



TSAWWASSEN FIRST NATION FINAL AGREEMENT

Implementation
Report

2015-2016
2016-2017

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TSAWWASSEN FIRST NATION
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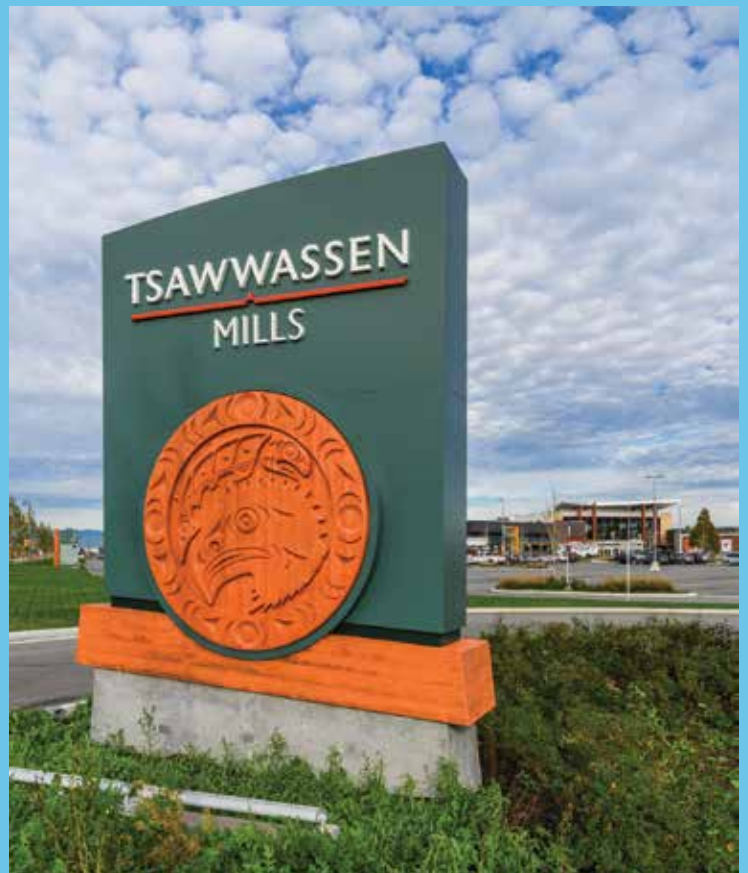
The Tsawwassen First Nation Final Agreement is British Columbia's first modern urban treaty and the first treaty completed under the British Columbia Treaty Commission. The governments of Canada, British Columbia, and Tsawwassen First Nation are partners in the Tsawwassen First Nation Final Agreement (the Treaty), which comprises a land claim and self-government agreement. The Treaty came into force on the Effective Date of April 3, 2009.

As required under the Tsawwassen First Nation Final Agreement, the three responsible governments established a committee to provide a forum to discuss and facilitate implementation of the Treaty. This report summarizes the progress made from April 1, 2015 to March 31, 2016, and from April 1, 2016 to March 31, 2017.

TSAWWASSEN MILLS & TSAWWASSEN COMMONS

Tsawwassen First Nation celebrated the realization of a long-awaited community objective when the Tsawwassen Mills destination shopping centre opened its doors on October 5, 2016. Tsawwassen Mills includes approximately 111,500 square metres of retail space with a unique mix of premium fashion brands, factory outlets, restaurants, and a 1,100-seat food hall. The mall prominently features the work of several Tsawwassen First Nation artists, who were recognized at a special event for Tsawwassen Members prior to the public opening. The opening of Tsawwassen Mills was followed by a succession of store openings in Tsawwassen Commons, a 51,100 square metre retail development.

Tsawwassen Mills and Tsawwassen Commons serve as key elements of Tsawwassen First Nation's economic development and as symbols of community pride. These commercial developments have been recognized nationally as a success for Tsawwassen First Nation and as a model of what self-governing First Nations can achieve with jurisdiction over their own lands.





Tsawwassen: Land Facing the Sea

A PLACE

Since time immemorial, the Tsawwassen people have used and occupied a large coastal territory rich with fish, wildlife, and other natural resources. Tsawwassen Traditional Territory ranges across southern sections of what is now British Columbia—starting at the north end of Pitt Lake and following the Pitt River to the Fraser River and into the Strait of Georgia, as far east as New Westminster, south to the international border, and west to the southern Gulf Islands. Tsawwassen is a *Hun'qum'í'num* word that means "Land Facing the Sea." Tsawwassen First Nation's home and treaty lands are situated near Roberts Bank on the shore of the Salish Sea.

A PEOPLE

The Tsawwassen people belong to the seafaring Coast Salish. Tsawwassen First Nation includes 477 Members. Approximately half live on Tsawwassen Lands and the rest reside in British Columbia's Lower Mainland, Whatcom County (Washington), the interior of British Columbia, and elsewhere in North America. The community is young and growing, with 40 percent of Members under the age of 18. Tsawwassen people are proud of their heritage, cultural traditions, and reputation as a welcoming, close-knit community.

A VISION

In 2013, Tsawwassen First Nation (TFN) developed and adopted the following Vision Statement to act as a constant reminder of what it is striving to achieve.

"Tsawwassen First Nation will be a successful and sustainable economy, and an ideal location to raise a family. As a community, we will feel safe on Tsawwassen Lands, we will be healthy, and we will have every opportunity to achieve our dreams. We will honour our culture and practice our language. Our Government will help us achieve our goals by communicating, being respectful, and taking full advantage of our Treaty powers." – *TFN Vision Statement*

TSAWWASSEN FIRST NATION FINAL AGREEMENT

The governments of Canada, British Columbia, and Tsawwassen First Nation (the Parties) entered the British Columbia Treaty Commission negotiation process with several objectives. These objectives included: enabling Tsawwassen First Nation to evolve and flourish as a self-governing, self-sufficient, and sustainable community; achieving certainty in respect of land ownership and resource rights; and providing opportunity for Tsawwassen Members to participate more fully in the economic, political, and social life of British Columbia. The Parties sought a treaty that would herald a new government-to-government relationship based on mutual respect and reconciliation.

The result is the Tsawwassen First Nation Final Agreement. A historic achievement, the Treaty clarifies legal rights to lands and resources, and self-government for Tsawwassen First Nation. The Treaty provides certainty for residents and investors, benefiting all Canadians. It achieves true reconciliation—proving that a modern society can correct the mistakes of the past, while providing for differences in values and cultures.

A comprehensive land claim and self-government agreement, the Treaty provides for:

- transfer of over 724 hectares of land (Tsawwassen Lands) previously held by Canada or British Columbia to TFN in fee simple;
- resolution of TFN's claims to over 10,000 square kilometres for land title and rights to harvest migratory birds, wildlife, and plants (Tsawwassen Territory);
- an agreed-upon percentage of the total annual Fraser River sockeye catch and fishing opportunities for crab for non-commercial purposes;
- establishing, within the Canadian constitution, a democratically-elected Tsawwassen Government with the ability to make laws, deliver programs and services, and collect taxes; and
- tools for a new government-to-government relationship between Canada, British Columbia, and Tsawwassen First Nation.

TREATY IMPLEMENTATION COMMITTEE

The Parties view the Treaty as the start of a new government-to-government relationship. To oversee implementation of the Tsawwassen First Nation Final Agreement, the Treaty established an Implementation Committee consisting of one representative each from the governments of Canada, British Columbia, and TFN. Broadly stated, implementation includes undertaking all the activities needed to comply with, or give effect to, all the provisions in the Treaty after its Effective Date. The Implementation Committee assists the Parties in meeting their obligations under the Treaty, attempts to facilitate resolution of government-to-government issues as they arise, and communicates on implementation activities with agencies that are internal to each government.

During the reporting periods (April 1, 2015 to March 31, 2016, and April 1, 2016 to March 31, 2017), the Implementation Committee met four times in person or by teleconference, and members engaged in tripartite working groups to address specific issues in depth. The Parties maintained a constructive working relationship while attempting to reconcile differing views, and collaborated on joint initiatives. Topics where the Parties had differing views included: negotiation of a new Fiscal Financing Agreement, sales tax revenue sharing, liability in respect of the stability of English Bluff, and commercial salmon and crab licencing policy.

