

NORTHEAST ROUNDTABLE MEETING MINUTES

Date: November 24th, 2021

Time: 09:00 – 14:45

Location: Virtual MS Teams

Attendees:

Province:

- Jason Lawson (FLNRORD)
- Shayla Blue (FLNRORD)
- Tyler Annand (FLNRORD)
- Kelly Cook (FLNRORD)
- Katie Connah (FLNRORD)
- Aviva Jones (FLNRORD)
- Margaret Gibbs (FLNRORD)
- Kaitlin Klimosko (FLNRORD)
- Kelly Sims (FLNRORD)
- Joelle Scheck (FLNRORD)
- Alireza Mahani (FLNRORD)
- Tara Forest (IRR)
- Dale Morgan (IRR)
- Rene Simard (IRR)
- Penny Vanderwekken-Dunn (IRR)
- Alanna Schroeder (IRR)
- Kai Elmauer (IRR)
- Mark Graham (EMLI)
- Chris Pasztor (EMLI)
- Anna Regnier (FLNRORD)

Municipal:

- Kathleen Connolly (DC Chamber of Commerce)
- Cheryl Montgomery (FSJ Chamber of Commerce)
- Carol Newsom (District of Chetwynd)
- Allen Courtoreille (District of Chetwynd)
- Dan Rose (Peace River Regional District)
- Brad Sperling (Peace River Regional District)
- Karen Goodings (Peace River Regional District)
- Rob Fraser (District of Taylor)
- Bev Vandersteen (FN Chamber of Commerce)

First Nations:

- Ryan McKay (SFN)
- Naomi Owens-Beek (SFN)

- Jim Webb (WMFN)
- Nathan Prince (MLIB)

Stakeholders:

- Jim Little (NE Stakeholders)
- Jocelyn Paul (BC Hydro)
- Mike Whalley (Resource Municipalities Coalition)
- Lynda Neufeld (ConocoPhillips Canada)
- Tim Burkhart (Yellowstone to Yukon Conservation Initiative)
- Gerry Paille (BC Wildlife Federation)
- Charles Friesen (LP)
- Antonio Pega (LP)
- Athena Andritz (LP)
- Alanna Brunet (LP)
- Andrew Tyrrell (Canfor)
- Glen Goymer (Canfor)
- Mark Phinney (Canfor)
- Helen Gilbert (School District 60)
- Krista Phillips (CAPP)
- Jennifer Blaney (Ovintiv)
- Tyson Pylypiw (Encana)
- Tanya Goertzen (Shell)
- Wade Pruett (TC Energy)
- Tim Shaw (NorthRiver Midstream)
- Wayne Sawchuck (Muskwa Kechika Advisory Board)
- Barry Holland (Muskwa Kechika Advisory Board)
- Scott Fraser (Dawson Road Maintenance)
- Jonathan Buchanan (AMEBC)
- Tim McEwan (Mining Association of BC)
- David Smith (Charlie Lake Resident)
- Elizabeth Abbs (Summit Lake Resident)
- Donegal Wilson (BC Snowmobile Federation)
- Ron Long
- Kyle Bigras (BC Backcountry Hunter and Anglers)

Meeting Reference Materials Available Online at [NE Roundtable website](#):

- Yahey v. British Columbia
- Regional Strategic Environment Assessment Update
- Old Growth Strategic Review
- Treaty Land Entitlement Settlement and Lands Agreements update. What We Heard Report
- Land Use Planning Policy and Guidance
- Caribou Program Update

- General Discussion

Welcome, Agenda, Minutes

- Jason Lawson as facilitator welcomed, territorial acknowledgement, and MS Teams info
- Materials provided on website for review by roundtable members

