



# Ministry of Indigenous Relations and Reconciliation

2024

ESTIMATES BINDER

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**Speaking Notes  
for**

**Hon. Murray Rankin  
Minister of Indigenous Relations and Reconciliation**

**Indigenous Relations and Reconciliation/Declaration Act  
Secretariat - Estimates 2024/25  
Introductory notes**

**BC Legislature**

**Date: May, xx 2024 TBD**

**Time: x:xx am/pm TBD**

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## INTRODUCTION

- Acknowledge: Lekwungen [*Luh-KWUNG-in*] peoples and Songhees and Esquimalt Nations.
- It is my pleasure and honour to speak today on the estimates for the Ministry of Indigenous Relations and Reconciliation and the Declaration Act Secretariat as part of Budget 2024.

[PAUSE]

- Joining me for Estimates from the Ministry of Indigenous Relations and Reconciliation are:
  - Deputy Minister Tom McCarthy,
  - Ranbir Parmar, Assistant Deputy Minister and Executive Financial Officer,

- Carolyn Kamper, Assistant Deputy Minister of the Negotiations and Regional Operations Division.
- Ann Marie Sam, Assistant Deputy Minister of the Reconciliation, Transformation and Strategies Division,
- Jennifer Melles, Assistant Deputy Minister of the Strategic Initiatives and Partnerships Division, and
- Richard Purnell, Executive Lead for the New Fiscal Framework.

[PAUSE]

- Joining me from the Declaration Act Secretariat, which is separate from the ministry...
- Si Sityaawks [*See-Sit-Yowks*] Jessica Wood, Deputy Minister...

- ...and cáʔaa [*Sah-ahh*] Priscilla Sabbas-Watts, the Assistant Deputy Minister of Legislative Transformation and Engagement.
- Additionally, I'd like to introduce Tracey Herbert, CEO, First Peoples' Cultural Council.

[PAUSE]

## **Truth and Reconciliation**

- I am honoured and humbled to speak on the tremendous work Indigenous Peoples and this government are doing together to implement the *Declaration on the Rights of Indigenous Peoples Act*.
- I'd like to start by reminding every member of this house of how we got to this point.

- It starts in 2015 - when the Truth and Reconciliation Commission of Canada released the “Calls to Action.”
- The 94 Calls to Action lay out the path to be followed if we are to achieve true and meaningful reconciliation.
- Six years of hearings, and testimony from 6,000 residential school survivors and their loved ones.
- The survivors spoke truth to the legacy of the residential school system and its intergenerational and ongoing impact on Indigenous Peoples.
- It was residential school survivors who asked **ALL** governments to adopt and implement the United Nations Declaration on the Rights of Indigenous Peoples as our guide.

- It was survivors who asked for its adoption not just into customary international law, but into domestic common law here in BC and Canada.
- If reconciliation starts with truth and respect, then our collective journey begins here with the Calls to Action.
- That's why B.C. was the first to adopt the UN Declaration into law.

[PAUSE]

- I am proud to say since those days of denial and court battles, B.C. has deeply and fundamentally changed our relationship with Indigenous Peoples.
- I am proud of the work of the Secretariat, the Ministry and whole of government to advance of reconciliation...



- And specifically, to implement the UN Declaration in B.C. through the Declaration Act.
- Our government does things differently.
- By working together with First Nations, Métis, and Inuit people, through consultation and cooperation, we are finding solutions and building a stronger BC for all British Columbians.

[PAUSE]

## **Budget**

- Budget 2024 provides dedicated funding that supports the advancement of reconciliation and the ongoing process of establishing and maintaining respectful relationships with Indigenous Peoples.

- The combined budget for the Ministry of Indigenous Relations and Reconciliation and the Declaration Act Secretariat is \$160 million.
- The budget expenditure numbers are slightly smaller than last year; however, this is the result of accounting practice.
- More agreements are being funded through revenue sharing.
- In fact, **gross payments** are higher at **\$491 million as compared to \$462 million** in the previous year...
- ...with **\$378.4 million being funded through revenue sharing this year compared to \$328.4 million the previous year.**

- Budget 2024 will allow us to meet our current and ongoing obligations under treaties, agreements and other constructive arrangements...
- ...to work in consultation and cooperation with Indigenous Peoples, and to effectively deliver the Ministry's and Secretariat's mandates.

[PAUSE]

- Like all provincial budgets, the numbers on their own do not convey the scope of the work underway...
- ...or the quality of the relationship with First Nations, Métis, or Indigenous Peoples as a whole.
- Reconciliation is a provincial imperative.

- And creating meaningful and lasting reconciliation is everyone's responsibility.

[PAUSE]

## **Declaration Act**

- The Declaration Act supports government in deepening proper relationships with Indigenous Peoples.
- It does so:
  - Through an Action Plan that outlines 89 actions to advance the objectives of the UN Declaration...
  - Through annual reporting on progress...
  - Through the alignment of provincial laws with the UN Declaration...

- By enabling government to enter into shared decision-making agreements...
- And by allowing flexibility for the Province to enter into agreements with a broad range of Indigenous governments.

[PAUSE]

- Much of the ministry's work in this budget focuses on the negotiation and implementation of treaties, reconciliation agreements, including shared decision-making mechanisms, and other constructive arrangements.
- Our government is focused on upholding Indigenous rights, including title, Section 35 of the Constitution, and supporting long-term, flexible agreements that can evolve over time.

- I have quite a list of agreements and I am sure the members will wish to get into the specifics of those in their questions.
- I will note there are two transfer of programs areas this year.
- The First Nations Clean Energy Business Fund is moving to the Ministry of Energy, Mines and Low Carbon Innovation.
- And the Land Strategies and Services Branch is moving to the Ministry of Water, Land and Resource Stewardship to form a centralized land transfers branch for the sector.
- In both instances, these transfers will provide more efficient services to First Nations and are in the public interest.

[PAUSE]

## **New Fiscal Framework**

- This Ministry's Operation Budget includes making permanent the dedicated team that supports the New Fiscal Framework.
- Up until 2017, B.C.'s fiscal relationship with First Nations governments was largely short-term, reactive and ad hoc.
- This government knows reconciliation is a rising tide that lifts all boats.
- By focusing on agreements with First Nations that prioritize the broader economy, we are taking recognition of rights to its full potential.

- Indigenous governments, like all governments, require sources of revenue to deliver services and meet accountabilities to their citizens.
- Indigenous Peoples should be able to exercise and have full enjoyment of their rights to self-determination and self-government.
- We've already taken big steps.

[PAUSE]

- In 2019, we started sharing \$100 million a year in gaming revenue with every First Nation.
- In 2022, we more than doubled forestry revenue sharing to more than \$120 million a year.
- Through ongoing agreements with all First Nations, we are making a real difference in peoples' lives.



- We knew when we started this work that developing a new fiscal framework would take time, effort, and deep engagement.
- It requires bringing everyone along.

[PAUSE]

## **First Nations Equity Fund**

- While it is a budget item that sits with the Ministry of Finance, I am incredibly pleased to see the development of a provincial First Nations Equity Financing Framework.
- By establishing tools to help support equity financing opportunities for First Nations, they can develop strong economic development partnerships.

- These include equity loan guarantees and other supports for First Nations' meaningful participation in projects, where there is shared interest and readiness with the Province.
- Budget 2024 legislation will establish a First Nations Equity Financing special account, with a \$10-million inaugural balance to help support immediate capacity needs for those First Nations actively considering equity participation in priority projects.
- The special account also allows us to provide provincial guarantees for equity loans undertaken by First Nations interested in projects.
- Consistent with the approach in other jurisdictions, the special account will have a cumulative loan guarantee limit of \$1 billion and will be reviewed annually.

- Throughout the coming months, I look forward to supporting the Ministry of Finance as they consult and cooperate with First Nations and organizations, and engaging business leaders across B.C. to help develop a First Nations Equity Financing Framework.
- These new equity financing tools will support inclusive project partnerships as we continue to support First Nations self-determination and meaningful participation in economic opportunities.

[PAUSE]

- Back to my own Ministry, sharing revenue with First Nations communities remains an important reconciliation tool.
- It supports implementation of the UN Declaration and the self-determined pursuit of economic, social, and community development.

- This year we are forecasting \$385 million projected revenue sharing for forestry, mining, tourism, and oil and gas.
- And a forecast \$100 million in gaming revenue sharing.
- Recognizing First Nations as orders of government with their own rights and responsibilities, and sharing the wealth generated by economic opportunities helps support economic growth in First Nations communities and for all British Columbians.

[PAUSE]

## Engagements

- We continue our efforts to bringing partners, industry and the public along in our work with Indigenous Peoples in the province.
- Open houses, public information sharing and a 'what we heard' report were developed on engagements for the Kitselas Treaty and Kitsumkalum Treaty...
- ...as well as several open houses with the Te'mexw Treaty Association.
- Public and stakeholder engagement has been a cornerstone of the process during the Treaty Land Entitlement settlement and lands agreements...

- ...And we've been engaged deeply with our many partners for the past four months on Bill 13 - Land Title and Property Law Amendment Act, 2024.
- Gaining awareness and support for administrative changes to the ways First Nations can acquire, hold and register fee simple land in B.C....
- And reducing discriminatory and racist barriers.
- Again, engagement has been foundational in our work with the people of Haida Gwaii and continues to be a significant focus for the Ministry at the community level.
- We all witnessed that support by local government leaders and others in the gallery during first reading of Bill 25.

- To them and all those who support reconciliation, I say Ha'waa – thank you for being good people working together.

[PAUSE]

## **First Peoples' Cultural Council**

- Part of the Ministry's work toward reconciliation has to do with empowering Indigenous peoples to revitalize their culture and their languages.
- B.C. has exceptional language diversity, with half of all Indigenous languages in Canada originating here.
- Across the province, 35 distinct First Nations languages are spoken.

- We are working in partnership to support First Nations communities in their efforts to restore their languages, cultures, arts and heritage.
- I am pleased Budget 2024/25 continues to strengthen First Nations-led efforts to revitalize Indigenous heritage, languages, cultures and arts...
- ...continuing the \$6 million, permanent, per year operational uplift to the First Peoples Cultural Council.

[PAUSE]

- Providing funding for FPCC's core operations supports the increased investment and progress made in language revitalization since 2018.



- Through their partnership with the First Peoples' Cultural Foundation, FPCC is laying the groundwork so that First Nations languages, arts and heritage can be passed on to future generations.
- Communities are developing language revitalization plans, training staff and implementing programs that make a difference by documenting the languages and creating new speakers.
- We want to help build a province where First Nations languages and cultures are living, used and celebrated everywhere.

[PAUSE]

## **Declaration Act Secretariat**

- It has been close to five years since the passage of the Declaration Act.

- We continue to advance legislation in accordance with section 3 of the Act.
- The steps that we have taken, in particular the formation of the Declaration Act Secretariat, have set the foundation for advancing such an approach.
- Funding for the Secretariat is expressed as a separate item in the Budget estimates.
- This is consistent with the Secretariat's unique reporting structure...
- The Secretariat is a central agency – reporting directly to the me as Minister, independent and distinct from the Ministry of Indigenous Relations and Reconciliation.

- The Declaration Act Secretariat guides and assists ministries in meeting the alignment of laws obligations...
- Collaborates within government on changes to government's legislative and policy process...
- And helps establish government's legislative priorities related to alignment of laws.

[PAUSE]

- The Declaration Act Secretariat has been actively involved in supporting legislation and policy development including:
  - the Indigenous Self-Government in Child and Family Services Amendment Act (Bill 38);
  - Human Rights Code Amendment Act (Bill 18);

- Forests Statutes Amendment Act (Bill 23);
  - Emergency and Disaster Management Act (Bill 31);
  - and School Amendment Act (Bill 40) among many others.
- This year, the ministry's fiscal plan reflects core funding to continue to fully resource the Declaration Act Secretariat.
  - Their work touches on every Ministry in this government and is incredibly important support to ensure we are consulting and cooperating with Indigenous Peoples.

[PAUSE]

- To that end, we have heard from directly from First Nations leaders on the vital need for financial resources to support consultation and co-operation on action plan items and legislative transformation.
- The First Nations Declaration Act Engagement Fund was established last year as a one-time, four-year fund to help break down financial barriers and support capacity.
- It is creating flexibility for engagement with the Province on areas of interest in ways that respond to your community's unique needs and priorities.
- This enhanced participation also greatly benefits the Province through the skills, advice, and guidance each community brings.

- Since last May when the New Relationship Trust began taking applications for the program, 189 First Nations have submitted applications.

Government Financial Information; Intergovernmental Communications

- [PAUSE]

## Conclusion

- As you can see, funding decisions for Budget 2024/25 are underpinned by government's commitment to tangible reconciliation through the implementation of the UN Declaration...
- ...by prioritizing opportunities for Indigenous Peoples to be full partners in the inclusive and sustainable province we are building together.

- I look forward to questions from the members of this house.
- Thank you.

-END-

**Ministry of Indigenous Relations and Reconciliation**  
**2024/25 Estimates**  
**Finance Based Questions and Answers/**  
**Government Communications and Public Engagement**

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**Ministry of Indigenous Relations and Reconciliation**  
**2024/25 Estimates**  
**Finance Based Questions and Answers/**  
**Government Communications and Public Engagement**

**1. MIRR's 2024/25 budget is \$160.096 million. This is an (\$17.138 million) decrease (9.7%) from the previous year. Why?**

- There is a (\$21.455M) net decrease in the Treaty and Other Agreements Vote as a result of more of the payments are revenue sharing payments, this reduces the Ministry's Net Budget, off set by:
  - \$4.074M increase in Ministry Operations
  - \$0.136M increase for the Declaration Act Secretariat
  - \$0.107M increase to planned returns in the First Citizens Fund Special Account.

**2. The Treaty & Other Vote has decreased by (\$21.455M) over Budget 2023. Why?**

- The ministry budget is funded to match signed agreement costs.
- Actual payments to First Nations are projected to increase by \$28.568M over 2023/24.
  - \$46.798M increase in revenue sharing payments offset by \$50.023M increase in revenue recoveries generating a net (\$3.225M) decrease. The increase in revenue recoveries reflects more agreements are funded by direct revenues generated.
  - (\$18.000M) decrease in non-treaty agreements. Primarily due to the acceleration of the payment under the Cheslatta Settlement agreement in 2022/23 and updated CGL LNG forecasts.
  - (\$0.230M) decrease in Treaty agreements.

**3. What is the value of payments going to First Nations in 2024/25 funded by the Treaty and Other Vote?**

- Treaty and Other Agreements budget is \$94.704, a net reduction of (\$21.455M) or (18.5%) over Budget 2023:

- \$473.096M is projected to be paid to First Nations through treaty and non-treaty agreements;
  - \$385.590M projected revenue sharing (forestry, mineral, resort, oil & gas, Columbia River Treaty);
  - \$83.262M non-treaty agreements (e.g. reconciliation; strategic engagement agreements, LNG);
  - \$4.244M in treaty related agreements.
- Of the \$473.096M, \$378.392M is projected to be recovered from taxation, stumpage, royalties, rents, and the Columbia River Treaty Canadian Entitlement. Recovered funds subtracted from \$473.096M provides the \$94.704 budget vote.
- The Gross payments to First Nations will total \$473.096M in fiscal 24/25 which is \$28.568M more than fiscal 23/24. As more of the payments are revenue sharing payments, this reduces the Ministry's Net Budget.

|                                  | 2023/24<br>Restated     | 2024/25                 | Change                 |
|----------------------------------|-------------------------|-------------------------|------------------------|
| <b>GROSS PAYMENTS</b>            |                         |                         |                        |
| Treaty                           | 4,474,000.00            | 4,244,200.00            | - 229,800.00           |
| Non-Treaty                       | 101,262,000.00          | 83,261,860.00           | - 18,000,140.00        |
| Non-Treaty (Revenue Sharing)     | 338,792,000.00          | 385,589,831.00          | 46,797,831.00          |
| SUB TOTAL NON TREATY             | 440,054,000.00          | 468,851,691.00          | 28,797,691.00          |
| <b>Total Gross Payments</b>      | <b>444,528,000.00</b>   | <b>473,095,891.00</b>   | <b>28,567,891.00</b>   |
| <b>RECOVERIES</b>                |                         |                         |                        |
| Treaty                           | - 2,000.00              | - 2,000.00              | -                      |
| FCRSA Recoveries                 | - 138,398,000.00        | - 176,780,000.00        | - 38,382,000.00        |
| Columbia River Treaty Recoveries | -                       | - 72,600,000.00         | - 72,600,000.00        |
| EBA & Other Oil & Gas Recoveries | - 18,891,000.00         | - 15,449,000.00         | 3,442,000.00           |
| ECDA Mining Recoveries           | - 170,420,000.00        | - 112,314,831.00        | 58,105,169.00          |
| ECDA Resorts Recoveries          | - 658,000.00            | - 1,246,000.00          | - 588,000.00           |
| SUB TOTAL NON TREATY             | - 328,367,000.00        | - 378,389,831.00        | - 50,022,831.00        |
| <b>Total Recoveries</b>          | <b>- 328,369,000.00</b> | <b>- 378,391,831.00</b> | <b>- 50,022,831.00</b> |
| <b>Net Vote</b>                  |                         |                         |                        |
|                                  | <b>116,159,000.00</b>   | <b>94,704,060.00</b>    | <b>- 21,454,940.00</b> |

#### 4. Are you cutting funding to Indigenous Peoples?

- No.

- The Ministry's budget is funded to match signed agreement costs and adjusts along with our commitments.
- Budget 2024/25 will allow the Ministry to meet its commitments, continue to work in consultations and cooperation with Indigenous Peoples, and to effectively deliver its mandate.
- Like all provincial budgets, the numbers on their own do not convey the scope of the work underway or the quality of the relationship with First Nations, Métis, or Indigenous Peoples as a whole.

#### **5. What is generating the \$4.074M increase in Ministry Operations in 2024/25?**

- \$2.133M increase to go from temporary positions to dedicated resources (11 FTEs) to support New Fiscal Framework (NFF) and the Musqueam, Squamish and Tsleil-Waututh (MST) table.
- \$1.621M increase to support the Shared Recovery Wage Mandate
- \$0.260M incremental funding for the First Peoples 'Cultural Council (Budget 2023)
- \$0.119M increase to resource 1 additional FTE to support negotiation capacity (Budget 2023)
- \$0.002M to fund salary increments of Budget 2022 for Climate Action Initiatives
- (\$0.049M) transfer for lands team to Ministry of Water, Land and Resource Stewardship
- (\$0.012M) net decrease to Minister's Office

#### **6. What impacts Revenue Sharing Forecasts?**

- Revenue Sharing Forecasts are impacted by several factors:
  - Total number of signed agreements,
  - Commodity price fluctuations for items such as copper and coal as well as mine operating profit margins (Economic and Community Development Agreements),
  - Resort income on accommodations (Resort Economic and Community Development Agreements),

- Increases in stumpage values and harvesting activities (Forest Consultation and Revenue Sharing Agreements),
- Higher oil and gas royalties (Revenue Sharing Agreements), and
- The economy as a whole

**7. Why did \$3.033M get transferred to the Ministry of Water, Land and Resource Stewardship?**

- Part of the changes within the natural resource ministries (NRM) to support land negotiations and speed up the process of returning lands to First Nations in B.C.
- 28 FTEs in the Ministry of Indigenous Relations and Reconciliation were identified to move to the Ministry of Water, Land and Resource Stewardship.

**8. Why did does this transfer only show up as land transfer only show up as \$0.049M?**

- \$0.049M in 2024/25 represents the incremental budget transfer to WLRS against the 2023/24 Restatement of \$2.984M. The primary reason for this increased transfer is the Government Land Agreement Development and Implementation system (GLADIS) transferred effective April 1, 2024 and was not part of the 2023/24 restatement.

|               | <b>23/24</b>       |              |              |              |
|---------------|--------------------|--------------|--------------|--------------|
| WLRS Transfer | <b>Restatement</b> | <b>24/25</b> | <b>25/26</b> | <b>26/27</b> |
| Budget        | 2.984              | 3.033        | 3.033        | 3.033        |
| Increment     |                    | 0.049        | 0            | 0            |

- The transfer occurred mid-year so only part of that transfer is reflected in the Ministry’s operating budget.

**9. What is the purpose of this transfer?**

- First Nations’ connection to the land supports healthy communities, revitalized cultures and growing economic opportunities for everyone.

- Responding to First Nations’ interests in the ownership of land – whether through treaties or other types of agreements- can be a catalyst to improve peoples’ lives and support First Nations’ self-determination.
- We recognize the need to make land returns more efficient and changes are underway to make that happen.
- As part of an organizational re-structuring in December 2023, the land return implementation division was shifted to the Ministry of Water, Land and Resource Stewardship.
- As the Ministry of Water, Land and Resource Stewardship now holding authorities such as the Land Act and the Ministry of Lands, Parks, and Housing Act, it is well-positioned to lead decision making for land returns and increase accountable and transparent processes to First Nations.
- The move will also help build an integrated team that can streamline and find efficiencies to support land related negotiations with First Nations.

**10. Why were the resources for New Fiscal framework (NFF) and Musqueam, Squamish and Tsleil-Waututh (MST) moved from contingency to Ministry Operations?**

- The co-development and implementation of a new fiscal framework (NFF) is a long-term undertaking that will extend beyond the five-year term of the current Declaration Act Action Plan.
- The New Fiscal Framework is a cornerstone of the province’s reconciliation agenda, and there is significant focus and expectation among First Nations and Indigenous organizations.
- Dedicated resources are needed for the Musqueam, Squamish and Tsleil Waututh table in the Coast Region because of the complexity of the relationships and the strategic importance of advancing long-term reconciliation with the three Nations.
- A dedicated MST staffing complement is crucial to ensure consistency across projects as well as in maintaining the government-to-government relationship that is central to the successful implementation of projects in the Lower Mainland.

**11. What is the purpose of the financing transactions allocated to the Ministry?**

- Financing transactions for land transfers allow the ministry to prioritize private land purchases as part of treaty or other agreements. Planned

land purchases for 2024/25 are \$43.867M, which is a \$4.067M increase from 2023/24.

- Financing transactions for the BC First Nations Gaming Revenue Sharing Limited Partnership have been updated based on current revenue projections. The province forecasts to share \$100.000M in 2024/25.
- Financing transaction costs were added in Budget 2021.

## **12. Why are there no Schedule D disbursements planned in year 2 and 3 of the fiscal plan?**

- Schedule D allows the ministry to purchase private land and hold in inventory until it is transferred to a First Nation under final agreement.
- Spending plans represent current needs and are updated annually as part of the budget process.

## **13. How does gaming revenue sharing with First Nations work?**

- A commitment to share an estimated \$3 billion in revenue with First Nations over the next 25 years is supporting self-government and self-determination, strong, healthy communities and services that make life better for families.
- Amendments to the Gaming Control Act supported the Province and First Nations to finalize a long-term gaming revenue sharing agreement. Signed September 2020.
- Like every government, First Nations need stable, predictable sources of revenue to fund their priorities – critical things for every government, such as infrastructure, services that build healthy communities and the staff to get it done.
- All First Nations communities in B.C. are eligible to become members in the limited partnership.
- Each First Nation that participates in the revenue sharing agreement can use the gaming revenue to support priorities for its community, such as enhanced social services, education, housing, infrastructure, cultural revitalization and self-government capacity.

- The revenue may be used in six areas that support governance, capacity building and strengthened program and service delivery:
  - health and wellness;
  - infrastructure, safety, transportation and housing;
  - economic and business development;
  - education, language, culture and training;
  - community development and environmental protection; and
  - capacity building, fiscal management and governance.
  - Direct distribution of gaming revenue to individuals is not permitted.

**14. How much gross gaming revenue has been shared since approval in Budget 2019?**

| <b>Fiscal Year</b> | <b>Amount \$</b>     |
|--------------------|----------------------|
| 2019/20 & 2020/21  | \$194,840,000        |
| 2021/22            | \$58,059,120         |
| 2022/23            | \$113,646,000        |
| 2023/24            | \$109,620,000        |
| <b>Total</b>       | <b>\$463,360,120</b> |

**15. Why is there a 10% reduction in projected gaming revenue sharing over Budget 2023?**

- Reduced forecasted revenue is occurring in two categories (iGaming and Casino & Community Gaming Centres).
- This is primarily due to the current economic environment, including high cost of living, high interest rates, and inflation.
- Players have less disposable income for entertainment spending such as gambling.
- Current economic pressures and competitiveness with illegal online gaming operators are expected to impact future year revenue projections.



**16. Will the ministry restore the level of funding to the First Citizens Fund previously seen years ago?**

- The First Citizens Fund is a special fund within government's Consolidated Revenue Fund and the monies do not come from the ministry budget.
- As fund revenue is interest-driven, recent low interest rates have affected revenue that supports programs and will provide approximately \$1.823M to support programs in 2024/25 which is an increase of \$0.107M from 2023/24.
- This funding supports Indigenous small business development, First Nations language preservation, bursaries for Indigenous post-secondary students, and assistance for elders to attend their annual gathering.

**17. Why did the First Nations Clean Energy Business Fund (FNCEBF) Special Account transfer to the Ministry of Energy, Mines and Low Carbon Innovation?**

- The FNCEBF has been administered by the Ministry of Indigenous Relations and Reconciliation (MIRR) since 2010.
- Over time, First Nations have proposed various improvements to the capacity, equity and revenue sharing components of the fund. MIRR does not have the expertise or capacity to implement these proposals and has historically been supported by the expertise of the Ministry of Energy, Mines and Low-carbon Innovation (EMLI).
- EMLI has long provided clean energy subject matter expertise to support MIRR's administration of the FNCEBF and operates the EMLI database currently also used by MIRR to administer the fund.
- EMLI would like to leverage its subject matter expertise to explore fund improvements that align with First Nations' desires for the future of the fund. Any recommended changes to the FNCEBF would be subject to engagement and Cabinet approval.

**18. Does Budget 2024 provide funding for First People's Cultural Council?**

- Yes.

- Budget 2023 provided \$19.060M over the fiscal plan (\$6.40M in 2023/24, \$6.300M in 2024/25 and \$6.720M in 25/26 ongoing).
- This core operational funding will allow FPCC to maintain current staffing levels and deliver on current and future commitments.
- Ensures that FPCC is a viable, fully functioning Crown Corporation
- Permanent operational funding will allow FPCC to retain the highly specialized program and technical experts necessary to deliver language, arts and cultural heritage programming and documentation efforts in First Nations communities across BC.
- Will also address the equity issue between FPCC and other Crowns of similar size and mandates.

**19. Why is there a decrease in the Minister’s Office?**

- Minister Office budgets were reviewed as part of Budget 2023 to reflect positions within Minister’s Office staff, as well as to bring current budgets in line with the approved budgets set by the Office of the Premier.

|                               |            |
|-------------------------------|------------|
| <b>Budget 2023</b>            | <b>837</b> |
| Budget 2023 Review adjustment | -12        |
| Shared Recovery Wage Mandate  | 46         |
| <b>Budget 2024</b>            | <b>871</b> |

- There are no changes in staffing levels as a result of this decrease.
- 2024/25 continues to support 7 positions including Minister.

| # | Position                   |
|---|----------------------------|
| 1 | Chief of Staff             |
| 2 | Ministerial Assistant      |
| 3 | Ministerial Assistant      |
| 4 | Executive Assistant        |
| 5 | Administrative Coordinator |
| 6 | Administrative Assistant   |

**20. Will government consider property tax revenue sharing with First Nations in urban areas where there is no forestry?**

- We have started with forestry because it means so much to so many.
- But we acknowledge that work is going to have to be more flexible to deal with the realities of an urbanized environment or suburban environment.
- In our commitment under the action plan, our long-term goal is to co-develop a holistic framework that comprehensively supports the operation of Indigenous governments and provides new revenue sharing arrangements and other fiscal mechanisms.
- The new fiscal framework is a significant change in how British Columbia works with First Nations government.
- Rather than the transactional approach that we've had in the past, we're moving to a recognition that Indigenous governments, like all governments, have a need for secure sources — stable, certain sources — of funding if they're going to provide the goods and services for their communities.
- It's a challenge, but we're taking that challenge head-on — taking it on because it has to be done.

**21. What kind of capacity building support is government providing for First Nations to develop the administrative and technical expertise needed to participate in consent-driven shared decision-making and government-to-government processes, including major projects within their territories?**

- Whether it is the Ministry of Indigenous Relations or another Ministry leading, typically government provide specific capacity funding to the First Nations or Indigenous Governing Bodies with whom they are negotiating these types of agreements.

**22. What is going on with the New Fiscal Framework and Forest Consultation and Revenue Sharing Agreements?**

- We are continuing discussions with First Nations on principles for a new fiscal framework and a new forestry revenue sharing model.

- To date, we have participated in more than 50 government-to-government meetings and received feedback from more than 90 First Nations communities on the discussion paper released last November and the framework in general.
- Our engagement with First Nations has reinforced the complexity of this work.
- First Nations have unique interests and values, and there is a fundamental interrelationship between revenue sharing and critical questions of decision-making and land management.
- We remain committed to this work and to co-developing options for a new forestry revenue sharing model with First Nations that meets our Declaration Act commitments and advances our shared interest in a strong and sustainable forestry sector.

**23. How are you handling the federal budget shortfall for Indigenous languages**  
*(federal budget 2024 anticipated April 16, 2024)?*

- Since 2018, our government has committed a record amount, more than \$93 million, to support First Nations to develop, protect, and transmit their cultural heritage, traditional knowledge, and the original languages of this land.
- Whether it is families sharing stories around the kitchen table, or children immersed in learning language with their elders, these community-led efforts are making a real difference in peoples' lives.
- According to the 2022 Report on the Status of BC First Nations Languages, there are now more 17,000 First Nations language learners, an increase of almost 20% in just four years.
- Communities are developing language revitalization plans, have trained staff, and are implementing programs that make a difference by documenting the languages and creating new speakers.
- I have heard the concerns from First Nations about future funding levels and the potential impact on the good work underway.
- This matter is urgent for First Nations, both for building on the momentum underway, and protecting those employed in language revitalization work.
- In late November I reached out to my colleague the Minister of Canadian Heritage Pascale St-Onge and stressed B.C.'s commitment to working on long-term, sustainable, predictable funding in partnership with the federal government that communities can depend on.

- I have also spoken recently with Minister Anandasangaree and Minister Wilkinson on the same topic, and urged them to connect with Minister St-Onge.
- Clearly there is more work to be done as Crown governments to support First Nations language revitalization.

## MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION 2024 Budget Highlights

### Ministry Budget

- MIRR's 2024/25 budget is \$160.096M. **This represents a (\$17.138M) or 9.7% decrease from the previous year.** The net budget change is comprised of:
  - o \$4.074M net increase in the Ministry Operations Vote;
  - o (\$21.455M) net decrease in government transfers under the Treaty and Other Agreements Vote;
  - o \$0.136M increase to the Declaration Act Secretariat;
  - o \$0.107M increase in government transfers under the First Citizen Fund;
- This budget will continue to allow MIRR to effectively deliver its mandate.
  - o The \$4.074M increase in the Ministry Operations Vote is made up of:
    - \$2.133M increase to move funding for MST and NFR resources from contingency to base funding;
    - \$1.621M to fund Shared Recovery Wage Mandate;
    - \$0.260M increment to First Peoples' Cultural Council (Budget 2023)
    - \$0.119M increase for 1 incremental FTE to support negotiation capacity (Budget 2023);
    - \$0.002M to fund salary increments of Budget 2022 approval for Forest Carbon offset protocol 2.0, off set by;
    - \$(0.049M) increment for lands team transferred to Water, Land and Resource Stewardship
    - \$(0.012M) net decrease to Minister's Office.
  - o (\$21.455M) net decrease in the Treaty and Other Agreements vote to match funded agreement costs.
    - (\$18.000M) decrease in Non treaty agreements, primarily due to the acceleration of the Cheslatta Settlement Agreement in 2022/23 and projected LNG agreements
    - (\$3.225M) net decrease in Revenue Sharing due to an increase in the Recovery to Vote
    - (\$0.230M) decrease in Treaty agreements due to expiring agreements
  - o \$0.136M increase for the Declaration Act Secretariat to fund Shared Recovery wage mandate.
  - o The First Citizen Fund increase of \$.107M due to a small increase in investment fund revenues.

| \$ millions                                 | 2023/24        | \$Change        | 2023/24<br>restated | 2024/25        | \$ Change       | % Change      |
|---|----------------|-----------------|---------------------|----------------|-----------------|---------------|
| Vote 32 - Ministry Operations               | 57,912         | (2,984)         | 54,928              | 59,002         | 4,074           | 7.4%          |
| Vote 33 - Treaty & Other Agreements Funding | 116,159        | -               | 116,159             | 94,704         | (21,455)        | (18.5%)       |
| Vote 35 - Declaration Act Secretariat       | 4,431          | -               | 4,431               | 4,567          | 136             | 3.1%          |
| Sub-Total                                   | 178,502        | (2,984)         | 175,518             | 158,273        | (17,245)        | -8%           |
| First Citizens Fund                         | 1,716          | -               | 1,716               | 1,823          | 107             | 6.2%          |
| First Nations Clean Energy Business Fund    | 8,044          | (8,044)         | -                   | -              | -               | -             |
| <b>Total</b>                                | <b>188,262</b> | <b>(11,028)</b> | <b>177,234</b>      | <b>160,096</b> | <b>(17,138)</b> | <b>(9.7%)</b> |

\* 2023/24 restated due to the permanent transfer of the Lands Implementation team to the Ministry of Water, Land and Resource Stewardship and the First Nations Clean Energy Business Fund to the Ministry of Energy, Mines and Low Carbon Innovation

# Ministry of Indigenous Relations and Reconciliation

## 2024/25 – 2026/27 Service Plan

February 2024



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Published by the Ministry of Indigenous Relations and Reconciliation



## Minister's Accountability Statement



The Ministry of Indigenous Relations and Reconciliation 2024/25 – 2026/27 Service Plan was prepared under my direction in accordance with the *Budget Transparency and Accountability Act*. I am accountable for the basis on which the plan has been prepared.

A handwritten signature in cursive script that reads "Murray Rankin".

Honourable Murray Rankin  
Minister of Indigenous Relations and Reconciliation  
February 9, 2024

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## Strategic Direction

In 2024/25, the Government of British Columbia will remain focused on providing the services and infrastructure that people depend on to build a good life. Government will continue delivering results that matter to British Columbians including helping people with costs, attainable and affordable housing, strengthened health care, safer communities, and a secure, clean and fair economy. Government will continue working collaboratively with Indigenous Peoples as it implements the Action Plan for the Declaration on the Rights of Indigenous Peoples Act and delivers initiatives that advance reconciliation in ways that make a difference in communities throughout the province.

This 2024/25 service plan outlines how the Ministry of Indigenous Relations and Reconciliation will support the B.C. government's priorities including the foundational principles listed above and selected action items identified in the [December 2022 Minister's Mandate Letter](#).

## Purpose of the Ministry

The [Ministry of Indigenous Relations and Reconciliation](#) (the Ministry or MIRR) guides and helps coordinate the Province of British Columbia's efforts to achieve true and lasting reconciliation with [Indigenous Peoples](#)<sup>1</sup> by working in respectful partnerships that recognize inherent rights.

Reconciliation is important to everyone as we work together to address historic wrongs through the path laid out by the [Truth and Reconciliation Commission \(TRC\) of Canada: Calls to Action](#). These efforts create a better province for all.

As the first province in Canada to recognize and uphold Indigenous Peoples' human rights in law through the [Declaration on the Rights of Indigenous Peoples Act](#) (Declaration Act), British Columbia is implementing the [United Nations Declaration on the Rights of Indigenous Peoples](#) (UN Declaration) as our shared framework for reconciliation.

The Declaration Act supports the B.C. government to deepen relationships with Indigenous Peoples through an [action plan](#) that outlines measures to advance the objectives of the UN Declaration. The alignment of provincial laws with the UN Declaration enables government to enter into shared decision-making agreements with a broad range of Indigenous governments.

The Ministry furthers [reconciliation with Indigenous Peoples](#) by collaboratively developing policy and practices, and negotiating and implementing proactive, enduring [agreements, partnerships, and treaties based on recognition of rights](#). The Ministry's focus is to build lasting relationships with Indigenous Peoples through flexible agreements that can evolve over time and collaborative approaches to policy making.

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<sup>1</sup> The term "Indigenous" used throughout this document is inclusive of all peoples of Indigenous ancestry, including First Nations (status and non-status), Métis and Inuit.

The Ministry engages with First Nations governments, communities, organizations, as well as treaty, federal, and municipal partners, stakeholders, and the public. While reconciliation is a whole-of-government responsibility, the Ministry provides guidance and leadership to other areas of government on establishing and enhancing relationships with Indigenous Peoples.

[Reconciliation commitments](#) are achieved by prioritizing collaboration and engagement with Indigenous Peoples through anti-racist, trauma-informed and culturally safe practices. [Strengthening relationships with Indigenous communities](#)<sup>2</sup> and leveraging Indigenous knowledge and perspectives improves social and economic outcomes for Indigenous Peoples and all British Columbians.

The Ministry is also responsible for the [Minister's Advisory Council on Indigenous Women](#), which provides advice to the B.C. government on how to improve the quality of life for Indigenous women in B.C., and the [First Peoples' Cultural Council](#) (FPCC), a provincial Crown corporation formed by the Government of British Columbia in 1990 to administer the First Peoples' Heritage, Language and Culture Program.

## Operating Environment

Reconciliation is a provincial imperative in B.C., embedded in law, that represents a shared commitment to ensure that the province is a place where the rights of First Nations, Métis and Inuit Peoples are recognized. In this work, MIRR is guided by the UN Declaration, the TRC of Canada's 94 Calls to Action, the [Draft Principles that Guide the Province of British Columbia's Relationship with Indigenous Peoples](#), the British Columbia Treaty Commission Act and the First Nations Treaty process, Gender-based Analysis Plus (GBA+) and relevant case law.

Global pressures including a shifting economic forecast and ongoing climate-related emergencies impact every British Columbian. These external conditions amplify the importance of working in partnership to advance reconciliation and strengthen government-to-government relationships with First Nations across the province so that we can continue to meet these challenges together. Despite these continued times of significant challenge and the disproportionate impacts on First Nations communities, as well as the ongoing trauma of revelations from former residential school sites, Indigenous leaders continue to work collaboratively with the Ministry towards our shared reconciliation goals. They have contributed their time and resources to ensure Indigenous knowledge and expertise are brought into this work, benefiting all British Columbians.

As we approach this work, the Ministry and the provincial government are committed to a distinctions-based approach, which means working with First Nations, Métis and Inuit Peoples in a manner that distinguishes and respects the differences between the specific rights, interests, priorities and concerns of each. This commitment requires that the Government of

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<sup>2</sup> The term "communities" means the diversity of Indigenous communities as defined by Indigenous Peoples and includes descriptions such as urban, rural, metropolitan, remote, land-based and reserve.

B.C.'s relationship and engagement with First Nations, Métis and Inuit Peoples may include different approaches or actions and result in different outcomes.

In supporting the government's broader mandate priority to fight racism and promote equity, the Ministry is implementing an action plan arising from an internal Anti-Racism and Equity Audit. The Ministry is working towards more inclusive hiring practices and retention with an emphasis on Indigenous employees.

## Performance Planning

### **Goal 1: Advance equitable social and economic outcomes of Indigenous Peoples**

The Ministry is committed to advancing social and economic outcomes in Indigenous communities in comprehensive and holistic ways that are determined by and organized around each community's priorities. These efforts include sharing the benefits of economic development with First Nations and increasing opportunities for the participation of Indigenous Peoples in the economy.

#### **Objective 1.1: Partner on shared initiatives that improve the quality of life of Indigenous Peoples**

The Ministry works with Indigenous, provincial, and federal agencies and partners to advance opportunities that improve the health and wellness of Indigenous communities through community-focused initiatives.

##### **Key Strategies**

- Provide continued support to First Nations-led investigations at the sites of former Indian Residential Schools and Indian Hospitals in B.C. to enhance Indigenous-delivered mental health, wellness, and cultural supports for residential school and intergenerational survivors.
- Work with the [Minister's Advisory Council on Indigenous Women](#) and the [First Peoples' Cultural Council](#) to advance solutions that support their respective mandates.
- Continue to support urban Indigenous organizations and leadership, including Aboriginal Friendship Centres and urban Indigenous coalitions to deliver Indigenous-centered services, support cultural connections, and support online and in-person dialogues around organizing urban Indigenous voices to address urban reconciliation priorities.
- With support from the Minister of Housing, work with First Nations to address the housing shortage throughout the province and establish/participate in a dedicated joint working group to enhance alignment of housing programs on and off reserve.

##### **Discussion**

The Ministry continues to work in close consultation and cooperation with Indigenous Peoples to ensure that communities' health, wellbeing, and sociocultural priorities throughout the province are actionable. These partnerships invest in economic development, cultural revitalization, human resource capacity building, education, justice, health and family services, and institutional and infrastructure development.

The Ministry provides annual operational funding to the First Peoples' Cultural Council and their mandate to revitalize languages, and cultural heritage. The Ministry also continues to

engage with the Minister's Advisory Council on Indigenous Women to identify and action priorities that support the wellness of Indigenous women in B.C. The Ministry supports reconciliation priorities identified by urban Indigenous Peoples through the implementation of Actions 4.21-4.24 in the *Declaration on the Rights of Indigenous Peoples Act* Action Plan.

Work is underway to further develop indicators that report on reconciliation outcomes associated with implementation of the Declaration Act Action Plan. As this work continues to evolve, the Ministry is developing an outcomes framework, in consultation and cooperation with Indigenous Peoples, tied to the Declaration Action Plan, to highlight opportunities for alignment. The Ministry will seek opportunities to introduce performance measures in future service plans to support reporting on this objective.

## **Objective 1.2: Support First Nation communities in advancing self determination and governance building**

The Ministry works with First Nations to advance self-determination and governance building, supporting economic, social, and cultural initiatives aligned with the priorities of individual communities and transitioning delivery of public services to First Nations governments.

### **Key Strategies**

- Continue engagement on the new distinctions-based fiscal framework, co-developed with First Nations in partnership with the Ministry of Finance, that supports the operation of First Nations' governments.
- Continue to advance work with other ministries and First Nations partners to co-develop and implement new policy frameworks for resource revenue-sharing and other fiscal mechanisms with First Nations.
- Collaborate, align and leverage opportunities with the federal government to support First Nations self-governance, culture, language and heritage.

### **Discussion**

The Ministry, in partnership with the Ministry of Finance, continues engagement on the new fiscal framework with First Nations. As the New Fiscal Framework is co-developed, the ministry will re-evaluate performance measures and targets to ensure consistency with new revenue sharing and other fiscal mechanisms.

As described in the discussion section underneath Objective 1.1, the Ministry will review opportunities for alignment of Action Plan indicators as they become available to support reporting under this objective in future service plans.

## Performance Measures

| Performance Measure   | 2019/20<br>Baseline | 2023/24<br>Forecast | 2024/25<br>Target | 2025/26<br>Target | 2026/27<br>Target |
|---|---------------------|---------------------|-------------------|-------------------|-------------------|
| [1a] Cumulative number of community <sup>1</sup> well-being initiatives | 16                  | 28                  | 32                | 36                | 40                |

Data source: Ministry of Indigenous Relations and Reconciliation

<sup>1</sup> The term community is inclusive of all First Nations, Métis, and urban Indigenous communities.

### Discussion

Community well-being initiatives are reconciliation processes where communities and the B.C. government work in partnership to identify and implement socio-cultural priorities. These partnerships invest in economic development, cultural revitalization, human resource capacity building, education, justice, health and family services, and institutional and infrastructure development.

These arrangements involve highly complex, trust-based relationships which take time to nurture, and require significant internal resources from the Ministry and First Nation(s) to develop. The baseline was chosen as it most accurately reflects the formal emergence of these relationship-driven reconciliation initiatives, which are not generally lands-based or negotiations-based.

| Performance Measure   | 2023/24<br>Forecast | 2024/25<br>Target | 2025/26<br>Target | 2026/27<br>Target |
|---|---------------------|-------------------|-------------------|-------------------|
| [1b] Number of new opportunities <sup>1</sup> for First Nations to participate in revenue sharing | 4                   | 4                 | 4                 | 4                 |

Data source: Ministry of Indigenous Relations and Reconciliation

<sup>1</sup>This includes new revenue sharing opportunities negotiated into particular agreements.

### Discussion

Sharing revenue with First Nations communities is an important reconciliation tool that supports implementation of the UN Declaration and the self-determined pursuit of economic, social, and community development. Like all governments, First Nations require sources of revenue to support capacity and service delivery. Ensuring First Nations share in the wealth generated by economic opportunities helps support economic growth in First Nations communities and for all British Columbians.

The Province has committed to co-developing and implementing new distinctions-based policy frameworks for resource revenue-sharing. The Province expects the target for this performance measure (i.e., four opportunities per year) to continue until this work is completed and new models for revenue sharing are available. The Declaration Act Action Plan contemplates a five-year timeline for this work.



## Goal 2: Work in partnership to achieve true and lasting reconciliation with Indigenous Peoples

True and lasting reconciliation is a cross-government priority requiring collaboration with ministry partners and engagement with all British Columbians.

### Objective 2.1: Implement the United Nations Declaration on the Rights of Indigenous Peoples, the Truth and Reconciliation Commission of Canada's Calls to Action, and Relevant Case Law.

All ministries are accountable for implementing provincial reconciliation commitments. Supporting this, the Ministry works to develop cross-government tools and approaches that achieve the objectives of the UN Declaration through implementation of the Declaration on the Rights of Indigenous Peoples Act, and other relevant legislation and case law.

#### Key Strategies

- As part of implementing the Declaration Act, provide clarity for public servants on how the provincial government engages with distinct Indigenous Peoples in B.C through the Distinctions Based Approach Primer and release a companion document providing guidance on the provincial government's relations with First Nations, Métis, and Inuit.
- Support cross-government implementation of the Declaration Act by providing advice to government ministries and agencies to integrate the objectives of the UN Declaration into their policy and operations.
- Deliver a Declaration Act annual report that includes measures, indicators, and metrics developed in consultation and cooperation with Indigenous Peoples to report on progress made to implement the Declaration Act. This includes an [online dashboard](#) with meaningful icons, which provides a snapshot status of all actions.
- Develop a protocol with the Ministry of the Attorney General to effectively engage and honour the Directives on Civil Litigation involving Indigenous Peoples.

#### Discussion

The Ministry continues its work to support implementation of government's reconciliation commitments and uphold First Nations rights and title in line with legislation and case law in the context of an evolving legal landscape.

