and "H".

John Horgan
Premier

Confidential Issues Note - ADVICE TO MINISTER

| | |
|---|----------------------------|
| Ministry of Indigenous Relations and Reconciliation Date: May 11, 2020 Minister Responsible: Hon. Scott Fraser | MIRR 2020/21 Budget |
|---|----------------------------|

RECOMMENDED RESPONSE:

- **We're working with Indigenous peoples to build a brighter future for all of us.**
- **We are committed to making the best use of existing resources to maintain our capacity to work with Indigenous peoples and continue to meet our mandate commitments including implementation of the Declaration Act.**
- **A gaming revenue-sharing agreement announced in 2019 between B.C. and First Nations will support self-government and self-determination, strong, healthy communities and services that make life better for families.**
- **Almost \$100 million in long-term, stable annual funding supports First Nations' priorities for social services, education, infrastructure, cultural revitalization, economic development and self-government capacity – with projects already underway.**
- **This investment is another example of our commitment to work together to support self-government and self-determination, close economic and social gaps, and ensure Indigenous peoples are full partners in B.C.'s economy.**
- **During the past two and a half years we also have been taking new and innovative approaches and creating more flexibility in treaty- and agreement-making, which has led to progress at several negotiation tables.**
- **This includes important reconciliation agreements with shíshálh, Cheslatta and Carrier Sekani Nations, as well as agreements to advance treaty negotiations with groups such as the Sto:lo Nations (SXTA group), Hul'qumi'num Treaty Group, Ktunaxa, Metlakatla, and Kitselas/Kitsumkalum Nations.**
- **We continue to make a difference in the lives of Indigenous peoples through ongoing investments in affordable housing, Indigenous language and culture, child care, children and families, mental health and addictions, reducing poverty, and economic development.**

Confidential Issues Note - ADVICE TO MINISTER

Communications contact: Cale Cowan

Program area contact: Ranbir Parmar/Michelle Roland

Information Innovation Technology Division (IITD) transfer from FLNRO to EAO

- During 2019/20 fiscal year, the Information, Innovation, Technology Division was transferred from the Ministry of Forests, Lands, Natural Resource Operations and Rural Development to the Ministry of Environment and Climate Change Strategy's Environmental Assessment Office.
- The Division provides for leadership and stewardship of information management/information technology systems, maintenance and support functionalities, and application development services for the Natural Resource Ministries.
- s.13; s.17

ADVICE TO MINISTER

| | |
|--|--|
| <p>ESTIMATES NOTE (2020) Confidential</p> <p>Ministry of Indigenous Relations and Reconciliation</p> <p>Date: May</p> | <p>ISSUE TITLE:</p> <p>Procurement Practices including Direct Award Contracts</p> <p>Fiscal 19/20 YTD ending April 30, 2020</p> |
|--|--|

KEY MESSAGES:

s.13

ADVICE TO MINISTER

KEY POINTS AND BACKGROUND:

- For fiscal **19/20**, no formal vendor complaints were filed under the Vendor Complaint Review Program pertaining to the Ministry.
- The Ministry has a process in place to ensure contracts are awarded based on a fair and open tendering process as per government policy. Specifically:
 - The Ministry has a website which provides up-to-date information on procurement and links to training resources;
 - The Ministry has a hierarchical contract approval process based on the dollar value of the contract.
- Contracts of a material value may be negotiated and directly awarded in limited circumstances, including the following:
 - **Public sector organization** – The contract is with another government organization;
 - **Sole Source** – The Ministry can strictly prove that only one contractor is qualified and available to provide the goods/services;
 - **Emergency** – An unforeseeable emergency exists and the goods/services could not be obtained in time by any other means;
 - **Confidentiality** – The acquisition is of a confidential or privileged nature;
 - **Security** – A competitive process, such as open bidding, would interfere with the Ministry's ability to maintain security or confidentiality;
 - **Under \$25,000** (Services and Construction) – A contract is less than \$25,000 and a competitive process was not cost effective or reasonable;
 - A transfer payment may be direct awarded where a competitive process is not appropriate or to benefit a specific target population; or
 - **Notice of Intent** – A contract may be direct awarded after posting a Notice of Intent on BC Bid, thus advising the vendor community of the intent to direct award. Vendors have the opportunity to challenge the proposed direct award.

ADVICE TO MINISTER

The table below lists the largest **10** of the **40** direct award contracts:

| Supplier Name | Procurement Code | Description | Contract Value/ Encumbrance |
|--|---|--|--|
| Tlowitsis Tribe | Shared Cost Arrangement | FCRSA 19/20 | \$ 196,132 |
| Tla'Amin Nation | Shared Cost Arrangement (Financial Assistance) | Fiscal Financing Agreement | 133,349 |
| Roshan Danesh Law Corporation | Confidentiality | Negotiation Support For Wet'Suwet'En | 95,000 |
| Arvay Finlay LLP | Permitted under another corporate policy or legislation | Wet'Suwet'En Negotiations | 80,000 |
| Bolster Consulting Ltd. | Notice of Intent | CSAT Valuation | 79,965 |
| Mcelhanney Ltd. | Confidentiality | Environmental Due Diligence at a Cariboo Cattle Ranch | 78,700 |
| Dobb, Allen John | Sore source | Treaty/Reconciliation Negotiation Support | 75,000 |
| Brownsey, Kenneth Lorne | Sore source | Lorne Brownsey CFN Consultations | 75,000 |
| Kent-Macpherson Appraisals Inc. | Notice of Intent | Appraisal of a Cattle Ranch in the Cariboo | 65,000 |
| Brown, Saul | Sore source | Indigenous Title Implementation Project: Practical Steps To Recognize and Implement Indigenous Title in British Columbia | 55,560 |
| <i>Sum of all other direct award contracts</i> | | | 571,653 |
| Total | | | \$ 1,505.358 |

ADVICE TO MINISTER

APPENDIX A – ANALYSIS OF DIRECT AWARDS FOR CONTRACTS

In fiscal 19/20 as at April 30, 2020, **40** direct award contracts were entered into with a total value of **\$1,505,358**. This accounts for **48%** of Ministry contract dollars.

The contracts were directly awarded by the Ministry as allowed under CORE policy, as follows:

- **10** contracts were under \$25,000 and not cost-effective to compete for a total of **\$111,250**.
- The ministry can strictly prove that only one contractor is qualified and available to provide the goods/services – **9** contracts were awarded under this criteria totalling **\$281,015**.
- **8** contracts totalling **\$346,155** were directly awarded as being of a confidential or privileged nature.
- **3** contracts totalling **\$154,965** were directly awarded after posting a Notice of Intent on BC Bid, thus advising the vendor community of the intent to direct award.
- **1** contract was directly awarded to another government organization for **\$16,383**.
- **1** contract totalling **\$80,000** was directly awarded under another Corporate Policy or Legislation.
- **1** contract totalling **\$35,000** was directly awarded due to an unforeseeable emergency and the goods/services could not be obtained in time by any other means.

ADVICE TO MINISTER

APPENDIX B – TOP 10 DIRECT AWARD TRANSFERS, BY DOLLAR VALUE

| Supplier Name | Procurement Code | Description | Contract Value/ Encumbrance |
|---|---|--|--------------------------------|
| BC First Nations Gaming Revenue Sharing Limited Partnership | Shared Cost Arrangement (Financial Assistance) | | \$ 194,840,000 |
| Cowichan Tribes | Confidentiality | Cowichan Tribes Incremental Treaty Agreement | 12,674,250 |
| Johns Southward Glazier Walton Margetts LLP, In Trust | Confidentiality | Cowichan Tribes Incremental Treaty Agreement | 12,674,250 |
| Cheslatta Community Trust | Shared Cost Arrangement (Financial Assistance) | Cheslatta Carrier Nation Settlement Agreement | 11,000,000 |
| Kitsumkalum First Nation | Shared Cost Arrangement (Financial Assistance) | LNG Coastal Fund Agreement and LNG Benefits Agreement Payments | 7,500,000 |
| Squamish Nation | Shared Cost Arrangement | FCRSA 19/20 - Forest Consultation Resource Sharing Agreement | 7,425,010 |
| Carrier-Sekani Tribal Council | Shared Cost Arrangement | FCRSA 19/20 - Forest and Revenue Sharing Agreement | 4,920,003 |
| Sechelt Indian Band | Shared Cost Arrangement (Financial Assistance) | Shishalh/ British Columbia Foundation Agreement | 3,693,500 |
| Sechelt Indian Band | Shared Cost Arrangement (Financial Assistance) | Shishilh/ British Columbia Foundation Agreement | 3,642,500 |
| Tsilhqot'In National Government | Shared Cost Arrangement (Financial Assistance) | | 3,400,000 |
| <i>Sum of all other direct award transfers</i> | | | 87,417,437 |
| Total | | | \$ 349,186,950 |

Ministry of Indigenous Relations and Reconciliation
Contracts and Transfers Award Statistics
April 1, 2019 - March 31, 2020

| | # | \$ | % by # | % by \$ |
|---|------------|--------------------|--------------|--------------|
| Total number & dollar value of contracts and transfers awarded | 359 | 367,547,771 | | |
| Total contacts and transfers awarded through a competitive process | 40 | 16,855,463 | 11.1% | 4.6% |
| Total contacts and transfers directly awarded | 319 | 350,692,309 | 88.9% | 95.4% |
| Total number & dollar value of contracts | 71 | 3,117,471 | 19.8% | 0.8% |
| Contracts awarded through a competitive process | 31 | 1,612,113 | 43.7% | 51.7% |
| Contracts directly awarded | 40 | 1,505,358 | 56.3% | 48.3% |
| Total number & dollar value of transfers (shared cost arrangements & grants) | 288 | 364,430,300 | 80.2% | 99.2% |
| Transfers awarded through a competitive process | 9 | 15,243,350 | 3.1% | 4.2% |
| Transfers directly awarded | 279 | 349,186,950 | 96.9% | 95.8% |
| Analysis of competed contracts, shared cost arrangements & grants: | 34 | 4,727,113 | 9.5% | 1.3% |
| Code 100 - Open Competitive Process | 7 | 333,967 | 20.6% | 7.1% |
| Code 300 - Competitive Process Among Selected Vendors | 13 | 290,050 | 38.2% | 6.1% |
| Code 400 - Selected Vendor from Pre-Qualified List | 6 | 3,161,463 | 17.6% | 66.9% |
| Code 401 - Competition Among Vendors on Pre-Qualified List | 8 | 941,633 | 23.5% | 19.9% |
| Code 500 - Purchase from a Corporate Supply Arrangement | 0 | - | 0.0% | 0.0% |
| Code 600 - Other Purchase Process | 0 | - | 0.0% | 0.0% |
| Analysis of direct awards: | 319 | 350,692,309 | 88.9% | 95.4% |
| Code 200 - Direct Award to Public Sector Organization | 3 | 1,627,383 | 0.9% | 0.5% |
| Code 201 - Direct Award to Sole Source | 9 | 281,015 | 2.8% | 0.1% |
| Code 202 - Direct Award for Emergency | 1 | 35,000 | 0.3% | 0.0% |
| Code 203 - Direct Award for Security, Order, Etc. | 0 | - | 0.0% | 0.0% |
| Code 204 - Direct Award for Confidentiality | 11 | 27,283,155 | 3.4% | 7.8% |
| Code 205 - Direct Award, Notice of Intent | 4 | 259,965 | 1.3% | 0.1% |
| Code 206 - Direct Award Permitted Under Another Corporate Policy or Legislation | 1 | 80,000 | 0.3% | 0.0% |
| Code 207 - Direct Award Under \$25,000 | 10 | 111,250 | 3.1% | 0.0% |
| Code 208 - Direct Award, Shared Cost Arrangement (Financial Assistance) | 154 | 264,084,976 | 48.3% | 75.3% |
| Code 209 - Direct Award Shared Cost Arrangement (Competitive Selection Process Not Appropriate) | 126 | 56,929,566 | 39.5% | 16.2% |
| Other: | 6 | 12,128,350 | 1.7% | 3.3% |
| Code 601 - Other Continuing Service Agreements | 0 | - | 0.0% | 0.0% |
| Code 602 - Other Grants and Entitlements | 6 | 12,128,350 | ##### | ##### |
| Code 900 | 0 | - | 0.0% | 0.0% |
| Un-coded | 0 | - | 0.0% | 0.0% |

MIRR FISCAL 2020 DIRECT AWARD CONTRACTS as at March 31, 2020
(not including the largest DACs reported in the Advice to Minister document)

| PO Number | STOB | P-Code | Supplier Name | Description | Amended Total |
|------------|------|--------|---|--|---------------|
| TP21FA003 | 1890 | 208 | HUU-AY-AHT FIRST NATIONS | Fiscal Financing Agreement signed by Huu-ah-aht First Nations | 45,254 |
| CS20NRO003 | 6001 | 204 | FORSITE CONSULTANTS LTD. | Fibre Supply Analysis ? Wuikinuxv | 45,000 |
| TP21FA007 | 1890 | 208 | UCLUELET FIRST NATION | Fiscal Financing Agreement signed by Ucluelet First Nation | 44,708 |
| CS20NRO002 | 6001 | 204 | DWB CONSULTING SERVICES LTD. | WATER STUDIES ON CARPENTER MOUNTAIN RANCH | 42,000 |
| GS20SID017 | 6001 | 204 | NATHAN CULLEN STRATEGIES INC. | Nathan Cullen Strategies INC. | 40,000 |
| TP21FA004 | 1890 | 208 | KA:'YU:'K'T'H'/CHE:'K'TL ES7ET'H' FIRST NATIONS | Fiscal Financing Agreement signed by Ka:'yu:'k't'h'/Che:k'tles7et'h' First Nations | 37,851 |
| IS20IIT048 | 6309 | 202 | QED SYSTEMS INC. | FNLG ENHANCEMENTS & CRTS MIGRATION | 35,000 |
| CS20DMO001 | 6001 | 204 | BORERAY PRAXIS CONSULTING INCORPORATED | Reconciliation Public Education and Information Campaign | 27,500 |
| CS20NRO007 | 6001 | 201 | TWO WORLDS CONSULTING LTD. | Northeast Stakeholder Roundtable | 25,000 |

MIRR FISCAL 2020 DIRECT AWARD CONTRACTS as at March 31, 2020
(not including the largest DACs reported in the Advice to Minister document)

| PO Number | STOB | P-Code | Supplier Name | Description | Amended Total |
|-------------|------|--------|--------------------------------------|--|---------------|
| CS20RTS004 | 6001 | 207 | INDIGENOUS RECONCILIATION GROUP INC. | RTSD Facilitated Strategic Planning Session | 20,000 |
| CS20IFE002 | 6001 | 201 | CARON, FLAVIO DOMINIC | FLAVIO CARON BUSINESS CONSULTING - Facilitation Services between Semiahmoo First Nation and the City of White Rock | 19,500 |
| TP21FA006 | 1890 | 208 | UCHUCKLESAHT TRIBE | Fiscal Financing Agreement signed by Uchucklesaht Tribe | 19,221 |
| CS20NRO008A | 6001 | 207 | HALKETT, PHILIP G | FY20 - AB - CS20NRO008 - PHILIP G. HALKETT - Philip Halkett | 17,000 |
| CS20NRO003A | 6001 | 200 | FORSITE CONSULTANTS LTD. | Fibre Supply Analysis - Wuikinuxv | 16,383 |
| GS20SID015 | 6001 | 207 | TORO MARKETING INC. | Language Partners Table - Facilitation and Action Plan | 16,000 |
| GS20SID013 | 6001 | 207 | WILLIAMS, LORNA B, DR | Language Partners Table- Action Plan Facilitator/Advisor | 14,000 |
| GS20SID014 | 6001 | 207 | HEMPHILL, JESSIE | Language Partners Table- Facilitation and Action Plan | 14,000 |
| CS20DMO002 | 6001 | 204 | ROMAR COMMUNICATIONS LTD. | Reconciliation Public Education and Information Campaign | 11,340 |

MIRR FISCAL 2020 DIRECT AWARD CONTRACTS as at March 31, 2020
(not including the largest DACs reported in the Advice to Minister document)

| PO Number | STOB | P-Code | Supplier Name | Description | Amended Total |
|------------|------|--------|---|---|---------------|
| SU20ILS001 | 6001 | 205 | PATRICK RINGWOOD CORPORATION | Contract services - land survey and registration advice/analysis | 10,000 |
| IS20IIT047 | 6309 | 201 | BOLSTER CONSULTING LTD. | BA SUPPORT FOR THE COST-SHARING ANALYSIS TOOL (CSAT) | 10,000 |
| IS20IIT057 | 6309 | 201 | LATITUDE GEOGRAPHICS GROUP LTD. | DEVELOPMENT, ENHANCEMENT AND MAINTENANCE SUPPORT FOR ABORIGINAL INTERESTS MAPPING SYSTEM (AIMS) | 10,000 |
| IS20IIT058 | 6309 | 201 | VIVID SOLUTIONS INC. | OPERATIONS AND MAINTENANCE SUPPORT FOR THE COST-SHARING ANALYSIS TOOL (CSAT) | 10,000 |
| CS20IFE005 | 6001 | 207 | JEMMA SCOBLE AND ASSOCIATES CONSULTING INC. | Facilitation Services between Semiahmoo First Nation and the City of White Rock | 9,700 |
| GS20SID016 | 6001 | 204 | D.R. COELL & ASSOCIATES INC. | Thetis Cove Appraisal Update (Esquimalt) | 6,615 |
| CS20IFE004 | 6001 | 207 | SLATER, JESSICA* | Director - FN Social and Cultural Policy | 6,000 |
| GS20SID006 | 6001 | 207 | ALDERHILL PLANNING INC. | Strategic Planning Session for the Minister's Advisory Council on Indigenous Women | 5,550 |
| CS20NRO008 | 6001 | 207 | HALKETT, PHILIP G* | Philip Halkett | 5,000 |

MIRR FISCAL 2020 DIRECT AWARD CONTRACTS as at March 31, 2020
(not including the largest DACs reported in the Advice to Minister document)

| PO Number | STOB | P-Code | Supplier Name | Description | Amended Total |
|--------------|------|--------|-----------------------------------|--|----------------|
| TP19CLE021 | 3075 | 208 | EHATTESAHT FIRST NATION | BARR CREEK HYDRO ELECTRIC | 4,078 |
| GS20SID012 | 6001 | 207 | CREED, MYLES A | Language Partners Table- Meeting Preparation | 4,000 |
| CS20IFE001A | 6001 | 201 | INDIGENUITY CONSULTING GROUP INC. | Land Use Planning Coast Regional Workshop | 955 |
| Total | | | | | 571,653 |

NOW THEREFORE in consideration of these premises and other good and valuable consideration (the receipt and sufficiency of which is hereby acknowledged by each party), the parties agree as follows:

Agreement:

1. Any amendments to the Umbrella Agreement set out in this Statement of Work only apply to this Statement of Work and do not apply to or vary the Umbrella Agreement for the purposes of other Statements of Work that the parties may enter into;

Term:

2. This Statement of Work Term commences on April 1, 2018 and ends on March 31, 2019.

Services:

3. The Contractor will provide the Services described in this Statement of Work.

The Ministry of Indigenous Relations and Reconciliation (Ministry) leads the Province in pursuing reconciliation with the First Nations and Aboriginal peoples of British Columbia. From time-to-time, the Ministry acquires the services of contractors to assist the Ministry in that purpose. The Contractor will:

- a) Represent the Ministry in discussions and negotiations with the Tsilhqot'in National Government (TNG) to implement the Nenqay Deni Accord (Accord) between the TNG and the government of British Columbia;
- b) Provide regular updates to the Ministry Lead or such other persons as the Ministry Lead designates including senior executive members of provincial agencies with Accord accountabilities. Consistent with section 8 of this statement of work, the Contractor and the Ministry Lead will mutually agree on the most appropriate form of providing updates, which may include for example, phone calls; e-mails; summary report documents, powerpoint presentations; and other means;
- c) Develop negotiation strategies and provide advice to the Ministry Lead or such other persons as the Ministry Lead designates, on negotiation priorities and activities with respect to the Accord and all ancillary agreements including the Letter of Intent Addendum, and any other agreements and understandings reached with the TNG over the term of this statement of work;
- d) Liaise with the Federal negotiations lead on the Canada-TNG bi-lateral agreement and other Federal departments as required to ensure that ultimate reconciliation with the TNG is comprehensive and ultimately reflects the shared accountabilities of both the Federal and BC governments;

- e) Provide briefings; presentations; progress reports as directed by the Ministry Lead or such other person as the Ministry Lead may designate; and
- f) Provide other related services as may be mutually agreed between the Contractor and the Ministry Lead; and

Outcomes

Through the delivery of the Contractor's Services, the Ministry wishes to realize the following outcomes and, without limiting the obligation of the Contractor to comply with other provisions of this statement of work, the Contractor must use commercially reasonable efforts to achieve them:

1. Implementation of the first-year commitments under the Nenqay Deni Accord and ancillary agreements including the Letter of Intent Addendum by March 31, 2019;
2. Support for the Province in continuing to build a good government to government relationship with the TNG and its citizens;
3. Support for the Ministry to continue to chair the provincial working group responsible for Accord implementation, addressing priority issues and supporting the Leadership Table;
4. Support for the Ministry to engage with the Federal government on a cohesive and shared approach to reconciliation with the TNG; and
5. Support for the Province in building effective stakeholder engagement processes and structures that will ensure the timely exchange and flow of information on the Accord negotiations with industry, local government, other First Nations, and British Columbia citizens.

The parties acknowledge that the Contractor does not warrant that these outcomes will be achieved.

4. In the event that the Contractor wishes for a person (Subcontractor), other than the Contractor and/or those persons identified in this Statement of Work, to deliver any or all of the Services, the Contractor will seek and obtain the prior written approval of the Ministry Lead, or such other person as the Ministry Lead may designate.
5. Prior to commencing the Services, the Contractor, must deliver to the Ministry Lead or such other person as the Ministry Lead may designate, a fully completed and signed copy of the "Conflict of Interest Disclosure", attached as Appendix 2 to this Statement of Work; and the "Undertaking of Confidentiality", attached as Appendix 4 to this Statement of Work.

6. To the extent that other persons have been identified and approved under sections 4 and 23, the Contractor must deliver to the Ministry Lead, or such other person as the Ministry Lead may designate, a fully completed and signed "Conflict of Interest Disclosure" and "Undertaking of Confidentiality" for each of those persons, attached as Appendix 3 and Appendix 5 to this Statement of Work.

Deliverables:

7. Before the term end of this Statement of Work, the Contractor will prepare and deliver to the Ministry Lead or such other person or group as the Ministry Lead may designate, the following (specified for the purposes of this Statement of Work as the "Final Deliverables" in Table 1) by the dates specified, unless otherwise approved by the Ministry Lead or such other person or group as the Ministry Lead may designate:

Table 1

| Deliverable | Milestone Date |
|--|----------------|
| 1. Provide Ministry representation in discussions and negotiations with the Tsilhqot'in National Government (TNG) to implement the Nenqay Deni Accord (Accord) between the TNG and the government of British Columbia. | Ongoing |
| 2. Develop negotiation strategies and provide advice to the Ministry Lead or such other persons as the Ministry Lead designates, on negotiation priorities and activities with respect to the Accord and all ancillary agreements. | Ongoing |
| 3. Provide briefings; presentations; progress reports as directed by the Ministry Lead or such other person as the Ministry Lead may designate | Ongoing |
| 4. Other directly related services as may be mutually agreed between the Contractor and the Ministry Lead | TBD |

If requested, before or in parallel with commencing the Services, the Contractor shall prepare for the approval of the Ministry Lead, or such other person as the Ministry Lead may designate, a Project Implementation Plan including but not limited to: a project communications approach; a Project Charter; a work plan with timelines and milestones; a project risk management plan; and a listing of the proposed project team members and credentials.

8. The form and content of reports and other deliverables, including ongoing progress reports in sections 3 and 7, will be mutually agreed to between the Contractor and the Ministry Lead, or such other person as the Ministry Lead may designate.

Reporting Accountability and Support:

9. The Contractor will report to the Ministry Lead or such other person as the Ministry Lead may designate.

10. The Ministry will make reasonable efforts to provide or to assist the Contractor with obtaining timely access to information and personnel that the Ministry and the Contractor mutually agree is required for the Contractor to perform the Services.
11. The Contractor will rely on information provided to it by the Ministry or other parties authorized to provide such information, and will make all reasonable efforts to independently verify its accuracy and completeness within the time and provisions of any approved Project Implementation Plans prepared as part of this Statement of Work.
12. On an ongoing basis, the Ministry Lead and Contractor will mutually review the Services, Project Implementation Plan and project timelines to confirm the appropriateness of, or amend the identified Services, Project Implementation Plan and timelines.

Project Material

13. All material owned by the Contractor prior to the commencement of this Statement of Work is the property of the Contractor. All material received, created or disbursed under this Statement of Work is the property of the Ministry and may be subject to the *Freedom of Information Act*.
14. The form, content and timing of reports/other deliverables, including ongoing progress reports, to the extent it is not defined in this Statement of Work, will be mutually agreed to between the Contractor and the Ministry Lead or such other person as the Ministry Lead may designate.
15. Further to sections 5.3 and 6 of the Umbrella Agreement, should the Contractor be required to comply with a professional standard that requires the retention of and access to records owned by the Province under this Statement of Work #2018 – MIRR (Nenqay Deni Accord) – 2 by persons other than those that are covered by and subject to an “Undertaking of Confidentiality” and a “Conflict of Interest Disclosure” as further described in Appendices 2 – 5 of this statement of work, the Contractor will provide to the Ministry Lead a list of such records and an additional “Undertaking of Confidentiality” and “Conflict of Interest Disclosure” for each such person.

Fees and Expenses:

16. Despite sections 17 through 20 of this Statement of Work, \$95,000 (CDN) is the *maximum amount* which the Province is obliged to pay to the Contractor for fees and expenses under this Statement of Work (exclusive of any applicable taxes described or referenced in section 3.1(c) of the Umbrella Agreement) without prior written approval from the Finance Lead or such other person as the Finance Lead may designate.

STATEMENT OF WORK AMENDMENT #2
BUSINESS ADVISOR – STRATEGIC INITIATIVES

| | |
|-------------------------------|--|
| Contractor | Positive Deviance Inc. |
| Supplier# | 2513034 - 001 |
| Contract ID# | C16CFFS34892 |
| Master RFP Reference# | RFP#SA-MF4 |
| Statement of Work Ref# | 2018 – MIRR (Nenqay Deni Accord) – 2 Amendment #2 |

WHEREAS:

- A. The parties entered into a General Service Agreement dated March 1, 2016 (the "Umbrella Agreement"), further amended by Modification Agreement #1 (Option to Renew) dated February 2, 2018 that contemplates Her Majesty the Queen in the Right of the Province of British Columbia (the "Province") retaining **Positive Deviance Inc.** (the "Contractor") to cause **Doug Konklin** to provide specified services in accordance with certain terms and conditions, set out in a Statement of Work, once it has been agreed upon and executed by both parties;

Statement of Work #2018 – MIRR (Nenqay Deni Accord) – 2, Amendment #1 is amended by this **Amendment #2** as follows:

- B. Section 2 (Term) is replaced with:

Original Start date: April 1, 2018

Original End date:

March 31, 2019

Amendment #1: revised end date

April 30, 2019

Amendment #2: revised end date

March 1, 2020

- C. Section 16 "Fees and Expenses" is replaced with:

16: Despite sections 17 through 20 of this Statement of Work, **\$198,300.00 (CDN) is the maximum amount** which the Province is obliged to pay to the Contractor for fees and expenses under Statement of Work #2018 – MIRR (Nenqay Deni Accord) – 2 (\$95,000.00 (CDN), Amendment #1 (8,300.00 (CDN) and this Amendment #2 (\$95,000.00 (CDN) exclusive of any applicable taxes described or referenced in section 3.1(c) of the Umbrella Agreement) without prior written approval from the Finance Lead or such other person as the Finance Lead may designate.

All other terms of Statement of Work 2018 – MIRR (Nenqay Deni Accord) – 2, remain in effect.

