

Bruce Hamilton



MEMO

Executive

**TO : All Area Directors
Metis Nation Senators**

**From Dale McAuley
Minister of Lands/Resources**

Re Bilateral Task Force - SERM

The Metis Nation entered into a Partnership Agreement with the Province of Saskatchewan in the fall of 1995. The Agreement calls for the two parties to work together in establishing a solid relationship in the areas of lands, resources and the environment management issues and concerns. The Agreement as well dictates that there be a Work Plan , jointly developed, and most importantly a Task Force to implement the Agreement.

As Minister of Lands and Resources I have the responsibility of submitting 4 names from our membership to the Province by August 31, 1999. At this time I am asking for your cooperation in finding 4 individuals who would be able to provide their advice and time.

When submitting names please provide a back grounder on the person that is suggested as a Task Force member and the reasons as to why that person would make a good Task Force member. Names should be forwarded to the head office.

Enclosed you will find the Partnership Agreement, draft Work Plan and the draft Terms of Reference of the Task Force. This package of information should assist you by giving you insight into this Metis Nation initiative .

Your usual cooperation is appreciated .

Yours truly

**Dale McAuley
Minister of Lands and Resources**

Renewable Resources and Environmental Management

Partnership Agreement

Between

The Government of Saskatchewan

**Represented by
The Minister of Environment and
Resource Management
hereinafter referred to as
"the Minister"**

And

The Métis Nation of Saskatchewan

**Represented by
The President
hereinafter referred to as
the Métis Nation**

I. Introduction

Whereas under the *Constitution Act 1867*, Section 92, the Minister is responsible for the management of the environment and renewable resources and Crown resource lands for the benefit of all Saskatchewan residents and nothing in this Agreement will prejudice or interfere with the ability of the Minister to carry out his legal responsibilities and obligations; and

Whereas members of the Métis Nation have Constitutional rights and nothing in this Agreement shall prejudice future interpretation of Métis Nation Constitutional rights, land claims or other legal entitlements and Federal Government responsibility; and

Whereas members of the Métis Nation have formally acknowledged under their constitution and other initiatives their responsibility for stewardship and conservation of renewable resources; and

Whereas this Agreement recognizes that Aboriginal rights for Métis peoples may evolve and is without prejudice to future arrangements; and

Whereas this Agreement represents the framework for further discussions and for formal agreements between the Parties and is not intended to create legally enforceable obligations;

The Parties hereby agree as follows:

II. Objectives

This Agreement establishes a partnership which has five objectives:

1. To develop and maintain a good working relationship between the Parties through discussion and resolution of issues of mutual concern and ongoing communication and consultation.
2. To jointly develop a framework for Métis Nation involvement in co-management of renewable resources in Saskatchewan which specifies the roles of the Métis Nation and its local and regional organizations. The Parties will base the framework on the following Co-management Principles:
 - **Public ownership and provincial responsibility** for renewable resources;
 - **Co-operation as partners** in environmental and resource management through an approach based on mutual respect, trust, fairness and openness;
 - **Stewardship of renewable resources and the environment** as the keystone to sound management. Healthy ecosystems must be maintained; renewable resource use must be sustainable;
 - **Integration of environment/renewable resource, economic development and social well-being** in all planning and decision making as an approach critical for achieving sustainable development; and
 - **Inclusive process** — co-management must be open to all stakeholders, and respect existing uses and allocations. Stakeholders are individuals or groups with an interest in the geographic area and renewable resources being co-managed.

3. To work together to address wildlife management and conservation issues of mutual interest.
4. Should Métis rights with respect to fish and wildlife be established or recognized through other political and legal processes, to work together to implement those rights;
5. To discuss a range of specific issues with a view of reaching a common understanding and vision on each. The Issue Agenda may include, but is not limited to, the following:
 - Community environmental, social and economic sustainability;
 - Métis involvement and priorities regarding forestry;
 - Participation in SERM's proposed Multi-Stakeholder Forum and other mechanisms that facilitates Métis Nation consultation on regulatory changes, new legislation and policies;
 - Employment and economic opportunities and joint projects with SERM related to renewable resources;
 - Forest fire management;
 - A formal dispute-resolution mechanism based on a mediation approach.

