

“Reconciliation is not just words, reconciliation is action.”

- Premier John Horgan

“Reconciliation is a societal imperative, requiring awareness, understanding, and participation from everyone.”

- BC Assembly of First Nations

MEETING STARTS AT 6 P.M.



Welcome & Territorial Acknowledgement

K'ómoks Treaty Negotiations

Presentation
September 29, 2022



BC TREATY
COMMISSION



Canada 

Today's Purpose

- Sharing information about the K'ómoks Treaty
- Advancing reconciliation together!
 - ▶ All information subject to conclusion of K'ómoks Treaty negotiations

Agenda

- | | |
|---------------|--------------------------------------|
| 6 – 6:10 p.m. | Welcome, Territorial Acknowledgement |
| 6:10 p.m. | Panelist Introduction |
| 6:15 p.m. | Panel Presentation |
| 7:00 p.m. | Q&A with Panel |
| 7:30 p.m. | Meeting ends |

PANEL

Richard Hardy	Councillor, K'ómoks First Nation
Mark Stevenson	Chief Negotiator, K'ómoks First Nation
Ron Frank	Negotiator, K'ómoks First Nation
Melissa Quocksister	K'ómoks First Nation
Celeste Haldane	Chief Commissioner, B.C. Treaty Commission
Michael Blackburn	Negotiations Manager, Canada
Heinz Dyck	Chief Negotiator, B.C.
Sarah Cavanagh	Senior Negotiator, B.C.

K'ómoks History & Culture

- The ancestors of the K'ómoks First Nation have lived in the area of eastern Vancouver Island since the end of the last ice age around 12,000 years ago.
- For thousands of years K'ómoks ancestors harvested, preserved and stored rich food resources.
- Throughout each year ancient K'ómoks people moved to different village locations in accordance with seasonally available foods. But each winter, people would return to their main village and there, host great feasts and cultural dances.

K'ómoks History & Culture

- The K'ómoks First Nation is comprised of three different tribal groups that make up the Nation today:
 - K'ómoks
 - Pentlatch
 - Kwakwaka'wakw
- Each of these groups was fully independent from the others and spoke a different language.
- During the 19th century, disease and warfare caused great depopulation.
- The three tribes eventually merged and united into what would become the K'ómoks First Nation.



Indian Group, & carved figure, in front of Chiefs Lodge
at Comox N. E. Coast Vancouver Id.



{ Dressed figures the topmost, } frame support for drying berries { Chiefs house with wooden portou
 { holding captives head } in cakes for winter use.

Indian Monumental Carvings or Totems, at Comox N.E. Coast. V.I.

Reconciliation

Building a new relationship with Indigenous Peoples:

- Awareness of the past
 - Mutual respect
 - Recognition of rights
 - Renewed fiscal relationship
 - Commitment to action
 - Partnering together for a better future
- hɛhɛwčɪs; Hayuthela la xens: Moving Forward Together
- Reconciliation requires participation from everyone!

Reconciliation of Laws

- Federal (Canada): Bill C-15, the *United Nations Declaration on the Rights of Indigenous Peoples Act*
- Provincial (B.C.): *Declaration on the Rights of Indigenous Peoples' Act*

➤ **These laws direct Canada and B.C. to align all laws with the United Nations Declaration on the Rights of Indigenous Peoples**

Government Reconciliation Actions

- Negotiate long-term living agreements to recognize and implement:
 - Indigenous rights and self-determination
 - Economic independence
- Work collaboratively to identify new solutions to complex issues
- Partner on shared initiatives, such as stewardship and resource management

Modern Treaties in B.C.

