

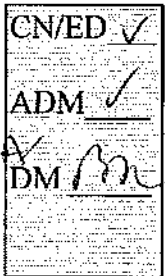
MINISTRY OF ABORIGINAL RELATIONS
AND RECONCILIATION
BRIEFING NOTE

File: 280-20

Date: August 6, 2013
Ref. No. 32294

- I Prepared for the **INFORMATION** of Minister John Rustad
- II **ISSUE:** Minister Rustad meeting with Yekooche First Nation
- III **BACKGROUND:**

Yekooche (pron: yeh-koo-chee) First Nation (Yekooche) is based 75 kilometers northwest of Fort St. James, British Columbia at the north end of Stuart Lake on Yekooche reserve and lands (about 6,340 hectares in size). There are 225 band members of which 120 live on a small community reserve 70 kilometres northwest of Fort St. James via a gravel road.



There is an ongoing dispute in the Yekooche community regarding the last Band election held in September 2011, in which Allen Joseph was elected as Chief. The election was appealed on accusations of bribery; however, an appeal board could find no evidence of wrong doing. Since then, the Yekooche community has successfully run two community votes to recall Chief Allen Joseph. The courts have brought into question the validity of the Yekooche recall policy. Given this uncertainty, provincial Ministries have been unwilling to sign any new agreements with Yekooche until this dispute is resolved through a formal election, now scheduled for January 11, 2014.

The current Chief is Allen Joseph, and Councillors include Angelica Rose Joseph, Miranda Joseph and Mitchell Joseph.

Status of agreements and negotiations:

Yekooche is a Carrier band that separated from the Carrier Sekani Tribal Council to negotiate a Treaty with the British Columbia Treaty Commission. Negotiations are currently at Stage 5. Yekooche entered into the Treaty process in May 1995 and signed an Agreement in Principle (AIP) with British Columbia and Canada in August 2005 that included about 380 hectares of Indian Reserves and 5,960 hectares of provincial Crown land all as treaty settlement lands. BC and Canada were planning a closing land and cash offer for fall 2010 to bring closure to Final Agreement negotiations. However, in September 2010, Canada initiated the Cohen Commission of Inquiry on Fraser River Sockeye (Cohen Report) and they suspended treaty negotiations with Yekooche pending the outcome of the inquiry.

Existing agreements with Yekooche consist of a Forest and Range Consultation and Revenue Sharing Agreement and a Parks Collaborative Management Agreement for Rubyrock Lake.

IV DISCUSSION:

Minister Rustad can expect to meet with the Chief and Council. Yekooche may also invite community members and Elders to attend the meeting.

It is anticipated that the following items will be raised during the meeting:

Pipelines: There are two significant initiatives that may result in new pipelines west from Prince George to the north coast area: Enbridge and liquefied natural gas (LNG). No pipelines supporting LNG facilities are currently proposed to cross Yekooche Traditional Territory. It is not anticipated that a benefit sharing agreement on LNG pipelines will be negotiated with Yekooche. For further information on LNG please see LNG Briefing Note Ref No.32287

First Nation Territory: Yekooche submitted a consultation boundary expansion assertion to BC that extends beyond the Statement of Intent (SOI) map provided to the British Columbia Treaty Commission (BCTC) in 1995. From a policy perspective, the expansion of Yekooche's asserted territory is a potentially significant issue. There is a history of acute conflict between the Yekooche and Lake Babine Nation arising from a proposed SOI expansion of a similar (though less extensive) nature, which the BCTC rejected. There are also implications for potential territory based benefit/revenue sharing and stewardship policies.

V KEY MESSAGES:

Treaty negotiations continue to be suspended pending Canada's decision on how to address the Cohen Report. When Canada returns to the table, Yekooche will be looking to receive the closing offer and MARR staff believes the parties could conclude a Final Agreement in approximately one year.

The Province is reviewing the new boundary assertion but can make no further comment on it at this time.

The current approach regarding LNG projects is to negotiate agreements only with those First Nations whose territories the pipelines will cross. Other opportunities for skill training and employment exist.