



Message from the Chair

This past year has proven to be a very active and productive time for Kaska Dena Council as negotiations have proceeded with treaty, land protection and land management. With much to report back, I am pleased to be introducing the Kaska Dena News as one way of communicating with our members.

We will be publishing the Kaska Dena News on a quarterly basis; the intent being to provide a written report on important KDC issues as well as to include newsworthy events and articles about

Kaska people and places.

I hope you enjoy this edition of the Kaska Dena News, and find it informative. I look forward to seeing you in your communities in the new year.

*Wishing you all a
Happy New Year.*

Mussi-Cho

*George Miller, Chair
Kaska Dena Council*



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TREATY NEGOTIATIONS

Between 1994 and 2003 Kaska Dena Council (KDC) was engaged in treaty negotiations with Canada and British Columbia. These negotiations took place under the B.C. Treaty Commission (BCTC) process and in 2003 the negotiations were in Stage 4 of the 6 stage BCTC process, the stage in which an “Agreement in Principle” is negotiated. These negotiations were shut down in 2003 when Canada withdrew from the KDC negotiations.

In 2008 Canada decided it was willing to re-engage in the KDC treaty negotiations. At the KDC Annual General Assembly held in Kwadacha in October of 2008, the attendees passed a resolution that re-affirmed KDC’s mandate to engage in treaty negotiations. Consequently, negotiations recommenced with a meeting of the Chief Negotiators for the three Parties in December of 2008.

The Chief Negotiator for KDC is Dave Porter and the Assistant Negotiator is Bill Lux. These negotiators are assisted by several technical advisors including legal counsel.

Since that time negotiations have taken place in a series of meetings. Generally, three types of meetings occur:

- /// Main Tables, which are led by the Chief Negotiators for each of the three negotiating Parties and which are generally attended by Kaska leadership. Main Table negotiations are intended to set the direction for the negotiations and to deal with particularly difficult negotiation issues;
- /// Side Tables, which are generally led by Assistant Negotiators of the three Parties. Side tables and other working groups are meant to negotiate the details of each of the chapters that together will form the Agreement in Principle. Difficult issues that come up at the Side Tables are referred to the Main Table for resolution.
- /// Chief Negotiator’s meetings, which are meant as a forum for the Chief Negotiators to deal with process issues or other issues that are best dealt with by those who are leading the negotiations.

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Since the KDC Annual General Assembly in 2008 there have been two Chief Negotiator meetings, six Main Table meetings, and 10 Side Table meetings. Most of these meetings have taken place in Vancouver or Victoria. But in the future we anticipate that more negotiating meetings will be held in the Kaska communities.

To date, 18 chapters or sub-agreements have been tabled by British Columbia or Canada as potential models for the KDC Agreement in Principle. As examples, chapters on wildlife, forestry, water, eligibility and enrolment, and ratification have been tabled. These have been based on agreements that were reached with other First Nations under the BCTC process. Not surprisingly, the provisions in these model agreements do not always work for KDC and the KDC team is in the process of negotiating provisions that better meet KDC's interests.

In addition to negotiating an Agreement in Principle, the Parties are attempting to negotiate an Incremental Treaty Agreement (ITA). ITAs are a relatively new feature of the treaty negotiations in British Columbia and are agreements to advance to the First Nation some of the expected benefits of the treaty



before a treaty is finalized. Only two such agreements have been negotiated to date. The Tla-o-qui-aht First Nation in Tofino signed an ITA with B.C. that provides land and cash before a treaty is finalized. The Klahoose First Nation acquired cash for purchasing a tree farm licence and cash for capacity building.

Our current work plan runs to the end of March, 2010. In this period it calls for one Chief Negotiators', one Main, and four Side tables. The Parties will be developing a work plan for the new fiscal year (April 2010 to March 2011) in early January.

Recent Negotiations:

- /// Main Table, Victoria, November 27;
- /// Treaty Side Table, Sidney, November 17-18;
- /// Side Table, Calgary, October 15; and
- /// Main Table, Calgary October 14.

