

Biennial Report 2017-18 • 2018-19



SXTA

Stó:lō Xwexwilmexw
Treaty Association

S'ólh témexw te íkw'elò. Xólhmet te mekw'stám ít kwelát.

This is our land. We have to take care of everything that belongs to us.

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Message from the President



Chief
Maureen Chapman,
President

Over the past two years, we have witnessed remarkable achievements in our treaty work. In November 2017, while still in Stage 4 of the treaty process, we signed our Land and Capital Transfer Proposal with Canada and BC, securing key portions of our proposed SXTA Treaty Lands and a baseline commitment of funding. Soon afterwards, in October 2018, we signed a Memorandum of Understanding with Canada and BC which moved the SXTA into Stage 5, the home stretch of the treaty process. Leq'á:mel First Nation hosted this well attended event, which honoured all of our SXTA Leaders, along with Canadian and BC Ministers.

It is important that our community members are aware of the milestones we recently achieved, and also understand the groundbreaking nature of our treaty work. We are creating a new form of treaty that recognizes our Indigenous rights and does not include any form of extinguishment; that incorporates the United Nations Declaration on the Rights of Indigenous People; that will be adaptable and renewable over time and is not 'full and final'; and creates a foundation for on-going relations with Canada and British Columbia. These changes are so great that we are needing, and now working, to fully review and update our draft SXTA Treaty.

In 2018 we also started working full force on our Stó:lō Xwexwilmexw Constitution, which we are calling Shxwelméxwelh ('Shwell-muq-weth'), a Halq'eméylem word that means the 'Stó:lō way.' Our Stó:lō Xwexwilmexw Constitution lays out how we will govern ourselves once we achieve self-governance. It sets out the principles by which we will work together, recognizing Village and National levels of government. We are positioning ourselves to achieve self-government as a milestone, and to be ready for disconnecting from the Indian Act. In the coming months, we will be bringing this document to you, our families and community-members, in preparation for you to vote on the Stó:lō Xwexwilmexw Constitution. Ongoing community participation and involvement is critical to our success.

Other changes include a shift from loans to grants for treaty negotiations and a long-awaited announcement in the 2018 Federal budget which forgives past treaty negotiating loans for all BC nations.

As always, our vision is built on three pillars: self-governance, self-sufficiency and a vibrant, recognized and respected culture and heritage. We look forward to continuing to engage with you as we continue moving forward over the coming years.

In unity,

Shxwetélmel-elhót / Chief Maureen Chapman
President, Stó:lō Xwexwilmexw Treaty Association



Chief Angie Bailey,
Vice-President



Chief Derek Epp,
Secretary/Treasurer

Introduction

In the 2017-18 and 2018-19 fiscal years, the Stó:lō Xwexwilmexw Treaty Association (SXTA) achieved two major milestones. On November 8, 2017, the Stage 4 Land and Capital Transfer Proposal was signed by the Chief Negotiators and on October 12, 2018, a Memorandum of Understanding was signed by the Chiefs of the six First Nations of the SXTA: Áthelets/Aitchelitz; Leq'á:mel; Sq'ewá:lxw/Skawahlook; Sq'ewqéyl/Skowkale; Ch'iyáqtel/Tzeachten; Yeqwyeqwí:ws/Yakweakwioose, along with the Canadian and Provincial Ministers. This occasion marked our move into Stage 5 of the British Columbia (BC) Treaty Process. In addition, the SXTA has set forth an aggressive Critical Path timeline that outlines our efforts towards the signing and implementation of a treaty.

This report summarizes the SXTA's activities and efforts in developing the treaty during this two-year period, including work done by the SXTA Leadership and Executive; by our Treaty Negotiating Team; as well as by our Treaty Operations staff.

Our communities are continuing to move forward on the path to treaty completion.