The Implementation Committee is responsible under the Treaty to provide for the preparation of an annual report on implementation. This report covers activities that took place between April 1, 2015 and March 31, 2016, and between April 1, 2016 and March 31, 2017.

FOR MORE INFORMATION, VISIT:

- Tsawwassen First Nation Final Agreement (<https://www.aadnc-aandc.gc.ca/eng/1100100022706/1100100022717>)
- The Government of Canada's Approach to Implementation of the Inherent Right and the Negotiation of Aboriginal Self-Government (www.aadnc-aandc.gc.ca/eng/1100100031843);
- British Columbia Ministry of Indigenous Relations and Reconciliation <http://www2.gov.bc.ca/gov/content/environment/natural-resource-stewardship/consulting-with-first-nations/first-nations-negotiations/about-first-nations-treaty-process>;
- British Columbia Treaty Commission (www.bctreaty.net).

Tsawwassen Lands

TREATY LANDS

Located just 30 kilometres from both downtown Vancouver and the international border, adjacent to both the Tsawwassen Ferry Terminal and the Vancouver Fraser Port Authority's Deltaport facility, Tsawwassen Lands are in an enviable position to take advantage of economic opportunities. As the Lower Mainland's population and economy continue to grow, Tsawwassen Members are able to realize benefits from the development of Tsawwassen Lands through the Treaty. At the same time, the Treaty equips Tsawwassen First Nation with the power to ensure that development proceeds in a manner that is both environmentally and culturally sustainable.

LAND REGISTRY

For the sake of consistency with the surrounding system, TFN chose to register Tsawwassen Lands in the BC Land Title Office (LTO). The LTO is based on the Torrens system of land registry, which provides certainty and security of title to interest holders. Registration in the LTO improves TFN's system of land tenure, provides investor confidence, and assists TFN in managing its land affairs. Provincial legislation was amended to accommodate the registration of First Nations treaty lands and interests in the LTO, including the registration of TFN fee simple title, and to ensure the integrity of TFN's unique Aboriginal interest in and relationship to its land base.

2016-2017 >

- TFN, Canada, and British Columbia executed an agreement to amend five Appendices of the Tsawwassen First Nation Final Agreement with the legal descriptions and parcel identifiers as registered in the LTO in order to accurately reflect Tsawwassen Lands as of the Effective Date of the Treaty. The Amending Agreement is considered by the Parties as a housekeeping item. It is expected that the Amending Agreement will be ratified by all Parties during the next reporting period.

LANDS & MUNICIPAL SERVICES

The Tsawwassen First Nation Lands and Municipal Services Department develops and administers land use planning and regulation on Tsawwassen Lands. This includes assisting with registering land interests; implementing and enforcing land-related acts, regulations, and bylaws; issuing permits; and undertaking other municipal-like functions. TFN's Land Use Plan and Industrial Land Use Master Plan (available at www.tsawwassenfirstnation.com) help guide land use on Tsawwassen Lands.

2015-2016 >

During the reporting period, TFN's Lands and Municipal Services Department:

- issued 20 building permits for Part 3 buildings (commercial, industrial, apartments), 39 permits for Part 9 buildings (residential), and conducted ongoing inspections of approved permits;
- completed consultation work for regulatory amendments, rezoning, and Neighbourhood Plan amendments;
- established a business licencing process on Tsawwassen Lands and invited existing businesses to apply;
- completed design reviews and inspections for Phase 1B of Tsawwassen Shores subdivision;
- completed design reviews and inspections for all offsite works for Tsawwassen Mills and all TFN-owned services for Tsawwassen Commons (see pg. 5 for project descriptions);
- opened and began operating the new sewage treatment plant;
- added two new lift stations and replaced four pumps in the sewage treatment collection system;
- completed renovations on the Youth Centre, church, nurse's trailer, and Training Centre, and performed ongoing maintenance and repairs on TFN-owned housing;
- held annual meetings with all long-term agricultural leaseholders;
- continued to support Kwantlen Polytechnic University's Tsawwassen Farm School and assisted with grant applications;
- began maintenance and repair of a barn on 28 Avenue and assessed serviceability of a barn on 64 Street;

- performed repairs and maintenance work on residential properties;
- examined extension opportunities for existing billboard leases on TFN-owned lands.

2016-2017 >

During the reporting period, TFN's Lands and Municipal Services Department:

- issued 133 Part 3 building permits and three Part 9 permits;
- issued 333 business licences, 146 dog licences, and two tree permits;
- added BizPaL (Business Permit and Licence Information) online service to the TFN website to ensure all businesses, residents, developers, and Tsawwassen Members are aware of permit and licence requirements;
- installed a new 50-year roof on the Longhouse;
- continued to manage the implementation of TFN's Agricultural Plan;
- supported Members who have graduated from Kwantlen Polytechnic University's Tsawwassen Farm School in opening their own businesses;
- executed annual lease agreements with tenants of four rental homes;
- issued 13 grants for housing construction to Tsawwassen Members.

PROVISION OF LOCAL SERVICES

TFN works with Canada, British Columbia, Metro Vancouver, and the Corporation of Delta to provide services on Tsawwassen Lands. This includes the provision of regional services, such as water and sewer, and local services, such as police, parks, and drainage. Some of these services are provided as a result of TFN's membership in Metro Vancouver, some are provided through a series of service contracts with the Corporation of Delta, and others are provided directly by TFN.

After the Effective Date, it was agreed that the Delta Police Department would deliver general duty policing service to the Tsawwassen First Nation. In addition, an enhanced police service agreement was entered into between Canada, British Columbia, the Corporation of Delta, the Delta Police Board, and TFN. Under this agreement, one Delta police

position provides a dedicated service to Tsawwassen First Nation, focusing on community policing and developing the relationship between the TFN community, the police department, and the wider community. This position is cost shared between British Columbia and Canada (48%-52%). During the reporting periods, British Columbia contributed \$80,515 (2015-2016) and \$82,616 (2016-2017).

DEVELOPMENT REVIEW & CONSULTATION

The Treaty empowers TFN to regulate land development on Tsawwassen Lands. The Treaty also requires Canada and British Columbia to consult TFN on any proposed federal or provincial projects, respectively, that occur within Tsawwassen Traditional Territory, or may affect residents of Tsawwassen Lands, or TFN Treaty rights. In collaboration with TFN, British Columbia manages a custom process for development applications within Tsawwassen Lands.

Over the course of both reporting periods (2015-2016 and 2016-2017), British Columbia consulted with TFN on a number of projects, including:

- George Massey Tunnel Replacement Project (the proposed replacement of the George Massey Tunnel with a 10-lane, 2.7-kilometre-long bridge);
- British Columbia Railway Company and provincial land dispositions as part of the Development Agreements for Roberts Bank Terminal 1 and Roberts Bank Terminal 2 (a proposed new container terminal at Roberts Bank in Delta);
- Highway 1 and 216th Avenue Interchange Project;
- Pattullo Bridge Replacement Project;
- Alex Fraser Bridge Capacity Improvement Project;
- disposition of surplus highway right-of-way along Highway 17 through Tsawwassen Lands;
- WesPac Tilbury Marine Jetty LNG Project;
- a number of cutting and road permits in the Pitt Lake and Pitt River areas, taking into consideration TFN's treaty rights, specifically their reasonable opportunity to hunt, fish, and gather;
- 27B Road Improvements project.

In addition, the Parties undertook the following activities.

- TFN engaged with Members to share information and receive input on several large-scale developments,

- TFN was involved in an Environmental Assessment (EA) Amendment application for the Vancouver Airport Fuel Delivery Project and several EA certificate exemption applications for habitat enhancement projects proposed by the Vancouver Fraser Port Authority.
- Three \$5,000 First Nation grants were provided by British Columbia to support TFN's participation in the EAs of WesPac Tilbury Marine Jetty LNG Project, Trans Mountain Expansion Project, and the Pattullo Bridge Replacement Project.
- British Columbia engaged with TFN on the Fraser River Trade Area Multi-Modal Transportation Network Planning Study, designed to gather input on transportation network improvement options as part of a Pacific Gateway-related infrastructure investment program.

