The Honourable
Mr. Bennett
Mr. Kiernan
Mr. Black
Mr. Peterson
Mr. Shelles
Mr. Skilling
Mr. Brothers
Mr. Campbell
Mr. Loffmark
Mr. Chant
Mr. Kiernan
Mr. Gagliardi
Mrs. Dawson
Mrs. Jordan
Mrs. McCarthy

To His Honour
The Lieutenant-Governor in Council:
The undersigned has the honour to report:

THAT the West Coast National Park Act, (hereinafter called "the Act"), authorizes the Minister of Recreation and Conservation, subject to the approval of the Lieutenant-Governor in Council, to enter into agreements with the Government of Canada (hereinafter called "Canada") on behalf of the Government of British Columbia (hereinafter called "British Columbia"), for the establishment and maintenance by Canada of a National Park within such portion of the lands within the Renfrew, Barclay and Clayoquot Land Districts on Vancouver Island in the Province of British Columbia, as may be designated park lands in an agreement under Section 3 of the Act or in amendments to those agreements;

AND THAT Canada and British Columbia have agreed upon the terms for the establishment and maintenance by Canada of a National Park within the area of the park lands designated as such, in a draft agreement, a copy of which is annexed hereto, (hereinafter called "the Agreement");

AND THAT the Agreement is subject to the approval of the Lieutenant-Governor in Council;

AND TO RECOMMEND THAT the Agreement be approved and the Minister of Recreation and Conservation be authorized to execute the said Agreement on behalf of British Columbia;

AND TO RECOMMEND FURTHER THAT the lands described as Part I Lands and Part II Lands in the Schedule to the Agreement be designated park lands pursuant to Section 7 of the Act;

AND TO RECOMMEND FURTHER THAT the Minister of Recreation and Conservation be authorized to acquire the said park lands by purchase, gift, exchange, or expropriation in accordance with Section 5 of the Act.

DATED this 28th day of April, 1970, A.D.

Minister of Recreation and Conservation

APPROVED this 28th day of April, 1970, A.D.

Presiding Member of the Executive Council

1-1-1-33-24
This agreement was made this 1st day of April, 1970,

BETWEEN:

THE GOVERNMENT OF CANADA,

hereinafter called "Canada",

OF THE FIRST PART

AND

THE GOVERNMENT OF THE PROVINCE OF

BRITISH COLUMBIA, hereinafter called

"British Columbia",

OF THE SECOND PART

WHEREAS the agreement dated February 20, 1930, between Canada and British Columbia, confirmed by the BRITISH NORTH AMERICA ACT, 1930, respecting the transfer of the Railway Belt and Peace River Block, hereinafter called "the 1930 agreement", provides that in the event that Canada and British Columbia thereafter agree that any area or areas of land in the Province of British Columbia, in addition to those specified in Schedule Two to that agreement, should be set aside as National Parks and administered by Canada, the provisions of that agreement on the subject of parks may be applied to such area or areas with such modification as may be agreed upon;

WHEREAS the WEST COAST NATIONAL PARK ACT, hereinafter called "the Provincial Act", authorizes the Minister of Recreation and Conservation, subject to the approval of the Lieutenant Governor in Council, to enter into agreements with Canada, on behalf of British Columbia, for the establishment and maintenance by Canada of a National Park of Canada within the Renfrew, Faro and Clayoquot Land Districts on Vancouver Island, hereinafter called "the park lands area"; and

WHEREAS Canada and British Columbia have agreed that the lands described in the attached schedule, hereinafter called "the schedule", situated within the park lands area, are suitable for development by Canada as a National Park of Canada in accordance with the NATIONAL PARKS ACT, hereinafter called "the Federal Act".

