



Volume 8, Issue 1

Summer 2016

MESSAGE FROM THE CHAIR

This has been a busy year to date and we have important initiatives to report out on as we continue to move forward and make progress in our work to protect our Aboriginal Rights, Title and Interests.

Kaska Dena Council along with Liard First Nation and Ross River Dena Council as a Nation have been successful in negotiating a G2G Framework Agreement with the Yukon Government and together look to the successful implementation of those agreements. Our negotiations at the treaty table with BC and Canada continue to make progress and we are continuing with our G2G Table under the SEA to reaching decisions on Resource matters. We have supported wildlife management initiatives, and are making progress with the implementation of ITA lands.

This year's General Assembly is being hosted by Kwadacha and we want to invite and encourage everyone to attend the General Assembly July 26-28. We are preparing updates and information on KDC initiatives to keep members informed, answer questions and help build stronger awareness among our people as to the important work and success that we are experiencing. Keep an eye on the KDC website as well for more information.

The General Assembly is always a wonderful opportunity to visit with family and friends, enjoy meals together, participate in the activities that are being planned, or just enjoy a cup of tea around the fire. Now is the time to start planning for the trip into Kwadacha, organizing shared vehicles and accommodation. Let's try to make this a very well attended General Assembly with strong representation from our communities.

Souga sin la

George Miller, Chair
Kaska Dena Council



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TREATY UPDATE

Kaska Dena Land Model

To negotiate jurisdiction and ownership of land, Kaska Dena negotiators presented a Kaska Dena Land Model to Kaska Dena leadership and Kaska Dena community members for their approval. The Kaska Dena Land Model is designed to achieve 100% management of Kaska Dena Traditional Territory in British Columbia.

The Kaska Dena Land Model outlines an approach for 100% management of the Kaska Dena Traditional Territory in British Columbia, and envisions three types of land designation:

1. **Kaska Dena Owned Lands** Kaska Dena lands owned through BC fee simple title on which Kaska Dena laws would apply;
2. **Shared Decision Making Lands** such as Kaska Dena currently have with the Strategic Engagement Agreement; and
3. **Kaska Dena Stewardship Lands** Lands within the core of the Kaska Dena Traditional Territory. Government and industry would require the consent of Kaska Dena before land and resource decisions are made.

The Kaska Dena Owned Lands will be negotiated at AIP, and the Kaska Dena Shared Decision Making Land and Kaska Dena Stewardship Lands would be negotiated at Final Agreement.

Kaska Dena negotiating team have held meetings with leadership and Kaska community members to go over the Kaska Land Model, answer questions and to identify areas of interest for category one lands of the Kaska Dena Land Model –

Kaska Dena Owned Lands. Maps are then created which show all of the areas of interest and are then brought to the Treaty Side Table.

During the July, 2016 General Assembly (July 26-28 in Kwadacha) an information tent will be set up with maps and information on the Kaska Dena Land Model. The KDC negotiating team will be available answer questions.

Agreement in Principle Negotiations

Kaska Dena are in the advanced stage of Agreement in Principle (AIP) negotiations, with approximately 5% of chapter work left to negotiate. This work continues and when complete, the entire draft AIP will undergo review by legal counsel for KDC, BC and Canada before being brought out to Kaska Dena members for review.

The AIP will be considered complete when initialled by the Chief Negotiators, signaling it is ready to be taken to Kaska Dena for approval. The completed AIP will be comprised of three elements:

1. **The AIP Chapters** (which include Kaska Dena government structures, powers and related financial arrangements, jurisdiction and ownership of lands, water and resources);
2. **Kaska Dena Owned Lands** (See Kaska Dena Land Model), and
3. **Capital Transfer.**

We will keep members informed as to the progress that is being made at the Treaty Table so that members are aware as to when the final draft AIP will be complete and ready for Kaska Dena review. The AIP

