



Kaska Dena News

Volume 6, Issue 1

Spring 2014

TREATY UPDATE



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Achieving an Agreement In Principle (AIP) by Spring 2015

This has been a productive time for Kaska Dena Council, the negotiating team and the Kaska Dena communities. After all our years of negotiating we are now close to achieving a Draft AIP for consideration by Kaska Dena.

AIP Negotiations

As of July, 2013, Kaska Dena Negotiators along with Federal and BC Treaty negotiators agreed to an 18-month workplan to negotiate an Agreement in Principle. All agreed that this was an aggressive schedule, however the Negotiating Team is pleased to advise that the tri-partite table is ahead of schedule. It is anticipated that the negotiations to complete the 27 chapters in an Agreement in Principle will be achieved by this fall. This means we could have a draft Agreement in Principle by the spring of 2015 subject to legal review and land statusing. Prior to the Spring, there will be an approval process set out for the AIP.

Important to Remember: a) an Agreement in Principle is not a legally binding agreement. It will require Kaska Dena member approval before it is accepted. b) If the AIP is approved then the KDC Negotiators will receive a mandate to begin negotiating a Final Agreement using the AIP as a blueprint to move forward from. A Final Agreement is legally binding and would require a Kaska Dena Ratification Vote before being approved. c) This is not an extinguishment treaty. We do not give up our Aboriginal rights. Kaska Dena will also continue to be eligible for all programs and services available to all Aboriginal people and we will continue to be Status Indians.

Land Selection: Proposed Areas of Interest

KDC's negotiating team have been working with BC to update BC on the substantive work that Kaska did in the past to

identify key areas of interest in the Traditional Territory. Now the work is underway to come back to the communities and engage members to further identify and update Kaska Dena areas of interest which would be brought back to the negotiating table for the purpose of negotiating an Agreement in Principle.

Governance and Constitution Development

Between November, 2013 and May, 2014, Kaska Dena Council contracted Shana Manson, a First Nations Governance Consultant, to work with Kaska Dena leadership and communities to develop a Governance model and draft Constitution for the BC Kaska Dena. Shana's work under the Treaty Related Measures funding is complete, and her work with the communities has provided a draft framework for a Constitution for BC Kaska Dena to assist in determining a self-government model for Treaty. The next step in furthering the draft Constitution and further community engagement, will be discussed during the upcoming KDC General Assembly.

Important to Remember: Kaska Dena have always been very clear in stating that we are a trans-boundary Nation. This draft Constitution is for the organization of the BC Kaska Dena and is a requirement of Treaty. The draft Constitution leaves the door open for a National Kaska Constitution.

Incremental Treaty Lands: In April, 2013 Kaska Dena Council, supported by Band Council Resolutions from Daylu Dena Council, Dease River First Nation and Kwadacha Nation, signed an Incremental Treaty Agreement (ITA) which would transfer to Kaska Dena packages of land as fee simple for the purpose of economic development opportunities in advance of a Treaty. To see the ITA with maps of the ITA lands go to:

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<http://www.kaskadenacouncil.com/treaty/incidental-treaty-agreement>

A Kaska Dena Lands Corporation has been established to hold the Kaska Dena ITA lands. Last summer the Province surveyed the first three parcels of ITA lands for Daylu Dena Council, Dease River First Nation and Kwadacha First Nation and those lands are now ready to be transferred to the Kaska Dena Lands Corporation for economic development by the respective Kaska Dena First Nations. This summer the province will survey the next allotment of ITA lands for transfer to the Kaska Dena Council Land Corporation.

Turnagain Guide Outfitting Area

Turnagain Guide Outfitting Area was transferred to Kaska Dena after many years of negotiating with the Provincial Government. The outfit is currently being managed by a co-management agreement between Chee Ventures Ltd. (a Kaska Dena tourism corporation owned by the three B.C. Kaska Dena First Nations), and Kwadacha First Nation. Luke Vince has been contracted to operate Turnagain and the Kwadacha Outfit, and is responsible for providing jobs and training opportunities to Kaska Dena as well as conducting hunts in Turnagain and Kwadacha Guide Outfitting Areas. A report will be released in the fall after the completion of the 2014 hunting season.



