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## NEWS RELEASE

For Immediate Release  
2015ARR0034-001239  
Aug. 4, 2015

Ministry of Aboriginal Relations and Reconciliation  
Kitsumkalum First Nation

### **Kitsumkalum, British Columbia and Canada celebrate Agreement-in-Principle**

TERRACE – Kitsumkalum First Nation and the governments of B.C. and Canada have reached a major milestone in the B.C. treaty process with the signing of an Agreement-in-Principle.

John Rustad, British Columbia's Minister of Aboriginal Relations and Reconciliation, and Don Roberts, Chief of Kitsumkalum First Nation signed the Agreement-in-Principle during a ceremony today in the First Nation community.

Modern treaties are an important tool to advance reconciliation and economic development for First Nations and all British Columbians.

The Kitsumkalum Agreement-in-Principle provides for approximately 45,406 hectares of land, north and west of Terrace, and a transfer of \$44.2 million (to be adjusted for inflation), once a Final Agreement is reached.

The Agreement-in-Principle covers a variety of topics including governance, taxation and resources (forestry, wildlife, water, subsurface resources). Processes for the First Nation transition from an Indian Act band to self-governing treaty First Nation are also set out in the Agreement-in-Principle.

Now that the Agreement-in-Principle has been signed, Final Agreement negotiations will formally begin.

#### **Quotes:**

##### **John Rustad, Minister of Aboriginal Relations and Reconciliation –**

“Long-term reconciliation with First Nations is one of the most important imperatives of our time, and the Kitsumkalum Agreement-in-Principle is a critical step on that journey. The Agreement-in-Principle sets the stage for greater prosperity and new opportunities for Kitsumkalum members, and a strong economy and secure tomorrow for all residents of northwest B.C.”

##### **Don Roberts, Chief of Kitsumkalum First Nation –**

“This is a happy occasion and we are pleased to recognize and celebrate this important milestone. It has been a long process which was initiated by our elders many years ago. Kitsumkalum First Nation has chosen the path for change and this couldn't have been possible without community support and the many years of hard work of our elders and negotiation team. I am proud of these efforts which lay the foundation of self-government and economic independence. This will help bring control to our future within our territory lands of the four

crest clans; and with that will follow the economic certainty.”

#### **Quick Facts:**

- Kitsumkalum First Nation has co-ordinated efforts and shared resources at a single negotiating table with Kitselas (both are North Coast Tsimshian First Nations) to complete two separate Agreements-in-Principle.
- Kitsumkalum has 745 members; approximately 32% of which live on reserve.
- In April 2013, Kitsumkalum community members voted to approve their Agreement-in-Principle.
- A 2009 report by PricewaterhouseCoopers concluded that completing treaties with First Nations could deliver more than \$10 billion in benefits to British Columbia's economy over the next 15 years.
- Progress in the B.C. treaty process includes:
  - Tsawwassen First Nation and the five Maa-nulth First Nations implementing their Final Agreements. Yale First Nation and Tla'amin Nation are working towards implementing their respective Final Agreements.
  - Nine First Nations in Final Agreement negotiations: In-SHUCK-ch, K'omoks, Wuikinuxv, Yekooche and the Te'mexw Treaty Association First Nations of Songhees, Beecher Bay, T'Sou-ke, Malahat, Snaw-Naw-As. Thirteen First Nations in advanced Agreement-in-Principle negotiations.

#### **Learn More:**

For more information about the Kitsumkalum First Nation: [kitsumkalum.bc.ca](http://kitsumkalum.bc.ca)

For more information about the Ministry of Aboriginal Relations and Reconciliation: [gov.bc.ca/arr](http://gov.bc.ca/arr)

For more about information about Aboriginal Affairs and Northern Development Canada: [www.aadnc-aandc.gc.ca](http://www.aadnc-aandc.gc.ca)

For more about the B.C. Treaty Commission: [bctreaty.net](http://bctreaty.net)

A backgrounder follows.

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## BACKGROUND

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### **AIP between Kitsumkalum First Nation, British Columbia and Canada**

An Agreement-in-Principle is the fourth stage of the six-stage B.C. treaty process. A treaty will bring certainty with respect to Kitsumkalum First Nation's rights to use, own and manage lands and resources within their traditional territory. It will provide them with modern governance tools to build strong and workable relationships with other governments, including federal, provincial and local governments.

The following outlines elements proposed in the Agreement-in-Principle.

#### **Land**

The Kitsumkalum Agreement-in-Principle proposes a land package of 45,406 hectares, including: 597 hectares of Kitsumkalum Indian reserve land and 44,809 hectares of provincial Crown land.

All treaty land will be held in fee simple by Kitsumkalum First Nation. Fee simple ownership will give the community opportunities for long-term economic benefits.

Kitsumkalum signed an Incremental Treaty Agreement (ITA) with the B.C. government that will create near-term economic opportunities in Terrace and surrounding area, as well as for community and/or cultural purposes.

Kitsumkalum received two parcels of provincial Crown land, totalling approximately 148 hectares under its ITA. B.C. transferred the ITA lands to Kitsumkalum in 2014.

#### **Governance**

Under a treaty, Kitsumkalum First Nation will operate within the framework of the Constitution of Canada and the Canadian Charter of Rights and Freedoms will apply to the First Nation's government.

Kitsumkalum will have its own constitution that will provide for the structure of its government. Under its constitution, the Kitsumkalum government will be democratically elected and accountable.

After a transition period, with the exception of determining Indian status, the Indian Act will no longer apply to the First Nation, its lands or members. Instead, constitutionally protected self-government provisions will enable it to make decisions about matters related to the preservation of its culture, the exercise of its treaty rights, and the operation of its government.

Kitsumkalum will also have the authority to make laws necessary to manage treaty settlement lands, matters internal to the community and integral to its culture, and for the provision of

social and other services to the First Nation members or people living on treaty settlement land.

Federal and provincial law will also apply on treaty settlement lands. The treaty will set out which law prevails if a Kitsumkalum law conflicts with a federal or provincial law.

### **Financial Components**

The Agreement-in-Principle proposes a transfer of \$44.2 million, to be adjusted for inflation from the first Quarter of 2012 to the treaty effective date.

### **Resource Harvesting Rights**

Kitsumkalum will have the right to harvest plants, wildlife and migratory birds for food, social and ceremonial purposes within Harvest Areas as defined in the treaty. These rights will be subject to conservation measures, public health and public safety regulations.

### **Fisheries**

The Agreement-in-Principle provides that fisheries will be discussed during Final Agreement negotiations.

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