

**Archived:** Monday, February 24, 2020 11:55:56 AM  
**From:** Cameron, Chelsea (AADNC/AANDC)  
**Sent:** Friday, February 21, 2020 3:59:44 PM  
**To:** Jennifer Baddeley  
**Subject:** Additions to Reserve and Engagement with Local Governments  
**Sensitivity:** Normal

**Attachments:**

[548 DOIG RIVER - CULTURAL TOURISM LANDS - NOTIFICATION LETTER TO PEACE RIVER REGIONAL DISTRICT JANUARY 2020.pdf](#)

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**CAUTION: This email originated from outside of the organization.**

Good afternoon Jenn,

Thank you for your call this morning. I appreciate your question with respect to the Additions to Reserve (ATR) process and understanding the role of local governments.

To begin, I would like to draw your attention to the attached correspondence which was addressed to the Peace River Regional District (PRRD) on January 7, 2020. Indigenous Services Canada is currently supporting Doig River First Nation with an ATR proposed for certain lands placed within the jurisdiction of the PRRD. As with any ATR that is proposed in Canada, local governments are rightly identified and engaged as part of our normal process. To clarify, Regional Districts are considered a local government under the federal government and within the ATR process.

With respect to the lands referenced in the attached letter, it is clear that the lands are wholly within the PRRD. As such, it is appropriate to engage the Regional District as regards the ATR proposal. Conversely, if the lands were located within a nearby municipality and did not abut or bisect the Regional District's territory, it follows that the Regional District would not be consulted on such proposal. In this case, as the mapping will illustrate, Indigenous Services has an interest in engaging with and hearing from the Regional District as regards Doig River's proposed ATR.

While the PRRD does not have the capacity to veto a proposed ATR, Canada's process requires that any concerns raised by the PRRD be addressed in advance of recommending the proposal for the Minister's consideration. Moreover, while Indigenous Services will participate in trilateral discussions, please know our participation is of a technical nature, otherwise, the negotiation is rightly between the respective local government and proponent First Nation.

Do let me know if you have any further questions.

Kind regards,

**Chelsea H. Cameron**

Project Leader - Lands, Lands and Economic Development  
Indigenous Services Canada  
[chelsea.cameron@canada.ca](mailto:chelsea.cameron@canada.ca) / Tel: 604-364-8026

Chef de projet des terres, Terres et développement économique  
Services autochtones aux Canada  
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March 12, 2020



January 7, 2020

Peace River Regional District  
PO Box 810  
1981 Alaska Avenue  
DAWSON CREEK BC V1G 4H8

Attention: Shawn Dahlen, Chief Administrative Officer

Dear Mr. Dahlen:

**Re: Proposed Reserve Creation  
Doig River First Nation, Cultural Tourism Lands, British Columbia**

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I am writing to inform you that Doig River First Nation has, by way of a Band Council Resolution, submitted a request for a Reserve Creation to Indigenous Services Canada (ISC). Doig River First Nation has requested that certain lands, located in the Peace River Regional District, be set apart as a new reserve.

The lands for the Proposed Reserve Creation are comprised of two parcels registered in the British Columbia Land Title Office described as follows:

1. The North West  $\frac{1}{4}$  of Section 24, Township 83, Range 19, West of the 6<sup>th</sup> Meridian, Peace River District (PID: 016-594-916).
2. The South West  $\frac{1}{4}$  Section 24, Township 83, Range 19, West of the 6<sup>th</sup> Meridian, Peace River District, except part in Plan EPP51955 (PID: 009-336-231).

The lands are currently held in fee simple by Doig River First Nation. This proposal represents a community addition and economic development opportunity for Doig River First Nation, as the lands are intended for cultural tourism purposes.

The total area is approximately 322.4 acres (130.47 ha).

(The "Proposed Reserve Land")

Enclosed for your information are materials showing the approximate location of the Proposed Reserve Land.

.../2

Canada

As you may know, reserves are land that has been set apart for the use and benefit of a First Nation. The Government of Canada has discretion to create reserves and add land to existing reserves in accordance with Canada's Addition to Reserve/Reserve Creation Policy Directive. I encourage you at this time to offer any technical comments that you may have about this proposed reserve, and ask that you please submit your comments by Monday, April 06, 2020 .

Local Government and the Province are encouraged to work with the First Nation using a "good neighbour" approach, which involves good will, good faith and reasonableness in discussions between the First Nation and other Governments. As part of the Reserve Creation process the First Nation is responsible for negotiating agreements with local government on issues such as service provisions, by-law harmonization, tax considerations, land-use planning, and dispute resolution.

We encourage Municipal, Provincial and First Nation governments to work together on common and shared obligations and goals. By working together, we can advance our collective work in the spirit of reconciliation and a nation-to-nation relationship. Communication among all relevant parties is encouraged when addressing issues of mutual concern.

