



**Prince George Treaty  
Advisory Committee**

**Yekooche AIP**

***Frequently Asked Questions***

**~ June 2005 ~**



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## **Introduction:**

The Prince George Treaty Advisory Committee has compiled the following list of frequently asked questions related to the Yekooche treaty negotiations and treaty making generally.

PGTAC members and representatives have advised that members of the public in the north-central region are frequently raising these or similar questions. An awareness of the responses to these Frequently Asked Questions will improve public understanding, acceptance and support for treaties.

## **A. General Questions:**

### **1. a. What is the Prince George Treaty Advisory Committee (PGTAC)?**

The PGTAC is made up of local government representatives – mayors, councillors and directors – from local governments within the Bulkley-Nechako and Fraser-Fort George Regional Districts

### **b. What is their role and mandate?**

The PGTAC acts as an advisory committee representing local government interests in treaty negotiations with local First Nations, Canada and British Columbia.

### **2. How do local elected officials influence the outcome of treaty negotiations?**

Each set of treaty negotiations in the area includes a member of the PGTAC on the team. By agreement with the province of British Columbia, a PGTAC representative sits at the negotiating table as a member of the provincial team.

Each treaty chapter that is prepared as part of the treaty Final Agreement is reviewed by the PGTAC, which in turn, consults with both Canada and B.C. and advises B.C. of the local government interests in negotiations.

The PGTAC also acts as a facilitator to develop stronger relationships between local government and First Nations.

### **3. How can the public have input to the treaty negotiations?**

The Treaty Negotiations Office expects all negotiators to engage in consultation as part of their negotiating responsibility. In addition, the office engages in discussions on specific issues with particular groups and with local government representatives.

As well, the public is invited to attend and observe treaty negotiations sessions and Public Information Sessions that are advertised in the local media. If any citizen has a specific question, they should contact the Treaty Negotiations Office as noted at the end of this document.

### **4. Will any treaty settlement set a precedent for treaty negotiations with other First Nations?**



No. The land component in any treaty offer depends on factors specific to the First Nation and the negotiations, such as location, demographics, availability of Crown land and proximity to land claims by other First Nations. Government's mandate allows negotiators to consider specific circumstances in developing a comprehensive land package that will meet the needs of individual First Nations.

Each treaty will be an outcome of the negotiation of specific interests the parties bring to the table. However, there will be many interests that are common to all tables, and, as a result, similar approaches and solutions may be used.

**5. Who are the Yekooche First Nation and where is their traditional territory?**

The Yekooche First Nation is located in a remote area of north central British Columbia. Approximately 130 of the band's registered population of 204 lives in the Yekooche community located near the northern end of Stuart Lake, 80 kilometres north of the Town of Fort Saint James. The Yekooche traditional territory covers approximately 8,117 square kilometres, stretching north and west from the vicinity of Fort St. James in a broad swath on both sides of Babine Lake and Stuart Lake.

**6. Where can members of the public access a copy of the Yekooche Agreement in Principle (AIP)?**

Through the Treaty Negotiations Office website at: [www.gov.bc.ca/tno/](http://www.gov.bc.ca/tno/) , or call 1-800-880-1022; through the BC Treaty Commission Website at: [www.bctreaty.net](http://www.bctreaty.net), or by calling 1-800-665-8330.

**7. How much land and cash will be given to the Yekooche First Nation?**

The total amount of land included in the Yekooche Agreement-in-Principle (AIP) is about 6,339.8 hectares. The amount of the capital transfer is \$6.5 million, less outstanding negotiation loans.

**8. Where will the proposed treaty settlement land be located?**

The Treaty Settlement Lands will roughly connect the existing Yekooche reserves located near the north end of Stuart Lake, the south end of Babine Lake and Cunningham Lake and extend to Whitefish Lake.