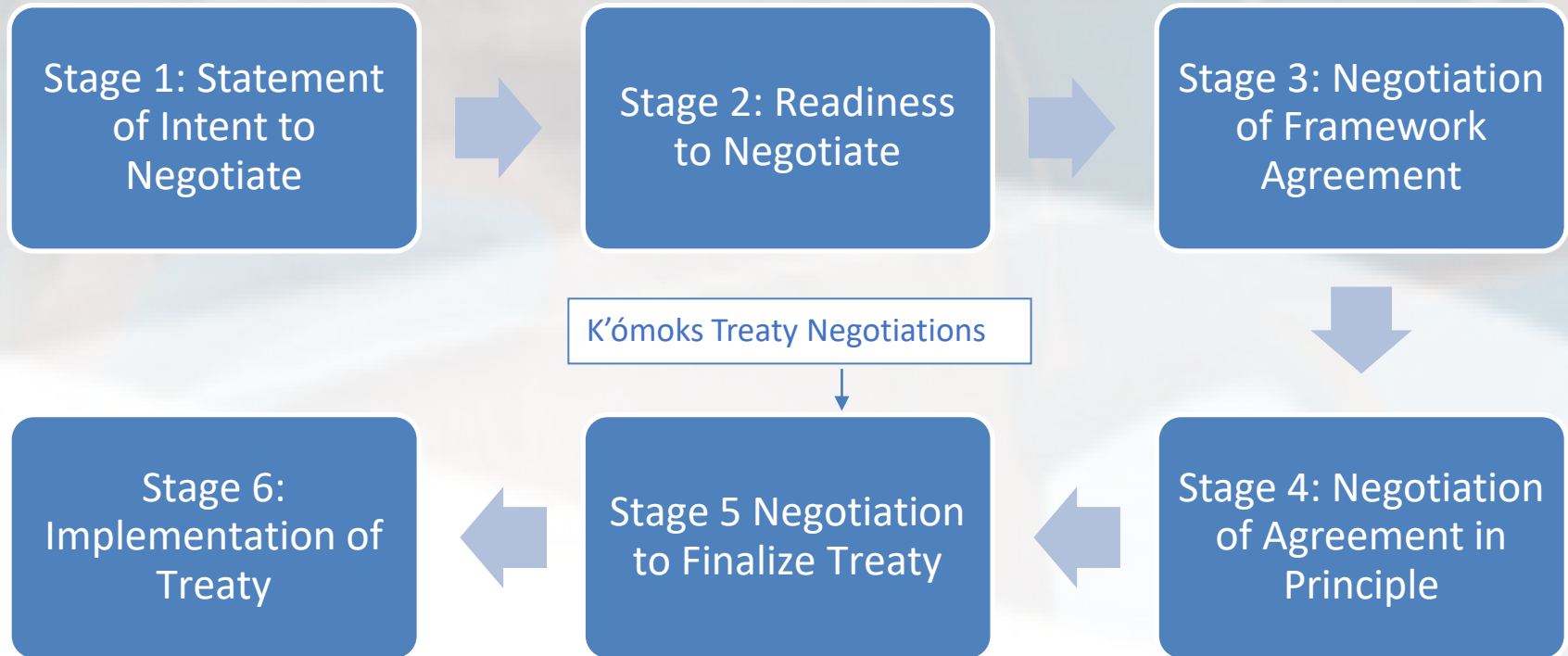
- Living agreements negotiated through B.C. Treaty Commission process
- Between Canada, B.C. and a First Nation
- Constitutionally protected: identify, define and implement a range of rights and obligations
 - Result in long-term, mutually binding commitments
- Most comprehensive form of reconciliation: establish relationship based on mutual trust, respect and understanding
- Aim to provide certainty

What is in a modern treaty?

- Recognition and Reconciliation of Rights
- Self-Government
- Land and Jurisdiction
- Natural Resources
- Shared Decision-Making
- Fiscal Relations

➤ **Living agreements that can evolve over time**

B.C. Treaty Negotiations Process



Modern Treaty Nations

Since 1993, 8 treaties have been implemented in B.C.:

- Nisga'a Nation (effective 2000)
- Tsawwassen First Nation (effective 2009)
- Maa-nulth Treaty Nations (effective 2011)
 - Huu-ay-aht First Nations
 - Ka:'yu:'k't'h'/Chek'tles7et'h' First Nations
 - Toquaht Nation
 - Uchucklesaht Tribe
 - Yuułuʔiłʔatḥ Government
- Tla'amin Nation (effective 2016)

