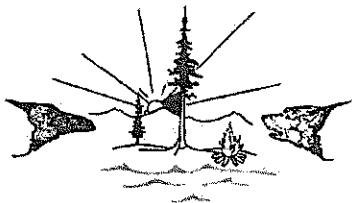


**STRATEGIC ENGAGEMENT AGREEMENT**  
**Between the Province of British Columbia and Kaska Dena Council**

**Annual Implementation Report**  
**April 1<sup>st</sup> 2017 – March 31<sup>st</sup> 2018**

Version 1 June 18, 2018



Daylu Dena Council

Kwadacha First Nation

Dease River First Nation

## **Section 1 – Purpose:**

The Strategic Engagement Agreement (SEA) between the Province and Kaska Dena is intended to foster and build upon a positive and respectful government-to-government relationship. The SEA allows for creative and collaborative work between the parties on natural resources issues in the Kaska Dena Traditional Territory and offers a shared process to consider information about natural resources projects including Kaska Dena’s traditional knowledge. This Annual Implementation Report describes the achievements and staffing changes over the 2017/18 year and sets priorities for the next. This report was drafted by both Kaska Dena and the Province of BC.

## **Section 2 – SEA Committees:**

### Responsible Officials:

The Responsible Officials provide executive guidance for the Natural Resource Council (NRC). The Kaska Dena Council (KDC) and the Province of British Columbia each appoint an individual to this position. The roles and responsibilities of the Responsible Officials are described in Section 6.1 of the Strategic Engagement Agreement (SEA). The previous year’s Responsible Officials remained for the majority of the 2017-2018 implementation year:

Kaska: George Miller, KDC Chair

BC: Bruce Low, Regional Manager MIRR

On February 13<sup>th</sup> 2018, Bruce Low took on the role of the NRC Co-Chair and Geoff Recknell, Regional Executive Director of MIRR took over as the BC SEA Responsible Official.

While not regular attendees of the NRC, the BC Responsible Official was present for one of the NRC meetings this year. Regional Manager, Bruce Low addressed the NRC in January 2018. Present at this same meeting was Danny Case, KDC Vice-Chair of Lands and Resources who addressed the NRC on behalf of George Miller. At this meeting, they both spoke to the future of the SEA and expectations on the agreement moving forward in this important time of reconciliation in the Province.

Chief Donny Van Sommer of the Kwadacha First Nation was invited as a special guest to the July 2017 NRC meeting that was held in Kaska Dena Territory in Kwadacha – Fort. Ware. Chief Donny addressed the NRC at the field visit to the Finbow Camp and Airstrip. He expressed his concerns about the after-math of development projects and the accountability of proponents for reclamation of their resources interests.

### Natural Resource Council:

The NRC is the main government-to-government body of the SEA. The NRC is co-chaired by an official from the Kaska Dena Council and from the Government of BC’s Ministry of Indigenous Relations and Reconciliation (MIRR). The rest of the NRC is made up of representatives from the three Kaska Dena communities and the three BC regional administrative units that make up the Kaska Dena’s Traditional Territory (Skeena, Omineca, and North East). The roles and

responsibilities of the Co-Chairs and the official NRC representatives are described in Section 6.2 and 6.3 of the SEA.

In 2017-18, these roles were filled by:

Kaska Dena:

- Co-Chair – Bill Lux (April-May 2017); Gillian Staveley (May 2017 ongoing)
- Daylu Dena Council – Tanya Ball
- Dease River First Nation – Roy Carlick
- Kwadacha First Nation – Angela Hocken (April-September 2017); Amy McCook (October 2017 ongoing)

BC:

- Co-Chair – Brandin Schultz (April 2017 - February 2018); Bruce Low (March 2018 ongoing)
- Skeena – Howard Davies
- Omineca – Dave Francis
- Northeast – Lisa Thompson

SEA Implementation Leads:

- BC – Katy Dillon (April-August 2017); Gretchen Prystawik (September 2017 ongoing)
- Kaska – Bill Lux (April-May 2017); Gillian Staveley (May 2017 ongoing)

