

**From:** [Carroll, Deborah ENV:EX](#)  
**To:** [McGuire, Jennifer ENV:EX](#); [Llewellyn-Thomas, Marnie ENV:EX](#)  
**Cc:** [Gooderham, Coleen E ENV:EX](#); [Kennedy, Karla ENV:EX](#); [Carroll, Deborah ENV:EX](#)  
**Subject:** Confirmed: MGH meeting with FN/Fed Parliamentary Secretary Wilkinson/DM Lucas re conservation and recovery of caribou in British Columbia - June 14 at 1:30pm  
**Date:** June 5, 2018 11:25:19 AM  
**Attachments:** [image001.png](#)  
[Letter from Parliamentary Secretary Wilkinson.pdf](#)

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Hi Jennifer and Marnie,

This meeting between MGH, FN, Federal Parliamentary Secretary Wilkinson and DM Lucas is now confirmed for June 14<sup>th</sup> from 1:30-4:30pm. Minister will be attending for the first half hour and staff will take the rest of the meeting. Mark will attend.

For consistencies sake I have filled out the meeting request table below. Marnie can you please advise of attendees from ESSP and confirm if we will be producing materials.

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Meeting Requested by/for	MGH for mtg with FN/Fed Parliamentary Secretary Wilkinson/DM Lucas
Meeting Purpose	General briefing on Glyphosate Pesticides related to the Association of Forest Professionals of moose reductions
Staff Attendees: Y/N/Who	
Materials: Y/N	
Date/Time	June 14, 1:30-4:30pm
Meeting Duration	3 hours
Location	Hemlock Room
Cliff Log #	
eApprovals #	
Materials due to DMO	June 11
Materials due to MO	June 12
Additional Info/Comments:	

Thank you,

**Deborah Carroll**

A/Administrative Coordinator

Deputy Minister's Office

Ministry of Environment and Climate Change Strategy

778-698-0436

[deborah.carroll@gov.bc.ca](mailto:deborah.carroll@gov.bc.ca)

---

**From:** Gooderham, Coleen E ENV:EX  
**Sent:** Monday, June 4, 2018 12:57 PM  
**To:** Kennedy, Karla ENV:EX; Carroll, Deborah ENV:EX  
**Cc:** Gooderham, Coleen E ENV:EX  
**Subject:** In the loop - Letter: Conservation and recovery of caribou in British Columbia

Thank you

Coleen

---

**From:** McGuire, Jennifer ENV:EX  
**Sent:** Monday, June 4, 2018 12:57 PM  
**To:** Gooderham, Coleen E ENV:EX ; Frampton, Caelie ENV:EX  
**Subject:** FW: Letter: Conservation and recovery of caribou in British Columbia

Hi – need to find a 3hr block of time for meeting with First Nations and Federal Parliamentary Secretary Wilkinson and DM Lucas.

Can someone get back to Sam with a response re: dates and times?

Thanks

Jennifer

---

**From:** [Jonathan.Wilkinson.A1@parl.gc.ca](mailto:Jonathan.Wilkinson.A1@parl.gc.ca) [mailto:[Jonathan.Wilkinson.A1@parl.gc.ca](mailto:Jonathan.Wilkinson.A1@parl.gc.ca)] On Behalf Of [Jonathan.Wilkinson@parl.gc.ca](mailto:Jonathan.Wilkinson@parl.gc.ca)

**Sent:** Friday, June 1, 2018 3:42 PM

**Cc:** [stephen.lucas@canada.ca](mailto:stephen.lucas@canada.ca); [james\\_hickling@aboriginal-law.com](mailto:james_hickling@aboriginal-law.com); [tim@sagelegal.ca](mailto:tim@sagelegal.ca); Kriese, Kevin FLNR:EX; McGuire, Jennifer ENV:EX; Sheldan, Tim FLNR:EX; Zacharias, Mark ENV:EX

**Subject:** Letter: Conservation and recovery of caribou in British Columbia

Good Afternoon,

Please see the enclosed letter with respect to our ongoing collaboration toward the conservation and recovery of caribou in British Columbia.

Sincerely,

Jonathan



**Sam O'Grady**

Special Assistant

Office of Jonathan Wilkinson

Member of Parliament for North Vancouver

Parliamentary Secretary to the Minister of Environment and Climate Change

Justice Building, Suite 09

Ottawa, Ontario, K1A 0A6

Tel. (613) 995-1225

[jonathan.wilkinson.A1@parl.gc.ca](mailto:jonathan.wilkinson.A1@parl.gc.ca)



HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

Jonathan Wilkinson, MP North Vancouver

Chief Roland Willson  
West Moberly First Nations  
P.O. Box 90  
Moberly Lake BC V0C 1X0

Chief Ken Cameron  
Saulteau First Nations  
P.O. Box 1020  
Chetwynd BC V0C 1J0

The Honourable George Heyman, M.L.A.  
Minister of Environment and Climate Change Strategy  
Government of British Columbia  
P.O. Box 9047, Station Provincial Government  
Victoria BC V8W 9E2

The Honourable Doug Donaldson, M.L.A.  
Minister of Forests, Lands, Natural Resource  
Operations and Rural Development  
Government of British Columbia  
P.O. Box 9047, Station Provincial Government  
Victoria BC V8W 9E2

Dear Chiefs and Ministers:

I am writing to you to suggest a face-to-face meeting on June 14, 2018, in Vancouver or Victoria, with respect to our ongoing collaboration toward the conservation and recovery of the southern mountain population of woodland caribou (southern mountain caribou) in British Columbia.

I would like to recognize the positive engagement over the past many months with you, your staff and officials, and members of your First Nations as we work together on achieving a caribou recovery partnership agreement and bilateral agreement for the southern mountain caribou. The Government of Canada is committed to this collaborative approach and to its meaningful partnership with the West Moberly and Saulteau First Nations.

As you are likely aware, the Honourable Catherine McKenna, Minister of Environment and Climate Change, recently released a summary of her imminent threat analysis for southern mountain caribou. Based on a thorough scientific assessment, Minister McKenna determined that this species faces imminent threats to its recovery, noting particular concern with 10 local population units. This finding underscores that emergency protection is needed to protect these declining caribou populations.

.../2



HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

Jonathan Wilkinson, MP North Vancouver

- 2 -

You are also all aware that Chief Roland Willson has written to Minister McKenna, as well as to the Honourable George Heyman and the Honourable Doug Donaldson, seeking immediate protection for southern mountain caribou, finalization of the Caribou Recovery Partnership Agreement, and implementation of the measures within. The Government of Canada is committed to a trilateral approach that includes the West Moberly and the Sauteau First Nations in an agreement that contributes to the recovery of southern mountain caribou.

From my perspective, it is imperative that the parties to the caribou agreement convene in the very near future to discuss and agree to what needs to be done to recover southern mountain caribou in the Central Group. In light of this, I would like to invite you to discuss this at an in-person meeting at your earliest convenience. As a starting point, I propose the date of June 14 in Vancouver or Victoria.

I look forward to a discussion of substantive measures that will demonstrate commitment to stabilizing and growing the populations of this species, protecting the most important habitat, and reversing the cumulative impacts over time via a plan.

I hope to meet with all of you in person to continue our conversation toward advancing caribou conservation, and I await your response to confirm the date and location of this proposed meeting.

Sincerely,

Mr. Jonathan Wilkinson, M.P.  
Parliamentary Secretary to the Minister of Environment and Climate Change

c.c.: Dr. Stephen Lucas, Deputy Minister of Environment and Climate Change  
Canada  
Mr. Mark Zacharias, Deputy Minister of Environment and Climate Change  
Strategy, Government of British Columbia  
Mr. Tim Sheldan, Deputy Minister of Forests, Lands, Natural Resource  
Operations and Rural Development, Government of British Columbia  
Ms. Jennifer McGuire, Assistant Deputy Minister of Environment and  
Climate Change Strategy, Government of British Columbia  
Mr. Kevin Kriese, Assistant Deputy Minister of Forests, Lands, Natural  
Resource Operations and Rural Development, Government of  
British Columbia  
Mr. Tim Thielmann, Legal Counsel, West Moberly First Nations  
Mr. James Hickling, Legal Counsel, Sauteau First Nations



**From:** McGuire, Jennifer ENV:EX  
**To:** Llewellyn-Thomas, Marnie ENV:EX  
**Subject:** Re: Confirmed: MGH meeting with FN/Fed Parliamentary Secretary Wilkinson/DM Lucas re conservation and recovery of caribou in British Columbia - June 14 at 1:30pm  
**Date:** June 5, 2018 3:01:39 PM  
**Attachments:** image001.png

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- 1 - yes send to Alec and Celine to prepare materials for Mark
- 2 - Celine and Alec
- 3 - no i will not call in

Sent from my iPad

On Jun 5, 2018, at 12:16 PM, Llewellyn-Thomas, Marnie ENV:EX <[Marnie.LlewellynThomas@gov.bc.ca](mailto:Marnie.LlewellynThomas@gov.bc.ca)> wrote:

Wanting to confirm:

<!--[if !supportLists]-->1. <!--[endif]-->Send 316721 to Ecosystems to prepare for the purpose of these meetings?

<!--[if !supportLists]-->2. <!--[endif]-->Who from ESSPD would you like to attend?

<!--[if !supportLists]-->3. <!--[endif]-->Will you call into this **s.22** (I'm uncertain of your flight times)

~M

---

**From:** Carroll, Deborah ENV:EX  
**Sent:** Tuesday, June 5, 2018 11:57 AM  
**To:** Llewellyn-Thomas, Marnie ENV:EX  
**Cc:** Gooderham, Coleen E ENV:EX; Kennedy, Karla ENV:EX  
**Subject:** Confirmed: MGH meeting with FN/Fed Parliamentary Secretary Wilkinson/DM Lucas re conservation and recovery of caribou in British Columbia - June 14 at 1:30pm  
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Meeting Requested by/for	MGH/MDD (to be confirmed)
Meeting Purpose	Mtg with FN/Feds /Federal Parliamentary Secretary Wilkinson and DM Lucas on Caribou
Staff Attendees: Y/N/Who	
Materials: Y/N	
Date/Time	June 14, 1:30 pm
Meeting Duration	3 hrs
Location	Hemlock
Cliff Log #	316721
eApprovals #	
Materials due to DMO	June 11
Materials due to MO	June 12
Additional Info/Comments:	Ministers can only attend the first 30mins of the meeting. FLNRO DMO has been provided a heads up about the meeting via Karla.

**Deborah Carroll**

A/Administrative Coordinator  
Deputy Minister's Office  
Ministry of Environment and Climate Change Strategy  
778-698-0436  
[deborah.carroll@gov.bc.ca](mailto:deborah.carroll@gov.bc.ca)

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**From:** Carroll, Deborah ENV:EX  
**Sent:** Tuesday, June 5, 2018 11:25 AM

**To:** McGuire, Jennifer ENV:EX; Llewellyn-Thomas, Marnie ENV:EX

**Cc:** Gooderham, Coleen E ENV:EX; Kennedy, Karla ENV:EX; Carroll, Deborah ENV:EX

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Thank you,

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A/Administrative Coordinator

Deputy Minister's Office

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**Cc:** Gooderham, Coleen E ENV:EX

**Subject:** In the loop - Letter: Conservation and recovery of caribou in British Columbia

Thank you

Coleen

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**From:** McGuire, Jennifer ENV:EX

**Sent:** Monday, June 4, 2018 12:57 PM

**To:** Gooderham, Coleen E ENV:EX <[Coleen.Gooderham@gov.bc.ca](mailto:Coleen.Gooderham@gov.bc.ca)>; Frampton, Caelie ENV:EX

<[Caelie.Frampton@gov.bc.ca](mailto:Caelie.Frampton@gov.bc.ca)>

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Hi – need to find a 3hr block of time for meeting with First Nations and Federal Parliamentary Secretary Wilkinson and DM Lucas.

Can someone get back to Sam with a response re: dates and times?

Thanks

Jennifer

---

**From:** [Jonathan.Wilkinson.A1@parl.gc.ca](mailto:Jonathan.Wilkinson.A1@parl.gc.ca) [<mailto:Jonathan.Wilkinson.A1@parl.gc.ca>] **On Behalf Of**

[Jonathan.Wilkinson@parl.gc.ca](mailto:Jonathan.Wilkinson@parl.gc.ca)

**Sent:** Friday, June 1, 2018 3:42 PM

**Cc:** [stephen.lucas@canada.ca](mailto:stephen.lucas@canada.ca); [james\\_hickling@aboriginal-law.com](mailto:james_hickling@aboriginal-law.com); [tim@sagelegal.ca](mailto:tim@sagelegal.ca); Kriese, Kevin FLNR:EX; McGuire,

Jennifer ENV:EX; Sheldon, Tim FLNR:EX; Zacharias, Mark ENV:EX

**Subject:** Letter: Conservation and recovery of caribou in British Columbia

Good Afternoon,

Please see the enclosed letter with respect to our ongoing collaboration toward the conservation and recovery of caribou in British Columbia.

Sincerely,

Jonathan

**Sam O'Grady**

Special Assistant

Office of Jonathan Wilkinson

Member of Parliament for North Vancouver

Parliamentary Secretary to the Minister of Environment and Climate Change

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Tel. (613) 995-1225

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**From:** [Carroll, Deborah ENV:EX](#)  
**To:** [Llewellyn-Thomas, Marnie ENV:EX](#)  
**Cc:** [Gooderham, Coleen E ENV:EX](#); [Kennedy, Karla ENV:EX](#)  
**Subject:** Material Request: 316721/10619 - MGH meeting with FN/Fed Parliamentary Secretary Wilkinson/DM Lucas re caribou - Due to DMO June 11 Noon  
**Date:** June 5, 2018 4:25:09 PM  
**Attachments:** [image001.png](#)

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Hi Marnie,

As requested, please provide materials (IN) for MGH meeting with FNs and Feds regarding caribou on June 14 at 1:30pm. Due to DMO by noon June 11. See updated template below:

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Thanks,

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**Sent:** Tuesday, June 5, 2018 3:14 PM  
**To:** [Carroll, Deborah ENV:EX](#)  
**Cc:** [Gooderham, Coleen E ENV:EX](#); [Kennedy, Karla ENV:EX](#)  
**Subject:** RE: Confirmed: MGH meeting with FN/Fed Parliamentary Secretary Wilkinson/DM Lucas re conservation and recovery of caribou in British Columbia - June 14 at 1:30pm

Hello, Deborah

1. Would you please refer 316721 to ESSP-ADM as well as create an eApproval item for it and I'll send to Alec and Celine to prepare materials for Mark
2. Invite Celine Davis and Alec Dale
3. No, Jennifer will not call in

~Marnie

---

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**To:** [Llewellyn-Thomas, Marnie ENV:EX](#)  
**Cc:** [Gooderham, Coleen E ENV:EX](#); [Kennedy, Karla ENV:EX](#)  
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### **Deborah Carroll**

A/Administrative Coordinator  
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deborah.carroll@gov.bc.ca

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**Cc:** Gooderham, Coleen E ENV:EX; Kennedy, Karla ENV:EX; Carroll, Deborah ENV:EX

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Coleen

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Good Afternoon,

Please see the enclosed letter with respect to our ongoing collaboration toward the conservation and recovery of caribou in British Columbia.

