
NEWS RELEASE COMMUNIQUÉ

For Immediate Release
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April 5, 2016

Ministry of Aboriginal Relations and Reconciliation
Indigenous and Northern Affairs Canada
Tla'amin Nation

Tla'amin treaty takes effect today

POWELL RIVER – Today at 12:01 a.m., the Tla'amin Final Agreement came into effect, ushering in a new era for the Tla'amin people as a self-governing First Nation, equipped with the tools and authority to take control of its future.

Tla'amin's legislature passed a comprehensive suite of laws this morning that provides an immediate basis for the exercise of self-government authority. Lands and funding provided for under the treaty were also transferred to Tla'amin Nation.

As the fourth modern treaty to come into effect in British Columbia, the Tla'amin treaty creates the foundation for renewed relationships and a positive and stable climate that supports social development and economic growth for Tla'amin Nation and surrounding communities.

The treaty clearly defines Tla'amin Nation's ownership and management of mineral, forestry and other resources on treaty settlement lands. Provisions of the treaty include a capital transfer of \$33.9 million and an economic development fund of \$7.9 million, and approximately 8,323 hectares of treaty land, including 1,917 hectares of former Tla'amin Indian reserve land and 6,405 hectares of former provincial Crown land.

Quotes:

Hegus Clint Williams, Tla'amin Nation –

“This is a day of triumph for all Tla'amin people. I'm proud of my community for choosing a path of change, that while difficult at times, provides us with a new beginning as a self-governing nation free of the Indian Act. I want to acknowledge the more than 20 years of hard work by our dedicated Tla'amin team members to bring us to this historic day. Our treaty will benefit all of our citizens, and especially our children – our future leaders who will grow up in a world of possibility and opportunity. Our lands and our rights are secure, our partnerships with our neighbors are strong, and our community is on a journey of healing and hope. Our future is bright.”

Carolyn Bennett, Minister of Indigenous and Northern Affairs –

“Today is a historic day. A real testament to what can be achieved when we work together in the spirit of co-operation to resolve outstanding issues and reconcile with Indigenous people in Canada. The Tla'amin can now take control of their future and chart their own path to social and economic growth. This treaty benefits all Canadians and has set us on a path towards true reconciliation and a renewed relationship with Tla'amin based on recognition of rights, respect,

co-operation and partnership.”

John Rustad, Minister of Aboriginal Relations and Reconciliation –

“I congratulate the Tla’amin people on this generational achievement. Through the Tla’amin treaty, we’ve reconciled our past and created a foundation for a brighter future. Certainty and opportunity afforded by the Final Agreement will support economic growth for Tla’amin Nation, and strengthen its culture and traditions. Today, the hard work of self-governance begins, as do the enduring benefits of being a treaty First Nation in the Province of British Columbia.”

Quick Facts:

- Tla’amin Nation is located on the northeast coast of the Strait of Georgia, 130 km northwest of Vancouver. Tla’amin Nation has approximately 1,100 members, 60% of whom live in the Tla’amin community north of Powell River, B.C.
- Tla’amin Nation joins the Nisga’a Nation, Tsawwassen First Nation and Maa-nulth First Nations as a First Nation in British Columbia with a modern treaty in effect.

Learn More:

Tla’amin Final Agreement and associated factsheets: ow.ly/YCeBd

Tla’amin Nation: sliammonfirstnation.com

Ministry of Aboriginal Relations and Reconciliation: gov.bc.ca/arr

Indigenous and Northern Affairs Canada: www.aadnc-aandc.gc.ca

B.C. Treaty Commission: bctreaty.net

A backgrounder is attached.

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BACKGROUND

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Final Agreement between Tla'amin Nation, Canada and British Columbia

Tla'amin Nation entered the British Columbia treaty process in May 1994. Treaty negotiations concluded when Canada, British Columbia and Tla'amin Nation initialled the Final Agreement on Oct. 21, 2011.

Tla'amin members approved the Final Agreement through a community vote on July 10, 2012. On March 14, 2013, the Tla'amin Final Agreement Act, British Columbia's legislation ratifying the Final Agreement, received Royal Assent. On June 19, 2014, the Tla'amin Final Agreement Act, Canada's legislation ratifying the Final Agreement, received Royal Assent.

The Tla'amin treaty operates within the framework of the Constitution of Canada. Within that framework, Tla'amin Nation has the authority to make laws in many areas of jurisdiction that are traditionally federal, provincial and municipal in nature.

The Tla'amin Final Agreement clearly defines Tla'amin Nation's rights throughout its traditional territory, which covers approximately 609,000 hectares, including rights related to fishing, gathering and harvesting, as well as the ownership and management of mineral, forestry and other resources on treaty settlement lands.

The Tla'amin treaty and associated agreements present Tla'amin Nation with modern governance tools, coupled with funds, to generate increased economic vitality. It also makes the nation an equal partner in government-to-government relationships with Canada and British Columbia.

Land

- Tla'amin Nation owns and has law-making authority over approximately 8,323 hectares of land ("Tla'amin Lands"), comprised of 6,405 hectares of former provincial Crown land and 1,917 hectares of former Indian Reserves.
- Also, 0.97 hectares known as the Lund Hotel Parcels have become treaty settlement land.
- Tla'amin Nation owns 0.3 hectares of land on Savary Island and .08 hectares on Wharf Street in Powell River, without law-making authority.
- An additional 1,212 hectares of Crown land may become Tla'amin Lands if acquired by Tla'amin Nation in accordance with provisions in the Final Agreement.