III. Principles

The parties agree to base their partnership on the following principles:

- Ministerial authority and department responsibility for environmental protection and renewable resources.
- Acknowledgement of and respect for the Constitutional rights of Métis people and their future rights as they become defined and confirmed.
- Stewardship for the environment involving integrated management processes for sustainable resources.
- An ethical approach based on respect, trust, openness, sharing and fairness.
- Accommodation of differences in values, interests and perspectives and support for diversity.
- Public involvement of stakeholders in the management of Saskatchewan's environment and renewable resources.
- A productive, results-oriented relationship based on a shared purpose.

IV. Process

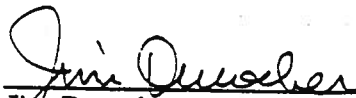
1. The Métis Nation and Minister agree to establish and co-chair a Bilateral Task Force to:
 - determine a common vision, goals and objectives for the Process;
 - develop terms of reference in keeping with the spirit, intent and principles of this Agreement;
 - finalize the Issue Agenda and rank as to their relative importance;
 - develop efficient and effective plans of action to address the objectives; and
 - develop sub-agreements on specific issues as appropriate.
2. The Métis Nation and Minister agree to designate representatives of their respective organizations to co-chair the Task Force.
3. The initial task of the Task Force will be to review the Agreement's Objectives and Principles and establish and prioritize an agenda to pursue the Agreement's Objectives.
4. Meetings of the Task Force shall be at the call of the co-chairpersons, with the Province responsible for the direct expenses of its representatives and the Métis Nation responsible for costs incurred by its representatives.
5. The Task Force will make recommendations to the Métis Nation and Minister regarding achievement of the Objectives.
6. Where appropriate, the Parties of the Partnership Agreement commit themselves to work diligently and expeditiously to pursue sub-agreements that emerge from the Objectives.
7. Development and signing of future sub-agreements will involve consultation with all stakeholders identified by the Parties.
8. The Parties commit to an annual review of this agreement.

In witness whereof the Minister of Environment and Resource Management has set his hand and the President of the Métis Nation of Saskatchewan has set his hand on this 11th day of October, 1995.

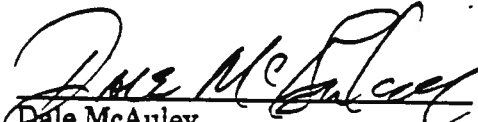
for the Métis Nation of Saskatchewan



Witness

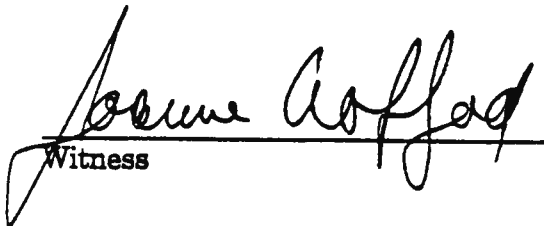


Jim Durocher
President
Métis Nation of Saskatchewan

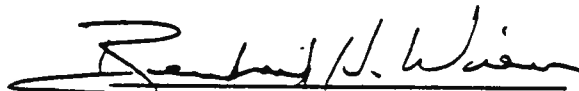


Dale McAuley
Minister of Lands and Resources
Métis Nation of Saskatchewan

for the Government of Saskatchewan



Witness



Bernhard H. Wiens
Minister
Saskatchewan Environment
and Resource Management

Métis Nation of Saskatchewan (MNS) - Saskatchewan Bilateral Process

**MNS / Saskatchewan Environment and Resource Management (SERM)
1995 Partnership Agreement**

DRAFT 1999 - 2001 Joint Work Plan Outline Objectives

Increase understanding of the principles and obligations found in the 1995 partnership Agreement between MNS and SERM that are beneficial to MNS and SERM and their constituents by developing the following work plan and budget for SERM consideration:

| PRIORITY | OBJECTIVE | TARGETS | START | FINISH | IDENTIFY PERSON(S) RESPONSIBLE | SERM FISCAL RESOURCES | COMMENTS |
|----------|-----------|---------|-------|--------|--------------------------------|-----------------------|----------|
|----------|-----------|---------|-------|--------|--------------------------------|-----------------------|----------|

Partnership Coordination

1. Jointly develop a two-year work plan objective, targets and budget

| | | | | | | | |
|--|---|---|----------|-----------|------------------------------|--------|---------------|
| | 1 | Develop a two-year work plan and budget for 1998-2000. | Aug 1998 | Nov 1998 | PIAA & Bilateral Coordinator | inkind | for 1998-2000 |
| | 2 | Extend the work plan objectives and budget for an addition year | May 1999 | July 1999 | Bilateral Task Force | inkind | for 2000-2001 |

