

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

Annual Implementation Report
April 1st, 2020 – March 31st, 2021

Version 1, March 24, 2021



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 2020/21 year and sets priorities for the next year. This report was drafted by Gillian Staveley and Camille Wilder.

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 2020-2021 implementation year.

- 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 2020-21, these roles were filled by:

Kaska Dena:

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

British Columbia:

- Co-Chair – Camille Wilder
- Skeena – Roger McMillian (Replacing Howard Davies)
- Omineca – Yvonne Parkinson
- Northeast – Christopher Cooper

SEA Implementation Leads:

- BC – Camille Wilder
- Kaska – Gillian Staveley

NRC Working Group Co-Chairs:

- Fish and Wildlife Working Group – Ray Phillipow (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 – Roger McMillian (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 2020/21 year:

- Bruce Low – MIRR
- Shawna Case – Kwadacha First Nation Lands and Resource Officer
- Vanessa Law – Daylu Dena Council Lands and Resource Officer
- James Malone – Dease River First Nation Councillor
- Roy Carlick – Dease River First Nation Representative
- Carol Ann Johnny – Dease River First Nation Representative
- Roger Clewley – Peace Representative
- Jennifer Pollard – Omineca Representative
- Marnie Fraser – Omineca Representative
- Kessie Konwicki – Forestry
- Dave Crampton – Forestry
- Andrea Ross – Mineral Working Group
- Vahid Mathiscyk – Mineral Working Group
- Howard Davies – Mineral Working Group
- Todd Wikjord – Mineral Working Group
- Shelley Marshall – Fish and Wildlife Working Group
- Conrad Thiessen – Fish and Wildlife Working Group
- Eric Smith – Fish and Wildlife Working Group
- Conrad Thiessen – Fish and Wildlife Working Group

- Danica Crystal – Fish and Wildlife Working Group
- Mike Klaczek – Fish and Wildlife Working Group
- Anna McIndoe – Parks Working Group
- Andrea Somerville – Parks Working Group
- Ed Hoffman – Parks Working Group

The NRC met five times from April 1st, 2020 to March 31st, 2021.

1. April 8, 2020 – Zoom Meeting
2. June 17, 2020 – Zoom Meeting
3. September 16, 2020 – Zoom Meeting
4. December 10, 2020 – Zoom Meeting
5. March 4, 2020 – Zoom Meeting

NRC meetings are typically held by teleconference with one in-person meeting per year. Due to COVID, the NRC was unable to meet in person. 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 2020-21. There was no special project funding for this implementation year.

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 2020/21 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 Project. The Fish and Wildlife Working Group has representatives from all three regions, which allows for collaboration across the Kaska Traditional Territory in BC. The 2020/21 priority initiatives across regions were the following:

- Liard Basin Moose Stewardship Planning and Action Plan
- Collaborative Stewardship Framework Joint Workplan
- Caribou Recovery Program
- Land Guardian annual surveys and plans;
- Moose Action plans; and
- Hunting and Fish regulation 2020-2021 proposals;

CSF – Collaborative Stewardship Framework

The 3-Nations BC Collaborative Stewardship Forum (3NBC) is an initiative through which the Kaska Dena Nation, Tahltan Nation, Taku River Tlingit Nation and BC are building capacity to deliver on shared outcomes in environmental stewardship. The forum, funded as part of a broader provincial Collaborative Stewardship Framework (CSF), is one of five CSF cross-ministry pilot forums across BC. The 3NBC forum is focussed on collaborative wildlife management. The projects being undertaken through the forum fall into three categories: Governance and Capacity, Specific Projects, and the Guardian Program.

Governance projects have been focussed on supporting the development of shared decision making for wildlife stewardship. Research into co-management models and a report with recommendations for advancing wildlife shared decision making in the 3NBC context has been completed. Current efforts are focused on development of moose stewardship plans for 3 priority moose populations identified by each nation (Liard, Klappan, Atlin).

The current three-year CSF mandate expires at the end of March 2021. BC has committed to an additional year of bridge funding for all existing forums to enable work that's underway to continue while BC works with all the forums to develop a robust vision and mandate request for a renewed program going forward. Currently funded 3NBC project work (including moose stewardship planning) will not be completed by March 31, 2021 due to the challenges faced in 2020 including funding delays, Covid19 and the provincial election.