Ministry Lead:

| | | | |
|----------------|--|---------------|--|
| Name: | Trish Balcaen | Title: | Assistant Deputy Minister, Ministry of Indigenous Relations and Reconciliation |
| E-mail: | Trish.Balcaen@gov.bc.ca | Tel: | (250) 356-1645 |

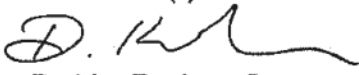
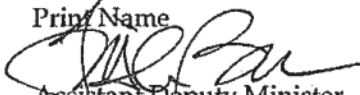
Finance DMO Lead:

| | | | |
|----------------|--|---------------|--|
| Name: | Doug Foster/KB | Title: | ADM, Deputy Minister's Office, Ministry of Finance |
| E-mail: | Doug.Foster@gov.bc.ca | Tel: | (250) 387-9022 |

Execution and Delivery of Statement of Work:

This Statement of Work **Amendment #2** may be entered into by a separate copy of this Statement of Work being executed by, or on behalf of, each party and that executed copy being delivered to the other party by a method provided for in section 13.1 of the Umbrella Agreement or any other method agreed to by the parties.

The parties have executed this Statement of Work as follows:

| | |
|---|--|
| SIGNED on the 30 th day of April 2019 by the Contractor (or, if not an individual, on its behalf its authorized signatory or signatories): | SIGNED on the 30 th day of April 2019 on behalf of the Province by its duly authorized representative: |
| Signature(s) <u>Doug Konkin</u> Print Name(s)  Positive Deviance Inc. | Signature <u>Trish Balcaen</u> Print Name  Assistant Deputy Minister, Ministry of Indigenous Relations and Reconciliation |
| Print Title(s) <u>PRINCIPAL</u> | Print Title <u>ADM, NROD</u> |

**STATEMENT OF WORK
BUSINESS ADVISOR – STRATEGIC INITIATIVES**

| | |
|-------------------------------|---------------------------------|
| Contractor | Positive Deviance Inc. |
| Supplier# | 2513034-001 |
| Contract ID# | C16CFFS34892 |
| Master RFP Reference# | RFP#SA-MF4 |
| Statement of Work Ref# | 2019 – MIRR (NPA Site C) |

WHEREAS:

- A. The parties entered into a General Service Agreement dated March 1, 2016 (the "Umbrella Agreement"), further amended by Modification Agreement #1 (term extension to March 1, 2020) that contemplates Her Majesty the Queen in the Right of the Province of British Columbia (the "Province") retaining **Positive Deviance Inc.** (the "Contractor") to cause **Doug Konkin** to provide specified services in accordance with certain terms and conditions, set out in a Statement of Work, once it has been agreed upon and executed by both parties;
- B. The Umbrella Agreement requires that the Contractor deliver to the Ministry Lead or such other person as the Ministry Lead may designate, a fully completed and signed copy of:
1. an "Undertaking of Confidentiality" that covers each and all of the Contractor and its employees, in the form attached as Appendix 2 to this Statement of Work, before starting work under each Statement of Work;
 2. an "Undertaking of Confidentiality" that covers each Subcontractor and its employee(s), in the form attached as Appendix 3 to this Statement of Work, before a Subcontractor starts work under each Statement of Work;
 3. a "Conflict of Interest Disclosure" that covers each and all of the Contractor and its employees that will be involved in providing the Services for or on behalf of the Contractor, in the form attached as Appendix 4 to this Statement of Work, before starting work under each Statement of Work; and
 4. a "Conflict of Interest Disclosure" that covers each Subcontractor and its employee(s) that will be involved in providing the Services for or on behalf of the Contractor, in the form attached as Appendix 5 to this Statement of Work, before the Subcontractor starts work under each Statement of Work; and
- C. The parties wish to enter a Statement of Work as contemplated in the Umbrella Agreement.

NOW THEREFORE in consideration of these premises and other good and valuable consideration (the receipt and sufficiency of which is hereby acknowledged by each party), the parties agree as follows:

Agreement:

1. Any amendments to the Umbrella Agreement set out in this Statement of Work only apply to this Statement of Work and do not apply to or vary the Umbrella Agreement for the purposes of other Statements of Work that the parties may enter into.

Term:

2. This Statement of Work Term commences on February 14, 2019 and ends on March 1, 2020.

Services:

3. The Contractor will provide the Services described in this Statement of Work.

The Ministry of Indigenous Relations and Reconciliation (Ministry) leads the Province in pursuing reconciliation with the First Nations and Aboriginal peoples of British Columbia. From time-to-time, the Ministry acquires the services of contractors to assist the Ministry in that purpose. The Contractor will:

- a) Represent the Province (Ministry of Indigenous Relations and Reconciliation (MIRR)) in negotiations with West Moberly and Prophet River First Nations to negotiate a settlement agreement related to Site C.
- b) Work with a cross-ministry team (comprised of staff from the following ministries: Indigenous Relations and Reconciliation; Energy Mines and Petroleum Resources; Forests, Lands, Natural Resource Operations and Rural Development; Attorney General; and the BC Oil and Gas Commission) to develop negotiation strategies and final agreements.
- c) Lead negotiations that are consistent with the Ministry's mandate with First Nation(s) with the support of Ministry-staffed negotiation teams.
- d) Conduct concurrent negotiations as necessary with third party industry proponents and other relevant stakeholders.
- e) Draft agreements including proposals and strategies to address negotiation issues.
- f) Develop agreement structure including the relevant First Nation or First Nations and the Province; side letters; and side agreements as required.
- g) Provide briefings; presentations; progress reports as directed by the Ministry Lead or such other person as the Ministry Lead may designate; and
- h) Provide other related services as may be mutually agreed between the Contractor and the Ministry Lead.

Outcomes

Through the delivery of the Contractor's Services, the Ministry wishes to realize the following outcomes and, without limiting the obligation of the Contractor to comply with other provisions of this Statement of Work, the Contractor must use commercially reasonable efforts to achieve them:

1. Finalize Negotiation Protocol Agreement, Agreements in Principle, and Settlement Agreements with West Moberly and Prophet River First Nations;
2. Support for the Province in continuing to build a good government to government relationship with the West Moberly and Prophet River First Nations;
3. Support for the Province in building effective stakeholder relations that will ensure the timely exchange and flow of information on the negotiations with industry, local government, other First Nations, and British Columbia citizens.

The parties acknowledge that the Contractor does not warrant that these outcomes will be achieved.

4. In the event that the Contractor wishes for a person (Subcontractor), other than the Contractor and/or those persons identified in this Statement of Work, to deliver any or all of the Services, the Contractor will seek and obtain the prior written approval of the Ministry Lead, or such other person as the Ministry Lead may designate.
5. Prior to commencing the Services, the Contractor, must deliver to the Ministry Lead or such other person as the Ministry Lead may designate, a fully completed and signed copy of the "Conflict of Interest Disclosure", attached as Appendix 2 to this Statement of Work; and the "Undertaking of Confidentiality", attached as Appendix 4 to this Statement of Work.
6. To the extent that other persons have been identified and approved under sections 4 and 23, the Contractor must deliver to the Ministry Lead, or such other person as the Ministry Lead may designate, a fully completed and signed "Conflict of Interest Disclosure" and "Undertaking of Confidentiality" for each of those persons, attached as Appendix 3 and Appendix 5 to this Statement of Work.

Deliverables:

7. Before the term end of this Statement of Work, the Contractor will prepare and deliver to the Ministry Lead or such other person or group as the Ministry Lead may designate, the following (specified for the purposes of this Statement of Work as the "Final Deliverables" in Table 1) by the dates specified, unless otherwise approved by the Ministry Lead or such other person or group as the Ministry Lead may designate:

Table 1

| Deliverable | Milestone Date |
|---|-----------------------|
| 1. Provide Ministry representation in discussions and negotiations with West Moberly and Prophet River First Nations to make best efforts to come to an Agreement in Principle and Settlement Agreement | Ongoing |
| 2. Develop negotiation strategies and provide advice to the Ministry Lead or such other persons as the Ministry Lead designates, on negotiation priorities and activities with respect to the Agreement in Principle, Settlement Agreement, and all ancillary agreements. | Ongoing |
| 3. Provide briefings; presentations; progress reports as directed by the Ministry Lead or such other person as the Ministry Lead may designate | Ongoing |
| 4. Other directly related services as may be mutually agreed between the Contractor and the Ministry Lead | TBD |

If requested, before or in parallel with commencing the Services, the Contractor shall prepare for the approval of the Ministry Lead, or such other person as the Ministry Lead may designate, a Project Implementation Plan including but not limited to: a project communications approach; a Project Charter; a work plan with timelines and milestones; a project risk management plan; and a listing of the proposed project team members and credentials.

8. The form and content of reports and other deliverables, including ongoing progress reports in sections 3 and 7, will be mutually agreed to between the Contractor and the Ministry Lead, or such other person as the Ministry Lead may designate.

Reporting Accountability and Support:

9. The Contractor will report to the Ministry Lead or such other person as the Ministry Lead may designate.
10. The Ministry will make reasonable efforts to provide or to assist the Contractor with obtaining timely access to information and personnel that the Ministry and the Contractor mutually agree is required for the Contractor to perform the Services.
11. The Contractor will rely on information provided to it by the Ministry or other parties authorized to provide such information and will make all reasonable efforts to independently verify its accuracy and completeness within the time and provisions of any approved Project Implementation Plans prepared as part of this Statement of Work.
12. On an ongoing basis, the Ministry Lead and Contractor will mutually review the Services, Project Implementation Plan and project timelines to confirm the appropriateness of, or amend the identified Services, Project Implementation Plan and timelines.

NOW THEREFORE in consideration of these premises and other good and valuable consideration (the receipt and sufficiency of which is hereby acknowledged by each party), the parties agree as follows:

Agreement:

1. Any amendments to the Umbrella Agreement set out in this Statement of Work only apply to this Statement of Work and do not apply to or vary the Umbrella Agreement for the purposes of other Statements of Work that the parties may enter into;

Term:

2. This Statement of Work Term commences on April 1, 2018 and ends on March 31, 2020.

Services:

3. The Contractor will provide the Services described in this Statement of Work.

s.16

- h) Provide other related services as may be mutually agreed between the Contractor and the Ministry Lead; and

Outcomes

s.16

Deliverables:

7. Before the term end of this Statement of Work, the Contractor will prepare and deliver to the Ministry Lead or such other person or group as the Ministry Lead may designate, the following (specified for the purposes of this Statement of Work as the "Final Deliverables" in Table 1) by the dates specified, unless otherwise approved by the Ministry Lead or such other person or group as the Ministry Lead may designate:

Table 1

| Deliverable | Milestone Date |
|---|----------------|
| 1. Provide Ministry representation in discussions and negotiations with the 5 TLE First Nations to come to a final settlement of Treaty Land Entitlement claims. | s.16 |
| 2. Develop negotiation strategies and provide advice to the Ministry Lead or such other persons as the Ministry Lead designates, on negotiation priorities and activities with respect to TLE settlement. | |
| 3. Provide briefings; presentations; progress reports as directed by the Ministry Lead or such other person as the Ministry Lead may designate | |
| 4. Other directly related services as may be mutually agreed between the Contractor and the Ministry Lead | |

s.16

approved Project Implementation Plans prepared as part of this Statement of Work.

12. On an ongoing basis, the Ministry Lead and Contractor will mutually review the Services, Project Implementation Plan and project timelines to confirm the appropriateness of, or amend the identified Services, Project Implementation Plan and timelines.

Project Material

13. All material owned by the Contractor prior to the commencement of this Statement of Work is the property of the Contractor. All material received, created or disbursed under this Statement of Work is the property of the Ministry and may be subject to the *Freedom of Information Act*.

s.16

Fees and Expenses:

s.16; s.17

- (a) The majority of work is carried out by the Contractor and use of an approved Subcontractor is for a short-term period only; and
- (b) Overall costs of the Statement of Work are lower for provincial taxpayers than other proposals received by the Ministry.

Table 2

| Personnel | Hourly rate (\$CDN) |
|------------------------------------|---------------------|
| Contractor's Key Personnel: | |
| Doug Konkin | s.17 per hour |
| Subcontractor(s) - | N/A |

- 18. Fees at an hourly rate approved in advance in writing by the Ministry Lead or such other person as the Ministry Lead may designate for those hours during the Term when an additional approved Subcontractor or Key Personnel of the Contractor provides the Services.
- 19. The Ministry Lead or such other person as the Ministry Lead may designate will not approve an hourly rate for a Subcontractor or Key Personnel that exceeds the rates approved for persons identified in section 17 for comparable services.
- 20. Subject to sections 21 and 22 of this Statement of Work, the Contractor's claim will include:
 - (a) the Contractor's travel, accommodation and meal expenses for travel greater than 32 kilometers away from the Contractor's mailing address on the same basis as the Province pays its Group II employees when they are on travel status (see attached Appendix 1 – Group II Rates Expenses for Contractors); and
 - (b) the Contractor's actual long distance telephone, fax, postage and other identifiable communication expenses; and

excluding goods and services tax ("GST") or other applicable tax paid or payable by the Contractor on expenses described in (a) to (b) to the extent that the Contractor is entitled to claim credits (including GST input tax credits), rebates, refunds or remissions of the tax from the relevant taxation authorities.

- 21. Travel and expense authorizations will be subject to prior approval by the Ministry Lead or such other person as the Ministry Lead may designate.

Statements of Account:

- 22. In order to obtain payment of any fees and expenses under this Statement of Work for a period from and including the 1st day of a month to and including the last day of that month (each a "Billing Period"), the Contractor must deliver to the Province on a date after the Billing Period (each a "Billing Date"), a written statement of account in a form satisfactory to the Province containing:

PART 1. TERM:

1. Subject to section 2 of this Part 1, the term of this Agreement commences on August 1, 2019 and ends on March 31, 2020.
2. The term of this agreement may be extended or modified.

PART 2. SERVICES:

The Wet'suwet'en Nation (Wet'suwet'en) and British Columbia are entering into negotiations on a proposed agreement. The intent of the agreement is to advance reconciliation with Wet'suwet'en Nation by recognizing and implementing Wet'suwet'en title and rights throughout the Wet'suwet'en *Yintah* (territory), working through the hereditary chiefs as represented by the Office of the Wet'suwet'en (OW).

Through the negotiations, the parties will establish and implement a step-wise and incremental plan to move towards long-term reconciliation between one another, including advancing self-determination and the recognition and implementation of the Wet'suwet'en's rights and title.

s.16

MEMPR, FLNRORD and MIRR have identified negotiations with Wet'suwet'en as a priority in their respective regional workplans. s.16

s.16

The Contractor will lead all aspects of the negotiation of the agreement with Wet'suwet'en and coordinate work planning and agency involvement related to advancing immediate and short-term measures in parallel to agreement discussions. Immediate and short-term measures will be advanced by sub-teams from EMPR, FLNRORD or other agency representatives and are intended to demonstrate progress, build trust and advance progress on particular issues s.16

s.16

Outputs

The Contractor must:

- Scope immediate measures with the aim of building trust and momentum.
- Advance discussions to s.16 and an agreement that respects Wet'suwet'en rights and title.
- Create a plan to phase achievable outcomes to arrive at a long-term shared vision of reconciliation.
- Lead a cross-agency team, including MIRR, FLNRORD and EMPR, in the negotiation of an Agreement with Wet'suwet'en and coordinate resolution of immediate measures and other short-term issues that may arise.
- Develop and execute a provincial strategy & workplan to achieve the Agreement with Wet'suwet'en.
- Make best efforts to successfully conclude the negotiation of an Agreement by March 31, 2020 or an alternative timeline that appropriately reflects provincial interests.
- Provide regular verbal and/or written reports to the MIRR and FLNRORD steering committee established to guide this project, and act on advice and instructions from that steering committee.
- Support external communications and briefings, as required.
- Support engagement with local government, stakeholders, and other First Nations.
- Perform other duties or tasks as reasonably requested by the Ministry.

Inputs

The Contractor must:

- Arrange for personal travel
- Provide briefings to government Executive, Ministers and others as required to provide information and seek instructions.

Outcomes

Through the delivery of the Services the Province wishes to realize the following outcomes and, without limiting the obligation of the Contractor to comply with other provisions of this Part, the Contractor must use commercially reasonable efforts to achieve them:

1. Durable representation of the Wet'suwet'en Nation in a harmonious nation-to-nation relationship with the Province of British Columbia;
2. Certainty for government, citizens, proponents and the Wet'suwet'en people in the management of the Yintah;
3. Demonstrable, incremental recognition and implementation of Wet'suwet'en title.

The parties acknowledge that the Contractor does not warrant that these outcomes will be achieved.

Reporting requirements

The Contractor will provide electronic / personal updates upon major milestones and as requested by the parties on the progress of discussions. For the purpose of this contract, the Contractor will report to the following steering committee:

MIRR: Doug Caul, Trish Balcaen, Tom McCarthy, Cory Waters.

FLNRORD: Eamon O'Donoghue

PART 3. RELATED DOCUMENTATION:

1. The Contractor must perform the Services in accordance with the obligations set out in this Schedule A including any engagement letter, Solicitation document excerpt, proposal excerpt or other documentation attached as an Appendix to, or specified as being incorporated by reference in, this Schedule.
2. The following are Appendices to this Schedule A:

| | |
|---|-----------------------|
| Appendix 1 – Engagement Letter | NOT APPLICABLE |
| Appendix 2 – Solicitation document excerpt | NOT APPLICABLE |
| Appendix 3 – Proposal excerpt | NOT APPLICABLE |
| Appendix 4 – Additional Terms | ATTACHED |

PART 4. KEY PERSONNEL:

1. The Key Personnel of the Contractor are as follows:

- (a) Murray Rankin

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**Speaking Notes
for
Hon. Scott Fraser
Minister of Indigenous Relations and Reconciliation
Estimates Speech
BC Legislature
July 17, 2020 [TBC]
[time tbc]**

Word count: 1,751

MIRR key messages:

- **We're working with Indigenous peoples to build a bright future for everyone who lives in B.C.**
- **We are making significant investments in reconciliation, and this budget shows a true cross-government approach.**
- **Like any government, we are managing various commitments and pressures over the course of the fiscal plan.**

• s.13

- **A revenue-sharing agreement announced in 2019 between B.C. and First Nations is supporting self-government and self-determination, strong, healthy communities and services that make life better for families.**
- **Almost \$100 million in annual funding supports First Nations' priorities for social services, education, infrastructure, cultural revitalization, economic development and self-government capacity.**
- **This investment is another example of our commitment to work together to support self-government and self-determination, close economic and social gaps, and ensure Indigenous people are full partners in B.C.'s economy.**
- **We're making a difference in the lives of Indigenous people through continued investments in affordable housing, Indigenous language and culture, child care, children and families, mental health and addictions, reducing poverty, and economic development.**

2020 Estimates Speech

- It is my pleasure to speak today about Budget 2020.
- First, I'd like to point out that the way we are gathered today, to do this work of Government, is extraordinary.
- I thank the many staff from the legislature, and elsewhere in government, who have made it possible for us to have a virtual legislative sitting during the pandemic.
- To do this important business in ways we would not have thought possible before.

[PAUSE]

- We are here today on the territory of the Lekwungen people and the Songhees and Esquimalt Nations.

- I feel so blessed to get to do our work here on this beautiful land.
- Joining us today are ministry staff including:
 - Deputy Minister Doug Caul
 - Assistant Deputy Ministers Wes Boyd, [Jennifer Melles tbc], Jessica Wood, Trish Balcaen and Suzanne Christiansen.
 - I am also grateful to have Tracey Herbert, CEO of the First People's Cultural Council, here supporting us today.
- This is my first Estimates debate – from either side of the House – outside of the House.

COVID-19

- And of course, that is because we are in the midst of a challenge that has tested us all in many ways.

- But it is a challenge that has also brought us together.

[PAUSE]

- As we are doing here today – we have had to rely on technology and innovation in these unusual times.
- This has allowed us to continue the important work of our ministry, and government, with Indigenous partners.
- Last month, Premier Horgan and I met on Zoom with all the leaders from the modern treaty nations.
- We came together as a group for the first time – to discuss matters that are important to us all.
- We have done virtual town halls with First Nations and Indigenous leaders and organizations.

- We have conducted negotiations, and even signed an agreement on Zoom.
- Despite these unprecedented times, the vital work of government is still getting done.

[PAUSE]

- In the face of the global pandemic, the health and safety of British Columbians is the top priority.
- And our commitment to reconciliation is stronger than ever.
- This has been evident in how we have worked with First Nations on the COVID response.
- The level of co-ordination and engagement between Nations and government in responding to the pandemic has been extraordinary...

- Though, of course, it's not always perfect.
- We always have more to learn.

[PAUSE]

- First Nations communities have been devastated by past pandemics...
- Smallpox, tuberculosis, scarlet fever, influenza, measles.
- Entire communities devastated by the deaths of thousands of Indigenous people in British Columbia and across Canada.
- That history remains fresh in the minds of Indigenous peoples.

- First Nations and Indigenous leaders have worked very hard to keep their communities – and especially the Elders – safe from COVID-19.
- And very successfully, according to recent data from the First Nations Health Authority.
- The First Nations Health Authority has been leading our effort to support First Nations with this work.
- Which has been a key priority across many government agencies.
- The Ministry of Health, First Nations Health Authority, Emergency Management BC, my ministry, and Indigenous Services Canada have all worked closely together with First Nations and Indigenous organizations.
- Sharing information and supporting communities with planning, supplies and food security.

- We also developed a new framework that will ensure health-care needs are better met in remote and Indigenous communities.
- We are all working together to make it through this safely.
- And we will continue to do that.
- Because we are stronger for working together.

Cross-Government Highlights

- Our government believes that, by working together, we can build a better, more secure future for everyone.
- In the past three years, we have been working to bring tangible benefits to British Columbians that make life better.

- Safe, affordable homes for people who need them,
- Fair wages,
- Affordable child care,
- Public services that people can depend on,
- Investments in education, health care, safe communities,
- A more inclusive province,
- And – very importantly – a strong, sustainable economy.

[PAUSE]

- In my role as Minister of Indigenous Relations and Reconciliation...

- I see this as important groundwork that contributes to advancing reconciliation with Indigenous peoples.
- Because there is work to be done on reconciliation in every sector and aspect of society.
- And, of course, that is why every minister has it in their mandate.

Accomplishments

- During the past three years, we have reached some significant mileposts on our shared journey with Indigenous peoples.
- Historic legislation to implement the United Nations Declaration on the Rights of Indigenous Peoples.
- Sharing provincial gaming revenues.

- Agreements with Nations that are making life better for communities throughout British Columbia.
- Investments in language revitalization and Indigenous housing on- and off-reserve.
- K-to-12 curriculum updates to include Indigenous culture and history in all grades.
- Amended child welfare laws to keep Indigenous children with their families and communities.
- New strategies for First Nations justice and poverty reduction.
- The first-ever Indigenous law program at UVic.
- Investments mental health and addiction supports for Indigenous peoples.

- All of this has contributed to the ongoing work of implementing the UN Declaration.
- This important progress – achieved by working together with Indigenous peoples – has given us a strong foundation for implementing the Declaration on the Rights of Indigenous Peoples Act.

Declaration Act

- The Declaration Act passed in November...
- With the support of all members of the Legislature.
- It was a momentous occasion...
- And something all members of the Legislature can be proud of – no matter what side of the house we sit on.

- We were the first jurisdiction in Canada to pass such legislation.
- Legislation that upholds the human rights of Indigenous peoples.
- Legislation that provides us with a framework for reconciliation.

[PAUSE]

- Since November, we have had discussions with many Indigenous partners about the critical next steps for consultation and implementation of the Act.
- This has included First Nations directly, modern treaty Nations, the First Nations Leadership Council, Métis Nation BC and other Indigenous organizations.

- These conversations, along with previous engagements and agreements, will inform the priorities for the action plan...
- Which we expect will be released before the end of the year...
- And of course, a couple of weeks ago we also tabled the first annual report under the Declaration Act.

[PAUSE]

Gaming revenue sharing

- The other milestone I'm most proud of from the last year was the first transfer of shared gaming revenue.
- Nearly \$3 billion will be shared over the next 25 years.

- This revenue is making a real difference in communities.
- Building sorely needed housing...
- Building a community youth centre that will offer supports for young people...
- Managing fuels in a nearby forest to protect homes from wildfires...
- Creating connections to culture that are integral to the health of communities.
- We look forward to the many stories yet to come...
- And to seeing how this long-term, dependable source of revenue supports self-determination and self-government.

[PAUSE]

New agreements

- Because, self-determination is at the core of reconciliation.
- In the past year, we have worked collaboratively with Nations to support their unique vision of reconciliation.
- We celebrated with the Carrier Sekani Tribal Council to mark the signing of the Pathways Forward Agreement ...
- An agreement about making people's lives better....
- With regional economic development as a cornerstone of reconciliation.
- I want to acknowledge that this work started under the previous government...

- Setting the foundation for the success story we are now building with the Carrier Sekani people – and all citizens of the central interior.
- Other important agreements included a land-use plan with Tahltan Nation to bring certainty to the Klappan Valley.
- And a historic reconciliation agreement with the federal government and T̓silhqot'in Nation.
- We also continue to cultivate our relationship with Métis people in British Columbia...
- Through an accord with Métis Nation of BC that again builds on work by the previous government.
- Making sure Métis people are part of the reconciliation conversation and actions in B.C.

- We also, of course, signed an MOU with the Wet'suwet'en Nation.
- An MOU that starts a negotiation process on how to implement Wet'suwet'en rights and title together.
- Reunification within Wet'suwet'en Nation is a key part of that.
- Complex issues around Wet'suwet'en rights and title have remained unresolved since the 1997 Delgamuukw-Gisday'wa decision.
- By taking the steps to resolve these issues, we can avoid the kind of conflicts we've seen on the land...
- And instead work together for the benefit of all people who live in the region.

[PAUSE]

- These are a few examples of the reconciliation efforts and progress we are making with First Nations, Métis and urban Indigenous people in this province.

Treaty transformation

- For many Nations, treaties are our path to advance reconciliation together.
- Guided by a new policy that modernizes treaty-making in B.C....
- We are basing treaties on the recognition of inherent rights.
- No longer will government extinguish those rights.
- The policy was developed in collaboration with federal government and First Nations Summit.

- And our new approaches to treaty-making are helping us make progress.
- Ditidaht and Pacheedaht ...
- We Wai Kai [WEE-wah-kye], Wei Wai Kum [WEE-wha-kum], and Kwiakah [KWEE-khuh]...
- With all of these Nations, we moved to the final stages of treaty negotiations last year.
- We have also been advancing treaty negotiation through Incremental Treaty Agreements.
- Cowichan Tribes, Penelakut [pen-ELL-uh-cut] Tribe and Halalt First Nation have all purchased private lands through these agreements recently.
- Lands that support economic development for the Nations.

[PAUSE]

- **Language revitalization**
- Of course, culture is also an important part of advancing reconciliation.
- For many years, language revitalization was neglected...
- Even though all Indigenous languages in B.C. are endangered.

[PAUSE]

- Language is an invaluable way to connect people to community, land, and culture.
- And we recognized this through a \$50-million investment in 2018.

- As a result, First Peoples' Cultural Council was able to quadruple their Mentor-Apprentice teams – from 27 to 109 teams in the past two years.
- They also more than doubled the number of Language Nests in the province, from 14 to 33.
- And they are delivering more language grant funding to communities than ever before.
- This work supports a foundation for the future.
- A future with thriving Indigenous languages, spoken in thriving communities.
- I hope we can all envision a day when all Indigenous children can speak their language.

Conclusion

- Together, we've made important progress since 2017, when my Cabinet colleagues and I received our mandates.
- We have much more to do.
- But the Declaration on the Rights of Indigenous Peoples Act gives us the tools and framework to take the next steps of that work.
- We have important conversations going on right now with Indigenous peoples to develop the action plan.
- Within those discussions lies a roadmap for our shared priorities ahead.
- Our commitment is to do that work together...

- In cooperation and consultation with Indigenous peoples.
- Thank you – I look forward to our discussion today.