➤ Modern Treaty Nations are no longer governed by the *Indian Act*

K'ómoks Treaty Negotiations

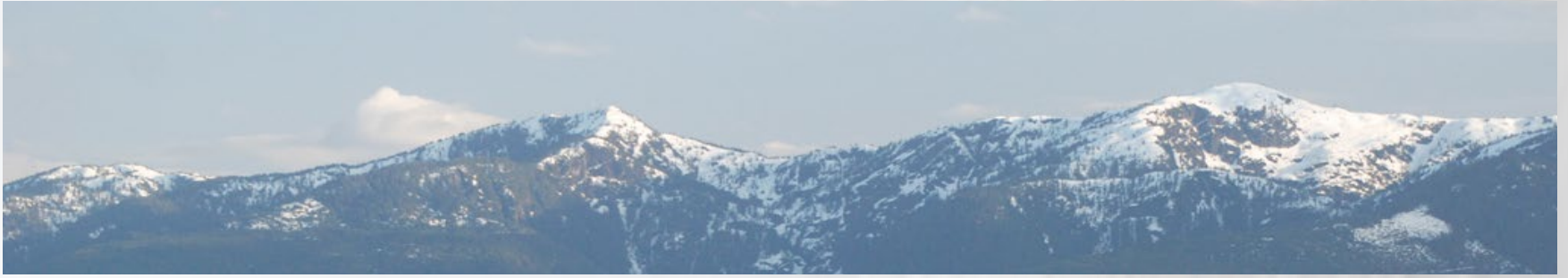
K'ómoks, Canada and B.C. have been in treaty negotiations since 1994.

- 1994: Treaty negotiations begin
- 2012: Parties sign Agreement-in-Principle (AIP) – identifies and defines rights and obligations, including interests in land and resources
- 2019: Agreement to revitalize K'ómoks treaty negotiations

Estimated Timeline to Completion



- K'ómoks ratification: Includes vote by K'ómoks members



K'ómoks Treaty Overview

The treaty is intended to create jobs, promote investment and economic development, build housing, support tourism and encourage investments in infrastructure which will benefit the entire Comox Valley and surrounding area.

K'ómoks Treaty Overview

K'ómoks Treaty will:

- Recognize pre-existing rights and title of K'ómoks
- Return lands to K'ómoks to self-manage
- Establish K'ómoks self-government
- Provide on-going self-governance funding
- Include a one-time cash transfer
- Create opportunity for the power of taxation to K'ómoks on treaty land
- Identify co-management/shared decision-making opportunities in K'ómoks territory

Treaty Lands vs Reserve Lands

Reserve Lands: Owned by the federal government. First Nations are not allowed to own individual parcels or make decisions without federal consent.

Treaty Lands: Land is transferred to First Nation treaty governments, who have jurisdiction over the land.

- The Treaty will transfer all existing reserve lands to Treaty Lands

K'ómoks Treaty Lands

Owned and managed by K'ómoks

- K'ómoks will have jurisdiction, including law-making authority
- K'ómoks will manage, zone and develop as they see fit
- K'ómoks will undertake land use planning determine how best to use the land

Proposed Private Treaty Lands

- There is limited Crown land in K'ómoks territory
- Therefore, most Treaty Lands will be private
- Private Treaty Lands are only publicly accessible with permission from K'ómoks
- Third party interests, such as water licences, addressed through continued interest, replacement interest, or compensation.

