



Ref. 49045

July 6, 2020

Petrus Rykes
President
West Chilcotin Tourism Association
PO Box 3377
Anahim Lake BC V0L 1C0
Via email to: chilcotinlife@explorenet.ca

Dear Petrus Rykes:

Thank you for your letters of January 6 and April 9, 2020 to Honourable John Horgan, Premier, and myself regarding the Gwets'en Nilt'i Pathway Agreement.

The Supreme Court of Canada decision in Tsilhqot'in Nation v British Columbia was the first declaration of Aboriginal title in Canada, and it raised several unique and complex issues. In order to provide stability and certainty following the Court's decision, the Province, the Tsilhqot'in Nation and the federal government negotiated a number of agreements. These agreements provide insight to stakeholders regarding government-to-government priorities. The Province continues to work with the Tsilhqot'in Nation towards developing an arrangement that transitions the management, benefit, and control of the declared title lands within the declared title area to the Tsilhqot'in Nation in a form that provides long-term clarity and certainty for all citizens.

Declared title area transition was a priority under the bilateral Nenqay Deni Accord and will continue to be a top priority as we move into the tripartite Gwets'en Nilt'i Pathway Agreement, which has replaced the Nenqay Deni Accord in part. The Gwets'en Nilt'i Pathway Agreement is publicly available online:
https://www2.gov.bc.ca/assets/gov/environment/natural-resource-stewardship/consulting-with-first-nations/agreements/gwetsen_nilti_pathway_agreement_signed_15august2019.pdf

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**Ministry of
Indigenous Relations
and Reconciliation**

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Your email requested information about the boundaries of T̓silhqot̓'in Nation lands. On the date of the T̓silhqot̓'in decision, the lands identified by the Supreme Court of Canada ceased to be Crown lands, and title to those lands was vested in the T̓silhqot̓'in Nation. The Supreme Court of Canada stated that Aboriginal title means the T̓silhqot̓'in Nation has the right to possess the title lands within the declared title area, to occupy and enjoy the title lands, to proactively use and manage the title lands, and the right to the economic benefits of the title lands.

The boundaries of the declared title area were determined through the Supreme Court of Canada decision. Declared title lands do not include fee simple lands or submerged lands within the declared title area.

The declared title lands represent only a portion of the T̓silhqot̓'in Nation's traditional territory. The T̓silhqot̓'in Nation's traditional territory is identified in the map appended to the Nenqay Deni Accord and can also be seen in the T̓silhqot̓'in Stewardship Agreement. As set out in the Nenqay Deni Accord (ss. 12.13-12.24), the Province and the T̓silhqot̓'in Nation will negotiate about Category "A" land within the broader traditional territory. Negotiation about Category "A" land has not formally commenced; accordingly, no further information about those lands is available at this time.

The Gwets'en Nilt'i Pathway Agreement sets out a shared vision and pathways for progress on a series of pillars. These agreements set out a framework of priorities, interests, and process moving forward. If implementation of the agreement is expected to impact citizens or stakeholder groups, the Province is committed to engagement and consultation. Additional engagement will occur when negotiation of proposed Category "A" land selection formally commences.

I recognize your concerns regarding the uncertainty citizens and stakeholders are experiencing through this time of transition in the declared title area. The Province encourages individuals who wish to access declared title lands for business or recreational purposes to engage directly with the T̓silhqot̓'in Nation and Xenigwet'in First Nation.

The Province is working with Xenigwet'in First Nation and the T̓silhqot̓'in National Government with renewed momentum. Our recent joint press release intended to provide a broad update to the public, and to signal that we are working on next steps for tenure holders that are in the vicinity of the declared title area. As the 'bridging agreements' have now expired, we recognize the importance of being in touch with those tenure holders, and engagement is underway with individuals. Additionally, we plan to jointly follow up on the March 4, 2020 meeting in Nemiah, where all parties connected in the same room to hear Xenigwet'in First Nation's options for tenure transition. That meeting was the start of a conversation we look forward to continuing.

Maintaining transparency and communication with local stakeholders continues to be a priority, including one-on-one outreach with stakeholders and tenure holders who overlap the declared title area, and ongoing communication with the Cariboo Regional District and MLA Donna Barnett. I recognize that you and fellow residents of the Chilcotin are seeking more information from the Province, and assurance that all citizens' interests are considered as we work with Indigenous communities on our reconciliation efforts.

The Ministry of Indigenous Relations and Reconciliation team in the Cariboo Region, along with Ministry of Forests, Lands, Natural Resource Operations and Rural Development staff, are available to provide information on the suite of agreements and negotiations which are underway in your area. Please contact Devon Ramsay, Regional Manager for the Ministry of Indigenous Relations and Reconciliation at Devon.Ramsay@gov.bc.ca, or Mike Pedersen, Regional Executive Director for the Ministry of Forests, Lands, Natural Resource Operations and Rural Development, at Mike.Pedersen@gov.bc.ca, for more information. The provincial team is currently considering how else we can offer engagement opportunities through 2020, and I welcome your ideas.

Again, thank you for writing.

Sincerely,



Scott Fraser
Minister

CC: Honourable John Horgan
Premier

Honourable Lisa Beare
Minister of Tourism, Arts and Culture

Mike Pedersen, Regional Executive Director
Ministry of Forests, Lands, Natural Resource Operations and Rural Development

Devon Ramsay, Regional Manager
Ministry of Indigenous Relations and Reconciliation