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Kaska Dena News

Volume 5, Issue 1

Spring 2013

TREATY UPDATE

In 2012-13 Kaska Dena Council continued to make progress in negotiating an Agreement in Principle with British Columbia and Canada. The Agreement in Principle (AIP) is the blueprint from which to begin negotiating the Final Agreement and it must receive approval from all parties before advancing negotiations toward Final Agreement.

Progress made in 2012-13 at the Treaty Table

There are some 30 chapters that make up an Agreement in Principle in three broad categories: Lands & Resources, Fiscal Relations and Governance.

Kaska negotiators made significant progress at the treaty process in 2012-13 by completing twelve AIP Chapters including six Land and Resource and six process chapters which are now ready for legal review.

BCTC Treaty Process

Kaska Dena Council is in stage 4 of the six stage Treaty process. The Treaty negotiations take place in a series of tripartite meetings:

Treaty Side Tables (TST), are led by the Assistant Negotiators for each of the three negotiating 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. These are generally held on a monthly basis. Working groups are often established to do work in between TST meetings.

Main Tables (MT), are led by the Chief Negotiators for each of the three negotiating Parties and are generally chaired by a Commissioner of the BC Treaty Commission. The BC Treaty Commission is the neutral “keeper of the process” with the role of ensuring that negotiations are fair and durable.

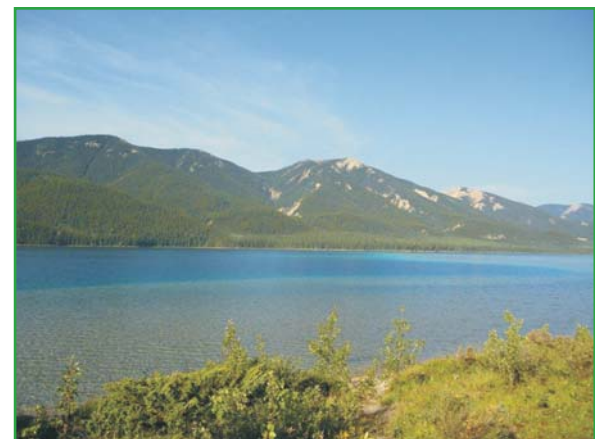
Chief Negotiator’s Meetings are meant as a forum for the Chief Negotiators to deal with process issues or other issues that are best dealt with by those who are leading the negotiations.

The Negotiating parties negotiate a tripartite work plan which sets out the dates of the Treaty Side Table and Main Tables up to a year in advance.

The Kaska Negotiating Team

Kaska Dena Council is represented in the Treaty process by Dave Porter, Chief Negotiator and Bill Lux, Assistant Negotiator. These negotiators are supported by Steve Walsh, legal counsel as well as by a technical team: Norm MacLean, Dave Crampton, Corrine Porter and Maureen Garrity.

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Turnagain

INCREMENTAL TREATY AGREEMENT

On April 10, 2013 Kaska Dena Council, supported by Band Council Resolutions from the BC Kaska Dena Nations, signed an Incremental Treaty Agreement with the Province of British Columbia.

An Incremental Treaty Agreement (ITA) is not a Treaty. It is a legal pre-Treaty Agreement that advances treaty related benefits to a First Nation, and can serve as a milestone on the way to achieving a Final Agreement. Currently the Province has signed nine Incremental Treaty Agreements with BC First Nations.

Under the KDC Incremental Treaty Agreement, the Province will transfer 10 Crown land parcels, comprising 607 hectares, to the Kaska Dena First Nations for economic development purposes. The lands will be transferred as private lands (fee simple) and will remain under the complete ownership of Kaska Dena. Fee simple (private) lands will be very significant for the Kaska Dena communities, as fee simple lands are required under the current federal and provincial regulations in order to use the land for economic development purposes.

Following is a list of the Kaska Dena ITA Lands. Maps of these land parcels can be found on the Kaska Dena website: www.kaskadenacouncil.com

1. Obo Lake
2. Fort Ware North
3. Finbow
4. Troutline Intake
5. Troutline Powerhouse
6. Rapid River
7. Lower Post Mill
8. Old Faddy
9. Good Hope Lake
10. Turnagain Camp

Turnagain Guide Outfitting Territory

The Turnagain Guide Outfitting tenure is in the process of being transferred to Kaska Dena. Once transferred, the guide outfitting business will be operated under the management of Chee Ventures Limited; a Kaska Dena tourism corporation owned by the three Kaska Dena Bands.

