

# K'ómoks Treaty Negotiations



# Modern Treaties in B.C.: Timeline



2000

- Nisga'a Treaty comes into effect, first modern treaty in B.C.



2019

- DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES ACT
- Recognition and Reconciliation of Rights Policy
- Debt burden eliminated



1990s

- 1992: Establishment of the BC Treaty Commission and BC Treaty Process



2009-2016

- First modern treaties under BCTC process come into effect with seven First Nations:
- 2009: Tsawwassen
- 2011: Maa-nulth
- 2016: Tla'amin



TODAY

- Concluding negotiations on three modern treaties with K'ómoks, Kitselas and Kitsumkalum
- Negotiations ongoing with other Nations on treaties and other complex reconciliation agreements

# Treaty Negotiations Overview

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## *Living agreements that can evolve over time*

- Recognition and Reconciliation of Rights
- Land and Jurisdiction
- Self-Government
- Natural Resources
- Shared Decision-Making
- Fiscal Relations



# K'ÓMOKS TREATY TIMELINE

- Signed an Agreement-in-Principle (AIP)
- AIP identified and defined rights and obligations, including interests in land and resources

- B.C./Canada Land and Cash Offer

- Revised federal offer

**Negotiations substantially complete**

**INITIALLING**



1994

2012

2019

2022 (Fall)

2023 (Fall)

2024 (Summer)

2025-2028

- Treaty negotiations began between K'ómoks First Nation, Canada, and B.C.

- Signed Agreement to Revitalize K'ómoks Treaty Negotiations

- Chief Negotiators' understanding

- Ratification by each government, including a vote by K'ómoks members
- if ratified, Effective Date: ~2028

**CONSULTATION WITH NEIGHBOURING NATIONS WITH SHARED TERRITORY AND OVERLAP INTERESTS PARTNER, STAKEHOLDER AND PUBLIC ENGAGEMENT OVER 20+ YEARS**

