

Uchucklesaht Tribe Peoples Assembly August 8, 2015

Uchucklesaht Tribe People's Assembly

August 8, 2015

Echo Center

Port Alberni, BC

Attendance:

Chief Councillor Charlie Cootes

Chase Crowley

Clifford Charles

Sharon Styan Sr.

Marie Samuel

Jason Titian

Carla Halvorsen

Thomas Rush

Joseph Ginger

Steve Rush

Martha Titian

Brianna Lambert

Sabrina Crowley

Wilfred Cootes Jr.

Randall Ginger

Susan Leask

Matthew Titian

Zoey Cootes

Guests: Mike Watts – Audio/Video, Monty Horton – Director of Lands and Resources, Scott Coulson – Chair/Facilitator; Eddie - Auditor

Call to Order: Scott Coulson

Prayer: Chief Councillor Charlie Cootes

Adoption of Agenda:

Motion #01: Agenda adopted for the day as presented.

Moved: Wilfred Cootes Jr.

Seconded: Thomas Rush

(All in Favour-7)

Motion Carried

Uchucklesaht Tribe Audit:

Review of full audit document – fiscal year ending March 31, 2015. Unqualified Audit – good.

Motion #02: Discuss the Audit fiscal year ending March 31, 2015.

Moved: Thomas Rush

Seconded: Susan Leask

(All in Favor – 7)

Motion Carried

In BDO opinion the consolidated financial statements present fairly, in all material respects, the financial position of the Government as at March 31, 2015 and the results of its operations,

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changes in net financial assets and cash flows for the year then ended in accordance with Canadian public sector accounting standards.

Tangible Capital Assets – are recorded at cost less accumulated amortization.

Revenue Recognition – government transfers are recognized as revenue when the transfer is authorized and any eligibility criteria are met, except to the extent that transfer stipulations give rise to an obligation that meets the definition of a liability.

UTG does receive the major portion of its operating revenue pursuant to an agreement referred to as the UT Fiscal Financing Agreement with the Government of Canada and the Province of British Columbia.

Investments in other entities – Investments have been written down to a nominal value and will be wound up in due course. All investments have been recorded on a modified equity basis.

During the year ended March 31, 2012, the nations bounded by the Maa-nulth Final Agreement established a Qacca Settlement Trust and transferred to the trust some of the funds derived from the MFN Final Agreement. Distribution upon request is available to the nations and it is restricted to Community Benefit expenditures only.

Long Term Debt – the Maa-nulth Treaty loan- all nations trust loan – bank of Montreal loan and RBC loan.

Motion #03: Uchucklesaht Tribe Peoples Assembly has discussed and reviewed the Uchucklesaht Tribe Audit ending March 31, 2015.

Moved: Joseph Ginger

Seconded: Randall Ginger

(All in Favor – 12)

Motion Carried

Director Updates/Public Hearing OCP- Zoning Act:

Motion #04: Uchucklesaht Tribe Peoples Assembly agrees to discuss the director updates, OCP and Zoning Act.

Moved: Sabrina Crowley

Seconded: Randall Ginger

(All in Favor – 12)

Motion Carried

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Fisheries & Wildlife

Henderson sockeye numbers up at the fish fence over the past 2 weeks, for a total count of sockeye moving into the lake at 5,800 fish. Individual fishermen catch in the Inlet is just over 200 fish. UT continues to be concerned with the proper management of Henderson Sockeye, and is dedicated to ensuring a healthy population

Will be another Fraser sockeye fishery this year, likely by the end of August there will be sockeye available for Uchucklesaht citizens. Same goes for our Ocean Coho and Chinook. We will inform everyone of a specific date for pickup as soon as possible.

Conducted our first commercial oyster harvest in March. UT hired Ron Laing and James Martin for this. UTG now has a yearly commercial allocation of oysters, however there is currently a limitation on harvest area, to Pipestem Inlet and a portion of Toquaht Bay.

