



## Kitselas Treaty and Kitsumkalum Treaty Lands and Access Fact Sheet

After more than three decades, the Province of British Columbia (B.C.), the Government of Canada (Canada), Kitsumkalum First Nation (Kitsumkalum) and Kitselas First Nation (Kitselas) have concluded negotiations on two modern treaties. Initialling the treaties 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 seek approval to sign the treaty before it can come into effect.

In 2025, First Nations began the ratification process with eligible voters from each First Nation voting overwhelmingly in favour of ratifying their respective treaties and self-government constitutions —Kitselas in April and Kitsumkalum in November. Now B.C. and Canada are undergoing their own respective ratification processes, which will take a couple years to complete. On April 15, 2026, B.C. introduced provincial treaty implementation legislation — the Kitselas Treaty Act, 2026 — in the B.C. Legislature as the first step in the provincial government's ratification of the Kitselas Treaty. B.C. aims to introduce the Kitsumkalum Treaty Act in the Legislative Assembly in 2026 as part of provincial ratification.

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. For many years, organizations, businesses, interest holders, local governments and people in the Skeena area have been informed in these negotiations on various elements of the treaties and will continue to be informed as each government ratifies the agreements.

This fact sheet provides more information on the Kitselas Treaty and Kitsumkalum Treaty, and the process ahead to ratify and implement these treaties. Treaties address a wide range of interests between a First Nation, B.C. and Canada. One of those interests is land. 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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### **Where are the territories of the Kitselas and Kitsumkalum First Nations?**

Kitselas and Kitsumkalum are members of the Tsimshian First Nations 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.

### **What is the difference between traditional territory and treaty land?**

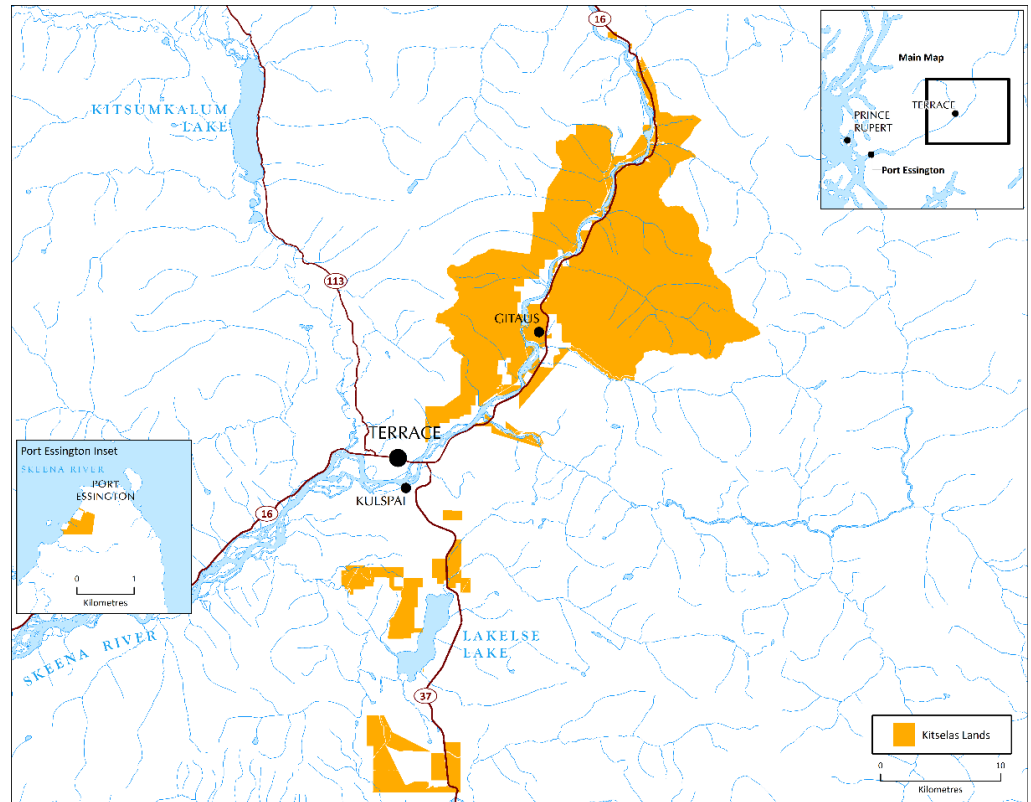
The traditional territory is the broad area used by the First Nations currently and historically. Traditional use by members of the First Nations generally involved the harvesting of fish, wildlife and other natural resources throughout the broader territory. In stage 1 of the treaty negotiations process, a First Nation files a Statement of Intent with the BC Treaty Commission, which describes the geographic area of the First Nation's distinct traditional territory and identifies any overlaps with other First Nations.

