

Wensink, Alison PREM:EX

From: Ponchet, Kim IRR:EX
Sent: February 12, 2020 11:47 AM
To: Rochon, Jake PREM:EX; Farmer, Susan PREM:EX
Subject: FW: Letter re Wet'suwet'en all-clans meeting

Hi Jake/Susan,

Have you seen the letter referenced?

Thanks,
Kim

Member of Wet'suwet'en Nation requests rare all-clans meeting to discuss ongoing action

APTN

Tuesday, February 11, 2020

By Kathleen Martens

Sarah Plank
Communications Director | Ministry of Indigenous Relations & Reconciliation
Government Communications & Public Engagement
Mobile: [250.208.9621](tel:250.208.9621) | Email: sarah.plank@gov.bc.ca

Sent from my iPhone

Wensink, Alison PREM:EX

From: Nash, Amber PREM:EX
Sent: January 8, 2020 10:32 AM
To: Howlett, Tim GCPE:EX; Aaron, Sage PREM:EX
Subject: FW: MORE PHOTOS - HORGAN - CONSTIT OFFICE -- Protesters are out on the sidewalk now - Jacklin Rd

FYI.

From: Mitchell-Starkey, Maureen
Sent: January 8, 2020 10:17 AM
To: Nelson, Greg LASS:EX ; Lemieux, Laura LASS:EX ; Frederiksen, Hans LASS:EX ; Mitchell-Starkey, Maureen LASS:EX ; Mitchell-Starkey, Maureen LASS:EX ; RAJ SANDHU
Cc: Herzog, Lawrence LASS:EX ; Osborn, Lynn LASS:EX ; Horgan.MLA, John LASS:EX ; Horgan.MLA, John LASS:EX ; Nash, Amber PREM:EX ; Vasilev, Susan LASS:EX ; Vasilev, Susan LASS:EX
Subject: MORE PHOTOS - HORGAN - CONSTIT OFFICE -- Protesters are out on the sidewalk now - Jacklin Rd

They are still out on the sidewalk....

From: Mitchell-Starkey, Maureen <Maureen.Mitchell-Starkey@leg.bc.ca>
Sent: Wednesday, January 8, 2020 10:09 AM
To: Mitchell-Starkey, Maureen <Maureen.Mitchell-Starkey@leg.bc.ca>
Subject: MORE PHOTOS - HORGAN - CONSTIT OFFICE -- Protesters have arrived

Page 05 of 95 to/à Page 12 of 95

Withheld pursuant to/removed as

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C.

Sent from my iPhone

Wensink, Alison PREM:EX

From: Nash, Amber PREM:EX
Sent: February 20, 2020 11:52 AM
To: Rochon, Jake PREM:EX
Subject: RE: I can help with the blockades

Please refer to MIRR.

From: Rochon, Jake PREM:EX
Sent: February 20, 2020 8:54 AM
To: Nash, Amber PREM:EX
Cc: Privett, Don PREM:EX ; McLaren, Chris PREM:EX
Subject: FW: I can help with the blockades

Hi Amber!

This person has left a couple of phone calls about this and has finally written an email. There is a request to meet at the bottom. The content reads as something we wouldn't want to pursue, but I thought I would send over to you for input. Would you like me to shift this over to IRR for consideration or log for scheduling? Thank you!

From:
Sent: February 19, 2020 9:22 PM
To: OfficeofthePremier, Office PREM:EX <Premier@gov.bc.ca>
Subject: I can help with the blockades

My name is

I have worked law enforcement in several countries, and have helped to develop police training and operations, for departments in areas with similar issues as the indigenous rights issues your dealing with now, I also have been approached by indigenous people of Canada to develop a police agency to enforce the Royal Proclamation, The Indian Act, Criminal Code of Canada and appropriate by-laws, I have been asked to not only design and develop the agency but to also develop a separate police academy, and hiring practices, I have been made aware of numerous incidents involving RCMP and indigenous people on the island that would justify this request, and deserve investigation.

I have been doing a lot of research prior to the current situation with the wet'suwet'en to see what would be required to establish an indigenous police agency, and have a viable plan to establish such an agency, It was not my intent to do this in an emergency, but situation as it is, I would like to offer my assistance in resolving the current situation with the pipeline protest.

With current laws as they are I could be sworn in as a provincial peace officer, I could use my current plan and contacts to work with the wet'suwet'en people, they are already aware of who I am, as per the Royal Proclamation, I would get the permission from the wet'suwet'en to be on their land and investigate violations of the Royal Proclamation the Indian Act, and the Criminal Code of Canada as a neutral agency, during this investigation I would ask that anyone not having permission to be on the land to stand down till the investigation is completed.

Once I am appointed by your office and accepted by the indigenous people as a neutral agency, your office can announce the appointment of the agency, and ask that all blockades cease and desist to allow for the investigation.

Once the wet'suwet'en people are on board with this plan, the public would see that BC was serious about accepting UNDRIP and is making a good faith effort towards truth and reconciliation, the blockades would have no reason to continue, everyone involved could claim a victory, the protesters could say that their acts helped to protect the wet'suwet'en , BC could say they took a giant step toward enacting UNDRIP, and the federal government could say that they exercised restraint and let the province handle the issues.

The current BC laws allow for the appointment of a person or private agency to be a provincial peace officer, for the purpose of specialized

policing, it has been done for the railway cops and the transit police, historically it was done in winnipeg when active police were having labour issues and there was public unrest.

As I have already been approached by indigenous people to design this police agency they cannot dispute my appointment, and I have made it very clear every step of the way that I am unbiased, I train and run police operations in a fair and respective manner, my investigation will follow the evidence without influence from politics, press or pressure of any kind, my investigations produce facts, those facts could be favorable to the crown or the defense it dosent matter, either way no one can ever say that my investigations are slanted towards one side or the other, this fact would eliminate any reason for protest to begin again, and would allow a cooling down period so that the pipeline matter could be heard in the proper courts.

I hope that I may have a meeting with the Honorable Mr. Horgan to discuss this plan, and answer questions, I feel that if given a mandate from him I could ease the tension and end the protest within hours.

Respectfully



QA with Kendra Johnston
Natural Resources Forum 2020
Prince George
January 29, 2020

Questions and Answers

Q1: Premier, I know you touched on this in your speech, but the issue of the Wet'suwet'en hereditary chiefs' protest of the Coastal GasLink project has received so much attention recently. How do you see that situation resolving itself?

- The pipeline will provide billions of dollars to First Nations in training and education, contracting opportunities, jobs and community benefits.
- Most Indigenous people in the region want to see the project proceed – as do I.
- Our government has been clear we want a peaceful, safe resolution. Dialogue is the best path forward.
- That's why I recently appointed Nathan Cullen as a liaison between the Province and the Wet'suwet'en Hereditary Chiefs.
- Nathan's role will support the peaceful resolution of the dispute between the Wet'suwet'en Hereditary Chiefs and Coastal GasLink.

Q2: Can you address concerns that UNDRIP / DRIPAthe Declaration on the Rights of Indigenous Peoples will impede natural resource development?

- Not at all.
- Implementing the Declaration will:
 - MMoves away from conflict and legal battles and establishes stability and predictability
 - o Works toward creating meaningful partnerships
 - o Create new opportunities for Indigenous people to be full partners in B.C. economy

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Builds strong environmental protections.

- For example, Examples:

- The mining and as well as the oil and and gas sectors have been advancing reconciliation with B.C. Indigenous peoples through many agreements and partnerships that reflect the principles of the UN Declaration.

- Many Several forestry companies investing in B.C. are also already doing their work in aligning with the UN Declaration, and Declaration and understand that collaborative relationships with Indigenous nations peoples are creating improved investment certainty.

- The Declaration Act will help move B.C. toward predictable project approval process that supports reconciliation and promotes job creation and sustainable growth.
- The implementation of the Act will be a gradual, incremental process that will support long-term reconciliation.
- The new Act will be implemented in collaboration with Indigenous Nations and will include a role for key industry stakeholder, including mining and oil and gas industry associations.

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Q3: How do we make B.C. the best jurisdiction in the world to work in the Natural Resource Sector?

- Diversification

- Value added products
- Tech hub in Metro Vancouver and expertise around the province that supports the resource sector
- Building the B.C. bBrand as a source for renewable, sustainable resources
- Supplying metals and minerals for green technologies
- Meaningful reconciliation with Indigenous nations – this means being engaged with government and industry on natural resource development and benefitting equitably from resources in their territories.

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- CleanBC put our province on the path to a cleaner, better future – one with a low carbon economy that creates opportunities for all while protecting our clean air, land and water.

Q4: ~~You saw the results of the inaugural Natural Resources Survey conducted by C3 Alliance, the BC Chamber and ABACUS Data – and we learned there’s a great deal of pride associated with the sectors ...and that pride is felt across BC, across the political spectrum by folks both in and outside the sectors. Indeed, almost 90% of the respondents considered the sectors to be either crucial or important to their economic well being ...that’s an impressive number. And yet in the media there seems to be sharp opposition to our resource sector. What can you, as government, do to help change this perception?~~

- ~~Continue to support projects that build a strong, sustainable and innovative economy that benefits people and communities throughout BC.~~
- ~~Our government knows that B.C. has rich, natural resources, innovative technologies and a competitive business environment.~~
- ~~We will continue to work hard and make sure we support companies and projects that make life for affordable, grows our economy and helps B.C. remain resilient.~~

Q5:Q4: Global economic growth remains sluggish, and companies have finite dollars to invest. What is the government doing to build new markets for B.C. resource products and attract investment dollars?

