

Doug Konkin
Deputy Minister
Ministry of Forests, Lands and Natural Resource Operations

Date: NOV 25 2011

Re: Letter of Intent to Collaborate on Coastal and Marine Planning in the Pacific North Coast

Further to our discussions regarding the recent decisions of Fisheries and Oceans Canada to reduce the scope and funding of its Pacific North Coast Integrated Marine Area (PNCIMA) planning initiative, this letter confirms the intent of the First Nation organizations represented below to collaborate with the Province of British Columbia, as represented by the Ministry of Forests, Lands and Natural Resource Operations on:

- a) preparation of coastal / marine plans for the Haida Gwaii, North Coast, Central Coast and Northern Vancouver Island "sub-regions"; and,
- b) preparation of a broader regional planning document that may serve, subject to the parities' individual involvement in the PNCIMA Initiative, as a basis for informing the ongoing PNCIMA initiative.

The nature of our collaboration is identified in Attachment 1 of this letter. If the Province is in support of this letter of intent please initial the pages of Attachment 1, sign in the signature block provided below, and return a copy of this letter to the following:

Sincerely
Art Sterritt, Executive Director
Coastal First Nations-Great Bear Initiative

Original Signed by
Art Sterritt

November 17, 2011

As directed by:

Council of the Haida Nation
Old Massett Village Council
Skidegate Band Council
Nuxalk Nation

Gitga'at First Nation-Hartley Bay
Metlakatla First Nation-Metlakatla
Kitasoo-Xaixais First Nation

Haisla First Nation
Heiltsuk Nation
Wuikinuxv Nation

Original signed by
G. Les Clayton

Date: Nov. 18, 2011

G. Les Clayton, Executive Director
North Coast First Nation Governance Committee
North Coast-Skeena First Nations Stewardship Society
As directed by:

Gitga'at First Nation-Hartley Bay Metlakatla First Nation-
Metlakatla
Gitxaala First Nation-Kitkatla Kitsumkalum First Nation-
Kitsumkalum

[Faint stamp]
Kitselas First Nation
Haisla First Nation

Original signed by
Dallas Smith

Date: Nov 25 / 2011

Dallas Smith, President
Nanwakolas Council
As directed by:

Kwakiutl First Nation Mamalilikulla-Qwe'Qwa'Sot'Em
First Nation
Tlowitsis First Nation Da'naxda'xw Awaetlatla First
Nation
Kwiakah First Nation K'omoks First Nation

'Namgis First Nation
Gwa'sala-'Nakwaxda'xw
First Nation

Original signed by
Doug Konkin

Date: Nov 28/11

Doug Konkin
Deputy Minister
Province of British Columbia
Ministry of Forests, Lands and Natural Resource Operations

ATTACHMENT 1 to Letter of Intent

COASTAL FIRST NATIONS-BRITISH COLUMBIA COLLABORATIVE COASTAL AND MARINE PLANNING

1.0 PURPOSE

This document outlines the context and intended nature of collaborative coastal and marine planning to be undertaken by the Coastal First Nations-Great Bear Initiative, the North Coast-Skeena First Nations Stewardship Society, and the Nanwakolas Council and the Province of British Columbia, as represented by the Ministry of Forests, Lands and Natural Resource Management, collectively ("the Parties") for the Pacific North Coast Region and for its four marine sub-regions as identified in section 2.2.

2.0 CONTEXT

- 2.1 In September 2011 Fisheries and Oceans Canada (DFO) announced changes to the process, structure and outputs that had been developed with the First Nations and the Province in accordance with signed collaborative governance and funding agreements for an integrated ocean plan for the Pacific North Coast Integrated Management Area (PNCIMA).
- 2.2 The Parties intend to undertake collaborative planning efforts for coastal and marine areas in four identified "sub-regions" of the Pacific North Coast, namely Haida Gwaii, North Coast, Central Coast and Northern Vancouver Island (planning areas to be confirmed).
- 2.3 The Parties intend to develop a broader regional planning document that may serve as a basis for informing the ongoing PNCIMA planning process. The Parties acknowledge that not all of the Parties may be involved in the ongoing PNCIMA planning process.
- 2.4 The Parties intend to enter into agreements to jointly manage external funds that may be available to develop coastal and marine sub-regional plans, and the broader regional planning document.
- 2.5 Notwithstanding and without prejudice to diverging viewpoints regarding ownership and control over coastal and marine lands and resources, the Parties intend to undertake coastal and marine planning for marine ecosystems and human well-being.

- 2.6 For the purpose of collaborative planning, the Parties intend to work together, irrespective of jurisdiction, treaty, rights and title issues, in the interests of arriving at the best decisions regarding the planning and management of coastal and marine ecosystems and activities.
- 2.7 Neither this document, nor any acts performed in connection with it, are to be used, construed or relied on by anyone as evidence, acceptance or admission of the existence, nature, scope or content of any Treaty or Aboriginal Rights or Title and Crown Rights or Title; and,
- 2.8 This Letter of Intent, and the implementation thereof, is to be informed by the following: Coastal First Nations Reconciliation Protocol (2010), Kunst'aa Guu – Kunst'aayah Reconciliation Protocol (2009), the Nanwakolas / British Columbia Framework Agreement (2009) & the Nanwakolas Reconciliation Protocol (2011).