**9. How will treaty settlements affect the local economy?**

The Yekooche treaty will increase certainty over the ownership of Treaty Settlement Lands and resources, which will create a stronger, more positive climate for investment. The cash portion of treaty settlements will enable the Yekooche to make significant investments that will increase local economic activity.

**10. What benefits will treaties bring to the community, the surrounding area and to individuals?**

Treaties offer the promise of greater self-reliance for aboriginal people and economic opportunities for both aboriginal and non-aboriginal British Columbians.



**11. Treaty making seems to be getting very complicated. How much will it cost?**

There are a number of real financial costs incurred by governments and others as a result of the treaty process. At the same time, there are expected to be a number of tangible and intangible benefits arising from treaty settlements for governments, First Nations and other British Columbians.

**12. When will treaties be negotiated and settled with the First Nations in the Burns Lake area?**

Eight First Nations, including the Burns Lake Band, are part of the Carrier Sekani Tribal Council which entered the treaty process in January 1994, and is now in Stage 4 of the six-stage process, negotiating an Agreement-in-Principle. In 2004 – 05, treaty negotiations focussed on the development of a comprehensive Land and Resources AIP chapter outline with priority subjects for negotiation identified. The British Columbia Treaty Commission is discussing the basis upon which an AIP can be achieved with Carrier Sekani Tribal Council, the federal and provincial governments

**13. What is the difference between an Aboriginal right and a treaty right?**

Aboriginal rights are constitutionally protected rights that arise from the prior occupation of land, but they also arise from the prior social organization and distinctive cultures of aboriginal peoples on that land. Aboriginal title is a sub-category of Aboriginal rights dealing with lands and resources

Once treaties are implemented, aboriginal rights are modified into treaty rights as defined in the treaty. In agreeing to be enrolled under the terms of a treaty an aboriginal person agrees to the modification of their aboriginal rights to treaty rights as set out in the treaty.

**14. Will treaties include rights that are based on race?**

No. British Columbia is not negotiating treaties on the basis of race. Treaties are being negotiated to define constitutionally protected aboriginal rights. Treaties are not race-based; they are fulfilling legal obligations. Aboriginal people are already treated differently because of the Constitution and common law. The application of Canadian laws has created disadvantages for aboriginal people. Treaties are intended to establish a new tripartite relationship based on reconciliation and respect.

**15. How will overlaps among traditional territories or statements of claim be dealt with?**

A principle underlying the treaty making process in British Columbia is that First Nations must resolve the overlaps among themselves. Canada and British Columbia will assist where appropriate in resolving overlapping claims. The British Columbia Treaty Commission will ensure that First Nations identify and begin to address overlaps as they prepare for Final Agreement negotiations and are prepared to assist the parties to obtain dispute resolution services when requested.



## **B. Certainty:**

1. **Will the treaties currently being signed be final settlements of the First Nation's claims or will they be coming back for more in the future?**

Treaties are intended to be full and final settlements of aboriginal rights related to land, resources and other matters set out in the treaty. Treaties will clearly set out who owns the land, who has the right to resources on it, and who has law-making authority over it.

If, in the future, an aboriginal right is identified that is not related to land, resources and other matters set out in the treaty, the parties will agree on an orderly process to negotiate matters that address that right.

2. **What are the guarantees for certainty and finality?**

The treaty will set out that Yekooche will agree to protect Canada and British Columbia regarding liability for any claims relating to any aboriginal rights, including aboriginal title, of Yekooche First Nation, including any rights other than or different from the rights in the Final Agreement and any past infringements of aboriginal rights of Yekooche First Nation.

## **C. Access:**

1. **Will the current public access to Crown Lands for a wide range of recreation activities such as hiking, canoeing, fishing, berry picking, cross country skiing, etc., continue on Treaty Settlement Lands?**

Yekooche First Nation will allow reasonable public access on Yekooche First Nation Lands for temporary recreational and non-commercial purposes, including reasonable opportunities for the public to hunt and fish on Yekooche First Nation Lands, as well as access to roads and right-of-ways.

