



Northeast Roundtable Session

MEETING NOTES

JANUARY 22ND 2020

NORTHEAST ROUNDTABLE SESSION 9– MEETING NOTES

Date: January 22nd, 2020
Time: 9:00 a.m. – 3:00 PM
Location: Pomeroy Hotel – 11308 Alaska Rd. Fort St. John

Meeting Reference Materials Available Online:

- <https://nestakeholderroundtable.ca/>
- January 22, 2020 Roundtable Agenda
 - January 22, 2020 Project Update Briefs: BCPRP, LRMP, RSEA, Section 11 / Partnership Agreement, TLE, Scientific Review of Hydraulic Fracturing
 - January 22 PowerPoint Presentation
 - Record of January 22 Roundtable Participation

1. Welcome, Agenda, Minutes

- Facilitator welcome, participant introductions and territorial acknowledgement; confirmed audio recording for administrative purposes
- No requested revisions to the agenda; No comments on November 6th meeting notes

2. Northeast Roundtable Terms of Reference, Form and Function

- Facilitator reviewed Code of Conduct and Chatham House Rule; Invited comments/suggestions on the Roundtable website; No comments received

3. Caribou Recovery Update

- Chris Cooper provided verbal update on BCPRP; No presentation - see project update sheet for details; Currently working towards public engagement in Spring 2020; New working group for Chinchaga Herd (BRFN, DRFN, Province); Territory overlaps with Fort St. John TSA – opportunity for integration with LRMP update
- Joelle Scheck provided verbal update on Section 11/Draft Partnership Agreement; No presentation - see project update sheet for details; Bilateral and Tripartite Agreements remain unsigned at this time and moratorium remains in place until June 2021; Leaders Table meeting held November 29 in Vancouver (see Project Update Sheet for Leaders Table participants); Three working groups have been established in the South Peace with participation is by invitation (snowmobile advisory committee, Caribou/land objectives, and socio-economic committee); Referenced Premiere’s letter and proposal to form racism working group

TABLE 1 – Caribou Recovery Update

TOPIC (Q = Question / A = Answer / C = Comment)	Follow Up Action
C Participant noted that Doig River First Nation Chief and Council not aware of Chinchaga working group as of January 7 th	
A Province held meeting with DRFN and BRFN lands very recently	



TOPIC (Q = Question / A = Answer / C = Comment)	Follow Up Action
<p>Q Recreation was deemed not to be impacted by BCPRP – is this still the case? Where do recreation groups fit within the planning process?</p> <p>A Four herds in Fort Nelson District do not appear to have significant overlap with recreational trails – not sure about Chinchaga; Province working with trail clubs in Fort Nelson</p>	
<p>Q Has the Outdoor Recreation Council been invited to participate at the Leaders Table?</p> <p>A No</p>	
<p>C Participant noted (in reference to Northern Rockies Herd) that Rod and Gun Club received only one of 44 requested burns; Consideration needs to be made ahead of time for burns to increase this opportunity in future</p>	
<p>Q Who was Premiere’s letter addressed to?</p> <p>A Local Government</p>	

4. Regional Strategic Environmental Assessment (RSEA) Update

- Chris Pasztor provided an update on the RSEA; see presentation for details

TABLE 2 – RSEA

TOPIC (Q = Question / A = Answer / C = Comment)	Follow Up Action
<p>C A participant noted that the objectives of the RSEA are to optimize treaty rights and address the development interests of various parties; Treaty rights are being used as values for modeling various scenarios and these scenarios will be used to recommend policy changes; RSEA will inform the Province’s cumulative effects framework; the right to peaceful enjoyment of lands is a treaty right</p>	
<p>Q Are the indicators shown in the presentation the only values being assessed? If so, how is habitat connectivity being considered</p> <p>A Yes these are the values being examined, but they serve as ‘umbrella’ values that contain other sub-values including wildlife connectivity</p> <p>C Strongly recommend that habitat connectivity needs to be a value – it is not a sub-set to Old Forest – this is a step backwards</p> <p>A Province noted that Old Forest value has been changed to Bio-diversity</p>	
<p>Q Why are Caribou not included as a value?</p> <p>A Caribou have their own process underway so it was perceived as redundant to use it as a value in RSEA – the engagement from each initiative will need to be integrated</p> <p>C A participant noted that Caribou were considered a value by WMFN and SFN particularly in relation to environmental livelihood and peaceful enjoyment</p> <p>A Outputs of each process will inform an implementation plan that will include Caribou</p>	



