

# Natural Resources

The Tsawwassen Final Agreement was negotiated by the Government of Canada, the Government of British Columbia and Tsawwassen First Nation. It is the second Final Agreement reached in the province under the British Columbia treaty process. The Final Agreement provides Tsawwassen First Nation with certain rights and benefits regarding land and resources, and self-government over its lands and resources and its members. It provides certainty with respect to ownership and management of lands and resources and the exercise of federal, provincial and Tsawwassen governmental powers and authorities.

The negotiation of a Final Agreement marks Stage Five of the six-stage British Columbia treaty process, and is the conclusion of substantive treaty negotiations. Once ratified by all parties, the Final Agreement will become a treaty through legislation. It will be a constitutionally-protected legal agreement that creates mutually binding obligations and commitments.

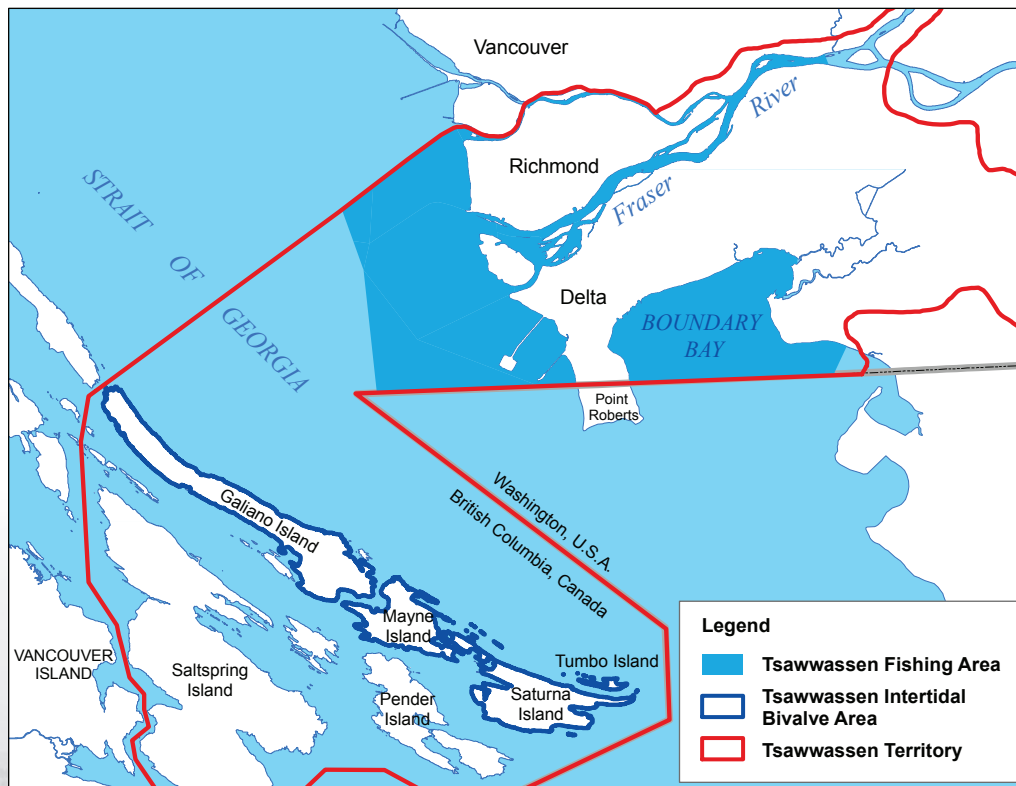
## RESOURCE RIGHTS AND JURISDICTION

The Final Agreement sets out Tsawwassen First Nation's rights

to harvest natural resources. In some cases these harvesting rights apply on Tsawwassen Lands; in other cases these

rights may be exercised in wider geographic areas described in the Final Agreement.

Further, Tsawwassen First Nation will be able to make laws to manage natural resources on Tsawwassen Lands and regulate Tsawwassen harvesters throughout the Tsawwassen harvest areas. Federal and provincial laws will apply, along with Tsawwassen laws, and the Final Agreement clearly sets out which law will prevail if there is a conflict.



## WILDLIFE AND MIGRATORY BIRDS

Under the treaty, Tsawwassen First Nation will have the right to harvest wildlife and migratory birds for food, social and ceremonial purposes within the Tsawwassen traditional territory, including