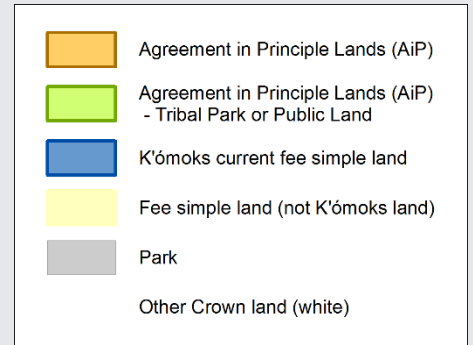
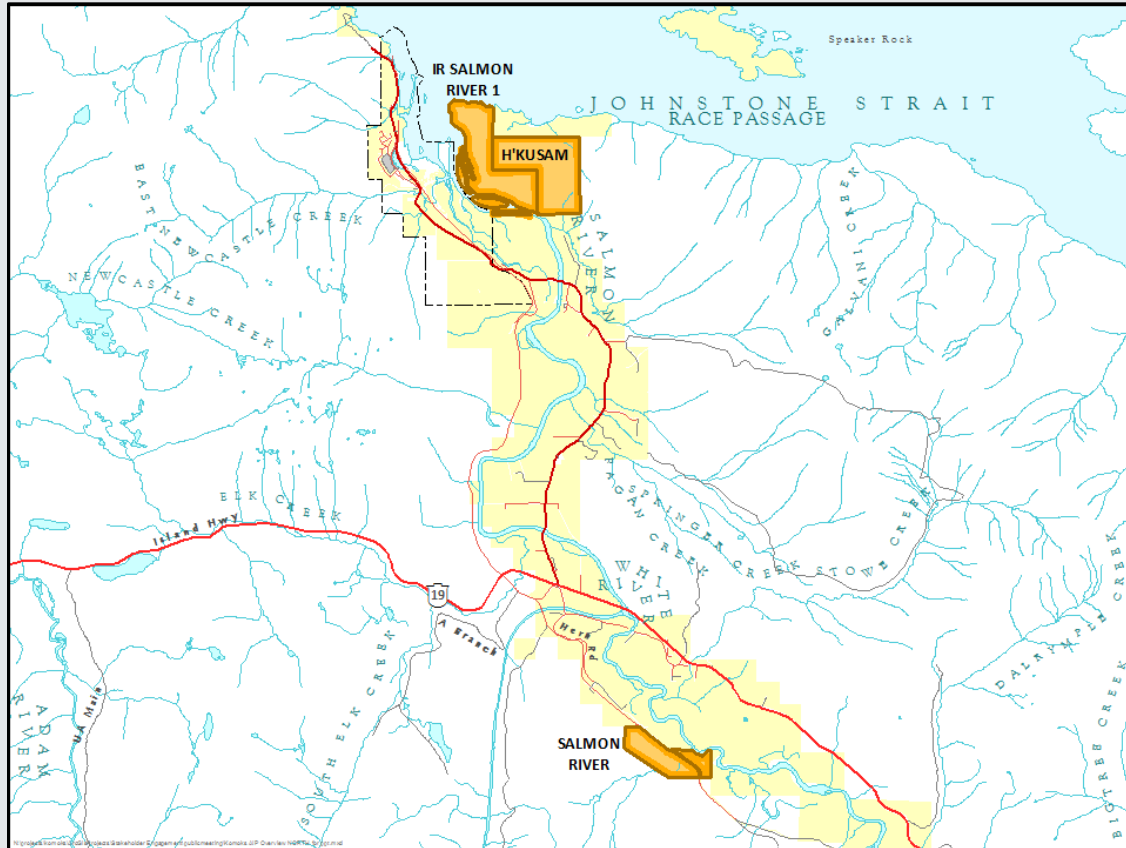
Proposed Public Treaty Lands

- Sandy Island
- Williams Beach
- Wood Mountain
- Wildwood Forest: being considered for inclusion in the treaty. This forest would be owned and managed by K'ómoks and maintained as a publicly accessible park for 50 years from treaty effective date.