3.0 COLLABORATION PRINCIPLES

3.1 The Parties intend to:

- a) integrate collaborative marine planning with the protocols and agreements identified in section 2.8 (above);
- b) collaborate on all planning products in terms of their development, review and future implementation, for both the sub-regional plans and the broader regional planning document; and,
- c) share information relevant to the planning process and outputs, where appropriate.

3.2 The Parties will respect each others' decision making structures and authorities, and intend to extent possible, make joint recommendations to their respective executive/leadership.

3.3 Where areas of disagreement exist, the Parties intend to seek appropriate conflict resolution processes or agree to disagree.

4.0 STRUCTURES

The parties intend to establish the following joint management structures to govern and manage the Parties' collaborative marine planning efforts.

A. Executive Committee¹

- The Executive Committee will be comprised of a senior representative(s) from the Province and senior representatives from each of the Coastal First Nations-Great Bear Initiative, North Coast Skeena First Nations Stewardship Society and the Nanwakolas Council.
- The role of the Executive Committee is to exchange information and resolve strategic issues as necessary.
- Executive Committee members will either be Provincial ministers or deputy/assistant deputy ministers and chiefs, or executive level representatives of the Coastal First Nations-Great Bear Initiative, North Coast Skeena First Nations Stewardship Society and the Nanwakolas Council.
- If any of the Parties continue to engage in the PNCIMA planning process, then the Executive Committee representatives of those Parties will be responsible for liaising with federal ministers and/or senior officials related to the PNCIMA planning process.
- The Executive Committee will meet when required.

B. Marine Working Group²

- The Marine Working Group will be comprised of a senior representative from the Province and one representative from each of the Coastal First Nations-Great Bear Initiative, North Coast Skeena First Nations Stewardship Society and the Nanwakolas Council.
- The role of the Marine Working Group is to oversee and resolve issues related to joint planning work.
- Marine Working Group members will be either Provincial directors or senior staff and senior staff or appointees of the boards of the Coastal First Nations-Great Bear Initiative, North Coast Skeena First Nations Stewardship Society and the Nanwakolas Council.

¹ Consistent with Coastal First Nations Reconciliation Protocol (2010), Kunst'aa Guu – Kunst'aayah Reconciliation Protocol (2009), the Nanwakolas / British Columbia Framework Agreement (2009) & the Nanwakolas Reconciliation Protocol (2011).

² Consistent with working groups in Reconciliation Protocols and Framework Agreements.

- If any of the Parties continue to engage in the PNCIMA Initiative, then the Marine Working Group representatives of those Parties are responsible for representing the Province and the Coastal First Nations-Great Bear Initiative, North Coast Skeena First Nations Stewardship Society and the Nanwakolas Council on the existing PNCIMA Steering Committee, or similar PNCIMA oversight group. The Marine Working Group will meet at a minimum of once every two months.

C. Sub-Regional Technical Teams

- A sub-regional Technical Teams will be created for each of the four sub-regions set out in 2.2 and be comprised of technical staff from the Province's ministries and the Coastal First Nations-Great Bear Initiative, North Coast Skeena First Nations Stewardship Society and the Nanwakolas Council.
- The role of the four sub-regional Technical Teams will be to develop individual sub-regional plans and participate in the review and comment of a broader regional plan and any PNCIMA plan products.

D. A Marine Coordination Team

- A Marine Coordination Team will be created and comprised of up to four senior technical staff; two senior technical staff from the Province' and two from the Coastal First Nations-Great Bear Initiative, North Coast Skeena First Nations Stewardship Society and the Nanwakolas Council collectively.
- The role of the Marine Coordination Team is to promote consistency in the work of the four sub-regional teams, manage the integration of sub-regional plans, manage the overall budget and work plan for sub-regional and regional collaboration, direct contracted staff on associated tasks, ensure coordinated input to the PNCIMA planning process, and identify issues for Marine Working Group resolution.

5.0 FUNDING ARRANGEMENTS

- 5.1 The Parties intend to work with external funders to modify the original, existing PNCIMA funding agreement and work plan to reflect this letter of intent.
- 5.2 The intent of the revised funding agreement and work plan is to continue to provide for common administrative support, technical and scientific support, stakeholder support and

public communications programs for sub-regional and regional planning and for PNCIMA engagement.

6.0 STAKEHOLDER AND PUBLIC ENGAGEMENT

6.1 The Parties intend to undertake stakeholder and public engagement with respect to sub-regional coastal and marine planning.

6.2 Public and stakeholder engagement will:

- a) be based on the principles of openness, transparency, inclusiveness, responsiveness, and informed input; and,
- b) may include tools such as advisory committees, open houses, bilateral sessions, and a central website.

7.0 SCIENCE AND TECHNICAL INPUT

7.1 The Parties intend to establish an independent marine science and technical committee.

7.2 The role of the science and technical committee would be to provide advice, upon request, on sub-regional, regional and PNCIMA reports, studies, and draft products.

8.0 ANTICIPATED KEY OUTPUTS

8.1 Key outputs of the collaborative planning process could include:

- a) Sub-regional coastal and marine plans for Haida Gwaii, North Coast, Central Coast and Northern Vancouver Island, including recommended marine protection areas and implementation strategies;
- b) Recommendations with respect to endorsing some or all aspects of the sub-regional coastal and marine plans;
- c) The Parties' endorsement of some or all aspects of the sub-regional coastal and marine plans;
- d) A broader, regional marine planning document that may be used to inform the ongoing PNCIMA process; and,
- e) Coastal and Marine Plan Implementation Agreements which would include the identification of adequate implementation funding mechanisms.