Upcoming Negotiations:

- /// Treaty Side Table, Vancouver, December 8-10;
- /// Treaty Side Table, Vancouver, January 12-14; and
- /// Chief Negotiators' Meeting, Vancouver, January 28.

“For Aboriginal peoples, the purpose of treaties has always been.... to have their rights and their lands recognized and respected by the newcomers, and to establish a stable, peaceful and beneficial relationship for the future.”

**The Honourable
A.C. Hamilton**



Muncho Lake (Photo by Chris Wagner)

LAND PROTECTION & MANAGEMENT

Strategic Engagement Agreement

The Kaska Dena Council and Kaska Leadership are negotiating a Strategic Engagement Agreement (SEA) with the Province of British Columbia. The SEA is part of the New Relationship Policy and it is an Agreement to set the rules for Government and Industry to follow on consultation, accommodation, revenue sharing and shared management in the traditional territory in British Columbia.

What this means is a new way for Kaska to have a shared role in the management of lands and resources throughout the traditional territory. Kaska will sit with government at a common table and review proposed activities in the traditional territory using all sources of knowledge. This will include activities that could generate resource revenue sharing and this would mean revenue could be available for the communities to use independent of government funding in the next several years. It also means Kaska have a greater say on how activities occur on the land and where activities need to avoid Kaska values and lands.

This is not a treaty agreement and it is separate from the treaty process. It is expected Kaska negotiators could be ready in June 2010 to bring a final agreement back to the communities for approval. Before then, community meetings will be held this winter and spring to bring back the work to inform Kaska members and to get further direction on how to proceed.



Currently the following topics are being included for Kaska shared Management:

- /// Administrative Capacity and Structure;
- /// Kaska Policies and Procedures for Resource Development and Protected Areas;
- /// Resource Revenue Sharing;
- /// Forestry;
- /// Mining and Oil and Gas;
- /// Land Planning and Protection and Management;
- /// Fish and Wildlife Management;
- /// Tourism; and
- /// Wind and Water Power.

For further information about the SEA please contact Victor Kouson, Vice Chair of Lands and Resources or Bill Lux, Negotiator.

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Muskwa-Kechika

“To maintain in perpetuity the wilderness quality and the diversity and abundance of wildlife and the ecosystems on which it depends, while allowing resource development and use in part of the M/K designated for that purpose.”

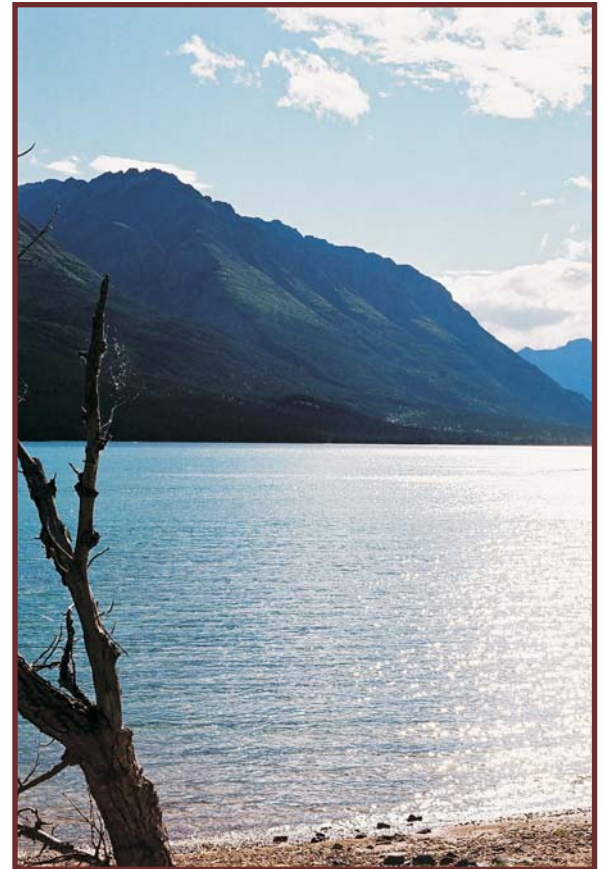
Muskwa-Kechika (M/K) Purpose

The Muskwa-Kechika Management Area was established in 1998 after Kaska Dena Council negotiated a Letter of Understanding with British Columbia regarding the implementation of the Fort Nelson Land and Resource Management Plan.

