

LAKE BABINE NATION
Foundation Agreement



Canada



Lake Babine Nation Foundation Agreement

PUBLIC INFORMATION SESSION
APRIL 20, 2021

Overview

Lake Babine Nation 101

Foundation Agreement Overview

Question & Answer



Purpose of Agreement

Implement title, rights, and self-government

Strengthening resilience and well-being

Create opportunities to partner and engage more deeply in the regional economy

Strengthen relationships based on a shared vision between Lake Babine, BC, and Canada

“Treaties serve to reconcile pre-existing Aboriginal sovereignty with assumed Crown sovereignty”

*Haida Nation v. British Columbia (Minister of Forests),
2004 SCC 73, para 20*

Aboriginal Rights & Title

Aboriginal Rights and Title are inherent rights that are constitutionally entrenched by s. 35(1) of the *Constitution Act, 1982*.

Examples of statements from the Supreme Court of Canada:

“The legal source of Aboriginal rights and title is not state recognition, but rather the realities of prior occupation, sovereignty and control” para. 49.

“Aboriginal title pre-dates all other interests in land in Canada, arising from the historic occupation of territory by distinct cultures” para. 29.

Newfoundland and Labrador (Attorney General) v. Uashaunnuat (Innu of Uashat and of Mani-Utenam), 2020 SCC 4.

Timeline

2014
BC / LBN
MOU for
strategic
engagement

2016
BC / LBN Vision
Session

2017
BC / LBN Foundation
Pathways Agreement

2018
Tripartite MOU
signed as Canada
joined
negotiations

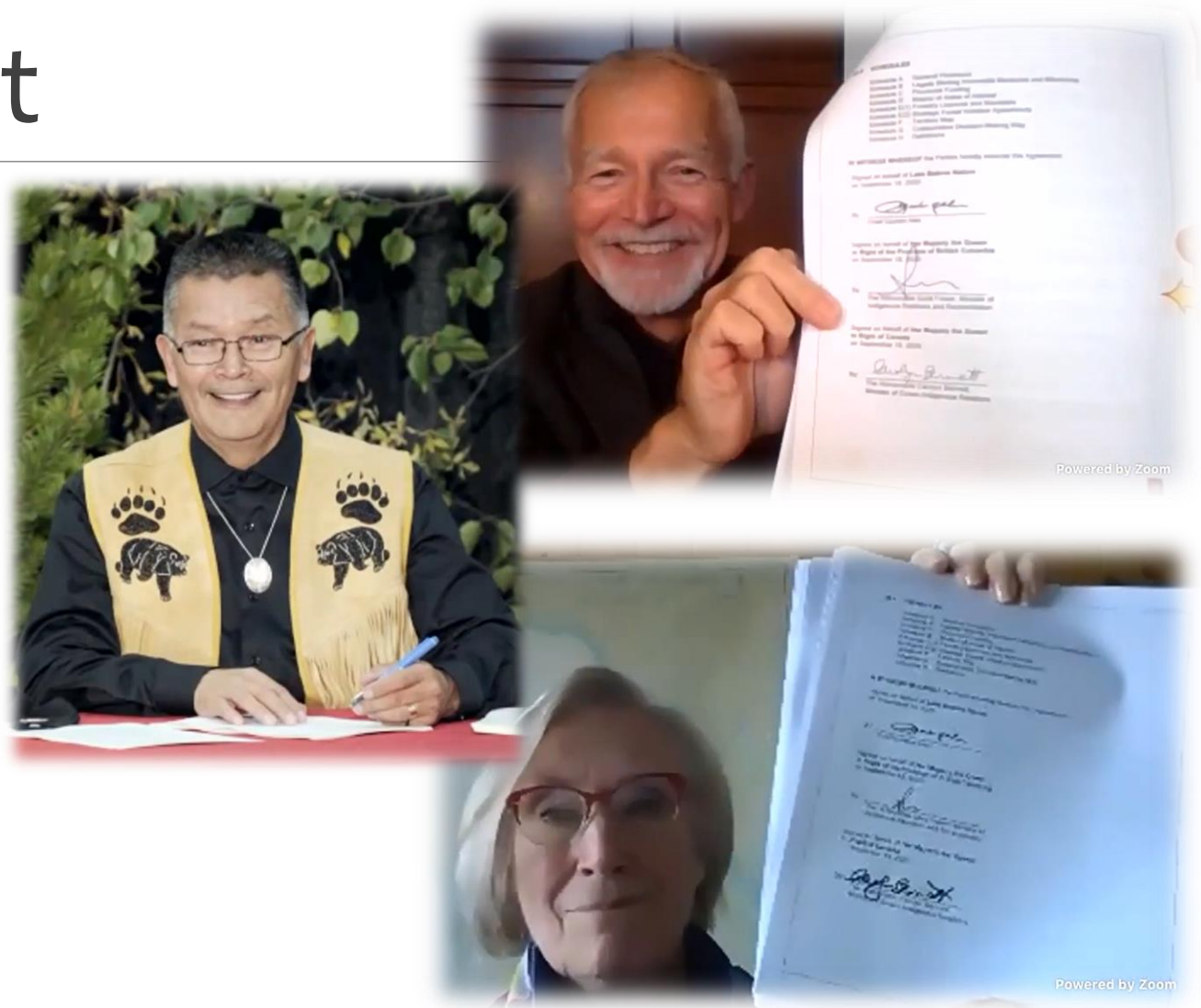
September 2020
LBN, BC, Canada sign
Foundation Agreement