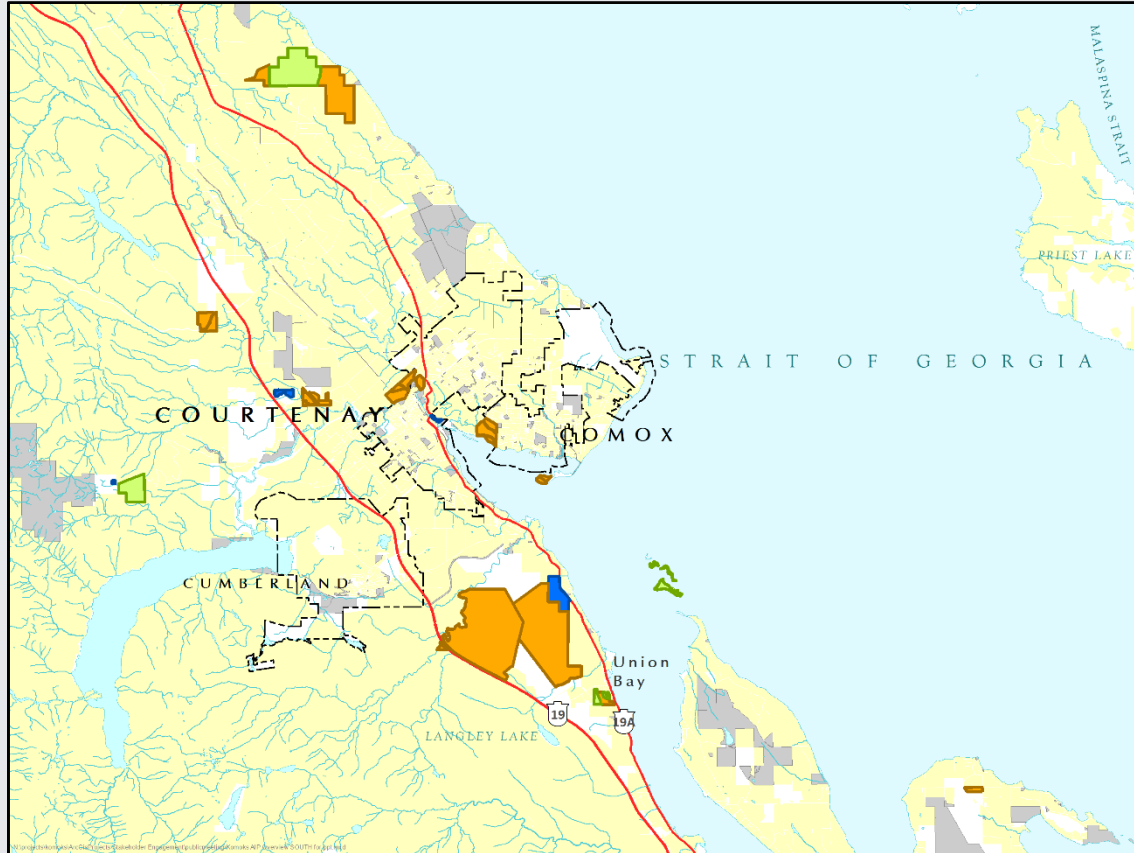
2012 Agreement-in-Principle Lands

- Agreement-in-Principle (AIP)
- Within K'ómoks territory
- Will become Treaty lands once the Treaty is signed
- Additional lands are being considered as part of a closing Land and Cash Offer