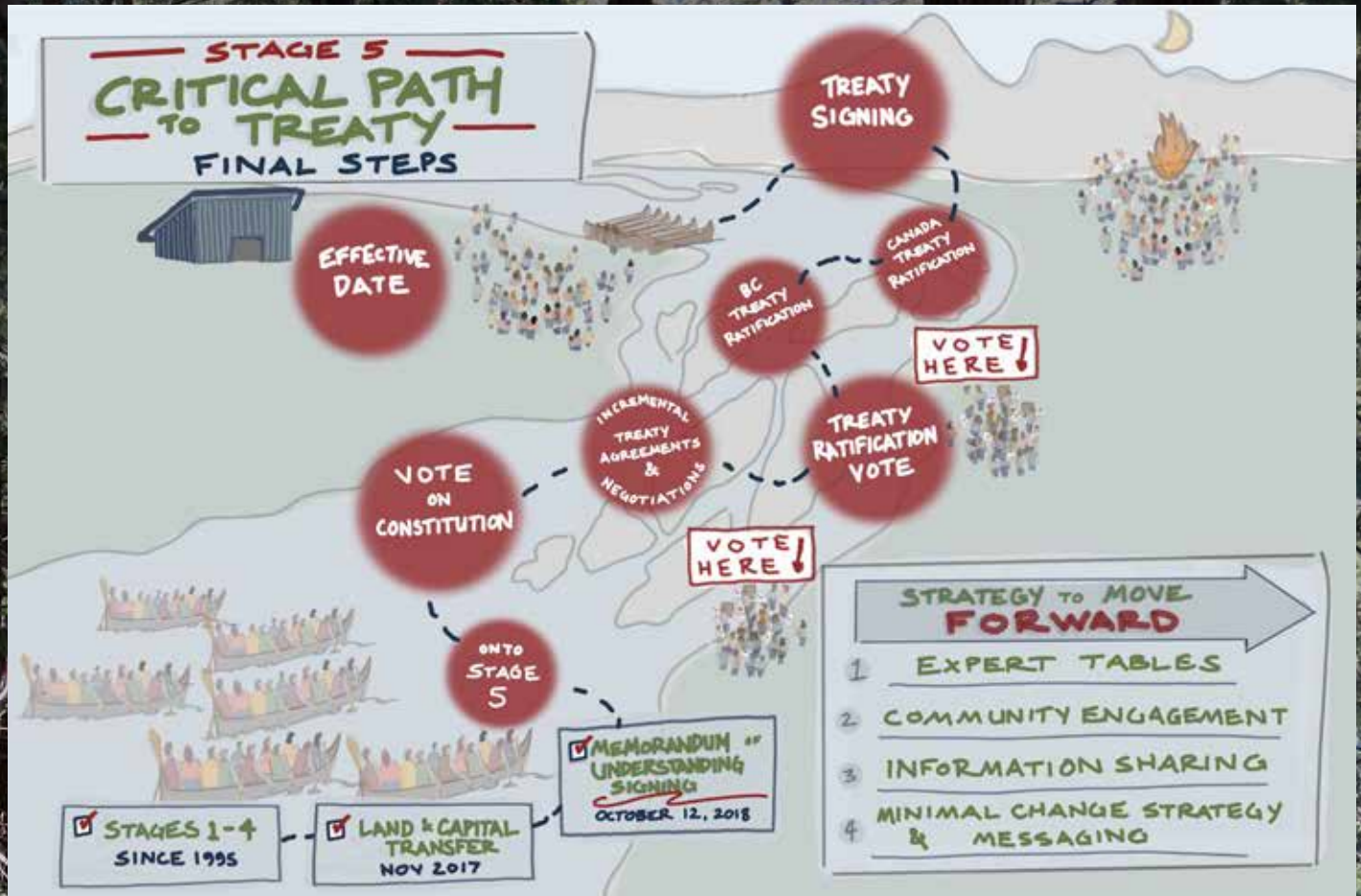
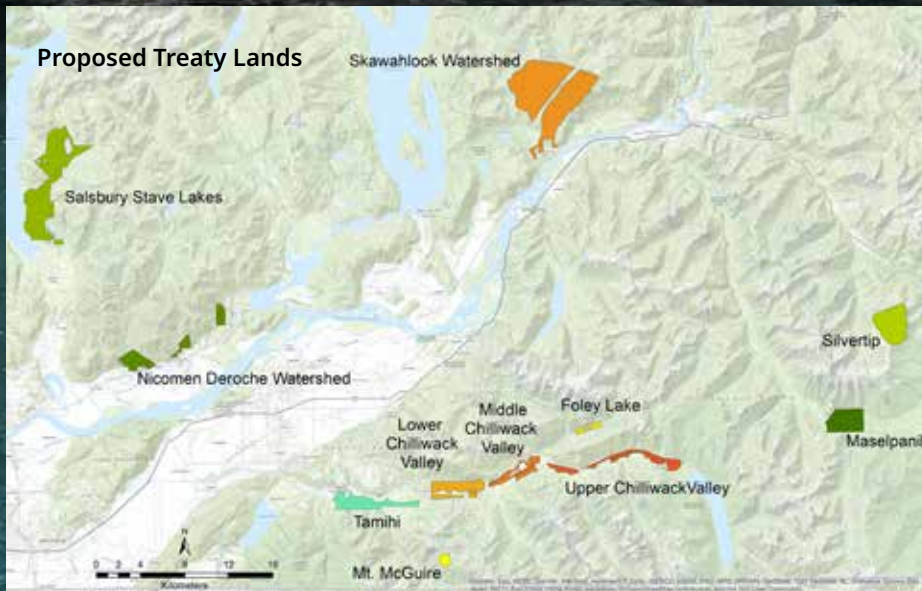


