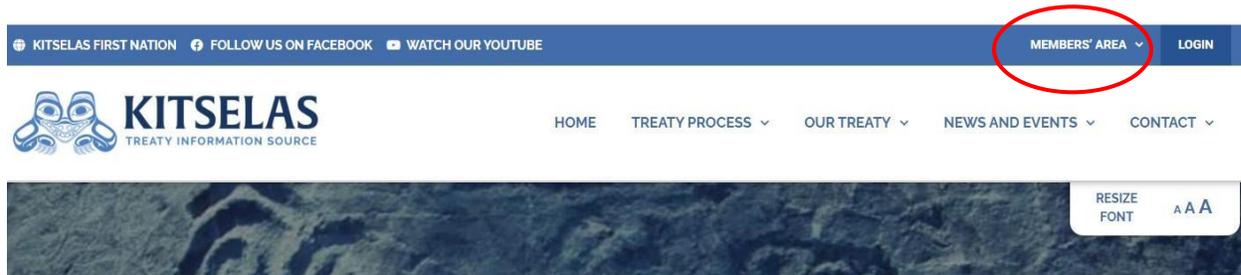




Thank you to the KitseLas members who joined us for the June 2022 Treaty Tour. Below, please find questions and answers from the Treaty Information Sessions.

Register for resources and updates in the **Members' Area** of the KitseLas Treaty website: www.kitselastreaty.ca.



General & Finance

Q: How will our people benefit from Treaty?

A: KitseLas will receive additional land, a cash transfer, power, and opportunities to direct our own future. We will be self-governing and no longer under the control of the *Indian Act*.

Q: How much funding will KitseLas get with the Treaty?

A: Current estimates are that KitseLas will receive \$75 million for the one-time cash transfer and approximately \$6 million in additional funding annually (with increases for inflation). There will be no changes to any existing programs funded by Canada or BC. KitseLas Members will have access to all current and future government programs with no reductions in funding.

Q: Can there be more money for training?

A: KitseLas has access to lots of money for training right now. Call KitseLas 5 Tier to inquire about any training that interests you. Contact Debbie Moore with KitseLas Administration for any post-secondary inquiries. After Treaty, KitseLas will have a lot more funding available to the Nation, which may be directed to additional training opportunities.

Lands and Resources

Q: Will there be overlap with other First Nations' lands? If so, how will the overlap be handled?

A: None of the Treaty Settlement Lands (TSL) are subject to overlap with other First Nations. Kitselas will own the TSL and no one else will have any claim to this land.

The land in the much larger Kitselas Area (Traditional Territory) will be shared, non-exclusive territory. Kitselas will have greater control or powers on this land, along with others. Kitselas Chief and Council continue to meet at the Tsimshian Leadership Table to improve our relationship with other local Tsimshian First Nations.

Q: Can we still hunt on Crown land after Treaty?

A: Yes, there will be no changes to this.

Q: Can we still fish and hunt in Tsimshian Territory?

A: Yes, Treaty will protect our rights to fish, hunt, gather and harvest within the Tsimshian Territory forever. There will still be safety and public interest rules, but these rights will continue to be protected by Canada's Constitution and laws.

Q: Do we already own the airport lands?

A: Yes, there are several pieces of land that we own currently, and others that we will receive if Treaty passes. For example, the Kitselas Industrial Park is owned by Kitselas Development Corp (KDC) now. An Indian Band cannot own land under the Indian Act. KDC owns this land just like any other land owner in BC and we pay property taxes on this land. It is not Indian Reserve land.

Q: Why would we want to own the land?

A: When we own and control the Treaty Settlement Lands, Kitselas will be better able to protect and direct our own future—from environmental stewardship to economic opportunities.

Q: What is the process to buy land from Kitselas?

A: You can apply right now to the Kitselas Lands & Resources Department for a Certificate of Allocation (previously a Certificate of Possession). Nothing will change in Treaty.

Q: Will title to the land stay in a family?

A: Yes, a Certificate of Allocation / Certificate of Possession should be included in the will of the person who owns it, clearly stating who will inherit the property when they pass away. Currently, the owner can sell the land or house to another Kitselas Member.

It is up to us in Treaty to set the rules about who can own which lands. We could limit ownership of land in the current Indian Reserves to Kitselas Members and lease or sell lots on the Treaty Settlement Lands. We have to choose what we think is best for Kitselas.

Q: Are there plans for Endodoon?

A: Yes, a legal survey was just completed this year. Kitselas will be gathering oral histories for the traditional family lots. We have also surveyed over 40 additional lots for possible allocation to community members who wish to build a cabin or otherwise use the land in some manner—from permanent housing to a seasonal fishing cabin. There is lots of land there. We could potentially survey an additional 100 lots.