The Declaration Act Secretariat ([Appendix A](#)), which is a central agency within government and distinct from the Ministry, continues to lead and guide the alignment of laws with the UN Declaration. The Ministry continues to advance objectives outlined in the Declaration Action Plan and is working to ensure laws and policies within the scope of its own mandate are aligned with and contribute to implementation of the UN Declaration. The Ministry is responsible for working in consultation and cooperation with Indigenous Peoples for many of these actions and is working to support, where indicated in the plan, other ministry partners on shared actions.

To support this work, the Declaration Act Secretariat created “The Interim Approach to Implement the Requirements of Section 3 of the Declaration on the Rights of Indigenous Peoples Act.” It provides every ministry and sector of government with clear, transparent processes for how they can work together with Indigenous Peoples in developing provincial laws, policies and practices, as required under the Declaration Act. Also, the Ministry continues to work with First Nations to advance decision-making agreements as outlined in the Declaration Act, to develop effective approaches to legislative amendments to avoid delays in implementing these agreements, and releasing annual reports to highlight work and progress on implementation of the Act.

The Ministry provides financial support through the Declaration Act Engagement Fund which supports First Nations’ efforts to work with the Province to implement the Declaration Act Action Plan and align provincial laws with the UN Declaration. This fund supports this critical work by helping offset the costs for First Nations to engage with the Province on Declaration Act implementation. The DAEF is flexible, and can support staffing, training, community-level meetings, and other resources required to enhance government-to-government work.

## **Objective 2.2: Negotiate and implement treaties and other constructive agreements with Indigenous Peoples**

The Ministry works with Indigenous Peoples and other ministry partners to establish treaties and other agreements that affirm self-determination and support new approaches to developing a framework for cooperation and co-existence of First Nations jurisdiction.

### **Key Strategies**

- In partnership with First Nations, implement new approaches to negotiations that result in long-term, enduring agreements that recognize and support reconciliation, self-determination, and economic independence.
- Continue to advance engagement with First Nations and other Indigenous Governing Bodies throughout the province on the development of decision-making agreements as outlined in the Declaration Act.
- The Province and Alliance BC Modern Treaty Nations continue to advance commitments identified in the [Shared Priorities Framework](#) to improve treaty implementation and relations across government.
- Work with partner ministries to expand opportunities for engagement that advance the Province’s relationship with Métis people in British Columbia.

### **Discussion**

This Ministry continues its work to ensure that the negotiation and implementation of treaties, shared decision-making mechanisms, and other constructive arrangements uphold First Nations rights, including title, and support long-term, flexible agreements that can evolve over time.

As outlined in the Shared Priorities Framework, the Ministry and Alliance of BC Modern Treaty Nations continue to prioritize appropriate fiscal arrangements to fulfil treaty rights and

obligations. This meaningful involvement of modern treaty nations in legislative and policy initiatives, and corresponding comprehensive organizational and policy changes advance a whole-of-government approach to treaty implementation.

The Declaration Act requires the B.C. government to work in consultation and cooperation with Indigenous Peoples to align provincial laws with the UN Declaration, develop and implement an action plan to meet the objectives of the UN Declaration, and deliver an annual report that details progress to implement the Declaration Act. Through delivery of its reporting commitment, the Ministry outlines, on an annual basis, measures towards implementing the Action Plan and alignment of laws.

## Performance Measures

Reconciliation is a complex and enduring effort that is founded in the relationships that exist between governments. Measuring progress should reflect the evolution of these relationships and capture progress accurately, appropriately, and respectfully.

In recent years, the Ministry of Indigenous Relations and Reconciliation has undertaken development of new measures that capture these relationships and reflect nuances within them. Two measures have been finalized as committed to in the [2023/24 – 2025/26 Service Plan](#).

| Performance Measure  | 2023/24 Forecast | 2024/25 Target | 2025/26 Target | 2026/27 Target |
|--|------------------|----------------|----------------|----------------|
| [2a] First Nations or Indigenous Governing Bodies that have reached <b>major milestones</b> in negotiations. |                  |                |                |                |
| Other Constructive Agreement Negotiations (Tripartite) <sup>1</sup>  | 19               | 20             | 20             | 22             |
| Other Constructive Agreement Negotiations (Bilateral) <sup>2</sup>   | 30               | 25             | 24             | 26             |

Data source: Ministry of Indigenous Relations and Reconciliation

<sup>1</sup>Includes tripartite Comprehensive Reconciliation Agreements (CRAs) and other constructive arrangements; excludes revenue sharing agreements as these are captured in the performance measure for Objective 1.2

<sup>2</sup>Includes bilateral Accommodation Tools, Economic Benefit Agreements, Settlement Agreements, G2G Agreements, and other constructive arrangements; excludes revenue sharing agreements as these are captured in the performance measure for Objective 1.2

## Discussion

Treaties, agreements, and other constructive arrangements serve as a foundation for government-to-government relationships and are key to advancing reconciliation in the province. Guiding this work are policy and legislative tools designed to implement a transformed approach to negotiations that supports the pursuit of self-determination and the inherent right to self-government.

This measure is designed to report on incremental progress made by achieving milestones in specific treaties, agreements, and other constructive arrangements between the Province and First Nations or other Indigenous Governing Bodies. In the past, agreement reporting was based on completed agreements. In many cases, however, the agreements can take several years to negotiate. In the case of treaties, it is decades. Major milestones have been selected as a measure as they better demonstrate progress in negotiations. Milestones can vary between different types of agreements and may include: receiving a negotiation mandate from Treasury Board, bringing a formal offer of lands and/of cash to a negotiation, formal acceptance of an offer by a First Nation, concluding an incremental agreement or concluding a full agreement. The intention is that the milestones are an indicator of substantial progress in a negotiation.

These performance measure targets are based on emerging trends from the current fiscal year forecast to the 2024/25 year forecast. The target remains relatively flat as the measure counts agreement negotiation milestones at a point in time. For example, new agreements will be counted when they are mandated, again when they are recommended to the principals<sup>3</sup>, again when they are signed, but then removed from the count the following year. These numbers will be non-cumulative, but the targets are intended to reflect that we are maintaining the current pace of negotiations.

Generating out-year targets is difficult due to the nature of negotiations and uncertain funding under the Negotiation Plan contingency fund. Out-year targets are based on shorter term trends and reflect conservative progress.

| Performance Measure   | 2023/24 Forecast | 2024/25 Target | 2025/26 Target | 2026/27 Target |
|---|------------------|----------------|----------------|----------------|
| [2b] First Nations within British Columbia exercising self-governance. <sup>1</sup> | 10               | 10             | 11             | 14             |

<sup>1</sup>This measure specifies the number of First Nations within British Columbia exercising self-government, either through a treaty or other negotiated agreement addressing governance, that enables the self-determined pursuit of cultural, social, economic, and other priorities of First Nations.

## Discussion

Self-government is a substantial reconciliation outcome of treaties and other negotiated agreements that establish jurisdictional authority on matters of significance to each First Nation and enhance government-to-government relationships in accordance with the UN Declaration.

This measure specifies the number of First Nations within British Columbia exercising self-governance either through a treaty or other negotiated agreement addressing governance, that enables the self-determined pursuit of cultural, social, economic, and other priorities of First Nations. Targets show a moderate growth trend, as this measure is a cumulative count

<sup>3</sup> 'principals' refers to the parties who can act on behalf of the Nation(s) to sign an agreement.

anticipated to increase slowly year-to-year and reflect moderate growth year-to-year as new agreements are signed and implemented.

# Financial Summary

| (\$000s)  | 2023/24<br>Restated<br>Estimates <sup>1</sup> | 2024/25<br>Estimates | 2025/26<br>Plan  | 2026/27<br>Plan  |
|---|---|----------------------|------------------|------------------|
| <b>Operating Expenses</b>   |   |                      |                  |                  |
| Negotiations and Regional Operations Division                             | 16,187  | 17,897               | 17,897           | 17,897           |
| Strategic Partnerships and Initiatives Division                           | 22,617  | 24,763               | 25,183           | 25,183           |
| Reconciliation Transformation and Strategies Division                     | 3,419   | 3,558                | 3,558            | 3,558            |
| Executive and Support Services  | 12,705  | 12,784               | 12,784           | 12,784           |
| Treaty and Other Agreements Funding                                       | 116,159                                       | 94,704               | 96,974           | 108,512          |
| Declaration Act Secretariat   | 4,431   | 4,567                | 4,567            | 4,567            |
| First Citizens Fund   | 1,716   | 1,823                | 2,046            | 2,209            |
| <b>Total</b>  | <b>177,234</b>                                | <b>160,096</b>       | <b>163,009</b>   | <b>174,710</b>   |
| <b>Capital Expenditures</b>   |   |                      |                  |                  |
| Executive and Support Services  | 3   | 3                    | 3                | 3                |
| <b>Total</b>  | <b>3</b>                                      | <b>3</b>             | <b>3</b>         | <b>3</b>         |
| <b>Other Financing Transactions</b>                                       |   |                      |                  |                  |
| British Columbia First Nations Gaming Revenue Sharing Limited Partnership |   |                      |                  |                  |
| Disbursements   | 110,000                                       | 100,000              | 101,000          | 104,000          |
| Receipts  | (110,000)                                     | (100,000)            | (101,000)        | (104,000)        |
| Net Cash Requirements (Source)  | 0,000   | 0,000                | 0,000            | 0,000            |
| Land Transfers  |   |                      |                  |                  |
| Disbursements <sup>2</sup>  | 39,800  | 43,867               | 0,000            | 0,000            |
| Receipts  | (0,000)                                       | (0,000)              | (0,000)          | (0,000)          |
| Net Cash Requirements (Source)  | 39,800  | 43,867               | 0,000            | 0,000            |
| <b>Total Disbursements</b>  | <b>149,800</b>                                | <b>143,867</b>       | <b>101,000</b>   | <b>104,000</b>   |
| <b>Total Receipts</b>   | <b>(110,000)</b>                              | <b>(100,000)</b>     | <b>(101,000)</b> | <b>(104,000)</b> |
| <b>Total Net Cash Requirements (Source)</b>                               | <b>39,800</b>                                 | <b>43,867</b>        | <b>0,000</b>     | <b>0,000</b>     |

<sup>1</sup> For comparative purposes, amounts shown for 2023/24 have been restated to be consistent with the presentation of the 2024/25 Estimates.

<sup>2</sup> Reflects the current known requirements and will be updated as part of the annual budget process.

\* Further information on program funding and vote recoveries is available in the [Estimates and Supplement to the Estimates](#).

## Appendix A: Declaration Act Secretariat

### Purpose of the Organization

The Declaration Act Secretariat (DAS) is a central agency within the provincial government that works to coordinate and assist the cross-government effort to work in consultation and cooperation with Indigenous Peoples to align provincial laws with the UN Declaration as per section 3 of the *Declaration on the Rights of Indigenous Peoples Act* (Declaration Act):

#### *Measures to align laws with Declaration*

*"In consultation and cooperation with the Indigenous peoples in British Columbia, the government must take all measures necessary to ensure the laws of British Columbia are consistent with the Declaration."*

### Strategic Direction

The Declaration Act was unanimously passed by the Legislative Assembly in 2019. Section 3 of the Declaration Act requires the Province, in consultation and co-operation with Indigenous Peoples, to take "all measures necessary" to ensure consistency between the laws of British Columbia and the *United Nations Declaration on the Rights of Indigenous Peoples*.

Since 2019, the Province has taken some measures pursuant to section 3. The most significant measure was the formation of the Declaration Act Secretariat, established in Budget 2022. The mandate of the Secretariat is to ensure legislation is consistent with the UN Declaration and is developed in consultation and cooperation with Indigenous Peoples, as required by Section 3 of the Declaration on the Rights of Indigenous Peoples Act.

Reporting directly to the Minister of Indigenous Relations and Reconciliation, but distinct from the Ministry of Indigenous Relations and Reconciliation, the Secretariat guides and assists ministries in meeting the alignment of laws obligations, collaborates within government on changes to government's legislative and policy processes, and helps establish government's legislative priorities related to alignment of laws.

The Secretariat's core functions are to:

- provide guidance on consultation and cooperation and consistency of laws;
- develop processes and measures to support alignment of laws;
- inform government's legislative agenda; and
- serve in an interlocutor role.

The Secretariat also provides guidance and advice on how to ensure required consultation and cooperation with Indigenous Peoples takes place. Examples of relevant amendments include the Interpretation Act; Forest and Range Practices Act; FOIPPA; Emergency Program Act; Indigenous Self-Government in Child and Family Services Act; and development of the Anti-Racism Data Act. Additionally, through internal learning processes since the passage of the



Declaration Act, as well as work with Indigenous partners, the Secretariat co-developed guidance on “Interim Approach: Involving Indigenous Peoples in Policy and Legislation”.

## Appendix B: Public Sector Organizations

As of February 9, 2024, the Ministry of Indigenous Relations and Reconciliation is responsible and accountable for the following:

### **BC Treaty Commission**<sup>4</sup>

The BC Treaty Commission is an independent body responsible for facilitating treaty negotiations among First Nations and the governments of Canada and British Columbia.

### **First Peoples' Cultural Council**

The First Peoples' Cultural Council is a First Nation-run Crown corporation that supports the revitalization of Indigenous languages, arts, culture, and heritage in British Columbia.

### **Haida Gwaii Management Council**<sup>5</sup>

The Haida Gwaii Management Council is a strategic-level joint decision-making body for land and natural resource decisions on Haida Gwaii, as set out in the [Kunst'aa guu – Kunst'aayah Reconciliation Protocol](#).

### **Minister's Advisory Council on Indigenous Women**

The Minister's Advisory Council on Indigenous Women provides advice to the Government of British Columbia on how to improve the quality of life of Indigenous women across B.C.

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<sup>4</sup> With reference to the BC Treaty Commission, responsibility and accountability is limited and defined through [the Treaty Commission Act](#).

<sup>5</sup> With reference to the Haida Gwaii Management Council, responsibility and accountability is limited and defined through the [Kunst'aa guu – Kunst'aayah Reconciliation Protocol](#).

## MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION

The mission of the Ministry of Indigenous Relations and Reconciliation is to guide the Province of British Columbia's efforts towards true, lasting reconciliation with Indigenous Peoples in British Columbia. The ministry works towards reconciliation with First Nations, Métis, and Inuit peoples through the implementation of the United Nations Declaration on the Rights of Indigenous Peoples, and through treaties, agreements, partnerships, and other social and economic initiatives.

### MINISTRY SUMMARY

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|   | Estimates<br>2023/24 <sup>1</sup> | Estimates<br>2024/25 |
|---|-----------------------------------|----------------------|
| <b>VOTED APPROPRIATIONS</b>   |                                   |                      |
| Vote 34 — Ministry Operations.....  | 54,928                            | 59,002               |
| Vote 35 — Treaty and Other Agreements Funding.....                            | 116,159                           | 94,704               |
| Vote 36 — Declaration Act Secretariat.....                                    | 4,431                             | 4,567                |
| <b>STATUTORY APPROPRIATION</b>  |                                   |                      |
| First Citizens Fund Special Account.....                                      | 1,716                             | 1,823                |
| <b>OPERATING EXPENSES</b>   | <u>177,234</u>                    | <u>160,096</u>       |
| <b>CAPITAL EXPENDITURES <sup>2</sup></b>                                      | 3                                 | 3                    |
| <b>LOANS, INVESTMENTS AND OTHER REQUIREMENTS <sup>3</sup></b>                 | 39,800                            | 43,867               |
| <b>REVENUE COLLECTED FOR, AND TRANSFERRED TO, OTHER ENTITIES <sup>4</sup></b> | —                                 | —                    |

#### NOTES

<sup>1</sup> For comparative purposes, figures shown for the 2023/24 operating expenses; capital expenditures; loans, investments and other requirements; and revenue collected for, and transferred to, other entities are restated to be consistent with the presentation of the 2024/25 Estimates. A reconciliation of restated operating expenses and capital expenditures is presented in Schedule A.

<sup>2</sup> A listing of estimated capital expenditures by ministry is presented in Schedule C.

<sup>3</sup> A summary of loans, investments and other requirements by ministry is presented in Schedule D.

<sup>4</sup> A summary of revenue collected for, and transferred to, other entities by ministry is presented in Schedule E.

## MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION

## SUMMARY BY CORE BUSINESS

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| OPERATING EXPENSES   | 2023/24              | 2024/25 ESTIMATES    |                             |                |
|--|----------------------|----------------------|-----------------------------|----------------|
|  | Net                  | Gross                | External Recoveries         | Net            |
| <b>Core Business</b>   |                      |                      |                             |                |
| Negotiations and Regional Operations Division.....                           | 16,187               | 17,899               | (2)                         | 17,897         |
| Strategic Partnerships and Initiatives Division.....                         | 22,617               | 24,765               | (2)                         | 24,763         |
| Reconciliation Transformation and Strategies Division.....                   | 3,419                | 3,560                | (2)                         | 3,558          |
| Executive and Support Services.....  | 12,705               | 12,786               | (2)                         | 12,784         |
| Treaty and Other Agreements Funding.....                                     | 116,159              | 473,095              | (378,391)                   | 94,704         |
| Declaration Act Secretariat.....   | 4,431                | 4,569                | (2)                         | 4,567          |
| First Citizens Fund Special Account.....                                     | 1,716                | 1,823                | —                           | 1,823          |
| <b>TOTAL OPERATING EXPENSES .....</b>  | <b>177,234</b>       | <b>538,497</b>       | <b>(378,401)</b>            | <b>160,096</b> |
| <b>CAPITAL EXPENDITURES</b>  |                      |                      |                             |                |
|  | Capital Expenditures | Capital Expenditures | Receipts and P3 Liabilities | Net            |
| <b>Core Business</b>   |                      |                      |                             |                |
| Executive and Support Services.....  | 3                    | 3                    | —                           | 3              |
| <b>TOTAL .....</b>   | <b>3</b>             | <b>3</b>             | <b>—</b>                    | <b>3</b>       |
| <b>LOANS, INVESTMENTS AND OTHER REQUIREMENTS</b>                             |                      |                      |                             |                |
|  | Net                  | Disbursements        | Receipts                    | Net            |
| <b>Core Business</b>   |                      |                      |                             |                |
| Treaty and Other Agreements Funding.....                                     | 39,800               | 43,867               | —                           | 43,867         |
| <b>TOTAL LOANS, INVESTMENTS AND OTHER REQUIREMENTS .....</b>                 | <b>39,800</b>        | <b>43,867</b>        | <b>—</b>                    | <b>43,867</b>  |
| <b>REVENUE COLLECTED FOR, AND TRANSFERRED TO, OTHER ENTITIES</b>             |                      |                      |                             |                |
|  | Net                  | Disbursements        | Receipts                    | Net            |
| <b>Core Business</b>   |                      |                      |                             |                |
| Treaty and Other Agreements Funding.....                                     | —                    | 100,000              | (100,000)                   | —              |
| <b>TOTAL REVENUE COLLECTED FOR, AND TRANSFERRED TO, OTHER ENTITIES .....</b> | <b>—</b>             | <b>100,000</b>       | <b>(100,000)</b>            | <b>—</b>       |

MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION

VOTE DESCRIPTIONS  
(\$000)

Estimates  
2023/24

Estimates  
2024/25

VOTE 34 — MINISTRY OPERATIONS

This vote provides for the programs, operations, and other activities described in the voted appropriations under the following core businesses: Negotiations and Regional Operations Division, Strategic Partnerships and Initiatives Division, Reconciliation Transformation and Strategies Division, and Executive and Support Services.

NEGOTIATIONS AND REGIONAL OPERATIONS DIVISION

Voted Appropriation

|  |        |        |
|--|--------|--------|
| Negotiations and Regional Operations Division..... | 16,187 | 17,897 |
|--|--------|--------|

**Voted Appropriation Description:** This sub-vote provides for the leadership of government's role in building new, lasting, and transformative relationships with Indigenous Peoples through the negotiation and implementation of treaties, incremental treaty agreements, comprehensive reconciliation agreements, revenue-sharing agreements, and other agreements with First Nations, Indigenous Peoples and organizations, and the federal government. In addition, this sub-vote supports negotiation policy development, including emerging policy directives that strive to achieve rights, recognition, and reconciliation outcomes. This sub-vote also provides for cross-government coordination of engagements with First Nations and Indigenous Peoples, including development of government-to-government resource management protocols, cross-government coordination of First Nations and Indigenous Peoples consultation and accommodation, and treaty implementation and treaty-related measures. This sub-vote also provides for ongoing engagement with local governments and regional districts regarding negotiations, agreement implementation, and relationship building priorities with Indigenous communities in regions across the province. This sub-vote also provides for the operation of Victoria-based and regional offices that execute negotiations, agreement implementation, operations, and relationship management approaches. Regional offices support agencies across government at the regional level to coordinate engagements with First Nations and Indigenous Peoples, including providing day-to-day advice on relationships with First Nations and Indigenous Peoples, negotiation mandate development, negotiation leadership and support, and implementation to ensure that provincial government obligations are met. Costs may be recovered from ministries, other entities within government, and parties external to government for activities described within this sub-vote.

STRATEGIC PARTNERSHIPS AND INITIATIVES DIVISION

Voted Appropriation

|  |        |        |
|--|--------|--------|
| Strategic Partnerships and Initiatives Division..... | 22,617 | 24,763 |
|--|--------|--------|

**Voted Appropriation Description:** This sub-vote provides for the support and enhancement of the government's approach to reconciliation with First Nations and Indigenous Peoples through negotiations both inside and outside the treaty process considered strategically important to furthering the socio-cultural and socio-economic priorities of government. This sub-vote also provides for leadership of government's negotiations with the federal government to cost-share treaties, incremental treaty agreements, comprehensive reconciliation agreements, and other arrangements. This sub-vote also supports community support and emergency management; provides for activities supporting the closing and bringing into effect of agreements with First Nations, such as the development of legislation and the closing and implementation of agreements under the British Columbia Treaty Commission process; supports other agencies across government to implement treaties and other agreements and ensure provincial obligations within treaties and other agreements are addressed; and facilitates engagement and negotiation among First Nations, Indigenous communities and organizations, provincial ministries, and key stakeholders with the aim of accommodating First Nation and Indigenous interests and promoting collaboration and coordination on Indigenous issues across sectors and orders of government. This sub-vote also provides for initiatives to address the socio-economic gaps between Indigenous Peoples and other British Columbians, including the identification of opportunities, removal of barriers, cross-ministry coordination of resources and services provided to Indigenous Peoples, and support for data development and reporting out on progress. This sub-vote also provides for leadership in fiscal policy development, tripartite fiscal negotiations (including revenue-sharing agreements with First Nations), and development of financial and specific mandates for treaty negotiations. This sub-vote also provides support for strategic and operational management of funding to support reconciliation initiatives and negotiations, including the First Citizens Fund, the Long-term BC First Nations Gaming Revenue Sharing and Financial Agreement, and related transfers. This sub-vote also supports relationship building, cultural initiatives, community development and innovation, and support to Indigenous leadership and advisory bodies. This sub-vote also provides support for the policy development of a new fiscal framework and resource revenue-sharing with Indigenous Peoples in British Columbia. Costs may be recovered from ministries, other entities within government, and parties external to government for activities described within this sub-vote.

**MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION**

**VOTE DESCRIPTIONS**

(\$000)

|  | Estimates<br>2023/24 | Estimates<br>2024/25 |
|--|----------------------|----------------------|
| <b>RECONCILIATION TRANSFORMATION AND STRATEGIES DIVISION</b>   |                      |                      |
| <b>Voted Appropriation</b>   |                      |                      |
| Reconciliation Transformation and Strategies Division.....   | 3,419                | 3,558                |
| <p><b>Voted Appropriation Description:</b> This sub-vote provides for work across government to guide the adoption of the United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration), and the Truth and Reconciliation Commission of Canada: Calls to Action, and to support the implementation of the Tsilhqot'in Supreme Court Decision and learnings from other relevant case law. This sub-vote provides for the identification and pursuit of key cross-government linkages to support alignment, collaboration and implementation of the UN Declaration, including the development of strategic policy tools and resources for the public service. This sub-vote also provides for the implementation of the <i>Declaration on the Rights of Indigenous Peoples Act</i>, and provides for the engagement processes towards, and the development of, the government's reconciliation vision and leadership of the necessary transformation associated with this vision. This sub-vote also provides for collaboration with the federal government and Indigenous governments and organizations; and working with internal and external partners and stakeholders to identify and help drive economic growth and opportunities. This sub-vote provides for strategic advice and coordination to help drive economic growth and opportunities in Indigenous communities that support meaningful advancement of self-determination outcomes. This sub-vote provides for development, cross-ministry coordination, implementation, and monitoring of Indigenous, external stakeholder, and intergovernmental engagement. Costs may be recovered from ministries, other entities within government, and parties external to government for activities described within this sub-vote.</p> |                      |                      |
| <b>EXECUTIVE AND SUPPORT SERVICES</b>  |                      |                      |
| <b>Voted Appropriations</b>  |                      |                      |
| Minister's Office.....   | 837                  | 871                  |
| Corporate Services.....  | 11,868               | 11,913               |
|  | 12,705               | 12,784               |
| <hr/>  |                      |                      |
| <b>VOTE 34 — MINISTRY OPERATIONS</b>   | 54,928               | 59,002               |

**MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION**

**VOTE DESCRIPTIONS**

(\$000)

Estimates  
2023/24

**Estimates  
2024/25**

**VOTE 35 — TREATY AND OTHER AGREEMENTS FUNDING**

This vote provides for the programs, operations, and other activities described in the voted appropriations under the following core business: Treaty and Other Agreements Funding.

**TREATY AND OTHER AGREEMENTS FUNDING**

**Voted Appropriations**

|  |                |                      |
|--|----------------|----------------------|
| Treaty and Other Agreements Funding..... | 4,471          | <b>4,242</b>         |
| Non Treaty Funding.....                  | <u>111,688</u> | <u><b>90,462</b></u> |
|  | <u>116,159</u> | <u><b>94,704</b></u> |

**Voted Appropriations Description:** This sub-vote provides for transfers and costs to First Nations, Indigenous Peoples and organizations, and third parties as a result of the settlement of treaties, incremental treaty agreements, economic benefit agreements, forest consultation and revenue-sharing agreements, and other agreements, including as a result of the federal/provincial agreement as specified under the *Fort Nelson Indian Reserve Minerals Revenue Sharing Act*. This sub-vote also provides for costs associated with acquisition, administration, and disposal of land and other assets as a result of the settlement of treaties, incremental treaties, and other agreements. Costs may be recovered from revenue received from stumpage, petroleum, natural gas, and minerals extraction or other sources. Costs may also be recovered from ministries, other entities within government, and parties external to government for transfers described within this sub-vote.

**VOTE 35 — TREATY AND OTHER AGREEMENTS FUNDING**

116,159

**94,704**

**MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION**

**VOTE DESCRIPTIONS**

(\$000)

Estimates  
2023/24

**Estimates**  
**2024/25**

**VOTE 36 — DECLARATION ACT SECRETARIAT**

This vote provides for the programs, operations, and other activities described in the voted appropriation under the following core business: Declaration Act Secretariat.

**DECLARATION ACT SECRETARIAT**

**Voted Appropriation**

|                                  |              |                     |
|----------------------------------|--------------|---------------------|
| Declaration Act Secretariat..... | <u>4,431</u> | <u><b>4,567</b></u> |
|----------------------------------|--------------|---------------------|

**Voted Appropriation Description:** This sub-vote provides for the operations of the Declaration Act Secretariat, including the facilitation, coordination, and guidance to meet the alignment of laws obligations under the *Declaration on the Rights of Indigenous Peoples Act* (Declaration Act), including policy and legislative process reform and guidance to government on ensuring that measures align with the United Nations Declaration on the Rights of Indigenous Peoples are taken in consultation and cooperation with Indigenous Peoples. In addition, this sub-vote provides for engagement with Indigenous Peoples to implement the *Declaration on the Rights of Indigenous Peoples Act* and align laws with the United Nations Declaration on the Rights of Indigenous Peoples and to do so in consultation and cooperation with Indigenous Peoples. This sub-vote provides for executive support, including executive services, delivering planning and support focused on major government initiatives and corporate administration. This sub-vote also provides for the Secretariat's strategic, service, and internal communications planning efforts; and business plans and performance monitoring, measurement, and reporting. This sub-vote also provides for finance, administrative, human resources, and information management services and systems; and information and privacy. Costs may be recovered from ministries, other entities within government, and parties external to government for activities described within this sub-vote.

**VOTE 36 — DECLARATION ACT SECRETARIAT**

4,431

**4,567**



**MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION**

**STATUTORY DESCRIPTIONS**

(\$000)

Estimates  
2023/24

Estimates  
2024/25

**STATUTORY APPROPRIATIONS**

This statutory appropriation provides for the programs, operations, and other activities of the following special account: First Citizens Fund.

**FIRST CITIZENS FUND**

**Statutory Appropriation**

|                          |              |              |
|--------------------------|--------------|--------------|
| First Citizens Fund..... | <u>1,716</u> | <u>1,823</u> |
|--------------------------|--------------|--------------|

**Statutory Appropriation Description:** This statutory appropriation provides for the First Citizens Fund which is governed under the *Special Accounts Appropriation and Control Act*.

**MINISTRY GROUP ACCOUNT CLASSIFICATION SUMMARY**

**GROUP ACCOUNT CLASSIFICATION**

|                                      |                |                |
|--------------------------------------|----------------|----------------|
| Salaries and Benefits .....          | 31,349         | 35,108         |
| Operating Costs .....                | 9,373          | 9,562          |
| Government Transfers .....           | 462,105        | 491,040        |
| Other Expenses .....                 | 2,941          | 2,943          |
| Internal Recoveries .....            | (156)          | (156)          |
| External Recoveries .....            | (328,378)      | (378,401)      |
| <b>TOTAL OPERATING EXPENSES.....</b> | <u>177,234</u> | <u>160,096</u> |

**Return to TOC**

## MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION

SPECIAL ACCOUNTS<sup>1</sup>

(\$000)

|   | Estimates<br>2023/24 | Estimates<br>2024/25 |
|---|----------------------|----------------------|
| <b>FIRST CITIZENS FUND</b>  |                      |                      |
| This account was originally created as a fund under the <i>Revenue Surplus Appropriation Act</i> in 1969, was continued under the <i>Funds Control Act</i> in 1979, and was changed to a special account under the <i>Special Accounts Appropriation and Control Act</i> in 1988. The endowment fund has a restricted balance of \$66.5 million which is not permitted to be spent. The account promotes the economic, educational, and cultural well-being of Indigenous Peoples who are normally residents of British Columbia by providing financial assistance through loan guarantees and government transfers. Interest attributable to the account balance is credited to the account as revenue. Expenses consist of government transfers in support of cultural, educational, and economic opportunities. The account also provides funds for the administration costs of certain social and economic development programs. No financing transactions are provided for under this account. |                      |                      |
| <b>SPENDING AUTHORITY AVAILABLE AT THE BEGINNING OF THE FISCAL YEAR <sup>2</sup>.....</b>   | <b>802</b>           | <b>802</b>           |
| OPERATING TRANSACTIONS  |                      |                      |
| Revenue.....  | 1,716                | 1,823                |
| Expense.....  | (1,716)              | (1,823)              |
| Net Revenue (Expense).....  | —                    | —                    |
| FINANCING TRANSACTIONS  |                      |                      |
| Receipts.....   | —                    | —                    |
| Disbursements.....  | —                    | —                    |
| Capital Expenditures.....   | —                    | —                    |
| Net Cash Source (Requirement).....  | —                    | —                    |
| <b>PROJECTED SPENDING AUTHORITY AVAILABLE AT THE END OF THE FISCAL YEAR <sup>2</sup>.....</b>   | <b>802</b>           | <b>802</b>           |

## NOTES

<sup>1</sup> A Special Account is an account in the General Fund where the authorization to spend money from the account is located in an Act other than the *Supply Act*.

<sup>2</sup> The Spending Authority Available at the Beginning of the Fiscal Year 2023/24 is based on the 2022/23 *Public Accounts*. The Projected Spending Authority Available at the End of the Fiscal Year represents the cash and temporary investments projected to be available at the end of each fiscal year.

MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION

LOANS, INVESTMENTS AND OTHER REQUIREMENTS BY CORE BUSINESS

(\$000)

|   | Estimates<br>2023/24 | Estimates<br>2024/25 |
|---|----------------------|----------------------|
| <b>TREATY AND OTHER AGREEMENTS FUNDING</b>  |                      |                      |
| <p>LAND TRANSFERS — Disbursements represent expenditures for acquisition, administration, and disposal of land and other assets as a result of the settlement of treaties, incremental treaties, and other agreements. Negotiation and implementation costs are funded through the ministry's voted appropriations.</p> |                      |                      |
| Disbursements.....  | 39,800               | <b>43,867</b>        |
| Receipts.....   | —                    | —                    |
| Net Cash Requirement (Source).....  | <u>39,800</u>        | <u><b>43,867</b></u> |

## MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION

**REVENUE COLLECTED FOR, AND TRANSFERRED TO, OTHER ENTITIES BY CORE BUSINESS**  
(\$000)

|  | Estimates<br>2023/24 | Estimates<br>2024/25    |
|--|----------------------|-------------------------|
| <b>TREATY AND OTHER AGREEMENTS FUNDING</b>   |                      |                         |
| BRITISH COLUMBIA FIRST NATIONS GAMING REVENUE SHARING LIMITED PARTNERSHIP — Disbursements are made by the Province to the British Columbia First Nations Gaming Revenue Sharing Limited Partnership (Partnership) or to a limited partner of the Partnership at the written request of the Partnership in accordance with the <i>Gaming Control Act</i> , further supported by the Long-term BC First Nations Gaming Revenue Sharing and Financial Agreement in respect of a portion of the actual net income (receipts) of the British Columbia Lottery Corporation collected on behalf of the Partnership under the <i>Gaming Control Act</i> . Administration costs are funded through the ministry's voted appropriations. |                      |                         |
| Disbursements.....   | 110,000              | <b>100,000</b>          |
| Receipts.....  | <u>(110,000)</u>     | <u><b>(100,000)</b></u> |
| Net Cash Requirement (Source).....   | <u>—</u>             | <u>—</u>                |

**MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION**  
(\$000)

**VOTE 34 Ministry Operations**

| Description  | Total<br>2023/24<br>Operating<br>Expenses | 50            | 51        | 52           | 54        | Total<br>Salaries and<br>Benefits | 55        | 57           | 59           | 60           | 63         | 65         | 67       | 68       | 69       |
|--|---|---------------|-----------|--------------|-----------|-----------------------------------|-----------|--------------|--------------|--------------|------------|------------|----------|----------|----------|
| <b>Negotiations and Regional Operations Division</b>         | <b>16,187</b>                             | <b>12,848</b> | <b>65</b> | <b>3,263</b> | <b>—</b>  | <b>16,176</b>                     | <b>—</b>  | <b>738</b>   | <b>—</b>     | <b>590</b>   | <b>77</b>  | <b>301</b> | <b>—</b> | <b>—</b> | <b>—</b> |
| <b>Strategic Partnerships and Initiatives Division</b>       | <b>22,617</b>                             | <b>7,143</b>  | <b>—</b>  | <b>1,815</b> | <b>—</b>  | <b>8,958</b>                      | <b>—</b>  | <b>279</b>   | <b>—</b>     | <b>900</b>   | <b>23</b>  | <b>60</b>  | <b>—</b> | <b>—</b> | <b>—</b> |
| <b>Reconciliation Transformation and Strategies Division</b> | <b>3,419</b>                              | <b>2,361</b>  | <b>—</b>  | <b>600</b>   | <b>—</b>  | <b>2,961</b>                      | <b>—</b>  | <b>54</b>    | <b>—</b>     | <b>23</b>    | <b>8</b>   | <b>15</b>  | <b>—</b> | <b>—</b> | <b>—</b> |
| <b>Executive and Support Services</b>                        | <b>12,705</b>                             | <b>3,323</b>  | <b>—</b>  | <b>868</b>   | <b>75</b> | <b>4,266</b>                      | <b>35</b> | <b>157</b>   | <b>3,052</b> | <b>364</b>   | <b>174</b> | <b>536</b> | <b>—</b> | <b>—</b> | <b>1</b> |
| Minister's Office  | 837                                       | 524           | —         | 157          | 75        | 756                               | —         | 85           | —            | —            | 10         | 20         | —        | —        | —        |
| Corporate Services   | 11,868                                    | 2,799         | —         | 711          | —         | 3,510                             | 35        | 72           | 3,052        | 364          | 164        | 516        | —        | —        | 1        |
| <b>Total</b>   | <b>54,928</b>                             | <b>25,675</b> | <b>65</b> | <b>6,546</b> | <b>75</b> | <b>32,361</b>                     | <b>35</b> | <b>1,228</b> | <b>3,052</b> | <b>1,877</b> | <b>282</b> | <b>912</b> | <b>—</b> | <b>—</b> | <b>1</b> |

**VOTE 35 Treaty and Other Agreements Funding**

| Description                                | Total<br>2023/24<br>Operating<br>Expenses | 50       | 51       | 52       | 54       | Total<br>Salaries and<br>Benefits | 55       | 57       | 59       | 60       | 63       | 65       | 67       | 68       | 69       |
|--|---|----------|----------|----------|----------|-----------------------------------|----------|----------|----------|----------|----------|----------|----------|----------|----------|
| <b>Treaty and Other Agreements Funding</b> | <b>116,159</b>                            | <b>—</b> | <b>—</b> | <b>—</b> | <b>—</b> | <b>—</b>                          | <b>—</b> | <b>—</b> | <b>—</b> | <b>—</b> | <b>—</b> | <b>—</b> | <b>—</b> | <b>—</b> | <b>—</b> |
| Treaty and Other Agreements Funding        | 4,471                                     | —        | —        | —        | —        | —                                 | —        | —        | —        | —        | —        | —        | —        | —        | —        |
| Non Treaty Funding                         | 111,688                                   | —        | —        | —        | —        | —                                 | —        | —        | —        | —        | —        | —        | —        | —        | —        |
| <b>Total</b>                               | <b>116,159</b>                            | <b>—</b> | <b>—</b> | <b>—</b> | <b>—</b> | <b>—</b>                          | <b>—</b> | <b>—</b> | <b>—</b> | <b>—</b> | <b>—</b> | <b>—</b> | <b>—</b> | <b>—</b> | <b>—</b> |

**VOTE 36 Declaration Act Secretariat**

| Description                        | Total<br>2023/24<br>Operating<br>Expenses | 50           | 51       | 52         | 54       | Total<br>Salaries and<br>Benefits | 55       | 57         | 59         | 60         | 63        | 65         | 67       | 68       | 69       |
|------------------------------------|---|--------------|----------|------------|----------|-----------------------------------|----------|------------|------------|------------|-----------|------------|----------|----------|----------|
| <b>Declaration Act Secretariat</b> | <b>4,431</b>                              | <b>2,191</b> | <b>—</b> | <b>556</b> | <b>—</b> | <b>2,747</b>                      | <b>—</b> | <b>280</b> | <b>300</b> | <b>253</b> | <b>33</b> | <b>147</b> | <b>—</b> | <b>—</b> | <b>—</b> |
| <b>Total</b>                       | <b>4,431</b>                              | <b>2,191</b> | <b>—</b> | <b>556</b> | <b>—</b> | <b>2,747</b>                      | <b>—</b> | <b>280</b> | <b>300</b> | <b>253</b> | <b>33</b> | <b>147</b> | <b>—</b> | <b>—</b> | <b>—</b> |

**Statutory Appropriations**

| Description                | Total<br>2023/24<br>Operating<br>Expenses | 50       | 51       | 52       | 54       | Total<br>Salaries and<br>Benefits | 55       | 57       | 59       | 60       | 63       | 65       | 67       | 68       | 69       |
|----------------------------|---|----------|----------|----------|----------|-----------------------------------|----------|----------|----------|----------|----------|----------|----------|----------|----------|
| <b>First Citizens Fund</b> | <b>1,716</b>                              | <b>—</b> | <b>—</b> | <b>—</b> | <b>—</b> | <b>—</b>                          | <b>—</b> | <b>—</b> | <b>—</b> | <b>—</b> | <b>—</b> | <b>—</b> | <b>—</b> | <b>—</b> | <b>—</b> |
| <b>Total</b>               | <b>1,716</b>                              | <b>—</b> | <b>—</b> | <b>—</b> | <b>—</b> | <b>—</b>                          | <b>—</b> | <b>—</b> | <b>—</b> | <b>—</b> | <b>—</b> | <b>—</b> | <b>—</b> | <b>—</b> | <b>—</b> |

| 70 | 72 | 73  | 75  | Total Operating Costs | 77  | 79 | 80     | Total Govt Transfers | 81 | 83 | 85    | Total Other Expenses | 86 | 88    | Total Internal Recoveries | 89  | 90  | Total External Recoveries | Total 2024/25 Operating Expenses |
|----|----|-----|-----|-----------------------|-----|----|--------|----------------------|----|----|-------|----------------------|----|-------|---------------------------|-----|-----|---------------------------|----------------------------------|
| —  | —  | —   | 1   | 1,707                 | —   | —  | —      | —                    | —  | —  | 17    | 17                   | —  | (1)   | (1)                       | (1) | (1) | (2)                       | 17,897                           |
| —  | —  | —   | —   | 1,262                 | 275 | —  | 14,406 | 14,681               | —  | —  | 15    | 15                   | —  | (151) | (151)                     | (1) | (1) | (2)                       | 24,763                           |
| —  | —  | —   | —   | 100                   | 500 | —  | —      | 500                  | —  | —  | —     | —                    | —  | (1)   | (1)                       | (1) | (1) | (2)                       | 3,558                            |
| —  | —  | 238 | 583 | 5,140                 | —   | —  | 940    | 940                  | —  | —  | 2,441 | 2,441                | —  | (1)   | (1)                       | (1) | (1) | (2)                       | 12,784                           |
| —  | —  | —   | —   | 115                   | —   | —  | —      | —                    | —  | —  | —     | —                    | —  | —     | —                         | —   | —   | —                         | 871                              |
| —  | —  | 238 | 583 | 5,025                 | —   | —  | 940    | 940                  | —  | —  | 2,441 | 2,441                | —  | (1)   | (1)                       | (1) | (1) | (2)                       | 11,913                           |
| —  | —  | 238 | 584 | 8,209                 | 775 | —  | 15,346 | 16,121               | —  | —  | 2,473 | 2,473                | —  | (154) | (154)                     | (4) | (4) | (8)                       | 59,002                           |

| 70 | 72 | 73 | 75 | Total Operating Costs | 77      | 79 | 80     | Total Govt Transfers | 81 | 83 | 85 | Total Other Expenses | 86 | 88  | Total Internal Recoveries | 89  | 90        | Total External Recoveries | Total 2024/25 Operating Expenses |
|----|----|----|----|-----------------------|---------|----|--------|----------------------|----|----|----|----------------------|----|-----|---------------------------|-----|-----------|---------------------------|----------------------------------|
| —  | —  | —  | —  | —                     | 378,390 | —  | 94,706 | 473,096              | —  | —  | —  | —                    | —  | (1) | (1)                       | (1) | (378,390) | (378,391)                 | 94,704                           |
| —  | —  | —  | —  | —                     | —       | —  | 4,244  | 4,244                | —  | —  | —  | —                    | —  | (1) | (1)                       | (1) | —         | (1)                       | 4,242                            |
| —  | —  | —  | —  | —                     | 378,390 | —  | 90,462 | 468,852              | —  | —  | —  | —                    | —  | —   | —                         | —   | (378,390) | (378,390)                 | 90,462                           |
| —  | —  | —  | —  | —                     | 378,390 | —  | 94,706 | 473,096              | —  | —  | —  | —                    | —  | (1) | (1)                       | (1) | (378,390) | (378,391)                 | 94,704                           |

| 70 | 72 | 73  | 75  | Total Operating Costs | 77 | 79 | 80 | Total Govt Transfers | 81 | 83 | 85  | Total Other Expenses | 86 | 88  | Total Internal Recoveries | 89  | 90  | Total External Recoveries | Total 2024/25 Operating Expenses |
|----|----|-----|-----|-----------------------|----|----|----|----------------------|----|----|-----|----------------------|----|-----|---------------------------|-----|-----|---------------------------|----------------------------------|
| —  | —  | 130 | 210 | 1,353                 | —  | —  | —  | —                    | —  | —  | 470 | 470                  | —  | (1) | (1)                       | (1) | (1) | (2)                       | 4,567                            |
| —  | —  | 130 | 210 | 1,353                 | —  | —  | —  | —                    | —  | —  | 470 | 470                  | —  | (1) | (1)                       | (1) | (1) | (2)                       | 4,567                            |

| 70 | 72 | 73 | 75 | Total Operating Costs | 77 | 79 | 80    | Total Govt Transfers | 81 | 83 | 85 | Total Other Expenses | 86 | 88 | Total Internal Recoveries | 89 | 90 | Total External Recoveries | Total 2024/25 Operating Expenses |
|----|----|----|----|-----------------------|----|----|-------|----------------------|----|----|----|----------------------|----|----|---------------------------|----|----|---------------------------|----------------------------------|
| —  | —  | —  | —  | —                     | —  | —  | 1,823 | 1,823                | —  | —  | —  | —                    | —  | —  | —                         | —  | —  | —                         | 1,823                            |
| —  | —  | —  | —  | —                     | —  | —  | 1,823 | 1,823                | —  | —  | —  | —                    | —  | —  | —                         | —  | —  | —                         | 1,823                            |



November 26, 2020

Honourable Murray Rankin  
Minister of Indigenous Relations and Reconciliation  
Parliament Buildings  
Victoria, British Columbia V8V 1X4

Dear Minister Rankin:

Thank you for agreeing to serve British Columbians as Minister of Indigenous Relations and Reconciliation. You are taking on this responsibility at a time when people in our province face significant challenges as a result of the global COVID-19 pandemic.

COVID-19 has turned the lives of British Columbians upside down. None of us expected to face the challenges of the past number of months, yet British Columbians have demonstrated incredible resilience, time and time again. We will get through the pandemic and its aftereffects by building on this resilience and focusing on what matters most to people.

British Columbians voted for a government focused on their priorities: fighting the COVID-19 pandemic, providing better health care for people and families, delivering affordability and security in our communities, and investing in good jobs and livelihoods in a clean-energy future.

I expect you – and the work of your ministry – to focus on the commitments detailed in our platform, *Working for You*, along with the following foundational principles:

- **Putting people first:** Since 2017, our government has focused on making decisions to meet people's needs. That focus drove our work in our first term and will continue to be our priority. British Columbians are counting on the government to keep them safe and to build an economic recovery that works for everyone, not just those at the top. Keeping people at the centre of everything we do means protecting and enhancing the public services people rely on and working to make life more affordable for everyone.
- **Lasting and meaningful reconciliation:** Reconciliation is an ongoing process and a shared responsibility for us all. The unanimous passage of the *Declaration on the Rights of Indigenous Peoples Act* was a significant step forward in this journey. True

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reconciliation will take time and ongoing commitment to work with Indigenous peoples as they move toward self-determination. Our government – and every ministry – must remain focused on creating opportunities for Indigenous peoples to be full partners in our economy and providing a clear and sustainable path for everyone to work toward lasting reconciliation.

