

K'ómoks Treaty Overview Fact Sheet

After more than three decades, the Government of Canada (Canada), the Province of British Columbia (B.C.), and K'ómoks First Nation (K'ómoks) have concluded negotiations on the K'ómoks Treaty and the parties are ratifying the treaty through their respective processes. Initialling the K'ómoks Treaty in summer 2024 signalled the conclusion of substantive negotiations, subject to certain caveats such as legal and technical review and ongoing consultation with neighbouring First Nations. It also set the stage for an approval process called ratification, in which the First Nation, B.C. and Canada each undergo processes to sign the treaty and bring it into effect.

On March 8, 2025, in the first step of ratification, K'ómoks First Nation held its ratification vote for eligible voters, who voted in favour of ratifying their treaty and self-government constitution. Now B.C. and Canada are undergoing their own respective ratification processes, which will take a few years to complete. On April 14, 2026, B.C. introduced provincial treaty implementation legislation — the K'ómoks Treaty Act, 2026 — in the B.C. Legislature as the first step in the provincial government's ratification of the K'ómoks Treaty.

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, while supporting partnerships, economic development and community 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. For many years, organizations, businesses, interest holders, local governments and people in the Comox Valley have been informed in these negotiations on various elements of the treaty and will continue to be informed as each government ratifies the agreement.

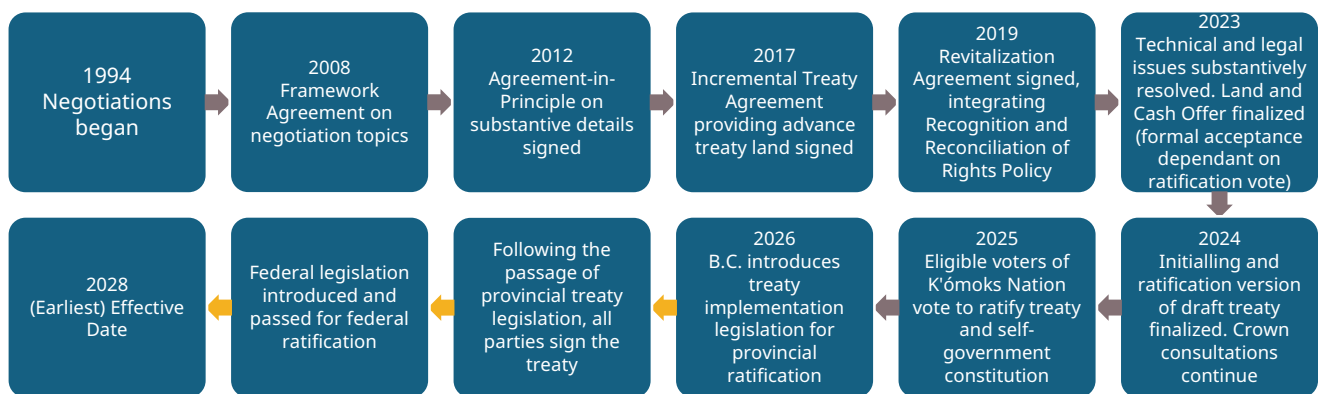
For many years, organizations, businesses, interest holders, local governments and people in the Comox Valley have been informed in these negotiations on various elements of the proposed treaty and will continue to be informed as each government ratifies the agreement.

This fact sheet provides more information on the contents of the K'ómoks Treaty. Learn more at

<https://engage.gov.bc.ca/KomoksTreaty>. If you have questions, please contact: komoks.treaty@gov.bc.ca

THE K'ÓMOKS NATION
tuwa akʷs choxoł ʔa xʷ yixmetet (ʔa) kʷoms hɛhaw tums giɛ
"Care takers of the 'land of plenty' since time immemorial"

K'ómoks traditional territory spans the Comox Valley in the central eastern part of Vancouver Island, extending into Johnstone Strait. The K'ómoks Nation has approximately 350 members, primarily located in the Comox Valley. K'ómoks is active in the local economy and has strong relationships with local governments, which are supportive of the treaty. Local governments in the region have worked together with K'ómoks for years to prepare for the treaty, including co-investing in water treatment and management and sewage infrastructure for the region.



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MODERN TREATIES

Modern treaties are one of the most comprehensive forms of reconciliation between First Nations, B.C. and Canada. They are constitutionally protected, comprehensive agreements that create clarity on jurisdiction, recognize First Nations' rights and title, and provide for First Nation self-government. Modern treaties create predictability and transparent processes for managing land and resources together between B.C., Canada and the First Nation. This supports economic certainty and helps ensure all people can build a good life in the province.