Lorna Doone was outfitted to conduct prawn and crab harvesting. We have yet to put the boat to work for us. We are looking for a Uchucklesaht Enrollee who would be interested in running the boat, but needs the proper credentials and experience to do so.

We are at the initial stages of planning for Elk relocation. This involves working with various agencies such as the BC Wildlife Federation and BC Environment. Possible locations for Elk relocation in Uchucklesaht territory include Clemens Creek or Uchuck Lake areas.

It was unfortunate that we had to cancel our Elk hunt for this year. After getting information from BC that the herds were very low in the Nahmint area, UT agreed to pull out of the hunt. Meanwhile, UT continues to be concerned with the Elk poaching issue, mainly in the HFN area.

Question: I am wondering if I can possibly find out where I can get a copy of my SVOP ticket. I did the course long ago but do not have my SVOP ticket in hand. I don't remember which company I did it through.

Answer: Yes, those SVOP tickets are good for life. You need to know who you took the course through and check on that. Sabrina will check the Uu-a-thluk records in case Steve Rush took that through them years ago.

Village Operations

Major renovation to the Kildonan wharf is complete. Contractor tied together all of the concrete floats with treated steel. ATVs are no longer permitted to be on the wharf.

Sporadic village rentals of residential accommodation (6-plex, double-wide, cabin, GC Store) by logging crews, survey crews, BC Hydro.

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BC Hydro crews continue to manage and operate the village generator. Both UT maintenance staff, John Cootes and Richard Bartleme, split their time between UTG maintenance and BC Hydro. Hydro continues to have minor outage issues.

UTG continues to be concerned with float homes that front UT Treaty Settlement Lands. BC has recently prepared a management plan that provides recommendations for float home management. When the UTG Zoning Act is in place, UTG will have the authority to regulate use in the foreshore, and will subsequently have the ability to enforce and regulate float homes.

Question: How many float homes are in Uchucklesaht Inlet?

Answer: 25-30 float homes are fronting Uchucklesaht Treaty Settlement Lands.

Question: Is there the potential to charge the float homes?

Answer: Yes, in the future. Right now they are paying a trespass annual fee. Could decide the going rate in the future.

Land Use Planning

OCP and Zoning Act public hearing

Forestry (from Ray Bartram)

Uchucklesaht Forestry Ventures Inc. (volume based licence)

- All previously harvested cutblocks were planted in March 2015. 19,000 seedlings
- Current logging and layout activity is in the Henderson Lake area and Silverside area.
- The heli portion of 153107 at HN922 was felled in order to fly the wood in June. The helicopter was sent to fight fires, so this work will occur in September.
- Block 151419 near the hatchery was felled at the same time as the heli wood to provide a backup worksite, and to have more workers in the area for safety.
- Currently seeking a cable yarding contractor to get the wood moved at the hatchery, as the WFP contractor is delayed due to the long fire season and changes to WFP's plans.
- Ministry of Forests, Lands and Natural Resource Operations is working on a new licence, which will commence as soon as the current one is complete. Long term @ 4,800m³/yr

Question: I am concerned about any logging near Clemens Creek area? Have you reviewed the report about that area before deciding on any logging in that area?

Answer: Yes, Uchucklesaht Tribe has that report.

Uchucklesaht Tribe Government Lands:

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- All previously harvested cutblocks were planted in March. 21,000 seedlings
- The timber harvested from December 2014 to February 2015 was sold. (9,200m3)
- Laid out a helicopter block at HN300 for late 2015/early 2016 harvest. +/- 3,500m3
- Laid out 2 cutblocks on the Silver Side for 2015 harvest. (head of Uchuck Lake & adjacent to Useless Inlet) Both have large areas of ground based harvest. 23,000m3
- Commenced road-building at Silver in July. The ground based portion of the block at Uchuck Lake is being felled along with the road right of way, taking advantage of the weather and access to fallers.
- Planners looked at access and opportunities in the second growth areas above Green Cove. Good opportunity, but the market for hemlock second growth is currently poor.