2. **Who will enforce access over Treaty Settlement Lands? And how?**

The Access Chapter sets out the terms for access to Treaty Settlement Lands by the public, the Crown and its employees, public utilities, tenure holders, and adjacent property owners. If Yekooche were to ever limit or prevent access to Treaty Settlement Land in a manner inconsistent with the Final Agreement, or if a dispute over access were to arise, any of the parties to the treaty would have the option to refer the issue to dispute resolution. The process for dispute resolution is set out in the Dispute Resolution Chapter.

Provincial and federal representatives, including persons acting in an official capacity pursuant to lawful authority, may access treaty lands to carry out their duties. Federal and provincial laws will apply concurrently with Yekooche laws and the Final Agreement will set out which law prevails where a Yekooche law conflicts with a federal or provincial law.

3. **How will the treaty process safeguard the public interest in receiving utility services, which services require access or use of land?**



Major utility corridors may be excluded from Treaty Settlement Lands or may receive tenures from Yekooche for rights-of-way on Treaty Settlement Lands. Also, utility distribution systems are often located in public road rights-of-way. These public roads, which are defined in the AIP as Crown Roads, will be excluded from Treaty Settlement Lands.

4. **How will treaty negotiators ensure that utilities will have uninterrupted access to public and private lands in order to install, operate and maintain utility infrastructure?**

The Access Chapter of the AIP provides that Public Utilities may access Treaty Settlement Lands to undertake works required for the protection, care, maintenance, or construction of Public Utility works that are authorized on Yekooche Treaty Settlement Lands or adjacent to Yekooche Treaty Settlement Lands.”

5. **How will disputes or uncertainties about access be resolved without disruption of utility services?**

It is intended that the terms of a Final Agreement and any replacement tenures issued by Yekooche to Public Utilities will be clear and detailed enough to remove uncertainty with respect to access and to prevent disputes from arising.

6. **Will treaties protect utility customers from increased costs required to ensure utility access on treaty lands?**

Treaties will not affect charges levied by utility companies.

7. **Will utilities have access to processes for expropriation of treaty lands when the public interest requires such expropriation to secure access for utility purposes?**

Public Utilities will have access, at no cost, on Yekooche Treaty Settlement Lands in order to respond to emergencies, deliver programs and services and for other specified purposes as set out in the Final Agreement.

8. **Do I (or my group, company, licensee) still have access to the land?**

Yekooche First Nation will allow reasonable public access on Yekooche Treaty Settlement Lands for temporary recreational and non-commercial purposes, including reasonable opportunities for the public to hunt and fish on Yekooche First Nation Lands, as well as access to roads and right-of-ways. Access to Yekooche Treaty Settlement Land for the purposes of harvesting or extracting resources will require a licence, permit, or tenure. As owners of Yekooche Treaty Settlement Lands, the treaty will grant Yekooche the authority to negotiate leases and to conduct and administer business arrangements on their land.

#### **D. Lands:**

1. **People are concerned about their home and/or land. Will private property be included in treaty settlements?**



Private land may only be acquired from willing sellers. Government will not expropriate private property for treaty settlement purposes.

2. **How much land is on the table for treaty settlements with First Nations? Will First Nations soon own all of Canada?**

Negotiators are currently negotiating the land quantum as part of the [British Columbia Treaty Commission](#) (BCTC) process.

As part of the criteria for entering the BCTC process, a First Nation must submit a map of what they consider to be their traditional territory. A future land settlement may include a portion of this territory. That is the subject of negotiations.

The amount of land to be transferred to a particular First Nation will be dependent on factors specific to the First Nation and the negotiations. There is no percentage of land set aside for the entire province that will be available as Treaty Settlement Land.

Treaty Settlement Land will be equivalent to private property. Federal and provincial laws will apply on Treaty Settlement Lands, with First Nations laws operating simultaneously.