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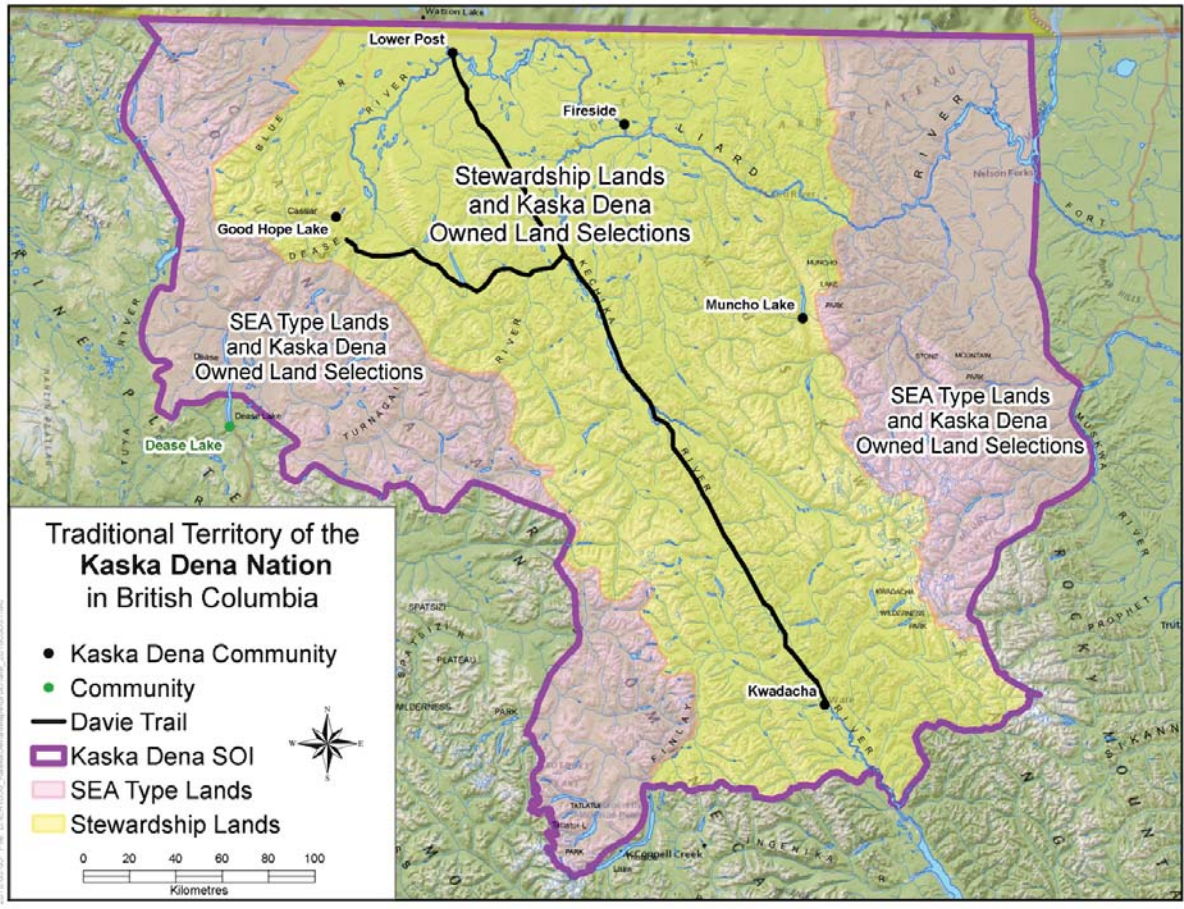
Kaska Dena News

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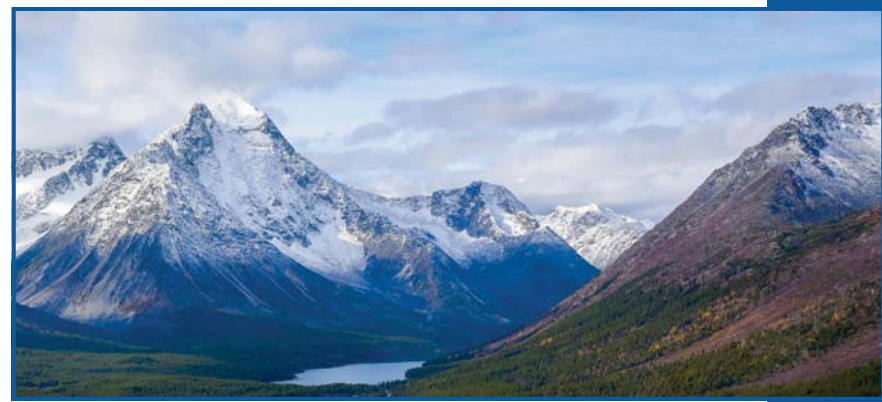
final agreement and is not legally binding. If Kaska Dena approve the AIP, then final agreement negotiations will begin which will include negotiation of the other two land designations as per the Kaska Dena Land Model: Shared Decision Making Lands and Stewardship Lands.