- **Equity and anti-racism:** Our province's history, identity and strength are rooted in its diverse population. Yet racialized and marginalized people face historic and present-day barriers that limit their full participation in their communities, workplaces, government and their lives. Our government has a moral and ethical responsibility to tackle systemic discrimination in all its forms – and every ministry has a role in this work. While our caucus elected a record number of women, more work remains to address gender equity. Delivering on our commitments to address racial discrimination will require a commitment by all of government to ensure increased IBPOC (Indigenous, Black and People of Colour) representation within the public service, including in government appointments. Our efforts to address systemic discrimination must also inform policy and budget decisions by reviewing all decisions through a Gender-Based Analysis Plus (GBA+) lens.
- **A better future through fighting climate change:** In 2018, our government launched our CleanBC climate action plan. CleanBC puts British Columbia on the path to a cleaner, better future by building a low-carbon economy with new clean-energy jobs and opportunities, protecting our air, land and water and supporting communities to prepare for climate impacts. It is every Minister's responsibility to ensure your ministry's work continues to achieve CleanBC's goals.
- **A strong, sustainable economy that works for everyone:** We will continue our work to support British Columbians through the pandemic and the economic recovery by investing in health care, getting people back to work, helping businesses and communities, and building the clean, innovative economy of the future. Our plan will train the workforce of tomorrow, help businesses hire and grow and invest in the infrastructure needed to build our province.

The pandemic has reminded us that we're strongest when we work together. Delivering on our commitments to people will require a coordinated effort with your cabinet and caucus colleagues, supported by the skilled professionals in the public service. You will also support your cabinet colleagues to do their work, particularly where commitments cross ministry lines.

British Columbians expect their elected representatives to work together to advance the broader public good despite their partisan perspectives. That means seeking out, fostering and championing good ideas, regardless of their origin. I expect you to reach out to elected members from all parties as you deliver on your mandate. Further, you will build thoughtful and sustained relationships through public and stakeholder engagement plans that connect with people to incorporate their perspectives early in the policy development process. These plans must include measurable outcomes and ensure active dialogue and ongoing outreach in your ministry's actions and priorities.



Over the course of our mandate, I expect you will make progress on the following items:

- Work with your cabinet colleagues and Indigenous partners to address the needs of Indigenous communities through our government's COVID-19 response and recovery efforts.
- In collaboration with Indigenous partners, deliver the action plan required under the *Declaration on the Rights of Indigenous Peoples Act* to build strong relationships based on recognition and implementation of the inherent rights of Indigenous peoples protected in Canada's constitution.
- Bring forward for cabinet consideration a plan to create a dedicated Secretariat by the end of 2021 to coordinate government's reconciliation efforts and to ensure new legislation and policies are consistent with the *Declaration on the Rights of Indigenous Peoples Act*.
- Improve our government's relationships with Indigenous peoples by moving from short-term transactional arrangements to long-term agreements that recognize and support reconciliation, self-determination and economic independence – and do so with your cabinet colleagues.
- Facilitate partnership with First Nations around key decisions on regional land and resource use allocation through evolving shared decision making, building on the *Declaration on the Rights of Indigenous Peoples Act*, to provide a clear, stable and sustainable path for everyone to work together – and do this with your cabinet colleagues.
- Extend our support for cultural preservation and revitalization by funding key projects designed to preserve and respect Indigenous cultures, including the retention and revitalization of First Nations languages.
- Expand our government's support for Aboriginal Friendship Centres that serve the needs of local Indigenous communities while playing a vital role in connecting urban Indigenous peoples from across the province to their home communities.
- With support from the Attorney General and Minister responsible for Housing, lead work to bring the federal government to the table to match our funding to build much-needed housing for Indigenous peoples both on and off reserve.
- Support the work of the Minister of Education to put more Indigenous languages into B.C.'s curriculum.
- Support the work of the Minister of Environment and Climate Change Strategy to reflect Indigenous peoples' history and cultures in provincial parks and wilderness areas.

Our work as a government must continually evolve to meet the changing needs of people in this province. Issues not contemplated in this letter will come forward for government action and I

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ask you to bring such matters forward for consideration by the Planning and Priorities Committee of cabinet, with the expectation that any proposed initiatives will be subject to the usual cabinet and Treasury Board oversight. Your ministry's priorities must reflect our government's overall strategic plan as determined by cabinet.

All cabinet members are expected to review, understand, and act according to the *Members' Conflict of Interest Act* and conduct themselves with the highest level of integrity. As a minister of the Crown, your conduct will reflect not only on you but on cabinet and our government. You are responsible for providing strong, professional and ethical leadership within cabinet and your ministry. You will establish a collaborative working relationship with your deputy minister and the public servants under their direction who provide the professional, non-partisan advice that is fundamental to delivering on our government's priorities. You must ensure your minister's office meets the highest standards for integrity and provides a respectful and rewarding environment for all staff.

My commitment to all British Columbians is to do my level best to make sure people's lives are better, safer and more affordable. I believe the challenges we face can and will be overcome by working together. By way of this letter, I am expressing my faith that people can expect the same commitment from you.

Sincerely,

A handwritten signature in black ink that reads "John J. Horgan". The signature is fluid and cursive, with a long horizontal line extending to the right.

John Horgan  
Premier



BRITISH  
COLUMBIA

December 7, 2022

Honourable Murray Rankin  
Minister of Indigenous Relations and Reconciliation  
Parliament Buildings  
Victoria, BC V8V 1X4

Dear Minister Rankin:

Thank you for agreeing to continue to serve as Minister of Indigenous Relations and Reconciliation. I trust in your leadership at this critical time to deliver results for the people of British Columbia.

British Columbians continue to recover from and respond to the upheaval caused by the COVID-19 pandemic and climate related natural disasters, while global inflation is driving up costs for more households and the world's economic outlook is concerning. Now more than ever, we need to focus on building a secure, low emission, sustainable economy, and a province where everyone can find a good home – whether you live in a rural area, in a city, or in an Indigenous community. We will continue working toward true and meaningful reconciliation by supporting opportunities for Indigenous Peoples to be full partners in the inclusive and sustainable province we are building together.

Our government is committed to delivering on the mandate British Columbians gave us in 2020. Together we can make life better for people in B.C., improve the services we all rely on, and ensure a sustainable province for future generations.

As we renew our work, my priority as Premier is to deliver results that people can see and feel in four key areas:

- **Attainable and affordable housing:** In the wake of soaring prices and record migration to B.C., we will take on the important work of building new homes that are actually attainable for the middle class, while continuing our work to address the housing crisis for those in distress on our streets.

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**Office of the  
Premier**

**Web Site:**  
[www.gov.bc.ca](http://www.gov.bc.ca)

**Mailing Address:**  
PO Box 9041 Stn Prov Govt  
Victoria BC V8W 9E1

**Location:**  
Parliament Buildings  
Victoria

**Return to TOC**

- **Safer communities:** To address concerns about public safety, both for the people struggling with mental health and addiction on our streets, as well as the feeling that downtown centres are not as safe as they were before the pandemic, we will work with our partners at all levels of government, the justice and health care systems, the non-profit sector, and community leaders to find solutions for this complex challenge facing our province, and work overtime to seize the assets of high-level criminals.
- **Improved health care:** Amid unprecedented pressures we will continue to work to strengthen our public health care system, from family doctors to new hospitals, so care is there for each of us when we need it.
- **A sustainable, clean, secure, and fair economy:** We will continue our work investing in British Columbians, fighting racism and promoting equity, and building a clean economy that addresses our obligations to combat climate change by driving down emissions, while creating good, family supporting jobs.

Our historic partnership with First Nations leadership to pass the UN Declaration on the Rights of Indigenous Peoples into law domestically in British Columbia was groundbreaking – but it was also just the beginning of the journey and work with Indigenous Peoples in our province.

The Action Plan for the *Declaration on the Rights of Indigenous Peoples Act*, along with innovative, true, and meaningful reconciliation initiatives with rights and title holders across the province, will be how we will bring to life our commitments under this remarkable legislation in ways that the entire province can see, touch, and feel in their daily lives.

Reconciliation is a shared responsibility and partnerships between all levels of government have the real potential to improve life in communities across the province for everyone. Nobody wins with the uncertainty, enforced poverty, racism, and trauma that comes from our province's shameful history with Indigenous Peoples. The costs of not acknowledging that history are carried not only by Indigenous Peoples, but by all British Columbians.

By resetting our relationships as true partnerships and by recognizing and supporting the jurisdiction and self-determination of Indigenous Peoples to govern their own lives, we ensure Indigenous governments have the resources to deliver services to their communities. Not only can we move forward, we can build a stronger and more prosperous future not just for Indigenous Peoples, but for all British Columbians.

Since 2020, our government has made considerable progress on important initiatives including:

- Establishing the new Declaration Act Secretariat and delivering the Action Plan required under the *Declaration on the Rights of Indigenous Peoples Act*.
- Making progress in moving from transactional arrangements to long-term agreements with Indigenous Peoples that support reconciliation.
- Delivering new provincial funding to support and strengthen work to reclaim and revitalize Indigenous cultures, arts, heritage, and First Nations languages.

As you continue to make progress on items in your previous mandate letter, over the remaining period of this mandate I expect you to prioritize making progress on the following:

- Lead work across ministries to implement the *Declaration Act* Action Plan in consultation and cooperation with Indigenous Peoples, including reporting annually on progress.
- Through the new *Declaration Act* Secretariat, continue to ensure new legislation and policies are consistent with the *Declaration on the Rights of Indigenous Peoples Act*.
- Continue to improve our government's relationships with Indigenous Peoples by moving from short-term transactional arrangements to long-term agreements that recognize and support reconciliation, shared decision-making, self-determination, and economic independence, including advancing work to co-develop the new distinctions-based fiscal relationship with Indigenous Peoples.
- In collaboration with First Nations and with support from the Minister of Housing, lead work to bring the federal government to the table to match our funding to build much-needed housing for Indigenous Peoples both on and off reserve.
- Propose steps to continue increasing the capacity of all ministries to advance reconciliation with Indigenous Peoples.
- Support ministries to implement agreements under Sections 6 and 7 of the *Declaration on the Rights of Indigenous Peoples Act* that enable shared statutory decision-making authority, and advance the recognition of First Nations self-determination and Indigenous laws.
- Support the Public Service Agency to increase recruitment and retention of Indigenous Peoples in the public service.

Our work together must continue to evolve to meet the changing needs of people in this province. Issues not contemplated by this letter will come forward for government action and I ask you to bring such matters forward for consideration by the Planning and Priorities Committee of Cabinet, with the expectation that any proposed initiatives will be subject to the usual Cabinet and Treasury Board oversight and include measurable outcomes for British Columbians. Your ministry's priorities must reflect our government's overall strategic plan as determined by Cabinet.

British Columbians expect their elected representatives to work together to advance the public good. That means seeking out, fostering, and championing good ideas regardless of their origin. I expect you to reach out to elected members from all parties as you deliver on your mandate. Further, you will build thoughtful and sustained relationships both with title holders and through public and stakeholder engagement plans that incorporate diverse perspectives early in the policy development process. Federal partnerships and resources will be particularly important and, on behalf of our government, you will engage with the federal government on advancing priorities to improve the lives of British Columbians.

As a Cabinet, we will uphold the highest standards of ethics, collaboration, and good conduct in service of the public, and as a Minister of the Crown, you are expected to review, understand, and act according to the *Members' Conflict of Interest Act*. You will establish a collaborative working relationship with your Deputy Minister, and the public servants under their direction, who provide the professional, non-partisan advice that is fundamental to delivering on our government's priorities. Your Minister's Office must meet the highest standards for integrity and provide a respectful, rewarding environment for all staff.

The rural and urban challenges that we face are urgent and complex. In response, we must be forward-thinking, strategic, and ready to work across disciplines and old divisions in new ways. Labour shortages are a major issue globally, and British Columbia is no exception, including in the public service. Maintaining the BC Public Service as an employer of excellence will be key to retaining and recruiting the diverse professionals we rely on to deliver essential services, advice, and analysis.

At the core of this work is listening and responding to the priorities of people in B.C. Together, we can deliver results in very real ways – ways that people can see, feel, and touch, and that change their lives for the better. Thank you for doing this important work with me.

Sincerely,



David Eby, KC  
Premier

## ADVICE TO MINISTER

|  |   |
|--|---|
| <p style="text-align: center;"><b>CONFIDENTIAL<br/>ISSUES NOTE</b></p> <p>Ministry of Indigenous Relations and Reconciliation<br/>Date: April 30, 2024<br/>Minister Responsible: Murray Rankin</p> | <h1>Reconciliation<br/>Accomplishments</h1> |
|--|---|

### KEY MESSAGES – GENERAL:

- **Working with together Indigenous Peoples, we are supporting reconciliation in ways that makes a real difference in peoples’ lives.**
- **Over the past year, we’ve made significant investments to support the Indigenous governments, communities and organizations in our collective work, as laid out in the Declaration on the Rights of Indigenous Peoples Act and Action Plan.**
- **Reconciliation is in everyone’s best interest. Working in recognition and respect is the only way forward.**
- **Together with First Nations, Métis and Inuit people, we are finding solutions and building a stronger BC for all British Columbians.**

### SECONDARY MESSAGES:

- **We are continuing our work on advancing reconciliation by:**
  - **standing with and supporting residential school survivors, their families and communities who are seeking truth and justice for the children that never came home.**
  - **making the necessary changes to restore Indigenous jurisdiction over children and family services – helping to keep families together.**
  - **implementing a new graduation requirement to ensure all students complete Indigenous-focused coursework before they graduate from the B.C. education system.**
  - **helping revitalize Indigenous languages, culture and heritage.**
  - **providing accessible help for those experiencing anti-Indigenous racism.**
  - **supporting housing initiatives, with more than 1,500 Indigenous Housing Fund homes are open or underway, with 527 units built on-reserve.**

## **CONSTRUCTIVE RECONCILIATION AGREEMENTS:**

- **Over the past year, we have worked together to develop new and historic agreements while successfully implementing existing agreements.**
- **In April we signed the Gaayhllxid • Gíihlagalgang “Rising Tide” Haida Title Lands Agreement, a first of its kind negotiated agreement between the Haida Nation and B.C.**
- **The agreement recognizes the Haida Nation’s Aboriginal title throughout Haida Gwaii, it provides stability and clarity in key areas, while setting out the work we will do together in the years ahead. And it avoids the confusion and unpredictability from leaving these issues for the courts to decide.**
- **It marks a major milestone in our government-to-government relationship, and in Crown relations with First Nations across Canada.**
- **Last year, we also introduced and passed key legislation, including the Haida Recognition Act. This is a significant and important step – more than 20 years in the making – affirming the Nation’s self-determination, which is paramount in moving reconciliation forward.**
- **In the North, we have signed two consent-based agreements with the Tahltan Central Government under Section 7 of the Declaration Act – for the Eskay Creek and the Red Chris mines.**
- **These agreements also operate under section 7 of the Environmental Assessment Act. We are also in negotiations for another agreement with Tahltan on the Galore Creek mine.**
- **On the coast, we are working with ‘Namgis First Nations on a joint decision-making agreement under section 7 of the Declaration Act to support forest stewardship and sustainable forestry operations.**
- **Since 2017, First Nations, Canada, and B.C. have been focused on creating innovative treaty agreements that are strong but flexible and better suited to addressing the needs of individual First Nations.**
- **In the Interior, we worked together to complete the purchase of three ranches to return historically significant land to Canim Lake Indian Band and Stswecem'c Xget'tem First Nation, marking major milestones in the Northern Secwepemc te Qelmu'cw Treaty negotiations.**



## ADVICE TO MINISTER

- In October 2023, the Tlowitsis, We Wai Kai, Wei Wai Kum and K'ómoks First Nations, and Western Forest Products Inc. reached an agreement for the Nations to acquire a 34% interest from Western in a newly formed limited partnership for \$35.9 million.
- The Province of British Columbia helped to facilitate the partnership through Incremental Treaty Agreements with the Nations, all of whom are in Stage 5 of the British Columbia Treaty Process.
- B.C., Canada, and First Nations Summit continue to make collective progress in treaty negotiations. We are close to major milestones with several Nations and hope to be able to speak to those in the near future.

### LAND TRANSFERS:

- First Nations have told us the ability to connect to and benefit from land in their territories is critical to healthy communities, revitalizing culture, and promoting economic growth.
- Ownership of land – whether through treaties or other types of agreements – is a catalyst for First Nations' communities. The return of land is a key step in helping these communities build economies and improve local services.
- We have recently completed a number of important land transfer agreements with First Nations including Treaty 8 Nations, Snuneymuxw First Nation, Lake Babine Nation and Tsq̓ésceñ [*Chesken*] First Nation (formerly Canim Lake Indian Band).
- These agreements are helping protect key cultural and environmental values, while also providing First Nations with economic opportunities.
- The Province recently purchased 36 hectares of undeveloped private property in Semá:th territory to support ongoing negotiations between the Province and Semá:th.
- The Lightning Rock site holds deep cultural and spiritual significance, serving as a repository of traditions and narratives passed down through generations.

### REVENUE SHARING:

- Strong First Nations' communities benefit everyone by creating opportunities, and the jobs that go with them, and helping to provide economic stability for all – industry, local governments and First Nations.

- **As part of implementing the UN Declaration, we are working towards a future where Indigenous governments can fulfil their responsibilities, care for their people, and manage their territories in ways that reflect their values.**
- **To be successful, we know we can't keep doing things the way they were done in the past – with government focused on short term transactional agreements. We need to develop new and respectful ways of working together.**
- **We are committed to building a relationship that supports Indigenous self-determination and inherent right to self-government by:**
  - **sharing more than \$437 million in gaming revenue with First Nations since 2020 to provide stable revenue and support programs and services in communities according to their individual priorities.**
  - **working to recognize First Nations as full partners in sustainable forest management, immediately doubling existing forestry revenue sharing, and committing to co-develop a new forestry revenue sharing formula.**
  - **This year we are forecasting \$385 million projected revenue sharing for forestry, mining, tourism, and oil and gas.**
- **And we are creating new revenue sharing agreements and opportunities with First Nations. In 2023, the Province signed interim revenue sharing agreements with the Ktunaxa, Secwepemc, and Syilx Okanagan Nations to help address current and ongoing impacts of Columbia River Treaty operations on the First Nations' rights and title.**

#### **ECONOMIC RECONCILIATION:**

- **By establishing tools to help support equity financing opportunities, First Nations can develop strong economic development partnerships.**
- **That's why through Budget 2024 legislation, we will establish a First Nations equity financing framework, with a \$10-million inaugural balance.**
- **This will help support immediate capacity needs for those First Nations actively considering equity participation in priority projects.**
- **The special account also allows us to provide provincial guarantees for equity loans undertaken by First Nations interested in projects.**
- **Consistent with the approach in other jurisdictions, the special account will have a cumulative loan guarantee limit of \$1 billion and will be reviewed annually.**

## ADVICE TO MINISTER

- Throughout the coming months, I look forward to supporting the Ministry of Finance as they consult and cooperate with First Nations and organizations, and engaging business leaders across B.C. to help develop a First Nations Equity Financing Framework.
- These new equity financing tools will support inclusive project partnerships as we continue to support First Nations self-determination and meaningful participation in economic opportunities.

### DECLARATION ACT IMPLEMENTATION:

- As we approach the five-year anniversary of the Declaration on the Rights of Indigenous Peoples, momentum is building in the implementation of the Declaration Act Action Plan.
- The five-year Action Plan includes 89 tangible, achievable cross-government actions in the areas of self-determination and self-government, rights and title, ending anti-Indigenous racism, and enhancing social, cultural and economic well-being.
- In year two, 32 action items are complete or underway, with a further update anticipated with the release of the annual report in June.

### DECLARATION ACT ENGAGEMENT FUND:

- We want to ensure full and equitable participation by First Nations in our shared work.
- Launched in 2023, the Declaration Act Engagement Fund is reducing barriers for First Nations to fully participate in the implementation of the Declaration Act, including alignment of laws, and the Declaration Act Action Plan.
- The \$200-million fund – administered by the New Relationship Trust – is creating flexibility for First Nations to engage with the Province in ways that respond to the priorities and unique needs of their communities.

Government Financial Information; Intergovernmental Communications

### DECLARATION ACT SECRETARIAT:

- The Declaration Act Secretariat was established in 2022 as a dedicated body to support government's reconciliation efforts by ensuring laws, policies and practices are consistent with the Act.
- In October 2022, the Secretariat released the 'Interim Approach to Implement the Requirements of Section 3 of the Declaration on the Rights of Indigenous Peoples Act'.

- The interim guidance approach provides every ministry and sector of government with clear, transparent processes for how they are to work together with Indigenous Peoples in developing provincial laws, policies and practices that align with the UN Declaration, as required under the Declaration Act.
- Together with Indigenous Peoples, the Secretariat is providing recommendations on laws to prioritize for comprehensive alignment with the UN Declaration.
- And they are working to co-develop measures through which a review of laws will take place.

#### LEGISLATIVE ALIGNMENT:

- With this spring legislative session, we have introduced the most legislation ever to support the Declaration Act commitments, this includes:
  - Changes to the Land Title and Property Law Amendment Act will provide administrative changes to the ways First Nations can acquire, hold and register fee simple land in B.C., reducing discriminatory and racist barriers.
  - Changes to the Police Act to improve governance and oversight of policing as part of the Province's work to make systemic improvements to the policing and public safety landscape in B.C.
  - Under the new Anti-Racism Act, Indigenous and racialized communities will be able to apply for grants to help identify and eliminate racism, and address its impact on people, so those most affected by institutional racism do not have to bear the financial burden of fixing the system.
    - This Act is an important step toward addressing systemic racism in the province, building on the milestone Anti-Racism Data Act.
  - Legislation that commits operational funding to First Nations-mandated institutes to grow their operational capacity to support the revitalization of First Nations languages and cultures and to provide quality education to learners.
  - The Athlii Gwaii legacy trust (winding up) act will enable community, economic development in Haida Gwaii.
  - The Vancouver Charter Amendment Act, 2024, will recognize First Nations as a level of government that qualify for exemptions from the City of Vancouver's development cost levy and amenity cost charge for social housing projects built on First Nations-owned land in Vancouver.

## ADVICE TO MINISTER

- **Amendments to six acts, including the Sechelt Indian Government District Enabling Act, will replace the word ‘Sechelt’ with ‘shíshálh’ and ‘Indian Band’ with ‘Nation’ to maintain consistency with federal legislation.**
- **The Province continues to work in consultation and co-operation with First Nations to develop a vision for and implementation of Mineral Tenure Act to reform to achieve consistency with the UN Declaration.**
- **And building on legislation from 2022, we are creating of a new Indigenous child welfare director that will help better ensure the safety, wellness, and access to community and culture for Indigenous children.**

### KEY FACTS:

Since 2017, the provincial government committed to creating true and lasting reconciliation with Indigenous Peoples in B.C. Key to reconciliation is building government-to-government relationships with Indigenous Peoples that are based on recognition of rights, respect, co-operation and partnership.

All provincial ministers were tasked with moving forward on the Truth and Reconciliation Commission’s Calls to Action and finding ways to implement the UN Declaration on the Rights of Indigenous Peoples by reviewing government’s policies, programs and legislation. Implementation of these commitments is being done in partnership with Indigenous Peoples. B.C. has accomplished a lot on consultation and co-operation with Indigenous Peoples. Premier David Eby has recommitted the provincial government’s commitment to move reconciliation forward – even accelerate actions with indigenous Peoples in B.C.

**Media Interest:** Provincial, national and international media closely follow B.C.’s reconciliation actions. From implementing the UN Declaration on the Rights of Indigenous Peoples to protests against pipeline projects, media interest in Crown-Indigenous relations remains high. In March 2024, BC Conservative candidates began to publicize their commitment to repealing the Declaration Act if elected.

Communications contacts: Leanne Ritchie

Program area contacts: Tom McCarthy

## **Indigenous Peoples and B.C. lead the way forward together**

In British Columbia, there is a shared commitment to ensure that the province is a place where the inherent rights of Indigenous Peoples are recognized and Indigenous Peoples can thrive.

Reconciliation is a provincial imperative, embedded in law, and we are seeing real progress and change. In 2019, we collaborated with Indigenous Peoples to develop and pass the Declaration on the Rights of Indigenous Peoples Act (Declaration Act) – the first legislation of its kind in Canada. This is the province’s framework for implementing the United Nations Declaration of the Rights of Indigenous Peoples (UN Declaration).

Through this work we are building a province where Indigenous’ excellence, leadership, governance, and self-determination is recognized and respected.

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## Declaration on the Rights of Indigenous Peoples

- **Declaration on the Rights of Indigenous Peoples Act passes, recognizing the human rights of Indigenous Peoples in law:** The Declaration Act mandates government to bring provincial laws into alignment with the UN Declaration and to develop and implement an action plan to achieve the objectives of the UN Declaration in consultation and co-operation with Indigenous Peoples. (November 2019)
- **Together with Indigenous Peoples, the Province released the historic Declaration Act Action Plan:** Developed in consultation and co-operation with Indigenous Peoples, the Action Plan outlines 89 specific actions every ministry in government will take over the coming five years to create a better BC for everyone. The 2022-23 Declaration Act Annual Report details efforts so far. In year one, 32 of 89 actions are completed or underway. (March 2022)

We continue to make progress by:

- Fundamentally shifting how we develop and implement **provincial laws, policies and practices** in consultation and co-operation with Indigenous Peoples.
- Establishing a **Declaration Act Secretariat** as a dedicated body to support government's reconciliation efforts to ensure laws, policies and practices are consistent with the Act.
- And advancing agreements under section 7 of the Declaration Act to **share statutory decision-making** with First Nations, including signing the first consent based decision making agreement with the Talhtan Nation in May 2022.

The Declaration Act Secretariat released the Interim Approach to Implement the Requirements of Section 3 of the Declaration Act in October 2022. This new approach provides every ministry and sector of government with clear, transparent processes for how they work together with Indigenous Peoples in developing provincial laws, policies and practices, as required under the Declaration Act.

To support First Nations participation in the alignment of laws and work outlined in the action plan, in April 2023, BC launched **the Declaration Act Engagement Fund**. The one-time \$200-million fund is being administered by the Indigenous-led New Relationship Trust and is available over the next four years to support staffing, training, community-level meetings and other resources required to enhance government-to-government work.

In March 2023, B.C. formally recognized **National Day for Truth and Reconciliation** by enshrining September 30 in B.C. law to honour the strength and resilience of residential school survivors and remember the children who never came home. This new provincial statutory day of commemoration responds to the Truth and Reconciliation Commission's Call to Action #80, which called on the federal government to establish a holiday to honour survivors, their families and communities. September 30, 2023 marked the first National Day for Truth and Reconciliation to be observed as a statutory holiday in B.C.

## Treaties and other agreements

The Province and First Nations across B.C. are working together on constructive arrangements, including treaty agreements, comprehensive reconciliation agreements, foundation agreements and more.

### Treaty agreements:

- Kitselas and Kitsumkalum - Stage 5 Treaty negotiations with public open houses held (May – June 2023)
- Temexw Treaty Association (TTA) - Stage 5 Treaty negotiations with public open houses held (February – April 2023)
- K'ómoks First Nation - Stage 5 Treaty negotiations with Public Open Houses held (September 2022)
- Pacheedaht First Nation - Stage 5 Treaty negotiations
- Tlowitsis Nation - Transition to Stage 5 Treaty negotiations with Tripartite Agreement (February 2021)
- Hul'qumi'num Treaty Group - Transition to Stage 5 and Treaty Revitalization Agreement (August 2019)
- K'ómoks First Nation - Treaty Revitalization Agreement (August 2019)
- We Wai Kai Nation - Transition to Stage 5 Negotiations Under the BC Treaty Process and Incremental Treaty Agreement (August 2019)
- Kwiakah First Nation - Transition to Stage 5 Negotiations Under the BC Treaty Process (August 2019)
- Ditidaht and Pacheedaht First Nations - Agreement-in-Principle (June 2019)
- Metlakatla First Nation - Transition to Stage 5 and Treaty Revitalization Agreement (February 2019)

### Reconciliation agreements:

- **Second annual tripartite meeting held at the recently established Vancouver Indigenous Justice Centre (IJC):** As per the Tripartite Memorandum of Understanding (MOU), British Columbia First Nations Justice Council (BCFNJC), B.C. and Canada discussed how the B.C. Strategy aligns and informs provincial and federal Indigenous justice initiatives. This includes any new priorities that impact work in this area, and how Canada and B.C. envision supporting the restoration of First Nations legal traditions and structures. (January 2024)



- Tla’amin Nation, B.C. commit to working together to safeguard future of tiskʷat site:** The Tla’amin Nation and the Province signed a memorandum of understanding (MOU) committing to work together on a future for tiskʷat that furthers economic reconciliation and environmental stewardship in the region. The MOU recognizes the historical and contemporary social, cultural and economic significance of the former mill site to the Tla’amin Nation. (October 2023)
- Nang K’úulaas Recognition Agreement:** B.C. signed the co-developed Nang K’uula • Nang K’úulaas Recognition Agreement with the Haida Nation and Canada that recognizes the Haida Nation as the holder of Haida Title and Rights, including inherent rights of governance and self-determination. (July 2023)
- Ts’uubaa-asatx, B.C. reach reconciliation goal:** Ts’uubaa-asatx First Nation and B.C. reached a key reconciliation milestone that creates community and economic development opportunities by returning culturally significant land back to Ts’uubaa-asatx in the Cowichan Valley. (July 2023)
- New shared decision-making agreement with Nlaka’pamux Nation Tribal Council (NNTC):** A new agreement signed between the Nlaka’pamux Nation Tribal Council (NNTC), its member communities and the provincial government aims to strengthen a collaborative government-to-government relationship on shared decision-making in Nlaka’pamux territory. The Land and Resource Decision Making Agreement (LRDMA) is intended to support reconciliation and refine processes for land and resource decision-making that advance the implementation of the UN Declaration on the Rights of Indigenous Peoples and implements shared decision-making. (June 2023)
- W̱SÁNEĆ Leadership Council and B.C. explore new ways to achieve lasting reconciliation:** The W̱SÁNEĆ Leadership Council and the Province signed a new letter of understanding (LOU) that commits both parties to work toward resolving the priority issues identified by W̱SÁNEĆ communities, a key step toward building lasting reconciliation. The specific areas for discussion under the LOU include (but are not limited to): Douglas Treaty Rights recognition and implementation; acquisition of lands; education; wildlife harvesting; revenue sharing; engagement with BC Ferries, the Royal BC Museum and others; and local government relations. (May 2023)
- McLeod Lake Indian Band, Province sign agreements to protect treaty rights:** The Province and McLeod Lake Indian Band have reached new agreements outlining how co-management and stewardship of the land and natural resources in the Nation’s territory will evolve. The agreement brings new opportunities including a new revenue-sharing approach to support the Nation, a multi-year land restoration fund, wildlife co-management and new land-use and protection measures. (May 2023)
- Settlements reached with five First Nations on Treaty Land Entitlement Claims:** Five First Nations in B.C., alongside provincial and federal government representatives, announced settlement agreements of the Nations’ Treaty Land Entitlements claims. The

settlements resolve long-standing claims that these First Nations did not receive all the lands owed to them under Treaty 8, which they signed in 1899. (April 2023)

- **B.C. transfers land back to Lake Babine Nation:** Following through with the Foundation Agreement, this agreement enabled Lake Babine Nation to take back control of 20,000 hectares of waterfront and prime forestry lands in their territory. (January 2023)
- **Blueberry River First Agreement:** The Province and Blueberry River First Nations announced a historic agreement that will guide them forward in a partnership approach to land, water and resource stewardship that ensures Blueberry River members can meaningfully exercise their Treaty 8 rights, and provide stability and predictability for industry in the region. (January 2023)
- **B.C., Treaty 8 First Nations move forward with Consensus Document:** The Province and four Treaty 8 First Nations – Fort Nelson, Saulteau, Halfway River and Doig River First Nations – reached consensus on a collaborative approach to land and resource planning, and to advance regional solutions to benefit everyone living in northeastern B.C. and Treaty 8 territory. (January 2023)
- **Regional partnership helps to reunite Stswecem'c Xget'tem First Nation with land:** Nearly 7,800 hectares of ranch lands, along with grazing licences for 56,000 hectares of land, are being returned to Stswecem'c Xget'tem First Nation (SXFN) as part of treaty negotiations with the Northern Secwepemc te Qelmucw (NStQ). (December 2022)
- **Stz'uminus First Nation** – A reconciliation agreement between Stz'uminus First Nation and British Columbia established commitments to work together on community priorities and future land transfers, provided support for economic development, and established funding for future environmental remediation activities in Ladysmith Harbour. (July, 2022)
- **Tahltan Central Government:** First consent-based decision-making agreement under Declaration on the Rights of Indigenous Peoples Act. (June 2022)
- **Sts'ailes First Nation** – A reconciliation agreement between the Sts'ailes and British Columbia supports Sts'ailes' social, cultural, economic and environmental goals, and increases prosperity for people in the lower Fraser Valley. (March 2022)
- **Letter signed to advance reconciliation with Métis Nation B.C.** (November 2021): With the Letter of Intent and the implementation of the Declaration Act, there is a commitment to be more inclusive of Métis peoples' culture, language and history in the development of policies, practises, programs and legislation in B.C. 'Namgis First Nation - Letter of intent to negotiate forestry reconciliation (October 2021)
- **Tla-o-qui-aht First Nation** – The hisiikcumyin pathway agreement will guide future reconciliation negotiations between B.C. and Tla-o-qui-aht on areas ranging from sustainable land stewardship to protection of cultural heritage. (October 2021)

- **Cowichan (Quw'utsun) Nation** – B.C. and Cowichan (Quw'utsun) Nation, made up of five Indigenous bands, signed an agreement to advance reconciliation, work collaboratively on key priorities and support self-determination and self-government. (September 2021)
- **Haida Nation** – The GayGahlda “Changing Tide” Agreement between the Council of the Haida Nation and the B.C. and federal governments recognises the Haida Nation’s inherent Title and Rights with respect to the Haida Gwaii terrestrial area, including the inherent right to self-government. It commits to negotiations in good faith to reconcile interests, including laws and management of resources, in the marine area of Haida Gwaii. (August 2021)
- **Gitanyow Hereditary Chiefs (Nation/Huwilp)** – The Gitanyow Hereditary Chiefs (Nation/Huwilp) and the governments of B.C. and Canada signed the Gitanyow Governance Accord. The accord provides a path forward in the B.C. Treaty process toward full self-government, led by a restored Gitanyow hereditary governance system. (August 2021)
- **Snuneymuxw First Nation** – Snuneymuxw First Nation, B.C. and Canada signed a new tripartite memorandum of understanding to formalize a new negotiations table between governments and sets out priority items for resolution, such as the implementation of the 1854 Treaty and near-term land reconciliation. (July 2021)
- **Heiltsuk Nation** – B.C. and Heiltsuk Nation signed a reconciliation agreement that supports their ongoing work together to implement Heiltsuk rights and title. (June 2021)
- **Wet'suwet'en Hereditary Chiefs** – Memorandum of Understanding B.C. and Canada to implement Wet'suwet'en rights and title (April 2021)
- **Esquimalt and Songhees First Nations** – B.C. purchased a 3.4-hectare parcel of undeveloped private property (The Thetis Cove property) in the Esquimalt and Songhees Nations’ territories to support reconciliation with Esquimalt Nation. (February 2021)
- **Lake Babine** – Lake Babine Nation, Canada and B.C. signed a landmark reconciliation agreement that set the foundation for a 20-year journey to implement and recognize Lake Babine Nation rights and title. (September 2020)
- **Coastal First Nations** – B.C. and Coastal First Nations signed the Memorandum of Understanding for Reconciliation Protocol 2.0 (July 2020)
- **Carrier Sekani First Nations** – B.C. and seven First Nations represented by the Carrier Sekani Tribal Council signed an agreement that will use money generated by resource projects in the central Interior to pay for programs that include language revitalization, economic development and self-governance. (January 2020)

- **Heiltsuk Nation** – Tuigila “To Make a Path Forward” Agreement for Implementation of Heiltsuk Title, Rights and Self-government (August 2019)
- **Tsilhqot’in Nation** – B.C. and the federal government joined with the Tsilhqot’in National Government and the six Tsilhqot’in communities to celebrate the signing of the Gwets’en Nilt’i Pathway Agreement (“Towards it, We are Striving”), a historic reconciliation agreement to support Tsilhqot’in self-determination, five years after the landmark judgment of the Supreme Court of Canada in the Tsilhqot’in Nation Decision. (August 2019)
- **shíshálh Nation** – A landmark Foundation Agreement between the shíshálh Nation and B.C. recognizes and respects Indigenous title and rights, and supports self-determination and shíshálh self-government. (October 2018)
- **Coastal First Nations** - Reconciliation Framework Agreement for Bioregional Oceans Management and Protection: the Government of Canada, Province of B.C. and 14 First Nations are committed to work together to develop and manage marine initiatives on the Pacific North Coast (June 2018)

### **Advancing government-to-government relationships**

- **B.C., First Nations leaders advance relationships at largest First Nations Leaders’ Gathering to date:** First Nations leaders and provincial officials from across B.C. came together for the eighth B.C. Cabinet and First Nations Leaders’ Gathering, working together to recognize, respect and advance government-to-government relationships. More than 1,000 people registered to attend, a record number, representing 193 First Nations and organizations, with more than 900 one-on-one meetings scheduled. (November 2023)

### **New Fiscal Framework**

- **Co-developing a new fiscal framework** that recognizes Indigenous rights. Work to co-develop principles and vision for a new fiscal framework with Indigenous Peoples continues, supported by a provincial discussion paper and what we heard report. (Winter-summer 2023)
- **New interim agreements address Columbia River Treaty impacts on First Nations:** Through three separate interim agreements, the Ktunaxa Nation, Secwépemc Nation and Syilx Okanagan Nation are each receiving 5% of the revenue generated through the sale of Canada's share of downstream power benefits under the Columbia River Treaty. The interim agreements will share this revenue over four years. (June 2023)
- **B.C. is co-developing a new forestry revenue sharing model** with First Nations as part of the Province’s commitment to a new fiscal framework. To ensure First Nations see immediate benefits while the new model is being developed, B.C. is providing an interim increase to the rates under the existing forestry revenue sharing program. This has more

than doubled forestry revenue sharing – increasing the amount available to be shared with First Nations by about \$63 million per year. (April 2022)

- **First Nations get support for pandemic recovery with one time \$74-million grant** to make up for loss of shared gaming revenues because of COVID-19 economic downturn. First Nations had to put on hold significant projects and initiatives during the pandemic and this funding will help to get those projects back on track. (April 2022)
- **First Nations share in provincial gaming revenue:** A long-term agreement to share 7% of the BC Lottery Corporation’s net income is providing First Nations in B.C. with close to \$100-million a year. By committing share approximately \$3 billion over 25 years, First Nations can plan for the long term and invest in the services and priorities chosen by their own communities. (September 2020)

### **Supporting residential school survivors:**

- **Williams Lake First Nation purchases residential school site:** Williams Lake First Nation (WLFN) purchased, with funding from B.C., the private property on which the St. Joseph’s Mission Residential School operated between 1891 and 1981. The return of these sacred lands to the control and stewardship of Indigenous people is an important step to commemorate the history and legacy of the residential school system in British Columbia. (September 2023)
- **B.C. supports First Nations-led investigations at the sites of former Indian Residential Schools and Indian Hospitals throughout B.C. with \$12-million:** The funding enhances existing services provided by the Indian Residential School Survivors Society, Tsow-Tun-Le-Lum Society and Métis Nation BC. This will ensure survivors can access culturally safe and trauma-informed supports when and where they need them. (June 2021).
  - \$475,000 for 18 Indian Residential School sites and three Indian Hospital sites in B.C.
  - \$10 million is supporting 20 First Nations across B.C. to support this critical work.
  - The funding complements funding provided by Canada. It is multi-year and flexible to meet the diverse needs of communities.
  - Of the \$12 million, \$1.5 million assisted Indigenous service providers to respond to the immediate wellness, cultural and mental health needs of Indigenous Peoples throughout British Columbia.
- **First Nations liaison position created to assist First Nations access the B.C. residential school response fund:** First Nations with former Indian Residential School and Indian Hospital sites in or near their communities were able to access the fund. B.C. appointed Charlene Belleau as First Nations liaison, a respected leader who brings the experience, relationships and expertise needed to advance the work. (July 2021)

## Housing

- **More than 1,000 new affordable homes coming for Indigenous people:** More Indigenous people will soon have new affordable rental homes on and off reserve as the Province has invited Indigenous housing providers, First Nations and other Indigenous organizations to submit proposals for the Building BC: Indigenous Housing Fund (IHF). The IHF provides approximately \$1.8 billion to build 3,500 new homes for Indigenous families, individuals and elders, on and off reserve. To date, more than 1,500 IHF homes are open or underway throughout B.C. (December 2023)
- **New affordable homes open for kʷikʷəłəm First Nation members:** kʷikʷəłəm (Kwikwetlem) First Nation families, individuals and elders will soon move into 14 new homes with the opening of an affordable rental development on reserve. BC Housing provided \$3 million to the project. (December 2023)
- **New affordable rental homes open for Indigenous people in Sooke:** Indigenous families, elders and people in Sooke now have access to 75 below-market homes, with the opening of a new purpose-built rental building. BC Housing provided \$5.6 million to the project. (December 2023)
- **New affordable homes coming for First Nations in Merritt:** First Nations families, elders and youth in Merritt will have access to more affordable rental homes, with construction underway on a 52-unit development. Construction is expected to be completed by spring 2025. BC Housing is contributing approximately \$10 million to the project. (December 2023)
- **Province preserves off-reserve housing in Massett:** First Nation Elders, seniors and workers from Old Massett and Massett villages will soon have access to 12 renovated homes following the Province’s purchase, through BC Housing, of 1545 Wallace St. BC Housing is providing \$4 million to purchase and renovate the vacant building. Residents are expected to start moving into their new homes when renovations are completed in late 2024. (December 2023)
- **Affordable homes open near Central Saanich for Indigenous people:** An affordable housing development with 28 homes for Indigenous people opened on the Tsawout First Nation near Central Saanich. BC Housing provided \$6.1 million to the project, as well as annual operating funding. (November 2023)
- **New affordable homes underway for Gitxaala Nation families in Prince Rupert:** With an investment of \$14.2 million through BC Housing, families from the Gitxaala Nation will soon have access to 20 new affordable rental homes as construction starts on a townhouse complex in Prince Rupert. (October 2023)
- **Seventy new homes for Lax Kw’alaams Band coming to Prince Rupert:** Families, elders, individuals and people living with disabilities from the Lax Kw’alaams Band will soon have access to 70 new affordable homes, with construction underway on a new

apartment building near Prince Rupert. The Province, through BC Housing, is providing approximately \$20 million to the project. (October 2023)

- **Supporting Tseshaht First Nation housing developments:** The Province provided \$5 million for land purchases to Tseshaht First Nation to support a new housing development that will benefit the entire Alberni valley. The funds will be used by the community to identify parcels of land for a First Nation-led housing development that will help address housing shortages in the region. (July 2023)

## Sustainable and resilient communities

- **First Nations Clean Energy Business Fund helps strengthen greener communities:** Through the First Nations Clean Energy Business Fund (FNCEBF), six First Nations partners provincewide received more than \$1.8 million through the fund in 2024. Since the FNCEBF began, more than 150 First Nations communities have benefited from more than \$20 million in capacity and equity funding for projects focused on clean energy, energy efficiency, fuel switching and feasibility studies. (February 2024)
- **Emergency preparedness funding:** The Province has provided funding to First Nations across B.C. through the Community Emergency Preparedness Fund (CEPF), which supports projects that support First Nations and local governments to better prepared for disasters and reduce risks from hazards in a changing climate. Since 2017, approximately \$176 million has been provided to communities through CEPF for more than 1,700 local projects. (January 2024)
- **New funding supports First Nations to build forest, community resilience:** Two grants from the Province for the First Nations Emergency Services Society (FNESS) will help support emergency management and land stewardship, as well as disaster- and climate-risk resilience in communities throughout B.C. A \$5-million grant from the Ministry of Forests will go toward a broad range of fire-stewardship programs at the local level and will be distributed by FNESS based on input from First Nations. Funds will support revitalization of Indigenous cultural practices for fire stewardship and land resilience, and facilitate new equipment and wildfire training to improve emergency response and help organize First Nations community-led forums and outreach. (January 2024)
- **Connecting Lax Kw'alaams to high-speed internet services:** Construction will begin this year on a new fibre-to-the-home infrastructure project delivering high-speed broadband internet access for people in the Indigenous community of Lax Kw'alaams. (January 2024)
- **FESBC promotes safe communities, creates jobs, supports forest industry:** A \$50-million grant from the Province helped allow forestry workers, First Nations and mills to work on Forest Enhancement Society of BC (FESBC)-supported projects that reduce wildfire risk, lower greenhouse gas emissions and provide recovered fibre to mills and bioenergy facilities. FESBC-supported projects are often aimed at helping communities

remove excess fibre from forests to reduce fuel for potential wildfires and help provide the raw materials needed to make bio-products and bioenergy. Many First Nations and communities are safer and more secure during fire season due to work completed under FESBC leadership. (November 2023)

- **Indigenous Food Sovereignty Program:** The \$30-million Indigenous Food Sovereignty Program will support more sustainable food production, community food security, and enhance participation in the agriculture and food sectors for Indigenous communities and businesses. Funding will support infrastructure such as greenhouses, irrigation systems, community gardens and food storage. (July 2023)
- **First Nations climate-resilience capacity-building pilot program:** The Province's BC Climate Preparedness and Adaptation Strategy provided \$2 million to fund a one-year pilot program that is focused on building climate-resilience staffing, training and education delivery and peer-to-peer network building. (July 2023)
- **High-speed broadband access expanded to eight Indigenous communities:** People in Yale First Nation (Yale Town 1, Albert Flat 5, Lukseetsissum 9 and Stullawheets 8), Chawathil First Nation (Chawathil 4 and Schkam 2) and Sq'ewá:lxw (Skawahlook) First Nation (Skawahlook 1 and Ruby Creek 2) now have access to high-speed internet services with the completion of new infrastructure. (June 2023)
- **Strengthened climate resilience and emergency management for T̓silhqot'in National Government:** The Province provided \$5 million to the T̓silhqot'in National Government for an extensive feasibility study to determine the suite of emergency infrastructure required in T̓silhqot'in territory. Infrastructure, such as an emergency centre and evacuation and training centres, will be considered. (June 2023)
- **Providing safe, reliable and affordable transportation options for people in rural communities:** B.C. contributed \$5 million to the Northern Development Initiative Trust to continue BC Bus North and the Northern Community Shuttle Program until 2026-27. (May 2023)
- **High-speed internet access coming to Gitanyow, Stewart:** People in more than 500 households in Gitanyow and Stewart will benefit from a new project delivering reliable, high-speed internet access. The Algyax Anuuhlx (Talking Drums) project will be built and operated by Meziadin Junction Limited Partnership, a company owned by Gitanyow First Nation. (March 2023)
- **High-speed internet services expanded for Coldwater Indian Band:** People in more than 120 households in the Coldwater Indian Band community of Coldwater 1 near Merritt have access to high-speed internet services with the installation of new infrastructure. (March 2023)