Photo: Salsbury Stave Lake Treaty Lands

Treaty Negotiation Achievements



Land and Capital Transfer Proposal – November 17, 2017

The Land and Capital Transfer Agreement Proposal is based on the collaborative work undertaken by the SXTA, Canada, and British Columbia and marks a momentous milestone on the path toward reconciliation and a nation-to-nation relationship.

Land = 26,400 acres of Proposed Treaty Lands

- This includes 24,468 acres of new provincial Crown land and 1,932 acres of current reserve land.
- Stó:lō Xwexwilmexw will own and have law-making authority on these lands, upon implementation of the Stó:lō Xwexwilmexw Treaty.

Capital = \$150 million

- This sum will be transferred upon implementation.
- In addition, annual transfers to support implementation, governance, and program and service delivery will be negotiated.
- Funds to purchase fee simple lands near our communities will also be negotiated.

Photo: Tamihi Treaty Lands



Memorandum of Understanding signing at Leq'á:mel on October 12, 2018.

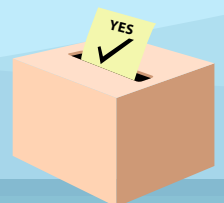
Memorandum of Understanding – Moving into the Last Stage of Treaty Negotiations – October 12, 2018

The Stó:lō Xwexwilmexw Treaty Association, the Government of Canada and the Province of British Columbia signed an agreement on Oct. 12, 2018 that supports a new and innovative approach to modern treaty negotiations. This treaty negotiations Memorandum of Understanding (MOU) was signed at a ceremony in Leq'á:mel by the Chiefs from the six First Nations of the SXTA and Ministers from the Provincial and Federal governments. This signing advanced the three parties into Stage 5 of the BC Treaty Process.

This MOU commits the parties to a rights-recognition approach for a treaty, which is consistent with the United Nations Declaration on the Rights of Indigenous Peoples. This approach explicitly recognizes that Aboriginal rights are inherent and cannot be extinguished or surrendered. It also shifts away from seeking a full and final settlement. Instead, this new approach builds a collaborative and predictable ongoing government-to-government relationship that can adapt to changing circumstances.

Under this approach, Canada, BC and the SXTA have agreed to develop a “core” treaty. Key elements, such as the constitutional relationship, governance structure, land ownership, and jurisdiction, will be set out in a constitutionally-protected core document. Administrative and operational policy matters, such as program delivery and government administration, will be included in supplementary agreements. This type of treaty is more easily changed than current treaties. In a core treaty, some topics may also be concluded at a later date.

Some of the next steps in our treaty include a community vote on our Constitution, (which the SXTA leaders have named Shxwelméxwelh — a Halq'eméylem word that means Stó:lō way); an Incremental Treaty Agreement that will allow an early transfer of a portion of the proposed Treaty Lands; and a Treaty Ratification vote.



Incremental Treaty Agreement Proposal

An Incremental Treaty Agreement (ITA) is an early transfer of land which will be held by the six communities. Sections of the Treaty Lands in each of the three tribal areas (Leq'á:mel, Tít and Ts'elxwéyeqw) amounting to 20 percent of our proposed Treaty Lands were included in a proposal submitted to BC in November 2018.

This process will give SXTA control over some of our Treaty Lands in advance of Treaty Ratification. The parcels were chosen due to easy access to existing infrastructure, existing economic potential, and support for our residential and cultural needs.



Councillor Deb Schneider in Maselpalik Treaty Lands



Tamihi Treaty Lands

Review of the Draft Treaty

S'ólh Lets'emó:t is a new way of thinking about our treaty. S'ólh means “ours” and Lets'emó:t means “one thought.”