Overview: AIP Lands North

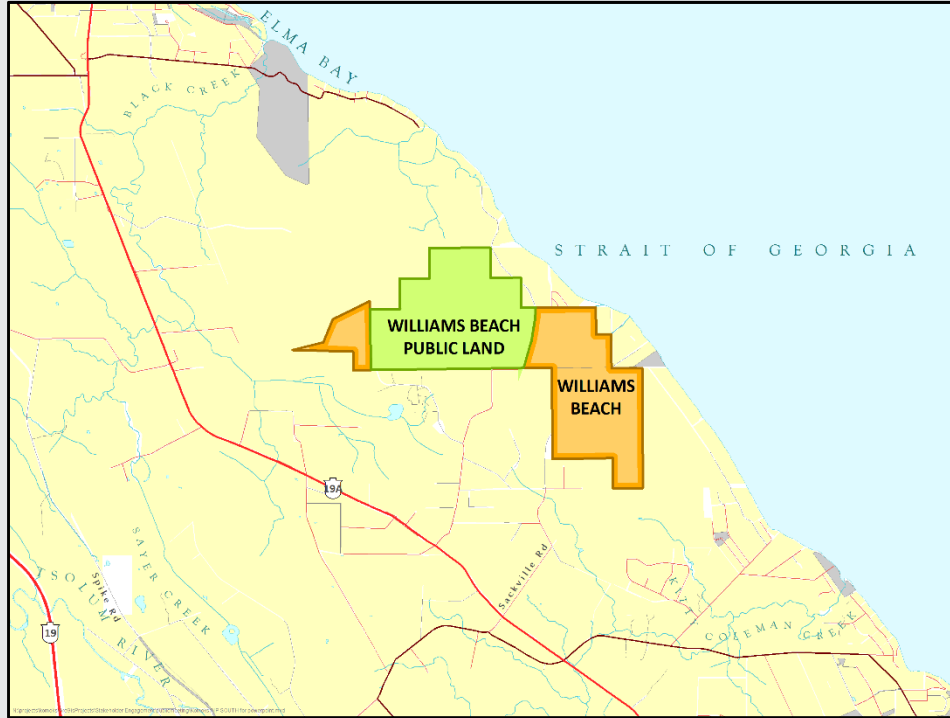








Overview: AIP Lands South



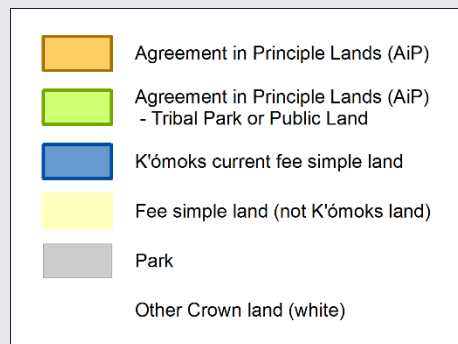
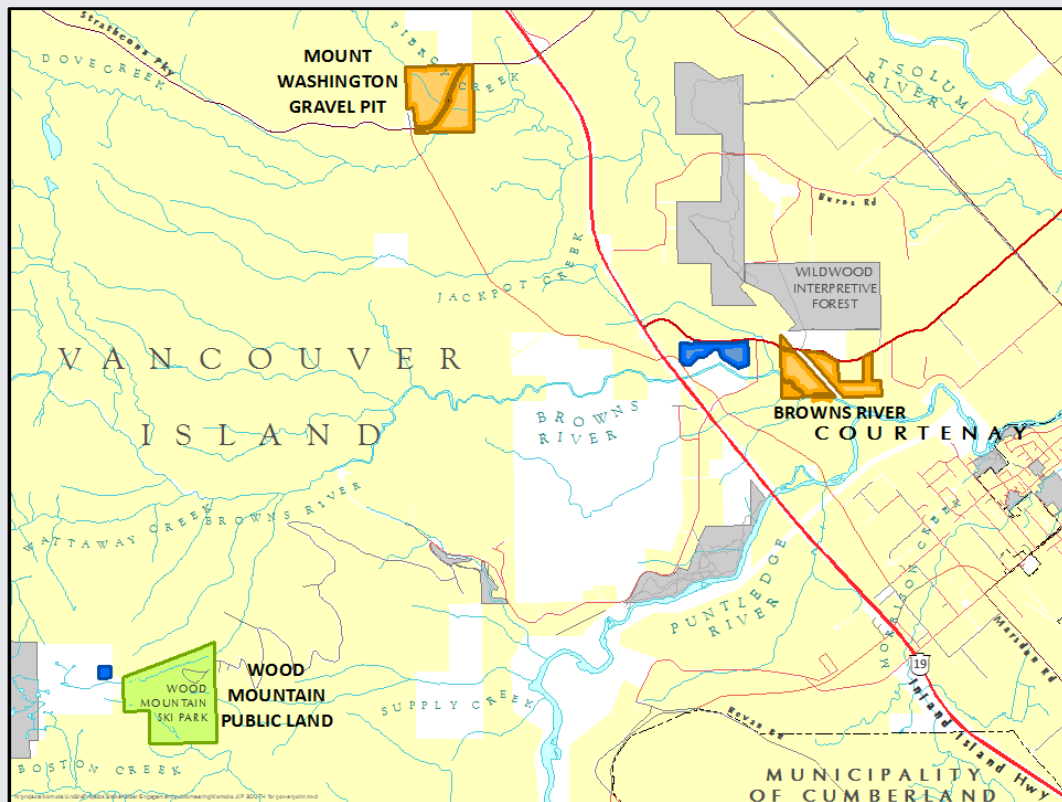
- Agreement in Principle Lands (AiP)
- Agreement in Principle Lands (AiP) - Tribal Park or Public Land
- K'ómoks current fee simple land
- Fee simple land (not K'ómoks land)
- Park
- Other Crown land (white)