- **Access to high-speed internet on the way for six more Indigenous communities:** Construction began on a fibre-to-the-home project that will bring access to high-speed internet to more than 500 households in six Indigenous communities: Sqwá (Skwah) First Nation’s Skwah 4 and Skwali 3; Cook’s Ferry Indian Band’s Entlqwekkinh19 and Kloklowuck 7; Squamish Nation’s Cheakamus 11; and Upper Nicola Band’s Nicola Lake 1. (January 2023)
- **3Nations B.C. Partnership:** B.C. renewed and strengthened the historic partnership with the 3Nations Society, consisting of the Tahltan, Kaska, and Taku River Tlingit. This agreement provides stable funding for ongoing, community-driven initiatives, and builds on previous successes. The partnership supports the Nations to plan, design and deliver the services and supports to improve the well-being of their citizens, families and communities in an area of B.C. that is very remote and hard to service (October 2022)
- **Moving forward with new Indigenous centre in Vancouver:** A concept plan for a new Indigenous centre is moving forward. The new centre will be a permanent purpose-built home for Urban Native Youth Association and the Nicola Valley Institute of Technology (NVIT) Vancouver campus. The new centre will include a youth centre, a post-secondary education and skills training campus, affordable homes, a child care centre and cultural and support services. (May 2022)
- **Partnering to make vital safety improvements to Bamfield Road:** Contributed \$25.7 million to the \$30.7 million Huu-ay-aht First Nation-run project that will pave 76 kilometres of unpaved industrial road – Bamfield Main – on the west coast of Vancouver Island. (October 2021)

## Education, jobs and opportunities

- **Construction underway on a student housing project in the Comox Valley:** The first student housing at North Island College (NIC) in the Comox Valley will provide more than 200 students with a place to live on campus. The K’ómoks First Nation, the Indigenous Education Council at NIC and the college have worked together on the project from its original concept to site selection and design. (December 2023)
- **Improved public services benefit First Nations governments:** More than \$5.5 million was provided to the First Nations Public Service Secretariat (FNPSS) to research training needs, develop and deliver training for current and future First Nation government administrations, increase youth employment, and strengthen First Nations governments’ capacity to deliver programs and services. (November 2023)
- **New student housing open at University of Victoria:** A new student housing complex opened, relieving pressure on the local rental market. The Songhees Nation gave UVic permission to use ləkʷəŋən names for the new buildings to honour the territory on which the buildings stand. Snejəqə ʔéʔləŋ (Sngequ House), the most recently opened

student residence, features an Indigenous student lounge and Indigenous artwork. (November 2023)

- **More people facing barriers have access to skills training:** As part of the StrongerBC's Future Ready Plan, the Province is investing \$44.5 million over three years to boost the number of people supported to nearly 7,500 people in communities and First Nations around the province. (April 2023)
- **Funding supports Indigenous youth and leadership development:** A \$10.35-million grant from the Province will enable approximately 500 more Indigenous youth from First Nations, Inuit, Métis and urban and off-reserve communities to attend the Gathering Our Voices youth leadership conference annually for the next five years. (March 2023)
- **Community and Employer Partnerships support Indigenous people to get employment and skills training for in-demand jobs:** In 2022/23 the Province funded several training and work experience projects that partner with First Nations and Indigenous organizations to train people in a wide range of fields, including security, construction and electric, project management, leadership, transportation, information technology and hospitality. (Throughout 2022/2023)
- **New economic diversification program builds more resilient rural communities:** The Province invested as much as \$33 million to create the Rural Economic Diversification and Infrastructure Program (REDIP), which supports projects that promote economic diversification, resilience, clean-growth opportunities and infrastructure development in rural communities including First Nations across B.C. (November 2022)
- **Four BC First Nations conclude self-government agreements regarding education:** Four First Nations - Cowichan Tribes, Lil'wat Nation, ʔaq'am, and Seabird Island - were recognized and celebrated for concluding self-government agreements regarding education on their lands. The completed education jurisdiction agreements set the foundation for participating First Nations to make decisions and pass laws in the best interests of their learners and exercise control over education on their lands. (July 2022)
- **Cultural learning can give students graduation credit:** First Nations can create and approve their language and cultural learning programs for recognition by the Ministry of Education and Child Care as external credentials that students can use toward graduating. (July 2022)
- **Indigenous-Focused Graduation Requirement:** New grad requirement ensures students expand their knowledge about Indigenous perspectives, histories, cultures. Effective the 2023/24 school year, all students working toward a B.C. Certificate of Graduation ("Dogwood Diploma"), in English or French, must successfully complete at least 4 credits in Indigenous-focused coursework. Learning about the experiences, cultures, and world

views of Indigenous Peoples is an important part of reconciliation and will help prepare students for the rest of their lives. (March 2022)

- **StrongerBC Economic Plan:** The Economic Plan focuses on advancing true, lasting and meaningful reconciliation with Indigenous Peoples, including supporting the co-development of an Indigenous-led agency focusing on Indigenous economic development. (February 2022)
- **Shared Prosperity Agreement (SPA) signed with Tahltan Central Government, Iskut Band Council, Tahltan Council:** The agreement set the foundation to collaboratively achieve long-term comprehensive reconciliation and land-use predictability. The Province agreed to provide \$20 million to the Tahltan Central Government to support economic growth to implement the agreement. The SPA commits both governments to accelerate negotiation of an economic-oriented comprehensive agreement and to seek federal participation. (May 2021)
- **Indigenous language fluency degree first of its kind:** The Ministry of Advanced Education and Skills Training invested \$2 million towards the Indigenous Language Proficiency/Fluency Degree Framework, providing a pathway for communities, Indigenous institutes and post-secondary institutions to collaboratively establish degree programs in Indigenous languages. (March 2021)
- **\$13 million for University of Victoria's National Centre for Indigenous Laws:** The new addition, opening late fall 2024, will be home to the world's first joint degree in Indigenous legal orders and Canadian common law (JD/JID), which launched at UVic in 2018, and to the Indigenous Law Research Unit. (September 2020)

## People and culture

- **Five new Indigenous Justice Centres (IJC) now operating in Vancouver, Victoria, Nanaimo, Surrey and Kelowna:** In collaboration with First Nations and Indigenous communities, organizations, and leaders across the province, five new IJCs were established in the span of 12 months, with a strong team of lawyers, Elders, Knowledge Keepers and outreach workers ready to serve the needs of Indigenous people. In 2023, 4 other IJCs and one virtual centre opened for a total of ten centres serving Indigenous people. This is an important part of the BC First Nations Justice Strategy's (BCFNJC) work to help Indigenous people and prevent future interactions with police and the justice system. (January 2024)
- **Making family law work better:** The Ministry of Attorney General has begun a multi-year review of the Family Law Act to make it clearer and more responsive to families' needs. Through public engagements and surveys, the Province is looking to hear lived experiences from Indigenous Peoples on family law in B.C. (January 2024)

- **Support for Indigenous youth to participate in sport, physical activity, and healthy living activities:** The Province provides \$2.35M annually to the Indigenous Sport Physical Activity and Recreation Council to support Indigenous youth to engage in a variety of sport, physical activity and healthy living programs. (Ongoing annually)
- **Safe and Supported: B.C.'s Gender-Based Violence Action Plan released:** The action plan reports on vital work underway across government and actions that will be coming next year and beyond, including boosting programming and supports for survivors, providing stable funding for community-based sexual assault response services, strengthening government's response to the crisis of missing and murdered Indigenous women and girls, and ramping up prevention and awareness campaigns. Initiatives were developed in consultation and co-operation with Indigenous partners, and with advice from community service providers and advocates. (December 2023)
- **New bridge near Salmon Arm named after Neskonlith elder:** The bridge on Highway 1 is a permanent tribute to the late Dr. Mary Thomas, an expert on traditional plants, and her contributions to the community. (October 2023)
- **Sixty-eight organizations receive grants to help shape anti-racism legislation:** Racialized people can now share their perspectives in culturally safe spaces as 68 organizations across B.C. received more than \$300,000 to engage community members on the development of new anti-racism legislation. (July 2023)
- **Increased funding to support inclusive child care:** B.C. invested an additional \$31.8 million in 2022-23 to expand supports for children with support needs. Culturally responsive support for Indigenous children who require additional support in the child care setting is offered through the Aboriginal Supported Child Development program. (February 2023)
- **First Nations language, arts, culture and heritage revitalization:** Through a \$34.75-million investment in 2022 to the First Peoples' Cultural Council and the First Peoples' Cultural Foundation, and a more than \$6 million yearly operational boost announced in Budget 2023/24, the B.C. Government is supporting the important work of First Nations' languages, cultures, arts and heritage revitalization. (February 2023)
- **Centre of Excellence in First Nations Economic Development:** Through the StrongerBC Economic Plan, the B.C. government provided more than \$1.2 million to the BCAFN to launch the Centre of Excellence in First Nations Economic Development, with the aim to increase the capacity of First Nations in B.C. to engage in economic priorities and initiatives highlighted in the Declaration on the Rights of Indigenous Peoples Act Action Plan. (October 2022)
- **Ancestral Haida name restored to Haida Gwaii village:** The name of the former Village of Queen Charlotte on Haida Gwaii was officially changed to the Village of Daajing Giids (daw-jean geeds), restoring its ancestral Haida name. (July 2022)

- **Anti-racism data legislation enacted:** The Anti-Racism Data Act charts a new path forward in partnership with Indigenous Peoples and racialized communities to use and share data safely to help address systemic racism and make government programs and services work better for more people. (June 2022)
- **Litigation directives uphold Indigenous rights:** To better protect the rights of Indigenous Peoples and as a step toward implementation of the Declaration on the Rights of Indigenous Peoples Act (Declaration Act), the Province, in collaboration with Indigenous Peoples, has developed a new approach to litigation. (April 2022)

**StrongerBC supports Indigenous tourism businesses through pandemic recovery:** Indigenous tourism businesses in B.C. received over \$28 million for 60 projects to support recovery from the impacts of the COVID-19 pandemic. (June 2021)

## Health and wellness

- **Enhanced mental-health, addictions services will help First Nations in Cowichan Valley:** First Nations people in need of treatment and recovery services can access expanded culturally appropriate care at the newly completed Tsow-Tun Le Lum Healing House located on the territory of the Cowichan Tribes. Tsow-Tun Le Lum, which means “helping house” in the Hul'q'umi'num' language, offers 20 treatment beds and living units to support people who have experienced addiction, trauma or grief. (November 2023)
- **First Nation run complex-care housing opens in Cranbrook area:** Indigenous People with complex mental health and addiction challenges in Ktunaxa Nation communities will benefit from new housing and tailored supports to help stabilize their lives and break the cycle of homelessness. The Ktunaxa Nation operates the facility, which offers services primarily to local First Nations, Inuit and Métis people. (November 2023)
- **Northern communities work to improve culturally appropriate addiction supports:** The Northwest Working Group is moving forward to develop critically needed, culturally safe addiction supports in Terrace and the surrounding northwestern region. Terrace has one of the highest rates of death in the province due to the toxic drug crisis, with 98.7 deaths per 100,000 in 2023. Indigenous Peoples are almost six times more likely to die from illicit drug poisoning. The Northwest Working Group is comprised of representatives from the Northern First Nations Alliance, Northern Health Authority, First Nations Health Authority and the Province. (October 2023)
- **Sobering centre offers safe space for people in Prince George:** More people in Prince George and the surrounding area have access to a sobering centre operated by Carrier Sekani Family Services in partnership with the Province and Northern Health. The centre is a 10-bed facility that provides a safe space for people 18 and older who are intoxicated from alcohol and/or other substances and unable to safely care for themselves. (October 2023)

- **First Nation Well Being Fund:** \$15 million in additional funding to support First Nations in their efforts to promote well-being and reduce poverty at the community and Nation level. The Fund supports community-led solutions for B.C. First Nations to develop a well-being plan or framework, and to consider how they might develop indicators that measure the progress of wellness within their communities. (September 2023)
- **Partnership with Secwépemc Child & Family Services Agency (SCFSA):** Community Living BC (CLBC) signed a collaboration agreement with SCFSA to make it possible for eligible Indigenous individuals with developmental disabilities, autism or fetal alcohol spectrum disorder to receive support and community inclusion services in their home communities. (September, 2023)
- **New affordable homes open for Elders, families of N'Quatqua Nation:** With an investment of \$1.35 million through B.C. Housing, N'Quatqua Nation Elders, families and members have access to 10 new affordable rental homes with the opening of a development on N'Quatqua Nation land outside D'Arcy. (May 2023)
- **Partnered with Huu-ay-aht First Nations to create Oomiiqsu (Aboriginal Mother Centre):** B.C. provided up to \$5 million in funding to support the creation of a centre to provide safe and culturally appropriate housing for as many as 48 mothers and children leaving violence or abuse, facing mental health and addictions challenges, poverty or other trauma. (November 2022)
- **New culturally informed mental wellness supports will help Indigenous families:** Indigenous families with children three to 12 who are experiencing big worries and fears have access to free, culturally grounded wellness practices through a virtual parent and caregiver coaching program. (July 2022)
- **Grants help youth in and from government care get in the game:** Financial barriers such as sport registration fees or practical challenges like getting to and from practices can become obstacles. The Province invested \$3.6 million to give equal opportunities with the new RISE Grant Program. (May 2022)
- **B.C., federal government pledge \$31 million to support the 2025 Invictus games:** In the spirit of truth and reconciliation, the Invictus Games Vancouver-Whistler 2025 is dedicated to respecting territorial protocols and cooperating with local Indigenous communities in the planning, execution and participation of the Games. As such, these Games are a demonstration of reconciliation in action, with meaningful participation from the Musqueam, Squamish, Tsleil-Waututh and Lil'Wat First Nations. (May 2022)
- **Award-winning Indigenous Sport Gallery bridges into virtual world:** The Province invested \$198,000 for the expansion of the Indigenous Sport Gallery into an interactive online experience and for translation of the gallery's content into Indigenous languages. This investment is in addition to a provincial grant of \$50,000 in May 2021 through the BC Arts Council. (November 2021)

- **Contributed to new multi-purpose community building in Kaska Dena Community of Lower Post:** Joined the federal government and Daylu Dena Council in helping to demolish a former residential school building and create a new building. Of the \$11.5 million created for the project, B.C. invested \$1.5 million. (April 2021)
- **Review recommends steps to solve widespread racism in B.C. health care:** The In Plain Sight: Addressing Indigenous-specific Racism and Discrimination in B.C. Health Care review was launched in June 2020 by Adrian Dix, Minister of Health. Since then, government has taken several steps to implement the recommendations made in the report. (November 2020)

## Land and wildlife stewardship

- **Funding for Coastal First Nations-Great Bear Initiative:** Additional funding amounts to a total of nearly \$7.5 million under the Clean Coast Clean Waters Initiative to help member communities clean up marine debris along the coast of the Great Bear Rainforest focusing on food gathering sites and connecting youth to Elders through mentorship and to culture through community awareness and education. (January 2024)
- **Snuneymuxw and B.C. land transfer fosters economic development:** Snuneymuxw First Nation and the Province took a major step in their shared reconciliation journey with a completed transfer of 212 hectares of land on Te'tuxwtun, known as Mount Benson East. This is the first step in the implementation of the Snuneymuxw First Nation and British Columbia Land Transfer Agreement (2020), with the remaining 2,882 hectares planned for transfer to Snuneymuxw in the near future. (January 2024)
- **Funding for clean-up of B.C.'s coastlines in partnership with coastal First Nations:** The Clean Coast, Clean Waters Initiative Fund has invested nearly \$50M to tackle shoreline cleanups and derelict vessel removal in partnership with coastal First Nations, local and Indigenous communities, non-profits and other B.C. organizations with expertise to clean up our coastline and remove derelict vessels. Together, the initiative has led to the largest shoreline cleanup in provincial history – removing over 1,500 tonnes of debris across over 4,600 kilometres and employing more than 1,700 people. (January 2024)
- **Funding Indigenous-led projects that aim to curb plastic waste:** In November 2023, the Province committed to funding more than \$1.3 million through the CleanBC Plastics Action Fund to eight Indigenous-led projects. The Indigenous-led projects will establish new ways of processing and reusing post-consumer plastics, promote reusable systems, educate community members and create local jobs. An additional \$3M has been committed in 2024. (November 2023)
- **Tripartite Framework Agreement on Nature Conservation:** Canada, B.C. and the First Nations Leadership Council signed a first of its kind, tripartite framework agreement to protect and conserve biodiversity, habitats, and species at risk in the province. (November 2023)

- **New protections benefit forests, communities:** The Province is making changes to enable safer, more effective stewardship of the landscape, including forests, and the revitalization of cultural and prescribed fire and new compliance and enforcement measures. The Forest and Range Practices Act governs how forest and range practices and activities are conducted on B.C.'s public lands. Changes to the act will provide new tools to the Ministry of Forests' compliance and enforcement team to better enforce natural resource laws in the province. The changes will strengthen the protection of First Nations values and interests and allow for a greater range of contravention penalties, ensuring there are appropriate consequences for non-compliance. (October 2023)
- **Old Growth Deferral Update:** Approved short-term deferrals are helping protect and support vital ecosystems while First Nations, the Province, and other partners develop a new approach for old growth forest management. As of October 2023, coordination between First Nations and forests companies has resulted in 2.4 million hectares of old growth being permanently protected or deferred since November 2021. (October 2023)
- **Province launches made-in-B.C. conservation tool:** The Province is accelerating protection of B.C.'s oldest and rarest trees while benefiting communities and wildlife by launching a new \$300-million Conservation Financing Mechanism. Conservation financing will ensure that First Nations and the Province can conserve critical habitat, better manage for climate change, and further government's action on protecting more of B.C.'s lands and waters and implementing the Old Growth Strategic Review. (October 2023)
- **Visitor Use Management at Joffre Provincial Park:** Collaborative work with Lil'wat and N'Quatqua representatives will help address park overuse and its impact on cultural uses of the park by the nations through implementation of a day use pass system and ongoing impact assessments. (August 2023)
- **Nuxalk, Kitasoo Xai'xais guardians appointed with park ranger authority:** In June 2022, MOU was signed with Nuxalk and Kitasoo Xai'xais Nations to establish a pilot project that designates Indigenous guardians with the same legal authorities as BC Parks rangers. In July 2023, the pilot program was launched with 11 Indigenous guardians appointed. (July 2023)
- **Co-management builds resilience in the Great Bear Rainforest:** New measures to sustain the Great Bear Rainforest as one of the world's most treasured and diverse coastal temperate forest ecosystems have been introduced. Coastal First Nations, the Nanwakolas Council and the Ministry of Forests, worked in partnership to identify new steps to be taken as part of strengthening implementation of ecosystem-based management in the Great Bear Rainforest, including to expand stewardship measures for key habitat for grizzly bears, Kermode (Spirit) and black bears, along with important fish habitats. (July 2023)



- **Supporting Indigenous clean energy projects:** The Province is providing \$140 million to the B.C Indigenous Clean Energy Initiative (BCICEI) to support Indigenous-led power projects, create economic opportunities for First Nations, and advance community self-determination. The funding will support smaller Indigenous-led power projects that may otherwise not be competitive due to their smaller size. The BCICEI provides support and capacity-building funds to First Nations communities toward the planning and implementation of clean-energy projects. (June 2023)
- **Supporting co-management of land & resources through the Guardians and Stewardship Training Initiative:** With an investment of \$8.9 million over three years, the Province is partnering with First Nations representatives to develop the first training initiative that will support co-management of land and resources. The Guardians and Stewardship Training Initiative will be co-developed with First Nations and will support the StrongerBC Future Ready plan to make post-secondary education and skills training more affordable and accessible. (April 2023)
- **Marine Protected Areas Network:** Partnered with coastal First Nations to launch a new blueprint for Marine Protected Areas across the northern third of Canada’s West Coast. The Action Plan will guide joint efforts to protect our oceans and their marine wildlife and environments throughout a network of marine protected areas from northern Vancouver Island to the Alaska border. (March 2023)
- **Watershed strategy co-developed with First Nations:** Government and the B.C.-First Nations Water Table announced an unprecedented \$100-million investment in healthy watersheds and the launch of engagement on a new co-developed watershed security strategy intentions paper to help ensure safe, clean water is available to communities throughout B.C. for generations. The B.C.-First Nations Water Table (BCFNWT) is made up of representatives from the Province and delegates from First Nations. (March 2023)
- **New conservancy established in Incomappleux Valley:** The Province is working with First Nations on the development of a collaborative ecosystem based management framework for the Incomappleux Valley southeast of Revelstoke. The new Incomappleux Conservancy spans more than 58,000 hectares and protects rich wildlife habitat, more than 250 lichen species and areas of old-growth forest. In addition, another 17,000 hectares in the southern part of the valley will be protected from forestry activity. (January 2023)
- **Improving the health of B.C.’s watersheds:** \$30 million was provided to support ongoing efforts to restore watersheds and wetlands in the province, with \$15 million going to projects that are led or co-led by First Nations to strengthen local ecosystems. (April 2022)
- **Establishment of new Ministry of Land, Water and Resource Stewardship:** The new ministry was officially established on April 1, 2022, signalling a new approach to land and resource stewardship in B.C. that brings Indigenous Peoples in as partners from the start

with three goals: reconciliation with Indigenous Peoples, environmental sustainability, and economic opportunities. (April 2022)

- **Indigenous Clean Energy Opportunities (ICEO) engagement:** The ICEO is designed and led by the Ministry of Energy, Mines and Low Carbon Innovation and the First Nations Energy and Mining Council, in partnership with the First Nations Leadership Council. Through continuing workshops, and input solicited through the ICEO webpage, this engagement is facilitating substantial progress in fostering greater collaboration amongst government, industry, and First Nations organizations concerning the clean energy sector. (November 2021)
- **Historic agreement signed with Leq'á:mel, Matsqui and Sumas First Nations and the City of Mission:** Under the agreement, the Province transferred approximately 60 hectares of Crown land to the LMS Society, which represents the three First Nations. The transferred lands will be used to create new public parklands and recreational areas. (July 2021)
- **Tsartlip First Nation take control of Woodwyn Farm Property:** B.C. and Tsartlip signed an historic agreement to transfer the 78 hectare property from B.C. Housing to the Nation. The property was purchased through B.C. Housing and made possible by a \$7.77 million provincial grant. (December 2020)
- **Caribou protection in northeastern B.C.:** The B.C government partnered with the Sauteau and West Moberly First Nations and the federal government to achieve a historic agreement that strives to protect southern mountain caribou in northeastern B.C., while considering the social and economic well-being of communities and stakeholders in the region. (February 2020)

## Natural resources

- **B.C. Critical Minerals Strategy:** Phase 1 of the B.C. Critical Minerals Strategy includes actions to advance partnership with First Nations to enhance critical-mineral infrastructure like the North Coast Transmission Line, as well as actions to support the Province's commitment to reform the Mineral Tenure Act and ensure it aligns with the UN Declaration on the Rights of Indigenous Peoples. First Nations play a vital role in the development of the B.C. Critical Minerals Strategy, actively engaging in an Advisory Committee and participating in government-to-government discussions to solicit First Nations ideas and thoughts on the strategy. (January 2024)
- **Co-ownership opportunities for First Nations for North Coast transmission infrastructure:** To meet demand in the northwest, BC Hydro is advancing planning for a second line from Prince George to Terrace. The north coast transmission project provides an opportunity to explore First Nations ownership of these new BC Hydro transmission lines to advance reconciliation and economic opportunities for First Nations. As of

January 2024, early engagement with Indigenous partners is underway to co-design the project assessment and explore Indigenous co-ownership of the proposed new transmission lines. (January 2024).

- **Forestry sector taps into growing wood products demand in Japan:** Representatives from British Columbia’s forestry sector, including First Nations, travelled to Japan on a five-day mission starting on December 10, 2023 to showcase the innovation of B.C. wood products. The mission highlighted several transformative initiatives taking place in B.C.’s forestry sector, making B.C. products more sustainable and internationally competitive. (December 2023)
- **Landmark agreement supports First Nations participation in forestry:** The Tlowitsis, We Wai Kai, Wei Wai Kum and K’ómoks First Nations, and Western Forest Products Inc. reached an agreement for the Nations to acquire a 34% interest from Western in a newly formed limited partnership for \$35.9 million. The Province helped facilitate the partnership through Incremental Treaty Agreements with the Nations, all of whom are in Stage 5 of the British Columbia Treaty Process. (October 2023)
- **Value-added wood manufacturing expanded through collaboration:** The Province, in partnership with the BC First Nations Forestry Council, the BC Value-Added Wood Coalition and the Council of Forest Industries are hosting the tables to bring together First Nations, value-added manufacturers and forest licensees. Together, the tables will develop joint solutions to sustain, grow and diversify B.C.’s value-added sector with a focus on increasing the flow of fibre that manufacturers rely on and finding ways to expand local production of high-value wood products for B.C. and international markets. (October 2023)
- **BC Hydro call for power designed in partnership with First Nations:** BC Hydro and the Province are committed to working in collaboration with First Nations and ensuring they receive meaningful benefits as a result of the call for power that will be issued in spring 2024. Consultations with First Nations and the First Nations Energy and Mining Council on options for Indigenous economic participation requirements include discussions around partnerships, project procurement opportunities, benefits-sharing agreements, and appropriate evaluation criteria for Indigenous participation. (June 2023)
- **Forest Landscape Planning Tables in partnership with First Nations:** \$25-million in funding will support eight new regional FLP tables with the participation of approximately 50 First Nations. These tables will prevent harvesting in old-growth forests important for ecosystem health, biodiversity, clean water, carbon storage and Indigenous values. They will also provide greater certainty about the areas where sustainable harvesting can occur to support jobs and investment. (February 2023)
- **Wildfire Salvage Opportunity Agreements (WSOAs):** WSOAs enable the timely direct award of forestry licenses to First Nations for salvaging timber damaged by wildfire. Streamlining the process to harvest timber affected by wildfire will support mills by

ensuring they can access fire-damaged logs before they degrade and still have commercial value. (November 2022)

- **New grants increase opportunities for Indigenous people in forest sector:** Provincial funding of \$437,000 supported the the First Nations Forestry Council in developing new online forestry careers-matching tools to help increase the number of Indigenous students and community members studying and working in the forest sector. (June 2022)

## Children and families

- **Gwa'sala-'Nakwaxda'xw Nations enters into community agreement under the Child, Family and Community Service Act:** The community agreement was signed between the Gwa'sala-'Nakwaxda'xw and MCFD to guide the consultation and cooperation for planning and decision-making for the provision of child and family services and supports Gwa'sala-'Nakwaxda'xw children and youth to remain safely connected to their families, culture and community. (November 2023)
- **Building new child care where Indigenous families need it most:** Indigenous children and their families are benefiting from new child care spaces close to home, with early learning programming that strengthens their cultural traditions and languages. New centres have been funded or opened recently thanks to partnerships with Nanoose First Nation (85 spaces), Gitwangak Band Council (51 spaces), Métis Nation BC (24 spaces, Mission) and the Aboriginal Head Start Association of British Columbia (75 spaces, Nanaimo). (Throughout 2023)
- **Splatsin, Canada and British Columbia sign historic coordination agreement for First Nations children and families:** The first coordination agreement signed in B.C., the agreement will transfer \$136.2 million to Splatsin to support their ongoing delivery of child and family services grounded in their culture and family systems. (March 2023)
- **More children will be supported with inclusive child care:** The Spirit of the Children Society employs Aboriginal supported child development (ASCD) consultants to provide culturally responsive support for Indigenous children who require additional support in the child care setting in New Westminster and the Tri-Cities area. The society will use additional ASCD funding to hire support workers to ensure children with support needs can be fully included in the preschool or child care environment and to prepare trauma-informed training for child care providers. (February 2023)
- **Indigenous Self-Government in Child and Family Services Amendment Act:** The Province passed historic legislation that respects and upholds the inherent rights of Indigenous communities to provide their own child and family services. Many Indigenous Governing Bodies are engaged in collaborative discussions with the Province and Canada to exercise their jurisdiction. (November 2022)

- **Entered into first community agreement under the Child, Family and Community Service Act with Simpcw First Nation:** Tcwesétmentem: Walking Together Agreement, is the first of its kind in B.C. The agreement recognizes elements of the federal Act respecting First Nations, Inuit and Métis children, youth and families, and outlines how the Simpcw and the ministry will work together to support the well-being of Simpcw families. (April 2022)
- **An end to birth alerts:** B.C. ended the practice of issuing “birth alerts” for what are deemed high-risk parents. The alerts have been primarily issued for marginalized and Indigenous women. Through a collaborative model, health-care providers and social service workers will no longer share information about expectant parents without consent from those parents. (September 2019)

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## ADVICE TO MINISTER

**CONFIDENTIAL  
ISSUES NOTE**

**Ministry of Indigenous Relations and  
Reconciliation**

**Date:** March 6, 2024

**Minister Responsible:** Murray Rankin

# **Declaration on the Rights of Indigenous Peoples Act**

### **Key Messages:**

- **We are deeply committed to advancing reconciliation in B.C. – guided by the Declaration on the Rights of Indigenous Peoples Act – in consultation and co-operation with Indigenous Peoples.**
- **We are delivering results that everyone in B.C. can see and feel and – in their lives and communities.**
- **The Declaration on the Rights of Indigenous Peoples Act will help get us there.**
- **On November 28, 2019, B.C. became the first jurisdiction to adopt the United Nations Declaration on the Rights of Indigenous Peoples through legislation.**
- **We are seeing transformational changes as we work together to implement the Declaration Act. For example:**
  - **We are hard at work aligning legislation with the UN Declaration.**
  - **Legislation that is:**
    - **working to keep families together;**
    - **improving outcomes for students with First Nations educators teaching First Nations children; and**
    - **implementing a new graduation requirement to ensure all students complete Indigenous-focused coursework before they graduate from the B.C. education system.**
  - **We are providing accessible help for those experiencing anti-Indigenous racism.**
  - **And supporting housing initiatives in First Nations communities.**
    - **To date, more than 1,500 Indigenous Housing Fund homes are open or underway, with 527 units built on-reserve.**
  - **We are delivering on the 89 actions found within the Declaration Act Action Plan – the first of its kind.**

- **Built in consultation and co-operation with Indigenous Peoples, the plan articulates the specific actions every ministry in government will take over five years to create a better B.C. for everyone.**
- **We are advancing agreements that share decision-making with First Nations and are shifting from short-term transactional arrangements to co-development of long-term agreements that support reconciliation, self-determination, decision-making, and economic independence.**
- **We are committed to continuing to accelerate this meaningful work together to build an even stronger, more inclusive, and more just B.C. – together, with Indigenous Peoples, we are creating a better future for all.**

### ***Section 3 (alignment of laws)***

- **The Declaration Act mandates government to bring provincial laws into alignment with the UN Declaration, and to do so in consultation and co-operation with Indigenous Peoples.**
- **We are fundamentally shifting our approach to how we both develop and implement provincial laws, which is resulting in an increasing number of legislative reforms.**
- **A number of acts have already been amended to align with the UN Declaration. For example, amendments that:**
  - **support Indigenous Peoples in exercising their jurisdiction over child and family services (through the Child, Family and Community Service Act)**
  - **strengthen consultation, co-operation and consent on adoption placements for Indigenous children (through the Adoption Act)**
  - **upheld First Nations jurisdiction over education, which includes enabling First Nations to certify and regulate teachers in their own schools**
  - **added a non-derogation clause to the Interpretation Act, which makes it clear that provincial laws uphold, and do not diminish, the rights of Indigenous Peoples as outlined under Section 35 of the Constitution Act**
  - **added Indigenous identity as a protected ground under the B.C. Human Rights Code, which will help us all to combat anti-Indigenous racism and protect Indigenous Peoples from discrimination**

## ADVICE TO MINISTER

- **taken a significant step to dismantle systemic racism and discrimination faced by Indigenous, Black and people of colour through the Anti-racism Data Act**
- **recognize Indigenous People’s inherent rights to self government as it relates to emergency management through the Emergency and Disaster Management Act**

### ***Section 4 (Action Plan)***

- **The Declaration Act Action Plan, released March 30, 2022, is a five-year, cross-government action plan that will guide our work to implement the UN Declaration in B.C.**
- **The Action Plan includes 89 tangible, achievable cross-government actions in the areas of self-determination and self-government, rights and title, ending anti-Indigenous racism, and enhancing social, cultural and economic well-being.**
- **Last summer we launched the redesigned Declaration Act website to provide a snapshot of Action Plan progress, as well as detailed reporting, in a way that’s easy to access and understand.**
- **The Action Plan was developed through two years of intensive engagement, helping to ensure it reflects priorities of Indigenous Peoples in B.C.**
- **Each ministry in government is working in consultation and co-operation with Indigenous Peoples to deliver on their specific actions.**

### ***If asked for status update:***

- **Reconciliation is a cross government priority that includes every ministry.**
- **Ministries are continuing to action their items in a thoughtful, coordinated, and strategic way, while prioritizing consultation and co-operation with Indigenous Peoples.**
- **Across government, steady progress has been made to implement the Action Plan.**
- **Details of the work underway are highlighted in the Province’s redesigned Declaration Act website, as well as detailed reporting on progress and indicators for 32 action items that demonstrated substantial progress or were completed in 2022/2023**
- **We’re working on this year’s annual report, which will highlight detailed reporting for 29 additional actions.**



- We know it's important to get this right – to show progress that Indigenous Peoples can see and feel, and to demonstrate government's ongoing commitment to Declaration Act implementation.

**If asked about funding for actions:**

- Each ministry is responsible for funding and implementing their specific actions found within the Declaration Act Action Plan.
- All ministries have identified actions and aligned – or are aligning – their priorities and budgets to implement these actions.
- More than 60 actions are well underway across government, with varying degrees of funding to support implementation.
- In many cases, funding for actions can be found directly within ministry budgets.
- In fact, 90% of the 89 actions within the plan directly align or advance existing priorities, such as mandate letter direction or other commitments in public documents, agreements and other constructive arrangements.

**If asked about supports for First Nations participation:**

- Last spring we announced the \$200-million Declaration Act Engagement Fund – a direct response to calls from First Nations for support to increase participation in the development and alignment of provincial laws, implementation of the action plan.
- The fund is creating flexibility for First Nations to engage with the Province on areas of interest in ways that respond to their unique needs and priorities.
- This enhanced participation also greatly benefits the Province through the skills, advice, and guidance each First Nation brings.
- This new one-time funding for all First Nations supports our vision of a better B.C. – one where First Nations can thrive through the full enjoyment and exercise of their rights.

***Section 5 (annual reports)***

- The 2022-2023 Declaration Act Annual Report was an important milestone – it was the first report since launching the Declaration Act Action Plan and the first to report on the 89 actions we have committed to.
- The report's accessible website includes indicators and detailed reporting for 32 Action Plan items – showing the highlights, the challenges we face, and the transformational work ahead as we implement the plan.

## ADVICE TO MINISTER

- The report also featured the launch of the Declaration Secretariat – established in to align provincial laws with the UN Declaration.
- A key feature, the website shines a light on the words and voices of Indigenous Peoples, based on their lived experiences.
- Work is well underway to build the next Annual Report – in consultation and co-operation with Indigenous Peoples – to be released by the end of June.

### *Section 6/7 (shared decision-making agreements)*

- We are advancing agreements that share statutory decision-making with First Nations.
- Sections 6 and 7 of the Declaration Act provides a mechanism for the negotiation of joint and consent-based decision-making agreements with Indigenous governing bodies.
- B.C. has signed of two consent-based agreements with the Tahltan Central Government under section 7 of the Declaration Act for the Eskay Creek and the Red Chris mines.
- These agreements also operate under section 7 of the Environmental Assessment Act.
- We are in negotiations for two further agreements, an agreement with the shíshálh Nation on dock tenures and a further agreement with Tahltan on the Galore Creek mine.
- We are committed to continuing the important work needed to bring about more of these important agreements, in consultation and co-operation with Indigenous Peoples.
- As we undertake this work, predictability, accountability and transparency are paramount.
- Whether joint or consent based, agreements under Sections 6 and 7 of the Declaration Act help address the legacy of colonialism by allowing the Province to work shoulder-to-shoulder with Indigenous Peoples on decisions that affect them.

### *If asked about the pace of agreements*

- We acknowledge implementing section 6 and 7 in a consistent way across government is a shared challenge, and that we have not fully realized the potential of sections 6 and 7.
- Of course, with any much-needed transformation, we would like to advance quickly.

- **While we have not advanced the use of this tool to all its potential, we are very proud of the agreements we have come to and look to those as examples of what can be done.**
- **We continue to have active and collaborative discussions with a number of First Nations when it comes to shared decision-making related to the Declaration Act.**
- **We expect as we make progress on legislative reform and alignment, we will see more and more section 6 and 7 agreements in the future.**

### ***Declaration Act Secretariat***

- **Establishing a Declaration Act Secretariat recognizes that implementation of the Declaration Act, the UN Declaration and constitutionally protected title and rights requires an integrated, “whole of government” effort.**
- **Formed in 2022, the Secretariat guides and assists the Province in our obligations to ensure legislation, policy and practice is consistent with the UN Declaration on the Rights of Indigenous Peoples (UNDRIP), and is developed in consultation and cooperation with Indigenous Peoples, as required by Section 3 of the Declaration Act.**
- **Across government, ministries are engaging with Indigenous Peoples on policy and legislation, and the Secretariat supports this work centrally.**
- **As an initial step, the Indigenous-led Secretariat released the ‘interim approach’ to help us with this task and support our legal requirements to affirm Indigenous rights.**

### **KEY FACTS:**

The Declaration on the Rights of Indigenous Peoples Act (Declaration Act) passed unanimously in the B.C. legislature on Nov. 26, 2019, and came into force on Nov. 29, 2019. B.C. is the first jurisdiction in Canada to have passed legislation to implement the United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration).

B.C. worked with the First Nations Leadership Council to develop the legislation. Such collaboration on legislation was unprecedented in Canada at the time. A commitment to the legislation was outlined in the 2018 Concrete Actions document.

In Nov. 2022, the Premier issued ministerial mandate letters to the newly sworn in Cabinet ministers. In previous NDP ministerial mandate letters, every minister was tasked to support government’s commitment to lasting and meaningful reconciliation with Indigenous Peoples in B.C. and the full adoption and implementation of the UN Declaration and the TRC calls to action. The 2022 letters, however, did not include such statement, rather stating “We will continue working toward true and meaningful reconciliation by supporting opportunities for Indigenous Peoples to be full partners in the inclusive and sustainable province we are building together.”

# ADVICE TO MINISTER

## Declaration Act overview

- The legislation:
  - **Provides a legislative framework** for recognizing the constitutional and human rights of Indigenous Peoples.
  - **Mandates government to bring provincial laws into alignment with the Declaration** in consultation and cooperation with Indigenous Peoples.
  - **Requires the Province's action plan** to achieve the objectives of the UN Declaration, which must be developed and implemented in consultation and cooperation with Indigenous Peoples.
  - **Requires regular reporting to the legislature** to monitor progress on the alignment of laws and the action plan, including tabling an annual report by June 30th, in consultation and cooperation with Indigenous Peoples.
  - **Allows for flexibility** for the Province to enter into agreements with a broad range of Indigenous governing bodies – this could include Indigenous governments outside of Indian Act Bands and incorporated organizations such as multiple nations working together as a collective, or hereditary governments and treaty nations.
  - **Provides a framework** for joint and consent-based decision-making with Indigenous governing bodies – providing structure and processes for how joint decision-making could happen, while ensuring administrative fairness and transparency.

## Section 3: Alignment of laws

- Since the passing of the Declaration Act in 2019, the B.C. government continues to align work with provincial legislation, and ministries are now consulting and co-operating with Indigenous Peoples on key policy and legislation earlier and more deeply.
- All ministers understand that each ministry has a role in this work to align laws, and as they are working on legislation, they are very mindful of the Declaration Act.
- Established in 2022, the Declaration Act Secretariat is advancing and supporting cross-government efforts to work in consultation and co-operation with Indigenous Peoples to align laws with the UN Declaration.

## Section 4: Action Plan

- Between July 2020 and Feb. 2021, the Province consulted and co-operated with Indigenous partners to build the draft action plan, which included working closely with First Nations, First Nations political leadership, First Nations organizations, historical and modern Treaty Nations, Métis Nation BC and Indigenous service organizations.
- The results of this engagement helped to form the foundation of the draft action plan, which was released for feedback on June 11, 2021. Ministries from across government also held direct meetings with Indigenous partners to get feedback on their specific items in the draft action plan.
- The final Declaration Action Plan was released March 30, 2022.
- Engagement is actively underway within Indigenous partners as central to successful implementation. Ministry action leads are responsible for engaging Indigenous partners in implementation planning and activities.

## Section 6 & 7: Shared decision-making and Indigenous governing bodies

- First Nations have asked about government's progress to establish a process for recognizing Indigenous governing bodies. Identifying an Indigenous governing body is part of self-determination and is therefore up to Nations or collectives to establish. The government does not have a role in this work. Government's role is to meet the Indigenous governing body as a government-to-government partner with which to make agreements.
- Sections 6 and 7 of the Declaration Act enables the Province to enter into agreements with Indigenous governing bodies to share decisions, consistent with the UN Declaration. The resulting agreements set out the processes for joint or consent-based statutory decision-making, including dispute resolution, while clarifying roles and responsibilities of the Province and the Indigenous governing body.

- Section 7 of the Declaration Act is an enabling tool. It gives the ability to seek a mandate from Cabinet to pursue for shared decision-making and consent agreements – in other words, agreements to exercise statutory authority either jointly, or with consent.
- Each decision-making agreement is different from another, and as such, are negotiated and subsequently approved on a case-by-case basis.
- For example, in June 2022, government signed an agreement with the Tahltan Central Government on the first consent-based decision-making agreement ever to be negotiated under the Declaration Act. The negotiations support ongoing work to collaboratively achieve long-term comprehensive reconciliation and land-use predictability in Tahltan territory.
- In Nov. 2023, B.C. and the Tahltan Central Government entered into a section 7 agreement under the Declaration Act and the Environmental Assessment Act for decision-making on the Red Chris gold and copper mine.
- In Aug. 2022, B.C. announced a commitment to negotiate a shared decision-making agreement with the shíshálh Nation. Once negotiated, this agreement will reflect a shift in B.C.'s legal decision-making framework to respect First Nations jurisdiction, recognize the inherent rights of shíshálh and provide a stronger, more durable path to decision-making in shíshálh territory.

### **Declaration Act Secretariat**

- The Declaration Act Secretariat was announced as part of Budget 2022 and has a budget of \$12 million over three years.
- In Oct. 2022, the Declaration Act Secretariat released the 'Interim Approach to Implement the Requirements of Section 3 of the Declaration on the Rights of Indigenous Peoples Act'. The world-leading interim guidance approach provides every ministry and sector of government with clear, transparent processes for how they are to work together with Indigenous Peoples in developing provincial laws, policies and practices, as required under the Declaration on the Rights of Indigenous Peoples Act.
- In Dec. 2022, Minister Rankin received an updated mandate letter, which committed him, through the new Declaration Act Secretariat to "continue to ensure new legislation and policies are consistent with the Declaration on the Rights of Indigenous Peoples Act." This expands on his 2020 mandate letter which introduced the idea of a "secretariat that would assist ministries in the alignment of laws with the UN Declaration..."

Communications Contact: Leanne Ritchie Program Area Contact(s): Ann Marie Sam / Priscilla Sabbas-Watts

## Key Messages

### Section 7 / consent vs veto

### March 2024

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#### Key Messages

- We are advancing agreements with First Nations and section 7 agreements are already enabled under several pieces of legislation.
- We remain committed to the promise of shared decision-making agreements.
- We've seen how it helps to bring certainty and stability for all.

*If asked if Section 7 consent-based decision making provides a veto:*

- Section 7 agreements are about sharing decision-making jurisdiction with Indigenous partners.
- This is not about a veto; this is about a decision that is made consistent with an agreement, which requires transparency and accountability.
- A veto is a decision which is made without a process, without structure; it is often pre-determined.
- A veto doesn't give insight into the decision-making process; the applicant is simply faced with a 'no' with no reasons and no apparent due process.
- Consent, on the other hand, is none of those things.
- Our section 7 agreements to date, and those that will follow, build a strong and transparent process.
- They set out criteria; they provide an understanding of the decision-making process; and they provide opportunities for third parties to be effectively heard.
- Finally, if people disagree, they can challenge a decision; they are judicially reviewable.
- That is not veto. That is sound decision-making, made together, to make the Province stronger.
- The Province is committed to doing that work with First Nations.

#### **Background:**

Sections 6 and 7 of the Declaration on the Rights of Indigenous Peoples Act allows for flexibility for the Province to enter into agreements with a broad range of Indigenous governing bodies. Much of the initial work to conceptualize and scope a section 7 agreement with an Indigenous governing body occurs as part of the ongoing government-to-government relationships the Province is continuously building with rights and title holders. These initial discussions are confidential in nature until a formal mandate is approved.

Once the Province has a mandate to negotiate a section 7 agreement with an Indigenous governing body, formal negotiations begin. This initiates a requirement for engagement with affected local governments and other parties. The Province is required to identify all parties it intends to engage with. Any agreement that results from negotiations must be approved by government and published before it can come into effect. These accomplishments are also typically accompanied by media releases, providing for transparency and public awareness.

# MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION

## 2024 Estimates Note

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### Alignment of Laws

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#### KEY MESSAGES

- **Four years have elapsed since the passage of the Declaration Act. Efforts to implement section 3 have illustrated the need for a coherent and systematic approach to the alignment of laws that is transparent to Indigenous peoples, other levels of government, stakeholders, and the general public.**
- **The steps that the Province has taken, in particular the formation of the Declaration Act Secretariat, have set the foundation for advancing such an approach.**
- **The Declaration Act Secretariat guides and assists ministries in meeting the alignment of laws obligations, collaborates within government on changes to government's legislative and policy process, and helps establish government's legislative priorities related to alignment of laws.**
- **The Declaration Act Secretariat has been actively involved in supporting legislation and policy development. Examples of relevant amendments include the:**
  - **Anti-Racism Data Act (Bill 24)**
  - **Health Professions & Occupations Act (Bill 36)**
  - **Indigenous Self-Government in Child and Family Services Amendment Act (Bill 38)**
  - **Accessible British Columbia Act (Bill 6)**
  - **Human Rights Code Amendment Act (Bill 18)**
  - **Forests Statutes Amendment Act (Bill 23)**
  - **Interpretation Amendment Act (Bill 29)**
  - **Emergency and Disaster Management Act (Bill 31)**
  - **School Amendment Act (Bill 40)**

#### BACKGROUND

The Declaration on the Rights of Indigenous Peoples Act (Declaration Act) was unanimously passed by the Legislative Assembly in 2019. Section 3 of the Declaration Act requires the Province, in consultation and co-operation with Indigenous peoples, take "all measures necessary" to ensure consistency between the laws of British Columbia and the United Nations Declaration on the Rights of Indigenous Peoples.

Since 2019, the Province has taken some measures pursuant to section 3. The most significant measure was the formation of the Declaration Act Secretariat, established in Budget 2022. The mandate of the Secretariat is to ensure legislation is consistent with the UN Declaration and is developed in consultation and cooperation with Indigenous



# MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION

## 2024 Estimates Note

Peoples, as required by Section 3 of the Declaration on the Rights of Indigenous Peoples Act.

The Secretariat's core functions are:

- Provide guidance on consultation and cooperation and consistency of laws;
- Develop processes and measures to support alignment of laws;
- Inform government's legislative agenda; and
- Serve in an interlocutor role.

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# MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION

## 2024 Estimates Note

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### Consultation and Cooperation

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#### KEY MESSAGES

- **Ensuring all laws, policies, programs, and practices are aligned with the UN Declaration on the Rights of Indigenous Peoples - as required by Section 3 of the Declaration Act - must be done in meaningful consultation and cooperation with Indigenous Peoples.**
- **All of government, with the guidance of the Declaration Act Secretariat is continuing to ensure new legislation, regulation and policies are consistent with the Declaration Act.**
- **Released in October 2022, the *Interim Approach* provides every ministry and sector of government with clear, transparent processes for how they are to work together with Indigenous Peoples in developing provincial laws, policies and practices, as required by the Declaration Act, and Section 35 of our Constitution.**
- **After its release, we have heard critical feedback about the challenges faced in applying this policy. This includes further training for Ministries to increase knowledge and skill in working effectively and efficiently with Indigenous peoples, organizations, and communities.**
- **We're responding to this feedback by creating additional guidance for consultation and cooperation, to supplement the Interim Approach.**
- **The supplemental guidance will help our government achieve the legislative priorities of Indigenous Partners. It brings together what we have learned on the co-development of laws since 2019 and helps government transition towards an approach of law making is thoughtful, consistent, and supports our legal requirements to respect and affirm Indigenous rights.**

#### BACKGROUND

The depth to which the B.C. government consults and co-operates with Indigenous Peoples in the development of legislation has been criticized both in and outside of the House. In the Spring 2022 legislative session, the opposition examined bills for how government specifically met the standards to consult and co-operate articulated in the Declaration Act.

During more than a year of its implementation, the B.C. government has received feedback from First Nations partners as well as Ministry staff, on the Interim Approach. This has outlined many challenges and areas to improve the approach. The Secretariat is working to provide supplementary guidance on consultation and cooperation based off of lessons learned across all sectors of government. This will be used with the Interim Approach and is being co-developed

# MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION

## 2024 Estimates Note

with Indigenous Partners. The Secretariat will continue to work with ministries to gather feedback on challenges in applying the Interim Approach, that will inform future work.

### **Declaration Act Secretariat**

In Oct. 2022, the Declaration Act Secretariat released the 'Interim Approach to Implement the Requirements of Section 3 of the Declaration on the Rights of Indigenous Peoples Act'. The world-leading interim guidance approach provides every ministry and sector of government with clear, transparent processes for how they are to work together with Indigenous Peoples in developing provincial laws, policies and practices, as required under the Declaration on the Rights of Indigenous Peoples Act.

In Dec. 2022, Minister Rankin received an updated mandate letter, which committed him, through the new Declaration Act Secretariat to "continue to ensure new legislation and policies are consistent with the Declaration on the Rights of Indigenous Peoples Act." This expands on his 2020 mandate letter which introduced the idea of a "secretariat that would assist ministries in the alignment of laws with the UN Declaration..."

### *Legislation to date includes:*

- Anti-Racism Data Act (Bill 24)
- Health Professions & Occupations Act (Bill 36)
- Indigenous Self-Government in Child and Family Services Amendment Act (Bill 38)
- Accessible British Columbia Act (Bill 6)
- Human Rights Code Amendment Act (Bill 18)
- Forests Statutes Amendment Act (Bill 23)
- Interpretation Amendment Act (Bill 29)
- Emergency and Disaster Management Act (Bill 31)
- School Amendment Act (Bill 40)

### *Policy related to Section 3 includes:*

- Draft Principles that Guide the Province of British Columbia's Relationship with Indigenous Peoples
- Recognition and Reconciliation of Rights Policy for Treaty Negotiations
- Indigenous Governing Bodies Policy
- Interim approach to Involving Indigenous Peoples in Policy and Legislation

### *Related case law:*

The Duty-to-Consult applies to decisions of the Crown that may impact Section 35 Aboriginal rights whether asserted, proven or enshrined in a treaty or other constructive agreement. In Haida 2004, the Supreme Court of Canada ruled "The Crown, acting honourably, cannot cavalierly run roughshod over Aboriginal interests where claims affecting these interests are being seriously pursued in the process of treaty negotiation and proof." The scope of consultation depends on an analysis of two factors: strength of claims and the seriousness of

# MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION

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impact of the proposed decision. This process is not well received by First Nations across Canada.

In *Thomas and Saik'uz First Nation v Rio Tinto Alcan Inc*, 2022, the BC Supreme Court considered the potential implications of UN Declaration legislation in its analysis and, in doing so, provided some insight as to how the UN Declaration legislation may supplement, refine, and alter existing jurisprudence addressing Aboriginal rights and reconciliation. However, the court left it to Supreme Court of Canada to determine what effect, if any, UN Declaration legislation has on the common law, particularly given the areas of conflict between the two. In identifying these areas of conflict, the Court appeared to suggest that, in some of these instances, UN Declaration may serve as a preferable approach than existing common law.<sup>1</sup>In the fall of 2021, government added a non-derogation clause to the Interpretation Act, which makes it clear that provincial laws uphold, and do not diminish, the rights of Indigenous Peoples as outlined under Section 35 of the Constitution Act. The Interpretation Act, section 8.1(3) states: Every Act and regulation must be construed as being consistent with the Declaration, and that Section 35 consultation should be informed by relevant articles of the UN Declaration, including Articles 19 and 32(2) which indicate that consultations are to be aimed at obtaining free, prior and informed consent – consistent with Principle #6.

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<sup>1</sup> [BCSC Decision Suggests Implications for UNDRIP Legislation in Canada | Cassels.com](#)

# MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION

## 2024 Estimates Note

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### Interim Approach

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#### KEY MESSAGES

- **The Interim Approach provides guidance for implementing section 3 of the Declaration on the Rights of Indigenous Peoples Act and processes for involving Indigenous Peoples in policy and legislative development.**
- **Released in October of 2022, the Interim Approach is one of the first key actions from the Declaration Act Secretariat.**
- **This guidance provides clear, transparent processes for how public servants are to work together with Indigenous Peoples in developing provincial laws, policies and practices.**
- **The interim process has been developed and informed by the on-going efforts to work in consultation and cooperation with Indigenous Peoples during the development of policy and legislation. The experiences of ministries in working with Indigenous Peoples on policy and legislative change since the passage of the Declaration on the Rights of Indigenous Peoples Act have informed the development of this guidance.**
- **Aligning provincial laws with the UN Declaration on the Rights of Indigenous Peoples will take time. The Interim Approach will be updated and supplemented with additional guidance, as the work of implementing the Declaration Act, in consultation and cooperation with Indigenous Peoples, continues.**

#### BACKGROUND

The Declaration Act Secretariat was created to guide and assist ministries in the alignment of laws with the United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration).

This includes meeting the legal requirement to consult and cooperate with Indigenous Peoples on changes to the province's legislative and policy processes and development. This interim guidance was created to help inform the work being done now across government with Indigenous Peoples.

The Declaration Act Secretariat supports ministries in implementing this guidance, as well as the development of additional measures for implementing section 3. Additionally, ministries should seek guidance from the Indigenous Legal Relations Solicitors Unit (NATRIL) within the Legal Services Branch (MAG), as well as ministry-specific legal counsel, throughout the application of this interim process.

# MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION

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Supplementary guidance on consultation and cooperation is being drafted to be used with the Interim Approach.

The UN Declaration contains direction to States (e.g. Crown governments), on how to develop policy and legislation;

- Article 19: States shall consult and cooperate in good faith with the Indigenous Peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them.
- Article 38: States in consultation and cooperation with Indigenous Peoples, shall take the appropriate measures, including legislative measures, to achieve the ends of this Declaration.

### **Section 3 of the Declaration Act, responds to UNDRIP, and reads:**

#### ***Measures to align laws with Declaration***

*In consultation and cooperation with the Indigenous peoples in British Columbia, the government must take all measures necessary to ensure the laws of British Columbia are consistent with the Declaration.*

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# MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION

## 2024 Estimates Note

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### Declaration Act Engagement Fund

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#### KEY MESSAGES

- **Last spring, the Province announced the \$200-million Declaration Act Engagement Fund ('the fund') as a direct response to calls from First Nations to support the increased demands on First Nations to engage on the implementation of the Declaration Act.**
- **The fund will enhance First Nations' capacity to engage with the Province on implementation of the Declaration Act Action Plan and alignment of provincial legislation with the UN Declaration. The fund will also support other strategic, policy, and legislative priorities.**
- **All B.C. First Nations, including Treaty First Nations and self-governing Nations, are eligible for the fund.**
- **The fund provides quick and easy access to four-year funding that focuses on reducing typical application and reporting barriers.**
- **The fund reflects a significant shift in how engagement funding is provided, as it directly enables First Nations to self-determine their own priorities for engagement.**
- **Engagement supported by this fund has greatly benefited the Province as well, through the skills, advice, and guidance each First Nation brings.**
- **For the first year of the program, the Province and the New Relationship Trust (NRT) have focused on achieving full program subscription. We have seen excellent uptake, with nearly 190 First Nations approved for the fund within the first year of the program.**
- **Fewer than 15 First Nations have not yet applied, and the Province and NRT are working closely to encourage these remaining First Nations to apply.**

#### EXAMPLES OF FUND USAGE

- **One Nation plans to conduct a unifying exercise with their Hereditary Chiefs, which will include a UN Declaration education session with a technical professional, followed by a priorities workshop. This exercise will help determine their Hereditary Chiefs' and Elected Chief and Council's priorities for implementing the Declaration Act.**
- **Another Nation is hiring a position dedicated to responding to the Province's ongoing engagement requests. To-date, this Nation has not had the capacity to engage with the Province directly on the Declaration Act.**

# MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION

## 2024 Estimates Note

- Regarding work already completed, a Nation held a planning retreat in October with its Chief and Council, department managers, and consultants to plan their approach to initiating and furthering government-to-government dialogue related to alignment of laws work with the Provincial Government.
- Another Nation has sent staff to provincial workshops and a focus group, all related to the New Fiscal Framework. Costs have primarily involved staff time to conduct preparatory research, participate in engagement events, and brief Chief and Council.

### BACKGROUND

- In April 2023, the Ministry of Indigenous Relations and Reconciliation (MIRR) announced the fund as a direct response to calls from First Nation leaders for funding to help consult and co-operate with the Province on the implementation of the Declaration Act in B.C.
- The \$200M fund was secured from MIRR's end of year 2022/23 funding.
- Through the fund, every BC First Nation under the Indian Act, Modern Treaty Nation, and Self-Governing Nation is eligible for yearly funding of \$260k, for a total of \$1.04M per First Nation over four years.
- First Nations need only apply once and can apply at any point within the four years of the program.
- The fund is administered by the New Relationship Trust, an independent non-profit Indigenous-led organization dedicated to strengthening First Nations in British Columbia through capacity building.
- Accountability for the funding flows through NRT as program administrator and the body with whom the Province holds the agreement.
- NRT designed the program to distribute the funding that includes several accountability components:
  - Vetting of applications submitted by First Nations to ensure alignment with the parameters of the fund.
  - Compliance monitoring and evaluation of outcomes for approved projects.
- NRT provides mid-year and annual reporting to the Province, as well as on an as-needed basis.
- The program was designed intentionally to reduce administrative burden on Nations, while maintaining the necessary rigour for reporting requirements.

#### Primary Contact

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#### ADM Responsible

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## ADVICE TO MINISTER

**CONFIDENTIAL  
ISSUES NOTE**

**Ministry of Indigenous Relations and  
Reconciliation**

**Date:** April 25, 2024

**Minister Responsible:** Hon. Murray Rankin

# **Declaration Act Engagement Fund**

### **ADVICE AND RECOMMENDED RESPONSE:**

- **Last spring, we announced the \$200-million Declaration Act Engagement Fund – a direct response to calls from First Nations for support to increase participation in the development and alignment of provincial laws, implementation of the action plan.**
- **The fund is creating flexibility for First Nations to engage with the Province on areas of interest in ways that respond to their unique needs and priorities.**
- **This enhanced participation also greatly benefits the Province through the skills, advice, and guidance each First Nation brings.**
- **This new one-time funding for all First Nations supports our vision of a better B.C. – one where First Nations can thrive through the full enjoyment and exercise of their rights.**

### **DAEF Uptake**

- **Last May, the New Relationship Trust, who administers the fund, began taking applications from First Nations in B.C.**
- **In total, 189 First Nations have submitted applications.**  
Advice/Recommendations; Government Financial Information; Intergovernmental Communications
- **The New Relationship Trust is working to increase participation in the fund through various tactics, including social media campaigns.**

### **Examples**

- **First Nations throughout B.C. have been using the funding to increase capacity to engage with the Province.**
- **Without breaking confidentiality, I can tell you one First Nation has hired a person dedicated to responding to engagement requests. Previously, this Nation did not have the capacity to engage directly with the Province.**
- **Another First Nation hosted a planning meeting with Chief and Council, department managers and consultants to plan their approach to initiating and furthering consultation with the Province.**

## KEY FACTS:

In April 2023, the Ministry of Indigenous Relations and Reconciliation (MIRR) announced the new Declaration Act Engagement Fund (DAEF) as a direct response to calls from Nation leaders for funding to help consult and co-operate with the Province as work continues to implement the UN Declaration on the Rights of Indigenous Peoples in B.C. The \$200 million is coming from 2022/'23 year end contingencies.

DAEF is increasing capacity for First Nations to be properly engaged in the implementation of the Declaration Act Action Plan and alignment of provincial laws. The flexible fund may be used by Nations to support engagement with the Province that could include funding for support staff, training, community-level engagement, and other resources required. It may also be used to support reconciliation-focused strategic, policy or legislative initiatives not directly tied to the Declaration Act.

Any First Nation in B.C. is eligible to apply for DAEF – including Treaty First Nations and self-governing First Nation – any time throughout the duration of the program. Each First Nation in B.C. is eligible for \$260,000 annually for a total of \$1.04 million over four years through a single, streamlined application.

The New Relationship Trust (NRT) – as administrators of the program – will formalize the terms, conditions, and funding relationship with Nations through contribution agreements. Funds will be distributed as non-repayable funding contributions to Nations through a low-barrier application process.

NRT has designed a program that includes a number of accountability components, including vetting of applications submitted by First Nations for funding to ensure alignment with the parameters of the fund and compliance monitoring and evaluation of outcomes for approved projects. The program is designed intentionally to reduce administrative burden on Nations, while maintaining the necessary rigour for reporting requirements.

**Media Interest:** There was decent media pick up with the initial DAEF announcement. There was one Black Press article generated from the [NRT's echo announcement in May 2023](#) of the launch of the application process.

Communications Contact: Leanne Ritchie

Program Area Contact: Ann Marie Sam

## ADVICE TO MINISTER

**CONFIDENTIAL  
ISSUES NOTE**

**Ministry of Indigenous Relations and  
Reconciliation**

**Date:** Feb. 6, 2024

**Minister Responsible:** Murray Rankin

### **Distinctions Based Approach (DBA)**

#### **ADVICE AND RECOMMENDED RESPONSE:**

- **A distinctions-based approach requires that the Province's dealings with First Nations, Métis and Inuit be conducted in a manner that acknowledges the specific rights, interests, priorities and concerns of each, while respecting and acknowledging these distinct Peoples with unique cultures, histories, rights, laws and governments.**
- **Not all rights are the same among or between Indigenous Peoples and they have different applications in different provinces throughout the country.**
- **The B.C. Government's Distinctions-based Approach Primer was created to assist the provincial government in building a better understanding of the legal basis for, and core elements of, a distinctions-based approach in all of the Province's relations with First Nations, Métis and Inuit in what is now B.C.**
- **The Primer will assist public servants in making decisions that are grounded in a consistent understanding of the Constitution Act, 1982; the United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration); the Declaration on the Rights of Indigenous Peoples Act (Declaration Act); treaties; and relevant case law.**

#### **Criticism:**

- **We recognize that conversations about the distinctions-based approach can be difficult.**
- **It's important to be mindful that the specific rights discussed in the Primer don't encompass the whole of the Province's relationships with First Nations, Métis and Inuit, nor their relationships with each other.**
- **As the Primer is oriented towards legal concerns, the language does not always fully reflect the complexities of the lived realities of individual Indigenous people, their relationships and identities.**

- **The Primer is not meant to define the full scope of what it means to engage in a distinctions-based way. It is intended to prevent misunderstandings that could lead to conflict and confusion.**
- **The Primer is just a first step among many that will be required to fully implement a distinctions-based approach in B.C.**

## **KEY FACTS:**

On Dec. 5, 2023, the Province released a Distinction-Based Approach Primer (the Primer) document to assist B.C. public servants in understanding the current legal basis and core elements of a distinctions-based approach in all relations with First Nations, Métis and Inuit. The Ministry of Indigenous Relations and Reconciliation (MIRR) is now developing an internal companion document in collaboration with Indigenous partners to provide more practical distinctions-based approach guidance to public servants. The Public Service Agency is also working with Indigenous partners to update the course called 'Indigenous Crown Relations Essentials,' which will set expectations for BC Public Service employees on how to engage in reconciliation, including taking a distinctions-based approach.

The Primer development was led by MIRR in collaboration with the Ministry of the Attorney General. Contents of the Primer were shared with key partners for input, but as this document focuses on legal decisions and definitions, full consultation in this context was not feasible. <sup>Advice</sup> <sub>Recommendations; Intergovernmental Communications</sub>

## **Background**

All “Aboriginal Peoples of Canada” have rights that are recognized and affirmed by section 35 of the *Constitution Act, 1982* and all Indigenous Peoples have human rights that are expressed in the UN Declaration. However, it is important to recognize that not all rights are uniform or the same among or between all Indigenous Peoples. The Declaration Act Action Plan, released in 2022, states: “The Province is committed to a distinctions-based approach. This requires that the Province’s dealings with First Nations, Métis and Inuit Peoples be conducted in a manner that acknowledges the specific rights, interests, priorities and concerns of each, while respecting and acknowledging these distinct Peoples with unique cultures, histories, rights, laws and governments.” (Canada has also adopted a distinctions-based approach, although unique from B.C.’s approach) The Province’s relationships and engagement with First Nations, Métis and Inuit requires different approaches and will result in different outcomes. Each First Nation has its own distinct identities and cultures, and B.C. seeks to respect those distinctions. An improper application of a distinctions-based approach leads to an infringement of rights, unintended consequences or possible legal issues.

## **From Declaration Act Action Plan**

The Province is committed to a distinctions-based approach. In the action plan, effort has been made to use terminology consistently and coherently using a distinctions-based approach; wherever possible, reference to First Nations, Métis and Inuit Peoples are made intentionally to reflect these distinctions. There are currently some variances in use throughout the action plan for several reasons: for example, out of respect for the diversity of preferences among Indigenous Peoples, or to reflect and remain consistent with terminology used in existing commitments, agreements and other constructive arrangements. A distinctions-based approach must be applied in the interpretation and implementation of the action plan. Some of the actions that use the term “Indigenous Peoples” broadly may, through implementation, come to be more aptly focused on First Nations and/or Métis people.

## **Practical examples of using a distinctions-based approach include**

- One immediate and practical application of a distinctions-based approach is related to territorial acknowledgements:
  - Carried out properly, territorial acknowledgments are substantive expressions grounded in Indigenous law meant to recognize the people or peoples whose lands you are on and their continued presence on and relationship with those lands. In B.C., land-based rights are only held by First Nations.
  - The purpose of territorial acknowledgements is not to acknowledge all Indigenous people who live within a particular territory, or all Indigenous people you are engaged with through your work. First Nations have their own laws, legal systems and systems of governance that apply to those lands which, among other things, govern the stewardship and use of those lands – this is a critical part of what is being acknowledged.
  - Other Indigenous peoples (such as Métis, Inuit or First Nations not from B.C.) do not hold land-based rights in B.C., so it is not appropriate to include them in any territorial acknowledgements. Please ensure your territorial acknowledgements, written and verbal, reflect this critical distinction by only recognizing the First Nation(s) whose lands you are physically on.
- In the social sectors, an example is being inclusive of Urban Indigenous Peoples, including First Nations, Inuit and Métis individuals from all parts of the country, and ensuring services are inclusive rather than restrictive.

- In the natural resource sector, including emergency management and climate readiness, it means working directly with First Nation rights and title holders.

**Media Interest:** n/a

Communications Contact: Leanne Ritchie

Program Area Contact: Stephanie Mannix

## ADVICE TO MINISTER

**CONFIDENTIAL  
ISSUES NOTE**

Ministry of Indigenous Relations and  
Reconciliation

Date: Feb. 7, 2024

Minister Responsible: Hon. Murray Rankin

# First Peoples Cultural Council supports

### ADVICE AND RECOMMENDED RESPONSE:

- **We are working with First Nations across B.C. so they can fully exercise their distinct rights to maintain, control, develop, protect, and transmit their cultural heritage, traditional knowledge, and languages.**
- **B.C. has incredible language diversity and is home to 35 First Nations languages. Together, they make up more than half of all First Nations languages in Canada.**
- **These are the original languages of this land and contribute to the unique diversity of the cultures in B.C.**
- **The partnership between the First Peoples' Cultural Council and the First Peoples' Foundation is laying the groundwork so that First Nations languages can be passed on to future generations.**
- **There is still much to do together to support communities in their work to restore their languages, which are vital to nationhood and sovereignty.**

### Funding support:

- **Since 2018, our government has committed a record amount, more than \$93 million, to support First Nations to develop, protect, and transmit arts, cultural heritage, traditional knowledge, and the original languages of this land.**
- **The First Peoples' Cultural Council and First Peoples' Cultural Foundation received a \$34.75 million investment from the Province in 2022.**
- **Also, in Budget 2023/24, we announced an operational boost of more than \$6 million yearly to support the important work of First Nations' languages, cultures, arts and heritage revitalization.**
- **We are committed to working with Indigenous partners, the Ministry of Education and Child Care, and the Ministry of Post-Secondary Education and Future Skills to develop a strategy for the revitalization**

**and sustainable funding for Indigenous languages in B.C. as outlined in the Declaration Act Action Plan.**

**Additional messaging:**

- **Since 2018, First Nations communities have made remarkable progress.**
- **There are more language learners than ever. According to the most recent data, there are more than 17,000 First Nations language learners representing an increase of almost 20% since 2018.**
- **More young children are immersed in their language for an average of 18 hours a week as the number of language nests has tripled since 2018.**
- **Communities are developing language revitalization plans, have trained staff and are implementing programs that make a difference by documenting the languages and creating new speakers.**
- **Investing in First Nations languages as well as arts and cultural heritage revitalization is an important way to connect people to community, land and culture.**

**KEY FACTS:**

The First Peoples Cultural Council (FPCC) supports First Nations people Indigenous to B.C. in their efforts to revitalize languages, arts, cultures and heritage. FPCC's mandate is to serve 204 First Nations in B.C., 35 languages, more than 90 language dialects and many First Nations arts, culture and heritage organizations. It was formed as a Crown Corporation at the request of BC First Nations leaders in 1990.

As stated in the First Peoples' Heritage, Language and Culture Act, FPCC's legislated mandate is to protect, revitalize and enhance First Nations heritage, language, culture and arts; increase understanding and sharing of knowledge, within both First Nations and non-First Nations communities; and heighten appreciation and acceptance of the wealth of cultural diversity among all British Columbians.

FPCC's vision is one where First Nations languages, arts, cultures and heritage in B.C. are thriving. FPCC applies a community development approach. It supports self-determination by providing funding, training, resources, coaching, expertise, and curation and control of First Nations language data to assist First Nations people Indigenous to B.C. in reaching their revitalization goals.

With respect to language revitalization, FPCC invests in successful strategies that result in fluent speakers and builds long-term capacity in communities, with a focus on 5-10 year strategic language plans, rather than single projects. Most language programs in B.C. are still at a language reclamation level, not maintenance, and require the ongoing support that FPCC provides. FPCC funding is for community use outside the K-12 system.

In February 2023, FPCC released the fourth edition of the Report on the Status of B.C. First Nations Languages, which reveals a more than 20% growth in First Nations language learners since 2018.

**FIRST PEOPLES' CULTURAL FOUNDATION**

Indigenous language revitalization has been a B.C. Government commitment since 2018 when it allocated \$50 million to FPCC. The funding was transferred to the First Peoples' Cultural Foundation (the Foundation) and was expensed over four years (2018/19 to 2021/22).



## ADVICE TO MINISTER

The Foundation is a First Nations led, non-political, non-profit society established in 2000 to support the vitality of Indigenous languages, arts, and cultural heritage in B.C. Since its inception, the Foundation has partnered with FPCC to provide programming and funding to First Nations throughout the province. MIRR and ministry partners [Ministry of Tourism, Arts, Culture and Sport (TACS), Ministry of Environment and Climate Action Strategy (ENV), Ministry of Post-Secondary Education and Future Skills (PSFS)] have worked collaboratively to successfully support FPCC's full mandate; revitalization of First Nations languages, arts, cultures and heritage.

### Provincial Funding:

On B.C. Budget Day, Feb. 28, 2023, the Province announced a permanent budget lift to FPCC for their core operations in the amounts of \$6.49 million for 2023/24, \$6.75 million in 2024/25 and \$7.17 million in 2025/26 and onwards.

FPCC and the Foundation have received several significant one-time grants in support of their mandates over the last few years:

- In March 2023, as part of TACS regular cultural services budget, FPCC received \$262,000 to conduct research to develop a repatriation database and educational resources. **CONFIDENTIAL UNTIL FPCC IS NOTIFIED AND GOVERNMENT ANNOUNCES**
- In 2022:
  - MIRR provided \$25 million to the Foundation for community-based grants in arts, heritage, and language revitalization, which is anticipated to administered over three years by FPC – 2022/23 – 2024/25.
  - MIRR contributed operational funding of \$7.6 million to FPCC.
  - PSFS signed a MOU with FPCC to deliver language revitalization initiatives that lead to employment. \$2.6M was provided for delivery of programming to March 2025.
  - TACS provided a one-time grant of \$750,000 to FPCC and the Foundation for repatriation initiatives.
- In 2021/22:
  - FPCC and the Foundation received \$12.5M in provincial funding for cultural heritage initiatives, which includes \$5M to establish an endowment.
  - ENV provided FPCC \$210,000 to address climate change through heritage planning.
- In 2020/21,
  - Through the Community Economic Recovery Infrastructure Program- Indigenous Cultural Heritage Infrastructure, the Foundation received \$4 million. \$250,000 was transferred to FPCC for administration. The remaining \$3.75M was distributed by the Foundation.
  - FPCC received \$800,000 for COVID-19 supports from the BC Arts Council (TACS).

The Province allocated \$50 million in 2018 over four years to support FPCC's work on language revitalization with First Nations.

FPCC receives annual funding from TACS: \$1.7 million from the BC Arts Council (BCAC) and \$500,000 from Creative BC.

**Media Interest:** Media stories in summer/fall of 2021 stated the Province had cut language revitalization funding, with some First Nations reporting they were unable to continue language programs after the FPCC informed them there is not enough funding this year to meet all grant requests and they would be receiving reduced funding. FPCC continues to lobby the provincial and federal governments for long-term, sustainable funding for their programs. The June 2022 funding announcement received wide positive coverage from local and provincial media outlets. Occasional positive media stories run about FPCC-supported language revitalization projects, including a Nov. 2023 story about the Qualicum First Nation's work to reawaken the pentl'ach language.

Communications Contact: Leanne Ritchie  
Program Area Contact(s): Stephanie Gabel, ED: Juanita Berkhout

## ADVICE TO MINISTER

**CONFIDENTIAL  
ISSUES NOTE**

**Ministry of Indigenous Relations and  
Reconciliation**

**Date:** April 24, 2024

**Minister Responsible:** Hon. Murray Rankin

# FPCC federal funding

### ADVICE AND RECOMMENDED RESPONSE:

- **The federal government recently released its budget allocating \$225 million throughout Canada over five years and ongoing, with \$45 million per year going to Canadian Heritage for Indigenous languages and cultures.**
- **We expect to know B.C.'s share of this in the coming months and I am concerned as it will decrease from last year's funding, which will negatively impact First Nations' language revitalization efforts in the province.**
- **I have heard the concerns from First Nations about funding levels and the potential impact on the good work underway.**
- **According to the 2022 Report on the Status of BC First Nations Languages, there are now more 17,000 First Nations language learners, an increase of almost 20% in just four years.**
- **This matter is urgent for First Nations, both for building on the momentum underway, and protecting those employed in language revitalization work.**
- **Since 2018, B.C. has committed a record amount, more than \$93 million, to support First Nations to develop, protect, and transmit their cultural heritage, traditional knowledge, and the original languages of this land.**
- **I continue to urge the federal government to work with B.C. on long-term, sustainable, predictable language revitalization funding and will keep reaching out to my federal colleagues to stress the urgency of this.**

### KEY FACTS:

The federal government released its 2024 budget in April, which provides \$225 million over five years and ongoing, with \$45 million per year ongoing to Canadian Heritage for Indigenous languages and cultures programs. This funding is in support of Indigenous Languages Act, which is set for its first five-year review in October 2025. It is currently not clear how much B.C. will receive. FPCC issued a news release (April 18, 2024) expressing its disappointment in the shortfall in federal funding.

The Province began receiving correspondence in summer of 2023 from First Nations and Indigenous organizations regarding possible funding reductions in 2024/25 from the Department of Canadian Heritage and how this would impact revitalization of languages, arts, culture and heritage efforts for First Nations in BC.

Funding from the federal government to support the implementation of the Indigenous Languages Act includes ongoing funding from its 2019 budget, and new funding announced in Budget 2024.

On Nov. 30, 2023, Minister Rankin sent a letter to the Minister of Canadian Heritage Pascale St-Onge about concerns about a drop in federal funding levels for language revitalization. The letter states: "...in 2023/24, FPCC anticipates receiving \$35.9 million linked to the Indigenous Languages Act from the Department of Canadian Heritage but in 2024/25 the funding available to FPCC from the Department of Canadian Heritage will drop to \$15.9 million. We are requesting at a minimum, that federal funding be maintained at current 2023/24 levels..." The Letter also states that FPCC, "...urgently seeks sustainable funding for the reclamation, revitalization and maintenance of First Nations languages, cultural heritage and arts in BC."

According to the 2022 Report on the Status of BC First Nations Languages demonstrates that the number of learners has increased over the last four years by 20 per cent. Final community reports indicated FPCC funding supported more than 4,700 jobs last year alone (including 1,900 full and part-time jobs, with an additional 2,800 people earning income because of FPCC grants.)

Advice/Recommendations; Intergovernmental Communications

Advice/Recommendations; Intergovernmental Communications

**Federal Program Funding:** FPCC has been the delivery agent for federal language funding in B.C. for more than 20 years. In 2022/23, FPCC received \$21.6 million from the federal Department of Canadian Heritage (DCH) to support language revitalization. At the 2023 Assembly of First Nations (AFN) gathering in July, a motion from the AFN for a new First Nations funding model to be applied under the Indigenous Languages Act was defeated. Had the vote passed, B.C. would have lost approximately \$12 million a year. FPCC and the BC Assembly of First Nations worked closely toward this outcome. As a result of this decision, DCH will continue applying the existing funding formula and has confirmed a \$35.9 million allocation to FPCC for 2023/24. Despite this win for B.C. funding pressures remain.

Currently, the federal government only funds FPCC for First Nations language revitalization. There is no federal funding allocated to FPCC for their arts, culture and heritage programs.

Advice/Recommendations; Intergovernmental Communications

**Media Interest:** Media stories are beginning to appear (late fall 2023) related to projected cuts to FPCC Indigenous languages revitalization funding.

Communications Contact: Leanne Ritchie

Program Area Contact(s): Stephanie Gabel, ED: Juanita Berkhout

## ADVICE TO MINISTER

**CONFIDENTIAL  
ISSUES NOTE**

**Ministry of Indigenous Relations and  
Reconciliation**

**Date:** April 19, 2024

**Minister Responsible:** Hon. Murray Rankin

# **Former Residential School and Hospital Sites Response**

### **ADVICE AND RECOMMENDED RESPONSE:**

- **The Province, with the support of Charlene Belleau in her role as First Nation Liaison, continues to support First Nations who wish to investigate the sites of former Indian Residential Schools and Indian Hospitals across the province.**
- **We know that these institutions hold many unanswered questions for survivors, their families, and their communities. These investigations are another step on the path toward truth, healing, and justice.**
- **First Nations are at different stages in this process and are in the best position to make decisions about the search for missing children, in consultation with the communities directly impacted by these institutions.**
- **The Province has provided funding to support First Nation-led investigations at all 18 Indian Residential School sites and three Indian Hospitals across B.C.**

### **Additional messaging:**

- **The federal government maintains a central role in addressing the history and legacy of the residential school system. We continue to work with the federal government to make sure communities can access a range of resources to assist them at all stages of their work.**
- **As a leader and residential school survivor, Charlene Belleau has worked to create a network of relationships among the communities currently conducting site searches.**
- **A key priority for First Nations is accessing residential school records in federal, provincial, and church archives. These records hold important information about the children that never returned home and is critical to the process of truth telling and healing.**
- **The Province allocated \$425,000 in 2022 to expedite the review and release of Catholic church records in the provincial government's possession.**

### **If asked: How is the Province addressing denialism?**

- The Province takes the rise in residential school denialism seriously, recognizing the harm that it causes former students and their families as well as the contractors and consultants working for the communities.
- Funding provided by the provincial and federal governments has been used by communities for site security.
- The Province continues to monitor the situation and will work with communities and the federal government to put in place additional security measures as appropriate.
- The attempts by some to discredit the findings at former residential schools is deeply disturbing and perpetuates a troubling and persistent pattern of thought that seeks to deny the very real experiences of former students and their families.
- First Nations are in the best position to disclose information about the findings from their investigations and will share additional details in due course.
- As noted in the interim report from the Independent Special Interlocutor, the responsibility to combat denialism should not rest on the shoulders of survivors alone.
- The Province has made education about the history and legacy of the residential school system a key priority.
- September 30, 2023 marked the first year that National Day for Truth and Reconciliation was observed as a provincial statutory day in British Columbia.
  - This provides an opportunity to engage and educate more British Columbians about the history of colonialism and its continued impact on Indigenous communities today.

### **If asked about the St. Joseph's Mission property acquisition:**

- First Nations have been clear that site access and protection is a key priority, particularly for those sites located on private property. Funds provided by the provincial government for this property purchase are a direct response to those concerns.
- This purchase provides for the immediate protection of the property from any future development while ensuring that former students, their families, and their communities can visit the site for cultural, spiritual, personal or other commemorative purposes.

## ADVICE TO MINISTER

- **As the owner of this property, Williams Lake First Nation can now work with former students, families and communities on a long-term vision and plan for protecting and commemorating the site of the former St. Joseph's Mission.**
- **While planning is still in the early stages, this may include opportunities to re-imagine the site as a place for reflection, remembrance, truth telling and public education.**
- **This purchase is a positive example of Indigenous and non-Indigenous partners coming together in the spirit of reconciliation to find common solutions.**

### KEY FACTS:

In May 2021, Tk'emlúps te Secwépemc announced their preliminary findings of over 200 unmarked graves at the site of the former Kamloops Indian Residential School. A key focus of Tk'emlúps te Secwépemc since that time has been developing a long-term plan for areas and buildings associated with the Kamloops Indian Residential School. In March 2023, Indigenous Services Canada announced federal funding of \$12.5 million to build a new healing house on a site near the residential school.

In 2021, Penelakut (Kuper Island Industrial School), ʔaq'am (St. Eugene's near Cranbrook), and Snuneymuxw (Nanaimo Indian Hospital) disclosed publicly that ground penetrating radar (GPR) surveys of sites had been completed in past years or are ongoing.

In a June 2021 media statement, ʔaq'am clarified that preliminary results from the investigation found a potential 182 unmarked graves within the ʔaq'am cemetery grounds, acknowledging that not all the unmarked graves are those of residential school students (some were burials from a local hospital and several fires burnt prior grave markers). ʔaq'am stated that further GPR work will be done on the site, which has yet to be confirmed. No additional details about the findings were disclosed.

Williams Lake First Nation (WLFN) is conducting a multi-phase investigation into the deaths and disappearances of Indigenous children who attended St. Joseph's Mission near Williams Lake between 1891 and 1981. There have been two public announcements (January 25, 2022 and 2023) since the beginning of the investigation in September 2021 with preliminary findings of 159 reflections on or near the site of St. Joseph's Mission that indicate the presence of potential burials. 66 'reflections' are associated with the Phase 2 area as announced in 2023 and 93 'reflections' are associated with the Phase 1 area as announced in 2022. The term 'reflections' is used to describe sub-surface features that indicate the possible presence of unmarked and/or undocumented burial sites. WLFN has been clear in its public communication that excavation of the areas where 'reflections' have been detected is the only means to definitively confirm the presence of human remains.

In February 2023, Tseshaht First Nation announced findings from the first phase of their research and survey of the site of the former Alberni Indian Residential School near Port Alberni. The archival research conducted by Tseshaht First Nations to date indicates that 67 students died at the Alberni Indian Residential School between 1900 and 1973, which is much higher than the 29 deaths documented by the Truth and Reconciliation Commission (TRC). As part of its announcement, Tseshaht First Nation released 26 Calls for Truth and Justice that focus on health, education, justice, infrastructure, training, research, survivor supports, commemoration, and long-term funding. They requested given the RCMP's role in removing children, the RCMP not be responsible for any part of the investigation.

In April 2023, shishálh Nation announced findings from the first phase of their survey of sites associated with St. Augustine's Residential School (or Sechelt Residential School), which stated 40 possible unmarked graves were located during this survey. The survey is unique as much of the area historically associated with the school has been re-developed in recent decades.

On September 21, 2023, the Xyólhmet ye Syéwiqwélh (Taking Care of Our Children) team, which is part of the Stó:lō Nation, provided an update on oral-historical, archival and geophysical findings from 2022/23 in their work into missing children and unmarked burials at St. Mary's Residential School, Coqualeetza Industrial Institute, All Hallows School and Coqualeetza Indian Hospital. The research team confirmed with certainty the total of 158 deaths (96 children at the Coqualeetza hospital; 37 at Coqualeetza school; 20 at St. Mary's; and five at All Hallows School), in addition to the discovery of marked and potential unmarked graves. Research is ongoing and these numbers may change.

On January 27, 2024, Snuneymuxw First Nation and Canada signed a land reconciliation agreement that will allocate 80.09 hectares of land (the "Camp Nanaimo Lands on Te'tuxwtun") to be set aside as a reserve for the Nation, including land that was once the location of the Nanaimo Indian Hospital.

On April 10, 2024, Ahousaht First Nation and the ʔahʔiihčp ʔukwii ʔiqhmuut (Honouring Our Ancient Ones) project team shared knowledge gathered from the first phase of research and scanning with former students, families and the general public. At this gathering, a number of speakers addressed the archival and archaeological research, fieldwork and oral history gathering that took place over the last three years in the search for missing children at two former residential school sites: Ahousaht Indian Residential School in Maaqtusiis (Flores Island) and Christie Indian Residential School (Meares Island). The team chose not offer figures regarding the number of potential unmarked graves at the gathering, noting the importance to remember that each figure is a child, and the Nation would like to honour those children and their families.

There is also a survey being conducted by the Squamish Nation (St. Paul's in North Vancouver).

In all cases, First Nations have been clear that these are preliminary findings, and that further investigation is required. During their Phase 2 results press conference, WLFN announced that they are planning to begin targeted excavations at the site of the Former St Joseph's Mission site. No First Nation in B.C. has proceeded with the excavation of a site for the purposes of recovering, identifying, and repatriating ancestral remains at this time.

### **Provincial Response:**

The Province takes its direction from the First Nations leading these investigations and continues to create opportunities for communities to come together to set collective direction on the response.

In July 2021, the Province appointed two First Nations Liaisons (Charlene Belleau and Chief Lydia Hwitsum) who are building trust-based relationships with First Nation leaders and working with federal and provincial governments to guide the response moving forward. Chief Hwitsum has since stepped away from her role as a liaison to focus on her leadership responsibilities with the Cowichan Tribes. In a December 2023 reclaiming ceremony, <sup>Personal Information</sup>  
Personal Information

In June 2021, the establishment of the BC Residential School Response Fund committed \$12 million to support First Nations-led investigations at the sites of the 18 Indian Residential Schools and the 3 Indian Hospitals that operated in B.C. Since June 2021, the federal and provincial governments have worked collaboratively to coordinate funding for site-specific activities.

The provincial funding is fully flexible, needs-based, and addresses gaps in the federal funding. It supports a range of activities related to the search for missing children, including planning, training, research, mental health and wellness supports, and commemoration.



## ADVICE TO MINISTER

- First Nations who have been identified as the lead community can access up to \$475,000 for which they have assumed responsibility. Since September 2021, the Province has provided \$10 million to 20 First Nations and Tribal Councils across B.C. There is now work underway on all 18 Indian Residential School sites in B.C and three Indian Hospital Sites.
- \$1.5 million, announced in September 2021, was provided to Indigenous service providers to respond to the immediate wellness, cultural and mental health needs of Indigenous Peoples throughout British Columbia. This funding has been fully expended. The federal government has since provided additional funds to sustain these services on a province-wide basis.

Since October 2021, the Province has hosted four provincial gatherings (5th happening in May 2024) that bring together project leads and leaders from the communities who are investigating Indian Residential School and Indian Hospital sites in B.C. The provincial gatherings provide the opportunity to share promising practices and approaches for site research and searches.

In 2022, the Province provided funding of \$425,000 to the UBC Indian Residential School History and Dialogue Centre for work with the Royal BC Museum and BC Archives to improve the accessibility of residential school records in the possession of the provincial government. This includes the private collections of the Oblates of Mary Immaculate and the Sisters of St. Ann, who had a hand in operating 10 Indian Residential Schools in B.C.

In March 2023, the provincial government passed legislation to designate September 30<sup>th</sup> as a provincial statutory holiday to be observed each year as the National Day for Truth and Reconciliation. This was done in direct response to Call to Action #80 from the Truth and Reconciliation Commission and followed a targeted, time-limited engagement with Indigenous communities and partners in 2022 on how the Province should commemorate the history and legacy of the residential school system in B.C.

In June 2023, the Province worked with the University of British Columbia and the Musqueam Indian Band to deliver a 10-day training course on the use of GPR to locate unmarked graves on the grounds of former Indian Residential Schools and Indian Hospitals.

### **Saint Joseph's Mission Indian Residential School Site – Property Acquisition:**

The Province has maintained an active role in the investigation being led by WLFN on the site of the former St. Joseph's Mission (SJM) due to it being located on private property. The SJM site is unique in B.C. as it is entirely located on private property. WLFN, therefore, requires the consent and continued cooperation of the private property owners to access the site for the purposes of conducting field studies. At the request of WLFN and the private property owners, the Ministry of Indigenous Relations and Reconciliation has been facilitating dialogue among the affected parties to allow for continued access to the site and provides interim protections to priority areas on the property.

WLFN has been identified as the lead community for the investigation at the site due to their proximity and historical relationship to the site and has established an investigation team that is comprised of technical, cultural and legal advisors.

Intergovernmental Communications

Intergovernmental Communications . SJM was attended by Indigenous children from over 40 communities across B.C., including children from the T̓s̓ilhqot̓'in, Secwépemc, Dakelh and St'atll'imx Nations.

MIRR provided WLFN with \$800,000 in March 2023 (announced September 5, 2023) to purchase a 13.7-acre property where the residential school and staff and student residences were historically located. This secures permanent site access and provides the opportunity for former students and their families to visit the site for cultural, spiritual, ceremonial, or other commemorative purposes on an ongoing basis.

WLFN has identified approximately 700 hectares of land as being of interest for the search of unmarked student graves. This area includes the school site, outbuildings and a ranch that was owned by the catholic church entity that operated the school. The area covers approximately 15 privately owned agricultural parcels. Since August 2021, a small portion of this area overlapping two private land parcels has been the focus of a preliminary geophysical survey. The site survey is supplemented by archival research and interviews with former students and their families.

The Province (including the BC Coroners Service), the RCMP and WLFN are developing a Memorandum of Understanding (MOU) to set out shared principles and processes that will guide future phases of the investigation, including processes related to the potential recovery, identification, and repatriation of remains believed to be interred on or near SJM. The MOU signing by all parties is anticipated It is anticipated in Spring 2024.

### **B.C. Residential Schools:**

For more than a century, approximately 150,000 Indigenous children were forced to attend one of 139 residential schools operated by federal government and church organizations. The 18 schools in B.C. were: Ahousaht, Alberni, Cariboo, Christie, Coqualeetza, Cranbrook, Kamloops, Kitimaat, Kuper Island, Lejac, Lower Post, Port Simpson, Lytton, Mission, Alert Bay, Sechelt, Squamish and Anahim Lake. The first opened in Mission (St. Mary's) in 1867; it was the final school to close in B.C. in 1984.

There were also three large Indian hospitals in Prince Rupert (Miller Bay), Nanaimo and Sardis (Coqualeetza). Children from B.C. were also taken out of the province to attend residential schools. The TRC estimated that at least 580 children at residential schools in B.C. died, while an unknown number are missing. There are additional federally funded and operated institutions in B.C. that are of significant historical interest and importance to First Nations. This includes day schools, dormitories, sanitoriums and smaller hospitals.

