

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

Annual Implementation Report
April 1st, 2019 – March 31st, 2020

Version 1, April 17, 2020



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 a platform to build on the reconciliation efforts of BC and the Kaska to help formalize a joint institution for decision making on lands and resource-based decisions within the ancestral territory of the Kaska Dena.

This Annual Implementation Report describes the achievements and staffing changes over the 2019/20 year and sets priorities for the next. This report was drafted by Gillian Staveley.

Section 2 – SEA Teams:

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. The previous year's Responsible Officials remained the same for the majority of the 2019-2020 implementation year, where as Dale Morgan took over for Geoff Recknell in his interim position as acting regional director in the North Region:

- Kaska: Danny Case, Chair of Kaska Dena Council
- BC: Dale Morgan, Ministry of Indigenous Relations and Reconciliation

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 the Peace). 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 2019-20, these roles were filled by:

Kaska Dena:

- Co-Chair – Gillian Staveley
- Daylu Dena Council – Tanya Ball
- Dease River First Nation – Roy Carlick
- Kwadacha First Nation – John R. McCook (replacing Amy McCook)

British Columbia:

- Co-Chair – Camille Wilder
- Skeena – Howard Davies
- Omineca – Yvonne Parkinson (replacing Dave Francis)
- Northeast – Christopher Cooper (replacing Lisa Thompson)

SEA Implementation Leads:

- BC – Camille Wilder
- Kaska – Gillian Staveley

NRC Working Group Co-Chairs:

- Fish and Wildlife Working Group – Ray Pillipow (BC)
- Fish and Wildlife Working Group – Norm McLean (Kaska)
- Parks, Conservancies and Protected Areas Working Group – Shannon McFadyen (BC)
- Parks, Conservancies and Protected Areas Working Group – Corrine Porter (Kaska)
- Mineral Working Group – Howard Davies (BC)
- Mineral Working Group – Gillian Staveley (Kaska)

Working Group Attendees:

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 2019/20 year:

- Bruce Low – MIRR
- Gerry Walsh – MIRR
- Ruby Johnny – Kaska Dena Council Vice-Chair of Lands and Resources
- Fred Lutz – Deputy Chief of Daylu Dena Council
- Malcom Groat – Councillor of Daylu Dena Council
- Shawna Case – Kwadacha First Nation Lands and Resource Officer
- Vanessa Law – Daylu Dena Council Lands and Resource Officer
- Dave Crampton – Forestry Task Force
- Roger McMillian – Mineral Working Group
- Andrea Ross – Mineral Working Group
- Katelyn White – Fish and Wildlife Working Group
- Shelley Marshall – Fish and Wildlife Working Group
- Danica Crystal – Fish and Wildlife Working Group
- Anna McIndoe – Parks Working Group
- Torbjorn Rive – Skeena Representative
- Brian Hearnden – Skeena Representative
- Mardi Bodhi – Skeena Representative
- Lea-Marie Bowes-Lyon – Skeena Representative

- Colin Squirrel – Skeena Representative
- Jeanine Hudson – Peace Representative
- Rebecca Misener – Skeena Representative
- Todd Deveau – Skeena Representative
- Jennifer Pollard – Omineca Representative
- Dave Francis – Omineca Representative
- Marnie Fraser – Omineca Representative
- Loni Arman - Omineca – Mackenzie District Representative

The NRC met four times from April 1st, 2019 to March 31st, 2020.

1. June 18-19th, 2020 – In Person (Lower Post)
2. September 4th, 2020 – Teleconference
3. October 8th, 2020 – Teleconference (Silvertip)
4. January 15th, 2020 – Teleconference

NRC meetings are typically held by teleconference with one in-person meeting per year. 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 2019-20.

Special Project Funding: The SEA allows for up to \$100,000 to be put towards special projects over the three-year agreement. Since this renewal is a bridging agreement, \$50,000 was allotted for the 2 years. 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 \$50,000 that was allotted for the 2018-2020 Bridging Agreement was spent in its entirety in the 2018-19 fiscal year on the Non-Timber Forest Resource Monitoring Program. The Natural Resource Council approved this proposal on March 14th, 2019 and all deliverables were completed by the fall of 2019. A final report is available on request.

Section 4 – 2019/20 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 fish and wildlife issues between Kaska Dena and the Province.

As part of the initiatives for the 2019/20 year, there was a continued relationship between the Dane Nan Yé Dāh (DNY) Kaska Land Guardian Program and the FWWG and the connections between this Working Group and the 3 Nations Collaborative Stewardship Framework.