3. **When maps are issued showing the traditional territory or “area of interest”, questions are immediately raised regarding the meaning of this designation. Please explain the difference between treaty settlement lands and traditional territory.**

As part of the criteria for entering the BCTC process, a First Nation must submit a map of what they consider to be their traditional territory. This area is the maximum extent of the First Nation’s asserted land interests.

Treaty Settlement Land is an area of land negotiated between B.C., Canada and the First Nation that will be owned by the First Nation once a treaty is finalized. Typically, Treaty Settlement Land will be a portion of the First Nation’s asserted traditional territory. The size and location of Treaty Settlement Land is the product of the negotiations and takes into account the interests of the First Nation, B.C. and Canada.

4. **Will treaties provide aboriginals with any special control or rights over Crown Lands that are not part of Treaty Settlement Lands?**

No. Yekooche members will be able to hunt wildlife and migratory birds within their asserted traditional territory provided they have documentation issued by Yekooche. Non-Yekooche members will continue to have access to these lands for hunting and fishing. Provincial and federal ministers will continue to manage and conserve these resources and habitats. The area within which Yekooche members will be able to harvest fish will be negotiated during Final Agreement negotiations.





5. **What is fee simple land as it is referred to in the Yekooche AIP? And how will it be affected**

Yekooche will own Treaty Settlement Land in fee simple which is a legal interest in land that is commonly characterized as private ownership. With the agreement of Canada and British Columbia, Yekooche may add to its Treaty Settlement Land if: the land is within an area to be determined by the Parties before the conclusion of the Final Agreement, the land is outside of municipal boundaries unless the municipality consents, the land is owned in fee simple by Yekooche First Nation, and the land is free from overlap with another First Nation unless that First Nation consents.

6. **Will farmers or ranchers lose grazing land? Will they receive compensation?**

The terms and conditions of leases and licenses will be respected; fair compensation for unavoidable disruption of commercial interests would be negotiated.

7. **If an individual, club, company or other group have an interest in land being considered for Treaty Settlement Land, when will I be contacted about that interest?**

We've attempted to identify all parties with an interest in land being considered for Treaty Settlement Land. If some parties were not identified, we encourage them to come forward to either Canada or British Columbia in order for their interests to be dealt with.

**E. Forestry and Other Resources:**

1. **When considering granting timber and other resources, how much accommodation should be made to First Nations?**

The resource component in any treaty offer depends on factors specific to the First Nation and the negotiations, such as location, demographics, and availability. Government's mandate allows negotiators to consider specific circumstances in developing a resource package that will meet the needs of individual First Nations.

2. **This region is predominantly dependent on forestry. What forest resources will be granted to First Nations as part of treaty settlements?**

This will be the subject of negotiations at each treaty table. In the case of the Yekooche, the First Nation will own and manage the forests on their Treaty Settlement Lands.

3. **Will forest licensees be compensated for any harvesting rights lost to treaty settlements?**

Yes. They will be compensated for compensable interests.

4. **If forest harvesting rights are included in treaty settlements, will there still be land and timber available for Community Forests?**

Yes.



5. **Will the stumpage now paid by industry be increased to adjust for the timber granted in treaties?**

No.

6. **Will Treaty Settlement Land be taken out of the Allowable Annual Cut, thereby reducing the harvest now available?**

No. Yekooche Treaty Settlement Land will not be taken out of the AAC, thereby reducing the harvest.

7. **In the post-treaty environment, what mechanisms will be in place to avoid land claim issues related to resources such as mining?**

Treaties are being negotiated to create certainty over lands and resources in British Columbia. The current conflicts between First Nations' land claims and resource development occur because most First Nations in the province do not have treaties. The successful negotiation of treaties will resolve land claims and eliminate them as an obstacle to resource development.

8. **How will granting resources to First Nations impact non-aboriginals' access to resources? Will treaty settlements affect our industries' access to resources?**

There will be access across Treaty Settlement Lands to existing third-party tenures and private properties identified in the appendices to the treaty.