A board was established to advise the B.C. Government on the management of the Muskwa-Kechika Management Area. The board consists of eighteen members of which Corrine Porter (Daylu Dena Council), Bill Lux (Dease River Band), Peter Stone (Muncho Lake) and Tim Trapp (Kwadacha) represent the Kaska regions in B.C.

The MK Act requires that there will be five local strategic plans completed prior to any resource development in the Muskwa area.

The B.C. Government is currently working towards completing the wildlife plan, parks plan and the recreation plan.



East Tuchodi Lake (Photo by Chris Wagner)

Kaska Dena Council is exploring a Government to Government process for the M/K area along with the B.C. Government and other First Nations.

The Kaska Dena Council, working with Malcolm Groat, hosted the annual Muskwa Kechika Youth Camp for this year at 30 mile which was a great success, and provided the opportunity for Kaska youth to learn more about their traditional territory, resource management and cultural activities.



Moose Lake (Photo by B. Barradell)

Kaska and British Columbia Land Use Planning

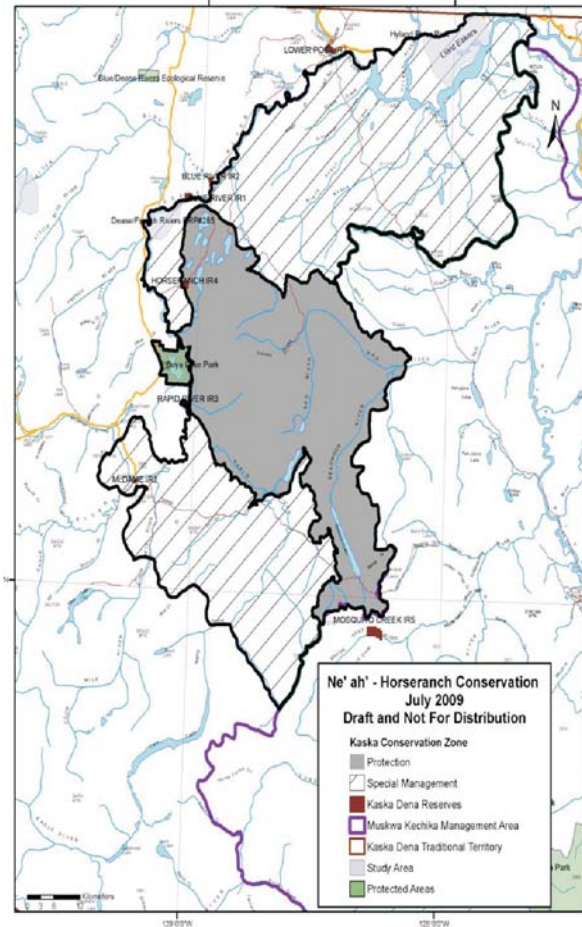
Back in 2004, the Kaska Dena Council and British Columbia agreed to a land use plan on forestry and wildlife management in the Dease Liard area in the traditional territory. At that time, Kaska had proposed the Ne'ah'-Horseranch range as a protected area.

In 2008, Kaska Dena Council and British Columbia met again to discuss finishing the plan to set land use direction for mining, oil & gas, tourism, and energy in the Dease Liard Area. A part of this work is the protection of the Ne'ah'-Horseranch range, where Kaska and British Columbia will be joint managers of a protected area from Boya Lake to the Muskwa Kechika Management Area (see map). The grey area is the area for protection and the area around it is a special management zone (Gu Cha Duga – For the Grandchildren) to manage Kaska values and to avoid or reduce development activities around the Ne'ah'-Horseranch range.

