

Elders Council Meeting – Draft Minutes
December 12, 2023

Guest: David Muter (DM), ADM for Land Use Planning & Cumulative Effects

Nature Agenda, 30 x 30

Tripartite Nature Agreement

Kaaren Lewis's foundational agreement work was instrumental. Bumpy path. Assumed FNs had agreed, but took additional year to work through. FNLC agreed. Largest ever tripartite agreement – the only one that is inclusive of Feds, BC & FNs.

Building tripartite leadership committee. \$1 billion to include Planning, Collaborative Indigenous Stewardship Forum. Feds will make further investments if first roll out is successful. Will take long time to get existing \$ out the door. Includes Old Growth Fund - \$50 million..

Next steps: set up on the ground Guardians to do monitoring and assessment.

Q : Wonderful agreement, but surprised at lack of detail compared to Yukon Agreement.

DM: Yukon had negotiated more detail in advance. In some cases we do have more (e.g. Tahltan) but not for all 212 nations. Announcement was at high G2G level; don't have details at individual FN level.

Blueberry FN: Agreement has timeline, commitment to watershed plans, etc. We're behind on meeting the deadlines, but it has specifics.

Liard: About 1 million ha caribou habitat will have interim measures with legal order. About 6 months away. Then will become permanent measures in about 18 months.

Q: As these move forward, when does public input happen?

DM: Would happen before any final announcements. In Liard, we are working with those impacted (tenure holders) and Rocky Mtn regional district. Will inform decision by Cabinet.

Q: How will this relate to land use planning.

DM: We have Modernizing Land Use Planning under way, but also Forest Landscape Planning. Some won't need both because LUP is okay and issues can be addressed through FLP. Working with FNs on these. Looking at how we will engage with FNs with rights/claims to area, plus local governments. Most LUPs included significant commitment to habitat protection measures; other will apply management constraints, and intensive management zones. These will result in LUPs.

1) Conservation Financing

\$300 M fund – half from province. Scope is broad. Can include compensation/buyout of tenures, but also Guardianship programs and restoration and rehabilitation work. Big success. Governance model for this is in development. Details yet to be announced. Colin Ward, ADM for Reconciliation is the lead on this file. Don't know exact timeline.

2) 30 x 2030

Provincial & Federal expectation. Path to advance on this is through LUPs. In some cases we're doing watershed planning. Partnerships with FNs will determine where protected areas are. Some measures we know are not meeting initial expectations. Eg. Old growth management. Lots of reasons: wildfire, etc. We know there is a lack of credibility. Working with CPAWS, Ecojustice. 60 IPCAs proposed.

Q: What is progress on Minister Ralston's mandate letter re OG action plan in 2023?

Old Growth Action Plan is scheduled for January 2024. Consultation with FNs now. Cabinet will see it in January. Open for public input.

Q: How will protected areas look under this; some public expect recreation, etc.

DM: \$200 M new relationship trust available also.

Q: Is there a place we can find out status of all these efforts?

DM: I had moment of impatience about this months ago. Asked Brian Bawtenheimer where these are at: we are way behind in communications. About 11 LUPs under way or starting soon. But would be nearly impossible to find this out; trying to fix this problem.

Q: IUCN categories 1 & 2: will PAs meet these category requirements? Who decides that 30 x 30 goals will be met?

DM: Great question. Brian and I asked this question right away. Work is specifically intended to address this. (OECM) I don't see a huge debate about what PA is. It's the OECM that I'm quite worried about, trying to get clarity from the Feds. They welcome Province taking the lead, but some of the flexibility happening elsewhere in Canada and internationally do not seem credible. We will be looking to build some credibility around this (Brian B).

Q: Which legislation will be used? Park Act, Land Act, ??

DM: Right now, e.g. Blueberry FN, there is specific language saying form of agreement is to be discussed. Two options: use existing legislation (not perfect for FNs when it comes to their management). What would be nice is new legislation. Today we will use existing legislation, but will not fully meet FN needs/expectations. The Yukon had already figured that out.

Land Act – ss.93.1 – 93.4 not yet brought into effect. Looking to see whether that could be a tool in the interim before we have new legislation.

Q: Elephant in the room = upcoming elections: is anything locked down if governments change?

DM: Where there is an expectation of commitment to long term implementation plan, we'll enter into FN agreements. Blueberry FN agreement represents "honour of the Crown" and in my view must be honoured. Formal structured agreement with FN over long term.

We can lock down as many of these as possible, but future Cabinets cannot be fettered.

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Financial Statement: Bill signed off official letter on Friday. Will send via email. No change. Accountant firm is great to work with and believe in their pro bono work.

Election of Officers: three up for election. Three willing to stand/remain.

Wayne – president
Bill – treasurer
Mel – secretary

No nominations from floor. Officers as presented Approved.

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Round Table:
David Muter has committed to meeting with us quarterly, as has Park's ADM Jim Standen.

What do we want to see in 2024?

Internal chaos inside government due to reorganization. They've got to advance on old growth, and on the ground solid commitments. I will continue on the Elders Library project in 2024. We gave UVic \$5000 in May.

Glad you asked about changes due to elections. Is there a role elders can play?

We can continue to seek commitment on public participation and provide input

Seems to me DM said they are pretty solid on PA piece, but other conservation measures are not. When those proposals come out we could comment on whether they meet proper conservation tests. PAs will get tricky, as it depends on legislation. We're familiar with conservancies but not the Land Act. Blueberry decision was court ordered.

Wayne getting them to come and attend our meetings is huge. Public backlash is growing - people feel left out of these discussions. Example is Wildlife Act; we did two consultations, with FN & "key" stakeholders. Non-key stakeholders were clear that they were not getting the information. Won't discuss with us until 2025!

Bev: Having public more engaged might help.

There has been sea change from WLRS on a bunch of fronts. Very significant shift in tone, openness, etc. on these policy fronts. 18 months ago there were barriers put up. Chaos in reorg. My biggest concern is their capacity to deliver. In terms of Elders Council, 2 things: 1) governance on Tripartite Agreement. Mainly 3 parties to the agreement, but possibly there's a role for the Elders. Next 6 months for Conservation Finance will require me in my new role with gov't to do engagement. I can commit to Elders to consult with Elders.

David gave us short list of initiatives of early successes. Hasn't changed much – same list 18 months ago.

Concern about implementation and the role of LUPs. For example, involved in LUP on Sunshine Coast, submitted PA proposal about 18 months ago. Little has happened. Painfully slow and not dealing with PA proposals at all.

The other thing that has been suspended by all this process is the concept of provincial conservation vision. We've always worked towards this.

If Parks Foundation is financing this work they need to have clear vision as to what they are protecting. Foundation may have some influence re design principles, ecosystem representation, etc.