The treaties refer to this broader territory as "Kitselas Harvest area" and the "Kitsumkalum Harvest area" where the First Nation has recognized rights to harvest. These rights are non-exclusive, which means that other First Nations may also have rights in this area. On private fee simple land within the harvest area, harvest is only allowed with the permission of the landowner. Each treaty also includes specific "treaty lands" within the broader territory that are selected through the treaty negotiations process. Treaty lands are distinct land parcels that would be owned and governed by either Kitsumkalum or Kitselas.

## What's the difference between reserve lands and treaty lands?

The federal government has legal title to reserve lands, which it holds for the exclusive use and benefit of a First Nation community. Under the Indian Act, First Nations have limitations on their control over lands and resources.

Treaty lands are specific lands within a First Nation's territory that have been negotiated through the treaty process to be owned by the Treaty Nation as a collective, which has jurisdiction over the land. Treaty lands include former provincial Crown lands, existing Indian Reserves, and some lands already owned in fee simple by the First Nation if certain conditions are met. Once the treaties go into effect, all existing Indian Reserve lands would become private treaty lands. Treaty lands are owned by the Treaty Nation, which has jurisdiction over the land. Subject to interests existing on the effective date, the treaties will also enable the Treaty Nations to decide whether members (or non members) own fee simple estates on treaty lands.



**Kitselas Treaty Lands**  
(For informational purposes only)

## How were the lands selected?

Land is a core aspect of treaties. Identification of lands included in treaties is a complex process involving technical analysis, consultation with other neighbouring First Nations, local governments and other interest holders.

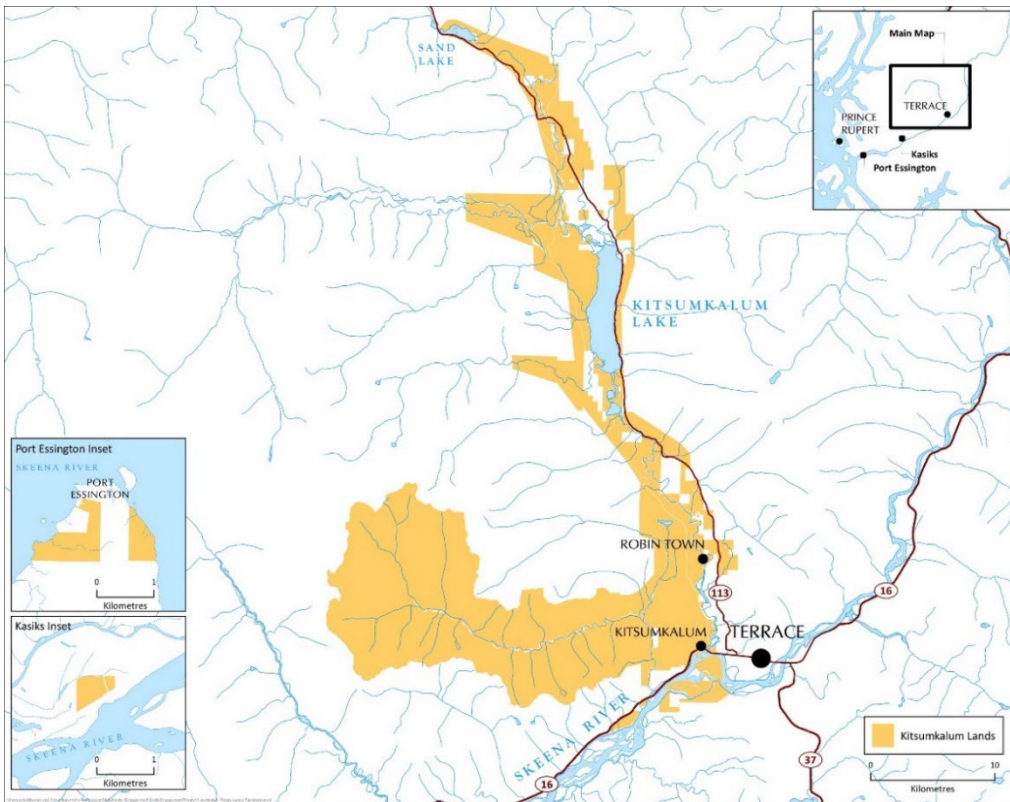
B.C. and Canada worked with the First Nations to identify land, based on their goals for community development, economic development, and cultural and traditional connections. The land negotiation process also considers access to traditional resources and connecting land parcels next to each other.