The draft plan and protected area map will be part of community meetings this winter and spring. If the community approves of the work, the plan and protected area could be established in late spring 2010.

Finally, The Kaska Dena Council wants to ensure land use planning occurs over the traditional territory in British Columbia. Currently an agreement is being negotiated to support this work over the next five years. The planning will be based on existing Kaska policies on resource development, community mapping completed by Dena Kayeh Institutes' Kaska Land Use Framework, and traditional

knowledge. The draft agreement will be part of community meetings this winter and spring. A final agreement may be ready for community approval in late spring 2010.



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ECONOMIC DEVELOPMENT

Mining and Alaska Highway Pipeline

In the KDC traditional lands there are several advanced mining projects. Those projects include Hard Creek Nickel with the Turnagain Project, the Hawthorne Gold with the Taurus and Table Projects, Columbia Yukon with the Storie Project and Capstone Mining with the Kutcho Project.

The KDC negotiators (Victor Mitander and Pete Stone) are negotiating Socio Economic Participation Agreement (SEPA) with each of these mining companies, and provide updates to the

Kaska Dena Council on a regular basis. With the current world recession, mining has suffered as a result of the low mineral prices and lay-offs.

There have been on-going advances with regard to the planning and proposed construction of the anticipated Alaska Highway Pipeline, and two competing consortiums (TransCanada and Denali) have put forward proposals to build the Pipeline. Victor Mitander and Pete Stone are engaged in talks on behalf of Kaska Dena Council with TransCanada Pipelines on the Foothills project, a Northern Pipeline Agent (NPA), and Denali Canada.

KASKA NEWS!

Document Archival System for Kaska Dena Council

A document Archival System is being developed for Kaska Dena Council that will not only preserve and organize key documents and audio/visual files, but will allow for documents to be accessed remotely. A workshop was held in Victoria in November to help develop the criteria for selecting documents to be archived to the DAS and was attended by Kaska leaders and

technical advisors.

Up until now, documents have been stored in filing cabinets in various locations, including KDC's office, technical advisors' offices and legal offices. This often created challenges in readily accessing documents. The new Document Archival System (DAS) will scan documents into a PDF and store them in a central repository computer which will be accessed through the Kaska Dena Council Website. This will mean greater efficiency in retrieving documents, and will eliminate loss and damage that might otherwise occur to paper documents. Kaska maps, photos, videos, voice recordings will be archived on the DAS as well.

It is expected that the technical aspects of the Document Archival System will be completed by the end of December, with the first phase of document uploading completed by the end of March, 2010.

"A workshop was held in Victoria in November to help develop the criteria for selecting documents to be archived to the Document Archival System."