Sincerely,

Jonathan



**Sam O'Grady**

Special Assistant  
Office of Jonathan Wilkinson  
Member of Parliament for North Vancouver  
Parliamentary Secretary to the Minister of Environment and Climate Change  
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Tel. (613) 995-1225  
[jonathan.wilkinson.A1@parl.gc.ca](mailto:jonathan.wilkinson.A1@parl.gc.ca)

From: [Carroll, Deborah ENV:EX](#)  
To: [Neilson, Kirsten ENV:EX](#); [Drew, Ashley ENV:EX](#)  
Cc: [Frampton, Caelie ENV:EX](#); [Lo, Reamick ENV:EX](#); [Xia, Eveline ENV:EX](#); [Gooderham, Coleen E ENV:EX](#); [Kennedy, Karla ENV:EX](#); [Llewellyn-Thomas, Marnie ENV:EX](#)  
Subject: Final Materials: 316721/10619 - Joint MGH/MDD meeting with FN and Feds - June 14, 12pm  
Date: June 13, 2018 1:12:14 PM  
Attachments: [316721\\_IN\\_MGH\\_MDD\\_meeting\\_with\\_FN\\_and\\_Feds\\_re\\_Caribou\\_June\\_14.docx](#)

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Good afternoon,

Please find attached materials for the following briefing:

Topic: Joint MGH/MDD meeting with First Nations and Feds regarding caribou populations and conservation

ENV Staff Attendees: Mark Zacharias, Celine Davis

FLNRO Staff Attendees: Kevin Kriese

Fed Attendees: Jonathan Wilkinson, Stephen Lucas, Sue Milburn-Hopwood, Blair Hammond, Jesse McCormick

FN Attendees: Chief Roland Willson, West Moberly First Nations; Chief Ken Cameron, Saulteau First Nations

Date: June 14, 12-2pm

Thank you,

**Deborah Carroll**

A/Administrative Coordinator

Deputy Minister's Office

Ministry of Environment and Climate Change Strategy

778-698-0436

[deborah.carroll@gov.bc.ca](mailto:deborah.carroll@gov.bc.ca)

## NATURAL RESOURCE SECTOR – JOINT MINISTRY INFORMATION NOTE

June 11, 2018

File: 240-80

ENV CLIFF/tracking #: 316721/10619

FLNRO X-Ref: 239909

**PREPARED FOR:** Honourable George Heyman, Minister of Environment and Climate Change Strategy; Honourable Doug Donaldson, Minister of Forests, Lands, Natural Resource Operations and Rural Development

### ATTENDEES:

- Mark Zacharias, Deputy Minister, Environment
- Stephen Lucas, Federal Deputy Minister
- Jonathan Wilkinson, Parliamentary Secretary to the Minister of Environment and Climate Change
- Sue Milburn-Hopwood, ADM CWS
- Blair Hammond, Director, Pacific Region, CWS
- Jesse McCormick, Director of Policy and Indigenous Affairs
- Chief Roland Willson, West Moberly First Nations
- Chief Ken Cameron, Saulneau First Nations
- Kevin Kriese, Assistant Deputy Minister, Regional Operations Division, Ministry of Forests, Lands, Natural Resource Operations and Rural Development
- Celine Davis, Director, Strategic Initiatives, Environmental Sustainability and Strategic Policy Division

**ISSUE:** Meeting on June 14, 2018 to discuss caribou recovery collaboration

### BACKGROUND:

In October 2017, the Environment and Land Use Committee (ELUC) directed the Ministries of Environment and Climate Change Strategy (ENV), and Forests, Lands, Natural Resource Operations and Rural Development (FLNRORD) to negotiate a Section 11 Bilateral Conservation Agreement (Bilateral) under the federal Species at Risk Act (SARA) for the Central Group of Southern Mountain Caribou (SMC) with Environment and Climate Change Canada (ECCC). A draft Bilateral was developed and consultation was conducted with Treaty 8 First Nations and stakeholders over fall 2017 and winter 2018.

Following this early engagement with Treaty 8 First Nations, West Moberly First Nations (WMFN) and Saulneau First Nations (SFN) approached BC and ECCC to become signatory to the draft Bilateral. After some consideration, BC and ECCC proposed an approach that included the development of an overarching Bilateral between BC and ECCC, with the potential for agreements between the different levels of government that would be linked to the Bilateral, and that would emphasize the ongoing leadership position of First Nations' in planning and recovery efforts.



BC, ECCC, WMFN and SFN entered into negotiations for a conceptual draft Caribou Recovery Partnership Agreement (CRPA) through this past winter and spring. This negotiation was known by all parties to be outside of BC's current mandate and without prejudice. An advanced draft was completed in spring 2018 and negotiations paused as BC signaled it had to return to government to clarify direction. This draft identified an area of core habitat that all scientists believe represents the required area for caribou recovery. s.16  
s.13,s.16

s.16

s.17

s.16

In late May 2018, WMFN requested that the federal government issue an Imminent Threat (Section 80) order s.16

The federal Minister's opinion on imminent threat of survival and recovery to SMC was published on May 4, 2018, stating that ten populations of SMC ranging roughly from Dawson Creek to Cranbrook (Appendix 1) are facing imminent threats to recovery. Two of these ten herds, the Quintette and Narraway, are of interest to WMFN and SFN.

The federal Minister is expected to recommend a SARA Protection Order (Order) to address threats to SMC in BC. It is a decision of the federal cabinet and the result is uncertain. s.13,s.16

An

Order would restrict activities and development on the land.

BC is now seeking direction on the completion of a Bilateral for all SMC and for new habitat recovery measures. The approach taken for both of these has required policy analysis to ensure a consistent approach across BC, and to enable engagement with the broader group of Treaty 8 First Nations, directly affected communities and stakeholders. This engagement has not been broadly undertaken due to concerns from WMFN and SFN.

## **DISCUSSION:**

Following consultation on a draft Bilateral with Treaty 8 First Nations and stakeholders over fall 2017 and winter 2018, ECCC reaffirmed their interest in completing a Bilateral which is inclusive of all three groups of SMC (Central, Southern and Northern). Based on engagement with First Nations and public, BC is considering expanding the geographic scope of the Bilateral to include all SMC, with the initial focus on the Central Group. The Southern and Northern groups would follow. There are over 50 First Nations with interests within the Southern and Northern groups; s.13,s.16

s.13,s.16

The development of a Bilateral under section 11 of SARA in BC constitutes the first such agreement in Canada, between a province or territory and the federal government. The Bilateral presents a new platform where recovery strategies can be developed in multiple ways and have common elements (e.g., predator management, maternal penning, habitat protection, etc.). Multi-party government (G3) partnerships are proposed as the key mechanism to working with First Nations to deliver species-at-risk recovery in a shared governance approach (Appendix 2).

BC and ECCC are currently discussing such an approach that would include an overarching Bilateral between BC and ECCC with high level habitat recovery measures in annexes for each SMC subpopulation. However, key to this Bilateral would be separate but linked implementation plans that would include details on how to deliver new habitat protection measures through a collaborative approach with First Nations (e.g., through a G3 CRPA).

This approach aligns with UNDRIP and is consistent with that being used for other types of bilateral agreements in BC, while allowing for the development of innovative mechanisms to work collaboratively with First Nations. Ensuring a consistent approach is used for all natural resource values, as we engage with First Nations and with stakeholders, is important for BC in terms of the overall management of natural resources across multiple agencies.

s.13,s.16

s.16

If  
the province and the federal government can complete a draft Bilateral before then, it can  
be considered by the federal cabinet. s.13,s.16  
s.13,s.16

While the development of these agreements and mandating processes have been going on,  
the province has deferred starting a deep public involvement process (termed “Structured  
Decision Making”). s.13,s.16  
s.13,s.16

## KEY MESSAGES

- BC has consistently stated our support for recovery of caribou, and for a partnership with First Nations. There is considerable alignment in our views including ongoing support for current population recovery measures, increased habitat protection over time, and restoration.
- We understand that the key difference is the scale and timing of new habitat protection.
- BC has to carefully manage how and when we move to increased habitat protection. We need transparency in processes, and we need fair consideration of investments in the region.
- Communities in this region are concerned about the impact that caribou recovery could have. They need to be consulted in a meaningful way about an issue that deeply affects them.
- Based on the partnership discussions, we are prepared to take forward options for increased habitat protection in the near future. This is a complicated decision and our desire to protect habitat needs to be balanced with our need to manage the current economy in the region, maintain investor stability, and keep current jobs.
- Staff have been working on the habitat protection options and a decision is currently moving forward. We hope to have a mandate decision in early July.
- We believe this will mean the partnership discussions can be restarted and we can conclude both a Bilateral and a Partnership Agreement in the summer to fall.
- BC is interested in developing a Bilateral that can work across all Southern Mountain Caribou. Moving forward we need to consider how to meaningfully engage other directly affected parties.
- BC would like the federal government to clarify, by the summer, how much funding they are willing to contribute to SMC recovery.

- Further to this support, it is of high importance to the province that the federal government recognizes BC's substantive work in advancing caribou recovery.

**Attachments:**

Appendix 1 – Caribou populations in British Columbia, including Mountain Caribou and Boreal Caribou.

Appendix 2 – Proposed Approach for Development of S.11 Bilateral Conservation Agreement

**Contact:**

ADM: Jennifer McGuire  
ENV Environmental  
Sustainability and  
Strategic Policy  
Phone: 778-698-8521

**Alternate Contact:**

Name: Alec Dale  
ENV Environmental  
Sustainability and  
Strategic Policy  
Phone: 778-698-4384

**Prepared by:**

Name: Celine Davis  
ENV Environmental Sustainability  
and Strategic Policy  
Phone: 778-698-4060

ADM: Kevin Kriese  
FLNRO Regional  
Operations, North  
Phone: 250-847-7789

Name: Paul Rasmussen  
FLNRO ED Caribou  
Recovery  
Phone: 250-608-1077

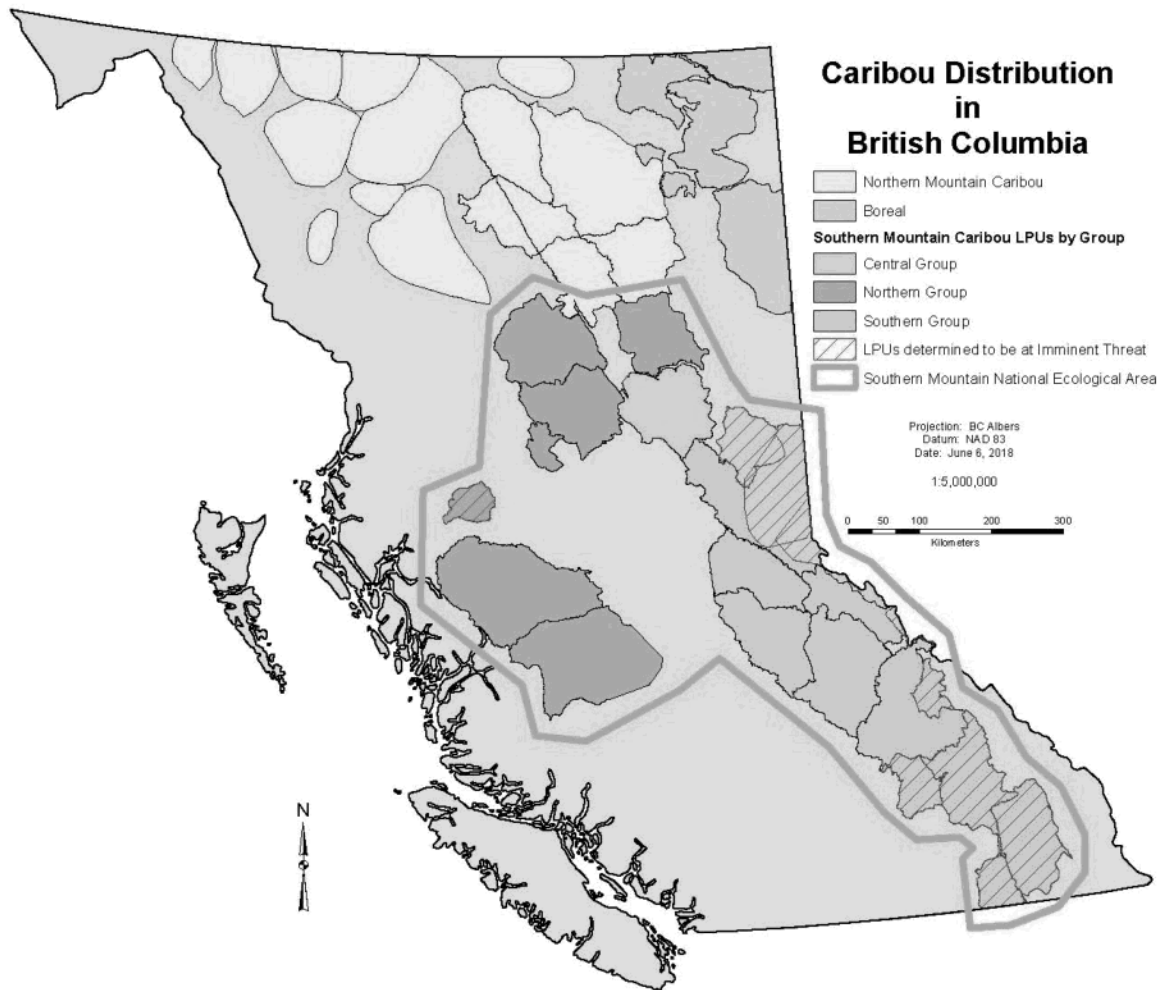
Name: Morgan Kennah  
FLNRO Northeast Regional  
Operations  
Phone: 250-896-6268

Reviewed by	Initials	Date
DM	DM	June 13, 2018
DMO	KK	June 13, 2018
ADM	JLM/KK	June 12, 2018
PRGM Dir./Mgr.	AD/PR	June 12, 2018

**Appendix 1:** Caribou populations in British Columbia, including Mountain Caribou and Boreal Caribou.

The Central Group is in the east-central BC colored light blue.