5. Scientific Review of Hydraulic Fracturing in BC

- Michelle Schwabe provided a review of Hydraulic Fracturing in BC; See PowerPoint presentation and project update sheet; Michelle invited participants to indicate how they would like this type of information presented in the future – currently quite technical; Planning to hold a water forum in March in Fort St. John

TABLE 3 – Scientific Review of Hydraulic Fracturing in BC

TOPIC (Q = Question / A = Answer / C = Comment)	Follow Up Action
<p>Q Not clear how this report translates to compliance; How does Professional Reliance work for OGC; How are Provincial R.P. Bios involved in checking up on requirements? BC Hydro polices itself</p> <p>A The objective of the review was not a compliance audit; OGC needs to speak to their compliance regime</p>	
<p>C Boreal Caribou Report was not brought forward in a transparent way – the goal is to be as transparent as possible</p>	
<p>C The report seems to focus on everything except fracturing; it comes across as a fishing expedition of topics where fracturing gets lost – need to focus on the subject matter at hand</p> <p>A The Terms of Reference for the review was to look at the impacts of hydraulic fracturing on water quality and quantity and seismicity</p>	
<p>C The review took place within City of Dawson Creek’s watershed which the City manages, and yet City not involved in the process; City pleased with work related to induced seismicity and would like access to the independent data produced by third parties (e.g. Geoscience BC); independent data is credible because it’s not produced by the OGC</p> <p>A The Scientific Hydraulic Fracturing Review Panel conducted a panel session with the Water Resource Manager for the City of Dawson Creek as noted in Appendix B of their report</p>	
<p>Q Has the Province sold the rights under our reservoirs?</p> <p>A Some rights have been sold previously. No new rights are being issued by the Province.</p>	
<p>Q What about pre-existing tenures under Site C Reservoir?</p> <p>C Some have been sold (e.g. Site C) and these will have to be addressed</p> <p>A No new rights are being issued by the Province. There are buffer zones around dams and BC Hydro assesses risks</p>	

6. Lands and Resource Management Plan (LRMP) Update

- Ian Curtis provided an update on the LRMP; see presentation and project update sheet

TABLE 4 – LRMP Update

TOPIC (Q = Question / A = Answer / C = Comment)	Follow Up Action
<p>C DRFN has indicated that TLE is a priority and is not prepared to participate in LRMP until TLE resolved</p>	



TOPIC (Q = Question / A = Answer / C = Comment)	Follow Up Action
A The province acknowledges that there are several important initiatives underway. For the interim, DRFN is participating in the pre-planning phase of the LRMP update while progress on TLE continues	
<p>Q Is the graphic shown in the presentation the model for the LRMP? i.e. the Indigenous communities and Local Government at centre of process and stakeholders on the outside?</p> <p>A No – this is a graphic demonstrating a potential structure for modernized land use planning process. It is meant to highlight the collaborative space shared between provincial, indigenous and local governments, as well as opportunities for stakeholders/public to participate in the process</p>	
<p>Q Will the M-KMA be integrated into the process?</p> <p>A The M-KMA Board is meeting next month to discuss costs/benefits of including the M-KMA in the LRMP Update Project. The Board is interested in meeting with First Nations to understand their interests within the M-KMA.</p>	
<p>C A participant asked how the Province distinguishes between partnership with Indigenous versus collaboration</p> <p>A A partnership can provide the space for Treaty 8 nations to define what the meaningful practice of their treaty rights looks like within the context of a land use planning process</p>	
<p>C The leadership table is in the process of trying to identify and determine what partnership looks like – we don't want it 'imposed on us'</p>	
<p>C Need a report on what did not work in the 1997 LRMP and if not, why not; Need to understand the professional reliance model</p>	Ian to provide presentation on LRMP highlights and gaps at next Roundtable
<p>C A participant noted that there is extreme value in having multiple parties at the planning table (i.e. incredible brain trust); still waiting on an answer whether stakeholders will have a seat at the planning table. Recommend that a technical planning group representing all parties be established to provide advice as a single body rather than as individual groups; avoiding silos is imperative to a successful process</p>	
<p>C A participant noted that First Nations were excluded from the original LRMP process and today's approach is reflective of the frustration experienced during the 1997 LRMP; We were told at last Roundtable that First Nations and Province would co-develop a terms of reference and then work with the leadership table; the difference between partnering and collaborating is about who is agreeing vs who is providing advice – what level of collaboration is owed to local government?</p>	
<p>C A participant noted that the First Nations invited local government to the LRMP leadership table</p>	