November 2009 Document Archival Workshop

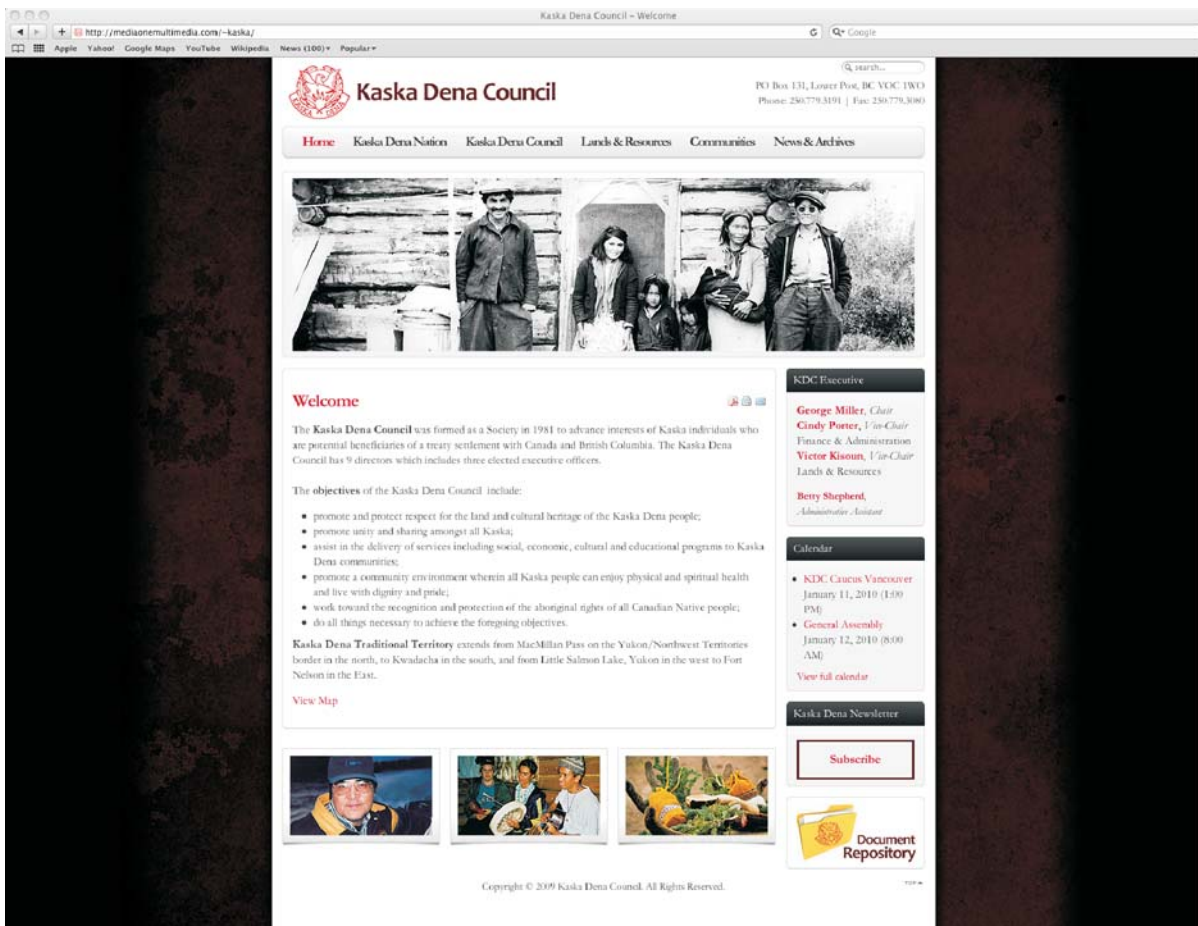
A New Website for Kaska Dena Council

The Kaska Dena Council website has been updated with new features and information. The website is one tool KDC is using to increase communication with Kaska and Kaska communities. Check out the updated website at www.kaskadenacouncil.com and sign up for regular updates and the quarterly KDC Newsletter, or learn about dates of upcoming Treaty meetings and community events on the website's calendar.

The new website has photo galleries complete with historical photos that were recently scanned by Brian

Ladue. We are interested in being able to identify people in the historical photos, so if you recognize any of the people or places please pass on the information to Cindy Porter at the KDC office.

The new website features a Kaska Art Gallery, profiling the artwork of some of the Kaska carvers. If you are a Kaska artist and would like to have your art profiled on the website, please contact the website administrator, Maureen Garrity at mgarrity@lgl.com or 250 656-0127. This is not only an opportunity to showcase Kaska art, but also provides a way for people to contact Kaska artists.



KDC Executive

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Election Results for Ross River

On November 30th elections were held in Ross River. Congratulations go out to the new council: Chief Jack Caesar, Deputy Chief Jenny Caesar, Councillors, Vera Nukon, Dorothy Smith, Gary Ladue.

KDC's New Office Space

Renovations are now complete for KDC's new office space. The staff at KDC are happy to be in their new space which was previously the log church in Lower Post. The temporary office space will be home to KDC staff until further notice. All KDC's contact information remains the same. If you have any further questions regarding the new office please contact Cindy Porter at (250) 779-3181.

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