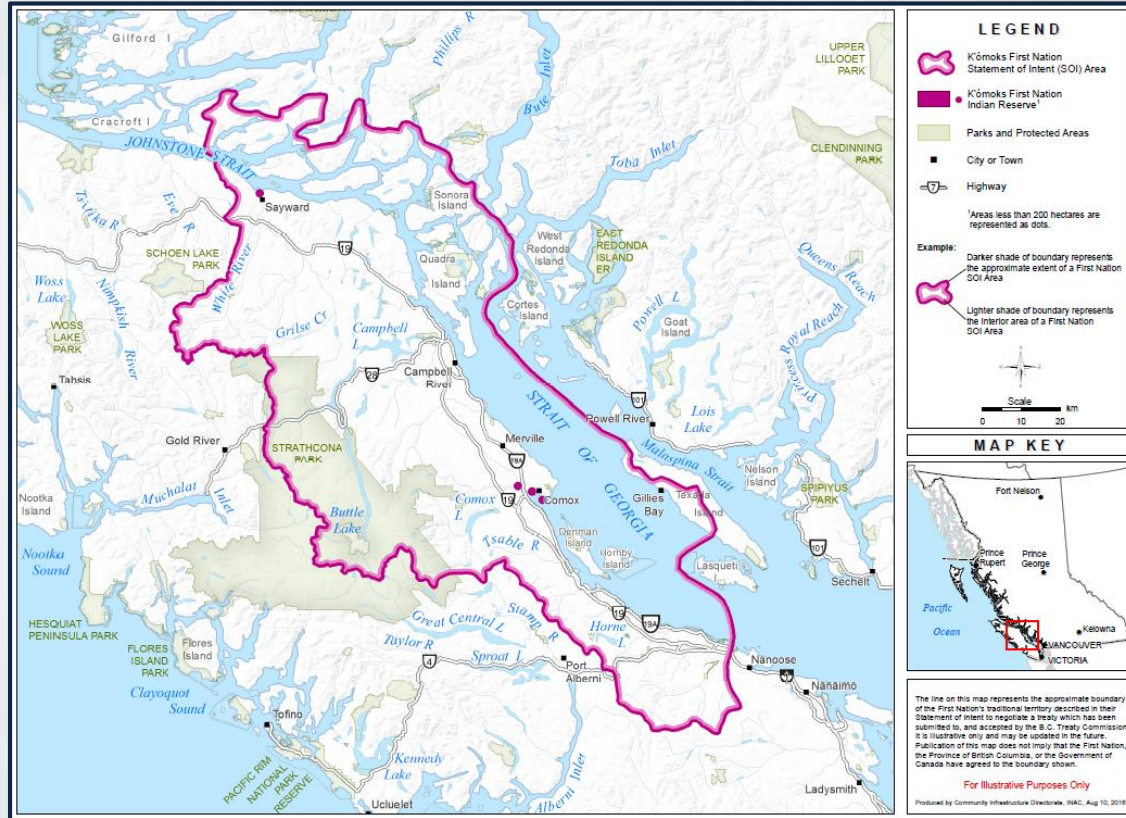
# Engagement and Consultation

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- Treaty partners committed to engagement
- Building on 20+ years of significant previous engagement throughout negotiations process
- Direct engagement with the public, local governments, interest groups, tenure/permit holders, and adjacent landowners over many years
- Treaty partners released a “What We Heard Report” following public open houses (virtual and in-person) in 2022 and community events
  - Two Key themes in the report:
    - High levels of support for the treaty and reconciliation, broadly
    - Desire to see reconciliation advance faster
- Engagement will continue post-initialling
- Consultation with First Nations with overlap or shared territory interests



# K'ómoks Territory



# K'ómoks Treaty Lands

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Approx. 3,500 hectares as K'ómoks Treaty Land  
Option to purchase another ~1,600 hectares from B.C.

## **Jurisdiction**

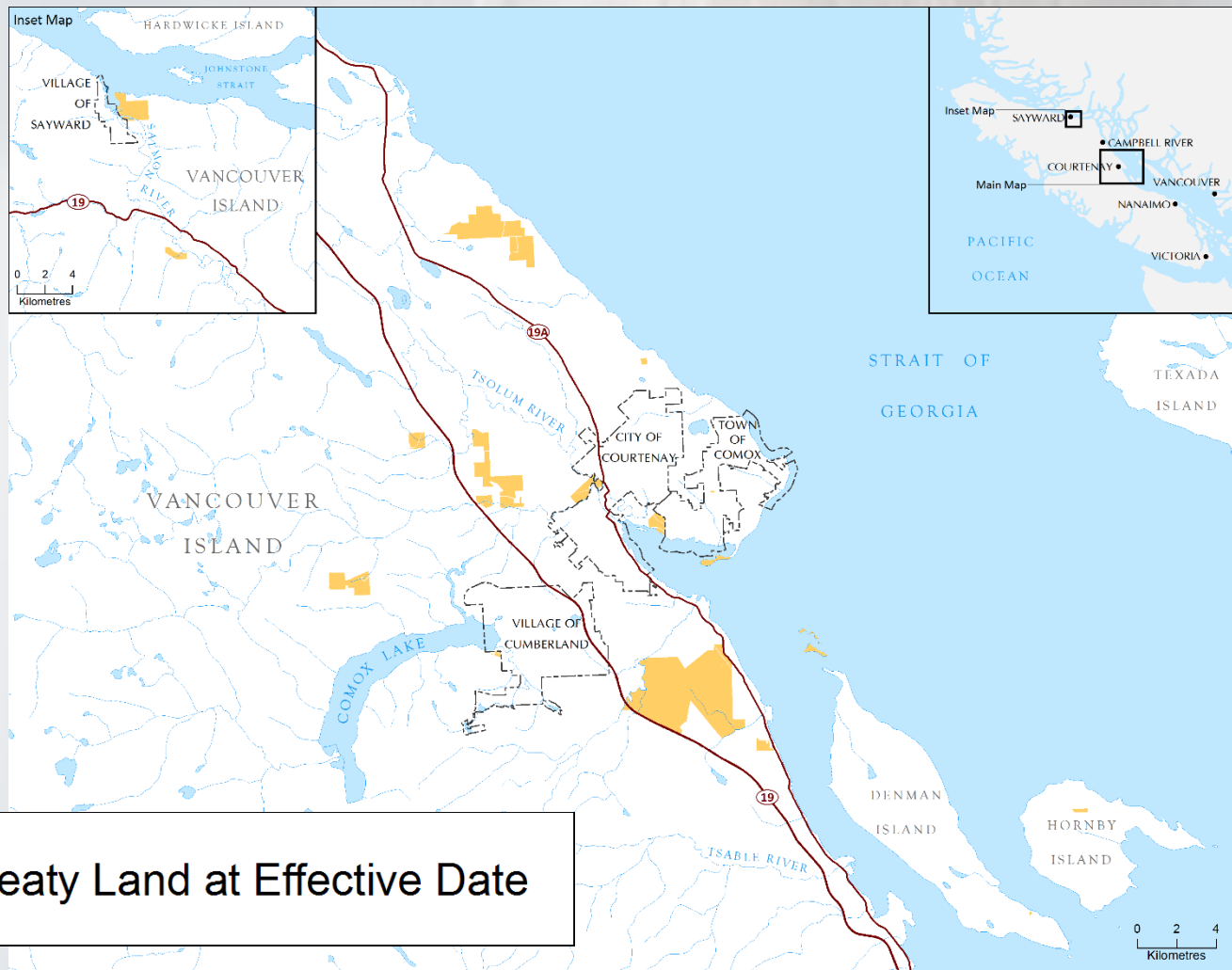
- K'ómoks would own and manage the land
- Able to make laws and zoning, do land-use planning, develop and use as desired

