

**DRAFT SEC. 11 AND DRAFT PARTNERSHIP AGREEMENT UPDATE**

Northeast Roundtable Date:	April 16, 2020
Update Prepared By:	Joelle Scheck, NE Caribou Team Lead, Ministry of Forests, Lands, Natural Resource Operations and Rural Development (MFLNRORD)
Updated Presented to Roundtable by:	Joelle Scheck, NE Caribou Team Lead, MFLNRORD

**PROJECT OVERVIEW**

Project Contact	<p>David Muter, <a href="mailto:David.Muter@gov.bc.ca">David.Muter@gov.bc.ca</a> , Executive Director – Species at Risk Recovery, Resource Stewardship Division, SAR Recovery Branch, MFLNRORD</p> <p>Darcy Peel, <a href="mailto:Darcy.Peel@gov.bc.ca">Darcy.Peel@gov.bc.ca</a> , Director – Caribou Recovery, Resource Stewardship Division, SAR Recovery Branch, MFLNRORD</p> <p>Russ Laroche, <a href="mailto:Russ.Laroche@gov.bc.ca">Russ.Laroche@gov.bc.ca</a> , Director, Strategic Initiatives, Resource Stewardship Division, SAR Recovery Branch, MFLNRORD</p> <p>Joelle Scheck, <a href="mailto:Joelle.Scheck@gov.bc.ca">Joelle.Scheck@gov.bc.ca</a>, NE Caribou Team Lead, Regional Operations Division, Northeast Region, MFLNRORD</p>
Ministry/Agency	B.C. Ministry of Forests, Lands, Natural Resource Operations and Rural Development
Description	<p>In 2017 BC and Canada collaborated to draft a Section 11 Agreement for the conservation of the Central Group of Southern Mountain Caribou (SMC). In September 2017 through the public engagement that was done on the Draft Section 11 Agreement, West Moberly First Nations (WMFN) and Saulteau First Nations (SFN) asked to participate in the Agreement given their experience in caribou recovery. As the Section 11 Agreement falls under the Federal Species at Risk Act, Environment and Climate Change Canada (ECCC) recommended that a separate Partnership Agreement (PA) be formed for the Central Group and incorporate Canada, BC, WMFN and SFN. At this time ECCC also expanded the scope of the Section 11 Agreement to cover all Southern Mountain Caribou. Negotiations on both the Partnership Agreement and the expanded Section 11 Agreement ensued through winter 2018 to February 2019.</p> <p>The PA is separate from but closely related to draft Section 11 Agreement between BC and ECCC. The Section 11 Agreement sets out short, medium, and long-term targets and immediate caribou recovery measures across all Groups of Southern Mountain Caribou and aims to reverse the population decline. Proposed measures in the draft PA apply to the Central Group of SMC only.</p> <p>BC and Canada led engagement on the Sec. 11 bi-lateral conservation agreement and the PA agreement in April/early May of 2019. During engagement in the Northeast, concerns were expressed by members of the public, local municipalities, and some industry and recreation sectors citing a need for transparency and participation in PA agreement negotiations and the terms of reference for a socio-economic assessment of impacts of potential habitat protections for caribou.</p> <p>Since the engagement sessions in spring, 2019, BC has taken several steps to address concerns raised including extending the engagement period, appointing</p>

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	<p>Blair Lekstrom as community liaison, implementing an interim moratorium in High Elevation Winter Range across the Central Group of caribou while issues regarding the PA are addressed, and appointing two facilitators, Lorne Brownsey and Patrick Kelly, to bring together leaders from the Saulteau and West Moberly First Nations, the Province, community leaders and key stakeholders.</p> <p>A leadership table occurred in Vancouver on November 29, 2019. Lorne Brownsey and Patrick Kelly facilitated the meeting, which was attended by senior representatives from Saulteau First Nation, West Moberly First Nation, forestry, mining and oil and gas industries, local governments (including the Peace River Regional District), the BC government, and the Canadian government. The Leaders discussed how best to move forward with the Partnership Agreement. Leaders discussed the need to establish mechanisms for further work on racism and the development and maintenance of community relations, backcountry access for recreation, and mitigating socio-economic impacts.</p> <p>On January 17, 2020 BC confirmed that three working groups would be struck to support implementation of key commitments in the agreement.</p> <p>On January 23/24<sup>th</sup>, 2020 initial meetings of three Working Groups (Snowmobile Advisory Committee, Land Use Objectives WG and a Socio-Economic WG) occurred in the Northeast. Participants of the Snowmobile Recreation WG consist of representatives from regional snowmobile clubs, the BC Snowmobile Federation, First Nations, local governments, Canada and BC. The Land Use Objectives and Socio-Economic WG’s are represented by a combination of First Nations, Industry stakeholders, local government, Canada and BC. A second face to face meeting of the Snowmobile Recreation WG occurred on February 27, 2020 and a second meeting of the Socio-Economic WG occurred on February 28, 2020 via teleconference. Participants in these WG’s are eager to work towards solutions.</p> <p>On February 21, 2020 the tripartite Partnership Agreement was signed by all Parties (West Moberly First Nation, Saulteau First Nation, Canada and BC) and the bilateral Section 11 Conservation Agreement was also signed by Canada and BC. Amendments to the agreements from the original drafts primarily relate to updating dates and work that has transpired since drafting. One key change in the Partnership Agreement was recognition that some application reviews by the Caribou Recovery Committee would need consultation with local governments. The Parties to the agreements are now focused on implementation of the Agreements.</p> <p>Implementation of the Agreement includes the establishment of a <i>Caribou Recovery Committee</i> and associated technical WG. The Committee is comprised of leaders from all four signatories to the Partnership Agreement. The committee is responsible for review and advice to statutory decision makers on applications for activities that overlap sustainable development zones in the Partnership Agreement area. This committee held an inaugural meeting on March 31, 2020.</p>
Project Phases and Schedule	N/A