The transfer of Turnagain Guide outfitting tenure will not only give Kaska Dena the commercial hunting rights to the area, but also means that Kaska Dena will own Turnagain lodge, the hunter cabins and other out-buildings in the Turnagain Outfitting Area.

Ownership of the buildings, in addition to the transfer of Turnagain camp land (20 ha) under the ITA, strengthens the ability for economic development opportunities. Chee Ventures Ltd. will be able to plan and operate other economic ventures using the lodge and area during the hunting off-season.

Photo Credits:
Norm Baricello
Victor Kisoun
Bill Lux
Michelle Miller
Tom Vince



Turnagain Lodge

TREATY AWARENESS SEMINARS

Kaska Dena Council, in conjunction with Daylu Dena Council, Dease River First Nation and Kwadacha Nation, hosted a series of Treaty Awareness Seminars in the communities of Lower Post, Good Hope Lake and Kwadacha.

The purpose of the Treaty Awareness Seminars is:

- 1) To provide updates regarding the status of Kaska Dena Treaty Negotiations, and
- 2) Through guest speakers, provide Kaska Dena with the opportunity to learn more about Treaty and Self Government through other First Nation's first hand experiences.

The first of the Treaty Awareness Seminars took place in Kwadacha on May 7, 2013, and was attended by over 90 people. Hosted by Kwadacha First Nation, George Miller, KDC Chair and Bill Lux, Assistant Negotiator presented information as to the current status of KDC negotiations and described the BC Treaty Process. Guest speaker, Shana Manson of the Lyackson First Nation, provided an informative presentation on First Nation Self Government.

Treaty Awareness Seminars took place

in Lower Post on May 22nd and in Good Hope Lake on May 23rd. Hosted by Chiefs Peter Stone and Cat Lee and their respective Councils, George Miller and Bill Lux delivered their presentations this time accompanied by guest speaker Barbara Joe. Barbara is of Kaska heritage, and currently works as Chief Administrative Officer for the Sechelt Band, who have had a self-government agreement since 1996. Barbara was able to give first-hand accounts of self-government and the difference between a self-governing Nation and Indian Band governance under the Indian Act.

Treaty Awareness Seminars are another step toward building awareness in Kaska Dena communities with respect to where KDC Treaty negotiations are at, while providing the opportunity for Kaska to ask questions and hear what other First Nations are experiencing with respect to Treaty and self-government.

If you would like further information, or have a suggestion for a topic please contact Michelle Miller, KDC Executive Director, at 250-779-3181 or email kdccxecdir@northwestel.net.



Good Hope Lake



Lower Post



STRATEGIC ENGAGEMENT AGREEMENT

For years the Kaska Dena Communities have had to address Resource Applications such as mineral exploration, mine development and placer activities without any capacity or funding. It has been an uphill battle where the resource companies and government seemed to always be the ones holding the cards. The courts and legal system were the main leverage point for Kaska. Through the SEA this has now changed.

On March 27, 2012 the Province of British Columbia signed a Three Year Strategic Engagement Agreement (SEA) with the Kaska Dena. The Strategic Engagement Agreement is providing the Kaska Dena with stable funding for capacity and a common table to engage more efficiently on resource development applications. The Kaska Dena and British Columbia are now on

the second year of a three year agreement.

The official implementation date of the SEA was June 22, 2012. Hiring and training of Kaska individuals took place between March and June, in advance in order to be ready for this date.