### **Interim Report:**

On June 16, 2023, Kimberly Murray, the Independent Special Interlocutor for Missing Children and Unmarked Graves and Burial Sites associated with Indian Residential School released an Interim Report, "Sacred Responsibility: Searching for the Missing Children and Unmarked Burials."

This report identifies the common concerns that Survivors, Indigenous families, and communities have identified as they search and recover the missing children and unmarked burials, including the impacts that residential school denialism has had on survivors. The report also details the Independent Special Interlocutor's 48 Findings based on these common concerns.

On June 8, 2022, Kimberly Murray was appointed as Independent Special Interlocutor for Missing Children and Unmarked Graves and Burial Sites associated with Indian Residential Schools. The Special Interlocutor's mandate will be carried out from June 14, 2022 to June 13, 2024.

In the 2024 federal budget, the federal government announced that it anticipates the Special Interlocutor's final report and recommendations in spring 2024. This report will support further action towards addressing the harmful legacy of residential schools through a framework relating to federal laws, regulations, policies, and practices surrounding unmarked graves and burials at former residential schools and associated sites. This will include addressing residential school denialism.

### **Federal Budget 2024:**

In the 2024 federal budget, announced on April 16, 2024, there were allocations provided to address the legacy of Residential Schools:

- \$91 million over two years, starting in 2024-25, to Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC) to increase the support provided to communities to document, locate, and memorialize burial sites at former residential schools.

## ADVICE TO MINISTER

- \$5 million over three years, starting in 2025-26, to CIRNAC to establish a program to combat Residential School denialism.

### Media Interest:

There has been significant media interest surrounding public announcements in 2021, 2022 and 2023. It is anticipated that there will be additional announcements made by First Nations in 2024.

The announcement from Ahousaht First Nation on April 10, 2024 garnered significant provincial media coverage.

In March-April 2024, media has widely covered the calls for Quesnel mayor Ron Paull to resign over after revelations his wife has been handing out a book titled *Grave Error: How the Media Misled Us (and the Truth about Residential Schools)*, which questions whether residential schools were fundamentally harmful to Indigenous communities and people who attended them. First Nations in B.C.'s Cariboo region say they won't work with the City of Quesnel until Mayor Ron Paull steps down.

In late March 2024, there was wide provincial coverage on a sacred covenant signed between Tk'emlúps te Secwépemc and the Roman Catholic Archdiocese of Vancouver to formalize a commitment to truth and reconciliation, including honouring and memorializing residential school students, sharing historical records and retaining scientific experts available to support the band at its direction.

On March 29, 2024, the Globe and Mail published an article "No timeline on residential school excavation, chief says", which covered the covenant signing, included that "Kukpi7 (Chief) Rosanne Casimir told reporters at a joint press conference with the Catholic Archbishop of Vancouver Thursday that her First Nation is still working with survivors of the Kamloops Indian Residential School to catalogue their oral histories of their time there. With this work still going, she said there is no timetable for an excavation."

The Special Interlocutor's Interim Report garnered national and provincial media coverage after its release on June 16, 2023. Media mainly highlighted the rise of residential school denialism and the need for Canada to give "urgent consideration" to legal mechanisms as a way to combat denialism. The report highlighted an increasing trend and incidences of denialism, including an account whereby individuals attempted to access a sensitive area surrounding the Kamloops Indian Residential School.

A key focus of media reporting in late-2021 and early-2022 was the historical role of the catholic church in the administration of the residential school system throughout Canada. This story has been less of a focus since the Papal Visit to Canada in July 2022.

The SJM property acquisition announcement was covered widely by regional and provincial media. Though largely positive coverage, a September 5, 2023 [Williams Lake Tribune article](#) quoted TNG Tribal Chair and Chief Joe Alphonse, who said that residential schools in Canada are a special interest zone for all First Nations and he was angered by the fact the province aided in the WLFN purchase of the SJM site. "For them to go ahead and give this to WLFN, they are just contributing to the trauma of First Nations through (more) interference," Alphonse said.

Communications Contact: Leanne Ritchie Program Area Contact(s): Megan Heathfield

# MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION

## 2024 Estimates Note

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### Land Return - Crown Land Reconciliation

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#### KEY MESSAGES

- **It's critically important for First Nations to benefit from their land to have healthy communities, preserve culture, and promote economies.**
- **Returning ownership of land to First Nations, through treaties or other types of agreements, can be a catalyst to improving First Nations' communities and achieving self-determination.**
- **We recognize the need to make land returns more efficient and changes are underway to make that happen.**
- **This includes organizational re-structuring announced in December 2023, where 28 staff responsible for leading land return implementation for my ministry were transferred to the Ministry of Water, Land and Resource Stewardship (WLRS).**
- **As the ministry now holding legislative authority for lands and land management, WLRS is well-positioned to lead decision making processes for land-based agreement implementation, coordinate Natural Resource Ministries, and increase accountability and transparency with First Nations.**
- **As a result, Budget 2024 transfers \$3.033M ongoing in base funding to WLRS for 28 staff transferred from MIRR.**

#### BACKGROUND

- Land-based agreements have significantly increased in recent years, surpassing the ability to implement land transfers in a timely manner. This includes an over four-fold increase in lands being committed to transfer since 2021.
- Budget 2021 included a staffing uplift of 8 FTEs for MIRR and 15 FTEs to the Ministry of Forests (FOR) specifically for land returns.
- In October 2023, multiple authorities shifted from the Ministry of Forests, including legislation utilized in the transfer of land including the *Land Act*, the *Land Title Act*, and the *Ministry of Lands, Parks and Housing Act*.
- FTEs hired for land returns transferred from FOR to WLRS, and a month later, MIRR staff transferred to form an integrated, centralized land transfer branch.
- Since December, significant efficiencies have been realized, with ministerial orders taking a fraction of the time.
- Work is underway on a delegation matrix for land returns and to continue realizing efficiencies under the land return initiative, a large-scale change management plan intended to remove barriers for land returns.

# MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION

## 2024 Estimates Note

**Primary Contact**

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# Key Message and Question/Answer (KMQA)

## Pipi7íyekw/Joffre Lakes Park Agreement Announcement

|                               |   |                              |
|-------------------------------|---|------------------------------|
| <b>Ministry team</b>          | Environment and Climate Change Strategy                                     |                              |
| <b>Date</b>                   | April 12, 2024  | Last updated: April 25, 2024 |
| <b>Purpose</b>                | Reactive media for announcement of temporary closures of Joffre Lakes Park. |                              |
| <b>Writer (GCPE)</b>          | Scott McKenzie  |                              |
| <b>Policy area (Ministry)</b> | BC Parks  |                              |
| <b>Issues (GCPE)</b>          | Alison Copeland   |                              |
| <b>Director (GCPE)</b>        | Scott McKenzie  |                              |

### Key Messages

- Joffre Lakes is one of hundreds of amazing, beautiful and serene parks in our province.
- Over the past few years, BC Parks has been working to preserve this special place by carefully managing almost two hundred thousand visitors and campers.
- We have been working with the N'Quatqua and Líl'wat Nation since 2018 to give the park the time it needs to recover from its busiest periods, and for First Nations to continue their time-honored cultural practices on their traditional territory.
- People want to experience the park the way it is meant to be enjoyed, and as traditional rights holders, the N'Quatqua and Líl'wat Nation deserve time and space to carry out cultural and spiritual activities with space to do so.
- We're grateful for this partnership, which will see the park open throughout July and August, including the Labour Day long weekend, with periods in May, June and September where access will be limited to use by the N'Quatqua and Lil'wat Nation.
- And by allowing for 500 free day-use passes each day, visitors and campers won't need to worry about overcrowding when they visit.
- We're glad to have found a path forward that finds the balance between sustainably visiting the park and conserving the natural and cultural values that make the land special.

### Questions & Answers

### **1. Why are you allowing First Nations to make decisions about a publicly funded park?**

- We greatly value the relationship we've built with the N'Quatqua and Lílwat Nation as we've worked together to plan for people to sustainably enjoy Pipi7íyekw/Joffre Lakes Park.
- We all agree that it's important for people to have continued, predictable access, while also giving time and space to heal the land, ensuring Nations can use this space as they always have.

### **2. Why did you agree to 60 days? Why specifically these time periods?**

- As a government committed to reconciliation, we have had open conversations with the Nations about managing the land.
- It's not for us to decide when, how or why the Nations need space to connect to their land as they always have.
- We worked together with the Nations to find a balance that has built a better path forward for everyone.
- That includes continued access over July and August, as well as on the Labour Day long weekend.
- And through our day use program, we're excited for people to be able to enjoy the park the way it was meant to be enjoyed, without overcrowding.

### **3. Is this setting a precedent? Do you expect other First Nations to assert their rights at different parks?**

- As a government deeply committed to reconciliation, we always want to work collaboratively with our First Nations partners, on a government-to-government level.
- The extremely high use that Pipi7íyekw/Joffre Lakes Park recently began to experience makes it unique in terms of the ability for the N'Quatqua and Lílwat Nation to access the park for cultural purposes.
- Our priority has always been to find a solution that will provide space and privacy for cultural activities while ensuring people can access to the park in a responsible and sustainable way.

- 4. How do you determine which First Nations get a say in negotiating these types of closures? What happens when there are overlapping territory claims? Do Metis get a say?**
- BC Parks acknowledges the specific rights, interests, priorities and concerns of First Nations, Métis and Inuit, while respecting and acknowledging that each group has unique cultures, histories, rights, laws, and governments.
  - BC Parks is a land-based agency and engages predominantly with First Nations due to the intersection of government land management with constitutionally protected Aboriginal rights and title.
  - Pipi7iyekw/Joffre Lakes lies within the asserted territories of the Lil'wat and N'Quatqua, both members of the broader St'at'imc Nation.
- 5. If a film crew wanted to close a park to visitors for a month, they would have to pay BC Parks. Who is paying for this closure?**
- This announcement is not about money. It is about ensuring that the park is able to handle the tens of thousands of visitors and campers who make it a destination each year.
  - The day-use pass at Pipi7iyekw/Joffre Lakes Park is free for visitors and BC Parks does not generate significant revenue from the reservation of 26 overnight camping pads at Joffre Lakes Park.
- 6. Where was the public consultation before closing a publicly funded space like Pipi7iyekw/Joffre Lakes Park?**
- Today's announcement follows in the footsteps of the 2019 Visitor Use Management Strategy, developed in partnership between BC Parks, N'Quatqua and Líl'wat Nation, and with the support of local stakeholders.
  - Two open houses were held, one in 2019, and a second in 2020, for people from N'Quatqua and Líl'wat Nation to voice their perspectives on the proposed park vision, strategies, and actions.
  - BC Parks collaborated with other provincial ministries, as well as a number of face-to-face meetings with the Village of Pemberton, the Squamish Lillooet Regional District, Tourism Pemberton, the Pemberton Chamber of Commerce / Pemberton Visitor Centre, Tourism Whistler, the RCMP, Canadian Parks and Wilderness Society – British Columbia Chapter (CPAWS-BC), the Federation of Mountain Clubs of British Columbia (FMCBC), the Alpine Club of Canada (ACC), and Leave No Trace Canada.



- An opportunity to provide written feedback was provided for park use permit holders, as well as recreation and wildlife groups.
- The public was invited to provide input through an online survey on BC Parks' website during the month of April 2019, as well as during in-park surveys throughout the summer of 2019.
- The draft strategy was released for public comment over a 30-day review period in March/April 2021.

Advice/Recommendations

## **8. Does restricting non-Indigenous visitors from accessing Pipi7iyekw/Joffre Lakes Park during certain times of the year result in discrimination on the basis of race?**

- The temporary closures support the exercise of cultural activities of the First Nations within whose territories this park is located. The Lil'wat and N'Quatqua have historic ties to this land, going back for centuries.
- As confirmed by the Supreme Court of Canada on March 28, 2024 in the *Dickson v. Vuntut Gwitchin First Nation* case, the collective rights of Indigenous peoples in Canada are given special protection in Canada's *Constitution Act, 1982*. The Charter includes a provision, section 25, that protects certain collective Indigenous rights if they conflict with an individual's Charter rights such as the right to be free from discrimination under section 15 of the *Charter*.
- The temporary closures balances these different rights by respecting the rights of Lil'wat and N'Quatqua while also allowing public access to the park for the majority of the year.

## **9. Campfires are banned year-round. It is also prohibited to harvest natural resources (including mushrooms) at the park. Why are First Nations allowed to do this, when others are not?**

- The N'Quatqua and Líwat Nation have historic ties to this land, going back centuries.
- The Declaration on the Rights of Indigenous Peoples Act (Declaration Act) outlines the rights of First Nations to own, use, develop and control lands and resources within their territories in B.C.

#### **10. Will this be a permanent plan in years ahead? Will you ever have a permanent plan?**

- We have been working closely with the Nations since 2019 to manage the number of visitors at Pipi7iyekw/Joffre Lakes Park.
- This is another critical step forward and an important building block for future conversations on park management and access.
- We're happy about the place we're in today, and we look forward to continuing to build our relationship as we look to find the best use of the park in future years.

#### **11. Why did you allow people to book camping reservations when you knew the park would be closed?**

- Our new reservation system allows people to book camping reservations four months in advance.
- It was important to take the time and space we needed to find a path forward that works for everyone.
- A small number of people were able to book backcountry camping prior to a plan for limited access being agreed upon.
- We appreciate the patience of those campers, who will get a full refund as soon as possible.
- We encourage them to book for a time that will be open to the public, or take the opportunity to visit more of the amazing parks in our system.

#### **12. When the park is closed, what happens if people show up anyways? Will there be enough security? How will you make sure people know of closure times, and not have to be turned away after a long drive?**

- We always encourage people to check online before visiting any provincial park – especially with free day use pass programs in place at our busiest parks.

- We'll be working diligently through our channels to ensure people are aware of the right times to visit Pipi7iyekw/Joffre Lakes Park this year, as well as how they can book a free day use pass.
- Park rangers will be on site providing people with information about the closure and enforcing rules if needed.
- In B.C., we are fortunate to have hundreds of provincial parks for people to enjoy and while access is limited to the Nations, it is another opportunity to experience even more of our province's natural beauty.

### **13. Are you concerned about the impact on businesses that depend on tourism in the region?**

- By working to build a sustainable future for Pipi7iyekw/Joffre Lakes Park, we're making sure it will remain a long-term benefit to the region.
- We recognize the growth in popularity the park has brought a seasonal boost for businesses nearby. But no one wins if the trails are full of litter, the wildlife are pushed from their home, and the park stops becoming a picture-perfect destination for visitors and campers.
- We'll continue to listen to any concerns from businesses, and take them into consideration as we move forward in future years.

### **14. Why limit day passes to 500? It was 1,000 last year.**

- We all want to make sure the park is used sustainably for generations to come.
- Our conversations with the Nations continue to evolve, and we'll continue to monitor the impacts of the number of people in the park as we plan for future years.
- By using the day use program, we're making sure people have the experience they want and expect, at a level that the park can handle.

### **15. Closing a park to let it rest is unprecedented. You never close BC Parks.**

- BC Parks close for a variety of reasons, mainly to ensure visitor safety and to preserve the environment.
- You often hear about safety closures, like during winter, or when a park is inaccessible after a natural disaster like a wildfire or flood.

- We also close or restrict access to parks, trails, and recreation sites when visitors are having a negative impact on the land and wildlife.
- Heavily-visited parks, like Garibaldi Park and Golden Ears Park, require free day-use passes as a way to ensure we don't overcrowd the trails or allow too many visitors to harm the environment.
- Sometimes, human impacts can even become safety concerns. For example, in 2017, Rec Sites and Trails BC closed the Keyhole Hot Springs Trail near Pemberton after campers left out so much garbage that several black bears became dangerously reliant on it as a food source.
- The impact visitors had caused the trails to become unsafe and we worked with the local government to temporarily close the site.

## **16. First Nations Culture Camps and Community Cultural Events in Parks:**

- 

## **17. What is the Pipi7iyekw/Joffre Lakes Visitor Use Management Strategy?**

- BC Parks and Lílwat Nation and N'Quatqua are committed to working towards a relationship based on mutual respect, and the recognition and application of Aboriginal title and rights.
- Prior to 2020, attendance to Pipi7iyekw/Joffre Lakes Park increased significantly. Visitor attendance to Pipi7iyekw/Joffre Lakes Park hit an all-time high of 191,000 visitors in 2019, an increase of 220% visitors from 2009.
- In 2018, due to the significant increase in the number of visitors to Pipi7iyekw/Joffre Lakes Park, BC Parks, Lílwat Nation and N'Quatqua began working in collaboration on the creation of the Visitor Use Management Strategy (VUMS). The strategy was released in 2021 and guides the long-term management of the park and collaboratively address key management issues associated with dramatic increase in visitation to Pipi7iyekw/Joffre Lakes Park.

## **18. How are BC Parks, Lílwat Nation and N'Quatqua working together around the VUMS?**

- Since 2018, BC Parks, Lílwat Nation and N'Quatqua have collaborated through a technical working group to implement the Pipi7iyekw/Joffre Lakes Park Visitor Use Management Strategy (VUMS). A collaborative decision to introduce the day-use pass to the park in 2021 provided an avenue to address over-capacity challenges and concerns.

- We are still collectively navigating the VUMS process, and it is guided by an adaptive framework, that is informed through collaborative conversations, data and experience on the ground.
- The VUMS states that a collaborative approach between BC Parks, Lílwat Nation, and N'Quatqua will be taken to implement the strategies.

## 19. What is the Pipi7iyekw/Joffre Lakes 2024 Operations Plan?

- The Pipi7iyekw/Joffre Lakes 2024 Operations Plan is built in accordance with the collaborative VUMS strategic goals.
- To celebrate shared stewardship values, and recognize the importance of the Pipi7iyekw/Joffre Lakes Park area to the Lílwat Nation and N'Quatqua, we are taking steps this summer to reduce the number of people who visit the park each day. This will reduce impacts to the park, allowing it to rest and will also establish three Reconnection Celebration time periods to provide exclusive space for Lílwat Nation and N'Quatqua to connect with the land.
- The 2024 operational plan will work towards the primary VUMS purpose -- to manage the park to maintain its natural state.
- Two important aspects of the plan include:
  - 1) Managing to a capacity of 500 people per day – this number includes both day-use pass holders and campers.
  - 2) Three Pipi7iyekw Reconnection Celebration time periods will provide the opportunity for time and space for Lílwat Nation and N'Quatqua to reconnect with the land and carry out traditional, sustenance, cultural and spiritual practices (*section 2.4 Traditional Use, VUMS*).
- These Reconnection Celebration time periods are significant for our shared collaborative work towards managing Pipi7iyekw/Joffre Lakes Park. BC Parks is committed to reconciliation and recognition of Aboriginal Rights as protected by Section 35 of the *Constitution Act of Canada*. During these time periods, the park will be closed to recreation and no day-use passes or camping reservations will be available.
  - a) **April 30 – May 15** - St'atl'imx Days- A celebration of the Declaration of the Lillooet Tribe May 10<sup>th</sup> 1911 <https://statimc.ca/about/lillooet-declaration/>
  - b) **June 14 – 23** – Summer solstice and National Indigenous Peoples Day celebrations
  - c) **September 3 – October 6** – Fall harvest celebrations and National Day for Truth and Reconciliation Day recognition
- During the Pipi7iyekw Reconnection Celebration time periods the park will be closed to recreational visitors to welcome time and space for Lílwat Nation and N'Quatqua members to conduct cultural practices in Pipi7iyekw/Joffre Lakes Park. Recreation will resume in the park after each of the three periods.



## ADVICE TO MINISTER

CONFIDENTIAL  
ISSUES NOTE

Ministry of Indigenous Relations and Reconciliation

Date: Feb 29, 2024

Minister Responsible: Hon. Murray Rankin

# The Province and Métis Nation BC's relationship

### ADVICE AND RECOMMENDED RESPONSE:

#### Relationship with MNBC:

- We have and will continue to work with Métis Nation BC as a political organization and partner, as they represent the interests of an Indigenous people in Canada with s.35 rights – and we need to be clear about what that means in B.C.
- We continue to advance reconciliation efforts with Métis people through our joint working table as well as engagement with different Ministries from across government.

#### The Primer:

- The Province recognizes the diversity of Indigenous Peoples – First Nations, Métis and Inuit – who have distinct rights, cultures and interests in B.C.
- The Distinctions-based Approach Primer was created to assist the provincial government in building a better understanding of the legal basis for, and core elements of, a distinctions-based approach in all of its relations with First Nations, Métis and Inuit in what is now B.C.
- It will assist public servants in making decisions that are grounded in a consistent understanding of the Constitution Act, 1982; the United Nations Declaration on the Rights of Indigenous Peoples; the Declaration on the Rights of Indigenous Peoples Act; treaties; and relevant case authority.
- Equally, it will enable us to take into account the distinct laws, legal systems and systems of governance of First Nations, Métis and Inuit.
- Public servants will also have access to more practical guidance on using a distinctions-based approach as the Province is currently co-developing an internal companion document and we are pleased to work with MNBC on how to bring MNBC into this process.

## ADVICE TO MINISTER

### Primer criticism:

- I want to recognize how challenging the work has been, as it speaks to the identity of First Nations and Métis people in this province.
- This Primer is not, nor is it intended to be, a complete or comprehensive description of the relationships the Province has with Métis, which takes different forms and arrangements than those we have with First Nations in B.C.
- The specific rights discussed in the Primer don't encompass the whole of the Province's relationships with First Nations, Métis and Inuit, nor their relationships with each other.
- As the Primer is oriented towards legal concerns, the language does not always fully reflect the complexities of the lived realities of individual Indigenous Peoples, their relationships, and identities.
- The Primer is not meant to define the full scope of what it means to engage in a distinctions-based way.
- It is meant to prevent misunderstandings and to avoid divisions among Indigenous Peoples in B.C.

### If asked why the Province sent a letter recognizing MNBC as the representative government of Métis People in B.C.:

- The Province sent Métis Nation BC a letter describing our relationship and how we work together.
- The letter was not intended to create or support the existence of any rights in B.C. at the present time, or to recognize MNBC as an Indigenous Governing Body under the Declaration Act.
- We understand that MNBC is a representative organization of Métis people in B.C.
- Our position is that Métis people have a distinct culture and distinct practices, and that Métis people have been historically marginalized and impacted by colonial policies and associated traumas.
- As part of the work to address the legacy of colonialism and systemic racism, the Province is working with MNBC in respect of Métis who have settled and are living in B.C.



# ADVICE TO MINISTER

## KEY FACTS:

On Dec. 5, 2023, the Province released a distinction-based approach primer (the Primer) document to assist B.C. public servants in understanding the current legal basis and core elements of a distinctions-based approach in all relations with First Nations, Métis and Inuit Peoples.<sup>Interests of an Indigenous People</sup>  
Interests of an Indigenous People

There has been tension between some First Nations' leaders and organizations and MNBC. The Primer underwent a review by other Indigenous partners including the Alliance of BC Modern Treaty Nations (ABCMTN) and First Nations Leadership Council (FNLC). On Dec. 7, 2023, FNLC issued a news release in support of the Primer and B.C.'s position on Métis rights, which includes that "...there are no existing land, water, or air-based Métis rights or associated inherent jurisdiction in British Columbia..."

The Ministry of Indigenous Relations and Reconciliation (MIRR) is now co-developing an internal companion document to provide practical distinctions-based approach guidance to public servants. The Public Service Agency is developing a course with Indigenous partners entitled 'Indigenous Crown Relations Essentials,' which will set expectations for BC Public Service employees on how to engage in reconciliation, including taking a distinctions-based approach.

### May 12, 2023, letter background:

On May 12, 2023, Minister Rankin's office sent a letter to MNBC that recognized the organization as the representative government for Métis people in B.C. The letter is currently published on MNBC's website.  
Advice/Recommendations; Intergovernmental Communications

### Relationship background:

The relationship with MNBC has varied in prior years. In February 2023, following the release of the provincial budget, MNBC issued a news release that called for a continued shift to a distinctions-based approach. The release highlighted that MNBC has been working with B.C. Government in a whole-of-

## ADVICE TO MINISTER

government approach to create a reconciliation agreement that reflects the Declaration Act Action Plan's distinctions-based commitments.

Following the release of Budget 2022, MNBC issued a news release criticizing the lack of funding for Métis people and MNBC. In March 2022, the B.C. Government released the Declaration Act Action Plan and MNBC released a generally positive news release.

The Province released a report on Métis health and wellness in B.C. in February 2022, which was the result of years of research conducted through MNBC and the Office of the Provincial Health Officer. The report describes how Métis people have been impacted by ongoing colonial violence, including systemic racism, the residential school system and discriminatory child welfare policies, which in turn have contributed to overall poorer health outcomes.

Advice/Recommendations; Intergovernmental Communications

On October 27, 2021, the Province and MNBC signed a Letter of Intent that sets up the process to deepen the Province's understanding and integration of MNBC's priorities across government. MIRR and MNBC have initiated a BC-MNBC Working Table as a hub for engagement with MNBC and government to formalize dialogue and integrate engagement on MNBC priorities across all of government.

MNBC is a political organization representing 40 Métis chartered communities in B.C. and is the recognized organization representing Métis by the provincial and federal governments. According to Stats Canada's 2021 Census, 25,580 people reported being registered with MNBC and living in B.C.

### **Provincial funding:**

The Province has started discussions with MNBC on the co-development of long-term agreements that will shift from short-term transactional arrangements.

In 2023/24 the Ministry of Indigenous Relations and Reconciliation has to date committed the following funding to MNBC:

- \$400,000 – to support their core capacity.
- \$60,000 – to support their work with the Unified Aboriginal Youth Collective;
- \$750,000 – capacity for the BC-MNBC Working Table and for negotiation support funding for the reconciliation agreement negotiations identified under the Letter of Intent.

In 2022/23, the Ministry of Indigenous Relations and Reconciliation provided the following supports to Métis Nation British Columbia (MNBC):

- \$400,000 – to support their core capacity.
- \$60,000 – to support their work with the Unified Aboriginal Youth Collective;
- \$750,000 – capacity for the BC-MNBC Working Table and for negotiation support funding for the reconciliation agreement negotiations identified under the Letter of Intent.

## ADVICE TO MINISTER

- \$1 million– to support the Action Plan engagement and implementation and alignment of provincial laws with the UN Declaration through to March 31, 2025;
- \$390,000 – to provide capacity funding for MNBC’s member Chartered Communities which will support cultural initiatives and activities to improve Indigenous histories, rights, cultures, languages and the impacts of Indigenous-specific racism, which will help address Action Plan commitments. This funding will also support engagement with chartered Métis communities related to UNDRIP.

For a third year in a row, Métis Nation British Columbia (MNBC) submitted a formal budget submission request to the Province of British Columbia via the BC Legislatures’ Select Standing Committee on Finance and Government Services. The 2023/2024 budget request asked for \$82.4 million to support Métis specific programs and services.

### **MNBC and the federal government**

MNBC and the federal government are currently engaged in a Recognition of Indigenous Rights and Self-Determination discussion table with an objective of reaching a Recognition and Self-Government Implementation Agreement like other provincial Métis organizations have signed with Canada.

In 2022, MNBC started a Judicial Review against the Indigenous Services Canada decision that MNBC does not meet the requirements to be considered an Indigenous Governing Body under the federal legislation, Bill C-92. Without status as an Indigenous Governing Body, MNBC cannot access Bill C-92 capacity funding which would enable MNBC to explore readiness to exercise jurisdiction over the design and delivery of Métis children and family programs and services in British Columbia. Canada has recently indicated that MNBC requested to temporarily suspend the judicial review.

At its 2020 AGM, MNBC passed a resolution on self-government affirming MNBC as the official Métis Government of the self-governing Métis community in B.C. An accompanying MNBC news release asserted that the resolution authorized the MNBC board to enter into negotiations with the federal and provincial governments on signing self-government agreements.

### **BC Métis Federation (BCMF)**

The BCMF was registered as a society in June 2011 and works with Métis communities to support and advocate for its members. B.C. does not have a formal relationship agreement with the BCMF and has been consistent in its messaging that it will continue to work with MNBC as the representative organization for Métis interests in B.C.

On Sept. 22, 2023, the BCMF, alongside four of its members, issued a news release announcing it has filed a Notice of Civil Claim in the Supreme Court of British Columbia against the Government of Canada, in response to the Government’s discriminatory decisions against the BCMF and its members. BCMF is requesting that the Supreme Court of B.C. direct the federal government to officially declare that BCMF is an organization that legitimately represents Métis people in B.C.

### **Media Interest:**

MNBC has had a small amount of media coverage related to its response to the UBCIC resolution denouncing Métis colonialism in B.C. as well as to its legal challenge following a federal decision to not qualify MNBC as an Indigenous governing body.

| Comm Contact   | Program Contact | Other Ministries | ADM             |
|----------------|-----------------|------------------|-----------------|
| Leanne Ritchie | Susan Kelly     | NA               | Jennifer Melles |

# MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION

## 2024 Estimates Note

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### Non-Treaty Agreements in BC - Status

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#### KEY MESSAGES

- In support of implementing the *Declaration on the Rights of Indigenous Peoples Act*, the Province is working with First Nations governments to implement various approaches to reconciliation.
- This means we work with Nations as they seek their own pathways to self-determination and reconciliation.
- Whether a Nation is seeking a treaty or another form of agreement, the goals are the same: achieving lasting reconciliation between Nations in a manner which recognizes rights and title and answers key questions about governance and jurisdiction.
- Non-Treaty forms of agreements, such as Comprehensive Reconciliation Agreements, generally adopt incremental approaches to reconciliation of rights and title, to provide up-front benefits, while allowing the Nation to work on complex governance, jurisdiction, and title issues over time.
- While the Province continues to seek comprehensive agreements through treaties, we are also open working with First Nations interested to achieve reconciliation through non-Treaty agreements.
- Our work with the Haida Nation, which resulted in legislation recognizing Council of the Haida Nation as the proper government of the Haida, is a terrific example of this kind of incremental, practical progress.

#### BACKGROUND

- Non-treaty agreements include topic or process specific agreements such as Economic and Community Development Agreements (ECDA) and Forest Consultation and Revenue Sharing Agreements (FCRSA) or more comprehensive reconciliation approaches that may or may not include Canada.
- Non-treaty agreements often use incremental steps towards comprehensive reconciliation of rights and title. These agreements can include incremental elements that contribute to that goal, including financial transfers, capacity support, shared decision-making structures, governance building, and the negotiation of land transfers.
- In general, the Province views non-treaty agreements as opportunities to pursue the same outcomes as a treaty with Nations that are not in favour of the treaty process.

# MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION

## 2024 Estimates Note

- Nations that have concluded tripartite foundational reconciliation agreements in recent years include the Lake Babine Nation, the Secwepemc Nation as represented by the Qwelmintec Secwepemc, the Haida Nation, the Snuneymuxw First Nation, and the Tsilhqot'in National Government.
- Non-treaty agreements increasingly provide an opportunity for the participation of the federal government.
- Nations that have concluded bilateral foundational or pathway reconciliation agreements include the Carrier Sekani Tribal Council, the Coastal First Nations, the shíshálh Nation, the Stk'emlupsemc te Secwepemc Nation, and the Tahltan Central Government.
  - These agreements do not yet include Canada but have identified or continue to work to identify opportunities for federal involvement that will similarly lead to tripartite reconciliation.

**Primary Contact**

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**ADM Responsible**

Carolyn Kamper  
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## ADVICE TO MINISTER

**CONFIDENTIAL  
ISSUES NOTE**

**Ministry of Indigenous Relations &  
Reconciliation**

**Date:** Feb. 15, 2024

**Minister Responsible:** Hon. Murray Rankin

# **New Fiscal Framework**

### **ADVICE AND RECOMMENDED RESPONSE:**

- **Indigenous governments – like all governments – are accountable to their citizens and require sources of revenues to deliver services.**
- **As part of implementing the United Nations Declaration on the Rights of Indigenous Peoples, we are working towards a future where Indigenous governments can fulfil their responsibilities, care for their people, and manage their territories in ways that reflect their values.**
- **To be successful, we know we can't keep doing things the way they were done in the past – with government focused on short term transactional agreements. We need to develop new and respectful ways of working together.**
- **The vision for this work is to co-develop a new principled fiscal framework with Indigenous Peoples that recognizes Indigenous rights.**
- **We support First Nations in pursuing their self-determined priorities and achieving government-to-government partnerships that will benefit all British Columbians.**

### **Actions**

- **As a first step to a new fiscal framework, in 2019 we committed annual gaming revenue sharing – about \$100 million per year – to support the priorities of First Nations communities.**
- **We've shared more than \$437 million in gaming revenue with all 204 First Nations since 2020.**
- **In April 2022, we committed to co-developing a new forestry revenue sharing model from the ground up with First Nations and, as a signal of our commitment to this work, more than doubled the total current amount of forest revenue-sharing.**
- **And in November 2022, we released a discussion paper to help guide the co-development of a new fiscal framework and forestry revenue sharing.**
- **The engagement and policy work takes time, effort, and partnership with First Nations.**

- **It is groundbreaking, generational work and we are committed to doing it in consultation and co-operation with Indigenous Peoples.**

***If asked about uncertainty for industry and timeline expectations:***

- **The goal of this work is to help support Indigenous governments access sources of revenue to deliver services and build healthy, secure, and prosperous communities – building a better province for everyone.**
- **It is critical to get this work right, and co-development will take time.**
- **Our engagement with First Nations has reinforced the complexity of this work.**
- **The interim increase to the Forest Consultation and Revenue Sharing Agreement announced in 2022 will continue as we proceed to codevelop a new forestry revenue sharing model.**
- **Working effectively, and respectfully on revenue sharing benefits the forest sector, First Nations and all British Columbians by growing economic opportunities.**
- **It will create a more stable fiber supply to keep mills open, keep and create jobs in small towns across B.C., and recognize First Nations title in their territories.**

**KEY FACTS:**

B.C. is committed to co-developing a new fiscal framework with Indigenous Peoples that supports the operation of Indigenous governments and recognizes Indigenous rights as outlined in the UN Declaration on the Rights of Indigenous Peoples. This commitment was established in the 2018 Joint Agenda: Implementing the Commitment Document: Concrete Actions<sup>i</sup> and reiterated in the Declaration Act Action Plan<sup>ii</sup>, released in March 2022.

In 2019, as a first step in developing a new fiscal framework, B.C. worked with First Nations on a model for long-term gaming revenue sharing, providing seven percent of gaming revenues annually to support self government and community priorities.

In April 2022, B.C. announced the co-development of a new forestry revenue-sharing model with First Nations. Immediate actions include more than doubling forestry revenues shared with First Nations through interim enhancements to the existing Forest Consultation and Revenue Sharing Agreements program. Engagement with First Nations to date has highlighted the complexity of this work and the need for more time for co-development. As of Feb. 2024.<sup>Advice/Recommendations; Cabinet Confidences; Intergovernmental Communications</sup>

Advice/Recommendations; Cabinet Confidences; Intergovernmental Communications

In Nov. 2022, the B.C. government released a discussion paper to support the co-development work with First Nations, with an initial focus on forestry revenue sharing. The Province then launched an intensive engagement process with First Nations. A ‘what we heard’ report was released in April 2023, which summarized the ideas, perspectives, and insights shared in the co-development process to date. The report reflects feedback received, without interpreting or filtering the comments beyond summarizing them into key themes.

# ADVICE TO MINISTER

The Province (through the ministry of Indigenous relations and reconciliation and forests) continues to have discussions with First Nations on principles for a new fiscal framework and a new forestry revenue sharing model. From April 2022 until April 2023, the Province participated in more than 50 government-to-government meetings and received feedback from more than 90 First Nations communities on a new fiscal framework. (*For more details, see NFF engagement IN.*)

## Background

A fiscal framework is a system for defining the financial relationship between governments. It addresses the revenue and expenditure functions and jurisdiction of each government and how intergovernmental transfers are structured. The current fiscal framework between the Province and First Nations is based on a western social and economic worldview and focused primarily on ad-hoc and transactional funding at the Band level (e.g., short term funding is provided to facilitate resource development, meet legal obligations, resolve issues, etc). Outside of the modern treaty process, there is little co-ordination between the provincial and federal governments.

The work of developing a new fiscal framework has been considered urgent by government and First Nations:

- First Nations face economic and fiscal pressures and require new and enhanced sources of revenue.
- New revenue sharing approaches are needed to help alleviate economic pressures in sectors such as oil and gas.
- The Province's current transactional approach to First Nations capacity funding is a high-cost and less sustainable model.
- Co-development of a new fiscal framework represents an opportunity to work in a principled way to produce an outcome that is enduring, comprehensive, and rights based.

## FNLC letter.

- On Nov. 28, 2022, the FNLC sent a letter to Premier Eby after meeting at the Leaders' Gathering to lay out the key early priorities they see from the Declaration Act Action Plan – including creating a new fiscal framework:
  - “This new fiscal framework must extend to all sectors, including evolving areas like cannabis, water, and gaming where there is a substantive opportunity to chart a new path forward, and must move beyond resource “revenue sharing” to substantive discussions on how to incorporate and address the inescapable economic component of First Nations' Title and incorporate our economic worldviews and definitions into how economic decisions are made in this province. A critical component of this work must involve reform of forestry management based on shared values, true preservation of old growth forests in areas that are slated for harvesting, and principle-based distribution of forestry revenues.”

**Media interest:** There has been media interest in revenue sharing with First Nations, especially when a new agreement is unveiled (gaming grants in 2019 and Forest Consultation and Revenue Sharing Agreements in 2022). The majority of media coverage has been positive.

Communications Contact: Leanne Ritchie

Program Area Contact: Richard Purnell

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<sup>i</sup>Commitment Document: Action 3, Goal 2 commits to the joint design and implementation of new approaches and models of renewed fiscal relations “to support the co-existence and exercise of our respective jurisdictions and the sharing and distribution of revenues.

<sup>ii</sup> Declaration Act Action Plan: Action 1.4 “Co-develop with Indigenous Peoples a new distinctions-based fiscal relationship and framework that supports the operation of Indigenous governments, whether through modern treaties, self-government agreements or advancing the right to self-government through other mechanisms. This work will include collaboration with the Government of Canada. (Ministry of Finance, Ministry of Indigenous Relations and Reconciliation)” Action 1.5 “Co-develop and implement new distinctions-based policy frameworks for resource revenue-sharing and other fiscal mechanisms with Indigenous Peoples. (Ministry of Finance, Ministry of Indigenous Relations and Reconciliation)”



## ADVICE TO MINISTER

**CONFIDENTIAL  
ISSUES NOTE**

**Ministry of Indigenous Relations and  
Reconciliation**

**Date:** April 24, 2024

**Minister Responsible:** Murray Rankin

# **New Fiscal Framework engagement timelines**

### **ADVICE AND RECOMMENDED RESPONSE:**

- **Discussions between B.C., Canada, and First Nations on the need for a fiscal framework that recognizes the role, rights and responsibilities of Indigenous governments has been underway for a long time.**
- **We committed to co-developing a new fiscal framework with Indigenous governments through the 2018 Concrete Actions Document.**
- **This commitment was reiterated in the Declaration Act Action Plan, released in March 2022.**
- **We are now working through a co-development process, which includes discussions on the principles for a new fiscal framework and a new forestry revenue sharing model.**

### **Engagement timeline & next steps**

- **We are continuing discussions with First Nations on principles for a new fiscal framework and a new forestry revenue sharing model.**
- **To date, we have participated in more than 50 government-to-government meetings and received feedback from more than 90 First Nations communities on the discussion paper released last November and the framework in general.**
- **Our engagement with First Nations has reinforced the complexity of this work.**
- **First Nations have unique interests and values, and there is a fundamental interrelationship between revenue sharing and critical questions of decision-making and land management.**

- **We remain committed to this work and to co-developing options for a new forestry revenue sharing model with First Nations that meets our Declaration Act commitments and advances our shared interest in a strong and sustainable forestry sector.**

***If asked about uncertainty for industry and timeline expectations:***

- **The goal of this work is to help support Indigenous governments access sources of revenue to deliver services and build healthy, secure, and prosperous communities – building a better province for everyone.**
- **It is critical to get this work right, and co-development will take time.**
- **Our engagement with First Nations has reinforced the complexity of this work.**
- **We remain committed to this work and to co-developing options for a new forestry revenue sharing model with First Nations that meets our Declaration Act commitments and advances our shared interest in a strong and sustainable forestry sector.**

### **Forestry engagement**

- **The interim increase to the Forest Consultation and Revenue Sharing Agreement announced in 2022 will continue as we proceed to codevelop a new forestry revenue sharing model.**
- **We are also making changes to the agreement language, which better reflects the relationships we are seeking to build with First Nations, based on mutual respect and implementation of rights.**
- **Working effectively, and respectfully on revenue sharing benefits the forest sector, First Nations and all British Columbians by growing economic opportunities.**
- **It will create a more stable fiber supply to keep mills open, keep and create jobs in small towns across B.C., and recognize First Nations title in their territories.**

### **KEY FACTS:**

B.C. is committed to co-developing a new fiscal framework with Indigenous Peoples that supports the operation of Indigenous governments and recognizes Indigenous rights as outlined in the UN Declaration on the Rights of Indigenous Peoples. This commitment was established in the 2018 Joint Agenda: Implementing the Commitment Document Concrete Actions and

reiterated in the Declaration Act Action Plan, released in March 2022. *(For more details on NFF, see general NFF IN.)*

Since Nov. 2022, the Province (through the ministries of Indigenous relations and reconciliation and forests) has been working to co-develop principles for a new fiscal framework (NFF) and a new forestry revenue sharing model with First Nations. From April 2022 to April 2023, the Province participated in more than 50 government-to-government meetings and received feedback from more than 90 First Nations communities on a new fiscal framework.

## Engagement

- The New Fiscal Framework Discussion Paper was released to all First Nations In November 2022. First Nations were invited to provide specific feedback on the discussion paper and the questions contained within from Nov. 4, 2022 to Jan. 31, 2023.
  - The Ministry of Indigenous Relations and Reconciliation's (MIRR) New Fiscal Framework (NFF) branch presented on the NFF, including the discussion paper and co-development process, at the BC First Nations Forestry Council's (BCFNFC) Provincial Forestry Forum and First Nations Leaders' Gathering in Nov. 2022.
  - During this engagement period, six submissions were received through the EngageBC online form or via email. However, during this time more than 30 government-to-government meetings, with participation by more than 70 First Nations, took place between First Nations and staff. To build on the momentum created at the First Nations Leaders' Gathering, staff encouraged comment on the discussion paper via reminder emails to First Nations and follow-up meetings.
  - The ministry held a virtual information session on the discussion paper on Jan. 24, 2023. 43 representatives from First Nations and First Nations organizations participated in the discussion.
  - In March 2023, the First Nations Forestry Council hosted regional workshops which provided further opportunities for engagement on NFF and forestry revenue sharing.
  - In April 2023, the Province released a 'what we heard' report, which summarized the comments received from First Nations on the discussion paper. It also highlighted the numerous government-to-government conversations and engagement opportunities related to this work to date. The paper also summarized the key themes raised in the co-development work carried out, and not a statement of the Province's views on those themes or the future course of the new fiscal framework.
  - The ministry also participated in a BCFNFC conference in June 2023.
  - Advice/Recommendations; Cabinet Confidences; Intergovernmental Communications
- 
- In March 2024, Ministers Rankin, Ralston and Conroy sent a letter to all First Nations providing an update on NFF and explaining the new approach to accommodation language.

**Media Interest:** There has been media interest in revenue sharing with First Nations, especially when a new agreement is unveiled (gaming grants in 2019 and Forest Consultation and Revenue Sharing Agreements in 2022). The majority of media coverage has been positive. First Nations may make their own public statements when they become aware of delayed timelines that may get picked up by the media.

Communications Contact: Leanne Ritchie

Program Area Contact: Richard Purnell

## 2024/25 Estimates Debate

### Ministry of Water, Land and Resource Stewardship (WLRS)

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**Issue:** Natural Resource Permitting

**Recommend Response:**

- Our vision is to create a world-class permitting system that fosters greater transparency, consistency, and data integration, supporting a collaborative environment for reconciliation with First Nations, economic growth, and greater environmental stewardship.
- Funding of \$77M over three years, starting in 2022/23, was provided to have WLRS lead permitting solutions with funds being distributed across WLRS, the other Natural Resources Ministries (NRM), and Ministries of Transportation and Infrastructure (MOTI), and Tourism, Arts, Culture and Sport.
- Processing times for housing-related applications were reduced by 45 days from March 31, 2023, to January 31, 2024, generating an estimated \$16.8M in potential savings for homebuilders.
- The economic benefits to BC during just the construction and building phase are an estimated \$30M increase in gross domestic product (GDP), 240 jobs, and \$9.6M in provincial tax revenue. Long-term impacts of improved access to high-speed internet are estimated at \$432.6M in increased GDP over 20 years, or seven times the initial provincial investment of \$67.4M.

**Additional Response points (if needed):**

- This is cross-sector work overseen by the Solutions Project Board of Natural Resource Deputy Ministers, BC Energy Regulator Commissioner, and MOTI Deputy Minister.
- The housing focus is intended to increase supply through streamlining authorizations and exploring opportunities to expand availability of Crown land. The priority on connectivity addresses government's commitment to connecting all households in British Columbia (BC) to high-speed internet by 2027.

# 2024/25 Estimates Debate

## Ministry of Water, Land and Resource Stewardship (WLRS)

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- Total caseload for the NRM, (Feb 29) is 13,353; a 281 permit reduction from the previous month. This includes water, lands, Parks, riparian, archaeology, contaminated sites (housing) and transportation (housing and connectivity) applications.

### **Key Facts:**

#### **Strategic Permitting Initiatives**

- Focus on delegation of authorities, expanding BC Energy Regulator's single window, deeming authorized or streamlining low-risk permits, and professional reliance has brought forward high-impact changes.
- Designating *Water Sustainability Act* authority to enable MOTI to make decisions on over 300 applications per year for transportation projects and routine work will result in time and cost savings. This will allow WLRS staff to focus on other priority projects. Cost savings are expected to surpass the initial \$77M investment in permitting resources within three years.
- The large volume of existing use groundwater applications received from 2016 to 2022 resulted in a backlog of applications. This improvement is projected to result in ~1000 (~18 percent) of the 5572 applications being completed by the end of 2024 and the associated fees being collected. At completion, this work is anticipated to reduce permitting caseload across the Natural Resource Ministries by 25 percent.

#### **Housing**

- In January 2023, WLRS led the cross-ministries Housing Action Taskforce. Since March 2023, 72 percent of housing-related applications have reached decisions, with the potential to create approximately 150,000 new housing units.

#### **Connectivity**

- Applications are moving faster through the process while projects with issued permits have increased 280 percent since November 1, 2023.