During the individual reporting periods, the Parties undertook the following activities.

2015-2016 >

- TFN responded to referrals from British Columbia in respect of approvals under the Oil and Gas Commission, *Land Act* and *Water Act* dispositions, and ecological permits issued under the *Heritage Conservation Act*.
- Having provided TFN with formal notification of the development of the *Building Act*, British Columbia notified TFN that the Act had become law, continued to inform and deliver notification to TFN on the implications of the changes and responsibilities resulting from the *Building Act*.
- British Columbia consulted with TFN regarding British Columbia's Climate Leadership Plan.
- British Columbia provided TFN formal notification of pending amendments to the *Safety Standards Act*.
- British Columbia's Archaeology Branch issues permits to alter archaeological sites, or conduct assessments to identify sites and evaluate proposed impacts. Thirty-seven referrals were sent to TFN for comment.
- TFN's Registration Amendment application to expand the use of reclaimed water was approved by British Columbia and the new sewage treatment plant became operational.

- TFN began operating under its own Pest Management Plan (PMP) for the purpose of controlling mosquitoes under the *Integrated Pest Management Act* regulation. British Columbia assisted TFN and its contractor in understanding submission requirements for registering a PMP. This arrangement allows TFN greater control over decisions on what, where, and when to apply pesticides to control mosquitoes.
- British Columbia advised TFN of a plan to update the provincial "Guide for the Preparation of Regional Solid Waste Management Plans," and provided an opportunity to comment on the related Intentions Paper.
- British Columbia notified TFN of proposed amendments to the Contaminated Sites Regulation under the *Environmental Management Act*.

2016-2017 >

- TFN responded to referrals from British Columbia in respect of approvals under the Oil and Gas Commission, *Land Act* and *Water Act* dispositions, and archaeological permits issued under the *Heritage Conservation Act*.
- TFN began participation in a multi-year federal review of environmental and regulatory processes.
- British Columbia's Environmental Assessment Office relied on consultation with TFN, conducted by the Canadian Environmental Assessment Agency, regarding the Roberts Bank Terminal 2 Project.
- British Columbia's Archaeology Branch sent 51 referrals to TFN for comment.
- British Columbia provided TFN information about various decisions, advice, and legal instruments regarding three contaminated sites located in Tsawwassen Traditional Territory.

TFN works to ensure that overlaps with the interests of other First Nations are managed in an effective manner and that opportunities for exercising harvesting rights throughout Tsawwassen Traditional Territory are managed in a manner consistent with established protocols.

- TFN continued to review the potential impacts of the land selection described in the Katzie First Nation Agreement-in-Principle, and the Te'mexw Treaty Association Agreement-in-Principle.
- TFN staff were directed to develop new Terms of Reference for the Traditional Territory Boundary Commission.
- TFN managed external legal counsel related to the New Westminster Specific Claim.

- The Traditional Territory Boundary Commission met twice and completed new Terms of Reference.





Natural Resources

For countless generations, Tsawwassen people have respected and protected the gifts of the land and sea. Increasing development and urbanization, however, have impacted the natural environment in Tsawwassen Traditional Territory. Through the Tsawwassen First Nation Final Agreement, TFN exercises its rights to this natural bounty and manages these resources cooperatively with federal and provincial regulatory agencies.

TFN NATURAL RESOURCES DEPARTMENT

The Natural Resources Department of Tsawwassen Government administers the Treaty agreement between TFN, British Columbia, and Canada on catch limits for crab, salmon, eulachon, other fisheries, and aquatic plants. In concert with the Joint Fisheries Committee, the department organizes, monitors, and enforces TFN activities and regulations in relation to the harvest and conservation of fish, wildlife, migratory birds and plants. In addition, the department:

- implements the Tsawwassen Fisheries Plan;
- manages departmental staff (catch monitors, enforcement officers, etc.);
- implements a fisheries program that complies with the terms and conditions of the Treaty and TFN's *Fisheries, Wildlife, Migratory Birds and Renewable Resources Act*;
- manages consultations for referrals relating to proposed projects on Tsawwassen Lands;
- compiles fisheries data and reports to Canada's Department of Fisheries and Oceans (DFO) through the Joint Fisheries Committee;
- leads TFN participation in environmental assessments undertaken by other governments;
- has overall responsibility for archaeology and heritage.

During the reporting periods, British Columbia engaged with TFN prior to issuing three wild aquatic plant harvesting licences to third parties in Tsawwassen Territory, specifically Boundary Bay and the waters surrounding the southern Gulf Islands.

JOINT FISHERIES MANAGEMENT

For Tsawwassen First Nation, participation in the management of the fishery is vital for cultural as well as economic reasons. Subject to conservation measures, TFN encourages its Members to exercise their rights to fish, hunt, and gather. Under the Treaty, TFN issues licences that clearly show which Members have been designated by TFN to fish for the food, social, or ceremonial needs of the community. Designated Members must carry these licences when harvesting or transporting fish for domestic purposes. Designated fishing vessels must clearly display the TFN identification decal. This documentation helps fisheries regulatory staff of all Parties to respect the Tsawwassen Fishing Right.

Prior to the Treaty, TFN harvested under its Aboriginal right to fish. The Treaty provides greater certainty regarding defined fishing areas and allocations for certain species. For all five Pacific salmon species, the Treaty includes a commitment for the Parties to adjust for the differences between allocated amounts in the Treaty (calculated through formulas based on the annual Canadian Total Allowable Catch), and the actual catch amounts. These "underages" and "overages" are tracked from year to year. The Parties adjust TFN allocations each season to compensate and bring actual harvested amounts in line with the Treaty allocations.

Under the Treaty, final authority over fisheries remains with the relevant federal or provincial Minister. However, on the Effective Date, a Joint Fisheries Committee (JFC) was formed to facilitate cooperative assessment, planning, and management of the exercise of the Tsawwassen Fishing Right. The JFC consists of one representative each from Canada, British Columbia, and Tsawwassen First Nation. Additional individuals may participate in meetings to assist the designated representatives. The JFC meets a minimum of twice yearly: first, to review the Tsawwassen Annual Fishing Plan and, second, to conduct a post-season review of TFN's fisheries. The JFC also discusses other relevant matters associated with the implementation of the Treaty.

The Joint Technical (Fisheries) Committee (JTC), a subcommittee of the JFC, deals with technical fisheries matters as directed by the JFC. Each Party designates one representative to the JTC.

Each year, or periodically for those fisheries matters managed by British Columbia, the Treaty obligates Canada to issue Harvest Documents for TFN to exercise its Fishing Right, guided by a Tsawwassen Annual Fishing Plan and recommendations from the JFC.

During the reporting periods, the Parties undertook the following activities.

- TFN worked to increase validation of fisheries harvest.
- Harvesting was limited due to sockeye conservation concerns. TFN sent a letter to DFO requesting an underage; the request was denied.
- TFN harvested 2,978 sockeye. By August 7, all directed FSC sockeye fisheries were halted because TFN had exceeded their revised allocation. By August 10, the Canadian Total Allowable Catch for sockeye salmon estimate changed, reducing the final sockeye salmon allocation to 1,079 from the expected 6,427.
- TFN had an overage of 2,892 chum; DFO arranged for this amount to be transferred from uncaught Commercial fisheries to Lower Fisheries Nations.
- Due to conservation concerns, only very limited Fraser ceremonial fisheries for eulachon were considered. The pre-season eulachon allocation target for TFN was approximately 288 lbs. Five eulachon ceremonial harvest documents were issued.

COMMERCIAL FISHERY

On the Effective Date, the Parties entered into a 25-year Harvest Agreement, which sets out commercial allocations of Fraser River sockeye, chum, and pink salmon, as well as crab licence conditions in the lower Strait of Georgia and Boundary Bay. The agreement has requirements comparable to those governing general commercial fisheries.