A key recommendation from the co-management research undertaken in 2020 was to implement short term pilot projects focused on a specific species as a means for advancing shared decision-making models for wildlife stewardship in the 3NBC region. As a pilot, 3NBC forum participants have agreed to focus collaborative efforts on the work needed to support the development of moose stewardship plans through each nation's Fish and Wildlife Working Group (FWWG). This work will include:

- extensive community engagement to collect the information necessary to inform the moose stewardship planning process (currently underway);
- development of an approach to information and data sharing that supports incorporation of Indigenous Knowledge into the planning process;
- setting joint population objectives based on shared, trusted information;
- identifying and recommending management approaches meet those objectives; and,
- development and implementation of stakeholder engagement plans.

The resulting moose stewardship plans for each of the three identified population units are intended to inform subsequent management decisions within those units. The lessons learned through the process will be used to inform further development of a model for wildlife shared decision making. While the Forum is prepared to focus its efforts on moose stewardship planning, it recognizes the work won't be completed before the end of the current CSF mandate and will need to carry on beyond March 31. By the end of April, the Forum intends to produce a three-year report that will highlight successes and challenges of the 3NBC forum's work to date and provide a status report and work plan for completing funded project work still outstanding.

Forestry

The Kaska Forestry Task Force worked on a variety of initiatives during the 2020/21 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;
- Highway 37 Wildlife – Salvage Management Plan Renewal; and
- Lutz Creek Wildfire Recovery Plan

Land Management

There were a variety of land use planning and management initiatives that took place for the Kaska Dena in the 2020/21 year.

- The BC Recreational Branch and the Kaska Dena continued to develop a strategy around the proposed recreational site at Skooks Landing. Consultation continued throughout the 2020/21 year on the options for the site. An archaeology assessment for the site is set to take place in the spring/summer of 2021.
- 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. A final decision was made by the compliance and enforcement branch in the Winter of 2021.

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 2020-21 implementation year was as follows:

- Finalization of the Joint Ne'ah Conservancy and Tā ch'ilā Management Plan;
- Muskwa Kechika Protected Areas Strategic Management Plan;
- Liard River Hotsprings Management Plan;
- Discussions around the Kaska IPCA proposal – Dene K'éh Kusān

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 2020/21 year.

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

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- Silvertip Monitoring Committee Meeting with Coeur and BC Government;
- Jade Placer Collaborative Working Group for Deferral Area Order;
- Jade Boulder Working Group for Special Use Permit;
- Cassiar Reclamation Training Program;
- 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 – 2020/21 Engagement Overview:

A total of 71 referrals to date were sent to the Kaska Dena under the Strategic Engagement Agreement for 2020-21. 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	2020 - 2021	2019 - 2020	2018 - 2019	2017 - 2018	2016 - 2017	2015 - 2016	2014 - 2015
1 (Notification Post Decision)	4	16	25	22	25	16	14
2 (Review and Comment)	59	84	81	69	73	90	48
3 (Shared Decision Working Group)	6	15	16	12	18	28	9
4 (Natural Resource Council)	2	4	4	6	0	3	0
5 (Strategic Shared Decisions)	0	0	0	0	3	1	1
Total	71	119	126	109	119	138	72

Table 2.

Sector	2020- 2021	2019- 2020	2018- 2019	2017- 2018	2016- 2017	2015- 2016	2014- 2015
Forestry and Range	20	33	18	14	17	20	12
Utilities (Water, Wind, Hydro)	3	5	5	6	0	1	2
Lands and Archaeology	12	33	30	31	42	15	12
Fish and Wildlife	6	17	24	16	18	16	4
Mineral	24	23	41	28	24	80	32
Parks	3	6	8	14	3	3	6
Petroleum and Natural Gas	0	0	0	0	3	0	0
Other (public works)	3	2	0	0	12	3	4

Coordinated Engagement

For the 2020/21 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. Strategic Management Planning for the Muskwa Kechika Protected Areas
2. Mackenzie TSA/TSR Review
3. Jade Boulder Road Special Use Permit
4. Skooks Landing Recreation Site Proposal

Each of these files constitute their associated review process, three of which are still being consulted on and determinations will be made in the 2021/22 year.

Section 6 – Priorities for 2020/21

In the 2021/2022 implementation year, the Kaska and BC Government plan to focus their efforts on renegotiating the Strategic Engagement Agreement into a revitalized and new relationship under the Declaration of the Rights of Indigenous People’s Act legislation through a larger Reconciliation Agreement.

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 language and 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 final 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.



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for the Kaska Dena Council



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for the Province of British Columbia