

From: [Nash, Amber PREM:EX](#)
To: ["Murray Rankin"](#)
Subject: RE: Phone Call with Premier - Feb 7
Date: February 6, 2020 9:37:45 AM

Hi Murray,

Glad you had a chance to connect with Premier last night. I'll remove the call from Friday.

Amber

From: Nash, Amber PREM:EX
Sent: February 5, 2020 1:51 PM
To: 'Murray Rankin' <mrarkin@murrayrankin.ca>
Subject: RE: Phone Call with Premier - Feb 7

Thanks Murray. I'll have him call your cell.

From: Murray Rankin <mrarkin@murrayrankin.ca>
Sent: February 5, 2020 1:50 PM
To: Nash, Amber PREM:EX <Amber.Nash@gov.bc.ca>
Subject: Re: Phone Call with Premier - Feb 7

perfect: I will be at ^{s.22} , which is my cell.

On Wed, Feb 5, 2020 at 1:49 PM Nash, Amber PREM:EX <Amber.Nash@gov.bc.ca> wrote:

How about 3:30pm Murray? That would work for the Premier too.

From: Murray Rankin <mrarkin@murrayrankin.ca>
Sent: February 5, 2020 1:46 PM
To: Nash, Amber PREM:EX <Amber.Nash@gov.bc.ca>
Cc: McLaren, Chris PREM:EX <Chris.McLaren@gov.bc.ca>
Subject: Re: Phone Call with Premier - Feb 7

Hi Amber. Good to hear from you.

I'm supposed to be on a conference call between 1 PM and 3 PM on Friday. But that's all I have going that day. Is there any other opportunity?

Best

Murray

On Wed, Feb 5, 2020 at 12:27 PM Nash, Amber PREM:EX <Amber.Nash@gov.bc.ca> wrote:

Hi Murray,

I'd like to confirm a phone call with the Premier on Friday. Would you be available for a call at 2pm on Friday?

Amber

Amber Nash

Director of Executive Operations & Scheduling

Office of the Premier | Government of British Columbia

501 Belleville St, Victoria, BC V8V 2L8

Direct: 778-974-6068 | Cell: 778-584-3330

OOP FOI PREM:EX

From: Smith, George PREM:EX
Sent: February 20, 2020 1:43 PM
To: 'Shannon Waters'
Subject: RE: Rankin's invoice for legal opinion

Hey,

As you expected and for obvious reasons, legal opinions are confidential and we won't be releasing any details.

Sorry!

From: Shannon Waters
Sent: February 20, 2020 12:24 PM
To: Smith, George PREM:EX
Subject: Rankin's invoice for legal opinion

Hi George,

Further to our conversation earlier:

- On March 8, 2019, Murray Rankin emailed Geoff Meggs an invoice for a legal opinion "prepared on the issue [Meggs] asked [Rankin] to address."

I'm looking for further information - was the opinion related to Rankin's pro-bono work as the province's representative in renewed reconciliation talks with the Wet'suwet'en? Or was it an unrelated issue? Are you able to provide any further specifics as to what the legal opinion involved and/or how much it cost?

Thanks!

--

Shannon Waters | Reporter | BC Today
100% independent; 100% objective.

Website: <https://www.politicstoday.news/british-columbia-today>

Phone: 236-882-7149

Email: s.waters@britishcolumbiatoday.ca



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Withheld pursuant to/removed as

s.13 ; s.14 ; s.16

OOP FOI PREM:EX

From: Smith, George PREM:EX
Sent: February 20, 2020 12:33 PM
To: Meggs, Geoff PREM:EX
Cc: Aaron, Sage PREM:EX; Howlett, Tim GCPE:EX
Subject: Fwd: Rankin's invoice for legal opinion

Please see the Media question below.

I'd like to simply reply that For obvious reasons legal opinions are confidential and we won't be release any details.

George Smith, Deputy Communications Director

Office of the Premier | Government of BC

British Columbia Parliament Buildings | [250-208-6794](tel:250-208-6794)

Begin forwarded message:

From: Shannon Waters
Date: February 20, 2020 at 12:24:43 PM PST
To: "Smith, George PREM:EX"
Subject: Rankin's invoice for legal opinion

Hi George,

Further to our conversation earlier:

- On March 8, 2019, Murray Rankin emailed Geoff Meggs an invoice for a legal opinion "prepared on the issue [Meggs] asked [Rankin] to address."

I'm looking for further information - was the opinion related to Rankin's pro-bono work as the province's representative in renewed reconciliation talks with the Wet'suwet'en? Or was it an unrelated issue? Are you able to provide any further specifics as to what the legal opinion involved and/or how much it cost?

Thanks!

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Shannon Waters | Reporter | BC Today

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Phone: 236-882-7149

Email: s.waters@britishcolumbiatoday.ca



OOP FOI PREM:EX

From: Plank, Sarah GCPE:EX
Sent: February 17, 2020 12:19 PM
To: Aaron, Sage PREM:EX; Smith, George PREM:EX; Bain, Don PREM:EX; Howlett, Tim GCPE:EX; Farmer, Leila GCPE:EX; Dinicol, Sam GCPE:EX; McNish, James IRR:EX
Subject: CP News: Wet'suwet'en and B.C. government have been talking Aboriginal title for a year (

This turned out really well.

CP News

17-Feb-2020 10:53

Quoted: Na'moks, Wet'suwet'en Nation, B.C.'s Indigenous Relations Minister Scott Fraser

By Amy Smart

THE CANADIAN PRESS

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OOP FOI PREM:EX

From: Murray Rankin s.22
Sent: February 9, 2020 11:56 AM
To: Smith, George PREM:EX
Cc: Tom Gunton
Subject: In case you missed this, George

Greetings, George. I hope you're well.

s.22

Murray

<https://www.cbc.ca/listen/live-radio/1-48-on-the-island/clip/15759816-on-the-island-political-panel-for-february-7-2020>

OOP FOI PREM:EX

From: Palmer, Vaughn <vpalmer@postmedia.com>
Sent: January 28, 2020 1:17 PM
To: Smith, George PREM:EX
Subject: Re: the nathan cullen appointment

thank you for the prompt reply.

much appreciated.

-vaughn

From: Smith, George PREM:EX
Sent: Tuesday, January 28, 2020 1:08 PM
To: Palmer, Vaughn
Subject: RE: the nathan cullen appointment

Hi Vaughn,

Murray Rankin has been facilitating a separate government-to-government process. He remains in that role and that process has always been distinct from any specific project. Those discussions are focused both on short-term, practical steps to build a strong government-to-government relationship, and longer-term pieces necessary for a strong governance system and implementation of Wet'suwet'en rights and title. The parties have met at least monthly since April of last year and these talks continue – with some important progress made so far. I'm also waiting on answer regarding payment.

From: Palmer, Vaughn
Sent: January 28, 2020 12:27 PM
To: Smith, George PREM:EX
Subject: the nathan cullen appointment

Feb 7 2019 the province appointed the NDP MP Murray Rankin to a similar position.
(see press release 2019PREM-0018-000195)

.I know he did not run again and has since accepted another federal appointment.

But what did he do, if anything during his term as "b.c.'s representative to help and design the process"

Did he have meetings? Report out? Was he paid and if so how much?

thank you.

--Vaughn

OOP FOI PREM:EX

From: Smith, George PREM:EX
Sent: January 28, 2020 1:07 PM
To: Howlett, Tim GCPE:EX; Aaron, Sage PREM:EX; Bain, Don PREM:EX
Subject: RE: the nathan cullen appointment

Ok. Thanks – replying now and we’ll see if he presses on payment.

From: Howlett, Tim GCPE:EX
Sent: January 28, 2020 1:03 PM
To: Aaron, Sage PREM:EX ; Smith, George PREM:EX ; Bain, Don PREM:EX
Subject: RE: the nathan cullen appointment

This is from previous QA – might be useful.

What is the status of talks between the Office of the Wet’suwet’en and the Province?

- Our government and the Office of the Wet’suwet’en are committed to working together, government-to-government, to meaningfully advance reconciliation.
- The discussions are focused both on short-term, practical steps to build a strong government-to-government relationship, and longer-term pieces necessary for a strong governance system and implementation of Wet’suwet’en rights and title.
- The parties have met at least monthly since April of last year and these talks continue – with some important progress made so far.
- These talks are not related to any specific project but are focused on building our relationship and meaningfully advancing reconciliation.

From: Aaron, Sage PREM:EX <Sage.Aaron@gov.bc.ca>
Sent: January 28, 2020 12:57 PM
To: Smith, George PREM:EX <George.Smith@gov.bc.ca>; Howlett, Tim GCPE:EX <Tim.Howlett@gov.bc.ca>; Bain, Don PREM:EX <Don.Bain@gov.bc.ca>
Subject: RE: the nathan cullen appointment

Adding Don B here for more detail.

I think Murray started as pro bono and that has been reported publicly already. It’s in Hansard. Not sure if that’s changed since his change of status. <https://www.leg.bc.ca/content/Hansard/41st4th/20190530pm-House-Blues.htm>

Sage
778-678-0832

From: Smith, George PREM:EX <George.Smith@gov.bc.ca>
Sent: January 28, 2020 12:35 PM
To: Howlett, Tim GCPE:EX <Tim.Howlett@gov.bc.ca>; Aaron, Sage PREM:EX <Sage.Aaron@gov.bc.ca>
Subject: FW: the nathan cullen appointment

Aside from the QA point below – anything I can add about Murray?

Murray Rankin has been facilitating a separate government-to-government process. He remains in that role and that process has always been distinct from any specific project.

From: Palmer, Vaughn <vpalmer@postmedia.com>
Sent: January 28, 2020 12:27 PM
To: Smith, George PREM:EX <George.Smith@gov.bc.ca>
Subject: the nathan cullen appointment

Feb 7 2019 the province appointed the NDP MP Murray Rankin to a similar position.

(see press release 2019PREM-0018-000195)

.I know he did not run again and has since accepted another federal appointment.

But what did he do, if anything during his term as "b.c.'s representative to help and design the process"

Did he have meetings? Report out? Was he paid and if so how much?

thank you.

--Vaughn

OOP FOI PREM:EX

From: Carr, Michelle EMPR:EX
Sent: February 21, 2020 4:25 PM
To: Smith, George PREM:EX; Zadravec, Don GCPE:EX
Subject: Follow up
Attachments: Proposed TOC V2_.docx

Importance: High

Hi, Don and George.

Thank you for the call. As discussed, here is my understanding of the next steps that we've landed on.

We will prioritize the following actions on the topics highlighted in the attached table of contents

1. Communications mechanism will be a technical briefing of the press gallery (deck with questions to follow) and then fact sheets available afterwards and then posted on the web (ministry web-site TBD)
2. It is proposed that the technical briefing presentation will be provided by:
 - a. MIRR: Doug Caul or Trish Balcaen
 - b. EAO: Kevin Jardine
 - c. OGC: Ken Paulson
3. Proposed technical staff that will available should specific questions arise include: Cory Waters (MIRR), Nathan Braun (EAO), James O'Hanley (OGC)
4. Timing: run-through on Wednesday next week with technical briefing on Wed or Thursday
5. Darren Beaupre to organize the development of the deck; GCPE graphics to support if needed
6. Possible briefing of caucus suggested

For those items that are not prioritized, work will be undertaken to finalize the content, and over the next week, will be posted as either static materials on website or used to support key messaging.

Please let me know if I've missed anything and where you land on this, and I'll communicate this out to the folks working on the materials.

Michelle

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Withheld pursuant to/removed as

s.13 ; s.16

OOP FOI PREM:EX

From: Plank, Sarah GCPE:EX
Sent: February 20, 2020 1:37 PM
To: Aaron, Sage PREM:EX; McNish, James IRR:EX; Smith, George PREM:EX; Dinicol, Sam GCPE:EX; Farmer, Leila GCPE:EX; Bain, Don PREM:EX; Howlett, Tim GCPE:EX
Cc: Pinette, Celia IRR:EX; Loubert, Leslie IRR:EX
Subject: News release - Lake Kathlyn school
Attachments: Lake Kathlyn Media Release PDF.pdf; IN_Wet'suwet'en reconciliation_20Feb20_draft.docx
Importance: High

OW is putting this news release out locally anytime now. I have updated the issues note messaging, as they did not add anything about the provincial funding. I also updated the other messaging in it as things have evolved in the past week. Please let me know if you have any feedback before I finalize.

As the release is only going locally, James, I don't think Power & Politics will ask about it, so probably don't need to flag. But there is the new blockade in Neskonlith territory near Kamloops, and also the CBC article on comments from a former treaty negotiator with the province who was on the Wet'suwet'en file that you should make sure he is aware of.

I will whip off some quick lines on those for you now.

Thanks,
Sarah.

Sarah Plank
Communications Director | Ministry of Indigenous Relations & Reconciliation
Government Communications & Public Engagement
Office: 250.952.1889 | Mobile: 250.208.9621 | Email: sarah.plank@gov.bc.ca



FOR IMMEDIATE RELEASE: February 20, 2020

Wet'suwet'en Hereditary Chiefs Acquire Lake Kathlyn School for Seat of Government

Copyright

Contact:

Dini Ze' Na'moks (John Ridsdale)

Cell: 250-643-0771

Email: Tsayu2@yahoo.ca

Confidential Issues Note - ADVICE TO MINISTER

Ministry of Indigenous Relations and Reconciliation Updated: February 12, 2020 Minister Responsible: Hon. Scott Fraser	Wet'suwet'en reconciliation
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RECOMMENDED RESPONSE:

- The Province and Office of the Wet'suwet'en are currently in discussions exploring a path forward, nation-to-nation, to meaningfully advance reconciliation.
- These discussions are focused on Wet'suwet'en rights and title, and self-government and self-determination.
- We have been working together, government-to-government, to advance reconciliation since last spring, meeting monthly.
- We have made some important progress made so far, and continue to meet regularly, with Murray Rankin representing the Province in the discussions.
- The ongoing reconciliation talks are not related to any specific project but are focused on building our relationship and advancing reconciliation.
- We are discussing both short-term, practical steps and longer-term pieces necessary to establish healthy governance, and implementation of Wet'suwet'en title and rights.
- This work will take time. There are many steps ahead of us, but we are committed to walking this path with the Wet'suwet'en.

If asked about Lake Kathryn School and daycare:

- As part of our ongoing negotiations on rights and title, the Office of the Wet'suwet'en identified an interest in acquiring Lake Kathryn School in Smithers, which the local school district has had on the market.
- The Province provided funding to support the purchase, to support Wet'suwet'en Nation self-government.
- The building will be used in the future as a government administration building.
- We understand that many parents in the area rely on the daycare facility currently in the building.
- That's why the conditions of the sale required that the daycare lease be honoured, which means it will be in place for at least the next 17 months.
- We, the school district and the Office of the Wet'suwet'en will continue to have discussions with parents and staff to in the next few months ensure there is a well-informed transition plan.

Confidential Issues Note - ADVICE TO MINISTER

s.13

If asked what the provincial and federal governments are doing to end the blockades causing disruptions across the country:

s.13

Confidential Issues Note - ADVICE TO MINISTER

If asked about public engagement on any reconciliation agreements:

- **We will be reaching out to any relevant stakeholders and local governments as part of our discussions on any matters of interest.**

s.13; s.16

BACKGROUND:

- The Office of the Wet'suwet'en was the successful bidder to purchase Lake Kathlyn school in Smithers, which no longer functions as a school but is home to a childcare facility with 130 children.
- Wet'suwet'en have completed internal communications and are sending a media release to local media on Feb. 20th.
- Parents of the daycare have expressed concerns to the daycare operator about the future of the daycare. The Ministry and Office of the Wet'suwet'en met with the school district and daycare operator on Feb. 12, 2020 to provide information and discuss future plans and transition regarding the building's use. The operator remains concerned, despite assurance that their current lease will be honoured in its entirety.
- A requirement of the sale was that the existing lease, which runs through to June 2021, be honoured.
- \$1.23 million in provincial funding to enable the purchase was provided as part of the ongoing reconciliation negotiations between the Province (through MIRR) and Office of the Wet'suwet'en representing Wet'suwet'en Hereditary Chiefs.
- Office of the Wet'suwet'en intends to use the school as a seat of government for Wet'suwet'en Nation.

Reconciliation Discussions

- The Province and Wet'suwet'en nation started the formal reconciliation negotiation process together in April 2019, B.C.'s representative is lawyer and former NDP MP Murray Rankin.
- s.16
- The reconciliation process is not connected to any specific project. It is focused on recognizing and implementing Wet'suwet'en title, rights, laws and traditional governance across the territory.
- As a first step, on March 16, 2019, the Laksilyu Clan of the Wet'suwet'en hosted a traditional smoke feast, an established protocol under Wet'suwet'en traditional hereditary systems.
- Minister Fraser met with Wet'suwet'en leadership in May 2018. Premier Horgan and Minister Fraser subsequently met with Wet'suwet'en hereditary leaders on Aug. 31, 2018, in Smithers.
- s.16

- In October 2018, the Ministry of Children and Family Development, Wet'suwet'en Nation and the federal government signed a agreement to work together on a framework for exercising Wet'suwet'en jurisdiction over child and family services, in accordance with traditional laws and governance systems.

Peaceful Resolution efforts related to CGL Project

- Rallies to support the Wet'suwet'en hereditary chiefs's opposition to the CGL project have been held across the country since RCMP began enforcing an injunction allowing construction to proceed – including some that have shut down railroads and ports and that blocked off entrances to the B.C. legislature on the first day of the spring legislative session on Feb. 11, 2020.

Confidential Issues Note - ADVICE TO MINISTER

- A Gitxsan blockade of the CN rail line near New Hazelton was removed on Feb. 13, 2020, after the Premier and Prime Minister replied to a letter from a Gitxsan hereditary chief confirming the provincial and federal governments would participate in a joint meeting with Gitxsan and Wet'suwet'en hereditary chiefs.
- After an unsuccessful attempt between the Province and Hereditary Chiefs to find a peaceful resolution to the conflict over the Coastal GasLink LNG pipeline project through Wiggus (Respect) Table talks on Feb. 3 and 4, 2020, RCMP moved in on Feb. 6, 2020 to enforce an injunction allowing removal of encampments set up by Wet'suwet'en hereditary chiefs and their supporters on Morice Forest Service Road. 28 people were arrested over several days. The RCMP has now ended its major operation, but officers remain in the area monitoring.
- The Wet'suwet'en Hereditary Chiefs agreed to enter a discussion called the Wiggus (Respect) Table with the Province on Jan. 30th for seven days in an effort to de-escalate the conflict. This followed the appointment on Jan. of Nathan Cullen (former NDP MP – Skeena-Bulkley Valley) as an intermediary.
- On January 22, Minister Scott Fraser met with staff representatives of the Office of the Wet'suwet'en in Smithers, but was unable to meet with the Hereditary Chiefs.
- In mid-January several small protests in support of the Hereditary Chiefs were held, including at the Swartz Bay ferry terminal, David Eby's constituency office, and the Ministry of Energy, Mines and Petroleum Resources building in Victoria. The latter resulted in several arrests.
- Also at this time, a United Nations committee called on Canada and B.C. to stop three projects; the Coastal GasLink pipeline, Site C, and Trans Mountain, until there is full First Nations consent. B.C.'s Human Rights Commissioner also has called on the province to stop the Coastal GasLink project.
- The Wet'suwet'en hereditary chiefs issued an eviction to Coastal GasLink contractors on January 4th, stating they reject a B.C. Supreme Court injunction granted on Dec. 31, 2019 allowing construction to continue on the pipeline. Hereditary Chiefs have refused to meet with CGL, stating that they will only meet with decision-makers (the provincial and federal governments, and the RCMP).
- On Dec. 20, 2019 The Guardian published a story that documents obtained from the RCMP show the RCMP was prepared to 'lethal oversight' and other inflammatory references regarding the confrontation between police and protestors at the Gidimt'en checkpoint on Jan. 7, 2019.
- Wet'suwet'en Hereditary Chiefs oppose LNG Canada's Coastal GasLink pipeline project which runs through the territory. Coastal GasLink has agreements with the 20 First Nations along the pipeline route.

Communications Contact(s): Sarah Plank

Program Area Contact: Cory Waters / Trish Balcaen

OOP FOI PREM:EX

From: Plank, Sarah GCPE:EX
Sent: February 17, 2020 1:27 PM
To: Aaron, Sage PREM:EX; Smith, George PREM:EX; Howlett, Tim GCPE:EX; Bain, Don PREM:EX
Cc: McNish, James IRR:EX
Subject: FW: UPDATED FOR URGENT REVIEW - Q&A
Attachments: QA_Wet'suwet'en_interviews_16Feb20_draft.docx

Importance: High

Hi all – can you please have a look at this ASAP so we can get it to Minister Fraser before his radio interviews? Thanks, Sarah.

From: Plank, Sarah GCPE:EX
Sent: Saturday, February 15, 2020 3:42 PM
To: Dinicol, Sam GCPE:EX ; Farmer, Leila GCPE:EX ; Howlett, Tim GCPE:EX
Subject: UPDATED FOR REVIEW - Q&A

Hi all – in anticipation of a busy week next week with budget, I have updated the minister's Q&A. I have added a bunch of new questions, taken out the ones that seem to have fallen away, and reordered them to align with where media have primarily been focusing in recent days.

Please can you have a look and let me know if you think these are okay, or if you have any suggested changes?

Thanks,
Sarah.

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

QUESTIONS & ANSWERS
CBC The Current interview
February 12, 2020

KEY MESSAGES:

- **What we're seeing right now underscores the challenges of reconciliation, and the importance of the work we are doing in B.C. to implement the Declaration on the Rights of Indigenous Peoples Act.**
 - **B.C. is a leader in Canada with reconciliation.**
 - **But these are complex issues that have been more than 150 years in the making, and they are important questions for us to grapple with.**
 - **They show why meaningful reconciliation with Indigenous peoples is critical to the future of our province and our country – and how vital the work we are doing to implement the UN Declaration is.**
 - **This work can't wait any longer.**
 - **We are now working to develop an action plan, in collaboration with Indigenous peoples, that will give us a path forward on this work.**
 - ***If asked...* The question of Wet'suwet'en governance can only be resolved from within the Wet'suwet'en community, and that is part of the conversation in our ongoing reconciliation talks with the hereditary chiefs – which are being supported by former MP Murray Rankin.**
-

1. How did your meeting go with Minister Bennett and what is the outcome?

- Minister Bennett and I met today to talk about the ongoing circumstances related concerns in Wet'suwet'en territory.
- There is no doubt that the events of the past several weeks have been – and continue to be – a significant challenge.
- We agreed that dialogue is the best and preferred way through this challenge, and we share a deep commitment to relationships with Indigenous peoples based on respect.
- We have reached out to the Wet'suwet'en Hereditary Chiefs about meeting with us at the earliest opportunity and are hopeful we can all work together toward a constructive dialogue and action to address the issues at hand.
- Our primary focus is everyone's safety and, ultimately, a peaceful resolution to the situation.

2. What is your reaction to the protests going on across the province and across the country?

- Our government supports people's right to peaceful protest – and it crosses the line when it starts to create the kind of impacts we are seeing from the rail blockades.
- We were able to broker the dismantling of the CN Rail blockade near New Hazelton as a gesture of good faith, and meet with hereditary chiefs and the federal government soon.
- We all want a peaceful resolution to this situation.

3. Is government going to intervene, given the rising concerns about things like empty store shelves, lack of chlorine to treat municipal drinking water, and losses to the bottom line for business impacted across sectors?

- Enforcement decisions are made by the police, independent from government.

4. Is the government directing the police not to enforce the injunctions on the railways? Why aren't the blockades being dismantled, given injunctions have been granted?

- The police operate independently from government.
- Enforcement decisions are made by the police, independent from government.
- Our primary focus is everyone's safety, and ultimately a peaceful resolution to the situation

5. What did government do to prepare for the protestors attempt to shut it down on Feb. 14 in Victoria?

- We were aware of the planned demonstrations in front of government offices, and the Public Service prepared in advance to ensure continuity of service for people and security for staff.
- The physical and emotional safety of public servants is always our top priority.
- Every employee in B.C., regardless of where they work, should feel safe and welcome coming to work.
- British Columbians have the right to free speech and a peaceful protest.
- It is also important that public service employees — who work everyday to deliver the services that British Columbians depend on — are not subject to verbal, physical or emotional abuse.
- We would never ask public servants to put themselves into any situation where they do not feel safe.
- *If asked...* We are not able to share what measures will be in place to secure government buildings.

6. Are we going to see more sit ins/blockades and arrests?

- There is no doubt that the events of the past week have been – and continue to be a significant challenge.
- That said, all Canadians have a democratic to lawful, peaceful protest and to express their point of view.
- It is up to the police to make enforcement decisions, and they do so independently – government cannot and should not have any influence over police decisions.

7. What is your response to police arresting Wet'suwet'en matriarchs performing ceremony?

- It would be best for the RCMP to speak to their operations.
- The police operate independently from government.
- Our main concern is the safety of everyone involved.

8. You met with the hereditary chiefs for “Wiggus” talks already to no avail. Do you expect the new talks to resolve this long-standing dispute?

- Our government is committed to relationships with Indigenous peoples based on respect.
- We continue to be committed to engaging with the Wet'suwet'en Hereditary Chiefs to try to find a peaceful resolution to the situation.
- We appreciate the Gitksan Hereditary Chiefs stepping in to facilitate and participate the planned talks – and their commitment to dismantle the blockade in New Hazelton and to call for a period of calm.
- Dialogue is the best way through this situation, and we would welcome the opportunity to sit down and talk with the hereditary chiefs and federal government.

9. Did anything get achieved with the Wiggus talks?

- It was clear from the discussion that all of us came together in good faith to try to find a way forward together.
- We honour and value our deepening relationship, and we are dedicated to continue to build that relationship.
- While we were not successful in finding a resolution to the current situation, we remain open to dialogue – even on topics we don't agree on.
- Our separate ongoing discussions with Wet'suwet'en Hereditary Chiefs, which are focused on rights, title, self-government and self-determination, continue and we are making important progress in those discussions."

10. Wet'suwet'en Hereditary Chiefs say consent from elected bands does not apply in the broader territory. What is your view of their authority?

- It is up to the Nation themselves to decide who speaks for and makes decisions on behalf of their Nation, based on their own rules and protocols, including the recognition of their citizens.
- Governance matters are one of the elements of our reconciliation discussions with the Wet'suwet'en, and it is an active conversation the Nation is having internally that would be most appropriately addressed by Wet'suwet'en.

11. Is reconciliation dead?

- These events in no way shake our resolve for the work of reconciliation.
- In fact, these events underscore the challenges of reconciliation and the importance of the work we're doing together.
- Reconciliation is hard work, it does not begin or end with a single decision, event or moment.
- We are proud to be the first province in Canada to pass a Declaration on the Rights of Indigenous Peoples.
- These issues show why meaningful reconciliation with Indigenous peoples is critical to the future of our province and our country – and how vital the work we are doing to implement the UN Declaration is.

12. How do you reconcile the court ruling that the pipeline project is legally cleared to proceed, with the Supreme Court decision that says hereditary chiefs have title, and B.C.'s commitment to the UN Declaration?

- We've been clear that we wanted to see a peaceful resolution to this situation.
- These events don't shake our resolve for the challenging but important work of reconciliation.
- We are the first province in Canada to pass legislation to implement the Declaration on the Rights of Indigenous Peoples.
- This new act gives us a path forward on reconciliation with Indigenous peoples, but like any relationship, we may not always agree on everything.
- We remain committed to working in partnership with Indigenous Nations to meaningfully advance reconciliation in B.C.

13. Without the consent of Wet'suwet'en Hereditary Chiefs isn't the pipeline project out of step with B.C.'s commitment to the UN Declaration?

- We expected to consult and cooperate in good faith, as called for in the UN Declaration, when considering decisions that may affect Indigenous peoples.
- B.C. has engaged extensively with Indigenous communities in relation to the Coastal GasLink Project (and LNG Canada export facility) – through both the environmental assessment process and the permitting process.
- This has included extensive consultation with Indigenous leadership, including both hereditary Chiefs and elected bands of the Wet'suwet'en.
- We have signed agreements with 17 First Nations along the route, and Coastal GasLink has signed agreements with 20.
- The Declaration on the Rights of Indigenous Peoples Act gives us a path forward on reconciliation with Indigenous peoples, but like any relationship, we may not always agree on everything.
- The work to implement the Declaration is significant and ongoing and we are dedicated to working in partnership with Indigenous peoples on it.

14. Will these events impact the ongoing reconciliation talks with Murray Rankin and the Office of the Wet'suwet'en?

- Those are separate discussions, focused more broadly on Wet'suwet'en rights and title, and self-government and self-determination.
- Our government and the Office of the Wet'suwet'en have been working together, government-to-government, to advance reconciliation since last spring.
- We have met at least monthly since April of last year and these talks continue – with some important progress made so far.
- The reconciliation talks are not related to any specific project but are focused on building our relationship and advancing reconciliation.

15. What is the status of the ongoing reconciliation discussions, and might they help resolve this dispute?

- It's important to note that these talks are not related to any specific project but are focused on building our relationship and meaningfully advancing reconciliation.
- Representatives from the Province and Office of Wet'suwet'en continue to meet regularly – as they have since April 2019.
- We are discussing both short-term, practical steps and longer-term pieces necessary for strong governance and implementation of Wet'suwet'en title and rights.
- There has already been important progress that we have together agreed to move forward on, and we are committed to continuing these important discussions.

16. Is CGL moving forward with construction yet?

- CGL would need to answer questions about their construction timelines.
- What I can say is that the pipeline is approved and permitted by the appropriate regulatory agencies for the construction activities underway and the B.C. Supreme Court ruled that Coastal GasLink is lawfully permitted to conduct their work.
- The company has said it is committed to seeing the project through.
- Court rulings and police enforcement decisions are made independent from government.

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

- The Province is expected to consult and cooperate in good faith, as called for in the UN Declaration, when considering decisions that may affect Indigenous peoples.
- There may be occasions when a disputed project goes forward, if it has met this condition. And there may be occasions when a project does not.
- Every project is unique, with many factors that go into the decision-making process.
- British Columbia has engaged extensively with Indigenous communities in relation to the Coastal GasLink Project (and LNG Canada export facility) – through both the environmental assessment process and the permitting process. This has included extensive consultation with Indigenous leadership, including both hereditary Chiefs and elected bands of the Wet'suwet'en.
- B.C. conducted extensive consultation with Indigenous Nations and has signed agreements with the vast majority of Indigenous communities along the Coastal GasLink pipeline route, as has Coastal GasLink.
- On Dec. 31, the Supreme Court of B.C. ruled that the company is lawfully permitted to conduct their work.

18. Can a project go forward without consent of the affected First Nation now that the Declaration on the Rights of Indigenous Peoples Act is in force?

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- There may be occasions when a disputed project goes forward, if it has met this condition. And there may be occasions when a project does not.
- Every project is unique, with many factors that go into the decision-making process.
- What the legislation will ensure is that there is transparency and clarity in the processes, so that businesses will know from the get-go what is expected as they move through them.

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

- Coastal GasLink met all the conditions we've placed on LNG development in B.C.
- LNG Canada and Coastal GasLink have shown they understand the importance of consultation and meaningful reconciliation with First Nations.
- That's why they have signed agreements with elected councils of all First Nations along the pipeline corridor.
- This project represents great opportunities for all people in British Columbia, but it also recognizes and highlights the challenges of reconciliation.
- B.C. remains committed to finding ways with the Office of the Wet'suwet'en to move forward with reconciliation. Those discussions are not tied to any one project.

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

- The new Declaration on the Rights of Indigenous Peoples Act gives us a path forward on reconciliation with Indigenous peoples, but like any relationship, we may not always agree on everything.
- This legislation is by no means a magic wand, and it won't erase conflict in every situation.
- There will be times when we can't reach agreement, and the province will continue to make decisions in the public interest.

21. Does enshrining the UN Declaration give Indigenous nations a veto over resource development?

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

22. What is the government's position on hereditary chiefs' title, with the Delgamuukw ruling?

- The Delgamuukw-Gisday'wa Supreme Court ruling was a keystone decision, which affirmed Aboriginal rights including Aboriginal title in Canada.
- As you know, the 2014 Tsilhqot'in ruling went even further, declaring title in specific areas.
- We agree with the decision that these matters are best settled through negotiation rather than litigation, and that is the approach we are taking.
- We are moving forward in ways that recognize title and rights, and working in partnership with Nations rather than in conflict.
- Negotiation and collaboration are the best way to work through these difficult issues together.

OOP FOI PREM:EX

From: Smith, George PREM:EX
Sent: February 17, 2020 9:19 AM
To: Hockin, Amber PREM:EX
Subject: Fwd: For today's check in
Attachments: 2020-02-13 BN_Engagement on Declaration Act DRAFT.dotx; ATT00001.htm; Wetsuweten Chronology Summary 13Feb2020.docx; ATT00002.htm

George Smith, Deputy Communications Director

Office of the Premier | Government of BC
British Columbia Parliament Buildings | [250-208-6794](tel:250-208-6794)

Begin forwarded message:

From: "McNish, James IRR:EX"
Date: February 17, 2020 at 9:17:21 AM PST
To: "Smith, George PREM:EX"
Subject: For today's check in

Hey bud,
Attached is the BN of the engagement process on the Declaration Act and also a chronology of events leading up to our current situation with the Wet'suwet'en
Cheers,
-James

BRIEFING NOTE FOR INFORMATION

DATE: February 13, 2020

PREPARED FOR: Honourable Scott Fraser, Minister of Indigenous Relations and Reconciliation

ISSUE: Engagement on the Declaration on the Rights of Indigenous Peoples Act

SUMMARY:

- **Engagement on implementation of the Declaration Act is in its early stages.**
- **Ministry staff has initiated conversations with the First Nations Leadership Council and other Indigenous partners to support meaningful engagement with treaty and non-treaty nations, Métis people, and urban and off-reserve Indigenous peoples.**
- **Ministry staff is developing an engagement approach to identify key engagement opportunities with stakeholders including local government, industry and agencies..**

BACKGROUND:

On November 28, 2019, the *Declaration on the Rights of Indigenous Peoples Act* (Declaration Act) came into force. The Declaration Act imposes three distinct procedural obligations on government to be met in consultation and cooperation with Indigenous peoples: align provincial laws with the UN Declaration (s. 3); establish an action plan to meet the objectives of the UN Declaration (s. 4); and, produce annual report on progress (s. 5). Additionally, enabling provisions in the Declaration Act regarding Indigenous governing bodies create space for agreements regarding joint and consent-based statutory decisions. Ministry staff will be working with Indigenous partners to support meaningful engagement with treaty and non-treaty nations, Métis people, and urban and off-reserve Indigenous people. To ensure transparency, Ministry staff will ensure there are opportunities for engagement with other potentially affected stakeholders, including local governments and industry.

DISCUSSION:

Engagement on the implementation of the Declaration Act has begun, with a more detailed engagement plan in development. The engagement plan will be informed by input from and agreements with: the First Nations Leadership Council (e.g., Commitment Document, Concrete Actions), First Nations directly (both in collaboration with FNLC and with some directly), Métis Nation BC, Modern Treaty Nation Alliance as well as important relationships with other key organizations such as the First Nations Forestry Council, the B.C. Association of Aboriginal Friendship Centres and the Urban Native Youth Association. The intent is to ensure an inclusive and efficient process that builds upon collectively identified priorities and actions. This includes consideration of key documents such as the 2015 Commitment Document, the 2018 Concrete Actions document, the Recognition and Reconciliation of Rights Policy for Treaty Negotiations in British Columbia, and feedback gathered during recent engagement sessions.

Recent Engagement

Recent and upcoming engagement opportunities with Indigenous communities include direct meetings with nations (upon request), co-presentations with the FNLC at their quarterly meetings, correspondence with First Nations organizations, presentations at active negotiation tables, a meeting with the Minister's Advisory Committee on Indigenous Women, and early discussions with the Modern Treaty Alliance.

Continued dialogues on the implementation of the Declaration Act have also been occurring with key stakeholders, industry and labour through individual meetings and through industry associations. MIRR

has actively participated over the past two months in industry events such as the Association of Mineral Exploration Round Up, Prince George Natural Resource Forum and BCAFN Business Forum. In addition, conversation with the federal government has also been initiated and regular communication with key stakeholders is ongoing, including the Union of B.C. Municipalities.

Action Plan

Through the Joint Core Working Group, Ministry staff have been working with the First Nations Leadership Council (FNLC) to determine the best approach to engage with nations on development of the action plan. At this stage, a dedicated All Chiefs meeting in late Spring 2020 is being contemplated. Input on process, methodology and priorities has begun with the first series of presentations at the quarterly meetings of the First Nations Summit (February 13, 2020), the Union of BC Indian Chiefs (February 27, 2020) and the BCAFN (March 4, 2020).

The existing governance structure for the Draft 10 Principles, including an ADM Steering Committee, Champions Table and Statutory Decision Makers working group, will be transitioned to support engagement on and development of the annual report and action plan.

s.16

The Province has also begun to review its legislative programs for compliance with the Declaration Act.
s.16

KEY MESSAGES:

- Early engagement on implementation of the Declaration Act has begun.
- A more detailed engagement plan will be developed in partnership with the First Nations Leadership Council, Métis Nation BC, with First Nations directly and other Indigenous partners to ensure an inclusive and efficient process.
- To ensure transparency and support effective implementation, we will continue to engage with other potentially affected and interested stakeholders, including local governments, labour and industry.

PREPARED BY:

Emily Arthur, Executive Director
Reconciliation Strategies Branch
(250) 818-7762

Wet'suwet'en Engagement Summary:

2010:

- Unist'ot'en notifies that OW does not represent the Unist'ot'en people for any business activity, including consultation and accommodation agreements. BC responds to Unist'ot'en confirming that BC would send consultation referrals to spokesperson Freda Huson as well as to OW
- Unist'ot'en established a camp near kilometre 66 of the Morice West FSR, occupied year round by members and supporters of Unist'ot'en
- Gate installed without BC authorization restricting traffic that extends into Unist'ot'en territory

2013:

- MIRR received further confirmation from OW that that office does not formally represent or speak on behalf of Unist'ot'en, that the Wet'suwet'en Hereditary Chiefs are not apprised of the activities and or initiatives of the Unist'ot'en, and that further communication should be directly with House Chief Warner William or Freda Huson.

2014:

- May: BC launched the ESI initiative, committing \$30M over three years for a collaborative initiative among the Province, Industry and First Nations fostering environmental stewardship and supporting consensus projects
- Letter to Wet'suwet'en Indian Act Bands and OW setting out commitment to put a regulation in place that would disallow conversion of natural gas pipelines to bitumen pipelines.
Wetsuwet'en Hereditary Chiefs cc'd
- October 24 – CGL EA Certificate approved
- Nov: letter to Wet'suwet'en Hereditary Chiefs following up on Nov 6 meeting discussing reconciliation. All Wet'suwet'en Indian Act Band Council cc'd

- s.16

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2015:

- s.16

- Feb: BC letter to Wet'suwet'en Chiefs confirming that PBA agreements do not confer authority to elected chiefs^{s.16}
- BC launched the Aboriginal Skills and Training Development Fund, identifying \$30M over three years to assist First Nations in benefitting from direct and indirect employment opportunities.
- Aug: Unist'ot'en enacts Declaration of Law governing Unist'ot'en Territory
- Aug: BC letter to OW reiterating commitment to enter into government-to-government discussions.