– END –

Budget 2020 – Ministry of Indigenous Relations and Reconciliation

KEY MESSAGES AND QUESTIONS & ANSWERS

Key Messages:

- **We're working with Indigenous peoples to build a brighter future for all of us.**

s.13

- **A gaming revenue-sharing agreement announced in 2019 between B.C. and First Nations will support self-government and self-determination, strong, healthy communities and services that make life better for families.**
- **Almost \$100 million in long-term, stable annual funding supports First Nations' priorities for social services, education, infrastructure, cultural revitalization, economic development and self-government– with projects already underway.**
- **This investment is another example of our commitment to work together to support self-government and self-determination, close economic and social gaps, and ensure Indigenous peoples are full partners in B.C.'s economy.**
- **During the past two and a half years we also have been taking new and innovative approaches and creating more flexibility in treaty- and agreement-making, which has led to progress at several negotiation tables.**
- **This includes important reconciliation agreements with shíshálh, Cheslatta and Carrier Sekani Nations, as well as agreements to advance treaty negotiations with groups such as the Sto:lo Nations (SXTA group), Hul'qumi'num Treaty Group, Ktunaxa, Metlakatla, and Kitselas/Kitsumkalum Nations.**
- **We continue to make a difference in the lives of Indigenous peoples through ongoing investments in affordable housing, Indigenous language and culture, child care, children and families, mental health and addictions, reducing poverty, and economic development.**

Questions and Answers:

1. What's in Budget 2020 for Indigenous peoples?

- Our government has made reconciliation with Indigenous peoples a cross government priority – every B.C. Cabinet minister shares this mandate.
- The Declaration on the Rights of Indigenous Peoples Act builds on the work we've already started to implement the UN Declaration
- Together with Indigenous peoples, we have been working to build a more prosperous future, with revenue sharing and delivering affordable housing.
- We are supporting language revitalization, implementing a new K-12 curriculum that makes sure children in B.C. are taught about Indigenous culture and history, and having the care of children in Indigenous communities where it belongs.
- We are working collaboratively with First Nations on land-use planning and environmental stewardship and incorporating traditional knowledge into resource decision-making.
- We are making innovative agreements with First Nations that support self-government and self-determination.
- The new legislation will help us build on this progress and make a real difference in the lives of Indigenous families and everyone in B.C.
- Reconciliation is an ongoing commitment to engaging as partners in ways that respect the right of Indigenous peoples to determine their own future.
- Our new legislation forms the foundation for this work, mandating government to develop an action plan for meeting the objectives of the UN Declaration and to bring provincial laws into harmony with the UN declaration.

2. Why has the Ministry's 2020/21 budget decreased?

- Like any government, we must manage various commitments and pressures over the course of the fiscal plan.
- MIRR's 2020/21 budget is \$96.7 million
- This is a slight decrease (\$11 million or about 10%) from the previous year, due to:
 - A small fiscal reduction.
 - A decrease in payments for treaty and other agreements of \$10.3 million to match the actual cost of agreements.
 - There was a \$0.095-million decrease to the First Citizens Fund due to projected decrease in investment fund revenues; and
 - There was a \$0.312-million increase to the First Nations Clean Energy Business Fund because the forecast for how much money will be returned to the Fund through land and water rents associated with power projects has increased as projects come online.

3. What is the impact of the expenditure management?

- In alignment with government and ministry priorities, we focused on protecting staff and the delivery of our core services with minimal disruption to our stakeholders.
- We primarily targeted operational expenses such as travel, contract expenditures, information technology, office and business expenses and other discretionary expenditures.

4. How can the ministry meet mandate and reconciliation commitments, as well as increased expectations from Indigenous communities, within current funding constraints?

- Advancing reconciliation is central to our government's mandate and we are committed to continuing to work in partnership with Indigenous peoples to make life better for everyone in B.C.

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- Reconciliation with Indigenous peoples is a cross-government priority – every B.C. Cabinet minister shares this mandate.

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- Over the past two and a half years, we have acted across government, in partnership with Indigenous peoples, to advance reconciliation and to support self-determination.
- Together with Indigenous peoples, we are working to build a more prosperous future – with revenue sharing, affordable housing on- and off-reserve, language revitalization, keeping Indigenous children with their families and communities, and making sure all students in B.C. are taught about Indigenous culture and history.
- We are working collaboratively with First Nations on land-use planning and environmental stewardship and incorporating traditional knowledge into resource decision-making.
- We are making innovative agreements with First Nations and taking new approaches to treaty-making that support self-government and self-determination and recognize inherent rights.
- And we passed unanimously the Declaration on the Rights of Indigenous Peoples Act – legislation developed in collaboration with Indigenous partners to implement the UN Declaration.

5. How does B.C. intend to implement the Declaration Act?

- B.C. is a leader in Canada in advancing reconciliation.
- We have recognized in law the human rights of Indigenous peoples.
- Court decision after court decision has upheld the Indigenous title and rights and directed government to take action on this.
- The Declaration Act gives us a path forward, creating clarity and predictability for all people in British Columbia.
- We have made significant progress already, and we'll continue to work together to build an even stronger, more inclusive and more just B.C. that will create a better future for everyone.
- On June 30, we tabled our first annual report on implementation of the Act – which we have collaborated on with First Nations, Treaty Nations, Métis people and Indigenous organizations.
- The report speaks to the work we've done together and what's to come – including the development of the Action Plan for implementing the Act.
- We have begun conversations on implementation with First Nations and Indigenous organizations, including at active tables, to inform the action plan.
- We are also looking at previous engagements and agreements as we work together to establish priorities for the action plan, which will be released before the end of the year.

6. How does signing an MOU with the Wet'suwet'en fulfil your commitments to the UN Declaration and address concerns about the Coastal Gas Link pipeline?

- The tripartite Memorandum of Understanding (MOU) is a first step toward resolving difficult and complicated issues around Wet'suwet'en rights and title, which have remained unresolved since the 1997 Delgamuukw-Gisday'wa decision.
- By resolving these issues, we can avoid the kind of conflicts we've seen on the land and work together for the benefit of all people who live in the region.
- The MOU is the start of a negotiation process – we have a great deal of work ahead of us to determine how we will implement rights and title together, as Canada, BC and the Wet'suwet'en.
- Reunification within Wet'suwet'en Nation is essential for this work to move forward successfully.
- We are committed to transparency and openness, and will be engaging with Wet'suwet'en members – including elected leaders – during our negotiations, as well as neighbouring Nations, local governments, stakeholders and the public.

7. How is gaming revenue, first announced in Budget 2019, being used by First Nations?

- A commitment to share \$3 billion in revenue with First Nations over the next 25 years is supporting self-government and self-determination, strong, healthy communities and services that make life better for families.
- The provincial government transferred \$194.84 million to the newly formed B.C. First Nations Gaming Revenue Sharing Limited Partnership in August 2019, providing the first two years of shared gaming revenue committed to under Budget 2019.
- Amendments to the Gaming Control Act allow the Province and First Nations to finalize a long-term gaming agreement, expected to be completed soon.
- Being able to count on secure and long-term revenue is already transforming communities and lives.
- First Nations are using the revenues for programs making a real difference in communities – a community youth centre to support a Nation's young people, fuel management in the nearby forest to protect a Nation's homes from wildfires and language programs that build connection to culture that is integral to the health of communities.
- Like every government, First Nations need stable, predictable sources of revenue to fund their priorities – critical things for every government, such as infrastructure, services that build healthy communities and the staff to get it done.

8. How does gaming revenue sharing with First Nations work?

- All First Nations communities in B.C. are eligible to become members in the limited partnership.
- Each First Nation that participates in the revenue sharing agreement can use the gaming revenue to support priorities for its community, such as enhanced social services, education, housing, infrastructure, cultural revitalization and self-government capacity.
- The revenue may be used in six areas that support governance, capacity building and strengthened program and service delivery:
 - 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.
- Direct distribution of gaming revenue to individuals is not permitted.

9. Will the ministry restore the level of funding to the First Citizens Fund seen three years ago?

- The First Citizens Fund is a special fund within government's Consolidated Revenue Fund and the monies do not come from the ministry budget.
- As fund revenue is interest-driven, recent low interest rates have affected revenue that supports programs and will provide approximately \$1.9 million to support programs in 2020/21 which is down from \$2.0 million in 2019/20.
- This funding supports Indigenous small business development, First Nations language preservation, bursaries for Indigenous post-secondary students, and assistance for elders to attend their annual gathering.
- The First Citizens Fund provides \$0.6M annually to the First Peoples' Cultural Council to support Indigenous language revitalization.

10. Has the budget been increased for the Forest Consultation and Revenue Sharing Agreements (FCRSA)?

- B.C. will continue to fund the current Forest Consultation and Revenue Sharing Agreement program through Treaty and Other Agreements funding vote. \$52.9 million has been budgeted for 2020/21.
- That's an increase of \$8.5 million from 2019/20.

11. Why is the ministry increasing funding to the First Nations Clean Energy Business Fund?

- The Province is increasing funding for First Nations clean-energy projects for the 2020/21 fiscal year by \$0.312 million.
- The total includes additional funding that has been dedicated to helping remote First Nations communities reduce reliance on diesel-powered generators.
- The additional 5% for this initiative has been extended a further three years. In 2023/24 fiscal year the revenues into the fund will be reduced from 55% to 50%.

12. What about Aboriginal Friendship Centres concerned about the effect of the Employer Health Tax?

- Our government is proud to be meeting our promise to fully eliminate MSP premiums.
- Most Friendship Centres in B.C. will not pay the Employer Health Tax and those that do will only pay on a portion of their payroll.

13. How has government supported Aboriginal Friendship Centres?

- Our government has more than tripled the financial support for Friendship Centres, with an additional \$6.45 million over three years (2018-2021) through the B.C. Association of Aboriginal Friendship Centres (BCAAFC).
- \$2.150 is being provided annually to the BC Association of Aboriginal Friendship Centres until 2021.
- Aboriginal Friendship Centres are key partners in supporting urban Indigenous people who face complex social challenges.
- More importantly, this represents for the first time ever, reliable, dedicated funding for Friendship Centres so they can focus on their important work.
- The Province is working to make a difference in the lives of all Indigenous peoples in B.C. through investments in the social sector, including housing, child care and poverty reduction.

14. Is language revitalization part of Budget 2020?

- \$50-million in provincial government funding through the Indigenous-led First Peoples' Cultural Council is helping communities and peoples to reclaim connections to their language and culture.
- For too long language revitalization was neglected and all Indigenous languages in B.C. are endangered.
- Many of the challenges communities face around language and culture are systemic and founded on our colonial practices aimed at eradicating Indigenous culture, including the residential school system.
- By investing in Indigenous languages and culture, we are starting to address those systemic social challenges.
- With this funding, the Council has accomplished much in a short time.
- They have more than doubled the number of community language grants to support language revitalization, with more than \$16 million in grants distributed to First Nations since 2018.
- The Council is now supporting more than 30 Language Nests, which create cultural immersion environments for preschool age children and their parents to become fluent in First Nations languages, and more than 100 mentor-apprentice teams.
- And they are increasing significantly the number of dialects digitally archived on FirstVoices.com.
- The Council also continues to work collaboratively with several ministries to share expertise and knowledge required to meet government's commitments to implement UNDRIP and the recommendations of the Truth and Reconciliation Commission.

15. How does this budget support treaty transformation?

- This budget reflects our ongoing support for the important work of treaty negotiations, and the role of the BC Treaty Commission in supporting that process.
- Treaties reflect meaningful reconciliation with First Nations.
- The provincial and federal governments and the First Nations Summit worked together to develop a new policy that modernizes treaty-making in B.C., which was finalized and rolled out in September 2019.
- The new policy reflects new approaches to negotiation that have emerged as we have sought to innovate in the Treaty process to implement the UN Declaration.
- As part of the work between the provincial and federal governments and the First Nations Summit to modernize treaty-making in B.C. a new policy to guide Treaty negotiations in the province was finalized in 2019.
- Our goal is to base treaties on a recognition of the inherent rights of Indigenous peoples and on lasting government-to-government relationships that can evolve over time.
- In the past two years this has led to advancements at treaty tables, through more flexibility and new and innovative approaches.

16. First Nations have criticized the ministry for being under-staffed and under-resourced. Does this budget address that?

- Reconciliation is a cross-government priority, and we've made investments and increased support on a wide range of pressing issues for Indigenous people and communities.
- The Ministry of Indigenous Relations and Reconciliation dedicated \$2.4 million annually in Budget 2019 to fund staff positions to support negotiations and the implementation of the UN Declaration on the Rights of Indigenous Peoples.

17. Is government still committed to funding for First Nations related to LNG? Are you still negotiating LNG agreements with First Nations?

- The Province is continuing with several LNG-related negotiations. These negotiations include completing agreements with First Nations associated with the LNG Canada/Coastal Gaslink and Woodfibre/Eagle Mountain LNG projects.
- For agreements completed between the Province and First Nations, as projects meet construction thresholds and begin operation, further benefits will be provided.
- Our government has made it clear that any proposed LNG project must respect and include First Nations as partners and also protect the environment.

18. Why are you still pursuing LNG agreements with the pipeline issues we are seeing and climate change impacts?

- We have been clear that any LNG development must fit within our climate targets and we are committed to building a cleaner future and seizing the many opportunities of a low-carbon economy.
- Done in the right way, these projects can help build healthy communities and create shared prosperity that benefits Indigenous communities and all British Columbians.
- We are ensuring that First Nations communities can benefit from LNG opportunities through benefit agreements, environmental stewardship opportunities and skills training.
- Participation by First Nations in major projects is a key component of addressing economic aspects of reconciliation.
- For too long First Nations have been excluded from the benefits of resource activity in their territory, and the Province is committed to ensuring they benefit from new projects and access to job, contracts and financial resources that help communities address socio-economic needs.

Confidential Issues Note - ADVICE TO MINISTER

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| Ministry of Indigenous Relations and Reconciliation Date: June 18, 2020 Minister Responsible: Hon. Scott Fraser | Supports for First Nations during COVID-19 |
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RECOMMENDED RESPONSE:

- Over the past few months, our province has come together and focused on what we need to do to stop the spread of COVID-19.
- Indigenous Nations have been part of that, making difficult decisions that have kept communities safe.
- Through our collective efforts, we have successfully flattened the curve in B.C., and are now carefully moving into our restart plan.
- Indigenous communities, particularly in remote areas, face unique circumstances and have specific needs in responding to the pandemic, and those need to be taken into account.
- The First Nations Health Authority, federal government and Province – including support from my ministry – continue to work in partnership to help make sure Indigenous communities have the supports and information they need.
- As part of that, the Province has developed a collaborative framework to ensure that people living in rural, remote and Indigenous communities have access to critical health care when they need it, which we are working to implement.

Communication:

- Timely and proactive communication is critical in emergency situations.
- Emergency Management BC has been hosting regional coordination calls with First Nations and local governments to share the most current information.
- The provincial government also hosts regular multi-agency calls with Indigenous organizations, including the First Nations Leadership Council, First Nations Health Council and others.
- And we have hosted telephone town halls with First Nations leaders as well as Indigenous organizations in urban areas.

Confidential Issues Note - ADVICE TO MINISTER

Support funding for Indigenous peoples:

- B.C.'s COVID-19 Action Plan includes new funding to support individuals, vulnerable populations and people experiencing homelessness and brings aid to all British Columbians worried about paying bills and staying afloat.
- The federal government is also providing funding to support First Nations and Indigenous peoples.
- This includes specific funding for First Nations, Métis and Inuit people, organizations supporting Indigenous peoples living in urban areas and women's shelters in First Nations communities.
- Emergency Management BC is also providing reimbursement to First Nations to support their emergency response.
- Additionally, Indigenous Services Canada is working with Emergency Management BC and the First Nations Health Authority to support communities that may struggle to meet food and critical supplies needs.

If asked about outbreaks in specific First Nations:

- We must continue to work together to protect each other, especially for Elders and the most vulnerable people, as we continue with our restart plan.
- First Nations Health Authority has been supporting Nations with pandemic planning, providing supplies and equipment, and ensuring appropriate staffing for community health care teams so that they are ready if any cases emerge.
- All regional health authorities are providing testing with rapid turnaround times and are at the ready to do comprehensive contact tracing should any cases arise.
- Indigenous Services Canada, First Nations Health Authority and Emergency Management BC also continue to collaborate to ensure Indigenous communities have the supports they need.

Communications Contact: Kim Hudson/Sarah Plank Program Contact(s): Cam Filmer/Ryan Jordan/Jennifer Melles

Confidential Issues Note - ADVICE TO MINISTER

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| Ministry of Indigenous Relations and Reconciliation Date: May 12, 2020 Minister Responsible: Hon. Scott Fraser | COVID-19: First Nation communities travel restrictions |
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RECOMMENDED RESPONSE:

- Indigenous communities, particularly in isolated areas, have specific needs and face unique circumstances in responding to the COVID-19 pandemic.
- Due to increased vulnerability of many First Nations communities, a number have issued restrictions on non-essential travel into their communities.
- The Province has supported First Nations' initiatives to curtail non-essential travel into isolated communities, including providing roadside signage and other supplies if requested.
- The Province did not issue emergency orders regarding travel within B.C., but strongly discouraged non-essential travel for many months, and worked to support First Nations if they deemed travel restrictions into a community a necessary protection.
- Communities were encouraged to work with Emergency Management BC, appropriate health agencies and the RCMP in applying travel restrictions into their communities, and the province was able to provide supports such as signage or equipment to support checkpoints.
- The needs of each community is different, and we approached them on a case-by-case basis.
- It always important for appropriate road access to be maintained for traffic going elsewhere, and for those providing designated essential services.

If asked about hunting and fishing:

- People can still hunt and fish if they abide by the orders and guidelines of the Provincial Health Officer, Band Council Resolutions, advisories and travel guidance.
- First Nations have jurisdiction in states of emergency to protect the health and safety of their communities, and some First Nations have issued travel restrictions related to travel into their communities.

Confidential Issues Note - ADVICE TO MINISTER

- Hunters and fishers are asked to respect check-points and comply with restrictions unless providing services at the request of the First Nation community. Please check individual First Nation websites prior to your hunt.
- Hunters and fishers are asked to avoid overnight trips, avoid stopping for gas/supplies/food outside of their own community and take extra precautions to ensure they do not unexpectedly require the services of a community near their planned hunt.

If asked about workcamps or tree planting:

- The Province provided guidelines to assist industrial camps and tree planting operations in their response to COVID-19.
- These industries are taking the necessary steps to observe these guidelines and the Province is inspecting them to ensure they are being followed.
- For Industrial camps this has included limiting the number of people in the same space to no more than 50, increasing the number of handwashing stations on work sites, reconfiguring communal areas such as cafeterias and closing gyms.
- Tree planting operation guidance includes having sanitation stations at worksites, clean vehicles to transport staff from housing to work locations, physical distancing on the job and best practices for handling tools and equipment.
- We have also stressed the importance of workers taking physical distancing steps when accessing the local community to purchase goods and access services, including limiting the number of people from a camp who go into a nearby community.

Confidential Issues Note - ADVICE TO MINISTER

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| Ministry of Indigenous Relations and Reconciliation Date: July 15, 2020 Minister Responsible: Hon. Scott Fraser | First Nations & BC's reopening/restart plan |
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RECOMMENDED RESPONSE:

- We recognize that Indigenous communities have been tragically hard-hit by pandemics in the past.
- Indigenous communities, especially in remote areas, have unique needs in responding to the pandemic, and those need to be considered.
- Many tourist-dependent communities are now safely welcoming the gradual return of out-of-town visitors.
- At the same time, we also acknowledge some smaller and more remote communities and First Nations continue to be concerned about visitors to their communities.
- Our decisions on reopening are being guided by the public health experts.
- First Nations Health Authority has been engaging closely with First Nations directly to support their response throughout the pandemic, including as the Province moves to restart.
- Government also launched a new framework to ensure people living in rural, remote and Indigenous communities have access to critical health care that meets their unique needs during the pandemic and into the future.
- For First Nations that have concerns regarding B.C.'s reopening plans, it's important we talk about that with them, and that's what we are doing.
- Provincial officials continue to have ongoing discussions with First Nations throughout the province.
- We want to work with communities on practical measures that help build their confidence that the safety of their communities is top of mind as we restart the economy in B.C., including local tourism.
- It's also important that tourism operators work with the local First Nations to ensure they are comfortable with any restart plans
- We are committed to working together to ensure everyone's safety and build confidence as we continue carefully resume travel within the province.

Confidential Issues Note - ADVICE TO MINISTER

If asked about the framework to support rural, remote and Indigenous communities:

- B.C.'s Rural and Remote COVID-19 Response Framework is helping those living in rural, remote and Indigenous communities access the critical health care they can count on to meet their unique needs during the COVID-19 pandemic and beyond.
- Many services and supports are now in place, including the Virtual Doctor of the Day program that virtually connects Indigenous peoples to health care professionals, and the creation of community cohort centres where those with COVID-19 can self-isolate closer to critical care.
- COVID-19 testing has been expanded in all health authorities, with testing turnaround times usually within 24 to 48 hours.
- GeneXpert rapid testing systems are strategically installed at a range of hospitals throughout the province, including in a number of smaller communities, to speed up testing turn-around times.
- B.C. has added ground and air ambulances to improve medical transportation options from rural and remote communities to larger centres.
- Advanced Care Paramedics are now positioned across the province.

If asked about consultation with/consent from First Nations before reopening their territories:

- We are making decisions within the restart plan under the guidance and advice of public health expert, including from Dr. Henry and the First Nations Health Authority.
- We continue to have active dialog with many First Nations as we collaborate together to manage through the pandemic.
- It's important that we hear about First Nations circumstances and thoughts as we move forward, and that we share the latest information and ensure confidence in the restart plan.
- That dialogue is ongoing.

If asked about jurisdiction to restrict travel of non-residents into the entire territory:

- First Nations do have the authority to restrict travel into their reserve lands, but access for people traveling through on provincial highways and ferries must be maintained.
- The province's transportation network is essential for maintaining the critical supply chain for food, goods and medicine, so that supplies can get to hospitals, pharmacies and grocery stores.

Confidential Issues Note - ADVICE TO MINISTER

If asked about tourism operations:

- We want to work together under the B.C. restart plan as we move forward.
- We are aware that some First Nations continue to be concerned about welcoming visitors to their communities, and this is making it difficult for business owners to plan for the summer season ahead.
- We encourage continued dialogue between First Nations and tourism operators so that there is a good understanding of the significant measures required for the business reopening plans and any concerns can be addressed.
- If companies have sound COVID-safe plans, they should be able to safely reopen without putting communities at risk – the plans are based on advice from public health experts.

If asked about financial supports for First Nations:

- Our COVID-19 Action Plan has been creating and funding programs and supports designed to help British Columbians and Indigenous peoples through the pandemic.
- This includes:
 - An increase to the B.C. Climate Action Tax Credit.
 - The new B.C. Emergency Benefit for Workers program, which provides a one-time, tax-free payment of \$1,000 to qualified workers.
 - The new COVID-19 Crisis Supplement, which is providing those on income or disability assistance with an additional \$300/month.
- Government ministries and agencies, including the Ministry of Indigenous Relations, have been working together to ensure services and supports are available for Indigenous peoples, including mental health services, housing, renters relief and added support for food banks.
- Priorities for the province's economic recovery fund are still being determined.
- First Nations and Indigenous organizations have received significant funding from the federal government.

Confidential Issues Note - ADVICE TO MINISTER

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| Ministry of Indigenous Relations and Reconciliation Date: July 14, 2020 Minister Responsible: Hon. Scott Fraser | COVID-19: Reopening in Nuu-chah-nulth territory |
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RECOMMENDED RESPONSE:

- We understand that Indigenous communities have been tragically hard-hit by pandemics in the past.
- And we know some communities are concerned about the impact this virus could cause for their communities and their elders.
- Indigenous communities, particularly in remote areas, face unique circumstances and have specific needs in responding to the pandemic, and those need to be taken into account.
- The First Nations Health Authority has been engaging closely with First Nations to support their response throughout the pandemic, including as the Province reopens.
- In May, we launched the new Rural, Remote, First Nation and Indigenous COVID-19 Response Framework to help ensure people living in such communities have access to critical health care that meet their unique needs during the COVID-19 pandemic and into the future.
- We are committed to working together with Nuu-chah-nulth to ensure everyone's safety and build confidence as we continue carefully resume travel within the province.
- B.C. has a robust set of health measures around testing and contact tracing in place and continues to rely on the expert advice of Provincial Health Officer Dr. Bonnie Henry as we move into the next phases of our restart plan.

If asked about meetings:

- The Province is working with Nuu-chah-nulth leadership, discussing the concerns, and ensuring they have the information they need.
- Provincial officials met on June 24 with Nuu-chah-nulth Tribal Council leadership to discuss ways to provide greater assurance as we move to the careful reopening.
- We talked about practical measures to help build' confidence in their communities' safety as we move through Phase 3.

Confidential Issues Note - ADVICE TO MINISTER

- Those discussions will continue as we work through this together.
- We are currently working on scheduling a meeting with the Nations of the Nuu-chah-nulth Tribal Council, Tsilhqot'in Nation and the United Coastal Communities on the north-central coast of B.C.

If asked if Nuu-chah-nulth can close down the provincial parks in the territory:

- At the outset of the pandemic, some local governments and First Nations communities raised concerns about certain parks being open and attracting non-essential travel into remote areas with vulnerable local communities.
- BC Parks continues to work with these communities to respect their interests and address concerns about reopening these parks.
- Closed parks and protected areas near vulnerable and remote communities will only reopen after taking into consideration the safety of visitors and staff, impact on nearby communities and protection of the environment. Some parks might have to remain closed.
- The Province is focusing its restart plan on meeting all the tests: protecting public health, protecting Indigenous communities and promoting economic activity so people can put food on the table.

If asked about Ahousaht resolution on provincial parks in their territory:

- Maquinna Marine Provincial park remains closed due to its very close proximity to the Hesquiaht Nation's community (Hesquiaht Village) at Hot Springs Cove. Additionally, opening this particular park is not possible due to physical distancing requirements identified by the PHO.
- The provincial parks and protected areas in Clayoquot Sound remain closed with the exception of Vargas Island Provincial Park.
- BC Parks lifted the closure of Vargas Island Provincial Park on June 1 for the following reasons:
 - Ongoing, high demand from local residents and businesses for access to outdoor recreation opportunities, fresh air and exercise.
 - Re-direct and concentrate use to one park location distant from local communities from the other closed parks/ protected areas that were experiencing regular and increasing non-compliance with the closures.
 - Consistent with Phase 2 and 3 of BC's restart plan
 - Consistent with the advice of the PHO, Ministry of Health and local public health officials

Confidential Issues Note - ADVICE TO MINISTER

Communications Contact: Kim Hudson/Sarah Plank Program Area Contact(s): Cam Filmer/Jennifer Melles

Confidential Issues Note - ADVICE TO MINISTER

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| Ministry of Indigenous Relations and Reconciliation Date: July 14, 2020 Minister Responsible: Hon. Scott Fraser | Fishing lodge concerns in Haida Gwaii |
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RECOMMENDED RESPONSE:

- We acknowledge that Haida Nation has concerns about re-opening the island to visitors.
- Senior government officials are engaging with First Nations leadership in communities on the north-central coast around reopening plans.
- We have weekly calls with Haida Nation and the other United Coastal Communities to discuss the pandemic response, identify concerns and share information, as well other regular meetings with Haida Nation.
- These discussions include exploring options for additional measures on Haida Gwaii to build further confidence in reopening plans on the island.
- We understand that the lodges have developed safety plans in line with WorkSafe BC guidelines and based on that, we encourage Haida Nation and the lodge operators to work together, to reach a resolution through dialogue and sharing information.
- Many communities across the province have begun to welcome visitors, and we continue to work with communities to help build their confidence in the B.C. restart plan, including local tourism.

