



TLA'AMIN NATION  
ANNUAL TREATY  
IMPLEMENTATION REPORT  
2017 | 2018



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The Tla'amin Final Agreement is a modern treaty completed under the British Columbia Treaty Commission Process. The governments of the Tla'amin Nation, Canada and British Columbia are partners in the Tla'amin Final Agreement (the Treaty), which came into effect on April 5, 2016, and comprises a land claim and self-government agreement.

This report includes a summary of the progress made from April 1, 2017 to March 31, 2018.

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Iona and Mario Paul's Traditional wedding, August 2018.

# MESSAGE FROM THE HEGUS



Clint Williams, Hegus (Chief)

It is with great pleasure that we provide you with the Treaty Implementation Report for 2017/2018. In this report we will highlight some of the challenges and successes from operating under our modern treaty, as well as the work that the Tripartite Implementation Committee has been carrying out.

From the Tla'amin Nation perspective, our new governance systems have been quite challenging, as this was a great change from operating under the Indian Act. At times it seems that we have been tougher on ourselves with the laws and regulations that we have replaced the old system with. However, as we continue to work with these new tools and the challenges that may develop we do have the authority to amend these laws and regulations internally as the Tla'amin Nation. These amendments will only happen with our people being made fully aware of any changes being proposed first.

Although there have been a few challenges during our first couple of years of self-government, there has been nothing that we have not been able to work our way through. We will continue to progress down a pathway to a more successful future for our people. There have been no regrets to leaving the Indian Act.

There is a need for us to continue searching for and exploring new business opportunities that will help serve our people by providing new jobs and also building a tax base to assist our government with establishing and maintaining valuable services for our people. We have access to incredible lands and resources that we need to take advantage of in a responsible manner, and we look forward to discussing some new opportunities with our people in the very near future.

In closing, I would like to share a special thank you to our staff for carrying out the great work that they do for our people throughout the year.

Emote – čɛčɛhatanapešt

A handwritten signature in black ink, appearing to read 'Clint Williams'. The signature is fluid and cursive.

Hegus Clint Williams



Photo Credit: Powell River Historical Museum and Archives

# THE TLA'AMIN TREATY

**April 5th, 2016** was a historic day for Tla'amin people, as it marked the Effective Date of the Tla'amin Treaty. On this date, the Sliammon Indian Band ceased to be and was replaced with the Tla'amin Nation, a self-governing treaty First Nation with certain rights and powers defined within the Tla'amin Final Agreement.

## TLA'AMIN FINAL AGREEMENT

The Tla'amin Treaty provides ownership and law-making authority over 8,300 hectares of land, comprised of more than 6,400 hectares of reclaimed Tla'amin traditional territory and over 1,900 hectares of former Indian Reserves.

The Treaty also provides for cash payments to support Tla'amin culture and language, salmon enhancement and stewardship, the acquisition of commercial fishing licenses, as well as:

- a capital transfer of about \$33.9 million paid over 10 years, less the outstanding negotiating loan;
- an Economic Development Fund of about \$7.9 million; and,
- about \$731,895 per year for 50 years through resource revenue sharing arrangements.

