



Ref. 57837

April 6, 2023

Peter Robson, President
Sean McAllister, Director
Pender Harbour and Area Residents Association (PHARA)
Box 15
Madeira Park BC V0N 2H0
Via email to: board@PHARA.ca

Dear Peter Robson and Sean McAllister:

Thank you for your correspondence dated January 18, 2023, addressed to Honourable David Eby, Premier, Honourable Anne Kang, Minister of Municipal Affairs, Honourable Niki Sharma, Attorney General, shíshálh Nation (shíshálh), and me regarding a request for engagement on the Province of British Columbia (BC) and shíshálh negotiation of a Section 7 agreement under the *Declaration on the Rights of Indigenous Peoples Act* (Declaration Act). As Minister of Indigenous Relations and Reconciliation, I am pleased to reply on behalf of BC.

I understand that provincial staff met with PHARA representatives, Sean McAllister and Guy Thompson, on February 2, 2023, where a status update on the Section 7 agreement negotiations was provided. I reinforce the messaging you heard from provincial staff: this is ground-breaking work, and it is important that we get it right. BC and shíshálh are still discussing components of a joint decision-making model, including many of the questions you posed in your written correspondence.

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I appreciate your patience while BC and shíshálh continue to work together to determine the approach and components a joint decision-making model. I can confirm two components that are being considered for a future BC and shíshálh Section 7 joint decision-making agreement:

1. The future joint decision-making process for private and commercial moorage will be clearly and transparently described in the agreement. This will provide applicants clear understanding about how an application is considered and sets out factors and decision-making parameters for the decision-makers. A documented rationale will be prepared for each decision and each decision will be open to judicial review under the *Judicial Review Procedures Act*, and
2. The application process for private moorage and commercial docks is anticipated to remain the same. Applicants will still follow the requirements within the Dock Management Plan and submit applications through Front Counter BC.

I can assure you that as outlined in the *Declaration Act*, BC will engage on Section 7 agreements with interested parties, including PHARA, on the joint decision-making agreement as it develops.

BC is committed to this important work with shíshálh and is proud to advance this unique approach to joint decision-making within British Columbia. We appreciate the interest you have shared with us and will continue to provide PHARA with regular updates.

Thank you for your letter and I look forward to our ongoing engagement together as this transformative reconciliation work continues.

Sincerely,



Murray Rankin, KC
Minister of Indigenous Relations and Reconciliation

CC: Honourable David Eby, KC
Premier

Honourable Anne Kang,
Minister of Municipal Affairs

Honourable Bruce Ralston, KC
Minister of Forests

Honourable Niki Sharma, KC
Attorney General

Hiwus yalxwemult (Chief Lenora Joe)
shíshálh Nation

Alexandra Banford, A/Assistant Deputy Minister
Negotiations and Regional Operations Division
Ministry of Indigenous Relations and Reconciliation