Type of Agreement

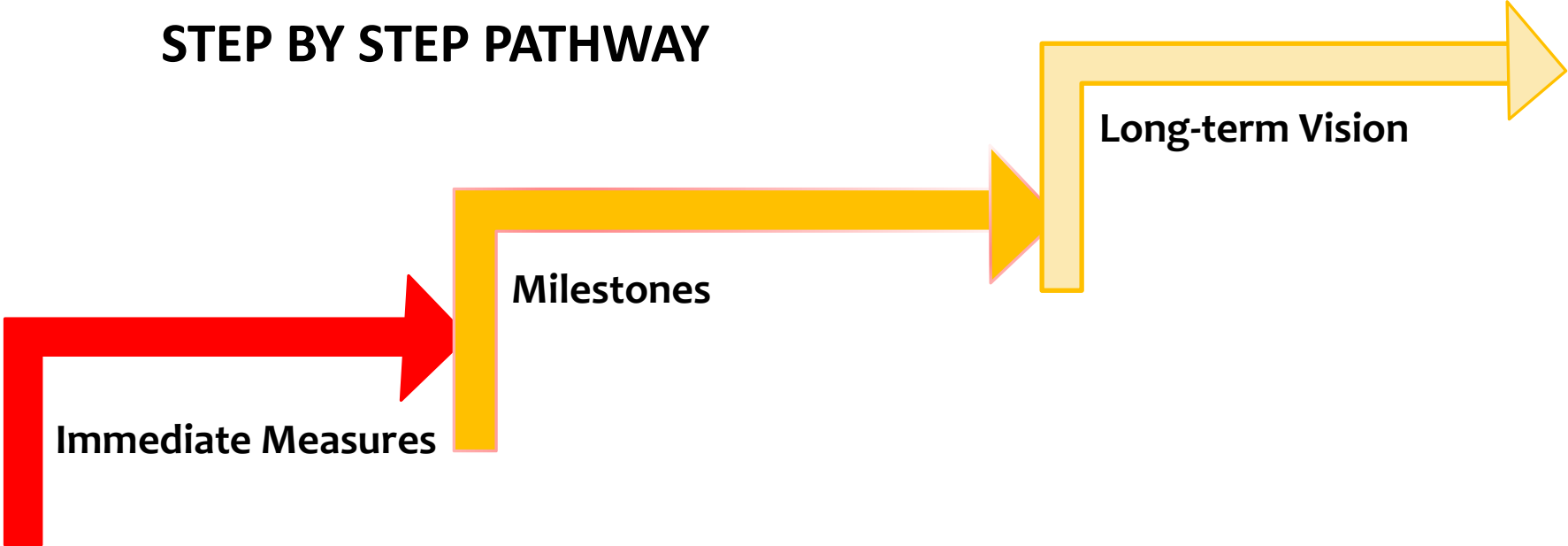
New, progressive approach to reconciliation

Innovative with immediate benefits that commits the parties to further negotiations to implement Aboriginal title, rights, and self governance

Built on a 20-year shared vision for reconciliation



How the Agreement Works



Immediate Measures

Provincial Funding: Approximately \$2.5 million/year for 5 years for implementation

Decision Making: Establish Collaborative Decision Making (CDM) over a list of provincial authorizations

Land: Transfer of 20,000 ha of Crown land in fee simple

Economic Development Fund: \$15 million to support forestry and business development

Social Sectors: Program enhancements to support planning and capacity for services to LBN members

Wildlife Management: BC and LBN jointly undertake moose study to support moose co-management

Forestry: Commitment to achieve 250,000 m³ of long-term tenure/volume, establish \$15 Million Forestry Activities Fund, revenue sharing, support for business-to-business relationships

Canada's commitment under the Foundation Agreement is to seek authorities to provide immediate benefits to Lake Babine Nation, which it is in the process of doing.