2015-2016 >

- TFN had two 12-hour Commercial chum salmon fisheries: 7,792 chum were caught (80% of the allocation). The remainder (1,922) chum allocation was transferred upriver to the Harrison Fisheries Authority and was caught in its entirety.
- DFO issued no Tsawwassen Harvest Allowance licence for the pink salmon allocation (8,700), which was transferred upriver to the Sts'ailes First Nation. Sts'ailes First Nation harvested 95% (3,516) of the total pink salmon allocated to TFN.

2016-2017 >

- TFN had two 12-hour Commercial chum fisheries: 13,672 chum salmon were caught (127% of the allocation). DFO accounted for this additional harvest by TFN by allocating a portion of the uncaught commercial Total Allowable Catch for Fraser chum salmon to the TFN Economic Opportunity chum salmon fishery.
- There were no harvest documents issued to TFN for sockeye or pink salmon in 2016.
- TFN sought to engage Canada on DFO's policy for commercial salmon and crab licencing with a view to ensuring the policy supports the purpose of the commercial fish and crab funds established by the Treaty, which is to increase the commercial fishing capacity of Tsawwassen First Nation.

FISHERIES ENFORCEMENT

On the Effective Date, Canada and TFN entered into an agreement to facilitate cooperation on enforcement of both federal and Tsawwassen laws for Tsawwassen domestic fisheries. While the agreement does not cover prosecution, it aims to clarify the activities of enforcement officers of both Parties. These activities include education, issuing warnings and tickets, using restorative justice, seizing gear and catch, collecting fines, and making arrests for fisheries offences.

2015-2016 >

The following fisheries monitoring and enforcement patrols were undertaken:

- 152 land-based crab patrols;
- 20 vessel-based crab patrols;
- 26 land-based salmon patrols;
- 28 vessel-based salmon patrols;
- three vessel-based eulachon patrols.

COMMERCIAL FISHERIES HARVEST SINCE EFFECTIVE DATE

SPECIES	2009	2010	2011	2012	2013	2014	2015	2016
SOCKEYE	0	98,315	5,337	0	0	79,574	0	0
CHUM	3,416	0	2,243	11,397	5,934	4,967	7,792	13,672
PINK	0	0	45,098	0	16,082	0	0	0

2016-2017 >

- 160 vehicular crab patrols;
- 22 vessel-based crab patrols;
- 16 vehicular salmon patrols;
- 21 vessel-based salmon patrols;
- five vessel-based eulachon patrols.

**FIRST NATIONS FISHERIES
LEGACY FUND**

During the reporting periods, TFN was an active participant in the Silver Highway Project, an eulachon / sturgeon initiative which incorporates traditional knowledge and cultural recognition as well as a research component to support efforts aimed at protecting these two important fish species. British Columbia provided the FNFLF with \$250,000 for this project.

RESOURCE MANAGEMENT

2015-2016 >

- TFN facilitated gathering in Pinecone Burke and Golden Ears provincial parks, as well as Burns Bog and Boundary Bay Regional Park.
- TFN conducted two workshops on Tsawwassen Lands for harvesting qəxmin tea and stinging nettle.
- TFN conducted Conservation Outdoor Recreation Education (CORE) training on Tsawwassen Lands for individuals wishing to obtain their first British Columbia resident hunting licence. During the CORE training course and compliance checks, TFN informed Members of the Discharge of Firearms Regulation and the Hunting Regulation in regard to safe hunting practices.
- TFN conducted 52 land-based hunter patrols and made compliance checks on hunters in regard to the Discharge of Firearms Regulation and the Hunting Regulation.
- TFN held seven Natural Resources Advisory Committee meetings.
- TFN informed Members through 38 Natural Resources Updates published in the TFN Community Notice.
- BC Parks Conservation Officer Service partners with TFN's enforcement officers for inspections of migratory bird hunters, as well as anglers on the Fraser River. The Conservation Officer Service conducted four migratory bird patrols.

- TFN held eight Natural Resources Advisory Committee meetings.
- Sixteen Tsawwassen Members took a firearms PAL (Possession Acquisition Licence) workshop and passed the course.
- A fence was built to protect medicinal plants on a portion of Tsawwassen Lands.
- BC Parks Conservation Officer Service partnered with TFN's officers and conducted six migratory bird patrols and one angling patrol.

NATIONAL PARKS

Parks Canada and TFN concluded negotiations on an agreement for cooperation in the planning and management of the Gulf Islands National Park Reserve (GINPR). Once signed, the agreement will take the place of consultation contemplated by Chapter 12, Clause 34 of the Treaty. The Parties produced a draft during the reporting periods.

2016-2017 >

- TFN met with Parks Canada to discuss this file. Engagement continued throughout the reporting period.

PROVINCIAL PARKS

The Treaty ensures Tsawwassen Members the right to gather plants for food, social, or ceremonial purposes in areas set out in Appendix M-2, according to an approved gathering plan issued by British Columbia. The Treaty stipulates that any gathering plan that includes provincial Crown land within Burns Bog be consistent with the Burns Bog Management Agreement. The Treaty also provides for the right of Tsawwassen Members to gather plants in Pinecone Burke Provincial Park and Golden Ears Provincial Park in accordance with approved gathering plans, on which British Columbia and TFN collaborate.

Government Services

The self-government provisions of the Treaty have transformed how Tsawwassen First Nation is governed. A Strategic Plan, and annual service plans and reports, help guide the evolution and management of Tsawwassen self-government. Under the Treaty, Tsawwassen First Nation has designed a government that ensures democracy, transparency, and accountability to Tsawwassen Members, and protections for Non-Members living on Tsawwassen Lands. Tsawwassen First Nation has the following governing bodies.

Tsawwassen Legislature: 13 elected Tsawwassen Members plus an elected Chief. The Legislature discusses and makes laws, and approves an annual budget. During the reporting periods, the Legislature passed the following legislation:

2015-2016 >

- *Dual Roles Amendment Act;*
- *2016-2017 Appropriations Act.*

2016-2017 >

- *Trusts Act;*
- *2017-2018 Appropriations Act;*
- *Goods and Services Tax Act.*

A new Tsawwassen Legislature was elected in a general election held on April 6, 2016. This is the fourth Legislature since TFN's *Constitution and Government Organization Act* came into effect in 2009.

Updated on a regular basis, a full list of Tsawwassen laws and regulations is available to the public on TFN's website, www.tsawwassenfirstnation.com.

Executive Council: the Chief and the four Tsawwassen Members elected to the Tsawwassen Legislature with the highest number of votes. The Executive Council establishes policy and strategic direction. Summaries of Executive Council decisions can be found in the quarterly issues of Council's Corner and the TFN Annual Report to Members.

Advisory Council: established under the Tsawwassen Constitution, this council has seven Tsawwassen Members elected by all Tsawwassen Members present at the Annual General Meeting. The Advisory Council ensures that proposed laws, regulations, and other actions of government are considered by the Tsawwassen Membership before being passed or approved by the Legislature.

Judicial Council: a mix of Tsawwassen Members and Non-Members with significant legal and judicial experience. The Judicial Council hears challenges to Tsawwassen laws, resolves disputes between Members and elected officials, makes recommendations on sentencing of Members where requested by the courts, and performs other duties assigned by Executive Council.

Consultation Committee: a group of Non-Member leaseholders on Tsawwassen Lands. The committee is established by the Executive Council to consult on issues that significantly and directly affect leaseholder interests, such as regulatory structures and economic development plans.

Property Tax Authority: a committee of Executive Council Members and Non-Member ratepayers, responsible for approving tax rates and expenditures in respect of residential property taxes.

POLICY, GOVERNMENT SERVICES, & INTERGOVERNMENTAL AFFAIRS

The Treaty revolutionized the structure of Tsawwassen Government. New governing bodies were created under the Tsawwassen Constitution. Instead of operating under the *Indian Act*, TFN rearranged its financial structure to ensure accountability to Tsawwassen Members for revenue and spending decisions made by the elected Tsawwassen Government. New governance functions were created to ensure Tsawwassen Government applies treaty provisions and meets its obligations, and to support the day-to-day operations of Tsawwassen Government, liaise with other levels of government and First Nations organizations, and keep Tsawwassen Members and the general public informed about Tsawwassen Government activities.