The treaties will confirm ownership of land parcels (mostly comprised of former provincial Crown land) by the Treaty Nations from Kitselas' and Kitsumkalum's current Indian Reserves, Crown land and some lands already owned in fee simple by the First Nation. This includes 466 km<sup>2</sup> that Kitsumkalum would own in fee simple and 382.2 km<sup>2</sup> that Kitselas would own in fee simple.

## How would the Kitselas and Kitsumkalum First Nations use the treaty lands?

If the treaties are fully ratified, Kitselas and Kitsumkalum First Nations would plan for and make decisions about how best to use their treaty lands. Kitselas and Kitsumkalum would be responsible for the management, zoning and development of their respective treaty lands.

Each treaty identifies extensive treaty lands that would remain accessible to the public and the process by which the First Nations are able to control access where public access is not compatible with the use of the land. Public access to certain treaty lands such as key recreation sites, is specifically addressed in each treaty.



**Kitsumkalum Treaty Lands**  
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### **Would I still be able to access and use the proposed treaty lands?**

Most of the treaty lands would still be accessible to the public for recreation, hunting and fishing. The First Nations may choose to change some of the land to private lands, where the use of the land is not compatible with public access. The First Nations may also regulate access to the land such as requiring a permit for certain activities and/or charging an administrative fee.

### **Would I still be able to travel through treaty lands?**

Yes, the public can continue to travel through these lands, where they are not designated as private lands, and on public roads to access Crown lands or private property. Numbered provincial highways and major resource roads are excluded from the treaty land packages.

### **Would the treaties affect access to private property?**

People who own private property next to treaty lands are guaranteed continued access to their lands under the treaties. Numbered provincial highways and major resource roads are excluded from the treaty land packages, ensuring access for landowners. If a private property is accessed by a road that would become treaty lands, Kitselas or Kitsumkalum will provide an easement to ensure continued access.

### **What authority will Kitselas and Kitsumkalum have over their treaty lands?**

Kitselas and Kitsumkalum will have law-making authority with respect to management, planning, zoning and development on treaty lands. Federal and provincial laws will also apply to all lands owned by Kitselas and Kitsumkalum and operate concurrently, subject to the treaty conflict provisions for each law-making authority that address situations where laws might conflict.

Conflicts between laws are expected to be infrequent. However, should a conflicting law arise, the treaty clearly delineates the relationship of laws and the prevailing law in the event of a conflict, should the parties disagree on their respective jurisdictions or the relationship of laws.

### **How would Kitselas and Kitsumkalum be involved in regional land-use planning processes?**

Treaties enable First Nations governments to work collaboratively and harmonize land-use planning with local governments. Kitselas and Kitsumkalum may participate in any provincial land-use planning process affecting their territories. The treaties also provide an opportunity to the First Nations to join the Kitimat-Stikine Regional District.

Kitselas and Kitsumkalum would have sole responsibility for land-use planning for treaty lands and would determine how best to use the lands. Treaty Nations manage, zone and develop their treaty lands in accordance with their laws. The treaties identify treaty land parcels that would remain publicly accessible.

### **How are existing tenures and authorizations in the future treaty lands addressed?**

Any interests existing on Kitselas and Kitsumkalum lands prior to the transfer, and identified in the treaties, would either be replaced with an equivalent tenure, permit, or other authorization, or continue to remain in place as-is once the treaty goes into effect.

To support the Treaty Nations' interests in becoming more active participants in the regional forest economy, existing forest tenures will be removed from treaty lands. Any impacted licensees would be compensated fairly in accordance with provincial legislation.

### **How are shared and overlapping territories with other First Nations addressed in these treaties?**

In B.C., territories of First Nations often overlap. The outcomes of treaty discussions are subject to ongoing consultation with First Nations who may be impacted by these treaties.

These are complex processes requiring respectful dialogue with and between Canada, B.C. and neighbouring First Nations.

### **What would happen to lands designated under the Agriculture Land Reserve (ALR) on treaty lands?**

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.

About 4,966 hectares of proposed Kitsumkalum and Kitselas treaty lands are currently designated as ALR. These would be placed under a new agricultural designation established by Kitsumkalum and Kitselas under their respective law-making and zoning authorities. About 1,327 hectares would be under Kitselas' agricultural designation and about 3,640 hectares would be under Kitsumkalum's agricultural designation.

The designations will define farm and non-farm uses comparable to current ALR regulations, and the First Nations have committed in the treaty to prioritizing preservation of agricultural lands long-term. This model supports the potential use of agricultural lands that may not otherwise be farmed and advances shared food security and agricultural goals.