



Kitselas Treaty and Kitsumkalum Treaty Public Engagement

What We Heard February 2024



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Acknowledgement

Thank you to everyone who generously gave their time and so openly shared their stories, lived experiences, hopes, frustrations and optimism.

We acknowledge the Kitselas First Nation and Kitsumkalum First Nation who have lived on their territories since time immemorial.

Executive Summary

Kitsumkalum First Nation (Kitsumkalum) and Kitselas First Nation (Kitselas) are working together at a common table to negotiate two Nation-specific modern treaties with the federal and provincial governments in the British Columbia Treaty Commission treaty process.

In spring 2023, Kitselas, Kitsumkalum, Canada and British Columbia (B.C.) engaged with local communities in the Nations' territories to raise awareness about these treaty negotiations and timelines to concluding the agreements. This report describes the engagement activities and participation rates, including feedback and questions collected during engagement, along with responses given from the negotiating partners.

Future sessions and engagements may be scheduled depending on negotiations progress and feedback from the public and local governments.

Collaborative engagement process and activities



15+

Presentations to and meetings with local government, regional district, school district, and RCMP



6

Engagement and outreach events: Public open house (40+ attendees); virtual public engagement (41 attendees); three information tents at local events; B.C. government staff open house (11 attendees)



400+

Letters to adjacent landowners and interest holders

Open house promotion



10+

Distinct media engagements: News releases, media coverage (Terrace Standard article, CFNR radio station), mailers, print ads



175+

Email invitations to interested parties and local elected officials



10+

Distinct online engagements: Social media posts by local government and other partners, govTogetherBC website and distribution list, Nation websites, online ads

What we heard

Key areas of interest included:

- treaty process, implementation, land selection, and boundaries
- self-government and reconciliation
- public access to treaty lands

Introduction

Treaties are an important part of advancing reconciliation and creating a foundation for renewed nation-to-nation relationships guided by the United Nations Declaration on the Rights of Indigenous Peoples and the Truth and Reconciliation Commission's Calls to Action.

Kitselas and Kitsumkalum are members of the Tsimshian First Nations (TFN) Treaty Society, which represents multiple Tsimshian Nations whose combined territory spans the northwest coast and the lower Skeena River, including the Prince Rupert and Terrace areas. The TFN Treaty Society is comprised of five Tsimshian First Nations in northwest B.C. that are currently working to achieve treaty or reconciliation agreements with Canada and British Columbia.

Canada, B.C., Kitselas and Kitsumkalum have been in treaty negotiations since the early 1990s. All parties signed Agreement-in-Principles (AIP) in 2015 to establish the essential points of agreement, including an initial land package. The negotiations are now in the final stage of the British Columbia Treaty Commission (BC Treaty Commission) process and are expected to in 2024.

The Kitselas Treaty and Kitsumkalum Treaty are intended to create jobs, expand economic development, and support social well-being in their communities.

Engagement with local governments, interest groups, tenure and permit-holders, and adjacent landowners has taken place over the years. As negotiations are drawing to a close, public engagement on the treaty is essential for building awareness, strengthening relationships in the region and advancing reconciliation.

Engagement Process

B.C.'s Ministry of Indigenous Relations and Reconciliation (MIRR), Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC), Kitselas, and Kitsumkalum partnered to prepare communication tools, present to local governments, and plan and deliver public engagement sessions. Collaboration with other provincial ministries was important for successful delivery. The BC Treaty Commission also supported engagement and education about the treaty process.

Kitselas and Kitsumkalum, B.C., and Canada worked together on the engagement planning to:

- raise awareness and develop strong local relationships between Kitselas and Kitsumkalum and local governments,
- support long-term, good neighbour relations, and
- engage people in respectful dialogue on the issues that matter to them.

The treaty partners worked collaboratively on launching public engagement. Engagement to date has been based on input from local governments and stakeholders on the type of engagement they would like to see.

Updates were also delivered to Members of the Legislative Assembly (MLAs) and local governments to ensure local community leaders were knowledgeable about the treaty negotiations and public engagement process. Engagement has been ongoing with interest holders, individuals and companies with a legal interest on or near proposed treaty land. Broad public engagement is an important step during the final phase of negotiations.

Engagement Activities

Canada, B.C., Kitselas, and Kitsumkalum worked together to deliver presentations to local government on the process, timelines, and proposed land package (see Appendix A). Additionally, MIRR staff held briefing sessions with MLAs.

The treaty partners hosted one in-person public open house. The venue was wheelchair accessible, and COVID-19 safety plans were implemented to ensure public health regulations were followed. One virtual open house was held to allow people to find out more from the comfort of their home and to ensure a broader geographical reach. Both sessions were well attended with more than 81 participants.