In addition to the treaty activities previously noted, during the reporting periods Tsawwassen Government:

- consulted Members on a number of implementation issues and regulatory and policy changes;
- held two Annual General Meetings;

- reviewed committee and board agendas for Metro Vancouver and Translink, providing comments and policy advice;
- delivered the TFN Annual Report to Members for 2015-2016 and 2016-2017;
- engaged in the collaborative fiscal policy development process with Canada, which included discussions about enhanced access to tax revenues;
- contributed to Canada's review of environmental and regulatory processes;
- conducted policy research and analysis to support strategic decision-making by Tsawwassen Government institutions;
- participated in negotiations to enable Treaty First Nation access to pooled borrowing under the *First Nations Fiscal Management Act*;
- developed the policy intentions of Tsawwassen Government legislative and regulatory initiatives, and coordinated the required legal drafting.

TFN works to ensure that all TFN records are managed in accordance with Tsawwassen Law and support TFN's obligations under British Columbia's *Freedom of Information and Protection of Privacy Act*.

ENFORCEMENT OF TFN LAWS & REGULATIONS

Under the Treaty, TFN has the power to provide for the enforcement of TFN laws and regulations. During the reporting periods, TFN undertook the following activities.

2015-2016 >

- TFN's Advisory Council discussed enforcement issues and published enforcement information in the TFN Community Notice.
- TFN delivered six trespass letters to individuals as part of its Community Safety Strategy implementation.

2016-2017 >

- TFN and British Columbia's Ministry of Attorney General held discussions regarding the implementation of prosecution-related treaty provisions. TFN is seeking to prosecute in the Provincial Court "offence tickets" issued by TFN enforcement officers on Tsawwassen Lands. These

offence tickets are issued under Tsawwassen Laws, similar to prosecutions of "violation tickets" issued by enforcement officers under the provincial *Offence Act*.

- TFN worked with regional authorities to conduct two commercial vehicle truck safety inspections on Salish Sea Drive. In addition, 15 Level 1 inspections were conducted and two Level 2 inspections were conducted. These inspections involved two Delta Police personnel, one New Westminster Police personnel, two Commercial Vehicle Inspectors, four Vancouver Police Department personnel, and one TFN officer. Four vehicles were towed and one trespass letter was delivered.

RISK MANAGEMENT

In order to minimize strategic risk, TFN works to ensure that appropriate due diligence is undertaken in advance of making decisions—especially decisions involving land development. Strong legal and research analysis on major decisions is a general aspect of this category of risk management. TFN tracks, plans for, and manages risk in the following areas of governance: Strategic, Investment and Borrowing, Legislative and Regulatory, Operational, and Reputation.

2015-2016 >

During the reporting period, TFN:

- continued to protect its interests in development lease and sublease negotiations with industrial development tenants;
- worked effectively with consultants to provide advice on non-regulatory land use and engineering components of development projects;
- worked with legal counsel to reduce exposure for TFN;
- closed a lease with Chevron Canada and worked toward closing a lease with the Vancouver Fraser Port Authority.[^]

2016-2017 >

- TFN continued to work toward the successful approval of eight hectares of new leased industrial land as well as the successful closing of the Great-West Life lease.[^]

[^]See pg. 30 for project description.

COMMUNICATION & CONSULTATION

TFN develops and delivers timely government and community information that reaches Members and the wider world using both traditional and electronic media. Annual Service Plans and Annual Reports are mailed out to each Member on a timely basis. Tsawwassen Members also host and speak with other First Nations, governments, and interested groups to share TFN's treaty and implementation experiences.

2015-2016 >

During the reporting period, TFN:

- published and distributed the weekly TFN Community Notice to Members both on and off Tsawwassen Lands;
- held two information sessions with Tsawwassen Members regarding a proposed LNG Project on Tsawwassen Lands;
- provided information to Members through social media, including Facebook and Twitter;
- engaged with members of the Lheidli Teneh First Nation to share TFN's experience with treaty implementation;
- supported Member consultations on the *Land Act* vote;
- hosted well-attended and well-received events for Members (including Treaty Day, Program and Services Fair, Annual General Meeting, Members' Gathering, Citizenship Award Ceremony, and Christmas Dinner).

2016-2017 >

During the reporting period, TFN:

- created and staffed a Communications Coordinator position;
- redesigned the TFN Community Notice and took steps to address distribution issues;
- published and distributed 43 editions of the TFN Community Notice;
- provided information to Members through its website and social media, including Facebook and Twitter;
- hosted well-attended and well-received events for Members (including Treaty Day, Annual General Meeting, Members' Gathering, and Christmas Dinner).





Community Services

The Treaty enables Tsawwassen Government to assume responsibility for delivering agreed-upon government programs and services previously provided by Canada or British Columbia. At the same time, Tsawwassen First Nation remains eligible for government programs and services for which it has not assumed responsibility through the Fiscal Financing Agreement (FFA). Tsawwassen Members, the Tsawwassen Government, or Tsawwassen Public Institutions on behalf of Tsawwassen Members may apply for funding from such programs, subject to program eligibility criteria. In some instances, TFN has broadened programs or eligibility beyond the basic requirements in the FFA.

HEALTH & SOCIAL SERVICES

TFN's Health and Social Services Department, with the assistance of British Columbia through the Fraser Health Authority, works to support the health and well-being of Tsawwassen Members. In pursuit of this goal, the department delivers the following programs and services:

- Community Health Program (offering prenatal, drug, and alcohol counselling);
- Adult Care Program (assisting Members with functional limitations to maintain their independence);
- Home Care Services (providing nursing and in-home care attendants);
- Elders Program (providing social and recreational activities).

To help strengthen and support Tsawwassen families, TFN provides the Family Empowerment program, which offers:

- counselling services to families, with a goal of reducing the number of contacts between British Columbia's Ministry of Children and Family Development and Tsawwassen children;
- drug and alcohol prevention services, one-to-one parenting mentoring services, group activities for youth, and family violence prevention services;

- Aboriginal Family Resources on the Go (AFROG), a mobile family services program funded by British Columbia (\$135,431 in 2015-2016 and \$138,215 in 2016-2017);
- the Family Support program, which provides assistance to children who are in care of the provincial government and their families.

TFN provides social assistance to Tsawwassen Members and Aboriginal people living on Tsawwassen Lands. On the Effective Date, the provision of service by TFN to non-Aboriginals ceased. Non-Aboriginals living on Tsawwassen Lands now access social assistance from provincial offices.

Social assistance program components cover basic needs, guardian financial assistance, shelter, and National Child Benefit reinvestment. Funding for social assistance is provided through the federal block funding negotiated under the Treaty. The new funding model and the transfer of jurisdiction from Canada to TFN provide increased flexibility in the use of this funding. At the provincial level, British Columbia's Ministry of Social Development and Social Innovation staff have built a positive relationship with TFN's Health and Social Services Department, and provide TFN with updates on provincial policy.

The TFN Health and Social Services Department is also responsible for the Cultural Purposes Fund. This fund is used to advance the Hun'qum'num language, Tsawwassen history, traditions, symbols, storytelling, song, and dance, and to help Members engage in other practices of Tsawwassen culture.

2015-2016 >

During the reporting period, TFN's Health and Social Services Department:

- supported 62 clients through the Family Empowerment Program;
- achieved a 20 per cent increase in participation of its Elders Program;
- worked towards identifying and collecting baseline information on the concept of wellness (taking into consideration both Western and traditional concepts);
- provided in-home nursing services, foot care, and personal care aides to eligible Members;
- brought a mobile eye clinic to Tsawwassen Lands;
- began development of a client satisfaction survey in support of improving counselling and treatment services;

- assisted counsellors with engaging community members and their families, organizing meetings, and reporting to funders through the Community Action Initiative Project;
- coordinated traditional and community healing services at health fairs on Tsawwassen Lands;
- referred eight Members to residential alcohol and drug treatment programs;
- developed protocols for responding to crises and critical incidents;
- provided funds in support of an International Women's Day event organized by Members;
- collaborated with Fraser Health to bring a Nurse Practitioner clinic to Tsawwassen Lands and hired a qualified medical office assistant to ensure all requirements for the Nurse Practitioner clinic are met;
- continued working toward the creation of a "healing house" for addiction recovery on Tsawwassen Lands;
- supported clients in accessing employment opportunities through the Employment and Training Coordinator and job fairs, and by providing bus tickets for Members to attend job interviews.

