

Questions & Answers - January 31 - Treaty Information Session



Thank you to the KitseLas Members who joined us in person and via Zoom for our 27th Treaty Information Session community meeting on January 31, 2024.

The meeting recording from the January 31 meeting is available in the Members' Area of the www.kitselastreaty.ca website.

Below, please find the Q&As from the meeting.

Q – The \$5 million for the handshake (final land and cash offer – June 2023). Is this program solely for the youth, Elders, and upgrades at Endudoon? Will we just use the interest from the \$5 million or are we going to use the \$5 million (capital) too?

A – Chief and Council approved \$2 million for youth, \$2 million for the Elders' pension, and \$1 million for improvements for Endudoon (IR-4). We will use the capital (principal) and interest of the \$5 million to run these programs. For the Elder's Pension, the capital or principal would allow us to pay it out for nine years, but with the interest, we have enough to cover 19 years of payments. The money is invested in structured GICs to get maximum interest for the money.

If we vote 'yes' for the Treaty, we get \$20 million on Ratification and then another \$120 million on the Effective Date.

Q – What is the timeline for being a KitseLas Citizen in Treaty?

A – To become a KitseLas Citizen, you will apply for enrolment in the KitseLas Treaty and if we vote 'yes' for the Treaty, you become a KitseLas Citizen on the Effective Date.

Enrolment will open later this year (April 2024). If you are eligible, you can choose to enroll right away (April 2024) or anytime in the future, even after the Ratification Votes or the Effective Date. You must be enrolled to vote on the Ratification Votes in early 2025.

If you are eligible to enroll, you fill out the enrolment form, sign it, and you've enrolled. If you're not a KitseLas member right now, it's a bit more complicated. We will be sharing more about enrolment at the April 2024 meeting.

Q – Do you have a map of where existing Land Interests are located?

A – Land Interests are all the current or existing aspects of lands, including Certificates of Possession/Certificates of Allocations on Indian Reserves, mining claims, right of ways for hydro and pipelines, and many others. This list of Land Interests is the basis for the KitseLas Treaty Settlement Land (TSL) selections and fee simple land selections at the mouth of the River. The listing of Land Interests and traditional names will be uploaded to the Treaty website and identify where everything is.

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Kitselas has identified Ferry Island as part of our Traditional Territory (but not TSL). On the list of our Traditional Territory names, there is a name for Ferry Island. We are working closely with the City of Terrace and the people that manage Ferry Island Park.

Q - Coastal Lands – where are these lands?

A - A map of the Coastal Lands is on the Treaty website. It is important to Kitselas to identify these lands. It names Kennedy Lands, Summerville Island at the mouth of the Canal, and Haysport.

Q – For the Kleanza and Chimdemash Valleys, I know this area quite intimately and take photos of the mountain goats. When the Treaty starts, will guides still be able to access our lands to hunt in the Kitselas Areas?

A – Yes, there is only one licenced guide for that territory. That one guide will be able to continue their guiding work on our land. After the Treaty, when his licence comes up for renewal, we can decide how we wish to proceed at that time.

Q – The legislature/laws will only oversee the Kitselas communities of about 200 people (in Jan 2024)? But wouldn't the Legislature be for every member of the Nation? Why would Ratification Votes be open to off-reserve members if the Treaty just applies on-reserve?

A – You are correct, the Treaty will apply to all Kitselas Citizens on and off-reserve. You can enroll and vote for the Legislature if you are 18 and over, no matter where you live. However, the great majority, but not all, of the laws that Kitselas will make under Treaty will target people choosing to live on Kitselas the Treaty Settlement Lands (which includes all current Indian Reserves). Existing programs will continue for Kitselas Citizens living off-reserve and those programs may also be improved by Treaty. Any improvements would apply to all Kitselas members, no matter where they live.

Q – I don't understand, if we settle this, we will govern our own land by Kitselas laws. But, is the Kitselas Government still going to have the final say in harvesting salmon? Will they still have control over where salmon can be harvested? Or will we have that power?

A – We will have a place at the table when those decisions are made. Many others will be there too, but our place will be guaranteed by Treaty. If the Minister shuts down the fishery – for conservation or public safety - the Minister will have to explain why they are closing the fisheries and that no other "lesser" action would work. Under the Treaty, we will be able to appeal that decision, too.

We will have additional legal powers on the Skeena River between IR 1 and IR 6. As Mel told us, we don't own a fish until we catch it. I want to note that our harvesting powers do have limits, for example, we won't be able to pass Kitselas gun laws.

Q – Who is making the decisions about the Treaty money allocated to Endudoon?

A – Ultimately, the Kitselas People will decide how the money will be allocated to Endudoon. So far, we have cleaned up the graveyard and are looking for a location for a picnic site and public bathroom in IR 4. The site identified on the map (shown on screen during the meeting) is the best site we have identified, with no conflict with any other traditional family lot. Tonight is part of that discussion. We hope to bring this to a meeting in March on IR 4. Other proposed project ideas include making better access to the graveyard (a circle, like the Terrace cemetery) and fixing up the roads. If you have any ideas, please let us know.

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Q – Who will enforce our Kitselas rules and laws?

A – You are probably familiar with the City of Terrace bylaw enforcement officer and their truck around Terrace. With Treaty, we will have a similar position – a Kitselas Bylaw Enforcement Officer. Bylaw Officers can ticket people who ignore our laws and even issue charges under our laws, too. They will also help enforce certain BC and Canada laws. But the criminal code laws, like armed robbery or murder, will still be managed by the RCMP.

