

## Kitselas Treaty and Kitsumkalum Treaty Overview Fact Sheet

After three decades, the Province of British Columbia (B.C.), the Government of Canada (Canada), Kitsumkalum First Nation (Kitsumkalum) and Kitselas First Nation (Kitselas) are nearing the conclusion of negotiations on two modern treaties.

Once Crown consultations and legal and technical review is complete, the treaties must be ratified by Kitselas and Kitsumkalum members. Should Kitselas and Kitsumkalum members ratify the treaties, B.C. and Canada would also ratify the treaties, including passing legislation to bring the treaties into effect. This process will take several years to complete.

Modern treaties are an important part of advancing reconciliation, righting past wrongs and recognizing First Nations self-governance and self-determination. Treaties create jurisdictional and operational certainty for everyone in the region where they are concluded, while supporting partnerships, economic development and community social well-being. Treaties are informed by the United Nations Declaration on the Rights of Indigenous Peoples and the Truth and Reconciliation Commission's Calls to Action.

Kitsumkalum and Kitselas worked together with B.C. and Canada at a common negotiation table to negotiate their treaties. Organizations, businesses, property owners, and local governments and people in the Skeena-area have been engaged in these negotiations for many years and will continue to be engaged as the parties move towards ratifying the agreement.

This fact sheet provides more information on the Kitselas Treaty and Kitsumkalum Treaty, and the process ahead to ratify and implement these treaties.

Learn more at <https://engage.gov.bc.ca/KitselasKitsumkalumTreaties>. If you have questions, please contact: [Kitselas.Kitsumkalum@gov.bc.ca](mailto:Kitselas.Kitsumkalum@gov.bc.ca).

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### THE NATIONS

Since the early 1990s, Kitselas and Kitsumkalum have been involved in treaty negotiations with Canada and B.C.

Kitselas and Kitsumkalum are Tsimshian tribes whose combined territory spans the northwest coast and the lower Skeena River of B.C., including the Prince Rupert and Terrace areas. Kitselas First Nation has approximately 745 members. Kitsumkalum First Nation has approximately 825 members.

The Nations' histories, cultures and connection to the land are foundations for thriving today and into the future. Their shared language, Sm'alg yax, is a dialect of the Tsimshian language. In Sm'alg yax, Gitselasu (Kitselas) means 'people of the Canyon' referring to the Kitselas Canyon, and and Gitsm'geelm (Kitsumkalum) refers to the riffles in the water as it runs over the rocks or 'people of the Plateau'.

Both Kitselas and Kitsumkalum are active in the regional economy and have positive, long-standing relationships with local governments.

### MODERN TREATIES

Modern treaties are one of the most comprehensive forms of reconciliation between First Nations, B.C. and Canada. They are comprehensive agreements protected by the Constitution that create clarity on jurisdiction, recognize a First Nation's rights and title, and provide for First Nation self-government.

Modern treaties provide predictability and transparent processes for managing land and resources together between B.C., Canada and the First Nation. This creates economic certainty and ensures all people can build a good life in British Columbia.

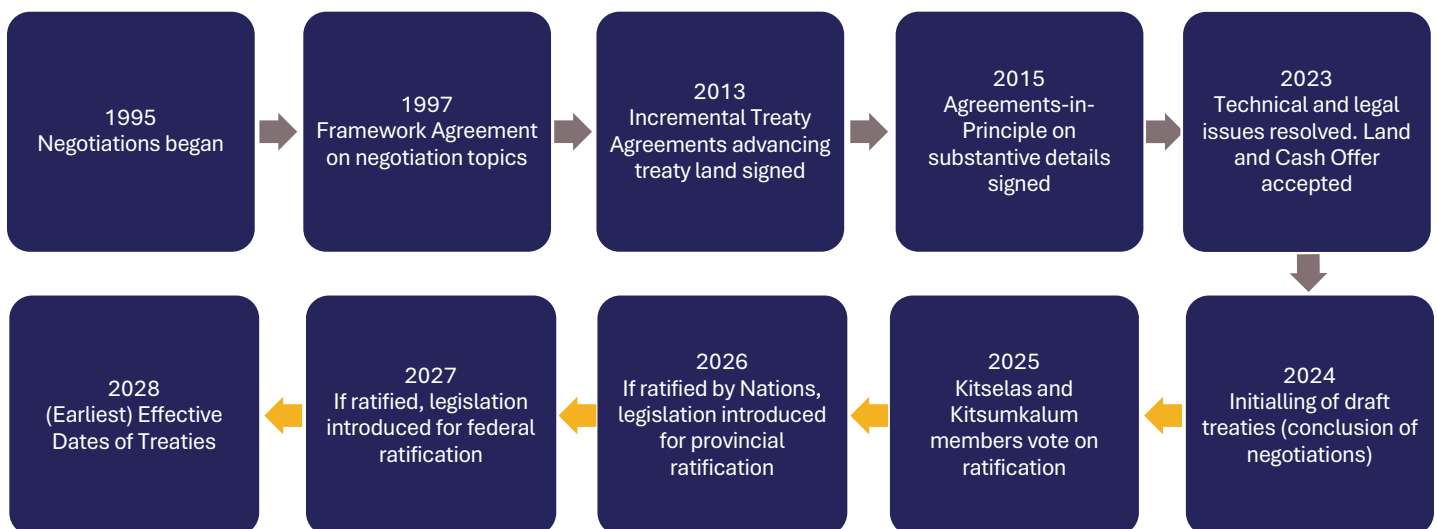
Advancing reconciliation builds a stronger B.C. and Canada. Treaties are an important part of this work. Partnerships and agreements like treaties create predictable relationships and help build a better future for everyone. Decades of hard work with local and First Nations governments, Indigenous and non-Indigenous peoples, organizations and businesses have created a strong foundation for reconciliation. Modern treaties in B.C. show that mutual trust and shared goals result in healthy communities, new investments and prosperity, good jobs, sustainable land, water and resource stewardship, certainty and stability.