No. Treaty settlements will not affect industries' access to resources.

9. **Who will enforce protection measures on water, our most important resource?**

Provincial and federal laws concerning environmental protection will continue to apply. Yekooche will have the authority to make laws concerning environmental protection on Treaty Settlement Lands, but provincial or federal laws will prevail in the event of a conflict.

#### **F. Hunting and Fishing:**

1. **Will treaties give aboriginal people hunting rights that non-aboriginals don't have?**

Under the *Indian Act* and the *Canadian Constitution*, Aboriginal people already have the right to hunt for food, social and ceremonial purposes, which non-Aboriginal people do not have. The Yekooche treaty is a negotiated agreement that spells out Yekooche's rights and responsibilities respecting the harvest of wildlife for food, social and ceremonial purposes.

2. **Will hunting rights granted in treaty settlements affect the hunting rights of non-aboriginals?**

No. Hunting, fishing and recreational opportunities on Crown land will be ensured for all British Columbians.



3. **Will non-aboriginals be able to continue to hunt and fish in the traditional territory areas and will non-aboriginals be able to hunt on Treaty Settlement Lands?**

Yes. Subject to Yekooche designating portions of their TSL as private, (See Access Chapter paragraph 4) the public will continue to have reasonable access to Yekooche lands for hunting and fishing and continued access to the Yekooche traditional territory.

4. **How will hunting and fishing rights be assigned? Will First Nations get all the prime hunting and fishing grounds?**

a. Yekooche Government will issue documentation to Yekooche Citizens who have been designated to fish and hunt wildlife and migratory birds within their asserted traditional territory. Provincial and federal governments will continue to manage and conserve these resources and habitats and the right to fish and harvest wildlife and migratory birds will be limited by measures necessary for conservation, public health or safety.

b. No. Provincial and federal ministers will continue to manage and conserve these resources and habitats. Existing guide outfitter tenures and registered trap lines will be identified and protected.

5. **Will treaties give aboriginal people the right to hunt at any time of the year?**

Harvesting of designated species by Yekooche will be carried out under a Wildlife Management Plan, and approved by the provincial minister. The Wildlife Management Plan will address the designation and documentation of harvesters, and methods, timing and location of harvest. Yekooche may also participate in a regional wildlife management process, if one is established.

6. **Will treaties give aboriginal people the right to hunt in Provincial or National Parks? If so, how is this justified?**

a. It may do so. With respect to Yekooche, they may exercise their right to hunt and fish in parks and protected areas within an identified area, subject to conservation, public health or public safety.

b. Existing legal and Constitutional rights allow Aboriginal people to hunt for food, social and ceremonial purposes. This right is honoured and protected in current treaties, subject to conservation and safety concerns, and is also being negotiated in future treaties such as the Yekooche.

7. **Will aboriginal people need hunting licenses?**

Yes. Yekooche hunters and fishers must carry documentation issued by the Yekooche government when they are hunting and fishing. A Wildlife Management Plan will address the designation and documentation of harvesters, and methods, timing and location of the harvest.

8. **Will the hunting and fishing regulations be the same for aboriginals and non-aboriginals?**



The Minister will remain responsible for the conservation and management of wildlife. In the case of the Yekooche AIP, a Wildlife Management Plan will be consistent with provincial law and address the designation and documentation of harvesters, and methods, timing and location of the harvest.

9. **Will hunters and/or fishers need to obtain hunting and fishing licences from each First Nation in order to hunt or fish on their respective treaty settlement land?**

No

10. **Who will monitor the aboriginal fishery and who will enforce the regulations?**

The federal and provincial ministers will retain the authority, within their respective jurisdictions, to manage and conserve fish and fish habitat. In the case of the Yekooche AIP, the parties to the agreement may enter into agreements concerning enforcement of federal, provincial, or Yekooche laws in respect of fisheries. The Final Agreement may also address enforcement issues in respect of Yekooche's harvesting of fish and related activities.