Kwadacha First Nation youth

Dease River First Nation Human Resource Capacity Planning

Planning for self-government involves human resource capacity planning to ensure that the Kaska Dena First Nation governments have the right people in the right jobs at the right time. Kwadacha First Nation and Daylu Dena Council each completed a phase of their HR Capacity Planning. Currently an HR Capacity Planning initiative is being undertaken for Dease River First Nation. The first phase is complete with a survey and base-line assessment of current skill and education of DRFN members. The next step will be to look at the jobs that will be required for self-government and a plan for facilitating HR capacity growth and community infrastructure to be able to have trained personnel and community infrastructure to support the required work force.

Treaty Related Measures Proposals 2014-15

Kaska Dena Council has submitted two proposals for TRM funding to conduct two studies: Wildlife Inventory and Water. The wildlife inventory would assist in determining the health of wildlife populations and assist in the negotiation for a Wildlife Management Area, and the Water project will be used to research and develop alternative water management systems and to determine the availability of freshwater within or adjacent to Kaska Dena Treaty Settlement Lands and facilitate negotiations including an allocation of freshwater for Kaska Dena domestic, industrial, community expansion, and economic needs.

Photo Credits:
Shawna Case
Bill Lux
Michelle Miller
Bruce McKay



Kaska Dena Council Strategy Session

On May 27 and 28, 2014 Kaska Dena Council held a special Strategy Session for Kaska Dena Council leadership to discuss the current status of the Agreement in Principle negotiations and provide direction for the Treaty Negotiating Team regarding completion of the AIP negotiations.

Objectives of the KDC Strategy Session:

1. *Hear about the experience of another First Nation with a Final Agreement, and gain information on Governance and Fiscal elements of AIP & Final Agreement;*
2. *Inform, update and receive direction from KDC Board of Directors on the status and content of the Kaska Dena draft AIP;*
3. *Receive input and direction on the development of a short-term communication process between now and completion of a draft AIP that will inform the communities; and*
4. *Obtain direction and support from Board of Directors moving forward in completing the draft AIP for consideration of Kaska Dena members.*

The meeting was attended by:

KDC Executive: George Miller, Chair; Ruby Johnny, Vice-Chair, Finance; Danny Case, Vice-Chair Lands & Resources

Daylu Dena Council: Deputy Chief Walter Carlick and Councillor Roma Walker

Dease River First Nation: Chief Cat Lee and Councillor Margaret Fjellner

Kwadacha Nation: Chief Donny Van Somer; Deputy Chief Angela Hocken and Councillor Darryl McCook

KDC Directors: Steven Jakesta, representing the Hereditary System

Peter Stone, representing Muncho and Dennis Porter, representing Fireside

KDC Negotiating Team: Dave Porter, Chief Negotiator & Bill Lux, Assistant Negotiator; Michelle Miller, Treaty Coordinator; Technical Advisors: Dave Crampton, Maureen Garrity, Norm MacLean and Shana Manson

Guests: Angela Wesley, Huu-ay-aht First Nations (Nuu-chah-nulth); Bill Stipdonk, Metrix Consulting; Dave Haggard & Sashia Leung, BCTC; Barb Joe, Kaska Dena; and Lisa Ethans, Deloitte Touche Ltd.

Long time Kaska friend and technical advisor Melody Morrison attended to chair the session on day two.

Day one of the Strategy Session focused around hearing about the experiences of other First Nations who have negotiated a Treaty under the BC Treaty Process. Angela Wesley spoke on the Ma'anulth Experience, Bill Stipdonk spoke to the experiences with the financial aspects of the Treaty and Shana Manson spoke to self-governance, in

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Kaska Dena Strategy Session

Day 1 of the Strategy Session focused on hearing about the experiences of other First Nations who have negotiated a Treaty under the BC Treaty Process.



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particular the difference in jurisdiction and authority between a self-governing First Nation and an Indian Act Band.

Day Two of the Strategy Session focused on the Kaska Dena leadership learning about the current status of the Agreement in Principle Negotiations, receiving clarification with respect to outstanding issues and giving direction to KDC negotiators regarding how to proceed in the negotiations to complete the AIP.

As well, a presentation was given to the leaders on the approach to identifying areas of interest for treaty land and approaches to protection and collaborative management of Kaska Dena Traditional Territory off Treaty lands.

An immediate outcome of the Strategy Session was a decision to bring Angela Wesley into the Kaska Dena Communities to report out on her experience with the Ma'anulth Treaty – what it was like to negotiate the treaty, how they educated their people about the Treaty so that



Daylu Dena Council youth

people could make an informed decision as to whether they wanted the Treaty or not, and how their lives have improved now that they have a Treaty and are out from under the Indian Act. Angela is scheduled to present in Lower Post and Good Hope Lake on June 17-18th and will be presenting in Kwadacha at a later date. It was decided to bring Bill Stipdonk into the Kaska Dena communities as well to discuss the financial aspects of Treaty at a later date.