#### **Broader Permitting Efforts & Achievements in WLRS**

- Through digital advancements, the province has introduced application tracking for housing and connectivity priority projects and is breaking down cross-ministry permitting data silos.
- Ninety percent of new applications for Riparian Area Protection assessments are now processed in 30 days, compared to the previous timeline of 9-12 months.
- Water, Lands and Fish & Wildlife active permit application caseload has increased 1.3% between Jan and Feb 2024, while processing times are decreasing or holding steady. (see attached table)

**Date Prepared/Revised: March 18, 2024**

**Ministry Executive Sponsor:**

Name: Jennifer Anthony, ADM, Permitting Transformation Division

Phone: 250-889-1315

**Alternate Contact for Issue:**

Name: Karen Spence, A/Exec Director, Permitting Solutions

Phone: 250-698-3289

## Q&A

**Title: shíshálh swiya Dock Management Plan What We Heard Report**

**Date: March 12, 2024**

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### Key Messages:

- People care deeply for our coastal waters.
- The shíshálh Nation has stewarded shíshálh swiya (world, territory) since time immemorial, and we are committed to continuing to work together to safeguard the natural environments and the cultural values they contribute for everyone.
- By working together, we can protect the environment and cultural values, to ensure the viability of local businesses, respect the rich history of the area and support people's ability to enjoy their docks.
- When shíshálh Nation and I became aware of the concerns raised by dock owners, we listened and deepened the public engagement, and now we are making updates in response to what we've heard.
- In response to feedback received in the public engagement, updates have been made to the shíshálh swiya Dock Management Plan to support existing dock owners to maintain their docks as currently built and work towards achieving our stewardship goals.
- Untenured docks and boathouses will be able to apply for tenure as currently built.
- Updated flexible guidelines are being proposed for new saltwater docks, and there will be a pause on any new freshwater docks pending further studies and engagement.
- An Advisory Group with representation from the across the Sunshine Coast will review the new proposed changes.

### Questions & Answers:

## **What We Heard Report**

### **1. Why is dock management important?**

- We all care deeply for our Coast – it supports wildlife, ecosystem health, a rich cultural history, local businesses and people’s livelihood.
- For many years, pace of development of structures on the foreshore, including docks, has increased significantly in some places in the swiya.
- That’s why we are working together to support best management practices and guidance for development of docks on the foreshore areas.
- By working together we can reduce and mitigate negative impacts and incorporate critical First Nation views, knowledge and practices.

### **2. How is the Province involved in the management of docks?**

- The Ministry of Water, Land and Resource Stewardship, oversees private moorage tenure and is responsible for considering the circumstances prevalent in any given location.

### **3. Why are docks a concern on coastal areas?**

- We all care deeply for our coastal areas – they support wildlife, ecosystem health, a rich cultural history, and local businesses and people’s livelihood.
- If not managed, structures on coastal areas can impact wildlife, ecosystem health and cultural resources.
- That’s why shíshálh Nation and the province are working together with the public, local businesses and stakeholders to support best practices and make sure the coastal areas we all depend on stay healthy.

### **4. Will you be releasing the public comments?**

- Over 1700 comments were received through the public engagement process. A thorough summary of the comments received was provided in the What We Heard Report.
- The province is exploring ways we could make all the public comments available. It will take time to redact sensitive, and private information from the public engagement comments before any materials could be made

public (for example, information like names, email and personal addresses would be removed).

- The Province upholds strict privacy requirements on information received in order to maintain private information that would be an unreasonable invasion of a third party's personal privacy and potentially harmful to individuals if released to the public without appropriate measure taking place first.

#### **5. Was anything else considered in the What We Heard Report outside of the comments received through the ACRFD?**

- Many duplicates were received through the ACRFD and other venues, such as emails to the Minister and the hiwus and Council.
- As many of these letters as possible were included for consideration in drafting the WWH report.
- Questions asked at the public meeting with the Sunshine Coast Regional District (including councillors from District of Sechelt) and the three virtual sessions with commercial moorage tenure holders also informed the What We Heard Report.
- Conversations between with stakeholders, the Sunshine Coast Regional and District of Sechelt echoed much of the feedback received and were also considered in the review.

#### **6. What are the key themes identified from public input?**

- The What We Heard Report outlines feedback received in the following themes:
  - flexibility in dock design
  - supporting existing moorage structures
  - concerns about future of boathouses
  - concerns about application of DMP in freshwater
  - importance of the environment and
  - concerns related to economic and financial considerations.

#### **Questions about Docks & Boathouses**

#### **7. Will boathouses and existing moorage structures be grandfathered in?**



- One of the proposed changes we are making will address this interest raised in the feedback we received.
- Owners of existing tenured docks and boathouses will be able to apply for renewal as currently built.
- Over time, as dock owners make improvements to their docks, these will need to be in keeping with best management practices.

**8. Will my untenured dock be removed?**

- The province encourages owners of existing docks that don't have tenure to apply, the application will be reviewed based on their site-specific conditions and the flexible guidelines outlined in the Dock Management Plan to determine if an authorization can be granted.
- Some docks built in trespass within the red zone of kalpilin Management Area are under review for next steps.

**9. Will my existing boathouse be removed?**

- No, owners with existing tenured boathouses will be able to apply for a renewal tenure based on how the boathouse is built at the time of renewal.
- No, owners with existing untenured boathouses will be able to apply for a new tenure based on how the boathouse is built at the time of application.
- As with all applications, previously untenured boathouses will undergo a review and provincial and federal policies about safety and navigation remain considerations in any dock decision.
- The Ministry of Water, Land and Resource Stewardship has the authority to grant or refuse a private moorage tenure based on the circumstances prevalent in any given location.

**10. Will my tenured dock be removed if I can't comply with the Best Management Practices?**

- When the current dock tenure comes up for renewal, owners will be able to apply for renewal as currently built, even if parts of their dock are not in compliance with the Best Management Practices.

- Over time, as dock owners make improvements to their docks, these will need to be in keeping with best management practices.

#### **11. How many docks will be removed?**

- 19 untenured docks located in the kalpilin red zone were removed between December 2022 and August 2023
- Another 9 docks have been identified built in trespass in the kalpilin red zone. The province will follow due process and discuss next steps with individuals.
- The number of removed docks represent less than 1% of the existing docks in the kalpilin (Pender Harbour).
- Untenured dock owners outside of the kalpilin red zone across the swiya will be able to apply for tenure for their dock.
- Reasonably, it can be expected a replacement application would be approved, however, that cannot be guaranteed without a review of the application to take all considerations regarding the application into account.

#### **12. What is the cost of removing docks?**

- The cost of removing docks varies depending on what type of removal is required.
- For example, removing a small float by hand would be very different than a large float and multiple pilings.

#### **13. How will dock materials be disposed?**

- Dock materials should be disposed at appropriate facilities that will accept the type of waste.
- For example, not all facilities will accept creosote pilings.

#### **14. What is the length of time that tenures will be given?**

- Tenure term lengths of up to 10 years for private moorage tenures remains. Decisions about term lengths are made on a case-by-case review of the application.

- Tenure term lengths for commercial moorage may be offered for up to 30 years, accounting for operational needs of the dock owner.

**15. If you approve my existing boathouse or existing dock, will they ever have to be reduced in size?**

- With the proposed changes to the DMP, there is increased flexibility for existing structures.
- Owners with existing tenured or untenured docks will be able to apply for renewal or new tenure based on the dock's current size at the time of renewal.
- Reasonably, it can be expected a replacement application would be approved, however, that cannot be guaranteed without a review of the application to take all considerations regarding the application into account.

**16. If you approve my boathouse, will I ever have to remove it?**

- When the current boathouse tenure comes up for renewal, owners will be able to apply for renewal as currently built, even if parts of their structure are not in compliance with the Best Management Practices.
- Reasonably, it can be expected a replacement application would be approved, however, that cannot be guaranteed without a review of the application to take all considerations regarding the application into account.
- Approving a replacement for a tenure is at the discretion of the decision-maker.
- The DMP does not change provincial policy elsewhere.

**17. Will I have to reduce my dock size if my total length is over 60m?**

- When the current dock tenure comes up for renewal, owners will be able to apply for renewal as currently built, even if parts of their dock are not in compliance with the Best Management Practices.
- Over time, as dock owners make improvements to their docks, these will need to be in keeping with best management practices.
- For example, if your dock is currently 70m total length at the time of tenure renewal, the Dock Management Plan has flexibility to permit the existing to

continue as is unless there are significant other considerations to be taken into account such as environmental or archaeological concerns.

### **Questions about Environment and Science**

#### **18. What other actions is the Province taking to protect coastal ecosystems?**

- Coastal ecosystems are complex and protecting them is too.
- There are many jurisdictions, legal frameworks and governance structures for marine and aquatic conservation and management.
- The Province works collaboratively with the federal government, First Nations and stakeholders to balance environmental, social, economic and cultural values in decisions and policies.

#### **19. Has the Province considered that houseboats and docks have become artificial reefs and that removing docks would have a detrimental impact on the ecosystems?**

- The Best Management Practices provide guidance for the development or modification of docks to mitigate the impacts to the environment and cultural resources.
- Allowing existing structures to remain as built slow modifications to existing colonized structures so over time, less impactful structures will be colonized.

#### **20. Are you going to do more studies?**

- It has been clear from the feedback received that we need to pause the application of the Dock Management Plan in freshwater lakes and take some more time to understand the impact of docks in the freshwater environment.
- The Province and shíshálh will undertake further studies in freshwater lakes that will inform revisions to the Dock Management Plan.
- Freshwater lakes provide a wide range of important habitats, and mitigating impacts from humans helps maintain the important ecological functions and biodiversity which is necessary for resilient and stable ecosystems.

- B.C. and shíshálh will communicate closely and often with freshwater dock owners throughout the swiya.

**21. Why did you use science from areas that are not applicable to the Northeast and not accurate for PNW to inform your Best Management Practices?**

- Best Management Practices are designed to mitigate the impacts to the environment, consideration of best management practices used across a variety of jurisdictions helped inform the dock management plan development.
- In 2018, the best management practices were reviewed by an independent consultant, this informed the use of the Best Management Practices in kalpilin.
- They provide guidance on how to design structures to have the least amount of impact on the foreshore.
- With flexibility they can guide the design of dock structures that have the least impact on the foreshore throughout the swiya.

**Questions about Public Involvement and Clarity**

**22. How did you review comments from the public engagement?**

- Staff from the Province and shíshálh reviewed and read every single public comment. Each comment was summarized with the key themes, questions and ideas which was summarized into the What We Heard Report.
- Racist comments were not accepted and were removed from the engagement record for consideration.
- The province and shíshálh Nation thank everyone for their respectful comments on the proposed amendments to the shíshálh swiya Dock Management Plan.

**23. Are you going to do further public engagement?**

After Thursday:

- shíshálh and the Province have agreed to continue the discussions with dock owners on implementation.

- The province and shíshálh Nation have asked a number of representatives from organizations across the Sunshine Coast to be involved in a Dock Management Plan Advisory Group (DMPAG).
- The DMPAG will be a venue for information sharing and building understandings about the changes we are proposing to make.
- We look forward to hearing feedback from the DMPAG about the changes we are proposing.

#### 24. Who selected the DMPAG members?

##### After Thursday:

- The Province and shíshálh will jointly appoint DMPAG members.
- Input was provided by elected members of Local Government and the local MLA.
- The province and shíshálh looked for community members who have an interest in the management and protection of environmental and archeological resources across the shíshálh swiya through meaningful implementation of the DMP.
- We sought members will be motivated to foster improved understanding of the DMP and support for management that protects the values that all residents of the Sunshine Coast hold important.

#### 25. Who are the DMPAG members?

- Technical representative from the Sunshine Coast Regional District (1);
- Technical representative from the District of Sechelt (1);
- Representative from Waterfront Protection Coalition (1);
- Representative from Pender Harbour Area Residents Association (1);
- Representative from Sakinaw Lake Residents Association or swiya Lakes Stewardship Alliance Comments or Ruby Lake Landholders Association (1);
- Representative from the local business community through a Chamber of Commerce (1)
- Representative from an ecological conservation community or Sunshine Coast Conservation Association (1); and
- Representative from a recently permitted dock owner (1).

Commented [NKG1]: To be confirmed.

#### 26. Will the DMPAG be able to make recommendations about more changes?

- The DMPAG members will review and discussed the proposed changes to the Dock Management Plan.
- The DMPAG may also make suggestions to the Province and shíshálh that could be used to inform implementation considerations.

**27. Is and if yes, how is, the Province going to address concerns about the DMP that were not related to proposed changes in November 2023 (about zoning, light penetration for example)?**

- The Province and shíshálh are proposing updated to the DMP that are in response to the feedback we received from the public.
- We may not have addressed every consideration shared by the public, but we feel that the changes we make create the balance between multiple needs and interests.
- We will work with the Advisory Group to hear their feedback on the proposed changes and review them in consideration of how they help us achieve our shared objectives.

**28. How long do you anticipate decision on the DMP will take?**

- The Province and shíshálh are committed to confirming the changes to the Dock Management Plan in a timely way.
- We understand that uncertainty about how individuals can renew existing tenures or apply for new ones can be stressful. We want to make sure we have a plan that can be implemented and provide the predictability all dock owners are looking for.

**29. Who are the decision-makers? What is their authority? How will they make decisions?**

- Decision-making will be consistent with provincial legislation and existing agreements.

**30. Will your decision-making process be transparent and shared?**

- Decision-making will be consistent with provincial legislation and existing agreements.

**Questions about Land Act & Decision-Making**

**31. Are the Land Act Amendments and the Dock Management Plan related?**

- Dock Management has been happening under existing legislation for over a decade.
- The Dock Management Plan outlines specific management approaches to mitigate the impacts of docks in the shíshálh swiya.
- Decision-making will be consistent with provincial legislation and existing agreements including the Shared Decision-Making approach outlined in the 2018 B.C.-shíshálh Foundation Agreement.

**32. Does the Dock Management Plan give shíshálh Nation a veto?**

- No, the Dock Management plan does not provide a 'veto'.
- Decision-making will be consistent with provincial legislation and existing agreements.

**33. When will the Dock Management Plan be finalized?**

- The Province and shíshálh will work with the DMPAG over the next number of weeks which will help inform the changes we will make to the Dock Management Plan.
- The province and shíshálh will work to release an updated version of the Dock Management Plan later this spring.

**34. Will this be precedent-setting and be used as a template for the province?**

- The DMP has been jointly developed by the Province and shíshálh Nation to address the impacts of dock development on cultural and environmental significant areas in the swiya.
- This plan is unique to the swiya and acts as a guideline from reviewing applications for dock tenures within the swiya.

**35. Will the Province be looking at addressing provincial dock management policies and making any changes?**

- No, not currently. The shíshálh swiya Dock Management Plan is unique to the swiya and is applied along side existing provincial and shíshálh policy.
- Existing provincial policy relating to moorage on Crown land continues to apply across the province.



- WLRS is accountable for the effective development of water, land and marine use policy and planning, as well as biodiversity and ecosystem health.

**36. Why does it take so long to get a dock tenure/permit? What are the backlogs?**

- To be added later, if needed.

**37. How is the Province considering concerns from the public about potential economically and financially impacts of the DMP?**

After Thursday:

- We all recognize the importance of a strong, sustainable coastal community.
- We all rely on our coastal waters.
- By working together, we can protect the environment, ensure the viability of local businesses, respect the rich history of the area and support people's ability to enjoy their docks.
- shíshálh and B.C. are proposing changes that will meet some of the operational needs of commercial dock owners and provide more predictability for all dock owners.
- The Province and shíshálh will work together to identify areas suitable for new additional mooring buoys to support continued boat travel through the swiya.

**38. What is the Province's response to people who have expressed strong emotions about the future of their docks?**

- The Province and shíshálh Nation have heard valuable and important feedback directly from people who have felt impacted by the proposed changes.
- We are proposing changes to the DMP that will provide more certainty and clarity for existing dock owners.

**39. Why do I need to pay for an annual inspection?**

- We have heard this question come up through the feedback.
- The proposed amendment to include annual inspections is for an annual self-inspection which should cost no money.

- The intent is for the dock owner to inspect their dock to ensure the dock is in alignment with their authorization in a safe, clean and sanitary condition.
- Dock owners should be familiar with their docks and the rules around them to ensure they are prepared for upkeep in alignment with their authorization and the best management practices.

**40. What if I have a property that is water-access only?**

- Many owners of existing tenured and untenured docks and boathouses will have added flexibility in their dock design, and they will be able to have the time to bring their docks up to better standards as they make improvements to their docks.
- Applications are reviewed on a case-by-case basis and considerations such as access to the property are included in the review and recommendations for the decision-makers.

**41. Are you limiting the size of boats able to be moored in the swiya?**

- We have heard this question come up through the feedback.
- No, we are not intending to limit the size of boats able to be moored in the swiya.
- The boating and marine industry is an important part of coastal BC's economy, recreation and social values.
- We are proposing changes to the DMP that will provide more certainty and clarity for existing dock owners over the coming years.
- Many owners of existing tenured and untenured docks and boathouses will have added flexibility in their dock design, and they will be able to have the time to bring their docks up to better standards as they make improvements to their docks.

**42. What are you going to do about the lack of availability of commercial moorage?**

- Amendments to the DMP provide for increased flexibility for commercial moorage tenure holders in dock design and allow for a diversity of commercial operations including potential growth.

## ADVICE TO MINISTER

**CONFIDENTIAL  
ISSUES NOTE**

Ministry of Indigenous Relations &  
Reconciliation

Date: April 17, 2024

Minister Responsible: Hon. Murray Rankin

# Stakeholder engagement and First Nations

### ADVICE AND RECOMMENDED RESPONSE:

- **Agreements are more successful when everyone has a chance to be heard.**
- **Government engages extensively throughout negotiations with those who may be affected by agreements.**
- **We get better information to create better agreements that way.**
- **Our goal is to build strong relationships and clear understanding among First Nations and non-Indigenous partners so everyone knows what's under discussion.**
- **Our approach to stakeholder engagement reflects a commitment to communication, transparency, collaboration and inclusiveness.**
- **Community engagement promotes partnerships and collaboration between Indigenous Peoples, local governments, industry, and other stakeholders - when everyone participates in reconciliation, it creates better opportunities and certainty for everyone.**

### *If asked on closed door negotiations*

- **Any negotiation of potential transfer of Crown lands includes extensive stakeholder engagement for those who may be affected or have an interest in the area.**
- **The negotiation process takes time, and provincial negotiators begin engaging with stakeholders as soon as there is some clarity over areas that could be under consideration.**

### *If asked about input from tenure holders and land owners*

- **Stakeholder feedback is a vital tool for creating strong and sustainable agreements that create opportunities for First Nations and entire regions.**
- **The Province is committed to openness and transparency in the work to advance reconciliation by engaging with local governments, local stakeholders and all those who may be affected.**

## KEY FACTS:

### Examples of stakeholder engagement

*Haida Title Lands Agreement:* The ministry has met with community and business leaders, hosted community meetings, and mailed information to every home on the islands. All this in addition to the work the Council of the Haida Nation has done to ensure their members understand and support this agreement – 95% support at the Haida House of Assembly. There has also been strong support from non-Haida residents, who have been aware for many years of this work together.

*Kitselas Treaty & Kitsumkalum treaty engagement:* Since the early 1990s, Kitselas First Nation and Kitsumkalum First Nation have been involved in treaty negotiations with Canada and B.C. Local government and interest holder engagement has been ongoing throughout the treaty negotiations. Treaty public engagement open houses took place on May 27, 2023 (in-person, Terrace) and June 7, 2023 (virtual presentation). Partners publicly released a what we heard report about the engagement on February 14, 2024, which details describes the engagement activities and participation rates, including feedback and questions collected during engagement, along with responses given from the negotiating partners. The purpose of engagement with stakeholders and the public is to build awareness and support of the final stage of negotiations for the Kitselas Treaty and Kitsumkalum Treaty, and as a step towards reconciliation.

*The Te'mexw Treaty Association (TTA) engagement:* TTA, Canada and British Columbia have been in negotiations since 1995, with TTA negotiating modern treaties on behalf of its five Member Nations: Malahat, Beecher Bay (SC'IANEW), Songhees, Snaw-Naw-As (Nanoose), and T'Sou-ke. Local government and interest holder engagement has been ongoing throughout the treaty negotiations. From February to May 2023, TTA, B.C. and Canada engaged with local communities through a series of public open houses (8 in-person and 2 virtual) to raise awareness about treaty negotiations coming to a close. Partners are currently drafting a what we heard report about the engagement.

*TLE & northwest roundtable:* Treaty Land Entitlement has been discussed publicly since 2016, and public input and tenure holder engagement has been a cornerstone of the process. Every land selection has been presented in multiple formats: public presentations to local governments, Northeast stakeholder roundtable meetings, online via the EngageBC (GovTogether) website and community hall meetings. At a July 20, 2023 Peace River Regional District (PRRD) board meeting, Ministry of Indigenous Relations and Reconciliation (MIRR) representatives reiterated to board members the Province's intentions to inform the public as much as possible on the process of land transfer selection. An additional meeting between MIRR representatives and the PRRD was held in October 2023, where a variety of topics were discussed, including TLE. The Province is committed to continued engagement at the local level via the Northeast Roundtable and regular community meetings.

*Lake Babine Nation:* Engagement on the Lake Babine Foundation Agreement (signed in 2020) started in 2016 when the Province received the mandate to negotiate a foundation agreement with Lake Babine Nation. The ministry engaged and consulted with neighbouring First Nations, property owners, local government, tenure holders and other stakeholders, through letters, information sessions, one-on-one meetings and open houses. The Nation and the Province made adjustments based on feedback received during the consultation. Engagement will continue throughout the implementation of the Foundation Agreement.

*Natural Resources Forum:* MIRR minister has participated fully at the Natural Resources Forum, which takes place annually in Jan. This forum provides an opportunity for engagement between federal, provincial and municipal government leaders and staff, First Nations leaders and staff, natural resource sector leaders, union leaders, government agency leaders, business association leaders and non-profit/NGO leaders.

# ADVICE TO MINISTER

## General

Negotiating tables have a large degree of independence on when stakeholder engagement begins and what form it should take. The greater the impact of a project on Indigenous Peoples or stakeholders, the more complex and extensive the engagement strategy will be.

Every negotiation is unique and there is no one-size-fits-all template for stakeholder engagement. The ministry continues to work to improve stakeholder engagement and has placed significant focus on this priority since 2017.

The goal is to be as transparent as possible with stakeholders and bring them into the discussions as early as possible.

Due to the nature of some negotiations Advice/Recommendations

Advice/Recommendations

One of the challenges of releasing information to stakeholders too soon is the issue of overlapping land or title claims from neighbouring First Nations. Disclosing details of one negotiation before all First Nations are on the same page could prejudice other negotiations or create significant concern within First Nations not yet at the table. Resolving these differences often takes significant time and can lead to stakeholders feeling they've been 'kept in the dark' for years about decisions that could impact their lifestyle and livelihoods.

A ministry stakeholder engagement strategy guides the various ministries in facilitating meaningful and consistent engagement with stakeholders. There are six guiding principles that support the ministries' stakeholder engagement strategies:

- Communication – early and open engagement
- Transparency – clear information and feedback
- Collaboration – work together on outcomes
- Inclusiveness – understand and involve
- Integrity – foster respect and trust
- Commitment – maintain engagement

**Media interest:** Recently, there has been a high amount of coverage on the shíshálh dock management plan and Lands Act amendments. Recent MIRR announcements [Snuneymuxw- BC land transfer](#), the multiple NStQ ranch sale announcements and the [Wei Wai Kai forestry agreement](#) have all received decent pick up.

Communications Contact: Leanne Ritchie

Program Area Contact: Tom McCarthy

# MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION

## 2024 Estimates Note

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### T̓silhqot̓'in National Government (TNG)

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#### KEY MESSAGES

- **The Province is fully committed to the continuation of our tripartite journey and working with the T̓silhqot̓'in [Tsill-COAT-teen] National Government (TNG) and our federal colleagues on the appropriate next steps for a long-term extension of the agreement.**
- **BC is interested in looking at a long-term transformative agreement with the T̓silhqot̓'in and Canada, and views Canada as a full partner to working with the T̓silhqot̓'in to implement a long-term agreement.**
- **Part of these negotiations will include engagement with neighbouring First Nations, local governments, and tenure holders in the Declared Title Area.**
- **All parties are interested in a long-term, orderly transition of title in the Declared Title Area as part of the 2014 Supreme Court of Canada decision.**

#### BACKGROUND

- The T̓silhqot̓'in Nation includes the six First Nation communities of: Xeni Gwet̓'in (Nemiah Valley), Tsi Deldel (Alexis Creek/Redstone), E̓sdilagh (Alexandria), Yune̓sit̓'in (Stone), Tl'esqox (Toosey) and Tl'etinqox (Anaham).
- On June 26, 2014, the Supreme Court of Canada (SCC) granted a declaration of Aboriginal title to the T̓silhqot̓'in Nation, which was a first in Canada. This declaration applied to an area within the caretaker area of the Xeni Gwet̓'in (the "Declared Title Area" or "DTA"); it did not address Aboriginal title within the remainder of T̓silhqot̓'in territory.
- On August 15, 2019, Canada joined the reconciliation discussion, and the three parties signed the 5-year Gwets̓'en Nilt̓'i Pathway Agreement (the GNPA), replacing the initial bilateral Nenqay Deni Accord between BC and TNG, but carrying forward a number of the obligations in it. The GNPA created a framework for T̓silhqot̓'in Nation, BC, and Canada to work together on strategic priorities, all intended to advance T̓silhqot̓'in Nation's path of self-determination.
- The GNPA expires on March 31, 2024, however the provincial fiscal mandate is approved for two additional years past the expiry of the current term, until March 31, 2026. The parties are in discussions for a bridging agreement while we continue to advance continuation of implementation of the T̓silhqot̓'in decision and the Accord.
- The \$6.5M per year of the *current* GNPA funding supports various reconciliation pillars. Canada supported the GNPA in the first term with \$41.0M total contribution while BC committed \$42.5M total.

# MINISTRY OF INDIGENOUS RELATIONS AND RECONCILIATION

## 2024 Estimates Note

- A 10-year anniversary celebration of the SCC decision is planned for June 26, 2024, with provincial and federal political leaders invited and likely to attend the event. The Province, Canada, and Tsilhqot'in Nation have been discussing the GNPA's extension to achieve longer term and more stable funding, which in turn would provide the dependable basis by which the three parties can achieve other significant milestones over a 10-year term.
- MIRR regional staff are leading internal discussions across government, both in the natural resource and social sectors, striving to build a holistic mandate request to provide certainty for the Tsilhqot'in and British Columbia as we support the Nation to advance towards self-governance.
- The GNPA has successfully shifted the relationship in the DTA from conflict to collaboration and supported the ongoing transition to reduce tensions. Tsilhqot'in have transitioned many of the initial 'bridging agreements' to new consent-based partnerships for tenure management.
- Since the expiry of a Bridging Agreement in 2019, guide outfitters have been unable to access or use their guide outfitting areas that overlap the DTA. Xenigwet'in has not purchased all of the Guide Territory Certificates (GTCs) and in some cases has not granted permission to existing GTC holders to access DTA lands to carry out guide outfitting activities.
- MIRR is working with WLRs to explore opportunities to address the outstanding Guide Territory Certificates (GTC).

### Appendix: WLRs' Estimates Briefing Note

**Primary Contact**

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**ADM Responsible**

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## 2024/25 Estimates Debate

### Ministry of Water, Land and Resource Stewardship

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**Issue:** T̓silhqot̓in National Government (TNG) Pathways Agreement renewal and the Nen Transformation Table

**Recommend Response:**

- Active negotiations between TNG, WLRS, Ministry of Indigenous Relations and Reconciliation (MIRR) and FOR continue to strengthen the relationship and collaborative efforts this past year.
- The T̓silhqot̓in Nation is recognized for its leadership in advancing Indigenous rights, and the Xeni Gwet̓in [HUN-nee wah-TEEN] First Nations; as caretakers of the Declared Title Area (DTA).
- BC recognizes tenure holders in the DTA are in a challenging position as we continue to work through the transition of governance. Through discussion with TNG, we have received assurances that they will not interfere with road access to private land and tenure holders.
- We are working internally and with TNG to prepare for the celebration of the 10 year anniversary of the *T̓silhqot̓in 2014 Supreme Court of Canada* decision.

**Additional Response points (if needed):**

- Recent emphasis at the Nen Transformation Table has been developing a “Nen Overarching Plan” identifying shared priorities and the development and implementation of the Wildlife and Habitat Stewardship Plan which includes Habitat/Ecosystem management , Access Management, Species Management, Data Management, AAH(LEH)Quota, Compliance and Enforcement and Indigenous Knowledge and Western Science
- Negotiations are ongoing on the Wildlife Management Area and Federal Vessel Regulations in the Upper Chilko located within and outside the Declared Title Area.



## 2024/25 Estimates Debate

### Ministry of Water, Land and Resource Stewardship

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- We support and actively participate with MIRR as the lead on the Pathways Agreement renewal anticipated in 2024.
- Progress between TNG, WLRS, FOR and MIRR regarding moose population concerns addressed at regular face to face Nen Transformation Table meetings.
- WLRS and Fisheries and Oceans Canada are working closely with TNG to support their desire to have and run a permanent salmon hatchery on BC Conservation Lands.
- WLRS continues to work closely with FOR to support TNG's desire for substantial protection and recognition of cultural sites on both crown and private land.

#### **Key Facts:**

- TNG is comprised of six communities that are primarily located west of Williams Lake throughout the Chilcotin Plateau: ?Esdilagh (*ess-de-la*), Tsideldel (*tsigh-dell-dell*), Tl'etinqox-t'in (clay-teen-co-teen), Toosey (*two-zee*), Yunesit'in (*you-neh-seh-teen*), and Xení Gwet'in (HUN-nee wah-TEEN).
- The Supreme Court of Canada made a declaration of Aboriginal title to the T̓silhqot'in Nation on June 26, 2014. The T̓silhqot'in Nation is the only First Nation in Canada to have a declaration of Aboriginal title affirmed by the The Supreme Court of Canada.
- BC and the T̓silhqot'in Nation are signatories to the following agreements that recognize the T̓silhqot'in Nation 2014 The Supreme Court of Canada decision:
  - *Nenqay Deni Accord's* (2016) with Section 12 commitments related to land and resources; and
  - The tripartite *Gwets'en Nilt'i Pathway Agreement* (2019) which identified a BC/TNG Nen Transformation Table (NTT) as one of the pathways. Nen is the T̓silhqot'in word for "lands". This Pathways agreement contains short, mid- and long-term milestones to guide implementation of land and resource management, including moose.
- Assistant Deputy Ministers are the Provincial representatives at the Nen Transformation Table.

**Date Prepared/Revised: February 6, 2024**

**Ministry Executive Sponsor:**

Name: Heather Wiebe, Executive Director

Phone: 778-916-4005

# 2024/25 Estimates Debate

## Ministry of Water, Land and Resource Stewardship

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**Alternate Contact for Issue:**

Name: Susan O'Sullivan, Director, Strategic Initiatives Phone: 250-302-5649

## ADVICE TO MINISTER

**CONFIDENTIAL  
ISSUES NOTE**

**Ministry of Indigenous Relations and  
Reconciliation**

**Date:** February 16, 2024

**Minister Responsible:** Hon. Murray Rankin

# Treaties in B.C. – Status

### **ADVICE AND RECOMMENDED RESPONSE:**

- **There is a lot of ongoing negotiation work happening. The treaty negotiations process includes modern treaty negotiations and tripartite reconciliation negotiations.**
  - **We are currently in advanced treaty negotiations at three tables including: Kitselas and Kitsumkalum, K'ómoks, and the Te'mexw [te-MUCK] Treaty Association.**
- **Over recent years First Nations, Canada, and B.C. have been focused on creating innovative treaty agreements that are strong but flexible and better suited to addressing the needs of individual First Nations.**
- **With this approach, we can reach treaties, agreements and other constructive arrangements that will support long-lasting relationships with First Nations.**

### **Additional Messaging:**

- **Treaties are the embodiment of living relationships between First Nations, B.C. and Canada.**
- **These constitutionally protected agreements support strong, healthy, thriving communities, benefit First Nations, and set us on a clear path to reconciliation.**
- **Treaties are successful and enduring when they embed the recognition of the inherent rights of First Nations and have the ability to evolve over time.**
- **Evolving our processes with partners ensures this recognition and adaptability are core aspects of negotiations.**

### **If asked about policy on treaty negotiations:**

- **The provincial and federal governments and the First Nations Summit finalized a new policy, the Recognition and Reconciliation of Rights Policy, in 2019 to guide treaty negotiations in the province, reflecting**

## **recent approaches to negotiation in line with the United Nations Declaration on the Rights of Indigenous Peoples.**

- **The policy bases treaties on a recognition of rights and states explicitly that treaties do not require First Nations to extinguish their rights.**
- **The policy requires Canada, British Columbia, and participating First Nations to evaluate the policy’s effectiveness within one year of its coming into effect.**
  - **Due to the COVID-19 pandemic and other factors, the first evaluation of the policy was delayed. However, the review went forward starting in Fall 2022 and a draft report was provided to the parties in August 2023.**
- **The parties are working collaboratively to analyze the recommendations and determine next steps.**

### **KEY FACTS:**

In recent years, the B.C. government has focused on modernizing and expediting treaty-making in B.C. The provincial and federal governments have signed, or are in advanced negotiations to sign, memorandums of understanding with several First Nations to move past the typical Agreement-In-Principle stage, and directly to the advanced stage 5 of negotiations. This approach ensures that the specific needs of a First Nation are met.

First Nations that have moved directly to stage 5 include: Ktunaxa Nation, Stó:lō Xwexwilmexw Treaty Association, Metlakatla First Nation, Wei Wai Kum First Nation, Kwiakah First Nation, We Wai Kai Nation, Hul’qumi’num Treaty Group and Tlowitsis Nation.

First Nations and the Province are guided in the negotiation process by the British Columbia Treaty Commission (Treaty Commission). The Treaty Commission assists in the made-in-BC negotiations process by ensuring the work of the parties involved is effective and is making progress.

In response to a 2021 Treaty Commission effectiveness review, there are intentions to form a joint communications strategy (collaboratively with B.C., Canada, First Nations Summit, and Treaty Commission) focused on communicating the flexibility of the negotiation process to negotiators and First Nations currently in the negotiation process. Further communication strategies will address media inquiries and the interests of the general public as well as businesses, local governments and other stakeholders.

Advice/Recommendations; Cabinet Confidences; Intergovernmental Communications

# ADVICE TO MINISTER

## Modern treaties

B.C. has four modern treaties in effect with eight First Nations:

- Nisga'a Final Agreement – Effective May 11, 2000 (negotiated outside of the BCTC process)
- Tsawwassen First Nation Final Agreement – Effective April 3, 2009
- Maa-nulth First Nations Final Agreement – Effective April 1, 2011
  - Includes five independent Indigenous governments: Huu-ay-aht First Nations, Toquaht Nation, Uchucklesaht Tribe Government, Ka:'yu:'k't'h'/Che:k'tles7et'h' First Nations and Yuulu?if?ath Government (Ucluelet First Nation), all from the West Coast of Vancouver Island
- Tla'amin Final Agreement – Effective April 5, 2016

## First Nations in advanced negotiations

### Kitselas

- **Status:** Advanced stage 5 treaty negotiations
- **Milestone:** Land and Cash Offers presented to Kitselas First Nation on June 22, 2023, in Vancouver. Kitselas provided a signed acceptance of the offer to provincial negotiators on July 4, 2023. A Chief Negotiators Letter of Understanding was signed with Kitselas on October 10, 2023.
- **Innovations:** New approach to the recognition of rights in the treaty, including a living agreement approach based on periodic renewal of the treaty and an approach for the incorporation of new rights into treaty, as well as an approach to shared decision-making within the Treaty Nation territory, outside of treaty lands.
- **Public Engagement:** Treaty public engagement open houses took place on May 27, 2023 (in-person, Terrace) and June 7, 2023 (virtual presentation). Partners publicly released a what we heard report about the engagement on February 14, 2024.

### Kitsumkalum

- **Status:** Advanced stage 5 treaty negotiations
- **Milestone:** Land and Cash Offers presented to Kitsumkalum First Nation on June 22, 2023, in Vancouver. Kitsumkalum accepted the offer in September 2023. A Chief Negotiators Letter of Understanding with Kitsumkalum was signed on November 28, 2023.
- **Innovations:** New approach to the recognition of rights in the treaty, including a living agreement approach based on periodic renewal of the treaty and an approach for the incorporation of new rights into treaty, as well as an approach to shared decision-making within the Treaty Nation territory, outside of treaty lands.
- **Public Engagement:** Treaty public engagement open houses took place on May 27, 2023 (in-person, Terrace) and June 7, 2023 (virtual presentation). Partners publicly released a what we heard report about the engagement on February 14, 2024.

### K'ómoks

- **Status:** Advanced stage 5 treaty negotiations
- **Milestone:** Offer to conclude stage 5 negotiations. Land and cash offers sent to K'ómoks First Nation from B.C. and Canada (sent Nov 2, 2022). Canada provided an updated cash component, which was accepted by K'ómoks in October 2023. A Chief Negotiators Letter of Understanding was signed on November 16, 2023.
- **Innovations:** New approach to the recognition of rights in the treaty, including a living agreement approach based on periodic renewal of the treaty and an approach for the incorporation of new rights into treaty, as well as an approach to shared decision-making within the traditional territory, outside of treaty lands.

- **Public Engagement:** A What we heard report was released on May 29, 2023, which describes engagement activities and participation rates (from Fall 2022 round of public open houses), including feedback and questions collected during engagement, along with responses from the negotiating partners.
  - In Fall 2022, partners held the following engagement sessions:
    - 7 local government presentations
    - 4 public open houses with 340 participants
    - 4 community events

## Te'mexw

The Te'mexw Treaty Association (TTA) is negotiating modern treaties on behalf of its five Member Nations: Malahat, Beecher Bay (SC'IA'NEW), Songhees, Snaw-Naw-As (Nanoose), and T'Sou-ke.

- **Status:** Advanced stage 5 treaty negotiations
- **Milestone:** In 2017, B.C. and Canada tabled Stage 5 land and cash offers for Malahat, Snaw-Naw-As and T'Sou-ke. The offers to Songhees and SC'IA'NEW were deferred while Canada secured approvals to include key federal Crown land parcels – Hatley Park and Mary Hill. BC and Canada tabled closing offers with all five TTA Member Nations on October 18, 2023. Five Chiefs Letters of Understanding (one with each Nation) are anticipated to be signed in 2024.
- **Innovations:** Approaches to treaty in an urban environment and with Douglas Treaty Nations.
- **Public Engagement:** In a Jan 30, 2023 news release, B.C. and TTA announced that Sooke Mountain and Discovery Island Marine provincial parks are being considered for inclusion in treaties currently being negotiated with the T'Sou-ke and Songhees Nations.
  - In Spring 2023, Canada, B.C. and the TTA held a series of public open houses, where further information about lands proposed to become Treaty Settlement Lands was being shared.
    - 6 local government presentations
    - 8 open house public engagement sessions held from February 25-April 29, 2023 (563 attendees)
    - 2 virtual public engagement events (59 attendees)
    - 4 B.C. government staff events (245 attendees)
  - Partners are currently drafting a what we heard report about the engagement.

## **Common policy issues – advanced treaty negotiations**

In April 2023, Ministry of Indigenous Relations and Reconciliation (MIRR) staff provided a progress update to Minister Rankin on advanced treaty negotiations with First Nations in B.C. Part of that presentation included a consolidated table of common policy issues across three advanced treaty tables: K'ómoks, Kitselas and Kitsumkalum, and the Te'mexw Treaty Association (formed of five First Nations—Beecher Bay (SC'IA'NEW), Malahat, Snaw-Naw-As, Songhees and T'Sou-ke). A July 2023 update was also provided to Minister Rankin in preparation for the July 17 Principals meeting.

Minister Rankin is briefed on a weekly basis on the status of closing tables and the common policy issues. Monthly table-specific dashboards are also provided for the three closing tables.

\*For key messages on common policy issues identified at the advanced-stage treaty tables, please see the KM – Treaty Progress document.\*

## **Media Interest**

Media on treaties generally stems from particular negotiations, not comments on the treaty making process as a whole. There has, however, been regular comment that the Province is moving too slowly on creating new treaties. The public open houses (Feb 25-April 13) for the Te'mexw Treaties garnered significant local media interest on Southern Vancouver Island. A B.C./TTA news release about lands proposed for Te'mexw treaties (2 provincial parks being considered for inclusion – Sooke Mountain Park

## ADVICE TO MINISTER

and Discovery Island Marine Park) sparked several news stories and subsequent interviews with Chief Sam, Chief Planes and Robert Janes (TTA lawyer).

Recent criticisms have come from the opposition and third party as well as the First Nations Summit on not reaching treaty agreements quickly enough and regarding Joffre Lakes Park closure by the Lílwat Nation and N'Quatqua First Nation.

Kitselas Hereditary Chief Mel Bevan passed away on October 10, 2023. In the days leading up to his passing, Mel remained instrumental in the completion of Treaty negotiations for the Kitselas First Nation—the culmination of 30 years of hard work, which he led from start to finish. He signed the Chief Negotiators' Letter of Understanding on behalf of Kitselas Nation shortly before his passing.

Communications contact: Leanne Ritchie

Program contact: Robert Leece

Key Messages  
Treaty Taxation – Section 87 changes  
March 11, 2024

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**Key Messages**

- Spring 2023 legislative amendments to B.C.'s modern treaties—Maa-nulth, Nisga'a, Tla'amin and Tsawwassen—regarding taxation are part of our commitment to working responsibly with Modern Treaty Nations.
- In July 2022, Canada announced a change in its policy approach which allows the section 87 tax exemption to continue indefinitely for federal taxes until a Treaty Nation exercises a federal tax authority, or in the case where section 87 of Indian Act ceases to exist for all.
- Canada's new approach to maintain tax exemptions for First Nations individuals in modern treaties is a significant shift and a positive sign of their commitment to concluding treaties and to effective implementation of existing modern treaties in B.C.
- We share that commitment, and B.C. subsequently made revisions to allow the tax exemption to continue indefinitely for all provincial taxes within the existing provincial approach to treaty tax arrangements.
- Indigenous Peoples are subject to the same tax rules as any other Canadian, unless they are eligible for tax exemption under Section 87 of the Indian Act. The exemption only applies on the former reserve lands of treaty lands and on other reserves in Canada.
  - Members will not be exempt from applicable taxes on goods and services purchased outside of their former reserve lands or other reserves in Canada and will not be exempt from income earned off those lands.
- The new approach is better aligned with the United Nations Declaration on the Rights of Indigenous Peoples, Articles 3 and 4, recognizing First Nations' right to self-determination, autonomy and self-government.
- Supporting existing treaties and concluding new treaties is a priority for B.C. They provide a degree of certainty on the land base that attracts development and economic activity that generates revenues for the benefit of all people who live in B.C.

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**Background:**

On March 6, 2023, Minister Rankin tabled a motion to amend the Tsawwassen First Nation Final Agreement in relation to section 87 taxation exemptions. On March 27, 2023, after debate during the Committee of the Whole, the motion was passed.

On May 9, 2023, Minister Rankin tabled similar motions in the B.C. Legislature to amend the Nisga'a Final Agreement, the Maa-nulth First Nations Final Agreement, and the Tla'amin Final Agreement. These three motions were passed on May 9, 2023.

These treaty amendments reinstate (effectively continue) the tax exemption for all federal and provincial taxes as of the date the last party to the treaty has given consent. Under the former approach, the tax exemption was phased out after eight years for transaction taxes (e.g., sales taxes) and after 12 years for all other taxes (e.g.,



income and property taxes). The fiscal implications of re-instating the tax exemption for Nation Members are difficult to quantify but are expected to be negligible.

## ADVICE TO MINISTER

**CONFIDENTIAL  
ISSUES NOTE**

**Ministry of Indigenous Relations &  
Reconciliation**

**Date:** April 23, 2024

**Minister Responsible:** Hon. Murray Rankin

# **Treaty 8 Funding & Consensus Document**

### **ADVICE AND RECOMMENDED RESPONSE:**

- **Our government is taking steps to right past wrongs and uphold the legally protected treaty rights of Treaty 8 Nations.**
- **This is important work for all of us; it's about leaving the land in a good way for future generations and advancing meaningful reconciliation with First Nations.**
- **This work ensures all Treaty 8 Nation members can meaningfully exercise their rights, while building a healthy, stable and secure future for everyone.**
- **We will continue engaging residents in the region to ensure a clear and consistent flow of information.**

### **Consensus Document**

- **Our government and Treaty 8 Nations have co-developed a set of initiatives for how to evolve the management of lands and resources together, which is a critical part of B.C.'s work to meet the expectations of the court in the Yahey Decision.**
- **We call this our "Consensus Document," which lays out a comprehensive path for our governments to walk together, and work together, on a variety of shared interest topics.**
- **Advancing our treaty relationship together and honouring Treaty 8 will protect and uphold Treaty 8 rights and ensure British Columbians, especially those living and working in Treaty 8 territory, better understand Treaty 8.**
- **Though the Letter of Agreement and Revenue Sharing Agreements signed in 2022 are now expired the intensions of the Consensus Document continue.**

## Cumulative effects

- Through the Consensus Document, together we will implement a cumulative effects regime that will create ways to assess and manage the cumulative impacts of industrial and resource development, while enabling future responsible development.
- The historic document describes our obligations to uphold the constitutionally protected rights of Treaty 8 First Nations and help restore the environment.
- It also supports responsible resource development and economic activity in the northeast.
- This will ensure that, together, the Province and First Nations are stewarding the land to achieve sustainability for future generations.

## *If asked why has the Province given funding to T8 and not other Nations?*

- ~~Treaty 8 agreements are not the only work that has happened in these past few years but part of a broader effort by government to right past wrongs and uphold the legally protected rights of First Nations in B.C.~~
- ~~Since the 2021 B.C. Supreme Court Yahey decision, we have been working together on a way forward that improves land management in Treaty 8 territory, one which recognizes and respects Treaty 8 rights, and balances economic and environmental interests, and local jobs.~~
- Honouring Treaty 8 is a critical part of our work to advance reconciliation.
- The Province has the duty to uphold solemn promises made to Treaty 8 Nation members, and ensure all Treaty 8 beneficiaries have the ability to meaningfully practice their treaty rights.

## *If asked about the revenue sharing agreements*

- These revenue sharing agreements were signed for two-years as a way to get things going while we work on co-developing a fiscal framework that comprehensively supports the operation of Indigenous governments.
- The Province is in the process of negotiating new and comprehensive revenue sharing agreements with Treaty 8 that will provide the capacity needed for the First Nations to fully participate in stewardship, restoration, and consultation activities.