Williams Beach detail

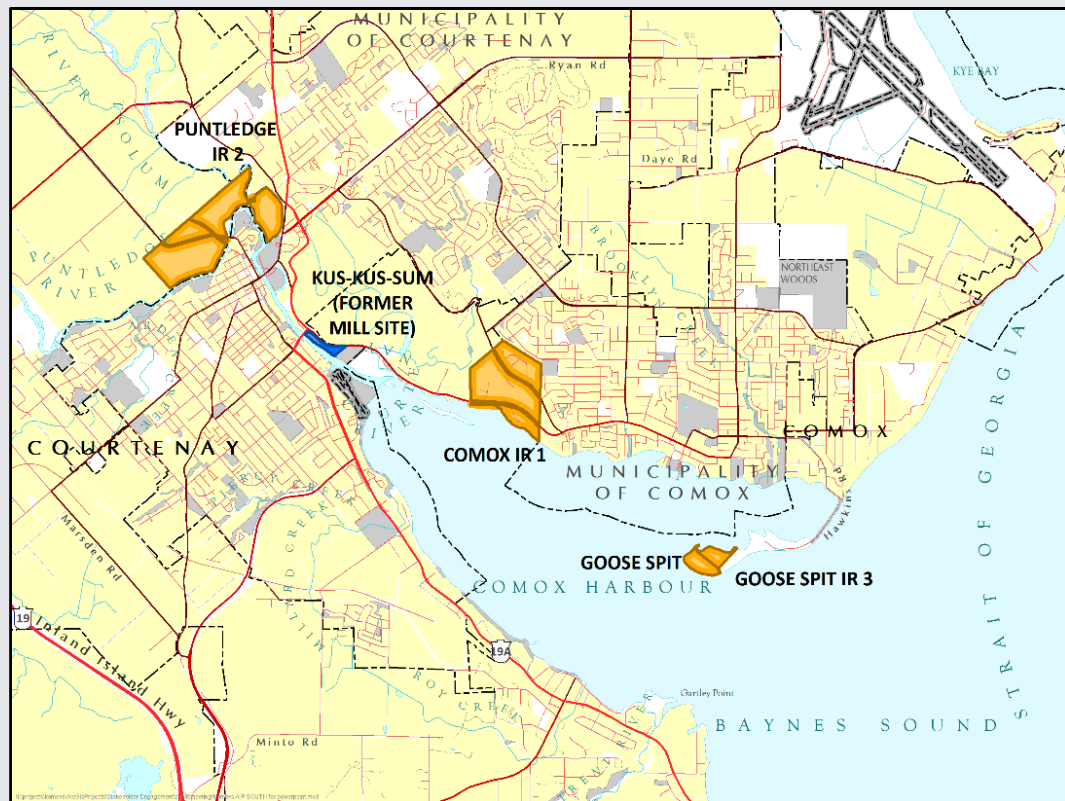


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Courtenay North detail

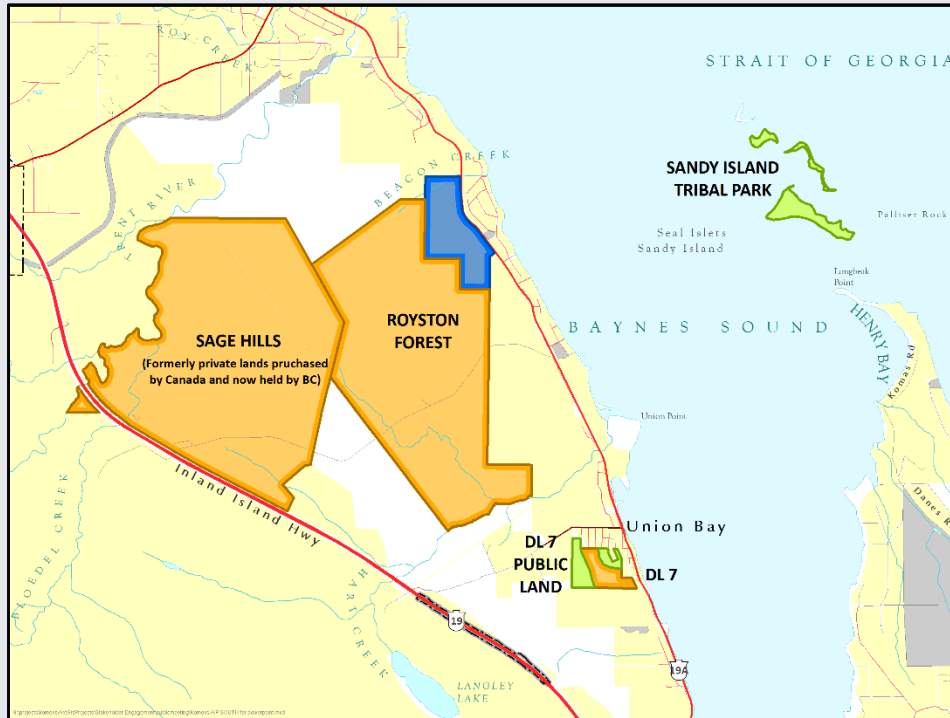








Comox detail



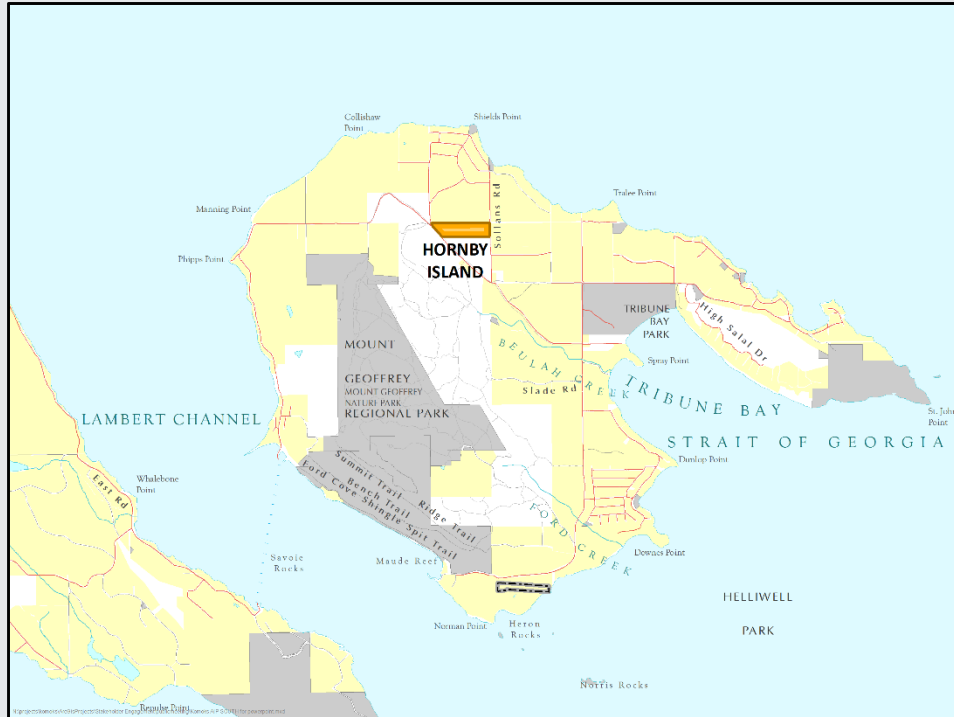
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Royston/Union Bay detail



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-  Park
-  Other Crown land (white)

Hornby Island detail



- Agreement in Principle Lands (AiP)
- Agreement in Principle Lands (AiP) - Tribal Park or Public Land
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- Park
- Other Crown land (white)

K'ómoks Self-Governance in Treaty

- Recognizes K'ómoks' right to self-govern and make laws (subject to limitations set out in the treaty).
- K'ómoks may create laws when prepared to exercise authority, otherwise relevant federal and provincial laws apply.

Pillars of Good Governance

Building the Foundation of
Success to **Govern Our Way**



K'ómoks Law-Making Authorities

- Lands and resources
- Adoption
- Child protection services
- Aboriginal healers
- Health services
- Family and social services
- Marriage
- Childcare
- Language and culture
- Kindergarten to grade 12 education
- Post-secondary education
- Culture and heritage

Resources

Reports

94 Calls to Action from the Truth & Reconciliation Commission

trc.ca/assets/pdf/Calls_to_Action_English2.pdf

Web-Based Training

University of Alberta's *Indigenous Canada* 12 lesson course

www.coursera.org/learn/indigenous-canada

Podcasts

- A selection of a few episodes from the Unsettled: Journeys in Truth and Conciliation podcast facebook.com/UnsettledJourneys