2. Obtain necessary approvals for joint work plan and budget from all parties

| | | | | | | | |
|--|---|--|-----------|----------|----------------------------|--------|---------------|
| | 1 | Submit a yearly budget proposal with the work plan to SERM & MNS for funding consideration | Nov 1998 | Feb 1999 | Treasury Board and Cabinet | inkind | for 1999-2000 |
| | 2 | Submit a yearly budget proposal with the work plan to SERM & MNS for funding consideration | July 1999 | Feb 2000 | Bilateral Task Force | inkind | for 2000-2001 |

3. Organize and implement the technical Bilateral Task Force

| | | | | | | | |
|--|---|---|----------|----------|------------------------------|--------|---|
| | 1 | Jointly establish mandate, terms of reference, membership, quorum, meeting schedules, evaluation process and reporting requirements | Nov 1998 | Feb 1999 | PIAA & Bilateral Coordinator | inkind | 4 MNS professionals based on skills and expertise |
|--|---|---|----------|----------|------------------------------|--------|---|

| | | | | | | | |
|--|---|---|----------|-----------|------------------------------|--------|------------------------------|
| | 2 | Ongoing meeting schedule for Bilateral Task Force | ?? 1998 | Mar 2000 | Bilateral Task Force | 30000 | 10 meetings in Saskatoon |
| | 3 | Develop and execute a dispute resolution process for the Bilateral Task Force | ?? 1998 | Mar 1999 | PIAA & Bilateral Coordinator | inkind | |
| | 4 | Review Métis involvement in SERM's employment equity plans | ongoing | | Bilateral Task Force | inkind | |
| | 5 | Under terms of reference establish the following: forestry subcommittee, roundtable, financial group to lever funds and others as necessary | Jan 1999 | June 1999 | Bilateral Task Force | inkind | additional funding necessary |

4. Enhance MNS participation in SERM partnership agreement and bilateral process

| | | | | | | | |
|--|---|---|------------|----------|--|--|---|
| | 1 | Jointly develop a job description and duties as well skills required for posting the MNS technician along with hiring process | Mar 1999 | Apr 1999 | MNS Minister and Administration & SERM Coordinator | 2000 advertising | skills set includes technical knowledge of resource management and policy development |
| | 2 | MNS to secure one (1) Full Time technician to coordinate MNS involvement in Partnership Agreement and work plan objectives | April 1999 | Mar 2000 | MNS Minister and Administration | 40000 base salary, 13% MERC and 600/month travel | |

5. Establish and implement an evaluation process for the work plan

| | | | | | | | |
|--|---|--|---------|--|----------------------|--------|---|
| | 1 | Conduct 6 month and yearly evaluations & progress reports of the work plan to allow faster turn around time on notification of successes | ongoing | | Bilateral Task Force | inkind | March and September for the duration of the work plan |
|--|---|--|---------|--|----------------------|--------|---|

Policy Direction

1. Jointly review 1995 Partnership Agreement and SERM involvement in the Bilateral Process Agreement MNS input into SERM's policy and planning processes

| | | | | | | | |
|--|---|---|--------------|-----------|-------------------------------|--------|--|
| | 1 | Through SERM's Aboriginal Policy Framework and its Public Involvement Policy Framework | ever 2 years | | Métis and MNS representatives | inkind | |
| | 2 | Exploration of the management components of the MNS Métis Wildlife and Conservation Act | Jan 1999 | Mar 2000 | Bilateral Task force | inkind | |
| | 3 | Explore, research and identify impact on Métis involvement in Harmonization Accord and its implementation | Jan 1999 | June 1999 | Bilateral Task Force | 6000 | MNS research with project based outcomes |

2. Active involvement in the Bilateral Process meetings

| | | | | | | |
|--|---|---|---------|--------------------------------------|--------|--|
| | 1 | Technical Involvement through Tier II meetings | ongoing | MNS technicians and SERM technicians | inkind | |
| | 2 | Ministerial involvement through Tier I meetings | ongoing | MNS Minister SERM Minister | inkind | |