## SUMMARY OF KITSELAS TREATY & KITSUMKALUM TREATY

The proposed treaties would:

- recognize pre-existing rights and title, and confirm lands owned by Kitselas and Kitsumkalum
- replace *Indian Act*-imposed band governance with recognized Treaty Nation governmental authority and a means for participation by all members of the Treaty Nations
- recognize and fund self-government on treaty lands, including law-making authority on land uses, culture and heritage, and services
- provide one-time federal transfer payments, and stable ongoing funding for self-governance
- enable taxation powers to fund services and infrastructure on treaty lands
- provide for constitutionally protected rights to harvest fish and shellfish, wildlife, migratory birds, timber and plants
- identify opportunities to work together to improve resource management under provincial laws and processes for joint responsibility of decision-making across the Nations' territories, and
- establish predictability with a clear framework for working together and resolving disputes

## TREATY NEGOTIATIONS TIMELINE



## GOVERNANCE

Treaties recognize First Nations' right to self-government with accountability between the treaty government, its public service, and its members. Treaties and the First Nations' constitutions must be voted on and approved by the Nation members whose rights the treaty represents.

Treaties set out law-making authorities over matters integral to the Treaty Nation's governance of lands, programs and services for Nation members, and culture and heritage. They also provide for participation in regional government bodies.

Under the treaties, Kitselas and Kitsumkalum laws, provincial laws and federal laws would all apply on treaty lands. Kitselas and Kitsumkalum areas of responsibility include the delivery of health services, education, land management and public works.

Kitselas and Kitsumkalum would have law-making authority for management, planning, zoning and development on treaty lands. The treaties provide for the Treaty Nations to work collaboratively with local government to harmonize land-use planning.

Treaty law-making authorities have conflict provisions to clarify limits of each party's authority, offering transparency, stability and certainty for governance of the land and people. Treaties have provisions for dispute resolution in the event that disputes may arise between Canada, B.C. and/or the First Nations, and have the ability for the treaty partners to periodically review the treaty into the future.

### **Do the treaties include shared decision-making?**

Unlike previous modern treaties, these treaties will include a process to enable the Treaty Nations' governments to negotiate shared decision-making and co-management arrangements with Canada or B.C. outside their treaty lands within their territories. If approved for negotiation, these arrangements will consider the interests of the public and any First Nations that share the territory.

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## **LAND AND RESOURCES**

The treaties would confirm ownership of land parcels by the Nations from Kitselas and Kitsumkalum's current Indian Reserves and Crown land, mostly comprised of former Provincial Crown land. This includes 464.6 km<sup>2</sup> that Kitsumkalum would own as private property and 382.5 km<sup>2</sup> that Kitselas would own as private property, in fee simple.