If asked whether lodges can open:

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Confidential Issues Note - ADVICE TO MINISTER

If asked whether government is advising visitors not to go to Haida Gwaii:

(see also reopening IN)

- **Dr. Henry reminds British Columbians that as people travel safely, they need to be respectful of communities and how ready they are to welcome visitors.**
- **We encourage the fishing lodge operators and Haida Nation to talk together so potential visitors have clarity on what to expect.**
- **We suggest that people do their research before travelling, to make sure a summer trip is right for them, their family and any community they plan to visit.**
- **It's important to note that the fishing lodges that are planning to reopen have approved COVID-safe plans, which have been made available to Haida Nation.**

Communications Contact: Kim Hudson / Sarah Plank

Program Area Contact(s): Cam Filmer / Jennifer Melles

Confidential Issues Note - ADVICE TO MINISTER

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| Ministry of Indigenous Relations and Reconciliation Date: June 30, 2020 Minister Responsible: Hon. Scott Fraser | Declaration on the Rights of Indigenous Peoples Act |
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RECOMMENDED RESPONSE:

- B.C. is a leader in Canada in advancing reconciliation.
- We have recognized in law the human rights of Indigenous peoples.
- Court decision after court decision has upheld the Indigenous title and rights and directed government to take action on this.
- The Declaration Act gives us a path forward, creating clarity and predictability for all people in British Columbia.
- By working together, we get better outcomes.
- That is how we create opportunities for Indigenous peoples, B.C. businesses, communities and families everywhere.
- We have made significant progress already, and we'll continue to work together to build an even stronger, more inclusive and more just B.C. that will create a better future for everyone.

If asked about next steps and timelines

- As we restart B.C., we remain committed to meaningful and lasting reconciliation with Indigenous peoples.
- We just released the first annual report on implementation of the Act, which was developed in consultation and cooperation with Indigenous peoples.
- The report speaks to the work we've done together and what's to come – including the development of the Action Plan for implementing the Act.
- We have begun conversations on implementation with First Nations and Indigenous organizations, including at active tables, to inform the action plan.
- We are also looking at previous engagements and agreements as we work together to establish priorities for the action plan, which will be released before the end of the year.

If asked about veto

- Veto is not mentioned in the UN Declaration, nor is veto contemplated in this legislation.
- This legislation provides tools for ensuring decisions are made with due process – when you have due process, that is not a veto.

Confidential Issues Note - **ADVICE TO MINISTER**

Communications Contact: Kim Hudson/Sarah Plank

Program Area Contact(s): Emily Arthur/Jessica Wood

Declaration on the Rights of Indigenous Peoples Act

QUESTIONS & ANSWERS

1. What are the Province's goals with this legislation?

- Implementing the UN Declaration will help us continue to build a stronger B.C. that includes everyone.
- It is about ending discrimination, upholding basic human rights and ensuring more economic justice and fairness.
- We are at an important moment in history, and the framework this legislation provides can be the catalyst for real solutions that benefit everyone in B.C.
 - Ending the epidemic of Indigenous children in government care.
 - Indigenous students graduating from high school and attending post secondary in record numbers.
 - Raising the standard of living so Indigenous families don't have to experience poverty through generations.
- This new law is an important step towards true and lasting reconciliation — which will uphold Indigenous rights and create stronger communities, good jobs and economic growth.

2. Why did the Province enact this new legislation?

- B.C is the first provincial government to pass legislation to implement the UN Declaration – which will form the foundation for the Province's work towards reconciliation in B.C.
- The development of an action plan and regular reporting to monitor progress will provide a transparent and accountable path forward on reconciliation in B.C.
- The Constitution is clear: Indigenous peoples have rights in their territories, and successive court cases have upheld these rights.
- Instead of uncertainty and lawsuits, we can build a robust and sustainable economy by working together, creating economic and social opportunities for Indigenous peoples, all families in B.C., business and industry.
- Implementing the UN Declaration in B.C. is about ending discrimination, upholding basic human rights and ensuring more economic justice and fairness.

3. What will the legislation do?

- The legislation mandates government to bring provincial laws into harmony with the Declaration.
- It requires development of an action plan to achieve this alignment over time – providing transparency and accountability.
- And it requires regular reporting to the legislature to monitor progress.
- In addition, it allow for flexibility for the Province to enter into agreements with a broader range of Indigenous governments.
- And it provides a framework for decision-making between Indigenous governments and the Province on matters that impact their citizens.

4. What will be different for Indigenous peoples with this bill in force?

- The legislation is a framework for moving forward on reconciliation.
- Change will not happen over night, but this will give us a concrete plan for tangible progress.
- With this legislation we are including the rights of Indigenous peoples in the law of British Columbia, instead of excluding them.
- We are setting a path towards working with Indigenous governments instead of denying their role.
- And we are taking a further step toward finally working together for an economy that we all can participate in equally – instead of investing in conflict, court cases and concessions.

5. What is the legislation and what is it not?

- The legislation is a framework to ensure the laws of B.C. uphold the rights of Indigenous peoples, that will give us a plan for how to do that.
- It is a tool for bringing rules, transparency and accountability when the province works with Indigenous governments, business and local governments on decisions affecting Indigenous rights.
- It is a prudent and modest step forward that respects the Constitution and commits to continued work with Indigenous peoples and all British Columbians toward a more just and prosperous future for all.
- It is not a switch that changed every law and policy the day it was proclaimed, nor is it a veto over development.
- It is not a magic wand. It is a measured next step in our journey together toward reconciliation in B.C.

6. Some First Nations representatives are saying the legislation doesn't go far enough in affirming rights and title across the Province. What is your response?

- The legislation sets up the framework for the Province to align laws with the UN Declaration, so this bill is not the end-point. It is enabling.
- This legislation represents progress, providing a prudent and foundational step forward in recognizing Indigenous rights.

7. Do you think the federal government should adopt UNDRIP?

- The House of Commons passed UNDRIP legislation before the election but it was held up in the Senate.
- Given commitments made on this federally during the election campaign last fall, I expect we will see further movement at the federal level on this again soon.
- I'm proud of the fact we are leading by example here in B.C.
- *If pressed...* In my view, this is an important piece of our work on reconciliation. That is why we chose to move forward as we did in BC.

Progress to date

8. What have you done so far to implement the Act, and what's next?

- As we restart B.C., we remain committed to meaningful and lasting reconciliation with Indigenous peoples.
- We released the first annual report on progress for implementing the Declaration on the Rights of Indigenous Peoples Act on June 30th.
- The report was developed in consultation and cooperation with Indigenous peoples, including the First Nations Leadership Council.
- It speaks to the work we've done together and what's to come – including the development of the action plan for implementing the Act.
- The action plan will include prioritized, tangible activities to implement the objectives of the UN Declaration.
- We have begun conversations on implementation with First Nations and Indigenous organizations, including at active tables, to inform the action plan.
- We are also looking at previous engagements and agreements as we work together to establish priorities for the action plan, which will be released before the end of the year.

9. Will any legislation be tabled in the summer session to bring laws into alignment with the Declaration?

- Initial steps on the alignment of laws with the UN Declaration has involved early discussions with First Nations, modern treaty nations and the First Nations Leadership Council to begin to identify priority areas for legislative amendment.
- The Ministry has been working across government to develop a workable approach for this aspect of the Act.
- We are exploring processes and policy mechanisms to ensure Indigenous engagement in the various facets of this work – from identifying legislative priorities, to developing tools to assess alignment with the UN Declaration, to new processes for engaging with Indigenous peoples when developing or amending legislation.
- Broader engagement with Indigenous peoples on this work will be undertaken before it proceeds further.

s.13; s.16

s.13; s.16

12. Is there any more clarity on what a joint decision-making process look like under the act?

- The Declaration Act provides a way to ensure mandates for joint decision-making are clear, with public consultation, and are transparent before they can take effect.
- Amendment to other relevant pieces of legislation may be required to allow for joint decision-making.
- Exploration of joint decision-making processes is already happening across the province, and they may look different depending on the situation and agreement.
- We have not yet entered into any decision-making agreements under the act, but we have several exploration tables underway.

Action going forward

13. What is the status of the action plan?

- As we restart B.C. in the pandemic context, we remain committed to meaningful and lasting reconciliation with indigenous peoples – and to working in collaboration with Indigenous peoples as we advance our work to implement the Declaration Act.
- We are having to come up with new and innovative ways of engaging with Indigenous partners as we collaborate on the action plan.
- This plan will include prioritized, tangible activities to implement the objectives of the UN Declaration.
- Conversations, through active tables on implementation have already begun, and will be continued in the early development phases of the action plan.
- In the meantime, to help inform the plan, we are also looking at priorities identified through previous engagements and agreements.
- This includes priorities identified by Indigenous peoples through shared negotiation tables, consultation findings, policy papers, and correspondence, as well as the Concrete Actions document.
- We expect the action plan to be released before the end of the year.

14. Is the pandemic affecting your ability to consult with Indigenous peoples as required in the Act?

- We are finding new ways of working together to implement the work required under the historic legislation we introduced last year.
- This will include more “virtual” engagement over the next few months as the action plan is being developed.
- We are working with the Ministry of Attorney General on appropriate processes and protocols for involving Indigenous peoples in work to align future legislation with the UN Declaration.

15. How long will it take to implement the requirements of the Act?

- We expect the action plan to be complete before the end of the year.
- The process of aligning B.C. laws to the UN Declaration will take time.
- Developing the action plan, in collaboration with Indigenous peoples, which will set out priorities and a timeline for the work to implement the Declaration Act.
- It’s important that we do this right, with meaningful involvement with Indigenous peoples.

16. What laws do you expect to change first?

- Bringing all provincial laws into harmony with the UN Declaration won’t happen overnight – it will be a process that happens over time.
- Every minister has been mandated with reviewing their ministries laws and policies to implement the UN Declaration.
- Some work has already begun – for example child welfare and environmental assessment legislation.
- We will be consultating and collaborating with Indigenous peoples about the priorities ahead.

17. How will the Action Plan be developed? Who will be involved?

- We will develop the action plan with Indigenous peoples.

- An analysis of priorities identified by Indigenous partners is underway, which will be an important foundation for engagement.
- We are looking at priorities identified through shared tables, consultation findings, policy papers, and correspondence, as well as the joint B.C.-First Nations Leadership Council Concrete Actions document.
- Early engagement on priorities for the action plan began in February 2020, and included the general assemblies of the Union of B.C. Indian Chiefs, First Nations Summit, BC Assembly of First Nations, as well as the Minister's Advisory Council on Indigenous Women, modern treaty partners, T̓silhqot'in government and other Indigenous partners.
- To ensure transparency and ultimately it's success, we will ensure there are opportunities for engagement with other potentially affected stakeholders, including local governments and industry.

18. How much is it expected to cost to develop the action plan?

- I couldn't say at this time. But we will ensure it is properly resourced.

19. Will there be added costs to government when laws are aligned with UNDRIP?

- I don't expect so. If we eliminate much of the time and money spent on disputes or in court now, this will in fact be a benefit to provincial and Indigenous governments.
- In the end, human rights are not an accounting issue.
- We don't ask how much it costs to make sure other human rights in Canada are respected, and the same is true for this act.

20. Will the legislation open the door to court challenges against B.C. laws that are inconsistent with UNDRIP?

- The Act itself does not give the UN Declaration legal force and effect.
- It is not like a switch that required every law in the province to change the day it was proclaimed. The alignment of laws will happen over time.
- The Act sets out a process that brings about that alignment, in consultation and cooperation with Indigenous peoples, over time, through enacting new legislation or amending existing legislation.

Transparency

21. How will British Columbians be engaged in this work?

- We have met with dozens of business, Indigenous, local government and labour leaders in the months before and after we introduced the bill.
- Those conversations continue.
- The public will have opportunities for engagement as laws are being reviewed. And any proposed laws or amendments will come before the Legislature for a full public debate.
- There will be opportunities for engagement with other potentially affected stakeholders, including local governments and industry.

22. Why are only Indigenous peoples being included in preparing the action plan? Don't B.C. laws affect all British Columbians?

- The UN Declaration and the action plan are about how to ensure B.C. laws uphold Indigenous rights, so it makes sense that Indigenous peoples have a unique role in setting priorities for how that happens.
- But just because Indigenous peoples are being consulted, does not mean the public will not be.
- B.C. laws should be of interest to all British Columbians, and that's why we've been engaging with industry, stakeholders, local governments on the legislation over the past few months.
- The public and stakeholders will have opportunities for engagement as laws are being reviewed and the action plan developed.

First Nations

23. Has this Act had any impact on Indigenous peoples in communities?

- This is about recognizing and respecting Indigenous human rights.
- It is about ensuring everyone has equitable access to the kinds of rights and opportunities everyone in Canada wants and deserves.
- Implementing the UN Declaration is about ending discrimination... upholding human rights...and ensuring more economic justice and fairness.
- This work will take time, but the legislation sets us on the right path.

24. Does this affect rights protected in section 35 of the Constitution?

- No - this bill is entirely consistent with section 35.

FPIC, Consent & Veto

25. Will the legislation enshrine First Nation rights to veto resource projects in B.C.?

- This legislation does not limit the right of government to make decisions – of course government will still make decisions.
- But there are many decisions where we need to make those decisions with Indigenous peoples.
- This legislation gives us the tools to get to an orderly, structured, transparent process for that.
- With this new law, we can move away from conflict, drawn-out court cases and uncertainty, and move forward with collaboration and respect.
- That is how we create opportunities for Indigenous peoples, B.C. businesses, communities and families everywhere.

26. What happens if you can't reach agreement by working together – can a First Nation say no to a project in its territory?

- There will be times when we can't reach an agreement, and the provincial government will continue to make land and resource decisions.
- There is a better chance of agreement by working together, involving Indigenous communities and listening to their knowledge and concerns, so a project plan can address them.
- Our government wants sustainable economic growth – because it benefits people and communities – and Indigenous governments are telling us they want the same thing.
- Not working together and ignoring Indigenous rights almost guarantees disagreement – and litigation and conflict have been major sources of uncertainty for all of us.

27. But can any project go forward without consent of the affected First Nation?

- The Province is expected to consult and cooperate in good faith, as called for in the UN Declaration, when considering decisions that may affect Indigenous peoples.
- There may be occasions when a disputed project goes forward, if it has met this condition. And there may be occasions when a project does not.
- Every project is unique, with many factors that go into the decision-making process.
- What the legislation will ensure is that there is transparency and clarity in the processes, so that businesses will know from the get-go what is expected as they move through them.

Certainty

28. How will this legislation create certainty, as you claim it will?

- With the status quo, we have seen many examples of uncertainty on the land-base.
- Successive court decisions over the past 25 years have continuously upheld the Aboriginal title and rights in the Constitution, and directed government to show leadership and take action to respect them.
- There has been progress, but too often government, businesses and First Nations have been left to figure out one-off arrangements.
- This legislation will give us the opportunity to develop an action plan to move forward with Indigenous peoples, introducing better transparency and clarity in the work we do in this Province.
- Many companies investing in B.C. have already figured out that collaborative relationships with First Nations are creating improved investment certainty.
- Concrete examples of how working together has created certainty include shíshálh Nation in Sechelt around forestry, Tahltan Nation with land-use planning and Nations in the Broughton Archipelago with fish farming.

29. How are we going to address territorial overlap/shared territory?

- The issues around shared territory and overlap have been around for many years.
- The work we are doing in that area needs to continue, and will.
- The legislation won't fix the issue of overlap, but it gives us a platform to continue to engage in those conversations.

30. Will the legislation prevent situations like the CGL pipeline, where elected bands have approved, but a hereditary group is still trying to block it?

- This legislation is by no means a magic wand, and efforts to create clarity and predictability won't erase conflict.
- But we certainly have more chance of agreement if we involve the people affected, and their human rights are being respected and their views heard.
- We need to have more productive and effective ways of engaging rather than courts and litigation and conflict on the land base.
- Implementing the UN Declaration will move us toward a process with clear rules and transparency, where both the provincial government and Indigenous governments have clarity on their roles.

31. Could CGL pipeline have proceeded if this law had been in place?

- Coastal GasLink met all the conditions we placed on LNG development in B.C.
- LNG Canada and Coastal GasLink have shown they understand the importance of consultation and meaningful reconciliation with First Nations.
- That's why they signed agreements with elected councils of all First Nations along the pipeline corridor.
- The Province engaged extensively with Indigenous communities in relation to this Coastal GasLink Project, including both hereditary chiefs and elected leadership.
- The Coastal GasLink project is permitted and approved to proceed.

32. Does the Coastal GasLink project meet the test for free, prior and informed consent?

- The Province is expected to consult and cooperate in good faith, as called for in the UN Declaration, when considering decisions that may affect Indigenous peoples.
- There may be occasions when a disputed project goes forward, if it has met this condition. And there may be occasions when a project does not.
- Every project is unique, with many factors that go into the decision-making process.
- B.C. conducted extensive consultation with Indigenous Nations and has signed agreements with the vast majority of Indigenous communities along the Coastal GasLink pipeline route, as has Coastal GasLink.
- On Dec. 31, the Supreme Court of B.C. ruled that the company is lawfully permitted to conduct their work.

33. ^{s.13}

- Quite the opposite. The ongoing cycle of court cases is what creates uncertainty for businesses.
- The legislation allows First Nations the option to come to the table as truly representative governments.
- It creates the tools decision-making agreements that require public notice, involvement by local governments and other stakeholders, and have clear rules and processes.
- This legislation will create a path forward that respects the human rights of Indigenous peoples while introducing better transparency and predictability in the work we do together.
- With the legislation, the Province, Indigenous peoples, businesses and local governments will have better tools to build effective relationships and a robust and sustainable economy together.

Effects on Business, Industry, Local Government

34. What does the legislation mean for mining activity?

- This work will help move B.C. toward a predictable project approval process that supports reconciliation, and promotes job creation and sustainable growth.
- The mining and oil and gas sectors have been advancing reconciliation with B.C. Indigenous peoples through numerous agreements and partnerships that reflect the principles of the UN Declaration.
- Implementation will be a gradual, step-by-step process that supports long-term reconciliation, and sets us on a long-term path to work together to advance reconciliation.
- The Act does not immediately change the regulatory framework, consultations or operational decisions for mining and oil and gas.
- Any future changes would come in collaboration with Indigenous nations, with opportunities for engagement with business and industry, local governments and other stakeholders.

35. What does the Act mean for forestry on Crown land?

- This work will foster increased and lasting certainty on the land base while ensuring that the benefits of sustainable forest harvesting are realized equitably by those in and impacted by forestry.
- Many forestry companies investing in B.C. are already doing work to align with the UN Declaration, and understand that collaborative relationships with Indigenous nations create better investment certainty.
- This legislation supports further collaborative opportunities and successful partnerships.
- The Ministry of Forests will continue to work with Nations on various models that support strategic and collaborative management of the land base – focusing on collaboration at the strategic level not individual operational-level applications and projects.
- The Act does not immediately change how we consult with First Nations or how operational decisions are made.
- Any future changes would come in collaboration with Indigenous nations, with opportunities for engagement with business sector local government and other stakeholders.

36. Will this bill apply to private land?

- No. This bill is about the Crown-Indigenous relationship.

37. What happens with existing applications, agreements & processes?

- All existing agreements and authorizations carry on, and all existing tools continue to be available (such as strategic engagement agreements and revenue sharing arrangements).
- The Act simply gives us additional tools that can be used moving forward.

38. Will the new legislation result in delays to permit decisions:

- No. This is enabling legislation. It does not change existing regulations.
- The Act itself does not change how the Province consults with First Nations nor how operational decisions are made.
- It has the potential to help such processes proceed more quickly, as the Act puts all parties on a path towards respecting rights of Indigenous peoples.

39. How will this Act change the consultation process?

- The Act itself does not change how the Province consults with First Nations nor does it change the minimum legal standard for consultation.
- B.C. is already guided by the principles of the Haida decision and subsequent laws and rulings, and policies like the Draft 10 Principles.
- What the legislation does is support greater collaboration with Nations.
- And it provides a tool for joint statutory decision-making that allows for agreement on how jurisdictions intersect on specific decisions (subject to Cabinet approval and legislative space in the applicable statute.)

40. Does the legislation affect the local government act and local government zoning, official community plans, etc?

- The Act is aimed at the provincial government.
- Laws will be brought into alignment over time, but there would be no immediate affects on the Local Government Act.
- More and more relationships are being built at the local level between local governments and First Nations, working together on projects or issues that are important to everyone who lives in the area.
- We see great opportunity for advancing reconciliation through these kinds of partnerships at the community level.

Section 3 – take “all means necessary”

41. How far is the government prepared to go to meet “all means necessary?”

- The priorities and pace of work will be set out in the action plan.
- This work is expected to take time. Bringing laws into alignment with the UN Declaration won't happen overnight – it is generational work.

42. Won't the requirement to take “all means necessary” open the Province up to lawsuits from First Nations for not doing enough?

- There are legal risks with the status quo.
- Successive court decisions over the past 25 years have showed that.
- Language in law is always going to be open to interpretation, and this act does not prevent anyone's ability to challenge it legally.
- We believe the process of setting out an action plan, developed with Indigenous peoples, and reporting on it publicly will demonstrate government's intent and work toward the goals set out in the legislation.

Sec. 6 – Indigenous governing bodies

s.13; s.16

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s.13 ; s.16

General Reconciliation

53. What is the UN Declaration on the Rights of Indigenous Peoples?

- The UN Declaration is a universal human rights instrument that includes 46 articles outlining the minimum standards for the survival, dignity and well-being of Indigenous peoples throughout the world.
- It asserts a range of individual and collective rights for Indigenous Peoples – rights like self-government, protection for traditional land, to be free from discrimination, and access to education, health care and equitable social and economic outcomes.
- Its development spanned more than 20 years, including active participation by Canadian Indigenous leaders and government representatives.
- It has the support of 148 member nations of the UN.
- The Truth and Reconciliation Commission called on all governments in Canada to fully adopt and implement the UN Declaration as a framework for reconciliation.

54. What action has the provincial government taken to advance reconciliation?

- Our commitment to advance reconciliation together through legislation builds on the other work we are doing across government with Indigenous partners, including:
 - Modernizing the environmental assessment process;
 - Implementing changes to help keep Indigenous children out of care, and with their families and communities;
 - Committing \$550 million over 10 years to help build 1,750 affordable housing units on- and off-reserve;
 - Dedicating \$50 million to support First Nations communities in revitalizing Indigenous languages;
 - Implementing a new K-12 curriculum that makes sure all children in B.C. are taught about Indigenous culture and history.
 - Sharing a stable, long-term source of revenue of almost \$100 million per year so First Nations can invest in self-government, cultural revitalization and services that make life better for families.

55. Since our laws already follow the Constitution and Charter of Rights, why do we need to align them with UNDRIP?

- The UN Declaration is a statement of the basic human rights of Indigenous peoples. It does not create new rights. It expresses and affirms how long established and accepted human rights are applied to Indigenous peoples. It is a means for upholding the Aboriginal and treaty rights outlined in section 35 of our Constitution.

56. What other jurisdictions have implemented UNDRIP?

- Bolivia is the only country that has integrated the Declaration into its domestic legislation.
- In Ontario a private NDP member's Bill (Bill 76) which calls for laws in Ontario to be harmonized with the UN Declaration is before the Standing Committee.
- I understand New Zealand and Australia are both considering constitutional changes to recognize Indigenous People.
- There are a number of other countries in various stages when it comes to developing a plan for recognizing Indigenous rights, but none have a process for folding the UN Declaration into local laws.

MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION

2020 Estimates Note

Declaration on the Rights of Indigenous Peoples Act Implementation and Timing

I. **ISSUE: *Declaration on the Rights of Indigenous Peoples Act* (Declaration Act) implementation activities and timing**

II. **KEY MESSAGES**

- The Declaration Act, which passed unanimously November 28, 2019, requires government, in consultation and cooperation with Indigenous peoples, to align existing and future laws with UN Declaration (S. 3); develop and implement an action plan (S. 4); and, monitor progress through public annual reporting (S. 5).
- The Act also enables decision-making agreements with Indigenous governments on matters that affect Indigenous peoples where the relevant legislation has been amended to allow for it.
- Implementation activities are underway, as the current pandemic highlights the urgency of these efforts and the need to adapt our approaches to the current realities of Indigenous peoples – our partners in this work.
- The first Annual Report will be submitted to the Legislature by the June 30, 2020 deadline. This report will focus on progress made during the November 28, 2019 to March 31, 2020 reporting period on implementation of S. 3 and S.4 of the Declaration Act. The report will also outline next steps on development of the action plan and alignment of laws with the UN Declaration.
- The Action Plan, to be released in the coming months, 2020, will align the strategic vision for reconciliation in the Province with tangible actions to implement the objectives of the UN Declaration.
- Local governments and stakeholders, particularly the business community, are essential to successful implementation. To that end, there will be ongoing engagement on all implementation activities.

III. **BACKGROUND:**

The Declaration on the Rights of Indigenous Peoples Act, created with the First Nations Leadership Council, passed unanimously November 28, 2019, making B.C. the first province in Canada, and one of the first jurisdictions in the world, to pass such a law. As called for by the Truth and Reconciliation Commission of Canada, the legislation establishes the United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration) as the foundational framework for reconciliation in B.C.

MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION

2020 Estimates Note

Declaration on the Rights of Indigenous Peoples Act Implementation and Timing

The first annual report, due to the Legislature June 30, 2020, must report on progress to align laws and achieve the goals of the action plan in the four-month reporting period from when the Act came into force (November 28, 2019) until fiscal year end (March 31, 2020). As this work is still in early stages, with the action plan not yet developed, reporting will focus on completed and planned next steps towards implementation. The process for consulting and cooperating on this first report was adapted due to the COVID-19 pandemic; ensuring opportunities for input without placing undue burden on Indigenous peoples, nations, and organizations.

The action plan, highlighted in the Speech from the Throne as well as Budget 2020, will be released later this year. It is proposed to be a strategic, provincial scale document that prioritizes actions to be taken by the whole of government to implement the objectives of the UN Declaration. Despite the challenges posed by COVID-19, provincial staff are working in consultation and cooperation with the First Nations Leadership Council (FNLC), Alliance of BC Modern Treaty Nations, T̓silhqot'in National Government, and directly with Nations on development of the action plan. Additional engagement is planned with Métis Nation of BC and urban and off-reserve Indigenous peoples.

Determining priorities with Indigenous peoples to align laws to the UN Declaration as laws are modified or built will take time. To ensure an effective cross-government approach for the alignment of laws requirement, MIRR has established the Legislative Alignment & Process (LAP) unit. Initial engagement has begun with the FNLC, and Alliance of BC Modern Treaty Nations, and Nations through negotiation tables. Additional engagement is planned with the Métis Nation of BC and Indigenous partners.

Sections 6 and 7 of the Act address the opportunity for the Province to enter into agreements, including joint or consensus-based decision-making agreements, with Indigenous Governing Bodies. The requirement and process for securing mandates to engage in these negotiations are included in the Act. Some early discussions with Nations that have interests in agreements have begun. In these discussions the Province will work with Nations to build common understandings of the principles and characteristics of Indigenous Governing Bodies and their responsibilities in the context of Section 6 and 7 agreements. The Act also includes required actions respecting stakeholder engagement to ensure that the interests of local governments and other stakeholders are understood and considered in the negotiations.

To ensure effective engagement with local governments and stakeholders, MIRR established an Inter-governmental Relations and Stakeholder Engagement unit to enable ongoing engagement with local governments and stakeholders, particularly the business community.

MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION

2020 Estimates Note

Declaration on the Rights of Indigenous Peoples Act Implementation and Timing

To maintain investor confidence throughout implementation of the Act, MIRR and the Ministry of Jobs, Economic Development & Competitiveness established the Indigenous Economic Development Joint Office to collaborate with Indigenous partners and stakeholders on international marketing and investment attraction tools.

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MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION

2020 Estimates Note

Declaration on the Rights of Indigenous Peoples Act Business and Investment Confidence

I. ISSUE: The *Declaration on the Rights of Indigenous Peoples Act* (Declaration Act) provides a pathway for enhanced certainty and collaboration between industry and Indigenous peoples in B.C.