Communications

Joint development of a public relations strategy on sectoral announcements

| | | | | | | |
|--|---|--|---------|--|--------|--|
| | 1 | Recommend joint announcements, press releases and communiques on work plan initiatives and successful outcomes | ongoing | MNS Minister SERM Minister and Executive Councils | inkind | understanding & respect for respective governance & communications protocols |
| | 2 | Inform and educate the Saskatchewan public about work plan initiatives and successful outcomes | ongoing | SERM website, newsletters, interviews | inkind | |
| | 3 | Recommend third party announcements with FSIN on sectoral initiatives with common concerns and goals | ongoing | MNS Minister SERM Minister FSIN Vice Chief and Executive Councils | inkind | |

Forestry Initiatives

Support MNS goal of forest- based economic development; for example, a Forest Management Lease Agreements (FMLA) with the province in northern Saskatchewan which will benefit Métis communities and people

| | | | | | | | |
|--|---|---|----------|----------|--|--------|------------|
| | 1 | Support FMLAs and commercial participation in northern Saskatchewan's sustainable forestry industry to benefit Métis communities and people | Nov 1998 | Mar 2000 | AB-For Industries and Cumberland Region proposal utilizing Métis foresters | inkind | |
| | 2 | Foster economic development partnerships in the development of FMLA proposals to benefit Métis communities | Nov 1998 | Mar 2000 | SNEDCO, SECD, SNA, WED, CCDF, CESO, others | inkind | |
| | 3 | MNS involvement in the 5/10/20 year review process on existing FMLAs to benefit Métis Communities | ongoing | | AI Wilcox, Forest Ecosystems Branch | 4000 | per review |
| | 4 | Métis-specific participation in Saskatchewan forestry sector through SERM workshops on how to increase forestry employment and training opportunities for northern Saskatchewan Métis within existing and proposed businesses as well as create business opportunities in value-added forest products | ongoing | | SERM Forest Ecosystem Branch, AB-For Industries, Cumberland Region proposal, Green Lake Mill, others | inkind | |

Aboriginal Involvement

Coordinate and facilitate Aboriginal involvement in environmental and resource management issues that are not directly related to Aboriginal rights

| | | | | | | | |
|--|---|--|----------|----------|----------------------|--------|--|
| | 1 | Establish and implement strategies to increase and clarify Métis participation and representation on SERM's advisory and/or co-management boards throughout Saskatchewan | Nov 1998 | Aug 1999 | Bilateral Task Force | inkind | |
|--|---|--|----------|----------|----------------------|--------|--|

| | | | | | | | |
|--|---|---|--------------|----------|--|--------|--|
| | 2 | Ensure consultation with MNS in development of any new FMLAs in northern Saskatchewan | ongoing | | Tripartite Northern Project and Northern Strategy | 20000 | 5,000/region |
| | 3 | Métis participation in the review of SERM's Forest Protection Policy | Jan 1999 | Dec 1999 | Forest Management/Fire Suppression and Bilateral Task Force | inkind | |
| | 4 | Local and regional public information meetings of resource users on wildlife, conservation issues, existing confirmed Aboriginal rights, enforcement and environmental law with métis and First Nations people and stakeholders | Winter 98/99 | | to be determined by Bilateral Task Force | 10000 | MNS costs blended with SERM co-management boards |
| | 5 | Undertake research into developing strategies on hunter safety for Métis hunters | Nov 1998 | Mar 1999 | SAFE, SERM, PIAA and MNS | 6000 | |
| | 6 | Follow up to 1996 MNS/SERM Lands and Resource Commission meeting as well as the 1998 MNS/SERM Night Hunting meetings | Nov 1998 | Mar 1999 | SERM Forest Protection Agency, PIAA and MNS technician | inkind | locate tapes given by Murdoch Carrier to May Henderson at MNS in summer 1997, transcribe commission tapes and analyze content for Métis priorities and needs |
| | 7 | Establish a Métis Traditional Knowledge Roundtable on Wildlife and Conservation, bringing together SERM and MNS representatives from SERM's advisory and/or co-management boards throughout Saskatchewan | Aug 1999 | Dec 1999 | Henry Desjarlais is working on this file for SERM, other regional reps, technicians, and elders as identified participants by Bilateral Task Force | 7000 | conduct 1 conference in Nov 1999 |

DRAFT

SASKATCHEWAN ENVIRONMENT AND RESOURCE MANAGEMENT MÉTIS NATION OF SASKATCHEWAN RESOURCE MANAGEMENT TASK FORCE

Terms of Reference

INTRODUCTION

In October of 1995 Saskatchewan Environment and Resource Management (SERM) and the Métis Nation of Saskatchewan (MNS) signed a Renewable Resource and Environmental Management Partnership Agreement. The agreement established a commitment between the two Parties to develop and maintain a good working relationship through discussion and resolution of issues of mutual concern, ongoing communication and consultation. In support of the Partnership Agreement a MNS/SERM Joint Work Plan was completed in November of 1998. A key feature of the Work Plan is the implementation of a technical Bilateral Task Force. The Terms of Reference defines the framework in which the Task Force will function.