1. Blueberry River First Nations Agreement Update

- Mark Graham provided an update on the Province's response to the Yahey Decision.
- Question: What timeframe will the money become available?
 - Response: Money is going to be available throughout the time that they will need to use it. There is no designated date for when the money will be available.
- Question: At what point will the regional approach include the elected representatives of the areas where most of this activity take place?
 - Response: The Province and BRFN are in negotiations right now, which is the priority. As we bring issues to the table that require broader interest group input, the Province will communicate that out, which may happen within the next few months.
- Question: In terms of investor confidence for the remainder of 2021 and 2022...how are you assuring them to keep their resources and investments here?
 - Response: The interests of BRFN and other T8 nations is to not turn off the taps for development, but to establish a rebalance of environmental, economic, and treaty right considerations. All parties want a robust economic sector that respects treaty rights and environmental sustainability. The Province is having frequent meetings with industry to provide updates.
- Question: From the BC Wildlife Federations perspective, moose data is important, but surveys don't put more moose on the ground.
 - Response: Data and inventory is only one part of the approach. Some of the issues have been around getting the trust, and data support this. The main

element of the strategy is to restore habitats. The Province views this court decision as a once in a lifetime opportunity to protect habitat and moose.

- Question: When will funding be made available?
 - Response: The Province can't give an exact date, but we are hoping for something within the next 3-4 months (early 2022).
- Question: What are the definitive time frames around the regulatory components?
 - Response: The Province expects this to take longer than 2-3 months and should probably take around 1-2 years.
- Comment: I think this is only in the Peace Region. I don't see any real movement in the Omineca Region (McLeod Lake straddles both regions for Treaty 8).
 - Response: This court case has ripples effects. The Province is going to have to look at regulatory changes for the entire province, not just the Peace Region.
- Question: When will BCTS go back to work?
 - Response: The intent is to gain certainty and provide security for economic development. The Province and all parties are taking the importance of industry seriously.
- Question: These measures apply to Blueberry at this time, but of other bands also have the same issues related to Cumulative Effects and treaty rights. Is government planning to discuss or extend these measures to other bands in the future?
 - Response: Yes, and they apply right now too.

2. Regional Strategic Environmental Assessment Update

- Chris Pasztor provided an update on the Regional Strategic Environmental Assessment. Presentation is posted on the NE Roundtable website and link is [here](#).
- WMFN Comment: The Omineca region is partially in Treaty 8 territory, and the west side of the mountains that's included in the RSEA, and 3 nations have reserves in that area. Everyone is focusing on industrial disturbance, and the other part of the problem is disturbance with peaceful enjoyment of T8 nations' way of life. It's not just industry that will be affected, in the environmental livelihood survey studies, community members can no longer rely on traditional food securities. Currently, there are models that will allow first nations to establish good population estimates, but we don't have that now, and without that number the province can't do the simple process to find out how much moose is needed for FNs to ensure food security. These kinds of issues will have to be resolved considering the Yahey decision.
 - Response: Acknowledged.
- Question: If we are going to be sure we are taking appropriate management actions, we must have a secure knowledge base to work from; this applies to moose. Several years ago, there was a massive die-off of moose and elk in the northern Rockies and also in surrounding lands. My question is, why did this die-off occur? Without knowing this we are literally shooting in the dark

with any of our management actions, including wolf reduction. I would appreciate an answer to my question at our next meeting if possible.

- **Action:** Follow up with Chris Pasztor and Fish and Wildlife for a response at the next meeting.

3. Old Growth Report Implementation Strategy

- Margaret Gibbs provided a presentation on the Old Growth Report, and the presentation is uploaded to [NE Roundtable website](#). For more information visit the [Old Growth website](#).
- Question: What percentage of current Annual Allowable Cut in the Northeast is affected by the Old growth recommendations?
 - Response: Each region has an Old Growth representative, and for the NE that would be Darin Hancock, who is in tune with regional impacts and can get that answer.
 - Follow up response: We are in the process of reviewing what areas may move forward into a legal deferral recommendation, but early analysis of the areas identified for potential deferrals is less than 3% of the AAC in the Northeast.
- Question: In the NE, and in the South Peace, there are Caribou agreement zones where there is a significant amount of old growth. The Province will have to set up a long-term target and will have to be set up in the Caribou Partnership Agreement, or the RSEA.
 - Response: The Province is aware of these overlapping concerns and has structured the approach to Old Growth to accommodate this. The plan is to pause harvesting in Old Growth areas until a plan is established, and the issue is on the planning table and will be considered by the Province moving forward.