- We are talking about the B.C. aAdvantage as part of the B.C. brand:
- BWe’rereeing able to offer low-carbon natural resource products, services and solutions that reduce greenhouse gas emissions will give you agiving us a significant B.C. advantage over competing jurisdictions.
- In a world that is increasingly making low-carbon products a priority, being the first-choice supplier of low-carbon products is a significant

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economic and environmental opportunity for all of the major industries in B.C.

- ~~We will also build on and~~Building our B.C. brand our B.C. advantage in international markets, including through independent third-party verification of our industry's low-carbon advantage over competing producers.
- ~~B.C.~~Our province is uniquely positioned as a destination and supplier for industry looking to drive low-carbon economic growth and opportunities.
- CleanBC ensures B.C. can meet increasing global demand for products, services and solution that reduce air pollution and protect our climate.
- Continuing to promote B.C.'s innovative wood products in the province's two largest markets outside North America – China and Japan.

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Q5: We saw the results of the inaugural Natural Resources Survey conducted by C3 Alliance, the BC Chamber and ABACUS Data. We learned there's a great deal of pride associated with the sectors, and that pride is felt across B.C., across the political spectrum by folks both in and outside the sectors. Almost 90% of the respondents considered the sectors to be either crucial or important to their economic-well being. And yet in the media there seems to be sharp opposition to our resource sector. What can you, as government, do to help change this perception?

- We will continue to support projects that build a strong, sustainable and innovative economy that benefits people and communities throughout B.C.
- Our government knows that B.C. has rich, natural resources, innovative technologies and a competitive business environment.
- Talk about our province as a source for renewable, sustainable resources
- Keep working hard and make sure we support companies and projects that make life for affordable, grows our economy and helps B.C. remain resilient.

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Q6: On a topic that is near to my heart -- mineral exploration – where do you see that sector going?

- Exploration is essential to building new mines.
- We need metals and minerals to be mined sustainably and responsibly for our Clean-BC future -- we can do that here in B.C., and we can do it in Canada better than any other country.
- Exploration spending tripled between 2016 and 2018. And last year was another very strong year – just slightly down.
- There is a lot of optimism around that sector – and for good reason.
- We invested \$1 million to develop a BC Mining Innovation Roadmap, which will outline a clear path to build on B.C.'s expertise and coordinate our mining innovation sector.
- B.C. (specifically Vancouver) being has a growing tech hub in Metro Vancouver and Surrey. We're a centre of excellence, the technology conversation and growth of Surrey as a technology hub and which supports our resource sector across the province.

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Q7: The majority of British Columbians would like forestry to play bigger role in the B.C. economy, according to the BC Natural Resources Survey. Yet, B.C. forest companies went from making record profits in 2017 and 2018, to posting losses in 2019, and more than 3,000 sawmill workers lost their jobs. Industry analysts say the formula for calculating stumpage rates in B.C. needs to be fixed.

What is the B.C. government doing to address the significant economic challenges facing the forestry sector?

- As someone who worked in forestry, I know how stressful the situation is for many workers, families and communities when it comes to the challenges facing the sector.
- For generations, forestry has provided good, family supporting jobs for people in B.C.
- Our government is dedicated to protecting those jobs and supporting the industry to make sure it has a sustainable future.
- We provided \$69 million for new supports to make sure impacted forestry workers have access to the services and supports they need.
- It's important to remember that the challenges we're seeing in forestry right now were many years in the making, and unfortunately the old government failed to prepare.
- B.C. has a market-based stumpage ~~system~~system, and this means the rates are set based on prices for timber sold at auction.
- Given the ongoing softwood lumber dispute with the United States, it's very important to show that publicly owned timber is fairly priced, on a market priced system.
- Forestry and mining both thrive in similar communities, and it is possible for workers to undertake a very small upgrade in skills that allows them to move from one sector to others. We are already supporting this through the Forest Worker Transition Program and investments in northern colleges.

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Postal Address:

Address:

205 Beaver Road, Suite 1
Smithers, BC
V0J 2N1



Location

3873 – 1st Avenue
Smithers, BC

Telephone: (250) 847-3630
847-5381

Facsimile: (250)

www.wetsuweten.com

Jennifer Strachan, Deputy Commissioner,
Commanding Officer of the BC RCMP, E Division
jennifer.strachan@rcmp-grc.gc.ca

Honourable John Horgan
Office of the Premier
PO Box 9041 STN PROV GOVT
Victoria, BC
V8W 9E1
premier@gov.bc.ca

February 4, 2020

Dear Honourable Premier John Horgan and Deputy Commissioner Jennifer Strachan

RE: Wet'suwet'en Hereditary Chiefs Authorization of Gretchen Woodman as Wet'suwet'en designate for child/youth safety and well-being at CGL Injunction Zone

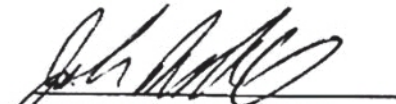
Please accept this letter as written confirmation that we, the undersigned, authorize Gretchen Woodman, BA, BSW, MA, Clinical Advisor, Office of the Wet'suwet'en as the Wet'suwet'en designate for any and all child/youth safety and well-being matters stemming from the CGL Injunction Zone. To be clear we, the undersigned, are concerned for the safety and well-being of ALL children/youth, not limited to those of Wet'suwet'en descent, involved in the current situation. As stewards of this territory and all who reside here, we take seriously the safety and well-being of all children and youth.


We hereby mandate Gretchen Woodman to intervene on our behalf to negotiate and facilitate a peaceful transition of children/youth from the site(s) to places of safety within the community should the need arise for such action to be taken. It is our hope that arrangements to ensure the safety and well-being of any children/youth involved in this situation will be made well in advance of any imposed RCMP intervention. That said, Gretchen Woodman has our confidence

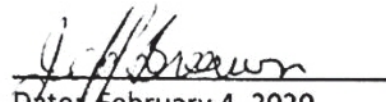
to act on our behalf as well as a strong working relationship with key people involved at the camps should the need arise. We trust Gretchen's discretion to include us when needed and to act on our behalf when that is needed as well. Gretchen has been closely mentored in our laws and ways of being for many years, and she understands the laws and ways of Ministry of Children and Family Development as well.

Our cooperation in this contingency planning for the children/youth involved in this situation should in no way be interpreted as endorsement or approval of possible actions that may be forthcoming from the RCMP. Rather, it is explicitly motivated to ensure and safeguard, to the best of our collective abilities, the safety and well-being of all children/youth involved.

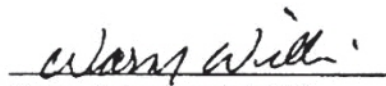
Sincerely,

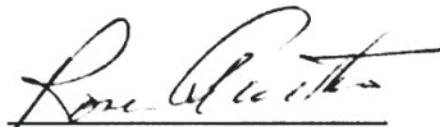

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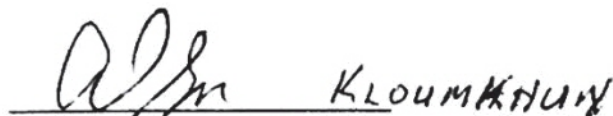
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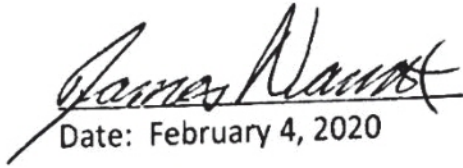

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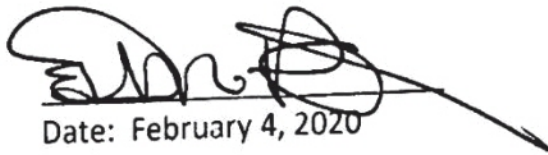

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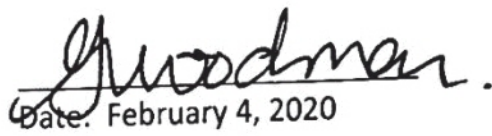

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Date: February 4, 2020

Date: February 4, 2020

CC:

Honourable Katrina Chen, Minister of State for Child Care CC.Minister@gov.bc.ca

Honourable Katrine Conroy, Minister of Children and Family Development MCF.Minister@gov.bc.ca

Honourable Scott Fraser, Minister of Indigenous Relations and Reconciliation MIRR.Minister@gov.bc.ca

COPY

CASYEX TRUST AGREEMENT

THIS TRUST AGREEMENT is made by Casyex House, of the Wet'suwet'en Gitumden Clan, of the Village of Kyah Weget (Moricetown) of the Province of British Columbia;

(the "Settlor"), and:

Woos, a Wet'suwet'en hereditary Chief position, currently held by Roy Morris, of the Village of Kyah Weget (Moricetown), Province of British Columbia;

Skit'en, a Wet'suwet'en hereditary position, currently held by Andrew George, Junior, of the Town of Smithers, Province of British Columbia;

Gallaghun, a Wet'suwet'en hereditary position, currently held by Rita George, of the Village of Ciig'iz (Duncan Lake), Province of British Columbia;

Tsaskiy, a Wet'suwet'en hereditary position, currently held by Ronald George, of the City of Victoria, Province of British Columbia; and

Ronald Thomas Mitchell, of the Town of Keremeos, Province of British Columbia;

(the "Trustees").

Reference in this Trust to the Trustees shall be deemed a reference to whomever is serving as the Trustees, whether originals, alternatives or successors.

This Trust is intended to be a charitable trust for the purposes of economic development, the advancement of education and other purposes beneficial to the Aboriginal communities of the Casyex House Territories of British Columbia according to Wet'suwet'en laws, legal process and institutions.

The effective date of this Trust Agreement shall be April 1, 2006.

The name of this Trust shall be the CASYEX TRUST.