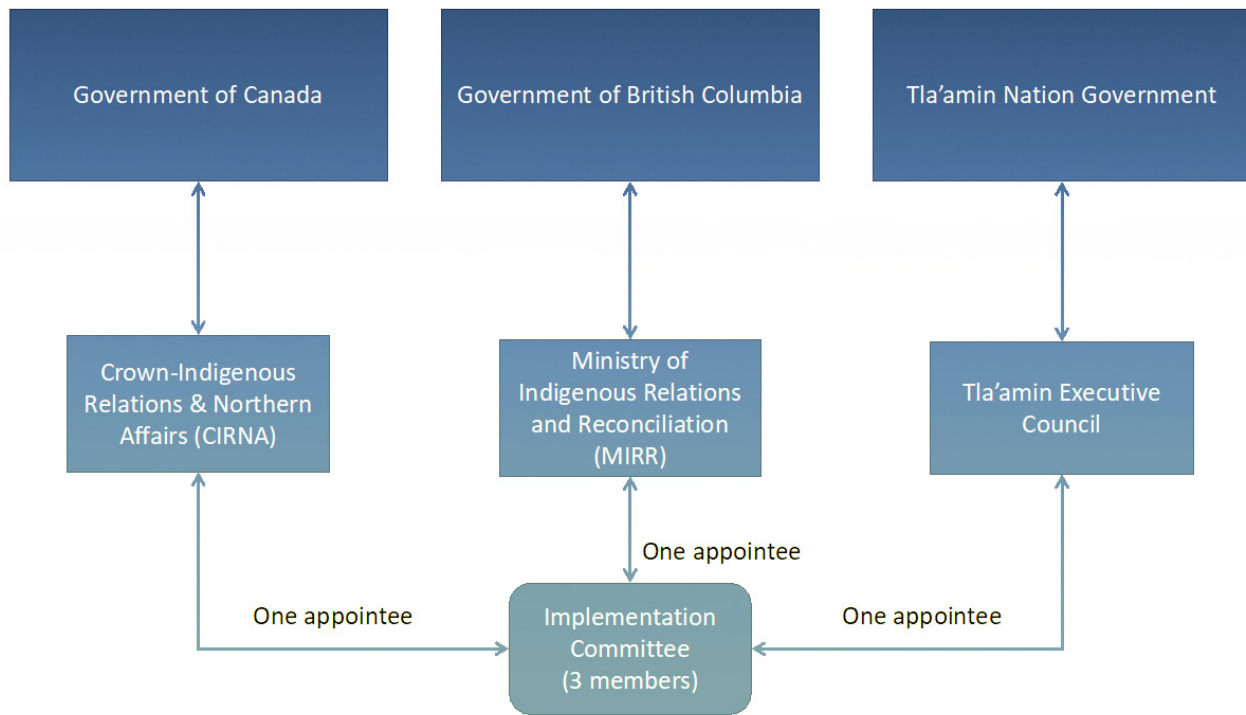


Midnight transition on Effective Date April 5th, 2016.



# IMPLEMENTATION COMMITTEE

The Treaty established an Implementation Committee on the Effective Date. The Implementation Committee is responsible for supporting the successful implementation of the treaty. The Implementation Committee consists of one appointee from each of the Tla'amin Nation, British Columbia and Canada.



The Treaty also requires the preparation of annual reports on the implementation of the Tla'amin treaty. This report has been created to satisfy that requirement.

## IMPLEMENTATION COMMITTEE PROCEDURES

The Tla'amin Final Agreement Implementation Committee strives to meet in person three times a year, and uses monthly teleconferences, as needed, for additional meetings.

If circumstances do not allow for in-person meetings, at least one of these meetings must be in person. Unless otherwise agreed, meetings are held in British Columbia in Vancouver, Victoria, or Tla'amin.

In the 2017-18 Reporting Period, the Tla'amin Implementation Committee met three times in person, and held five teleconferences.

In the 2017-18 Reporting Period, participation in the Implementation Committee meetings was led by the following Implementation Committee appointees:

### TLA'AMIN NATION:

John Hackett (Appointee)

### BRITISH COLUMBIA:

Nedinska Donaldson  
(Appointee)

### CANADA:

Dale Pegg (Appointee)



Treaty Celebrations April 9th, 2016.

## IMPLEMENTATION COMMITTEE TASK LIST

The table below lists a number of the action items for the Implementation Committee during 2017/18:

