

April 2016



This is a time of learning, questioning, listening, and considering. It is a time to understand what is in the Final Agreement, and what it means for our future. It is a time to think carefully and decide—as a unified Lheidli T'enneh Nation—the best path forward for our future.

Alternative Paths

Other First Nations have taken different paths to achieve their social, economic, and cultural goals. Each of these options has its limitations and challenges.

We may get more or different benefits if we pursue other options, or we may get less. If we choose to look at other options, the path is not clear, outcomes are not guaranteed, and the costs are not known.



This is a critical time in our history and it is important that the options before us are carefully weighed and that the decision we make is based on understanding not only what happens if the Final Agreement is approved, but our options if it is not approved.

Other First Nations have found and followed other paths. For example:

Tsilhqot'in court action

Opposed to a clear-cutting operation on their traditional territory, the Tsilhqot'in people went to court in the early 1990s to get Aboriginal title to the land they claimed. In 2014, more than 20 years later, the Supreme Court of Canada decided the case in favor of the Tsilhqot'in, giving them the right to control and manage about 1,900 square kilometres of land.



What are the benefits of this approach?

If Lheidli T'enneh pursued a successful action through the courts, the result may confirm that the Lheidli T'enneh have Aboriginal title to a larger part of our claimed territory, without having to give up our existing on-reserve tax exemption or the need to sign a complex Final Agreement that would be difficult to change.

What are the limitations of this approach?

It would require a lengthy and costly court process and there are no guarantees we would be successful or benefit more from this route. If successful, it would result in a new negotiation process which would itself take many years and would not necessarily address the full range of governance, finance and natural resources issues that a Final Agreement reconciles.

Treaty 8 First Nations and McLeod Lake Band

Treaty 8, one of Canada's historical "numbered treaties," dates back to 1899. The McLeod Lake Band made an application in 1982 to join Treaty 8 in an effort to show it was entitled to more treaty lands. More than 18 years later, McLeod Lake signed a new agreement, adhering to Treaty 8 and giving it a larger entitlement of reserve lands.

McLeod Lake's claim of adherence was an exceptional circumstance. Since that time it has become Government of Canada policy that it will no longer accept claims of adherence to Treaty 8. As well, only a limited amount of Lheidli T'enneh traditional lands are within the Treaty 8 area. This option is not open to the Lheidli T'enneh.



Reserve-based self-government agreements

In 2005, the Westbank First Nation became self-governing through a separate agreement (that did not include a land claim) with the federal government. Unless the Government of Canada changes its policy, this path is not an option for the Lheidli T'enneh. Canada has said it will now only consider agreements that include land claim settlements. Lheidli T'enneh's reserve land base is of limited potential value under such an agreement.



Other types of agreements with governments and industry

Some First Nations in British Columbia and elsewhere in Canada are gaining additional authority through “non-treaty arrangements” such as legislation or other agreements that are not protected by the Constitution. These types of agreements are more easily amended than the Final Agreement; however they must be individually negotiated and are not as secure as treaty and land claim arrangements.

Some examples of non-treaty options include:

- Separate agreements or arrangements with government on issues involving land, forestry and culture
- Agreements with industry for economic benefits related to major developments such as the Natural Gas Pipeline Benefits Agreement
- Economic and Community Development Agreements for sharing the direct mineral tax revenue on new mines and major mine expansions

Many of these arrangements will also remain available to us if we accept the Final Agreement.



It is our Future

Other options may help us meet some of our goals, but we should also not assume that something that worked for another First Nation will work for us. Our choices must be based on a good understanding of our own situation and our own economic, cultural and social needs and goals.

There are benefits, limitations, and trade-offs with every option, each of which would require its own negotiation. Only by comparing them can we make an informed choice and understand what it will mean for the future of Lheidli T'enneh.

This can only happen through open and respectful discussion.



your Voice. your Choice. our Future

Whatever the outcome, this vote will be historic. As we walk this path, as we talk about and consider our future together, our people will become stronger. We will hold the conversations about our choices in an open and respectful way, where all thoughts and opinions will be valued; where we respect and learn from each other; where we decide our future together.

We are the Lheidli T'enneh.
We have many voices
But we are one proud people.
We will move forward together
To make a better future.