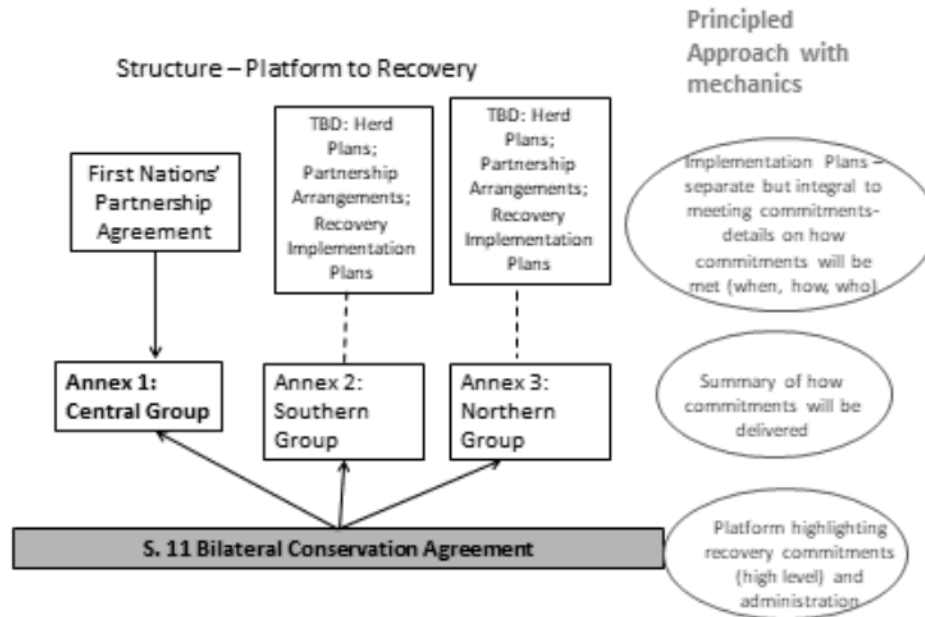
The areas with red hatching overtop are the Local Population Units (LPUs) deemed at Imminent Threat by Minister Catherine McKennah as of May 4, 2018.



**Appendix 2** – Proposed Approach for Development of S.11 Bilateral Conservation Agreement

## S.11 Bilateral Conservation Agreement Components

Southern Mountain Caribou



**From:** [Zacharias, Mark ENV:EX](#)  
**To:** [Frampton, Caelie ENV:EX](#)  
**Cc:** [Goederham, Coleen E ENV:EX](#)  
**Subject:** FW: Agenda for tomorrow's meeting re SMC  
**Date:** June 13, 2018 3:01:12 PM

---

Regards, Mark

---

**From:** Milburn-Hopwood, Sue (EC) [mailto:[sue.milburn-hopwood@canada.ca](mailto:sue.milburn-hopwood@canada.ca)]  
**Sent:** Wednesday, June 13, 2018 2:59 PM  
**To:** Zacharias, Mark ENV:EX ; Kriese, Kevin FLNR:EX  
**Cc:** McCormick, Jesse (EC) ; Lucas, Stephen (EC) ; Wilkinson, Jonathan - Personal ; Hammond, Blair (EC) ; McGuire, Jennifer ENV:EX ; Hoang, Uyen (EC) ; White, Belinda (EC)  
**Subject:** Agenda for tomorrow's meeting re SMC

I think we have now landed on an agenda for tomorrow's meeting. Parliamentary Secretary Wilkinson has asked me to communicate the proposed agenda to you.

Opening Prayer - Chief Cameron  
Opening remarks by all parties  
9 min video on the penning project  
A deck from SFN and WMFN setting context  
Discussion of key terms of an agreement(s)  
Next Steps

My understanding is that the First Nations may table a term sheet to help guide the discussion.  
See you tomorrow.  
Sue Milburn-Hopwood  
Sent from my BlackBerry 10 smartphone on the Rogers network.

**From:** [Davis, Celine ENV:EX](#)  
**To:** [Kennah, Morgan FLNR:EX](#)  
**Cc:** [Dale, Alec R ENV:EX](#)  
**Subject:** RE: Draft BN for meeting with ministers and FPS  
**Date:** June 11, 2018 3:01:36 PM  
**Attachments:** [316721\\_IN\\_MGH MDD meeting with FN and Feds re Caribou June 14-v2.docx](#)

---

Hi Morgan,

The updated version of the BN is attached for your review and Kevin's.

I am sending it up from my end as well.

I can incorporate FLNR's comments in the next version as needed.

Thank you

Celine



## NATURAL RESOURCE SECTOR INFORMATION NOTE

June 11, 2018

File: 240-80

CLIFF/tracking #: 316721/10619

### **PREPARED FOR:**

Honourable George Heyman, Minister of Environment and Climate Change Strategy  
Honourable Doug Donaldson, Minister of Forests, Lands, Natural Resource Operations  
and Rural Development

**ATTENDEES:** Honourable George Heyman, Honourable Doug Donaldson (tentative),  
Deputy Minister Mark Zacharias, Deputy Minister Stephen Lucas, Federal Parliamentary  
Secretary Wilkinson, Chief Roland Willson, Chief Ken Cameron, Assistant Deputy  
Minister Kevin Kriese, Celine Davis.

**ISSUE:** Caribou recovery collaboration discussion - June 14, 2018 Meeting at 1:30pm.

### **BACKGROUND:**

In October 2017, the Environment and Land Use Committee (ELUC) directed the  
Ministries of Environment and Climate Change Strategy (ENV), and Forests, Lands,  
Natural Resource Operations and Rural Development (FLNRORD) to negotiate a Section  
11 Bilateral Conservation Agreement (BCA) under the federal *Species at Risk Act*  
(SARA) for the Central Group of Southern Mountain Caribou (SMC) with Environment  
and Climate Change Canada (ECCC). A draft BCA was developed and consultation was  
conducted with Treaty 8 First Nations and stakeholders over fall 2017 and winter 2018.

Following this early engagement with Treaty 8 First Nations, West Moberly First Nations  
(WMFN) and Saluteau First Nations (SFN) approached BC and ECCC to become  
signatory to the draft BCA. After some consideration, BC and ECCC proposed an  
approach that included the development of an overarching BCA between BC and ECCC,  
with the potential for agreements between the different levels of government that would  
be linked to the BCA, and that would emphasize the ongoing leadership position of First  
Nations' in planning and recovery efforts.

BC, ECCC, WMFN and SFN entered into negotiations for a conceptual draft Caribou  
Recovery Partnership Agreement (CRPA) through this past winter and spring. This  
negotiation was facilitated by a mediator who was known by all parties to be outside of  
BC's current mandate and without prejudice. An advanced draft was completed in spring  
2018 and negotiations paused as BC signaled it had to return to government to clarify  
direction.

s.13,s.16

Since August 2017, five applications for SARA Section 80 Imminent Threat Orders for SMC herds in southeast BC were filed with ECCC. This includes the May 2018 Section 80 petition from West Moberly, s.16

s.16

The federal Minister's opinion on imminent threat of survival and recovery to SMC was published on May 4, 2018, stating that ten populations of SMC ranging roughly from Dawson Creek to Cranbrook (Appendix 1) are facing imminent threats to recovery.

The federal Minister is expected to recommend a SARA Protection Order (Order) to address threats to SMC in BC. An Order would restrict activities and development on the land. The Federal Cabinet can consider a timely execution of the BCA in its decision to implement or reduce an Order.

BC is now seeking direction on the completion of a BCA for all SMC and for new habitat recovery measures. The approach taken for both of these has required policy analysis to ensure a consistent approach across BC, and enable engagement with the broader group of Treaty 8 First Nations, directly affected communities and stakeholders. This engagement has not been broadly undertaken due to concerns from WMFN and SFN.

## **DISCUSSION:**

Following consultation on a draft BCA with Treaty 8 First Nations and stakeholders over fall 2017 and winter 2018, ECCC reaffirmed their interest in completing a BCA for all three groups of SMC (Central, Southern and Northern). Based on engagement with Indigenous peoples and public, BC is considering expanding the geographic scope of the BCA to include all SMC, with the initial focus on the Central Group.

The development of a BCA under section 11 of SARA in BC constitutes the first such agreement in Canada, between a province or territory and the federal government. The BCA presents a new platform where recovery strategies can be developed in multiple ways and have common elements (e.g., predator management, maternal penning, habitat protection, etc.). Multi-party government (G3) partnerships are proposed as the key mechanism to working with Indigenous peoples to deliver species-at-risk recovery in a shared governance approach (Appendix 2).

BC and ECCC are currently discussing such an approach that would include an overarching agreement between BC and ECCC with high level habitat recovery measures in annexes for each SMC subpopulation. However, key to this BCA would be separate but linked implementation plans that would include details on how to deliver new habitat

protection measures through a collaborative approach with Indigenous peoples (e.g., through a G3 CRPA).

This approach aligns with UNDRIP and is consistent with that being used for other types of bilateral agreements in BC, while allowing for the development of innovative mechanisms to work collaboratively with Indigenous peoples. Ensuring a consistent approach is used for all natural resource values, as we engage with Indigenous peoples and with stakeholders, is important for BC in terms of the overall management of natural resources across multiple agencies.

Key to the successful implementation of the BCA will be the consideration of new habitat protection measures for SMC in the Central Group. The level of habitat protection in a given area should be decided through a comprehensive planning process that would build and consider measures proposed through the engagement conducted with WMFN and SFN. A comprehensive planning process will take socio-economic interests into consideration, and allow for a more fulsome engagement with resource industry and directly affected parties.

## **KEY MESSAGES**

- Completing a BCA for all SMC groups with new habitat protection measures for the Central group will offer new opportunities to engage with Indigenous peoples and stakeholders, and the potential to develop partnerships to support caribou recovery.
- s.13
- BC recognizes the need to work collaboratively with Indigenous peoples on the development and implementation of conservation and recovery plans for caribou and will actively seek opportunities to develop new collaborative management approaches, such as G3 partnership agreements, and is committed to working with WMFN and SFN.
- Although the BCA could be developed in a timely manner, completing a CRPA for the Central Group may need additional engagement with not only WMFN and SFN but other Treat 8 First Nations. This involves a new approach to managing resources, and BC wants to ensure we get an agreement that is durable, can be implemented, and is not creating a never ending loop of negotiations across several governments.

## **Attachments:**

Appendix 1 – Caribou populations in British Columbia, including Mountain Caribou and Boreal Caribou.

Appendix 2 – Proposed Approach for Development of S.11 Bilateral Conservation Agreement

**Contact:**

ADM:Jennifer McGuire  
Div: ENV Environmental  
Sustainability and  
Strategic Policy  
Phone: 778-698-8521

ADM: Kevin Kriese  
Div: Regional Operations,  
North  
Phone: 250-847-7789

**Alternate Contact:**

Name: Alec Dale  
Div/Region/Branch:  
ENV Environmental  
Sustainability and  
Strategic Policy  
Phone:778-698-4384

Name: Paul Rasmussen  
ED Caribou Recovery  
Phone: 250-608-1077

**Prepared by:**

Name: Celine Davis  
Div/Region/Branch: ENV  
Environmental Sustainability and  
Strategic Policy  
Phone:778-698-4060

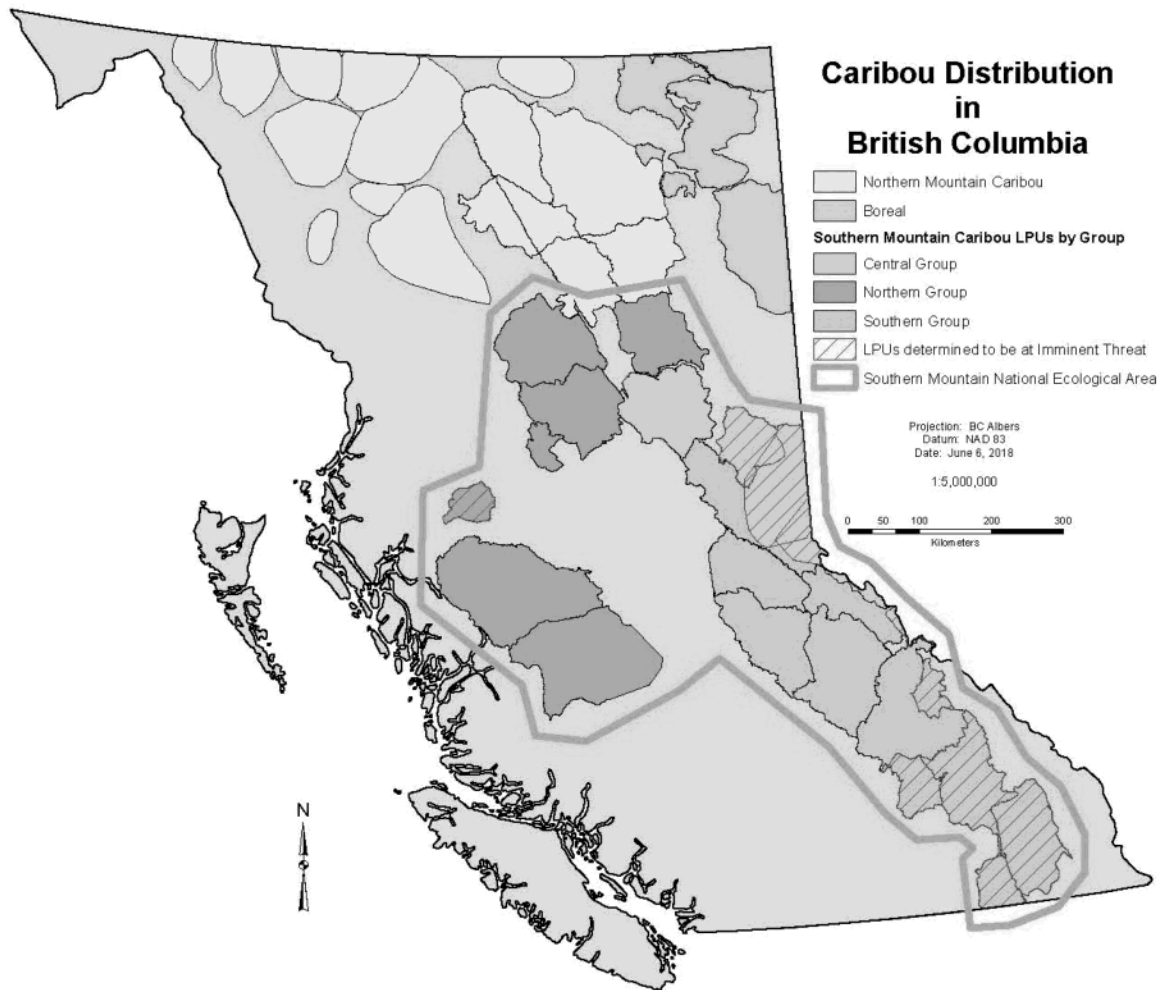
Name: Morgan Kennah  
Branch/Region: FLNRORD  
Northeast Regional Operations  
Phone: 250 896-6268

Reviewed by	Initials	Date
DM		
DMO		
ADM		
Dir./Mgr.		
Author		

Appendix 1: Caribou populations in British Columbia, including Mountain Caribou and Boreal Caribou.