4. Treaty Land Entitlement Update

- Tara Forest along with MIRR members Dale Morgan, Alanna Schroeder, Kai Elmayer, Renee Simard and Penny Vanderwekken-Dunn provided a presentation on Northeast Land Transfers What We Heard Report which is uploaded at this link on the [NE Roundtable website](#).
- Comment: The issue that is still standing regarding the Charlie Lake land is the watershed reduction and the upcoming arbitrary removal of the watershed Section 16 protection
 - Response: The decision on the watershed reserve has not yet been made and will still be considered by the SDMs as the Province moves through the land transfer process.
- Comments - submitted from Elizabeth Abbs, Summit Lake (oral and written): The document *What We Heard* has serious omissions regarding the primary concern raised by the community of Summit Lake in the potential transfer of parcels in Fee Simple through TLE process, within the Summit Lake watershed. That concern, expressed to Mr. Morgan numerous times, is the need for any parcels identified and considered for transfer within the SL watershed in Fee Simple title to have agreement to remain in Fee Simple title in perpetuity. A significant meeting was omitted from the WWL document. This meeting was held in the Boardroom of the RDFFG *at the*

request of the community (Mr. Morgan chairing, and chief and councillor Roland and Clarence, WMFN, in attendance.) It was at this meeting, in response to questions, that the community was informed by Roland and Clarence that the intent in selecting parcels at SL was to have the parcels converted to Reserve title, given that federal dollars can be accessed through Reserve title.

The community is seeking assurance that transfer of any parcels on the SL watershed *will remain* in Fee Simple title as it is essential for the *continuation* of oversight of the watershed to be managed *as a whole* through a single local governing body (RDFFG) over this unique watershed. Given the watershed is remotely located from the centre of governance of the Northeastern FNs, it is *also appropriate* that this watershed continue to be managed at the Local level and through consistent observance of the single regulatory framework that has been developed specific to this watershed and under the area OCP. It was noted to Mr. Morgan, that agreement for ongoing Fee Simple title was agreed to by the MLIB through Treaty 8 settlement and selection of two parcels within the SL watershed in 2000. The community worked with the federal and provincial and MLIB to obtain this understanding and it needs to be understood and pursued by the Mr. Morgan on behalf of the Province and this community as appropriate for this watershed.

- Response: Thank you for the comment and the Province will make sure to respond to the letter.
- Question: Yesterday we received the draft What We Heard from Stakeholders Report. We have reviewed this and disagree with many of the contents. We will be sending a letter outlining our concerns with the report and recommendations. Blueberry First Nations have indicated that they have concerns on the inclusion of the Red Creek Lands. MIRR is using old information stating that the BBFN agreed to this. Information from the Elders and members of the BRFN disagree with this statement and prefer other Lands in the Beatton River area. This was stated at the meeting at Charlie Lake.
 - Response: When the Province is negotiating, the Province is negotiating in good faith. There will be a community ratification process to give the community time and space to have discussion. The Province will not proceed without the community ratification process. If the community were to not ratify them, there is potential for an amendment to the existing chosen parcels.
- Question: All parcels have access to and beyond and residents will not be charged to enter?
 - Response: These will continue to be crown land corridors and available for public access.
- Question: Regarding the Halfway River Trail at Pink Mountain, can the Province clarify what this means: *'The Province intends for a collaborative and early engagement process with Blueberry River First Nations and stakeholders to understand interests.'* Specifically, what do you consider early and collaborative mean, and is there commitment to inclusive and equitable consultation? Can you define what expert advice is...does this include regular users of this area?
 - Response: In terms of the process, the Province is looking to engage when the agreements are ratified and signed.
 - Engagement would start with an outreach to interested parties, and then the Province would have further engagement to ensure we have good understanding of where users have a knowledge of existing trails and trail use. We may also hire a consultant to provide additional expertise about where trails can be located