2016-2017 >

During the reporting period, TFN's Health and Social Services Department:

- worked to ensure that all Members have quick access to a health care provider (139 Members connected to a primary care physician);
- hired a new Nurse Practitioner (administered / managed by Fraser Health) to provide service at the primary care clinic on Tsawwassen Lands to Tsawwassen Members, with the intention of expanding to other community members living in the area;
- moved toward a "mental wellness" delivery model, employing multiple counsellors with a variety of specialties, and worked with Delta Mental Health toward delivery of mental health services directly on Tsawwassen Lands;
- held hearing, mammography, and diabetes clinics on Tsawwassen Lands;
- conducted 2,144 home visits on Tsawwassen Lands;
- conducted workshops on Sexual Education, Sexting / Texting, Substance Use, and Gangs;

- held two health fairs to provide opportunities for community members to connect with health providers and learn about services available off Tsawwassen Lands;
- developed workshops to increase awareness and prepare families to address the unhealed trauma stemming from the intergenerational effects of Residential Schools;
- provided income assistance to those who are long-term unemployed or face multiple barriers to employment;
- provided one-on-one and family support services to clients;
- served elders by providing intergenerational lunches, one-on-one programming, and outings;
- supported Members in the justice system accessing and completing diversion programs (which result in fewer prosecutions in the court system), coordinated access to resources, and created support plans for Members to succeed with probation terms;
- continued to develop a comprehensive social housing policy that incorporates Member input and identifies best practices.

WORKING TOGETHER TO IMPROVE HEALTH CARE DELIVERY

During the reporting periods, TFN, Fraser Health Authority, and Delta Hospital worked together to build and strengthen positive relationships between Tsawwassen Members and health care providers. In collaboration with Fraser Health, TFN provided cultural support in Delta Hospital and worked with the hospital to establish an Aboriginal Advisory Committee to continue to develop a culturally safe environment for Aboriginal people.

Fraser Health also continued to develop culturally relevant and appropriate Mental Health and Substance Use Services to Tsawwassen First Nation. Set to begin in October 2017, these new services will include an Aboriginal mental health clinician and psychiatrist providing outreach services to Tsawwassen Members. This will be in addition to the current service level, which includes:

- Aboriginal Health Nurse Practitioner services;
- Integrated Health Team meetings at TFN;
- Aboriginal Mental Health Liaison;
- Aboriginal Nurse Liaison.

Fraser Heath facilitated the creation of the Tsawwassen Integrated Health Team (comprised of TFN, British Columbia's Ministry of Children and Family Development, and other service providers). The Tsawwassen Integrated Health Team meets quarterly with the goal of building relationships with service providers in the Delta area, identifying community needs, and working on collaborative initiatives to support Tsawwassen Members.

These initiatives are grounded in a commitment to the "Declaration of Commitment to Advance Cultural Safety and Cultural Humility within Health Services," signed by British Columbia, British Columbia's health authorities, and the First Nations Health Authority: <http://www.fnha.ca/wellness/cultural-humility>.

SOCIAL HOUSING

TFN maintains and operates a Social Housing Program on Tsawwassen Lands that provides low-cost housing, rent-to-own, and rental housing options to Members. The goal of the program is to manage 20 TFN-owned social housing units and to ensure that these homes are safe and comfortable places in which to live.

2015-2016 >

During the reporting period, TFN's Social Housing Program:

- continued to operate the Housing Committee and worked towards the development of a Tenants' Council;
- delivered a tenant program that assists tenants in better maintaining their home;
- coordinated the "Gimme Shelter" Program to assist first-time home buyers and renters (14 Members participated).

2016-2017 >

- TFN's Social Housing Program continued to develop a comprehensive social housing policy that incorporates Member input and best practices.

CHILD & FAMILY SERVICES

On the Effective Date, Tsawwassen Government passed the *Tsawwassen Child and Families Act*, which delegates all protective duties regarding children and families to British Columbia. TFN and British Columbia work together to:

- provide supported visitation for children in care with their families;
- expose children in care to TFN language and culture;
- provide advocacy and representation at apprehensions and court hearings.

2015-2016 >

- British Columbia notified TFN of proposed amendments to the *Child, Family and Community Service Act*.

2016-2017 >

- British Columbia notified TFN of proposed amendments to the *Adoption Act*. The amendments would clarify that the Director of Adoption or Administrator of an Adoption Agency is the sole personal guardian, and the Public Guardian and Trustee is the sole property guardian, of a child relinquished for adoption. The amendments also confirmed that the Director of Adoption, birth parents, and others may place a child for adoption outside British Columbia so that children can be connected to their families no matter where they reside. TFN indicated that it would review the expanded geographic scope of the Act and the possible effect on TFN's law-making authority, but had no other concerns with the proposed amendments.

EDUCATION & SKILLS DEVELOPMENT

TFN works to create positive and inclusive learning environments for TFN Member students in primary and secondary programs, and to encourage high school graduates to pursue post-secondary education. Through its Education and Skills Development Department, TFN delivers the following programs and services:

- quality childcare, free of charge, through Smuyuq'wa' Lelum Early HeadStart (outreach services to parents with children aged 0-6);
- Childhood Development Centre (infant/toddler program, preschool, and group daycare program);
- support programs for K-12 education;
- administration of a Local Education Agreement for the delivery of K-12 education by Delta School District;
- post-secondary funding for Tsawwassen Members;

- Youth Services Program (offering activities that encourage sportsmanship and teamwork, computer access for educational purposes, fieldtrips, introduction to employment experience, on-the-job training, and counselling).

2015-2016 >

During the reporting period, TFN's Education and Skills Development Department:

- coordinated monthly meetings of the Parents Education Advisory Committee;
- provided instructional support funding for 110 students;
- provided tuition for 43 students in the Delta School District;
- provided Youth Grants to 37 students;
- organized and held a graduation ceremony for four students;
- approved 12 post-secondary funding applications;
- served 22 children and youth in the Youth Services Program.

2016-2017 >

During the reporting period, TFN's Education and Skills Development Department:

- coordinated eight Parents Meetings;
- provided tuition for 40.75 (.75 indicates part-time) students in the Delta School District;
- created an Action Plan with Delta School District to identify outcomes and strategies;
- provided instructional support funding for 103 students;
- processed and provided Youth Grants to 42 students;
- organized and held a graduation ceremony for 24 students (five pre-school, four Grade 7, eight Grade 12, and seven Post-Secondary);
- organized one mailing of post-secondary education funding applications to Members;
- processed and approved funding for nine full-time students and three part-time students;

- reviewed Delta School District (DSD) assessments (conducted every three years) with parents who opted into the process;
- collaborated with the Centre for Child Development on supplementing DSD assessments and supporting parents in implementing action to improve outcomes.

LANGUAGE & CULTURE

TFN offers cultural programming to encourage use of the Hun'qum'i'num language, cultural transfer opportunities, and traditional knowledge sharing. In addition, a Standing Committee on Language and Culture encourages, monitors, and supports Tsawwassen Government's efforts to make its systems culturally relevant.

2015-2016 >

During the reporting period, TFN:

- held ten cultural workshops and delivered weekly Hun'qum'i'num language classes, as well as drumming classes and Cultural Club;
- delivered a Language Preschool that incorporated Hun'qum'i'num into various activities, including singing, reading, dancing, making art, and playing outside;
- facilitated cedar weaving workshops and a wool weaving course;
- organized a berry picking trip as well as a cedar stripping trip to the Katzie First Nation;
- collaborated with the Natural Resources Department to arrange feather preparation workshops using feathers from two eagles;
- helped organize and deliver the annual First Fish Ceremony;
- attended and participated in the Ladner May Days parade and the annual Canoe Journey;
- held a Naming Ceremony;
- received and approved Cultural Grants for 16 Members;
- held Longhouse Committee meetings at least once per month.

