



File: ref#59362

Chief Darlene Simpson
Tsetsaut/Skii Km Lax Ha
Via Email.

Chief Darlene Simpson,

I am writing to provide you with an update on the ongoing efforts to produce a revised Consultative Area Database (CAD) that reflects information in the 2021 Tsetsaut Skii km Lax Ha Ethnohistoric (EH) report.

Initially, the proposed CAD relied on the maps generated and presented during the *Delgamuukw v. British Columbia* case (1997). However, as you point out in your letter of June 20, 2022, the new EH report includes evidence that the *Delgamuukw* map does not represent the whole territory ceded to Skii km Lax in the 1890s, but only the part registered by Daniel Skawil as a trapline in the 1920s (see pp. 209-213). The report notes that Skawil was unable to register a portion of the territory north of Treaty Creek, including the Snowslide Range, because a settler had already registered it. However, all evidence suggests that it was part of Skii km Lax Ha's Awijii territory and that its omission from the *Delgamuukw* map was an error. Similarly, you have provided evidence that Skii km Lax Ha used parts of the Bowser watershed upstream from the limits of the *Delgamuukw* boundary, as discussed at pp. 222-223 of the EH report.

The updated version of the CAD reflects this information through the addition of Zones B1 and B2 to Zone A, which represents the original *Delgamuukw* boundary. The new CAD zones are as follows:

Zone A - consider the full range of the consultation spectrum¹

Zone B1 - consider the full range of the consultation spectrum.

Zone B2 - consider the full range of the consultation spectrum (newly added zone).

Zone C - initiate consultation at a notification level.

¹ Consultation across the full range of the consultation spectrum, including at the deeper end, as informed by assessments of both potential impacts and *prima facie* strength of claim

Please see the attached map (*Tsetsaut Skii Km Lax Ha Consultative Area Boundary Change*) which details the geographic scope of these new zones.

Thank you for providing valuable information for the 2021 EH report and the proposed revised CAD. Your extensive research and consultation efforts have been instrumental in establishing and retracing the TSKLH territory boundary. If any new evidence emerges and is brought to the province's attention, we will reevaluate the CAD boundaries and make necessary adjustments to ensure accuracy.

Sincerely,

A handwritten signature in black ink, appearing to read 'Dale Morgan', with a stylized, flowing script.

Dale Morgan, Regional Executive Director
North Area

Dale.Morgan@gov.bc.ca

Attachment: 1 Map: Tsetsaut Skii Km Lax Ha Cad.pdf

Pc: Stewart Dickson, Regional Director, Omenica Region MIRR.
Cory Waters, Chief Negotiator, North Area, MIRR.
Ryan Stuart Beaton, Lawyer, Power Law.