Should you have any questions or wish to receive further information, please do not hesitate to contact me by phone (604) 396-5288, or by e-mail at [Magali.Perreault@canada.ca](mailto:Magali.Perreault@canada.ca).

Sincerely,



Magali Perreault  
A/Manager, Program and Project Support Unit  
Lands and Economic Development Directorate  
British Columbia Region  
600 – 1138 Melville Street  
VANCOUVER BC V6E 4S3

Encl. 1. Proposed Addition to Reserve Site 1, Natural Resources Canada  
2. Proposed Addition to Reserve Site 2, Natural Resources Canada  
3. Google Earth image of Proposed Reserve Land

c.c.: Chief and Council, Doig River First Nation  
Allisun Rana, Rana Law





**DOIG RIVER FIRST NATION  
PROPOSED ADDITION TO RESERVE  
SITE 1**

PEACE RIVER DISTRICT  
PROVINCE OF BRITISH COLUMBIA

LAT: 56°12'36" N LONG: 120°52'00" W

PREPARED ON: APRIL 30, 2019



SCALE 1:5,000

N SGB Project: 2019 10 018

Datum: NAD 1983  
Map Projection: Transverse Mercator  
UTM Zone: 10  
UTM Map Grid is in units of Metres.

Image Source: Bing Maps

Linework derived from ParcelMap BC dataset  
as of 2019-04-30.

This is not a plan of survey. This map is  
illustrative only and is not to be used for  
defining boundaries. Administrative decisions  
should be based on legal documents and legal  
survey plans.