II. KEY MESSAGES

- The Declaration Act creates a pathway for reconciliation and supports a strong economy that provides good jobs, facilitates diverse opportunities and ensures healthy communities.
- It provides a clear, transparent process for how the Province and Indigenous governments will work together to the benefit of all British Columbians.
- Stronger collaboration will result in better decisions, greater certainty, and business partnerships that strengthen profitability for B.C. industries and benefit all British Columbians.
- The Ministry of Jobs, Economic Development and Competitiveness (JEDC)-MIRR Joint Office is leading work in partnership with the International Trade Division and GCPE to ensure international investors continue to view B.C. as an attractive place to invest by addressing their questions or misunderstandings about the Declaration Act.

III. BACKGROUND:

- The Declaration Act passed unanimously and received Royal Assent on November 28, 2019, making B.C. the first province in Canada, and one of the first jurisdictions in the world, to pass a such a law.
- The Joint Office on Indigenous Economic Development, a unique partnership between the Ministry of Indigenous Relations and Reconciliation and the Ministry of Jobs, Economic Development and Competitiveness (JEDC), is leading an initiative to support investor confidence for doing business in B.C.
- This work is being done in partnership with GCPE and JEDC International Trade Division and will include products and guidance for international investors to address potential questions or misunderstandings about the Declaration Act.

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MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION

2020 Estimates Note

Declaration on the Rights of Indigenous Peoples Act

Alignment of Laws

- I. ISSUE: Section 3 of the Declaration Act requires government, in consultation and cooperation with Indigenous peoples, to ensure all new and existing laws in BC are consistent with the UN Declaration.**

II. KEY MESSAGES

- **The Declaration Act requires government, in consultation and cooperation with Indigenous peoples, to ensure provincial laws are consistent with the UN Declaration.**
- **This will take time and is often referred to as “generational” work.**
- **While the priorities for this requirement have yet to be confirmed, some guidance can be found in the Concrete Actions (2015 and refreshed in 2018), under the Commitment Document and Shared Vision and Guiding Principles (ex: forestry and child welfare).**
- **Ministries have been using the Draft 10 Principles for two years and are becoming more practiced at including Indigenous input to policy and legislative work. Government continues to use the Draft Principles to guide this work.**
- **Indigenous peoples and the Province are working in partnership to design a path forward for the alignment of laws – together, we will identify which BC laws to change first.**
- **Local governments and key stakeholders, including the business community, will have a role in this process.**

III. BACKGROUND:

The *Declaration on the Rights of Indigenous Peoples Act* (Declaration Act) was created through a collaborative drafting process with the First Nations Leadership Council (FNLC) who were directed through resolution by membership of their respective organizations to develop this legislation. Indigenous legal counsel and experts contributed significantly, and the Ministry of Attorney General (MAG) was involved in all aspects.

The alignment of laws is a distinct obligation under the Declaration Act through which as laws are modified or built, they will be aligned with the UN Declaration. Future changes will take time and the process to identify legislative priorities and achieve alignment will be done with Indigenous peoples. First Nations and Indigenous communities have expressed interest in having direct involvement in setting priorities for aligning laws.

MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION

2020 Estimates Note

Declaration on the Rights of Indigenous Peoples Act

Alignment of Laws

To ensure an effective cross-government approach for the alignment of laws requirement, MIRR has established the Legislative Alignment & Process (LAP) unit. The LAP unit provides oversight on the various components of section 3, including building cross-government competency of the Declaration Act through ongoing delivery of presentations and advice. ^{s.12; s.13; s.14}

The substantive engagement required to satisfy that the alignment of laws work is done in consultation and cooperation with Indigenous peoples has been challenged by the COVID-19 pandemic. Initial engagement has occurred with representatives from FNLC, and Alliance of BC Modern Treaty Nations, as well as directly with First Nations through negotiation tables. Further engagements are currently being pursued with the Métis Nation of BC and with additional Indigenous partners.

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MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION

2020 Estimates Note

Declaration on the Rights of Indigenous Peoples Act Action Plan

I. **ISSUE: *Declaration Act on the Rights of Indigenous Peoples* (Declaration Act) Action Plan**

II. **KEY MESSAGES**

- The Declaration Act, which passed unanimously November 28, 2019, requires government, in consultation and cooperation with Indigenous peoples, to align existing and future laws with UN Declaration (S. 3); develop and implement an action plan (S. 4); and, monitor progress through public annual reporting (S. 5).
- We are working in consultation and cooperation with Indigenous partners on the development of this first report – balancing the need for meaningful engagement with the capacity challenges posed by the current pandemic.
- The Action Plan, to be released in the coming months, 2020, will align the strategic vision for reconciliation in the Province with tangible actions to implement the objectives of the UN Declaration.
- The action plan will not include all reconciliation work with Indigenous partners underway across government. This work can and should continue regardless of whether it is included in the action plan.
- The current pandemic highlights the urgency of these efforts and the need to adapt our approaches to the current realities of Indigenous peoples – our partners in this work.
- Local governments and stakeholders, particularly the business community, are essential to the success of this work and will continue to be engaged through development and implementation.

III. **BACKGROUND:**

The action plan, highlighted in the Speech from the Throne as well as Budget 2020, will be released later this year. It is proposed to be a strategic, provincial scale document that prioritizes actions to be taken by the whole of government to implement the objectives of the UN Declaration.^{s.13}

s.13

Despite the challenges posed by COVID-19, provincial staff are working in consultation and cooperation with the First Nations Leadership Council (FNLC), Alliance of BC

MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION
2020 Estimates Note
Declaration on the Rights of Indigenous Peoples Act
Action Plan

Modern Treaty Nations, T̓silhqot'in National Government, and directly with Nations on development of the action plan. Additional engagement is planned with Métis Nation of BC and urban and off-reserve Indigenous peoples.

s.13

To ensure effective engagement with local governments and stakeholders on the Action Plan, MIRR established an Inter-governmental Relations and Stakeholder Engagement unit (IGRSE). The IGRSE will lead ongoing engagement with local governments and stakeholders, particularly the business community.

To maintain investor confidence throughout implementation of the Act, including development of the Action Plan, MIRR and the Ministry of Jobs, Economic Development and Competitiveness established the Indigenous Economic Development Joint Office to collaborate with Indigenous partners and stakeholders on international marketing and investment attraction tools.

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Declaration on the Rights of Indigenous Peoples Act
QUESTIONS & ANSWERS
DOCUMENT HAS BEEN REDUCED TO ONLY INCLUDE INDIGENOUS
GOVERNING BODIES / SECTION 7 INFORMATION

1. What's the status of progress on recognizing Indigenous governing bodies?

- This work on recognizing Indigenous governing bodies involves direct conversations with Nations, and there have been several exploratory conversations with several groups to explore the concept.
- COVID-19, of course, has been pulling attention to other pressing matters for Nations right now.

2. How do Indigenous governing bodies get authorized to act for their citizens? What will the province require to recognize an Indigenous governing body?

- Indigenous governments will follow their own rules and protocols when forming, and that will be their choice.
- For the Province, the two key factors in recognizing an Indigenous government for the purposes of this act will be:
 - confidence that the constituents of the Indigenous government have freely agreed to this representation, and
 - that the Indigenous government has the capacity to work under this Act – to participate in the process, and to be accountable for any decisions that are made.

Sec. 6 – Indigenous governing bodies

3. How do “Indigenous governing bodies” get authorized to act for their citizens? What will the province require to recognize one?

- Indigenous governments will follow their own rules and protocols when forming, and that will be their choice.
- For the Province, the two key factors in recognizing an Indigenous government for the purposes of this act will be confidence that the constituents of the Indigenous government have freely agreed to this representation, and that the Indigenous government has the capacity to

work under this Act – to participate in the process, and to be accountable for any decisions that are made.

s.13; s.16

Section 7 – Decision-making

5. What will it mean for First Nations to have decision-making authority?

- The legislation includes the ability for joint decision-making agreements with Indigenous governments.
- Those agreements will require public notice, and involvement by local governments and other stakeholders. They will set out the rules for decision-making and dispute resolution, and for the kind of predictability that serves everyone better.
- The agreements and any decision coming out of them will follow the same principles of administrative fairness and transparency government is held to now.
- Both the Province and any Indigenous government partner in an agreement will be subject to those rules.

6. Will joint decision-making authority mean First Nations get to decide things like the annual allowable cut on their territory? What about water licenses? Mining permits?

- Government intends to pursue decision-making agreements related to environmental assessments and child welfare to start.
- There could be opportunities for other areas to be explored as well in the future, but we have no plans for that at this time.
- We will focus on higher level, strategic decision-making processes not individual permitting processes.
- Some of our existing agreements with First Nations provide a role in things like land use planning (shíshálh) and setting the annual allowable cut (Haida Gwaii Reconciliation Act).

7. Who gets to make the final decision in joint decision-making?

- The Province continues to have the right to make decisions in the public interest. This is confirmed in Section 46 of the UN Declaration.
- In certain cases where Indigenous rights are uniquely affected, the province and an Indigenous government may enter into an agreement that allows for a collaborative process to make decisions together. With such an agreement, if either party does not agree, the decision would not go forward.
- All such decisions, no matter who makes them, are bound by the laws requiring administrative fairness, and are subject to judicial review if challenged.

8. What does a joint decision-making process look like?

- The legislation provides a way to ensure mandates for joint decision-making are clear, with public consultation, and are transparent before they can take effect.
- Amendment to other relevant pieces of legislation may be required to allow for joint decision-making.
- Exploration of joint decision-making processes is already happening across the province, and they may look different depending on the situation and agreement.

9. Will agreements include dispute resolution when First Nations and B.C. cannot come to agreement?

- The structure of the agreements would be determined between the parties to the agreement, but yes, we would expect that dispute resolution process would be part of such agreements.
- Those are conversations we would have with partners as we build agreements together.

10. How do you deal with overlap issues with joint decision-making?

- We would seek confirmation that there are no shared territory or overlap issues before entering into any land-based joint-decision making agreement with an Indigenous government.
- We need to be confident that an Indigenous government has the community support and accountability to enter into the agreement.

11. Will you negotiate joint-decision making agreements that give a veto to a First Nation?

- The Province will not negotiate joint decision-making agreements that give Indigenous government the power to refuse a decision without due process – that would be a veto.
- Any joint decision-making agreement we negotiate will require all parties to be bound by the laws requiring administrative fairness and judicial review if challenged.
- A decision-making agreement would outline a clear process for making decisions together, and what happens if an agreement is not reached.

12. If a statutory power of decision is exercised jointly and either the Province or the Indigenous government says no – does that mean the decision is no?

- It would depend on the legislative framework and the agreement.
- If a decision-making agreement allows the Province and an Indigenous government to make decisions together, and either does not agree, it may be that the decision is not approved or will not proceed.

MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION

2020 Estimates Note

Declaration on the Rights of Indigenous Peoples Act Annual Report

I. **ISSUE:** Update on the *Declaration on the Rights of Indigenous Peoples Act* (Declaration Act) Annual Report

II. **KEY MESSAGES**

- The Declaration Act, which passed unanimously November 28, 2019, requires government, in consultation and cooperation with Indigenous peoples, to align existing and future laws with the UN Declaration on the Rights of Indigenous Peoples (S. 3); develop and implement an action plan (S. 4); and, monitor progress through public annual reporting (S. 5).
- The public annual reporting tool will support government accountability and transparency on progress towards alignment of laws and the forthcoming action plan.
- Work is underway to deliver the first annual report to the Legislature by the June 30, 2020 deadline.
- We are working in consultation and cooperation with Indigenous partners on the development of this first report – balancing the need for meaningful engagement with the capacity challenges posed by the current pandemic on all communities, governments and agencies.
- The first annual report will focus on progress made during the November 28, 2019 to March 31, 2020 reporting period on implementation of S. 3 and S.4 of the Declaration Act.
- The report will also outline next steps on development of the action plan and alignment of laws with the UN Declaration.

III. **BACKGROUND:**

The first annual report, due to the Legislature June 30, 2020, must report on progress to align laws and achieve the goals of the action plan in the four-month reporting period from when the Act came into force (November 28, 2019) until fiscal year end (March 31, 2020). As this work is still in its early stages, with the action plan not yet developed, reporting will focus on steps towards implementation. This includes successes achieved during the reporting period, including the passage of the Declaration Act, and planned next steps for work ahead on alignment of laws, development of the action plan, and future annual reports. The report will also highlight major strategic initiatives that have helped to advance reconciliation with Indigenous peoples since the Province committed to implement the UN Declaration in 2017.

MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION
2020 Estimates Note
Declaration on the Rights of Indigenous Peoples Act
Annual Report

Subsequent annual reports will cover the entire 12-month reporting period, and will be designed in consultation and cooperation with Indigenous peoples to ensure accurate and meaningful approaches to what and how progress on S.3 and S.4 of the Act is measured.

Each annual report must be developed in consultation and cooperation with Indigenous peoples. The process for consulting and cooperating on this first report was adapted due to the COVID-19 pandemic; ensuring opportunities for input without placing undue burden on Indigenous peoples, nations, and organizations. Initial engagement has begun with the First Nations Leadership Council (FNLC), the Alliance of BC Modern Treaty Nations, and directly with Nations through shared tables (treaty, non-treaty, and government-to-government). Additional engagement is planned with the Métis Nation BC and other Indigenous partners. MIRR will also engage with be reaching out to stakeholders, labour and local governments prior to submission of the report to the Legislature.

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Confidential Issues Note - ADVICE TO MINISTER

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| Ministry of Indigenous Relations and Reconciliation Date: June 15, 2020 (updated) Minister Responsible: Hon. Scott Fraser | Draft Principles that Guide the Province's Relationship with Indigenous Peoples |
|--|--|

RECOMMENDED RESPONSE:

- The Province is committed to true and lasting reconciliation with Indigenous peoples.
- We were recently the first jurisdiction in Canada to pass legislation to implement the UN Declaration on the Rights of Indigenous Peoples.
- We are working hard to build and strengthen our relationships with Indigenous peoples based on respect and recognition of inherent rights.
- Staff in the provincial public service work with and for Indigenous peoples and First Nations in their day-to-day work, as well as on policies, programs or legislation that impact Indigenous peoples.
- As public servants, they are uniquely positioned to advance the work of reconciliation in all facets of government.
- The 10 Draft Principles provide a valuable guide to ensure how we do our work with and for Indigenous peoples.
- They highlight that “how” we collaborate with Indigenous peoples is as important as “what” we do.

If asked what work has been done to adopt the Draft 10 Principles:

- Each Ministry has completed an initial plan for implementing the Draft 10 Principles into their work.
- Common areas of focus include: staff training in cultural competency and humility; developing partnerships; and enhancing engagement with Indigenous peoples.

Are they still in draft? If so, when will they be finalized?

- The Draft Principles were released as draft to allow for evolution and adaptation over time.
- They are still considered draft.

Confidential Issues Note - ADVICE TO MINISTER

- **We are not able to provide a timeline at this time for whether the Draft 10 Principles will be finalized.**

Communications Contact: Stephen Binder

Program Area Contact(s): Stephanie Bouris, Sara Pye, Emily Arthur

Confidential Issues Note - ADVICE TO MINISTER

Ministry of Indigenous Relations and Reconciliation

Date: February 25, 2020

Minister Responsible: Hon. Scott Fraser

Free, Prior and Informed Consent

RECOMMENDED RESPONSE:

- The Declaration on the Rights of Indigenous Peoples Act legislation establishes the UN Declaration as the framework for reconciliation in British Columbia.
- The Act creates a predictable path forward for everyone — that means good jobs and opportunities, while upholding Indigenous rights and protecting our environment.
- Implementing the UN Declaration will help us continue to build a stronger B.C. that includes everyone.
- It is about ending discrimination, upholding basic human rights and ensuring more economic justice and fairness.
- Successful reconciliation takes time, but we're committed to getting there with a plan that works for everyone.

If asked about veto:

- The word veto is not mentioned in the UN Declaration, nor is veto contemplated in this legislation.
- This legislation does not limit the right of government to make decisions.
- But there are many decisions where we need to make those decisions with Indigenous peoples.
- Free, prior and informed consent is about engaging with Indigenous peoples on proposed activities in their territory from the beginning of the development process – with the intent of reaching consensus on a path forward.
- That is how we will move away from conflict, drawn-out court cases and uncertainty, and move forward with collaboration and respect.
- That is how we create opportunities for Indigenous peoples, B.C. businesses, communities and families everywhere.
- Respectful partnerships will foster predictability, good jobs, and opportunities, while protecting our environment and respecting the rights of Indigenous peoples.

Confidential Issues Note - ADVICE TO MINISTER

If asked if a project can go forward without consent of the affected First Nation:

- The Province is expected to consult and cooperate in good faith, as called for in the UN Declaration, when considering decisions that may affect Indigenous peoples.
- There may be occasions when a disputed project goes forward, if it has met this condition. And there may be occasions when a project does not.
- Every project is unique, with many factors that go into the decision-making process.
- What the legislation will ensure is that there is transparency and clarity in the processes, so that everyone will know from the get-go what is expected as they move through them.
- The Declaration legislation does not effect or alter any existing permits, nor does it provide any legal mechanism for which to do so.

If asked whether elected or hereditary leadership takes precedence:

- There is no universal answer. Each nation should be able to decide who speaks for their nation and how their nation is governed.
- First Nations determine for themselves who should be engaged on these matters, and that's what the Province relies upon most.
- Many Nations in B.C. have taken measures to address and articulate the structure of their respective governance in the way that works best for their community.

If asked how consent is achieved in cases of overlap:

- The issues around shared territory and overlap have been longstanding
- The work we are all doing in this area needs to continue, and will.
- The legislation won't fix the issue of overlap, but it gives us a platform to continue to engage in those conversations.

Communications Contact: Stephen Binder Program Area Contacts: Emily Arthur

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Withheld pursuant to/removed as

s.13 ; s.16

Confidential Issues Note - ADVICE TO MINISTER

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| Ministry of Indigenous Relations and Reconciliation Date: May. 27 2019 Minister Responsible: Hon. Scott Fraser | Truth and Reconciliation Commission Calls to Action |
|---|--|

RECOMMENDED RESPONSE:

- Our government is moving forward on reconciliation, in partnership with Indigenous peoples through government-to-government relationships with First Nations based on recognition and respect.
- Indigenous peoples have lived on this land since time immemorial, and our government honours and respects the Indigenous title, inherent rights and treaty rights that come from this history.
- We acknowledge historic injustices and ongoing discrimination that continue to affect the lives of Indigenous peoples.
- Together with Indigenous peoples, we are doing the hard work to help build healthier communities and create shared prosperity that benefits all British Columbians.
- Reconciliation is a shared responsibility that will make life better for everyone in B.C.
- The Truth and Reconciliation Commission called upon all governments to implement the UN Declaration as a framework for reconciliation.
- Through the recently passed Declaration on the Rights of Indigenous People's Act, we are actively working to better align our laws and chart out a path for true reconciliation with Indigenous peoples.

Accomplishments:

- For our government, reconciliation with Indigenous peoples a cross-government priority – that's why every B.C. cabinet minister shares this mandate.
- With Indigenous peoples, we are working to implement the recently passed Declaration on the Rights of Indigenous Peoples Act – the first of its kind in Canada.
- The Truth and Reconciliation Commission called for governments to adopt the UN Declaration as the framework for reconciliation – which is what this legislation does.

Confidential Issues Note - ADVICE TO MINISTER

- **We are also working to reduce the number of Indigenous children in care, build affordable housing for Indigenous peoples on and off reserve, bring Indigenous learning into our classrooms, revitalize Indigenous languages and incorporate traditional knowledge into resource decision-making.**
- **While we have made progress, reconciliation is a continuous and ongoing commitment.**
- **Together we are moving toward a better future for all British Columbians.**

Communications Contact: Sarah Plank

Program Area Contact: Emily Arthur

Confidential Issues Note - ADVICE TO MINISTER

| | |
|---|------------------------------------|
| Ministry of Indigenous Relations and Reconciliation Updated: June 12, 2020 Minister Responsible: Hon. Scott Fraser | Wet'suwet'en reconciliation |
|---|------------------------------------|

RECOMMENDED RESPONSE:

- The tripartite Memorandum of Understanding (MOU) is a first step toward resolving difficult and complicated issues around Wet'suwet'en rights and title, which have remained unresolved since the 1997 Delgamuukw-Gisday'wa decision.
- By resolving these issues, we can avoid the kind of conflicts we've seen on the land and work together for the benefit of all people who live in the region.
- The MOU is the start of a negotiation process – we have a great deal of work ahead of us to determine how we will implement rights and title together, as Canada, BC and the Wet'suwet'en.
- Reunification within Wet'suwet'en Nation is essential for this work to move forward successfully.
- We are committed to transparency and openness, and will be engaging with Wet'suwet'en members – including elected leaders – during our negotiations, as well as neighbouring Nations, local governments, stakeholders and the public.

If asked about elected chiefs' opposition to signing the MOU:

- Ultimately it is for the Wet'suwet'en people to resolve their own governance matters – that is central to self-determination.
- A vigorous conversation is going on internally right now, and it is our expectation that the hereditary and elected leadership will continue to talk.
- It's important to note that this MOU is an agreement to start a negotiation.
- Reunification is an important element included in the MOU, and will be essential for our work together to move forward successfully.
- Under the MOU, there must be consultation with all Wet'suwet'en about any agreement we negotiate, as well as clarity on Wet'suwet'en governance structures and systems.

If asked about the effect on CGL project:

- The Coastal GasLink project is permitted and approved to proceed.
- B.C. engaged extensively with Indigenous communities in relation to this Coastal GasLink Project, including both hereditary chiefs and elected leadership.
- At the time the MOU was reached, all parties at the table recognized the differences relating to the CGL project remain. That has not changed.

Confidential Issues Note - ADVICE TO MINISTER

If asked about Lake Kathlyn school and daycare:

- As part of our ongoing negotiations on rights and title, the Office of the Wet'suwet'en identified an interest in acquiring Lake Kathlyn School in Smithers, which the local school district put on the market earlier this year.
- The Province provided funding to support the purchase, to support Wet'suwet'en governance capacity-building. We understand that final sale conditions are being met before the sale closes.
- The building will be used in the future as a government administration building.
- We understand that many parents in the area rely on the daycare facility currently in the building.
- That's why the conditions of the sale required that the daycare lease be honoured, which means it will be in place through June 2021 at minimum.
- We, the school district and the Office of the Wet'suwet'en will continue to have discussions with parents and staff in the next few months to ensure there is a well-informed transition plan.

Communications contact(s): Sarah Plank, Cale Cowan

Program area contact: Tom McCarthy/Trish Balcaen

QUESTIONS & ANSWERS
Wet'suwet'en MOU Signing
July 16, 2020

KEY MESSAGES:

- This MOU that is a first step toward resolving difficult and complicated issues around Wet'suwet'en rights and title – which have remained unresolved since the 1997 Delgamuukw-Gisday'wa decision.
- By resolving these issues, we can avoid the kind of conflicts we've seen on the land, and work together for the benefit of all people who live in the region.
- The MOU is the start of a negotiation process – we have a great deal of work ahead of us to determine how we will implement rights and title together.
- Reunification within Wet'suwet'en Nation is essential for this work to move forward successfully.
- We are committed to transparency and openness, and will be engaging with Wet'suwet'en members – including elected leaders – during our negotiations, as well as neighbouring Nations, local governments, stakeholders and the public.

If asked about elected chiefs' opposition to signing the MOU...

- Ultimately it is for the Wet'suwet'en people to resolve their own governance matters – that is central to self-determination.
- A vigorous conversation is going on internally right now, and it is our expectation that the hereditary and elected leadership will continue to talk.
- It's important to note that this MOU is an agreement to start a negotiation.
- As part of that process, Wet'suwet'en elected leadership will be engaged.
- In fact, under the MOU, there must be consultation with all Wet'suwet'en about any agreement we negotiate, as well as clarity on Wet'suwet'en governance structures and systems.
- Reunification within Wet'suwet'en Nation is essential for this work to move forward successfully.

If asked about any specific element of the MOU and what it means...

- That will be an important conversation that needs to be had at the negotiating table. The MOU is about starting a negotiation process.

Process

1. What was the ratification process?

- Wet'suwet'en Hereditary Chiefs committed to bringing the proposal to all Wet'suwet'en clan members for discussion and endorsement, including elected leaders, and they would be best placed to speak to the Wet'suwet'en ratification process.
- It is our understanding this has involved a series of clan and broad community meetings (including some for Wet'suwet'en people living outside of Wet'suwet'en communities), as well as virtual meetings.

2. Was this a legitimate process, considering the elected chiefs have come out unanimously against signing the MOU?

- Wet'suwet'en Hereditary Chiefs committed to bringing the MOU to all Wet'suwet'en clan members for discussion and endorsement, including elected leaders, and they would be best placed to speak to that process.
- It is for the Wet'suwet'en to resolve their governance matters, and a vigorous conversation is going on internally about that right now.
- The MOU is the start of a negotiation process, and we have a lot of work ahead of us.
- Reunification within the Wet'suwet'en governance structure is one of the topics for discussion within the MOU, and that will be key to this work moving forward successfully.
- The parties will be engaging with Wet'suwet'en members, including elected leaders, as well as neighbouring Nations, local governments, stakeholders and the public during our negotiations.

3. Why did you proceed with signing the MOU signing despite opposition from the elected leadership and a request not to do so?

- It is for the Wet'suwet'en to resolve their own governance matters, and a vigorous conversation is going on internally about that right now.
- It's important to note that this MOU is the start of a negotiation process, and there is a great deal of work ahead of us.
- Reunification within the Wet'suwet'en governance structure is one of the topics for discussion and is essential for the success of our negotiations.

4. Why was the draft MOU, reached March 1, kept secret?

- It was important to all parties that the MOU be taken back to the Wet'suwet'en people first for review by clan members.
- Given the media attention on the Wet'suwet'en at the time, the parties agreed to keep the document confidential to allow that conversation to occur without interference.
- It would not have been appropriate to talk about the details of the MOU until that happened.
- No one anticipated the impact that COVID would have on timelines, and this extended the timeline substantially .

5. Why did the province not require a vote or have some sort of role in determining the ratification process?

- It was up to the Wet'suwet'en how they approached the ratification process. That is what self-determination looks like.
- The MOU was to be reviewed by the Wet'suwet'en clan members through Wet'suwet'en governance protocols for ratification.
- Wet'suwet'en Hereditary Chiefs would be best placed to speak to the Wet'suwet'en ratification process

6. Will there be public/stakeholder consultation going forward?

- Transparency and openness will be a critical part of all of this work.
- We will be engaging with Wet'suwet'en members, including elected leadership, as well as neighbouring Nations, local governments, stakeholders and the public as we move forward.

7. What effect will ongoing public health measures in response to the COVID-19 pandemic have on the engagement process?

- The safety of everyone involved is of paramount importance.
- Everyone is committed to adhering to the advice of the Provincial Health Officer and the Minister of Health when it comes to large gatherings and social distancing guidelines.
- Technology will continue to allow all the parties to gather virtually to have these important discussions.

8. What are the Province's assurances there will be engagement with all interested parties during the negotiation process?

- The Province, federal government and representatives from Wet'suwet'en are currently co-developing an engagement process with external stakeholders, local governments and other interested parties, to help ensure the success of our negotiations.
- We are finalizing the details and will share more as soon as we can.
- We have also been advised that the Wet'suwet'en are working on plans for internal engagement to support the MOU's goals on reunification.
- We think it is important that both Wet'suwet'en clans and the elected leadership be included in that process.
- The Wet'suwet'en hereditary chiefs would be best placed to speak to what that will look like.

9. Who will Wet'suwet'en use to facilitate their internal engagement?

- We understand that Wet'suwet'en have been exploring potential facilitators to support them in this work.
- It would be best to direct this question to them.

10. Does this set a precedent for other Nations – if they put up blockades, they'll get an agreement?

- This flows from a 1997 court decision. It is long overdue.
- We have had ongoing discussions with the Office of the Wet'suwet'en for the past year involving rights, title and self-government. That has laid some of the groundwork for this proposed way forward.
- Our government has very clearly committed to recognizing Indigenous rights and title, and the Declaration on the Rights of Indigenous Peoples Act will assist with this work.