K'ÓMOKS TREATY SUMMARY

The treaty will:

- Recognize pre-existing rights and title, not extinguish them, and confirm K'ómoks land ownership
- Replace an *Indian Act*-imposed band administration with a government authority for all K'ómoks members
- Recognize and fund self-government on treaty lands, including law-making authority on land uses, culture and heritage and services
- Provide a one-time federal transfer payment, and stable ongoing funding for self-government
- Enable taxation powers for services and infrastructure on treaty lands
- Provide for constitutionally protected rights to harvest fish, wildlife, birds, timber and plants
- Improve groundwater management in the Comox Valley
- Identify opportunities to work together to improve resource management under provincial laws and processes for joint responsibility of decision-making, and
- Establish predictability with a clear framework for working together and resolving disputes

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 healthier communities, good jobs, investments, prosperity, sustainable land, water and resource stewardship, certainty and stability.

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 Nation's constitution must be voted on and approved by the First Nation members whose rights the treaty represents. On March 8, 2025, eligible voters of K'ómoks First Nation voted in favour of ratifying their treaty and self-government constitution in a democratic vote.

A treaty sets out law-making authorities over matters integral to the Treaty Nation's governance of lands, programs and services for Treaty Nation members, and culture and heritage. Under the treaty, K'ómoks laws, provincial laws and federal laws would all apply on treaty lands. K'ómoks areas of responsibility include the delivery of health services, education, land management and public works.

The K'ómoks Treaty lays out the relationship among K'ómoks laws, provincial laws and federal laws and which of those laws would have priority in the event a conflict. This offers transparency, stability and certainty. The treaty also provides for the opportunity for the Treaty Nation to fully participate in regional government bodies. The existing service agreement between K'ómoks and the Regional District for sewer and water would continue.

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LAND AND RESOURCES

Per the map on page 3, the treaty would confirm K'ómoks ownership of lands totalling approximately 34.42 km² (3,442 hectares or 8,505 acres), from current K'ómoks reserve lands, some Crown and private land purchased by B.C. for the treaty settlement. Identified in the treaty, there is 15.92 km² (1,592 hectares or 3,934 acres) of pre-approved additional land that K'ómoks has the ability to purchase and add to treaty lands over time.

Most of the land would be held by K'ómoks as private land, with public access subject to

K'ómoks' agreement, as is the case with all private land. Access for law enforcement, emergency response and public utility installations would be maintained.

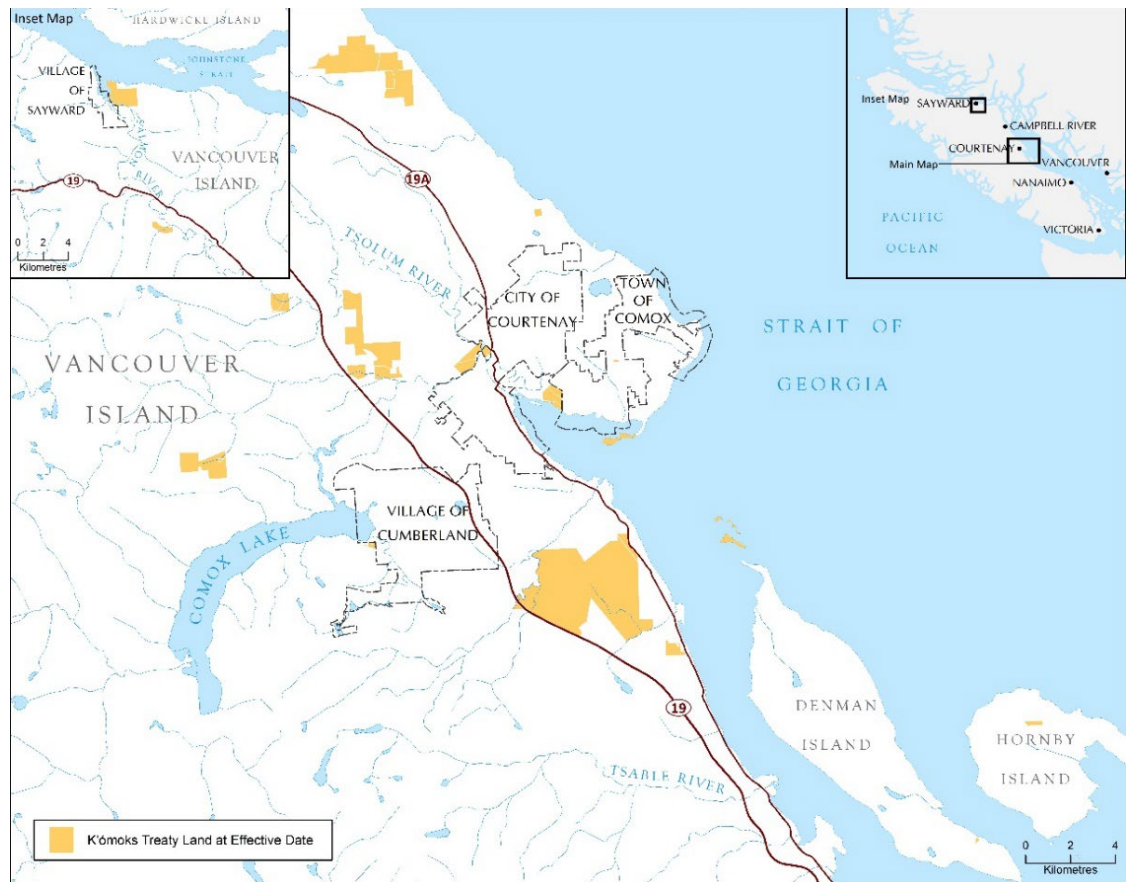
K'ómoks will own the treaty lands and can make decisions about the land, unlocking economic growth, investment and prosperity. Any existing tenures, permits and other authorizations on future treaty lands identified in the treaty would either be replaced or continue as is.