1. TRUST PROPERTY

1.1 In this Agreement, "Casyex House Territories" means all the territories and fishing sites of the Wet'suwet'en Casyex House as described in Schedule "A".

1.1 The Settlers acknowledge that they have transferred to the Trustees without consideration, five dollars (\$5.00), which comprises the original corpus of the Trust Property.

1.2 Additional interests may be added to the Trust Property at any time by the Settlers or by any person or persons, by inter vivos or testamentary transfer, except that the Trustees shall not accept, hold or use:

a. any resource licence, permit, lease, title, or other interest in real property that is located outside of the geographical area of Casyex House Territories in British Columbia; or

b. any original or additional Trust Property that has conditions that are contrary to any provision of this Agreement.

1.3 The Trustees shall accept, hold, manage and distribute all such original and additional interests that comprise the Trust Property on the charitable trusts as provided for in this Agreement.

2. APPLICATION AND USE OF THE TRUST PROPERTY

2.1 The Trustees shall receive, hold and use the Trust Property upon trust for the benefit of the Beneficial Purposes, and the Trustees shall deal with the Trust Property upon the following specific trusts:

a. **Trust Account:** any portion of the Trust Property made up of funds that the Settlers or any other person adding additional interests under section 1.2 intended to be invested for the purpose of generating income for Trust purposes, shall be invested in authorised investments by the Trustees. The Trustees shall distribute the revenues realised from the Trust Account to the Revenue Trust Account, retaining income at rates no higher than is required to meet the Trust's obligations and to maintain the Trust Property, and shall not dispose of the principal;

b. **Land Trust Property:** any portion of the Trust Property made up of resource licences, permits, leases, titles, or other interests in real property shall be managed by the Trustees to provide for purposes set out in Part 3 of this Agreement and not for the primary purpose of generating income;

c. **Revenue Trust Account:** Any portion of the Trust Property made up of:

i. funds that the Settlers or any other person adding additional interests under section 1.2 intended to be used in their entirety for the purposes of the Trust; or

- ii. revenues from the Trust Account or incidental revenues from the Land Trust Property

shall be used by the Trustees only for the purposes of the Trust as set out in Part 3 or for the payment of authorised expenses under Part 7 of this Agreement.

2.2 The Trustees shall manage, administer and report on those parts of the original or additional Trust Property that have conditions attached to them according to the terms of those conditions.

2.3 The Trustees shall not mortgage, pledge or in any way encumber the Trust Property or any interest in it for any purpose whatsoever and shall not lend, invest, release, distribute or advance the Trust Property except as authorised in this Agreement.

3. PURPOSE OF THE TRUST

3.1 The Trustees shall hold the Land Trust Property and, in their absolute discretion, shall maintain, use and manage the Land Trust Property for the benefit of Casyex House members in British Columbia in a manner that:

- a. is reconcilable with the values, laws and institutions of the Wet'suwet'en people as articulated from time to time at feasts hosted by Casyex House, to which the Chiefs or their representatives of all other Wet'suwet'en Houses have been invited;
- b. will not destroy its value for the range of activities that present Casyex House members may reasonably wish to pursue on the Casyex House Territories and the Land Trust Property;
- c. will enable future Casyex House members to pursue as full a range of land use activities, treaty rights and Aboriginal rights as are physically available on the Casyex House Territories to Casyex House members at the time this Casyex Trust was settled.

3.2 The Trustees shall hold the Revenue Trust Account and, in their absolute discretion, shall manage and distribute revenues from the Revenue Trust Account and to:

- a. benefit the members of Casyex House in British Columbia by providing them with:
 - i. meaningful work that is consistent with the other purposes of the Trust and at pay rates that provide a living wage to employees and contractors;

- ii. training and education; and
- iii. dissemination of resource, cultural and economic information;
- b. benefit the collective well-being of the Casyex House members and the general Aboriginal community through their own laws and institutions; and
- c. maintain the value of the Trust Property.

3.3 In meeting the above purposes, the Trustees shall not use the Trust Property directly or indirectly for:

- a. per capita or other distribution to any Band, official or other person;
- b. honoraria to any person; or
- c. payments for wages, salaries, fees, contracts to any person that exceed the industry standard for the work performed.

4. DISTRIBUTION OF INCOME FROM THE TRUST ACCOUNT AND REVENUE TRUST ACCOUNT

4.1 The Trustees are authorised to distribute any revenues realised from the Trust Account to the Revenue Trust Account under subsection 2.1.c and the Trustees shall use the following procedures:

- a. in any given fiscal year, monies up to but not exceeding one hundred percent of the revenues realised in the previous fiscal year shall be disbursed from the Trust Account to the Revenue Trust Account;
- b. any revenues realised from the Trust Account and which are not distributed to the Revenue Trust Account under subsection 4.1.a shall be eligible for distribution in subsequent fiscal years to the Revenue Trust Account.

4.2 The Trustees are authorised to distribute monies from the Revenue Trust Account for the purposes of the trust under Part 3 and to pay any authorised expenses under Part 7.

5. ORIGINAL AND SUCCESSOR TRUSTEES

5.1 The original Trustees under this Trust Agreement shall be:

Woos, a Wet'suwet'en hereditary Chief position, currently held by Roy Morris, of the Village of Kyah Weget (Moricetown), Province of British Columbia;

Skit'en, a Wet'suwet'en hereditary position, currently held by Andrew George, Junior, of the Town of Smithers, Province of British Columbia;

Gallaghun, a Wet'suwet'en hereditary position, currently held by Rita George, of the Village of Ciig'iz (Duncan Lake), Province of British Columbia;

Tsaskiy, a Wet'suwet'en hereditary position, currently held by Ronald George, of the City of Victoria, Province of British Columbia; and

Ronald Thomas Mitchell, of the Town of Smithers, Province of British Columbia;

5.2 In the event of the death of:

Roy Morris, the Settlor appoints the person who is chosen by Casyex House members to take the name Woos, and which appointment is validated at a feast according to Wet'suwet'en law and without the approval of any court;

Andrew George, Junior, the Settlor appoints the person who is chosen by Casyex House members to take the name Skit'en, and which appointment is validated at a feast according to Wet'suwet'en law and without the approval of any court;

Rita George, the Settlor appoints the person who is chosen by Casyex House members to take the name Gallaghun, and which appointment is validated at a feast according to Wet'suwet'en law and without the approval of any court;

Ronald George, the Settlor appoints the person who is chosen by Casyex House members to take the name Tsaskiy, and which appointment is validated at a feast according to Wet'suwet'en law and without the approval of any court;

Ronald Thomas Mitchell, the Settlor appoints the person who is chosen by Casyex House members to be a Trustee, and which appointment is validated at a feast according to Wet'suwet'en law and without the approval of any court;

5.3 In the event of the incapacity of:

Roy Morris or any successor to the name Woos, or if for any reason he or she ceases to serve as Trustee, Casyex House members shall appoint a caretaker Trustee, which appointment shall be validated at a feast according to Wet'suwet'en law without the approval of any court;

Andrew George, Junior, or any successor to the name Skit'en, or if for any reason he or she ceases to serve as Trustee, Casyex House members shall appoint a caretaker Trustee,

which appointment shall be validated at a feast according to Wet'suet'en law without the approval of any court;

Rita George, or any successor to the name Gallaghun, or if for any reason he or she ceases to serve as Trustee, Casyex House members shall appoint a caretaker Trustee, which appointment shall be validated at a feast according to Wet'suet'en law without the approval of any court;

Ronald George, or any successor to the name Tsaskiy, or if for any reason he or she ceases to serve as Trustee, Casyex House members shall appoint a caretaker Trustee, which appointment shall be validated at a feast according to Wet'suet'en law without the approval of any court;

Ronald Thomas Mitchell, or any successor Trustee, or if for any reason he or she ceases to serve as Trustee, Casyex House members shall appoint a caretaker Trustee, which appointment shall be validated at a feast according to Wet'suet'en law without the approval of any court;

6. REVOCATION AND AMENDMENT

6.1 The Settlers may not revoke this Trust in whole or in part, nor may they alter or amend any of its provisions.

6.2 The Trustees may amend the terms of the Trust only if the amendment is approved by a consensus of a meeting of members of Casyex House or, failing consensus, by majority vote of the members at the meeting.

6.3 Notwithstanding the provisions of section 6.2, the Trustees shall not amend Part 1; section 2.3; Part 3 (except to add to the purposes described under subsection 3.2.a); Part 6 and Part 9 of this Agreement.

7. POWERS OF THE TRUSTEES

7.1 The Trustees shall have the power to invest that part of the Trust Property in the Trust Account only in investments authorised by law for trustees. The Trustees will not be liable for any loss that arises from any investment made in good faith.

7.2 The Trustees shall have the power to set aside sufficient funds to manage, maintain, repair or replace any Land Trust Property as needed and to only relinquish, renew, or exchange any of it for the purpose of replacing it with other licences, leases or property to meet the purposes of the Trust.

7.3 The Trustees may appoint a business manager or corporate trustee to manage the Trust Property, or to act as the Trustees' agent in respect of the management of the Trust Property, and may terminate any such appointment and make another.

7.4 The Trustees shall have all such powers and are authorised to do all such acts, take all such proceedings, and exercise all such rights and privileges in the management of the Trust Property as if they were the absolute owners, including incorporating all or part of the Trust Property. The Trustees shall vote or cause to be voted the shares of any incorporated part of the Trust Property only in accordance with the terms of this Agreement.

7.5 The Trustees shall have the power and authority to determine income and principal, and how receipts and disbursements, including the fees of the Trustees, shall be credited, charged or apportioned as between income and principal. All such determinations shall be made in accordance with the law where the Trust is located and the decision and the accounts of the Trustees in accord with such provisions shall be binding on all persons and organisations that may have an interest in the Trust Property.

