

From: [Austad, Bob ENV:EX](#)  
To: [Morrison, Ken ENV:EX](#)  
Subject: FW: Draft Term Sheet  
Date: Thursday, January 22, 2015 5:59:09 AM  
Attachments: **s.12,s.13**

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FYI

From: Myrah Baptiste **s.22**  
Sent: Wednesday, January 21, 2015 5:28 PM  
To: Standen, Jim ENV:EX  
Cc: Austad, Bob ENV:EX; Trewhitt, John ENV:EX; Shoemaker, Wes ENV:EX; Munro, Steve C ABR:EX; Berg, Shane ABR:EX  
Subject: Re: Draft Term Sheet  
Jim,

Attached is a revised version of the Term Sheet for review and comment.

At Chief Louie's direction, I have made changes to the document to reflect the suggestions you highlighted in your email, which we discussed by phone.

I will be available tomorrow to work with you to finalize the wording. I will also coordinate with Chief Louie to ensure he is available in the afternoon to initial the final document.

**I will also undertake to get you the 3 nsyilxcen place names for tomorrow afternoon as well.**

Thanks,

Myrah

On Wed, Jan 21, 2015 at 3:14 PM, Standen, Jim ENV:EX <[Jim.Standen@gov.bc.ca](mailto:Jim.Standen@gov.bc.ca)> wrote:  
Myrah,

Again, thank you for the work on getting the term sheet going. I have not been able to connect with MARR but have circled back within my ministry and offer the following comments on the draft:

First, as I mentioned in my note this morning, we are looking to clarify the timelines for changes to the geographic names for Haynes Point and McIntyre Bluff. I suspect that these may take longer than the changing of the Park names but need to confirm this. We have already begun preparing to seek approval for name changes to the two Parks, which is why I have asked for the Okanagan names as they are needed quickly if we are to meet legislative timelines. Again, I am not able to commit to Spring 2015 until I have had confirmation from FLNRO which we are seeking.

Second, and more importantly, the Term Sheet includes elements that go beyond Parks mandates (items 4-6) and which were not discussed at Monday's meeting. Moving beyond the Parks issues puts us at risk of not being able to meet the timelines we discussed. We would recommend that we limit the term sheet to the issues we discussed on Monday.

**s.12,s.13**

Again, I have not yet received feedback from MARR but will at 430. Given the timelines and the need for you to be able to consider this MOE feedback, I wanted thought it best to send it now and will send any MARR input later. Let me know if you would like to discuss any of the above.

Regards,  
Jim

On Jan 21, 2015, at 1:27 PM, "Myrah Baptiste"**s.22**

wrote:

Jim,

Yes, I will work on that with Chief Louie today.

There are a few different spellings and options and I just need direction from the Chief on that. He may need to follow up with our language and cultural people as well.

Thanks,

Myrah

Thanks,

On Wed, Jan 21, 2015 at 1:09 PM, Standen, Jim ENV:EX <[Jim.Standen@gov.bc.ca](mailto:Jim.Standen@gov.bc.ca)[Jim.Standen@gov.bc.ca](mailto:Jim.Standen@gov.bc.ca)>>  
wrote:  
Myrah,

Can you please provide me with the nsyilxcen names for Haynes Point and OK Falls?

Thanks,  
Jim

On Jan 21, 2015, at 11:40 AM, "Myrah Baptiste"  
s.22  
wrote:

Thanks for the update Jim.

I've made a few minor changes as I've been reviewing the draft - just a few typos on page 1 but have also reworked the wording above statement 4 on page 2.

I've included that here for you and your colleagues.

I'll wait for your call this afternoon.

Thanks,

Myrah

On Wed, Jan 21, 2015 at 11:38 AM, Standen, Jim ENV:EX  
<[Jim.Standen@gov.bc.ca](mailto:Jim.Standen@gov.bc.ca)[Jim.Standen@gov.bc.ca](mailto:Jim.Standen@gov.bc.ca)>[Jim.Standen@gov.bc.ca](mailto:Jim.Standen@gov.bc.ca)[Jim.Standen@gov.bc.ca](mailto:Jim.Standen@gov.bc.ca)>>> wrote:  
Thanks Myrah. I really appreciate you getting this to me.

I have my folks having a look at it and have also referred it to my contact at MARR since there are elements of what you have proposed that go beyond Parks. The Parks elements generally look good.

I do need to confirm the dates for the name changes but my initial instinct is that the Park changes can be done by July as described but not knowing the process for geographic name changes I am not sure how long those changes will take. Of course we strive to have them done as quickly as possible.