The Central Group is in the east-central BC colored light blue.

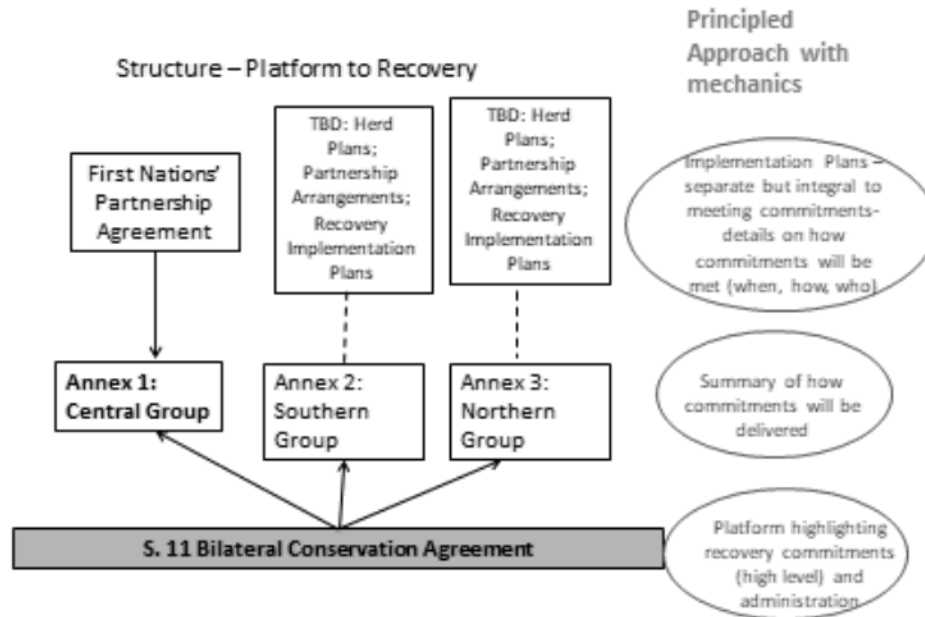
The areas with red hatching overtop are the Local Population Units (LPUs) deemed at Imminent Threat by Minister Catherine McKennah as of May 4, 2018.



## Appendix 2 – Proposed Approach for Development of S.11 Bilateral Conservation Agreement

### S.11 Bilateral Conservation Agreement Components

Southern Mountain Caribou



**From:** [Dale, Alec R ENV:EX](#)  
**To:** [Davis, Celine ENV:EX](#)  
**Subject:** 316721\_IN\_MGH MDD meeting with FN and Feds re Caribou\_June 14-v2  
**Date:** June 11, 2018 3:40:43 PM  
**Attachments:** 316721\_IN\_MGH MDD meeting with FN and Feds re Caribou\_June 14-v2.docx  
**Importance:** High

---

Couple suggestions/questions in attached. Let me know if they make sense (or answers) and I can make changes in the e-approval version.

I reads a bit complex...but not sure how to simplify in the time we have.

Page 09 to/à Page 11

Withheld pursuant to/removed as

s.13



**Contact:**

ADM:Jennifer McGuire  
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ADM: Kevin Kriese  
Div: Regional Operations,  
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Phone: 250-847-7789

**Alternate Contact:**

Name: Alec Dale  
Div/Region/Branch:  
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Sustainability and  
Strategic Policy  
Phone:778-698-4384

Name: Paul Rasmussen  
ED Caribou Recovery  
Phone: 250-608-1077

**Prepared by:**

Name: Celine Davis  
Div/Region/Branch: ENV  
Environmental Sustainability and  
Strategic Policy  
Phone:778-698-4060

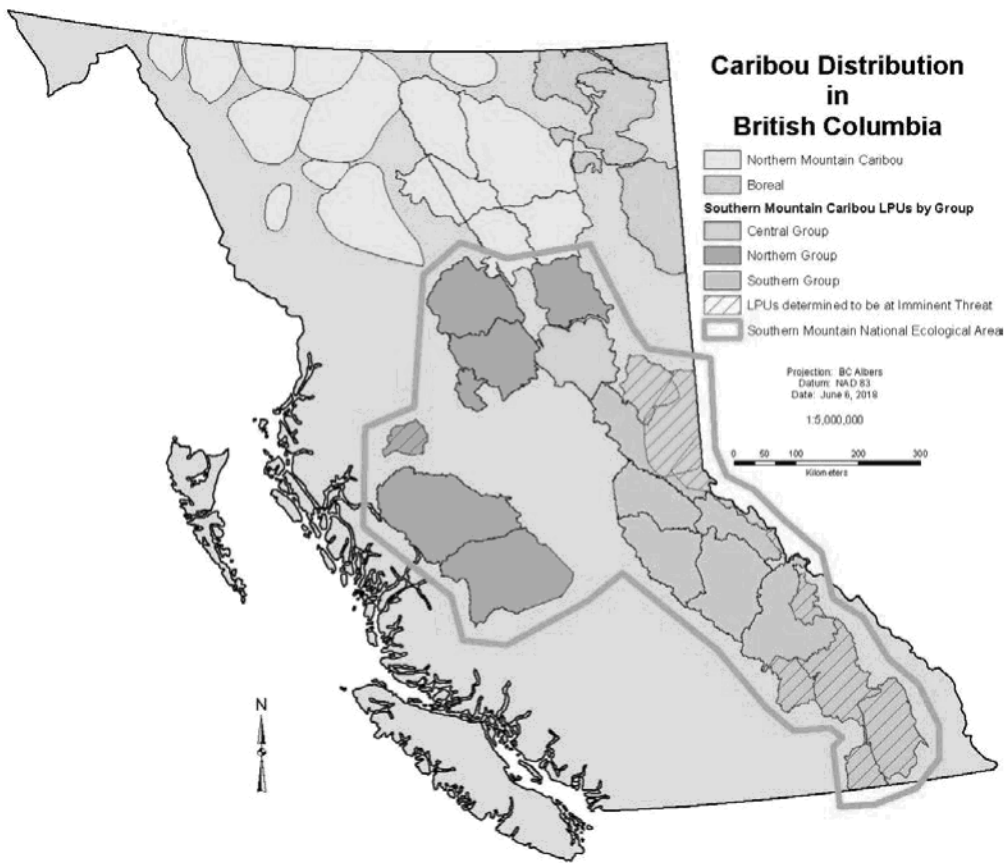
Name: Morgan Kennah  
Branch/Region: FLNRORD  
Northeast Regional Operations  
Phone: 250 896-6268

Reviewed by	Initials	Date
DM		
DMO		
ADM		
Dir./Mgr.		
Author		

Appendix 1: Caribou populations in British Columbia, including Mountain Caribou and Boreal Caribou.

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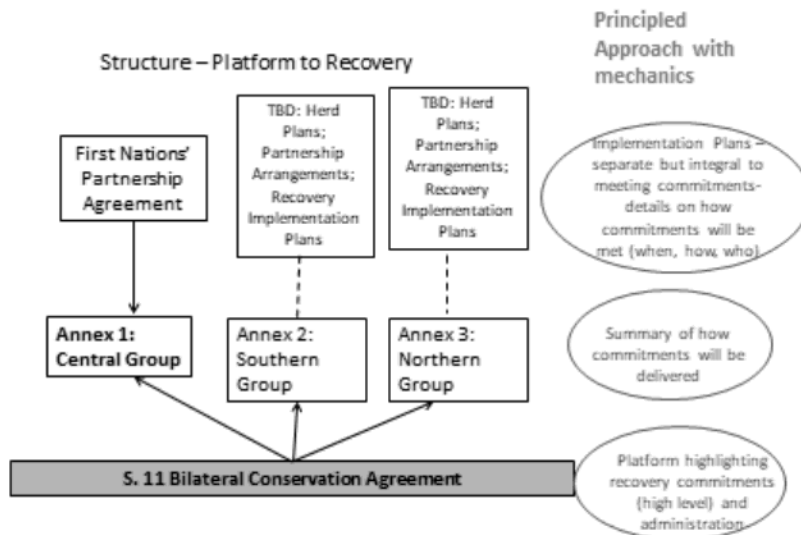
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## Appendix 2 – Proposed Approach for Development of S.11 Bilateral Conservation Agreement

### S.11 Bilateral Conservation Agreement Components

Southern Mountain Caribou



**From:** Kriese, Kevin FLNR:EX  
**To:** Davis, Celine ENV:EX; Kennah, Morgan FLNR:EX  
**Cc:** McGuire, Jennifer ENV:EX; Dale, Alec R ENV:EX  
**Subject:** 316721\_IN\_MGH MDD meeting with FN and Feds re Caribou\_June 14-v2  
**Date:** June 12, 2018 3:08:02 PM  
**Attachments:** 316721\_IN\_MGH MDD meeting with FN and Feds re Caribou\_June 14-v2.docx

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s.13,s.16

Page 16 to/à Page 20

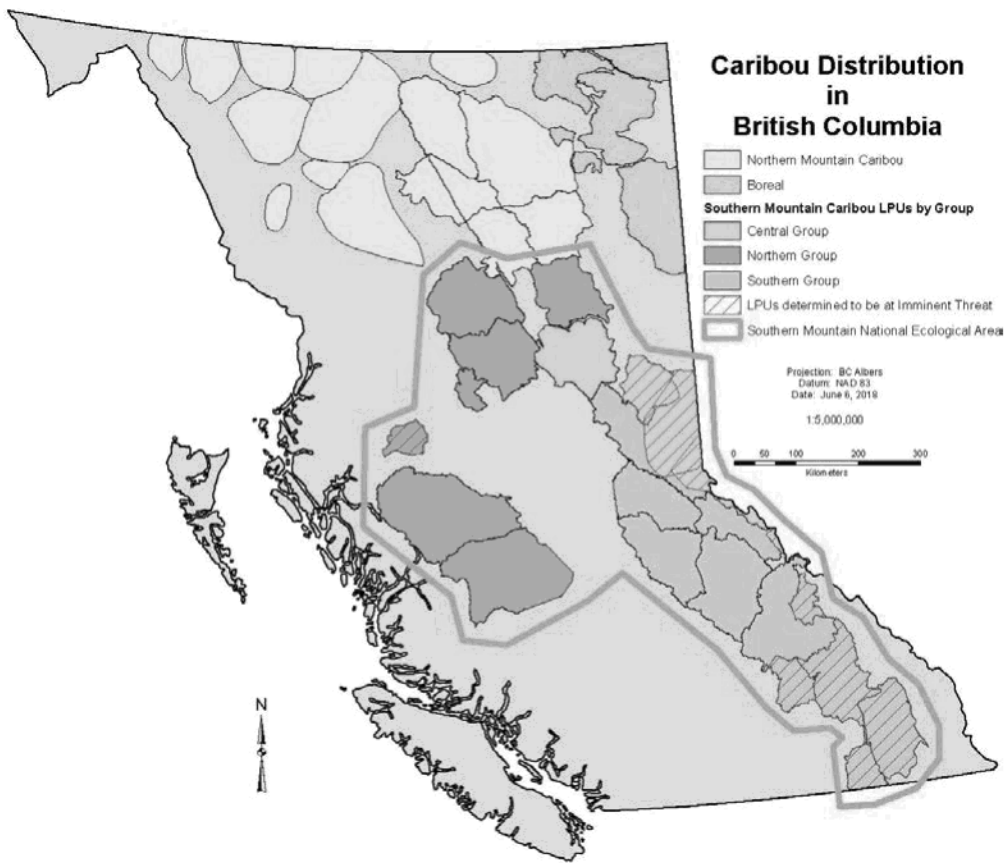
Withheld pursuant to/removed as

s.13

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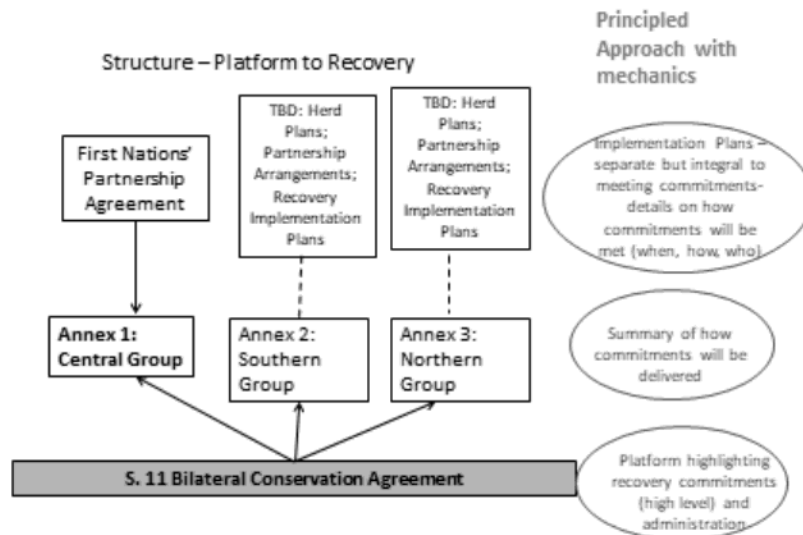
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## Appendix 2 – Proposed Approach for Development of S.11 Bilateral Conservation Agreement

### S.11 Bilateral Conservation Agreement Components

Southern Mountain Caribou



**From:** [Davis, Celine ENV:EX](#)  
**To:** [McGuire, Jennifer ENV:EX](#); [Llewellyn-Thomas, Marnie ENV:EX](#)  
**Cc:** [Dale, Alec R ENV:EX](#)  
**Subject:** FW: 316721\_IN\_MGH MDD meeting with FN and Feds re Caribou\_June 14-v2  
**Date:** June 12, 2018 3:51:39 PM  
**Attachments:** [316721\\_IN\\_MGH MDD meeting with FN and Feds re Caribou\\_June 14-v2.docx](#)

---

FYI

---

**From:** Davis, Celine ENV:EX  
**Sent:** June 12, 2018 3:51 PM  
**To:** Kennedy, Karla ENV:EX  
**Subject:** FW: 316721\_IN\_MGH MDD meeting with FN and Feds re Caribou\_June 14-v2

Karla,

Kevin K. forwarded the attached edits to the note that Jennifer sent to DMO this am. Possible to incorporate his proposed changes? He made some good points and presented information that his staff did not have for me when I completed the note.