- s.16

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2017:

- February 1st, ADM FLNRO sent a letter to Freda Huson regarding the gate and advising that it was BC's view that the installation was in contravention of FSR regulations
- Dec 7th: BC to Wet'suwet'en Chiefs– regarding duty to consult and permitting regulations, potential resolution of the Morice Bridge issue and building a stronger relationship

2018:

- Witset signs PBA respecting the Coastal Gas Link project with BC – ^{s.16}
s.16
- OW/Unist'ot'en meet with Premier Horgan and Minister Scott Fraser to discuss reconciliation
- August 31: meeting with OW Hereditary Chiefs, PJH and MSF
- s.16

s.16

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- Oct: OW to PJH Letter regarding recognition of Wet'suwet'en Aboriginal Title and Implementation of Title.
- PJH letter to Warner William and OW acknowledging previous correspondence and invitation to the Wet'suwet'en Territory to discuss reconciliation. PJH is supportive of engaging an intermediary to assist in the process
- Nov: Letter from OW regarding Wet'suwet'en Title and Implementation of UN Declaration. Warner William cc'd
- Nov – Intermediary assigned to explore possible approaches

2019:

- Jan – Intermediary report received
- Feb – Appoint Murray Rankin
- March – Bahtlaht (Smoke Feast) with PJH, MSF, MDD and Murray Rankin at Witset
- April – Reconciliation negotiations commence
- November – Term Sheet completed
- BC commences approval process

2020:

- January – funding approved to acquire school
- February – SD 54 confirms OW bid is successful

QUESTIONS & ANSWERS
CBC The Current interview
February 12, 2020

KEY MESSAGES:

- **What we're seeing right now underscores the challenges of reconciliation, and the importance of the work we are doing in B.C. to implement the Declaration on the Rights of Indigenous Peoples Act.**
 - **B.C. is a leader in Canada with reconciliation.**
 - **But these are complex issues that have been more than 150 years in the making, and they are important questions for us to grapple with.**
 - **They show why meaningful reconciliation with Indigenous peoples is critical to the future of our province and our country – and how vital the work we are doing to implement the UN Declaration is.**
 - **This work can't wait any longer.**
 - **We are now working to develop an action plan, in collaboration with Indigenous peoples, that will give us a path forward on this work.**
 - ***If asked...* The question of Wet'suwet'en governance can only be resolved from within the Wet'suwet'en community, and that is part of the conversation in our ongoing reconciliation talks with the hereditary chiefs – which are being supported by former MP Murray Rankin.**
-

Questions & Answers:

- 1. What is your reaction to the protests going on across the province and across the country?**
 - Our government supports people's right to peaceful protest – and it crosses the line when it starts to create the kind of impacts we are seeing from the rail blockades.
 - We were able to broker the dismantling of the CN Rail blockade near New Hazelton as a gesture of good faith, and meet with hereditary chiefs and the federal government soon.
 - We all want a peaceful resolution to this situation.

2. Is government going to intervene, given the rising concerns about things like empty store shelves, lack of chlorine to treat municipal drinking water, and losses to the bottom line for business impacted across sectors?

- Enforcement decisions are made by the police, independent from government.

3. Is the government directing the police not to enforce the injunctions on the railways? Why aren't the blockades being dismantled, given injunctions have been granted?

- The police operate independently from government.
- Enforcement decisions are made by the police, independent from government.
- Our primary focus is everyone's safety, and ultimately a peaceful resolution to the situation

4. What did government do to prepare for the protestors attempt to shut it down on Feb. 14 in Victoria?

- We were aware of the planned demonstrations in front of government offices, and the Public Service prepared in advance to ensure continuity of service for people and security for staff.
- The physical and emotional safety of public servants is always our top priority.
- Every employee in B.C., regardless of where they work, should feel safe and welcome coming to work.
- British Columbians have the right to free speech and a peaceful protest.
- It is also important that public service employees — who work everyday to deliver the services that British Columbians depend on — are not subject to verbal, physical or emotional abuse.
- We would never ask public servants to put themselves into any situation where they do not feel safe.
- *If asked...* We are not able to share what measures will be in place to secure government buildings.

5. Are we going to see more sit ins/blockades and arrests?

- There is no doubt that the events of the past week have been – and continue to be a significant challenge.
- That said, all Canadians have a democratic to lawful, peaceful protest and to express their point of view.
- It is up to the police to make enforcement decisions, and they do so independently – government cannot and should not have any influence over police decisions.

6. What is your response to police arresting Wet'suwet'en matriarchs performing ceremony?

- It would be best for the RCMP to speak to their operations.
- The police operate independently from government.
- Our main concern is the safety of everyone involved.

7. You met with the hereditary chiefs for “Wiggus” talks already to no avail. Do you expect the new talks to resolve this long-standing dispute?

- Our government is committed to relationships with Indigenous peoples based on respect.
- We continue to be committed to engaging with the Wet'suwet'en Hereditary Chiefs to try to find a peaceful resolution to the situation.
- We appreciate the Gitksan Hereditary Chiefs stepping in to facilitate and participate the planned talks – and their commitment to dismantle the blockade in New Hazelton and to call for a period of calm.
- Dialogue is the best way through this situation, and we would welcome the opportunity to sit down and talk with the hereditary chiefs and federal government.

8. Did anything get achieved with the Wiggus talks?

- It was clear from the discussion that all of us came together in good faith to try to find a way forward together.
- We honour and value our deepening relationship, and we are dedicated to continue to build that relationship.
- While we were not successful in finding a resolution to the current situation, we remain open to dialogue – even on topics we don’t agree on.
- Our separate ongoing discussions with Wet’suwet’en Hereditary Chiefs, which are focused on rights, title, self-government and self-determination, continue and we are making important progress in those discussions.”

9. Wet’suwet’en Hereditary Chiefs say consent from elected bands does not apply in the broader territory. What is your view of their authority?

- It is up to the Nation themselves to decide who speaks for and makes decisions on behalf of their Nation, based on their own rules and protocols, including the recognition of their citizens.
- Governance matters are one of the elements of our reconciliation discussions with the Wet’suwet’en, and it is an active conversation the Nation is having internally that would be most appropriately addressed by Wet’suwet’en.

10. Is reconciliation dead?

- These events in no way shake our resolve for the work of reconciliation.
- In fact, these events underscore the challenges of reconciliation and the importance of the work we’re doing together.
- Reconciliation is hard work, it does not begin or end with a single decision, event or moment.
- We are proud to be the first province in Canada to pass a Declaration on the Rights of Indigenous Peoples.
- These issues show why meaningful reconciliation with Indigenous peoples is critical to the future of our province and our country – and how vital the work we are doing to implement the UN Declaration is.

11. How do you reconcile the court ruling that the pipeline project is legally cleared to proceed, with the Supreme Court decision that says hereditary chiefs have title, and B.C.'s commitment to the UN Declaration?

- We've been clear that we wanted to see a peaceful resolution to this situation.
- These events don't shake our resolve for the challenging but important work of reconciliation.
- We are the first province in Canada to pass legislation to implement the Declaration on the Rights of Indigenous Peoples.
- This new act gives us a path forward on reconciliation with Indigenous peoples, but like any relationship, we may not always agree on everything.
- We remain committed to working in partnership with Indigenous Nations to meaningfully advance reconciliation in B.C.

12. Without the consent of Wet'suwet'en Hereditary Chiefs isn't the pipeline project out of step with B.C.'s commitment to the UN Declaration?

- We expected to consult and cooperate in good faith, as called for in the UN Declaration, when considering decisions that may affect Indigenous peoples.
- B.C. has engaged extensively with Indigenous communities in relation to the Coastal GasLink Project (and LNG Canada export facility) – through both the environmental assessment process and the permitting process.
- This has included extensive consultation with Indigenous leadership, including both hereditary Chiefs and elected bands of the Wet'suwet'en.
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- We have met at least monthly since April of last year and these talks continue – with some important progress made so far.
- The reconciliation talks are not related to any specific project but are focused on building our relationship and advancing reconciliation.

14. What is the status of the ongoing reconciliation discussions, and might they help resolve this dispute?

- It's important to note that these talks are not related to any specific project but are focused on building our relationship and meaningfully advancing reconciliation.
- Representatives from the Province and Office of Wet'suwet'en continue to meet regularly – as they have since April 2019.
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- That's why they have signed agreements with elected councils of all First Nations along the pipeline corridor.
- This project represents great opportunities for all people in British Columbia, but it also recognizes and highlights the challenges of reconciliation.
- B.C. remains committed to finding ways with the Office of the Wet'suwet'en to move forward with reconciliation. Those discussions are not tied to any one project.

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- The Delgamuukw-Gisday'wa Supreme Court ruling was a keystone decision, which affirmed Aboriginal rights including Aboriginal title in Canada.
- As you know, the 2014 Tsilhqot'in ruling went even further, declaring title in specific areas.
- We agree with the decision that these matters are best settled through negotiation rather than litigation, and that is the approach we are taking.
- We are moving forward in ways that recognize title and rights, and working in partnership with Nations rather than in conflict.
- Negotiation and collaboration are the best way to work through these difficult issues together.

OOP FOI PREM:EX

From: Plank, Sarah GCPE:EX
Sent: February 16, 2020 10:42 AM
To: McNish, James IRR:EX; Bain, Don PREM:EX; Aaron, Sage PREM:EX; Smith, George PREM:EX; Howlett, Tim GCPE:EX; Farmer, Leila GCPE:EX; Dinicol, Sam GCPE:EX
Subject: MEDIA REQUEST - CP - Wet'suwet'en reconciliation talks
Attachments: IN_Wet'suwet'en reconciliation_12Feb20_draft.docx
Importance: High

HI all – thoughts on the minister doing this? I have also drafted a potential statement for use if folks would rather go that route. Please advise. And also will note that^{s.22}

s.22, so hoping to get the approach settled fairly quickly. Thanks.

Reporter

Amy Smart, Reporter
Canadian Press (BC Bureau)
amy.smart@thecanadianpress.com
604-692-1168 c.s.22

Deadline ASAP

Request

Reporter has spoken with Wet'suwet'en hereditary chief Na'moks and asked if the ongoing reconciliation talks they are in with the province could solve the current impasse, and he said they could - though he also reiterated strongly that those talks are separate from the CGL issue.

She would like to talk to Minister Fraser about what the talks are about, how they are going, whether the minister thinks they could solve the impasse, or whether Aboriginal title has to go back to court. Is this venue one that could help solve the impasse?

On background, she has been advised that the talks are about rights and title, self-government and self-determination, and that certainly Aboriginal can be negotiated between governments and not just achieved through litigation (provided the recent Heiltsuk example). Also on background, she was given some foundational knowledge about how negotiations work in B.C. (treaty, non-treaty, non-extinguishment approach that's flexible over time, looks different for each nation in talks based on their goals, priorities, circumstances, what Aboriginal title is, etc.).

Background

see attached issues note

Recommendation

Potential draft statement:

The Province and Office of the Wet'suwet'en are currently in discussions exploring a path forward, nation-to-nation, to meaningfully advance reconciliation. These discussions are focused on Wet'suwet'en rights and title, and self-government and self-determination.

We have been working together, government-to-government, to advance reconciliation since last spring, meeting at least monthly. We have made some important progress made so far, and continue to meet regularly, with Murray Rankin representing the Province in the discussions.

As far as your question on whether they will help solve the current impasse, the ongoing reconciliation talks are not related to any specific project but are focused on building our relationship and advancing reconciliation.

We are discussing both short-term, practical steps and longer-term pieces necessary to establish healthy governance, and implementation of Wet'suwet'en title and rights.

This work takes time. There are many steps ahead of us, but we are committed to walking this path with the Wet'suwet'en.

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

Confidential Issues Note - ADVICE TO MINISTER

Ministry of Indigenous Relations and Reconciliation Updated: February 12, 2020 Minister Responsible: Hon. Scott Fraser	Wet'suwet'en reconciliation
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RECOMMENDED RESPONSE:

- The Province and Office of the Wet'suwet'en are currently in discussions exploring a path forward, nation-to-nation, to meaningfully advance reconciliation.
- These discussions are focused on Wet'suwet'en rights and title, and self-government and self-determination.
- We have been working together, government-to-government, to advance reconciliation since last spring, meeting at least monthly.
- We have made some important progress made so far, and continue to meet regularly, with Murray Rankin representing the Province in the discussions.
- The ongoing reconciliation talks are not related to any specific project but are focused on building our relationship and advancing reconciliation.
- We are discussing both short-term, practical steps and longer-term pieces necessary to establish healthy governance, and implementation of Wet'suwet'en title and rights.
- This work will take time. There are many steps ahead of us, but we are committed to walking this path with the Wet'suwet'en.

If asked about Lake Kathryn School and daycare:

- As part of our negotiations, the Office of the Wet'suwet'en identified an interest in acquiring Lake Kathryn School, which the local school district had on the market in an open procurement process.
- We understand that many parents in the area rely on the daycare facility in the building.
- That's why the conditions of the sale required that the daycare lease be honoured, which means it will be in place for at least the next 17 months.
- We will continue to have discussions in the next few months with parents and staff to ensure there is a well-informed transition plan.

If asked about RCMP enforcement of injunction:

- This isn't the outcome we wanted – our government has been clear that we wanted to see a peaceful resolution to this dispute.
- We hope that the paramount need for safety stays the top priority for all parties.

Confidential Issues Note - ADVICE TO MINISTER

- We made a committed effort to find a peaceful resolution including recent talks with the Hereditary Chiefs at the Wiggus Table.
- And we appointed Nathan Cullen to be a liaison between the Hereditary Chiefs, the police, the company and the province, with a specific focus on de-escalating the situation.
- We were hoping for a negotiated outcome – but the fact remains that the court made a ruling that the company is allowed to conduct its work.
- The courts and the police are independent from government – we can't direct either of them and that's by design.

If asked about the Premier meeting with hereditary chiefs

- Our government made a committed effort to find a peaceful resolution through recent talks with the Hereditary Chiefs at the Wiggus Table.
- It was very clear from our discussions that all of us came together in good faith to try to find a way forward together.
- We are dedicated to continuing to build that relationship.
- While we weren't successful in finding a resolution to the current situation, we remain open to dialogue with Wet'suwet'en leadership on this issue.

If asked about public engagement on any reconciliation agreements:

- We will be reaching out to any relevant stakeholders and local governments as part of our discussions on any matters of interest.

s.13; s.16

BACKGROUND:

- The Office of the Wet'suwet'en was the successful bidder to purchase Lake Kathlyn school in Smithers, which no longer functions as a school but is home to a childcare facility with 130 children.
- News of the purchase has begun to leak out in the community.
- Wet'suwet'en have internal communications requirements before a public announcement can be made. The Nation is planning a news release the week of Feb. 17th. Reactive media lines have been prepared in case of media inquiries prior to an announcement.
- Parents of the daycare have been expressing growing concerns to the daycare operator about the future of the daycare. The Ministry and Office of the Wet'suwet'en met with the school district and daycare operator on Feb. 12, 2020 to provide information and discuss future plans and transition regarding the building's use. The operator remains concerned, despite assurance that their current lease will be honoured in its entirety.
- A requirement of the sale was that the existing lease, which runs through to June 2021, be honoured.

Confidential Issues Note - ADVICE TO MINISTER

- \$1.23 million in provincial funding to enable the purchase was provided as part of the ongoing reconciliation negotiations between the Province (through MIRR) and Office of the Wet'suwet'en representing Wet'suwet'en Hereditary Chiefs.
- Office of the Wet'suwet'en intends to use the school as a seat of government for Wet'suwet'en Nation.

Reconciliation Discussions

- The Province and Wet'suwet'en nation started the formal reconciliation negotiation process together in April 2019, B.C.'s representative is lawyer and former NDP MP Murray Rankin.
- s.16
- The reconciliation process is not connected to any specific project. It is focused on recognizing and implementing Wet'suwet'en title, rights, laws and traditional governance across the territory.
- As a first step, on March 16, 2019, the Laksilyu Clan of the Wet'suwet'en hosted a traditional smoke feast, an established protocol under Wet'suwet'en traditional hereditary systems.
- Minister Fraser met with Wet'suwet'en leadership in May 2018. Premier Horgan and Minister Fraser subsequently met with Wet'suwet'en hereditary leaders on Aug. 31, 2018, in Smithers.
- s.16
- In October 2018, the Ministry of Children and Family Development, Wet'suwet'en Nation and the federal government signed a agreement to work together on a framework for exercising Wet'suwet'en jurisdiction over child and family services, in accordance with traditional laws and governance systems.

Peaceful Resolution efforts related to CGL Project

- s.15

s.15

The RCMP have not yet moved to enforce the injunction granted several days ago. The Province does not direct RCMP operations. [NEED MORE FACTS – DATES, ETC]

- Rallies to support the Wet'suwet'en hereditary chiefs's opposition to the CGL project have been held across the country since RCMP began enforcing an injunction allowing construction to proceed – including some that have shut down railroads and ports and that blocked off entrances to the B.C. legislature on the first day of the spring legislative session on Feb. 11, 2020.
- After an unsuccessful attempt between the Province and Hereditary Chiefs to find a peaceful resolution to the conflict over the Coastal GasLink LNG pipeline project through a Wiggus (Respect) Table, RCMP moved in on Feb. 6, 2020 to enforce the injunction. The project has been blocked by encampments set up by Wet'suwet'en hereditary chiefs and their supporters. 28 people were arrested over several days. The RCMP has now ended its major operation, but officers remain in the area monitoring.
- The Wet'suwet'en Hereditary Chiefs agreed to enter a discussion called the Wiggus (Respect) Table with the Province on Jan. 30th for seven days in an effort to de-escalate the conflict. This followed the appointment on Jan. of Nathan Cullen (former NDP MP – Skeena-Bulkley Valley) as an intermediary.
- On January 22, Minister Scott Fraser met with staff representatives of the Office of the Wet'suwet'en in Smithers, but was unable to meet with the Hereditary Chiefs.
- In mid-January several small protests in support of the Hereditary Chiefs were held, including at the Swartz Bay ferry terminal, David Eby's constituency office, and the Ministry of Energy, Mines and Petroleum Resources building in Victoria. The latter resulted in several arrests.
- Also at this time, a United Nations committee called on Canada and B.C. to stop three projects; the Coastal GasLink pipeline, Site C, and Trans Mountain, until there is full First Nations consent. B.C.'s Human Rights Commissioner also has called on the province to stop the Coastal GasLink project.
- The Wet'suwet'en hereditary chiefs issued an eviction to Coastal GasLink contractors on January 4th, stating they reject a B.C. Supreme Court injunction granted on Dec. 31, 2019 allowing construction to continue on the pipeline. Hereditary Chiefs have refused to meet with CGL, stating that they will only meet with decision-makers (the provincial and federal governments, and the RCMP).

Confidential Issues Note - **ADVICE TO MINISTER**

- On Dec. 20, 2019 The Guardian published a story that documents obtained from the RCMP show the RCMP was prepared to 'lethal oversight' and other inflammatory references regarding the confrontation between police and protestors at the Gidimt'en checkpoint on Jan. 7, 2019.
- Wet'suwet'en Hereditary Chiefs oppose LNG Canada's Coastal GasLink pipeline project which runs through the territory. Coastal GasLink has agreements with the 20 First Nations along the pipeline route.

Communications Contact(s): Sarah Plank

Program Area Contact: Cory Waters / Trish Balcaen

OOP FOI PREM:EX

From: Smith, George PREM:EX
Sent: February 14, 2020 9:35 AM
To: Meggs, Geoff PREM:EX
Cc: Holmwood, Jen PREM:EX
Subject: Fwd: Request from Minister Eby
Attachments: 2033001.docx; ATT00001.htm; 567304; ATT00002.htm

Hi Geoff,

Please see the attached correspondence from AG as follow-up to a FNLG meeting.

Don Bain reviewed and responded with the following:

Good morning all,

I reviewed the letter and do not have an issue with it.

It speaks to issues that are not dependent on any one project.

>>

Page 058 of 149 to/à Page 059 of 149

Withheld pursuant to/removed as

s.13

OOP FOI PREM:EX

From: Thompson, Angella N PSSG:EX
Sent: February 14, 2020 8:50 AM
To: Farmer, Susan PREM:EX; Rochon, Jake PREM:EX
Cc: King, Kim J M AG:EX
Subject: 567304
Attachments: 2033001.docx

Hi there, the Honourable David Eby would like the Premier to approve this before he sends it out. I am also asking for MIRR approval.

Angella Thompson
Correspondence Manager
Ministry of Attorney General
Ministry of Public Safety and Solicitor General
778-974-3799

Page 061 of 149 to/à Page 062 of 149

Withheld pursuant to/removed as

s.13

OOP FOI PREM:EX

From: Howlett, Tim GCPE:EX
Sent: February 6, 2020 8:29 AM
To: Aaron, Sage PREM:EX; Bain, Don PREM:EX; Smith, George PREM:EX
Subject: kmqa
Attachments: 2020.02.06 KMQA - CGL injunction enforcement.docx

Tim Howlett
Executive Director of Issues Management
250.208.4828

RCMP Enforcement of Coastal GasLink Injunction – February 6, 2020

Background:

- On February 5, the RCMP said they will be moving soon to enforce the court injunction for Coastal GasLink to do work in the Morice River area.
- The RCMP said people's safety is their top priority in the planned enforcement. They have asked people to leave the area, and will arrest people who choose to remain.
- On February 4, the Wiggus Table discussions between BC and the Wet'suwet'en Hereditary Chiefs ended following two days of talks between Hereditary Chiefs and Minister Fraser.
- While both BC and the Hereditary Chiefs remain open to dialogue, the table was not successful in finding a resolution to the current situation.
- The Wet'suwet'en Hereditary Chiefs stated Coastal GasLink declined to see the Wiggus Table discussion as resulting in progress and they now see RCMP enforcement as imminent.
- Coastal GasLink expressed disappointment that an agreement between BC and the Hereditary Chiefs wasn't reached and that they plan to resume construction in the Morice River area in the coming days.

Key Messages:

- This isn't the outcome we wanted - our government has been clear that we wanted to see a peaceful resolution to this dispute.
- We're hopeful that the paramount need for safety stays the top priority for all parties.
- Our government made a committed effort to find a peaceful resolution including recent talks with the Hereditary Chiefs at the Wiggus Table.
- And we appointed Nathan to be a liaison between the Hereditary Chiefs, the police, the company, and the province with a specific focus on de-escalating the situation.
- We were hoping for a negotiated outcome – but the fact remains that the court made a ruling that the company was allowed to conduct its work in the area.
- The courts and the police are independent from government – I can't direct either of them and that's by design.

Questions and Answers:

Aren't you worried about the police enforcement that has started/is imminent?

- People's safety is the top priority for our government.
- We support the right of people to peacefully protest.
- Enforcement decisions are made by the police, independent of government.

What does this mean for your government's commitment to reconciliation?

- We've been clear that we wanted to see a peaceful resolution to this situation.
- These events don't shake our resolve for the challenging but important work of reconciliation.
- We are the first province in Canada to pass the Declaration on the Rights of Indigenous Peoples into law.
- This new act gives us a path forward on reconciliation with Indigenous peoples, but like any relationship, we may not always agree on everything.
- We remain committed to working in partnership with Indigenous Nations to meaningfully advance reconciliation in B.C.

Does this impact the ongoing reconciliation talks with Murray Rankin and the Office of Wet'suwet'en?

- No – those are separate discussions, focused more broadly on Wet'suwet'en rights and title, and self-government and self-determination.
- Our government and the Office of the Wet'suwet'en have been working together, government-to-government, to advance reconciliation for nearly a year.
- We have met at least monthly since April of last year and these talks continue – with some important progress made so far.
- The reconciliation talks are not related to any specific project but are focused on building our relationship and advancing reconciliation.

The Wet'suwet'en Hereditary Chiefs say this project doesn't have their consent – does that mean the project is out of step with your government's commitment to the UN Declaration on the Rights of Indigenous Peoples?

- British Columbia has engaged extensively with Indigenous communities in relation to the Coastal GasLink Project.
- This has included extensive consultation with Indigenous leadership, including both hereditary Chiefs and elected bands of the Wet'suwet'en.
- We conducted extensive consultations with Indigenous Nations and has signed agreements with the vast majority of communities along the route.
- Coastal GasLink has shown they understand the importance of consultation and meaningful partnerships with Indigenous Nations, with 20 agreements with First Nations, representing all affected elected chiefs and councils.
- We are confident in B.C.'s regulatory processes.
- The Declaration on the Rights of Indigenous Peoples Act gives us a path forward on reconciliation with Indigenous peoples, but like any relationship, we may not always agree on everything.
- The work to implement the Declaration is significant and ongoing and we are dedicated to working in partnership with Indigenous Peoples on it.

Why didn't the Premier meet with the Wet'suwet'en Hereditary Chiefs?

- Our government made a committed effort to find a peaceful resolution, including our recent talks with the Hereditary Chiefs at the Wiggus Table.
- The Premier reached out to the Chief Namoks and continued to make himself available by phone.
- And he also appointed Nathan Cullen to be a liaison between the Hereditary Chiefs, the police and the company, with a specific focus on de-escalating the situation.

OOP FOI PREM:EX

From: Plank, Sarah GCPE:EX
Sent: February 4, 2020 8:05 PM
To: Bain, Don PREM:EX; Aaron, Sage PREM:EX; Howlett, Tim GCPE:EX; Smith, George PREM:EX; McNish, James IRR:EX
Subject: Updated Q&A
Attachments: QA_Wet'suwet'en_Wiggus Table_4Feb2020_final.docx

Hi all – here is the updated Q&A.

Tim, as discussed, rather than take out some of the kinds of questions we get from media, I have put them into a separate section. Your other edits were incorporated.

Thanks,
Sarah.

Sarah Plank
Communications Director | Ministry of Indigenous Relations & Reconciliation
Government Communications & Public Engagement
Office: 250.952.1889 | Mobile: 250.208.9621 | Email: sarah.plank@gov.bc.ca

QUESTIONS & ANSWERS
Wet'suwet'en Wiggus Talks
February 4, 2020

KEY MESSAGES/MEDIA STATEMENT:

- **We made a committed effort to engage with the Wet'suwet'en Hereditary Chiefs to find a peaceful resolution to the situation.**
 - **It was clear from the discussion that all of us came together in good faith to try to find a way forward together.**
 - **We honour and value our deepening relationship, and we are dedicated to continue to build that relationship, including through the Wet'suwet'en process of Wiggus/Respect.**
 - **While we were not successful in finding a resolution to the current situation, we continue to remain open to dialogue with the Wet'suwet'en leadership on this issue.**
 - **We hope that the paramount need for safety stays the top priority for all parties.**
 - **Our separate reconciliation discussions with Wet'suwet'en Hereditary Chiefs, which are focused on rights, title, self-government and self-determination, continue and we are making important progress in those discussions."**
-

Questions & Answers if no agreement is reached:

1. Did you expect anything other than this outcome?

- Our government has committed to relationships with Indigenous peoples based on respect.
- We want to keep the dialogue open, even on topics we don't agree on.
- While we are disappointed an agreement wasn't reached, we remain hopeful that a peaceful resolution to the situation will be found.
- We continue to be open to dialogue with the Wet'suwet'en Hereditary Chiefs on this matter.

2. Will the Premier go up to meet with Hereditary Chiefs since a resolution wasn't achieved through the Minister's discussions?

- Minister Fraser was agreed as the representative for the Province at the Wiggus Table, with Nathan Cullen appointed as a liaison.
- At this time there are no further meetings scheduled on this issue.
- While we were not successful in finding a resolution to the current situation, we continue to remain open to dialogue with the Wet'suwet'en leadership on this issue.

3. Are you concerned about response from those opposed to the pipeline both within Canada and internationally? Will we see more sit ins/blockades and arrests?

- We support the right of all British Columbians to lawful, peaceful protest to express their point of view.
- Enforcement decisions are made by the police, independent from government.

4. Have you given police clearance to move in?

- The police operate independently from government.
- It isn't in government's power to tell the police to act or to refrain from acting.

5. Did talks include discussion with the RCMP to avoid a repeat of their approach to enforcement seen last year, which has been widely criticized?

- Police enforcement questions are best directed at the RCMP.
- Enforcement decisions are made by the police, who operate entirely independently of government.

• s.13

6. Will CGL now be moving forward with construction?

- Details about CGL's construction timelines would be best directed to the company.
- What I can say is that the pipeline is approved and permitted by the appropriate regulatory agencies for the construction activities underway and the B.C. Supreme Court ruled that Coastal GasLink is lawfully permitted to conduct their work.
- The company has said it is committed to seeing the project through.
- Court rulings and police enforcement decisions are made independent from government.

7. What was Nathan Cullen's role in the Wiggus Table?

- Nathan Cullen was recently appointed as a liaison between the Province and the Wet'suwet'en Hereditary Chiefs, with a focus on de-escalating the conflict surrounding the court injunction.
- He acted as an intermediary to support a peaceful resolution, working with Wet'suwet'en leadership, RCMP, Coastal GasLink, the Province and others.

8. Will the Wiggus Table impact the ongoing reconciliation talks with Murray Rankin and the Office of the Wet'suwet'en?

- No – those are separate discussions, focused more broadly on Wet'suwet'en rights and title, and self-government and self-determination.
- Our government and the Office of the Wet'suwet'en have been working together, government-to-government, to advance reconciliation since last spring.
- We have met at least monthly since April of last year and these talks continue – with some important progress made so far.
- The reconciliation talks are not related to any specific project but are focused on building our relationship and advancing reconciliation.

9. What is the status of the ongoing reconciliation discussions, and might they help resolve this dispute?

- It's important to note that these talks are not related to any specific project but are focused on building our relationship and meaningfully advancing reconciliation.
- We've been engaged in these separate government-to-government discussions with Wet'suwet'en hereditary chiefs on reconciliation since April 2019.
- We continue to meet regularly.
- We are discussing both short-term, practical steps and longer-term pieces necessary for strong governance and implementation of Wet'suwet'en title and rights.
- There has already been important progress that we have together agreed to move forward on, and we are committed to continuing these important discussions.

10. What's your response to the RCMP's exclusion zone and the fact that they continue to turn away people trying to deliver food and medical supplies?

- The police operate entirely independently of government, and questions about their operations are best directed to the RCMP.
- I understand the RCMP noted there have been some challenges but that their intention is to continue to allow access for media and people.

11. Wet'suwet'en Hereditary Chiefs say the pipeline doesn't have their consent. Doesn't that mean the project is out of step with the Province's commitment to the UN Declaration on the Rights of Indigenous Peoples?

- British Columbia has engaged extensively with Indigenous communities in relation to the Coastal GasLink Project (and LNG Canada export facility) – through both the environmental assessment process and the permitting process. This has included extensive consultation with Indigenous leadership, including both hereditary Chiefs and elected bands of the Wet'suwet'en.
- B.C. conducted extensive consultations with Indigenous Nations and has signed agreements with the vast majority of Indigenous communities along the route.
- Coastal GasLink has shown they understand the importance of consultation and meaningful partnerships with Indigenous Nations, with 20 agreements with First Nations, representing all affected elected chiefs and councils.
- We are confident in B.C.'s regulatory processes.
- The Declaration on the Rights of Indigenous Peoples Act gives us a path forward on reconciliation with Indigenous peoples, but like any relationship, we may not always agree on everything.
- The new legislation is forward looking, and the Province isn't contemplating revisiting past permits, approvals or other project-related decisions.
- The work to implement the Declaration is significant and ongoing and we are dedicated to working in partnership with Indigenous Peoples on it.

UN Declaration & CGL Project

12. What is the Province's response to the BC Human Rights Commissioner calling for the CGL pipeline project to be suspended because Wet'suwet'en hereditary chiefs say it doesn't have their consent?

- Our government is committed to working in partnership with Indigenous Nations to meaningfully advance reconciliation in B.C.
- B.C. conducted extensive consultations with First Nations and has signed agreements with the vast majority of Indigenous communities along the route, and Coastal GasLink has agreements with 20 First Nations.
- On Dec. 31, the Supreme Court of B.C. ruled that the company is lawfully permitted to conduct their work.
- The Province isn't contemplating revisiting past permits, approvals or other project-related decisions.

13. A UN committee and the BC Human Rights Commissioner recently called on Canada to suspend the Coastal GasLink, TransMountain Pipeline and Site C projects. What is your government's response?

- The B.C. government is committed to working in partnership with Indigenous Nations to meaningfully advance reconciliation in B.C.
- When it comes to major infrastructure projects, the province's approach is guided by this commitment.
- This means B.C. works collaboratively with Indigenous Nations and project partners to address areas like employment opportunities, cultural concerns and other potential effects.
- The B.C. government has adopted the UN Declaration on the Rights of Indigenous Peoples and in Nov. 2019, became the first province in Canada to implement it in law.
- The legislation is forward-looking, and the Province isn't contemplating revisiting past permits, approvals or other project-related decisions as part of implementation.
- It's worth noting the support major projects have from First Nations, and the opportunities developing from them as a result – as noted by the First LNG Alliance in response to the B.C. Human Rights Commissioner.

14. Wet'suwet'en Hereditary Chiefs say consent from elected bands does not apply in the broader territory. What is the province's view of their authority?

- It is up to the Nation themselves to decide who speaks for and makes decisions on behalf of their Nation, based on their own rules and protocols, including the recognition of their citizens.
- Governance matters are one of the elements of our reconciliation discussions with the Wet'suwet'en, and it is an active conversation the Nation is having internally that would be most appropriately addressed by Wet'suwet'en.

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

- The Province is expected to consult and cooperate in good faith, as called for in the UN Declaration, when considering decisions that may affect Indigenous peoples.
- There may be occasions when a disputed project goes forward, if it has met this condition. And there may be occasions when a project does not.
- Every project is unique, with many factors that go into the decision-making process.
- British Columbia has engaged extensively with Indigenous communities in relation to the Coastal GasLink Project (and LNG Canada export facility) – through both the environmental assessment process and the permitting process. This has included extensive consultation with Indigenous leadership, including both hereditary Chiefs and elected bands of the Wet'suwet'en.
- B.C. conducted extensive consultation with Indigenous Nations and has signed agreements with the vast majority of Indigenous communities along the Coastal GasLink pipeline route, as has Coastal GasLink.
- On Dec. 31, the Supreme Court of B.C. ruled that the company is lawfully permitted to conduct their work.

16. Can a project go forward without consent of the affected First Nation now that the Declaration on the Rights of Indigenous Peoples Act is in force?

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

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

- Coastal GasLink met all the conditions we've placed on LNG development in B.C.
- LNG Canada and Coastal GasLink have shown they understand the importance of consultation and meaningful reconciliation with First Nations.
- That's why they have signed agreements with elected councils of all First Nations along the pipeline corridor.
- This project represents great opportunities for all people in British Columbia, but it also recognizes and highlights the challenges of reconciliation.
- B.C. remains committed to finding ways with the Office of the Wet'suwet'en to move forward with reconciliation. Those discussions are not tied to any one project.

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

- The new Declaration on the Rights of Indigenous Peoples Act gives us a path forward on reconciliation with Indigenous peoples, but like any relationship, we may not always agree on everything.
- This legislation is by no means a magic wand, and it won't erase conflict in every situation.
- There will be times when we can't reach agreement, and the province will continue to make decisions in the public interest.

19. Wet'suwet'en hereditary chiefs called on the province to deal with the underlying land title issues as they pertain to the CGL dispute. Is this something the province is in a position to do?

- The government has been engaged in talks with Wet'suwet'en hereditary chiefs on reconciliation since April 2019.
- Governance matters are one of the elements of our separate ongoing reconciliation discussions, and it is an active conversation the Nation is having internally that would be most appropriately addressed by Wet'suwet'en.
- It's important to note that these talks are not related to any specific project but are focused on building our relationship and meaningfully advancing reconciliation.

20. Will the Office of the Wet'suwet'en and Hereditary Chiefs be considered an Indigenous governing body under the legislation, and therefore have some legal authority for decision making going forward?

- It is up to the Nation themselves to decide who speaks for and makes decisions on behalf of the Nation, based on their own rules and protocols.
- And important criteria under the Act is that an Indigenous government or body is recognized by its citizens as representing their Nation.
- Governance matters are one of the elements of our reconciliation discussions, and it is an active conversation the Nation is having internally that would be most appropriately addressed by Wet'suwet'en.

OOP FOI PREM:EX

From: Howlett, Tim GCPE:EX
Sent: February 4, 2020 5:20 PM
To: Smith, George PREM:EX; Plank, Sarah GCPE:EX; Aaron, Sage PREM:EX; Bain, Don PREM:EX
Cc: Farmer, Leila GCPE:EX; Dinicol, Sam GCPE:EX; McNish, James IRR:EX
Subject: RE: table wrapping up - draft statement & Q&A for review
Attachments: QA_Wet'suwet'en_Wiggus Table_draft_4Feb2020_5pm.docx

Small tweaks in statement. And edited QA attached – mostly shortened (Sarah - apologies I held up edits from Leila on the QA)

s.13

From: Smith, George PREM:EX
Sent: February 4, 2020 5:13 PM
To: Plank, Sarah GCPE:EX ; Aaron, Sage PREM:EX ; Bain, Don PREM:EX ; Howlett, Tim GCPE:EX
Cc: Farmer, Leila GCPE:EX ; Dinicol, Sam GCPE:EX ; McNish, James IRR:EX
Subject: RE: table wrapping up - draft statement & Q&A for review

That looks fine to me.

s.13

From: Plank, Sarah GCPE:EX <Sarah.Plank@gov.bc.ca>
Sent: February 4, 2020 5:11 PM
To: Aaron, Sage PREM:EX <Sage.Aaron@gov.bc.ca>; Bain, Don PREM:EX <Don.Bain@gov.bc.ca>; Smith, George PREM:EX <George.Smith@gov.bc.ca>; Howlett, Tim GCPE:EX <Tim.Howlett@gov.bc.ca>
Cc: Farmer, Leila GCPE:EX <Leila.Farmer@gov.bc.ca>; Dinicol, Sam GCPE:EX <Sam.Dinicol@gov.bc.ca>; McNish, James IRR:EX <James.McNish@gov.bc.ca>
Subject: table wrapping up - draft statement & Q&A for review
Importance: High

Apparently the chiefs will be putting out a media statement. We will get a copy likely before it goes out.

Draft Proposed Statement:

Let me know what you think, and if you have any feedback on the Q&A.

Thanks,
Sarah.

Sarah Plank
Communications Director | Ministry of Indigenous Relations & Reconciliation
Government Communications & Public Engagement
Office: 250.952.1889 | Mobile: 250.208.9621 | Email: sarah.plank@gov.bc.ca

QUESTIONS & ANSWERS
Wet'suwet'en Wiggus Talks
February 4, 2020

KEY MESSAGES:

General holding messages

s.13; s.16

unsuccessful outcome (de-escalation not achieved)

s.13; s.16

successful outcome (resolution to de-escalate agreed to)

s.13; s.16

s.13; s.16

Questions & Answers if no agreement is reached:

s.13; s.16

2. Will the Premier go up to meet with Hereditary Chiefs since a resolution wasn't achieved through the Minister's discussions?

s.13; s.16

s.13; s.16

3. Are you concerned about response from those opposed to the pipeline both within Canada and internationally? Will we see more sit ins/blockades and arrests?

- We support the right of all British Columbians to lawful, peaceful protest to express their point of view.
- Enforcement decisions are made by the police, independent from government.

4. Have you given police clearance to move in?

- The police operate independently from government,^{s.13}
s.13

•

•

5. Did talks include discussion with the RCMP to avoid a repeat of their approach to enforcement seen last year, which has been widely criticized?

- Police enforcement questions are best directed at the RCMP.
- Enforcement decisions are made by the police, who operate entirely independently of government.
- s.13

6. Will CGL now be moving forward with construction?

- That question would be best directed to the company.

- What I can say is ~~the~~ pipeline is approved and permitted by the appropriate regulatory agencies for the construction activities underway and the B.C. Supreme Court ruled that Coastal GasLink is lawfully permitted to conduct their work.^{s.13}

s.13

- Court rulings and police enforcement decisions are made independent from government.

s.13

8.7. What was Nathan Cullen's role in the Wiggus Table?

- Nathan Cullen was recently appointed as a liaison between the Province and the Wet'suwet'en Hereditary Chiefs, with a focus on de-escalating the conflict surrounding the court injunction.
- He acted as an intermediary to support a peaceful resolution, working with Wet'suwet'en leadership, RCMP, Coastal GasLink, the Province and others.

9.8. Will the Wiggus Table impact the ongoing reconciliation talks with Murray Rankin and the Office of the Wet'suwet'en?

- No – those are separate discussions, focused more broadly on Wet'suwet'en rights and title, and self-government and self-determination.
- Our government and the Office of the Wet'suwet'en have been working together, government-to-government, to advance reconciliation since last spring.

- We have met at least monthly since April of last year and these talks continue – with some important progress made so far.
- The reconciliation talks are not related to any specific project but are focused on building our relationship and advancing reconciliation.

s.13

11.9. What's your response to the RCMP's exclusion zone and the fact that they continue to turn away people trying to deliver food and medical supplies?

- The police operate entirely independently of government.
- I understand the RCMP noted there have been some challenges but that their intention is to continue to allow access for media and people.

s.13; s.16

Page 084 of 149

Withheld pursuant to/removed as

s.13 ; s.16

s.13

17.10. Wet'suwet'en Hereditary Chiefs say the pipeline doesn't have their consent. Doesn't that mean the project is out of step with the Province's commitment to the UN Declaration on the Rights of Indigenous Peoples?