I will give you a call this afternoon once I have received input from folks on this end.

Thanks,  
Jim

> On Jan 21, 2015, at 11:02 AM, "Myrah Baptiste"

s.22

wrote:

>

> Jim,

>

> Attached is a draft Term Sheet to support the Cabinet Submission that is being developed.

>

> Please take a look and call me as soon as possible so we can discuss with a view to finalizing today.

>

>

>

> Thanks,

>

> Myrah



Page 04 to/à Page 05

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s.12;s.16;s.13

**From:** [Baric, Keith J ENV:EX](#)  
**To:** [Morrison, Ken ENV:EX](#); [Hudson, Brett R ENV:EX](#)  
**Subject:** FW: MO Request for Staff and Materials: 293491 - Osoyoos Indian Band - due to DMO by noon on Dec 15  
**Date:** Tuesday, December 15, 2015 12:04:40 PM  
**Attachments:** s.16  
s.16

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Some reference to the SO IP issue....

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**From:** Austad, Bob ENV:EX  
**Sent:** Tuesday, December 15, 2015 11:53 AM  
**To:** Weston, Mark R ENV:EX; Trewhitt, John ENV:EX; Baric, Keith J ENV:EX  
**Subject:** FW: MO Request for Staff and Materials: 293491 - Osoyoos Indian Band - due to DMO by noon on Dec 15  
FYI

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**From:** Bawtinheimer, Brian ENV:EX  
**Sent:** Tuesday, December 15, 2015 11:43 AM  
**To:** Austad, Bob ENV:EX  
**Subject:** RE: MO Request for Staff and Materials: 293491 - Osoyoos Indian Band - due to DMO by noon on Dec 15  
Attached is what went to Jim

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**From:** Bawtinheimer, Brian ENV:EX  
**Sent:** Tuesday, December 15, 2015 8:56 AM  
**To:** Austad, Bob ENV:EX  
**Subject:** Re: MO Request for Staff and Materials: 293491 - Osoyoos Indian Band - due to DMO by noon on Dec 15

I did, thx Bob. Made the IN and John provided some edits. With Jim now. I will send you a copy.

On Dec 15, 2015, at 8:22 AM, Austad, Bob ENV:EX <[Bob.Austad@gov.bc.ca](mailto:Bob.Austad@gov.bc.ca)> wrote:

Hi Brian:

Did you connect with John yesterday and get the information you required?

Regards, Bob Austad

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**From:** Bawtinheimer, Brian ENV:EX  
**Sent:** Friday, December 11, 2015 4:50 PM  
**To:** Gilmour, Lori ENV:EX; Standen, Jim ENV:EX; Austad, Bob ENV:EX; Trewhitt, John ENV:EX  
**Subject:** RE: MO Request for Staff and Materials: 293491 - Osoyoos Indian Band - due to DMO by noon on Dec 15

Lori, the letter from Chief Louie/OIB sent to MMP was not attached – can you send that to us?

Bob/John, will need some help on this one crafting it. We had a call with Chief Louie and Myrah this morning. Issues raised that may be part of the Minister meeting were:

- ? Framework agreement on the 2 parks
  - ? Operational commitments related
  - ? Term sheet – progress to date
  - ? Resetting the long term relationship
  - ? Wanting more role in decision making
  - ? Wanting the Kettle River contract for hazard tree clean-up
  - ? Government policy changes requested to allow for direct economic benefits
  - ? Better engagement on the SO question/process
-

**From:** Gilmour, Lori ENV:EX  
**Sent:** Friday, December 11, 2015 4:13 PM  
**To:** Bawtinheimer, Brian ENV:EX; Standen, Jim ENV:EX  
**Subject:** MO Request for Staff and Materials: 293491 - Osoyoos Indian Band - due to DMO by noon on Dec 15  
**Importance:** High

Hi – meeting on Thursday – who should attend (via teleconference)? IN has been requested as well. Thanx, Lori

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**From:** Draper, Ashley ENV:EX  
**Sent:** Friday, December 11, 2015 4:04 PM  
**To:** Gilmour, Lori ENV:EX  
**Cc:** Crozier, Bev ENV:EX  
**Subject:** Request for Staff and Materials: 293491 - Osoyoos Indian Band - due to DMO by noon on Dec 15

Good afternoon Lori,

Please see below and attached. Please advise on staff attendees. IN due back to the DMO by noon on December 15<sup>th</sup> please. Apologies for the short turn-around.