11. Is it accurate that the Wet'suwet'en Hereditary Chiefs have said they have given up "absolutely nothing" to sign the MOU?

- None of the parties has given up anything. We are at the start of a negotiation process. We are all at the table in good faith, with a shared commitment to meaningful reconciliation and recognizing rights and title.

Governance

12. What will the role of Elected Chiefs be in negotiation process?

- That is an internal governance question that the Wet'suwet'en need to determine.
- It is our expectation that the hereditary and elected leadership will continue to talk to each other.
- Reunification within Wet'suwet'en Nation is essential for this work to move forward successfully. It is a central feature of the MOU.

13. Does the MOU eliminate the role of Elected Chiefs?

- No. In communication between Wet'suwet'en Hereditary Chiefs and elected leaders, it was made clear that the MOU does not alter the rights of Band Councils for anything they are currently authorized to do.
- It is our expectation that the hereditary and elected leaders will continue to talk to each other throughout the negotiation process.
- The parties will be engaging with Wet'suwet'en members, including elected leaders, as well as neighbouring Nations, local governments, stakeholders and the public during our negotiations.
- Reunification within the Wet'suwet'en governance structure, along with clear accountabilities, is a central feature of the MOU. Wet'suwet'en governance is one of the topics for discussion and is essential for the success of our negotiations.

14. How will you know that any new governance structure is legitimate?

- Under the MOU, there must be consultation with all Wet'suwet'en about any agreement we negotiate, as well as clarity on Wet'suwet'en governance structures and systems.
- We expect the role of leadership within Wet'suwet'en communities, clans and houses would be determined based on an appropriate governance structure that's in alignment with Wet'suwet'en protocols.
- From the Province's perspective, we need to have confidence that the citizens of any Indigenous government have freely agreed to having that government represent them.
- We also need to have confidence that the Indigenous government has the capacity for the work, the capacity to participate in the process and the capacity to be accountable for any decisions that are made.
- We have been clear with the Wet'suwet'en leadership that they need to demonstrate these things for us to be confident.

15. What is role of Matriarchs (and Matrilineal Coalition?)

- That is an internal governance question that the Wet'suwet'en need to determine.
- We also believe all Wet'suwet'en leadership voices need to be heard.

16. What will the effect be of the Wet'suwet'en First Nation band council resolution indicating they have no confidence in the Office of the Wet'suwet'en?

- Those are important internal matters for the Wet'suwet'en to resolve.
- Reunification within the Wet'suwet'en governance structure, along with clear accountabilities, is a central feature of the MOU.
- Wet'suwet'en governance is one of the topics for discussion and is essential for the success of our negotiations.

17. How will you deal with the suggestion by the elected chiefs that they are prepared to go to court to stop the negotiations?

- The MOU provides an opportunity to advance the important work of rights and title, and to make strides on reunification.
- It is our hope that hereditary and elected leadership come together to advance this work for the benefit of all Wet'suwet'en people.
- Ultimately the way forward and decisions on who represents the Wet'suwet'en people, and how, is for the Wet'suwet'en people to decide.

Coastal Gaslink Project

18. What does this MOU mean for the Coastal GasLink Project?

- There is no change. The Coastal GasLink project is permitted and approved to proceed.
- B.C. engaged extensively with Indigenous communities in relation to this Coastal GasLink Project, including both hereditary chiefs and elected leadership.
- At the time the MOU was reached, all parties at the table recognized the differences relating to the CGL project remain. That has not changed.

19. Does this end Wet'suwet'en opposition to the Coastal GasLink pipeline? If not, aren't we likely to see protests resume?

- We know there are differing opinions related to the project.
- Coastal GasLink is approved and permitted for construction.
- The activities, of course, must also align with the guidelines released by the province's health officer in response to COVID-19.
- This project is supported by Indigenous communities along the entire pipeline route, including Wet'suwet'en members.
- We are building our relationship together with a forward focus.
- It is my hope that everyone will continue to give us the space and time we need for this important process on Wet'suwet'en rights and title to move forward.

20. What will you do about further protests on CGL if they arise?

- The MOU signed with the Wet'suet'en Nation is a first step toward resolving difficult and complicated issues around Wet'suwet'en rights and title that have remained unresolved since the 1997 Delgamuukw-Gisday'wa decision.
- It helps to address the root cause of the protests.
- By resolving these issues, we can avoid the kind of conflicts we've seen on the land and work together for the benefit of all people who live in the region.
- The MOU sets us on a path to address rights and title and create certainty in the region.

Contents

21. What is the title area? Is it the entire territory, or just a portion?

- The implementation of title – and what that means – is an important topic, and this question needs to be answered at the negotiating table.
- There will also be conversations needed with neighbouring First Nations, and Wet'suwet'en hereditary chiefs would have an important role in those conversations.
- These are similar to discussions we are having with First Nations all over B.C. where the questions of Aboriginal rights and title are unresolved.

22. What does “throughout the Yintah” mean?

- Yintah means territory.
- This is an important conversation to be had at the negotiating table.

23. How will you deal with overlap?

- Any time the Province negotiates with an Indigenous nation, we consult with other potentially affected Nations.
- We will look to the Wet'suwet'en to participate in any discussion with First Nations that have shared territories.
- In addition to consultation with other Nations, engagement with stakeholders and the public is an important part of any negotiation process.

24. What will it mean for non-Indigenous people who live/own property – and for municipalities (Smithers, Burns Lake, Houston) – in the area?

- It is important to remember that we have discussions across BC addressing unresolved rights and title.
- The lack of progress on reconciliation has led to uncertainty for all, court actions and conflict.
- Specific to those who own property, private property is not on the table.
- We are committed to transparency, and we will look to the Wet'suwet'en to continue to be active participants in discussions with their neighbours.
- In all negotiations involving Crown land transfers, consultation with neighbouring First Nations, local governments, stakeholders and the public is a critical part of the process.
- In the meantime, there are no immediate changes.

25. What does recognition of title mean? Is that a legal interest in land?

- Recognition is an affirmation by the Province that the Wet'suwet'en hold title. This recognition is the starting point of the negotiation.
- It is important to remember that we have discussions across BC addressing unresolved rights and title.
- The lack of progress on reconciliation has led to uncertainty for all, court actions and conflict.
- The work of the negotiating table is to sort out what that means in practice on the land base.
- Land ownership is only one aspect of title. Other elements can include things like shared decision-making and revenue-sharing.

26. The court has strict test for recognizing title (per Delgamuukw and Tsilhqot'in) – what is government's test?

- The courts have urged us to negotiate, including through the Delgamuukw ruling, and that is our intention with this work.
- We are committed to negotiating title in B.C. in a respectful and meaningful way.
- It is important to remember that we have discussions across B.C. addressing unresolved rights and title.
- The Tsilhqot'in decision provides important guidance for our approach to implementation of title.

27. Is it realistic to achieve these negotiations within three months?

- At this point, especially in the context of a pandemic, three months may not be doable.
- The three months is about the next phase – there will be more work to be done after that.
- But all the parties have agreed to an accelerated process.
- The lack of progress on reconciliation has led to uncertainty for all, court actions and conflict, and we need to move ahead with this work.

28. How will it affect resource and economic activity?

- The conflict we saw earlier this year showed that leaving issues around Indigenous rights and title unresolved comes with significant economic risk.
- The Constitution is clear: Indigenous peoples have rights in their territories. Successive court cases have upheld these rights.
- We believe that resolving these issues through respectful dialog is a more effective way forward than court cases and conflict on the land base.
- When government, Indigenous peoples and industry work together, it reduces conflict and brings about more predictability, and stability.
- With guidance from the new Declaration on the Rights of Indigenous Peoples Act, we can develop clear, transparent processes with the Wet'suwet'en.

29. Will existing permits be honoured?

- Yes. The Province would not re-open existing permits or certificates.

30. What will resource project approval processes be going forward?

- There is no change to any permits or approvals already in place now.
- Lands and resources will be important topics for conversations at the negotiating table.
- Collaborating with First Nations is key to making progress on reconciliation across the province.
- The Declaration on the Rights of Indigenous Peoples Act provides a framework for this work.
- We are committed to transparency and openness as we move forward, and will be engaging with industry, local governments, the public and other interested parties throughout the negotiations.

31. Will the Province continue to be involved in review/approval of resource projects on the territory?

- Yes. The details around process and roles will be determined through negotiations.
- The MOU is clear on the need for clear governance structures, accountabilities, transparency and administrative fairness.

32. What does it mean that there will be no impact on existing rights and interests until jurisdiction is transferred?

- There would be no change for anyone with permits or approvals already in place.

33. What happens to existing rights and interests (e.g., tenures) when jurisdiction is transferred?

- The MOU is clear on the need for clear governance structures, accountabilities, transparency and administrative fairness before any changes are made.
- Those will be important conversations at the negotiating table.
- Stakeholder engagement would be part of the negotiation process going forward – as it is with all our government’s reconciliation efforts.
- Ensuring the broader community and stakeholders are engaged throughout any negotiation process helps us better understand their interests and concerns, so that we can create better agreements.
- The lack of progress on reconciliation has led to uncertainty for all, court actions and conflict.

34. How will you deal with parks, protected areas and forestry tenures?

- We are at the very start of a negotiation process. These will be important conversations to be had at the negotiating table.

35. What are the anticipated economic impacts?

- The conflict we saw earlier this year showed the economic risks of not resolving these fundamental issues around Indigenous rights and title.
- The Constitution is clear that Indigenous peoples have rights in their territories, and successive court cases have upheld these rights – including the Delgamuukw case specific to Wet’suwet’en hereditary leadership.
- The implementation of title will give us more effective, transparent and predictable ways of engaging together – rather than courts, litigation and conflict on the land base.
- When government, Indigenous peoples and industry work together, it reduces conflict and brings about more predictability, and stability.
- Instead of uncertainty and lawsuits, we can build a robust and sustainable economy by working together, creating opportunities for Indigenous peoples, all families in B.C., business and industry.

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s.13

Approvals

41. What will the signoff process be for BC?

- The MOU has been approved in principle. Any future agreement negotiated through the process agreed to in the MOU would require appropriate approvals from Cabinet.

42. What would the Cabinet process be?

- Cabinet process is confidential.

43. How does this relate to/interact with the Declaration legislation passed?

- Any agreement that we reach with the Wet'suwet'en will be consistent with the Act.
- That is explicit in the MOU.

Other questions

44. How much did it cost the taxpayer when the minister invited the Indigenous youth inside the legislature?

- In March, I met in good faith with a delegation of Indigenous youth who have been protesting outside this legislature.
- I wanted to share with them the work our government is doing with the Wet'suwet'en Hereditary Chiefs to make historic progress on rights and title.
- We met on the condition that they would leave the building following the meeting.
- They agreed to this condition and the Member from Saanich North and the Islands acted as a witness.
- Unfortunately, they didn't honour their commitment to leave this building peacefully.
- I'm deeply disappointed that they broke their word.
- But I stand by my commitment to meeting people with respect and a willingness to listen to others.

Confidential Issues Note - ADVICE TO MINISTER

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| Ministry of Indigenous Relations and Reconciliation Date: June 23, 2020 Minister Responsible: Hon. Scott Fraser | Hereditary and elected leaders |
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RECOMMENDED RESPONSE:

- Ultimately it is for each Nation to resolve their own governance matters – that is central to self-determination.
- Our government is focused on building relationships with First Nations based on respect and recognition of rights and consistent with the Declaration on the Rights of Indigenous Peoples Act.
- Reconciliation is about supporting Indigenous self-determination and how First Nations choose to govern themselves.
- Nations throughout B.C. have a variety of different governance structures, which incorporate elected leadership, hereditary leadership or some combination of both.
- For example in some Nations, hereditary chiefs have a role in the governance structure with the elected leadership. In other Nations, elected chiefs and council speak for their Nation in government-to-government discussions.
- Our view is that reconciliation at its heart is about supporting Indigenous self-determination and how First Nations choose to govern their own Nations.

If asked about assessing the legitimacy of a governing body:

- From the Province's perspective, we need to have confidence that the citizens of any Indigenous government have freely agreed to having that government represent them.
- We also need to have confidence that the Indigenous government has the capacity for the work, the capacity to participate in the process and the capacity to be accountable for any decisions that are made.

Communications contact: Cale Cowan

Program area contacts: Doug Caul and Jessica Wood

ADVICE TO MINISTER

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| Ministry of Indigenous Relations and Reconciliation Date: June 25, 2020 Minister Responsible: Hon. Scott Fraser | Anacla/Bamfield Road – Huu-ay-aht First Nations |
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RECOMMENDED RESPONSE:

- The bus crash on the Bamfield Road in September 2019 was a terrible tragedy and my heart goes out to the families who lost cherished children.
- At the Premier's request, a working group was formed to do a technical review of Huu-ay-aht First Nation's road upgrade proposal and consider options for safety improvements.
- The working group includes representatives from the Ministries of Transportation and Infrastructure, and Indigenous Relations and Reconciliation, and Huu-ay-aht First Nations, as well as the timber companies that maintain the road.
- We are actively working through options for safety measures.
- This work takes time and we hope to have more to say in the next few months.

Communications contact:
Program area contact:

Cale Cowan, GCPE/MIRR
Stephen Winn

Confidential Issues Note - ADVICE TO MINISTER

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| Ministry of Indigenous Relations and Reconciliation Date: June 21, 2020 Minister Responsible: Hon. Scott Fraser | Carrier Sekani First Nations reconciliation agreement |
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RECOMMENDED RESPONSE:

- This historic agreement helps advance reconciliation between the Province and Carrier Sekani First Nations.
- It focuses on lifting people up and supporting nation building that will benefit the regional economy of Carrier Sekani communities and all communities in the Omineca region.
- This agreement will help stimulate business ventures and social enterprise in the area, and lead to regional spin-offs, more employment opportunities and more prosperity and certainty for everyone in the area.
- It also includes supports for Carrier Sekani Nations to establish self-government structures and processes.
- Carrier Sekani First Nations are deeply committed to improving the lives of their people. We share this vision of reconciliation.
- Through this agreement, we are working together to support healthy, prosperous families and communities with strong connections to culture, the land, and each other.

If asked about forest tenures:

s.13; s.16

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s.13; s.16

If industry or local government stakeholders ask about the agreement:

- This is a critical forestry region and this investment creates opportunities and supports local economies.
- Carrier Sekani First Nations' forestry interests – such as tenure, land use and decision-making – are central to the Pathways Forward 2.0 Agreement.
- Business and industry have cultivated strong relationships with First Nations and are important partners in reconciliation work.
- Industry and local government engagement is ongoing, particularly on forestry discussions and economic development.
- We will continue to involve and broaden local and regional collaboration as the agreement is implemented.

If other First Nations ask about the size of the agreement:

- Carrier Sekani First Nations are the largest collective of Nations that we have a reconciliation agreement with – representing more than 7,000 people.
- In this environment of fiscal prudence and economic uncertainty due to the global pandemic, the importance of integrating Indigenous and regional economies, including the natural resource sector, is stronger than ever before.

Communications Contact: Tania Venn
Program Area Contact(s): Cory Waters / Trish Balcaen

Confidential Issues Note - ADVICE TO MINISTER

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| Ministry of Indigenous Relations and Reconciliation Date: April 27, 2020 Minister Responsible: Hon. Scott Fraser | Lake Babine First Nation Foundation Agreement |
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RECOMMENDED RESPONSE:

- The draft Foundation Agreement outlines a 20-year pathway to advance lasting reconciliation with Lake Babine Nation.
- The draft agreement offers a shared roadmap for supporting Lake Babine Nation in achieving the future they want, with a thriving, self-governing Nation.
- Lake Babine Nation has been clear from the start that they want to work collaboratively with local governments, industry, property owners and other stakeholders, to find ways to move forward together that will benefit the entire region.
- A number of commitments have been proposed in the draft agreement, including land transfers, support for self-governance, greater involvement of Lake Babine Nation in decision-making on the land, and enhancements to social programs.
- The draft Agreement would also guide us with a phased approach to implementing Lake Babine Nation's Aboriginal title.
- Moving forward to support economic development, introduce shared decision-making and implement Aboriginal title will help promote clarity, predictability and a strong economy for everyone in the region.

If asked if this is a treaty

- This is not a treaty – rather it is a comprehensive, long-term reconciliation agreement.

If asked about land transfers and financial support

- Once signed, the Foundation Agreement with Lake Babine Nation would provide both land transfers and financial mechanisms.
- It commits 20,000 hectares of forested Crown land to support Lake Babine Nation's economic development in the forest sector, and take initial steps toward implementing Aboriginal title.

Confidential Issues Note - ADVICE TO MINISTER

- Some preliminary areas of interest for land transfers have been identified, and we are currently meeting with neighbouring property owners, local government, tenure holders and other stakeholders in those areas.
- These discussions will make sure everyone has information on what is being considered and have a chance to give input about their interests and any impacts.
- The Province will work to respond to or address stakeholder concerns before any decisions on land parcels are finalized through a separate land transfer agreement.
- There could be adjustments to specific parcels based on these conversations.

If asked why LBN's Forestry Stewardship Plan wasn't mentioned at the open house

- The open house in Smithers Landing was focused on discussing the draft Foundation Agreement - not pre-existing forestry tenures held by Lake Babine Nation for many years.
- Any company with a forest tenure in the Province is required to issue a public notice on a Forest Stewardship Plan for the tenure – this is an annual requirement.
- We regret the fact that the timing of these ads raised questions for residents. We will endeavor to coordinate with other agencies to share a wider breadth of information going forward
- LBN Forestry, Lake Babine's timber company, has held various tenures throughout their operation and they follow Provincially mandated procedures for managing them.
- I can assure all local residents and property owners that the Province is committed to a comprehensive and transparent engagement process as we work to finalize this important agreement that will make a real and lasting difference in the lives of all members of Lake Babine Nation.

Communications Contact: Stephen Binder

Program Area Contact(s): Tlell Glover, Tom McCarthy / Trish Balcaen

QUESTIONS & ANSWERS
Lake Babine Foundation Agreement
July 8, 2020

KEY MESSAGES:

- The draft Foundation Agreement outlines a 20-year pathway to advance lasting reconciliation with Lake Babine Nation.
- It offers a shared roadmap for supporting Lake Babine Nation in achieving the future they want, with a thriving, self-governing Nation.
- Lake Babine Nation has been clear from the start that they want to work collaboratively with local governments, industry, property owners and other stakeholders, to find ways to move forward together that will benefit the entire region.
- A number of commitments have been proposed in the draft agreement, including land transfers, support for self-governance, greater involvement of Lake Babine Nation in decision-making on the land, and enhancements to social programs.
- The draft Agreement would also guide us with a phased approach to implementing Lake Babine Nation's Aboriginal title.
- Moving forward to support economic development, introduce shared decision-making and implement Aboriginal title will help promote clarity, predictability and a strong economy for everyone in the region.

If asked about land transfers and financial support

- Once signed, the Foundation Agreement with Lake Babine Nation would provide both land transfers and financial mechanisms.
- It commits 20,000 hectares of Crown land to support Lake Babine Nation's economic development in the forest sector, and initial steps toward implementing Aboriginal title.
- Some preliminary areas of interest for land transfers have been identified, and we are currently meeting with neighbouring property owners, local government, tenure holders and other stakeholders in those areas.

- **These discussions will make sure everyone has information on what is being considered and a chance to give input about their interests and any impacts.**
 - **The Province will work to respond to or address stakeholder concerns before any decisions on land parcels are finalized through a separate land transfer agreement.**
 - **There could be adjustments to specific parcels based on these conversations.**
 - **I can assure all local residents and property owners that the Province is committed to a comprehensive and transparent engagement process as we work to finalize this important agreement that will make a real and lasting difference in the lives of all members of Lake Babine Nation.**
-

1. What is the Foundation Agreement?

- The Foundation Agreement provides a new model for how the Province, Canada, and First Nations can work together to improve people's lives and implement Aboriginal rights and title over time.
- It is not a treaty, though it addresses many similar topics. It is a 20-year vision, laid out in a step-by-step, phased approach, with both early supports and long-term goals.
- Through incremental, progressive steps towards shared decision-making, title and jurisdiction, the Foundation Agreement will help promote clarity, predictability and a strong economy for everyone.

2. Is this agreement signed? When will it be signed?

- The Foundation Agreement is still a draft agreement and has not been signed.
- We are aiming to finalize it this year, pending provincial, federal, and Lake Babine Nation approval.

3. What's the difference between this agreement and a treaty?

- The Foundation Agreement takes a new approach that emphasizes a flexible, step-by-step arrangement and a relationship built on mutual trust and self-determination.
- This Agreement could be a model for how the Province, Canada and First Nations can achieve reconciliation consistent with UNDRIP, and an example of how we can put the principles of the new Declaration legislation into action.
- Ultimately, treaties, as well as other arrangements such as this one, are about creating the tools for long-term reconciliation in a manner that works best for the parties involved.

4. Are lands being considered for transfer to Lake Babine Nation?

- Yes. The purpose of this land transfer is to provide economic development opportunities for Lake Babine Nation, in particular involvement in forestry operations and partnership opportunities with the forest sector.
- The fee-simple transfer is also intended to be an initial step in the eventual implementation of Lake Babine Nation's title.
- Our focus is to resolve matters of Aboriginal title through negotiation instead of the litigation we've seen in the past, which result in better outcomes for everyone.

5. What lands are being proposed for transfer?

- Some preliminary areas of interest for land transfers have been identified, and we are currently meeting with neighbouring property owners, local government, tenure holders and other stakeholders in those areas.
- These discussions will make sure everyone has information on what is being considered and have a chance to give input about their interests and any impacts.
- The Province will work to respond to or address stakeholder concerns before any decisions on land parcels are finalized through a separate land transfer agreement.
- There could be adjustments to specific parcels based on these conversations.

6. When will land transfers happen?

- The transfer of lands will occur once the Foundation Agreement has been signed and after a separate Land Transfer Agreement, with final parcels identified, is complete.
- It is expected to take two years to complete the land transfer agreement, and transfer of parcels is anticipated around year five of the Foundation Agreement.
- Engagement with stakeholders has already begun and we will continue in-depth discussions regarding specific parcels to be transferred.

7. What consultations have there been/will there be with stakeholders and the public?

- Engagement with stakeholders and the public has already begun and will include open houses, information sessions, one-on-one meetings, and a web page to ensure information is accessible. An open house was held in Smithers Landing in March, 2020.
- This process will continue to evolve as negotiations progress and is expected to take place throughout 2020 and 2021.
- The initial parcels of land identified for potential transfer have not been finalized, and are subject to adjustment as we work through consultations with stakeholders, including local property owners and tenure-holders.

8. What will consultations with stakeholders and the public achieve?

- It is critically important to engage with stakeholders – including local governments, property owners, tenure- and permit-holders and local business and industry – on matters that may directly affect their interests.
- Better understanding stakeholder interests helps us create better agreements, support local relationship-building and foster stronger partnerships with First Nations.
- Reconciliation and agreement-making are most successful when stakeholders and key government partners can understand and identify with the goals and intentions of the negotiations.

9. Do the land transfers in the Foundation Agreement add to the 13 parcels previously announced in the 2014 agreement with Lake Babine?

- The transfer of those 13 parcels refers to an Incremental Treaty Agreement (ITA), which was signed in 2014. That agreement is being implemented, and the transfer process for one of those parcels to Lake Babine Nation is underway. Lake Babine has not yet initiated a request to transfer any others.
- The draft Foundation Agreement, which proposes 20,000 hectares of Crown land, builds on previous work, including the ITA, and is in addition to previously committed lands.

10. Why is it taking so long to transfer the lands promised in the 2014 Incremental Treaty Agreement?

- Starting the process to transfer specific parcels in the Incremental Treaty Agreement is triggered by Lake Babine Nation's request, and to date the Nation has only requested one parcel to move forward – Fort Babine Lodge.
- Once the transfer process starts, it generally takes a year or two for everything to be completed.
- The Incremental Treaty Agreement sets out a number of steps that both parties are required to do in order to complete the process to transfer specific parcels, and each of these can take time.

11. Has Lake Babine Nation taken over the Fort Babine Lodge buildings and lands, as was announced in 2018?

- Not yet. The transfer process is underway, but legal transfer of the Fort Babine Lodge property has not yet occurred.
- The province has provided the Nation with a license of occupation in the interim, to enable some construction activity.

12. What will happen to tenure holders when lands are transferred?

- Existing mineral tenures will continue to be valid, as will guide outfitter areas and traplines.

- B.C.'s goal is to maintain future access for guide outfitters and trapline holders and are discussing these interests with Lake Babine Nation.

13. Will Lake Babine have full management of this area in terms of recreational access and permits?

- Similar to private property, Aboriginal Title means Lake Babine Nation will own the lands and resources in the transferred lands and they will have the right to decide how those lands and resources are accessed and used, and to benefit from economic activity on them.
- That said, access to private properties and lease properties will be maintained and the Province is exploring options to guarantee access for properties reachable only by water.
- We are also working to ensure reasonable, continued access for recreational purposes to adjacent Lake Babine Nation land.

14. Will Lake Babine Nation be able to subdivide and sell the land?

- The lands will be transferred to Lake Babine Nation in fee-simple (as private property) as an interim step toward Aboriginal title.
- While it would be technically legal to sell or sub-divide, Lake Babine First Nation views these lands as a critical component of a sustainable transition to Aboriginal Title.

15. What does it mean when the Province transfers Crown Land in fee simple?

- There would be no change in jurisdiction for fee simple properties. For example, taxation, zonation and bylaws on existing fee simple properties would not change.
- Key provincial transportation corridors and public infrastructure will be excluded from any lands to be transferred.
- Land transfers to Lake Babine Nation will be subject to all regional district by-laws and will not include subsurface rights.

16. When, during the 20-year timeframe of the agreement will Aboriginal title be transferred and implemented?

- Fee simple (private) land transfers are proposed as an initial step toward implementing Lake Babine Nation Aboriginal Title.
- The Foundation Agreement sets out a transition of Lake Babine's fee simple interest to Aboriginal Title once Lake Babine Nation has developed a governance model and implemented a Self Government Agreement.
- This is expected to take approximately six years

Confidential Issues Note - ADVICE TO MINISTER

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| Ministry of Indigenous Relations and Reconciliation Date: June 11, 2020 Minister Responsible: Hon. Scott Fraser | Nisga'a Nation Nasoga Gulf |
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RECOMMENDED RESPONSE:

- The Province is currently in talks with the Nisga'a Nation about a potential Crown land sale in Nasoga Gulf.
- It's important to note that no agreement regarding any land sale would be signed without full consultation with neighbouring First Nations.
- The province currently is engaged in consultations with Lax Kw'alaams Band and Metlakatla First Nation on the proposed transaction, as is Nisga'a Nation.
- Provincial officials have met with representatives from Lax Kw'alaams and Metlakatla on several occasions over the past year.
- We take our legal obligation to consult very seriously.

Communications contact: Tania Venn

Program area contact: Nedinska Donaldson/Stephen Winn

Confidential Issues Note - ADVICE TO MINISTER

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| Ministry of Indigenous Relations and Reconciliation Date: June 29, 2020 Minister Responsible: Hon. Scott Fraser | NStQ additions to treaty land and local government |
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RECOMMENDED RESPONSE:

- Treaty negotiations with Northern Secwepemc te Qelmucw (NStQ) continue to progress since an Agreement-in-Principle was signed in 2018.
- Overlap between proposed treaty settlement lands and grazing contracts held by dozens of cattle ranches has been a significant challenge in the negotiations.
- We've had many discussions with First Nations and the ranching community on approaches to resolving this challenge.
- Together, we've developed a number of strategies that address local interests and needs, and this includes the purchase of cattle ranches, such as the Carpenter Mountain Ranch.

If asked about local government concerns:

- We understand that local governments have concerns that private lands added to a treaty will mean a loss of property tax revenue for the regional district.
- That's why we've met with local government representatives to listen to their concerns and to collaborate together to find solutions that work for everyone.
- Developing strong government-to-government relationships before a treaty takes effect, is a priority for us.