The United Nations Declaration on the Rights of Indigenous Peoples is being incorporated into the treaty, as well as the non-extinguishment of Aboriginal rights and title. In addition, our negotiation team is re-drafting the SXTA Treaty to ensure that it will be adaptable, renewable and changeable over time. The SXTA Treaty is not a full and final settlement, as other treaties have been in the past.

The SXTA is calling this new approach, the Rock and the Tree. Xélxeylamós is the transformation rock and is the fixed or core part of the SXTA Treaty. This will encompass the principles and key commitments. Xpá:yelhp is the red cedar tree that grows from the rock and is the living part of the treaty. This will grow and evolve as our relationship with Canada and BC changes in a new government-to-government relationship.



Xélxeylamós/ Lady Franklin Rock





Stó:lō Xwexwilmexw Treaty Association– Who we are

The Stó:lō Xwexwilmexw Treaty Association was formed to negotiate a treaty for Stó:lō communities. The organization consists of the following inter-related bodies:

The SXTA Leadership

The leaders of our six villages guide treaty negotiations, lead and participate in committees and workings groups, as well as champion the SXTA Treaty in their communities. The SXTA Leadership gather for multi-day workshops every two months.

In 2017-2019 their key activities included guiding the SXTA on:

- Land and Capital Transfer Proposal
- Memorandum of Understanding – Moving SXTA into the Last Stage of Treaty Negotiations
- Land Use and Overlap Topics
- Human Resources and Operational Matters
- Constitution Drafting
- Community Engagement Strategy



Australian treaty delegation, August 2018



Scenes from the SXTA Leadership Workshops

SXTA Leadership as of March 2019



Áthelets/Aitchelitz

Chief Angie Bailey – Skemi
Councillor Leona Sam
Councillor Gordon George –
Chelapa
Councillor John George –
Quenthleenum
Governance system: Hereditary



Leq'á:mel

Chief Alice Thompson – Mae'xe;
Councillor Darrel McKamey;
Councillor Daniel Kelly; Councillor
Sandy McDonald; Councillor
Camielle Laslo – Sts'ó:wuselwet;
Councillor James Paterson;
Councillor Dawn Styran – Swí:wat
*Governance system: Election every
3 years. Next election: March 2021.*



Sq'ewá:lxw/Skawahlook

Chief Maureen Chapman –
Shxwetélmel-elhót;
Councillor Debra Schneider
Governance system: Hereditary



Sq'ewqéyl/Skowkale

Chief Mark Point –
Xwemxwe'meleq'; Councillor
Dustin Hall (Hall Family);
Councillor Derek Hansom –
Siyamteleq (Sepass Family);
Councillor Tiffany Silver (Archie
Family); Councillor Darcy Paul –
Th'etsimeltel (Point Family)
*Governance system: Election for
Chief every four years. Family reps
appointed for same term.
Next election: March 2022.*



Ch'iyáqtel/Tzeachten

Chief Derek Epp – Weli'leq;
Councillor Cathy Hall – Salacy;
Councillor Melvin Williams Jr.;
Councillor Loren Muth;
Grand Chief and Councillor
Ken Malloway – Wileleq
*Governance system: Elections every
three years. Next election: April 2020.*



Yeqwyeqwí:ws/Yakweakwioose

Acting Chief Terry Horne –
Siyémches; Councillor Nikki
LaRock – Qweto:llhmelhet;
Councillor Jason Malloway –
Th'eláchiyatel (not pictured);
Acting Hereditary Chief
Elaine Malloway – Olisiyah;
Youth Councillor Jazmine
Horne; Elder Mary Malloway –
Qwetóselswet (not pictured)
Governance system: Hereditary

The SXTA Executive

The SXTA Executive consists of three members of the SXTA Chiefs and Councils who make recommendations regarding work plans, budgets, draft materials and workshop planning. The SXTA Executive also signs and reviews project funding applications, and final financial reports.

In 2017-2019 their key activities included:

- Strategic planning around organizational structure, communications planning and capacity development.
- Planning to expand SXTA Operations by creating a new Communications Manager position and creating a new Implementation team to address administrative needs and to prepare SXTA for self-government. This includes two positions, an Implementation Manager and a Registrar (occurring in 2019-20 fiscal year).

Current Executive: Chief Maureen Chapman (President); Chief Angie Bailey (Vice-President) and Chief Derek Epp (Secretary/Treasurer).