Thanks,

**Ashley Draper**

Administrative Coordinator

Deputy Minister's Office | Ministry of Environment

T: 250.387.9870 | F: 250.387.6003

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**From:** Scott, Heidi ENV:EX  
**Sent:** Friday, December 11, 2015 3:36 PM  
**To:** Draper, Ashley ENV:EX  
**Cc:** Crozier, Bev ENV:EX  
**Subject:** Request for Staff and Materials: Call Osoyoos Indian Band

Meeting Requested by/for	Chief Louie
Meeting Purpose	See topics in letter
Staff Attendees Y/N/Who	Yes, Jim
Request BN?	Yes
Date/Location	Dec 17, 2-2:30pm
Meeting Duration	Conference call, MMP coordinates
Cliff Log #	293491

s.13,s.16

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s.16;s.13

## TERM SHEET

January 24, 2015

### STATUS OF THE TERM SHEET:

- This Term Sheet reflects the understandings and agreements reached between Osoyoos Indian Band and the Government of British Columbia, as represented by the Minister of Environment, on January 19, 2015.
- The purpose of this Term Sheet is to summarize the understandings and agreements that will form the basis of the Minister of Environment's submission to the Government of British Columbia in fulfillment of the understandings and agreements reached on January 19, 2015.
- The Minister of the Environment's submission to the Government of British Columbia will make recommendations regarding the framework of the agreement to be negotiated between the Osoyoos Indian Band and the Government of British Columbia.
- This Term Sheet affirms the Minister of Environment's undertaking to inform Chief Clarence Louie on the status of the agreement by phone at (250) 498-9132 by the end of day January 28, 2015.
- This Term Sheet is not intended to create, amend, define, affirm, recognize, abrogate or derogate from any of the Osoyoos Indian Band's Aboriginal Title and Rights as recognized and affirmed by section 35(1) of the *Constitution Act*, 1982.
- This Term Sheet does not constitute any admission of fact or liability or create any obligation that this legally binding on the Parties.
- This Term Sheet is not an exhaustive list of all matters or provisions the Parties may negotiate and include in the agreement.



## FRAMEWORK OF THE AGREEMENT:

The long-term objectives of the agreement between the Osoyoos Indian Band and the Government of British Columbia are:

1. To explore opportunities to renew and strengthen the government-to-government relationship between the Parties towards a lasting reconciliation.
2. To work in good faith to develop detailed options to reconcile the rights, interests, responsibilities and goals of the Osoyoos Indian Band and the Government of British Columbia in relation to the parks, protected areas, ecological reserves and recreation areas in the Osoyoos Indian Band's territory.

The short-term objectives of the agreement will commit the Parties to take steps to redress British Columbia's management of the archaeological and cultural heritage values at Haynes Point Provincial Park:

1. To develop and implement an innovative management agreement that will see the Osoyoos Indian Band's assume full leadership and management authority for the planning, management, operation and control of Haynes Point Provincial Park and Okanagan Falls Provincial Park effective March 15, 2015.
2. To complete the change of name of Haynes Point Provincial Park and Okanagan Falls Provincial Park to reflect their *nsyilxcen* (Okanagan) names by July 2015.
3. To work in good faith to develop detailed options to respect and recognize the Osoyoos Indian Band's rights, interests, responsibilities and goals in relation to McIntyre Bluff, including completing the process to change the name of the bluff to reflect the *nsyilxcen* (Okanagan) name as soon as possible.



**From:** [Trewhitt, John ENV:EX](#)  
**To:** [Baric, Keith J ENV:EX](#); [Morrison, Ken ENV:EX](#)  
**Subject:** FW: Updated revisions to the draft framework agreement  
**Date:** Monday, August 15, 2016 3:00:09 PM  
**Attachments:** s.13,s.16

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FYI – this is the latest draft of the framework agreement with OIB (now sitting with us for review) .....in event any related questions or comments come up on your call with ONA regarding south Okanagan.

John Trewhitt

Regional Director

BC Parks, Kootenay Okanagan Region

ph. 250-490-8249 cell 250-462-0513

 Please consider the environment before printing this email

**From:** Myrah Baptiste s.22

**Sent:** Friday, July 29, 2016 10:38 AM

**To:** Trewhitt, John ENV:EX; Weston, Mark R ENV:EX; Stepaniuk, Daryl R ENV:EX

**Subject:** Updated revisions to the draft framework agreement

Hi All,

Please find attached an updated draft of the framework agreement based on our July 26th discussions.

In summary:

- At s. 2.5 I've added in section that speaks to flexible and innovative arrangements in the future Operating Agreement.
- At s. 4.3 I have made a revision to this section based on some of the discussion and consideration we gave it after the July 26th meeting. I have just placed a strike through the text for now, as OIB would like further time consider this section.
- At s 4.4 I have added in 'F' from the BC Parks prior draft re: management plans may be amended from time to time.