2016-2017 >

During the reporting period, TFN:

- delivered weekly Hun'qum'i'num language classes;
- provided Cultural Grants to 17 Members;
- produced 32 letter-of-the-day recordings in the Hun'qum'i'num language;
- collected and edited 200 cultural recordings.

Public Works

Upon achieving self-government, TFN chose to adopt local government processes similar to a municipal government. These functions include land use planning, public works and infrastructure, environmental management, and economic development.

TFN's Public Works, Water and Sewer, and Facilities Department is responsible for ensuring the community is a safe, clean, and hospitable place to live, and that it has appropriate and reliable infrastructure in place.

2015-2016 >

During the reporting period, TFN's Public Works, Water and Sewer, and Facilities Department:

- opened and began operating the new sewage treatment plant;
- updated the application process for soil permits;
- followed regular maintenance schedule for existing roads and made adjustments to the schedule as new roads were constructed;
- installed speed limit signs and LED street lights on Tsawwassen Drive, and undertook road, sign, and streetlight maintenance;
- achieved same-day response to one minor snow event;
- ensured the Sports Field contractor conducted regular maintenance;
- conducted regular maintenance on the Falcon Way playground;
- maintained the Haul Road;
- performed regular maintenance on, and retained a contractor to clear the Eagle Way ditch;

- successfully implemented a water metering program (42 meters were installed in Tsawwassen Shores 1A), conducted bi-weekly water testing, and annual inspection and maintenance of fire hydrants;
- maintained existing pumps, began the Brandwidth pump station capital project upgrade, and began construction on the industrial pump station;
- provided reliable garbage, recycling, and organics collection services to residents on Tsawwassen Lands and received first annual waste diversion report, which TFN will use to assess future waste diversion goals.

2016-2017 >

During the reporting period, TFN's Public Works, Water and Sewer, and Facilities Department:

- completed Phase 1 of the Community Facilities Plan and continued work on Phase 2;
- completed two inspections of English Bluffs in order to minimize impacts to slope stability;
- worked to develop a maintenance schedule to ensure a consistent aesthetic on public boulevards;
- undertook road, sign, and streetlight maintenance;
- installed seven new traffic signals;
- signed a two-year maintenance contract for the Sports Field;
- installed a new lift station and decommissioned the old lift station as part of its new sewage treatment plant;
- issued three soil permits;
- maintained the Haul Road;
- maintained drainage pumps;
- installed and monitored 42 water meters in Tsawwassen Shores 1A and installed 29 new water meters in Tsawwassen Shores Phase 2;
- received approval from British Columbia for the installation of a Delta Cable tie-in within the Tsawwassen Sea Dike Right of Way;
- received approval from British Columbia to install a 100 mm diameter BC Hydro conduit across the Tsawwassen Sea Dike as part of the TFN Industrial Lands Drainage Pump Station construction project.

INFRASTRUCTURE

TFN has identified the need for significant infrastructure upgrades in order to service economic growth and achieve self-sufficiency. TFN's infrastructure needs include the provision of road, water, and sewer services sufficient to accommodate a growing, thriving community. TFN works to keep British Columbia and Canada informed about the infrastructure required to service both the industrial and commercial development projects.

British Columbia is supportive of the TFN Commercial Lands Development Project, and Ministry of Transportation and Infrastructure staff continue to work with TFN and the developer as the project progresses.

2015-2016 >

- British Columbia approved TFN's application for the removal and installation of BC Hydro poles and associated work along the Tsawwassen Sea Dike.

2016-2017 >

- TFN received \$1.7 million from Canada for the TFN Industrial Lands Drainage Pump Station.

TFN ECONOMIC DEVELOPMENT CORPORATION

TFN Economic Development Corporation (TEDC) is wholly owned by Tsawwassen First Nation and plays a leadership role in the creation of a sustainable economy for TFN by providing jobs, business opportunities, and revenues to TFN, and by contributing to an enhanced quality of life for Tsawwassen Members. During the reporting periods, TEDC undertook the following activities.

2015-2016 >

- The Cardlock Facility (Chevron) opened. The 0.60-hectare site is on a 25-year lease that includes a \$50,000 training fund.
- Construction began on the Logistics Facility (Great-West Life). The 23-hectare site, on a 60-year lease, includes 130,000 square metre total warehouse facility. Matcon and Wales McLelland Joint Ventures were contracted to fill the site and construct the Phase 1 warehouse.

- Construction began on the Transload Facility (EuroAsia), a 9.5-hectare site on a 60-year lease. Matcon and Wales McLelland Joint Ventures were contracted to fill the site and construct the transloading warehouse.
- Construction began on the Container Examination Facility, a 4.6-hectare site on a 60-year lease. The facility will house a Vancouver Fraser Port Authority and Canada Border Services Agency inspection facility for containers arriving at Deltaport terminal.
- Tsawwassen Members voted 79 per cent in favour of TFN leasing the Phase 2 Industrial Lands (81 hectares) for up to 60 years provided there is additional consultation with Members once the details of the individual leases have been further developed.
- Tsawwassen Members voted 53 per cent against approving further consideration of a proposed LNG Project on Tsawwassen Lands.
- TFN was one of five communities to receive British Columbia's Open for Business Award at the annual Union of British Columbia Municipalities Convention. The award included \$10,000 that will be invested in TEDC's Small Business Program's training workshops.
- TEDC hosted its third Career and Business Opportunities Fair during the Annual Members Gathering where more than 70 Tsawwassen Members attended and had the opportunity to gather information on jobs, training, and business opportunities from the 18 organization participants.
- TEDC hosted a Community Information Meeting about Tsawwassen Mills and Tsawwassen Commons. Members were introduced to the jobs, training, and retail opportunities associated with British Columbia's new signature shopping centres.
- TEDC's joint ventures with Matcon Civil, Wales McLelland, and GardaWorld generated close to \$1.7 million in revenues for TFN – more than double the forecasted revenue.
- TEDC established a Work Experience Program for TFN youth. Working with its joint venture partners, TEDC offered paid work experience, training, and mentoring opportunities for TFN Member Youth enrolled in high school.
- For the third consecutive year, TEDC's annual operations were funded by joint venture revenues.

2016-2017 >

- Construction continued on the Logistics Facility (Great-West Life), the Transload Facility (EuroAsia), and the Container Examination Facility.
- TEDC contracted TFN Member-owned businesses to complete \$661,322 of work.
- TEDC hired TFN Members to complete 9,395 hours of work (resulting in \$234,875 of paid wages).
- Three candidates participated in TEDC's Small Business Program and \$20,397 in grants were distributed to participants. A Chair of the Retail Liaison Committee position was established to promote the employment and entrepreneurship of TFN Members in the Tsawwassen Mills and Tsawwassen Commons retail operations.
- TEDC generated \$1,583,296 for Tsawwassen Government.
- With approval from the Tsawwassen Legislature, TFN initiated a review to evaluate alternative economic development opportunities and the suitability of current governance structures to meet TFN's long-term interests. TFN approved changes to the board and management structure of TEDC to allow for more direct involvement of TFN's elected leaders in re-evaluating TFN's long-term economic development goals, and actively managing the strategic and operational initiatives designed to achieve these goals. This change involved replacing the TEDC Board of Directors with an interim board comprised of TFN's Chief, chief administrative officer, director of finance, and accountant. The interim board serves to ensure there is no impact on TEDC's day-to-day operations during this transitional period.

For more information, visit www.tfnedc.com.

Finance

Through the Tsawwassen First Nation Final Agreement, Canada, British Columbia, and Tsawwassen First Nation have established an ongoing government-to-government relationship. The Parties report that Tsawwassen Government was managed in a financially responsible manner during its seventh and eighth years of post-treaty operation.

FINANCE & ADMINISTRATION

TFN's Finance Department provides the following services:

- budgeting (annual and three-year budgets) in connection with other departments and the Finance and Audit Committee;
- annual audit of TFN financial statements;
- accounts payable and payroll;
- contract administration;
- collection of revenues;
- tax administration;
- maintenance and enforcement of the *Financial Administration Act* and regulations, financial policy, and procedures;
- ensuring TFN's staff are supported with technology, meeting and office space, reception support, and other office requirements necessary for an efficient administration.