Chief
Maureen Chapman,
President



Chief Angie Bailey,
Vice-President



Chief Derek Epp,
Secretary/Treasurer



Youth trip to Museum of Anthropology, April 2018



Annual Gathering, July 2017



Treaty Negotiation Team

The Treaty Negotiation Team is directed by the Chiefs and Councils of the six Stó:lō Xwexwilmexw communities, and they are negotiating a treaty that represents our current and future needs.



Chief Terry Horne
– Siyémches,
Political Advisor



Jean Teillet LLP,
Chief Negotiator



Dr. Dave Schaepe,
Technical Advisor



Dr. Albert "Sonny"
McHalsie –
Naxaxalhts'i,
Cultural Advisor



Grand Chief
Steven Point OBC –
Xwelíqwaltel,
Special Advisor

In 2017-2019 their key activities included:

- Land and Capital Transfer Proposal
- Memorandum of Understanding – Moving SXTA into the Last Stage of Treaty Negotiations
- Incremental Treaty Agreement Proposal
- Reviewing the Draft Treaty to incorporate the United Nations Declaration on the Rights of Indigenous Peoples, non-extinguishment and more.



SXTA Annual General Meeting, August 2018



Indigenous Peoples Day at Ch'iyáqtel, June 2018

SXTA Committees

Several committees have been established and meet monthly to discuss different aspects of the treaty and plan for treaty implementation. The Chair of each of these groups provides updates and recommendations at SXTA Leadership workshops.

Critical Path: The goal of the Critical Path Committee is to prepare recommendations that guide the leadership to reach effective date and prepare for transition to Treaty. The Critical Path Committee works back from that goal to define major milestones as SXTA plans for and manages the transition from Indian Act bands to a self-governing nation.

Members: Dr. Dave Schaepe – Treaty Operations General Manager (Chair); Chief Terry Horne – Yeqwyeqwi:ws; Chief Angie Bailey – Áthelets; Chief Derek Epp – Ch'iyáqtel; Councillor Deb Schneider – Sq'ewá:lxw; Councillor Sandy McDonald – Leq'á:mel; Councillor Derek Hansom – Sq'ewqéyl; Councillor Loren Muth – Ch'iyáqtel; Councillor James Paterson – Leq'á:mel. Technical support/Advisory: Grand Chief Steven Point; Jean Teillet; Heather Ramsay, Emily Kelly, Karen Brady, Penny Robinson, Melissa Kendzierski and Shana Roberts.



Finance & Administration: The purpose of the Finance and Administration Committee is to identify, prioritize, and communicate finance and administrative needs and understand best practices and lessons learned from other Treaty First Nations.

Members: Chief Derek Epp – Ch'iyáqtel (Chair); Chief Angie Bailey – Áthelets; Councillor Derek Hansom – Sq'ewqéyl; Councillor Daniel Kelly – Leq'á:mel; Sharron Young – Sq'ewá:lxw. Technical support/Advisory: Amber Kostuchenko, Shana Roberts, Matt Mehaffey, Penny Robinson.

Human Resources: The purpose of the Human Resources Committee is to identify human resource skills and abilities and identify human resource needs for the SXTA including, identifying gaps for negotiations and Treaty Implementation. As well the committee provides assistance for human-resource related projects and communicates anticipated human resource needs to leadership.

Members: Councillor Derek Hansom – Sq'ewqéyl (Chair); Chief Derek Epp – Ch'iyáqtel; Chief Angie Bailey – Áthelets; Councillor Daniel Kelly – Leq'á:mel; Staff Technical support/Advisory: Shana Roberts, Penny Robinson, Sharron Young, Matt Mehaffey, Amber Kostuchenko.

Governance: The Governance Committee develops and makes recommendations on the governance framework, including the Constitution/Shxwelméxwelh and authorities needed to implement Treaty.

Members: Chief Terry Horne – Yeqwyeqwi:ws (Chair); Chief Angie Bailey – Áthelets; Chief Maureen Chapman – Sq'ewá:lxw; Chief Derek Epp – Ch'iyáqtel; Councillor Cathy Hall – Ch'iyáqtel; Councillor Camielle Laslo – Leq'a:mel; Councillor James Paterson – Leq'a:mel, Glenda Campbell – Ch'iyáqtel; Technical support/Advisory: Grand Chief Steven Point; Dave Schaepe; Jean Teillet; Abby Duncan; Karen Brady, Heather Ramsay.