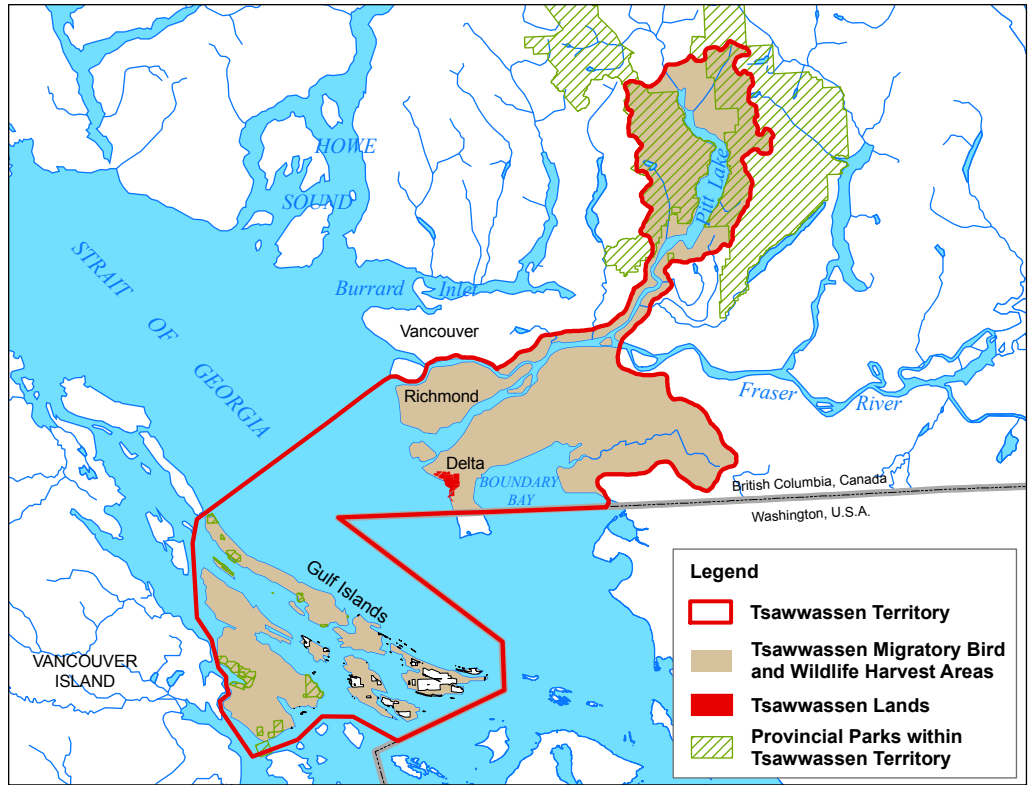
in national and provincial parks. This right is limited by measures necessary for conservation, public health and public safety.

Federal and provincial laws will apply on Tsawwassen Lands and throughout the Tsawwassen traditional territory. Tsawwassen laws with respect to the management of the harvesting of wildlife and migratory birds will apply to Tsawwassen members. Federal and provincial laws on the use and possession of firearms will apply.

Given the limited wildlife harvest opportunities and the likelihood of fewer opportunities in the future, Canada and British Columbia will provide Tsawwassen First Nation \$50,000 to establish a Wildlife Fund.

**PLANT GATHERING**

Under the treaty, Tsawwassen First Nation will have the right to gather plants for food, social and ceremonial purposes on specified areas within the Tsawwassen territory. This right is limited by measures necessary for conservation, public health or public safety.



Tsawwassen First Nation will develop a gathering plan, subject to the approval of the provincial Minister.

The authority for managing and conserving plant resources will remain with the relevant federal or provincial Minister.

**FOREST RESOURCES**

Tsawwassen First Nation will own all timber resources on Tsawwassen Lands, and will receive \$100,000 from Canada and British Columbia to establish a Forest Resources Fund.

**PLANNING AND MANAGEMENT OF TSAWVASSEN LANDS**

The Final Agreement sets out that Tsawwassen First Nation will have the right to participate in any provincially developed public planning process within the Tsawwassen Area. Tsawwassen First Nation may make proposals to British Columbia to establish a public planning process within the Tsawwassen territory. However, the province is not obligated to do so under the agreement.

Further, the Final Agreement does not prevent Tsawwassen

First Nation from participating in any developments on shared decision-making or any provincial programs, policies or initiatives that British Columbia makes generally available as it continues to develop a new relationship with First Nations in the province.

**WATER**

Before the effective date of the treaty, British Columbia will ensure that the Greater Vancouver Water District will supply water on reasonable terms to Tsawwassen First Nation as a future member

of the Greater Vancouver Regional District, and therefore a future member of the Greater Vancouver Water District. Capital costs related to the provision of water will be negotiated between Tsawwassen First Nation and the water district.

## **ENVIRONMENT**

Provincial and federal laws concerning environmental protection will continue to apply after the treaty comes into effect. The Tsawwassen First Nation government will be able to make laws concerning environmental protection on Tsawwassen Lands. Federal and provincial laws will prevail in the event of a conflict.

Tsawwassen First Nation will be able to participate in environmental assessment processes regarding its lands, and the Tsawwassen

First Nation government may enter into agreements with other governments on environmental protection and environmental emergencies.

## **PARKS AND PROTECTED AREAS**

The responsible Minister retains the authority to manage provincial and national parks, protected areas, and marine conservation areas, in a manner consistent with the Final Agreement.

## TSAWWASSEN FIRST NATION – LAND FACING THE SEA

The Tsawwassen are proud, sea-faring Coast Salish people who have long travelled and fished the waterways of the southern Strait of Georgia and lower Fraser River.

The main Tsawwassen community is located on the waterfront adjacent to Delta. Tsawwassen First Nation lists its membership at 358 people, about half of whom live on reserve.

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