



Questions and Answers from Treaty Information Session Introduction to Treaty | March 3, 2021

Thank you to the KitseLas members who joined us for our first Treaty Information Session community meeting on March 3, 2021. The recording of the meeting is available under the Members' Area of the kitseLasTreaty.ca website. Below, please find questions and answers from the meeting.

Q: How will the Constitution protect KitseLas birthrights?

A: The Constitution will guarantee the rights of all KitseLas members. Birthrights will be protected and these rights will continue as they are today.

Q: How much money is the government currently offering?

A: The cash settlement (Capital Transfer) is currently under negotiation. The cash settlement currently exceeds \$40 million. The KitseLas will not likely receive all the money in one lump sum, rather the funds will be disbursed over several years. These one-time funds are discretionary - meaning they can be used in any way the KitseLas Government would like. The Capital Transfer is completely separate from the funding for programs and services that KitseLas currently receives. These programs and services will continue to be funded post-Treaty.

Q: What is the Treaty cash settlement based on?

A: Generally, such settlements are based on a per capita basis with some adjustments. The current cash offer exceeds \$40 million.

Q: Is KitseLas being offered “peanuts” compared to other bands?

A: No. The KitseLas settlement is as good or better as any other First Nations Treaty offering.

Q: Is the Constitution sufficient for self-governing?

A: The Constitution will set the framework for self-governance. Once we have a draft Constitution, we will set up meetings for community input and feedback.



Q: How are non-band members affected (spouses, etc.) by the Treaty?

A: Everyone on the Kitselas Land will be governed by and supported by the Treaty. The draft Constitution contemplates opportunities for non-band members to be consulted on matters that directly affect them.

Q: UNDRIP and Reconciliation - has that changed anything?

A: Yes, both the provincial and federal governments are now more motivated to engage in meaningful reconciliation and with a desire to reach Treaty.

Q: Is there an update on where Treaty is at regarding the lands?

A: We will have an update soon. The lands haven't changed substantially, except for in regards to the ocean. We may have a small increase in the land and cash offer in the fall/winter.

Q: Who is the fisheries consultant?

A: Carl English - biologist has worked with Kitselas for a number of years. Willie Mackenzie, a Kitselas member, also works on fisheries files for Treaty.

Q: Is the cash offer separate from the \$8 million forgiven loan?

A: Yes, the loan is separate and forgiven.

Q: If someone has a Certificate of Possession do they own the land after Treaty? And will the land be subject to tax?

A: Certificate of Possession will be replaced with the same rights post-Treaty. Land tax will be the decision of the Kitselas Government, this is not part of Treaty.

Q: Is there an appraised value for the Kitselas Area and proposed Treaty Settlement Lands?

A: No. The value of each parcel of land varies drastically, so it is difficult to give an overall appraised value. A very general estimate would be ~\$100 million for the Treaty Settlement Lands.

Q: Are the CN claims ongoing?

A: Yes, this work is ongoing. Specific claims are outside of the Treaty process and the Treaty language allows for specific claims to proceed post-Treaty.



Q: What are the fishing areas? Are the fishing areas shared?

A: You will be able to fish where you currently have rights to fish. We are negotiating for exclusivity to net-fishing between IR #1 and IR #6; however, this is not yet finalized. Coastal fishing is not exclusive and would be shared.

Q: Will Indigenous Community Support (ICS) funding continue? Will we be able to apply for grants after the Treaty (CMHC, etc)?

A: We believe the grants available now, will be available post-Treaty. A Treaty will provide for increased financial resources for community support.

Q: How will we share funds on and off-reserve?

A: In general, all programs that support members on and off-reserve will continue. For the Capital Transfer (\$40+ million), the Kitselas Government will have discretion on how to allocate these funds; however, current thinking is that the money would be placed in a trust account and the interest used for the betterment of Kitselas members on and off-reserve.

Q: How will we get prepared for enforcement post-Treaty? Will we have Fisheries and Oceans Canada (DFO) enforcing laws?

A: Enforcement is a complex and important topic. We are working to establish the roles of the DFO, RCMP, courts, enforcement (fines), etc. post-Treaty.

Q: Has there been a development plan for Endudoon?

A: As an existing reserve, Endudoon will become part of the Kitselas Treaty Settlement Lands. The Kitselas Elders have requested that the community not be changed or developed in the Kitselas Land Use Plan and their wishes have been respected. Existing owners and families will retain their ownership/claim.

Q: Where are the net-fishing zones?

A: A Harvest Area map including the net-fishing zones will be made available on kitselasTreaty.ca in the coming months.

Q: Who will be monitoring the fishing activity?

A: Kitselas staff from the Lands & Resources department will be monitoring the fishing activity.



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Q: In regard to communications and engagement, will the Treaty Team be using a family panel? We usually have speakers and people who will ask questions on the family's behalf. Is there a possibility to develop something like this?

A: Yes, thanks for the suggestion.

Q: Will traplines be recognized in the Treaty settlement?

A: Yes. Erica Louie is currently doing research on traplines and we will have more info at a later meeting.

Q: IR #5 - will we get anything for the lands that were washed away by the Highway 16 bridge/relocation?

A: Yes, we are exploring a specific claim on this issue.