Q: Will Kitselas benefit from natural resource extraction?

A: Yes, on Treaty Settlement Lands, we can set the rules and regulations (which cannot be lower than BC's, but can be higher) and Kitselas will collect any resource extraction taxes (e.g., forestry stumpage fees).

Q: Will Kitselas manage activity on the Skeena River?

A: BC "owns" the Skeena River up to the high-water mark on the shores. It is not part of Treaty Settlement Lands or under Kitselas' control.

Elections and Governance

Q: How will elections work post-Treaty?

A: We will still have democratic elections. We will vote for seven or eight elected representatives, initially, including a 'President'. As well, there will be a non-voting, non-elected 'Speaker' of the Kitselas Parliament, who will chair all legislative meetings, conduct votes, rule on issues of the Constitution and laws, and ensure respectful debate.

Q: Under Treaty, can Chief and Council terms be longer than they are now?



A: Yes, the Constitution will probably specify four-year terms, rather than two year-terms as they are now.

Q: What is the proposed governance structure? Will they represent regions?

A: If you are referring to the elected representation, this is covered in the draft Constitution. At the highest level, there will be Kitselas legislation, administration and judiciary (courts). The draft constitution is available in our members-only section of the Treaty website:

<https://www.kitselastreaty.ca/members-area/draft-constitution/> .

Enforcement and Policing

Q: Will we do our own policing and enforcement of Kitselas laws?

A: We will have a much greater ability to police or enforce laws, including Kitselas laws, on the Treaty Settlement Lands. As a small community, we expect that the RCMP will still play a key role here, supported by Kitselas Guardians and enforcement officers. For example, we may have a 'bylaw' officer. As well, there will be an administrative 'court' to hear appeals or complaints for any administrative decision (i.e. housing).

Treaty Vote and Enrolment

Q: How can you become a Kitselas Member?

A: Currently, you would apply for Band Membership to the Kitselas membership clerk, Sharon Bennett by completing an application and providing your proof of eligibility.

Q: How does enrolment work for Treaty? How will we know if we are registered to vote?

A: 'Enrolment' is the process of applying for and registering to vote for the Treaty once we have completed (or nearly finished) negotiations. We will help people to do this. We expect that this process will begin in late 2023 to prepare for a vote in fall 2024.

We will ensure that every Kitselas Member is invited to enroll. We will do lots of communication at community events and through email, social media and the Treaty website. The choice to participate is, of course, up to each Member.

To enroll, current band members will fill out and sign a simple application form.

After, you will receive a formal letter indicating that you are “enrolled in the Treaty” and registered to vote.

Q: How many “yes” votes are needed?

A: We expect that 50% + 1 of the people who vote will be required to approve the Treaty. This is the same democratic standard as other elections or votes in Canada.

Q: What happens if people don’t vote?

A: If people don’t vote on the Treaty, the Kitselas Treaty will be decided by those who do vote. We hope that most Kitselas Members will choose to enroll in Treaty (i.e., register to vote) and vote whichever way they believe is in the best interests of themselves, their family and the community as a whole.

Q: If Kitselas votes “yes”, how long before Treaty becomes effective?

A: After the vote, it will be approximately two to three years before the “Effective Date” or when the Treaty comes into action. This depends on Canada and BC passing a new Act in their respective Parliaments.

Q: What happens to Treaty jobs if the vote is “yes”?

A: After Treaty negotiations and the community vote engagement are complete, we anticipate that most staff would shift into jobs related to Treaty implementation. The “Effective Date” is probably two to three years after Kitselas votes, but there will be a lot of work to get ready, including hiring, developing new policies and laws, and working out many details.

As we have said many times, all of our current programs and services will continue after Treaty, so most band staff jobs will continue to deliver programs and services to community members.

Q: Why should Kitselas sign if we are still dependent on government?

A: Signing a Treaty doesn't make Kitselas dependent on government. Cities, regional districts and provinces all get significant funding from higher order of government (e.g., the Province or Canada).

At the same time, Treaty will not cut us off from any programs, services or benefits enjoyed by every other Indian Band in Canada. After Treaty, existing programs and services will continue, and we still qualify for any new programs. What Treaty provides in simple terms is land, money and power. This is the power to make and

enforce our own lands on Kitselas TSL and to take responsibility for our own future.

Q: What happens if the “no” vote wins?

A: If the majority of Kitselas voters vote “no”, the Treaty efforts are finished. There will not be a second offer from Canada and BC and we will continue to be governed by the *Indian Act* as is.