<b>Action Item</b>	<b>Complete?</b>
<i>BC will review Future Acquisition Lands process with Crown Land Sales project manager to update the existing process document.</i>	<i>complete</i>
<i>BC to develop large map of Future Acquisition Lands.</i>	<i>complete</i>
<i>All parties to review amendment chapter in relation to the land acquisition and reconvene to confirm interpretation of amendment chapter and any potential amendment requirements in the context of the addition of District Lot 4748 to Tla'amin Land.</i>	<i>complete</i>
<i>BC to organize another meeting with Tla'amin and the Archeology Branch to discuss Tla'amin's repatriation concerns.</i>	<i>ongoing</i>
<i>BC to follow up internally with FLNRO to get up to date on next steps for groundwater research in preparation for groundwater allocation negotiations with Tla'amin.</i>	<i>ongoing</i>
<i>Canada to follow up with the DFO to get an update and discuss what other options could be considered to mitigate the tourism shellfish issue at Okeover Park and Myrtle Rocks.</i>	<i>complete</i>
<i>BC will explore additional options for land protection measures as well as explore park access concerns at Okeover Park.</i>	<i>ongoing</i>
<i>BC to do a check-in with FLNRO and MIRR staff to ensure the draft Forest Revenue Sharing Agreement is ready for the approval process and to table with Tla'amin.</i>	<i>complete</i>
<i>Tla'amin to check in with legal counsel regarding drafting of the Dinner Rock recreation site maintenance agreement.</i>	<i>complete</i>
<i>BC to send formal letter to Tla'amin and Canada regarding ministry name change (MIRR) and new minister (Minister Fraser).</i>	<i>complete</i>
<i>All parties to provide their approval for the 2016-17 Tla'amin Annual Report, version 8 by December 12, 2017.</i>	<i>complete</i>
<i>Canada to send the 2016-17 Tla'amin Annual Report, version 8 to French translation.</i>	<i>complete</i>
<i>BC to propose a time in mid- to late January 2018 for a lands workshop with Tla'amin, to be held in Tla'amin.</i>	<i>complete</i>
<i>BC and Tla'amin to discuss the Timber Sales Agreement in more detail.</i>	<i>complete</i>
<i>Canada will ensure an invitation continues to be extended to the Tla'amin Nation for Canada's annual meeting between the Prime Minister and treaty and self-governing First Nations.</i>	<i>ongoing</i>
<i>Tla'amin to arrange printing and distribution of 2016-17 Annual Report.</i>	<i>complete</i>
<i>Canada to send mailing address to Tla'amin, as the 2016-17 Annual Report needs to be tabled in House of Commons.</i>	<i>complete</i>
<i>BC to contact Tla'amin Lands Department for update on BC Parks meeting regarding shellfish harvesting in Okeover Park.</i>	<i>complete</i>

# 2017-18 STRATEGIC PRIORITIES

During the period from April 1, 2017 to March 31, 2018, the Implementation Committee focused its attention on several priorities of strategic importance to all parties. These priorities included the following:

## TLA'AMIN FUTURE ACQUISITION LANDS

The Tla'amin Treaty provides for the Tla'amin Nation to purchase pre-identified parcels of Crown lands within a 10 year period starting from the Treaty Effective Date. The Implementation Committee finalized work starting in 2016 to map out a process for the transfer of Tla'amin Future Acquisition Lands.

## ADDITIONS TO TLA'AMIN LANDS: NON-CROWN LANDS SURROUNDED BY TLA'AMIN LANDS

The Tla'amin Treaty provides for the Tla'amin Nation to purchase pre-identified parcels of non-Crown land within a 10 year period starting from the Treaty Effective Date. The Implementation Committee finalized work started in 2016 to convert District Lot 4748 from fee simple land to Tla'amin Treaty Land.

The Implementation Committee also supported initial discussions related to the potential conversion of other Tla'amin owned fee-simple land to Treaty Land.

## WILDE ROAD REALIGNMENT

While Tla'amin Nation, BC, and Canada were working to survey the lands in preparation for them to become Treaty Lands, the parties identified that portions of Wilde Road, as built, did not match what had been surveyed before the road had been built. The Implementation Committee continued to support the implementation of a plan created in 2016 to realign portions of Wilde Road through Tla'amin Treaty Land.

## TLA'AMIN TREATY LAND SURVEYS

Under the Tla'amin Treaty, the Tla'amin Nation and British Columbia agreed to a Survey Protocol that would set out the priority and timing of the survey of the exterior boundaries of Tla'amin Treaty Lands. The Implementation Committee continued work to implement the Tla'amin Survey Protocol. Three survey projects were completed in 2017/18, and three more survey projects were initiated in 2017/18.

## TLA'AMIN ENFORCEMENT PROTOCOL

The Treaty provides for Canada, British Columbia and the Tla'amin Nation to develop agreements concerning enforcement activities in the Tla'amin Area. The Implementation Committee continued to support work toward the development and implementation of a tripartite enforcement protocol framework for the Tla'amin Area and supported the development of a funding agreement between British Columbia and Tla'amin Nation in support of Tla'amin's compliance and enforcement initiatives in the Tla'amin Area.

## GROUNDWATER

The Treaty provides for British Columbia and the Tla'amin Nation to develop an agreement on the volume of groundwater that may be extracted and used for domestic, agricultural and industrial purposes by the Tla'amin Nation on Tla'amin Lands. The Implementation Committee supported site visits and continued discussions between British Columbia and the Tla'amin Nation related to a groundwater allocation.