Although only official representatives of the NRC (those above or their designated alternates) can vote on NRC decisions, individuals from Kaska Dena or the Province may attend NRC meetings to speak on issues and express their views. Of particular note, the following individuals were present at meetings throughout the 2017/18 year:

- |   |  |
|---|--|
| - Loni Arman                              | Advisor First Nations Relations – Mackenzie                |
| - Monika Singh                            | Advisor First Nations Relations – Mackenzie                |
| - Heather Cullen<br>Omineca               | Regional Director Mines and Mineral Resources –<br>Omineca |
| - Eric Smith<br>Working Group – Skeena    | Land and Resource Specialist, Fish and Wildlife            |
| - Cheryl Mackenzie                        | Senior Authorizations Specialist – Skeena                  |
| - Shelley Marshall<br>Group – BC          | Wildlife Biologist, Fish and Wildlife Working              |
| - Jim D’Andrea                            | Senior First Nations Advisor – Skeena                      |
| - Torbjorn Rive<br>Group – Skeena         | Advisor, First Nations Relations, Mineral Working          |
| - Ray Pillipow<br>Working Group – Omineca | Fish and Wildlife Section Head, Fish and Wildlife          |
| - Jeanine Hudson                          | Senior First Nations Relations Advisor – Peace             |
| - Miles Hogan                             | Senior Advisor, First Nations Relations – Omineca          |

- Katelyn White First Nations Stakeholder Engagement Biologist,  
Fish and Wildlife Working Group – Peace
- Bill Lux Fish and Wildlife Working Group – Kaska Dena
- Norm MacLean Fish and Wildlife Working Group – Kaska Dena
- Corrine Porter Parks Working Group – Kaska Dena
- Dave Crampton Forestry Task Force – Kaska Dena
- Shannon McFadyen Regional Planning Section Head, Parks Working  
Group – BC
- Dave Brown Parks and Protected Areas Section Head, Parks  
Working Group – BC

The NRC met four times from April 1<sup>st</sup> 2017 to March 31<sup>st</sup> 2018:

1. May 4<sup>th</sup> 2017 Teleconference
2. July 12<sup>th</sup> 2017: Kwadacha
3. October 20<sup>th</sup> 2018: Teleconference
4. January 18<sup>th</sup>-19th 2018: Prince George

A Record of Discussion was taken at each meeting, which was distributed by email to the participants and Responsible Officials.

### **Section 3 – Funding:**

The Kaska Dena received \$350,000 to fund the implementation of the agreement for 2017-2018.

Special Project Funding: The SEA allows for up to \$100,00 to be put towards special projects over the three-year agreement. Members of the NRC and working groups can write proposals for a portion of these funds, which are endorsed by the NRC prior to submitting them to the Province for approval.

The following proposals were endorsed and funded for the 2017-18 year.

1. Environmental and Wildlife Monitoring Program

The Fish and Wildlife Working Group under the SEA has proposed using a portion of the special projects funding available to support the continued community wildlife monitoring program, which is partially funded by other sources including in-kind support by the Kaska Dena. The funding will go towards the salaries and expenses for six part-time monitors (two from each of the Kaska Dena communities). The Natural Resource Council approved this proposal on February 23, 2017.

## 2. Land Guardians Placer Inspections

This project proposal is the second phase to expand the Kaska Dena's Land Guardian program to include partnership with the Skeena Ministry of Energy, Mines and Petroleum Resources (EMPR) office, and involve Kaska Dena directly in the inspection of placer miners in the placer jade industry near Good Hope Lake, BC. The first phase included training led by EMPR and equipment upgrade, this second phase includes salary and added costs (for Kaska Dena members) for by-air and by-land inspections, additional environmental sampling requested by Kaska Dena, as well as travel and other expenses for Kaska Dena members. The Natural Resource Council approved this proposal on February 23, 2017.

Due to the lack of joint-inspection opportunities for the 2017 field season, the remaining funds for this section of funding were put towards a new proposal for the Kaska Dena – a training initiative for Kaska Dena lands and resources staff, described below.