Celine

---

**From:** Kriese, Kevin FLNR:EX  
**Sent:** June 12, 2018 3:08 PM  
**To:** Davis, Celine ENV:EX; Kennah, Morgan FLNR:EX  
**Cc:** McGuire, Jennifer ENV:EX; Dale, Alec R ENV:EX  
**Subject:** 316721\_IN\_MGH MDD meeting with FN and Feds re Caribou\_June 14-v2

s.13,s.16



Page 24 to/à Page 28

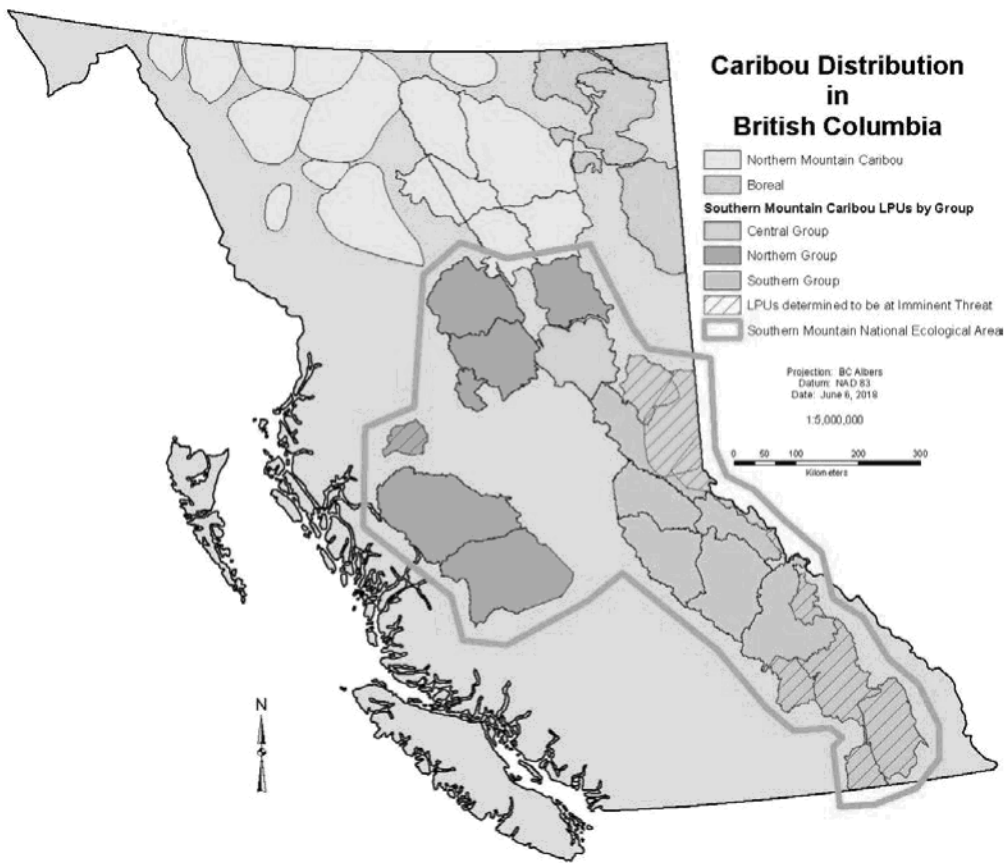
Withheld pursuant to/removed as

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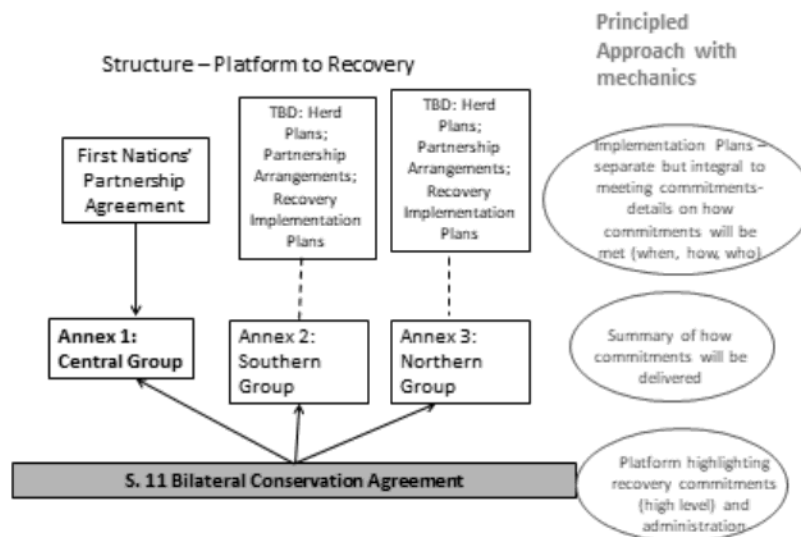
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## Appendix 2 – Proposed Approach for Development of S.11 Bilateral Conservation Agreement

### S.11 Bilateral Conservation Agreement Components

Southern Mountain Caribou



**From:** [Kennah, Morgan FLNR:EX](#)  
**To:** [Kriese, Kevin FLNR:EX](#); [Davis, Celine ENV:EX](#)  
**Cc:** [McGuire, Jennifer ENV:EX](#); [Dale, Alec R ENV:EX](#); [Macedo, Sara FLNR:EX](#)  
**Subject:** RE: 316721\_IN\_MGH MDD meeting with FN and Feds re Caribou\_June 14-v2  
**Date:** June 12, 2018 4:29:19 PM  
**Attachments:** [20180612\\_316721\\_IN\\_MGH MDD meeting with FN and Feds re Caribou\\_June 14-v3.docx](#)

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s.13

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**From:** Kriese, Kevin FLNR:EX  
**Sent:** Tuesday, June 12, 2018 3:08 PM  
**To:** Davis, Celine ENV:EX; Kennah, Morgan FLNR:EX  
**Cc:** McGuire, Jennifer ENV:EX; Dale, Alec R ENV:EX  
**Subject:** 316721\_IN\_MGH MDD meeting with FN and Feds re Caribou\_June 14-v2  
s.13,s.16

## NATURAL RESOURCE SECTOR INFORMATION NOTE

June 12, 2018

File: 240-80

CLIFF/tracking #: 316721/10619

### PREPARED FOR:

Honourable George Heyman, Minister of Environment and Climate Change Strategy  
Honourable Doug Donaldson, Minister of Forests, Lands, Natural Resource Operations  
and Rural Development

**ATTENDEES:** Honourable George Heyman, Honourable Doug Donaldson (tentative),  
Deputy Minister Mark Zacharias, Deputy Minister Stephen Lucas, Federal Parliamentary  
Secretary Wilkinson, Chief Roland Willson, Chief Ken Cameron, Assistant Deputy  
Minister Kevin Kriese, Celine Davis.

**ISSUE:** Caribou recovery collaboration discussion - June 14, 2018 Meeting at 1:30pm.

### BACKGROUND:

In October 2017, the Environment and Land Use Committee (ELUC) directed the  
Ministries of Environment and Climate Change Strategy (ENV), and Forests, Lands,  
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11 Bilateral Conservation Agreement (Bilateral) under the federal *Species at Risk Act*  
(SARA) for the Central Group of Southern Mountain Caribou (SMC) with Environment  
and Climate Change Canada (ECCC). A draft Bilateral was developed and consultation  
was conducted with Treaty 8 First Nations and stakeholders over fall 2017 and winter  
2018.

Following this early engagement with Treaty 8 First Nations, West Moberly First Nations  
(WMFN) and Saluteau First Nations (SFN) approached BC and ECCC to become  
signatory to the draft Bilateral. After some consideration, BC and ECCC proposed an  
approach that included the development of an overarching Bilateral between BC and  
ECCC, with the potential for agreements between the different levels of government that  
would be linked to the Bilateral, and that would emphasize the ongoing leadership  
position of First Nations' in planning and recovery efforts.

BC, ECCC, WMFN and SFN entered into negotiations for a conceptual draft Caribou  
Recovery Partnership Agreement (CRPA) through this past winter and spring. This  
negotiation was known by all parties to be outside of BC's current mandate and without  
prejudice. An advanced draft was completed in spring 2018 and negotiations paused as  
BC signaled it had to return to government to clarify direction. This draft identified an  
area of core habitat that all scientists believe represents the required area for caribou  
recovery. s.16

s.16

s.13,s.16

s.16

s.17

s.16

In late May 2018, WMFN requested that the federal government issue an Imminent Threat (Section 80) order<sup>s.16</sup>

The federal Minister's opinion on imminent threat of survival and recovery to SMC was published on May 4, 2018, stating that ten populations of SMC ranging roughly from Dawson Creek to Cranbrook (Appendix 1) are facing imminent threats to recovery. Two of these ten herds, the Quintette and Narraway, are of interest to WMFN and SFN.

The federal Minister is expected to recommend a SARA Protection Order (Order) to address threats to SMC in BC. It is a decision of the federal cabinet and the result is uncertain.<sup>s.16</sup>

An Order would restrict activities and development on the land.

BC is now seeking direction on the completion of a Bilateral for all SMC and for new habitat recovery measures. The approach taken for both of these has required policy analysis to ensure a consistent approach across BC, and enable engagement with the broader group of Treaty 8 First Nations, directly affected communities and stakeholders. This engagement has not been broadly undertaken due to concerns from WMFN and SFN.

## **DISCUSSION:**

Following consultation on a draft Bilateral with Treaty 8 First Nations and stakeholders over fall 2017 and winter 2018, ECCC reaffirmed their interest in completing a Bilateral which is inclusive of all three groups of SMC (Central, Southern and Northern). Based on engagement with Indigenous peoples and public, BC is considering expanding the geographic scope of the Bilateral to include all SMC, with the initial focus on the Central Group. The Southern and Northern groups would follow.

The development of a Bilateral under section 11 of SARA in BC constitutes the first such agreement in Canada, between a province or territory and the federal government. The Bilateral presents a new platform where recovery strategies can be developed in multiple ways and have common elements (e.g., predator management, maternal penning, habitat protection, etc.). Multi-party government (G3) partnerships are proposed as the key mechanism to working with Indigenous peoples to deliver species-at-risk recovery in a shared governance approach (Appendix 2).

BC and ECCC are currently discussing such an approach that would include an overarching agreement between BC and ECCC with high level habitat recovery measures in annexes for each SMC subpopulation. However, key to this Bilateral would be separate but linked implementation plans that would include details on how to deliver new habitat protection measures through a collaborative approach with Indigenous peoples (e.g., through a G3 CRPA).

This approach aligns with UNDRIP and is consistent with that being used for other types of bilateral agreements in BC, while allowing for the development of innovative mechanisms to work collaboratively with Indigenous peoples. Ensuring a consistent approach is used for all natural resource values, as we engage with Indigenous peoples and with stakeholders, is important for BC in terms of the overall management of natural resources across multiple agencies.

s.13,s.16

If the province and the federal government can complete a draft bilateral before then, it

can be considered by the federal cabinet. s.13,s.16  
s.13,s.16

While these partnership agreement and mandating processes have been going on, the province has deferred starting a deep public involvement process (termed “Structured Decision Making”). s.13,s.16  
s.13,s.16

## **KEY MESSAGES**

- BC has consistently stated our support for recovery of caribou, and for a partnership with First Nations. There is considerable alignment in our views including ongoing support for current population recovery measures, increased habitat protection over time, and restoration.
- We understand that the key difference is the scale and timing of new habitat protection.
- BC has to carefully manage how and when we move to increased habitat protection. We need transparency in processes, and we need fair consideration of investments in the region.
- Communities in this region are concerned about the impact that caribou recovery could have. They need to be consulted in a meaningful way about an issue that deeply affects them.
- Based on the partnership discussions, we are prepared to take forward options for increased habitat protection in the near future. This is a complicated decision and our desire to protect habitat needs to be balanced with our need to manage the current economy in the region, maintain investor stability, and keep current jobs.
- Staff have been working on the habitat protection options and a decision is currently moving forward. We hope to have a mandate decision in early July.
- We believe this will mean the partnership discussions can be restarted and we can conclude both a bilateral agreement and a Partnership Agreement in the summer to fall.
- BC is interested in developing a bilateral agreement that can work across all Southern Mountain Caribou. Moving forward we need to consider how to meaningfully engage other directly affected parties.

### **Attachments:**

Appendix 1 – Caribou populations in British Columbia, including Mountain Caribou and Boreal Caribou.