Q - Could the money Treaty has set aside for youth include a grant program for, for example, sports equipment, no matter where you live?

A – Yes, this is a great idea! I will make sure the committee that is working on a draft plan considers this idea on their list of recommendations. The committee's draft plan will be discussed with youth, Kitselas members, and Chief and Council before any decisions are made. Additionally, there is a current Kitselas Health program to assist with exercise, including sports costs available through Kitselas Health Department right now!

Q – A question about the money for the youth and the meeting that took place. Who was at this meeting? Was it just Treaty? Who had the ideas for the youth?

A – Over many years, people have suggested ideas on how to better support our youth. Treaty staff and others have created a summary of comments we heard at meetings and in planning documents, such as the Comprehensive Lands Plan, and created a summary. We have had a couple of internal meetings to refine this summary. Next, we will be bringing this document to youth, Kitselas Members and Chief and Council for further discussion in the next couple of months.

Q – Endudoon - Who came up with the picnic site idea?

A – The Elders. They said there is no place to go and sit and enjoy our traditional lands, no resting spot to reflect on our history. This idea was mentioned at Elders' lunches, the Elders-only Treaty workshops, and in casual discussions with Elders, including Mel, Isabel, and others. The possible picnic site is maybe 25x25 ft or 8x8 metres, it is not a park.

We plan to have a Treaty meeting focussed on IR 4 in March to find the best way to use the \$1 million set aside for IR 4 improvements. We will engage and give everyone a chance to speak their mind in terms of Endudoon.

Q – A quick question about the cemetery. The bodies that you have discovered. Do you know who they are? I also heard that there are workers who were brought in to work on the railways out there. Is there any way to identify them and tell their families? Will we honour them? And acknowledge who they are and what they did.

A – That's a very fair question. I believe that is the intent of this work. Around the upgrading of the work of this cemetery, as of today, we are unaware of who all these people are. There may be workers who died making the railways. Because they are buried beside our families, when this happened we reached out to Isabelle, and we were told to treat them as Members of our community. This is why the new road will take into account any gravesites.

When we do a land tour, we will go to the site and it would be great for our community leaders to be with us to give a blessing because this is Endudoon and is about our ancestors.

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Q – There is a strong Christian tradition. You mentioned that there was a church at Endudoon, and people moved to Queensway and had access to the churches in the City. But now things have moved back full circle, and now we don't have anywhere to worship. I've talked to Ulysses and it looks like there may be a room in the new building. Has there been any talk of that of the items on the list?

A – The Treaty would not make laws about churches; that is not the role of government.

Q – I wasn't speaking about law, but about facilitating.

A – Anything is possible if the government or if somebody wants to build a church. I can't speak for the government, but I think they would be supportive of building a church.

Q – Morris Mason had a dream to have a community church in Endudoon. How might Treaty or this \$5 million impact this goal?

A – Over the years, I have heard of interest in building a church in IR 4. Of course, we support any group's choices. But frankly, this is not a Treaty or Government issue. In my opinion only, the government's role is probably limited to providing some land for people to build a church building. Treaty will not do anything that would impact people's spiritual beliefs, actions, or choices.

Q - With the new community centre coming, has there been any discussion about what to use the current community hall for? Could this include a church?

A – I expect it'll be up to the community what we do with that building. It's not a Treaty file. The men of this community build the building like a barn raising. It needs to go out to the community for discussion.

Comment - Some of the nicest places for picnics are where K5T has chicken houses and gardens on their new property. Behind their offices, there is a beautiful spot to have for a picnic spot. I think in the past it was used by someone for picnics, I think a guiding outfit. There's about an acre there. Similar to what you have at Ferry Island, covered areas. Where people can go and sit there. And watch the logs coming down the river. That's one site.

I talked to Dave Hanson about building some Elder units for people to get them closer to town. I know Glenn's mum we talked about it. For older people, living out at Gitaus, it's not easy. Living closer to town, like at Queensway is easier, for emergencies. The old K property. I know it quite well. Having houses for the Elders to move from Gitaus to this section, and for people going to school, they could live there together. They could be security. You can't have a bunch of complexes there. You can't have young people on their own. I think it would be a good thing to do.

Q – Just to make a comment about Specific Claims. So that 640 acres in USK, what does that specific claim look like? Is it cash or are they going to offer 640 acres somewhere else?

A – It's a cash offer. In 1891, the surveyors arrived and surveyed the land. In 1893, they reduced the size of IR 1. Turns out that's not acceptable, without a formal surrender by the Band Members at that time. This was not done, even though we accepted an additional 1,005 acres as part of the deal. A few of you were here when we held court right here (Admin building, IR 1) with the judge hearing oral histories. As a result of that, we won the case. They will compensate us in cash. I don't know the amount exactly, but millions of dollars. We are in the settlement phase of how much that land is worth

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We are making good progress on several Specific and Land Claims - legal actions against the government for not following their own rules, usually land-based. We did succeed in a case about railway timber maybe 5 years ago, another about the USK Lands removed from IR 1, and another about highway bridge erosion. And this morning CN Rail offered to return to us 23 acres that are no longer needed for the railway. Overall, we have done very well in the last two years to get their admission that something was done, that they were in the wrong, and that Kitselas was harmed.