During the 2016 General Assembly (July 26-28 in Kwadacha) an information tent will be set up with maps and information on the status of the AIP chapter negotiations. The KDC negotiating team will be available to answer questions.

Kaska Dena Land Model Applied to Traditional Territory in BC



During the 2016 General Assembly (July 26-28 in Kwadacha) an information tent will be set up with maps and information on the status of the AIP chapter negotiations. The KDC negotiating team will be available to answer questions.





Incremental Treaty Agreement Lands: Economic Development Opportunities

The Incremental Treaty Agreement (ITA) was signed in 2013, providing for the early transfer of some Kaska Dena Lands to Kaska Dena in advance of a Treaty. The purpose of the early transfer is to give Kaska access to these lands for economic development opportunities.

Four Kaska Dena Land Corporations have been set up to hold the ITA lands as they are transferred from the province: Daylu Dena Council Land Corp., Dease River First Nation Land Corp., Kwadacha First Nation Land Corp., and Kaska Dena Collective Land Corp. ITA lands negotiated on behalf of each of the First Nations will be transferred to their respective Land Corporation when: a) the province has completed the surveying and its internal transfer process, and b) as per the request of the Kaska Dena First Nation.

The Kaska Dena Collective Land Corp will hold lands that are for the collective benefit of Kaska Dena, such as the Turnagain land parcel.

Each Land Corporation can, through a lease agreement, lease these lands to their respective Economic Development Corporation. The leases specify the type



Turnagain Lodge

of development that can and cannot take place on these lands given they are to be held for the enjoyment and benefit of future generations. The shareholders agreements state that these lands cannot be sold or used as collateral.

Economic Opportunities

Through Treaty Related Measures funding, two feasibility studies were completed in 2015 regarding potential economic development on two parcels of ITA land to be transferred in 2016/17; Rapid River and Obo Lake. The feasibility study for Rapid River speaks to the potential for construction of cabins at the Rapid River site for rental to tourists, contractors, and general highway travellers along Highway 37. The Obo Lake feasibility study highlights the potential for fly-in fishing/eco-tourism cabins.

The Turnagain Guide Outfitting concession was transferred earlier to Kaska Dena and is currently co-managed by Chee Ventures Ltd. (Kaska Dena Tourism Corporation) and Kwadacha First Nation along with their Guide Outfitting concession. In 2016 the land which the Turnagain Lodge is situated on will also be transferred to Kaska Dena to be held in the Kaska Dena Collective Land Corporation. This means Kaska Dena no longer have to hold a lease for the Turnagain Lodge as the land is now legally owned in fee simple by Kaska Dena.

There is a potential for construction of cabins at the Rapid River site for rental to tourists, contractors and general highway travellers along Highway 37. The Obo Lake feasibility study highlights the potential for fly-in fishing/eco-tourism cabins.



Potential Cabin Site – Obo Lake

YUKON AND KASKA

Government to Government Framework Agreement

A Government to Government Framework Agreement was signed January 2016, between the Yukon Territorial Government (YTG) and Kaska (Ross River Dena Council, Liard First Nation, and the Kaska Dena Council, on behalf of the Dease River First Nation, Daylu Dena Council, and Kwadacha First Nation).

The Framework Agreement provides Kaska with a road map and capacity funding to allow Kaska the ability to:

- Facilitate economic development involving all natural resources on Kaska territory in the Southeast Yukon Territory (SEYK);
- Establish collaborative land and resource management; and
- Address the social and cultural impacts from land and resource development.

It also provides funding to develop community plans and programmes on these issues, enabling Kaska to negotiate on an equal footing. The Framework Agreement is not a Land Claims or Treaty Agreement.

We will be working to define a go-forward relationship to address forestry, oil, and gas, mining, infrastructure, hydro energy, and land dispositions. We will also be exploring how the Kaska and the Yukon can, on a government-to-government basis, resolve planning and decision-making on land and resource management and related matters, including environmental screening and infrastructure planning. We will also be looking at addressing the past, present and future impacts from development, including remediation and restoration of old roads, mines and other projects.