7.6 The Trustees shall have the authority to pay all costs, charges and expenses of the Trust Property together with reasonable compensation for the Trustees' services, including distribution of the Trust Property; and to employ and compensate from the Trust Property such agents, assistants, accountants, technicians, scientists, researchers and lawyers as in the Trustees' judgement shall be necessary to protect and manage the Trust Property and meet the purposes of the Trust.

7.7 The Trustees may commence or defend at the expense of the Trust such litigation with respect to the Trust or any Trust Property as the Trustees may deem advisable to advance the purpose of the Trust, and may settle any claims or litigation against or in favour of the Trust.

7.8 The Trustees shall have the power, in the Trustees' absolute discretion, to take any action and to make any election to minimise the tax liabilities of the Trust.

8. CONDUCT OF MEETINGS

8.1 The Trustees shall meet at least quarterly and the conduct of the meetings shall be covered by the following rules:

a. the quorum for the meetings shall be three (3) Trustees, with each Trustee to be present in person, or attending by a communication facility which permits each Trustee to communicate with all other Trustees at the meeting;

b. the Trustees shall select a chairperson for each meeting (the "Chairperson");

- c. all the Trustees' decisions and actions shall be by consensus of the Trustees at the meeting or, failing consensus, by majority vote of the Trustees at the meeting;
- d. in the case of a tied vote, the Chairperson shall cast the deciding vote;
- e. meetings of the Trustees shall be held within the Wet'suwet'en territories in British Columbia;
- f. minutes of decisions taken at all Trustee meetings shall be recorded and such record shall be circulated to and signed by all the Trustees taking part in the meeting.

9. DUTIES OF TRUSTEES

- 9.1 The Trustees shall adhere to the terms of the Trust Agreement with good faith, prudence and reasonable care and shall not delegate their powers except as expressly authorised in this Agreement.
- 9.2 The Trustees shall protect the best interests of all the Casyex House members and shall keep an even hand among different groups of them, such as present and future members, whose interests may differ.
- 9.3 The Trustees shall maintain adequate records of all transactions affecting Trust Property and shall have prepared each fiscal year financial statements prepared in accordance with generally accepted Canadian accounting principles, consistently applied. The person preparing the financial statements shall provide a written report on the financial statements to the Trustees within ninety (90) days of the end of the fiscal year.
- 9.4 The Trustees shall make available to all Casyex House members:
- a. a copy of the signed minutes of each meeting of Trustees;
 - b. a copy of all ledgers, registers and documents or other records of transactions affecting the Trust Property; and
 - c. all correspondence, reports, data tabulations, and other records of technical, scientific, cultural, historical and other research undertaken on behalf of the Trust.
- 9.5 The Trustees shall attend any meeting of a group of Casyex House members when reasonably requested to do so and shall report on the administration of the Trust Property in relation to the purposes of the Trust as set out in this Agreement.

10. GENERAL PROVISIONS

10.1 If any provision of this instrument is void, invalid or unenforceable, the remaining provisions shall nevertheless be valid and carried into effect. If any Trust established by this instrument exceeds the longest permissible period, it shall persist in its period for the longest period permissible, then terminate.

10.2 The headings in this instrument are for convenience only and are not part of the text.

10.3 The situs of the Trust shall be Paddy Isaac Indian Reserve, British Columbia. The situs of the Trust may be transferred to an Indian Reserve in British Columbia or such other jurisdiction as the Trustees may designate.

This is to witness that I, Woos (Roy Morris), on behalf of Casyex House have read the provisions of this Trust Agreement and have understood its provisions.

IN WITNESS WHEREOF, the Provisions of this Trust Agreement shall bind Casyex as Settlor, and Woos (Roy Morris), Skit'en (Andrew George, Junior), Gallagher (Rita George), Tsaskiy (Ronald George), and Ronald Thomas Mitchell, as Trustees, Successor Trustees assuming the role of Trustee, as well as their successors and assigns.

Dated at the Village of Smithers, Province of British Columbia this 25 day of April __, 2006.


Settlor:


Witness

Per: CHIEF WOOS Roy Morris
Woos (Roy Morris) on behalf of Casyex House

Trustees:


Witness


Woos (Roy Morris)

Carlene Chad

Witness

Carlene Chad

Witness

Andrew George

Skit'en (Andrew George, Junior)

Rita George

Gallaghun (Rita George)

Ronald Mitchell

Witness

Ronald George

Tsaskiy (Ronald George)

L. Kent

Witness

Ronald Thomas Mitchell

Ronald Thomas Mitchell

14838-04

Postal Address:

205 Beaver Road, Suite 1
Smithers, BC
V0J 2N1

**Location Address:**

3873 – 1st Avenue
Smithers, BC

Telephone: (250) 847-3630**Facsimile:** (250) 847-5381

January 11, 2019

Premier John Horgan
West Annex Parliament Buildings
Victoria, BC V8V 1X4

Dear Premier:

The Wet'suwet'en Denezeh and Tsakozeh (Hereditary Chiefs) were shocked at what you said in your January 9 news conference. We know that you strongly support the building of the CGL pipeline through our traditional territory, knowing that the Hereditary Chiefs, who are the title holders to our territory, oppose this project.

However, we did not expect that, after we met with you in person on August 31 and gave you information about the recognition of our hereditary chiefs system and our laws, that you would speak to a national and international audience as though our hereditary system was 'emerging'. The Band Council system which was established as a colonial tool by Canada to suppress and destroy our hereditary system is the imposed system.

The Hereditary chiefs do not deny the proper role and function of the Band Councils and their jurisdiction within the fenced off reserve lands. However, as your legal advisors should have told you, our traditional system has been in place for thousands of years. The first white man to deal with the Wet'suwet'en, Hudson Bay Trader Brown, in 1825, recognized that our chiefs, several of whom he named, were 'men of property' and controlled access to the resources. The Supreme Court of Canada in 1997 recognized our House and clan system and identified the 13 Wet'suwet'en chiefs.

You have stated that you want your government to implement the UN Declaration and the TRC recommendations.

The first step is to respect our hereditary system and acknowledge that our system long pre-dated the arrival of the first white man.

We request that you apologize to the Wet'suwet'en chiefs and confirm that your government recognizes that the Wet'suwet'en hereditary chiefs as legitimate leaders of the Wet'suwet'en nation and the proper aboriginal title holders.

Because Smogelgem's mother passed during this week and her funeral is today, we are signing on behalf of all the chiefs who have reviewed this request and look forward to your apology.

Snay Kahl Yah,

A handwritten signature in blue ink, appearing to read "Debbie Pierre", with a long horizontal line extending to the right.

Debbie Pierre
Executive Director

I would like to acknowledge we are gathered on the territory of the Lheidli T'enneh [clayt-clay den-ay] First Nation.

Thanks to the event organizers for all your hard work.

Many of my colleagues are here:

- Minister Bruce Ralston
- Minister George Chow
- Minister George Heyman
- Parliamentary Secretary Ravi Kahlon

We're ready to work with you to grow B.C.'s natural resource sector.

It's great to be back in Prince George.

I was just here last week.

On the same trip I also visited a number of other communities in the interior.

It is important to me to spend time in communities all over B.C.

To listen directly to the people who live and work in all corners of our province.

LNG

When I visited Kitimat, I was pleased to tour the LNG Canada facility.

This project is offering training and education, contracting opportunities, jobs and community benefits to First Nations.

This record-setting \$40 billion investment will be the world's cleanest LNG facility, providing up to 100,000 construction jobs.

I met some of the workers who are working on the project.

[STORY: workers you met, what this project means to them]

This project has been in the news recently.

I want to acknowledge this is a difficult situation.

We want to see a resolution between the company and hereditary chiefs that makes sure everyone is safe.

We've been working over the past year to find a way forward from the current dispute.

Most recently we appointed former MP Nathan Cullen to work with the hereditary leadership of the Wet'suwet'en.

To find a resolution through dialogue.

Many Indigenous communities have benefit agreements in place, and they look forward to seeing the plans become reality.

We're working with Indigenous leaders like Chief Crystal Smith and Karen Ogen-Toews of the First Nations LNG Alliance.

Investments like LNG Canada mean change and growth for many northern communities.

Resource economies need energy projects, mines and mills to thrive,

But they also need services for the people who live and work there.

Last week I met with mayors from five northern communities, and we discussed how we can help prepare their communities for growth.

[STORY: Stuart Lake hospital]

MINERAL EXPLORATION

We're continuing to build on the recommendations from the Mining Jobs Task Force.

Through the Task Force we listened to industry, to workers, to First Nations and community leaders.

We acted on what they told us.

Based on the Task Force's recommendations, we made the Mining Flow-Through Share tax credit, and the B.C. Mining Exploration Tax Credit, permanent.

These tax credits act as incentives to encourage investment.

Making them permanent created more certainty.

We also invested \$1 million to expand the BC Regional Mining Alliance,

which supports partnerships between industry and First Nations in the northwest to attract investment and create jobs.

The results of these steps are very encouraging.

Global economic growth remains fragile, and global commodity prices have fallen.

Yet in B.C., exploration has grown.

After 2016 exploration spending took off, and by 2018 it had tripled.

Last year was a bit softer, but still a strong year.

That tells us we are on the right track.

I have heard from many of you that there is a feeling of optimism around mineral exploration.

Last week there were 5,000 delegates at the AME Roundup

to talk about exploration opportunities here and around the world.

MINING

The Task Force also made recommendations to makes mines safer for workers and for the environment.