from an engineering perspective. When we are looking at the parcels at large, the Province heard comprehensively about what the interest are, and that's being moved into the decision-making process, and there are opportunities to engage on specificities as we move forward (ie, specific trails, locations). We haven't yet got to that level of understanding, we are still operating and speaking at a higher level than site specific concerns. Agreements help outline the process, and the actual transfer process takes several years. If communities ratify the agreements, that doesn't mean the land is transferred at that time.

- Question: Really hoping that the Province considers equity to make sure racism does not arise. Learn the lessons from the Caribou Partnership agreement conversations.
 - Response: We appreciate the comment towards the community dynamics and the Province is learning from past experiences.
- Question: At the Charlie Lake meeting it was identified that there are further Crown lands on the East Side of the Lake which could have been considered but have not been?
 - Response: The Province brought this parcel forward to the nation, and they were not interested.
- Question: What about the current access trails from the south (Cypress) and the old airstrip on the Cypress?
 - Response: The Province wants to make sure that access to the north is provided, and in terms of the south, the Province has not yet specifically carved out access from the road to the river. Recognizing that there are a variety of accesses, the Province has not specifically carved out access routes.
- Question: You spoke about collaboration or inclusion with the PRRD on some concerns. What form of collaboration and when?
 - Response: The Province has been engaging Peace River Regional District throughout the process and taking their feedback and comments into consideration. The Province expects there to be further engagement with PRRD as we move forward in the land transfer process.
- Comment: The Province needs to use local communities and stakeholders.
 - Response: Through the processes that took place, we've tried to reach out to all interested parties. If we are missing something or missing an important part of the population the Province is interested in learning how to include everyone.
- Question: On the parcels that are indicated, are there any interests, now active, that will be affected?
 - Response: If this is about third-party interests, agreements are listing third party interests that are still active. There is still work on this to make sure they've been resolved. The opportunity is still coming to have conversations who have overlapping tenures.
- Question: As it is hard to see on these small maps, the trail that goes to Rob Lake at the end of the Pink Mountain road is it identified as a protected access as there has been some issues with areas there?
 - Response: The designated recreational trail is the access up the halfway valley which eventually goes to Rob Lake. There have been challenges with the trail, and we will be looking to resolve the concern to make sure that there is ongoing access to Rob Lake.

5. Land Use Planning Policy and Guidance

- Kaitlin Klimosko and Kelly Sims provided a presentation on Land Use Planning Policy and Guidance, and the presentation link is [here](#).
- Comment: With respect to land use planning, it is key in my opinion that the concerns and interests of public sectors and reps be fully included in the land use planning process going forward.
 - Response: Shayla Blue will follow up with Wayne off-line as well. Currently the Province is understanding the extent to which the BCSC decision may alter the scope and scale of land use planning in the northeast region. Then we will be better positioned to provide clarity on the LRMP process moving forward.
- Comment: Maintaining "abundance" is not a very measurable objective, nor is it a good example to use.
 - Response: Acknowledged.
- Question: Where are the first and second editions to this document?
 - Response: The guidance and policy developed while those plans were being completed, which meant that the learnings from those plans weren't being utilized because they weren't implemented. This edition is to look at what worked, and what we could do better.
 - [Modernized Land Use Planning: Best Practices for Writing Plan Content – Goals, Objectives, and Strategies](#) can be found on the BC Modernized Land Use Planning website (third and newest edition, July 2021)
 - [Writing Resource Objectives and Strategies](#) (second edition, October 2004) can be found here for reference
- Question: These plans aren't legally binding. We can go through this work and they don't have to do something.
 - Response: The legal objectives and legislative tools within the plans can become legally binding. Government has since 1990s not kept up to date with data availability and quality and has been a lot more siloed than intended. The LUPs provide a baseline to measure from. There are legislative tools that create clarity for SDMs to follow through with decision making.
 - [Modernized Land Use Planning: A Guide to Giving Legal Effect to Land Use Plan Content](#) can be found on the BC Modernized Land Use Planning website.
- Question: Which plans are being updated, outside of the FSJ LRMP?
 - Response: The B.C. government has initiated several new projects as part of its commitment to modernize land use planning in British Columbia. In total nine projects were endorsed in 2019, of which five (including the FSJ LRMP Update project) can be found on the Provincial Land Use Planning Engagement Platform. This site allows users to access project information and supporting documents, reports, and analyses, and submit comments and feedback to project planning teams of active land use planning projects.
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- Question: The last FSJ LRMP has been a long time ago, we wouldn't be in the problem that we are if we paid attention to the cumulative effects conversations when that happened. There would have been a better product if we had followed up with meetings after the 1997 LRMP.