The Kaska position is that any future development requires Kaska consent, including full partnership in decision-making, economic benefits, and the protection of the environment. This means it must occur in a way that preserves the environment, and the Kaska way of life for future generations. This right of future generations was specifically emphasized in the Supreme Court of Canada's historic Tsilhqot'in decision.

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FRAMEWORK AGREEMENT HIGHLIGHTS

- Without prejudice to Kaska Rights, Title and legal positions.
- Focus on land and resources and all related matters for Kaska Territories.
- Provides road map for discussing all issues raised by Kaska in resource declaration.
- Government-to-Government negotiating tables for Chiefs and Premier, and for senior officials.
- Provides funding to allow Kaska the capacity to negotiate on equal footing.
- Provides funding to develop Kaska Resource Management Authority.
- Provides funding for community wellness and capacity planning, and social/cultural funding.
- Provides funding to complete forest timber and related talks.
- Community involvement – Any negotiated agreements pursuant to the Framework Agreement will require community support/approval.
- Framework Agreement expires on March 31, 2017 unless otherwise agreed.

A Government to Government Framework Agreement provides Kaska with a road map and capacity funding.



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There will be community involvement during the process as we begin to negotiate Kaska resource management. If the negotiations lead to specific arrangements or agreements, those agreements will be subject to community discussion and ratification.

KASKA RESOURCE MANAGEMENT AUTHORITY (KRMA)

Under the Framework Agreement the Yukon Territorial Government (YTG) is providing Kaska First Nations with funding to assist Kaska to establish and implement new structures to coordinate Kaska participation in consultation and engagement processes related to land and resource dispositions and authorizations in the Kaska Territory. During the negotiations of the Framework, this was referred to as the Kaska Resource Management

Authority or “KRMA” process. This is similar to the Strategic Engagement Agreement (SEA) in British Columbia.

KRMA meets two main needs:

1. Enable Kaska communities to support their own land and resource management capacity; and
2. Enable greater coordination between Kaska communities so that Kaska can present a united front on any land and/or resource project development on Kaska Traditional Territory in the Yukon.

The design and implementation of KRMA will be led by John Lawson, who will be working with community representatives appointed by Ross River Dena Council, Liard First Nation and Kaska Dena Council and Kaska technical advisors to develop some concepts for how KRMA can best meet Kaska needs.

There will be community involvement during the process as we begin to negotiate Kaska resource management. If the negotiations lead to specific arrangements or agreements, those agreements will be subject to community discussion and ratification.

FRAMEWORK AGREEMENT TEAM

The Chair of the Kaska Dena Council will participate directly at the Principals’ Table with the Premier and the other Kaska leadership. The Principals’ Table will direct the work of the Senior Officials’ Tables, where Yukon and Kaska lead negotiators and officials will meet and report back to the Principals’ Table.

Liard First Nation

- Principals’ Table - Chief Daniel Morris;
- Senior Officials’ Table - Chief Negotiator Allen Edzerza.

Ross River Dena Council

- Principals’ Table - Chief Jack Caesar;
- Senior Officials’ Table - Chief Negotiator Gerry Kerr.

Kaska Dena Council

- Principals’ Table - KDC Chair George Miller;
- Senior Officials’ Table - Chief Negotiator Dave Porter.

KRMA

- Lead for development and implementation - John Lawson;
- Community Reps - Brian Ladue and Peter Stone;
- Legal Counsel - Stephen Walsh and Larry Innes.

WILDLIFE MONITORING PROGRAM

The Daylu Dena Council and Dease River First Nation, with the assistance of the Dena Kayeh Institute, obtained funds through the BC Capacity Initiative to do a wildlife monitoring program to help assess hunting concerns that we've heard from the communities over the last several years. Two wildlife monitors were hired for the 2015 season: Lizann Porter and Kenny McMillan. They monitored various areas throughout northern BC travelling west to Smith River and Skooks landing and south along the Cassiar Highway to Dease Crossing and various areas throughout.

The objective of the program is to alleviate potential land use conflict with outside hunters. The monitors were a presence on the land, recording how many hunters they saw and if they witnessed anything that looked like it was an infraction against the hunting regulations. Various signs were produced and placed at key access points to inform the public where Kaska areas of high cultural use are.