- B.C. conducted extensive consultations with Indigenous Nations and has signed agreements with the vast majority of Indigenous communities along the route.
- Coastal GasLink has shown they understand the importance of consultation and meaningful partnerships with Indigenous Nations, with 20 agreements with First Nations, representing all affected elected chiefs and councils.
- We are confident in B.C.'s regulatory processes.
- The Declaration on the Rights of Indigenous Peoples Act gives us a path forward on reconciliation with Indigenous peoples, but like any relationship, we may not always agree on everything.
- The new legislation is forward looking, and the Province isn't contemplating revisiting past permits, approvals or other project-related decisions.
- The work to implement the Declaration is significant and ongoing and we are dedicated to working in partnership with Indigenous Peoples on it.

s.13

Page 087 of 149 to/à Page 088 of 149

Withheld pursuant to/removed as

s.13

OOP FOI PREM:EX

From: Plank, Sarah GCPE:EX
Sent: February 4, 2020 5:11 PM
To: Aaron, Sage PREM:EX; Bain, Don PREM:EX; Smith, George PREM:EX; Howlett, Tim GCPE:EX
Cc: Farmer, Leila GCPE:EX; Dinicol, Sam GCPE:EX; McNish, James IRR:EX
Subject: table wrapping up - draft statement & Q&A for review
Attachments: QA_Wet'suwet'en_Wiggus Table_draft_4Feb2020_5pm.docx

Importance: High

Apparently the chiefs will be putting out a media statement. We will get a copy likely before it goes out.

Draft Proposed Statement:

s.13

Let me know what you think, and if you have any feedback on the Q&A.

Thanks,
Sarah.

Sarah Plank
Communications Director | Ministry of Indigenous Relations & Reconciliation
Government Communications & Public Engagement
Office: 250.952.1889 | Mobile: 250.208.9621 | Email: sarah.plank@gov.bc.ca

QUESTIONS & ANSWERS
Wet'suwet'en Wiggus Talks
February 4, 2020

KEY MESSAGES/MEDIA STATEMENT:

s.13

Questions & Answers if no agreement is reached:

1. ^{s.13}

did you

expect anything other than this outcome?

- Our government has committed to relationships with Indigenous peoples based on respect.
- We want to keep the dialog open, even on topics we don't agree on.

• ^{s.13}

•

2. Will the Premier go up to meet with Hereditary Chiefs since a resolution wasn't achieved through the Minister's discussions?

- At this time there are no further meetings scheduled between representatives of the Province and the Hereditary Chiefs related to the Coastal GasLink pipeline construction.

3. Are you concerned about response from those opposed to the pipeline both within Canada and internationally? Will we see more sit ins/blockades and arrests?

- We support the right of all British Columbians to lawful, peaceful protest to express their point of view.
- Enforcement decisions are made by the police, independent from government.

4. Have you given police clearance to move in?

- s.13

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5. Did talks include discussion with the RCMP to avoid a repeat of their approach to enforcement seen last year, which has been widely criticized?

- Police enforcement questions are best directed at the RCMP.
- Enforcement decisions are made by the police, who operate entirely independently of government.

- s.13

6. Will CGL now be moving forward with construction?

- Details about CGL's construction timelines would be best directed to the company.
- The pipeline is approved and permitted for the construction activities underway and the B.C. Supreme Court ruled that Coastal GasLink is lawfully permitted to conduct their work without interference.
- Court rulings and police enforcement decisions are made independent from government.

7. Does this set a precedent for other First Nations or protesters to refuse to acknowledge Court decisions in order to get what they want?

- We are committed to respectful government-to-government relationships with First Nations.
- We will always remain open to respectful dialog to resolve issues.
- Our government respects the right of people to peacefully protest, but we must all respect the decision of the Courts.

8. What was Nathan Cullen's role in the Wiggus Table?

- Nathan Cullen was recently appointed as a liaison between the Province and the Wet'suwet'en Hereditary Chiefs, with a focus on de-escalating the conflict surrounding the court injunction.
- He acted as an intermediary to support a peaceful resolution, working with Wet'suwet'en leadership, RCMP, Coastal GasLink, the Province and others.

9. Will the Wiggus Table impact the ongoing reconciliation talks with Murray Rankin and the Office of the Wet'suwet'en?

- No – those are separate discussions, focused more broadly on Wet'suwet'en rights and title, and self-government and self-determination.
- Our government and the Office of the Wet'suwet'en have been working together, government-to-government, to advance reconciliation since last spring.
- We have met at least monthly since April of last year and these talks continue – with some important progress made so far.
- The reconciliation talks are not related to any specific project but are focused on building our relationship and advancing reconciliation.

10. What is the status of the ongoing reconciliation discussions, and might they help resolved this dispute?

- It's important to note that these talks are not related to any specific project but are focused on building our relationship and meaningfully advancing reconciliation.
- We've been engaged in these separate government-to-government discussions with Wet'suwet'en hereditary chiefs on reconciliation since April 2019.
- We continue to meet regularly.
- We are discussing both short-term, practical steps and longer-term pieces necessary for strong governance and implementation of Wet'suwet'en title and rights.
- There has already been important progress that we have together agreed to move forward on, and we are committed to continuing these important discussions.

11. What's your response to the RCMP's exclusion zone and the fact that they continue to turn away people trying to deliver food and medical supplies?

- The police operate entirely independently of government, and questions about their operations are best directed to the RCMP.
- I understand the RCMP noted there have been some challenges but that their intention is to continue to allow access for media and people.

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13. What is the Province's response to the BC Human Rights Commissioner calling for the CGL pipeline project to be suspended because Wet'suwet'en hereditary chiefs say it doesn't have their consent?

- Our government is committed to working in partnership with Indigenous Nations to meaningfully advance reconciliation in B.C.
- B.C. conducted extensive consultations with Indigenous Nations and has signed agreements with the vast majority of Indigenous communities along the route, and Coastal GasLink has agreements with 20 First Nations.
- On Dec. 31, the Supreme Court of B.C. ruled that the company is lawfully permitted to conduct their work.
- The Province isn't contemplating revisiting past permits, approvals or other project-related decisions.

14.A UN committee and the BC Human Rights Commissioner recently called on Canada to suspend the Coastal GasLink, TransMountain Pipeline and Site C projects. What is your government's response?

- The B.C. government is committed to working in partnership with Indigenous Nations to meaningfully advance reconciliation in B.C.
- When it comes to major infrastructure projects, the province's approach is guided by this commitment.
- This means B.C. works collaboratively with Indigenous Nations and project partners to address areas like employment opportunities, cultural concerns and other potential effects.
- The B.C. government has adopted the UN Declaration on the Rights of Indigenous Peoples and in Nov. 2019, became the first province in Canada to implement it in law.
- The legislation is forward-looking, and the Province isn't contemplating revisiting past permits, approvals or other project-related decisions as part of implementation.
- It's worth noting the support major projects have from First Nations, and the opportunities developing from them as a result – as noted by the First LNG Alliance in response to the B.C. Human Rights Commissioner.

15.Wet'suwet'en Hereditary Chiefs say consent from elected bands does not apply in the broader territory. What is the province's view of their authority?

- It is up to the Nation themselves to decide who speaks for and makes decisions on behalf of their Nation, based on their own rules and protocols, including the recognition of their citizens.
- Governance matters are one of the elements of our reconciliation discussions with the Wet'suwet'en, and it is an active conversation the Nation is having internally that would be most appropriately addressed by Wet'suwet'en.

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

- The Province is expected to consult and cooperate in good faith, as called for in the UN Declaration, when considering decisions that may affect Indigenous peoples.
- There may be occasions when a disputed project goes forward, if it has met this condition. And there may be occasions when a project does not.
- Every project is unique, with many factors that go into the decision-making process.
- British Columbia has engaged extensively with Indigenous communities in relation to the Coastal GasLink Project (and LNG Canada export facility) – through both the environmental assessment process and the permitting process. This has included extensive consultation with Indigenous leadership, including both hereditary Chiefs and elected bands of the Wet'suwet'en.
- B.C. conducted extensive consultation with Indigenous Nations and has signed agreements with the vast majority of Indigenous communities along the Coastal GasLink pipeline route, as has Coastal GasLink.
- On Dec. 31, the Supreme Court of B.C. ruled that the company is lawfully permitted to conduct their work.

17. Wet'suwet'en Hereditary Chiefs say the pipeline doesn't have their consent. Doesn't that mean the project is out of step with the Province's commitment to the UN Declaration on the Rights of Indigenous Peoples?

- British Columbia has engaged extensively with Indigenous communities in relation to the Coastal GasLink Project (and LNG Canada export facility) – through both the environmental assessment process and the permitting process. This has included extensive consultation with Indigenous leadership, including both hereditary Chiefs and elected bands of the Wet'suwet'en.
- B.C. conducted extensive consultations with Indigenous Nations and has signed agreements with the vast majority of Indigenous communities along the route.

- Coastal GasLink has shown they understand the importance of consultation and meaningful partnerships with Indigenous Nations, with 20 agreements with First Nations, representing all affected elected chiefs and councils.
- We are confident in B.C.'s regulatory processes.
- The Declaration on the Rights of Indigenous Peoples Act gives us a path forward on reconciliation with Indigenous peoples, but like any relationship, we may not always agree on everything.
- The new legislation is forward looking, and the Province isn't contemplating revisiting past permits, approvals or other project-related decisions.
- The work to implement the Declaration is significant and ongoing and we are dedicated to working in partnership with Indigenous Peoples on it.

18. Can a project go forward without consent of the affected First Nation now that the Declaration on the Rights of Indigenous Peoples Act is in force?

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

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

- The new Declaration on the Rights of Indigenous Peoples Act gives us a path forward on reconciliation with Indigenous peoples, but like any relationship, we may not always agree on everything.
- This legislation is by no means a magic wand, and it won't erase conflict in every situation.
- There will be times when we can't reach agreement, and the province will continue to make decisions in the public interest.

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

- Coastal GasLink met all the conditions we've placed on LNG development in B.C.
- LNG Canada and Coastal GasLink have shown they understand the importance of consultation and meaningful reconciliation with First Nations.
- That's why they have signed agreements with elected councils of all First Nations along the pipeline corridor.
- This project represents great opportunities for all people in British Columbia, but it also recognizes and highlights the challenges of reconciliation.
- B.C. remains committed to finding ways with the Office of the Wet'suwet'en to move forward with reconciliation. Those discussions are not tied to any one project.

21. Wet'suwet'en hereditary chiefs called on the province to deal with the underlying land title issues as they pertain to the CGL dispute. Is this something the province is in a position to do?

- The government has been engaged in talks with Wet'suwet'en hereditary chiefs on reconciliation since April 2019.
- Governance matters are one of the elements of our separate ongoing reconciliation discussions, and it is an active conversation the Nation is having internally that would be most appropriately addressed by Wet'suwet'en.
- It's important to note that these talks are not related to any specific project but are focused on building our relationship and meaningfully advancing reconciliation.

22. Will the Office of the Wet'suwet'en and Hereditary Chiefs be considered an Indigenous governing body under the legislation, and therefore have some legal authority for decision making going forward?

- It is up to the Nation themselves to decide who speaks for and makes decisions on behalf of the Nation, based on their own rules and protocols.
- And important criteria under the Act is that an Indigenous government or body is recognized by its citizens as representing their Nation.
- Governance matters are one of the elements of our reconciliation discussions, and it is an active conversation the Nation is having internally that would be most appropriately addressed by Wet'suwet'en.

OOP FOI PREM:EX

From: Plank, Sarah GCPE:EX
Sent: February 3, 2020 6:28 PM
To: Aaron, Sage PREM:EX; Bain, Don PREM:EX; Smith, George PREM:EX; McNish, James IRR:EX; Howlett, Tim GCPE:EX
Subject: current approved comms plan
Attachments: 20200202_CommsPlan_Wiggus_DRAFT.docx

Updated to incorporate changes from folks. All minor since the version you saw this morning from Don.

Thanks
Sarah.

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

PROJECT SPECIFIC
COMMUNICATIONS PLAN

MINISTRY OF INDIGENOUS RELATIONS
AND RECONCILIATION

SUBJECT: Wiggus table with Wet'suwet'en Hereditary Chiefs

Purpose:	<ul style="list-style-type: none"> To communicate good faith efforts toward de-escalation of the dispute over planned construction of the CGL LNG pipeline through Wet'suwet'en territory
Background/ Context:	<ul style="list-style-type: none"> The Wet'suwet'en Hereditary Chiefs agreed on Jan. 30 to enter into discussions with the Province for a period of seven days in an effort to de-escalate the ongoing conflict surrounding the Coastal GasLink project. The discussion table will be known as "Wiggus," the Wet'suwet'en word for respect. The new discussions follow the agreement of former MP Nathan Cullen being appointed as an intermediary, providing fact-finding, facilitation and analysis, to support a peaceful resolution to the CGL dispute. Cullen is working with Wet'suwet'en Hereditary Chiefs, RCMP, CGL and provincial staff. The Wiggus table is separate from the ongoing reconciliation negotiation process between Office of the Wet'suwet'en and Province announced in Feb. 2019, in which former MP Murray Rankin is acting as the Province's representative. These discussions are not connected to any specific project and are focused on recognizing and implementing Wet'suwet'en title, rights, laws and traditional governance across the territory. In support of long-term reconciliation with the Wet'suwet'en people, Minister Scott Fraser met with Wet'suwet'en leadership in May 2018. Premier Horgan and Minister Fraser subsequently met with Wet'suwet'en Hereditary Chiefs on Aug. 31, 2018, in Smithers. As the first step to the ongoing reconciliation discussions, the Premier, Ministers Fraser and Doug Donaldson, and Murray Rankin attended a smoke feast in Wet'suwet'en territory on Mar. 16, 2019, an established protocol under Wet'suwet'en law. A camp has been in place since 2009 with a checkpoint gate blocking a bridge needed for construction of the CGL pipeline, which will cross Wet'suwet'en territory. Two additional camps were set up in 2019. A hereditary chief serving as one of the primary spokesperson has vowed in media that they will never consent to the pipeline being built in their territory. The company announced in Oct. 2018 that the pipeline would proceed, and a court injunction granted in Dec. 2019 prevents obstruction of construction. RCMP set up a checkpoint controlling access to the site of the camp in Jan. Numerous rallies and direct action have been held throughout the province in support of the Wet'suwet'en hereditary chiefs.
Communication Objectives:	<ul style="list-style-type: none"> Demonstrate the Province's willingness to work to achieve, through respectful dialogue, a peaceful resolution to the impasse regarding

	<p>implementation the court's order to allow CGL access to conduct its work on Wet'suwet'en territories.</p> <ul style="list-style-type: none"> • Demonstrate that the Province is doing everything possible to peacefully resolve the dispute, while remaining in support of the project and respecting the court's injunction • Demonstrate that despite a challenging context, the Province is upholding its commitment to respectful government-to-government relationship with the Nation, and is committed to making progress on reconciliation in the area. • Demonstrate the Province's commitment to upholding the standards of the UN Declaration on the Rights of Indigenous Peoples.
Audiences & Stakeholders:	<ul style="list-style-type: none"> • Leadership and members of the Wet'suwet'en • Residents in the area • Companies and workers in the region • Neighbouring First Nations • First Nations with benefit agreements along the pipeline route • Indigenous peoples • General public
Ministries Affected:	<ul style="list-style-type: none"> • Ministry of Indigenous Relations and Reconciliation • Ministry of Energy, Mines and Petroleum Resources • Ministry of Environment and Climate Change Strategy • Ministry of Forests, Lands, Natural Resources Operations... • Environmental Assessment Office • Oil and Gas Commission • Ministry of Attorney General • Ministry of Public Safety and Solicitor General
Vulnerabilities / Opportunities	<p><i>Vulnerabilities</i></p> <ul style="list-style-type: none"> • The publicly stated positions of the Province and Wet'suwet'en Hereditary Chiefs remain at odds. Finding a solution will be challenging. • The Hereditary Chiefs previously insisted in media that they will only meet with the Premier and the Prime Minister, but have since agreed to Wiggus discussions with Minister Fraser. The Prime Minister's Office has not formally replied to the Wet'suwet'en Hereditary Chiefs. • The RCMP is expected to take action soon to enforce the injunction. If the de-escalation talks are not successful, this action has the potential to put significant negative pressure on the provincial government, similar to what was seen in Jan. 2019 when the RCMP moved in and made arrests. • Public attention across Canada and internationally on opposition to the CGL pipeline continues to escalate, and will increase if the injunction is enforced and construction progresses. • s.16

s.16



Opportunities

- Successful de-escalation of the current impasse regarding the access for the CGL pipeline.
- An opportunity to continue to continue build the relationship between the Province and Wet'suwet'en Hereditary Chiefs.
- Progress that demonstrates this government's real commitment to rights implementation and upholding the UN Declaration.

s.16



Key Messages:

General holding messages

s.13

Key messages: successful outcome (resolution to de-escalate agreed to)

s.13

Key messages: unsuccessful outcome (de-escalation not achieved)

s.13

STRATEGIC APPROACH

Strategy Summary:	<ul style="list-style-type: none">• The goal is to minimize media exposure while the talks are going on during the seven-day period, so as not to add pressure to a challenging situation.• A draft statement will be prepared for reactive use only in the event the hereditary chiefs advise media that the talks are occurring on Feb. 3rd and 4th.• If the parties are successful, it is expected a joint media statement will be agreed to at the Wiggus table to announce its result and the next steps. A joint media statement may also be an outcome if talks are not successful.• Messaging will be prepared for either a successful or unsuccessful outcome.• A separate communications strategy in the event de-escalation talks are not successful may be required.
Planning Arc:	<ul style="list-style-type: none">• Jan. 27: PO news release announcing appointment of liaison Nathan Cullen• Jan. 30: statements from OW and PO on initiation of Wiggus table.• Feb. 3: no proactive media planned; reactive media response as required• Feb. 4/5: possible joint statement depending on outcome of Wiggus table.• Ongoing media relations as required.• In the event of unsuccessful outcome, prepare KM/QA in preparation for RCMP enforcement of injunction.• Feb/March – potential proactive communications opportunity associated with the ongoing reconciliation discussions with Murray Rankin, if the OW's purchase of Lake Kathlyn school in Smithers with funds from the Province is successful.

COLLATERAL MATERIALS

- Key messages
- Questions and Answers
- Draft reactive media statements, in case needed
- Joint media release for conclusion of Wiggus table
- Standard media response, agreed to jointly, for media requests for status updates
- Communications protocol (internal document only) TBD

Sarah Plank, Director of Communications
Ministry of Indigenous Relations and Reconciliation

Sage Aaron, Director of Communications
Office of the Premier

Date: __03 February 2020__

Appendix: Additional Background/Timeline

Unist'ot'en Camp:

- The Unist'ot'en camp was established in 2009, originally to oppose a proposed oil pipeline crossing Wet'suwet'en territory. Two additional camps were set up in 2019.
- s.16
- The Unist'ot'en are affiliated with the Dark House, one of thirteen houses that make up the Wet'suwet'en Nation.
- Since the camp was formed, the Province has made extensive efforts to work with both the Wet'suwet'en Nation and its Hereditary Chiefs to seek a resolution.^{s.16}
- s.16
- In support of long-term reconciliation with the Wet'suwet'en people, Minister Fraser met with Wet'suwet'en leadership in May, 2018. Premier Horgan and Minister Fraser met with Wet'suwet'en hereditary leaders on Aug. 31, 2018, in Smithers.
- Both attended a smoke feast in March 2019

Pipeline Project

- On January 4, 2020, Wet'suwet'en hereditary leaders announced they issued an eviction notice to Coastal GasLink (CGL), citing violation of Wet'suwet'en law. The announcement was made online here.
- CGL deferred work in the Wet'suwet'en areas given the eviction notice.^{s.16}
- s.16
- The B.C. Supreme Court on Dec. 31, 2019 granted CGL's request for an interlocutory injunction, allowing the company to conduct their work in the area without interference.
- RCMP reported on Jan. 8, 2020 that a large number of trees had been felled along the Morice River Forest Service Road (MRFSR), impeding access vehicles. They also reported finding stockpiles of tires and fire accelerant. The RCMP erected a checkpoint on MRFSR on Jan. 13, 2020 to control access.
- On January 7, 2020, Wet'suwet'en hereditary leaders hosted a media availability where they indicated they will not meet with CGL and will only talk to the provincial and federal governments, and the Royal Canadian Mounted Police (RCMP).
- Prior to the current impasse, CGL had been operating in the area under a protocol agreement reached directly with the Unist'ot'en, who have a camp at the MRFSR bridge.
- On Oct. 2, 2018, LNG Canada announced its Final Investment Decision to build a \$40 billion LNG export facility in Kitimat, connected to northeast gas fields by the GCL pipeline.
- CGL sought an interim court injunction from BC Supreme Court in Dec. 2018 to obtain access across a bridge blocked by a gate. On Jan. 7, 2019, RCMP began to enforcement dismantling a checkpoint and arresting 14 people.
- On Jan. 9, 2019, Hereditary chief Na'Moks (John Risdale) stated the occupants of the Unist'ot'en camp would comply with the interim court injunction and provide CGL with

access to areas beyond the Morice River bridge, until the matter is settled through the courts. Unist'ot'en camp remains strongly opposed to the Coastal GasLink pipeline project.

Agreements

- LNG Canada has community and project agreements with the elected councils of all 20 First Nations along the Coastal GasLink corridor. 17 of 20 Nations along the proposed Coastal Gaslink route have signed benefits agreements with B.C.; however past attempts to complete agreements with Office of Wet'suwet'en and Unist'ot'en representatives have not been successful.
- Five of six Wet'suwet'en bands have signed and announced pipeline benefits agreements with the Province for the Coastal GasLink pipeline. Skin Tyee, Nee-Tahi-Buhn, Witset (formerly Moricetown), Burns Lake Band and Wet'suwet'en First Nation have agreements that have been announced and are in effect. Hagwilget has not signed an agreement.

OOP FOI PREM:EX

From: Plank, Sarah GCPE:EX
Sent: February 3, 2020 2:23 PM
To: Aaron, Sage PREM:EX
Cc: Smith, George PREM:EX
Subject: Draft comms plan for your review
Attachments: 20200202_CommsPlan_Wiggus_DRAFT.docx

Hi Sage – as discussed, here is the draft comms plan for a look.

Don has had a chance to provide feedback, as has issues and MO.

The DM has been in the meeting, so I haven't had a chance to have him review it yet.

Please let me know if you would suggest any revisions or additions.

I will work with the issues team on some Qs&As as well.

Thanks.
Sarah.

Sarah Plank
Communications Director | Ministry of Indigenous Relations & Reconciliation
Government Communications & Public Engagement
Office: 250.952.1889 | Mobile: 250.208.9621 | Email: sarah.plank@gov.bc.ca

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MINISTRY OF INDIGENOUS RELATIONS
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s.16



Opportunities

- Successful de-escalation of the current impasse regarding the access for the CGL pipeline.
- An opportunity to continue to build the relationship between the Province and Wet'suwet'en Hereditary Chiefs.
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- s.16



Key Messages: *General holding messages*

s.13

Key messages: successful outcome (resolution to de-escalate agreed to)

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Sarah Plank, Director of Communications
Ministry of Indigenous Relations and Reconciliation

Sage Aaron, Director of Communications
Office of the Premier

Date: __03 February 2020__

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Pipeline Project

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OOP FOI PREM:EX

From: Plank, Sarah GCPE:EX
Sent: February 3, 2020 12:13 PM
To: Bain, Don PREM:EX; Howlett, Tim GCPE:EX; Smith, George PREM:EX; McNish, James IRR:EX
Cc: Farmer, Leila GCPE:EX; Dinicol, Sam GCPE:EX
Subject: RE: FOR REVIEW - Comms Plan
Attachments: 20200202_CommsPlan_Wiggus_DRAFT.docx

Thanks Don.

Updated version for any further feedback from anyone.

Thanks, Sarah.

From: Bain, Don PREM:EX
Sent: Monday, February 3, 2020 11:14 AM
To: Plank, Sarah GCPE:EX ; Howlett, Tim GCPE:EX ; Smith, George PREM:EX ; McNish, James IRR:EX
Cc: Farmer, Leila GCPE:EX ; Dinicol, Sam GCPE:EX
Subject: RE: FOR REVIEW - Comms Plan

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Subject: FOR REVIEW - Comms Plan

Hi all – draft comms plan for your feedback, please and thank you.

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

PROJECT SPECIFIC
COMMUNICATIONS PLAN

MINISTRY OF INDIGENOUS RELATIONS
AND RECONCILIATION

SUBJECT: Wiggus table with Wet'suwet'en Hereditary Chiefs

Purpose:	<ul style="list-style-type: none">• To communicate good faith efforts toward de-escalation of the dispute over planned construction of the CGL LNG pipeline through Wet'suwet'en territory
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Communication Objectives:	<ul style="list-style-type: none"> • Demonstrate the Province's willingness to work to achieve, through respectful dialogue, a peaceful resolution to the impasse regarding implementation the court's order to allow CGL access to conduct its work on Wet'suwet'en territories. • Demonstrate that the Province is doing everything possible to peacefully resolve the dispute, while remaining in support of the project and respecting the court's injunction • Demonstrate that despite a challenging context, the Province is upholding its commitment to respectful government-to-government relationship with the Nation, and is committed to making progress on reconciliation in the area. • Demonstrate the Province's commitment to upholding the standards of the UN Declaration on the Rights of Indigenous Peoples.
Audiences & Stakeholders:	<ul style="list-style-type: none"> • Leadership and members of the Wet'suwet'en • Residents in the area • Companies and workers in the region • Neighbouring First Nations • First Nations with benefit agreements along the pipeline route • Indigenous peoples • General public
Ministries Affected:	<ul style="list-style-type: none"> • Ministry of Indigenous Relations and Reconciliation • Ministry of Energy, Mines and Petroleum Resources • Ministry of Environment and Climate Change Strategy • Ministry of Forests, Lands, Natural Resources Operations... • Environmental Assessment Office • Oil and Gas Commission • Ministry of Attorney General • Ministry of Public Safety and Solicitor General
Vulnerabilities / Opportunities	<p><i>Vulnerabilities</i></p> <ul style="list-style-type: none"> • The publicly stated positions of the Province and Wet'suwet'en Hereditary Chiefs remain at odds. Finding a solution will be challenging. • The Hereditary Chiefs previously insisted in media that they will only meet with the Premier and the Prime Minister, but have since agreed to Wiggus discussions with Minister Fraser. The Prime Minister's Office has not formally replied to the Wet'suwet'en Hereditary Chiefs. • The RCMP is expected to take action soon to enforce the injunction. • Public attention across Canada and internationally on opposition to the CGL pipeline is expected to continue and could escalate as the injunction is enforced and construction progresses. • s.16

s.16



Opportunities

- Successful de-escalation of the current impasse regarding the access for the CGL pipeline.
- An opportunity to continue to build the relationship between the Province and Wet'suwet'en Hereditary Chiefs.
- Progress that demonstrates this government's real commitment to rights implementation and upholding the UN Declaration.

- s.16



Key Messages: *General holding messages*

s.13

| *Key messages: successful outcome (resolution to de-escalate agreed to)*
s.13

| *Key messages: unsuccessful outcome (de-escalation not achieved)*
s.13

STRATEGIC APPROACH

Strategy Summary:	<ul style="list-style-type: none">• The goal is to minimize media exposure while the talks are going on during the seven-day period, so as not to add pressure to a challenging situation.• A draft statement will be prepared for reactive use only in the event the hereditary chiefs advise media that the talks are occurring on Feb. 3rd and 4th.• If the parties are successful, it is expected a joint media statement will be agreed to at the Wiggus table to announce its result and the next steps. A joint media statement may also be an outcome if talks are not successful.• Messaging will be prepared for either a successful or unsuccessful outcome.
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COLLATERAL MATERIALS

- Key messages
- Questions and Answers
- Draft reactive media statements, in case needed
- Joint media release for conclusion of Wiggus table
- Standard media response, agreed to jointly, for media requests for status updates
- Communications protocol (internal document only) TBD

Sarah Plank, Director of Communications
Ministry of Indigenous Relations and Reconciliation

Sage Aaron, Director of Communications
Office of the Premier

Date: __03 February 2020__

Appendix: Additional Background/Timeline

Unist'ot'en Camp:

- The Unist'ot'en camp was established in 2009, originally to oppose a proposed oil pipeline crossing Wet'suwet'en territory. Two additional camps were set up in 2019.
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- The Unist'ot'en are affiliated with the Dark House, one of thirteen houses that make up the Wet'suwet'en Nation.
- Since the camp was formed, the Province has made extensive efforts to work with both the Wet'suwet'en Nation and its Hereditary Chiefs to seek a resolution.^{s.16}
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OOP FOI PREM:EX

From: Bain, Don PREM:EX
Sent: February 3, 2020 11:32 AM
To: Plank, Sarah GCPE:EX; Howlett, Tim GCPE:EX; Smith, George PREM:EX; McNish, James IRR:EX
Cc: Farmer, Leila GCPE:EX; Dinicol, Sam GCPE:EX
Subject: RE: FOR REVIEW - Comms Plan
Attachments: 20200202_CommsPlan_Wiggus_DRAFT.docx

With attachment!

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To: Plank, Sarah GCPE:EX ; Howlett, Tim GCPE:EX ; Smith, George PREM:EX ; McNish, James IRR:EX
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PROJECT SPECIFIC
COMMUNICATIONS PLAN

MINISTRY OF INDIGENOUS RELATIONS
AND RECONCILIATION

SUBJECT: Wiggus table with Wet'suwet'en Hereditary Chiefs

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● s.16

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Ministry of Indigenous Relations and Reconciliation

Date: __03 February 2020____

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s.13

STRATEGIC APPROACH

Strategy Summary:	<ul style="list-style-type: none">• The goal is to minimize media exposure while the talks are going on during the seven-day period, so as not to add pressure to a challenging situation.• A draft statement will be prepared for reactive use only in the event the hereditary chiefs advise media that the talks are occurring on Feb. 3rd and 4th.• If the parties are successful, it is expected a joint media statement will be agreed to at the Wiggus table to announce its result and the next steps. A joint media statement may also be an outcome if talks are not successful.• Messaging will be prepared for either a successful or unsuccessful outcome.
Planning Arc:	<ul style="list-style-type: none">• Jan. 27: PO news release announcing appointment of liaison Nathan Cullen• Jan. 30: statements from OW and PO on initiation of Wiggus table.• Feb. 3: no proactive media planned; reactive media response as required• Feb. 4/5: possible joint statement depending on outcome of Wiggus table.• Ongoing media relations as required.• In the event of unsuccessful outcome, prepare KM/QA in preparation for RCMP enforcement of injunction.• Feb/March – potential proactive communications opportunity associated with the ongoing reconciliation discussions with Murray Rankin, if the OW's purchase of Lake Kathlyn school in Smithers with funds from the Province is successful.

COLLATERAL MATERIALS

- Key messages
- Questions and Answers
- Draft reactive media statements, in case needed
- Joint media release for conclusion of Wiggus table
- Standard media response, agreed to jointly, for media requests for status updates
- Communications protocol (internal document only) TBD

Sarah Plank, Director of Communications
Ministry of Indigenous Relations and Reconciliation

Sage Aaron, Director of Communications
Office of the Premier

Date: __03 February 2020__

Appendix: Additional Background/Timeline

Unist'ot'en Camp:

- The Unist'ot'en camp was established in 2009, originally to oppose a proposed oil pipeline crossing Wet'suwet'en territory.
- s.16
- The Unist'ot'en are affiliated with the Dark House, one of thirteen houses that make up the Wet'suwet'en Nation.
- Since the camp was formed, the Province has made extensive efforts to work with both the Wet'suwet'en Nation and its Hereditary Chiefs to seek a resolution.^{s.16}
- s.16
- In support of long-term reconciliation with the Wet'suwet'en people, Minister Fraser met with Wet'suwet'en leadership in May, 2018. Premier Horgan and Minister Fraser met with Wet'suwet'en hereditary leaders on Aug. 31, 2018, in Smithers.
- Both attended a smoke feast in March 2019

Pipeline Project

- On January 4, 2020, Wet'suwet'en hereditary leaders announced they issued an eviction notice to Coastal GasLink (CGL), citing violation of Wet'suwet'en law. The announcement was made online here.
- CGL deferred work in the Wet'suwet'en areas given the eviction notice.^{s.16}
- s.16
- The B.C. Supreme Court on Dec. 31, 2019 granted CGL's request for an interlocutory injunction, allowing the company to conduct their work in the area without interference.
- RCMP reported on Jan. XX that a large number of trees had been felled along the Morice River Forest Service Road (MRFSR), impeding access vehicles. They also reported finding stockpiles of tires and fire accelerant.
- On January 7, 2020, Wet'suwet'en hereditary leaders hosted a media availability where they indicated they will not meet with CGL and will only talk to the provincial and federal governments, and the Royal Canadian Mounted Police (RCMP).
- Prior to the current impasse, CGL had been operating in the area under a protocol agreement reached directly with the Unist'ot'en, who have a camp at the MRFSR bridge.
- On Oct. 2, 2018, LNG Canada announced its Final Investment Decision to build a \$40 billion LNG export facility in Kitimat, connected to northeast gas fields by the GCL pipeline.
- CGL sought an interim court injunction from BC Supreme Court in Dec. 2018 to obtain access across a bridge blocked by a gate. On Jan. 7, 2019, RCMP began to enforcement dismantling a checkpoint and arresting 14 people.
- On Jan. 9, 2019, Hereditary chief Na'Moks (John Risdale) stated the occupants of the Unist'ot'en camp would comply with the interim court injunction and provide CGL with access to areas beyond the Morice River bridge, until the matter is settled through the courts. Unist'ot'en camp remains strongly opposed to the Coastal GasLink pipeline project.

Agreements

- LNG Canada has community and project agreements with the elected councils of all 20 First Nations along the Coastal GasLink corridor. 17 of 20 Nations along the proposed Coastal Gaslink route have signed benefits agreements with B.C.; however past attempts to complete agreements with Office of Wet'suwet'en and Unist'ot'en representatives have not been successful.
- Five of six Wet'suwet'en bands have signed and announced pipeline benefits agreements with the Province for the Coastal GasLink pipeline. Skin Tyee, Nee-Tahi-Buhn, Witset (formerly Moricetown), Burns Lake Band and Wet'suwet'en First Nation have agreements that have been announced and are in effect. Hagwilget has not signed an agreement.

OOP FOI PREM:EX

From: Howlett, Tim GCPE:EX
Sent: January 27, 2020 12:28 PM
To: Aaron, Sage PREM:EX; Smith, George PREM:EX; Bain, Don PREM:EX; Farmer, Leila GCPE:EX
Subject: RE: draft KMQA
Attachments: KMQA Cullen_liaison.docx

Sorry – please use this version

From: Howlett, Tim GCPE:EX
Sent: January 27, 2020 12:26 PM
To: Aaron, Sage PREM:EX ; George Smith Work (George.Smith@gov.bc.ca) ; Bain, Don PREM:EX ; Farmer, Leila GCPE:EX
Subject: draft KMQA

Tim Howlett
Executive Director of Issues Management
250.208.4828

NR

Premier appoints provincial liaison with Wet'suwet'en Hereditary Chiefs

Premier John Horgan has appointed Nathan Cullen as a liaison between the Province and the Wet'suwet'en Hereditary Chiefs.

Cullen, a former member of parliament for Skeena-Bulkley Valley, is tasked with acting as an intermediary by providing fact-finding, facilitation and analysis to support a peaceful resolution to the Coastal Gaslink dispute.

"I'm pleased all parties have agreed to the appointment of a liaison," Premier Horgan said. "Nathan has agreed to act as an intermediary in the hopes of finding a solution to this challenging dispute."

Cullen will work with the Wet'suwet'en Denezeh and Tsakozeh, Royal Canadian Mounted Police, Coastal GasLink, the provincial public service and other parties. His focus will be on de-escalating the conflict surrounding the court-ordered interlocutory injunction regarding access to the Morice West Forest Service Road.

KMs

- Premier John Horgan has appointed former MP Nathan Cullen as a liaison with the Wet'suwet'en
- Cullen's role is to support the peaceful resolution of the dispute between the Hereditary Chiefs of the Wet'suwet'en and Coastal Gaslink,
- He will also be working on improving and strengthening the government-to-government relationship between province and the Wet'suwet'en Denezeh and Tsakozeh.

QA

What is Nathan expected to do in the role? How will he operate?

- The focus of the work is liaising with the Wet'suwet'en, RCMP, the company and the province to seek a path forward.
- The goal is to facilitate and improve communication between all parties in an effort to arrive at agreement to peacefully de-escalate the situation.
- He will be asked to report regularly and offer advice on immediate and short-term measures.

What does this mean about the process involving Murray Rankin?

- The separate government-to-government process facilitated by Murray Rankin continues.
- That process has always been distinct from any specific project.

How long is Cullen's involvement to last?

- Mr. Cullen is on a short-term contract, constructed to allow the time required for this role agreed to by both parties.
- Government is not putting a timeline on the de-escalation of the current conflict.
- Our focus is on working towards a peaceful resolution

If pressed...

- The initial contract runs through January 31st with possibility of renewal.

What is the value of the contract?

- The cost will be similar to other contracts with consultants.

If pressed...

- The final amount will be released at the end of the contract.

Blair Lekstrom just quit a liaison role because he said the Government refused to listen to him – how will Nathan Cullen’s appointment be different?

s.13

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s.13

Shortt, Amanda PREM:EX

From: Canitz, Shelley L PREM:EX
Sent: September 19, 2019 1:35 PM
To: OOP FOI PREM:EX
Subject: RE: Call for Records OOP-2019-95384 Due September 24, 2019

No emails – would someone check the LAN for BNs or memos?

From: OOP FOI PREM:EX
Sent: Wednesday, September 18, 2019 3:33 PM
To: LP PO Executive Office <LPPOEO@Victoria1.gov.bc.ca>; LP Premiers Vancouver Office <LPPVO@Victoria1.gov.bc.ca>; LP PO Deputy Minister <LPPODM@Victoria1.gov.bc.ca>
Subject: Call for Records OOP-2019-95384 Due September 24, 2019

Hello,

Please see the below request and please let me know by September 24th whether or not you have any records:

Canvassed: All Staff

Emails, memos and briefing notes referring to or containing the name of Murray Rankin.

(Date Range for Record Search: From 02/01/2019 To 03/31/2019) Date Format is MM/DD/YYYY

UPDATE: It is no longer necessary to send records as a PDF. Please send records in whatever way is most convenient.

Thank you all for your assistance with this request! If you have any questions please don't hesitate to contact me.

hay čx^w qə

Leslie Loubert, Administrative Assistant
Deputy Minister's Office | Office of the Premier
Room 272- West Annex, Parliament Buildings
Victoria, BC, V8W 9E1
Office | 250-356-2206

Shortt, Amanda PREM:EX

From: Eckardt, Dana R IRR:EX
Sent: May 24, 2019 3:03 PM
To: Canitz, Shelley L PREM:EX
Subject: RE: notes for our Estimates
Attachments: IN_Wet'suwet'en reconciliation_08Apr2019_FINAL.docx

Hi Shelley,

The attached issues note should cover both off.

Let me know if you need anything else.

Thanks!

D.

From: Canitz, Shelley L PREM:EX
Sent: May 24, 2019 2:44 PM
To: Eckardt, Dana R IRR:EX <Dana.Eckardt@gov.bc.ca>
Subject: notes for our Estimates

Dana – might you have notes on:

- Reconciliation process with the Office of the Wet'suwet'en and BC and role of Mr. Murray Rankin
- Unist'ot'en Camp

Confidential Issues Note - ADVICE TO MINISTER

Ministry of Indigenous Relations and Reconciliation Updated: April 8, 2019 Minister Responsible: Hon. Scott Fraser	Wet'suwet'en reconciliation
---	------------------------------------

RECOMMENDED RESPONSE:

- The provincial government is focused on building relationships with First Nations based on respect and recognition of rights, and respecting the principles of the UN Declaration on the Rights of Indigenous Peoples.
- The Province and the Office of the Wet'suwet'en have agreed to explore a path forward, nation-to-nation, to meaningfully advance reconciliation.
- On March 16, 2019, the Premier and I [Minister Fraser] along with Minister Donaldson and Murray Rankin participated in a Smoke Feast hosted by Laksilyu Clan at Witset, marking the formal start of this process in the feast hall.
- We recognize the feast as a long-standing governance and decision-making process that is integral to Wet'suwet'en hereditary leadership protocols.
- These discussions are a historic opportunity to support Wet'suwet'en self-determination and self-governance, and for the Province and Wet'suwet'en Nation to establish a deeper relationship based on respect and recognition of rights.
- It's important to emphasize that our commitment to lasting reconciliation with the Wet'suwet'en Nation and peoples is not connected to any specific project.
- This will take time. There are many steps to take on this path. We are committed to walking this path with the Wet'suwet'en.

If asked about Murray Rankin's appointment:

- To support this work, the Province has appointed Murray Rankin to lead the discussions on the Province's behalf.
- As an expert in constitutional law, Mr. Rankin has a deep understanding of relevant case law and Wet'suwet'en history, and experience in First Nations negotiations.
- Murray Rankin's scope is to work to develop pathways to implement Wet'suwet'en title, rights, laws and traditional governance throughout the Wet'suwet'en *Yintah* (territory).