7. Other Business / Suggested Topics

- Facilitator invited suggestions for future meeting topics and received a recommendation to continue following up on existing topics of discussion;
- Jason Lawson presented a Parks update on behalf of Anna McIndoe – no questions received
- A participant asked when the Terms of Reference would be reviewed and it was noted that this review was done at the previous two meetings

8. Treaty Land Entitlement (TLE) General Update

- Tara Forest provided a verbal update on the Charlie Lake and Red Creek decisions; no PowerPoint presentation
- BRFN and DRFN are in a joint claim regarding the TLE Settlement Agreement which means they need to be ratified together at the same time; The Lands Agreements are separate for each Nation
- Information about the decisions can be found online (see links in agenda and on Northeast Roundtable website)

TABLE 5 – TLE Update

TOPIC (Q = Question / A = Answer / C = Comment)	Follow Up Action
C The intention is to ensure the public and all stakeholder have an opportunity to provide input; Engagement activities are underway which will inform a record of engagement; A decision has not yet been made on TLE	Tara to provide Roundtable with engagement dates and details
C Three weeks is not enough lead time for community groups to receive notification, prepare a response and attend an open house – most Boards meet monthly; Strongly recommend that the open house be postponed until March to enable stronger and more meaningful participation	
A This recommendation will be considered however three weeks was deemed sufficient notice	
Q What is an open house format?	
A Presentation with opportunities for Q/A and maps with small break out groups to discuss details (similar to previous formats)	
Q Some TLE parcels are more controversial than others – can the low hanging fruit be separated out to expedite the process? TLE is creating a piling-on effect that is stalling LRMP	
A Working on a package of TLE parcels for each Nation representing the full amount of lands – engagement is actively occurring for parcels with the highest level of public interest	
Q Why can't Province go back to Canada and propose to separate BRFN and DRFN negotiations – DRFN is done and ready to move on	
A This is a federal decision and they are being treated as a single entity based on historical ties	
C A participant shared history and noted that not all nations would be supportive of these claims being separated and handled with each individual nation	



TOPIC (Q = Question / A = Answer / C = Comment)	Follow Up Action
Q Is there a map showing all the TLE parcels for all nations? A Yes – Dale has a map that will be posted to website	

9. Salteau First Nations TLE / TLA update

- Dale Morgan provided an update on the Salteau First Nations TLE / TLA parcels (see presentation)
- Maps available online (see links on agenda)