Question: I am concerned about the fire that occurred in Kildonan – there were two cabins that burned down.

Answer: Those fires were not on Uchucklesaht Treaty Settlement Lands and were put out. Uchucklesaht has agreements in place with BC and cost sharing in the case of any fires on Uchucklesaht Tribe TSL.

Question: Uchucklesaht used to have a portable sawmill – why couldn't Uchucklesaht cut their own wood for projects and sell some?

Answer: The last portable sawmill that Uchucklesaht used to own was stolen. This year another portable sawmill was purchased as part of a project to build boardwalks on UT lands and in their parks. Uchucklesaht is currently working on a plan regarding location of the sawmill. We are thinking that having the saw-mill closer to town with more security in protecting the mill.

Motion #05: Uchucklesaht Tribe Peoples Assembly agrees to break for 20 minutes.

Moved: Carla Halvorsen

Seconded: Sabrina Crowley

(All in Favor – 14)

Motion Carried

Public Hearing – Official Community Plan Act and Zoning Act:

This Public Hearing is convened pursuant to Part 3 of the *Uchucklesaht Government Planning and Land Use Management Act* in order to consider the proposed Uchucklesaht Tribe Government Official Community Plan Act and Zoning Act.

At this Public Hearing, all persons wishing to speak will be given an opportunity to be heard.

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However, I ask that:

- All who speak at this meeting restrict their remarks to matters contained in the Acts;
 - Those wishing to speak at this public hearing commence their remarks by stating their name;
 - Written comments must be submitted to the head table before closure of this public hearing.
- a) Comments received to date on the proposed Acts are contained in the binder located at the head table. Anyone wishing to review those comments is invited to do so.
- b) An audio recording is being made for minute-taking purposes only.
- c) The proposed Acts introduce land use regulation to all of Uchucklesaht Treaty Settlement Lands.

I will now ask Monty Horton, Director of Lands and Natural Resources, to outline the proposed Acts.

- d) I declare the Public Hearing open and ask if there is anyone who wishes to speak to the proposed Acts.

1st Call Out – Are there any questions on the proposed OCP and Zoning Act?

No questions are asked.

2nd Call Out – Are there any questions on the proposed OCP and Zoning Act?

Comment: Please let us know who was all participating on the Advisory Planning Committee over the last year.

Answer: Sabrina Crowley, Gina Laing, Dorothy Cootes, Sharon Styan Sr, Phyllis Halvorsen, Tina Halvorsen, Jaylene Sam.

Question: I am wondering how land ownership works today? Years ago in the 1970's we were working on how existing lots would look. We were told that no one owned any of the lands. We were only allowed to build on the lands so now, how are old and new lots consolidated?

Answer: All lands belong to the Uchucklesaht Tribe and will go through a process of establishing property lines and how they are divided after the plans are accepted. The formal plan opens up for all of the other residential interest work to begin.

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Comment: James Rush built me a home to live in a long time ago but I moved to Seattle. I didn't get the lot and somehow got pushed out of that lot.

Answer: The Official Community Plan must be in place first before any work regarding surveys, lot sizes and residential interest work can be done. There will be a process in place for applying for a residential interest.

Question: How large of a lot will each person be eligible for? The larger the property, the larger the property tax. We need to plan for all of these next steps.

Answer: The minimum lot requirements apply to new lots but there are already some homes that have existed for many years that might have to be grandfathered in. That process still needs to be looked at. We are looking at around .27 acres per lot.

Comment: Larger the lot, the larger the taxes.

3rd Call Out – Are there any questions on the OCP or Zoning Act?

Question: How long has it taken to get the work done on these Acts?

Answer: It has been about one year to get this work done.

Comment: If there are no further questions, we would just like to let you know that if you have any further comments or concerns, then please forward those to one of the Legislative Councillors that works with Uchucklesaht Tribe.

Comment: I want to say that cultural protections are a good thing to have in the Official Community Plan. Those cultural areas are so important to protect.