Q: How did the other Treaty Nations’ votes go?

A: The votes have varied. Every Nation that has voted for a treaty has expressed that treaty is a huge improvement. They have also noted that implementing a treaty is a huge undertaking and represents real change from the status-quo (*Indian Act*). Some Nations have decided that they prefer to continue under the *Indian Act*. Ultimately, it's the choice of Kitselas citizens.

Q: Why would people vote “no”?

A: Each person will vote their conscience: what is best for themselves, their family and their community. Our only goal is to ensure that people have every opportunity to know what is in the draft Treaty, ask any questions and express any concerns.

Q: Do you know of any other Bands that went through the process and voted “no”?

A: Yes. It is the people's choice. For some bands, it seems that the possibility of assuming control and responsibility for their own future may be too much. This is understandable. We believe that Kitselas has the skills and ability to do a much better job of meeting our community's needs, than Canada or BC, and especially the *Indian Act*.

Health Care

Q: Will First Nation health insurance change?

A: No, Non-Insured Health Benefits (NIHB) will continue. Chief and Council have spoken about improving certain aspects of health programs, but this would only take effect after the Treaty Effective Date. No programs or services will be reduced or end as a result of the Treaty.

Q: What will change with healthcare? Can we add new resources, such as detox?

A: Yes we could, but we would want to work closely with other partners (such as

Terrace, Thornhill, Nisga'a) on a big project like a detox. Kitselas will have several million dollars each year to improve programs and services; no government will ever have enough money to do everything.

Taxes

Q: Once there's a "yes" vote, will tax exemption continue?

A: Yes, tax exemptions are expected to continue. Property, income and sales tax exemptions will continue basically as they are now. Certain tax exemptions (e.g., sales tax) may be limited to current Indian Reserves and may not be extended to all of the Treaty Settlement Lands. We are still negotiating the administrative details.

Q: Will Kitselas homeowners start being taxed?

A: Based on what we have learned from the Nisga'a, taxation of existing housing on current Indian Reserves is highly unlikely. Taxation will apply to people who move to future Treaty Settlement Lands (TSL) lots and build houses or buildings. We expect that certain parts of TSL will be developed into housing (e.g., Thornhill land) or commercial uses (e.g., Airport Industrial Park). Those lands will be taxed similarly to other local land and Kitselas will be able to set the tax rates.

Status Card

Q: Why does the gas station in North Vancouver not honour the Kitselas status card for tax-free gas?

A: They should; however, we do not know what their band policies or rules are. In general, we recommend that you apply for the latest federal status card (as compared to a Kitselas Band card). If you send us the specific details (i.e., the address of the gas station), we can look into why this is happening.

Q: What will happen to Kitselas Indian status?

A: Kitselas members can either enroll in Treaty and become Kitselas Citizens with Treaty rights as well as existing rights intact or opt to remain status Indians within Canada. The Kitselas Indian Band will no longer exist but will provide existing programs and services to Kitselas members regardless of their enrolment status.

Q: Can we still use our status card?

A: Yes. After Treaty, Kitselas Members will still be able to request a Canada-issued

Status Card as Aboriginal people of Canada. Tax exemptions are expected to continue as they current do; however, this is still under negotiation.

Off-Reserve Members

Q: What benefits will off-reserve Members get?

A: In general, everything you receive now will continue exactly as it is. This includes the continuation of tax exemptions, health benefits, and all other programs and services that are available to Members. Obviously, certain programs such as Headstart and community nursing only apply to local members.

Future benefits for local and non-local members may include direct community benefits, such as a membership benefit payment on the Treaty Effective Date, the opportunity to apply for property on the greatly expanded Treaty Settlement Lands, and increased or improved program benefits (i.e., top-ups to existing programs)

Other Nations

Q: Are there other Nations in the Treaty negotiations?

A: Yes, you can see a full list of all BC treaties, which are completed or in progress, on the BC Treaty Commission website:

<https://www.bctreaty.ca/negotiation-update>

Canada and BC Governments

Q: How many court cases are going on for Kitselas right now?

A: In total, there are eight specific claims (court cases) in progress at different stages. We hosted a court in community two months ago and expect a ruling on that one in early fall. For many, we are doing research to strengthen or assess our possible claim. If you would like to know more about this, please let us know.

Q: What will be the benefit of the federal and provincial governments signing the Treaty?

A: In a word: certainty. The "land question" will be settled and our rights on TSL, as well as within the Kitselas Area, will be legally defined in a constitutionally protected document (i.e., Canada cannot change its mind if a different party is elected).