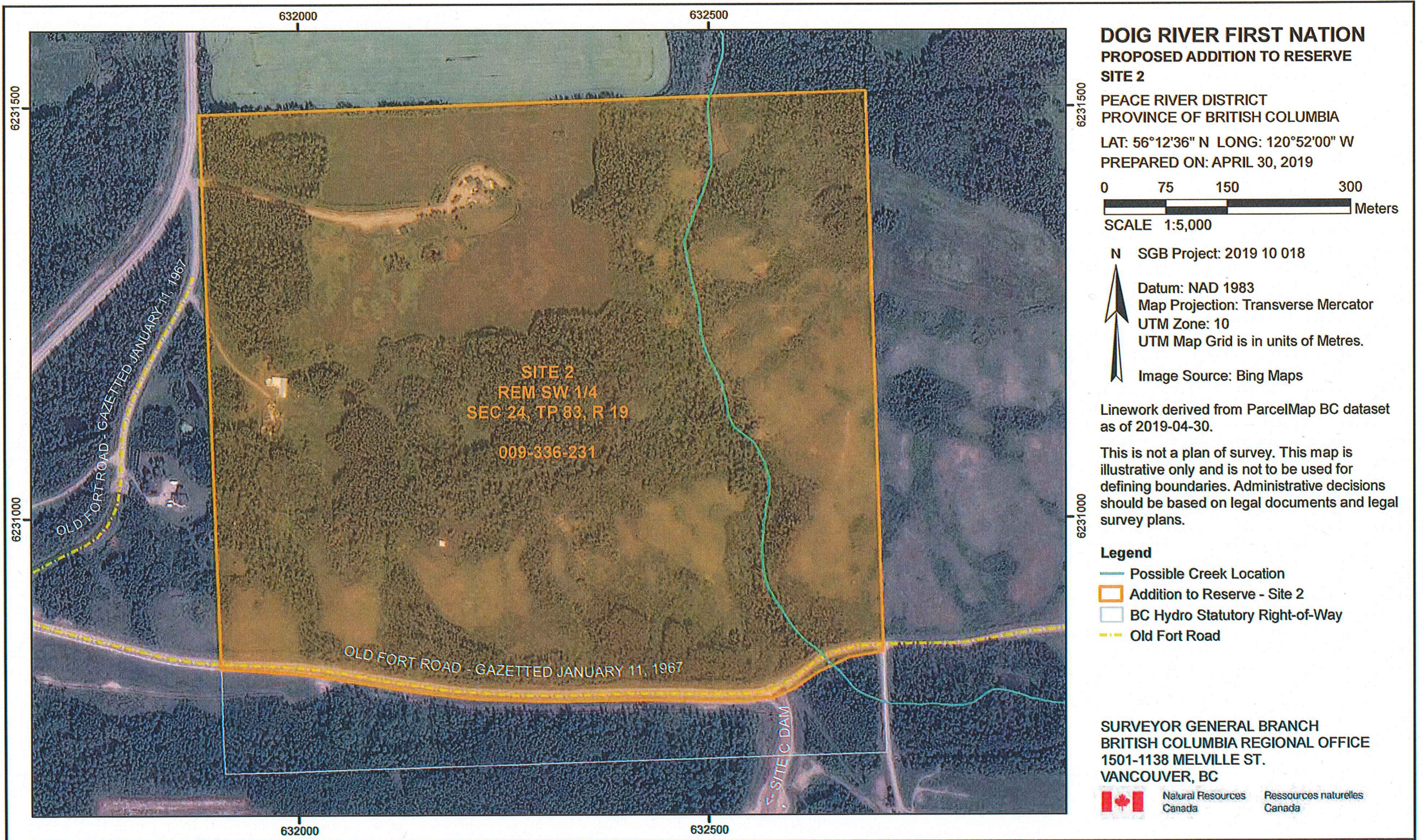
**Legend**

- Possible Creek Location
- Addition to Reserve - Site 1

**SURVEYOR GENERAL BRANCH  
BRITISH COLUMBIA REGIONAL OFFICE  
1501-1138 MELVILLE ST.  
VANCOUVER, BC**

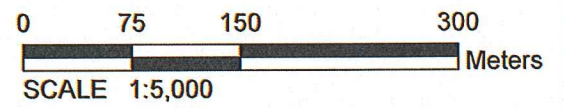






**DOIG RIVER FIRST NATION  
PROPOSED ADDITION TO RESERVE  
SITE 2**

PEACE RIVER DISTRICT  
PROVINCE OF BRITISH COLUMBIA  
LAT: 56°12'36" N LONG: 120°52'00" W  
PREPARED ON: APRIL 30, 2019



N SGB Project: 2019 10 018  
Datum: NAD 1983  
Map Projection: Transverse Mercator  
UTM Zone: 10  
UTM Map Grid is in units of Metres.  
Image Source: Bing Maps

Linework derived from ParcelMap BC dataset as of 2019-04-30.

This is not a plan of survey. This map is illustrative only and is not to be used for defining boundaries. Administrative decisions should be based on legal documents and legal survey plans.

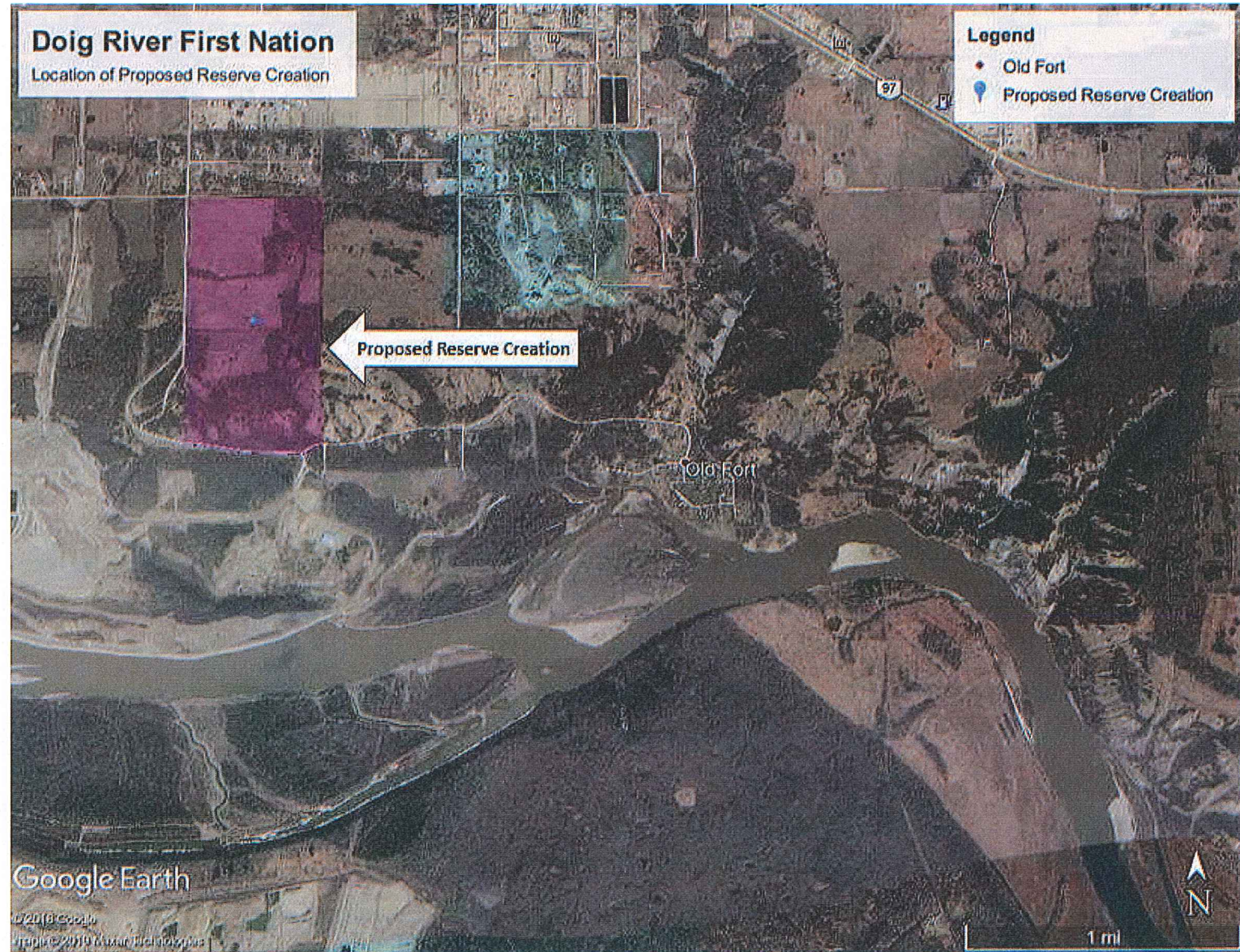
- Legend**
- Possible Creek Location
  - Addition to Reserve - Site 2
  - BC Hydro Statutory Right-of-Way
  - Old Fort Road