Appendix 2 – Proposed Approach for Development of S.11 Bilateral Conservation Agreement



**Contact:**

ADM:Jennifer McGuire  
Div: ENV Environmental  
Sustainability and  
Strategic Policy  
Phone: 778-698-8521

ADM: Kevin Kriese  
Div: Regional Operations,  
North  
Phone: 250-847-7789

**Alternate Contact:**

Name: Alec Dale  
Div/Region/Branch:  
ENV Environmental  
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Strategic Policy  
Phone:778-698-4384

Name: Paul Rasmussen  
ED Caribou Recovery  
Phone: 250-608-1077

**Prepared by:**

Name: Celine Davis  
Div/Region/Branch: ENV  
Environmental Sustainability and  
Strategic Policy  
Phone:778-698-4060

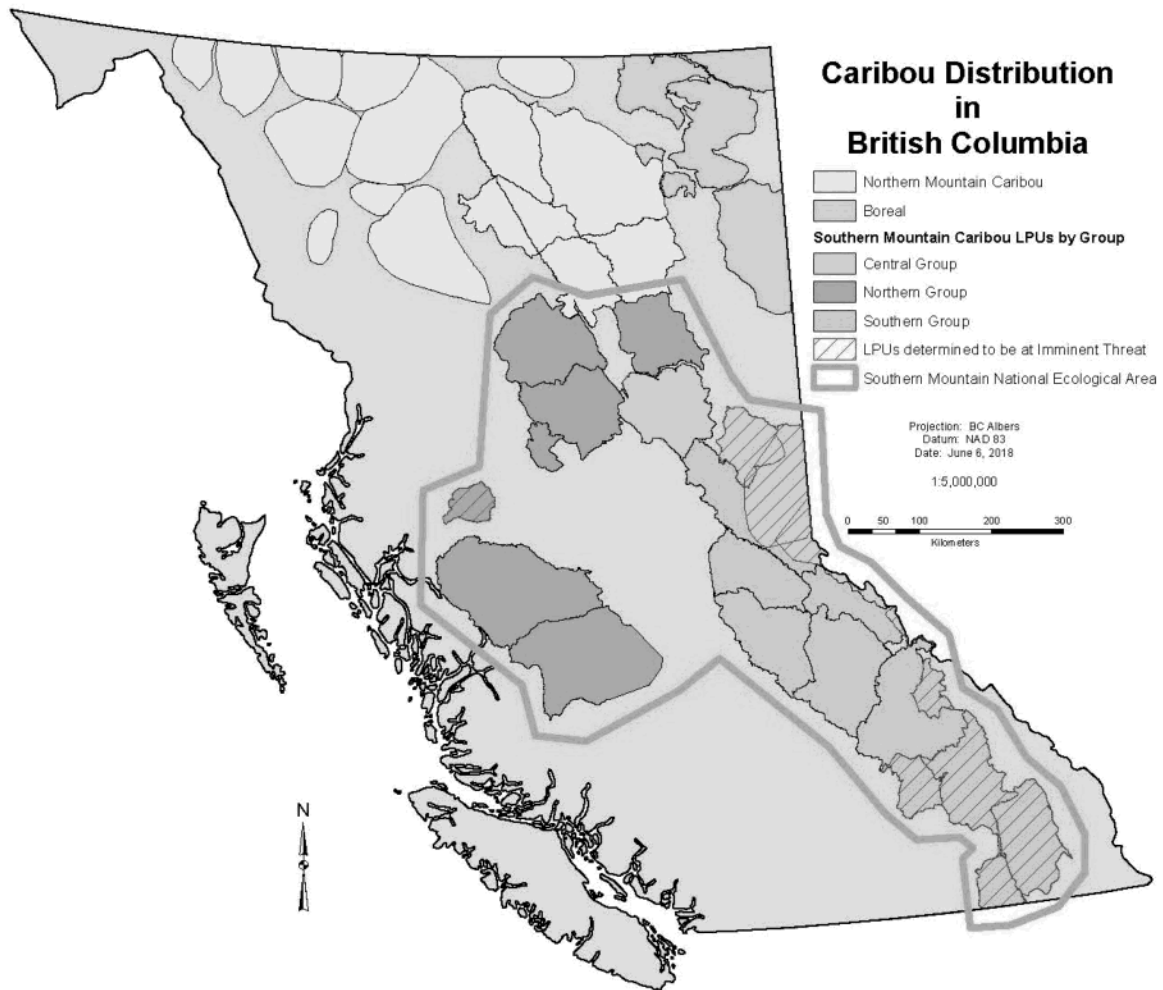
Name: Morgan Kennah  
Branch/Region: FLNRORD  
Northeast Regional Operations  
Phone: 250 896-6268

Reviewed by	Initials	Date
DM		
DMO		
ADM		
Dir./Mgr.		
Author		

Appendix 1: Caribou populations in British Columbia, including Mountain Caribou and Boreal Caribou.

The Central Group is in the east-central BC colored light blue.

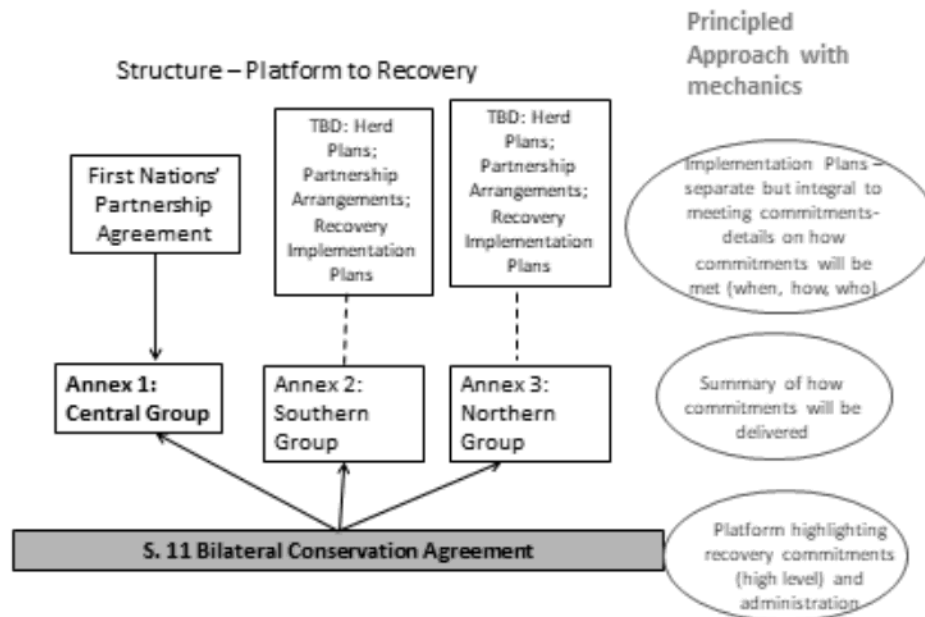
The areas with red hatching overtop are the Local Population Units (LPUs) deemed at Imminent Threat by Minister Catherine McKennah as of May 4, 2018.



## Appendix 2 – Proposed Approach for Development of S.11 Bilateral Conservation Agreement

### S.11 Bilateral Conservation Agreement Components

Southern Mountain Caribou



## NATURAL RESOURCE SECTOR – JOINT MINISTRY INFORMATION NOTE

June 11, 2018

File: 240-80

ENV CLIFF/tracking #: 316721/10619

FLNRO X-Ref: 239909

**PREPARED FOR:** Honourable George Heyman, Minister of Environment and Climate Change Strategy; Honourable Doug Donaldson, Minister of Forests, Lands, Natural Resource Operations and Rural Development

### ATTENDEES:

- Mark Zacharias, Deputy Minister, Environment
- Stephen Lucas, Federal Deputy Minister
- Jonathan Wilkinson, Parliamentary Secretary to the Minister of Environment and Climate Change
- Sue Milburn-Hopwood, ADM CWS
- Blair Hammond, Director, Pacific Region, CWS
- Jesse McCormick, Director of Policy and Indigenous Affairs
- Chief Roland Willson, West Moberly First Nations
- Chief Ken Cameron, Saulneau First Nations
- Kevin Kriese, Assistant Deputy Minister, Regional Operations Division, Ministry of Forests, Lands, Natural Resource Operations and Rural Development
- Celine Davis, Director, Strategic Initiatives, Environmental Sustainability and Strategic Policy Division

**ISSUE:** Meeting on June 14, 2018 to discuss caribou recovery collaboration

### BACKGROUND:

In October 2017, the Environment and Land Use Committee (ELUC) directed the Ministries of Environment and Climate Change Strategy (ENV), and Forests, Lands, Natural Resource Operations and Rural Development (FLNRORD) to negotiate a Section 11 Bilateral Conservation Agreement (Bilateral) under the federal Species at Risk Act (SARA) for the Central Group of Southern Mountain Caribou (SMC) with Environment and Climate Change Canada (ECCC). A draft Bilateral was developed and consultation was conducted with Treaty 8 First Nations and stakeholders over fall 2017 and winter 2018.

Following this early engagement with Treaty 8 First Nations, West Moberly First Nations (WMFN) and Saulneau First Nations (SFN) approached BC and ECCC to become signatory to the draft Bilateral. After some consideration, BC and ECCC proposed an approach that included the development of an overarching Bilateral between BC and ECCC, with the potential for agreements between the different levels of government that would be linked to the Bilateral, and that would emphasize the ongoing leadership position of First Nations' in planning and recovery efforts.

BC, ECCC, WMFN and SFN entered into negotiations for a conceptual draft Caribou Recovery Partnership Agreement (CRPA) through this past winter and spring. This negotiation was known by all parties to be outside of BC's current mandate and without prejudice. An advanced draft was completed in spring 2018 and negotiations paused as BC signaled it had to return to government to clarify direction. This draft identified an area of core habitat that all scientists believe represents the required area for caribou recovery. s.16

s.13,s.16

s.16

s.17

s.16

In late May 2018, WMFN requested that the federal government issue an Imminent Threat (Section 80) order s.16

The federal Minister's opinion on imminent threat of survival and recovery to SMC was published on May 4, 2018, stating that ten populations of SMC ranging roughly from Dawson Creek to Cranbrook (Appendix 1) are facing imminent threats to recovery. Two of these ten herds, the Quintette and Narraway, are of interest to WMFN and SFN.

The federal Minister is expected to recommend a SARA Protection Order (Order) to address threats to SMC in BC. It is a decision of the federal cabinet and the result is uncertain. s.16

An

Order would restrict activities and development on the land.

BC is now seeking direction on the completion of a Bilateral for all SMC and for new habitat recovery measures. The approach taken for both of these has required policy analysis to ensure a consistent approach across BC, and to enable engagement with the broader group of Treaty 8 First Nations, directly affected communities and stakeholders. This engagement has not been broadly undertaken due to concerns from WMFN and SFN.

## **DISCUSSION:**

Following consultation on a draft Bilateral with Treaty 8 First Nations and stakeholders over fall 2017 and winter 2018, ECCC reaffirmed their interest in completing a Bilateral which is inclusive of all three groups of SMC (Central, Southern and Northern). Based on engagement with First Nations and public, BC is considering expanding the geographic scope of the Bilateral to include all SMC, with the initial focus on the Central Group. The Southern and Northern groups would follow. There are over 50 First Nations with interests within the Southern and Northern groups; s.13,s.16  
s.13,s.16

The development of a Bilateral under section 11 of SARA in BC constitutes the first such agreement in Canada, between a province or territory and the federal government. The Bilateral presents a new platform where recovery strategies can be developed in multiple ways and have common elements (e.g., predator management, maternal penning, habitat protection, etc.). Multi-party government (G3) partnerships are proposed as the key mechanism to working with First Nations to deliver species-at-risk recovery in a shared governance approach (Appendix 2).

BC and ECCC are currently discussing such an approach that would include an overarching Bilateral between BC and ECCC with high level habitat recovery measures in annexes for each SMC subpopulation. However, key to this Bilateral would be separate but linked implementation plans that would include details on how to deliver new habitat protection measures through a collaborative approach with First Nations (e.g., through a G3 CRPA).

This approach aligns with UNDRIP and is consistent with that being used for other types of bilateral agreements in BC, while allowing for the development of innovative mechanisms to work collaboratively with First Nations. Ensuring a consistent approach is used for all natural resource values, as we engage with First Nations and with stakeholders, is important for BC in terms of the overall management of natural resources across multiple agencies.

s.16

s.13,s.16

If the province and the federal government can complete a draft Bilateral before then, it can be considered by the federal cabinet. s.13,s.16

s.13,s.16

While the development of these agreements and mandating processes have been going on, the province has deferred starting a deep public involvement process (termed “Structured Decision Making”). s.13,s.16

s.13,s.16

## KEY MESSAGES

- BC has consistently stated our support for recovery of caribou, and for a partnership with First Nations. There is considerable alignment in our views including ongoing support for current population recovery measures, increased habitat protection over time, and restoration.
- We understand that the key difference is the scale and timing of new habitat protection.
- BC has to carefully manage how and when we move to increased habitat protection. We need transparency in processes, and we need fair consideration of investments in the region.
- Communities in this region are concerned about the impact that caribou recovery could have. They need to be consulted in a meaningful way about an issue that deeply affects them.
- Based on the partnership discussions, we are prepared to take forward options for increased habitat protection in the near future. This is a complicated decision and our desire to protect habitat needs to be balanced with our need to manage the current economy in the region, maintain investor stability, and keep current jobs.
- Staff have been working on the habitat protection options and a decision is currently moving forward. We hope to have a mandate decision in early July.
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- BC is interested in developing a Bilateral that can work across all Southern Mountain Caribou. Moving forward we need to consider how to meaningfully engage other directly affected parties.
- BC would like the federal government to clarify, by the summer, how much funding they are willing to contribute to SMC recovery.

- Further to this support, it is of high importance to the province that the federal government recognizes BC's substantive work in advancing caribou recovery.

**Attachments:**

Appendix 1 – Caribou populations in British Columbia, including Mountain Caribou and Boreal Caribou.