Strategic Engagement Agreement Structure

Responsible officials of the parties:

Bill Lux, Kaska Dena
Bruce Low, Province of BC

Co-Chairs of the parties:

Bill Lux, Kaska Dena
Bruce Low, Province of BC

Kaska Natural Resources Society

Steven Jakesta, Regional Coordinator
Myles Carlick, Land and Resource Officer,
Dease River First Nation (Good Hope Lake)

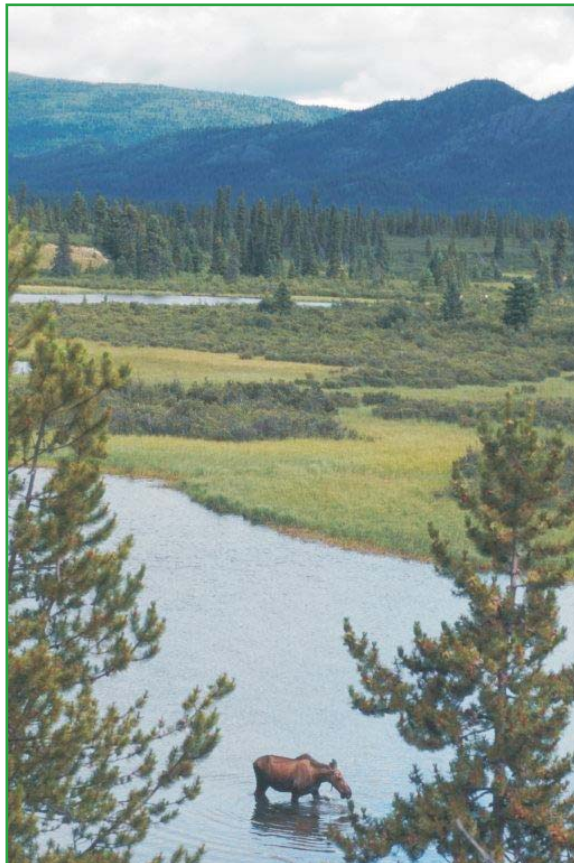
Shawna Case, Land and Resource Officer,
Kwadacha First Nation (Ft Ware)

Vanessa Law, Land and Resource Officer,
Daylu Dena Council (Lower Post)

Through the Strategic Engagement Agreement, establishment of the Natural Resource Council provides opportunities for Kaska Dena to have a voice at a common table with BC. As support to the NRC, a Shared Decision Working Group was established. As major projects or concerns arise by either party, the Natural Resource Council is the body to bring forward these items for discussion, such as reviewing of the Cassiar and the Mackenzie Timber Supply Area, Cumulative Impacts issues, Land Use Planning needs. It also provides the decision makers with the opportunities to better understand the Kaska Dena cultural and societal linkages to our fish, wildlife, land and water.

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The Province of British Columbia signed a Three Year Strategic Engagement Agreement (SEA) with the Kaska Dena on March 27, 2012.



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Natural Resource Council Members

Roy Carlick, Dease River First Nation
(Good Hope Lake)

John R McCook, Kwadacha First Nation
(Ft Ware)

Derek Loots, Daylu Dena Council (Lower
Post)

Kaska Shared Decision Working Group Technical Members

Norm Maclean, Technical Advisor

Dave Crampton, Forestry Advisor

Corrine Porter, DKI

The following is an NRC report of activities:

A Natural Resource Council (NRC) meeting was held September 21, 2012 in Prince George as per a special request by the Ministry of Forest, Lands and Natural Resources Operations, (MFLNRO). This was regarding the Mackenzie Timber Supply Review.

Kwadacha's NRC member attended along with the Kaska Working Group representatives. The review process will be determined by NRC members through recommendations to the MFLNRO.

The first official NRC meeting was held November 5-8, 2012 in Prince George. On November 5th the Fish and Wildlife Working Group members met to discuss issues with wildlife management and regulations and the Parks representatives met regarding current parks planning and future parks plans. The outcomes from the meetings are then reported to the NRC members.

A Meet and Greet meeting was held November 6 -7, 2012 as part of the NRC meeting week. It was very important to the representatives of both Parties to the SEA Agreement that they have a face to face meeting to present their values and commitment to the Government to Government process. There was a very

positive turn out, in total there was over 60 representatives attending the two days. This was followed by the NRC meeting.

On December 12, 2012 an NRC meeting was held regarding minor amendments to the Provincial Regulations re: Mineral Exploration. The Province is to report back to the NRC on what the outcome of the decision is.

February 21-22, 2013, a NRC meeting was held in Prince George, BC. The NRC set out a Strategic Engagement Working Group meeting to work on the application for the Hot Lake, Gallic Lake, French Creek watershed then report back to the NRC with options for a recommendation by the NRC.