11. **Will aboriginal people be required to observe gun registration laws?**

Yes. Some sections of the federal *Firearms Act* and licensing regulations have been adapted for Canada's Aboriginal Peoples. The *Aboriginal Peoples of Canada Adaptations Regulations* respects the traditional lifestyles of the Aboriginal Peoples of Canada, as well as the Aboriginal and treaty rights recognized and affirmed by section 35 of the *Constitution Act, 1982*.

12. **Will treaties give the right to sell fish or wildlife commercially or will harvest be for food only?**

Wildlife harvested under the Final Agreement may not be sold, unless federal and provincial laws were to allow the sale. Yekooche will have the right to harvest fish for food, social and ceremonial purposes. These fish cannot be sold.

13. **How will trap line holders be dealt with? Will registered trappers retain their trap lines, or will they lose them and if so, what compensation is provided?**

Trap line holders will retain their trap line tenures.

#### **G. Environmental Issues:**

1. **What environmental controls and regulations will apply to resource extraction or harvesting activities on Treaty Settlement Lands?**

Province-wide standards of resource management and environmental protection will continue to apply on Treaty Settlement Land.

2. **Who will monitor and enforce the guidelines for environmental protection on Treaty Settlement Lands?**



Yekooche may enter into agreements with other governments on environmental protection and environmental emergencies.

## **H. Governance:**

### **1. What type of First Nations government will exist post-treaty?**

Yekooche will have a democratic and accountable system of government post-treaty. Yekooche First Nation will have law making authority over local matters and those matters that affect the aboriginal interests of the Yekooche. This means looking after day-to-day practical matters like traffic regulation and business licensing as well as providing housing, education and health services to Yekooche citizens. The Yekooche government will hold democratic elections at least every five years. The Yekooche government will be able to tax Yekooche citizens on treaty land.

### **2. What determines whether Federal, Provincial or First Nations laws will prevail on Treaty Settlement Land or in related matters?**

Federal and provincial laws will apply concurrently with Yekooche laws and the Final Agreement, and the Yekooche Governance Agreement will set out which law prevails where a Yekooche law conflicts with a federal or provincial law.

### **3. Will treaties provide a separate justice system for aboriginals?**

No. The *Canadian Charter of Rights and Freedoms* and the *Criminal Code* will apply to Yekooche Treaty Settlement Lands, Yekooche government and Yekooche citizens, as will all other federal and provincial laws of general application.

## **I. Intergovernmental Relationships:**

### **1. How will neighbouring First Nations and local governments work together?**

Yekooche Government may enter into agreements with local government to coordinate activities and proposed land use on and off Yekooche Treaty Lands.

### **2. Will the Yekooche First Nation get representation on Regional District board?**

The Yekooche Government may participate on the Board of the Regional District of Bulkley-Nechako by mutual agreement.

### **3. If so, how will Regional Board representation work? How will it work on a board where there are currently fourteen directors and there are twenty or more First Nations who could be represented?**

a. The specific manner in which First Nations may participate on a regional district is the subject of continuing negotiations. The specific nature of this participation may vary depending on the specific circumstances in a particular region.

### **4. Will there be a mechanism to resolve disputes between municipalities or regional districts and First Nations?**



Dispute Mechanisms for local government and First Nations will be negotiated between the two parties.

5. **How will the Yekooche gain access to services the District of Fort St. James and the Bulkley-Nechako Regional District currently offer?**

Services required by Yekooche and provided by the Regional District of Bulkley-Nechako will be negotiated during Final Agreement negotiations.

6. **Who will pay for fire protection on Treaty Settlement Lands and how?**

Fire protection services prior to the Final Agreement will also have to be negotiated, including their cost.