If asked about the impact of treaty on cattle operations:

- There are many interests on the land, and we are working closely with all parties to address all concerns.
- This includes sitting down with cattle ranch owners in the region and listening to their concerns and ideas, and working together on solutions that satisfy everyone.

Confidential Issues Note - ADVICE TO MINISTER

Ministry of Indigenous Relations and Reconciliation

Date: June 22, 2020

Minister Responsible: Hon. Scott Fraser

Tenure holders in TNG Declared Title Lands

RECOMMENDED RESPONSE:

- The challenges of implementing the T̓silhqot̓'in Decision illustrate why issues of rights and title are best resolved through negotiation rather than litigation.
- The Supreme Court granted the Xeni Gwet̓'in Aboriginal title for 1,700 square kilometers in the Chilcotin.
- That means that Xeni Gwet̓'in now effectively own that land – they have the right and the responsibility to manage and control how it is used.
- We recognize this continues to be a challenging transition for ranchers and tourism operators.
- We are all working together – the Province, federal government, T̓silhqot̓'in National Government, Xeni Gwet̓'in, and tenure holders – to achieve predictability for everyone affected by the decision.

Supporting messaging:

- The T̓silhqot̓'in Decision by the Supreme Court of Canada was the first declaration of Aboriginal title awarded in Canada, and it raised unique and complex new issues.
- The Supreme Court ruling recognized the T̓silhqot̓'in National Government and Xeni Gwet̓'in as holding Aboriginal title rights to the Declared Title Area, with the right to manage and control how the land will be used.
- The declared title area is now under T̓silhqot̓'in management, and we are working through the transition of governance in a thoughtful way.
- This is complex work in uncharted waters, and there are no easy answers.
- The Province and Xeni Gwet̓'in continue to have active dialogue on what the future of tenure management in the Declared Title Area may look like, including finding solutions with tenure holders.
- We continue to recommend tenure holders engage with the T̓silhqot̓'in National Government and the Xeni Gwet̓'in.

Declared Title Area management

- Similar to private property, Aboriginal title means T̓silhqot̓'in Nation owns the lands and resources in the declared title area.
- T̓silhqot̓'in Nation has the right to decide how those lands and resources are

Confidential Issues Note - ADVICE TO MINISTER

accessed and used, and to benefit from economic activity on them.

- The tripartite agreement signed last year with the Tsilhqot'in Nation builds on and continues the work from the agreement with the Province in 2014.
- The provincial and federal governments are now working together with the Nation to support the transition to Tsilhqot'in management of the title area.
- The Province provided some funding to support the Nation's path forward, and to create more governance capacity to effectively manage the title lands.

If asked about secret negotiations

- These are no secret negotiations over land transfers.
- The court awarded Aboriginal title to the lands.
- We have been working with Xeni Gwet'in on how the governance for things like tenures should be transitioned to the Nation.
- We have been in regular contact with stakeholders as these discussions have proceeded, with a meeting as recently as March 4th.
- The court made a decision, and now we are working to implement that.
- There is new ground for all of us, and very complex – working out how this will work takes time. We acknowledge this is hard for tenure holders.

If asked about Xeni Gwet'in acquisition of tenure holders/tourism operators:

- The Province remains a neutral party in any purchase negotiations between the operators and the First Nation.
- The Province has provided some funding to the Nation to support acquisition of properties at a fair market value.

Communications Contact: Stephen Binder

Program Area Contact: Alexandra Banford / Trish Balcaen

QUESTIONS & ANSWERS
Tenure holders in TNG territory
June 22, 2020

KEY MESSAGES:

- The challenges of implementing the T̓silhqot'in decision illustrate why issues of rights and title are best resolved through negotiation rather than litigation.
- The Supreme Court granted the Xeni Gwet'in Aboriginal title for 1,700 square kilometers in the Chilcotin.
- That means that Xeni Gwet'in now effectively own that land – they have the right and the responsibility to manage and control how it is used.
- We recognize this continues to be a challenging transition for ranchers and tourism operators.
- We are all working together – the Province, federal government, T̓silhqot'in National Government, Xeni Gwet'in, and tenure holders – to achieve certainty for everyone affected by the decision.

Supporting messaging:

- The T̓silhqot'in Decision by the Supreme Court of Canada was the first declaration of Aboriginal title awarded in Canada, and it raised unique and complex new issues.
 - The Supreme Court ruling recognized the T̓silhqot'in National Government and Xeni Gwet'in as holding Aboriginal title rights to the Declared Title Area, with the right to manage and control how the land will be used.
 - We recognize this is a challenging situation for tenure holders affected by the decision, as these tenures can represent their family livelihoods.
 - The declared title area is now under T̓silhqot'in management, and we are working through the transition of governance in a thoughtful way.
 - This is complex work in uncharted waters, and there are no easy answers.
 - The Province and Xeni Gwet'in continue to have active dialogue on what the future of tenure management in the Declared Title Area may look like, including finding solutions with tenure holders, on the basis of an accord signed by the Province in 2014.
 - We continue to recommend tenure holders engage with the T̓silhqot'in National Government and the Xeni Gwet'in.
-

1. How many tenure holders are affected in the Declared Title Area?

- Three ranches have grazing tenures in the title area. One has 100% of its tenure in the title area, and two have a bout 10% of their grazing tenure there.
- There are eight tourism operators (e.g. hunting/fishing lodges) located within the title lands with tenures such as park use permits and commercial recreation, as well as two others owned by Xeni Gwet'in.
- Five guide outfitters have tenures that overlap in part with title lands. The smallest overlap is nine percent and the largest is 74 percent.

2. Ranchers and tourism operators rely on Crown land tenures for their businesses. Will they still have access to what was Crown land?

- The declared title area is much like private land – owned and governed by the Xeni Gwet'in.
- The Province, the Nation and the federal government all recognize the concerns of people who rely on access to these land tenures to support their livelihoods.
- Guide outfitters operating in the Declared Title Area should continue to abide by their existing permits from the Province and will also require permission from Xeni Gwet'in.
- In terms of ranching operations, we are working with Xeni Gwet'in to understand their interests regarding the three range tenures that overlap the declared title area.
- Ranchers who seek access to the title lands for the purpose of grazing should be communicating directly with the Tsilhqot'in Nation and the Xeni Gwet'in.

3. Business owners are saying they've been blocked from accessing private lands and Xeni Gwet'in says they are now in control of the roads. Will these businesses continue to be able to access their lands in the future?

- The province is not aware of any cases where landowner access to private lands has been blocked.
- The Province's perspective is that the public has the right to travel on provincial roads within title lands.
- Both the province and the Xeni Gwet'in share an interest in reaching a long term understanding of the status of all roads within title lands and are in discussions about access.

4. Should the ranchers be concerned about the future of their private property in the territory?

- Private property was not included in the Tsilhqot'in court case.
- The Province does not put private lands on the table except on a willing seller/willing buyer basis.

5. Why are the tenure holders not being included in the negotiations on this, which are happening in secret?

- These are no secret negotiations over land transfers.
- The court awarded Aboriginal title to the lands.
- We have been working with Xeni Gwet'in on how the governance for things like tenures should be transitioned to the Nation.
- We have been in regular contact with stakeholders as these discussions have proceeded and Xeni Gwet'in hosted a meeting on March 4th with tenure holders, the regional district and the Province.
- The court made a decision, and now we are working to implement that.
- There is new ground for all of us, and very complex – working out how this will work takes time. We understand this is hard for tenure holders.

6. Why aren't stakeholders allowed to be part of negotiations? The local elected representatives (MLA and MP) have also been 'shut out' of negotiations, why?

- The Province has been engaging with stakeholders, local governments, elected officials and the public since the 2014 Tsilhqot'in Decision – and we will continue to do so as the transfer of governance proceeds.
- We are committed to transparency in this work and to keeping everyone who is affected informed about progress.
- For example, Xeni Gwet'in hosted a meeting on March 4th with tenure holders, the regional district and the Province, and shared their vision for managing tenures based on their traditional laws and ethics.

7. Are B.C. laws still going to apply in the declared title area? What rights do the people who currently live and work in the area have?

- Aboriginal title means Tsilhqot'in Nation essentially owns the lands and resources in the declared title area, with rights similar to a private property owner.
- Tsilhqot'in Nation has the right to decide how those lands and resources are used, and to benefit from economic activity on them.

- B.C. laws of general application continue to apply over the title lands.
- Private land owners have exactly the same rights as before the Supreme Court Decision.

8. Xeni Gwet'in has been granted authority to grant fisheries and other permits. How does this work?

- Submerged lands were not part of the title decision.
- The Province still licences angling guiding activity on waters surrounded by title lands.
- In cases where guides need to cross title land to access waters, they would require permission from Xeni Gwet'in.

9. Bridging agreements expired May 31, 2020. Will the agreements be renewed?

- Some of the bridging agreements were previously extended, but they have all expired now.
- We continue to work with Xeni Gwet'in to advocate for continued access.

10. Is the Province considering buying out any guide outfitters or ranchers?

- The Province remains a neutral party in any purchase negotiations between the operators and the First Nation.
- The Nation has purchased two properties to date – a ranch and a lodge.
- The Province has provided some funding to the Nation to support acquisition of properties at a fair market value.

11. Will the province be transferring other land to Tsilhqot'in?

- There is a commitment to negotiate some lands for Tsilhqot'in in the future, but we are not in discussion about that at this time.
- When we get to that point, we have a very strong commitment to engage with anyone who might have an interest in any land being considered, and would always seek input to ensure that is considered as part of the process.

12. Has the province responded to correspondence from ranchers and guide outfitters in the declared title area?

- The Province is committed to a transparent and open process with the governance transition in the declared title area, and has been engaging with stakeholders, local governments and the public since the Tsilhqot'in Decision was made in 2014.

- We continue to get correspondence on this issue, and we respond as quickly as we are able. Recently, the Pandemic has definitely impacted the ability to turn around correspondence as fast as we'd like. We've talked about this and we're striving to do better.

13.If asked about May 29th working session with Xeni Gwet'in...

- The Province is working hard to support Xeni Gwet'in in providing clarity and certainty for all those living and working in the declared title area.
- The interim bridging agreements to maintain tenure holders' continued use in the declared title area during the governance transition have expired.
- We are partnering with Xeni Gwet'in to build a longer-term plan, continuing to strive towards greater predictability in the declared title area.
- We continue working together on long-term management of title lands, with a partnership approach to complex new legal and policy questions.
- We are committed to transparency in this work and to keeping everyone who is affected informed about progress.

14.If asked about Declared Title Area management...

- Similar to private property, Aboriginal title means Tsilhqot'in Nation owns the lands and resources in the declared title area.
- Tsilhqot'in Nation has the right to decide how those lands and resources are accessed and used, and to benefit from economic activity on them.
- The tripartite agreement signed last year with the Tsilhqot'in Nation builds on and continues the work from the agreement with the Province in 2014.
- The provincial and federal governments are now working together with the Nation to support the transition to Tsilhqot'in management of the title area.
- The Province provided some funding to support the Nation's path forward, and to create more governance capacity to effectively manage the title lands.

15.If asked about Xeni Gwet'in's meeting with tenure holders...

- At a March 4th meeting with tenure holders, the regional district and the Province, Xeni Gwet'in shared their vision for managing tenures based on their traditional laws and ethics.
- The Nation is seeking feedback from tenure holders on options for managing tenures going forward, to provide some certainty to tenure-holders.
- The Province is committed to ongoing dialogue with Xeni Gwet'in and tenure holders as we move forward.

Confidential Issues Note - ADVICE TO MINISTER

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| Ministry of Indigenous Relations and Reconciliation Date: June 19, 2020 Minister Responsible: Hon. Scott Fraser | Treaty Land Entitlement: Charlie Lake & Red Creek land parcels |
|--|---|

RECOMMENDED RESPONSE:

- The province is committed to addressing the historic shortfall in the amount of reserve land owed to Blueberry River First Nations under Treaty 8.
- Some areas of interest have been identified, and the Province has been engaging extensively with local stakeholders, area residents and local governments to make sure we fully understand the various interests and impacts before making a final decision.
- The Province has heard stakeholders' concerns and is taking steps to mitigate as many as possible. These include:
 - Assuring stakeholders that concerns about environmental impacts to Charlie Lake can be addressed through federal environmental legislation and regulations.
 - Ensuring recreation users will have access through the Red Creek parcel by keeping the main road under provincial jurisdiction.
 - Creating a 100-to 200-metre wide Crown land buffer between the Red Creek parcel and subdivision residences for wind protection and to keep privacy.
- The Province is considering all stakeholder concerns and opportunities for mitigation as we move to a final decision on these parcels.

If asked about recent developments with Blueberry River First Nations leadership

- The Province is aware that Blueberry First Nations leadership is being contested by some councilors and community members.
- At this time we are continuing to work with the current elected Chief and Council, and will abide by any final determination from official community leadership.
- The Blueberry River First Nations Settlement and Lands Agreement must be ratified through a majority vote by community members for the Settlement to be finalized.

Confidential Issues Note - ADVICE TO MINISTER

If asked why the Red Creek Parcel was placed back on the table

- The Red Creek lands have been supported and advanced by every Blueberry River First Nations leadership since 2005.
- The Red Creek area was a historic meeting place to hunt and camp, and the lands are well suited for both grazing and additional housing for Blueberry River First Nations members near Fort St. John and its services.

If asked about environmental protections if BRFN develops the land

- Blueberry River First Nations has publicly indicated that the Charlie Lake South parcel will be used for a small footprint elders' facility and the Red Creek parcel will be used for housing, not for industrial purposes.

If asked about internal disagreements about the land parcels

- Blueberry River First Nations have provided a signed Band Council Resolution by the Chief and all five councilors indicating support for all five the TLE selection areas.
- These questions would be more appropriately directed to Blueberry River First Nations.

If asked about land protections placed on parcels

- To ensure parcels remain available, the Province placed temporary protections on them while negotiations with Blueberry River are underway.
- The protections simply hold the land in its current state while negotiations are ongoing and discussions with other affected parties are taking place.
- Parcels with *Land Act* protections are still Crown lands and access remains open for activities such as hunting and fishing while interim protections are in place.

Communications Contact: Tania Venn / Program Area Contact(s): Tara Forest; Dale Morgan; Tom McCarthy

Confidential Issues Note - ADVICE TO MINISTER

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|--|---|
| Ministry of Indigenous Relations and Reconciliation Date: June 30, 2020 Minister Responsible: Hon. Scott Fraser | Northeast B.C. stakeholder engagement strategy |
|--|---|

RECOMMENDED RESPONSE:

- We heard loud and clear that our engagement with local governments and stakeholders needs to improve, and we've taken steps to make that happen.
- The Northeast Community Roundtable has met every six weeks since 2018, bringing interested parties together to talk about the goals of reconciliation and what this means for British Columbians.
- Attendees include representatives from First Nations, different levels of government, and major stakeholder and interest groups.
- The Roundtable discusses land transfer agreements between the Province and Treaty 8 First Nations, and addresses other land-use matters important to the group.
- Improving community engagement leads to clarity of stakeholder interests, better land agreements and stronger partnerships with First Nations.

If asked why we aren't doing this throughout the Province:

- Public and stakeholder engagement can't be done in a cookie-cutter or formulaic way.
- At any given time, the provincial government is involved in many different negotiations across the province, which are at different stages and have very different topics being discussed. Each negotiation process requires a public engagement strategy that is tailored to best addressing the matters at hand.
- That means that each engagement strategy may look a little different.

Communications Contact: Stephen Binder
Program Area Contact(s): Dale Morgan

Confidential Issues Note - ADVICE TO MINISTER

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|---|---|
| Ministry of Indigenous Relations and Reconciliation Date: June 19, 2020 Minister Responsible: Scott Fraser | Treaty 8 negotiations: TLE, TLA, G2G |
|---|---|

RECOMMENDED RESPONSE:

- The Province is building relationships with Treaty 8 First Nations based on respect and recognition of rights.
- We are in discussions with five Treaty 8 First Nations on Treaty Land Entitlement (TLE) settlement - compensation for reserve lands they were promised when Treaty 8 was signed, but didn't get.
- We have a duty to implement historic treaties in ways that are fair and just, and are moving forward to right a long-standing injustice and advance reconciliation.
- We are working with Halfway River, West Moberly, Blueberry River, Doig River, and Saulteau First Nations and the federal government to identify Crown lands that could be included in settlement agreements.
- Once lands have been identified and before any agreements are finalized, all stakeholders — including industry, permit and tenure holders, local governments, and the public — will have opportunities to provide input.
- This input will be considered by B.C. in the decisions on whether – and under what conditions – to transfer individual parcels.

Tripartite Land Agreements for Site C

- In recognition of the impacts from the Site C project, the Province and BC Hydro have entered into Tripartite Land Agreements (TLA) with several Treaty 8 First Nations.
- These agreements involve the transfer of Crown land to become land privately owned by the Nation.
- No lands will be transferred without First Nations consultation, stakeholder engagement, and a full assessment of existing regional interests.
- To date, Saulteau First Nations, Doig River First Nation, Halfway River First Nation and McLeod Lake Indian Band, have signed TLAs.

Confidential Issues Note - ADVICE TO MINISTER

Government-to-Government Agreements

- **The Province is working with Treaty 8 First Nations on agreements that support economic opportunities, land management measures, and government-to government (G2G) governance structures within their respective territories.**
- **These agreements respect treaty rights and support enduring and mutually beneficial relationships between the Province and Treaty 8 First Nations.**

Communications contact: Tania Venn

Program area contact: Tara Forest, Dale Morgan, Tom McCarthy

Confidential Issues Note - ADVICE TO MINISTER

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|---|--|
| Ministry of Indigenous Relations and Reconciliation Updated: June 15, 2020 Minister Responsible: Hon. Scott Fraser | Treaties in B.C. - Status |
|---|--|

RECOMMENDED RESPONSE:

- **Treaties are an important pathway to meaningful reconciliation with First Nations.**
- **In collaboration with First Nations and Canada, B.C. has been crafting new and innovative agreements that are more flexible and better suited to addressing the needs of individual Nations.**
- **Our goal is to base treaties on a recognition of the inherent rights of Indigenous peoples and on lasting government-to-government relationships that can evolve over time.**
- **This new approach to treaty-making has led to advancements in treaty negotiations throughout the province.**
- **Examples include recently announced agreements to advance negotiations and new and innovative approaches to treaties with groups such as the Sto:lo Xwexwilmexw Treaty Association (SXTA), Ktunaxa Nation, Metlakatla First Nation, Kitselas First Nation, and Kitsumkalum First Nation.**

If asked what policy guides treaty-making:

- **As part of the work between the provincial and federal governments and the First Nations Summit to modernize treaty-making in B.C., a new policy to guide Treaty negotiations in the province was finalized in 2019.**

Communications Contact: Stephen Binder

Program Area Contact: Barb Miles, , Tom McCarthy

Confidential Issues Note - ADVICE TO MINISTER

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|---|---|
| Ministry of Indigenous Relations and Reconciliation Date: May 27, 2020 Minister Responsible: Hon. Scott Fraser | Treaty Transformation & Tripartite Treaty Policy |
|---|---|

RECOMMENDED RESPONSE:

- **Treaties are an important path to meaningful reconciliation with First Nations.**
- **Treaties create new opportunities in areas like jurisdiction and self-government, that help support strong, healthy and thriving indigenous communities.**
- **The provincial and federal governments and the First Nations Summit worked together to develop a new policy that modernizes treaty-making in B.C., which was finalized and rolled out in Sept. 2019.**
- **The new policy reflects current approaches to negotiation that have emerged over the last two years as we have sought to implement the UN Declaration.**
- **Our goal is to base treaties on a recognition of the inherent rights of Indigenous peoples, and the new policy states explicitly that treaties will no longer require Indigenous peoples to extinguish their rights.**
- **Treaties should be agreements that set the framework for a relationship that evolves over time – just like the relationship between all governments – and not freeze that relationship in time.**
- **Over the past two years we have been taking new and innovative approaches and creating more flexibility in our treaty-making, which has led to progress at a number of treaty tables.**
- **This includes recently announced agreements to advance negotiations and new and innovative approaches to treaties with groups such as the Sto:lo Nations (SXTA group), Hul'qumi'num Treaty Group, Ktunaxa Nation, Metlakatla First Nation, and Kitselas/Kitsumkalum Nations.**

Communications Contact: Stephen Binder/Sarah Plank
Program Area Contact(s): Tom McCarthy/Colin Ward/Barb Miles

MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION

2020 Estimates Note

MINERAL TAX REVENUE SHARING AGREEMENTS

I. ISSUE: Mineral Tax Revenue Sharing Update (through Economic and Community Development Agreement and mine Revenue Sharing Agreements)

II. KEY MESSAGES

- **The Province is committed to sharing mineral tax revenue with First Nations to support their partnership in mine development, to provide an economic accommodation, and to advance reconciliation.**
- **Economic and Community Development Agreements and mine Revenue Sharing Agreements provide a share of the mineral tax collected by BC from mining projects and provide financial resources to First Nations to support the socio-economic initiatives they identify as priorities for their communities.**
- **To date, BC has signed agreements with 48 First Nations that cover the following mines:**
 - **New Afton outside of Kamloops;**
 - **Mt. Milligan north of Fort St. James;**
 - **Elkview, Line Creek, Greenhills and Fording River coal mines in the southeast;**
 - **Copper Mountain near Princeton;**
 - **Highland Valley Copper near Logan Lake;**
 - **Huckleberry in the Smithers/Houston area;**
 - **Kitsault north of Prince Rupert;**
 - **Quinsam Coal on Vancouver Island;**
 - **Gibraltar Mine north of Williams Lake;**
 - **Mount Polley Mine;**
 - **Red Chris Mine in the Northwest;**
 - **the Willow Creek, Brule and Wolverine coal mines in addition to Quintette and Trend in the north-east;**
 - **Giscome Mine near Prince George;**
 - **Brucejack Mine north of Stewart;**
 - **Kemess Underground Mine in the northern interior;**
 - **Blackwater Gold Mine in central BC; and**
 - **Bonanza Ledge by Barkerville and Wells.**

MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION
2020 Estimates Note
MINERAL TAX REVENUE SHARING AGREEMENTS

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III. BACKGROUND:

- BC announced the mine revenue sharing program in 2008.
- These agreements build support for mining projects and increase process certainty for BC, First Nations and industry and strengthen relations and support for mine operations.
- MIRR leads the negotiation of ECDAs and these agreements provide First Nations with up to 37.5% of the incremental mineral tax revenue from the specific mine projects. Mine revenue sharing agreements are for the life of the mine.
- The revenue share percentage tabled with First Nations is dependent on project specific considerations: project size and value, potential impact, and the number of First Nations engaged for revenue sharing. This is an economic accommodation.
- BC has shared more than \$97 million in mineral tax revenues to date.
- First Nations are directing this revenue to their socio-economic priorities.

Primary Contact

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MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION

2020 Estimates Note

MINERAL TAX REVENUE SHARING AGREEMENTS - APPENDIX

Dialogue or negotiations initiated (alphabetical)

| Mine/Region/Company | First Nations (alpha) | Context |
|---|--|---|
| Cariboo Gold <ul style="list-style-type: none"> - Cariboo Region - Barkerville Gold Mines Ltd., owned by Osisko Gold Royalties Ltd | Lhtako Dené | <ul style="list-style-type: none"> ▪ Mine proposal in EA stage ▪ Negotiations in planning phase |
| Endako molybdenum mine <ul style="list-style-type: none"> - Omineca - Thompson Creek Metals (Centerra) | Nadleh Whut'en, Stellat'en | <ul style="list-style-type: none"> ▪ Mine in care and maintenance since December 2014 ▪ Previous negotiations stalled over nations concerns over adequacy of mandate ▪ Renewed interest from First Nations, new negotiations initiated ▪ Linkage to Carrier-Sekani First Nations Pathways goals |
| Kootenay West Gypsum <ul style="list-style-type: none"> - Kootenay-Boundary - CertainTeed Gypsum Canada, Inc. (Saint-Gobin) | Ktunaxa Shuswap Indian Band | <ul style="list-style-type: none"> ▪ Mine in development stage ▪ Negotiations underway ▪ s.16 ▪ Target is to conclude in 2020/21 |
| Myra Falls <ul style="list-style-type: none"> - Coastal - Nyrstar | K'ómoks, Mowachaht/Muchalaht, We Wai Kai, Wei Wai Kum | <ul style="list-style-type: none"> ▪ Mine re-started in February 2020 ▪ Initial dialogue started with Nations |
| Red Mountain gold mine <ul style="list-style-type: none"> - Coastal/Skeena - Ascot Resources | First Nations still to be finalized: Nisga'a Falls within Tsesaut Skii km Lax Ha claim area | <ul style="list-style-type: none"> ▪ Mine in development stage ▪ Initial dialogue started with Nisga'a ▪ BC still to finalize approach for Tsesaut Skii km Lax Ha |
| Silvertip <ul style="list-style-type: none"> - Omineca/Skeena/Northeast - Coeur Mining | First Nations still to be finalised: Liard Kaska Dena Tahltan | <ul style="list-style-type: none"> ▪ Mining activity suspended ▪ Expected earliest restart late 2021 ▪ s.16 |

MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION

2020 Estimates Note

MINERAL TAX REVENUE SHARING AGREEMENTS - APPENDIX

Completed ECDAs (alphabetical)

| Mine | First Nations (alpha) | Mine currently operating? |
|--|--|---------------------------------|
| Blackwater Gold - Cariboo/Omineca - New Gold Inc. | Lhoosk'uz Dené, Ulkatcho | No (in development) |
| Bonanza Ledge - Cariboo - Barkerville Gold Mines Ltd., owned by Osisko Gold Royalties Ltd | Lhtako Dené | Yes (has resumed production) |
| Brucejack gold mine - Skeena - Pretivm | Nisga'a, Tahltan (BC continuing to work with Tsesaut Skii km Lax Ha. ^{s.16} s.16 | Yes |
| Brule coal mine - Northeast - Conuma Coal Resources Ltd. | Halfway River, McLeod Lake, Saulteau, West Moberly | Yes |
| Copper Mountain - Thompson-Okanagan - Copper Mountain Mining Corporation | Lower Similkameen, Upper Similkameen | Yes |
| Elkview coal mine - Kootenay-Boundary - Teck Resources Ltd. | Ktunaxa | Yes |
| Fording River coal mine - Kootenay-Boundary - Teck Resources Ltd. | Ktunaxa | Yes |
| Gibraltar copper-molybdenum mine - Cariboo - Taseko Mines Ltd. | ?Esdilagh, Xat'sūll | Yes |
| Giscome (limestone) - Omineca - Graymont Western Canada (Inc.) | Lheidli T'enneh | No – development phase |
| Greenhills coal mine | Ktunaxa | Yes |

MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION

2020 Estimates Note

MINERAL TAX REVENUE SHARING AGREEMENTS - APPENDIX

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|---|--|---|
| <ul style="list-style-type: none"> - Kootenay-Boundary - Teck Resources Ltd. | | |
| Highland Valley Copper <ul style="list-style-type: none"> - Thompson-Okanagan - Teck Resources Ltd. | Ashcroft, Boothroyd, Boston Bar, Coldwater, Cook's Ferry, Kanaka Bar, Lower Nicola, Lytton, Nicomen, Nooaitch, Oregon Jack Creek, Shackan, Siska, Skuppah, Spuzzum | Yes |
| Huckleberry molybdenum mine <ul style="list-style-type: none"> - Skeena - Huckleberry Mines Ltd. (Imperial Metals) | Cheslatta, Nee Tahi Buhn, Skin Tyee, Wet'suwet'en | No -mine in care and maintenance since August 2016 |
| Kemess Underground Mine (copper-gold) <ul style="list-style-type: none"> - Northeast/Omineca - Centerra Gold | Kwadacha, Takla, Tsay Keh Dené | No -in development phase |
| Kitsault molybdenum mine <ul style="list-style-type: none"> - Coast/Skeena - Avanti Kitsault Mine Ltd. (Alloycorp) | Nisga'a | No -Not brought into production |
| Line Creek coal mine <ul style="list-style-type: none"> - Kootenay-Boundary - Teck Resources Ltd. | Ktunaxa | Yes |
| Mount Milligan copper-gold mine <ul style="list-style-type: none"> - Omineca - Centerra Gold | McLeod Lake, Nak'azdli, Takla | Yes |
| Mount Polley copper-gold mine <ul style="list-style-type: none"> - Cariboo | Xat'sūll, Williams Lake | No -activity suspended since 2014 breach /mine in care and maintenance |

MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION

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MINERAL TAX REVENUE SHARING AGREEMENTS - APPENDIX

| | | |
|---|---|---|
| - Mount Polley Mining Corporation (Imperial Metals) | | |
| New Afton - Thompson/Okanagan - New Gold Inc. | Skeetchestn, Tk'emlúps | Yes |
| Quinsam coal mine - Coast Region - Quinsam Coal Corp. (ERP Compliant Fuels, LLC) | K'ómoks, We Wai Kai, Wei Wai Kum | No -mine in care and maintenance – Company filed for bankruptcy July, 2019 |
| Quintette coal mine - Northeast - Teck Resources Ltd. | Halfway River, Saulteau, West Moberly | No -mine in care and maintenance since 2000 |
| Red Chris - Skeena - Newcrest Mining Ltd. | Tahltan | Yes |
| Trend - Northeast - Anglo American | Halfway River, Saulteau | No -mine in care and maintenance since 2014 |
| Willow Creek - Northeast - Conuma Coal Resources Ltd. | Halfway River, McLeod Lake, Saulteau, West Moberly | Yes |
| Wolverine - Northeast - Conuma Coal Resources Ltd.Northeast | Halfway River, McLeod Lake, Saulteau, West Moberly | Yes |

Confidential Issues Note - ADVICE TO MINISTER

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| Ministry of Indigenous Relations and Reconciliation Date: June 11, 2020 Minister Responsible: Hon. Scott Fraser | First Nations Gaming Revenue Sharing |
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RECOMMENDED RESPONSE:

- **\$100 million in new revenue shared each year with First Nations is now supporting self-government, strong, healthy communities and services that make life better for families in Indigenous communities throughout the province.**
- **Being able to count on this secure and long-term revenue is already transforming communities and lives.**
- **First Nations are using the revenue for programs that are making a real difference in communities, such as housing, a community youth centre to support a Nation's young people, fuel management in a nearby forest to protect a Nation's homes from wildfires, and language programs that build connection to culture that is integral to the health of communities.**
- **Nations have also been able to use the funds to support their communities in responding to the threat of the COVID-19 pandemic.**
- **Like every government, First Nations need stable, predictable sources of revenue to fund their priorities – critical things for every government, like infrastructure, services that build healthy communities and the staff to get it done.**
- **A commitment to share \$3 billion over the next 25 years means First Nations can plan for the long-term and invest in the services they decide their communities need to thrive and prosper.**

Communications contact: Cale Cowan
Program contact: Ricardo Toledo

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|---|---|
| Ministry of Indigenous Relations and Reconciliation Date: June 18, 2020 Minister Responsible: Hon. Scott Fraser | First Nations Clean Energy Business Fund |
|---|---|

RECOMMENDED RESPONSE:

- The sustainability of the land is a value we share with First Nations and everyone in B.C.
- We worked with the B.C. Green Caucus and with British Columbians to develop the Clean BC Plan for a clean growth future.
- Working in partnership with First Nations to build a vibrant, clean economy in Indigenous communities is an important part of the plan.
- The First Nations Clean Energy Business Fund is continuing to support First Nations' participation in the clean-energy sector. This includes:
 - promoting energy-efficiency,
 - replacing diesel generators in remote communities with renewable sources of energy, and
 - sharing of provincial revenues from independent power projects
- We're working in partnership with Indigenous peoples on a low-carbon future and strong, healthy and more resilient communities in B.C.