What We Heard

Three key themes emerged during the engagement activities, with discussions focusing on:

- the treaty process, implementation, land selection, and boundaries
- self-government and reconciliation
- public access to lands in treaty territory

We also heard many important questions and concerns outlined in the following tables.

Treaty / Reconciliation

Questions and Concerns	Provincial Response
Why have treaty negotiations taken so long?	Multiple parties and topics make for complex negotiations as well as the historical nature of the parties' relationships. There are many reasons negotiations can take time including capacity of the parties.
How long have the Nations been negotiating?	Kitselas and Kitsumkalum began negotiations in the early 1990s.
When will the treaty agreement be implemented?	Following the closing of substantive negotiations and initialling of the treaties by the three parties, Kitselas and Kitsumkalum will seek community approvals through ratification votes followed by provincial and federal ratification. If all of these processes receive a positive response, then the treaties will have an approximate implementation date in 2027.

Questions and Concerns	Provincial Response
What is the difference between treaty and reconciliation agreements?	A treaty is a comprehensive agreement encompassing a wide variety of topics and governance areas. Reconciliation agreements provide an alternative path to comprehensive reconciliation. These agreements are generally incremental and respond to a community's more immediate needs. Reconciliation agreements can be stepping stones to a comprehensive treaty agreement.

Governance

Questions and Concerns	Provincial Response
What does self-government generally entail?	Self-government describes the variety of governance powers of a Treaty First Nation. These powers include land use planning, economic development, decision-making, culture and heritage, and a wide suite of other abilities.

Treaty Land

Questions and Concerns	Provincial Response
How are treaty lands initially selected?	B.C. and Canada work with the First Nations to identify land to return to the Nations based on the Nations' community development, economic development, and cultural and traditional connections. Other considerations for land selection include access to traditional resources and contiguity of lands for the treaty land package.
Why is the traditional territory so much larger than the treaty land package?	The traditional territory reflects the area where the Nation historically and currently exercises traditional harvesting. Historical traditional use patterns generally involved harvesting wildlife and other natural resources throughout the broader territory.
How are the treaty boundaries drawn?	Land is a core aspect of treaties. Identification of lands that are included in treaties is a complex process involving technical analysis, consultation with other neighbouring First Nations, local governments and other interest holders. Refinements to the land package occur at various stages of the negotiations to ensure

Questions and Concerns	Provincial Response
	that all parties have confidence in including the lands in the treaty.
Is Kitsumkalum looking at lands within the City of Terrace?	Both First Nations have an interest in owning lands within the City of Terrace, and already own certain properties. The parties continue to negotiate the governance arrangements over these lands through discussion with local governments. There is a process in the treaty for the Nations to turn fee simple lands into Treaty Lands, that requires the consent of B.C. and Canada.
How will the treaty affect access to private properties in Kitsumkalum treaty territory?	Access to private property is guaranteed under provisions set out in the treaty. Numbered provincial highways and major resource roads are excluded from the treaty land package, ensuring access for landowners. If a private property is accessed by a road that will become Treaty Lands, an easement will be provided by Kitselas or Kitsumkalum to ensure access.
How has the Kitsumkalum hereditary leadership been involved in the decision-making on the Kitsumkalum treaty?	The Kitsumkalum First Nation is responsible for engaging with their hereditary leadership during their decision-making and negotiation processes.

Public Engagement

Questions and Concerns	Provincial Response
Are there more open houses planned?	<p>Future sessions and engagement may be scheduled depending on negotiations progress and feedback from the public and local governments.</p> <p>To keep up to date on any future events, please sign up for alerts on the govTogetherBC website (engage.gov.bc.ca/kitselas-kitsumkalum-treaty).</p>

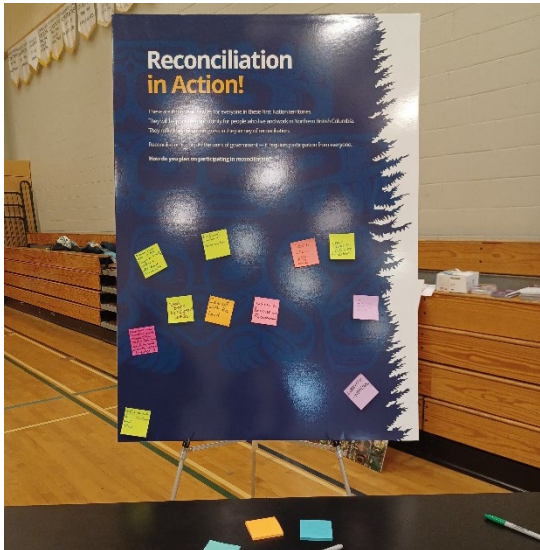
Kitselas First Nation

Questions and Concerns	Provincial Response
How many members are there in Kitselas First Nation?	Approximately 748.