## 3. Land Management Tools for Referral and SEA Related Initiatives

The land management files and consultation records for the Kaska Dena in BC is guided by the SEA and is Strategic Engagement Referral process. As First Nations move further towards asserting stewardship over their traditional lands, there is a need for them to maintain databases and records regarding the lands and resource referrals within their traditional territory. The Kaska Dena have implemented the use of Referral Tracking System (RTS) run through DRS Systems to track, plan activities, and respond to lands referrals. As part of this system, the Kaska Dena lands and resource offices in BC have utilized the “centralization” of this system to develop team-based practices for responding to the Strategic Engagement Records (SER) from the various ministries.

Training was needed to help guide operating procedures for this updated system. This proposal outlined the training program for five members of the Kaska Dena First Nation Land and Resource team to be trained in the management of their new referral tracking systems. The Natural Resource Council approved this amended proposal on October 20<sup>th</sup> 2017.

## 4. Mushroom Picking Monitoring Program

The Kaska Dena have reported significant difficulties with the un-organized and un-regulated morel mushroom picking industry that occurs each year in Kaska Dena territory. Mushroom pickers can be highly disruptive to the natural environment by leaving garbage/refuse in the area. The existing Land Guardian program proposed the monitoring and documentation of the pickers to better inform the Province of the impacts of this un-regulated industry. The monitors will also clean up abandoned sites, within reason. The Natural Resource Council approved this proposal on February 23, 2017.

## 5. SEA Renewal Meeting

The second SEA expired at the end of March 2018. The parties held a LEAN session and staff meeting in February 2017 to initiate discussions on improving and expanding the SEA, knowing that the work to negotiate a third agreement would begin in the spring of 2017.

The ‘renewal working group’ met in the Spring of 2017 to prioritize and budget this \$3,000 towards the goal of preparing for the renewal. The funds were used to hold a Kaska Dena Lands and Resource Staff meeting in the Fall of 2017 to initiate the discussions of the renewal process. The Natural Resource Council approved this proposal on February 23, 2017.

## **Section 4 – 2017/18 Highlights and Achievements:**

### **Fish and Wildlife Working Group**

The Fish and Wildlife Working Group (FWWG) as part of their work plan create a priority set of initiatives and topics for the year, where discussions are held monthly to deal with wildlife issues between Kaska Dena and the Province.

As part of the initiatives for the 2017/18 year, there was a continued relationship between the Dena Nan Yada Community Environmental and Wildlife Monitoring Program and the FWWG. As part of the monthly FWWG meetings and quarterly NRC meetings, regular reports were made by Program Coordinator, Tanya Ball on the monitoring activities. Monitoring activities included hunting surveys and seasonal “on the ground” guardian initiatives throughout much of the Kaska Dena traditional territory.

This year, the FWWG discussed in depth the hunting regulation changes that are being tabled provincially in regard to hunting, trapping, vehicle, and firearms restrictions for 2018-2020. The intent of these adjustments is to promote the conservation of wildlife and wildlife habitat and optimize sustainable hunting/trapping opportunities. In addition, the FWWG reviewed strategic engagement referrals concerning wildlife on a case-by-case basis.

### **Forestry**

The Kaska Forestry Task Force worked on a variety of initiatives during the 2017/18 year and achieved the following:

- Successful implementation of the Highway 37 Wildfire – Salvage & Rehabilitation Management Plan, a joint project between the Skeena Stikine Resource District and the Kaska Dena.

- A Government to Government decision on the First Nations Forest Tenure Woodland Licence for the Kwadacha First Nation
- Tenure-based Forestry Management Planning for the Cassiar and Liard regions.
- Regular review of Strategic Engagement Referrals including Forestry Stewardship Plan reviews in the Forest Nelson Timber Supply Area and Mackenzie Forest District.