7. **How will First Nations participate with School Districts post-treaty?**

The AIP does not prescribe participation in a School District. It is possible that Yekooche will negotiate the nature and scope of their participation post-treaty, in a similar manner that the relationship between the Yekooche Government and local governments will evolve over time, post-treaty.

8. **Will First Nations participate within the North Central Municipal Association?**

The Yekooche Government may participate on the Bulkley-Nechako Regional District Board by mutual agreement, and the Bulkley-Nechako Regional District is a member of the North Central Municipal Association.

Issues regarding participation on the Bulkley-Nechako Regional District Board should be negotiated prior to final agreement, inclusive of a guarantee of money.

**J. Taxation and Fiscal Relations:**

1. **When will tax exemptions for aboriginal people be phased out?**

Under Section 87 of the *Indian Act*, status Indians in British Columbia are exempt from PST and GST if the product is purchased on Reserve, or delivered to a home address on Reserve, and exempt from income tax only if they both live and work on Reserve. Once the treaty is signed, Section 87 of the *Indian Act* will no longer apply and a transitional period will be negotiated that is comparable to other land claim or self-government agreements-in-principle, or in other land claim or self-government Final Agreements in British Columbia. For example, under the Nisga'a Treaty, all Nisga'a citizens must pay PST and GST eight years after the treaty took effect, regardless of residence, and income tax after 12 years, regardless of where they live and work.

2. **Will there be tax parity with non-aboriginals? Will aboriginals pay income, property, school and sales taxes in the same way as non-aboriginals?**

Yekooche citizens will pay income and sales tax. Yekooche Government will have law-making authority to directly tax Yekooche citizens on Yekooche Treaty Lands to pay for services such as education.



3. **Will the BC government get any tax revenue from resources or resource extraction on Treaty Settlement Lands?**

The Yekooche AIP provides that Yekooche will own subsurface and forest resources on Yekooche Treaty Settlement Lands and will receive the proceeds of any rents, fees, or sales associated with those resources. The province will receive tax revenue from business taxes and income taxes of the workers involved in the resource extraction.

4. **Will First Nations be able to offer lower taxation to entice industry to locate in their communities?**

No. The province understands that there has to be a level playing field for all British Columbians, and will seek to ensure that non-Aboriginal governments have the same opportunities as First Nations governments. The fiscal arrangements between the parties should not create unreasonable disincentives for Yekooche to raise revenues from its own sources.

5. **Will aboriginals have access to provincial and federal government services, ranging from health care to policing to highways, and will they be required to contribute to the costs of these services in the same way as non-aboriginals?**

Yes, Yekooche citizens currently have access to provincial and federal government services and will continue to have access to these services post-treaty. Yekooche citizens will contribute directly to the funding of these services once the *Indian Act* Section 87 tax exemptions are phased out.

The Yekooche Government will contribute to the funding of its activities from its own revenues. It is the parties' shared objective that this contribution will be increased over time to reduce Yekooche's reliance on federal and provincial funding.

6. **What school and educational grants do First Nations receive and will these continue post-treaty?**

Elementary and secondary educational services are available to status Indian children living on Reserves through three education systems: First Nation-operated schools on reserves; provincially administered schools off reserves; federal schools operated by Department of Indian and Northern Development (DIAND) on reserves. DIAND provides financial assistance, through administering authorities such as First Nation councils, to eligible status Indian students enrolled in, or accepted to, eligible post-secondary education programs. DIAND also funds some programs designed for First Nation students at First Nation post-secondary institutions.

It remains to be negotiated whether the Yekooche Government may be responsible for providing education services to Yekooche citizens.

The parties will negotiate and attempt to reach fiscal agreements which will include how funding will be provided to Yekooche to support the provision of agreed-upon programs and services to Yekooche citizens and, where applicable, all other residents of Yekooche Treaty Settlement Lands. Until the first fiscal agreement comes into effect, Yekooche will continue to receive federal and provincial funding if they meet the criteria and in accordance with conditions in effect from time to time.