## **KEY FACTS:**

On Jan. 20, 2023, the Province and four Treaty 8 First Nations (Prophet River, West Moberly, Doig River, Fort Nelson, Halfway River and Saulteau) signed the Consensus Document and Letters of Agreement in 2023.

## ADVICE TO MINISTER

The main priorities of the Treaty 8 Consensus Document are:

- A new approach to wildlife co-management that promotes improved shared understanding and management of wildlife
- New land protection measures and land use plans
- A cumulative effects management system linked to natural resource landscape planning and restoration initiatives
- Pilots to advance shared decision-making on planning and stewardship activities
- A multi-year, shared restoration fund to help heal the land and people
- A new revenue sharing approach to support the priorities of Treaty 8 First Nations communities
- Actions to promote respect for Treaty 8 through collaborative promotion, anti-racism training and awareness building, education and community services

Through the Consensus Document, the parties have committed to co-develop and implement a plan to promote respect for Treaty 8. Over the next two years, there will be engagement in a variety of initiatives such as educational sessions in K-12 schools, First Nations cultural training and public engagement on racism and hate speech.

These agreements all align with the UN Declaration on the Rights of Indigenous Peoples by addressing Indigenous self-determination, cultural revitalization, and decision making over traditional territories and resources, a greater sharing of the benefits of resource activity; as well as by their support for healing the land through restoration and honouring the treaty.

### Letters of Agreement

The Letters of Agreement with Doig River, Fort Nelson, Halfway River, Prophet River, Sauteau and West Moberly First Nations confirm the parties' commitments set out in the Consensus Document. In some cases, the agreements also provide further First Nation-specific clarity and commitments for action. All agreements provide an unparalleled opportunity for sharing decisions together and for healing to begin. Treaty 8 First Nations and the Province will make decisions together on the land that ensure all First Nation members can meaningfully exercise their rights, while building a healthy and stable future for everyone. The Letters of Agreement expired March 31 2024; negotiations to extend are ongoing.

### Revenue Sharing Agreements

As part of the Consensus Document, seven of the eight Treaty 8 First Nations (Blueberry River has a separate agreement) also signed revenue sharing agreements, which expired March 31, 2024. The Province is in the process of negotiating new and comprehensive revenue sharing agreements with Treaty 8.

McLeod Lake Indian Band also signed a letter of agreement and a revenue sharing agreement with the Province on May 3, 2023. These agreements are very similar to the agreements with the other Treaty 8 Nations and will accelerate joint work to assess and manage for cumulative effects, to heal the land through restoration activities, and advance a new path for land and natural resource management in Treaty 8 territory.

### Restoration funds

The Province is providing \$500 million over a ten-year period towards two restoration funds in Treaty 8 territory, working with all eight Treaty 8 Nations. The Treaty 8 Restoration Fund will be accessible to seven of the eight Treaty 8 First Nations (not Blueberry River) to implement restoration activities following decades of legacy industrial disturbance.

Blueberry River First Nations and the Province have agreed to create a separate fund for Blueberry River-led restoration. These restoration funds are intended to heal the land and the people and address the cumulative effects of development in Treaty 8 territory. Funding is over and above existing and future obligations of B.C. and industry.

Negotiations continue regarding the Restoration Funding and how this will be provided to each of the Treaty 8 First Nations.

**Media interest:** Negotiations between the Province and Treaty 8 (along with Blueberry River First Nations) has been of high interest for provincial and national media for a number of years.

In June 2023, there was extensive regional coverage of Peace River Regional District (PRRD) meeting regarding a proposed Treaty Land Sharing Network with Treaty 8 Nations in Northeast B.C. Following a public outcry and widespread misinformation, the PRRD withdrew support for the proposal originally presented by Dale Bumstead on June 8th. An apology from PRRD to Treaty 8 First Nations was sparked by a June 16 letter to the PRRD from Doig River, Halfway River, Prophet River, and West Moberly First Nations, expressing concerns and seeking accountability over anti-indigenous remarks made during the June 8 meeting.

In November 2023, an article from [Business in Vancouver](#) regarding the Treaty 8 Nations (Doig River and Halfway River) legal challenge of the Blueberry River agreement filed on October 5, stated that the legal challenge

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Advice/Recommendations; Intergovernmental Communications

The October 2023 presentation that MIRR staff provided to Dawson Creek city council garnered an article by [Energetic City](#).

Communications Contact: Leanne Ritchie

Program Contacts: Dale Morgan (IRR), Cory Waters (IRR)

## 2024/25 Estimates Debate

### Ministry of Water, Land and Resource Stewardship

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**Issue:** Blueberry River First Nations (BRFN) Implementation Agreement

**Recommend Response:**

- In January 2023, government signed the Blueberry River First Nations Implementation Agreement (BRFN IA).
- The BRFN IA aims to substantively address infringements declared upon Blueberry's treaty rights in the 2021 *Yahey* decision due to the cumulative impacts of industrial development.
- It is our obligation to better protect BRFN's Treaty 8 rights, and honour the treaty signed over 100 years ago, on behalf of Canadians.
- WLRS is responsible for overseeing and coordinating the implementation of the BRFN IA in partnership with the natural resource sector.
- Government is working with BRFN Chief and Council to conclude the first operational land use plan, which is expected to be completed by March 31, 2024.

**Additional Response points (if needed):**

- The Blueberry Implementation Agreement and the T8 Consensus Document are complex and include initiatives that have never been done before.
- January 2024 was the first anniversary of these historic agreements, and we know that implementation has had its challenges.
- We are working very closely with all Treaty 8 Nations to implement these agreements.
- This work will transform how the Province and First Nations steward land, water and resources together to better manage for cumulative effects and ensure Treaty rights are upheld.
- Industry engagement and input to the implementation of the specific initiatives has been very valuable. This is most noticeable in new development planning initiatives.
- These historic agreements will guide a partnership approach to land, water and resource stewardship that ensures First Nations can meaningfully exercise their Treaty 8 rights and provide stability and predictability for industry and communities in the region.
- The overall objective of our work in the Northeast is to address the declarations from Justice Burke and to provide a stable basis to support Treaty rights, and economic development.

# 2024/25 Estimates Debate

## Ministry of Water, Land and Resource Stewardship

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### Wildlife:

- BC and BRFN have convened their Wildlife Working Group. Priorities include assessing moose populations, predator management and prescribed fire.
- A review of the 2022 regulations is ongoing to determine if refinements are needed. We recognize this review has taken longer than expected; however, we are still collecting data to help inform those decisions.
- The current regulatory package includes some potential changes, including removing antler restrictions for licensed moose hunting, and identifying areas of cultural significance for First Nations' harvest opportunity.

### Water:

- BRFN Environmental Flow Needs (EFN) Framework is in its implementation or 'pilot' phase. The successful implementation of this framework will support expansion to further watersheds across Northeast BC.
- Authorities to use Administrative Monetary Penalties for compliance issues under the *Water Sustainability Act* are now in effect.

### Restoration:

- Blueberry River Restoration Society established in March 2023, and partial payment to the Society of the provincial commitment is complete.

### Revenue Sharing:

- Currently based on payments that are set out in the BRFN IA, for three years.
- BRFN has an option to receive revenue sharing payments instead of fixed payments on the same basis as the revenue sharing agreements with other Treaty 8 Nations.

**Date Prepared/Revised: February 9, 2024**

**Ministry Executive Sponsor:**

Name: David Muter, Assistant Deputy Minister

Phone: 250-217-5385

**Alternate Contact for Issue:**

Name: James Cuell, Executive Director

Phone: 250-877-1615

## ADVICE TO MINISTER

**CONFIDENTIAL  
ISSUES NOTE**

**Ministry of Indigenous Relations and  
Reconciliation**

**Date:** February 16, 2024

**Minister Responsible:** Hon. Murray Rankin

# Treaty 8 - Treaty Land Entitlement claims

### ADVICE AND RECOMMENDED RESPONSE:

- **B.C. and the federal government are honouring the terms of Treaty 8 and making good on lands owed to these First Nations since 1914.**
- **The provincial and federal governments and five Treaty 8 Nations have finalized Treaty Land Entitlement agreements.**
- **Local government, stakeholders and regional communities have been fully engaged and the land selections have been finalized for most of the Treaty Land Entitlement lands selections.**
- **The Province is committed to continued engagement at the local level via the Northeast Roundtable and regular community meetings.**
- **The settling of the Treaty Land Entitlement claims is a historic step towards reconciliation in the Peace River area and will help build healthy communities and prosperous, sustainable economies.**
- **Under the settlement agreements, Canada will provide the First Nations compensation for the loss of their lands and costs relating to the claims.**
- **In addition to monetary compensation from Canada, the Province will provide approximately 44,266 hectares of Crown land to the First Nations.**

### If asked: When will the lands be transferred?

- **Now that the agreements have been ratified, Canada, B.C. and the First Nations have officially signed the agreements and the process to transfer the lands has begun.**
- **We are proud to be able to announce that one TLE land parcel has been transferred and several more are poised to be transferred over the coming months.**
- **However, transferring all the lands will take numerous years.**



## **KEY FACTS:**

Treaty Land Entitlement (TLE) claims are intended to settle land debt owed to First Nations who did not receive all the land they were entitled to under Treaty 8 in 1914. The five First Nations involved are Sauleau, West Moberly, Halfway River, Doig River and Blueberry River. Treaty 8 historic entitlements included a specific quantity of lands per person; however, at the time of the census, many First Nations were away on seasonal hunts and were missed in the count, which impacted their Treaty 8 land entitlements.

Public response to settling the Treaty obligations have been mostly positive. Residents from three areas have expressed significant concern over land selections: Charlie Lake, Red Creek and Summit Lake.

On June 20, 2022, Blueberry River First Nations and Doig River First Nation announced that their members had “voted overwhelmingly in favour of the Nations’ negotiated TLE settlements.” The Nations’ announcement contained a history of TLE negotiations but no details of the agreements themselves. B.C. was not part of the announcement.

By October of 2022, the Province ratified and signed TLE Agreements with West Moberly, Halfway River, Doig River and Blueberry River First Nations. Canada signed these agreements in February 2023 and provided the funding as required in March 2023. In April 2023, the Province and Sauleau signed a TLE Settlement Agreement and Canada signed on April 15th while at the TLE event.

On April 15, 2023, representatives from Canada, B.C., and four of the five First Nations (Sauleau, Halfway River, West Moberly and Blueberry River) announced settlement agreements of the First Nations’ Treaty Land Entitlements claims at an in-person celebration and media availability held in Vancouver. Doig River and West Moberly First Nations Chiefs were unable to attend in-person but were part of the tripartite news release. West Moberly had representatives speak on behalf of Chief Willson during the event.

## **Stakeholder and Local Government Engagement**

Treaty Land Entitlement has been discussed publicly since 2016, and public input and tenure holder engagement has been a cornerstone of the process. Every land selection has been presented in multiple formats: public presentations to local governments, Northeast Stakeholder Roundtable meetings, online via the EngageBC (GovTogether) website and community hall meetings.

At the Nov 24th, 2021 meeting of the Northeast Stakeholder Roundtable, the Province presented its “What We Heard Report” to summarize and wrap up the community and stakeholder engagement the provincial team has undertaken with respect to West Moberly, Halfway River, Doig River and Blueberry River TLE selections.

In November 2022, the Province held open houses at Moberly Lake to discuss with the public Sauleau’s land selections. There has been little public concern with Sauleau’s land selections.

At a July 20, 2023 Peace River Regional District (PRRD) board meeting, Ministry of Indigenous Relations and Reconciliation (MIRR) representatives reiterated to board members the Province’s intentions to inform the public as much as possible on the process of land transfer selection. Effectively communicating the process of TLE under Treaty 8 and Site C tripartite land agreements were the two key topics discussed at the presentation. An additional meeting between MIRR representatives and the PRRD was held in October 2023, where a variety of topics were discussed, including TLE.

# ADVICE TO MINISTER

Advice/Recommendations; Government Financial Information; Intergovernmental Communications

Approximately 50% of the Additional Lands will become addition to reserves. These parcels will first be purchased then added to reserve via the federal “additions to reserve” policy. Additional Lands only provide surface rights to the First Nation, subsurface rights are not included.

Negotiations have been ongoing between all the parties since 2004. The length of the negotiations was a point of contention for the First Nations, and they expressed concern that the delays in settling the TLE specific claim has compromised their economic, social and cultural opportunities.

The breakthrough in the negotiations occurred in April of 2016, when Canada offered nearly \$800 million to the five First Nations as part of a settlement for the First Nations’ TLE claims, with funds used to purchase Additional Lands. This cash settlement is based on the estimated lost economic opportunity from the Shortfall Lands not provided at time of treaty. With the federal cash offer and the clear understanding of the shortfall land quantum, B.C. was able to finalize a land offer and negotiate with each First Nations a quantum of Additional Lands.

### Offers from Canada and B.C. to settle TLE

| TLE First Nation           | Advice/Recommendations;<br>Government Financial Information;<br>Intergovernmental Communications | Shortfall land — B.C. (ha) | Additional Land — B.C. (ha) | Total land (ha) |
|----------------------------|--|----------------------------|-----------------------------|-----------------|
| Saulteau                   |  | 1,308.8                    | 1,7692.50                   | 19,001.30       |
| Halfway River/West Moberly |  | 1,941.28                   | 10,141.83                   | 12,083.11       |
| Blueberry River/Doig River |  | 4,310.25                   | 10,815.53                   | 15,125.77       |
| Total                      |  | 7,560.33                   | 38,649.86                   | 46,210.18       |

**Media Interest:** Provincial media interest prior to the TLE announcement on April 15, 2023 provided minimal to moderate coverage. In June 2022, there were several articles published by regional outlets regarding the statement from Blueberry River and Doig First Nations that they have reached a TLE agreement. No provincial or federal government representatives were quoted.

The April 2023 TLE announcement garnered wide provincial, national and international news coverage and interest. An Alaska Highway News article [“Ministry continuing work on TLE and Site C land agreements”](#) detailed a July 20, 2023 PRRD board meeting where MIRR representatives presented on the current status the Province’s intentions regarding land transfers in Northeast B.C and that MIRR wants to inform the public as much as possible on the process of land transfer selection.

Communications contact: Leanne Ritchie

Program area contact: Dale Morgan, Carolyn Kamper

## ADVICE TO MINISTER

**CONFIDENTIAL  
ISSUES NOTE**

Ministry of Indigenous Relations and Reconciliation

**Date:** March 4, 2024

**Minister Responsible:** Hon. Murray Rankin

# Increased supports for urban Indigenous Peoples

### ADVICE AND RECOMMENDED RESPONSE:

- **We continue to work with urban Indigenous partners to discuss the formation of a Provincial Urban Indigenous Advisory Table (Action 4.21 in the Declaration Act Action Plan).**
- **More work needs to be done to address the needs of urban Indigenous people including expansion of funding and engagement with urban Indigenous organizations and leaders..**
- **We are committed to increasing supports for urban Indigenous Peoples and we are taking steps to do this in partnership.**
- **We want to take the time with our partners to ensure we get this right.**
- **To address urban Indigenous priorities, the table would develop a five-year plan and meet with ministers and executives annually.**

### If asked about the status of the table:

- **Indigenous-led urban Indigenous leadership dialogues were held this year, with a “What We Heard Report” delivered to the Province last fall to help create a path forward.**
- **The Province is working with our partners to address the report’s recommendations and co-develop a path forward to include urban Indigenous peoples voices into the provincial policies, programs and legislation that impact urban Indigenous people.**
- **We continue to work with urban Indigenous partners to discuss the formation of a Provincial Urban Indigenous Advisory Table. The table would develop a five-year plan to address urban Indigenous priorities and meet with ministers and executives annually.**
- **We are committed to continuing to support the BC Association of Aboriginal Friendship Centres and other key urban organizations, including the four urban Indigenous coalitions in Vancouver, Victoria, Surrey and Prince George.**

### If asked about \$22 million funding request:

- **Thank you for your work on this innovative proposal to address engagement funding for urban Indigenous Peoples.**
- **We continue to work with urban Indigenous partners to discuss the formation of a Provincial Urban Indigenous Advisory Table.**

## **KEY FACTS:**

On Nov. 1, 2023, the Victoria Urban Indigenous Coalition (VUIC) sent a letter to B.C. government ministers and MLAs requesting meetings about a \$22 million funding request and business case to meet the engagement funding gap for urban Indigenous Peoples identified by a third-party contractor. This proposal aims to enable participation of urban Indigenous people in government engagement related to the Declaration Act. The proposal is to set up a provincial body to oversee the funding, which would support the four existing coalitions urban Indigenous coalitions in B.C. and establish other coalitions throughout the province. (The letter also notes that in Oct. 2023, the coalition initially asked Minister Rankin to commit to an annual \$5.5M investment for four years for 22 Urban Coalitions in B.C.)

In late November, VUIC secured meetings with several ministers and MLAs, of which MIRR staffed four meetings with Ministers for PSFS, MIRR, MMHA, and SDPR. Ministers thanked VUIC for the work of the business case, and then reflected on the work of establishing the Provincial Urban Indigenous Advisory Table as being the path forward.

The Province recognises that funding for urban Indigenous organizations is often annual and program specific, and contractual requirements and grant processes may be burdensome. Further engagement requirements from government may pose additional capacity challenges to some organizations. Staff have recommended that a table be established first and then through the table, work through these concerns.

Action 4.21 in the Declaration Act Action Plan is “to bring together key Indigenous urban leaders to create a provincial urban Indigenous advisory table to develop and implement a five-year plan to address priorities of urban Indigenous Peoples....” To address this, the Province provided \$810,000 over two years to the Victoria Native Friendship Centre (VNFC). This funding sponsored dialogue sessions to bring together self-identified urban Indigenous leaders to inform the development of a provincial urban Indigenous advisory table. The VNFC led a group of consultants in the series’ development and implementation.

Following three sessions (Dec. 1, 2022, Feb. 22, 2023 and June 1, 2023) the group of consultants then put together a “What We Heard Report” to share with participants and identify recommendations and next actions. Priorities in this report will help guide the future work related to the table (Action 4.21) and annual meetings between the B.C. government and urban Indigenous service organization leaders (Action 4.22). In early October 2023, the Province received the report, which is posted [online](#). Themes include:

- creating community in an urban setting that builds on strengths of existing organizations;
- using the right language and terminology to describe urban Indigenous people;
- needing a connection to land and understanding the protocols and teachings of their host Nations;
- needing to bring more youth and Elders into the process;
- understanding rights and sovereignty – what rights are “portable” and not tied to land - not overriding the sovereignty, rights and titles of local Nations; and
- barriers to engaging with urban Indigenous people – difficult to access funding and resources, no funding program to support urban Indigenous engagement (vs First Nations funding through New Relationship Trust).

The Urban Indigenous Advisory Table is proposed to be comprised of urban Indigenous Leaders, to develop a five-year plan to address urban Indigenous priorities and meet with ministers and executives annually. MIRR continues to work with SDPR and the VNFC on Action 4.21 and the associated funding

## ADVICE TO MINISTER

Report.” The <sup>al</sup> supports monthly Working Group Meetings, which include all partners who are working on the goal of establishing a Table, as well as VNFC-led efforts which will help develop more awareness of Urban Indigenous people. The business case for the \$22 million is not part of the Provincial Urban Indigenous Advisory Table (PUIAT) work.

### Background:

B.C.'s urban Indigenous coalitions and the BC Association of Aboriginal Friendship Centres have been advocating for the need for specific engagement, as 81.7% of Indigenous people live off reserve and 71% of Indigenous people live in urban settings (Statistics Canada, 2021). Actions 4.21 – 4.24 in the Declaration Act Action Plan relate directly to urban Indigenous Peoples and include:

- 4.21 - bringing together key Indigenous urban leaders to create a provincial urban Indigenous advisory table to develop and implement a five-year plan to address priorities of urban Indigenous Peoples, including a focus on Elders, youth, children, women, men, 2SLGBTQQIA+ and persons with disabilities (MIRR and Ministry of Social Development and Poverty Reduction (SDPR));
- 4.22 - provincial government ministers and executives in the social sector meeting annually with urban Indigenous service organization leaders (MIRR);
- 4.23 - undertaking a cross-government review of provincial supports and services for Indigenous Peoples in urban settings and developing a plan that will provide greater collaboration and coordination to meet needs (MIRR); and
- 4.24 - expanding support to Aboriginal Friendship Centres and other urban Indigenous organizations that serve the needs of urban Indigenous people in B.C.

### Leadership table-related funding

- Advice/Recommendations; Intergovernmental Communications
  - \$210,000 in FY022/23 and \$100,000 in FY21/22 to plan, develop materials and host information sessions and the initial provincial dialogue sessions with urban Indigenous leaders across B.C. on development of the urban Indigenous advisory table.

### Additional supports:

#### BC Association of Aboriginal Friendship Centres (BCAAFC)

- MIRR recognises and supports the role of the BCAAFC in raising the priorities of urban Indigenous Peoples and supporting the 25 Friendship Centres throughout B.C. that provide programming and services for urban Indigenous Peoples. Many of the Friendship Centres also receive funding from social sector ministries and the federal government for on the ground social sector programming that supports their clients.
- Recognizing that BCAAFC acts as a coordinating body for Friendship Centres and has an ability to support urban Indigenous people, several social ministries with linkages to key program areas, use the BCAAFC as a funding body, such as SDPR, and Ministry of Mental Health and Addictions.

#### Funding from MIRR:

[Please note: this funding is not inclusive and that individual Ministries have independent relationships outside of the work of MIRR and that will in some case include funding.]

#### Annual funding

- \$2.15M – Core operational and capacity funding for the 25 Friendship Centres.
- \$873,800 – Gathering our voices (GOV) event; Elders' transportation; student bursaries and cultural programming; as well as training, growth and capacity building to help expand

community partnerships and supports for Friendship Centres (includes \$46,200 allocated to the Unified Aboriginal Youth Collective).

### **Other funding**

- FY 2020/21 - \$7.85M in one-time funding supporting the Friendship Centres in their response to COVID-19. (MIRR)
- FY 2021/22 - \$200K to support key engagement activities linked to Declaration Act and Action Plan. (MIRR)
- FY 2021/22 - \$84,000 to purchase air conditioning units during the 2021/22 heat wave. (EMCR)

### **Urban Indigenous Coalitions**

- There are four coalitions in B.C.: Metro Vancouver Aboriginal Executive Council, Surrey Urban Indigenous Leadership Committee, Victoria Urban Reconciliation Dialogue (VURD) and Prince George Urban Indigenous Coalition.
- Together, these coalitions have 50+ non-profit members, which reflect a range of local interests and priorities of urban Indigenous people in B.C. Members include Friendship Centres, school boards, universities, local governments, health authorities, and representatives from organizations with many touchpoints with the urban Indigenous populations.
- The individual organizations access funding programs in other social sector ministries for their day-to-day operations.

The four coalitions receive \$112,500 in annual funding from Indigenous Services Canada.

#### **FY 2023/24**

- \$300,000 (\$75,000/coalition) from the Indigenous Funding Program allocated to each of the four urban Indigenous Coalitions in Victoria, Vancouver, Surrey and Prince George. Funding is used to support members engagement with the Declaration Act Action Plan and participation in Action Plan item 4.21. NOTE: agreements have only been signed with Surrey and Metro Vancouver.

#### **FY 2022/23**

- \$300,000 (\$75,000/coalition) from the Indigenous Funding Program to each of the four urban Indigenous Coalitions in Victoria, Vancouver, Surrey and Prince George. Funding is used to support members engagement with the Declaration Act Action Plan and participation in Action Plan item 4.21.
- \$150,000 to Metro Vancouver Aboriginal Executive Council to facilitate engagement with community and their membership around their self-identified seven priorities.
- \$40,000 to Surrey Urban Indigenous Leadership Committee to support youth-led research towards better understanding the needs and interests of urban Indigenous people in Surrey known as 'Skookum Surrey'.
- \$210,000 to the Victoria Native Friendship Centre to initiate the work of Action 4.21, bringing together key urban Indigenous leaders over three engagement sessions. Funding used to hire consultants, facilitators and provide honorariums to those attending the sessions.
- \$24,000 to the Aboriginal Mothers Centre Society (MVAEC member) for Indigenous mothers and their children who are homeless, at risk of homelessness, or that have had, or are at risk of having, their children apprehended.

#### **FY 2021/22**

- \$350,000 total funding to four urban Indigenous coalitions through the Indigenous Funding Program to engage with government and provide input into the Declaration Act draft action plan.

### **Union of BC Municipalities (UBCM)**

- The Province is partnering with the UBCM to support dialogue and relationships between

## ADVICE TO MINISTER

municipalities and urban Indigenous organizations and Peoples.

- Funding is available to eligible Indigenous organizations and local governments who want to create opportunities for in-person dialogue and relationship-building to advance reconciliation plans, protocols, agreements or future projects.
- Applications for the second intake were jointly reviewed, and successful applicants are being notified by the UBCM program manager.

### **Funding**

- \$100K to UBCM in FY 2022/23 to administer the Urban Communities Partnering for Reconciliation (UCPR) granting program.

Communications Contact: Leanne Ritchie

Program Area Contact(s): Susan Kelly, Jennifer Melles



## ADVICE TO MINISTER

**CONFIDENTIAL  
ISSUES NOTE**

Ministry of Indigenous Relations and  
Reconciliation

Date: Feb. 12, 2024

Minister Responsible: Hon. Murray Rankin

# Wet'suwet'en MOU & Funding

### KEY MESSAGES – GENERAL:

- Our government is working to address matters of Wet'suwet'en rights and title outstanding since the Delgamuukw-Gisday-wa decision 25 years ago.
- We remain committed to implementing Wet'suwet'en rights and title and continuing our rights and title dialogue.
- Essential to implementing Wet'suwet'en rights and title is progress on Wet'suwet'en reunification.
- We continue to support the various Wet'suwet'en entities to work together and we understand that there has been some positive progress in this regard.

### KEY MESSAGES – PROGRESS:

- We remain resolute in our commitment to undertake this important work at the rights and title table, together with the Wet'suwet'en and Government of Canada.
- We are committed to acknowledging the hurt and pain of the past and to putting in the work to repair our relationship.
- We have an opportunity before us to implement Wet'suwet'en rights and title and address the issues that bring our governments into conflict.
- I look forward to making progress on discussions to implement Wet'suwet'en rights and title.
- Additionally, we continue to be willing to engage in a Crown – Wet'suwet'en Leadership Summit at any time.
- Indigenous self-determination is a key tenet of the UN Declaration and a key objective of the Declaration Act. We continue to encourage Wet'suwet'en to work together.

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- Resolving Wet'suwet'en rights and title will help avoid conflicts on the land, heal the community, and benefit everyone who lives in the region.

### KEY MESSAGES – FUNDING:

- In 2021, the Province provided \$7.22 million through the Office of the Wet'suwet'en to support their work under the MOU, including expanding governance capacity, engaging in unity-building activities, and participating in ongoing negotiations to reconcile rights and title.
- The funds also included capacity for further work on Wet'suwet'en priorities, such as eco-system monitoring and landscape-level planning and provided further funding to enable renovations at the former Lake Kathlyn School property, which the community bought through a \$1.23-million grant from the Province in 2020.
- We have received financial reporting on the funds from the Office of the Wet'suwet'en.
- There are still funds that remain that can be used to support unity building and collaborations amongst Wet'suwet'en entities.
- We are encouraged that there are signs of partnership, and we understand that the Office of the Wet'suwet'en and band councils have been in discussion on ways to they can work together.
- We are working with the Wet'suwet'en Hereditary Chiefs to build more relationships and trust.
- We have a government-to-government-to-government understanding – the MOU -- that outlines work all parties must do to advance reconciliation. A priority topic is the development of a Wet'suwet'en Reunification Strategy.
- We continue to encourage that funds are used to support initiatives that promote unity.

### **If asked why government is providing funding to the Hereditary Chiefs and not the Elected Chiefs:**

- The funds were provided to the Wet'suwet'en Nation through their representatives for initiatives that all Wet'suwet'en can be a part of.
- We continue to provide funds to elected Chiefs and their councils through existing agreements.

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### **If asked about criticism of the MOU by Hereditary Chiefs:**

- The MOU was developed over an intensive three-day negotiation in Smithers in February 2020. Ten hereditary leaders signed the MOU in May 2020 following consultation with Wet'suwet'en house groups.
- The MOU was just the start – it is an agreement to negotiate a series of agreements to affirm and implement Wet'suwet'en title and rights. The Province and Canada remain committed to that work.
- If the Hereditary Chiefs would like to amend or alter the MOU, we would be happy to sit with them and hear their suggested next steps.
- In the meantime, the rights and title dialogue the MOU creates is essential to us being able to determine how to progress our relationship and achieve transformative reconciliation.

### **If asked about elected chiefs' concerns over transparency & involvement:**

- All Wet'suwet'en must be consulted on agreements that pertain to their rights and title, and there must be clear Wet'suwet'en support, governance structures, and systems in order to move forward.
- Part of the provincial funding is intended to support this work, through an internal engagement process to advance unity-building.
- The Province continues to provide funding to band councils of the Wet'suwet'en through various financial arrangements related to forestry, pipelines, and children and family services – agreements worth millions of dollars to these communities.

### **BACKGROUND:**

There are six Wet'suwet'en entities that have asserted rights and title on behalf of Wet'suwet'en members. The Hereditary Chiefs of the Wet'suwet'en Nation have asserted they are the representatives of the Nation and B.C. and Canada signed an MOU with them in May of 2020.

The authority of the Hereditary Chiefs (HC) are challenged by elected Chiefs from Wet'suwet'en Indian Act bands (Wet'suwet'en First Nation, Witset, Ts'il Kaz Koh, Skin Tyee, Nee Tahi Buhn)

### **Funding status**

- The Province provided \$7.22 million to the Hereditary Chiefs on March 31, 2021 to support five priority topics: renovations of school, negotiation and reunification support, governance capacity, water stewardship and governance, and nation visibility.
- The Hereditary Chiefs expressed concerns with the grant and the parties discussed potential amendments to clarify that the Wet'suwet'en can allocate funds between measures and across fiscal years with greater flexibility. No amended grant agreement was agreed to or executed.

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- Stipulations of the grant include annual reports, with the first due March 31, 2022, and possible repayment if funds are not used for their specified purpose by March 31, 2024.
- MIRR has sent three letters to the OW (May, July and Oct 2023) requesting outstanding reports be submitted immediately along with a workplan detailing how the funds are to be spent.
- In the fall of 2023, the OW provided a financial statement that indicates approximately \$2.5 million of the \$7.22 million has been spent.
- Ministry staff will be providing further correspondence to understand the OW's plan to expend the remainder of the funds before March 31, 2024.

### Meetings

- On Jan. 26, 2024, Ministers Rankin and Cullen met with some Hereditary Chiefs to discuss their concerns with how BC and BC Hydro have been engaging with them regarding the North Coast Transmission Line Project. A follow-up letter proposing next steps in response to concerns raised at this meeting is being drafted.
- Minister Rankin met with some Hereditary Chiefs on Sept. 27 2023. In a follow up letter sent on Oct. 24, Minister Rankin expressed gratitude for the meeting and reaffirmed the commitment to implement Wet'suwet'en rights and title. Minister closed off the letter by encouraging another discussion and reiterated the opportunity for a Crown-Wet'suwet'en leadership summit.
- Wet'suwet'en Hereditary Chiefs have repeatedly rebuffed attempts from BC Hydro to engage in discussions related to the North Coast transmission Line (NCTL). Hereditary leaders not affiliated with the Office of the Wet'suwet'en (OW) have attended regular NCTL meetings and expressed their concerns.

Advice/Recommendations; Intergovernmental Communications

### MOU Discussions - Current Status

- While Minister Rankin did meet with the Hereditary Chiefs on Jan. 26, 2024 and Sept. 27, 2023, rights and title discussions have occurred only intermittently since June 2021, and have been impacted by the federal election, COVID-19, and lack of engagement by Wet'suwet'en Chiefs and the negotiating table. The main negotiators' table enabled by the MOU has not met in over a year.
- At the direction of the Wet'suwet'en Hereditary Chiefs, negotiation meetings and communications have significantly decreased since police enforced a court order and arrested CGL pipeline opponents at the Morice River (Widzin Kwah) drilling site on Nov. 18 and 19, 2021.
- Technical discussions continue for the priority topics under the MOU of water and child and family wellness.

### Memorandum of Understanding

- The draft tripartite MOU was announced on March 1, 2020, after three days of talks on establishing an expedited process to affirm and implement Wet'suwet'en rights and title.
- The MOU was not made public at the time, pending a Wet'suwet'en ratification process with clan members, over which the Province faced significant criticism.
- Following the pandemic declaration, the final clan ratification was carried out virtually and Office of the Wet'suwet'en advised B.C. and Canada of clan approval on April 23, 2020.
- The MOU has been publicly denounced at each stage by elected Wet'suwet'en Chiefs, who have opposed the Province negotiating with the Hereditary Chiefs without their participation.

Communications Contact: Leanne Ritchie

Program Area Contact: Carolyn Kamper

## ADVICE TO MINISTER

**CONFIDENTIAL  
ISSUES NOTE**

Ministry of Indigenous Relations and  
Reconciliation

Date: March 6, 2024

Minister Responsible: Hon. Murray Rankin

# Wet'suwet'en reconciliation

### KEY MESSAGES:

- We stand by our commitment and continued work to engage the Hereditary and elected Chiefs in dialogue with the aim of finding ways to work together.
- We're committed to implementing Wet'suwet'en title. Any solutions must involve the Wet'suwet'en people, which includes Wet'suwet'en Hereditary and elected leaders.
- While there remains hurt around the Coastal GasLink project, there is also a desire to repair relationships and look to the future.
- The way forward and decisions about who represents the Wet'suwet'en people, and how, is for the Wet'suwet'en people to decide.

### Secondary messaging:

- We're committed to implementing Wet'suwet'en title. Any solutions must involve the Wet'suwet'en people, which includes Wet'suwet'en Hereditary and elected leaders.
- Unity is the way forward. Governance matters of the Wet'suwet'en Nation must be resolved by Wet'suwet'en people – that is central to self-determination.
- Reunification within Wet'suwet'en Nation is essential for reconciliation move forward successfully.
- Reunification is a central feature of the MOU that outlines a process to implement Wet'suwet'en rights and title in the Yintah.
- There will be many important questions that need answering and much healing will be required.

### If asked about CGL conflict:

- This is an ongoing and difficult situation for the region –dividing families, friends and neighbours.

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- This is an extremely complex issue, balancing provincial law with Wet'suwet'en law, and the unfinished business of reconciling those laws, including truly implementing the Delgamuukw-Gisday-wa decision from 26 years ago.
- B.C. engaged extensively with Indigenous communities on the Coastal GasLink project, including both Hereditary Chiefs and elected leadership.

### **If asked about next next steps:**

- We remain resolute in our determination to undertake this necessary work at the rights and title table, together with the Wet'suwet'en and Government of Canada.
- Indigenous self-determination is a key tenet of the UN Declaration and a key objective of the Declaration Act.
- Resolving these issues will help avoid conflicts on the land, and support work together that will benefit all communities and people who live in the region.
- We continue to be willing to engage in a Crown – Wet'suwet'en Leadership summit – an invitation has been extended to Hereditary Chiefs and elected Chiefs in the Wet'suwet'en Nation.
- We encourage the Hereditary Chiefs and elected leaders to use the \$7.22 million provided by the Province to support their work,, including expanding governance capacity, engaging in unity-building activities and participating in the ongoing negotiations to reconcile rights and title.

### **If asked whether government is violating UNDRIP by removing Indigenous Peoples from their lands:**

- I can assure British Columbians that our government continues to work very hard to engage the company and Hereditary Chiefs in a dialogue with the aim of finding a peaceful resolution to this complex problem.
- The Coastal GasLink project has all the permits in place for the construction activities underway.
- I respect that there are differing opinions among the local First Nations communities regarding the project – many are supportive while others are not.

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- **This lack of unity is very difficult for all involved.**
- **The Province is available to support conversations between the hereditary and elected leadership if it would be helpful – but ultimately Wet’suwet’en governance matters are for the Wet’suwet’en to address.**
- **The way forward and decisions about who represents the Wet’suwet’en people, and how, is for the Wet’suwet’en people to determine.**

### BACKGROUND

The B.C. government continues to work to engage the Wet’suwet’en Hereditary Chiefs and Coastal GasLink (CGL) in dialogue with the aim of finding a peaceful resolution to the conflict.

#### January/February 2024 – updates

On Feb. 19, 2024, Chief Dsta’hyl was found guilty of criminal contempt in the BC Supreme Court, after the court ruled that a traditional Wet’suwet’en trespass law cannot “coexist” with the injunction order issued to Coastal GasLink in response to pipeline protests from the Nation’s hereditary leadership.

On Jan. 12, 2024, the BC Supreme Court found three ‘land defenders’ – Corey Jocko, Shaylynn Sampson and Sleydo’ Molly Wickham – guilty of criminal contempt of breaking a 2019 injunction that impedes anyone from blocking work on the CGL pipeline (see below for more details). On Jan. 16, Amnesty International issued a statement condemning the court decision.

Following the charges, Justice Michael Tammen then began hearing the abuse of process application from the three accused that alleges RCMP used excessive force when they were arrested and that they were treated unfairly while in custody. Copyright

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(details from CBC) The hearing is expected to resume in Smithers in June 17-21, 2024.

On Jan. 25, 2024, Ministers Rankin and Cullen met with Wet’suwet’en Hereditary Chiefs regarding the North Coast Transmission Line (NCTL) and identified the need to repair relationships and work together to avoid the conflict seen with the CGL project. Some Wet’suwet’en Hereditary Chiefs (HCs) are frustrated with BC Hydro’s approach to engaging with the Wet’suwet’en Nation. Both BC Hydro and the Province have been engaging with the Hereditary Chiefs on the project. Some have participated regularly, some have participated sporadically, and some not at all. The Province is currently trying to work with the HCs to understand their thinking of the project is.

The NCTL is about providing clean energy to help de-carbonize the existing economy while also opening industrial development that supports our transition to a greener economy. It is an initiative that many First Nations are supportive of and are asking for.

#### Inter-American Commission on Human Rights – July 10, 2023

- On July 10, 2013, members of the Wet’suwet’en Nation addressed the Inter-American Commission on Human Rights in a virtual hearing. As stated in a media advisory from Amnesty International: “In their 20-minute oral testimony, representatives from the Nation will shine a light

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on the ongoing unjust criminalization and harassment of land defenders opposing the construction of the Coastal GasLink (CGL) pipeline through Wet'suwet'en territory."

- Speakers included Chief Na'moks, Wet'suwet'en Hereditary Chiefs, Molly Wickham "Sleydo" of the Gidumt'en, Amnesty International Ketty Nivyabandi, Secretary General of English-speaking Canadian section of Amnesty International, Mary Kapron, researcher.
- Amnesty International's Criminalization of Wet'suwet'en land defenders webpage linked in the media advisory: <https://www.amnesty.org/en/latest/news/2023/03/criminalization-wetsuweten-land-defenders/>

### Peace and Unity Tour – July 2022

- In August 2022, Wet'suwet'en Hereditary Chiefs Woos, Na'Moks, Madeek, Gisday'wa, and followers visited other Indigenous Nations across Canada on a Nation-to-Nation 18-day tour.
- The tour followed a four-day Peace and Unity Summit on the Yintah that began on July 26, 2022. Attendees including MLAs Adam Olsen and Sonia Furstenau witnessed the arrest of a protestor when they were touring the new feast hall at Lamprey Creek before rafting on Morice River.

### CGL Vandalism & fallout – Feb. 17, 2022

- On Feb. 17, 2022 a violent attack occurred at a CGL worksite at the Morice River drill site, which resulted in an injured RCMP officer, threatened CGL employees and extensive property damage.
- Following the attack, Wet'suwet'en Chiefs expressed concerns over safety on the yintah. They noted they have a trapping program on the yintah and members living on the yintah in this area.
- On Feb. 23, 2022, 119 Wet'suwet'en members wrote to Chief Woos and Molly Wickham "Sleydo" of the Gidumt'en expressing concern that the Nation is divided, militant outside influences have created a violent and confrontation dynamic in the territory and seeking a Wet'suwet'en Nation-wide meeting followed by an All-Clan Bahtlats as soon as possible.
- Overnight on Oct. 26, 2022, several vehicles – including CGL, BC Hydro and RCMP trucks and a BC Ambulance – at the [Sunshine Inn in Smithers were set ablaze](#). No one was injured and the fire didn't cause any damage to the hotel.

### Blockades & enforcement – Nov. 2021

- Between September and November 2021, 27 individuals were arrested for being involved in illegal blockades along the Coastal GasLink pipeline route. This includes two independent journalists, which prompted criticism from the Canadian Association of Journalists and other supporters online.
- This was the first time the legal conflict between CGL and supporters of Wet'suwet'en Hereditary Chiefs has escalated into the area of criminal contempt, which involves public defiance of a court order.
- In May 2022, the Crown Prosecution Service announced it would be proceeding with charges against 15 protesters, and in July 2022, they announced charges against four more individuals, including Molly Wickham "Sleydo" of the Gidumt'en. CGL announced it would not be pursuing civil contempt charges.
- On Nov. 14, 2021, the Gidumt'en provided CGL with a 'mandatory evacuation', with the details of it broadcasted on social media throughout the day. The eviction notice requested CGL remove their workers and equipment from the area. Failure to comply would result in the closure of the Morice Forest Service Road (MFSR), which provides essential access for CGL to and from the workforce lodges and construction sites.
- On the same day, blockades were erected on the MFSR and other areas providing access. Obstacles included felled trees, vehicles and individuals who were challenges access. Video footage can be found online showing CGL's equipment being used to construct blockades on the MFSR. At the time, there were over 500 CGL workers in the area. Critical supplies (food, water etc.) were not able to reach them. CGL was also unable to remove sewage from the worksites as well because trucks could not access the area.
- The elected Chief and Council of the Wet'suwet'en First Nation distributed a statement following the events, identifying the fact that Wet'suwet'en members are working on the CGL project; some



## ADVICE TO MINISTER

of the individuals were trapped in the lodges.

- On the morning of Nov. 18, 2021 the RCMP announced it was moving forward with a rescue and enforcement operation.
- The enforcement kicked off solidarity protests in numerous places including Kitimat, where members of the Haisla Nation staged a walkout. Additional protests have taken place in Victoria, Vancouver, Burnaby, Smithers, Prince George, Toronto and Winnipeg; in Caledonia, Ont. a highway bypass was blocked.

### Interim measures term sheet – March 2021

- The Province and the Wet'suwet'en Hereditary Chiefs reached an agreement in March 2021 that provides \$7.22 million to support work to implement Wet'suwet'en rights and title. Capacity funding to participate in the negotiations was a condition in the tripartite 2020 MOU.
- According to the financial agreement, the funding will support:
  - Wet'suwet'en in work on governance development, and the shared goal of reunification within Wet'suwet'en Nation. The Office of the Wet'suwet'en will undertake an internal engagement process to advance unity-building, which will be inclusive of all Wet'suwet'en House members.
  - More resources for Wet'suwet'en self-government, including hiring staff and developing governance structures for water stewardship, wildlife programs, eco-system monitoring and other initiatives to enhance collaborative stewardship and management of land and resources in the Yintah.
  - Renovations at the former Lake Kathlyn School property, which Wet'suwet'en Nation bought through a \$1.23-million grant from the Province in 2020. The site will be used for a Wet'suwet'en Nation seat of government, with space for administration offices and community resources.

### Reaction from Wet'suwet'en First Nation

- The elected council of Wet'suwet'en First Nation opposed the interim measures agreement, with a highly critical media statement on April 21, 2021, which calls the Office of the Wet'suwet'en a “an unelected, unrepresentative, unmandated, unaccountable society”.
- The statement alleges their concerns have been repeatedly ignored by the provincial and federal governments, and that negotiations on matters that will affect their rights and interests and the future jurisdiction on their territory have been conducted in absolute secrecy.
- The statement asks that ongoing negotiations stop until the Wet'suwet'en people can make an informed decision about the process.

### Previous direct action – 2020

- In February 2020, RCMP enforcement of a court injunction that allowed CGL pipeline construction led to the arrests of 28 protestors blocking the project in support of Wet'suwet'en Hereditary Chiefs.
- This followed an unsuccessful attempt between the Province and Hereditary Chiefs to find a peaceful resolution to the conflict over the Coastal GasLink LNG pipeline project through Wiggus (Respect) Table several days before. Nathan Cullen acted as an intermediary to set up the table, after several weeks of protests in support of the Hereditary Chiefs.
- The February 2020 arrests by RCMP incited six weeks of protests and blockades that shut down railroads and ports across the country. A rally blocked entrances to the B.C. Legislature on the first day of the spring legislative session on Feb. 11, 2020.
- On Feb. 27, 2020, the federal and provincial governments entered into emergency talks with Wet'suwet'en Hereditary Leadership on rights and title and the pipeline controversy.
- The resulting draft MOU to implement Wet'suwet'en rights and title, announced on March 1, 2020, helped diffuse ongoing protests, as has the declaration of a global pandemic since.
- While Wet'suwet'en members and supporters had established the Unist'ot'en action camp back in 2009 to oppose any planned pipelines in the area, the conflict had escalated in late 2018 as CGL prepared to begin work at the site, and obtained an initial interim injunction that led to several arrests

## ADVICE TO MINISTER

in January 2019. The situation further escalated with the Dec. 2019 interlocutory injunction, sought by the company to allow actual construction to begin.

- Wet'suwet'en Hereditary Chiefs issued an eviction notice to Coastal GasLink contractors on Jan. 4, 2020, stating they reject the B.C. Supreme Court injunction granted on Dec. 31, 2019, allowing pipeline construction to continue. Hereditary Chiefs refused to meet with CGL, stating that they would only meet with decision-makers (the provincial and federal governments, and RCMP).
- In mid-January 2020, several small protests in support of the Hereditary Chiefs were held, including at the Swartz Bay ferry terminal, an MLA's constituency office, and the Ministry of Energy, Mines and Petroleum Resources building in Victoria. The latter resulted in several arrests.
- Also at this time, a United Nations committee called on Canada and B.C. to stop three projects – the Coastal GasLink pipeline, Site C, and Trans Mountain, until there is full First Nations consent. B.C.'s Human Rights Commissioner also called on the Province to stop the CGL project.
- On Dec. 20, 2019, The Guardian had published a story that RCMP documents show the RCMP was prepared to use "lethal oversight" and other inflammatory references regarding the confrontation between police and protestors at a Gidimt'en checkpoint on the forest service Road that led to the arrests in January 2019.
- Coastal GasLink has agreements with all elected councils of the 20 First Nations along the pipeline route, and the Province has engaged extensively with both elected and hereditary representatives on the project over a number of years.

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