Capital Transfer and Fiscal Relations (2016 dollars)

- The Tla'amin treaty provides for:
 - a capital transfer of approximately \$33.9 million paid over 10 years, less the outstanding negotiating loan;

- an Economic Development Fund of approximately \$7.9 million;
- a Fishing Vessel Fund of \$285,585; and,
- approximately \$731,895 per year for 50 years through resource revenue sharing arrangements.
- Tla'amin Nation also receives funding through a Fiscal Financing Agreement, renewable every five years, to support Tla'amin government operations, implementation of the Final Agreement and for the provision of programs and services to the Tla'amin people. This funding includes:
 - ongoing federal funding of approximately \$9 million per year for the first five years;
 - ongoing provincial funding of approximately \$446,000 per year for the first five years; and,
 - one-time federal funding of approximately \$5 million.

Governance

- Constitutionally-protected self-government provisions enable the Tla'amin government to make laws relating to Tla'amin's lands and resources, Tla'amin culture, and the delivery of health services, education and public works.
- The Final Agreement provides for the co-ordination of land-use planning between Tla'amin Nation and local governments.
- Federal and provincial laws apply on Tla'amin Lands. In matters where Tla'amin Nation has law-making authority, the Final Agreement sets out which law prevails if a Tla'amin law conflicts with a federal or provincial law.
- The Tla'amin Nation will contribute to the costs of its own government as its economy grows.

Forest Resources

- Tla'amin Nation is required to manage the forest resources on its lands in keeping with provincial standards.
- Through a side agreement, Tla'amin Nation will receive a total of 78,000 cubic metres of allowable annual cut from provincial Crown land, which includes 28,000 cubic metres per year under BC Timber Sales.
- In addition, Tla'amin received \$350,000 to acquire additional annual cut on a willing seller, willing buyer basis.

Subsurface and Mineral Resources

- Tla'amin Nation owns subsurface resources on Tla'amin Lands, subject to the continuation of interests that existed prior to the ratification of the Final Agreement.
- Activities related to subsurface resources on Tla'amin Lands will be in accordance with provincial and federal law.

Wildlife and Migratory Birds

- Under the Final Agreement, Tla'amin hunters may harvest wildlife and migratory birds for domestic purposes within a defined harvest area that will include Tla'amin and non-Tla'amin land. Tla'amin members' hunting rights are limited by measures necessary for conservation, public health or public safety.
- Tla'amin hunters are required to carry and produce documentation issued by the

Tla'amin government when hunting.

- The Final Agreement clarifies Tla'amin Nation's jurisdiction and responsibilities with respect to wildlife, migratory birds and their habitats, as well as the authority of the provincial minister with respect to wildlife conservation and management.

Fisheries

- Under the Final Agreement, Tla'amin members may harvest fish and aquatic plants for domestic purposes within a defined harvest area. Tla'amin members' fishing rights are limited by measures necessary for conservation, public health or public safety.
- The Final Agreement includes Tla'amin Nation allocations for food fisheries for all salmon species and a number of non-salmon species.
- Tla'amin Nation has a greater role and participation in the management of fisheries.
- A Tla'amin Joint Fisheries Committee will be established.
- Tla'amin Nation has been issued general commercial fishing licences for prawn and halibut consistent with Tla'amin Nation's current commercial licences.
- Tla'amin Nation also received \$1.4 million from Canada to acquire additional capacity in the commercial fishery.

Gathering

- Under the Final Agreement, Tla'amin members may gather plants for domestic purposes within a defined harvest area. Tla'amin members' gathering rights will be limited by measures necessary for conservation, public health or public safety.

Culture and Heritage

- The Final Agreement affirms Tla'amin Nation's right to practice its culture and use the Tla'amin language.
- Tla'amin Nation has the authority to make laws to preserve, promote and develop its culture and language and protect and manage cultural sites on Tla'amin Lands.
- Provisions provide for Tla'amin Nation's harvesting of monumental cedar and cypress for cultural purposes on provincial Crown land within its traditional territory.

Environmental Protection

- The Tla'amin government may make environmental protection laws on Tla'amin Lands.
- Provincewide standards of resource management and environmental protection continue to apply.

Theodosia River Watershed

- British Columbia and Tla'amin Nation will enter into a shared decision-making agreement with respect to the Theodosia River watershed.

Access to land

- With the exception of those lands that Tla'amin Nation designates as Tla'amin Private Land, the Final Agreement allows for public access on Tla'amin Lands for temporary recreational and non-commercial purposes, such as hunting, fishing, hiking and canoeing. This includes those portions of the Sunshine Coast Trail that are on Tla'amin Lands.

- Public access to provincial parks is not affected by the Final Agreement.

Taxation

- Under the Final Agreement, Tla'amin Nation has concurrent direct tax authority over its citizens within its lands.
- British Columbia and Tla'amin Nation have entered into a Real Property Taxation Coordination Agreement that enables the Tla'amin Nation to become the property tax authority for all residents on Tla'amin Lands.

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