On their advice, we created two separate departments, one for safety and one for permitting.

We've heard from people in the industry that permitting in B.C. is slower than it should be,

The new departments are part of the solution and we're working on more.

We brought in a new online Notice of Work application process.

And we recently brought on more new inspectors focused on permitting.

We expect these changes to help speed up timelines.

That means more investment by companies and more jobs for mine workers.

B.C. is a mining province.

There are many good reasons to be confident about our future.

There will be an incredible demand for products produced right here in B.C.

From the copper needed for electric cars to the steelmaking coal required for the steel in wind turbines,

Our province provides minerals and metals for emerging technologies and low-carbon energy.

We already have significant advantages:

- a low greenhouse gas profile globally;
- strong infrastructure;
- a skilled workforce; and

A commitment to reconciliation with Indigenous peoples.

B.C. shares mineral tax revenues with First Nations, and mining is the largest private-sector employer of Indigenous people in Canada.

First Nations like the Tahltan are realizing the benefits of mining, from jobs to ownership.

FORESTRY

Our government works every day to build a strong, sustainable, innovative economy that works for everyone.

A part of that is a commitment that when a part of our province is going through tough times, we roll up our sleeves and help.

Forest communities in particular are facing challenges.

Mill closures across the province have cost too many jobs.

We have been supporting forestry workers who have lost their livelihoods, and communities hardest hit.

Recently we announced funding to help 11 Interior communities.

This will provide transition services and supports for the workers and families affected by mill closures or shift cuts.

This includes programs and services such as employment workshops and training and counselling services.

We've dropped stumpage fees and delayed increases to coastal log export charges.

We arrived at the solutions by listening to the people facing the problems.

In some communities, we see firms making the transition to new products with more value added:

- Kalesnikoff
- Structurlam

In Fort St. James, a new mill is being built, which will lead to more long-term prospects.

The community is enthusiastic about the future.

In MacKenzie, similar work is underway.

We don't have a magic wand.

We're not going to magically find more trees.

The short-term solutions like getting value out of burnt timber or harvesting beetle-kill are just that: short term.

We all know the solutions to the challenges we face in forestry will come from planning together.

Workers, companies, Indigenous communities, and elected officials.

That's exactly what's happening in MacKenzie: we're working on solutions together.

In the longer term, our goals are to work with industry to:

- Get the most value out of every log, by processing more in B.C.;
- Promote the sale of innovative, high-value wood products to markets around the world; and
- Leave less fibre on the forest floor.

Together, these steps will create jobs, revitalize forest communities, and transform the sector.

For companies that are making the transition: we will be there to support you and work with you to move things forward.

To forest workers who are facing tough times right now: we will continue to be there for you, too.

CONCLUSION

British Columbians are proud of our natural resources.

They represent who we are and where we come from.

My government believes all our natural resource sectors are equally important.

LNG is on the rise.

Mining has never been more important, and as we move toward electrification, we are a bright spot for investment and jobs.

Forestry is a key part of our past and will be central to our future.

There are challenges.

But B.C.'s economy is doing well overall.

We have the lowest unemployment rate in the country.

And the Bank of Canada's most recent Business Outlook Survey shows B.C. firms are among the most optimistic in the country.

That optimism can be seen in their plans to make investments and to hire more employees, ahead of the national average.

I'm with them.

I have never been more optimistic about B.C.'s future.

I believe that we can

- grow our economy
- provide a better, more prosperous future for everyone

And build a better province for everyone.

I look forward to sitting down with Kendra and taking questions.

Thank you.



Wenenyiic Resource Development Society

IR2 Duncan Lake, 01 Paddy Isaac Road, Burns Lake, BC V0J 1E1

February __3__, 2020

Via Email: scott.fraser.MLA@leg.bc.ca

Honourable Scott Fraser
Minister of Indigenous Relations and Reconciliation
Room 323 Parliament Buildings
Victoria, BC
V8V 1X4

Dear Mr. Fraser:

My name is Andrew George and I am writing to you on behalf of the Directors of the Wenenyiic Resource Development Society (WRDS) in British Columbia.

With the Province of British Columbia's passage of Bill 41, Declaration on the Rights of Indigenous Peoples Act, WRDS is pleased to see that the Government of British Columbia is legally mandated to recognize WRDS, the entity that was established to advance the rights and interests of the descendants of the late Thomas George, Gisdayway, a Wet'suwet'en Hereditary Chief of Kaiyxwiniits.

The Anuc niwh'it'en (Wet'suwet'en Law) confirmed the adoption of Yis Medeek (late Mabel George), Gallaghun (matriarch to Gisdayway) and Atne (successor to Gisdayway) at a feast in 1972, which was witnessed by Tsii'bii'sa (late Mary George and successors James George and Andrew George Sr.); Clazz'tis'day (late Connie Tiljoe); Woos (late Topley Mathew Sam and successor Roy Morris); Yis (late Sarah Joseph); Netdi'biis (late Christine Holland); and the late Lucy Nass. The Wet'suwet'en culture and traditions, based on matrilineal descent, is reflected in how other WRDS members received Hereditary Chief names. The Wet'suwet'en Chiefs described this system of governance in our Delgamuukw court case

Now that federal and provincial laws are obligated to sanction WRDS as a prospective Indigenous governing body, WRDS have mechanisms to assist governments to finally reconcile with Indigenous peoples – both on and off reserve, to transition from the colonial Indian Act, including modernizing Indigenous run entities to effectively interface public and private sector corporations.



Wenenyiic Resource Development Society

IR2 Duncan Lake, 01 Paddy Isaac Road, Burns Lake, BC V0J 1E1

For over a decade, WRDS have requested government to conduct meaningful consultation with us who are the proper rights holders of territorial interests southwest of Houston BC, to no avail. WRDS' efforts to reconcile the overlap between the Office of the Wet'suwet'en (OW) (which was incorporated for the Delgamuuk / Gisdaywa court case) and the federal Indian Act structured Wet'suwet'en First Nation (WFN), formerly named Broman Lake then Omenica Band that also established the Yinka Dene Limited Partnership, were categorically dismissed. Government had affirmed that any consultation will be carried out with the OW and WFN. These Indian Act governing bodies have also disregarded WRDS by not providing responses to WRDS requests which, in turn, government uses as validation that meaningful and adequate consultation has been carried out.

WRDS has no financial support unlike the Indian Act band system and continues to be marginalized. Some of the Wet'suwet'en Hereditary Chiefs' of the OW are of the opinion that the members of WRDS are not 'true' Wet'suwet'en due to the adoption of members, as described in the introductory paragraph, who were from a Gitxsan house that share cultural traditions with the Wet'suwet'en, as our Delgamuukw court case has shown.

Interestingly, many WFN members are also traditionally Gitxsan but are more connected with the Carrier villages of Stelat'en and Nadleh Whut'en east of Burns Lake BC, which have an affiliation with the Carrier-Sekani Tribal Council. The WFN, also viewed as not true Wet'suwet'en, have used the provincial trapline registration system as the basis to territorial claims that conflicts with the OW interests and hence the overlap. Another factor is that some WRDS members, also being members of the WFN, have always maintained that their rightful place is with the OW Hereditary based system and that has caused a rift with WFN. This division is also aggravated with the WFN sidelining WRDS members, due to their 'status' as Bill C-31s, due to the amendment of the Indian Act in 1985 where non-status Indians were able to regain status. The OW has in the past commented on WRDS members as Bill C-31, as well. These Indigenous governing bodies and their views only reinforces the marginalization of WRDS members and provides a perfect example of how an Indigenous diaspora is established.

WRDS proposes to advance Truth and Reconciliation via the province's Bill 41. Please see the attached Memorandum of Understanding along with the Casyex Trust Agreement that outline WRDS efforts to secure the interests of the proper rights holders of Gisdayway's territory. WRDS directors are requesting a response from the province of BC with an agreement to meet with WRDS and discuss steps on how WRDS aspirations can be meaningfully and rightfully implemented.



Wenenyiic Resource Development Society

IR2 Duncan Lake, 01 Paddy Isaac Road, Burns Lake, BC V0J 1E1

Thank you in advance for your response and I am looking forward to discussion on how the Province of British Columbia may support WRDS in advancing reconciliation that includes proper consultation.

Please contact me at: 778-255-7625

Sincerely,

Andrew George, Skiten
Director

- cc: Minister of Forests, Lands, Natural Resource Operations and Rural Development,
doug.donaldson.MLA@leg.bc.ca
- cc: Debbie Pierre, Executive Director, Office of the Wet'suwet'en
dpierre@wetsuweten.com
- cc: Maureen Luggi, Chief, Wet'suwet'en First Nation,
wfnchief@lakescom.net
- cc: Nathan Cullen, BC Premier John Horgan appointed liaison between the Wet'suwet'en
and Province of British Columbia
ncullen@strategycorp.com

CONFIDENTIAL

Memorandum of Understanding on Lands and Resource Reconciliation

This Agreement is made on this ____ day of February, 2020.

