



## BC ASSEMBLY OF FIRST NATIONS

1992 Landooz Road  
Prince George, BC V2K 5S3  
Website: www.bcafn.ca

**BCAFN SPECIAL CHIEFS ASSEMBLY**  
**March 4-5, 2026**  
**In person & online via Zoom**

**Resolution 14/2026**

**SUBJECT: CALL FOR FIRST RIGHT OF REFUSAL AND WATER RIGHTS TRANSFER  
CONSULTATION MECHANISMS IN XAXLI'P TERRITORY**

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**Moved by:**

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**Seconded by:**

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**Decision: CARRIED BY UNANIMOUS CONSENT (VOICE VOTE)**

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### WHEREAS:

- A. Xaxli'p is a member of the St'at'imc Nation and holds inherent rights, title, and jurisdiction over its traditional lands, waters, and resources;
- B. lands and properties within Xaxli'p Territory are being listed and sold without a formal mechanism to ensure the Nation is notified or provided the first opportunity to purchase or review such "Fee Simple" properties;
- C. The Declaration of the Lillooet Tribe was signed by St'at'imc leaders in 1911 reaffirms St'at'imc peoples title, rights, and sovereignty who have never surrendered or sold their title and rights to the Crown;
- D. property transactions within the Territory may include water licenses, diversion rights, or access to aquifers and critical waterways that directly impact Xaxli'p's inherent rights and responsibilities to protect and steward its source waters;

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**Certified copy of a resolution adopted on the 5<sup>th</sup> day of March 2026**

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**Terry Teegee, BC Regional Chief**

- E. the protection of lands and waters is integral to St'at'imc laws, culture, food systems, environmental stewardship, and the health and well-being of future generations;
- F. the impacts of the climate crisis have placed extreme strain on source waters in Xaxli'p Territory, threatening rightsholders ability to sustainably steward Xaxli'p lands and waters;
- G. the United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration), which the government of Canada has adopted without qualification, and has, alongside the Province of B.C., passed legislation committing to implement, affirms:  
Article 3: Indigenous peoples have the right to self-determination;  
Article 25: Indigenous peoples have the right to maintain and strengthen their distinctive spiritual relationship with their traditionally owned or otherwise occupied and used lands, territories, waters and coastal seas and other resources and to uphold their responsibilities to future generations in this regard.  
Article 26(1): Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired;  
(2): Indigenous peoples have the right to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired;  
(3): States shall give legal recognition and protection to these lands, territories and resources. Such recognition shall be conducted with due respect to the customs, traditions and land tenure systems of the indigenous peoples concerned.  
Article 32: Indigenous peoples have the right to determine priorities and strategies for the development or use of their lands, territories, and resources;
- H. meaningful consultation, consent and first right of refusal must extend to real property transfers and any associated water rights or water access that may affect Xaxli'p lands and waters;
- I. the Xaxli'p Ecosystem-Based Plan, developed in 2001, is a landscape-level management strategy for the Xaxli'p Survival Territory that prioritizes ecosystem health, cultural preservation, and protection and restoration of biological diversity within Xaxli'p Territory;
- J. under Section 22 of the *Water Sustainability Act* (WSA), the First in Time First in Right allocation system prioritizes water usage rights based on the license issue date. This system affords licensees greater water access and usage rights over First Nations rightsholders; and
- K. BCAFN Resolution 14/2021 entitled *Call for a Moratorium on all Pending and Future Water Bottle Licenses in BC* calls for the Province of BC to recognize First Nations as the first water users in BC and affirm Aboriginal and Treaty rights to water as priority rights within the First in Time, First in Right system under the WSA.

**THEREFORE BE IT RESOLVED THAT:**

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**Certified copy of a resolution adopted on the 5<sup>th</sup> day of March 2026**



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**Terry Teegee, BC Regional Chief**

1. The BCAFN Chiefs-in-Assembly calls on the Province of British Columbia (BC) to reform its First In Time First In Right water allocation system in full partnership with rights and titleholders and in a manner consistent with *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration) and the *Declaration on the Rights of Indigenous Peoples Act* (Declaration Act);
2. the BCAFN Chiefs-in-Assembly calls on the Province of BC to recognize and uphold First Nations' inherent right to water, including the right to self-determination with respect to water allocation, use, and diversion on First Nations' territories;
3. the BCAFN Chiefs-in-Assembly calls on the Province of BC to implement a mandatory Water Transfer Consultation Trigger, requiring formal consultation and consent requirement with Xaxli'p prior to the approval, amendment, or transfer of any water licenses, diversion rights, or source water access associated with properties within Xaxli'p Territory;
4. the BCAFN Chiefs-in-Assembly calls upon the Province of BC to undertake legislative and policy reform to implement a First Right of Refusal mechanism, ensuring that Xaxli'p is provided formal notice and the first opportunity to review and potentially acquire Fee Simple Lands listed for sale within its Territory;
5. the BCAFN Chiefs-in-Assembly calls upon the Province of BC to co-develop mechanisms in a manner consistent with the UN Declaration and the Declaration Act grounded in mutual respect, recognition of St'at'imc jurisdiction, laws, Xaxli'p Ecosystem-Based Plan and the principle of free, prior, and informed consent; and
6. The BCAFN Chiefs-in-Assembly directs the Regional Chief to advocate that the Province of BC, including the Ministry of Finance and all other relevant ministries responsible for land and water governance, must prioritize advancing necessary policy and legislative changes required to uphold the mandates set forth in this resolution.

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**Terry Teegee, BC Regional Chief**