The 2019/20 priority initiatives were the following:

- Kaska traditional and community fish surveys by Land Guardians;
- Land Guardian annual surveys and plans;
- Moose Action plans;
- Hunting and Fish regulation 2020-2021 proposals;
- Wildlife Act changes and Indigenous Wildlife Forum meetings;
- Bison management; and
- Review of CSF workplans

CSF – Collaborative Stewardship Framework

The 3 Nations Society – British Columbia Collaborative Stewardship Framework (the “3NBC-CSF”) is an initiative by which the BC Kaska Dena, Tahltan Nation, and Taku River Tlingit Nation (collectively, the “Three Nations”) have agreed with the Province of British Columbia (“BC”) on the co-design and the building of shared capacity with the goal of shared management of fish and wildlife management across the traditional territories of the Three Nations in British Columbia (the “Collective Territories”).

The 3NBC-CSF is a three-year program funded through the Indigenous Funding Envelope and being managed by the Skeena Region- Ministry of Forests, Lands, Natural Resources, and Rural Development. The program is guided by three main program areas – guardian programs, governance and capacity, and specific projects.

The Guardian Program encompasses various monitoring initiatives around wildlife health, harvest and land use monitoring, mine site monitoring and training, climate change training, aquatic resources monitoring, morel mushroom program, and human-wildlife conflict programs. The Governance and Capacity Program focuses on finding ways to implement consent-based decision making for wildlife management and develop the standards needed to collect and share wildlife information. The Specific Projects focus on caribou, moose, sheep, goat species while also botanical resources. Each project is created to fill information gaps and to provide monitoring support to specific regions in which ecosystem compliance is vital.

The 2019/20 year is Year 2 under CSF and the focus have been to work on the three program areas by designing a shared vision for the future of CSF. Within this project year CSF has established a technical working group and governance team who collaboratively develop workplans and models.

Some of the outcomes from this year have been:

- Completed research on collaborative governance and management models to inform our approach to collaborative short-term collaborative wildlife management and vision of co-governance for wildlife management.
- Completed projects to support the gathering of shared information for wildlife management. ♦ Completed projects include:
 - Atlin Caribou Population Estimate;
 - Carcross Caribou Monitoring;

- Liard Moose Composition Survey;
- Klappan Moose Composition Survey;
- Cassiar Stone's Sheep Inventory;
- Wildlife Health Sampling;
- Tulsequah River Monitoring;
- Jade Boulder Sheep Study.
- Increased the number of 3Nations Land Guardians and expanded capacity and knowledge of each Nations program

The upcoming priorities for CSF in 2020-2021 will be to:

- Design a collaborative co-governance management model for wildlife management with the vision of implementation within a 10-year period.
- Continue community and leadership outreach and engagement.
- Continue support of the Guardian Program.
- Continue work on wildlife management and assessment projects such as:
 - Caribou Community Plans;
 - Atlin East Sheep Population Inventory;
 - Management Strategies for Atlin Sheep;
 - North Williston Moose Population Inventory;
 - Stikine River Mountain Goat Population Inventory;
 - Moose Action Plans;
 - Tseneglode Caribou Population Estimate.
- Create an Information Sharing Agreement that will facilitate the sharing of Indigenous Knowledge, laws, practices, and policies.
- Create an Integrated Harvest Management Assessment Protocol.

Forestry

The Kaska Forestry Task Force worked on a variety of initiatives during the 2019/20 year and achieved the following:

- Kaska Forest Tenure Processes for the Dease Liard Supply Block and North Liard Plan areas;
- Review of the Timber Supply Review for the Mackenzie Timber Supply Area;
- Review of the Canfor-BCTS FSP in the Peace Region;
- Continued implementation and monitoring of the Highway 37 Wildlife – Salvage and Rehabilitation Management Plan; and
- Cassiar Fire Management Planning Process – Emergency Planning and Forest Fire Preparedness

Land Management

There were a variety of land use planning and management initiatives that took place for the Kaska Dena in the 2019/20 year.

- The BC Recreational Branch and the Kaska Dena took part in a high-level engagement for a proposed recreational site at Skooks Landing. Consultation continued throughout the 2019/20 year on the options for the site.
- Through the NRC, the Kaska continued to determine options for the contraventions that have occurred for an untenured cabin in the Lang Lake Valley. In early 2020 enforcement action took place to determine the next steps of dealing with this lands act dispute.

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 2019-20 implementation year was as follows:

- Ongoing engagement for Kaska Dena signage and interpretive information for the Tā ch'ilā Park;
- Finalization of the Joint Ne'ah Conservancy and Tā ch'ilā Management Plan;
- Finalization of the Northern Rockies Mountain Park Management Planning Process;
- Consultation around access issues and park use fees for the Liard Hot Springs Provincial Park; and
- Determining process planning for upcoming management plan engagements on the Muskwa Kechika Strategic Management Plan and Liard Hot Springs Provincial Park Management Planning.