BETWEEN:

Casyex and Kayexweniits

As represented by Denizeh, Tsakozeh, Casyex Kaiyexweniits,
Wenenyiic Resource Development Society ("WRDS")

-AND-

Office of the Wet'suwet'en

("OW")

-AND-

Indian Act Bands within Wet'suwet'en Yinta

As represented by Her Majesty the Queen in Right of Canada by way of the Minister of
Crown and Indigenous Relations and Northern Affairs

("Canada")

-AND-

The Province of British Columbia

As represented by the Minister of Indigenous Relations

("British Columbia")

Herein collectively referred to as "The Parties" and individually as "Party"

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Definitions

1. "Casyex": Proper-Aboriginal-Rights-holders of the mentioned Casyex house territories
2. "Kaiyexweniits": Proper-Aboriginal-Rights-holders of the mentioned Kaiyexweniits house territories
3. "House members": descendants of Proper-Aboriginal-Rights holders
4. "Aboriginal Rights": Recognized by Section 35 (1) Canadian Constitution
5. "Wet'suwet'en"
6. "Wet'suwet'en Law": Inuk Nuten recognized by case law
7. "Section 35: Canadian Constitution, 1982"
8. "Reconciliation": As defined by Gisdaway v. BC
9. "UNESCO": United Nations Educational, Scientific and Cultural Organization. It seeks to build peace through international cooperation in Education, the Sciences and Culture. UNESCO's programmes contribute to the achievement of the Sustainable Development Goals defined in Agenda 2030, adopted by the United Nations General Assembly in 2015
10. "Indian Act Bands": Defined by Indian Act
11. "Indian Act Band subsidiary": Companies and organizations where Indian Act bands have an interest
12. "Office of Wet'suwet'en": Organization subject to the BC Society Act
13. "Denizeh": Male Chiefs
14. "Tsakozeh": Female Chiefs
15. "Skizeh": Future Chiefs
16. "Settler": Nedo
17. "Canada and British Columbia": Crown
18. "Bill 41: Declaration on the Rights of Indigenous Peoples Act"
19. "Gitdimden": One of five Wet'suwet'en clans, to which Thomas George, Gisdaway was the head chief. The two houses, defined on page 3, numbers 1 and 2, encompass the descendants of Gisdaway who are also represented by WRDS.

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A. WHEREAS:

Wet'suwet'en proper-rights-holders

1. Casyex and Kaiyexweniits house-members are Wet'suwet'en.
2. Casyex and Kaiyexweniits ancestral land boundaries are illustrated in "Appendix A" of this Memorandum of Understanding ("MOU") and recognized in the ruling of *Gisdayway v British Columbia* 3 S.C.R. 1010, also known as *Delgamuukw v The Queen*.
3. The Wet'suwet'en ancestral lands or "Yinta" have never been ceded and its inherent house-members continue to practice their inherent rights that is consistent with Wet'suwet'en Law and Common Law; and are the proper Aboriginal Rights and Title holders that are protected by Section 35 of the Canadian Constitution, 1982.
4. House members' rights are defined by Wet'suwet'en Law and recognized through *Gisdayway v British Columbia* 3 S.C.R. 1010, also known as *Delgamuukw v British Columbia*.
5. *Gisdayway* and *Tsaybaysa* have groomed their descendants as knowledge holders for two Gitdimden house territories, Casyex and Kaiyexwaniits, and nekadildez (the relationship between a clan and its members' spouses and children, wherein they are given permission to use the territory of the family member belonging to another clan); in this case the territories of *Tsaybasa*, wife of *Gisdayway*. This is required by 'Anuk Nwh'it'ën (Wet'suwet'en Law). Many of the WRDS members and their descendants are well accredited with doctorate, graduate, undergraduate, technical, red-seal professions and work in the private and public sector as educators, spiritual practitioners, health practitioners, administrators, and continue to support the Wet'suwet'en culture in language, social, and economic development.
6. We are also Hereditary Chief name holders and include: *Gisdayway*, Thomas George, and his Canadian War Veteran sons, *Bistaii*, Fred George, and *Tsaybaysa*, Andrew George, *Smogilthgem*, Gloria George. *Gallaghun*, Rita George, *Atna*, Brian George (legal successor to *Gisdayway*), *Ski'ten*, Andrew George Jr. This history has been duly witnessed under Wet'suwet'en law, the bahlats.
7. *Woos* (Casyex), *Gisdayway* (Kaiyexweniits), and *Nekadildez*, *Smogelhem* Hereditary Chief names are in dispute. Settlement must be consistent with the integrity of *Gisdayway v British Columbia* 3 S.C.R. 1010, also known as *Delgamuukw v British Columbia*.
8. The parties recognize Casyex and Kayaweniits members have been forcibly alienated from their ancestral lands by racist legislation and policies such as the Indian Act and British Columbia's interim consultation policy and must therefore be recognized and compensated as required by case law.
9. Wenenyiic Resource Development Society (WRDS) represents proper Aboriginal-Rights-holders and asserts Aboriginal Rights for its house members.
10. WRDS recognizes that reconciliation must occur on three planes: internal, external and future generations.
 - a. Internal reconciliation: Wet'suwet'en have been deeply affected by colonial policies like the Indian Act and the sixties scoop, and the residential schools. Our community members need to heal from these disastrous attempts of genocide. Symptoms are evident in today's matters such as the pipeline issues and lack of proper consultation efforts to date.

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- b. External reconciliation: WRDS has made countless attempts to connect with the Crown to engage on social, economic, and cultural development with the intent to reconcile interests but have been ignored since April 1, 2006. The Crown continues to implement colonial strategies and ignore Wet'suwet'en Rights. Similarly, the private sector seeks to eliminate the Wet'suwet'en by destroying the culture. The private and public sectors need to reconcile with the Wet'suwet'en.
 - c. Future Generation reconciliation: The baby boomer generation, generation X, and generation Y are currently destroying Wet'suwet'en principles by implementing colonial structures—these same structures that public and private sectors only recognize on those terms and fail to consider traditional structures like the Wet'suwet'en House groups. All Wet'suwet'en, private and public sectors need to recognize this collateral damage and must work together to prevent further cultural genocide for the benefit of future generations.
- 11. The WRDS structure serves as an interface between Wet'suwet'en and private/public sector interests. It separates the roles and responsibilities of the hereditary chiefs from modern community and community economic drivers, effectively preventing any conflict of interest and further cultural genocide.
 - 12. Bill:41 Declaration on the Rights of Indigenous Peoples Act is a mechanism that supports and reconciles the intent of this MOU regarding ALL Wet'suwet'en regardless of on-reserve and off-reserve status.

Wet'suwet'en Treaty Office

- 13. The Office of Wet'suwet'en ("OW") is a registered non-profit society under the BC's Society Act created in 1994 to administer engagement between the Witnesses of Gisdaway v British Columbia 3 S.C.R. 1010, and the courts.
- 14. Since the 1997 court ruling, the OW became the Wet'suwet'en Treaty Office Society. The mandate of the OW became unclear establishing social programs and engaging in treaty negotiations and incurring a loan that has since accrued to \$14, 027,409 as at March 31, 2016. It is not transparent who the registered WTOS directors are nor the membership they represent, but the WTOS/OW claims it represents those who have proper rights—there is no indication of such authority, and is only assumed by most stakeholders.
- 15. The British Columbia Treaty Commission process was established by agents of the Indian Act: First Nations Summit, Assembly of First Nations, Union of BC Indian Chiefs, and Congress of Aboriginal People—The hereditary chiefs and its members of the house system are not represented by such organizations.
- 16. The British Columbia government grants tenure, licenses, and easements as part of its management program. Citizens and immigrants access resources through this program. The duty to consult is a potential threat to resource access, and as a result Aboriginal People may be in harm's way as a result of expressing concerns over resource development. This may include, but not limited to, physical, or cultural harm.
- 17. The British Columbia government, through its designated Ministries; and Canada, through its designated Band administrations, have only recognized Aboriginal rights, as they see it—via Band administrations—not as case law requires through the "Aboriginal Perspective."
- 18. This status quo recognition places Aboriginal Rights at a disadvantage. The Truth and Reconciliation Commission sums it up as "Canada replaced existing forms of Aboriginal government with relatively powerless band councils whose decisions it could override and whose leaders it could depose."

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19. Consultation on development plans within Casyex and Kaiyaweniits ancestral lands have only engaged the Indian Act Bands, and the Office of Wet'suwet'en, and/or their subsidiaries. Negotiations have happened behind closed doors with no consultation and/or consent with the proper rights and title holders.

Indian Act Administrators

20. Indian Act Bands have rights only on lands reserved for Indians under the Indian Act. They cannot prove sui generis and have no jurisdiction or authority over Wet'suwet'en laws.
21. Indian Act Bands have used traditional knowledge from Witness testimonials in the Delgamuukw court case to secure transfer payments from government programs designed for land use planning, consultation, and revenue sharing agreements;

Duty to Consult

22. Our members, the true Aboriginal right holders, have expressed concerns about government decisions made on development on Casyex and Kaiyexweniits. They have been largely ignored. Indeed, the province responded by re-directing concerns to the non-profit society of the Office of the Wet'suwet'en Hereditary Chiefs (OWHC) or Indian Act bands, chief and council. Agreements made with these organizations, such as the Forest and Range agreements and LNG Canada revenue sharing agreements have had detrimental impacts to the culture and traditional territories.
23. The OWHC and the bands operating within Wet'suwet'en territories have stacked their organizations with some individuals who claim to be hereditary chiefs but have not proven their rights through Wet'suwet'en Law. Governments and industry stakeholders have endorsed these individual imposters claiming to be hereditary chiefs with honoraria and agreements.
24. The destructive decisions made by imposters claiming to be hereditary chiefs contradicts paragraph 125 of our court ruling "The content of Aboriginal title contains an inherent limit that lands held pursuant to title cannot be used in a manner that is irreconcilable with the nature of the claimants' attachment to those lands. This limit on the content of aboriginal title is a manifestation of the principle that underlies the various dimensions of that special interest in land -- it is a sui generis interest that is distinct from "normal" proprietary interests, most notably fee simple."
25. The Truth and Reconciliation Commission states that "Canada denied the right to participate fully in Canadian political, economic, and social life to those Aboriginal people who refused to abandon their Aboriginal identity."
26. The Haida Nation ruling supports that the impact of past decisions on true Wet'suwet'en rights holders, by ignoring an ancient cultural practice...and the livelihood of current and future generations through fluctuations in resource use that is not sustainable to the needs of its members... "To limit reconciliation to the post-proof sphere risks treating reconciliation as a distant legalistic goal, devoid of the "meaningful content" mandated by the "solemn commitment" made by the Crown in recognizing and affirming Aboriginal rights and title. It also risks unfortunate consequences. When the distant goal of proof is finally reached, the Aboriginal peoples may find their land and resources changed and denuded. This is not reconciliation nor is it honourable or in good faith.