Day 2 of the Strategy Session focused on the Kaska Dena leadership learning about the current status of the Agreement in Principle Negotiations, receiving clarification on outstanding issues and giving direction to KDC negotiators on how to proceed in to complete the AIP.



Kaska Dena Strategy Session

Capacity & Community Engagement

Daylu Dena Council and Dease River First Nation Community Treaty Representatives

As Kaska Dena Council is approaching completion of the AIP Chapter work, and as the land areas of interest work identification updating and review takes place in the communities, there is a greater need for community representation. To address this need, Kaska Dena Council has, with consent and approval from the KDC Board of Directors, put postings in Lower Post and Good Hope Lake for a Community Treaty Representative from each of these communities. As Kwadacha currently has a Community Treaty Representative (John R. McCook), this posting applies only to Lower Post and Good Hope Lake. The posting closes on June 27th. The interviewing of candidates and hiring will take place by July 14th, with the community representatives receiving training to be ready to participate in the KDC General Assembly in July (see back cover of the newsletter regarding the GA).

Community Engagement Plan

Following the Kaska Dena Strategy Session and in moving forward with the direction given from the KDC Board of Directors, development of a communication plan is being undertaken to:

- 1) Inform, engage and educate Kaska Dena as to the status and content of an Agreement in Principle to enable Kaska Dena to make an informed decision about the Agreement in Principle, and
- 2) Inform and engage Kaska Dena as to identification of land areas of interest and provide updates with respect to land status.

Currently, Kaska Dena Council provides updates and information to Kaska Dena through a variety of methods including:

Kaska Dena Newsletter

Kaska Dena Website

www.kaskadenacouncil.com

Community Meetings

Hand-outs and Mail-Outs

Establishment of Committees where appropriate (ie: Governance Committees)



Dease River First Nation youth

In order to ensure that Kaska Dena are communicated with by their preferred method, a questionnaire has been prepared and will be circulated via the KDC Website, June Main Table and through the local Band Offices. Please submit these questionnaires to Kaska Dena Council so that we can include your communication preferences in our communication plan. (Fax 200-779-3020 or email: kdc@northwestel.net)

The community representatives will be hired in each community by July 14th. A part of their role will be to provide the connection between the community and the Kaska Dena Council negotiating Team.



Kwadacha First Nation elders

As Kaska Dena Council is approaching completion of the AIP Chapter work, and as the land areas of interest work identification updating and review takes place in the communities, there is a greater need for community representation.



LANDS AND RESOURCES

Ne'ah Conservancy – Kaska Provide in-put into Management Direction

On March 31, 2013, as a result of the Dease Liard Sustainable Resource Management Plan, the Ne'ah conservancy was formally established under provincial legislation. This is of tremendous importance to Kaska Dena as protection of this culturally and spiritually significant areas is something our Elders have told us to look after and we have worked hard to protect it.

Our Elders have spoken the oral history of the area being a place to go when times were lean because it was a place food could be reliably found. It was a resting stop for Kaska using the Davie and McDames trail system, and it was an area where Kaska families lived year round. The area is important as it is a place where many of our culturally important wildlife thrive, it has many culturally important sites, is core component of our trail system with the mountain range having a concentration of trails related to our seasonal



Waiting to board the helicopter in Good Hope Lake

movements. The mountain range was accessed by Kaska from all directions. It is also spiritually important area to the Kaska with sacred areas both on the mountain and adjacent to the mountain range.

It was agreed as part of the Strategic Engagement Agreement, that when the Ne'ah Conservancy was legislatively established, Kaska and BC would collaborate on the development of a management plan. Part of the Kaska Dena role in developing a management plan is to provide Kaska Dena community and

cultural information that would be used to develop the management plan and the associated management direction with respect to allowable activities in the Ne'ah.

To begin to gather this information, KDC and BC Parks held community meetings, interviewed community members, and on March 6th, 23 community members from Lower Post and Good Hope Lake were taken by helicopter flights over the Ne'ah Conservancy. The helicopter flights were funding jointly by BC Parks, Daylu Dena Council and Dease River First Nation.

It was agreed as part of the Strategic Engagement Agreement, that when the Ne'ah Conservancy was legislatively established, Kaska and BC would collaborate on the development of a management plan.



Land Use Planning

Kwadacha and Daylu Dena are undergoing community based land use planning.