It should be noted that local governments and school districts also receive grants from senior government for the provision of services to their citizens.

**7. Will the Yekooche contribute to the cost of such local services as planning and landfill sites?**

This is a matter for negotiations during Final Agreement negotiations and should be completed prior to Final Agreement.

**K. Zoning and Development:**

**1. Will First Nations be subject to the zoning, development and building regulations of the local government authority (e.g. Regional District)?**

The Yekooche AIP provides that the Yekooche Government may make laws in respect of the planning, zoning and development of Yekooche Treaty Settlement Lands. In developing the laws the Yekooche will invite the Regional District of Bulkley-Nechako to participate in planning, zoning and development of Yekooche Treaty Settlement Lands that are proposed for industrial uses or purposes. Yekooche may also enter into agreements with local governments to coordinate activities and proposed land use in their respective areas of responsibility.

**2. Will First Nations be required to consult with their neighbours and neighbouring jurisdictions about development proposed on treaty settlement lands?**

Yekooche First Nation may enter into agreements with neighbouring jurisdictions to establish mechanisms for the notification and coordination of land use planning processes.

**3. Will the Yekooche First Nation contribute a percentage of the costs for planning, similar to other members of the Regional District?**

This is a matter for negotiations during Final Agreement negotiations.

**L. Compensation:**

**1. Since any granting of land or rights is bound to encroach on existing rights, what is the policy on third party compensation?**

One of the major principles that guide the provincial government treaty negotiations at the treaty table is that the terms and conditions of leases and licences should be respected and that fair compensation for unavoidable disruption of commercial interests should be ensured.

Yekooche Treaty Settlement Land identified in the Yekooche AIP totals 6339.8 hectares. Prior to reaching Final Agreement, existing third-party legal interests will be identified and protected or compensated if there is an unavoidable disruption of commercial interests.





**Contact Information:**

For further information regarding treaties and treaty making:

Prince George Treaty Advisory Committee  
Finlay Sinclair, Phone: (250) 960-4453  
[www.pgtac.bc.ca](http://www.pgtac.bc.ca)

Yekooche First Nation  
Phone: (250) 562-0592

Treaty Negotiations Office  
Phone: 1-800-880-1022  
[www.gov.bc.ca/tno/](http://www.gov.bc.ca/tno/)

Indian and Northern Affairs Canada  
Phone: 1-800-665-9320  
[www.ainc-inac.gc.ca](http://www.ainc-inac.gc.ca)

BC Treaty Commission  
[www.bctreaty.net](http://www.bctreaty.net)



**Our logo was produced and designed especially for the Prince George Treaty Advisory Committee.**

**It depicts a popular and traditional symbol in this region of a frog. Many of the Carrier bands and nations in the Central Interior are represented by different crests. The frog crest is used to represent traditional clans.**

**Dulkw'ah to the Nak'azdli and Tl'azt'en people near Fort St. James, tsadli to the Sai'kuz people near Vanderhoof, the frog is an almost universal symbol in this region.**

**Sitting within a circle the frog represents the close and growing links between aboriginal and non-aboriginal communities within the Central Interior. The distinct blue, yellow and red colours of the drawing are the colours of British Columbia.**

**The ten yellow dots or spots on the frog's back relate to the ten community members of the Prince George Treaty Advisory Committee. Elected from the communities of Valemount, McBride, Prince George, Mackenzie, Vanderhoof, Fort St. James, Fraser Lake, Burns Lake and the regional districts of Bulkley-Nechako and Fraser-Fort George, the members of the PGTAC bring municipal and local government interests to the treaty table. Committee members are active in treaty talks with the Carrier Sekani Tribal Council, the Cheslatta First Nation, the Lheidli T'enneh Nation and the Yekooche First Nation.**

**Created by local Lheidli T'enneh artist Phillippe LaFreniere the original sketch rests in the offices in the Regional District of Fraser Fort George in Prince George.**

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