# ISSUES RESOLUTION

In addition to the strategic priorities listed above, the Implementation Committee also discussed and worked toward resolution of other pertinent issues related to treaty, including the following:

## **SHELLFISH HARVEST**

The Treaty provides for Tla'amin citizens to exercise their Treaty right to harvest shellfish in the Tla'amin fishing area, including Okeover Park and Myrtle Rocks. The Implementation Committee continued to support the development and implementation of actions to help address concerns of the Tla'amin Nation related to the harvest of oysters and clams on the foreshore of Okeover Park and Myrtle Rocks. These actions included conducting surveys of the shellfish populations as well as developing enhanced signage regarding shellfish harvesting at the foreshore of Okeover Park and Myrtle Rocks.

## **FOREST REVENUE SHARING AGREEMENT**

The Implementation Committee backed the development of a three-year Forest Revenue Sharing Agreement between British Columbia and Tla'amin Nation to support meaningful consultation with Tla'amin Nation on proposed forest resource development activities within the Tla'amin Nation Wildlife and Migratory Birds Harvest Area.

## **PROPERTY ASSESSMENTS AND TAXES**

The Implementation Committee supported preliminary discussions between Tla'amin Nation and the BC Assessment office regarding property taxation on Tla'amin Treaty Lands.

## **TIMBER VOLUME COMMITMENT**

As part of a pre-treaty offer to Tla'amin Nation, the Government of British Columbia committed to sharing resource revenue with Tla'amin through a timber volume revenue sharing agreement. The Implementation Committee supported efforts by British Columbia and Tla'amin Nation to revisit and fulfill this outstanding commitment.

## **EMPLOYMENT AND SOCIAL DEVELOPMENT CANADA (ESDC) - ABORIGINAL SKILLS AND EMPLOYMENT TRAINING STRATEGY (ASETS)**

At an early Implementation Committee meeting, Tla'amin expressed an interest in receiving information about funding available for job training through the federal government. On June 5, 2017 Implementation Branch facilitated a discussion between Tla'amin and ESDC to discuss the ASETS program and to explore whether Tla'amin would have an interest in having this funding included in their Fiscal Financing Agreement (FFA). To date, Tla'amin has received their ASETS funding through the North Vancouver Island Aboriginal Training Society (NVIATS). NVIATS staff also provide expertise to Tla'amin funding recipients on workplace skills development and training.

The 2018 federal budget replaced the ASETS program with the Indigenous Skills and Employment Training Strategy (ISETS) program. Program funding levels have increased and eligible services have broadened. Canada will continue to work with Tla'amin to determine the best option for this program.



Corrine Mitchell - Treaty Celebrations April 9th, 2016.



Youth Ambassador Carmen Galligos - Treaty Celebrations April 9th, 2016.



# 2018-19 STRATEGIC PRIORITIES

For the period from April 1, 2018 to March 31, 2019, the Implementation Committee has agreed to focus its attention on the following strategic priorities<sup>1</sup>:

## **TLA'AMIN GROUNDWATER ALLOCATION**

The Implementation Committee will continue to support bilateral work between British Columbia and the Tla'amin Nation on negotiation of a groundwater allocation.

## **THEODOSIA SHARED DECISION MAKING AGREEMENT**

The Implementation Committee will continue to support negotiation work toward a Theodosia Shared Decision Making Agreement between Tla'amin Nation and British Columbia.

## **TLA'AMIN FUTURE ACQUISITION LAND**

The Implementation Committee will continue to support work toward the acquisition and transfer of Tla'amin's Future Acquisition Land.

## **ADDITIONS TO TLA'AMIN LANDS: NON-CROWN LANDS SURROUNDED BY TLA'AMIN LANDS**

The Implementation Committee will continue to support the transfer of Tla'amin fee-simple land to Treaty Land.

## **WILDE ROAD REALIGNMENT**

The Implementation Committee will continue to support work toward the realignment of Wilde Road.

## **TLA'AMIN TREATY LAND SURVEYS**

The Implementation Committee will continue to support work towards the completion of survey work of Tla'amin Treaty Land.

## **TLA'AMIN ENFORCEMENT PROTOCOL**

The Implementation Committee will support work toward the development and implementation of a tripartite enforcement protocol framework for the Tla'amin Area.

<sup>1</sup> These strategic priorities are subject to change.



Trisha Wilson, Pam Wilson, Esther Williams and Jolene Sutcliffe - Solar Eclipse 2017.

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