Appendix 2 – Proposed Approach for Development of S.11 Bilateral Conservation Agreement

**Contact:**

ADM: Jennifer McGuire  
ENV Environmental  
Sustainability and  
Strategic Policy  
Phone: 778-698-8521

**Alternate Contact:**

Name: Alec Dale  
ENV Environmental  
Sustainability and  
Strategic Policy  
Phone: 778-698-4384

**Prepared by:**

Name: Celine Davis  
ENV Environmental Sustainability  
and Strategic Policy  
Phone: 778-698-4060

ADM: Kevin Kriese  
FLNRO Regional  
Operations, North  
Phone: 250-847-7789

Name: Paul Rasmussen  
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Recovery  
Phone: 250-608-1077

Name: Morgan Kennah  
FLNRO Northeast Regional  
Operations  
Phone: 250-896-6268

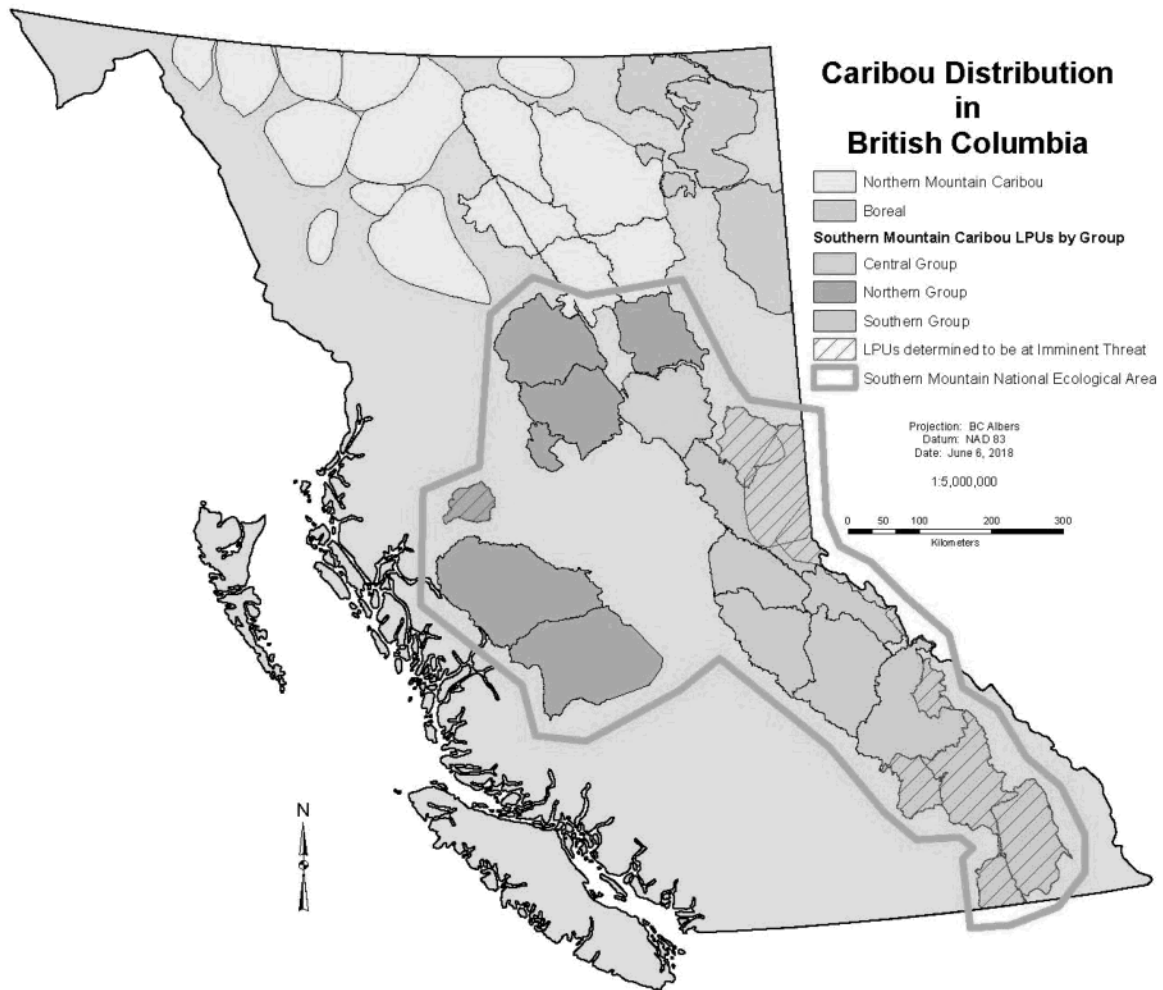
Reviewed by	Initials	Date
DM	DM	June 13, 2018
DMO	KK	June 13, 2018
ADM	JLM/KK	June 12, 2018
PRGM Dir./Mgr.	AD/PR	June 12, 2018



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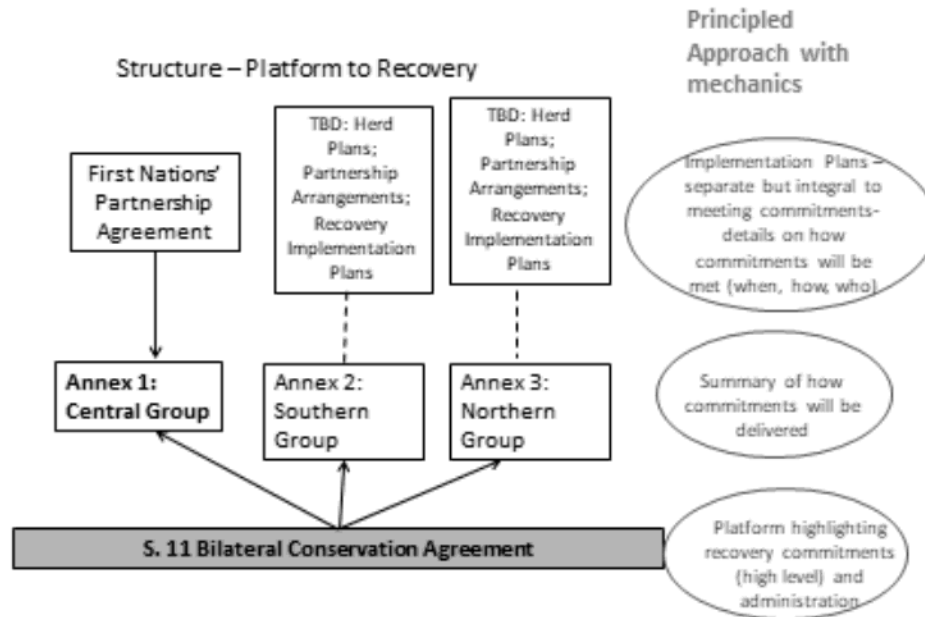
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**Appendix 2** – Proposed Approach for Development of S.11 Bilateral Conservation Agreement

## S.11 Bilateral Conservation Agreement Components

Southern Mountain Caribou



**From:** [Davis, Celine ENV:EX](#)  
**To:** [Paquin, Lisa C ENV:EX](#)  
**Cc:** [Sullivan, Megan ENV:EX](#)  
**Subject:** FW: Final Materials: 316721/10619 - Joint MGH/MDD meeting with FN and Feds - June 14, 12pm  
**Date:** June 14, 2018 2:47:12 PM  
**Attachments:** [316721 IN MGH MDD meeting with FN and Feds re Caribou June 14.docx](#)

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FYI

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**From:** Llewellyn-Thomas, Marnie ENV:EX  
**Sent:** June 13, 2018 1:28 PM  
**To:** Dale, Alec R ENV:EX; Davis, Celine ENV:EX; Welsh, Leah ENV:EX  
**Subject:** FW: Final Materials: 316721/10619 - Joint MGH/MDD meeting with FN and Feds - June 14, 12pm

Hello,

Please find attached the DMO approved IN for your files/records.

\*Celine, this is your material for tomorrow's 12:00-2:00 meeting.

Thank you,

**Marnie Llewellyn-Thomas** | Executive Administrative Assistant  
Environmental Sustainability and Strategic Policy Division |  
Ministry of Environment & Climate Change Strategy  
 (250) 387-9997 |  [Marnie.LlewellynThomas@gov.bc.ca](mailto:Marnie.LlewellynThomas@gov.bc.ca)

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**From:** Carroll, Deborah ENV:EX  
**Sent:** Wednesday, June 13, 2018 1:12 PM  
**To:** Neilson, Kirsten ENV:EX; Drew, Ashley ENV:EX  
**Cc:** Frampton, Caelie ENV:EX; Lo, Reamick ENV:EX; Xia, Eveline ENV:EX; Gooderham, Coleen E ENV:EX; Kennedy, Karla ENV:EX; Llewellyn-Thomas, Marnie ENV:EX  
**Subject:** Final Materials: 316721/10619 - Joint MGH/MDD meeting with FN and Feds - June 14, 12pm

Good afternoon,

Please find attached materials for the following briefing:

Topic: Joint MGH/MDD meeting with First Nations and Feds regarding caribou populations and conservation

ENV Staff Attendees: Mark Zacharias, Celine Davis

FLNRO Staff Attendees: Kevin Kriese

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FN Attendees: Chief Roland Willson, West Moberly First Nations; Chief Ken Cameron,

Saulteau First Nations  
Date: June 14, 12-2pm

Thank you,

**Deborah Carroll**  
A/Administrative Coordinator  
Deputy Minister's Office  
Ministry of Environment and Climate Change Strategy  
778-698-0436  
[deborah.carroll@gov.bc.ca](mailto:deborah.carroll@gov.bc.ca)

## NATURAL RESOURCE SECTOR – JOINT MINISTRY INFORMATION NOTE

June 11, 2018

File: 240-80

ENV CLIFF/tracking #: 316721/10619

FLNRO X-Ref: 239909

**PREPARED FOR:** Honourable George Heyman, Minister of Environment and Climate Change Strategy; Honourable Doug Donaldson, Minister of Forests, Lands, Natural Resource Operations and Rural Development

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**Contact:**

ADM: Jennifer McGuire  
ENV Environmental  
Sustainability and  
Strategic Policy  
Phone: 778-698-8521

**Alternate Contact:**

Name: Alec Dale  
ENV Environmental  
Sustainability and  
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Phone: 778-698-4384

**Prepared by:**

Name: Celine Davis  
ENV Environmental Sustainability  
and Strategic Policy  
Phone: 778-698-4060

ADM: Kevin Kriese  
FLNRO Regional  
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Name: Paul Rasmussen  
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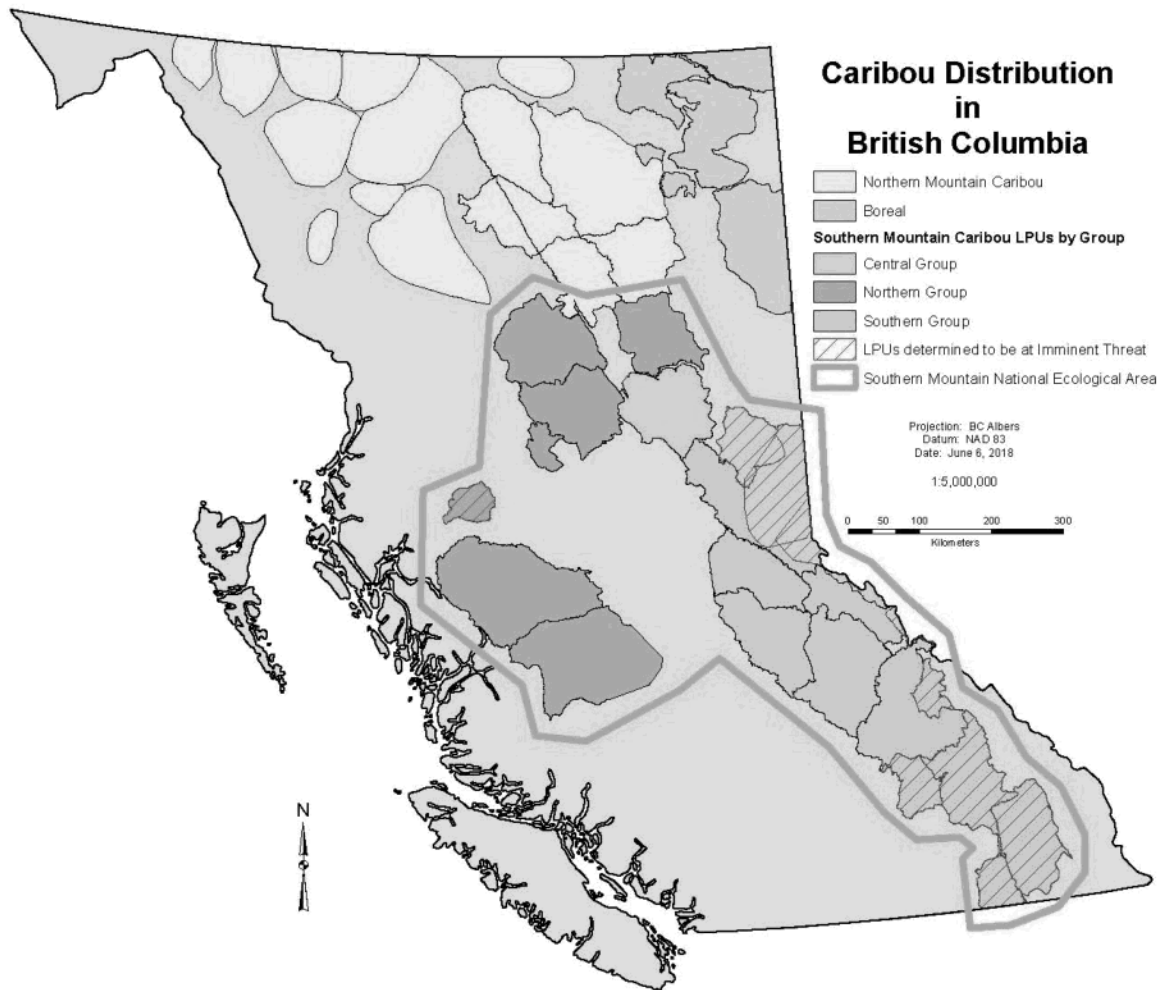
Name: Morgan Kennah  
FLNRO Northeast Regional  
Operations  
Phone: 250-896-6268

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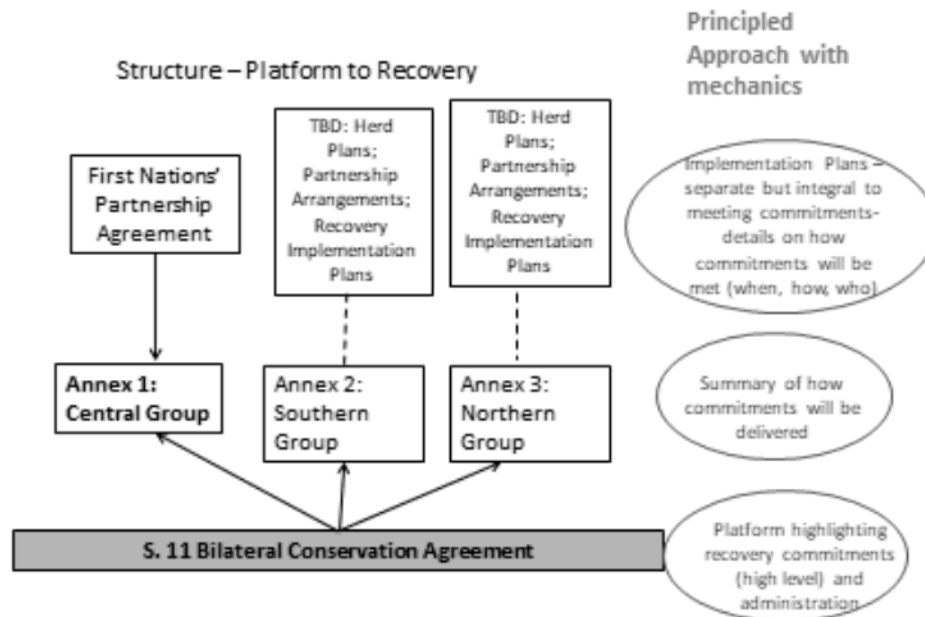
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**Appendix 2** – Proposed Approach for Development of S.11 Bilateral Conservation Agreement

## S.11 Bilateral Conservation Agreement Components

Southern Mountain Caribou





HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

Jonathan Wilkinson, MP North Vancouver

Chief Roland Willson  
West Moberly First Nations  
P.O. Box 90  
Moberly Lake BC V0C 1X0

Chief Ken Cameron  
Saulteau First Nations  
P.O. Box 1020  
Chetwynd BC V0C 1J0

The Honourable George Heyman, M.L.A.  
Minister of Environment and Climate Change Strategy  
Government of British Columbia  
P.O. Box 9047, Station Provincial Government  
Victoria BC V8W 9E2

The Honourable Doug Donaldson, M.L.A.  
Minister of Forests, Lands, Natural Resource  
Operations and Rural Development  
Government of British Columbia  
P.O. Box 9047, Station Provincial Government  
Victoria BC V8W 9E2

Dear Chiefs and Ministers:

I am writing to you to suggest a face-to-face meeting on June 14, 2018, in Vancouver or Victoria, with respect to our ongoing collaboration toward the conservation and recovery of the southern mountain population of woodland caribou (southern mountain caribou) in British Columbia.

