



INFORMATION SHEET: Negotiations towards Settlement and Reconciliation

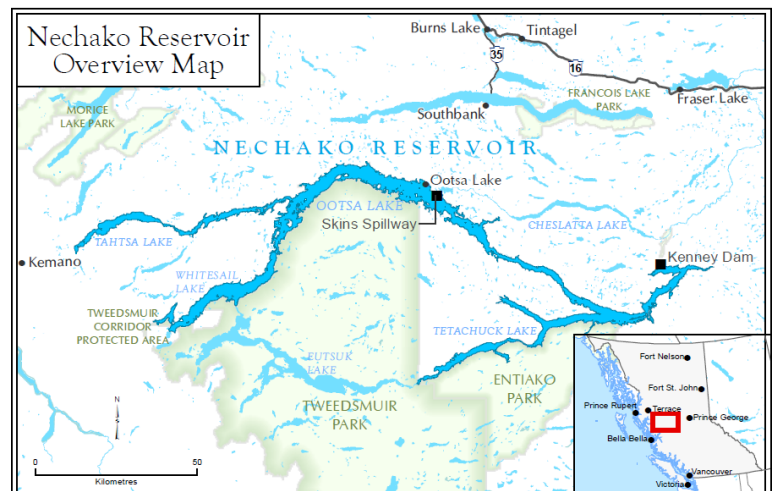


Introduction

The Province of British Columbia (B.C.) and the Cheslatta Carrier Nation (Cheslatta) are negotiating two agreements to address long standing injustices related to the Kenney Dam and Nechako Reservoir. These agreements will support Cheslatta's social and economic well-being and cultural revitalization, and advance reconciliation consistent with B.C.'s commitment to implement the *United Nations Declaration on the Rights of Indigenous Peoples*.

Kenney Dam & Nechako Reservoir

Located in northwest B.C., the Nechako Reservoir was formed in the early 1950s by construction of the Kenney Dam and nine smaller dams in order to generate power for Alcan's (now Rio Tinto Alcan's) aluminum smelter in Kitimat. To create the reservoir, approximately 485 square kilometres of land was flooded or damaged by flooding. The Nechako Reservoir covers 910 square kilometres and spans a distance of 230 kilometres.



Proposed Agreements

B.C. and Cheslatta are negotiating a Settlement Agreement and an Interim Reconciliation Agreement. The proposed Settlement Agreement would provide land and financial compensation to Cheslatta for impacts from the creation and ongoing operation of the Nechako Reservoir. The proposed Interim Reconciliation Agreement would strengthen the collaborative government-to-government relationship between B.C. and Cheslatta.

Progress to Date

Negotiations between B.C. and Cheslatta began in May 2016. A Framework Agreement designed to guide the negotiations was signed and celebrated on the shores of Cheslatta Lake in September 2016. Using benefits provided under the Framework Agreement, Cheslatta has created education and training opportunities for their members, and launched a Cheslatta-owned guide outfitter business and fish guiding operation within the territory. Currently, B.C. and Cheslatta are negotiating details of the proposed Settlement Agreement and Interim Reconciliation Agreement.

Target Timelines

B.C. and Cheslatta hope to finalize the agreements before the end of 2018. The timeline to conclude negotiations on the land package will be longer, targeting mid-2019, to allow sufficient time for B.C. to consult with other First Nations and to engage the public and stakeholders.

Perspective of the Cheslatta t'en

The heart of the territory traditionally used and occupied by the Cheslatta t'en from time immemorial was flooded by the creation of the Nechako Reservoir. These lands remain submerged and they continue in the memory and being of the Cheslatta t'en.

After the flooding began, the Cheslatta t'en were involuntarily relocated outside the traditional territory. The flooding desecrated Cheslatta cemeteries, destroyed vegetation, drowned wildlife, and inundated villages, campsites, archaeological and spiritual sites, traplines, and trails.

The creation of the Reservoir adversely affected the Cheslatta t'en's ability to access lands, water and resources, and the ability to carry out sustenance activities. The operation of the Reservoir results in ongoing periodic water releases at the Skins Lake Spillway that cause damage, exposing buried remains of Cheslatta t'en. To this day, the social and cultural impacts of the flooding and relocation are felt by the Cheslatta t'en.



The proposed Settlement Agreement is consistent with Article 28 of the *United Nations Declaration on the Rights of Indigenous Peoples* (UNDRIP). It is intended to provide redress to Cheslatta for the significant impacts the Nechako Reservoir had on Cheslatta land and people.

UNDRIP Article 28:

- 1) *Indigenous peoples have the right to redress, by means that can include restitution or, when this is not possible, just, fair and equitable compensation, for the lands, territories and resources which they have traditionally owned or otherwise occupied or used, and which have been confiscated, taken, occupied, used or damaged without their free, prior and informed consent.*
- 2) *Unless otherwise freely agreed upon by the peoples concerned, compensation shall take the form of lands, territories and resources equal in quality, size and legal status or of monetary compensation or other appropriate redress.*

For More Information

Find information online:

- [Framework for Negotiation of the Reconciliation and Settlement Agreement](https://www2.gov.bc.ca/assets/gov/environment/natural-resource-stewardship/consulting-with-first-nations/agreements/cheslatta_framework_public_version_20160805.pdf)¹
- [govTogetherBC/Cheslatta](http://engage.gov.bc.ca/govtogetherbc/consultation/Cheslatta/)²

Contact representatives from BC and Cheslatta:

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- Mike Robertson, Senior Policy Advisor, Cheslatta Carrier Nation (mrobertson@cheslatta.com / 250-694-3334)

¹ https://www2.gov.bc.ca/assets/gov/environment/natural-resource-stewardship/consulting-with-first-nations/agreements/cheslatta_framework_public_version_20160805.pdf

² <http://engage.gov.bc.ca/govtogetherbc/consultation/Cheslatta/>