Land Use Planning: The purpose of the Land Use Planning Committee is to facilitate collaboration with the SXTA

communities to recommend the best use of Treaty Lands to meet Stó:lō Xwexwilméxw needs; to make recommendations on future acquisition of lands of interest; to make recommendations on Incremental Treaty Agreement (ITA) options and other pre-Treaty land related decisions.



Members: Councillor Loren Muth – Ch'iyáqtel (Chair); Chief Angie Bailey – Áthelets; Chief Terry Horne – Yeqwyeqwi:ws; Councillor Deb Schneider – Sq'ewá:lxw; Councillor Sandy McDonald – Leq'a:mel; Technical support/Advisory: Karen Brady, Shana Roberts, Dave Schaepe, Lisa Davidson, Penny Robinson.

Community Wellness: The purpose of the Community Wellness Committee is to identify, prioritize, and communicate specific needs around issues of health, community wellness, and supporting children and families.

Members: Chief Derek Epp (Chair) – Ch'iyáqtel; Chief Maureen Chapman – Sq'ewá:lxw; Chief Angie Bailey – Áthelets; Councillor Nikki LaRock – Yeqwyeqwi:ws; Councillor Dawn Styran – Leq'a:mel; Glenda Campbell – Ch'iyáqtel. Technical support/Advisory: Grand Chief Steven Point, Penny Robinson; Amber Kostuchenko; Jean Teillet.

Fishing: The Fishing Committee was formed to gather insights from community fishing experts and to make recommendations to SXTA leadership about what to include in Treaty negotiations regarding fishing.

Members: Grand Chief Steven Point (Chair); Shawn Gabriel – Leq'a:mel (Vice-chair); Chief Terry Horne – Yeqwyeqwi:ws; Councillor and Grand Chief Ken Malloway – Ch'iyáqtel; Chief Mark Point – Sq'ewqéyl; Councillors James Paterson and Darryl McKamey – Leq'a:mel; Dwayne Malloway and Tony Malloway – Ch'iyáqtel; Gary Paul – Leq'a:mel; Deano Chapman – Sq'ewá:lxw; Crystal George and James George – Áthelets; Jim Archie – Sq'ewqéyl. Technical support/Advisory: Penny Robinson, Amber Kostuchenko.

Treaty Operations

From 2017 to 2019, SXTA has changed and grown. Chief Terry Horne of Yeqwyeqwi:ws took over as our Political Advisor after Joe Hall retired in 2017. Grand Chief Steven Point has come aboard as a Special Advisor; Cathy Hall retired as Outreach Coordinator, Joy and Brandee Hall moved onto other endeavours and Heather Ramsay was hired as Communications and Outreach Manager. We have several new administrative staff as well, Penny Robinson for Treaty Operations and Danya Douglas for SXTA Outreach.

Treaty Operations and Negotiations Support

All aspects of SXTA Operations are regularly supported by staff of the Stó:lō Research and Resource Management Centre (SRRMC), as supplemented by the professional services of consultants as needed. Under the direction of the General Manager for Treaty Operations, staff assist in meeting the objectives of the treaty table and SXTA's internal mandates. Staff include experts and technicians with expertise in Geographic Information Systems (GIS) and database management, cultural heritage and history, genealogy, library and archives management, research, land use and environmental planning, negotiation, outreach, and finance and administration.

Core activities

- Treaty Related Measures project identification, planning and proposal submission;
- Support for the review and development of revamped SXTA Treaty working document with a focus on rights and title recognition and including principles of the UN Declaration and the Truth and Reconciliation Commission as well as the Calls to Action.
- Research and support for submission of a proposal for an Incremental Treaty Agreement with British Columbia, which will provide an early transfer of a portion of the Treaty Lands;
- Local Government Engagement – continued to work on relationship building with the Fraser Valley Regional District and local governments with the goal of developing a positive foundation for treaty-related relations.
- Non-SXTA First Nations Engagement – specifically addressed the SXTA Treaty Land interests, Forestry and Referrals on potential Treaty Lands, and the shift to a rights and title recognition-based Treaty with the following groups:
 - » Sts'ailes First Nation
 - » Yale First Nation
 - » Chawathil First Nation
 - » Kwantlen First Nation
 - » Kwikwetlam First Nation
 - » Semá:th First Nation
 - » Matsqui First Nation
 - » Ts'elxwéyeqw Tribe

Communications and Outreach

Directed by the Manager of Communications and Outreach, this team is responsible for developing and implementing strategies for effectively sharing treaty-related information with and gathering feedback from the membership of the six SXTA communities. Throughout the 2017-19, the Outreach team hosted numerous one-on-one, family-based and community-based discussions about the current status of Treaty negotiations.