In addition to the above, although I haven't made this change yet, at s.5.3.3 I propose we consider whether it would be appropriate to include our reporting process as an appendix.

In closing, I want to reiterate that the attached is a working draft that attempted to blend our last two versions. With that in mind, I anticipate the next draft will refine the text more. As well, I want to reiterate that this draft is without prejudice and subject to review by Chief and Council as well as our legal advisors.

Thanks,

Myrah

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s.16;s.13

**From:** [Baric, Keith J ENV:EX](#)  
**To:** [Bawtinheimer, Brian FLNR:EX](#)  
**Cc:** [Hudson, Brett R ENV:EX](#); [Morrison, Ken ENV:EX](#)  
**Subject:** **s.13,s.16**  
**Date:** Monday, December 7, 2015 3:56:37 PM  
**Attachments:** **s.13,s.16**

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s.13,s.16

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**From:** Trehwitt, John ENV:EX  
**Sent:** Monday, December 7, 2015 2:19 PM  
**To:** Standen, Jim ENV:EX; Austad, Bob ENV:EX; Vander Steen, Benjamin ENV:EX  
**Cc:** Weston, Mark R ENV:EX; Baric, Keith J ENV:EX; Elphick, Ryan ENV:EX; Williams, Bryan ENV:EX  
**Subject:** RE s.13,s.16

We will start drafting some background bullets for an IN for a response.

John Trehwitt

Regional Director

BC Parks, Kootenay Okanagan Region

ph. 250-490-8249 cell 250-462-0513

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s.13,s.16

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s.16;s.13

**From:** [Standen, Jim ENV:EX](#)  
**To:** [Zacharias, Mark ENV:EX](#); [Smith, Curtis PSSG:EX](#)  
**Cc:** [Morrison, Ken ENV:EX](#)  
**Subject:** RE: Short bullets on Haines Point and Bluffs  
**Date:** Thursday, November 2, 2017 1:29:28 PM  
**Attachments:** s.13

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Sorry for the delay.

Discussion with ONA (and Parks Canada) on the park reserve:

- Formal discussions have yet to kick off in a deep way.
- We have had some discussion of various elements in the preparation and lead up to last week's announcement.
- The plan is for Myrah Baptiste, Kevin McNamee and I to meet in the Okanagan in the next few weeks to kick things off.

WRT the operating agreement between Parks and ONA on the two existing parks (s̓wíw̓s Provincial Park & s̓x̓w̓ə̓x̓w̓nitk̓w̓ Provincial Park) where ONA runs our campgrounds:

- Despite a couple of years of work we have yet to land on an agreement and so continue to operate the parks under a Park Operator Agreement similar to those we use with other park operators. Operations are going well under ONA management. We reached out to ONA and have reopened discussion on a more appropriate form of agreement.
- In speaking with Myrah, it's clear that the idea of these parks being designated as Indian Reserve is something that the ONA recognize as a long term goal and one that has many issues attached to it – in essence it was just a marker and not something that we need to do anything about at this time.

WRT to the bluffs there were two elements to the Province's commitment:

- The first was to rename the bluff to the indigenous name. This has been completed by FLNRORD.
- The second element related to ONA getting "management control" over the bluffs. While there were some discussions about this, led by FLNRORD, it is complicated by the ownership mix of the land making up the bluff. Aside from the province, there are significant holdings by the Nature Trust and the local regional district. We have not been able to entice the Nature Trust into participating in a new governance model and without their participation a big piece is missing.

Jim

**Jim Standen**

Assistant Deputy Minister

BC Parks | Ministry of Environment

Telephone: 250-387-1288

[jim.standen@gov.bc.ca](mailto:jim.standen@gov.bc.ca)

[www.bcparks.ca](http://www.bcparks.ca)



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**From:** Zacharias, Mark ENV:EX  
**Sent:** Monday, October 30, 2017 11:12 AM  
**To:** Smith, Curtis ENV:EX; Standen, Jim ENV:EX  
**Subject:** Short bullets on Haines Point and Bluffs  
Curtis/Jim:

MGH, after speaking with Chief Louie, would like a couple of bullets on where we are at with discussions with ONA on the park and bluffs. Nothing fancy just current situation and next steps.

Regards,

Mark Zacharias | Deputy Minister, Environment

BC Ministry of Environment and Climate Change Strategy

5<sup>th</sup> Floor, 2975 Jutland Road | Victoria, BC | V8W 9M1 | 778-698-4908 | 250.415.6466



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