- A selection of a few episodes from the Unreserved podcast cbc.ca/radio/unreserved
- A selection of a few episodes from the Red Man Laughing podcast www.redmanlaughing.com

Documentaries

- Our People Will Be Healed by Alanis Obomsawin (National Film Board)
- Birth of a Family by Tasha Hubbard (National Film Board)
- Trick or Treaty by Alanis Obomsawin (National Film Board)
- CBC's 8th Fire 4-part documentary series (www.cbc.ca/8thfire)

Books

The Inconvenient Indian by Thomas King

L'Indien malcommode par Thomas King

From Where I Stand: Rebuilding Indigenous Nations for a Stronger Canada by Jody Wilson-Raybould

Indigenomics: Taking a Seat at the Economic Table by Carol Anne Hilton

An Army of Problem Solvers (Reconciliation and the Solution Economy) by Shaun Luney

Braiding Sweetgrass by Robin Wall Kimmerer

Dances with Dependency by Calvin Helin

Resource Rulers by Bill Gallagher

Seven Fallen Feathers by Tanya Talaga

Our Story: Aboriginal Voices on Canada's Past (Collection)

21 Things You May Not Know About the Indian Act by Bob Joseph

Indigenous Writes: A Guide to First Nations, Metis, and Inuit Issues in Canada by Chelsea Vowel

A blurred background image of a person's face, showing eyes and hair in soft focus.

Sign-up for Treaty Updates:

[engage.gov.bc.ca/govtogetherbc/consultation/
komoks-treaty/](https://engage.gov.bc.ca/govtogetherbc/consultation/komoks-treaty/)

QUESTIONS?

Type questions in the Q&A forum:

- ▶ Focus on questions of broad interest
- ▶ Challenge ideas, not people

Questions specific to an adjacent owner's property, email komoks.treaty@gov.bc.ca