Confidential Issues Note - ADVICE TO MINISTER

- Other actions to build trust and collaborative working dynamics are underway. These include providing capacity funding, and exploring ways to coordinate the ongoing business of government as negotiations get started.

If asked about RCMP action/Unist'ot'en camp:

- With respect to the Coastal GasLink Pipeline Project, the company sought an injunction order from the court on this matter and we respect the court's decision.
- The Province has been clear that the company has the responsibility to resolve the situation with respect, and we expect the project to be advanced in a way that respects Indigenous rights and ensures benefits for First Nations.
- LNG Canada and Coastal Gaslink have shown they understand the importance of consultations and meaningful reconciliation with First Nations – that's why they've signed agreements with every First Nation along the pipeline corridor.
- This project represents great opportunities for all people in British Columbia, but it also recognizes and highlights the challenges of reconciliation.
- As Premier Horgan has said, the work of reconciliation is incredibly complex – there is no quick fix to resolving issues that go back to 1876 and beyond.

If asked about veto...

- This project represents great opportunities for Indigenous and non-Indigenous people, and it also highlights the challenges of reconciliation and resolving issues that go back more than 150 years.
- There is no universal standard to achieving free prior and informed consent -- every nation and each project have their unique circumstances.
- Free, prior and informed consent means First Nations must be fully and meaningfully engaged from the start on projects impacting their territory.
- This creates certainty and predictability for industry over the long term, and recognizes the rights of First Nations.

If asked about civil disobedience...

- We recognize the right of individuals to peaceful protest. We recognize the rights of those across the country who wanted to voice their concerns about this project.

Confidential Issues Note - ADVICE TO MINISTER

BACKGROUND:

- The Province and Wet'suwet'en nation are starting a reconciliation negotiation process together.
- The process is not connected to any specific project. It is focused on recognizing and implementing Wet'suwet'en title, rights, laws and traditional governance across the territory. As a first step, on March 16, 2019, the Laksilyu Clan of the Wet'suwet'en hosted a traditional smoke feast, an established protocol that marks the beginning of a process under Wet'suwet'en traditional hereditary systems.
- The province has appointed MP Murray Rankin as its negotiator. Rankin is also a lawyer and mediator, and has deep knowledge of the Wet'suwet'en people and history and of the Delgamuukw decision.
- Mr. Rankin will not receive remuneration under the contract – he will only be reimbursed for expenses related to his involvement in the negotiations, such as travel costs. The contract currently extends to September 2019, and is for up to a maximum of \$75,000. On February 28, Rankin also announced his intention not to seek federal re-election.

CGL Injunction

- On Jan. 7, 2019, RCMP began to enforce an injunction from the BC Supreme Court by dismantling a checkpoint at km-44 on Morice West Forest Service Road, which resulted in the arrest of 14 people.
- On Jan. 9, 2018, Hereditary chief Na'Moks (John Risdale) stated the occupants of the Unist'ot'en camp would comply with the interim court injunction and provide CGL with access to areas beyond the Morice River bridge, until the matter is settled through the courts. Unist'ot'en camp remains strongly opposed to the Coastal GasLink pipeline project.
- The resolution came after discussions between camp occupants, some hereditary chiefs, RCMP and Coastal GasLink and includes a commitment that the camp and healing lodge will remain in place and that Wet'suwet'en members can access the area for trapping.
- Chief Na'Moks stated in media that they remain adamantly opposed to the proposed project and that will never change but agreed to access to ensure people's safety.
- Wet'suwet'en's Gitumden Clan constructed the km-44 checkpoint after the BC Supreme Court granted Coastal GasLink an interim injunction requiring the removal of a gate on the Morice River bridge, and that CGL be allowed access to areas beyond the bridge. An enforcement order was also in place providing direction to the RCMP to enforce the terms of the injunction.
- The interim injunction will remain in place until a judgment on the main (interlocutory) injunction application. The defendants in the injunction application have until Feb. 20 to file their materials in response to the application. The application itself must be heard by the court by May 31. Freda Huson and Warner Naziel, the two named defendants, have retained legal counsel to represent them.
- The injunction application was filed on Nov. 29, 2018, after Coastal GasLink employees attempted to cross the bridge, and were turned away at the gate. The hearing took place on Dec. 13, 2018, with the injunction order issued Dec. 14, 2018. It has since been revised to expand the injunction area and to provide the defendants more time to file their response materials and hearing deadline.
- The RCMP enforcement action prompted provincial and national media coverage, and rallies across the country and internationally. Additional protests continue to take place, including occupation of government ministers' constituency offices.

Reconciliation work

- In support of long-term reconciliation with the Wet'suwet'en people, Minister Fraser met with Wet'suwet'en leadership in May, 2018. Premier Horgan and Minister Fraser subsequently met with Wet'suwet'en hereditary leaders on Aug. 31, 2018, in Smithers.

Confidential Issues Note - ADVICE TO MINISTER

- At the August meeting, the premier indicated that the government is supportive of LNG and that ministry officials can support positive discussions between the nation and proponent to restore the access necessary to start construction for the Coastal GasLink pipeline.
- In October 2018, the Ministry of Children and Family Development (MCFD) signed a tripartite agreement with the Wet'suwet'en Nation and the federal government. The MOU commits the parties to work together to develop and implement a framework for exercising Wet'suwet'en jurisdiction over child and family services.
- This follows a 2017 agreement between the Wet'suwet'en Nation and MCFD to explore opportunities for their jurisdictional right over child-welfare services in accordance with the Nation's traditional laws and governance systems.

Unist'ot'en Camp

- A small group of the Wet'suwet'en peoples, along with non-Indigenous supporters, established the Unist'ot'en camp in 2009, and vowed to oppose any pipeline that would cross Wet'suwet'en territory.
- The Unist'ot'en camp is located at km-66 of the Morice West Forest Service Road near the Morice River. The camp is on Provincial Crown land and includes a number of buildings.
- Since May 2013, a barrier has controlled access across the Morice River bridge, which has delayed activities on pipeline projects and forestry, stalled environmental management and monitoring and archeological assessments, and restricted public access.
- In the fall of 2016, B.C. became aware of a metal gate installed at the Morice River Bridge in addition to the existing Unist'ot'en barrier.
- In February 2017, Ministry of Forests sent a letter to the Unist'ot'en to inform them that the gate appeared to be a contravention of Forest Service Road regulations and to request its removal. No further action was taken by government.
- s.16

Agreements

- 17 of 20 Nations along the proposed Coastal Gaslink route have signed benefits agreements with the Province; however past attempts to complete agreements with Office of Wet'suwet'en and Unist'ot'en representatives have not been successful.
- Four of five Wet'suwet'en bands have signed and announced pipeline benefits agreements with the Province for the Coastal GasLink pipeline. Skin Tyee, Nee-Tahi-Buhn, Witset (formerly Moricetown) and Wet'suwet'en First Nation have agreements that have been announced and are in effect. Hagwilget has not signed an agreement.
- On Oct. 2, 2018, LNG Canada announced its Final Investment Decision to build a \$40 billion LNG export facility in Kitimat, connected to northeast gas fields by the Coastal GasLink pipeline. Media stories have asserted the Unist'ot'en camp is the most significant obstacle facing the pipeline project.
- LNG/Canada has community and project agreements with the elected councils of all 20 First Nations along the Coastal GasLink corridor.
- Coastal GasLink awarded approximately \$620 million in contracting and employment opportunities to northern Indigenous businesses. The project anticipates another \$400 million in contracting for local and Indigenous businesses during construction.

Confidential Issues Note - ADVICE TO MINISTER

Wet'suwet'en governance and hereditary leaders:

- The Unist'ot'en camp is located in an area where the Wet'suwet'en Nation is assessed as having strong Aboriginal rights and title claims. The Unist'ot'en are a self-identified group affiliated with the Dark House, one of thirteen houses that make up the Wet'suwet'en Nation.
- Since the camp was formed, the Province has made extensive efforts to work with both the Wet'suwet'en Nation and its Hereditary Chiefs to seek a resolution. Internal governance complexities and tensions between elected and hereditary Wet'suwet'en leaders have complicated these efforts.
- Unist'ot'en has two representatives on the 12-person Witset council – Chief Knedebeas (Warner Williams), and Unist'ot'en spokesperson Freda Huson (Knedebeas' niece).

Communications Contact: Danielle Suter
Program Area Contact: Cory Waters; Janice Franklin
File Created: January 12, 2016

Wensink, Alison PREM:EX

From: Allison Smith <editorial@britishcolumbiatoday.ca>
Sent: January 31, 2020 6:00 AM
To: Aaron, Sage PREM:EX
Subject: BC Today — Your Daily Report for January 31, 2020

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Your Daily Report on BC's Provincial Legislature

BCTODAY

BC Today – Daily Report
January 31, 2020

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Page 002 of 183 to/à Page 007 of 183

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111 Wellesley St W, Toronto, ON, Room 149

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From: [Richards, Erin GCPE:EX](#)
To: [Brown, Evan PREM:EX](#)
Cc: [Dunnett, Jennifer TAC:EX](#); [Holmwood, Jen PREM:EX](#); [Aaron, Sage PREM:EX](#); [Horlor, Shannon GCPE:EX](#); [Dalzell, Danielle GCPE:EX](#)
Subject: FOR PRINTING: Victoria Vaisakhi BG
Date: April 12, 2019 4:48:06 PM
Attachments: [20190414_BG_PJH_Vaisakhi Victoria Gurdawa Announcement_V3.docx](#)
Importance: High

Hi Evan,

Please replace the current Vaisakhi BG (for Sunday's event) with the attached. It has an updated list of attendees and speakers.

Thank you!

Erin Richards

Manager of Writing and Content Strategy | Strategic Communications | Government
Communications and Public Engagement

Erin.Richards@gov.bc.ca | 250-361-6901

BACKGROUNDER

Victoria Vaisakhi and Gurdwara announcement

Khalsa Diwan Society Gurdwara, 1210 Topaz Ave., Victoria

April 14, 2019

Event Goals:

- To take part in Vaisakhi celebrations in Victoria at the Khalsa Diwan Society Gurdwara and make \$1-million funding announcement for renovations to the temple.

Format:

- 3-5 minutes

Audience:

- Emcee: Moe Sihota
- Minister of Finance Carole James
- Minister of Education Rob Fleming
- Minister of Agriculture Lana Popham
- MP Murray Rankin (speaking)
- MP Randall Garrison
- MLA Adam Olsen
- Mayor of Saanich Fred Haynes
- Victoria Councillor Laurel Collins
- Khalsa Diwan Society Gurdwara members
- Hardip Sahota, president, Khalsa Diwan Society (TBD)
- Open to media

BACKGROUND NOTE

Ministry of Municipal Affairs and Housing Contingencies Grants

Source: MAH Program

The Ministry of Municipal Affairs and Housing distributed contingencies grants for 2018/19 for up to \$2.375 million providing one-time grants for the following:

- a grant of up to \$1.0 million to the City of White Rock to address storm damage to community waterfront infrastructure;

- a grant of up to \$1.0 million to the Khalsa Diwan Society for facility upgrades to the Victoria Gurdwara;
- a grant of up to \$0.175 million to the City of Delta for park facilities; and
- a grant of up to \$0.2 million to the Jewish Community Centre of Greater Vancouver, conditional on:
 - the funds being used only toward the development of a business case for the proposed new community centre, and,
 - on your ministry conveying to the Jewish Community Centre of Greater Vancouver that any future requests for provincial funding for this project will only be considered following the submission of a business case.

About the Sikh Khalsa Diwan Society (KDS) Gurdwara

(Source: KDS grant proposal)

- The Khalsa Diwan Society (KDS) Sikh Gurdwara (often called a temple) opened in 1912 at 1910 Topaz Street in Victoria
- Along with Abbotsford is one of the two oldest operating Gurdwaras in North America (they both opened in 1912).
- The KDS Gurdwara is open to all people in the Greater Victoria region and any other region of the province regardless of religion, race or country of origin.
- In 2012 the Topaz Temple celebrated its 100th anniversary as a Gurdwara.
- The Gurdwara provides a place to gather in community celebrations, marriage & death ceremonies (often involving thousands of people from all parts of BC), birthdays and religious ceremonies.
- Every year the KDS provides prayer services and serves vegetarian lunches to tens of thousands of people from every walk of life.
- The services and lunches are prepared by dozens of volunteers usually male and female seniors and they are open to all community members.
- The Gurdwara congregation will often cook more than 600 meals and truck them over to Our Place in downtown Victoria and then help serve the meals to Our Place residents and others.
- The Gurdwara gives the Indian fast-growing population of seniors, many of whom are facing social isolation, intense loneliness, depression, dementia, mobility and disability challenges and other issues related to aging, a place to go.

About Vaisakhi

Source: Multiple

- Vaisakhi marks the day in 1699 that the Order of the Khalsa was initiated by Sahib-E-Kamaal Guru Gobind Singh Ji.

- it is a very important day for Sikhs and one of the most colourful events in the Sikh calendar.
- It occurs during mid-April every year and traditionally concurs in Punjab with the first harvesting of the crops for the year.
- The day is determined using the solar calendar.
- Parades, dancing and singing happen throughout the day.
- Many Sikhs choose to be baptised into the Khalsa brotherhood on this day.
- The festival is marked with *nagar kirtan* processions: processions through the streets (*nagar* means "town") which form an important part of Sikh culture and religious celebrations.
- *Kirtan* is a term meaning the singing of hymns from the Guru Grath Sahib, the Sikh holy book. Celebrations always include music, singing and chanting scriptures and hymns.
- The processions are led by traditionally dressed Panj Piaras.
- The Guru Granth Sahib will be carried in the procession in a place of honour.
- It is not, as commonly believed, a New Year for the Sikhs. This Sikh New Year is celebrated on the 1st day of Chet, which usually falls on March 13, a month earlier.
- Victoria held its first Vaisakhi parade in over 100 years in 2018
- 2019 marked the first time Vaisakhi has been celebrated at the B.C. legislature.

Multicultural Actions

Source: TAC Program

- British Columbia has the largest proportion of ethno-cultural diversity in Canada:
 - B.C. is home to 204 First Nations and vibrant urban Indigenous and Métis communities.
 - 36% of British Columbians identified as a visible minority or Indigenous in the 2016 census (51% in Metro Vancouver).
- 2017 saw a sharp increase in hate crimes reported nationally — up 47% to 2,073 reported incidents.
- On Nov. 1, 2018, government introduced legislative amendments to the Human Rights Code that will re-establish a human rights commission for B.C. to promote and protect human rights for all British Columbians.
- The B.C. government provides \$300,000 annually through the Multiculturalism Grant Program.
- Organizing Against Racism and Hate (OARH) is a provincially funded program that helps communities and organizations challenge racism and hate. OARH operates as a provincial network, comprised of 36 communities that work

together to address incidents of racism and hate and engage in anti-racism public education work.

- In 2017-18, the B.C. government will provide more than \$1.6 million in multiculturalism funding, which includes programs like OARH to support community engagement, multiculturalism grants and other projects and programs to challenge racism and hate, and promote an inclusive society.
- Canada was the first country in the world to adopt multiculturalism as an official policy.

From: [McNish, James IRR:EX](#)
To: [Meggs, Geoff PREM:EX](#); [Hockin, Amber PREM:EX](#); [Aaron, Sage PREM:EX](#); [Howlett, Tim GCPE:EX](#); [Bain, Don PREM:EX](#); [Farmer, Leila GCPE:EX](#); [Dinicol, Sam GCPE:EX](#); [Pinette, Celia IRR:EX](#); [Cuddy, Andrew EMPR:EX](#); [Dewar, Bob PREM:EX](#); [Maartman, William PSSG:EX](#); [Smith, George AG:EX](#)
Subject: For today"s check in
Date: February 17, 2020 9:13:26 AM
Attachments: [2020-02-13 BN Engagement on Declaration Act DRAFT.dotx](#)
[Wetsuweten Chronology Summary 13Feb2020.docx](#)

Hi folks,

Attached is the BN of the engagement process on the Declaration Act and also a chronology of events leading up to our current situation with the Wet'suwet'en

Cheers,

-James

BRIEFING NOTE FOR INFORMATION

DATE: February 13, 2020

PREPARED FOR: Honourable Scott Fraser, Minister of Indigenous Relations and Reconciliation

ISSUE: Engagement on the Declaration on the Rights of Indigenous Peoples Act

SUMMARY:

- **Engagement on implementation of the Declaration Act is in its early stages.**
- **Ministry staff has initiated conversations with the First Nations Leadership Council and other Indigenous partners to support meaningful engagement with treaty and non-treaty nations, Métis people, and urban and off-reserve Indigenous peoples.**
- **Ministry staff is developing an engagement approach to identify key engagement opportunities with stakeholders including local government, industry and agencies..**

BACKGROUND:

On November 28, 2019, the *Declaration on the Rights of Indigenous Peoples Act* (Declaration Act) came into force. The Declaration Act imposes three distinct procedural obligations on government to be met in consultation and cooperation with Indigenous peoples: align provincial laws with the UN Declaration (s. 3); establish an action plan to meet the objectives of the UN Declaration (s. 4); and, produce annual report on progress (s. 5). Additionally, enabling provisions in the Declaration Act regarding Indigenous governing bodies create space for agreements regarding joint and consent-based statutory decisions. Ministry staff will be working with Indigenous partners to support meaningful engagement with treaty and non-treaty nations, Métis people, and urban and off-reserve Indigenous people. To ensure transparency, Ministry staff will ensure there are opportunities for engagement with other potentially affected stakeholders, including local governments and industry.

DISCUSSION:

Engagement on the implementation of the Declaration Act has begun, with a more detailed engagement plan in development. The engagement plan will be informed by input from and agreements with: the First Nations Leadership Council (e.g., Commitment Document, Concrete Actions), First Nations directly (both in collaboration with FNLC and with some directly), Métis Nation BC, Modern Treaty Nation Alliance as well as important relationships with other key organizations such as the First Nations Forestry Council, the B.C. Association of Aboriginal Friendship Centres and the Urban Native Youth Association. The intent is to ensure an inclusive and efficient process that builds upon collectively identified priorities and actions. This includes consideration of key documents such as the 2015 Commitment Document, the 2018 Concrete Actions document, the Recognition and Reconciliation of Rights Policy for Treaty Negotiations in British Columbia, and feedback gathered during recent engagement sessions.

Recent Engagement

Recent and upcoming engagement opportunities with Indigenous communities include direct meetings with nations (upon request), co-presentations with the FNLC at their quarterly meetings, correspondence with First Nations organizations, presentations at active negotiation tables, a meeting with the Minister's Advisory Committee on Indigenous Women, and early discussions with the Modern Treaty Alliance.

Continued dialogues on the implementation of the Declaration Act have also been occurring with key stakeholders, industry and labour through individual meetings and through industry associations. MIRR

has actively participated over the past two months in industry events such as the Association of Mineral Exploration Round Up, Prince George Natural Resource Forum and BCAFN Business Forum. In addition, conversation with the federal government has also been initiated and regular communication with key stakeholders is ongoing, including the Union of B.C. Municipalities.

Action Plan

Through the Joint Core Working Group, Ministry staff have been working with the First Nations Leadership Council (FNLC) to determine the best approach to engage with nations on development of the action plan. At this stage, a dedicated All Chiefs meeting in late Spring 2020 is being contemplated. Input on process, methodology and priorities has begun with the first series of presentations at the quarterly meetings of the First Nations Summit (February 13, 2020), the Union of BC Indian Chiefs (February 27, 2020) and the BCAFN (March 4, 2020).

The existing governance structure for the Draft 10 Principles, including an ADM Steering Committee, Champions Table and Statutory Decision Makers working group, will be transitioned to support engagement on and development of the annual report and action plan.

s.16

The Province has also begun to review its legislative programs for compliance with the Declaration Act.

s.16

KEY MESSAGES:

- Early engagement on implementation of the Declaration Act has begun.
- A more detailed engagement plan will be developed in partnership with the First Nations Leadership Council, Métis Nation BC, with First Nations directly and other Indigenous partners to ensure an inclusive and efficient process.
- To ensure transparency and support effective implementation, we will continue to engage with other potentially affected and interested stakeholders, including local governments, labour and industry.

PREPARED BY:

Emily Arthur, Executive Director
Reconciliation Strategies Branch
(250) 818-7762

Wet'suwet'en Engagement Summary:

2010:

- Unist'ot'en notifies that OW does not represent the Unist'ot'en people for any business activity, including consultation and accommodation agreements. BC responds to Unist'ot'en confirming that BC would send consultation referrals to spokesperson Freda Huson as well as to OW
- Unist'ot'en established a camp near kilometre 66 of the Morice West FSR, occupied year round by members and supporters of Unist'ot'en
- Gate installed without BC authorization restricting traffic that extends into Unist'ot'en territory

2013:

- MIRR received further confirmation from OW that that office does not formally represent or speak on behalf of Unist'ot'en, that the Wet'suwet'en Hereditary Chiefs are not apprised of the activities and or initiatives of the Unist'ot'en, and that further communication should be directly with House Chief Warner William or Freda Huson.

2014:

- May: BC launched the ESI initiative, committing \$30M over three years for a collaborative initiative among the Province, Industry and First Nations fostering environmental stewardship and supporting consensus projects
- Letter to Wet'suwet'en Indian Act Bands and OW setting out commitment to put a regulation in place that would disallow conversion of natural gas pipelines to bitumen pipelines.
Wetsuwet'en Hereditary Chiefs cc'd
- October 24 – CGL EA Certificate approved
- Nov: letter to Wet'suwet'en Hereditary Chiefs following up on Nov 6 meeting discussing reconciliation. All Wet'suwet'en Indian Act Band Council cc'd
- s.16
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2015:

- s.16
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-
-
- Feb: BC letter to Wet'suwet'en Chiefs confirming that PBA agreements do not confer authority to elected chiefs^{s.16}
- BC launched the Aboriginal Skills and Training Development Fund, identifying \$30M over three years to assist First Nations in benefitting from direct and indirect employment opportunities.
- Aug: Unist'ot'en enacts Declaration of Law governing Unist'ot'en Territory
- Aug: BC letter to OW reiterating commitment to enter into government-to-government discussions.
- s.16
-
-
-

2017:

- February 1st, ADM FLNRO sent a letter to Freda Huson regarding the gate and advising that it was BC's view that the installation was in contravention of FSR regulations
- Dec 7th: BC to Wet'suwet'en Chiefs– regarding duty to consult and permitting regulations, potential resolution of the Morice Bridge issue and building a stronger relationship

2018:

- Witset signs PBA respecting the Coastal Gas Link project with BC –^{s.16}
- s.16
- OW/Unist'ot'en meet with Premier Horgan and Minister Scott Fraser to discuss reconciliation
- August 31: meeting with OW Hereditary Chiefs, PJH and MSF
- s.16

• s.16

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- Oct: OW to PJH Letter regarding recognition of Wet'suwet'en Aboriginal Title and Implementation of Title.
- PJH letter to Warner William and OW acknowledging previous correspondence and invitation to the Wet'suwet'en Territory to discuss reconciliation. PJH is supportive of engaging an intermediary to assist in the process
- Nov: Letter from OW regarding Wet'suwet'en Title and Implementation of UN Declaration. Warner William cc'd
- Nov – Intermediary assigned to explore possible approaches

2019:

- Jan – Intermediary report received
- Feb – Appoint Murray Rankin
- March – Bahtlaht (Smoke Feast) with PJH, MSF, MDD and Murray Rankin at Witset
- April – Reconciliation negotiations commence
- November – Term Sheet completed
- BC commences approval process

2020:

- January – funding approved to acquire school
- February – SD 54 confirms OW bid is successful

From: [Dinicol, Sam GCPE:EX](#)
To: [Aaron, Sage PREM:EX](#)
Cc: [Howlett, Tim GCPE:EX](#)
Subject: FW: 2020.0219 KMQA - Wet'suwet'en Protests CGL_SA-DB
Date: February 25, 2020 4:32:15 PM
Attachments: [2020.0219 KMQA - Wet'suwet'en Protests CGL-UPDATED.docx](#)

Sam Dinicol

Government Communications and Public Engagement
Strategic Issues Management
Phone: 250.888.0505

From: Dinicol, Sam GCPE:EX

Sent: February 19, 2020 4:06 PM

To: Aaron, Sage PREM:EX ; Howlett, Tim GCPE:EX ; Bain, Don PREM:EX

Subject: RE: 2020.0219 KMQA - Wet'suwet'en Protests CGL_SA-DB

Thank you – updated clean copy with one other addition from Tim.

Sam Dinicol

Government Communications and Public Engagement
Strategic Issues Management
Phone: 250.888.0505

From: Aaron, Sage PREM:EX <Sage.Aaron@gov.bc.ca>

Sent: February 19, 2020 3:57 PM

To: Howlett, Tim GCPE:EX <Tim.Howlett@gov.bc.ca>; Dinicol, Sam GCPE:EX
<Sam.Dinicol@gov.bc.ca>; Bain, Don PREM:EX <Don.Bain@gov.bc.ca>

Subject: 2020.0219 KMQA - Wet'suwet'en Protests CGL_SA-DB

Amalgamated edits from Sage & Don.

Wet'suwet'en Protests – Coastal GasLink

Main Messages:

- I'm proud our government is a leader when it comes to working toward meaningful reconciliation with Indigenous peoples.
- B.C. made history this fall as the first province in Canada to enshrine the principles of the UN Declaration on the Rights of Indigenous Peoples into law.
- The events of the last few weeks in no way shake our resolve. In fact, they underscore both the challenges and the importance of the work we're committed to doing.
- These are complex issues that have been more than 150 years in the making and they won't be resolved overnight.
- We are working in partnership with Indigenous peoples to develop an action plan on the work of implementing the Declaration Act.

Secondary Messages:

On the protests

- Our government supports the right to peaceful protest—but expect people to do so lawfully.
- We are concerned about the impact some of these protests are having on the movement of people and goods.
- To be clear: it is the responsibility of the police to ensure the safety of all and to enforce the law. Government does not, and should not, direct police decisions.

On the RCMP enforcement of CGL injunction ...

- This isn't the outcome we had been hoping for.
- It was CGL's responsibility as the proponent to engage with the Wet'suwet'en Hereditary Chiefs.
- When that failed, our government made a committed effort to find a negotiated outcome with the Wet'suwet'en Hereditary Chiefs. I regret those talks have not been thus far successful.
- Minister Fraser and Federal Minister Carolyn Bennett are working closely together. They are available to meet with the Chiefs at any time.

Wet'suwet'en Protests – Coastal GasLink

On the Opposition ...

s.13

Questions & Answers:

What is your government doing to end the protests and blockades? Why won't you direct the police to enforce the law?

- We are very concerned about the impact some of these protests are having on the movement of people and goods throughout the country.
- That's why we intervened swiftly to secure the removal of a rail blockade near New Hazelton here in British Columbia.
- Police have a responsibility to ensure the safety of all and to enforce the law, including court injunctions. They do so independently of elected officials.
- I don't think any of us want to live in a country where politicians direct the operations of the police.

Why didn't Premier Horgan meet with the Wet'suwet'en Hereditary Chiefs in person? Is he willing to meet them now?

- Our government has made a committed effort to find a negotiated path forward with the Wet'suwet'en Hereditary Chiefs.
- That included appointing Nathan Cullen as an intermediary – which led to two days of talks at the Wiggus Table.
- And Minister of Indigenous Relations and Reconciliation Scott Fraser has travelled twice to meet with the Hereditary Chiefs as the senior minister representing B.C.

Wet'suwet'en Protests – Coastal GasLink

Isn't building the CGL Pipeline over the opposition from the Wet'suwet'en in conflict with the principle of "consent" in UNDRIP?

- Reconciliation is about making decisions together with Indigenous peoples.
- Coastal GasLink and LNG Canada have shown they understand the importance of consultation and meaningful partnership with First Nations.
- That's why they have signed agreements with the vast majority of Indigenous communities along the pipeline right of way.
- There's no question that CGL represents both significant opportunities for Indigenous peoples and it highlights the complex challenges of long-term reconciliation.

Why did you give CGL the financial conditions it needed to make a final investment decision without a resolution to issues on Wet'suwet'en territory?

- First, let's be clear that this project represents significant opportunities for all communities in B.C.—including for Indigenous communities.
- 3,000 people have already been hired, local and indigenous communities are benefiting, and it is estimated the project will generate \$23-billion in revenue.
- That revenue will go to fund roads, schools, hospitals and public services for all British Columbians.
- The project received its Environmental Assessment certificate in 2014.
- The province conducted extensive consultations and signed benefits agreements with the vast majority of Indigenous communities along the pipeline's route.
- Our government continues to engage in meaningful, government-to-government reconciliation talks with the Wet'suwet'en.

The Wet'suwet'en Hereditary Chiefs have said they won't talk until the RCMP are off their land. Will you tell the police to leave?

- We don't direct the police in operational matters—nor should we.
- Minister Fraser and Federal Minister Carolyn Bennett have been clear that they are ready to meet with the Hereditary Chiefs at any time.
- While we are disappointed this offer has not yet been accepted, we remain open and committed to dialogue as the path forward.

Wet'suwet'en Protests – Coastal GasLink

What happened to the reconciliation process with the Wet'suwet'en led by Murray Rankin? Is that dead now?

- Not at all. We continue regular meetings with the Office of the Wet'suwet'en to find a path forward on nation-to-nation reconciliation.
- Murray Rankin continues to lead these discussions on the province's behalf.
- These talks are focused on developing pathways to implement Wet'suwet'en title, rights, laws and governance throughout the Wet'suwet'en territory.
- It's important to emphasize that our commitment to lasting reconciliation with the Wet'suwet'en is not connected to any specific project.

The Wet'suwet'en offered an alternate route for the pipeline through their territory – why was that rejected? Will you reconsider this option?

- This is a proponent driven process. Government reviews only what is submitted.
- I understand the proponent analysed a number of alternative routes.
- These routes were deemed unviable for a number of reasons—including higher environmental impacts and technical challenges.
- The company would be better placed to speak to those details.
- The pipeline route underwent an extensive regulatory process which included consultations with First Nations.

From: [Meggs, Geoff PREM:EX](#)
To: [Aaron, Sage PREM:EX](#)
Cc: [Bain, Don PREM:EX](#); [Howlett, Tim GCPE:EX](#)
Subject: Fw: Information Note: court injunction
Date: February 5, 2020 8:59:29 PM
Attachments: [IN Court injunction updated Feb 5.docx](#)
[ATT00001.txt](#)

fyi

From: Carr, Michelle EMPR:EX
Sent: Wednesday, February 05, 2020 8:57 PM
To: Wright, Don J. PREM:EX; Kennedy, Christine PREM:EX; Bain, Don PREM:EX; Meggs, Geoff PREM:EX; Nikolejsin, Dave EMPR:EX; Caul, Doug D IRR:EX; Allan, John FLNR:EX; Evans, Donna GCPE:EX; Aaron, Sage PREM:EX; Manwaring, Richard G FLNR:EX
Cc: McRae, Meghan GCPE:EX
Subject: Information Note: court injunction

Please find attached an IN that provides key messages respecting the Interlocutory injunction and related activities for the Coastal GasLink project.

Michelle

ADVICE TO MINISTER

<p>CONFIDENTIAL GCPE-MEMPR ISSUE NOTE</p> <p>Ministry of Energy, Mines and Petroleum Resources Updated: February 5, 2020 Minister Responsible: Bruce Ralston</p>	<p>Court injunction</p>
--	--------------------------------

ADVICE AND RECOMMENDED RESPONSE:

- **We made a committed effort with Wet'suwet'en's Hereditary Chiefs at the Wiggus (respect) table to find a peaceful resolution to the current situation.**
- **While we were not successful in finding a resolution, we continue to remain open to dialogue with the Wet'suwet'en leadership.**
- **We recognize this is a difficult situation still. We know safety remains a top priority for all parties – government, the Wet'suwet'en, the RCMP and industry.**
- **Coastal GasLink is approved and permitted for the construction activities underway.**

If asked about Coastal GasLink's construction:

- **We understand Coastal GasLink has announced their intention to resume construction activities in the Morice River area in accordance with their permits.**
- **The company can best provide specifics about the timeline of their plans.**

If asked about the injunction:

- **The BC Supreme Court was clear that Coastal GasLink is lawfully permitted to conduct their work without interference. The pipeline is approved and permitted for the construction activities underway.**
- **The courts make rulings that are independent from government.**
- **Similarly, the police operate at an arms-length from government. This means any enforcement decisions are made independent from government.**

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If asked about consultation:

- Our government is committed to working in partnership with First Nations to meaningfully advance reconciliation in British Columbia.
- With regard to the Coastal GasLink project, B.C. conducted extensive consultations with Indigenous Nations and has also signed benefits agreements with the vast majority of Indigenous communities along the pipeline's route.
- Coastal GasLink has also made significant efforts to consult with Indigenous Nations. The company has reached agreements with all 20 First Nations and their elected councils along the pipeline route.
- People are benefitting as a result of LNG Canada and the Coastal GasLink pipeline, including First Nations and business owners.

If asked about the reconciliation process:

- Our ongoing reconciliation discussions with Wet'suwet'en's Hereditary Chiefs, which are focused on rights, title, self-government and self-determination, continue and we are making important progress in those discussions.
- It's important to note that these talks are not related to any specific project but are focused on building our relationship and meaningfully advancing reconciliation.

If asked about Wet'suwet'en governance:

- The Wet'suwet'en governance structure is an internal matter that is best for the Nation to speak to.
- It is up to the Nation themselves to decide who speaks for and makes decisions on behalf of their Nation, based on their own rules and protocols, including the recognition of their citizens.
- Governance matters are one of the elements of our reconciliation discussions with the Wet'suwet'en, and it is an active conversation the Nation is having internally that would be most appropriately addressed by Wet'suwet'en.

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Key Facts Regarding the Issue:

Update February 5, 2020: The Wiggus/Respect table was not successful in finding a resolution. A statement was released by the Minister of Indigenous Relations and Reconciliation (IRR) late February 4 following the news. The Office of the Wet'suwet'en's (OW) release can be found [here](#), and IRR's statement can be found [here](#). Coastal GasLink also released a statement, found [here](#), noting disappointment that discussions ended without a resolution. The RCMP hosted a press conference detailing their approach moving forward, found [here](#).

The Wet'suwet'en Hereditary Chiefs joined the Province of British Columbia at the Wiggus Table last week. The original statement can be found [here](#).

The Wiggus Table followed news on January 27, 2020, when the Premier appointed Nathan Cullen, a former member of parliament for Skeena-Bulkley Valley, as a liaison between the Province and the Wet'suwet'en Hereditary Chiefs. The announcement can be found [here](#). Prior to that, on January 22, 2020, the Minister and Deputy Minister of Indigenous Relations and Reconciliation met with staff representatives of the OW in Smithers.

Background:

On January 13, the Premier of British Columbia was questioned about the Coastal GasLink (CGL) project during a media availability in Victoria. He affirmed the pipeline will be built following the BC Supreme Court's decision (see 'Injunction ruling' section).

Also on January 13, the Royal Canadian Mounted Police (RCMP) released an update about their policing and enforcement of the court's ordered injunction. The RCMP confirmed they had a series of meetings with Wet'suwet'en Hereditary Chiefs, elected councils and other stakeholders. They also provided details of policing procedure at the access control checkpoint for vehicles attempting to enter the Morice Forest Service area. More details can be found in the RCMP announcement [here](#). A follow-up update was also released on January 15 and can be found [here](#).

Later, on January 13, Wet'suwet'en hereditary leaders announced they have submitted a formal request to the United Nations to monitor RCMP, government and CGL actions on their territory. Their announcement can be found [here](#). Separately, a few days prior, the United Nations Committee on the Elimination of Racial Discrimination had requested Canada immediately halt construction on Site C, CGL and TMX until the projects obtain approval from impacted Indigenous Nations. BC's Human Rights Commissioner later echoed the UN's requests. The Committee Chairperson later retracted in the media stating the committee was unaware that Coastal GasLink had broad Indigenous support.

Shortly after January 13, Wet'suwet'en hereditary leaders urged Premier Horgan to meet with them, claiming that comments he made (on January 13) were 'misleading'. That announcement can be found [here](#).

Eviction notice

On January 4, 2020, Wet'suwet'en hereditary leaders announced they issued an eviction notice to Coastal GasLink (CGL), citing violation of Wet'suwet'en law. The announcement was made online [here](#).

CGL had restarted work across the pipeline's right-of-way but deferred work in the Wet'suwet'en areas given the eviction notice. The company reached out to the Hereditary Chiefs of the Wet'suwet'en in an effort to re-engage and find a mutually agreeable solution on how to move forward. Coastal GasLink's response(s) to the situation can be found [here](#).

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In the days following January 4, reports of trees felled along various locations along the Morice River Forest Service Road (MRFSR) surfaced. These trees are impeding access for any and all vehicles that could be seeking transportation in, or out, of this part of Wet'suwet'en territory. Traps were also found following RCMP patrols. The RCMP distributed a media release about its observations and that detail is located [here](#).

On January 7, 2020, Wet'suwet'en hereditary leaders hosted a media availability where they indicated they will not meet with CGL and will only talk to the provincial and federal governments, and the Royal Canadian Mounted Police (RCMP). The announcement, located [here](#), lists several demands from the Wet'suwet'en Hereditary Chiefs.

Prior to Supreme Court's decision, CGL had been operating in the area – crossing the MRFSR bridge - under a protocol agreement they reached directly with the Unist'ot'en, who are affiliated with the Dark House of the Wet'suwet'en and who have a camp at the MRFSR bridge site.

Injunction ruling

On December 31, 2019, the Supreme Court of British Columbia granted Coastal GasLink's request for an interlocutory injunction, allowing the company to conduct their work in the area without interference. The full decision can be found [here](#).

Interim Injunction

The court's ruling on December 31, 2019, had been pending since arguments were heard June 12-14, 2019. An interim injunction was originally granted on December 14, 2018.

On January 7, 2019, the Royal Canadian Mounted Police (RCMP) took steps to enforce the interim injunction and arrested 14 individuals at the Gidumt'en checkpoint - one of two blockades set up on the Morice River Forest Service Road (MRFSR). This particular blockade was located at the 44-kilometre mark of the MRFSR, in Section 7 of CGL's pipeline route.

The enforcement actions conducted by the RCMP was the subject of extensive media coverage following an article in the U.K.'s Guardian newspaper on December 20, 2019. That article alleged the RCMP were prepared to use extensive force during the dismantling of the Gidumt'en checkpoint. The RCMP countered the article, stating it was 'unsubstantiated, incomplete and inflammatory'. The RCMP's response the Guardian can be found [here](#).

Wet'suwet'en

The Unist'ot'en and Gidumt'en checkpoints were established within Wet'suwet'en territory along the Morice River Forest Service Roads.

The Wet'suwet'en's hereditary structure consists of five clans – Gil seyhu (Big Frog), Laksilyu (Small Frog), Gitdumden (Wolf/Bear), Laksamshu (Fireweed) and the Tsayu (Beaver Clan). The Dark House is a house group within the Gil seyhu (Big Frog). The Office of the Wet'suwet'en (OW) represents some of the hereditary chiefs as a collective. Unist'ot'en is affiliated with the Dark House, in the Gil seyhu clan.

Each clan is comprised of houses that are led by a hereditary chief. Some hereditary chiefs are opposed to Coastal GasLink and pipeline development. Five elected Wet'suwet'en band councils have supported Coastal GasLink – and there has been support within the Wet'suwet'en hereditary system as well.

Reconciliation

In early 2019, British Columbia and the OW agreed to explore a path forward, nation-to-nation, to

ADVICE TO MINISTER

meaningfully advance reconciliation. These discussions are ongoing and are not tied to any one project – i.e. CGL. The original announcement can be found [here](#). The province is represented by former MP Murray Rankin. Discussions have been occurring at least monthly since April 2019.

Very recently, British Columbia became the first province in Canada to bring internationally recognized standards of the UN Declaration on the Right of Indigenous Peoples into law. This legislation – known as the Declaration on the Rights of Indigenous peoples Act (Declaration Act) - recognizes the rights of Indigenous peoples and provides a framework to align B.C.'s laws with internationally recognized standards. Details about the Declaration Act can be found at www.declaration.gov.bc.ca.

LNG/pipeline Agreements

Both industry and the provincial government have agreements in place with elected Indigenous Nations – at the project site and along the pipeline route.

Coastal GasLink have agreements with all 20 elected First Nations along the pipeline route. Coastal GasLink attempted to enter into an agreement with the OW and hereditary chiefs but was unable to do so.