Kitsumkalum First Nation

Questions and Concerns	Provincial Response
How many members are in the Kitsumkalum First Nation?	Approximately 802.

Reconciliation Actions



Open house participants were also invited to share their thoughts and actions for participating in reconciliation. A few participants' quotes include the following:

"No truth without reconciliation"

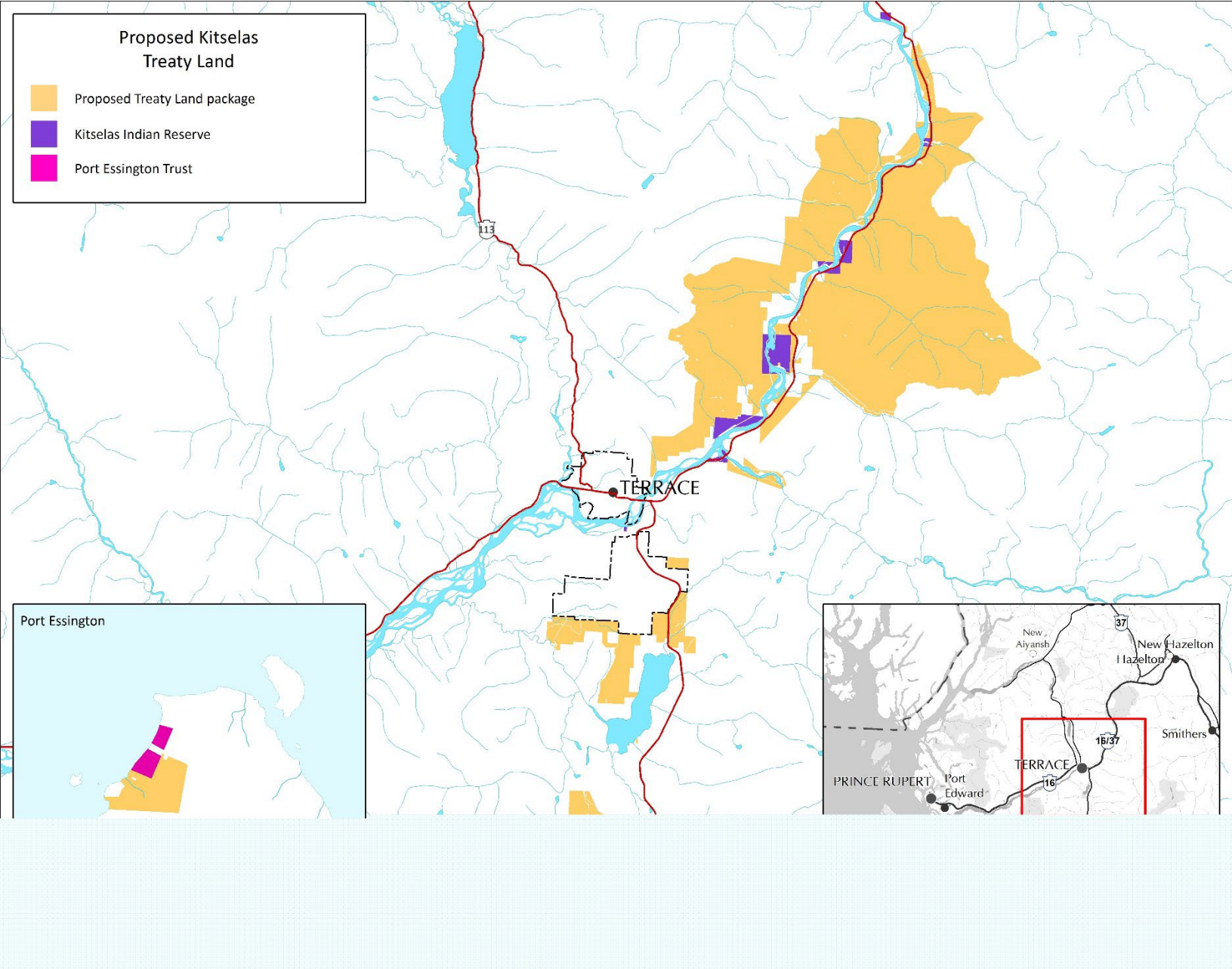
"Connect with the Land"

Figure 1: Display board with responses from members of the public provided at open houses.

What's Next

Further outreach and engagement with will be undertaken throughout the close of negotiations and implementation of the treaties. To keep up to date on any future events, please sign up for alerts on the govTogetherBC website at <https://engage.gov.bc.ca/govtogetherbc/engagement/kitselas-and-kitsumkalum-treaty-negotiations>.

Appendix A – Kitselas Treaty Lands



Appendix B – Kitsumkalum Treaty Lands