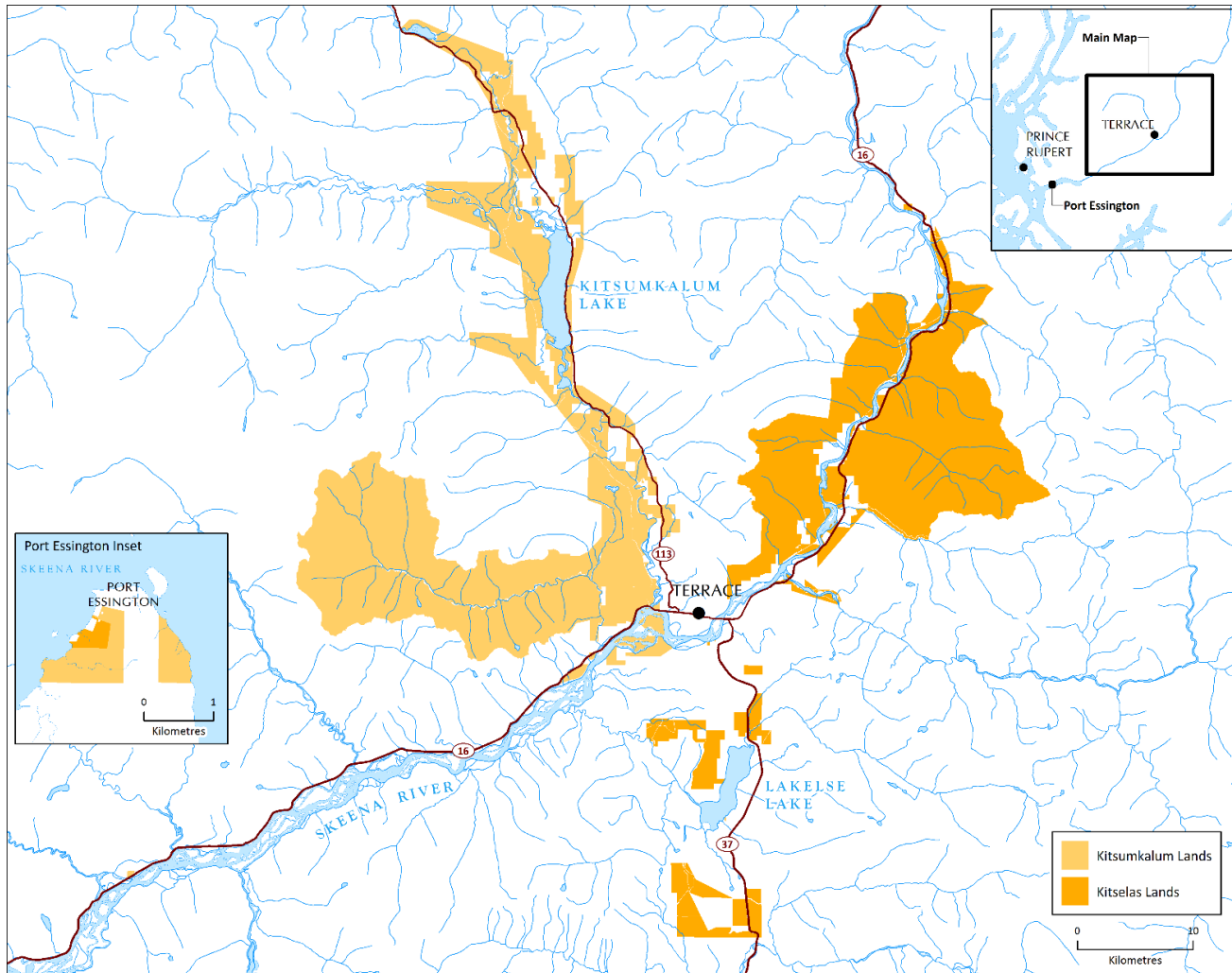
Most of the treaty lands would remain accessible to the public for recreation, hunting and fishing. Existing tenures and other authorizations to use Crown land would be replaced or continue under current terms. Public access to provincial roads and navigable waters would be maintained. Access for law enforcement, emergency response and public utility installations would also continue. Public roads and highways and major resource roads through treaty lands would continue to be managed by the provincial government and access maintained.

The treaties include funding and support to work together on management and stewardship of wildlife, parks, water, and forests in the broader Kitsumkalum and Kitselas territories.

Parts of these territories are shared between the two Nations, with other Tsimshian Nations, and other Nations. The treaties clarify that these territories, apart from privately owned lands, are non-exclusive areas and therefore enable continued access and use for other First Nations to exercise their Aboriginal or Treaty rights.

Kitselas and Kitsumkalum would continue to be consulted and participate in land and resource decisions in their territories, such as new park designations, environmental assessments, public planning and major development projects.

## KITSELAS AND KITSUMKALUM TREATY LANDS



For information purposes only

### NEXT STEPS

Initiating the treaties signals that negotiators for Kitsumkalum, Kitselas, B.C. and Canada have reached substantive agreement on the elements of the treaties. Next Canada and B.C. must fulfil its duty to consult, and the treaties must be approved or ratified by all parties — a process that takes a few more years.

First, Kitsumkalum and Kitselas will each hold a vote in 2025 for members to decide whether or not to approve their respective treaties and constitutions. If ratified by the community members, the provincial legislature and federal parliament have processes to ratify the treaties and make them law. Once all these approvals are in place, the treaties are signed and come into effect on an agreed date (targeted for 2028/2029).