## **Types of K'ómoks Lands**

- Most Treaty Lands would be private; publicly accessible where appropriate and with K'ómoks permission
- Public Treaty Lands (e.g. Williams Beach, Wood Mountain): accessible to everyone
- Tribal Parks (e.g. Sandy Island) would continue to be managed as parks

## **Existing Interests on K'ómoks Lands**

- Permits, tenures, licenses would continue, be replaced with an equivalent in an alternative location, or be compensated





# K'ómoks Self-Governance in Treaty

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- Recognizes K'ómoks' right to self-govern
- K'ómoks may create laws related to the following:

- Lands and resources
- Adoption
- Child and family services
- Aboriginal healers
- Health services
- Family and social services
- Marriage

- Childcare
- Language and culture
- Kindergarten to grade 12 education
- Post-secondary education
- Culture and heritage
- Enforcement Chapter – First Nation Judges & Courts, Policing, Corrections & Natural Resources

- If K'ómoks does not make laws related to the above, relevant federal and provincial laws apply

# Harvesting Rights

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- Right to hunt wildlife, fish, and harvest plants and timber for domestic use throughout territory on Crown Lands and K'ómoks Treaty Lands
- All subject to provincial/federal conservation, public health, and safety laws
- Right to trade and barter; sale must be in accordance with provincial and federal laws
- Elk Allocation as a percentage of Total Allowable Harvest

# Resource Management

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- Shared Decision-Making
  - Process for developing shared decision-making agreements on Parks, Wildlife, Fish, Water, K'ómoks Estuary
  - Specific considerations for other First Nations, including consultation obligations
- Other land & resource terms
  - Consultation obligations and harvesting rights within Parks
  - Involvement in Environmental Assessment Process
- Resource management: K'ómoks Treaty Lands
  - Law-making ability: environmental assessments; environmental management; water use and licencing
  - Water Scarcity Management Agreement
  - Surface Water and Groundwater Reservations
  - Ownership of forest resources

# Targeted Timelines

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\*Tentative - subject to consultations and approvals\*

- Initialling in summer 2024
- Ratification : K'ómoks vote 2025; BC, Canada legislation 2026-2027
- Continued consultation with neighbouring and overlap First Nations
- Continued engagement with public, interest-holders throughout
- Treaty & treaty land ownership to come into effect: ~2028



# More information

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- Sign-up for treaty updates:

<https://engage.gov.bc.ca/KomoksTreaty>

- Specific questions, email:  
komoks.treaty@gov.bc.ca