Fort Nelson Timber Review Supply Analysis of TSR IV – Annual Allowable Cut: The Task Force is anticipating the review of an additional sensitivity analysis, which includes a portion of the Kaska Dena Traditional territory and considers the North-Liard Sustainable Resource Management Plan. Engagement opportunities coming under TSR IV Public Discussion Paper, which is forthcoming in the 2018/19 implementation year.

## **Land Management**

There were a variety of land use planning and management initiatives that took place for the Kaska Dena in the 2017/18 year.

- The Province and Kaska Dena worked towards the designation of five Incremental Treaty Agreement (ITA) lands which went through the SEA consultation process. The application for Crown Land Act Section 16 – Withdrawal of the Liard Bench, Skooks Landing/Fireside, Cotton Lake, Good Hope Lake, and Keane Lake are being placed under the protection of the ITA and transferred by fee simple to Kaska Dena Council. The ITA lands are part of the linkages to treaty and the larger government to government commitments in respect to the management of lands, water and resources within the Kaska Dena Traditional Territory.
- Land Use Planning initiatives that took place this year include: Khununé' Ghaghinda "Look After Our Land", the Kwadacha Nation Land Use Plan which addresses the management of land and resources in the Obo River, Finlay River, Fox River, Warneford, and Kwadacha River (including others in the areas) drainages in northern British Columbia. An important goal for the plan is to provide for a range of economic opportunities in the area while maintaining the integrity of natural resources. The Kwadacha Nation Land Use plan is consistent with land use plans developed by other Kaska Dena communities and is utilized in the discussions of land management at the NRC table.
- There were other land management issues that were continuously addressed or raised in this implementation year. The conditions of the camp permit adjacent to the Finbow airstrip was highlighted in the July 2017 with a site visit to the location during the NRC meeting. NRC representatives witnessed the clean-up needed at this site and the steps needed to address the conditions of the site with FLNRORD staff. In addition, there were working group discussions held about the recreational leases within Kaska Dena

Traditional Territory and the compliance and enforcement that is needed in some of the more rural areas.

### **Conservancies, Parks, Ecological Reserves and Protected Areas**

The purpose of this framework within the SEA is to have government to government discussions on the development and implementation of management plans and joint operational activities within conservancies, parks, ecological reserves, and protected areas (CPERPA's) within the Kaska Dena Traditional Territory. The scope of work for the CPERPA for the 2017/18 implementation year was as follows:

- Kaska Dena Signage and Interpretive Information for the Tā ch'ilā – Boya Lake Park
- Continual Development of the Ne'ah Conservancy Management Plan
- Collaboration on addressing issues with access to the Liard Hotsprings for Kaska Dena members.

### **Mineral Working Group**

The Mineral Working Group has been officially implemented into the renewed SEA for 2018/19 to formalize the processes that have been in operation informally over the past two years. The mandate of this working group is to facilitate the engagement on government to government discussions with respect to the mining sector and mining activities in the Kaska Dena Traditional Territory. The first official meeting took place on January 17<sup>th</sup> 2018 where a work plan was developed as follows:

- Review proposals for regional exploration and regional mines
- Discuss joint-inspection opportunities for each field season, including training initiatives
- Jade-Boulder Road working group to continue to examine road and impacts from all users. Seek funding that aims to accurately assess the road and its impacts.

### **SEA Renegotiation (2018/2020)**

In February 2017, BC and Kaska Dena came together in Prince George to discuss the 2015 SEA through a LEAN Process to improve the agreement. Based on the discussions had at this workshop the Kaska Dena held a team meeting in October 2017 to overview the existing agreement and provide feedback on proposed changes. Since it has been six years since the implementation of the Kaska Dena SEA, it was important to update the agreement to reflect new ministerial mandates and provincially recognized policies of reconciliation.

After the formal letters were exchanged between the Responsible Officials on September 20<sup>th</sup> the Province and Kaska Dena entered into a joint review process. Review meetings took place on November 16<sup>th</sup> and 28<sup>th</sup>, December 4<sup>th</sup>, 12<sup>th</sup>, and 20<sup>th</sup> and January 4<sup>th</sup> and 8<sup>th</sup>, February 8<sup>th</sup>, 9<sup>th</sup>, and 14<sup>th</sup>, and March 1<sup>st</sup>.