TABLE 6 – Salteau First Nations TLE / TLA Update

TOPIC (Q = Question / A = Answer / C = Comment)	Follow Up Action
Q Do the maps at the Roundtable show both the TLE and TLA parcels? A Yes – colour coded with a legend	
Q Some parcels will contain public use areas – how will access be maintained to these lands? A Difficult to know where all the untenured trails and access points are but Province is seeking information on this; the goal is NOT to restrict access and many access points have been carved out of the parcels; Province works from a set of principles in defining the parcel boundaries	
C Sharing the reasons for each parcel selection is very appreciated; A Saulteau FN added these reasons	
C The maps being shown in Dale’s presentation not consistent with the maps sent to PRRD A Acknowledged - the PRRD maps are more current	
C Saulteau and West Moberly First Nations worked together on their site selections given the proximity of their lands	
C Sikanni River Outfitters now owned by Prophet River First Nation A Consultation with PRFN has been initiated	
Q Re Butler Ridge – do we have to replace what falls in Williston Reservoir? A This is a live conversation with BC Hydro right now	
C BRFN has history of land use at Butler Ridge – will they be consulted? A Yes – everyone will get to see everyone else’s parcel selections	
Q Re Murray River - have you talked to the boaters (e.g. Peace River Rats) A Yes – meeting arranged in Tumbler Ridge	
C Re Trapper Creek – new logging activity and existing road slated to be deactivated – proposal to have vehicle access closed to protect sensitive goat habitat – this may impact future access A Province will follow up on this	
Q What will be the process for public access to TLE/TLA lands – will First Nations need to give permission? A Road access will be maintained as shown on maps; when the lands transfer, how the First Nations manage those lands will be up to them;	



TOPIC (Q = Question / A = Answer / C = Comment)	Follow Up Action
there will be not gates but they will have the same rights as any other private property	
<p>Q At the stakeholder meeting we were told there would be no changes to the BRFN parcels regardless of the feedback provided – is this how it will be?</p> <p>A There been a lot of changes made to maps based on feedback received</p>	
<p>Q Have there been discussions with Kelly Lake? Will they be brought into the process if they get status?</p> <p>A Saulteau has members at Kelly Lake and Province is sharing information with them even though there is currently no formal obligation to consult; Kelly Lake identifies as Metis so they would not qualify to be part of the TLE process - that doesn't mean there might not be a different type of process in the future</p>	
<p>Q Thought that selections needed to be adjacent to traditional lands – has this process changed?</p> <p>A The parcels are within their traditional territory – Treaty 8 territory being looked at as a whole – 90% of Saulteau's parcels are near their community with the exception of Sikanni and Kelly Lake</p> <p>C Participant noted that Province now allows non-contiguous parcels (change in policy)</p>	
<p>Q How many non-native traplines are affected?</p> <p>A This is known and meeting requests have been sent out</p>	Dale to provide number on non-native traplines affected
<p>C Important not to create 'islands' by blocking access behind parcels – need to keep unfettered access</p>	
<p>C A participant noted the need to be more equitable in considering how access to First Nation land is treated in comparison to how all other private property is treated – the conversation would never be about maintaining access to non-Indigenous private property; many of the First Nations created the current trails and do not try to control who accesses those trails – don't be so quick to ask BC to protect what you consider to be a right unless you intend to reciprocate with your own private lands</p>	
<p>C Another participant noted that access absolutely is a consideration related to all private property, not just First Nations' property; most Crown grants had a clause regarding pre-existing trails that had to be specifically addressed</p>	
<p>Q Can the maps (especially the combined map showing all parcels) be made available in a format that can be used in Google earth?</p> <p>A KML files are available online</p>	
<p>C The proportion of TLE / TLA lands in relation to all the private lands in the region is very small; out of approximately 9M hectares in the region, 400K hectares are private lands as compared with a total of 65K hectares of First Nation lands</p>	



TOPIC (Q = Question / A = Answer / C = Comment)	Follow Up Action
<p>Q Will a political change derail these efforts?</p> <p>A This initiative has survived a change in government at both the provincial and federal levels – it will be locked in once the agreements are signed</p>	
<p>Q Do these parcels include mineral rights?</p> <p>A They do not for TLA - fee simple lands have no sub-surface rights; Shortfall lands will have all the rights as reserve lands; Addition to Reserve have surface rights</p>	
<p>Q Can we have an update on Scoop's Landing?</p> <p>A Feedback from this forum led to an amendment to the parcel; Since then Northeast Wildlife Fund and Peace Country River Rats have made an application to make some upgrades which is under review; a meeting is planned for April to discuss the application</p>	