Core Activities

- Development and distribution of easy to understand, visual and multi-media representations of treaty materials including video, social media posts;
- Distribution of SXTA Treaty Principles one-pager – key elements of the SXTA Treaty all on one page via wallet card, handout and t-shirt;
- Development and distribution of comprehensive Frequently Asked Questions documents.

Staff as of March 2019: Dr. Dave Schaepe – General Manager, Treaty Operations and Negotiations Support; Shana Roberts – Special Projects Manager; Karen Brady – Land Use Planner; Amber Kostuchenko – Researcher; Abby Duncan – SXTA Administration; Penny Robinson – Operations Administration; Heather Ramsay – Manager, Communications & Outreach; Emily Kelly – Community Liaison; Danya Douglas – Outreach Administration.







Conclusion – Building on our Major Milestones

The SXTA has completed several major milestones over the last two years: a Land and Capital Transfer Proposal, a Memorandum of Understanding that moved the SXTA into the home stretch of treaty negotiations, an Incremental Treaty Agreement Proposal and an ongoing process of reviewing and incorporating groundbreaking changes into the SXTA Treaty. Other priority items include SXTA Governance and Constitution development, increased engagement with our communities; increased engagement with our non-treaty neighbours and building a relationship with local governments. We continue on our path towards a Constitution vote and a Treaty vote in the near future. Stay tuned.

Foley Lake Treaty Lands

Stó:lō Xwexwilmexw Treaty Association

Treaty Principles

The purpose of the treaty is to move the Stó:lō Xwexwilmexw into a new nation-to-nation, government-to-government relationship based on the following principles:

CORNERSTONES

1. Stó:lō Aboriginal rights and title form the basis of the treaty. Those rights and title will not be extinguished.✓
2. The Treaty will be adaptable, renewable and changeable over time and will not be a full and final settlement.✓
3. The United Nations Declaration on the Rights of Indigenous Peoples will be incorporated into our Treaty.✓
4. (a) Past loans for negotiating Treaty, will be forgiven.✓
(b) As of 2018, all further negotiations will be loan free.✓

SELF-RELIANCE

5. We will add a minimum of 24,463.43 acres of land, to our existing land, for which we will have full control and lawmaking powers. Nothing will happen on those lands without our full consent.✓
6. (a) \$150 million, as a minimum, will be transferred to us as a lump sum payment.✓
(b) There will also be a land acquisition fund, additional annual transfer payments for programs and services, and funding for self-government.

SELF-GOVERNANCE

7. We will govern ourselves under our own Shxwelméxwelh (Constitution) and laws through our National and Village governments. We will no longer be governed by the Indian Act.✓
8. All existing benefits (e.g. health, social security, and pensions) will continue. We will have law-making authority over health and social services, including children and families.✓

9. Taxes: For our members:

- i. We will retain existing tax exemptions.
- ii. Members will not pay property tax on treaty lands.

Taxes paid by others:

- iii. Income tax✓ and property tax paid by non-members on Stó:lō Xwexwilmexw lands will come back to our government.
 - iv. Goods and Services Tax (GST) paid at businesses on Stó:lō Xwexwilmexw lands will come back to our government.✓
10. We will maintain control over our own membership. Villages that have established their own membership codes will maintain control of those codes. Registration of status will continue if you are eligible.✓

CULTURE AND HERITAGE

11. We will enhance our Halq'eméylem language, and protect our Stó:lō culture and heritage, including spiritual sites, and access for practices.✓
12. (a) We will maintain and enhance hunting, fishing, and gathering rights, and
(b) will have shared decision-making over the use of land resources, including revenue-sharing, outside of treaty lands and within S'ólh Téméxw.
13. We will protect our right to fish, our fishing sites, access to our fishing sites, fish habitat, and our fishing traditions.

FUTURE GENERATIONS

14. Our Treaty will be a living tree for our Tomíyeq̓w.✓

*All items with a ✓ already have been negotiated and agreed upon by Canada, British Columbia, and the SXTA as of May 2019.



S'ólh Lets'emó:t – Our One Thought



Stó:lō Xwexwilmexw Treaty Association
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