Progressive and Incremental

Dynamic and Flexible

Innovative

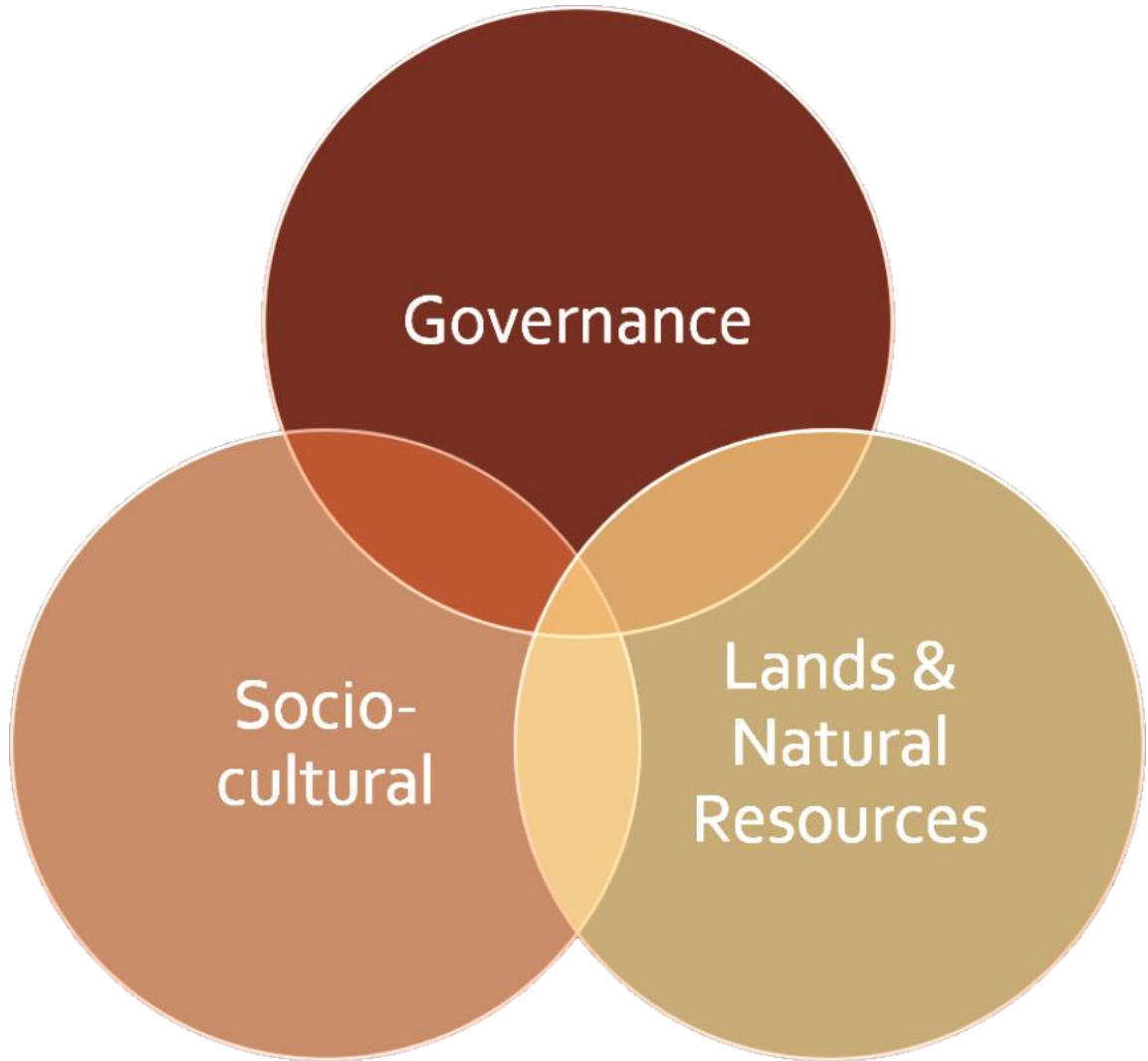
Holistic

Culturally Appropriate

Inclusive

Measurable Progress

Key Principles



Areas of Focus

Governance

*“Developed by Lake Babine,
for Lake Babine”*



Socio-Cultural



Photo: Betty Patrick 2019



Lands and Natural Resources



Lands

Forests

Shared
Decision-
Making

Wildlife

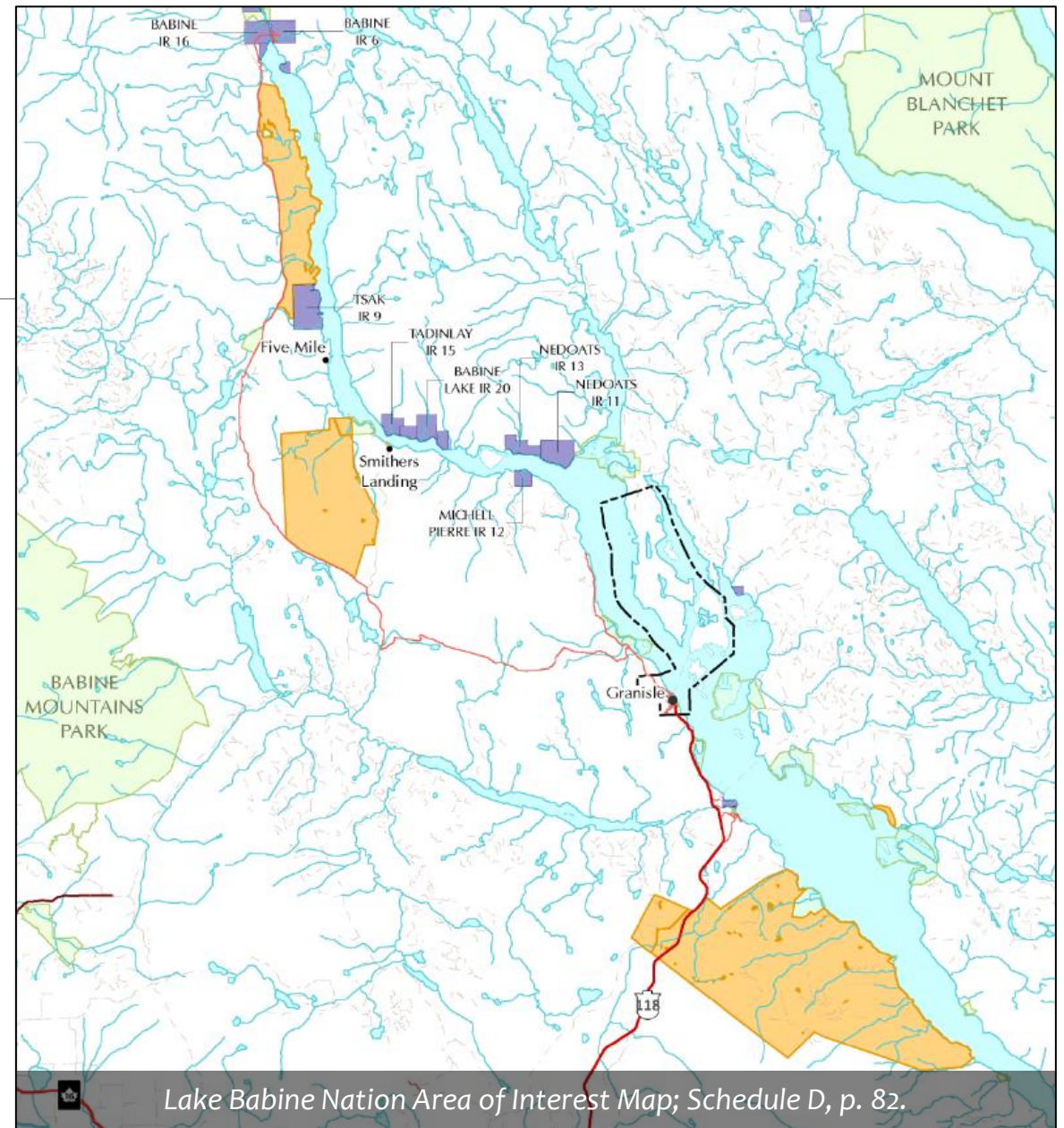
Fisheries

Lands

Transfer 20,000 ha of
Crown land in fee simple
target within 5 years

High-title area

Negotiation of Land
Transfer Agreement
within 12 to 24 months





Dialogue & Relationship Building

- Continuous engagement with Lake Babine membership
- Keeping residents, local governments, industry and other stakeholders informed
- Relationships with neighbouring First Nations



Photo Emma Palmantier

YOUTH

HEARING FROM OUR YOUTH IS IMPORTANT



Questions?

PLEASE SEND ANY UNANSWERED
QUESTIONS TO MIRRSKEENA@GOV.BC.CA