- Response: Acknowledged.

6. Caribou Program Update

- Joelle Scheck provided the linked [presentation](#) on Caribou Program.
- Question: Is there an update on the motorized plan and how the fires impacted caribou habitat and riding for this winter?
 - Response: The parties to the partnership agreement reviewed the What We Heard report, and the areas recommended for closure and made some adjustments to the winter motorized recreation plan. The decision package is now complete and going up to the Ministers of Environment and FLNR later this month. 84% of the areas in high elevation caribou habitat are recommended for closure, but 70% of existing snowmobiling areas in the S. Peace will remain open. Funding will be provided to snowmobiling clubs to help plan for enhancements. Even if ministers decide to implement the plan as is, it won't be legally implemented this winter. The focus this winter will be education and awareness
 - Clearly fire is not good for caribou habitat, however the intent is for caribou ranges to provide a constant supply of habitat across the landscape over time and BC's approach to range boundaries is not expected to change due to wildfire events.
- Question: Were any changes made to the proposed winter motorized recreation plan based on the public consultation?
 - Response: Yes, changes were made due to public consultation.
- Question: How will recreation trails be protected from the restoration offsets? Establishment of a trail does not protect it from industrial deactivation. So we are concerned about offsets and the restoration further eroding riding opportunities.
 - Response: Everything starts with good data, and we need to make sure that areas are properly captured in the data. We need to get out into the communities and have an annual open house or workshop where we can show what our tentative plans are for restoration activities and to get feedback from the community members - we want to get back to that dialogue. Industrial offsets must be authorized by a government agency, and it comes down to good understanding of where those trails are and that they are there to facilitate access for snowmobiling.
- Question: As a part of the CRC, and considering the Yahey decision, how is everything playing into this motorized plan?
 - Response: With respect to Yahey, the government prioritized health and safety, and environment focused authorizations, including restoration focus. BRFN is quite supportive of restoration. In the short term, we'll still be able to get the authorizations through consultation in a timely manner.
- Question: Has a new budget been allocated, and if so, how much?

- Response: We can anticipate the same level of budget within the Provincial Caribou Program, and there is a bilateral agreement with Canada that boost what we can do within the program.

7. General Discussion

- For the enhancement funding what is the amount that was allocated?
 - **Action:** Joelle will have to look it up and will funnel the answer back to Shayla to send out.
- Question: Is there an update on the reorganization of the ministries?
 - Response: There is no update.
- On the Halfway River TLE, was there consideration for a parking lot near the take off point?
 - Yes, that has been on the radar and a consideration.

Future meetings dates: Looking to have future meetings quarterly, and possibly in person or a hybrid form. **(February 16, May 25, September 28, December 7)**

8. Next Meeting

- Next meeting: **February 16, 2022**