Throughout the review meetings, it became evident that the scope of changes necessary to implement a “higher level” reconciliation agreement between the Province and Kaska Dena required more time and consultation. The renewed agreement for 2018 is therefore termed as a “bridging agreement” where negotiations will take place over the two - year term to redefine the SEA to an agreement that improves upon the joint decision-making and collaboration between the Province and the Kaska Dena.

### **Section 5 – 2017/18 Engagement Overview:**

A total of 109 referrals to date were sent to the Kaska Dena under the Strategic Engagement Agreement for 2017-18.

Table 1 shows the breakdown by engagement level:

<b>Levels</b>	<b>2017-2018</b>	<b>2016-2017</b>	<b>2015-2016</b>	<b>2014-2015</b>	<b>2013-2014</b>
1 (Notification Post Decision)	22	25	16	14	25
2 (Review and Comment)	69	73	90	48	50
3 (Shared Decision Working Group)	12	18	28	9	33
4 (Natural Resource Council)	6	0	3	0	0
Strategic Shared Decisions	0	3	1	1	1
<b>Total</b>	<b>109</b>	<b>119</b>	<b>138</b>	<b>72</b>	<b>109</b>

Table 2 shows the breakdown by sector type:

<b>Sector</b>	<b>2017-2018</b>
Forestry	14
Utilities (Water, Wind, Hydro)	6
Lands	7
Archaeology	24
Wildlife	16
Mineral	28
Parks	14
Petroleum and Natural Gas	0

#### Coordinated Engagement

For the 2017/18 year the highest level of shared decision making was done at the working group levels where three Forestry applications and three Mining Applications were reviewed jointly at the shared decision level 4 – Natural Resource Council. All applications were in the Omineca Region dealing with FSP replacements and amendments as well as the high-level review of mineral notices of work.

1. Conifex FSP Amendment
2. Takla Lake FN Non-Replacement Forest Licence
3. Canada Zinc Metals Corp. Akie Property Notice of Work
4. Amarc Resources Limited Joy Property Notice of Work
5. Pacific Empire Minerals Corp. Nub East Property Notice of Work
6. Canadian Forest Products Replaceable FSP

## **Section 6 – Priorities for 2018/19**

Beginning in 2018 and continuing through the term of this agreement, BC and Kaska Dena will explore options for a potentially new form of government to government agreement in the endeavour to establish a clear vision of reconciliation for the parties. During this time, the commitment to working collaboratively and respectfully will remain a high priority for the NRC.

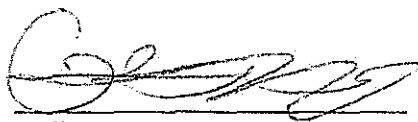
### **1. Land-based monitoring initiatives**

The Dena Nan Yada Community Environmental and Wildlife Monitoring Program has been an active land guardian initiative since 2014. Supported by the NRC, the program has continued to enhance its capabilities and responsibilities. As part of the larger reconciliation efforts between the Province and the Kaska, the ministries responsible for compliance and enforcement will be jointly working with the Kaska Dena to support the training and implementation of increased monitoring efforts in the Kaska Traditional Territory.

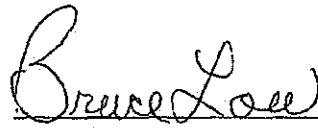
### **2. NRC improvements**

The Natural Resource Council has been the main body of joint-decision making and review for the Kaska Dena SEA, due to its importance its operational guidelines and recommendation platforms will need to be updated to improve collaboration, effectiveness and efficiency. As part of this review, priority tasks and capacity shortfalls will be identified as necessary components of the council's shared-decision making abilities.

This Annual Implementation Report was prepared for the Responsible Officials.



Gillian Staveley  
Co-Chair of the NRC  
for the Kaska Dena Council



Bruce Low  
Co-Chair of the NRC for the  
for the Province of British Columbia