In 2019/20 the Kaska have continued to further their Kaska Indigenous Protected and Conserved Area proposal, called Dene K'éh Kusān, which means Always Will Be There in the Kaska language. This proposal has focused on protecting the core cultural and ecological areas of the Kaska Traditional Territory in British Columbia. Being led by the Dena Keyeh Institute this initiative is to provide protection for Kaska Culture, Land, and Well-Being as well as help conserve the vital biodiversity that exists in the proposals 3.4 million hectares of key refugia.

Mineral Working Group

The Mineral Working Group (MWG) is one of the mandated working group tables within the Kaska SEA to facilitate the engagement of government to government discussions with respect to the mining sector and all related mining activities in the Kaska Dena Traditional Territory. The MWG met quarterly in the 2019/20 year.

The initiatives of focus for this implementation year are as follows:

- Finalized Mining Review Committee and Level 4 Working Group process for the Silvertip Mining Rate Amendment Application. Through the MWG, a special Natural

- Resource Council meeting was held on September 4th to determine the recommendations on options given by the mining review committee for the file.
- Ongoing discussions around the Jade-Boulder Road Working Group in coordination with identifying the larger cumulative effective framework in review this regional area for the Kaska;
 - Continual engagement between the DNY Land Guardians and Skeena Permitting Inspectors with Training Opportunities; and
 - Technical oversight on Mining Notices of Work in the Skeena Region.

Section 5 – 2019/20 Engagement Overview:

A total of 119 referrals to date were sent to the Kaska Dena under the Strategic Engagement Agreement for 2019-20. Table 1 shows the breakdown by Engagement Level compared to each year. Table 2 shows the breakdown by sector type compared to each year.

Table 1.

Levels	2019-2020	2018 - 2019	2017-2018	2016-2017	2015-2016	2014-2015	2013-2014
1 (Notification Post Decision)	16	25	22	25	16	14	25
2 (Review and Comment)	84	81	69	73	90	48	50
3 (Shared Decision Working Group)	15	16	12	18	28	9	33
4 (Natural Resource Council)	4	4	6	0	3	0	0
5 (Strategic Shared Decisions)	0	0	0	3	1	1	1
Total	119	126	109	119	138	72	109

Table 2.

Sector	2019-2020	2018-2019	2017-2018	2016-2017	2015-2016	2014-2015	2013-2014
Forestry and Range	33	18	14	17	20	12	12
Utilities (Water, Wind, Hydro)	5	5	6	0	1	2	4
Lands and Archaeology	33	30	31	42	15	12	14
Fish and Wildlife	17	24	16	17	16	4	14
Mineral	23	41	28	22	80	32	47
Parks	6	8	14	3	3	6	18
Petroleum and Natural Gas	0	0	0	3	0	0	0
Other (public works)	2	0	0	12	3	4	0

Coordinated Engagement

For the 2019/20 year the highest level of shared decision making was at the Natural Resource Council level (Level 4), there were no Level 5 Strategic Shared Decisions.

The referrals of note for this annual report are as follows:

1. 10455-20 Timber Supply Review – Mackenzie TSA
2. BCTS-Canfor 2019 Forest Stewardship Plan
3. Jade Boulder Road Special Use Permit
4. Caribou Herd Planning Process – Chase, Wolverine & Takla Herds

Each of these files constitute their associated review process, three of which as still being consulted on and determinations will be made in the 2020/21 year.

Section 6 – Priorities for 2020/21

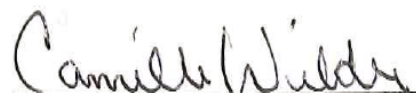
In the 2020/21 implementation year, the Kaska and BC Government plan to focus their efforts on renewing the Strategic Engagement Agreement into a revitalized and new relationship under the *DRIPA* legislation.

Through this process the G2G table's priority will be to ensure improvement upon the already existing collaboration, effectiveness and efficiency that has occurred through this agreement since 2008. To build on this, the G2G table will review and update the agreement to incorporate Bill 41 – Declaration of the Rights of Indigenous People's Act "DRIPA" language, review the existing structures (i.e. operational guidelines and recommendation platforms, and look at incorporating a few new elements of engagement). In addition, specific forums such as Collaborative Stewardship Framework that is under its third year of development will also be analyzed to determine how best to work with and incorporate such framework to build an all-encompassing SEA agreement.

This Annual Implementation Report was prepared for the Responsible Officials.



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



Camille Wilder
Co-Chair of the NRC for the
for the Province of British Columbia