The communities are developing management direction and zoning to address land use planning gaps at the landscape level. Daylu Dena is working on the North Liard

Plan Area and Kwadacha is working on landscape units around the community. Surveys and community members are being used to collect information with existing Kaska Dena Traditional Knowledge. Draft plans are expected to be completed by the fall for community review and approval.

Forestry Tenure Negotiations

For a number of years the Kaska have been interested in controlling the harvesting of timber from the traditional territory in northern British Columbia. We have experimented with a number of small timber licences to cut and some salvage opportunities, but none of these have provided any long-term jobs or any opportunities to manage the forests of the Traditional Territory as we feel they should be managed. We are therefore currently in the process of negotiating forestry tenures in the Fort Nelson and MacKenzie forest districts that would then provide for economic opportunity and growth for the Kaska Dena in the future.

A significant part of determining the Allowable Annual Cut for the Traditional Territory requires planning with the communities of Lower Post and Good Hope.

The objective of the planning by the communities is to establish areas where forest harvesting can occur and to provide direction to the type of harvesting that would best suit the needs of the communities. Both of the communities have provided monies from the Forest and Range Consultation and Revenue sharing Agreement (FCRSA) to help complete the community planning.

Once a forest tenure is allocated to the Kaska, a saw mill, a cogeneration plant that provides energy for the mill, kilns, etc. with the excess being sold to Watson Lake and Lower Post, and a Pellet plant, would be established locally to provide jobs and revenue to both communities, and a bio-energy plant to meet the heat and electricity needs as well as a means to deal with the residuals of the saw milling process bark, sawdust, and chips.

Strategic Engagement Agreement

The Strategic Engagement Agreement (SEA) is a three year agreement that was signed in 2012 between the Province and Kaska Dena to provide stable funding for capacity and a common table to engage more efficiently on resource development applications. The SEA is now in its third

year and the parties are considering the renewal of the Agreement. If you have any questions regarding land and resources please contact your Land and Resource Officer. For a copy of the SEA go to:

<http://www.kaskadenacouncil.com/kaska-dena-council/kdc-agreements>

Below are the representatives of the SEA.

Responsible Officials

George Miller, Kaska Dena
Bruce Low, BC

Co-Chairs of the parties:

Steven Jakesta, Co-Chair/Regional
Coordinator, Kaska Dena
Brandon Schultz, Co-Chair BC

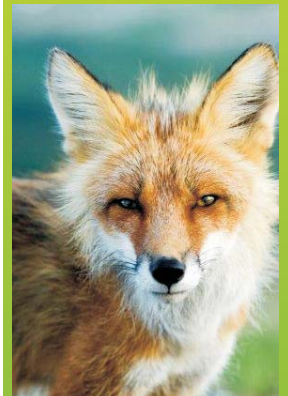
Land and Resource Officers

Myles Carlick, Good Hope Lake
250-239-3000 mcarlick13(at)gmail.com
Shawna Case, Kwadacha
250-471-2044 kfnref(at)gmail.com
Vanessa Law, Lower Post
250-779-3161 ddclro(at)northwestel.net

We're on the
web!

Visit:

www.kaskadena-council.com



KDC GENERAL ASSEMBLY – MARK YOUR CALENDARS!

The 2014 General Assembly for Kaska Dena Council is scheduled to take place this year from Tuesday, July 22nd to Thursday, July 24th.

Daylu Dena Council will be hosting the General Assembly this year. Stay tuned for notice as to the specific location of where the General Assembly will take place.

OTHER UPCOMING MEETINGS

Treaty Main Table

Good Hope Lake – June 25, 2014

Lower Post – June 26, 2014

JOB OPPORTUNITIES

Community Treaty Representatives for Daylu Dena Council and Dease River First Nation

See DDC or DRFN Band office for further information

Applications to be submitted to Kaska Dena Council by June 27, 2014

Contract position begins July 14, 2014

“The McDonalds: The Lives & Legends of a Kaska Dena Family”



Allison Tubman, Kaska Dena researcher, has recently completed a book on the history of the McDonald Family in the Kaska Dena Territory, which was printed at the

end of April. Allison held a book launch in Fort Nelson on April 30, 2013. Allison's book will be available for purchase at the KDC General Assembly in July.

For further information on Allison's book and on future book signings or where to purchase the book, go to Allison Tubman's website: <http://www.themcdonaldsbook.com/>

The McDonalds

The Lives & Legends of a Kaska Dena Family



Allison Tubman

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