**SURVEYOR GENERAL BRANCH  
BRITISH COLUMBIA REGIONAL OFFICE  
1501-1138 MELVILLE ST.  
VANCOUVER, BC**





3. Google Earth image of Proposed Reserve Land



March 12, 2020

# **Directive 10 – 1:** **Policy on Additions to Reserve/Reserve Creation**

## **1.0 Application (Purpose)**

This Policy on Additions to Reserve/Reserve Creation provides guidance with respect to the assessment, acceptance and implementation of Reserve Creation Proposals, including proposals by First Nations operating under the *First Nations Land Management Act*.

## **2.0 Effective Date**

**2.1** This Policy is issued under the authority of the Minister of Indigenous and Northern Affairs. This Policy will be administered by the Department of Indigenous and Northern Affairs Canada (INAC). This Policy received approval on June 29, 2016, and is effective as of July 27, 2016.

**2.2** This Policy is Chapter 10 of INAC's Land Management Manual. It includes all the directives contained in this Chapter including their annexes. It replaces all prior policies, interim policies, directives, standards, procedures and guidelines relating to Reserve Creation, including Additions to Reserve.

**2.3** Reserve Creation Proposals submitted prior to the effective date of this Policy will be processed in accordance with Directive 10-3: Additions to Reserve/Reserve Creation Transition Guidelines.

**2.4** In this Policy, the term Reserve Creation is used to refer to both Additions to Reserve and the creation of New Reserves.

## **3.0 Definitions**

The following definitions apply in this Policy.

“Addition to Reserve” means the act of adding land to an existing Reserve land base of a First Nation;

“Agreement” means any written agreement to which Canada is a party that includes provisions with respect to Reserve Creation;

“Approval in Principle” (AIP) is a term applicable only to the 2001 Policy. It means INAC's decision to recommend a proposal to the Minister, for consideration of



reserve status through a submission to the Governor in Council, or by means of a Ministerial Order as permitted by Claims legislation. An AIP can be granted with or without conditions. It is given by either the Regional Director General (RDG) or the Deputy Minister (DM). Where conditions are attached to the AIP, they must be satisfied before an order in council (OIC) or Ministerial Order recommendation can be made;

“Canada” means Her Majesty the Queen in right of Canada (the federal government);

“Duty to Consult” means an obligation of the government as a whole to consult with Aboriginal peoples (and accommodate where appropriate) when the Crown contemplates conduct that might have an adverse impact on potential or established Aboriginal or treaty rights protected by section 35 of the *Constitution Act, 1982*;

"Environmental Site Assessment" means an analysis of Proposed Reserve Land with respect to past and present uses, as well as on-site and off-site activities that may have the potential to affect the Proposed Reserve Land's environmental quality, including the health and safety of occupants/residents;

“First Nation” or “Band” means a “band” as defined under the *Indian Act*;

“INAC” means Indigenous and Northern Affairs Canada (the department legally known as the Department of Indian Affairs and Northern Development Canada);

“Joint Reserve” means a Reserve that is set apart for the use and benefit of more than one First Nation;

“Land Management Manual” means INAC's Land Management Manual;

“Letter of Support” means a letter from INAC officials to the First Nation that states that the First Nation's Reserve Creation Proposal will be supported by INAC officials to the extent indicated in this Policy and identifies the criteria that must be satisfied before INAC officials will recommend the Proposed Reserve Land for Reserve Creation;

"Local Government" means a city, town, village or other built-up area with municipal, regional district or other authority, and includes a rural or urban municipality, as defined in relevant provincial or territorial legislation;

“Mines and Minerals” means mines and minerals, precious or base, including oil and gas;

“Minister” means the Minister of Indigenous and Northern Affairs (legally known as the Minister of Indian Affairs and Northern Development Canada);