If asked about suspension of the Standing Offer Program:

- We are committed to working in partnership with First Nations to support the use of clean-energy, and helping communities shift away from using diesel.
- That's why our government will be working with First Nations on shaping the path forward.
- The First Nations Clean Energy Business Fund will continue to fund projects that assist First Nations communities in developing clean-energy projects that are not dependent on the Standing Offer Program.

Communications contact: Cale Cowan

Program contacts: Ricardo Toledo, Michael Matsubuchi, Annika Van Roy

Confidential Issues Note - ADVICE TO MINISTER

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| Ministry of Indigenous Relations and Reconciliation Updated: May 27, 2020 Minister Responsible: Hon. Scott Fraser | FNCEBF May 2020 application extensions |
|--|---|

RECOMMENDED RESPONSE:

- **To support measures that protect the health and safety of First Nations communities during the pandemic, we have extended the deadline for the latest round of applications for the First Nations Clean Energy Business Fund until January 2021.**
- **This will give Nations the added time they need to prepare their applications, as many are focusing their time and resources right now on their pandemic response.**
- **Supporting clean-energy projects remains a top priority for the Province, but the health and safety of communities, Elders and staff must come first.**
- **The partnership with First Nations to build a vibrant, clean economy in Indigenous communities around the province is an important part of the Clean BC Plan.**
- **We will continue to monitor the situation and will keep communities informed in the coming months.**
- **Our staff remain available to assist Nations in preparing their applications, as they are able to do so.**
- **The First Nations Clean Energy Business Fund supports First Nations' participation in the clean-energy sector by promoting energy-efficiency and replacing diesel generators in remote communities with renewable sources of energy.**
- **We're working together on a low-carbon future and strong, healthier communities for all British Columbians.**

Communication contact: Cale Cowan, GCPE
Program contact: Michael Matsubuchi, MIRR

Confidential Issues Note - ADVICE TO MINISTER

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|---|---|
| Ministry of Indigenous Relations and Reconciliation Date: June 9, 2020 Minister Responsible: Hon. Scott Fraser | Forest Consultation and Revenue Sharing Agreements |
|---|---|

RECOMMENDED RESPONSE:

- Sharing revenue from resource development in First Nations territories is an important part of our work toward reconciliation.
- Funding for the Forest Consultation and Revenue Sharing Agreements (FCRSA) will continue at current levels for the 2020/21 fiscal year.
- Our engagement with First Nations on the Forest Consultation and Revenue Sharing Agreements program has been valuable and provided feedback on a range of issues, including our current approach to forestry revenue sharing.
- We are committed to future collaboration with First Nations to inform our ongoing review of the Forest Consultation and Revenue Sharing Agreements program.

If asked if the Province will increase funding, as Nations have asked:

- We are committed to working with First Nations on a new fiscal relationship and took a significant step in Budget 2019 sharing \$100 million per year in gaming revenues.
- Changes to revenue-sharing policies, including forestry revenue sharing, need to be considered within the current fiscal climate and other revenue-sharing policies.

Communications contact: Cale Cowan
Program area contact: Paul Kerr

Confidential Issues Note - ADVICE TO MINISTER

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| Ministry of Indigenous Relations and Reconciliation Date: June 16, 2020 Minister Responsible: Hon. Scott Fraser | Friendship Centre funding concerns |
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RECOMMENDED RESPONSE:

- **Aboriginal Friendship Centres are key partners in supporting urban Indigenous people who can face complex social challenges.**
- **Our government more than tripled the financial support for Friendship Centres, with an additional \$6.45 million over three years (2018-2021) through the B.C. Association of Aboriginal Friendship Centres.**
- **More importantly, this represents for the first time, reliable, dedicated funding for Friendship Centres so they can focus on their important work.**
- **The Province is working to make a difference in the lives of all Indigenous peoples in B.C. through investments in the social sector, including housing, child care and poverty reduction.**

s.13; s.16

s.13; s.16; s.17

Confidential Issues Note - ADVICE TO MINISTER

If asked about funding to support increased demand for services due to COVID-19:

- **B.C. Aboriginal friendship centres provide essential services to support Indigenous peoples living in urban areas.**
- **The work they do is important for the health and well-being of the peoples and families they support, in particular Elders who are especially vulnerable to COVID-19 and are critical knowledge-keepers of language and culture.**
- **Friendship centres are struggling to meet demand from Indigenous people who need increased support for food, shelter, childcare and counselling as a result of this pandemic.**
- **We have been engaging with the BC Association of Aboriginal Friendship Centres to identify their needs and how we can best support them.**
- **As an immediate stop-gap measure, we have advanced annual funding for friendship centres to help address cash-flow pressures in the short-term.**
- **We know that more help is needed, and we are actively looking for ways we can further help friendship centres and the people they serve, including having conversations with the federal government on opportunities for additional support.**

Communications Contact: Tania Venn

Program Contact: Barb Miles

Confidential Issues Note - ADVICE TO MINISTER

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| Ministry of Indigenous Relations and Reconciliation Date: July 14, 2020 Minister Responsible: Hon. Scott Fraser | Friendship Centre funding during COVID-19 |
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RECOMMENDED RESPONSE:

- B.C. Aboriginal friendship centres provide essential services to support Indigenous peoples living in urban areas.
- The work they do is important for the health and well-being of the peoples and families they support, in particular Elders who are especially vulnerable to COVID-19 and are critical knowledge-keepers of language and culture.
- Friendship centres are facing a huge increase in demand from people who need help with food, shelter, child care, counselling and many other things.
- We have been engaging with the BC Association of Aboriginal Friendship Centres to identify their needs and how we can best support them.
- As an immediate stop-gap measure, we advanced almost the entire year's annual funding for friendship centres to help address cash-flow pressures in the short-term.
- We know that more help is needed, and we are actively looking at ways we can further support friendship centres and the people they serve.

If asked how much funding is flowing through stop-gap measure

- The Province transferred \$1.9 million to the BC Association of Aboriginal Friendship Centres (BCAAFC) on April 28, 2020.
- BCAAFC is responsible for distributing the annual provincial funds to friendship centres throughout the province.
- It's important to note that this is not new funding but rather early distribution of committed funding.

Communications Contact: Kim Hudson, Sarah Plank
Program Area Contact(s): Susan Kelly, Jennifer Melles

Confidential Issues Note - ADVICE TO MINISTER

Ministry of Indigenous Relations and Reconciliation

Updated: May 27, 2020

Minister Responsible: Hon. Scott Fraser

Indigenous projects funding

RECOMMENDED RESPONSE:

s.13; s.16

Contacts: Sarah Plank, GCPE / Elisabeth Ellis, MIRR

Confidential Issues Note - ADVICE TO MINISTER

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| Ministry of Indigenous Relations and Reconciliation Date: June 22, 2020 Minister Responsible: Hon. Scott Fraser | Métis Nation B.C. |
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RECOMMENDED RESPONSE:

- The nearly 90,000 self-identifying Métis people in B.C. are integral to the rich cultural fabric of British Columbia.
- Through the Métis Nation Relationship Accord II, we are collaborating with Métis Nation BC on social and economic opportunities for Métis people.
- We are working together with Métis peoples on a path towards reconciliation through implementation of the *Declaration on the Rights of Indigenous Peoples Act* and the Truth and Reconciliation Commission's Calls to Action.

If asked about the Province's relationship with Métis Nation BC:

- The Province and federal government recognize Métis Nation BC as the representative body for Métis people in B.C.

Communications Contact: Tania Venn

Program Contact: Rob Parenteau

Confidential Issues Note - ADVICE TO MINISTER

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| Ministry of Indigenous Relations and Reconciliation Date: June 4, 2020 Minister Responsible: Hon. Scott Fraser | Off-Reserve Aboriginal Action Plan (A New Approach to Urban Reconciliation) |
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RECOMMENDED RESPONSE:

- Our government is committed to reconciliation with Indigenous peoples, including the 80 percent who live in urban areas.
- Many Indigenous peoples living in urban areas may face social and economic challenges, and have fewer opportunities than non-Indigenous people.
- Through our approach to reconciliation with Indigenous peoples in urban areas, we work with urban Indigenous communities and key partners to support Indigenous peoples who are marginalized and face social, economic and cultural challenges.
- This work focuses on the social, cultural and economic interests of off-reserve Indigenous communities that are working to build a better quality of life for people.
- In the past year, the Province has supported a range of projects to support Indigenous peoples living in urban areas, including:
 - implementation of Metro Vancouver reconciliation initiatives;
 - resourcing the Greater Victoria Reconciliation Strategy;
 - projects in individual Indigenous communities, such as Kelly Lake; and
 - a number of province-wide urban reconciliation dialogue projects in partnership with the Union of BC Municipalities.

Communications Contact: Tania Venn

Program Area Contact(s): Rob Parenteau, Carl Mashon

ADVICE TO MINISTER

**CONFIDENTIAL
ISSUES NOTE**

Ministry of Agriculture
Date: June 11, 2020
Minister Responsible: Lana Popham

Broughton Recommendations & Implementation Plan

ADVICE AND RECOMMENDED RESPONSE:

- **The protection of wild salmon is critically important to B.C.'s environment, history, economy and way of life.**
- **Our historic, government-to-government talks with First Nations in the Broughton produced a way to address nations' longstanding concerns and protect and restore wild salmon stocks.**
- **The talks were grounded in the shared responsibility of reconciliation.**
- **Their success demonstrates that when we work government-to-government with First Nations, we can deliver results that work for industry, and make life better for everyone in B.C. – Indigenous and non-Indigenous people alike.**
- **The 'Namgis, Kwikwasut'inuxw Haxwa'mis, and Mamalilikulla First Nations are beginning projects to restore habitat, and develop monitoring and inspection plans for salmon farms operating in the Broughton area.**
- **The projects follow the spirit of mutual respect and cooperation between the First Nations, government and B.C. salmon farmers to work together to protect and restore wild salmon stocks, allow an orderly transition plan for open-pen finfish for the Broughton area and create a more sustainable future for local communities and workers.**
- **The B.C. government is committed to working with the federal government, First Nations, environmental groups and industry to support the conservation of wild salmon in the province.**
- **There are many factors involved in the declining wild salmon population – this problem requires diverse tools and perspectives to help maintain and restore current wild salmon stocks.**

- **We are committed to helping restore abundant wild salmon stocks, while developing sustainable wild fisheries and supporting communities around B.C. and on our coast.**

Confidential Issues Note - ADVICE TO MINISTER

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| Ministry of Indigenous Relations and Reconciliation Date: June 26, 2020 Minister Responsible: Hon. Scott Fraser | Cheslatta Carrier Nation Settlement and Reconciliation Agreement Implementation |
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RECOMMENDED RESPONSE:

- Reconciliation with Indigenous peoples means addressing injustices of the past that continue to affect the lives of people today.
- In 1952, the Cheslatta people were forced from their homes, and their villages, gravesites and spiritual sites were flooded and destroyed when the Nechako Reservoir was created.
- That is why we have signed Settlement and Reconciliation agreements that provide the Cheslatta people with lands and supports for community healing.

If asked about land transfers:

- We're working to accommodate Cheslatta First Nation for land lost within their traditional territory and as a base for future community and economic development.
- No lands have been transferred and no decisions have been made as we work through consultations with neighbouring First Nations and stakeholders.

s.13; s.16

If asked about seasonal flooding effects:

- There are no easy solutions to reduce seasonal flooding of the Cheslatta/Murray river systems.
- Rio Tinto holds a water license and is responsible for water management in the Nechako Reservoir.
- Rio Tinto and Cheslatta First Nation have commissioned a feasibility study for the potential Ne Too Hydropower Project and water release facility at Kenney

Confidential Issues Note - ADVICE TO MINISTER

Dam to help inform options to address concerns.

If asked about possible new long-term forestry opportunities

- Settlement negotiations with Cheslatta concluded that there are no long-term timber opportunities, given limited timber supply due to the pine beetle epidemic and recent fires.
- B.C. has worked with Cheslatta on opportunities for short-term salvage and reservoir wood harvest and we are continuing discussions where volume is available.

If asked about the New Day Agreement with Rio Tinto

- I am glad to hear that Cheslatta First Nation and Rio Tinto have signed the New Day Agreement.
- This is an important step forward for reconciliation between First Nations and industry.
- B.C. is not part of this private agreement and is not privy to any details, so we are unable to comment further.

If asked about why the details of the Cheslatta Settlement Agreement have not yet been disclosed

- The Province and Cheslatta have agreed to keep details of the agreement confidential while discussions and consultations with other parties continue.

Communications contact: Tania Venn
Program area contact: Dale Morgan, Cory Waters

Confidential Issues Note - ADVICE TO MINISTER

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| Ministry of Indigenous Relations and Reconciliation Date: June 11, 2020 Minister Responsible: Hon. Scott Fraser | Site C – Treaty 8 First Nations |
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RECOMMENDED RESPONSE:

- Our government is committed to meaningful reconciliation with Indigenous peoples.
- We are working collaboratively with BC Hydro and Prophet River First Nation to find solutions that address their concerns about Site C.
- Our preference is to avoid court proceedings where possible and we remain open to discussions with West Moberly First Nations.
- When it comes to addressing specific concerns about Site C:
 - BC Hydro and the Ministry of Transportation and Infrastructure are committed to working with all Treaty 8 First Nations and landowners on the redesign of Highway 29 at Cache Creek East to reduce the effect on burial sites and sacred places.
 - BC Hydro will invite proposals from Treaty 8 First Nations for roadbuilding work.
 - We'll continue engaging with First Nations to seek input into the design of a Peace River Legacy Fund and establish a collective of all Treaty 8 project advisory committees.

If asked about engagement activities:

- The Province has begun engagement with stakeholders about proposed land transfers related to Site C.

Communications contact: Cale Cowan

Program area contact: Dale Morgan; Erin Christie (MAG)

KEY MESSAGES

Local government involvement in caribou recovery

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

Feb. 26, 2020

- The B.C government has partnered with the Saluteau First Nations, West Moberly First Nations and the federal government to achieve a historic agreement that strives to protect southern mountain caribou in northeastern B.C., while considering the social and economic well-being of communities and stakeholders in the region.
- The Partnership Agreement signed on Feb. 21, 2020 includes new language that clarifies B.C.'s commitment to involving local governments in caribou recovery.
- Collaboration with local governments and tenure holders will continue to support the effective implementation of the Partnership Agreement.
- On Feb. 21, 2020, Provincial Caribou Recovery Program staff contacted the mayors of Fort St. John, Dawson Creek, Chetwynd, Mackenzie and Tumbler Ridge, and representatives of the Peace River Regional District, to provide an update about the signing of the Partnership Agreement and a copy of that agreement.
- Local governments are welcome to participate in technical committees that have been established to address the concerns of communities and stakeholders in the affected area:
 - The **Snowmobile Advisory Committee** includes local snowmobile clubs and local government representatives, and it will work to ensure that any snowmobile management plans for the South Peace Region are informed with local input.
 - The **Caribou Recovery Related Land Use Objective Stakeholders Committee** includes industry and local government representatives, and it will ensure that local governments, industry and stakeholders are fully involved in the process of developing Caribou Recovery Related Land Use Objectives.
 - The **Socio-Economic Committee** includes industry and local government representatives. It will provide recommendations to the B.C. government and federal government related to potential impacts of the Partnership Agreement and will help plan mitigation strategies.
- In addition, Provincial Caribou Recovery Program staff are arranging a call with a Union of B.C. Municipalities representative the week of March 2nd to provide an overview of the Partnership Agreement.

Confidential Issues Note - ADVICE TO MINISTER

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| Ministry of Indigenous Relations and Reconciliation Date: June 2, 2020 Minister Responsible: Hon. Scott Fraser | Snuneymuxw land transfers |
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RECOMMENDED RESPONSE:

- **We've been discussing reconciliation – including potential land transfers – with Snuneymuxw First Nation for several years.**
- **Crown land in the Nanaimo area is limited, and these parcels are a key part of the new reconciliation agreements with Snuneymuxw First Nation.**
- **We understand that many people in Nanaimo enjoy these lands for a variety of recreational purposes.**
- **That's why the Province is engaging with stakeholders, the public and others who may be impacted to discuss how these agreements support reconciliation and can benefit everyone.**
- **These discussions will continue as work on the Snuneymuxw reconciliation agreements evolve.**

Communications Contact: Stephen Binder Program Area Contact(s): Leah Forbes / Mark Lofthouse / Trish Balcaen

ADVICE TO MINISTER

**CONFIDENTIAL
ISSUE NOTE**

**Ministry: Energy, Mines and Petroleum
Resources**

Date: May 20, 2020

Minister Responsible: Hon. Bruce Ralston

Taseko - New Prosperity Mine Project

ADVICE AND RECOMMENDED RESPONSE:

- **The Tsilhqot'in Nation and Taseko Mines have agreed to pause certain litigation and regulatory matters related to the New Prosperity mine project while they engage in a dialogue to reach a long-term solution.**
- **The Province has been asked to facilitate this dialogue, and the details of the process are confidential.**
- **We are committed to working with the Nation and the company to reach a resolution to this longstanding and complex matter.**
- **The May 14th Supreme Court of Canada ruling does not affect these discussions.**
- **The Province has agreed to extend the project's current environmental assessment certificate for one year to support the discussions.**
- **The Province appreciates the potential economic benefits of the proposed New Prosperity project and, with meaningful consultation, its ability to bring jobs and security to surrounding communities.**
- **Our government is committed to continuing our work with the Tsilhqot'in to build a shared understanding of land and resource management priorities and opportunities across the territory. This is a key component of our work together under the Gwets'en Nilt'i (pr: GWET-sen NEEL-ti) Pathway Agreement.**

Ministry of Environment and Climate Change Strategy, June 10, 2020

TRANS MOUNTAIN PIPELINE EXPANSION

- Our government maintains that the TMX project poses unacceptable risks to our environment, our coast, and our economy.
- British Columbians continue to be concerned about a seven-fold increase in tankers off our coast.
- A diluted bitumen spill could be catastrophic. Thousands of jobs and billions of dollars in economic activity are put at risk by this project.
- From the outset, our government has taken a consistent and balanced approach, all within and, respectful of the rule of law.
- We have stood by our principled stance and responsibly referred matters to court, when appropriate.
- While we remain concerned about this project, we have been processing project permits in a fair and timely manner, doing the necessary work to make sure each permit protects Indigenous interests and the environment.
- We understand that there are many people who feel strongly on both sides of this debate and that these are difficult problems to solve.

IF ASKED ABOUT THE FEDERAL COURT OF APPEAL DECISION ON FN CONSULTATION:

- Our government remains concerned about the risks posted by diluted bitumen and the potential of a catastrophic oil spill on our coast.
- We will continue to urge the federal government to ensure that the

strongest protections possible are put in place to protect our environment, public safety, our coast, and the tens of thousands of jobs that are at risk from a spill.

IF ASKED ABOUT THE SUPREME COURT OF CANADA DECISION ON THE REFERENCE CASE:

- Clearly, we are disappointed by the decision.
- Our government takes our responsibility to defend the interests of British Columbians seriously.
- When it comes to protecting our coast, our environment and our economy, we will continue do all we can within our jurisdiction.
- We remain concerned about the risks posed by diluted bitumen and we will continue to do all we can defend our environment, our coast and the tens of thousands of jobs that rely on them.

IF ASKED ABOUT NEXT STEPS:

- We will continue to build on our work with the federal government, Indigenous communities and local governments to protect B.C.'s environment.

s.13

- The public will have an opportunity to contribute to this review. The current Environmental Assessment Certificate remains valid.

- We are also engaged in several other measures to protect our coast.

For example:

- We are committed to our partnership with the Pacific States-British Columbia Oil Spill Taskforce to improve prevention, preparation and response to terrestrial and marine oil spills on a state and provincial level.
- We continue to work with the federal government on improvements to the Ocean Protection Plan and potential future spill management initiatives.
- We are engaged in ongoing consultation with Indigenous Nations, which is supported through the implementation the new Declaration on the Rights of Indigenous Peoples Act.

Confidential Issues Note - ADVICE TO MINISTER

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| Ministry of Indigenous Relations and Reconciliation Date: May 5, 2020 Minister Responsible: Hon. Scott Fraser | Wildfire Recovery |
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RECOMMENDED RESPONSE:

- Following devastating wildfire seasons in 2017 and 2018, our government continues to partner with First Nations to support their recovery and build resilience to future emergencies.
- I want to acknowledge the incredible strength that First Nations leaders and their communities continue to show as they recover from these events.
- The lessons we've learned fighting wildfires – and working with First Nations communities – are informing our work on developing modernized disaster risk management legislation

If asked about the TNG Collaborative Emergency Management Agreement:

- The *Fires Awakened Us* is a comprehensive and honest assessment of the challenges we collectively face. We're working closely with the Tâsilhqot'in Nation to address the recommendations in the report.

Communications Contact: Tania Venn Program Area Contact(s): Cam Filmer

MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION

Flood and Wildfire 2020 Estimates Note

I. ISSUE: Flood and Wildfire Preparedness, Response and Recovery

II. KEY MESSAGES

- **Emergency Management BC is the Provincial lead and has worked with impacted First Nations and other supporting agencies to support wildfire and recovery efforts.**
- **In past years, many communities and people endured overwhelming loss – and our government’s focus continues to be on partnering with First Nations to support their capacity to manage emergencies in the future.**
- **I want to acknowledge the incredible resilience that First Nations leaders and their communities have shown during these difficult times.**
- **During emergencies First Nations are invited to participate in coordination calls. In some situations, there will be daily coordination calls specifically for First Nations.**
- **The province is prepared to provide culturally sensitive operational staff for coordination with First Nations communities during the flood and wildfire season.**

III. BACKGROUND:

First Nations Wildfire Recovery

- Wildfire recovery coordination is being led by Emergency Management BC in cooperation with key lead ministries, such as the Ministry of Forests, Lands, Natural Resources and Operations and Rural Development (FLNROD). Staff at the Ministry of Indigenous Relations and Reconciliation have provided significant support for 2017 and 2018 recovery.

Tahltan Loss and Recovery

- The Tahltan suffered extensive structure loss:
 - Primary dwellings – 43
 - Outbuildings – 69
 - Commercial buildings – 1
 - Cultural/Historical buildings - 7
- In March 2019, the B.C. government provided \$1.75 million to the Tahltan First Nation to build housing, as part of the recovery from the loss of homes in the 2018 wildfires.

MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION

Flood and Wildfire 2020 Estimates Note

- ISC has approvals in principle in place for \$12.5 million in financial support for on-reserve housing reconstruction and related community recovery.

TNG Wildfire Report

- On April 24th, 2019, 'The Fires Awakened Us' was jointly released by the Tsilhqot'in National Government, Indigenous Services Canada and the Province. 33 Calls to Action related to Emergency Management are outlined in the report.
- Implementation of the Calls to Action are coordinated through the Collaborative Emergency Management Agreement between the Tsilhqot'in, Indigenous Services Canada and Emergency Management BC. The Ministry of Indigenous Relations and Reconciliation is actively contributing to the implementation discussions.

First Nations Wildfire Response

- Under the First Nations Emergency Management Services Agreement between EMBC and Indigenous Services Canada (ISC), EMBC coordinates emergency management services to First Nations on-reserve.
- Concurrently, under the Wildfire Service Agreement between BC Wildfire Service (BCWS) and Indigenous Services Canada, BCWS provides fire response and fire suppression on-reserve.
- ISC funds eligible emergency management projects and programs on-reserve that are not already covered under the EMBC or BCWS agreements. Examples include funding arrangements for Tahltan temporary housing, fridge replacements, and dyke or flood mitigation infrastructure.
- As a result of recommendations from "Addressing the New Normal: 21st Century Disaster Management in BC" as well as "From the Ashes: Reimagining Fire Safety and Emergency Management in Indigenous Communities", EMBC is working to ensure equitable levels of support to First Nation communities.
- Examples include:
 - Development of First Nations Emergency Management Regional Partnership Tables to provide a venue for First Nations and provincial agency emergency managers.
 - During emergencies First Nations are invited to participate in coordination calls. In some situations, there will be daily coordination calls specifically for First Nations.
 - Emergency Management BC provides culturally sensitive training for operational staff.
 - Production and distribution of a First Nation-specific tool kit and operational guidance for supporting agencies known as the *First Nations Concept of Operations*.
 - Use of local and traditional knowledge to help guide operations and operational priorities.

MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION

Flood and Wildfire

2020 Estimates Note

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