GOALS

Facilitate the implementation, management and continuing development of the MNS/SERM Joint Work Plan with a Provincial focus on Métis communities and Métis resource users.

OBJECTIVES

- To develop communication and information sharing between the Parties and between the Parties and the Public.
- The timely identification, development, clarification and facilitation of practical resource based economic development opportunities.

PRINCIPLES

As committed to in the SERM - MNS Partnership agreement, the Bilateral Task Force will adhere to the following principles:

- Ministerial authority and department responsibility for environmental protection and renewable resources.

- **Acknowledgment of, and respect for, the Constitutional Rights of Métis people and their rights as they become defined and confirmed.**
- **Stewardship for the environment involving integrated management processes for sustainable resources.**
- **An ethical approach based on respect, trust, openness, sharing and fairness.**
- **Accommodation of differences in values, interests and perspectives and support for diversity.**
- **Public involvement of stakeholders in the management of Saskatchewan's environment and renewable resources.**
- **A productive, results-oriented relationship based on a shared purpose.**

MEMBERSHIP

Members

- **Each SERM and MNS delegation will consist of a maximum of four members, including one technician, appointed by the respective Ministers.**
- **Each delegation will appoint two alternates.**
- **Members serve for a minimum one year term.**
- **Alternates will be kept well informed and ready to respond to issues.**
- **Appointment dates for replacements will be staggered to provide continuity.**

Member Characteristics

- **Will have the ability to direct action, develop options and directions.**
- **Bring a level of leadership and have some command of resources.**
- **Be results oriented, have the ability to work in an collaborative, effective and efficient manner.**
- **Represent their department/communities as a whole.**
- **Have a similar level of skill and knowledge.**

Member Roles and Responsibilities

- **Finalize the terms of reference and recommend to the Ministers for approval.**
- **Extend the work plan as needed with budget proposals and submit to the Ministers for approval.**
- **Identify, develop and facilitate the implementation of opportunities from within the work plan with the ability to develop and recommend opportunities identified outside of the work plan.**
- **Submit developed initiatives with recommendations to the Ministers.**
- **Share working documents with the Tier II committee such as the work plan, budget, annual reports and initiatives.**
- **Create sub-committees and the associated reporting structures when appropriate.**

- **Submit amendments to the terms of reference and work plan to the Ministers for approval.**
- **Provide input into annual work plan of the technicians.**

DECISION MAKING AND DISPUTE RESOLUTION

- **Whenever possible decisions will be made by consensus.**
- **Members will develop a dispute resolution process.**
- **The members will determine a list of facilitators who can be accessed in a timely fashion to assist with problem solving and dispute resolution.**

EVALUATION AND REPORTING

- **Continuous evaluation will be a permanent agenda item.**
- **The Task Force will submit semi annual reports outlining initiatives, progress, challenges and evaluations.**
- **The annual report will be submitted to the Ministers in a joint meeting, including the draft work plan and budget.**

MEETINGS

- **For the first year a schedule of six meetings is expected in order to establish the Task Force and begin the work.**
- **In future years meetings will be on a quarterly basis with an agreed schedule.**
- **Meetings will be a maximum of one day duration.**
- **Interim meetings may be convened as required .**
- **Each delegation will select one co-chair to share chairing the meetings.**
- **A minimum of three members from each delegation must be present in order to convene a meeting.**
- **Where a member misses two consecutive meetings the Task Force will recommend action to the appropriate Minister.**
- **Meeting agendas will be developed jointly.**
- **Develop joint guidelines for recording accurate and concise meeting notes and decisions.**
- **Meeting notes will be completed and distributed within ten working days.**
- **Meeting notes will be sent to MNS and SERM Ministers.**
- **SERM and MNS technicians will share secretariat functions including meeting notes, record of decisions, agenda, meeting notices, Task Force communications related to follow up and meeting preparation as well as writing joint reports.**

DURATION

The Task Force will continue for the duration of the *Partnership Agreement* and its associated work plans.