A wildlife brochure was created to educate the public on measures the Kaska are taking to manage the wildlife in our Traditional Territory. The monitors handed it out to hunters, and the guide-outfitters within Kaska Traditional Territory in BC were mailed a copy of the brochure. We've asked hunters and guide-outfitters to donate any unwanted meat to our communities.

We are asking our Kaska hunters to turn in the moose incisor tooth as detailed within the brochure, so that we can also collect wildlife data. The moose tooth is used to verify the age of the moose. The wildlife monitors also gps'd cultural use sites such as community member cabins. This allows the Dena Kayeh Institute GIS Technician, Tanya Ball the ability to update the Traditional Use data in our database to precise locations. The Kaska

Dena website has been updated to include the hunting information including Permission to Hunt in our traditional territory application and brochure, see <http://www.kaskadenacouncil.com/lands-and-resources/resource-mgmt/wildlife-management>.

In regards to results from the 2015 work, there were 23 monitoring trips Sept 4 – Oct 16 with 145 hunters observed and/or surveyed. At least 100 vehicles were observed and over 15 Kaska signs were put up for Daylu Dena Council and Dease River First Nation. Kwadacha Nation is working on a wildlife monitoring program as well with signs, brochures, and a website being developed. Kwadacha has in the past had wildlife monitors during the hunting season and is working to have some members involved this upcoming hunting season.

The plan is to continue with the Wildlife Monitoring Program in 2016 and training is occurring for 6 Kaska members from Daylu Dena Council, Dease River First Nation, and Kwadacha Nation in May through the 3 Nations Wildlife Program. Funding is being pursued to continue supporting the program and look to include further training and capacity support for the upcoming summer and fall field seasons for the three communities.



The Wildlife Monitoring Program will continue in 2016 and training is occurring for six Kaska members from Daylu Dena Council, Dease River First Nation and Kwadacha Nation in May through the 3 Nations Wildlife Program.

KASKA DENA COUNCIL

Strategic Engagement Agreement Update - 2016

Kaska Dena Council's Strategic Engagement Agreement has been working very efficiently in terms of meaningful consultation between the BC government and KDC through the shared engagement process. Over the past year, BC government staff members working in the three District Offices have provided a great level of support to KDC within the SEA. The three District Offices that overlap Kaska Territory include: Stikine-Bulkley, Mackenzie, and Peace.

One of the fundamental challenges with three different District Offices is dealing with critical resource management issues that are important to the KDC. The overall management issues such as hunting, forestry, mining and other resource matters are somewhat of a challenge to synchronize in a consistency management plan because of the district approach. However, there have been great successes when dealing within the districts for specific referrals.

The Good Hope Lake office has been dealing with a large number of placer mining referrals. In

March, a level 4 working group meeting was successful in protecting the Hot Lake-French Creek from active placer mine activities. Things have been fairly consistent within all three Kaska communities in terms of working within the SEA timelines and process.

For the past four years the Natural Resource Council met regularly outside of the Kaska Territory, however the NRC have agreed to hold their first meeting in Kaska Territory this summer. Members of BC and Kaska will be meeting at Hot Lake, June 28-29.

For more information please contact one of the following members:

- Daylu Dena Council – Vanessa Law – (250) 779-3161, ddclro@northwestel.net
- Dease River First Nation – Myles Manygreyhorses – (250) 239-3037, drfnreferral@gmail.com
- Kwadacha Nation – Shawna Case – (250) 471-2044, kfnref@gmail.com
- SEA Coordinator – Steven Jakesta – (250) 779-3032, knrcsea@gmail.com

MARK YOUR CALENDARS!

Kaska Dena Council General Assembly July 26-28, Kwadacha

The 2016 General Assembly for Kaska Dena Council is scheduled to take place this year in Kwadacha. The dates for the General Assembly are Tuesday, July 26th to Thursday, July 28th.

This will be a time to not only become better informed as to the major events that took place in 2015, but also a great time to reconnect with family and friends and enjoy eating and celebrating together.

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. Registered members are also entitled to run for elected office of Kaska Dena Council.

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 867-335-5712 or kdexecdir@northwestel.net.

Kaska Dena News is published three times a year by the Kaska Dena Council. For past issues go to:
www.kaskadenacouncil.com/newsarchives/newsletter-archive.

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