British Columbia has completed agreements with the majority of elected Indigenous governments along the route. The provincial government's agreements are publicly available [here](#). There was consultation with the OW and Dark House through the regulatory processes with thousands of touchpoints between regulators and the OW and Dark House.

Communications Contact:	Darren Beaupre	250-356-5892
Program Area Contact:		
File Created:	January 10, 2020	
File Updated:	February 5, 2020	

From: [Dalzell, Danielle GCPE:EX](#)
To: [Aaron, Sage PREM:EX](#)
Cc: [Horlor, Shannon GCPE:EX](#); [Nash, Amber PREM:EX](#); [McGregor, Cara GCPE:EX](#); [McLaren, Chris PREM:EX](#)
Subject: FW: UDPATED: UPDATED: FOR APPROVAL - Labour Day Products
Date: August 30, 2019 10:35:59 AM
Attachments: [20190902_SN_PJH_Labour_Day_V9.docx](#)
[20190902_BG_PJH_Labour_Day_V3.docx](#)

Just a reminder that we haven't received approval on these ones.

Thanks!

From: Dalzell, Danielle GCPE:EX
Sent: August 28, 2019 5:13 PM
To: Aaron, Sage PREM:EX
Cc: Horlor, Shannon GCPE:EX ; Nash, Amber PREM:EX ; McGregor, Cara GCPE:EX ; McLaren, Chris PREM:EX
Subject: UDPATED: UPDATED: FOR APPROVAL - Labour Day Products
Revised Labour Day SNs attached for you! BG is unchanged.
Thank you,
Danielle

From: Aaron, Sage PREM:EX
Sent: August 27, 2019 5:17 PM
To: Dalzell, Danielle GCPE:EX <Danielle.Dalzell@gov.bc.ca>
Cc: Horlor, Shannon GCPE:EX <Shannon.Horlor@gov.bc.ca>; Nash, Amber PREM:EX <Amber.Nash@gov.bc.ca>; McGregor, Cara GCPE:EX <Cara.McGregor@gov.bc.ca>; McLaren, Chris PREM:EX <Chris.McLaren@gov.bc.ca>
Subject: RE: UPDATED: FOR APPROVAL - Labour Day Products
Hi Danielle,
Comments about the back end of the LD speech. Much of that stuff is in the BG, which is approved.

From: Dalzell, Danielle GCPE:EX
Sent: August 27, 2019 11:37 AM
To: Aaron, Sage PREM:EX <Sage.Aaron@gov.bc.ca>
Cc: Horlor, Shannon GCPE:EX <Shannon.Horlor@gov.bc.ca>; Nash, Amber PREM:EX <Amber.Nash@gov.bc.ca>; McGregor, Cara GCPE:EX <Cara.McGregor@gov.bc.ca>; McLaren, Chris PREM:EX <Chris.McLaren@gov.bc.ca>
Subject: UPDATED: FOR APPROVAL - Labour Day Products
Hello Sage,

Attached for your approval are the following documents for Labour Day events:

1. SN (Sent to George on Friday, but we didn't receive an approval. Thank you and event info has also been added.)
2. BG (Newly requested yesterday)

Both have been reviewed by Ministry of Labour.

Let us know if you would like any changes.

Thank you,

Danielle

From: Dalzell, Danielle GCPE:EX
Sent: August 23, 2019 1:13 PM

To: Smith, George PREM:EX <George.Smith@gov.bc.ca>

Cc: Aaron, Sage PREM:EX <Sage.Aaron@gov.bc.ca>; Horlor, Shannon GCPE:EX <Shannon.Horlor@gov.bc.ca>; Hagglund, Jarrett PREM:EX <Jarrett.Hagglund@gov.bc.ca>; Badger, Joleen GCPE:EX <Joleen.Badger@gov.bc.ca>; Devereux, Rick GCPE:EX <Rick.Devereux@gov.bc.ca>

Subject: FOR APPROVAL - 20190813_SN_PJH_Labour Day_V5

Hello George,

Attached for your approval are Speaking Notes for the Labour Day events at the Leg.

Please note that we are still awaiting some information from the events team, so we will have to add those in later.

Let us know if you would like any changes.

I have copied Sage in case you do not get to this today.

Thank you,

Danielle

BACKGROUNDER

Labour Day at the Legislature

Victoria

September 2, 2019

11 am – 2 pm

Event Description:

- This will be the 4th year the Victoria Labour Council is hosting Labour Day celebrations at the Legislature.

Event Goals:

- Connect with the public and labour members at a family friendly event, which includes kids' games, clowns, musical performances and speeches.

Format:

- 2 minutes at podium

Audience and Attendees:

- Open to media? Yes.
- Up to 2,000 people expected including general public, labour members, families
- Special mentions:
 - Mike Eso, BCGEU/Victoria Labour Council (Emcee)
 - Canadian Labour Council rep (TBC)
 - Laird Cronk, president of BCFED
 - MP Murray Rankin (TBC)
 - Carole James, MLA for Victoria-Beacon Hill
 - Lana Popham, MLA for Saanich South
 - Rob Fleming, MLA for Victoria-Hillside
 - Mitzi Dean, MLA for Esquimalt-Metchosin

Attire:

- Business casual

Agenda:

- 12:00 pm – Premier arrives, met by Joleen
- 12:30 pm – Speeches start, Premier proceeds to area beside the stage
- 12:45 pm – Premier to give remarks (will speak last)
- 1:00 pm – Band plays, Premier departs

BACKGROUND NOTE

Victoria Labour Council

- The Victoria Labour Council (VLC) is the local organization of the Canadian Labour Congress (CLC) at the city level.
- The CLC represents 3.2 million unionized workers across Canada.
- The VLC was founded over 100 years ago and is one of the oldest labour organizations in B.C.
- They organize local unions in our jurisdiction to carry out the national policies of the CLC; to participate in national action campaigns; to assist unions on strike; to organize political action; to develop international solidarity and to work for social justice in the community.
- Current campaigns/interests: National day of Mourning, securing workplace pensions, importance of Canada's manufacturing sector, government consultation for pensions, asbestos exposure in the workplace.
- Executive council includes:
 - President: Mike Eso (BCUWU)
 - Treasurer: Barbra Riggs (HEU)
 - Recording Secretary: Darlene Gallant (BCGEU)
 - Sergeant-at-Arms: Sam Montgomery (BCUWU)
 - Young Workers: Cory McGregor (IBEW 230)

Labour Accomplishments:

- We believe that the best way to help lift people out of poverty is to raise the minimum wage to \$15.20 an hour by 2021. This increase will benefit about 400,000 workers.
 - In 2017, 51.5% of B.C. employees earning less than \$15 per hour were age 25 or older.
 - 61% were women. 89% were in the service sector.
- Last year, we made several changes to better support working families — longer, more flexible job-protected leaves for people caring for a terminally ill loved one, parents caring for a new child, or coping with the death or disappearance of a child.
- Changes made to the Employment Standards Act in spring 2019 will:
 - better protect children and youth from dangerous work, by raising the age to 16 to work without a permit and adding tough new restrictions on allowing them to perform dangerous work — WorkSafeBC data shows that every year between 2007 and 2017, workers aged 14 or younger have been injured on the job;

- make it easier for workers to get help when their rights have been violated by eliminating barriers like the self-help kit;
- provide more job protection to people dealing with difficult personal circumstances, like those escaping domestic or sexual violence, or caring for a critically-ill loved one; and
- ensure people are paid the wages they are owed – and leveling the playing field so that those who violate the laws don't have an unfair economic advantage over good employers.
- Workers coming to B.C. want to feel safe, confident their rights are protected, and that abusive employers will be held accountable. That's why we passed the Temporary Foreign Worker Protection Act to better protect those workers and hold employers and recruiters accountable. Recruiter licensing is underway and we're consulting with employers on the upcoming employer registry.
- The last full review of the Labour Relations Code was in 1992. We have now amended the Labour Relations Code to provide greater protections of collective bargaining rights for workers, while promoting more stable and harmonious labour relations for employers and unions.
- New mental health disorder presumptions are about fairness and compassion for workers who serve British Columbians and whose jobs put them more at risk of developing mental illnesses. These changes will better support:
 - 35,000 publicly-funded health care aides;
 - 50,000 nurses;
 - 650 emergency dispatchers.
- The expanded cancer, heart disease and mental health disorder presumptions for Indigenous and wildfire fighters and fire investigators apply to a total of about 1,600 people in those jobs.

WorkSafeBC:

- To help make workplaces safer, WorkSafeBC hired 40 more prevention and investigation officers in 2018, stepping up inspections and issuing more citations, fines and penalties.
 - In 2018, WorkSafeBC spent \$2 million more on prevention than in 2017.
 - More inspections are being done and more citations and stop work orders issued. (Since 2017 – 3% more inspections, and 16% more stop work orders).
 - Employers who do not maintain safe and healthy workplaces are receiving more penalties. (In 2018 there were 366 penalties imposed — an increase of 10% compared to 2017. Penalties totalled \$5.6 million).

- In 2018, WorkSafeBC had 2,945 full-time employees, compared to 2,832 in 2017 (113 increase). This reflects efforts to enhance prevention, compliance and supports for injured workers.
- In 2018, WorkSafeBC had 2,945 full-time employees, compared to 2,832 in 2017 (113 increase). This reflects efforts to enhance prevention, compliance and supports for injured workers.

SPEAKING NOTES

Labour Day at the Leg September 2, 2019

Headline

Premier John Horgan recognizes workers at Labour Day event

Quote

"On behalf of all British Columbians, I thank those within the labour movement whose hard-fought victories gave us the rights we enjoy today. These are the result of collective action grounded in the belief that all working people deserve to be treated fairly. This belief drives our government's work to make life better for people in B.C. every day."

Special Mentions

- Mike Eso, BCGEU/Victoria Labour Council (Emcee)
- Canadian Labour Council rep (TBC)
- Laird Cronk, president of BCFED
- MP Murray Rankin (TBC)
- MLAs: Carole James, MLA for Victoria-Beacon Hill; Lana Popham, MLA for Saanich South; Rob Fleming, MLA for Victoria-Hillside; Mitzi Dean, MLA for Esquimalt-Metchosin

Format

- 2-minute speech with standing mic

Sequence

- 12:00 pm –Premier arrives, met by Joleen
- 12:30 pm – Speeches start, Premier proceeds to area beside the stage
- 12:45 pm – Premier to give remarks (will speak last)
- 1:00 pm – Band plays, Premier departs

Speaking notes begin on the next page

First, I would like to acknowledge that we are on the territory of the Lekwungen [La-kwungen] people and the Songhees and Esquimalt Nations.

It's good to be among friends.

Thank you to:

- Mike Eso, president of the Victoria Labour Council, for hosting and emceeing this event

Today, we recognize you and the millions of other working people in B.C.

You have fought, and continue to fight, for the rights we enjoy every day.

Because of the labour movement, we have:

- A minimum wage
- Weekends and holidays
- The right to refuse unsafe work
- Better protections from discrimination and harassment at work

These advances are the result of people united in the belief that all working people should be treated fairly.

This belief drives our government's work every day.

We're investing in child care, health care and education.

We're tackling the housing crisis, and working to make life more affordable for everyone in B.C.

We're fighting inequality, standing up for vulnerable workers, and bringing down barriers that hold people back.

Labour is our partner in this work. Our values are your values.

The old government gutted B.C.'s labour and employment standards.

We're fixing that.

This year, we made amendments to the Employments Standards Act.

We've raised the working age for children, and made sure people are paid the wages they are owed.

An easier, more accessible complaint process is now in place for workers who have concerns about their employment rights.

We've also provided job protection for people dealing with domestic or sexual violence, or caring for the critically ill.

We made long-overdue changes to the Labour Relations Code and WorkSafeBC.

By protecting collective bargaining rights, restoring balance to B.C.'s labour laws, and making workplaces safer.

We're also providing more support for those who risk their personal safety during emergency situations.

First responders experience trauma on the job, and have to be able to access the support and compensation they need.

Now, if they are diagnosed with a mental health illness, they no longer have the added stress of proving it is work related.

There's more to do, but these changes are important steps forward in building a better future for all British Columbians.

With your help, I know we can get there.

Thank you and happy Labour Day!

From: [Plank, Sarah GCPE:EX](#)
To: [Aaron, Sage PREM:EX](#); [Smith, George PREM:EX](#); [Bain, Don PREM:EX](#); [Dinicol, Sam GCPE:EX](#); [Farmer, Leila GCPE:EX](#); [Howlett, Tim GCPE:EX](#); [McNish, James IRR:EX](#)
Subject: FW: UPDATED FOR REVIEW - Q&A
Date: February 16, 2020 11:02:49 AM
Attachments: [QA_Wet"suwet"en_interviews_16Feb20_draft.docx](#)
Importance: High

Here is the Q&A with new Qs on blockades, etc. Please can you have a quick look before minister fraser does interview? Thx

From: Plank, Sarah GCPE:EX
Sent: Saturday, February 15, 2020 3:42 PM
To: Dinicol, Sam GCPE:EX ; Farmer, Leila GCPE:EX ; Howlett, Tim GCPE:EX
Subject: UPDATED FOR REVIEW - Q&A

Hi all – in anticipation of a busy week next week with budget, I have updated the minister's Q&A. I have added a bunch of new questions, taken out the ones that seem to have fallen away, and reordered them to align with where media have primarily been focusing in recent days. Please can you have a look and let me know if you think these are okay, or if you have any suggested changes?

Thanks,

Sarah.

Sarah Plank

Communications Director | Ministry of Indigenous Relations &
Reconciliation Government Communications & Public Engagement
Mobile: 250.208.9621 | Email: sarah.plank@gov.bc.ca

QUESTIONS & ANSWERS
CBC The Current interview
February 12, 2020

KEY MESSAGES:

- **What we're seeing right now underscores the challenges of reconciliation, and the importance of the work we are doing in B.C. to implement the Declaration on the Rights of Indigenous Peoples Act.**
 - **B.C. is a leader in Canada with reconciliation.**
 - **But these are complex issues that have been more than 150 years in the making, and they are important questions for us to grapple with.**
 - **They show why meaningful reconciliation with Indigenous peoples is critical to the future of our province and our country – and how vital the work we are doing to implement the UN Declaration is.**
 - **This work can't wait any longer.**
 - **We are now working to develop an action plan, in collaboration with Indigenous peoples, that will give us a path forward on this work.**
 - ***If asked...* The question of Wet'suwet'en governance can only be resolved from within the Wet'suwet'en community, and that is part of the conversation in our ongoing reconciliation talks with the hereditary chiefs – which are being supported by former MP Murray Rankin.**
-

Questions & Answers:

- 1. What is your reaction to the protests going on across the province and across the country?**
 - Our government supports people's right to peaceful protest – and it crosses the line when it starts to create the kind of impacts we are seeing from the rail blockades.
 - We were able to broker the dismantling of the CN Rail blockade near New Hazelton as a gesture of good faith, and meet with hereditary chiefs and the federal government soon.
 - We all want a peaceful resolution to this situation.

2. Is government going to intervene, given the rising concerns about things like empty store shelves, lack of chlorine to treat municipal drinking water, and losses to the bottom line for business impacted across sectors?

- Enforcement decisions are made by the police, independent from government.

3. Is the government directing the police not to enforce the injunctions on the railways? Why aren't the blockades being dismantled, given injunctions have been granted?

- The police operate independently from government.
- Enforcement decisions are made by the police, independent from government.
- Our primary focus is everyone's safety, and ultimately a peaceful resolution to the situation

4. What did government do to prepare for the protestors attempt to shut it down on Feb. 14 in Victoria?

- We were aware of the planned demonstrations in front of government offices, and the Public Service prepared in advance to ensure continuity of service for people and security for staff.
- The physical and emotional safety of public servants is always our top priority.
- Every employee in B.C., regardless of where they work, should feel safe and welcome coming to work.
- British Columbians have the right to free speech and a peaceful protest.
- It is also important that public service employees — who work everyday to deliver the services that British Columbians depend on — are not subject to verbal, physical or emotional abuse.
- We would never ask public servants to put themselves into any situation where they do not feel safe.
- *If asked...* We are not able to share what measures will be in place to secure government buildings.

5. Are we going to see more sit ins/blockades and arrests?

- There is no doubt that the events of the past week have been – and continue to be a significant challenge.
- That said, all Canadians have a democratic to lawful, peaceful protest and to express their point of view.
- It is up to the police to make enforcement decisions, and they do so independently – government cannot and should not have any influence over police decisions.

6. What is your response to police arresting Wet'suwet'en matriarchs performing ceremony?

- It would be best for the RCMP to speak to their operations.
- The police operate independently from government.
- Our main concern is the safety of everyone involved.

7. You met with the hereditary chiefs for “Wiggus” talks already to no avail. Do you expect the new talks to resolve this long-standing dispute?

- Our government is committed to relationships with Indigenous peoples based on respect.
- We continue to be committed to engaging with the Wet'suwet'en Hereditary Chiefs to try to find a peaceful resolution to the situation.
- We appreciate the Gitksan Hereditary Chiefs stepping in to facilitate and participate the planned talks – and their commitment to dismantle the blockade in New Hazelton and to call for a period of calm.
- Dialogue is the best way through this situation, and we would welcome the opportunity to sit down and talk with the hereditary chiefs and federal government.

8. Did anything get achieved with the Wiggus talks?

- It was clear from the discussion that all of us came together in good faith to try to find a way forward together.
- We honour and value our deepening relationship, and we are dedicated to continue to build that relationship.
- While we were not successful in finding a resolution to the current situation, we remain open to dialogue – even on topics we don't agree on.
- Our separate ongoing discussions with Wet'suwet'en Hereditary Chiefs, which are focused on rights, title, self-government and self-determination, continue and we are making important progress in those discussions."

9. Wet'suwet'en Hereditary Chiefs say consent from elected bands does not apply in the broader territory. What is your view of their authority?

- It is up to the Nation themselves to decide who speaks for and makes decisions on behalf of their Nation, based on their own rules and protocols, including the recognition of their citizens.
- Governance matters are one of the elements of our reconciliation discussions with the Wet'suwet'en, and it is an active conversation the Nation is having internally that would be most appropriately addressed by Wet'suwet'en.

10. Is reconciliation dead?

- These events in no way shake our resolve for the work of reconciliation.
- In fact, these events underscore the challenges of reconciliation and the importance of the work we're doing together.
- Reconciliation is hard work, it does not begin or end with a single decision, event or moment.
- We are proud to be the first province in Canada to pass a Declaration on the Rights of Indigenous Peoples.
- These issues show why meaningful reconciliation with Indigenous peoples is critical to the future of our province and our country – and how vital the work we are doing to implement the UN Declaration is.

11. How do you reconcile the court ruling that the pipeline project is legally cleared to proceed, with the Supreme Court decision that says hereditary chiefs have title, and B.C.'s commitment to the UN Declaration?

- We've been clear that we wanted to see a peaceful resolution to this situation.
- These events don't shake our resolve for the challenging but important work of reconciliation.
- We are the first province in Canada to pass legislation to implement the Declaration on the Rights of Indigenous Peoples.
- This new act gives us a path forward on reconciliation with Indigenous peoples, but like any relationship, we may not always agree on everything.
- We remain committed to working in partnership with Indigenous Nations to meaningfully advance reconciliation in B.C.

12. Without the consent of Wet'suwet'en Hereditary Chiefs isn't the pipeline project out of step with B.C.'s commitment to the UN Declaration?

- We expected to consult and cooperate in good faith, as called for in the UN Declaration, when considering decisions that may affect Indigenous peoples.
- B.C. has engaged extensively with Indigenous communities in relation to the Coastal GasLink Project (and LNG Canada export facility) – through both the environmental assessment process and the permitting process.
- This has included extensive consultation with Indigenous leadership, including both hereditary Chiefs and elected bands of the Wet'suwet'en.
- We have signed agreements with 17 First Nations along the route, and Coastal GasLink has signed agreements with 20.
- The Declaration on the Rights of Indigenous Peoples Act gives us a path forward on reconciliation with Indigenous peoples, but like any relationship, we may not always agree on everything.
- The work to implement the Declaration is significant and ongoing and we are dedicated to working in partnership with Indigenous peoples on it.

13. Will these events impact the ongoing reconciliation talks with Murray Rankin and the Office of the Wet'suwet'en?

- Those are separate discussions, focused more broadly on Wet'suwet'en rights and title, and self-government and self-determination.
- Our government and the Office of the Wet'suwet'en have been working together, government-to-government, to advance reconciliation since last spring.
- We have met at least monthly since April of last year and these talks continue – with some important progress made so far.
- The reconciliation talks are not related to any specific project but are focused on building our relationship and advancing reconciliation.

14. What is the status of the ongoing reconciliation discussions, and might they help resolve this dispute?

- It's important to note that these talks are not related to any specific project but are focused on building our relationship and meaningfully advancing reconciliation.
- Representatives from the Province and Office of Wet'suwet'en continue to meet regularly – as they have since April 2019.
- We are discussing both short-term, practical steps and longer-term pieces necessary for strong governance and implementation of Wet'suwet'en title and rights.
- There has already been important progress that we have together agreed to move forward on, and we are committed to continuing these important discussions.

15. Is CGL moving forward with construction yet?

- CGL would need to answer questions about their construction timelines.
- What I can say is that the pipeline is approved and permitted by the appropriate regulatory agencies for the construction activities underway and the B.C. Supreme Court ruled that Coastal GasLink is lawfully permitted to conduct their work.
- The company has said it is committed to seeing the project through.
- Court rulings and police enforcement decisions are made independent from government.

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

- The Province is expected to consult and cooperate in good faith, as called for in the UN Declaration, when considering decisions that may affect Indigenous peoples.
- There may be occasions when a disputed project goes forward, if it has met this condition. And there may be occasions when a project does not.
- Every project is unique, with many factors that go into the decision-making process.
- British Columbia has engaged extensively with Indigenous communities in relation to the Coastal GasLink Project (and LNG Canada export facility) – through both the environmental assessment process and the permitting process. This has included extensive consultation with Indigenous leadership, including both hereditary Chiefs and elected bands of the Wet'suwet'en.
- B.C. conducted extensive consultation with Indigenous Nations and has signed agreements with the vast majority of Indigenous communities along the Coastal GasLink pipeline route, as has Coastal GasLink.
- On Dec. 31, the Supreme Court of B.C. ruled that the company is lawfully permitted to conduct their work.

17. Can a project go forward without consent of the affected First Nation now that the Declaration on the Rights of Indigenous Peoples Act is in force?

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

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

- Coastal GasLink met all the conditions we've placed on LNG development in B.C.
- LNG Canada and Coastal GasLink have shown they understand the importance of consultation and meaningful reconciliation with First Nations.
- That's why they have signed agreements with elected councils of all First Nations along the pipeline corridor.
- This project represents great opportunities for all people in British Columbia, but it also recognizes and highlights the challenges of reconciliation.
- B.C. remains committed to finding ways with the Office of the Wet'suwet'en to move forward with reconciliation. Those discussions are not tied to any one project.

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

- The new Declaration on the Rights of Indigenous Peoples Act gives us a path forward on reconciliation with Indigenous peoples, but like any relationship, we may not always agree on everything.
- This legislation is by no means a magic wand, and it won't erase conflict in every situation.
- There will be times when we can't reach agreement, and the province will continue to make decisions in the public interest.

20. Does enshrining the UN Declaration give Indigenous nations a veto over resource development?

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

21. What is the government's position on hereditary chiefs' title, with the Delgamuukw ruling?

- The Delgamuukw-Gisday'wa Supreme Court ruling was a keystone decision, which affirmed Aboriginal rights including Aboriginal title in Canada.
- As you know, the 2014 Tsilhqot'in ruling went even further, declaring title in specific areas.
- We agree with the decision that these matters are best settled through negotiation rather than litigation, and that is the approach we are taking.
- We are moving forward in ways that recognize title and rights, and working in partnership with Nations rather than in conflict.
- Negotiation and collaboration are the best way to work through these difficult issues together.

From: [Bain, Don PREM:EX](#)
To: [Meggs, Geoff PREM:EX](#); [Hockin, Amber PREM:EX](#); [Aaron, Sage PREM:EX](#)
Subject: Fwd: Heads up re: school purchase.
Date: February 12, 2020 9:55:42 PM
Attachments: [IN Wet"suwet"en reconciliation 12Feb20 draft.docx](#)
[ATT00001.htm](#)

FYI

Sent from my iPhone

Begin forwarded message:

From: "Plank, Sarah GCPE:EX"
Date: February 12, 2020 at 9:40:53 PM PST
To: "Aaron, Sage PREM:EX" , "Bain, Don PREM:EX" , "McNish, James IRR:EX" , "Dinicol, Sam GCPE:EX" , "Howlett, Tim GCPE:EX"
Subject: Heads up re: school purchase.

Hi all – I am sharing an issues note on something I want to give you a heads up on related to our reconciliation negotiations with OW. Relevant info is highlighted. There is a chance this info could leak out to media from concerned parents after a meeting with the daycare operator took place today. Word has started to get out in the community about the purchase.

OW has to do some internal communications work before we can do an official announcement, likely early next week. The plan is to develop joint holding messaging in case of media inquiries in the meantime.

Thanks,

Sarah.

Sarah Plank

Communications Director | Ministry of Indigenous Relations &
Reconciliation Government Communications & Public Engagement
Mobile: 250.208.9621 | Email: sarah.plank@gov.bc.ca

Confidential Issues Note - ADVICE TO MINISTER

Ministry of Indigenous Relations and Reconciliation Updated: February 12, 2020 Minister Responsible: Hon. Scott Fraser	Wet'suwet'en reconciliation
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RECOMMENDED RESPONSE:

- The Province and Office of the Wet'suwet'en are currently in discussions exploring a path forward, nation-to-nation, to meaningfully advance reconciliation.
- These discussions are focused on Wet'suwet'en rights and title, and self-government and self-determination.
- We have been working together, government-to-government, to advance reconciliation since last spring, meeting at least monthly.
- We have made some important progress made so far, and continue to meet regularly, with Murray Rankin representing the Province in the discussions.
- The ongoing reconciliation talks are not related to any specific project but are focused on building our relationship and advancing reconciliation.
- We are discussing both short-term, practical steps and longer-term pieces necessary to establish healthy governance, and implementation of Wet'suwet'en title and rights.
- This work will take time. There are many steps ahead of us, but we are committed to walking this path with the Wet'suwet'en.

If asked about Lake Kathryn School and daycare:

- As part of our negotiations, the Office of the Wet'suwet'en identified an interest in acquiring Lake Kathryn School, which the local school district had on the market in an open procurement process.
- We understand that many parents in the area rely on the daycare facility in the building.
- That's why the conditions of the sale required that the daycare lease be honoured, which means it will be in place for at least the next 17 months.
- We will continue to have discussions in the next few months with parents and staff to ensure there is a well-informed transition plan.

If asked about RCMP enforcement of injunction:

- This isn't the outcome we wanted – our government has been clear that we wanted to see a peaceful resolution to this dispute.
- We hope that the paramount need for safety stays the top priority for all parties.

Confidential Issues Note - ADVICE TO MINISTER

- We made a committed effort to find a peaceful resolution including recent talks with the Hereditary Chiefs at the Wiggus Table.
- And we appointed Nathan Cullen to be a liaison between the Hereditary Chiefs, the police, the company and the province, with a specific focus on de-escalating the situation.
- We were hoping for a negotiated outcome – but the fact remains that the court made a ruling that the company is allowed to conduct its work.
- The courts and the police are independent from government – we can't direct either of them and that's by design.

If asked about the Premier meeting with hereditary chiefs

- Our government made a committed effort to find a peaceful resolution through recent talks with the Hereditary Chiefs at the Wiggus Table.
- It was very clear from our discussions that all of us came together in good faith to try to find a way forward together.
- We are dedicated to continuing to build that relationship.
- While we weren't successful in finding a resolution to the current situation, we remain open to dialogue with Wet'suwet'en leadership on this issue.

If asked about public engagement on any reconciliation agreements:

- We will be reaching out to any relevant stakeholders and local governments as part of our discussions on any matters of interest.

s.13; s.16

BACKGROUND:

- The Office of the Wet'suwet'en was the successful bidder to purchase Lake Kathlyn school in Smithers, which no longer functions as a school but is home to a childcare facility with 130 children.
- News of the purchase has begun to leak out in the community.
- Wet'suwet'en have internal communications requirements before a public announcement can be made. Those should be completed by about Feb. 17th. Joint reactive media lines will be prepared in case of media interest prior to an announcement.
- Parents of the daycare have been expressing growing concerns to the daycare operator about the future of the daycare. The Ministry and Office of the Wet'suwet'en met with the school district and daycare operator on Feb. 12, 2020 to provide information and discuss future plans and transition regarding the building's use. The operator remains concerned, despite assurance that their current lease will be honoured in its entirety.
- A requirement of the sale was that the existing lease, which runs through to June 2021, be honoured.

Confidential Issues Note - ADVICE TO MINISTER

- \$1.23 million in provincial funding to enable the purchase was provided as part of the ongoing reconciliation negotiations between the Province (through MIRR) and Office of the Wet'suwet'en representing Wet'suwet'en Hereditary Chiefs.
- Office of the Wet'suwet'en intends to use the school as a seat of government for Wet'suwet'en Nation.

Reconciliation Discussions

- The Province and Wet'suwet'en nation started the formal reconciliation negotiation process together in April 2019, B.C.'s representative is lawyer and former NDP MP Murray Rankin.
- s.16
- The reconciliation process is not connected to any specific project. It is focused on recognizing and implementing Wet'suwet'en title, rights, laws and traditional governance across the territory.
- As a first step, on March 16, 2019, the Laksilyu Clan of the Wet'suwet'en hosted a traditional smoke feast, an established protocol under Wet'suwet'en traditional hereditary systems.
- Minister Fraser met with Wet'suwet'en leadership in May 2018. Premier Horgan and Minister Fraser subsequently met with Wet'suwet'en hereditary leaders on Aug. 31, 2018, in Smithers.
- s.16
- In October 2018, the Ministry of Children and Family Development, Wet'suwet'en Nation and the federal government signed a agreement to work together on a framework for exercising Wet'suwet'en jurisdiction over child and family services, in accordance with traditional laws and governance systems.

Peaceful Resolution efforts related to CGL Project

- s.15

s.15 The RCMP have not yet moved to enforce the injunction granted several days ago. The Province does not direct RCMP operations. [NEED MORE FACTS – DATES, ETC]

- Rallies to support the Wet'suwet'en hereditary chiefs's opposition to the CGL project have been held across the country since RCMP began enforcing an injunction allowing construction to proceed – including some that have shut down railroads and ports and that blocked off entrances to the B.C. legislature on the first day of the spring legislative session on Feb. 11, 2020.
- After an unsuccessful attempt between the Province and Hereditary Chiefs to find a peaceful resolution to the conflict over the Coastal GasLink LNG pipeline project through a Wiggus (Respect) Table, RCMP moved in on Feb. 6, 2020 to enforce the injunction. The project has been blocked by encampments set up by Wet'suwet'en hereditary chiefs and their supporters. 28 people were arrested over several days. The RCMP has now ended its major operation, but officers remain in the area monitoring.
- The Wet'suwet'en Hereditary Chiefs agreed to enter a discussion called the Wiggus (Respect) Table with the Province on Jan. 30th for seven days in an effort to de-escalate the conflict. This followed the appointment on Jan. of Nathan Cullen (former NDP MP – Skeena-Bulkley Valley) as an intermediary.
- On January 22, Minister Scott Fraser met with staff representatives of the Office of the Wet'suwet'en in Smithers, but was unable to meet with the Hereditary Chiefs.
- In mid-January several small protests in support of the Hereditary Chiefs were held, including at the Swartz Bay ferry terminal, David Eby's constituency office, and the Ministry of Energy, Mines and Petroleum Resources building in Victoria. The latter resulted in several arrests.
- Also at this time, a United Nations committee called on Canada and B.C. to stop three projects; the Coastal GasLink pipeline, Site C, and Trans Mountain, until there is full First Nations consent. B.C.'s Human Rights Commissioner also has called on the province to stop the Coastal GasLink project.
- The Wet'suwet'en hereditary chiefs issued an eviction to Coastal GasLink contractors on January 4th, stating they reject a B.C. Supreme Court injunction granted on Dec. 31, 2019 allowing construction to continue on the pipeline. Hereditary Chiefs have refused to meet with CGL, stating that they will only meet with decision-makers (the provincial and federal governments, and the RCMP).

Confidential Issues Note - **ADVICE TO MINISTER**

- On Dec. 20, 2019 The Guardian published a story that documents obtained from the RCMP show the RCMP was prepared to 'lethal oversight' and other inflammatory references regarding the confrontation between police and protestors at the Gidimt'en checkpoint on Jan. 7, 2019.
- Wet'suwet'en Hereditary Chiefs oppose LNG Canada's Coastal GasLink pipeline project which runs through the territory. Coastal GasLink has agreements with the 20 First Nations along the pipeline route.

Communications Contact(s): Sarah Plank

Program Area Contact: Cory Waters / Trish Balcaen

From: [Bain, Don PREM:EX](#)
To: [Meggs, Geoff PREM:EX](#); [Hockin, Amber PREM:EX](#); [Aaron, Sage PREM:EX](#)
Subject: Fwd: News release - Lake Kathlyn School - for release at 9am Weds. Feb. 25, 2020
Date: February 25, 2020 8:44:29 PM

Sent from my iPhone

Begin forwarded message:

From: "Plank, Sarah GCPE:EX"
Date: February 25, 2020 at 8:42:01 PM PST
To: "Aaron, Sage PREM:EX" , "McNish, James IRR:EX" , "Bain, Don PREM:EX"
Subject: Fwd: News release - Lake Kathlyn School - for release at 9am Weds. Feb. 25, 2020

FYI

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

Begin forwarded message:

From: Murray Rankin <mrankin@murrayrankin.ca>
Date: February 25, 2020 at 8:28:05 PM PST
To: "Sarah GCPE:EX Plank" <sarah.plank@gov.bc.ca>, "Cory IRR:EX Waters" <Cory.Waters@gov.bc.ca>, Doug.Caul@gov.bc.ca
Subject: Fwd: News release - Lake Kathlyn School - for release at 9am Weds. Feb. 25, 2020

FYI.

Begin forwarded message:

s.22

From: Nathan Cullen <nathan.cullen@gov.bc.ca>
Date: February 25, 2020 at 9:24:30 PM MST
To: Murray - Personal Rankin <mrankin@murrayrankin.ca>
Subject: Re: News release - Lake Kathlyn School - for release at 9am Weds. Feb. 25, 2020

All the best,

Nathan Cullen

On Feb 25, 2020, at 8:21 PM, Murray Rankin
<mrarkin@murrayrankin.ca> wrote:

This just in. Any suggested reply?

Begin forwarded message:

From: Peter Grant
<pgrant@grantnativelaw.com>

Date: February 25, 2020 at 8:39:49 PM
MST

To: Murray Rankin
<mrarkin@murrayrankin.ca>

Subject: RE: News release - Lake Kathlyn
School - for release at 9am Weds. Feb. 25,
2020

Please Note new address and phone numbers
as I have moved to #407-808 Nelson Street,
Vancouver BC as of November 15, 2019.

PETER R. GRANT

Peter Grant Law

Barrister & Solicitor

Box 12137

#407- 808 Nelson Street

Vancouver, BC V6Z 2H2

Phone: 604-688-7202

Fax: 604-688-8388

Cell Phone: 604-209-1662

website: Peter Grant Law Website has not yet been set up as control has remained with Mr. Huberman of the Huberman Law Group since the dissolution of the former firm of Grant Huberman on October 1, 2019. None of the former employees of Grant Huberman are employees of Peter Grant Law. Peter Grant Law apologizes for any confusion as a result of this delay and is taking all reasonable steps to have the incorrect website of the former law firm replaced by the correct website.

CONFIDENTIALITY CAUTION

This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged and confidential. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and delete your copy.

From: Murray Rankin
<mrain@murrayrankin.ca>

Sent: February 25, 2020 7:35 PM

To: Peter Grant
<pgrant@grantnativelaw.com>

Subject: Fwd: News release - Lake Kathlyn School - for release at 9am Weds. Feb. 25, 2020

Hi Peter. As discussed here's the Minister's release. Just got this now. Straightforward and factual I think.

Begin forwarded message:

From: "Plank, Sarah GCPE:EX"
<Sarah.Plank@gov.bc.ca>

Date: February 25, 2020 at 7:41:13 PM
MST

To: Murray Rankin

<mrarkin@murrayrankin.ca>

Cc: "Dickson, Stewart IRR:EX"
<Stewart.Dickson@gov.bc.ca>

Subject: News release - Lake Kathlyn
School - for release at 9am Weds. Feb. 25,
2020

Hi Murray,

As discussed, please find attached a news
release the Province plans to issue in the
morning on the Lake Kathlyn school
purchase.

Thanks,

Sarah.

Sarah Plank

Communications Director | Ministry of
Indigenous Relations & Reconciliation

Government Communications & Public
Engagement

Office: 250.952.1889 | Mobile:
250.208.9621 | Email:
sarah.plank@gov.bc.ca

From: [McNish, James IRR:EX](#)
To: [Bain, Don PREM:EX](#); [Aaron, Sage PREM:EX](#)
Subject: Fwd: Suggested message themes
Date: February 16, 2020 1:17:09 PM

James McNish
Senior Ministerial Assistant to Scott Fraser
Minister of Indigenous Relations and Reconciliation

Sent from my iPhone

Begin forwarded message:

From: "Caul, Doug D IRR:EX"
Date: February 16, 2020 at 12:57:20 PM PST
To: "Fraser, Scott IRR:EX" , "McNish, James IRR:EX"
Cc: "Plank, Sarah GCPE:EX"
Subject: Suggested message themes

These are far from being well polished!

s.13; s.16

s.13; s.16

From: [Howlett, Tim GCPE:EX](#)
To: [Bain, Don PREM:EX](#); [Aaron, Sage PREM:EX](#)
Cc: [Dinicol, Sam GCPE:EX](#)
Subject: KMQA - CGL protests
Date: February 19, 2020 1:01:18 PM
Attachments: [2020.0219 KMQA - Wet"suwet"en Protests CGL.docx](#)

Here is a draft of the MLA KMQA on CGL / Wet'suwet'en.
We still need to fact check the EAC date highlighted on page 3
Tim Howlett
Executive Director of Issues Management
250.208.4828

Wet'suwet'en Protests – Coastal GasLink

Main Messages:

- I'm proud our government is a leader when it comes to working toward meaningful reconciliation with Indigenous peoples.
- BC made history this fall as the first province in Canada to enshrine the principals of the UN Declaration on the Rights of Indigenous Peoples in to law.
- The events of the last few weeks in no way shake our resolve. In fact, they underscore both the challenges and the importance of the work we're doing.
- These are complex issues that have been more than 150 years in the making and they won't be resolved overnight.
- We are now working in partnership with Indigenous peoples to develop an action plan and a path forward on the work of implementing the Declaration Act.

Secondary Messages:

On the protests

- Our government supports the right to peaceful protest—but expect people to do so within the law.
- We are also concerned about the impact some of these protests are having on the movement of people and goods.
- To be clear: It is the responsibility of the police to enforce the law. Government does not, and should not, direct police decisions.

On the RCMP enforcement of CGL injunction ...

- This isn't the outcome we had been hoping for.
- Our government made a committed effort to find a negotiated outcome with the Wet'suwet'en Hereditary Chiefs. I regret those talks were not successful.
- Minister Fraser and his federal counterpart are working closely together. They have agreed to meet with the Chiefs at any time.

On the Opposition ...

s.13

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Wet'suwet'en Protests – Coastal GasLink

Questions & Answers:

What is your government doing to end the protests and blockades? Why won't you direct the police to enforce the law?

- We are very concerned about the impact some of these protests are having on the movement of people and goods throughout the country.
- That's why we intervened swiftly to secure the removal of a rail blockade near New Hazelton here in British Columbia.
- Police have a responsibility to enforce the law and court injunctions. They do so independently of government.
- I don't think any of us want to live in a country where politicians direct the operations of the police.

Why didn't Premier Horgan meet with the Wet'suwet'en Hereditary Chiefs in person? Is he willing to meet them now?

- Our government has made a committed effort to find a negotiated path forward with the Wet'suwet'en Hereditary Chiefs.
- That included appointing Nathan Cullen as a liaison – which led to two days of talks at the Wiggus Table.
- And Minister of Indigenous Relations and Reconciliation Scott Fraser has travelled twice to meet with the Hereditary Chiefs as the senior minister representing BC.

Isn't building the CGL Pipeline over the opposition from the Wet'suwet'en in conflict with the principle of "consent" in UNDRIP?