Comment: I have no idea how many acres will be allowed if the lands are not really ours and belong to Uchucklesaht. If I wanted a piece of land I wonder how big it would be. The lots were too small in the past and we are a growing nation. I am angry about how much we have to fight for now.

Answer: Uchucklesaht membership are the people that voted on having the treaty and ensuring the lands belong to Uchucklesaht.

Question: How will we determine the quarter lots? Zoning will definitely be an interesting process. I feel like we need more time to go over this work in the OCP and Zoning Law. If we are not careful about this then it can be bad – we should consider other conflicts in this plan.

Answer: If there are conflicts, then there is an opportunity to amend the plan.

Comment: I am concerned about the LNG Ships passing by as well. They will be traveling past Uchucklesaht Treaty Settlement Lands. If there was ever an accident, that would take a lot of

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money to get it all cleaned up. I wonder if Uchucklesaht is involved in all of that and keeping updated on the LNG?

Answer: Yes, Uchucklesaht is involved and keeping updated on the LNG process.

As there are no further questions, I hereby declare the Public Hearing for the Uchucklesaht Tribe Official Community Plan Act and the Zoning Act closed.

Specific Claims:

There is information in all of the Peoples Assembly Kits for your information regarding the settlement on the telegraph lines specific claim file. The Uchucklesaht Tribe will now move forward with the other specific claims.

November 14, 2015 Peoples Assembly and General Voting Day:

Motion #06: Uchucklesaht Tribe Peoples Assembly agree to discuss the November 14, 2015 Uchucklesaht Tribe Peoples Assembly and General Voting Day.

Moved: Carla Halvorsen

Seconded: Joseph Ginger

(All in Favor – 15)

Motion Carried

Peoples Assembly and General Voting Day – will be in Port Alberni, BC at the Port Alberni Lawn Bowling Hall on Saturday November 14, 2015.

Kit Spence will be the Electoral Officer and Scott Coulson will be facilitating the Peoples Assembly.

Comment: The Uchucklesaht Tribe boat Low Rider - is always just sitting there in Port Alberni. It used to be used to bring our people home. We have a beautiful place in Kildonan, beautiful lands and homes – we need our people to be able to get back home. We need our people to sing and dance on our lands and keep our culture alive. We should work together so that we can bring our people home again. When the new building opens here in Port Alberni, I hope that we can all have a song and dance together for the celebration, for the grand opening. Our nation is growing and we need to keep that culture alive.

Comment: People becoming part of the process is important.

Comment: Thank you to all of the Uchucklesaht Tribe Advisory Planning Commission members and the Uchucklesaht Staff for getting this important work done.

Comment: There has been a lot of change since 2011 and the council has learned new processes and how to better make important decisions on behalf of the membership. Council is very experienced and have been working well. Uchucklesaht knew we would need certain

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expertise in this nation and planned for it and brought it in. Our nation is prepared and operations are working well. We have also incorporated a lot of our culture into the many programs and operations and encourage everyone to participate.

Lunch Break: Fisheries Presentation by Jared Dick and Cole Gomez:

Henderson Lake Sockeye Management – DFO manages fishing areas to limit the harvest of the Henderson Sockeye. There is no fishing in Uchucklesaht Inlet and commercial fishing box closure around Uchucklesaht Inlet entrance. Commercial fishing only from Pocahontas point inward.

Since 2011, fisheries no has a way to estimate Henderson catch in all of Barkley Sound sockeye fisheries but unfortunately DFO does not always collect enough DNA samples to estimate Henderson reliably.

The Henderson River has a fish fence, fence panels, and counters. The objective is to improve in-season management of Henderson Sockeye.

Adjourn:

Motion #07: Uchucklesaht Tribe Peoples Assembly agrees to adjourn the meeting of the day.

Moved: Joseph Ginger

Seconded: Randall Ginger

(All in Favor – 15)

Motion Carried

MEETING ADJOURNED