To date 54 referrals have gone through the SEA Engagement framework at different Levels of 1-4. Two Strategic Engagement Working Groups were established to develop options for the Canada Zinc and French Creek Applications and reported back to the NRC, then forwarded for a final decision.

For further information and any concerns or reports on activities with Land and Resources please contact your Local Land and Resource Officer.



We're on the web!
Visit:
www.kaskadena-council.com

LAND USE PLANNING

Our Elders have told us that the Horseranch Range is an area of regional importance and a breadbasket for the Kaska Dena.

An historic signing ceremony took place on August 22, 2012 at Rapid River. The Honourable Steve Thomson, (Minister of Forests, Lands and Natural Resource Operations) came to Rapid River to represent the Province of British Columbia in a signing ceremony with Kaska Dena regarding the Strategic Land Use Planning Agreement that was announced by Premier Clark in February, 2012 and the designation of the Ne'ah (Horseranch Range) as a Protected Area and the Gu Cha Duga (for our Grandchildren) as a Special Management Area.

In and about 2000, the Kaska Dena pursued a land use planning process with British Columbia, due to the Forest development activities in the Dease River Watershed area of the Kaska Traditional Territory. In 2004, the Kaska Dena Council and British Columbia agreed to a final 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 and 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. Within this area is a special management zone Gu Cha Duga, meaning "For the Grandchildren". The special management zone is established to manage Kaska values to avoid or reduce development activities around the Horseranch Range.

Our Elders have told us that the Horseranch Range is an area of regional importance and a breadbasket for the Kaska Dena. It is an area that people would go to when food was scarce. Our Elders have told us that it is where the animals go to get fat. It is an area the Elders have wanted protected for a very long time. All of this now been achieved.

On March 31, 2013 the designation of the Horseranch Range as a Protected Area was approved by the Province of British Columbia and will be managed collaboratively by Kaska Dena and British Columbia through a Management Plan that will be set out by the Parties over the next year.

There are ongoing initiatives for future Land Use Planning processes by Kaska Dena in the north Liard area that includes Coal River, Smith River, Liard Hot Springs and Nelson Forks, as well as south of Kwadacha. Dena Kayeh Institute is working with the communities to continue to secure resources to continue engagement in Land Use Planning processes.



SPRING BEAVER HUNT

Beaver is a traditional Kaska food source, and is much sought after in the spring time. The Kaska name for beaver is Tsá and the name for beaver tail, which is a Kaska delicacy, is Tsá'ché.

Spring is the preferred time to hunt for Tsá. Tsá meat tastes best right after the winter, before they begin to eat the willow leaves which gives the meat a stronger, less appealing taste.

There are a number of traditional ways to cook Tsá. The first step is to skin the whole beaver. Some like to hang the meat over the fire and roast it, while others prefer to boil it.

The Tsá'ché (beaver tail) can be roasted first to make it easier to skin the tail, and then the tail can be boiled.

The meat from Tsá is very rich, so if you are not used to it, best to just eat a small amount.

Tsá is the Kaska name for beaver and Tsá'ché is the name for beaver tail.



The first step is to skin the beaver.

Some like to roast the meat while others prefer to boil it.

KDC GENERAL ASSEMBLY – MARK YOUR CALENDARS! July 16 to July 18, 2013

The 2013 General Assembly for Kaska Dena Council is scheduled to take place this year in Kwadacha. The dates for the General Assembly are Tuesday, July 16th to Thursday, July 18th.

This will be not only a time to become better informed as to the major events that took place this past year, but also a great time to reconnect with family and friends and enjoy eating and celebrating together.

There will be an official signing ceremony of the Incremental Treaty Agreement, which was a significant accomplishment this year

As well, this is an election year. All Kaska who are registered members of Kaska Dena Council are entitled to vote for the KDC Executive: Chair, Vice Chair of Finance and Vice Chair of Lands and Resources, or to run for office.

Membership in Kaska Dena Council gives, among other things, the right to participate in the Kaska Dena Council Annual General Assembly and other general meetings and to vote during elections and on resolutions considered at these meetings.

If you wish to register as a member of Kaska Dena Council or are unsure as to whether you are eligible to vote, please contact Michelle Miller at the Kaska Dena Council office: 250-779-3181 or kdcexecdir@northwestel.net



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