B. NOW, THEREFORE:

1. Aboriginal Law, common law, the Canadian Constitution, the United Nations Declaration on the Rights of Indigenous People, The Truth & Reconciliation Commission Report and its 94 Calls to Action, the sixties scoop, Royal

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Commission Report on Aboriginal People, Bill 41: Declaration on the Rights of Indigenous Peoples Act and other relevant policy support reconciliation.

2. British Columbia aims to reconcile settler interests with Wet'suwet'en.
3. Canada seeks to reconcile interests through the Department of Indigenous Affairs.
4. The Crown, now that it recognized its failure to consult with proper-rights-holders, must take immediate actions to prevent cultural genocide on existing forestry and Coastal GasLink development activities.
5. The house members of Casyex and Kayaweniits, through WRDS, seek to advance reconciliation by working with Canada and British Columbia to protect Wet'suwet'en Law, ancestral lands (Yinta), and improve the individual and collective well-being of house members through cultural revitalization, language, education, economic development and upholding the honour of the Crown;
6. Reconciliation, as cited in our Delgamuukw court ruling, also lays out the threshold in order for reconciliation to happen: "distinctive aboriginal societies exist within, and are a part of, a broader social, political and economic community." We are a distinct society. "The development of agriculture, forestry, mining, and hydroelectric power, the general economic development of the interior of British Columbia, protection of the environment or endangered species, the building of infrastructure and the settlement of foreign populations to support those aims, are the kinds of objectives that are consistent with reconciliation."
7. In the Sparrow court case, at p. 1105, s. 35(1) "provides a solid constitutional base upon which subsequent negotiations can take place". Those negotiations should also include other aboriginal nations which have a stake in the territory claimed. Moreover, the Crown is under a moral, if not a legal, duty to enter into and conduct those negotiations in good faith. Ultimately, it is through negotiated settlements, with good faith and give and take on all sides, reinforced by the judgments of this Court, that we will achieve what I stated in Van der Peet, supra, at para. 31, to be a basic purpose of s. 35(1) -- "the reconciliation of the pre-existence of aboriginal societies with the sovereignty of the Crown". Let us face it, we are all here to stay."
8. Our Delgamuukw ruling affirms this interest with "The legal rights of the Indian people will have to be accommodated within our total society by political compromises and accommodations based in the first instance on negotiation and agreement and ultimately in accordance with the sovereign will of the community as a whole. The legal rights of the Wet'suwet'en peoples, to which this law suit is confined, and which allow no room for any approach other than the application of the law itself, and the legal rights of all aboriginal peoples throughout British Columbia, form only one factor in the ultimate determination of what kind of community we are going to have in British Columbia and throughout Canada in the years ahead."

C. PURPOSE OF THIS MEMORANDUM OF UNDERSTANDING:

1. The parties will establish and participate in a working group.
2. The purpose of the working group is to establish a mutually agreed framework agreement to serve as the basis to reconcile government and house group interests regarding lands and resources and the protection of cultural resources which include people, the culture, and the land. As agreements are based on court recognized Wet'suwet'en rights, this process may be done in a **minimal timeframe**.

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3. The parties seek to engage in discussions with a view to establish a sustainable entity that will interface clan member interests in the maintenance and protection of the Yinta, through consultation, accommodation on lands and resources and the preservation of cultural resources through international mechanisms as offered through the United Nations, this requires consideration of WRDS.
4. Review of all past activities will be undertaken to determine level of impacts on Wet'suwet'en, to date, to begin accommodation efforts.
5. The parties recognize the importance of a tri-lateral process to facilitate, with WRDS, reconciliation of the agents of colonialism--the OW, and Indian Act Bands who have wrongfully claimed interests in our Yinta.
6. The parties recognize that the OW Mandate has limited scope subject to the BC Societies Act and the powers of this legislation cannot grant Aboriginal Rights, nor does it adequately reflect 'Anuk Nwh'it'en or meet the needs of denizeh, tsakoze, and skizeh.
7. The parties recognize that the eight registered Indian Act band administration and its members, and their subsidiaries, and/or partners, have limited jurisdiction only to reserve lands, and that the Indian Act gives Aboriginal rights to lands reserved for Indians pursuant to the Indian Act, but limited rights within the Casyex and Kayaweniits Yinta.
8. The Parties recognize that there are eleven other Wet'suwet'en house groups.
9. Although 'Anuk Nwh'it'en provides autonomy, The Parties will work with other house groups, and Indian Act agencies to amend consultation arrangements, financial agreements, and other instruments to support house group desires and invigorate Wet'suwet'en Laws to ensure the survival of language, laws, institutions, and Yinta.
10. The Parties recognize that the descendants of Gisdwayway, through its landmark court ruling *Gisdwayway v The Queen* 3SCC, 1010 are instrumental to advancing Global Indigenous Rights, and the house members see the urgency that Kayaweniits Yinta must be afforded the protection and preservation of its lands, resources, and Wet'suwet'en Law through the World Convention, UNESCO.
11. The Parties will work together to establish and manage parts of the Casyex and Kayaweniits Yinta through UNESCO and other mechanisms.
12. The Crown recognizes that Casyex and Kaiyexweniits requires reasonable financial resources to establish and participate in this process. WRDS will serve as the main mechanism to interface engagement. The parties will work to develop a collaborative plan, a budget, and secure the resources needed to ensure sustainable start-up and operations. The underlying goal is to reconcile the 1997 *Delgamuukw* court ruling with existing outdated acts, like the Society Act, and Indian Act legislation that do not recognize the Wet'suwet'en house system as a legally recognized entity under the *Delgamuukw* Supreme Court of Canada ruling.
13. Parties recognize that WRDS members have been taxpayers throughout which lends urgency to reconciliation and repatriation. Others were provided reserve lands and funding yet we pay taxes by virtue of racist law and policy. The Supreme Court of Canada (SCC) ruled our Yinta was never surrendered. The SCC also approved the genealogy to prove legal jurisdiction by the proper houses under Wet'suwet'en Law.

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D. TERM:

1. The Parties will meet bi-monthly at initiation, monthly during start-up, and bi-monthly during implementation of any long-term agreement on consultation and accommodation, and/or management of UNESCO heritage sites.

E. GENERAL

1. This MOU is asserting our rights based on our Delgamuukw decision.

In WITNESS WHEREOF this Memorandum of Understanding has been executed by
The Parties as of the date written above.

Wenenyiic Resource Development Society

Denizeh Atna

Denizeh Skiten

Denizeh Tsaskiy

Her Majesty the Queen in Right of Canada

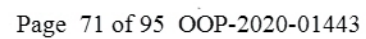
Honourable Carolyn Bennett

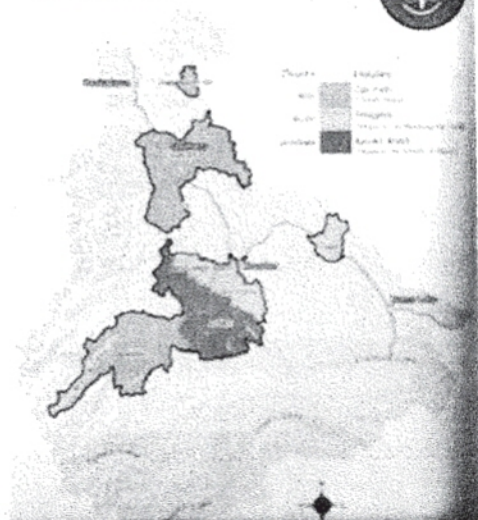
Her Majesty the Queen in Right of British Columbia

Honourable Doug Donaldson

Office of Wet'suwet'en

Appendix A: Map of Casyex and Kaiyexweniits Yinta (attached)





Wensink, Alison PREM:EX

From:
Sent: June 5, 2020 4:28 PM
To: Nash, Amber PREM:EX
Subject: FW: Mason

From: eric
Sent: January 10, 2020 5:36 AM
To:
Subject: Mason

BC's gas-pipeline protest will end in a whimper, not a bang

By Gary Mason

Wensink, Alison PREM:EX

From:
Sent: February 17, 2020 9:58 AM
To: Meggs, Geoff PREM:EX
Subject: Re: Draft Letter to Hereditary Chiefs

Looks fine

Sent from my iPhone

On Feb 16, 2020, at 12:36 PM, Meggs, Geoff PREM:EX wrote:

Requested by OTTAWA to help resolve Ontario blockade - will ask Don Bain to review but I don't see any issues

Geoff

Sent from my iPhone

Begin forwarded message:

From: "Stickney, Matt"
Date: February 16, 2020 at 12:25:52 PM PST
To: "Meggs, Geoff PREM:EX" , "Bain, Don PREM:EX"
Subject: Draft Letter to Hereditary Chiefs

As discussed.