- Reconciliation is about making decisions together with Indigenous peoples.
- Coastal GasLink and LNG Canada have shown they understand the importance of consultation and meaningful partnership with First Nations.
- That's why they have signed agreements with the vast majority of Indigenous communities along the pipeline corridor.
- There's no question that CGL represents both significant opportunities for Indigenous peoples and it highlights the challenges of reconciliation.

Wet'suwet'en Protests – Coastal GasLink

Why did you give CGL the financial conditions it needed to make a final investment decision without a resolution to issues on Wet'suwet'en territory?

- First, let's be clear that this project represents significant opportunities for all people in BC—including for Indigenous communities.
- 3,000 people have already been hired, local and indigenous communities are benefiting, and it is estimated the project will generate \$23-billion in revenue.
- The project received its Environmental Assessment certificate in 2014.
- The province conducted extensive consultations and signed benefits agreements with the vast majority of Indigenous communities along the pipeline's route.
- Our government continues to engage in meaningful, government-to-government reconciliation talks with the Office of the Wet'suwet'en.

The Wet'suwet'en Hereditary Chiefs have said they won't talk until the RCMP are off their land. Will you tell the police to leave?

- We don't direct the police in operational matters—nor should we.
- Minister Fraser and his federal counterpart have been clear that they are ready to meet with the Hereditary Chiefs at any time.
- While we are disappointed this offer has been rejected, we remain open and committed to dialogue as the path forward.

What happened to the reconciliation process with the Wet'suwet'en led by Murray Rankin? Is that dead now?

- Not at all. We continue regular meetings with the Office of the Wet'suwet'en to find a path forward on nation-to-nation reconciliation.
- Murray Rankin continues to lead these discussions on the province's behalf.
- These talks are focused on developing pathways to implement Wet'suwet'en title, rights, laws and traditional governance throughout the Wet'suwet'en territory.
- It's important to emphasize that our commitment to lasting reconciliation with the Wet'suwet'en is not connected to any specific project.

Wet'suwet'en Protests – Coastal GasLink

The Wet'suwet'en offered an alternate route for the pipeline through their territory – why was that rejected? Will you reconsider this option?

- I understand the proponent reviewed a number of alternative routes.
- These routes were deemed unviable for a number of reasons—including higher environmental impacts and technical challenges.
- The company would be better placed to speak to those details.
- The pipeline route underwent an extensive regulatory process which included consultations with First Nations.

From: [Walia, Sharon LASS:EX](#)
Subject: Leaders Quotes - Wilkinson - Jan 29
Date: January 29, 2020 10:18:14 AM

Good morning,
Please see Andrew Wilkinson's most recent quotes.

TWITTER – FACEBOOK

On Twitter,

Andrew Wilkinson

[@Wilkinson4BC](#)

Depression, anxiety, & other mental health problems are an epidemic & those who suffer from them need our help. Let's take action today & support [#BellLetsTalk](#)

Day. Tweet, reach out to a friend, & do your part to help. Not just today, but every day. Together, we can do better.

8:00 AM · Jan 29, 2020

Andrew Wilkinson

[@Wilkinson4BC](#)

British Columbians are fed up with [#ICBC](#). We are paying the highest car insurance premiums in the country in the middle of an affordability crisis. ICBC is no longer working for people, let's give them a choice. [#BCpoli](#)

[ICBC rate increases out of control, time to give B.C. drivers choice - BC Liberal Caucus](#)

[PRINCE GEORGE \(January 28, 2020\) – BC Liberal Leader Andrew Wilkinson is renewing calls for choice in the auto insurance sector following the release of a new report that says British Columbians pay...](#)

[bcliberalcaucus.bc.ca](#)

2:52 PM · Jan 28, 2020

Andrew Wilkinson

[@Wilkinson4BC](#)

Thank you [@PGchamber1](#) and [@bcchamberofcom](#) for giving me a chance at today's [#TrueNorth](#) forum to talk about the issues facing [#NorthernBC](#). Northern voices matter and we're listening. (And special thanks to

[@coraleeoakes](#)

for the top notch MC job!) [#BCpoli](#)

1:45 PM · Jan 28, 2020 from [Victoria, British Columbia](#)

On Facebook,

Andrew Wilkinson

1 in 5 Canadians will personally experience a mental health problem or illness in 2020. Far too many British Columbians struggle to access proper mental health support due to a lack of available services, or a lack of information to connect people with the services they need. We need clear and straight forward mental health services that are easy to find and easy to access.

Please join the BC Liberal Caucus in fighting the stigma of mental health issues and pushing for greater supports here in BC by participating in this year's Bell Let's Talk Day. For every text message, phone call, or use of the [#BellLetsTalk](#) hashtag, Bell will donate 5¢ to Canadian mental health initiatives.

Every action counts.

Andrew Wilkinson

ICBC is no longer working for people. B.C. drivers keep seeing their car insurance premiums going up while other drivers in Canada pay less, and the NDP do nothing. How is this fair? It's time to give British Columbians a choice.

TNO – A/V

CKNW, 28-Jan-2020 12:07

Wilkinson - ICBC rates

By CKNW Simi Sara

Smyth: What do you think about this report out from the private insurance companies today showing that they say insurance is a lot more expensive here in BC compared to Alberta?

Andrew Wilkinson: We saw a similar report about a year ago with similar conclusions, and it raises the question for every one of the three or four million people in BC who are forced to buy insurance from ICBC, is there a better deal out there? And that's the question we want to answer for British Columbians so that they can figure out, is there a better deal? And if so, give them that choice.

Smyth: Okay. Does that mean you think that ICBC should be required to compete against private sector companies for basic auto insurance?

Wilkinson: I'm a lot less worried about ICBC, and a lot more worried about British Columbians and their ability to get by and afford to live in this province. We have seen dramatic increases in insurance rates, sometimes going up to \$7,000. We have seen the invoices from places like Penticton and Cranbrook. In my own family, we have had one of them double overnight. It was renewed in January. And you start to think, isn't there a better way to do this?

I mean, why can't we find out how it's done elsewhere? And why can't we get the right kind of authority in BC to put the choices on the table and the British Columbians make up their own minds? We all know that these reports of the private insurers are going to be a little selective, and they will give you the best possible story.

But we also know that David Eby spins tales that just have no credibility. He's busy defending this public sector monopoly because he loves the idea of government being in control as much as possible. And that does not serve the public of BC any more when our rates are going through the roof. And on top of that, for the last two years, the NDP has dumped a billion dollars a year into ICBC with no end in sight. This doesn't work anymore. So why don't we look at the choices and treat British Columbians with respect so they can make up their own minds?

Smyth: Speaking of a billion dollars, I remember when the previous Liberal government syphoned out over a billion bucks out of ICBC and put that money into general revenue. You guys were using ICBC like a piggy bank over there. Are you willing to admit now that that was a mistake, and you should not have done that?

Wilkinson: When ICBC was set up by Dave Barrett and the NDP government back in 1973, they had this clever idea of oh, well, we can't have insurance companies making a profit. The profits go to British Columbians, and the profits from ICBC should go into general revenue to pay for schools and hospitals. And that's what happened about six years ago when one year ICBC made some money, and it was put into general revenue.

You can argue now that it could have been put back into reducing premiums for the next year, but we would still be in the same place we're in today. The point is, ICBC doesn't work for us anymore, so why don't we look at the options?

Smyth: Speaking to Liberal leader **Andrew Wilkinson**. I have heard from a lot of people who have gotten sticker shock when they open up their renewal notice from ICBC. You mentioned as well

about how some people are getting a lot of big rate hikes. Did you say someone in your own family had their insurance double? Tell me more about that.

Wilkinson: I don't want to get into family specifics, because we have got some privacy issues there. Smyth: You don't have to say the name or nothing. But just what happened there?

Wilkinson: I think we have talked about this before, the previous premium was \$1,500 and went up to about \$3,000. And you think wow, you know? I guess we'll just have to suck it up because we have got no choice. Why do we have no choice, Mike? Let's sit back and think about that for a minute. Why isn't there a choice in auto insurance? Because the NDP have this love affair with government control, and they think that you should pay whatever ICBC tells you to pay, and that's just plain wrong.

Smyth: Didn't you guys have a love affair with it too when you were in power for 16 years? You guys didn't break up ICBC when you have the opportunity to do it.

Wilkinson: Well we can talk about the past until the cows come home. I'm concerned about serving British Columbians now and in the future. And why don't they get to pick and choose among sources of insurance? Why do they have to take David Eby's premium increase rammed down their throats? The only choice is not to drive or pay David Eby. And I think we're all getting a little tired of this.

Smyth: Eby told me this morning that things are better over at ICBC. I don't think that --

Wilkinson: Blah, blah, blah, blah is the answer to that, Mike.

Smyth: Well I don't know if the dumpster fire is out yet, but maybe the flames are going down a bit. He said they're getting close to breaking even. Are you buying that?

Wilkinson: Not for one minute. They play games with the actuarial numbers that give you the estimated costs in the future. They plays games by trying to go to court and save \$400m, and get slapped down by the BC Supreme Court. They leave the courtroom with their tails between their legs. They're now back in court. They may well lose that one as well.

So David Eby's advice, you have got to look at this -- he loses nine-nothing in the Supreme Court of Canada on the Trans Mountain pipeline; he loses five-nothing in the BC Court of Appeal on the same case; he goes to Alberta, loses those court cases; he tries to protect child abuse documents from their representative for children and youth, loses that court case. So the day I take legal advice from David Eby is going to be a cold one in July.

Smyth: Okay. Let's talk about what you would do if you were in charge, and the Liberals win the next election. Are you saying to me, right here, right now, that ICBC would be required to compete against private companies for basic auto insurance?

Wilkinson: I think the first step, Mike, is to get an apples to apples comparison. Go to these privates, go to the various other different insurance systems in Canada, and North America, and around the world -- there are dozens of them -- and say give us the quote for these drivers, and we're going to hold your feet to the fire. Don't give us tidied up, clean and unfair quotes. Give us the real quote. And then you're going to have to say which system would be the cheapest and most effective one for drivers in BC.

Smyth: Okay, so you're not going to give me an answer then. I'm asking what you would do. Like if you're actually in power.

Wilkinson: I think ICBC should be open to competition. That's the whole idea! So that people have a choice. If ICBC can compete in that market place then we might still have ICBC. But this idea that somehow you're going to privatize a company that loses a billion dollars a year -- who's going to buy that?

Smyth: Okay. I'm glad to hear a little bit more clarity on this point. Are you saying that -- one of the

common criticisms of opening up ICBC to competition is that the naysayers out there will say that's a recipe for disaster because the private companies will just cream off all the low-risk drivers and make lots of money, and ICBC gets stuck with the high-risk drivers. How would you guard against that?

Wilkinson: Look, people have said this about privatization of government-run operations forever more. They said it about railways in Britain, they said it about airlines when Air Canada was owned by the Government of Canada. You can't live in fear your whole life and fret and moan and say oh dear something bad might happen.

Let's explore the options and find out how it would work, and take it to the people of BC and say what do you think? Should you have a choice? Here's how it would work for you. And that has never happened in my 35 years living in BC, and it's high time we gave people some of the respect they deserve, and let them look at the marketplace and figure out what works best for them. [xrz]

CKPG, 28-Jan-2020 17:08

Wilkinson/Corrigall - BC forestry sector

By CKPG at 5:00

Jahn: However, when asked how would you describe the current health of these sectors, the differences were huge.

The film and tourism industries were seen as the healthiest, with 74 per cent of respondents seeing them in good or excellent shape. But only 13 per cent found the natural resources sector in good shape. And only six per cent felt that way about forestry.

Andrew Wilkinson: We've got trouble in our natural resources sector. The biggest issues are in forestry, where we had close to 100 mill closures and curtailment in 2019; thousands of people out of work, and you still see it here in Prince George. The echoes of this big downturn in the forest sector as people are feeling a lot less confident of where their immediate future is.

Jahn: The survey also asked how many respondents believe the government of BC should invest more in natural resources. Three quarters of respondents felt it should.

Wilkinson: The provincial government is the landlord. They're the ones who are responsible for the wellbeing of our public and our population, and the wellbeing of the industry. And as far as we can tell, Doug Donaldson, the Forests minister, and John Horgan really don't care too much because they've shown up for the Natural Resources Forum, but I couldn't tell you the last time they were in town.

Mark NIELSEN Citizen staff JANUARY 28, 2020 04:17 PM

Appointment will do little to resolve pipeline conflict, says B.C. Liberal leader

"We seem to have a habit now of finding unemployed federal NDP MPs, like Murray Rankin and Nathan Cullen, and giving them a title and thanking them for their business and then seeing no results," Wilkinson said

"Murray Rankin is a decent human being but produced nothing," Wilkinson said. "And now we have Nathan Cullen supposedly going to do shuttle diplomacy with the Wet'suwet'en. I hope he's successful but I'm not holding my breath."

"It's up to the parties involved, including the police, to try and sort this out peacefully," he said. "Any suggestion there should be some kind of violent confrontation is just irresponsible."

"Two years of wasted time when this kind of diplomacy could've been done in the background. Instead it took the courts to force John Horgan to finally take a position," Wilkinson said.

"The problem with this NDP government is they have not yet figured out that people in the Interior and the North have a very fiercely independent streak and expect to be listened to," Wilkinson said.

NEWS RELEASES

ICBC rate increases out of control, time to give B.C. drivers choice

January 28, 2020

“British Columbians are fed up with ICBC. We are paying the highest car insurance premiums in the country in the middle of an affordability crisis,” said Wilkinson. “ICBC is no longer working for people and I’m a lot less worried about ICBC and more concerned with British Columbians being able to afford auto insurance.”

“The reason we don’t have choice in auto insurance is because the NDP has a love affair with government control, they think they know what’s best for British Columbians,” added Wilkinson.

“David Eby and John Horgan need to start treating the people of this province with respect. Let’s get an apples-to-apples comparison of the best insurance quotes for B.C drivers and let’s pick the ones that provide the best rates that work for British Columbians.”

Sharon Walia | Communications Assistant | New Democrat BC Government Caucus

T: 250-356-5611 | **C:** 604-365-4765 | sharon.walia@leg.bc.ca | www.bcndpcaucus.ca

From: [Walia, Sharon LASS:EX](#)
Subject: Leaders Quotes - Wilkinson - Jan 30
Date: January 30, 2020 9:44:11 AM

Good morning,
Please see Andrew Wilkinson's most recent quotes.

TWITTER – FACEBOOK

On Twitter,

Andrew Wilkinson

Copyright

TNO – A/V

Vancouver Sun, Page A08, 30-Jan-2020

Opposition prepares hot seat for Horgan at resources forum in Prince George

By Derrick Penner

Copyright

Wilkinson - Cullen Wet'suwet'en file

By CBC Daybreak North

Copyright

NEWS RELEASES

Horgan doesn't have a plan to grow exports and create jobs in natural resources

January 29, 2020
Copyright

John Horgan and NDP side with ICBC over B.C. drivers

January 29, 2020
Copyright

Sharon Walia | Communications Assistant | New Democrat BC Government Caucus
T: 250-356-5611 | C: 604-365-4765 | sharon.walia@leg.bc.ca | www.bcndpcaucus.ca

From: [Carr, Michelle EMPR:EX](#)
To: [Bain, Don PREM:EX](#); [Wright, Don J. PREM:EX](#); [Evans, Donna GCPE:EX](#); [Caul, Doug D IRR:EX](#); [Allan, John FLNR:EX](#); [Nikolejsin, Dave EMPR:EX](#); [Aaron, Sage PREM:EX](#); [Meggs, Geoff PREM:EX](#); [Kennedy, Christine PREM:EX](#)
Subject: LNG Canada/CGL project update for SC
Date: February 3, 2020 4:48:38 PM
Attachments: [LNG Steering Committee February 4 2020.pdf](#)

Good afternoon.

I understand the SC meeting tomorrow has been cancelled.

Please find attached a project update that I was planning on walking you through. I call your attention to slides 7 through 10 that provide an update on an emerging issue at the Parrott Lake Recreation Site. There are no immediate ministry activities given the current status of the Wiggus/Respect Table and other activities, but I thought you should be made aware of this matter. I'm happy to connect individually if any of you have questions about the attached.

Michelle

LNG Steering Committee

CONFIDENTIAL – FOR INTERNAL DISCUSSION | CONTAINS COMMERCIAL SENSITIVE INFORMATION | February 4, 2020



Agenda

1. LNG Canada and Coastal GasLink construction timelines
2. Coastal GasLink construction status
3. s.13; s.16
4. Parrott Lake Recreation Site
5. Provincial responsiveness to social issues
6. Upcoming engagement opportunities

Confidential – for internal discussion / contains commercially sensitive information



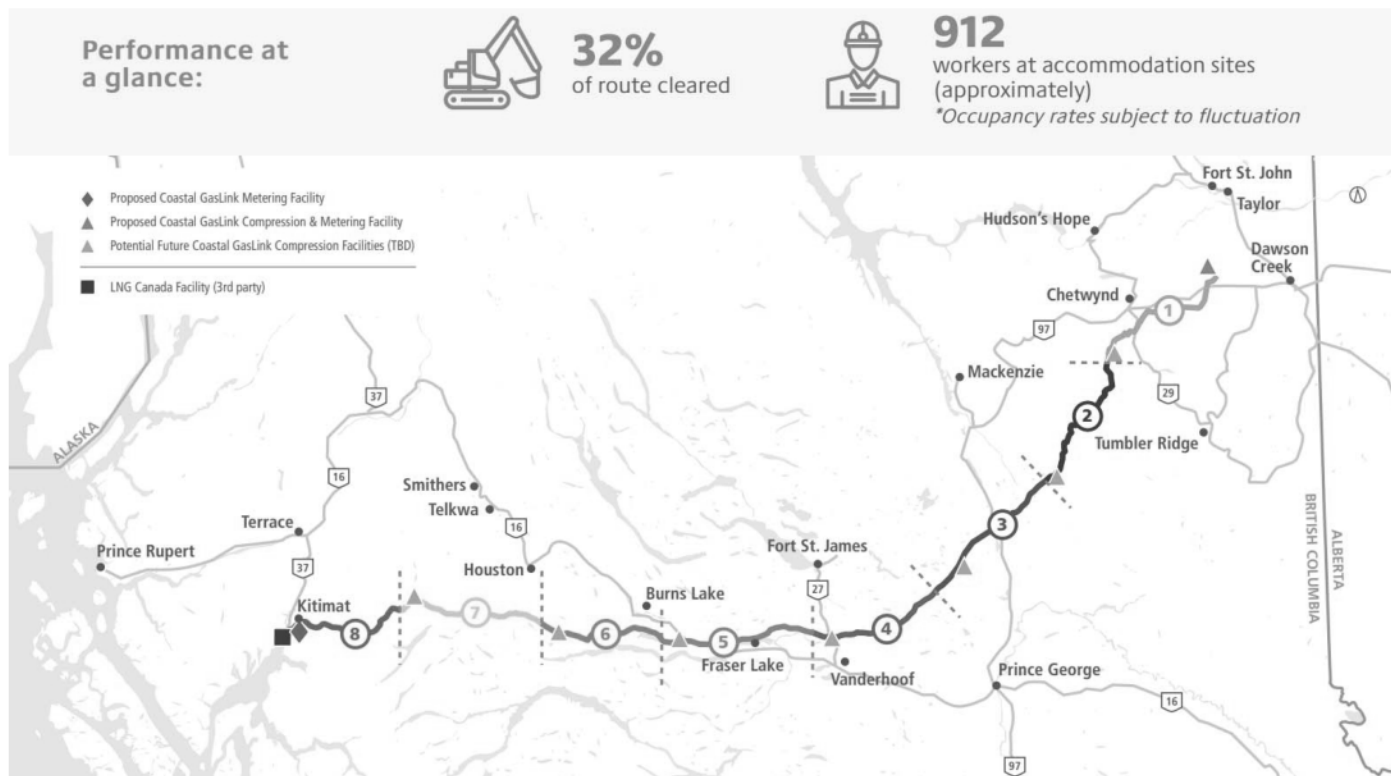
LNG Canada Implementation Secretariat
Ministry of Energy, Mines & Petroleum Resources



LNG Canada and Coastal GasLink Construction Timelines

s.17; s.21

Coastal GasLink Construction Status



Confidential – for internal discussion | contains commercially sensitive information

Page 086 of 183 to/à Page 087 of 183

Withheld pursuant to/removed as

s.13 ; s.16

Page 088 of 183 to/à Page 091 of 183

Withheld pursuant to/removed as

s.13 ; s.16 ; s.17



Provincial Responsiveness to social issues

- Social and Economic Management Committee met on Jan 29th to report back on:
 - Employee Retention
 - Housing Affordability
 - Substance use/property Crime and impacts to health emergency services
- The next LNG Canada Social Management Roundtable (SMR) meeting will occur on Feb. 4th & 5th
 - Municipal Affairs and Housing to attend in person – and expected to meet with Terrace
 - Key provincial agencies will report out (Housing, PSSG, Health, Northern Health)
- Currently, there is some confusion and lack of clarity on the direct and indirect effects of the project and how those effects relate to provincial agencies' responsibilities. The Secretariat is working with MAH to clarify and address these issues.



Upcoming Engagement Opportunities

- Scheduled engagement dates have been updated since previously reported.
- Four engagement sessions in this fiscal year are planned with Indigenous Leadership and key ministries.
- Topics for discussion are:
 - Socio-economic matters, including those associated with temporary workforce lodges;
 - Employment and procurement opportunities and challenges, including workforce development;
 - Observations and issues relating to regulatory oversight and environmental protection/monitoring;
 - General communications and associated support- provided from the provincial government and the industry.
- Planned dates:
 - February 18 - Terrace
 - February 20 - Burns Lake
 - February 25 - Prince George
 - February 27 - Fort St. John



Questions?



Appendix: Wet'suwet'en Chronology of Recent Events

Page 096 of 183 to/à Page 097 of 183

Withheld pursuant to/removed as

s.13 ; s.16

From: [Bain, Don PREM:EX](#)
To: [Meggs, Geoff PREM:EX](#)
Cc: [Aaron, Sage PREM:EX](#); [Hockin, Amber PREM:EX](#)
Subject: Re: .Minister Fraser
Date: February 17, 2020 8:35:57 PM

s.16

Sent from my iPhone

On Feb 17, 2020, at 8:21 PM, Meggs, Geoff PREM:EX wrote:

Found it here:

<https://www.cbc.ca/news/canada/british-columbia/wet-suwet-en-bc-government-reconciliation-coastal-gaslink-pipeline-1.5466504>

s.16

Geoff

From: Aaron, Sage PREM:EX
Sent: Monday, February 17, 2020 5:13 PM
To: Meggs, Geoff PREM:EX; Hockin, Amber PREM:EX
Subject: Fw: .Minister Fraser

FYI

From: Plank, Sarah GCPE:EX
Sent: February-17-20 4:29 PM
To: McNish, James IRR:EX; Bain, Don PREM:EX; Aaron, Sage PREM:EX
Subject: Fwd: .Minister Fraser

Fyi

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

Begin forwarded message:

From: Murray Rankin <mrain@murayrankin.ca>
Date: February 17, 2020 at 3:15:29 PM PST
To: "Sarah GCPE:EX Plank" <sarah.plank@gov.bc.ca>, Doug.Caul@gov.bc.ca, "Cory IRR:EX Waters" <Cory.Waters@gov.bc.ca>, "Andrei AG:EX Whitaker" <Andrei.Whitaker@gov.bc.ca>, "Stewart IRR:EX Dickson" <Stewart.Dickson@gov.bc.ca>, Trish.Balcaen@gov.bc.ca
Subject: Fwd: .Minister Fraser

This just in.Just FYI.

Begin forwarded message:

From: Peter Grant <pgrant@grantrativelaw.com>
Date: February 17, 2020 at 5:46:56 PM EST
To: Murray Rankin <mrain@murayrankin.ca>
Subject: .Minister Fraser

Murray, as you know s.22 s.16
s.16

Get [Outlook for Android](#)

From: [Meggs, Geoff PREM:EX](#)
To: [Aaron, Sage PREM:EX](#); [Dewar, Bob PREM:EX](#); [Hockin, Amber PREM:EX](#)
Cc: [Bain, Don PREM:EX](#)
Subject: Re: MEDIA REQUEST - CP - Wet'suwet'en reconciliation talks
Date: February 16, 2020 10:59:57 AM

Agreed, but it's critical to note that the Rankin talks have explicitly been separated from the pipeline talks with the full agreement of the OW.

From: Aaron, Sage PREM:EX
Sent: Sunday, February 16, 2020 10:51 AM
To: Meggs, Geoff PREM:EX; Dewar, Bob PREM:EX; Hockin, Amber PREM:EX
Subject: Fwd: MEDIA REQUEST - CP - Wet'suwet'en reconciliation talks
FYI I have advised MSF should take the interview, keeping in mind with the statement below.

Sage
778-678-0832
Sent from my mobile device

Begin forwarded message:

From: "Plank, Sarah GCPE:EX"
Date: February 16, 2020 at 10:41:54 AM PST
To: "McNish, James IRR:EX" , "Bain, Don PREM:EX" , "Aaron, Sage PREM:EX" ,
"Smith, George PREM:EX" , "Howlett, Tim GCPE:EX" , "Farmer, Leila GCPE:EX" ,
"Dinicol, Sam GCPE:EX"
Subject: MEDIA REQUEST - CP - Wet'suwet'en reconciliation talks

HI all – thoughts on the minister doing this? I have also drafted a potential statement
for use if folks would rather go that route. Please advise. And also will note that^{s.22}
s.22 so hoping
to get the approach settled fairly quickly. Thanks.

Reporter

Amy Smart, Reporter
Canadian Press (BC Bureau)
amy.smart@thecanadianpress.com
604-692-1168 c:^{s.22}

Deadline ASAP

Request

Reporter has spoken with Wet'suwet'en hereditary chief Na'moks and asked if the

ongoing reconciliation talks they are in with the province could solve the current impasse, and he said they could - though he also reiterated strongly that those talks are separate from the CGL issue.

She would like to talk to Minister Fraser about what the talks are about, how they are going, whether the minister thinks they could solve the impasse, or whether Aboriginal title has to go back to court. Is this venue one that could help solve the impasse?

On background, she has been advised that the talks are about rights and title, self-government and self-determination, and that certainly Aboriginal can be negotiated between governments and not just achieved through litigation (provided the recent Heiltsuk example). Also on background, she was given some foundational knowledge about how negotiations work in B.C. (treaty, non-treaty, non-extinguishment approach that's flexible over time, looks different for each nation in talks based on their goals, priorities, circumstances, what Aboriginal title is, etc.).

Background

see attached issues note

Recommendation

Potential draft statement:

The Province and Office of the Wet'suwet'en are currently in discussions exploring a path forward, nation-to-nation, to meaningfully advance reconciliation. These discussions are focused on Wet'suwet'en rights and title, and self-government and self-determination.

We have been working together, government-to-government, to advance reconciliation since last spring, meeting at least monthly. We have made some important progress made so far, and continue to meet regularly, with Murray Rankin representing the Province in the discussions.

As far as your question on whether they will help solve the current impasse, the ongoing reconciliation talks are not related to any specific project but are focused on building our relationship and advancing reconciliation.

We are discussing both short-term, practical steps and longer-term pieces necessary to establish healthy governance, and implementation of Wet'suwet'en title and rights.

This work takes time. There are many steps ahead of us, but we are committed to walking this path with the Wet'suwet'en.

Sarah Plank

Communications Director | Ministry of Indigenous Relations &

Reconciliation Government Communications & Public Engagement
Mobile: 250.208.9621 | Email: sarah.plank@gov.bc.ca

From: [Haslam, David GCPE:EX](#)
To: [Plank, Sarah GCPE:EX](#); [Lowther, Brett GCPE:EX](#)
Cc: [Aaron, Sage PREM:EX](#); [Smith, George PREM:EX](#); [Kristianson, Eric PREM:EX](#)
Subject: RE: MEDIA REQUEST - Van Sun - Lorne Brownsey
Date: July 31, 2019 4:38:04 PM
Attachments: [ContractLorneBrownseyPatrickKelly_aw.docx](#)

George - attached is the contract from which I've pasted the terms below - pages 14 to 17. The date is a typo which I'll flag. Lorne is signing the doc tomorrow.

PART 1. TERM:

1. Subject to section 2 of this Part 1, The term of this Agreement commences on July 1, 2019 and ends on March 31, 2019.

PART 2. SERVICES:

Services include facilitation of a process whereby the Chiefs are open to participating in dialogue that considers the impacts that the Partnership Agreements has on others and creatively seeks to minimize such. Services include preparation for session in collaboration with Ministry of Forests, Lands, Natural Resource Operations and Rural Development. Refer to schedule B for reimbursement of travel costs.

Outputs

The Contractor must provide facilitation services for Next Steps / Community Engagement on Southern Mountain Caribou Draft Partnership Agreements

Inputs

The Contractor must:

- Establish a Table of senior representatives of the Saulteau and West Moberly First Nation Governments (Chiefs), the Province of British Columbia (primarily the facilitators) and the Government of Canada;
- Through facilitation, seek agreement from the other parties at the Table on a realistic implementation pathway for the Draft Partnership Agreement that respects the rights of the Nations, the objectives of Caribou recovery and addresses concerns of local government, industry and backcountry user groups with respect to the agreement;
- Engage with senior representative of area local government and impacted industries;
- Encourage and support West Moberly and Saulteau First Nations engagement of other First Nations who have expressed concerns and interests in the Partnership Agreement;
- Working with senior government officials, identify opportunities to mitigate impacts from Caribou protection on regional economic stability and develop means by which the implementation of the Partnership Agreement appropriately reflects the interests of groups in the affected area;
- Provide advice to a government led communications program that will disseminate accurate information about the Partnership Agreement and its impacts, create a shared sense of ownership in Caribou recovery and support relations between First Nations and the broader regional community; and
- Support BC government led efforts to secure federal funding for dealing with impacts on business and workers.
- Provide necessary update briefings to the Premier, ELUC, and Deputy Ministers;
- Have ready access to the Premier's Office and Deputy Ministers for direction and advice; and
- Have the support of senior Ministry staff with knowledge and expertise in Caribou recovery and the Partnership Agreement on an ongoing and priority basis.

Outcomes

Through the delivery of the Services the Province wishes to realize the following outcomes and, without limiting the

obligation of the Contractor to comply with other provisions of this Part, the Contractor must use commercially reasonable efforts to achieve them:

Outcomes

The contractor will seek to secure the following outcomes:

- An implementation plan that leads to the signing of the Partnership Agreement with support from industry, local government and other area groups; and
- Where mutual agreement exists, language modifications in the Partnership Agreement that would enhance community support for it without materially impacting Caribou recovery objectives.
- Conclude the engagement and economic impact mitigation process by the end of November with the intent that the Partnership Agreement would be approved by ELUC and Cabinet and finalized by the end of December 2019.

The Parties acknowledge that the Contractor does not warrant that these outcomes, or the inputs to them, will be achieved.

Reporting requirements

- Provide regular update briefings for DMO, Deputies, ELUC and Premier;
- Conclude the engagement and economic impact mitigation process by the end of November, with the intent that the Agreements (modified for language clarification where agreed) would be approved by the Environment and Land Use Committee and Cabinet and finalized before the end of December 2019.

PART 3.RELATED DOCUMENTATION:

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

PART 4.KEY PERSONNEL:

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

a)Lorne Brownsey

s.22

b)Patrick Kelly

s.22

Schedule B – Fees and Expenses

1. MAXIMUM AMOUNT PAYABLE:

Maximum Amount: Despite sections 2 and 3 of this Schedule, \$100,000.00 is the maximum amount which the Province is obliged to pay to the Contractor for fees and expenses under this Agreement (exclusive of any applicable taxes described in section 3.1(c) of this Agreement).

2. FEES:

Hourly Rate

Fees: at a rate of \$275.00, to a maximum amount of \$1,925.00 per day per person; and a maximum total amount of \$95,000.00 for those hours during the Term when the Contractor provides the Services.

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

From: Haslam, David GCPE:EX

Sent: July 31, 2019 11:03 AM

To: Plank, Sarah GCPE:EX <Sarah.Plank@gov.bc.ca>; Lowther, Brett GCPE:EX <Brett.Lowther@gov.bc.ca>

Cc: Aaron, Sage PREM:EX <Sage.Aaron@gov.bc.ca>; Smith, George PREM:EX <George.Smith@gov.bc.ca>; Kristianson, Eric GCPE:EX <Eric.Kristianson@gov.bc.ca>
Subject: RE: MEDIA REQUEST - Van Sun - Lorne Brownsey

Thx. This is being managed by PO. Sage/George/Eric - note Vaughn reached out to MIRR at about 1030 am for Lorne Brownsey contract details.

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

From: Plank, Sarah GCPE:EX
Sent: July 31, 2019 10:53 AM
To: Lowther, Brett GCPE:EX <Brett.Lowther@gov.bc.ca>; Haslam, David GCPE:EX <David.Haslam@gov.bc.ca>
Subject: FW: MEDIA REQUEST - Van Sun - Lorne Brownsey

Heads up on this. I will probably be sending Vaughn your way...

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

From: Eckardt, Dana R IRR:EX
Sent: July 31, 2019 10:48 AM
To: Plank, Sarah GCPE:EX <Sarah.Plank@gov.bc.ca>; Balcaen, Trish L IRR:EX <Trish.Balcaen@gov.bc.ca>; McCarthy, Tom IRR:EX <Tom.McCarthy@gov.bc.ca>
Subject: RE: MEDIA REQUEST - Van Sun - Lorne Brownsey

FLNRO has a contract in place.

We also have Lorne under contract, but it is not for Caribou.

d.

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

From: Plank, Sarah GCPE:EX
Sent: July 31, 2019 10:27 AM
To: Eckardt, Dana R IRR:EX <Dana.Eckardt@gov.bc.ca>; Balcaen, Trish L IRR:EX <Trish.Balcaen@gov.bc.ca>; McCarthy, Tom IRR:EX <Tom.McCarthy@gov.bc.ca>
Subject: MEDIA REQUEST - Van Sun - Lorne Brownsey

Hi all,

Do any of you know if we hired Lorne Brownsey to help deal with First Nations on the caribou protection plan, or was that FLNR?

Thanks,
Sarah.

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

From: Palmer, Vaughn <vpalmer@postmedia.com>
Sent: July 31, 2019 10:23 AM
To: Plank, Sarah GCPE:EX <Sarah.Plank@gov.bc.ca>
Subject: Re: murray rankin

Thank you...appreciate your effort.

On another matter, was it your ministry that hired former DM Lorne Brownsey to assist on dealings with first nations on the caribou rescue plan?

If so, what is his specific mandate please?

Thank you.

Vaughn Palmer
Columnist
The Vancouver Sun
Office: 250-953-5936
Cell: 250-920-6677
Email: vpalmer@vancouver.sun.com

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<<http://www.theprovince.com/>> <<http://www.theprovince.com/>>

GENERAL SERVICE AGREEMENT



For Administrative Purposes Only

Ministry Contract No.: _____
Requisition No.: _____
Solicitation No.(if applicable): _____
Commodity Code: _____

Contractor Information

Supplier Name: Lorne Brownsey
Supplier No.: _____
Telephone No.: **s.22**
E-mail Address: _____
Website: _____

Financial Information

Client: _____
Responsibility Centre: _____
Service Line: _____
STOB: _____
Project: _____

Template version: December 21, 2018

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SCHEDULE A – SERVICES

- Part 1 - Term**
- Part 2 - Services**
- Part 3 - Related Documentation**
- Part 4 - Key Personnel**

SCHEDULE B – FEES AND EXPENSES

- Part 1 - Maximum Amount Payable**
- Part 2 - Fees**
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- Part 4 - Statements of Account**
- Part 5 - Payments Due**

SCHEDULE C – APPROVED SUBCONTRACTOR(S)

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SCHEDULE E – PRIVACY PROTECTION SCHEDULE

SCHEDULE F – ADDITIONAL TERMS

SCHEDULE G – SECURITY SCHEDULE

THIS AGREEMENT is dated for reference the ____day of _____, 20__.

BETWEEN:

Lorne Brownsey (the "Contractor") with the following specified:
s.22

AND:

HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF BRITISH COLUMBIA, as represented by the Deputy Minister of Ministry of Forests, Lands, Natural Resource Operations and Rural Development (the "Province") with the following specified address and fax number:
@308-780 Blanshard Street, Victoria BC
@V8W 2H1
@john.allan@gov.bc.ca

The Province wishes to retain the Contractor to provide the services specified in Schedule A and, in consideration for the remuneration set out in Schedule B, the Contractor has agreed to provide those services, on the terms and conditions set out in this Agreement.

As a result, the Province and the Contractor agree as follows:

1 DEFINITIONS

General

1.1 In this Agreement, unless the context otherwise requires:

- (a) "Business Day" means a day, other than a Saturday or Sunday, on which Provincial government offices are open for normal business in British Columbia;
- (b) "Incorporated Material" means any material in existence prior to the start of the Term or developed independently of this Agreement, and that is incorporated or embedded in the Produced Material by the Contractor or a Subcontractor;
- (c) "Material" means the Produced Material and the Received Material;
- (d) "Produced Material" means records, software and other material, whether complete or not, that, as a result of this Agreement, are produced or provided by the Contractor or a Subcontractor and includes the Incorporated Material;
- (e) "Received Material" means records, software and other material, whether complete or not, that, as a result of this Agreement, are received by the Contractor or a Subcontractor from the Province or any other person;
- (f) "Services" means the services described in Part 2 of Schedule A;
- (g) "Subcontractor" means a person described in paragraph (a) or (b) of section 13.4; and
- (h) "Term" means the term of the Agreement described in Part 1 of Schedule A subject to that term ending earlier in accordance with this Agreement.

Meaning of "record"

1.2 The definition of "record" in the *Interpretation Act* is incorporated into this Agreement and "records" will bear a corresponding meaning.

2 SERVICES

Provision of services

2.1 The Contractor must provide the Services in accordance with this Agreement.

Term

2.2 Regardless of the date of execution or delivery of this Agreement, the Contractor must provide the Services during the Term.

Supply of various items

2.3 Unless the parties otherwise agree in writing, the Contractor must supply and pay for all labour, materials, equipment, tools, facilities, approvals and licenses necessary or advisable to perform the Contractor's obligations under this Agreement, including the license under section 6.4.

Standard of care

2.4 Unless otherwise specified in this Agreement, the Contractor must perform the Services to a standard of care, skill and diligence maintained by persons providing, on a commercial basis, services similar to the Services.

Standards in relation to persons performing Services

2.5 The Contractor must ensure that all persons employed or retained to perform the Services are qualified and competent to perform them and are properly trained, instructed and supervised.

Instructions by Province

2.6 The Province may from time to time give the Contractor reasonable instructions (in writing or otherwise) as to the performance of the Services. The Contractor must comply with those instructions but, unless otherwise specified in this Agreement, the Contractor may determine the manner in which the instructions are carried out.

Confirmation of non-written instructions

2.7 If the Province provides an instruction under section 2.6 other than in writing, the Contractor may request that the instruction be confirmed by the Province in writing, which request the Province must comply with as soon as it is reasonably practicable to do so.

Effectiveness of non-written instructions

2.8 Requesting written confirmation of an instruction under section 2.7 does not relieve the Contractor from complying with the instruction at the time the instruction was given.

Applicable laws

2.9 In the performance of the Contractor's obligations under this Agreement, the Contractor must comply with all applicable laws.

3 PAYMENT

Fees and expenses

3.1 If the Contractor complies with this Agreement, then the Province must pay to the Contractor at the times and on the conditions set out in Schedule B:

- (a) the fees described in that Schedule;

- (b) the expenses, if any, described in that Schedule if they are supported, where applicable, by proper receipts and, in the Province's opinion, are necessarily incurred by the Contractor in providing the Services; and
- (c) any applicable taxes payable by the Province under law or agreement with the relevant taxation authorities on the fees and expenses described in paragraphs (a) and (b).

The Province is not obliged to pay to the Contractor more than the "Maximum Amount" specified in Schedule B on account of fees and expenses.

Statements of accounts

- 3.2 In order to obtain payment of any fees and expenses under this Agreement, the Contractor must submit to the Province a written statement of account in a form satisfactory to the Province upon completion of the Services or at other times described in Schedule B.

Withholding of amounts

- 3.3 Without limiting section 9.1, the Province may withhold from any payment due to the Contractor an amount sufficient to indemnify, in whole or in part, the Province and its employees and agents against any liens or other third-party claims that have arisen or could arise in connection with the provision of the Services. An amount withheld under this section must be promptly paid by the Province to the Contractor upon the basis for withholding the amount having been fully resolved to the satisfaction of the Province.

Appropriation

- 3.4 The Province's obligation to pay money to the Contractor is subject to the *Financial Administration Act*, which makes that obligation subject to an appropriation being available in the fiscal year of the Province during which payment becomes due.