I would like to recognize the positive engagement over the past many months with you, your staff and officials, and members of your First Nations as we work together on achieving a caribou recovery partnership agreement and bilateral agreement for the southern mountain caribou. The Government of Canada is committed to this collaborative approach and to its meaningful partnership with the West Moberly and Saulteau First Nations.

As you are likely aware, the Honourable Catherine McKenna, Minister of Environment and Climate Change, recently released a summary of her imminent threat analysis for southern mountain caribou. Based on a thorough scientific assessment, Minister McKenna determined that this species faces imminent threats to its recovery, noting particular concern with 10 local population units. This finding underscores that emergency protection is needed to protect these declining caribou populations.

.../2



HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

Jonathan Wilkinson, MP North Vancouver

- 2 -

You are also all aware that Chief Roland Willson has written to Minister McKenna, as well as to the Honourable George Heyman and the Honourable Doug Donaldson, seeking immediate protection for southern mountain caribou, finalization of the Caribou Recovery Partnership Agreement, and implementation of the measures within. The Government of Canada is committed to a trilateral approach that includes the West Moberly and the Saulneau First Nations in an agreement that contributes to the recovery of southern mountain caribou.

From my perspective, it is imperative that the parties to the caribou agreement convene in the very near future to discuss and agree to what needs to be done to recover southern mountain caribou in the Central Group. In light of this, I would like to invite you to discuss this at an in-person meeting at your earliest convenience. As a starting point, I propose the date of June 14 in Vancouver or Victoria.

I look forward to a discussion of substantive measures that will demonstrate commitment to stabilizing and growing the populations of this species, protecting the most important habitat, and reversing the cumulative impacts over time via a plan.

I hope to meet with all of you in person to continue our conversation toward advancing caribou conservation, and I await your response to confirm the date and location of this proposed meeting.

Sincerely,

Mr. Jonathan Wilkinson, M.P.  
Parliamentary Secretary to the Minister of Environment and Climate Change

c.c.: Dr. Stephen Lucas, Deputy Minister of Environment and Climate Change  
Canada  
Mr. Mark Zacharias, Deputy Minister of Environment and Climate Change  
Strategy, Government of British Columbia  
Mr. Tim Sheldan, Deputy Minister of Forests, Lands, Natural Resource  
Operations and Rural Development, Government of British Columbia  
Ms. Jennifer McGuire, Assistant Deputy Minister of Environment and  
Climate Change Strategy, Government of British Columbia  
Mr. Kevin Kriese, Assistant Deputy Minister of Forests, Lands, Natural  
Resource Operations and Rural Development, Government of  
British Columbia  
Mr. Tim Thielmann, Legal Counsel, West Moberly First Nations  
Mr. James Hickling, Legal Counsel, Sauleau First Nations

From: [Carroll, Deborah ENV:EX](#)  
To: [Neilson, Kirsten ENV:EX](#); [Drew, Ashley ENV:EX](#)  
Cc: [Frampton, Caelie ENV:EX](#); [Lo, Reamick ENV:EX](#); [Xia, Eveline ENV:EX](#); [Gooderham, Coleen E ENV:EX](#); [Kennedy, Karla ENV:EX](#); [Llewellyn-Thomas, Marnie ENV:EX](#)  
Subject: Final Materials: 316721/10619 - Joint MGH/MDD meeting with FN and Feds - June 14, 12pm  
Date: June 13, 2018 1:12:13 PM  
Attachments: [316721\\_IN\\_MGH\\_MDD\\_meeting\\_with\\_FN\\_and\\_Feds\\_re\\_Caribou\\_June\\_14.docx](#)

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FN Attendees: Chief Roland Willson, West Moberly First Nations; Chief Ken Cameron, Saulteau First Nations

Date: June 14, 12-2pm

Thank you,

**Deborah Carroll**

A/Administrative Coordinator

Deputy Minister's Office

Ministry of Environment and Climate Change Strategy

778-698-0436

[deborah.carroll@gov.bc.ca](mailto:deborah.carroll@gov.bc.ca)

## NATURAL RESOURCE SECTOR – JOINT MINISTRY INFORMATION NOTE

June 11, 2018

File: 240-80

ENV CLIFF/tracking #: 316721/10619

FLNRO X-Ref: 239909

**PREPARED FOR:** Honourable George Heyman, Minister of Environment and Climate Change Strategy; Honourable Doug Donaldson, Minister of Forests, Lands, Natural Resource Operations and Rural Development

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s.16

In late May 2018, WMFN requested that the federal government issue an Imminent Threat (Section 80) s.16

The federal Minister's opinion on imminent threat of survival and recovery to SMC was published on May 4, 2018, stating that ten populations of SMC ranging roughly from Dawson Creek to Cranbrook (Appendix 1) are facing imminent threats to recovery. Two of these ten herds, the Quintette and Narraway, are of interest to WMFN and SFN.



The federal Minister is expected to recommend a SARA Protection Order (Order) to address threats to SMC in BC. It is a decision of the federal cabinet and the result is uncertain <sup>s.16</sup>

An

Order would restrict activities and development on the land.

BC is now seeking direction on the completion of a Bilateral for all SMC and for new habitat recovery measures. The approach taken for both of these has required policy analysis to ensure a consistent approach across BC, and to enable engagement with the broader group of Treaty 8 First Nations, directly affected communities and stakeholders. This engagement has not been broadly undertaken due to concerns from WMFN and SFN.

## **DISCUSSION:**

Following consultation on a draft Bilateral with Treaty 8 First Nations and stakeholders over fall 2017 and winter 2018, ECCC reaffirmed their interest in completing a Bilateral which is inclusive of all three groups of SMC (Central, Southern and Northern). Based on engagement with First Nations and public, BC is considering expanding the geographic scope of the Bilateral to include all SMC, with the initial focus on the Central Group. The Southern and Northern groups would follow. There are over 50 First Nations with interests within the Southern and Northern groups <sup>s.13,s.16</sup>  
s.13,s.16

The development of a Bilateral under section 11 of SARA in BC constitutes the first such agreement in Canada, between a province or territory and the federal government. The Bilateral presents a new platform where recovery strategies can be developed in multiple ways and have common elements (e.g., predator management, maternal penning, habitat protection, etc.). Multi-party government (G3) partnerships are proposed as the key mechanism to working with First Nations to deliver species-at-risk recovery in a shared governance approach (Appendix 2).

BC and ECCC are currently discussing such an approach that would include an overarching Bilateral between BC and ECCC with high level habitat recovery measures in annexes for each SMC subpopulation. However, key to this Bilateral would be separate but linked implementation plans that would include details on how to deliver new habitat protection measures through a collaborative approach with First Nations (e.g., through a G3 CRPA).

This approach aligns with UNDRIP and is consistent with that being used for other types of bilateral agreements in BC, while allowing for the development of innovative mechanisms to work collaboratively with First Nations. Ensuring a consistent approach is used for all natural resource values, as we engage with First Nations and with stakeholders, is important for BC in terms of the overall management of natural resources across multiple agencies.

s.13,s.16

s.13,s.16 If  
the province and the federal government can complete a draft Bilateral before then, it can  
be considered by the federal cabinet. s.13,s.16  
s.13,s.16

While the development of these agreements and mandating processes have been going on,  
the province has deferred starting a deep public involvement process (termed “Structured  
Decision Making”). s.13,s.16

s.13,s.16

## KEY MESSAGES

- BC has consistently stated our support for recovery of caribou, and for a partnership with First Nations. There is considerable alignment in our views including ongoing support for current population recovery measures, increased habitat protection over time, and restoration.
- We understand that the key difference is the scale and timing of new habitat protection.
- BC has to carefully manage how and when we move to increased habitat protection. We need transparency in processes, and we need fair consideration of investments in the region.
- Communities in this region are concerned about the impact that caribou recovery could have. They need to be consulted in a meaningful way about an issue that deeply affects them.
- Based on the partnership discussions, we are prepared to take forward options for increased habitat protection in the near future. This is a complicated decision and our desire to protect habitat needs to be balanced with our need to manage the current economy in the region, maintain investor stability, and keep current jobs.
- Staff have been working on the habitat protection options and a decision is currently moving forward. We hope to have a mandate decision in early July.
- We believe this will mean the partnership discussions can be restarted and we can conclude both a Bilateral and a Partnership Agreement in the summer to fall.
- BC is interested in developing a Bilateral that can work across all Southern Mountain Caribou. Moving forward we need to consider how to meaningfully engage other directly affected parties.
- BC would like the federal government to clarify, by the summer, how much funding they are willing to contribute to SMC recovery.

- Further to this support, it is of high importance to the province that the federal government recognizes BC's substantive work in advancing caribou recovery.

**Attachments:**

Appendix 1 – Caribou populations in British Columbia, including Mountain Caribou and Boreal Caribou.

Appendix 2 – Proposed Approach for Development of S.11 Bilateral Conservation Agreement

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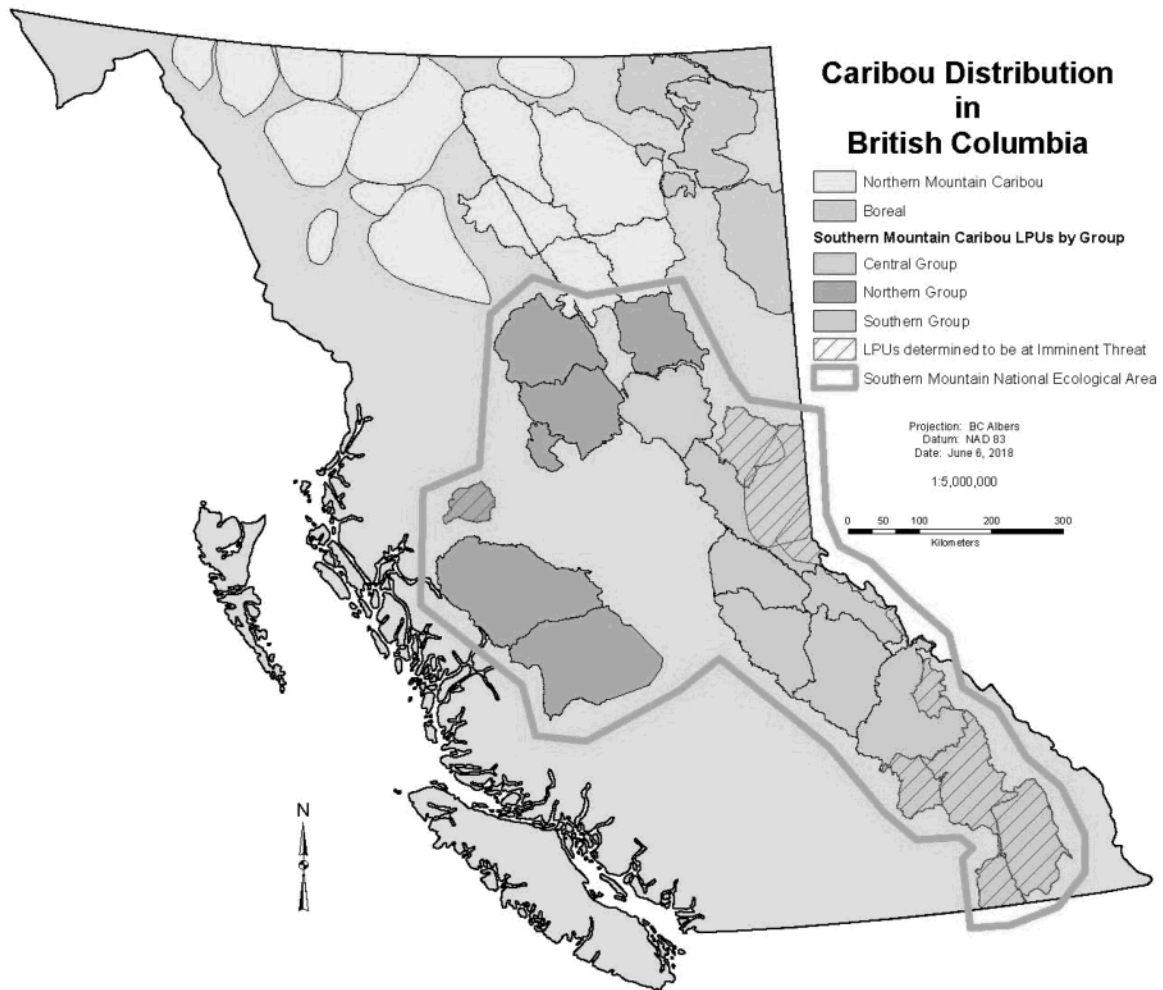
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Reviewed by	Initials	Date
DM	DM	June 13, 2018
DMO	KK	June 13, 2018
ADM	JLM/KK	June 12, 2018
PRGM Dir./Mgr.	AD/PR	June 12, 2018

**Appendix 1:** Caribou populations in British Columbia, including Mountain Caribou and Boreal Caribou.

The Central Group is in the east-central BC colored light blue.

The areas with red hatching overtop are the Local Population Units (LPUs) deemed at Imminent Threat by Minister Catherine McKennah as of May 4, 2018.



**Appendix 2** – Proposed Approach for Development of S.11 Bilateral Conservation Agreement

## S.11 Bilateral Conservation Agreement Components

Southern Mountain Caribou