During the reporting periods, TFN managed the nation's financial accounts in accordance with its legal standards and obligations, and achieved an unqualified audit for both fiscal years. All legal standards and obligations were met. The Finance and Audit Committee met quarterly to ensure that operations maintained alignment with budgets.

CAPITAL TRANSFER & FISCAL RELATIONS

Canada and TFN are obliged to make various one-time and ongoing scheduled payments to each other as Treaty settlement costs. These include a capital transfer from Canada to TFN, and negotiation loan repayments from TFN to Canada. The Treaty provides for TFN a capital transfer of \$13.9 million, less

outstanding loans of \$5.6 million taken to negotiate the Treaty. The capital transfer and negotiation loan repayments are paid in ten annual installments that started on the Effective Date. During the reporting periods, the seventh and eighth installments of both the capital transfer payments and negotiation loan repayments were paid on time.

FISCAL FINANCING AGREEMENT

The Treaty requires the Parties to negotiate, and attempt to reach agreement on, a Fiscal Financing Agreement (FFA) describing the financial relationship among the Parties. The FFA sets out funding amounts from Canada and British Columbia to TFN for supporting agreed-upon government programs and services, and for supporting Treaty implementation activities.

During the reporting periods, Canada contributed approximately \$3.2 million annually for federally-supported government programs and services including education, social development, health, and physical works. The payment is made annually on April 1, and is approximately the same level of funding as provided to TFN pre-treaty under the *Indian Act*. However, post-treaty, TFN has budgetary discretion on how to spend the funds, and reporting requirements to Canada have been reduced to a minimum. TFN provides statistical information to ensure there are no data gaps in the records of federal and provincial agencies that generally administer government programs and services outside of Tsawwassen Lands. In addition, TFN is accountable to its Members and produces comprehensive annual financial reports.

Under the FFA, British Columbia pays \$100,000 annually for the provision of a Local Government Programs and Services Liaison Officer. All federal and provincial transfers were completed on time.

2015-2016 >

- The original FFA expired on March 31, 2015, and the Parties continued working collaboratively on renegotiations. The original FFA entered a two-year extension period, set to expire on March 31, 2017.

2016-2017 >

- Due to the introduction of Canada's collaborative fiscal policy development process, TFN postponed renegotiations on the FFA in order to assess the outcome of the process. As a result, the original FFA has entered into a second two-year extension period set to expire on March 31, 2019, with all Parties in agreement.

2015-2016 >

On the Effective Date, the Parties entered into a 20-year Own Source Revenue Agreement (OSRA), which calculates the amount by which Canada reduces its contribution for the agreed-upon programs and services in the FFA in favour of TFN revenues. As part of the transition to self-government, Canada and British Columbia agreed that TFN's contribution for the first five years would be zero, after which contributions would increase over a defined period. The contribution level following the first five years is being considered by the Parties.

- British Columbia consulted with TFN and other Treaty First Nations on the development of an Order-in-Council which authorizes BC Hydro to pay annual grants in lieu of property taxes to Treaty First Nations.
- British Columbia re-engaged with TFN and the other Treaty First Nations on work to facilitate access to borrowing for Taxing Treaty First Nations through the First Nations Finance Authority.

TAXATION

The Treaty provides for the Parties, either together or separately, to negotiate on Tsawwassen Government taxation powers. The Treaty stipulates that the Parties enter into a Tax Treatment Agreement, which sets out a number of technical tax treatment rules and is given force and effect under federal and provincial settlement legislation. On Effective Date, the Parties entered into a Tax Treatment Agreement for a term of at least 15 years. In April, 2014, the Parties concluded the Tsawwassen First Nation Tax Treatment Amendment Agreement.

Indian Act tax exemptions continued to be available for Tsawwassen Members through transitional measures in the Treaty. Transitional exemption measures with respect to transaction taxes expire on May 1, 2017, and transitional exemption measures with respect to all other taxes expire on January 1, 2022.

Tsawwassen Government collects property taxes from taxable occupiers on Tsawwassen Lands. These taxes go towards the provision of local government services, including policing, fire protection services, dike maintenance, and animal control. During the reporting periods, when Members were exempt from property taxation, Tsawwassen property tax rates for taxable occupiers were tied to Delta's rates.

2016-2017 >

- Canada and TFN signed a Tax Administration Agreement, and TFN enacted a First Nations Goods and Services Tax on Tsawwassen Lands.
- British Columbia continued to work with TFN and the other Treaty First Nations to facilitate access to borrowing for Taxing Treaty First Nations through the First Nations Finance Authority.
- British Columbia commenced negotiations with TFN on a Provincial Sales Tax Revenue-Sharing Agreement.

Property Tax Authority

A body established under the *Tsawwassen First Nation Property Taxation Act*, TFN's Property Tax Authority is comprised of members of Executive Council and Non-Member ratepayers, and is responsible for approving the tax rates and expenditures in respect of residential property taxation in every tax year. It is also responsible for approving residential exemptions and grants.

During the reporting periods, TFN's Property Tax Authority met as required by legislation, and reviewed and approved the mill rates for both fiscal years.

Tsawwassen First Nation Audit Information

For the Years Ended March 31, 2016,
and March 31, 2017

OPERATIONAL BUDGETS

Each year, the Tsawwassen Legislature provides each of the individual departments of Tsawwassen Government with the authority to spend resources on approved programs and services. During the reporting periods (April 1, 2015 – March 31, 2016, and April 1, 2016 – March 31, 2017), Tsawwassen staff were successful in managing the delivery of programs and services within their approved budgets. The *Tsawwassen Financial Administration Act* authorizes Executive Council to amend an appropriation, provided that the amendments are reported to the Tsawwassen Legislature at its next session, subject to remedies, if any, established by the Legislature at that time.

CAPITAL BUDGETS

During the reporting periods, there were a number of significant capital projects under construction that added to TFN's capital asset base and provided much needed infrastructure. Many of the items were from the 2013-2018 Strategic Plan and others were steps towards the vision set out in TFN's Land Use Plan (2009). Other initiatives were based on offsite works to support development projects, including increased road, water, sewer, and drainage networks. Developers are required to pay all on- and off-site costs associated with the growth of the community. Projects not related to development remain TFN's financial responsibility.

When considering capital expenditures, TFN considers not only the immediate community benefit, but also that these expenditures are, in many cases, a necessary step towards achieving the community vision set out in the Land Use Plan. The Treaty provided TFN with an asset base, but for a variety of reasons, that base lacked the necessary physical infrastructure to support both Member-driven and TFN-driven development.

2015-2016 >

The following projects either began or were underway during the reporting period:

- planning initiatives (Community Neighbourhood Plan);
- community facilities construction or upgrades (Sports Field);
- completion of TFN's new wastewater treatment plant and various sanitary collection system elements;
- water upgrades (connection to the Greater Vancouver Water District watermain and various distribution watermains);
- transportation improvements (52nd Street, lighting on Tsawwassen Drive North, widening of Highway 17, construction of an entry road at Salish Sea Drive, improvements to Salish Sea Drive North, Salish Sea Way, and the Deltaport 41B connection);
- drainage upgrades (Brandrith Drainage Pump Station upgrades, TFN Industrial Lands pump station, development culvert upgrades).

2016-2017 >

The following projects either began or were underway during the reporting period:

- planning initiatives (Community Neighbourhood Plan, Community Facilities Plan);
- community amenity facilities construction or upgrades (Boardwalk, Sports Field, Longhouse renovation, upgrade of the River Road dock);
- new Public Works yard beside the former sewage treatment plant;
- transportation improvements (Salish Sea Drive North, Salish Sea Drive West, 27B Avenue west);
- water upgrades (connection the Greater Vancouver Water District watermain);
- decommission and removal of the old sewage treatment plant.

Note: Full copies of the audited financial statements are published in TFN's annual reports, which are available on TFN's website, www.tsawwassenfirstnation.com.