Currency

- 3.5 Unless otherwise specified in this Agreement, all references to money are to Canadian dollars.

Non-resident income tax

- 3.6 If the Contractor is not a resident in Canada, the Contractor acknowledges that the Province may be required by law to withhold income tax from the fees described in Schedule B and then to remit that tax to the Receiver General of Canada on the Contractor's behalf.

Prohibition against committing money

- 3.7 Without limiting section 13.10(a), the Contractor must not in relation to performing the Contractor's obligations under this Agreement commit or purport to commit the Province to pay any money except as may be expressly provided for in this Agreement.

Refunds of taxes

- 3.8 The Contractor must:
- (a) apply for, and use reasonable efforts to obtain, any available refund, credit, rebate or remission of federal, provincial or other tax or duty imposed on the Contractor as a result of this Agreement that the Province has paid or reimbursed to the Contractor or agreed to pay or reimburse to the Contractor under this Agreement; and

- (b) immediately on receiving, or being credited with, any amount applied for under paragraph (a), remit that amount to the Province.

4 REPRESENTATIONS AND WARRANTIES

4.1 As at the date this Agreement is executed and delivered by, or on behalf of, the parties, the Contractor represents and warrants to the Province as follows:

- (a) except to the extent the Contractor has previously disclosed otherwise in writing to the Province,
 - (i) all information, statements, documents and reports furnished or submitted by the Contractor to the Province in connection with this Agreement (including as part of any competitive process resulting in this Agreement being entered into) are in all material respects true and correct,
 - (ii) the Contractor has sufficient trained staff, facilities, materials, appropriate equipment and approved sub contractual or other agreements in place and available to enable the Contractor to fully perform the Services and to grant any licenses under this Agreement, and
 - (iii) the Contractor holds all permits, licenses, approvals and statutory authorities issued by any government or government agency that are necessary for the performance of the Contractor's obligations under this Agreement; and
- (b) if the Contractor is not an individual,
 - (i) the Contractor has the power and capacity to enter into this Agreement and to observe, perform and comply with the terms of this Agreement and all necessary corporate or other proceedings have been taken and done to authorize the execution and delivery of this Agreement by, or on behalf of, the Contractor, and
 - (ii) this Agreement has been legally and properly executed by, or on behalf of, the Contractor and is legally binding upon and enforceable against the Contractor in accordance with its terms except as enforcement may be limited by bankruptcy, insolvency or other laws affecting the rights of creditors generally and except that equitable remedies may be granted only in the discretion of a court of competent jurisdiction.

5 PRIVACY, SECURITY AND CONFIDENTIALITY

Privacy

5.1 The Contractor must comply with the Privacy Protection Schedule attached as Schedule E.

Security

5.2 The Contractor must:

- (a) make reasonable security arrangements to protect the Material from unauthorized access, collection, use, disclosure, alteration or disposal; and
- (b) comply with the Security Schedule attached as Schedule G.

Confidentiality

5.3 The Contractor must treat as confidential all information in the Material and all other information accessed or obtained by the Contractor or a Subcontractor (whether verbally, electronically or otherwise) as a result of this Agreement, and not permit its disclosure or use without the Province's prior written consent except:

- (a) as required to perform the Contractor's obligations under this Agreement or to comply with applicable laws;

- (b) if it is information that is generally known to the public other than as result of a breach of this Agreement; or
- (c) if it is information in any Incorporated Material.

Public announcements

- 5.4 Any public announcement relating to this Agreement will be arranged by the Province and, if such consultation is reasonably practicable, after consultation with the Contractor.

Restrictions on promotion

- 5.5 The Contractor must not, without the prior written approval of the Province, refer for promotional purposes to the Province being a customer of the Contractor or the Province having entered into this Agreement.

6 MATERIAL AND INTELLECTUAL PROPERTY

Access to Material

- 6.1 If the Contractor receives a request for access to any of the Material from a person other than the Province, and this Agreement does not require or authorize the Contractor to provide that access, the Contractor must promptly advise the person to make the request to the Province.

Ownership and delivery of Material

- 6.2 The Province exclusively owns all property rights in the Material which are not intellectual property rights. The Contractor must deliver any Material to the Province immediately upon the Province's request.

Matters respecting intellectual property

- 6.3 The Province exclusively owns all intellectual property rights, including copyright, in:

- (a) Received Material that the Contractor receives from the Province; and
- (b) Produced Material, other than any Incorporated Material.

Upon the Province's request, the Contractor must deliver to the Province documents satisfactory to the Province that irrevocably waive in the Province's favour any moral rights which the Contractor (or employees of the Contractor) or a Subcontractor (or employees of a Subcontractor) may have in the Produced Material and that confirm the vesting in the Province of the copyright in the Produced Material, other than any Incorporated Material.

Rights in relation to Incorporated Material

- 6.4 Upon any Incorporated Material being embedded or incorporated in the Produced Material and to the extent that it remains so embedded or incorporated, the Contractor grants to the Province:
- (a) a non-exclusive, perpetual, irrevocable, royalty-free, worldwide license to exercise, in respect of that Incorporated Material, the rights set out in the *Copyright Act* (Canada), including the right to use, reproduce, modify, publish and distribute that Incorporated Material; and
 - (b) the right to sublicense or assign to third-parties any or all of the rights granted to the Province under section 6.4(a).

7 RECORDS AND REPORTS

Work reporting

- 7.1 Upon the Province's request, the Contractor must fully inform the Province of all work done by the Contractor or a Subcontractor in connection with providing the Services.

Time and expense records

- 7.2 If Schedule B provides for the Contractor to be paid fees at a daily or hourly rate or for the Contractor to be paid or reimbursed for expenses, the Contractor must maintain time records and books of account, invoices, receipts and vouchers of expenses in support of those payments, in form and content satisfactory to the Province. Unless otherwise specified in this Agreement, the Contractor must retain such documents for a period of not less than seven years after this Agreement ends.

8 AUDIT

- 8.1 In addition to any other rights of inspection the Province may have under statute or otherwise, the Province may at any reasonable time and on reasonable notice to the Contractor, enter on the Contractor's premises to inspect and, at the Province's discretion, copy any of the Material and the Contractor must permit, and provide reasonable assistance to, the exercise by the Province of the Province's rights under this section.

9 INDEMNITY AND INSURANCE

Indemnity

- 9.1 The Contractor must indemnify and save harmless the Province and the Province's employees and agents from any loss, claim (including any claim of infringement of third-party intellectual property rights), damage award, action, cause of action, cost or expense that the Province or any of the Province's employees or agents may sustain, incur, suffer or be put to at any time, either before or after this Agreement ends, (each a "Loss") to the extent the Loss is directly or indirectly caused or contributed to by:
- (a) any act or omission by the Contractor or by any of the Contractor's agents, employees, officers, directors or Subcontractors in connection with this Agreement; or
 - (b) any representation or warranty of the Contractor being or becoming untrue or incorrect.

Insurance

- 9.2 The Contractor must comply with the Insurance Schedule attached as Schedule D.

Workers compensation

- 9.3 Without limiting the generality of section 2.9, the Contractor must comply with, and must ensure that any Subcontractors comply with, all applicable occupational health and safety laws in relation to the performance of the Contractor's obligations under this Agreement, including the *Workers Compensation Act* in British Columbia or similar laws in other jurisdictions.

Personal optional protection

- 9.4 The Contractor must apply for and maintain personal optional protection insurance (consisting of income replacement and medical care coverage) during the Term at the Contractor's expense if:

- (a) the Contractor is an individual or a partnership of individuals and does not have the benefit of mandatory workers compensation coverage under the *Workers Compensation Act* or similar laws in other jurisdictions; and
- (b) such personal optional protection insurance is available for the Contractor from WorkSafeBC or other sources.

Evidence of coverage

9.5 Within 10 Business Days of being requested to do so by the Province, the Contractor must provide the Province with evidence of the Contractor's compliance with sections 9.3 and 9.4.

10 FORCE MAJEURE

Definitions relating to force majeure

10.1 In this section and sections 10.2 and 10.3:

- (a) "Event of Force Majeure" means one of the following events:
 - (i) a natural disaster, fire, flood, storm, epidemic or power failure,
 - (ii) a war (declared and undeclared), insurrection or act of terrorism or piracy,
 - (iii) a strike (including illegal work stoppage or slowdown) or lockout, or
 - (iv) a freight embargo
 if the event prevents a party from performing the party's obligations in accordance with this Agreement and is beyond the reasonable control of that party; and
- (b) "Affected Party" means a party prevented from performing the party's obligations in accordance with this Agreement by an Event of Force Majeure.

Consequence of Event of Force Majeure

10.2 An Affected Party is not liable to the other party for any failure or delay in the performance of the Affected Party's obligations under this Agreement resulting from an Event of Force Majeure and any time periods for the performance of such obligations are automatically extended for the duration of the Event of Force Majeure provided that the Affected Party complies with the requirements of section 10.3.

Duties of Affected Party

10.3 An Affected Party must promptly notify the other party in writing upon the occurrence of the Event of Force Majeure and make all reasonable efforts to prevent, control or limit the effect of the Event of Force Majeure so as to resume compliance with the Affected Party's obligations under this Agreement as soon as possible.

11 DEFAULT AND TERMINATION

Definitions relating to default and termination

11.1 In this section and sections 11.2 to 11.4:

- (a) "Event of Default" means any of the following:
 - (i) an Insolvency Event,
 - (ii) the Contractor fails to perform any of the Contractor's obligations under this Agreement, or
 - (iii) any representation or warranty made by the Contractor in this Agreement is untrue or incorrect; and

- (b) "Insolvency Event" means any of the following:
- (i) an order is made, a resolution is passed or a petition is filed, for the Contractor's liquidation or winding up,
 - (ii) the Contractor commits an act of bankruptcy, makes an assignment for the benefit of the Contractor's creditors or otherwise acknowledges the Contractor's insolvency,
 - (iii) a bankruptcy petition is filed or presented against the Contractor or a proposal under the *Bankruptcy and Insolvency Act* (Canada) is made by the Contractor,
 - (iv) a compromise or arrangement is proposed in respect of the Contractor under the *Companies' Creditors Arrangement Act* (Canada),
 - (v) a receiver or receiver-manager is appointed for any of the Contractor's property, or
 - (vi) the Contractor ceases, in the Province's reasonable opinion, to carry on business as a going concern.

Province's options on default

- 11.2 On the happening of an Event of Default, or at any time thereafter, the Province may, at its option, elect to do any one or more of the following:
- (a) by written notice to the Contractor, require that the Event of Default be remedied within a time period specified in the notice;
 - (b) pursue any remedy or take any other action available to it at law or in equity; or
 - (c) by written notice to the Contractor, terminate this Agreement with immediate effect or on a future date specified in the notice, subject to the expiration of any time period specified under section 11.2(a).

Delay not a waiver

- 11.3 No failure or delay on the part of the Province to exercise its rights in relation to an Event of Default will constitute a waiver by the Province of such rights.

Province's right to terminate other than for default

- 11.4 In addition to the Province's right to terminate this Agreement under section 11.2(c) on the happening of an Event of Default, the Province may terminate this Agreement for any reason by giving at least 10 days' written notice of termination to the Contractor.

Payment consequences of termination

- 11.5 Unless Schedule B otherwise provides, if the Province terminates this Agreement under section 11.4:
- (a) the Province must, within 30 days of such termination, pay to the Contractor any unpaid portion of the fees and expenses described in Schedule B which corresponds with the portion of the Services that was completed to the Province's satisfaction before termination of this Agreement; and
 - (b) the Contractor must, within 30 days of such termination, repay to the Province any paid portion of the fees and expenses described in Schedule B which corresponds with the portion of the Services that the Province has notified the Contractor in writing was not completed to the Province's satisfaction before termination of this Agreement.

Discharge of liability

- 11.6 The payment by the Province of the amount described in section 11.5(a) discharges the Province from all liability to make payments to the Contractor under this Agreement.

Notice in relation to Events of Default

- 11.7 If the Contractor becomes aware that an Event of Default has occurred or anticipates that an Event of Default is likely to occur, the Contractor must promptly notify the Province of the particulars of the Event of Default or anticipated Event of Default. A notice under this section as to the occurrence of an Event of Default must also specify the steps the Contractor proposes to take to address, or prevent recurrence of, the Event of Default. A notice under this section as to an anticipated Event of Default must specify the steps the Contractor proposes to take to prevent the occurrence of the anticipated Event of Default.

12 DISPUTE RESOLUTION

Dispute resolution process

- 12.1 In the event of any dispute between the parties arising out of or in connection with this Agreement, the following dispute resolution process will apply unless the parties otherwise agree in writing:
- (a) the parties must initially attempt to resolve the dispute through collaborative negotiation;
 - (b) if the dispute is not resolved through collaborative negotiation within 15 Business Days of the dispute arising, the parties must then attempt to resolve the dispute through mediation under the rules of the Mediate BC Society; and
 - (c) if the dispute is not resolved through mediation within 30 Business Days of the commencement of mediation, the dispute must be referred to and finally resolved by arbitration under the *Arbitration Act*.

Location of arbitration or mediation

- 12.2 Unless the parties otherwise agree in writing, an arbitration or mediation under section 12.1 will be held in Victoria, British Columbia.

Costs of mediation or arbitration

- 12.3 Unless the parties otherwise agree in writing or, in the case of an arbitration, the arbitrator otherwise orders, the parties must share equally the costs of a mediation or arbitration under section 12.1 other than those costs relating to the production of expert evidence or representation by counsel.

13 MISCELLANEOUS

Delivery of notices

- 13.1 Any notice contemplated by this Agreement, to be effective, must be in writing and delivered as follows:
- (a) by fax to the addressee's fax number specified on the first page of this Agreement, in which case it will be deemed to be received on the day of transmittal unless transmitted after the normal business hours of the addressee or on a day that is not a Business Day, in which cases it will be deemed to be received on the next following Business Day;
 - (b) by hand to the addressee's address specified on the first page of this Agreement, in which case it will be deemed to be received on the day of its delivery; or
 - (c) by prepaid post to the addressee's address specified on the first page of this Agreement, in which case if mailed during any period when normal postal services prevail, it will be deemed to be received on the fifth Business Day after its mailing.

Change of address or fax number

- 13.2 Either party may from time to time give notice to the other party of a substitute address or fax number, which from the date such notice is given will supersede for purposes of section 13.1 any previous address or fax number specified for the party giving the notice.

Assignment

- 13.3 The Contractor must not assign any of the Contractor's rights or obligations under this Agreement without the Province's prior written consent. Upon providing written notice to the Contractor, the Province may assign to any person any of the Province's rights under this Agreement and may assign to any "government corporation", as defined in the *Financial Administration Act*, any of the Province's obligations under this Agreement.

Subcontracting

- 13.4 The Contractor must not subcontract any of the Contractor's obligations under this Agreement to any person without the Province's prior written consent, excepting persons listed in the attached Schedule C. No subcontract, whether consented to or not, relieves the Contractor from any obligations under this Agreement. The Contractor must ensure that:
- (a) any person retained by the Contractor to perform obligations under this Agreement; and
 - (b) any person retained by a person described in paragraph (a) to perform those obligations fully complies with this Agreement in performing the subcontracted obligations.

Waiver

- 13.5 A waiver of any term or breach of this Agreement is effective only if it is in writing and signed by, or on behalf of, the waiving party and is not a waiver of any other term or breach.

Modifications

- 13.6 No modification of this Agreement is effective unless it is in writing and signed by, or on behalf of, the parties.

Entire agreement

- 13.7 This Agreement (including any modification of it) constitutes the entire agreement between the parties as to performance of the Services.

Survival of certain provisions

- 13.8 Sections 2.9, 3.1 to 3.4, 3.7, 3.8, 5.1 to 5.5, 6.1 to 6.4, 7.1, 7.2, 8.1, 9.1, 9.2, 9.5, 10.1 to 10.3, 11.2, 11.3, 11.5, 11.6, 12.1 to 12.3, 13.1, 13.2, 13.8, and 13.10, any accrued but unpaid payment obligations, and any other sections of this Agreement (including schedules) which, by their terms or nature, are intended to survive the completion of the Services or termination of this Agreement, will continue in force indefinitely subject to any applicable limitation period prescribed by law, even after this Agreement ends.

Schedules

- 13.9 The schedules to this Agreement (including any appendices or other documents attached to, or incorporated by reference into, those schedules) are part of this Agreement.

Independent contractor

13.10 In relation to the performance of the Contractor's obligations under this Agreement, the Contractor is an independent contractor and not:

- (a) an employee or partner of the Province; or
- (b) an agent of the Province except as may be expressly provided for in this Agreement.

The Contractor must not act or purport to act contrary to this section.

Personnel not to be employees of Province

13.11 The Contractor must not do anything that would result in personnel hired or used by the Contractor or a Subcontractor in relation to providing the Services being considered employees of the Province.

Key Personnel

13.12 If one or more individuals are specified as "Key Personnel" of the Contractor in Part 4 of Schedule A, the Contractor must cause those individuals to perform the Services on the Contractor's behalf, unless the Province otherwise approves in writing, which approval must not be unreasonably withheld.

Pertinent information

13.13 The Province must make available to the Contractor all information in the Province's possession which the Province considers pertinent to the performance of the Services.

Conflict of interest

13.14 The Contractor must not provide any services to any person in circumstances which, in the Province's reasonable opinion, could give rise to a conflict of interest between the Contractor's duties to that person and the Contractor's duties to the Province under this Agreement.

Time

13.15 Time is of the essence in this Agreement and, without limitation, will remain of the essence after any modification or extension of this Agreement, whether or not expressly restated in the document effecting the modification or extension.

Conflicts among provisions

13.16 Conflicts among provisions of this Agreement will be resolved as follows:

- (a) a provision in the body of this Agreement will prevail over any conflicting provision in, attached to or incorporated by reference into a schedule, unless that conflicting provision expressly states otherwise; and
- (b) a provision in a schedule will prevail over any conflicting provision in a document attached to or incorporated by reference into a schedule, unless the schedule expressly states otherwise.

Agreement not permit nor fetter

13.17 This Agreement does not operate as a permit, license, approval or other statutory authority which the Contractor may be required to obtain from the Province or any of its agencies in order to provide the Services. Nothing in this Agreement is to be construed as interfering with, or fettering in any manner, the exercise by the Province or its agencies of any statutory, prerogative, executive or legislative power or duty.

Remainder not affected by invalidity

- 13.18 If any provision of this Agreement or the application of it to any person or circumstance is invalid or unenforceable to any extent, the remainder of this Agreement and the application of such provision to any other person or circumstance will not be affected or impaired and will be valid and enforceable to the extent permitted by law.

Further assurances

- 13.19 Each party must perform the acts, execute and deliver the writings, and give the assurances as may be reasonably necessary to give full effect to this Agreement.

Additional terms

- 13.20 Any additional terms set out in the attached Schedule F apply to this Agreement.

Governing law

- 13.21 This Agreement is governed by, and is to be interpreted and construed in accordance with, the laws applicable in British Columbia.

14 INTERPRETATION

14.1 In this Agreement:

- (a) “includes” and “including” are not intended to be limiting;
- (b) unless the context otherwise requires, references to sections by number are to sections of this Agreement;
- (c) the Contractor and the Province are referred to as “the parties” and each of them as a “party”;
- (d) “attached” means attached to this Agreement when used in relation to a schedule;
- (e) unless otherwise specified, a reference to a statute by name means the statute of British Columbia by that name, as amended or replaced from time to time;
- (f) the headings have been inserted for convenience of reference only and are not intended to describe, enlarge or restrict the scope or meaning of this Agreement or any provision of it;
- (g) “person” includes an individual, partnership, corporation or legal entity of any nature; and
- (h) unless the context otherwise requires, words expressed in the singular include the plural and *vice versa*.

15 EXECUTION AND DELIVERY OF AGREEMENT

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

The parties have executed this Agreement as follows:

<p>SIGNED on the ____ day of _____, 20__ by the Contractor (or, if not an individual, on its behalf by its authorized signatory or signatories):</p> <p>_____ Signature(s)</p> <p><u>Lorne Brownsey</u> Print Name(s)</p> <p><u>Contractor</u> Print Title(s)</p>	<p>SIGNED on the ____ day of _____, 20__ on behalf of the Province by its duly authorized representative:</p> <p>_____ Signature</p> <p><u>John Allan</u> Print Name</p> <p><u>Deputy Minister</u> Print Title</p>
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Schedule A – Services

PART 1. TERM:

1. Subject to section 2 of this Part 1, The term of this Agreement commences on July 1, 2019 and ends on March 31, 2019.

PART 2. SERVICES:

s.16

Outputs

The Contractor must provide facilitation services for Next Steps / Community Engagement on Southern Mountain Caribou Draft Partnership Agreements

Inputs

The Contractor must:

s.16

Outcomes

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

Outcomes

The contractor will seek to secure the following outcomes:

- An implementation plan that leads to the signing of the Partnership Agreement with support from industry, local government and other area groups; and
- Where mutual agreement exists, language modifications in the Partnership Agreement that would enhance community support for it without materially impacting Caribou recovery objectives.
- Conclude the engagement and economic impact mitigation process by the end of November with the intent that the Partnership Agreement would be approved by ELUC and Cabinet and finalized by the end of December 2019.

The Parties acknowledge that the Contractor does not warrant that these outcomes, or the inputs to them, will be achieved.

Reporting requirements

- Provide regular update briefings for DMO, Deputies, ELUC and Premier;

Conclude the engagement and economic impact mitigation process by the end of November, with the intent that the Agreements (modified for language clarification where agreed) would be approved by the Environment and Land Use Committee and Cabinet and finalized before the end of December 2019.

PART 3. RELATED DOCUMENTATION:

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

PART 4. KEY PERSONNEL:

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

a) Lorne Brownsey
s.22

b) Patrick Kelly
s.22

Schedule B – Fees and Expenses

1. MAXIMUM AMOUNT PAYABLE:

Maximum Amount: Despite sections 2 and 3 of this Schedule, \$100,000.00 is the maximum amount which the Province is obliged to pay to the Contractor for fees and expenses under this Agreement (exclusive of any applicable taxes described in section 3.1(c) of this Agreement).

2. FEES:

Hourly Rate

Fees: at a rate of \$275.00, to a maximum amount of \$1,925.00 per day per person; and a maximum total amount of \$95,000.00 for those hours during the Term when the Contractor provides the Services.

3. EXPENSES:

Expenses: must not exceed a maximum amount of \$5,000.00 for those expenses during the Term when the Contractor provides services

- a. Travel (paid at \$0.55/km), accommodation (private accommodation is paid out at \$32.28/night) and meal expenses: paid at \$22.00 breakfast (if travel starts before 7:00am or ends after 7:00 am) \$22.00 Lunch (if travel starts before 12:00 pm or ends after 12:00 pm), \$28.50 Dinner (if travel starts before 6:00 pm or ends after 6:00 pm). If claiming all three meals, there is a capped total of \$49.00. For travel greater than 32 kilometers away from 314 Huntington Place or 374 Gorge Road West, Victoria British Columbia, on the same basis as the Province pays its Group 2 employees, as quoted above; when they are on travel status; and
- b. the Contractor's actual long distance telephone, fax, postage and other identifiable communication expenses; and

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

4. STATEMENTS OF ACCOUNT:

Statements of Account: In order to obtain payment of any fees and expenses under this Agreement for the Contractor must deliver to the Province on a date after the Billing Period (each a "Billing Date"), a written statement of account in a form satisfactory to the Province containing:

- (a) the Contractor's legal name and address;
- (b) the date of the statement, and the Billing Period to which the statement pertains;
- (c) the Contractor's calculation of all fees claimed for that Billing Period, including a declaration by the Contractor for which the Contractor claims fees and a description of the applicable fee rates;
- (d) a chronological listing, in reasonable detail, of any expenses claimed by the Contractor for the Billing Period with receipts attached, if applicable, and, if the Contractor is claiming reimbursement of any GST or other applicable taxes paid or payable by the Contractor in relation to those expenses, a description of any credits, rebates, refunds or remissions the Contractor is entitled to from the relevant taxation authorities in relation to those taxes;
- (e) the Contractor's calculation of any applicable taxes payable by the Province in relation to the Services for the Billing Period;
- (f) a description of this Agreement;

- (g) a statement number for identification; and
- (h) any other billing information reasonably requested by the Province.

5. PAYMENTS DUE:

Payments Due: Within 30 days of the Province's receipt of the Contractor's written statement of account delivered in accordance with this Schedule, the Province must pay the Contractor the fees and expenses (plus all applicable taxes) claimed in the statement if they are in accordance with this Schedule. Statements of account or contract invoices offering an early payment discount may be paid by the Province as required to obtain the discount.

Schedule C – Approved Subcontractor(s)

Not applicable

Schedule D – Insurance

1. Not applicable

Schedule E – Privacy Protection Schedule

Definitions

1. In this Schedule,
 - (a) “**access**” means disclosure by the provision of access;
 - (b) “**Act**” means the *Freedom of Information and Protection of Privacy Act*;
 - (c) “**contact information**” means information to enable an individual at a place of business to be contacted and includes the name, position name or title, business telephone number, business address, business email or business fax number of the individual;
 - (d) “**personal information**” means recorded information about an identifiable individual, other than contact information, collected or created by the Contractor as a result of the Agreement or any previous agreement between the Province and the Contractor dealing with the same subject matter as the Agreement but excluding any such information that, if this Schedule did not apply to it, would not be under the “control of a public body” within the meaning of the Act; and
 - (e) “**privacy course**” means the Province’s online privacy and information sharing training course.

Purpose

2. The purpose of this Schedule is to:
 - (a) enable the Province to comply with the Province's statutory obligations under the Act with respect to personal information; and
 - (b) ensure that, as a service provider, the Contractor is aware of and complies with the Contractor's statutory obligations under the Act with respect to personal information.

Collection of personal information

3. Unless the Agreement otherwise specifies or the Province otherwise directs in writing, the Contractor may only collect or create personal information that is necessary for the performance of the Contractor’s obligations, or the exercise of the Contractor’s rights, under the Agreement.
4. Unless the Agreement otherwise specifies or the Province otherwise directs in writing, the Contractor must collect personal information directly from the individual the information is about.
5. Unless the Agreement otherwise specifies or the Province otherwise directs in writing, the Contractor must tell an individual from whom the Contractor collects personal information:
 - (a) the purpose for collecting it;
 - (b) the legal authority for collecting it; and
 - (c) the title, business address and business telephone number of the person designated by the Province to answer questions about the Contractor’s collection of personal information.

Privacy Training

6. The Contractor must ensure that each person who will provide services under the Agreement that involve the collection or creation of personal information will complete, at the Contractor’s expense, the privacy course prior to that person providing those services.

7. The requirement in section 6 will only apply to persons who have not previously completed the privacy course.

Accuracy of personal information

8. The Contractor must make every reasonable effort to ensure the accuracy and completeness of any personal information to be used by the Contractor or the Province to make a decision that directly affects the individual the information is about.

Requests for access to personal information

9. If the Contractor receives a request for access to personal information from a person other than the Province, the Contractor must promptly advise the person to make the request to the Province unless the Agreement expressly requires the Contractor to provide such access and, if the Province has advised the Contractor of the name or title and contact information of an official of the Province to whom such requests are to be made, the Contractor must also promptly provide that official's name or title and contact information to the person making the request.

Correction of personal information

10. Within 5 Business Days of receiving a written direction from the Province to correct or annotate any personal information, the Contractor must annotate or correct the information in accordance with the direction.
11. When issuing a written direction under section 10, the Province must advise the Contractor of the date the correction request to which the direction relates was received by the Province in order that the Contractor may comply with section 12.
12. Within 5 Business Days of correcting or annotating any personal information under section 10, the Contractor must provide the corrected or annotated information to any party to whom, within one year prior to the date the correction request was made to the Province, the Contractor disclosed the information being corrected or annotated.
13. If the Contractor receives a request for correction of personal information from a person other than the Province, the Contractor must promptly advise the person to make the request to the Province and, if the Province has advised the Contractor of the name or title and contact information of an official of the Province to whom such requests are to be made, the Contractor must also promptly provide that official's name or title and contact information to the person making the request.

Protection of personal information

14. The Contractor must protect personal information by making reasonable security arrangements against such risks as unauthorized access, collection, use, disclosure or disposal, including any expressly set out in the Agreement.

Storage and access to personal information

15. Unless the Province otherwise directs in writing, the Contractor must not store personal information outside Canada or permit access to personal information from outside Canada.

Retention of personal information

16. Unless the Agreement otherwise specifies, the Contractor must retain personal information until directed by the Province in writing to dispose of it or deliver it as specified in the direction.

Use of personal information

17. Unless the Province otherwise directs in writing, the Contractor may only use personal information if that use is for the performance of the Contractor's obligations, or the exercise of the Contractor's rights, under the Agreement.

Disclosure of personal information

18. Unless the Province otherwise directs in writing, the Contractor may only disclose personal information inside Canada to any person other than the Province if the disclosure is for the performance of the Contractor's obligations, or the exercise of the Contractor's rights, under the Agreement.
19. Unless the Agreement otherwise specifies or the Province otherwise directs in writing, the Contractor must not disclose personal information outside Canada.

Notice of foreign demands for disclosure

20. In addition to any obligation the Contractor may have to provide the notification contemplated by section 30.2 of the Act, if in relation to personal information in the custody or under the control of the Contractor, the Contractor:
 - (a) receives a foreign demand for disclosure;
 - (b) receives a request to disclose, produce or provide access that the Contractor knows or has reason to suspect is for the purpose of responding to a foreign demand for disclosure; or
 - (c) has reason to suspect that an unauthorized disclosure of personal information has occurred in response to a foreign demand for disclosure

the Contractor must immediately notify the Province and, in so doing, provide the information described in section 30.2(3) of the Act. In this section, the phrases "foreign demand for disclosure" and "unauthorized disclosure of personal information" will bear the same meanings as in section 30.2 of the Act.

Notice of unauthorized disclosure

21. In addition to any obligation the Contractor may have to provide the notification contemplated by section 30.5 of the Act, if the Contractor knows that there has been an unauthorized disclosure of personal information in the custody or under the control of the Contractor, the Contractor must immediately notify the Province. In this section, the phrase "unauthorized disclosure of personal information" will bear the same meaning as in section 30.5 of the Act.

Inspection of personal information

22. In addition to any other rights of inspection the Province may have under the Agreement or under statute, the Province may, at any reasonable time and on reasonable notice to the Contractor, enter on the Contractor's premises to inspect any personal information in the possession of the Contractor or any of the Contractor's information management policies or practices relevant to the Contractor's management of personal information or the Contractor's compliance with this Schedule and the Contractor must permit, and provide reasonable assistance to, any such inspection.

Compliance with the Act and directions

23. The Contractor must in relation to personal information comply with:
 - (a) the requirements of the Act applicable to the Contractor as a service provider, including any applicable order of the commissioner under the Act; and
 - (b) any direction given by the Province under this Schedule.
24. The Contractor acknowledges that it is familiar with the requirements of the Act governing personal information that are applicable to it as a service provider.

Notice of non-compliance

25. If for any reason the Contractor does not comply, or anticipates that it will be unable to comply, with a provision in this Schedule in any respect, the Contractor must promptly notify the Province of the particulars of the non-compliance or anticipated non-compliance and what steps it proposes to take to address, or prevent recurrence of, the non-compliance or anticipated non-compliance.

Termination of Agreement

26. In addition to any other rights of termination which the Province may have under the Agreement or otherwise at law, the Province may, subject to any provisions in the Agreement establishing mandatory cure periods for defaults by the Contractor, terminate the Agreement by giving written notice of such termination to the Contractor, upon any failure of the Contractor to comply with this Schedule in a material respect.

Interpretation

27. In this Schedule, references to sections by number are to sections of this Schedule unless otherwise specified in this Schedule.
28. Any reference to the "Contractor" in this Schedule includes any subcontractor or agent retained by the Contractor to perform obligations under the Agreement and the Contractor must ensure that any such subcontractors and agents comply with this Schedule.
29. The obligations of the Contractor in this Schedule will survive the termination of the Agreement.
30. If a provision of the Agreement (including any direction given by the Province under this Schedule) conflicts with a requirement of the Act or an applicable order of the commissioner under the Act, the conflicting provision of the Agreement (or direction) will be inoperative to the extent of the conflict.
31. The Contractor must comply with the provisions of this Schedule despite any conflicting provision of this Agreement or, subject to section 32, the law of any jurisdiction outside Canada.
32. Nothing in this Schedule requires the Contractor to contravene the law of any jurisdiction outside Canada unless such contravention is required to comply with the Act.

Schedule F – Additional Terms

Not Applicable

Schedule G – Security Schedule

Definitions

1. In this Schedule:

- (a) **“Device”** means any device to manage, operate or provide the Services or to connect to any Systems or any Province system or network, or that is capable of storing any Protected Information, and includes any workstation or handheld device the Contractor authorizes Personnel to use in relation to this Agreement;
- (b) **“Facilities”** means the physical locations (excluding those of the Province) the Contractor uses to provide the Services, or to house Systems or records containing Protected Information;
- (c) **“Least Privilege”** means the principle requiring that each subject in a system be granted the most restrictive set of privileges (or lowest clearance) needed for the performance of authorized tasks so as to limit the damage that can result from accident, error or unauthorized use;
- (d) **“Need-to-Know”** means the principle where access is restricted to authorized individuals whose duties require such access and not merely because of status, rank or office;
- (e) **“Personnel”** means all individuals hired or used by the Contractor and Subcontractors to perform the Contractor’s obligations under this Agreement, including unpaid volunteers and the Contractor or a Subcontractor if an individual;
- (f) **“Policies”** means the intentions and directions of an organization or part of it, as expressed in record form by its top management (including, for example, policies, directions, standards, practices, procedures and guidelines);
- (g) **“Protected Information”** means any and all:
 - (i) “personal information” as defined in the Privacy Protection Schedule if attached;
 - (ii) information and records of information the Contractor is required to treat as confidential under this Agreement; and
 - (iii) records, the integrity or availability of which are to be preserved by the Contractor under this Agreement, which in the case of records not falling within (i) or (ii), are marked or instructed by the Province to be so preserved or otherwise treated as “Protected Information” under this Agreement;
- (h) **“Security Event Logs”** means any logs (also known as audit records) of events, notifications or alerts that any component of any Device or other device (not limited to security device), or any Systems or other system or software is technically capable of producing in relation to its status, functions and activities that may be used for such purposes as security investigations, auditing, monitoring and determining security incidents (examples of components capable of producing such logs include firewalls, intrusion prevention systems, routers, switches, content filtering, network traffic flow logs, networks, authentication services, directory services, dynamic host configuration protocols, dynamic naming services, hardware platforms, virtualization platforms, servers, operating systems, web servers, databases, applications, application firewalls);
- (i) **“Systems”** means any systems, subsystems, equipment, infrastructure, networks, management networks, servers, hardware and software the Contractor uses in relation to this Agreement, including for managing, operating or providing the Services, but excluding any the Province owns or makes available to the Contractor for the Contractor to use in relation to this Agreement;
- (j) **“Tenancy”** means those components of the Systems that:

- (i) directly access and store Protected Information,
 - (ii) relate to Protected Information or the Province's tenancy activities, or
 - (iii) are customer facing and managed by the Province in its use of the Services; and
- (k) **"Tenancy Security Event Logs"** means Security Event Logs that relate to Tenancy, including:
- (i) log-on/log-off information about Province user activities, and
 - (ii) application logs, web server log, file server logs, database logs of applications, web servers, file servers or database servers or any other logs that directly store, access or contain Protected Information.

Additional obligations

2. The Contractor must comply with Appendix G1 if attached.

PERSONNEL

Confidentiality agreements

3. The Contractor must not permit any person the Contractor hires or uses to access or obtain any Protected Information unless that person is contractually bound to the Contractor in writing to keep Protected Information confidential on terms no less protective than the terms applicable to the Contractor under this Agreement.

Personnel security screening

4. The Contractor may only permit individual Personnel to have access to any Protected Information or other asset of the Province (including to any system, network or device the Province makes available to the Contractor) in relation to this Agreement, if, after:
 - (a) verifying their identity and relevant education, professional qualifications and employment history;
 - (b) completing a criminal record check that is updated at least every five years;
 - (c) requiring Personnel to proactively disclose criminal offences to the Contractor unless prohibited by applicable law;
 - (d) performing any additional screening this Agreement or applicable law may require; and
 - (e) performing any additional background checks the Contractor considers appropriate,

the Contractor is satisfied that the individual does not constitute an unreasonable security risk.

5. If any criminal record check or proactive disclosure reveals a prior criminal offence or pending criminal matter, the Contractor must make a reasonable determination of whether the applicable person constitutes an unreasonable security risk, taking into consideration the duties of the individual and the type and sensitivity of information to which the individual may be exposed.

6. If the Contractor is an individual, the Province may subject the Contractor to the screening requirements in this Schedule.

Personnel information security training

7. Unless otherwise specified in this Agreement, the Contractor must ensure all Personnel complete any relevant information security training, at the Contractor's expense, before they provide any Services, or receive or are given access to any Protected Information or any system, device or secure facility of the Province, and thereafter at least annually.

Security contact

8. If not set out elsewhere in this Agreement, the Contractor (but not a Subcontractor) must provide in writing to the Province the contact information for the individual who will coordinate compliance by the Contractor and all Subcontractors and act as a direct contact for the Province on matters relating to this Schedule.

Supply chain

9. The Contractor must ensure that the security requirements of those in its upstream and downstream supply chain are documented, followed, reviewed, and updated on an ongoing basis as applicable to this Agreement.

GENERAL POLICIES AND PRACTICES

Information security policy

10. The Contractor must have an information security Policy that is:
 - (a) based on recognized industry standards; and
 - (b) reviewed and updated at least every three years.

Compliance and Standard for Security Controls

11. Unless this Agreement otherwise specifies, the Contractor must apply controls and security management practices to manage or operate Protected Information and Systems, Devices, and Facilities that are compliant with or equivalent to the following Province's Policies accessible at <https://www2.gov.bc.ca/gov/content/governments/services-for-government/policies-procedures>:
 - (a) "Information Security Policy";
 - (b) government wide IM/IT Standards; and
 - (c) sector or ministry specific IM/IT Standards, if any applicable to the Province ministry, agency or other representative receiving the Services.

Contractor security risk assessments

12. The Contractor must undertake a security threat and risk assessment against an industry security standard before placing any new or materially changed Systems or services into production.

Change control and management

13. The Contractor must:

- (a) implement and maintain change control processes for Facilities, Systems and Devices in line with applicable security best practices to reduce security-related risks with respect to implemented significant changes; and
- (b) ensure that adequate testing of any change is completed before the change is put into production.

Backups and restores

14. The Contractor must ensure that:

- (a) it has a backup Policy that is followed and is reviewed, updated and tested at least annually;
- (b) backups are taken and tested in accordance with the Contractor's backup Policy, but in any event at least annually; and
- (c) frequency and completeness of backups is based on reasonable industry practice.

Business continuity plan and disaster recovery plan

- 15. The Contractor must ensure that it has a documented business continuity plan and a disaster recovery plan that is reviewed at least annually.
- 16. The Contractor must ensure that Facilities and Systems are protected from loss, damage or other occurrence, including fire and environmental hazards and power interruptions, that may result in any of those Facilities and Systems being unavailable when required to provide the Services.

Security Incident Response and Management

- 17. The Contractor must ensure that it has a security incident management Policy and response plan that is reviewed at least annually.

PROTECTED INFORMATION AND DATA SECURITY

Encryption

18. The Contractor must ensure that:

- (a) encryption of data at rest is implemented and is maintained in effect, uninterrupted, and active at all times, even in the case of equipment or technology failure, for all Protected Information stored on Systems and Devices; and
- (b) encryption end-to-end is implemented for all Protected Information in transit.

No storage on unencrypted portable media

- 19. The Contractor must ensure that no Protected Information is stored on portable media for transport outside of the Facilities or Systems without both the prior written approval of the Province and ensuring that the portable media and the Protected Information are encrypted.

Encryption standard

- 20. For sections 18 and 19, encryption must comply with the Province's "Cryptographic Standards for Information Protection" accessible at <https://www2.gov.bc.ca/gov/content/governments/services-for-government/policies-procedures>.

Isolation controls and logical isolation of data

21. The Contractor must implement and maintain the logical isolation of Protected Information, in effect, uninterrupted, and active at all times, even in the case of equipment or technology failure.

ACCESS AND AUTHENTICATION

User Identifiers

22. The Contractor must assign and ensure that user identifiers are unique and personal for log in to Systems and Devices.

