Questions & Answers - November 27 - Treaty Information Session

Thank you to the Kitselas Members who joined us in person and via Zoom for our 34th Treaty Information Session community meeting on November 27, 2024.

The recording from our November 27 meeting is now accessible in the Members' Area of the www.kitselastreaty.ca website, ensuring that all members can stay informed and involved in our discussions.

Please find below a summary of the Q&As from the meeting.

Q – Are we paying the ratification committee? Does that involve lawyers?
A – We received a one-time grant payment of $316,000 to pay for all ratification vote costs. We pay costs and expenses for our representative on the Committee, John Balogh, as well as any other costs of the actual vote, using this grant money.

Q – Whose timeline is implementation?
A – We do not have a timeline for implementation; we have a plan. Kitselas will have input on deciding on when the Treaty Effective Date is. Some of the Implementation Plan has to be done before the Effective Date, and the remainder can be done after the Effective Date.

Kitselas is working on a Kitselas Implementation Plan. Every Wednesday, a Working Group consisting of representatives from Kitselas, Canada, and BC get together to go through the Treaty clause-by-clause and assign responsibility for concrete actions needed to implement the Treaty.

Q – Will there be a meeting about the Treaty Appendices?
A – We were not planning on hosting a meeting about the Treaty Appendices, but we would be happy to put something together about the Appendices in early 2025.

Q – Will current Kitselas First Nation administration employees stay in their current positions, or will Treaty open up the positions for new applicants?
A – The programs and services delivered by most Kitselas staff will continue to be delivered before and after the Effective Date. Most of the current employees will continue to be employed. They will not be de-funded, removed or terminated.

With Treaty, approximately 100 more Kitselas administration jobs will be available, likely 25 new positions within the next year. Those jobs will require different skills and abilities

than what Kitselas needs right now. These new jobs are not reserved for Kitselas staff; Qualified Kitselas Members will be given the first chance at these jobs.

Q - Can tax exemptions be revoked by the Kitselas administration?
A – Legally, the Legislature could tax property - all nations have taxation power - but would they use it? There is no desire to tax Kitselas Members living on Kitselas reserves. As a Treaty Nation we would have a choice about how, who, and where we tax. Kitselas Members living on the Treaty Settlement Lands are very unlikely to be getting property tax bills.

Q – Recently, the federal government announced that the Williams Lake First Nation would receive $160 Million as compensation for being displaced from their lands. Why don't we have a larger financial offer from the federal government for our Treaty?
A – This was a specific claim to compensate the government for giving Williams Lake First Nation an Indian Reserve and then moving them against their will. The land they were removed from has considerable value, so the settlement is high.

Metlakatla recently won a similar specific claim for $150 million. Again, Canada assigned reserves and took them away without compensation to build the railway. Turned out that part of this land is what is now Prince Rupert.

Three years ago, we had won a specific land claim where the government took away our land. We expect the claim to be between $5-10 million.

A treaty is negotiating something different than a specific claim. We continue to engage in specific claims in addition to the treaty process. And we are doing well in specific claims.

Q – Will Kitselas give members money if the Treaty vote passes?
A – Enrolled members may be eligible to receive a Treaty benefit payment if the Treaty is approved and possibly another payment on the Effective Date; however, no amount has been approved or confirmed.

Q – If we vote "yes" for the Treaty, when will the next Chief and Council vote be?
A – If we go into a Treaty, then on the Effective Date (three to four years from now), an election has to be called within three months of the Effective Date. Until the Effective Date, we follow the election processes under the Indian Act. A vote is scheduled for June 12, 2025, for Chief and Council under the Indian Act.

Q – Who will own the land for Certificates of Possession or Certificates of Allocation?
A – Right now, my wife owns her home in Kulspai. She has a Certificate of Possession for the home.

I own a house in town - the house and the land it sits on. Here in Kulspai, my wife owns the house, but Canada owns the land. She's allowed to possess the house or has exclusive use of the house. She can leave it to her daughter or another Kitselas Member

in her will or sell it.

On the Effective Date, my wife will also own the land/property the house sits on. She will only be allowed to sell it to another Kitselas Member or leave it in her will to her daughter. It won't change anything, really, except that she will be the person owning the land.

Q – Can we be Members of two First Nations?
A – Canada does not permit Membership in two First Nations (e.g. Kitselas and Nisga'a); however, this may be challenged in court in the future. It is also possible that once the Treaty starts (Effective Date), we could choose to allow dual citizenship - but that is a decision we can make many years from now (after the Effective Date).

Q – With the Treaty, will Kitselas have a program to support Kitselas members in returning home?
A – If we vote "yes" to the Treaty, we can contemplate creating a program to support members moving home. In recent years, many new homes have been built in the community to meet the housing demand.

Q – Was the lands department's drone used to capture the footage from the land tour for Members who could not attend?
A – We are working on a series of videos to provide a highlight summary of the Kitselas Treaty Settlement Lands and are planning on running more land tours in 2025. Additionally, a Google Earth fly-over video of the Treaty Settlement Lands is available on YouTube here: https://www.youtube.com/watch?v=c41UWUeN9fQ.