The treaty includes provisions to ensure access for rights-of-way and navigable waters, and specific access for owners of adjacent private property and tenure holders. Residents living on K'ómoks lands, including leaseholders, would continue to have access to their properties as per the specific terms previously agreed upon. Highways remain provincial Crown land and are specifically excluded from K'ómoks lands.

K'ómoks intends for some treaty lands to be preserved as Tribal Parks for public use. This includes Jáji7em and Kw'ulh Marine Park (Sandy Island and Seal Islets), which would always remain a publicly accessible park. Other public access lands include Wildwood Forest Tribal Park, Wood Mountain and Williams Beach. Wildwood Forest Tribal Park would remain publicly accessible for at least 49 years; thereafter it would become K'ómoks public lands and public access will continue.

The following would apply to resource stewardship and development:

- **A water scarcity groundwater management agreement.** The K'ómoks Treaty commits the parties to develop a management agreement targeted specifically to groundwater usage related to the K'ómoks groundwater reservation. The agreement will provide a structure for collaborative groundwater management by K'ómoks and B.C., using a model that provides a role for other water users and responds to local interests and concerns.



K'ómoks Treaty Lands
(For informational purposes only)

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- **Shared decision-making.** The treaty sets out a process to co-develop shared-decision making agreements on several topics, including stewardship of wildlife, parks, fish and water. Specific considerations in the negotiations process will be included for neighbouring First Nations and ongoing consultations.
- **Consultation.** K'ómoks would be consulted concerning lands and resource use and decisions in its treaty area, and may participate in environmental assessments, public planning and major development projects.
- **Fishing rights.** K'ómoks has the non-exclusive right to harvest Fish and Aquatic Plants for Food, Social, and Ceremonial (FSC) purposes in its Fishing Area in accordance with the K'ómoks Treaty. The Treaty Fishing Right is limited by duly authorized measures necessary for conservation, public health or public safety. The treaty will include allocations for specific species of interest to K'ómoks. The allocations have been carefully developed, considering conservation, area-based abundance, and the existing/future FSC requirements of neighbouring First Nations.
- **K'ómoks Harvest Area.** Most of K'ómoks traditional territory would constitute a non-exclusive harvesting area for wildlife, birds, fish, plants and timber for cultural and domestic purposes, subject to provincial conservation, public health and safety laws and K'ómoks laws.
- **K'ómoks Estuary Consent Agreement.** The K'ómoks Estuary Consent Agreement has been negotiated as a treaty side agreement to establish a shared decision-making process between B.C. and K'ómoks in the K'ómoks Estuary related to tenures authorized under the Land Act. The agreement is an important aspect of the K'ómoks treaty relationship to address the cultural importance of this area to the K'ómoks people.
- **K'ómoks Agricultural Land Reserve (ALR).** The ALR was established before Aboriginal and treaty rights were recognized in Canada, and without consultation with First Nations. Roughly 50 percent of land in the ALR throughout B.C. is Crown land. Approximately 5.5 km² (555 hectares or 1,371 acres) from the ALR will become treaty lands on the treaty effective date and placed under the K'ómoks agricultural designation — established by K'ómoks' law-making and zoning authority — with the option to purchase additional 1.9 km² (190 hectares or 470 acres) of land currently designated as ALR from B.C. in the future. All this land is currently forested and not being used for agricultural purposes.

The designation would define farm and non-farm uses comparable to current ALR regulations, and K'ómoks has committed in the treaty to prioritizing preservation of agricultural lands long-term.

MOVING FORWARD

The negotiating teams from K'ómoks, Canada and B.C. have worked for decades to get to this stage. Initialling the K'ómoks Treaty in July 2024 signalled the start of an approval process called ratification, in which the First Nation and the governments of B.C. and Canada sign the treaty and bring it into force.

On March 8, 2025, eligible voters from K'ómoks First Nation voted in favour of ratifying the K'ómoks Treaty and self-government constitution. Once a treaty has been ratified by the First Nation, the treaty ratification process requires B.C. and Canada to undergo their own ratification processes. On April 14, 2026, B.C. introduced provincial treaty implementation legislation — the K'ómoks Treaty Act, 2026 — in the B.C. Legislature as the first step in the provincial government's ratification of the K'ómoks Treaty.

Ratification is fully complete when the treaty is signed and provincial and then federal treaty implementation legislation is passed and brought into force on the treaty effective date, which is typically a few years after the legislation is given Royal Assent. Once agreed to by all parties, the effective date is set and typically occurs following a transition period after Royal Assent has been granted. This transition period allows all parties to be prepared for the treaty's implementation.

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