Access

23. The Contractor must implement, follow, and regularly review and update, access control Policies that address, without limitation, onboarding, off-boarding, transition between roles, regular access reviews, limit and control use of administrator privileges and inactivity timeouts for Facilities, Systems and Devices within the Contractor's control.
24. The Contractor must ensure that all access to Protected Information and to Facilities, Systems and Devices is based Least Privilege and Need-to-Know" based on role and responsibilities. The Contractor must identify and segregate conflicting duties and areas of responsibility to reduce incidents of fraud and other abuse.
25. The Contractor must verify an individual's identity before assigning the individual a unique identifier that would give them access to Facilities, Systems or Devices.
26. The Contractor must implement a formal user registration process for Personnel that includes:
 - (a) verification of access levels;
 - (b) creating and maintaining records of access privileges;
 - (c) audit processes; and
 - (d) actions to ensure access is not given before approval is granted by the Contractor.
27. The Contractor must maintain a current and accurate inventory of computer accounts and review the inventory on a regular basis to identify dormant, fictitious or unused accounts.
28. The Contractor must implement a monitoring process to oversee, manage and review Personnel access rights and roles at regular intervals.
29. The Contractor must ensure that all Systems and Devices:
 - (a) are configured in alignment with industry standards;
 - (b) enforce a limit of consecutive invalid logon attempts by a user during a predetermined time period;
 - (c) automatically lock the applicable account and Systems after failed logon failures;
 - (d) limit the number of concurrent sessions;
 - (e) prevent further access to Systems by initiating a session lock; and

- (f) provide the capability of disconnecting or disabling remote access to the Systems.

Authentication

- 30. The Contractor must use or require complex passwords or personal identification numbers (PINs) that are not shared, default or blank and that are encrypted (not displayed) when entered, biometric accesses, keys, smart cards, other logical or access controls, or combinations of them, to control access to Protected Information and to Systems and Devices.
- 31. The Contractor must ensure that Systems for password-based authentication:
 - (a) enforce minimum password complexity, including requiring passwords to be case sensitive, contain a minimum of eight characters and a combination of upper-case letters, lower-case letters, numbers, and/or special characters;
 - (b) change authentication passwords regularly at predetermined intervals, but at a minimum semi-annually;
 - (c) store and transmit only encrypted representations of passwords;
 - (d) enforce password minimum and maximum lifetime restrictions;
 - (e) prohibit password reuse;
 - (f) prevent reuse of identifiers; and
 - (g) disable the identifier after ninety days of inactivity.

Highly sensitive Protected Information

- 32. If this Agreement or the Province under this Agreement indicates that any Protected Information is highly sensitive, the Contractor must also ensure that Systems enforce with respect to that Protected Information:
 - (a) two-factor authentication for access;
 - (b) enhanced logging that logs all accesses;
 - (c) request based access; and
 - (d) no standing access rights.

SECURITY EVENT LOGS

Log generation, log retention and monitoring

- 33. The Contractor must ensure that logging of Security Event Logs is enabled on all applicable Systems components
- 34. The Contractor must retain Security Event Logs for the Systems online for a minimum of 90 days and either online or off-line for an additional period of time adequate to enable the Contractor to conduct effective security investigations into suspected or actual security incidents.
- 35. The Contractor must retain Tenancy Security Event Logs online for a minimum of 90 days and either:
 - (a) such additional period of time as the Province may instruct; or

- (b) ensure that the Tenancy offers the technical capability for the Province to retain the Tenancy Security Event Logs,
to enable the Province to comply with an information schedule approved under the *Information Management Act* or other retention period required by law.
- 36. Upon the Province's request, the Contractor must ensure that the Tenancy offers the technical capability for the Province to enable or configure the forwarding, extraction, backup of Tenancy Security Event Logs from the Tenancy to the Province's security information and event management system or to an external log storage and retention system.
- 37. The Contractor must review Security Event Logs regularly to detect potential security incidents, using automated tools or equivalent processes for the monitoring, review, correlating and alerting of Security Event Logs.

PROVINCE PROPERTY

Access to Province facilities, systems or networks

- 38. If the Province makes available any facilities, systems, networks or devices for use of the Contractor in relation to this Agreement, the Contractor must comply with, and permit access on its behalf only by those authorized Personnel who have been instructed to comply with, the Province's Policies then applicable to their acceptable use, access and protection accessible at <https://www2.gov.bc.ca/gov/content/governments/services-for-government/policies-procedures>, including:
 - (a) "Appropriate Use Policy" (as also referenced in chapter 12 of the Province's "Core Policy and Procedures Manual");
 - (b) "Information Security Policy";
 - (c) government wide IM/IT Standards; and
 - (d) sector or ministry specific IM/IT Standards, if any applicable to the Province ministry, agency or other representative receiving the Services.
- 39. The Province has the rights to:
 - (a) not make any particular Province facility, system, network or device available before the Contractor or individual Personnel or both agree to a form of agreement acceptable to the Province on acceptable use, protection of, and access to, such facility, system, network or device, or at all;
 - (b) not permit connection to any particular Province system or network until satisfied with the controls applied and the security status of the Device to be connected;
 - (c) keep facilities access logs and Security Event Logs, and to otherwise monitor and analyze use of Province facilities, systems and networks to verify compliance, investigate suspected or actual breaches or information incidents and protect the Province's assets, including records, in compliance with applicable laws, including the *Freedom of Information and Protection of Privacy Act* and *Information Management Act*, and the Province's Policies; and
 - (d) limit or revoke access to any Province systems, facility or device at its discretion.

Application development

- 40. If the Services include software development, the Contractor must ensure that the applications and programming interfaces are developed according to industry standards and Province's Policies applicable

to application development standards. The Contractor must use secure application development practices for the development of the software.

FACILITIES, SYSTEMS, DATABASE AND DEVICE SECURITY

Physical security

41. The Contractor must ensure that adequate physical controls and processes are implemented to ensure that only authorized persons have physical access to the Facilities and Systems.
42. The Contractor must develop, document, and disseminate a physical and environmental protection Policy that it reviews at least annually.
43. The Contractor must review physical access logs at least once monthly.
44. The Contractor must ensure that physical security of any Systems or Facilities being used or capable of being used to house Protected Information meets a standard as would be reasonably expected to provide adequate protection based on the value of the data being protected and the environment in which the Systems or Facilities are located. At a minimum, this should include:
 - (a) hardening of the perimeter of the Facilities;
 - (b) physical separation of public and restricted spaces;
 - (c) Intrusion Alarm System (IAS) partitioned to ensure areas containing Protected Information are protected at all times;
 - (d) Access Control Systems (ACS) and/or Key Management processes; and
 - (e) visitor and identity management processes – including access logs and identification badges.

Separation of production from test environments

45. The Contractor must not use any production data in any development, test or training environments used for the Services without the Province's prior written consent. If the Province gives such consent, the production data must, at minimum, be obfuscated (for example, by using data masking functionality).
46. The Contractor must keep its development, test and training environments separate from its production environments used for the Services at all times, even in case of failure.

Systems (including servers) hardening

47. The Contractor must:
 - (a) harden all Systems against attack and misuse, using appropriate security best practices for the hardening of the specific deployed platform, before placing those Systems into production;
 - (b) ensure that all unsecured and unneeded ports, services, applications, protocols and network communicating applications are uninstalled or disabled on all Systems;
 - (c) applying Least Privilege, ensure that the Contractor only configures and makes operational ports, services, applications, protocols and network communicating applications based on the functional requirements of the respective Systems;

- (d) ensure that default passwords and shared accounts are not used for any Systems; and
- (e) in relation to Systems, implement server hardening using configuration security best practices (for example, Center for Internet Security, Inc. (CIS) Benchmarks or equivalent) for any server operating systems, server virtualization, server middleware (for example, web servers and database servers) and application servers.

Perimeter controls (firewall and intrusion prevention system) and network security

48. The Contractor must:

- (a) implement stateful packet inspection firewalls to control traffic flow to and from Systems and Tenancy at all times, and configure the stateful packet inspection firewalls applying security best practices and Least Privilege;
- (b) implement an intrusion prevention System to control and filter traffic flow leaving and entering Systems and Tenancy at all times, and configure the intrusion prevention System applying security best practices; and
- (c) implement a secure network perimeter and network segmentation for Systems, with ingress and egress points that are known and controlled.

Application firewall

49. The Contractor must implement application layer firewalls on Systems:

- (a) at such level of protection as the Province may instruct ; and
- (b) to detect and mitigate application attacks (for example, brute force, OWASP Top 10, SQL injection, cross site scripting).

Management network

50. The Contractor must ensure that for any Systems:

- (a) the management network remains logically separated from any other zone and is not directly accessible from the Internet;
- (b) the management network is internally segmented, with each server's dedicated network interface on its own segmented network and that interfaces on the management network do not have visibility to each other; and
- (c) all access to the management network is strictly controlled and exclusively enforced through a secure access gateway, bastion host or equivalent.

Remote management and secure access gateway

51. The Contractor must perform any remote management of Systems or Devices in a secure manner, using encrypted communication channels and adequate access controls.

Database security

52. The Contractor must ensure that for any Systems:

- (a) database maintenance utilities that bypass controls are restricted and monitored;

- (b) there is a formal approval process in place for handling requests for disclosure of database contents or for database access, including steps to evaluate privacy impacts and security risks of such requests; and
- (c) methods to check and maintain the integrity of the data are implemented (for example, consistency checks and checksums).

53. For database security, the Contractor must implement logical isolation and encryption of Protected Information.

Device security and antivirus scanning

54. The Contractor must ensure all Devices:

- (a) have antivirus and malware protection as appropriate for the particular Device active at all times;
- (b) are configured to perform antivirus scans at least once per week;
- (c) have host based firewall configured, enabled and active at all times; and
- (d) have all patches and appropriate security updates installed for the operating system and all installed software.

VULNERABILITY PREVENTION, SCANNING AND MANAGEMENT

Proactive management

55. The Contractor must:

- (a) obtain information in a timely basis about technical vulnerabilities relating to Systems and Devices; and
- (b) implement processes to stay current with security threats.

Patching

- 56. The Contractor must patch all Systems regularly in line with security best practices and ensure that current software, operating systems and application patching levels are maintained.
- 57. The Contractor must ensure that all Systems have all patches installed on a regular schedule, within the time frame recommended by the manufacturer unless the Province otherwise consents in writing.
- 58. The Contractor must ensure that vulnerabilities are remedied and patches installed on an accelerated basis for zero-day, critical and high vulnerabilities. For zero-day vulnerabilities, the Contractor must implement appropriate mitigation measures promptly on notification of the zero-day vulnerability. The Contractor must remediate zero-day, high and critical vulnerabilities through patching, decommission, or compensating controls.
- 59. The Contractor must patch high vulnerabilities within 30 days or less of discovery and patch medium vulnerabilities within 90 days or less of discovery.

Vulnerability Scanning

60. The Contractor must ensure that a vulnerability scan is completed on components of all Systems:

- (a) with any identified vulnerabilities remedied, before being placed into production; and
- (b) on a regular schedule, set at a minimum of one scan per quarter, unless the Province otherwise consents in writing.

Web application vulnerability scanning

- 61. The Contractor must ensure that a vulnerability scan is completed on any web applications used for Tenancy or in any other Systems:
 - (a) and on any major changes to such web applications, with any identified vulnerabilities remedied, before being placed into production; and
 - (b) on a regular schedule, set at a minimum of one scan per quarter, unless the Province otherwise consents in writing.

Antivirus and malware scanning

- 62. The Contractor must ensure that all Systems servers:
 - (a) have antivirus and malware protection configured, active and enabled at all times;
 - (b) have antivirus and malware definitions updated at least once a day; and
 - (c) are configured to undergo a full anti-virus scan for latent infections (to detect infections missed by the real-time agent) at least once a week.

DISPOSALS

Asset disposal

- 63. The Contractor must ensure that all disposals of assets used in providing or relating to the Services are done in a secure manner that ensures that Protected Information cannot be recovered.

Asset management

- 64. The Contractor must have asset management and disposal Policies that are followed, and reviewed and updated regularly in line with security best practices, and that address hardware, software and other critical business assets.
- 65. The Contractor must keep an asset management inventory that includes the name of the System, location, purpose, owner, and criticality, with assets added to inventory on commission and removed on decommission.

Information destruction and disposal

- 66. Unless this Agreement otherwise specifies, the Contractor must retain all records containing Protected Information in the Contractor's possession until instructed by the Province in writing to dispose or deliver them as instructed.
- 67. The Contractor must securely erase:
 - (a) records that contain Protected Information and Tenancy Security Event Logs when instructed in writing by the Province; and

- (b) any backup, transitory and extra copies of records that contain Protected Information or Tenancy Security Event Logs when no longer needed in relation to this Agreement.

68. The Contractor must ensure that Protected Information and Tenancy Security Event Logs on magnetic media are securely wiped by overwriting using procedures and adequate media wiping solutions, degaussing, or other method in line with security best practices for disposal of media.

NOTICES, INCIDENTS AND INVESTIGATIONS

Notice of demands for disclosure

69. In addition to any obligation the Contractor may have to notify or assist the Province under applicable law or this Agreement, including the Privacy Protection Schedule if attached, if the Contractor is required (including under an enactment or a subpoena, warrant, order, demand or other request from a court, government agency or other legal authority) to produce, provide access to or otherwise disclose any Protected Information, the Contractor must, unless prohibited by applicable law, immediately notify and provide reasonable assistance to the Province so the Province may seek a protective order or other remedy to prevent or limit the disclosure.

E-discovery and legal holds

70. The Contractor must fully co-operate with the Province to enable the Province to comply with e-discovery and legal hold obligations.

Incidents

71. In addition to any obligation the Contractor may have under applicable law, including the *Freedom of Information and Protection of Privacy Act*, or this Agreement, if, during or after the Term, the Contractor discovers a suspected or actual unwanted or unexpected event or series of events that threaten the privacy or security of Protected Information (including its unauthorized access, collection, use, disclosure, alteration, storage or disposal) or Tenancy, whether accidental or deliberate, the Contractor must:

- (a) immediately report the particulars of such incident to, and follow the instructions of, the Province, confirming any oral report with a notice in writing to the Province as soon as reasonably practicable (if unable to contact the Province's contract manager or other designated contact for this Agreement, the Contractor must follow the procedure for reporting and managing information incidents on the Province's website at <https://www2.gov.bc.ca/gov/content/governments/services-for-government/information-management-technology/information-security/information-incidents>; and
- (b) make every reasonable effort to recover the records containing Protected Information and contain and remediate such incident, following such reasonable instructions as the Province may give.

Investigations support and security investigations

72. The Contractor must:

- (a) conduct security investigations in the case of incidents (including any security breach or compromise) affecting Devices, Facilities, Systems, Tenancy or Protected Information, collecting evidence, undertaking forensic activities and taking such other actions as needed;
- (b) provide the Province with any related investigation reports, which the Contractor may sanitize first;
- (c) upon the Province's request, provide the Province with any logs relating to such investigation reports as validation/confirmation of such investigation, which the Contractor may sanitize first; and

(d) maintain a chain of custody in all such security investigations it undertakes.

73. Upon the Province's request, the Contractor must:

- (a) provide investigative support to the Province to enable the Province to conduct its own security investigations into incidents (including security breaches or compromises) affecting the Tenancy or Protected Information;
- (b) provide the Province with timely access via an on-line, real-time GUI (Graphic User Interface) facility to any Tenancy Security Event Logs and to other Security Event Logs for Systems (the latter of which the Contractor may sanitize first to mask or remove, for example, data pertaining to the Contractor's customers) to assist the Province in conducting the Province's security investigations, or in case of technical limitations, other method acceptable to the Province (for example, on-site visits to enable direct access to those Security Event Logs).

74. The Contractor must work with and support the Province if the Province needs assistance in legal proceedings in relation to security investigations related to Protected Information or Tenancy.

Province Security Threat and Risk Assessment ("STRA") support

75. The Contractor must, via its technical and security resources, support the Province in completing a STRA for the Services and to otherwise assess the risks associated with the Services, including by providing all information and documentation (for example, architecture diagrams, service architecture, controls architecture and technical information), which the Contractor may sanitize first and that the Province may reasonably require for such purpose.

Notification of changes

76. The Contractor must notify the Province of any changes to its security Policies, management practices and security controls described in this Agreement that may potentially negatively impact the security of Tenancy, Protected Information, or those Systems providing the Services.

Compliance verification

77. Upon the Province's request, the Contractor must provide, at no additional cost, the following security reports to the Province at least every six months during the Term:

- (a) vulnerability scan reports of those Systems providing the Services; and
- (b) patch status reports for those Systems providing the Services.

78. In addition to any other rights of inspection the Province may have under this Agreement or under statute, the Province has the rights, at any reasonable time and on reasonable notice to the Contractor, to:

- (a) request the Contractor to verify compliance with this Schedule and to keep security controls documentation or records to support compliance; and
- (b) enter on the Contractor premises and Facilities to inspect and to validate the Contractor's compliance with the security obligations under this Agreement

79. The Contractor must permit, and provide reasonable assistance to, the exercise by the Province of the Province's rights under this section. If any non-compliance or deficiency is found, the Province may (in addition to any other rights it may have) require the Contractor, at the Contractor's expense, to develop and implement a corrective action plan within a reasonable time.

Notice of non-compliance

80. If for any reason the Contractor does not comply, or anticipates that it will be unable to comply, with a provision in this Schedule in any respect, the Contractor must promptly notify the Province of the particulars of the non-compliance or anticipated non-compliance and what steps it proposes to take to address, or prevent recurrence of, the non-compliance or anticipated non-compliance.

MISCELLANEOUS

Interpretation

81. In this Schedule, unless otherwise specified, references to sections by number are to sections of this Schedule.
82. Any reference to the "Contractor" in this Schedule includes any subcontractor or agent retained by the Contractor to perform obligations under this Agreement and the Contractor must ensure that any such subcontractors and agents comply with this Schedule.
83. Any reference to a specified Policy refers to it as may be revised or replaced from time to time.
84. If a provision of this Schedule conflicts with a documented process required by this Schedule to be created or maintained by the Contractor, the provision of the Schedule will prevail to the extent of the conflict.

Referenced documents

85. Policies and other documents of the Province referenced in this Schedule may be updated or replaced by the Province from time to time without notice, and if not found at the hyperlink or URL provided or via the Province's main website at <http://www.gov.bc.ca>, be obtained from the Province's contact for this Agreement.

Survival

86. Sections 63, 66, 67, 68, 69, 70, and 71 and other obligations of the Contractor in this Schedule which, by their terms or nature, are intended to survive the completion of the Services or the termination of this Agreement, will continue in force indefinitely subject to any applicable limitation period prescribed by law, even after this Agreement ends.

Schedule G – Additional Security Obligations

Not Applicable

From: [Dinicol, Sam GCPE:EX](#)
To: [Marriott, Sarah GCPE:EX](#)
Cc: [Yeung, Lucinda HLTH:EX](#); [Howlett, Tim GCPE:EX](#); [Farmer, Leila GCPE:EX](#); [Aaron, Sage PREM:EX](#); [van Baarsen, Amanda HLTH:EX](#)
Subject: Re: RUSH - CGL KMs latest messaging requested ahead of roundtable Monday morning
Date: February 17, 2020 8:01:05 AM
Attachments: [QA_Wet"suwet"en_interviews_16Feb20_draft.docx](#)
[ATT00001.htm](#)

This is the latest KMQA from MIRR. Has messaging specific to protests/blockades in the first Q.

Sam

QUESTIONS & ANSWERS
CBC The Current interview
February 12, 2020

KEY MESSAGES:

- **What we're seeing right now underscores the challenges of reconciliation, and the importance of the work we are doing in B.C. to implement the Declaration on the Rights of Indigenous Peoples Act.**
 - **B.C. is a leader in Canada with reconciliation.**
 - **But these are complex issues that have been more than 150 years in the making, and they are important questions for us to grapple with.**
 - **They show why meaningful reconciliation with Indigenous peoples is critical to the future of our province and our country – and how vital the work we are doing to implement the UN Declaration is.**
 - **This work can't wait any longer.**
 - **We are now working to develop an action plan, in collaboration with Indigenous peoples, that will give us a path forward on this work.**
 - ***If asked...* The question of Wet'suwet'en governance can only be resolved from within the Wet'suwet'en community, and that is part of the conversation in our ongoing reconciliation talks with the hereditary chiefs – which are being supported by former MP Murray Rankin.**
-

Questions & Answers:

- 1. What is your reaction to the protests going on across the province and across the country?**
 - Our government supports people's right to peaceful protest – and it crosses the line when it starts to create the kind of impacts we are seeing from the rail blockades.
 - We were able to broker the dismantling of the CN Rail blockade near New Hazelton as a gesture of good faith, and meet with hereditary chiefs and the federal government soon.
 - We all want a peaceful resolution to this situation.

2. Is government going to intervene, given the rising concerns about things like empty store shelves, lack of chlorine to treat municipal drinking water, and losses to the bottom line for business impacted across sectors?

- Enforcement decisions are made by the police, independent from government.

3. Is the government directing the police not to enforce the injunctions on the railways? Why aren't the blockades being dismantled, given injunctions have been granted?

- The police operate independently from government.
- Enforcement decisions are made by the police, independent from government.
- Our primary focus is everyone's safety, and ultimately a peaceful resolution to the situation

4. What did government do to prepare for the protestors attempt to shut it down on Feb. 14 in Victoria?

- We were aware of the planned demonstrations in front of government offices, and the Public Service prepared in advance to ensure continuity of service for people and security for staff.
- The physical and emotional safety of public servants is always our top priority.
- Every employee in B.C., regardless of where they work, should feel safe and welcome coming to work.
- British Columbians have the right to free speech and a peaceful protest.
- It is also important that public service employees — who work everyday to deliver the services that British Columbians depend on — are not subject to verbal, physical or emotional abuse.
- We would never ask public servants to put themselves into any situation where they do not feel safe.
- *If asked...* We are not able to share what measures will be in place to secure government buildings.

5. Are we going to see more sit ins/blockades and arrests?

- There is no doubt that the events of the past week have been – and continue to be a significant challenge.
- That said, all Canadians have a democratic to lawful, peaceful protest and to express their point of view.
- It is up to the police to make enforcement decisions, and they do so independently – government cannot and should not have any influence over police decisions.

6. What is your response to police arresting Wet'suwet'en matriarchs performing ceremony?

- It would be best for the RCMP to speak to their operations.
- The police operate independently from government.
- Our main concern is the safety of everyone involved.

7. You met with the hereditary chiefs for “Wiggus” talks already to no avail. Do you expect the new talks to resolve this long-standing dispute?

- Our government is committed to relationships with Indigenous peoples based on respect.
- We continue to be committed to engaging with the Wet'suwet'en Hereditary Chiefs to try to find a peaceful resolution to the situation.
- We appreciate the Gitksan Hereditary Chiefs stepping in to facilitate and participate the planned talks – and their commitment to dismantle the blockade in New Hazelton and to call for a period of calm.
- Dialogue is the best way through this situation, and we would welcome the opportunity to sit down and talk with the hereditary chiefs and federal government.

8. Did anything get achieved with the Wiggus talks?

- It was clear from the discussion that all of us came together in good faith to try to find a way forward together.
- We honour and value our deepening relationship, and we are dedicated to continue to build that relationship.
- While we were not successful in finding a resolution to the current situation, we remain open to dialogue – even on topics we don't agree on.
- Our separate ongoing discussions with Wet'suwet'en Hereditary Chiefs, which are focused on rights, title, self-government and self-determination, continue and we are making important progress in those discussions."

9. Wet'suwet'en Hereditary Chiefs say consent from elected bands does not apply in the broader territory. What is your view of their authority?

- It is up to the Nation themselves to decide who speaks for and makes decisions on behalf of their Nation, based on their own rules and protocols, including the recognition of their citizens.
- Governance matters are one of the elements of our reconciliation discussions with the Wet'suwet'en, and it is an active conversation the Nation is having internally that would be most appropriately addressed by Wet'suwet'en.

10. Is reconciliation dead?

- These events in no way shake our resolve for the work of reconciliation.
- In fact, these events underscore the challenges of reconciliation and the importance of the work we're doing together.
- Reconciliation is hard work, it does not begin or end with a single decision, event or moment.
- We are proud to be the first province in Canada to pass a Declaration on the Rights of Indigenous Peoples.
- These issues show why meaningful reconciliation with Indigenous peoples is critical to the future of our province and our country – and how vital the work we are doing to implement the UN Declaration is.

11. How do you reconcile the court ruling that the pipeline project is legally cleared to proceed, with the Supreme Court decision that says hereditary chiefs have title, and B.C.'s commitment to the UN Declaration?

- We've been clear that we wanted to see a peaceful resolution to this situation.
- These events don't shake our resolve for the challenging but important work of reconciliation.
- We are the first province in Canada to pass legislation to implement the Declaration on the Rights of Indigenous Peoples.
- This new act gives us a path forward on reconciliation with Indigenous peoples, but like any relationship, we may not always agree on everything.
- We remain committed to working in partnership with Indigenous Nations to meaningfully advance reconciliation in B.C.

12. Without the consent of Wet'suwet'en Hereditary Chiefs isn't the pipeline project out of step with B.C.'s commitment to the UN Declaration?

- We expected to consult and cooperate in good faith, as called for in the UN Declaration, when considering decisions that may affect Indigenous peoples.
- B.C. has engaged extensively with Indigenous communities in relation to the Coastal GasLink Project (and LNG Canada export facility) – through both the environmental assessment process and the permitting process.
- This has included extensive consultation with Indigenous leadership, including both hereditary Chiefs and elected bands of the Wet'suwet'en.
- We have signed agreements with 17 First Nations along the route, and Coastal GasLink has signed agreements with 20.
- The Declaration on the Rights of Indigenous Peoples Act gives us a path forward on reconciliation with Indigenous peoples, but like any relationship, we may not always agree on everything.
- The work to implement the Declaration is significant and ongoing and we are dedicated to working in partnership with Indigenous peoples on it.

13. Will these events impact the ongoing reconciliation talks with Murray Rankin and the Office of the Wet'suwet'en?

- Those are separate discussions, focused more broadly on Wet'suwet'en rights and title, and self-government and self-determination.
- Our government and the Office of the Wet'suwet'en have been working together, government-to-government, to advance reconciliation since last spring.
- We have met at least monthly since April of last year and these talks continue – with some important progress made so far.
- The reconciliation talks are not related to any specific project but are focused on building our relationship and advancing reconciliation.

14. What is the status of the ongoing reconciliation discussions, and might they help resolve this dispute?

- It's important to note that these talks are not related to any specific project but are focused on building our relationship and meaningfully advancing reconciliation.
- Representatives from the Province and Office of Wet'suwet'en continue to meet regularly – as they have since April 2019.
- We are discussing both short-term, practical steps and longer-term pieces necessary for strong governance and implementation of Wet'suwet'en title and rights.
- There has already been important progress that we have together agreed to move forward on, and we are committed to continuing these important discussions.

15. Is CGL moving forward with construction yet?

- CGL would need to answer questions about their construction timelines.
- What I can say is that the pipeline is approved and permitted by the appropriate regulatory agencies for the construction activities underway and the B.C. Supreme Court ruled that Coastal GasLink is lawfully permitted to conduct their work.
- The company has said it is committed to seeing the project through.
- Court rulings and police enforcement decisions are made independent from government.

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

- The Province is expected to consult and cooperate in good faith, as called for in the UN Declaration, when considering decisions that may affect Indigenous peoples.
- There may be occasions when a disputed project goes forward, if it has met this condition. And there may be occasions when a project does not.
- Every project is unique, with many factors that go into the decision-making process.
- British Columbia has engaged extensively with Indigenous communities in relation to the Coastal GasLink Project (and LNG Canada export facility) – through both the environmental assessment process and the permitting process. This has included extensive consultation with Indigenous leadership, including both hereditary Chiefs and elected bands of the Wet'suwet'en.
- B.C. conducted extensive consultation with Indigenous Nations and has signed agreements with the vast majority of Indigenous communities along the Coastal GasLink pipeline route, as has Coastal GasLink.
- On Dec. 31, the Supreme Court of B.C. ruled that the company is lawfully permitted to conduct their work.

17. Can a project go forward without consent of the affected First Nation now that the Declaration on the Rights of Indigenous Peoples Act is in force?

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

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

- Coastal GasLink met all the conditions we've placed on LNG development in B.C.
- LNG Canada and Coastal GasLink have shown they understand the importance of consultation and meaningful reconciliation with First Nations.
- That's why they have signed agreements with elected councils of all First Nations along the pipeline corridor.
- This project represents great opportunities for all people in British Columbia, but it also recognizes and highlights the challenges of reconciliation.
- B.C. remains committed to finding ways with the Office of the Wet'suwet'en to move forward with reconciliation. Those discussions are not tied to any one project.

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

- The new Declaration on the Rights of Indigenous Peoples Act gives us a path forward on reconciliation with Indigenous peoples, but like any relationship, we may not always agree on everything.
- This legislation is by no means a magic wand, and it won't erase conflict in every situation.
- There will be times when we can't reach agreement, and the province will continue to make decisions in the public interest.

20. Does enshrining the UN Declaration give Indigenous nations a veto over resource development?

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

21. What is the government's position on hereditary chiefs' title, with the Delgamuukw ruling?

- The Delgamuukw-Gisday'wa Supreme Court ruling was a keystone decision, which affirmed Aboriginal rights including Aboriginal title in Canada.
- As you know, the 2014 Tsilhqot'in ruling went even further, declaring title in specific areas.
- We agree with the decision that these matters are best settled through negotiation rather than litigation, and that is the approach we are taking.
- We are moving forward in ways that recognize title and rights, and working in partnership with Nations rather than in conflict.
- Negotiation and collaboration are the best way to work through these difficult issues together.

From: [Meggs, Geoff PREM:EX](#)
To: [Caul, Doug D IRR:EX](#)
Cc: [Wright, Don J. PREM:EX](#); [Bain, Don PREM:EX](#); [Plecas, Bobbi IGRS:EX](#); [McNish, James IRR:EX](#); [Aaron, Sage PREM:EX](#); [Howlett, Tim GCPE:EX](#)
Subject: Re: Suggested message themes
Date: February 16, 2020 1:33:09 PM

Good Doug

Sent from my iPhone

On Feb 16, 2020, at 1:19 PM, Caul, Doug D IRR:EX wrote:

Begin forwarded message:

From: "Caul, Doug D IRR:EX"
Date: February 16, 2020 at 12:57:19 PM PST
To: "Fraser, Scott IRR:EX" , "McNish, James IRR:EX"
Cc: "Plank, Sarah GCPE:EX"
Subject: Suggested message themes

These are far from being well polished!

s.13; s.16

s.13; s.16

From: [Hockin, Amber PREM:EX](#)
To: [Howlett, Tim GCPE:EX](#); [Aaron, Sage PREM:EX](#)
Subject: Resume -s.22
Date: April 30, 2019 1:20:10 PM
Attachments: s.22

Feedback?

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Withheld pursuant to/removed as

s.22

From: [Carr, Michelle EMPR:EX](#)
To: [Meggs, Geoff PREM:EX](#); [Aaron, Sage PREM:EX](#); [Hockin, Amber PREM:EX](#)
Cc: [Kennedy, Christine PREM:EX](#); [Nikolejsin, Dave EMPR:EX](#)
Subject: Updated: communications table of content/material
Date: February 20, 2020 10:40:06 AM
Attachments: [Proposed TOC V2 .docx](#)
Importance: High

Please find attached an updated version of the proposed table of contents based on further engagement within ministries.

Ministries are currently preparing the material identified within the table of contents.

Please let me know if there are any concerns or gaps in the list of topics. I've advised that we should aim to have this complete as soon as possible but some items may not be ready until tomorrow.

Michelle

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Withheld pursuant to/removed as

s.13 ; s.16

From: [Dalzell, Danielle GCPE:EX](#)
To: [Aaron, Sage PREM:EX](#)
Cc: [Horlor, Shannon GCPE:EX](#); [Nash, Amber PREM:EX](#); [McGregor, Cara GCPE:EX](#); [McLaren, Chris PREM:EX](#)
Subject: UPDATED: FOR APPROVAL - Labour Day Products
Date: August 27, 2019 11:37:19 AM
Attachments: [20190902_SN_PJH_Labour Day_V5.docx](#)
[20190902_BG_PJH_Labour Day_V3.docx](#)

Hello Sage,

Attached for your approval are the following documents for Labour Day events:

1. SN (Sent to George on Friday, but we didn't receive an approval. Thank you and event info has also been added.)
2. BG (Newly requested yesterday)

Both have been reviewed by Ministry of Labour.

Let us know if you would like any changes.

Thank you,

Danielle

From: Dalzell, Danielle GCPE:EX
Sent: August 23, 2019 1:13 PM
To: Smith, George PREM:EX
Cc: Aaron, Sage PREM:EX ; Horlor, Shannon GCPE:EX ; Hagglund, Jarrett PREM:EX ; Badger, Joleen GCPE:EX ; Devereux, Rick GCPE:EX
Subject: FOR APPROVAL - 20190813_SN_PJH_Labour Day_V5

Hello George,

Attached for your approval are Speaking Notes for the Labour Day events at the Leg.

Please note that we are still awaiting some information from the events team, so we will have to add those in later.

Let us know if you would like any changes.

I have copied Sage in case you do not get to this today.

Thank you,

Danielle

BACKGROUNDER

Labour Day at the Legislature

Victoria

September 2, 2019

11 am – 2 pm

Event Description:

- This will be the 4th year the Victoria Labour Council is hosting Labour Day celebrations at the Legislature.

Event Goals:

- Connect with the public and labour members at a family friendly event, which includes kids' games, clowns, musical performances and speeches.

Format:

- 2 minutes at podium

Audience and Attendees:

- Open to media? Yes.
- Up to 2,000 people expected including general public, labour members, families
- Special mentions:
 - Mike Eso, BCGEU/Victoria Labour Council (Emcee)
 - Canadian Labour Council rep (TBC)
 - Laird Cronk, president of BCFED
 - MP Murray Rankin (TBC)
 - Carole James, MLA for Victoria-Beacon Hill
 - Lana Popham, MLA for Saanich South
 - Rob Fleming, MLA for Victoria-Hillside
 - Mitzi Dean, MLA for Esquimalt-Metchosin

Attire:

- Business casual

Agenda:

- 12:00 pm –Premier arrives, met by Joleen
- 12:30 pm – Speeches start, Premier proceeds to area beside the stage
- 12:45 pm – Premier to give remarks (will speak last)
- 1:00 pm – Band plays, Premier departs

BACKGROUND NOTE

Victoria Labour Council

- The Victoria Labour Council (VLC) is the local organization of the Canadian Labour Congress (CLC) at the city level.
- The CLC represents 3.2 million unionized workers across Canada.
- The VLC was founded over 100 years ago and is one of the oldest labour organizations in B.C.
- They organize local unions in our jurisdiction to carry out the national policies of the CLC; to participate in national action campaigns; to assist unions on strike; to organize political action; to develop international solidarity and to work for social justice in the community.
- Current campaigns/interests: National day of Mourning, securing workplace pensions, importance of Canada's manufacturing sector, government consultation for pensions, asbestos exposure in the workplace.
- Executive council includes:
 - President: Mike Eso (BCUWU)
 - Treasurer: Barbra Riggs (HEU)
 - Recording Secretary: Darlene Gallant (BCGEU)
 - Sergeant-at-Arms: Sam Montgomery (BCUWU)
 - Young Workers: Cory McGregor (IBEW 230)

Labour Accomplishments:

- We believe that the best way to help lift people out of poverty is to raise the minimum wage to \$15.20 an hour by 2021. This increase will benefit about 400,000 workers.
 - In 2017, 51.5% of B.C. employees earning less than \$15 per hour were age 25 or older.
 - 61% were women. 89% were in the service sector.
- Last year, we made several changes to better support working families — longer, more flexible job-protected leaves for people caring for a terminally ill loved one, parents caring for a new child, or coping with the death or disappearance of a child.
- Changes made to the Employment Standards Act in spring 2019 will:
 - better protect children and youth from dangerous work, by raising the age to 16 to work without a permit and adding tough new restrictions on allowing them to perform dangerous work — WorkSafeBC data shows that every year between 2007 and 2017, workers aged 14 or younger have been injured on the job;

- make it easier for workers to get help when their rights have been violated by eliminating barriers like the self-help kit;
- provide more job protection to people dealing with difficult personal circumstances, like those escaping domestic or sexual violence, or caring for a critically-ill loved one; and
- ensure people are paid the wages they are owed – and leveling the playing field so that those who violate the laws don't have an unfair economic advantage over good employers.
- Workers coming to B.C. want to feel safe, confident their rights are protected, and that abusive employers will be held accountable. That's why we passed the Temporary Foreign Worker Protection Act to better protect those workers and hold employers and recruiters accountable. Recruiter licensing is underway and we're consulting with employers on the upcoming employer registry.
- The last full review of the Labour Relations Code was in 1992. We have now amended the Labour Relations Code to provide greater protections of collective bargaining rights for workers, while promoting more stable and harmonious labour relations for employers and unions.
- New mental health disorder presumptions are about fairness and compassion for workers who serve British Columbians and whose jobs put them more at risk of developing mental illnesses. These changes will better support:
 - 35,000 publicly-funded health care aides;
 - 50,000 nurses;
 - 650 emergency dispatchers.
- The expanded cancer, heart disease and mental health disorder presumptions for Indigenous and wildfire fighters and fire investigators apply to a total of about 1,600 people in those jobs.

WorkSafeBC:

- To help make workplaces safer, WorkSafeBC hired 40 more prevention and investigation officers in 2018, stepping up inspections and issuing more citations, fines and penalties.
 - In 2018, WorkSafeBC spent \$2 million more on prevention than in 2017.
 - More inspections are being done and more citations and stop work orders issued. (Since 2017 – 3% more inspections, and 16% more stop work orders).
 - Employers who do not maintain safe and healthy workplaces are receiving more penalties. (In 2018 there were 366 penalties imposed — an increase of 10% compared to 2017. Penalties totalled \$5.6 million).

- In 2018, WorkSafeBC had 2,945 full-time employees, compared to 2,832 in 2017 (113 increase). This reflects efforts to enhance prevention, compliance and supports for injured workers.
- In 2018, WorkSafeBC had 2,945 full-time employees, compared to 2,832 in 2017 (113 increase). This reflects efforts to enhance prevention, compliance and supports for injured workers.

SPEAKING NOTES

Labour Day at the Leg September 2, 2019

Headline

Premier John Horgan recognizes workers at Labour Day event

Quote

"On behalf of all British Columbians, I thank those within the labour movement whose hard-fought victories gave us the rights we enjoy today. These are the result of collective action grounded in the belief that all working people deserve to be treated fairly. This belief drives our government's work to make life better for people in B.C. every day."

Special Mentions

- Mike Eso, BCGEU/Victoria Labour Council (Emcee)
- Canadian Labour Council rep (TBC)
- Laird Cronk, president of BCFED
- MP Murray Rankin (TBC)
- MLAs: Carole James, MLA for Victoria-Beacon Hill; Lana Popham, MLA for Saanich South; Rob Fleming, MLA for Victoria-Hillside; Mitzi Dean, MLA for Esquimalt-Metchosin

Format

- 2-minute speech with standing mic

Sequence

- 12:00 pm –Premier arrives, met by Joleen
- 12:30 pm – Speeches start, Premier proceeds to area beside the stage
- 12:45 pm – Premier to give remarks (will speak last)
- 1:00 pm – Band plays, Premier departs

Speaking notes begin on the next page

First, I would like to acknowledge that we are on the territory of the Lekwungen [Lakwung-en] people and the Songhees and Esquimalt Nations.

It's good to be among friends.

Thank you to:

- Mike Eso, president of the Victoria Labour Council, for hosting and emceeing this event

Today, we recognize you and the millions of other working people in B.C.

You have fought, and continue to fight, for the rights we enjoy every day.

Because of the labour movement, we have:

- A minimum wage
- Weekends and holidays
- The right to refuse unsafe work
- Better protections from discrimination and harassment at work

These advances are the result of people united in the belief that all working people should be treated fairly.

This belief drives our government's work every day.

We're investing in child care, health care and education.

We're tackling the housing crisis, and working to make life more affordable for everyone in B.C.

We're fighting inequality, standing up for vulnerable workers, and bringing down barriers that hold people back.

Labour is our partner in this work.

Our values are your values.

The old government gutted B.C.'s labour and employment standards.

We're fixing that.

We updated the Employment Standards Act and made the complaints process easier.

We made long-overdue changes to the Labour Relations Code and WorkSafeBC.

We extended presumptive coverage to more first responders, including wildfire fighters and nurses.

There's more to do, but these changes are important steps forward in building a better future for all British Columbians.

With your help, I know we can get there.

Thank you and happy Labour Day!