Wensink, Alison PREM:EX

From: Meggs, Geoff PREM:EX
Sent: February 16, 2020 12:37 PM
To:
Cc: Wright, Don J. PREM:EX; Hockin, Amber PREM:EX
Subject: Fwd: Draft Letter to Hereditary Chiefs
Attachments: Letter Bennett Fraser Wetsuweten Hereditary Chiefs.docx; ATT00001.htm

Requested by OTTAWA to help resolve Ontario blockade - will ask Don Bain to review but I don't see any issues

Geoff

Sent from my iPhone

Begin forwarded message:

From: "Stickney, Matt"
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To: "Meggs, Geoff PREM:EX" , "Bain, Don PREM:EX"
Subject: Draft Letter to Hereditary Chiefs

As discussed.

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Withheld pursuant to/removed as

From: Aaron, Sage PREM:EX
Sent: February 11, 2020 3:18 PM
To: Meggs, Geoff PREM:EX
Cc: Hockin, Amber PREM:EX
Subject: statement on protests

For immediate release
Feb. 11, 2020

Statement from Premier Horgan on protest activity

VICTORIA—Premier John Horgan issued a statement about protests at the Legislature Buildings in Victoria and in communities throughout British Columbia:

“British Columbians have the right to peaceful protest. We support people in the exercise of their democratic rights.

“That said, I understand the frustration of people who have been unable to go to work today; who have been unable to enter government buildings or have been unable to get around in their communities.

“Illegal actions that seek to undermine critical infrastructure or interfere with the democratic process are unacceptable.

“My government, represented by Minister Scott Fraser, met on an urgent basis for two days in February in an effort to find a peaceful resolution to the impasse regarding the Coastal Gas Link. Regrettably, the talks were unsuccessful. The RCMP have now enforced the court order. I am relieved that action so far has not resulted in any injuries.

“My government continues to be available to engage with the Wet’suwet’en Hereditary Chiefs through the Wiggus Table discussions. We are also engaged in ongoing reconciliation discussions, which are focused on rights, title, self-government and self-determination - those channels of communication remain open.

“These events show us why meaningful reconciliation with Indigenous peoples is our shared responsibility and is critical to our province and our country. This was a commitment my government made in good faith two and a half years ago, and as Premier, I am determined to see it through.

“The *Declaration on the Rights of Indigenous Peoples Act* passed the Legislature with a unanimous vote. Our work here has not ended, it has just begun.

“Reconciliation is hard work, it does not begin or end with a single decision, event or moment. No single one of us decides what reconciliation can or should look like. It is a shared journey we are to do together.

“We know that this work isn’t always easy. If we’re going to achieve it, we have to stay committed to this process, keep engaging with one another and find common ground.

“As we move towards a collaborative action plan flowing from the unanimous passage of the *Declaration on the Rights of Indigenous Peoples Act*, I am confident we will get there together.”

Wensink, Alison PREM:EX

From: Meggs, Geoff PREM:EX
Sent: February 9, 2020 2:07 PM
To:
Subject: Fwd: Blockade in BC

Sent from my iPhone

Begin forwarded message:

From: Sean Finn
Date: February 9, 2020 at 6:36:02 AM PST
To: "Meggs, Geoff PREM:EX"
Subject: Blockade in BC

Dear Geoff :

Hope you are well and sorry for the week-end disruption.

I wanted to update you on the situation of a blockade of our mainline in BC. Please see below an email sent to our customers explaining the situation.

I will keep you updated and please let me know if you have any questions.

Sincerely,

Sean

514 399-8100



February 8, 2020

We would like to inform you that in New Hazelton, BC, west of Smithers, BC, a new blockade on CN railway lines has caused train movements to stop. A public statement from the individuals blocking the lines explained that the protest is in solidarity with the pipeline opposition movement. This is unrelated to CN's activities.

Our main line has been closed since approximately 3 p.m. local time on Saturday, February 8, impacting all traffic in and out of Prince Rupert and Kitimat, BC.

We are monitoring the situation closely and we are evaluating all of our options as we are well aware of the impact this situation that is beyond our control has on those who depend on rail

transportation to move goods and passengers safely and efficiently.

We thank you for your patience while we work to address the situation.

Should you require any immediate assistance or further information please contact your Account Manager or Customer Service Representative.

Thank you, we appreciate your business.

CN

Wensink, Alison PREM:EX

From: Bain, Don PREM:EX
Sent: February 6, 2020 9:37 AM
To: Meggs, Geoff PREM:EX; Hockin, Amber PREM:EX; Aaron, Sage PREM:EX; Fraser, Scott IRR:EX
Subject: FW: Update - 9.30 am
Attachments: Enforcement Updates 9.30 am.docx

-----Original Message-----

From: Nathan Cullen
Sent: February 6, 2020 9:34 AM
To: Bain, Don PREM:EX <Don.Bain@gov.bc.ca>
Subject: Update - 9.30 am

All the best,

Nathan Cullen

RCMP Enforcement of the Court Order

Information Update¹

February 6, 2020

9.30 am

RCMP

Enforcement started pre-dawn. By 5 am was fully underway (V)

At 39km all 6 were arrested. Options for not arrest were offered (V)

A truck window was smashed – a woman went into truck to make calls and removed her clothes (UV)

One protester went into a tree (with climbing harness) was brought down and safely arrested

Offer to remove people from 66 km

RCMP in no rush

Wet'suwet'en

Chiefs very concerned with presence of tactical force officers (V)

Concerned about approach at 66 km to healing centre (V)

Working on ensuring child welfare protocol is communicated (V)

CGL

Committed to have no Wet'suwet'en involved in clearing (V)

Apparently one worker wanted to go in (V)

Other Issues

¹ V – will be verified information from source. UV – is unverified but credible.

Wensink, Alison PREM:EX

From: Brown, Evan PREM:EX
Sent: February 4, 2020 11:12 AM
To:
Subject: WHC_WG_UpdateDay1.pdf
Attachments: WHC_WG_UpdateDay1.pdf



Wiggus Table Update

End of Day One - Monday, February 3, 2020

Cabinet Working Group

Premier Horgan
Honourable Donaldson
Honourable Farnworth
Honourable Fraser
Honourable Mark
Honourable Ralston
Geoff Meggs, Chief of Staff
Amber Hockin, Deputy Chief of Staff
Don Wright, Cabinet Secretary
Don Bain, Special Advisor (Chair)

Briefing update

Next Meeting: Tuesday Feb. 4, 2020, 4:45 p.m.

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0 4 / 0 2 / 2 0 2 0

Wensink, Alison PREM:EX

From: Meggs, Geoff PREM:EX
Sent: February 2, 2020 10:05 AM
To: Fraser, Scott IRR:EX; Donaldson, Doug FLNR:EX; Mark, Melanie AEST:EX; Farnworth, Mike PSSG:EX; Ralston, Bruce EMPR:EX
Cc: Wright, Don J. PREM:EX; McNish, James IRR:EX; Caul, Doug D IRR:EX; Hockin, Amber PREM:EX; Aaron, Sage PREM:EX; Bain, Don PREM:EX
Subject: Wet'suwet'en updates
Attachments: Wiggus-Respect notes_final.docx

Good morning,

Attached you will find a short note on the government's approach to the Wiggus/Respect talks that begin with the Wet'suwet'en Chiefs in Smithers tomorrow. I drafted them with input from Don Bain and the Premier has reviewed and approved.

To keep the cabinet working group informed, we are proposing a conference for Scott to call in late Monday and daily thereafter. Watch your calendar for details. Since everyone is going to be in Courtenay on Monday, we may arrange for a room.

Please contact me, Don Wright or Don Bain with any questions or concerns.

Geoff

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Withheld pursuant to/removed as

Wensink, Alison PREM:EX

From: Meggs, Geoff PREM:EX
Sent: February 1, 2020 8:07 PM
To:
Cc: Wright, Don J. PREM:EX
Subject: Draft direction for Minister Fraser
Attachments: Wiggus-Respect notes_final.docx

Premier, I've drafted the attached to provide a general framework for Scott's trip to Smithers. Don Wright and Don Bain have reviewed and offered suggestions. If it's fine with you, I will share with the delegation tomorrow.

Geoff

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Withheld pursuant to/removed as

Wensink, Alison PREM:EX

From: Nash, Amber PREM:EX
Sent: January 30, 2020 3:09 PM
To:
Subject: FW: Wet'suwet'en - this version should be out shortly
Attachments: Statement by the WetsuwetenBC.docx

Statement from Wet'suwet'en Hereditary Chiefs.

-----Original Message-----

From: Nathan Cullen
Sent: January 30, 2020 2:27 PM
To: Bain, Don PREM:EX <Don.Bain@gov.bc.ca>
Subject: this version should be out shortly

Statement by the Wet'suwet'en Chiefs
January 30, 2020
Wet'suwet'en Territory

"The Wet'suwet'en Hereditary Chiefs have agreed to enter a discussion with the Province of British Columbia, for a period of seven days, in an effort to de-escalate the ongoing conflict surrounding the Coastal Gas Link project.

The discussion table will be known as 'Wiggus', the Wet'suwet'en word for respect. In the landmark Supreme Court Decision of Delgamuukw Gisday'wa Wiggus it was defined as "respect for all living-beings, starting with oneself".

The Hereditary Chiefs maintain their commitment to peace and will pursue all avenues available to achieve a peaceful resolution.

The Hereditary Chiefs reiterate their mission: we are proud, progressive Wet'suwet'en dedicated to the preservation and enhancement of our culture, traditions and territories; working as one for the betterment of all.

Agreed to by the Hereditary Chiefs present:

Chief Madeek
Chief Gisday'wa
Chief Woos
Chief Hagwilneghl
Chief Tsa'ghots
Chief Nam'oks
Chief Lay'oh
Chief Kloum Khun

Statement by the Wet'suwet'en Chiefs

January 30, 2020

Wet'suwet'en Territory

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