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Project Information Links	<ul style="list-style-type: none"> <li><a href="https://engage.gov.bc.ca/caribou/section11agreement/">https://engage.gov.bc.ca/caribou/section11agreement/</a></li> </ul>
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**PROJECT UPDATE DETAILS**

Update Highlights	<ul style="list-style-type: none"> <li>Lorne Brownsey and Patrick Kelly were appointed by the Premier’s Office and are BC’s leads on the file</li> <li>Lorne Brownsey and Patrick Kelly have finished their work on this file</li> <li>On January 23<sup>rd</sup> Blair Lekstrom resigned as Community Liaison for this file</li> <li>A Leadership table occurred in Vancouver on November 29, 2019 with the objective to commence addressing issues raised during the spring 2019 engagement sessions on the draft Partnership Agreement and determine how best to move forward with implementation.</li> <li>Further meetings of the Leadership table are anticipated over winter 2019/20.</li> <li>Three Committees/Working Groups were established at the end of January, 2020 aimed at supporting key commitments in the Partnership Agreement.</li> <li>The bilateral Section 11 Conservation Agreement and tri-partite Partnership Agreement were signed by all Parties on February 21, 2020.</li> </ul>
Key Dates	<ul style="list-style-type: none"> <li></li> </ul>
Meeting Reference Materials	n/a

**STATUS REPORT ON ACTION ITEMS**

Date Assigned	Item for Follow Up / Action	Assigned To	Status Update
November 6 <sup>th</sup> 2019	Correct Section 11 of the Partnership Agreement Project Sheet	Joelle Scheck	Complete Jan 22
November 6 <sup>th</sup> 2019	Confirm PRRD participation and provide lists of participants on the leadership table  <a href="#">see attached</a>	Joelle Scheck	Complete
September 4, 2019	Share Big River Analytics SEA report.	FLNRORD, Joelle	Not complete
	Share 2019 Central Group Monitoring Report  Hard copy report available at Nov 6 Roundtable and by email upon request	FLNRORD, Joelle	Complete Oct 29
	Provide the link to SARA Section 80  <a href="https://laws-lois.justice.gc.ca/eng/acts/s-15.3/FullText.html">https://laws-lois.justice.gc.ca/eng/acts/s-15.3/FullText.html</a> scroll down to Section 80, Emergency Orders	FLNRORD	Complete Oct 29

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**Section 11 / Partnership Agreement Leadership Table**

Prov + Fed Government	Local Government	First Nations	Industry
Ravi Khalon - Parliamentary Secretary, FNRORD	Keith Bertrand - Mayor, Tumbler Ridge	Ken Cameron – Chief Saulneau First Nation	Don Kayne - Chief Executive Officer- Canfor
Geoff Meggs, Chief of Staff to the Premier	Allen Courtoreille - Mayor, Chetwynd	Roland Wilson – Chief West Moberly First Nation	Raymond Ferris - Chief Executive Officer - West Fraser
John Allan Deputy Minister - FLNRORD	Dale Bumstead - Mayor, Dawson Creek	Moe Sihota (Saulneau)	Louisiana Pacific - (by conference call - Mike Blosser Senior VP/ Mark Fonda Forest Manager)
Mark Zacharias - Deputy Minister, ENV	Lori Ackerman - Mayor, Fort Saint John (by conference call)		John Schadan - President Conuma Coal
Dave Nikolojsin - Deputy Minister - EMPR	Raye McMeeken - Deputy Mayor, Mackenzie		Darren Mawhinney - Mining Manager Anglo American
Christine Kennedy, Associate Deputy Minister, Premier’s Office	Dan Rose, Director, Peace River Regional District		Bill Clapperton, Vice President, Canadian Natural Resources Ltd (by conference call)
Christine Hogan, Deputy Minister, Environment and Climate Change Canada	Blair Lekstrom - Premier’s Liaison Local Government		Mark Feldinger - Senior VP, Canfor
Sue Milburn- Hopwood - Assistant Deputy Minister, Environment and Climate Change Canada			

**Advisors**

David Muter Executive Director Species At Risk Recovery FLNRORD  
 Blair Hammond Director General Environment and Climate Change Canada  
 Jody Shimkus – Conuma Coal  
 Tim Thielman – legal counsel West Moberly First Nations  
 Roger Harris – Sauleau First Nation

**Facilitators**

Patrick Kelly - Facilitator - Government of British Columbia  
 Lorne Brownsey - Facilitator - Government of British Columbia