NOW THEREFORE THIS AGREEMENT WITNESSES that in consideration of the premises and the agreements herein contained, subject always to the appropriation of funds therefor by the Parliament of Canada and the Legislature of British Columbia, Canada and British Columbia agree as follows:
In this agreement,
(a) "lands", unless otherwise stated, includes mines and minerals, whether precious, base, solid, liquid or gaseous, lying in, on or thereunder, and lands under water;
(b) "part I lands" means the lands within the area described in Part I of the Schedule and shown outlined in black on the map attached thereto marked "PART I LANDS";
(c) "part II lands" means the lands within the area described in Part II of the Schedule and shown outlined in black on the map attached thereto marked "PART II LANDS";
(d) "part III lands" means, unless otherwise agreed by Canada and British Columbia following a ground survey to be completed as soon as possible after the signing of this agreement, the lands within the area outlined in blue on the attached plan, marked "PART III LANDS";
(e) "proposed National Park" means the lands comprising the part I lands, the part II lands and the part III lands; and
(f) whenever reference is made to the vesting of title to lands in Her Majesty the Queen in right of Canada or Her Majesty the Queen in right of the Province of British Columbia, the reference means that title vests in Her Majesty and administration and control of the lands is or is to be exercised by Canada or British Columbia, as the case may be.

Section 3 and section 4 do not apply to lands under the administration and control of Canada.

3. (1) British Columbia will, on the signing of this agreement, recommend to His Honour the Lieutenant Governor in Council the issuance of an Order in Council designating the part I and part II lands pursuant to section 7 of the Provincial Act, and thereafter, on or before April 1, 1974 recommend to His Honour the Lieutenant Governor in Council the issuance of an Order in Council designating, pursuant to section 7 of the Provincial Act, those lots which are specifically excluded from the part I lands as described in the Schedule.

(2) Where clear title to any of the part I lands or part II lands is not vested in Her Majesty the Queen, British Columbia will,

(a) on or before October 1, 1972, acquire clear title to those lands by purchase, expropriation or exchange, as the case may be; and
(b) on or before October 1, 1974, acquire clear title to those lands specifically excluded from the part I lands as described in the Schedule.

(3) When, pursuant to subsection (1) the lands excluded from the part I lands as described in the Schedule, are designated by His Honour the Lieutenant Governor in Council, these lands are deemed included in the part I lands and the description of the part I lands in the Schedule is amended accordingly to include those lands.

(4) When clear title to the part I lands and part II lands is vested in Her Majesty the Queen in right of the Province of British Columbia, British Columbia will

(a) subject to section 5, deliver vacant possession of those lands to Canada and ensure that any and all interests of whatsoever nature and kind therein lying with any person or persons are terminated; and

(b) transfer the administration and control of those lands to Canada.

4. (1) Following completion of the ground survey mentioned in paragraph (d) of section 1, a textual description of the part III lands will be prepared and attached to this agreement as part III of the Schedule.

(2) British Columbia will, on or before April 1, 1973, recommend to His Honour the Lieutenant Governor in Council the issuance of an Order in Council designating the part III lands pursuant to section 7 of the Provincial Act.

(3) Where clear title to any of the part III lands is not vested in Her Majesty the Queen, British Columbia will, on or before April 1, 1975, acquire clear title to those lands, by purchase, expropriation or exchange as the case may be.

(4) When clear title to the part III lands is vested in Her Majesty the Queen in right of the Province of British Columbia, British Columbia will

(a) subject to section 5, deliver vacant possession of those lands to Canada and ensure that any and all interests of whatsoever nature and kind therein lying with any person or persons are terminated, and

(b) transfer the administration and control of those lands to Canada.
5. British Columbia may, within the proposed National Park, with the prior approval of Canada, grant leases of lands, excluding mines and minerals, whether precious, base, solid, liquid or gaseous, lying in, on or thereunder, and lands under water, on terms and conditions satisfactory to Canada including, INTER ALIA, the condition that when Canada, pursuant to section 6, accepts, subject to the said leases, the transfer of the administration and control of any lands so leased, all rights with respect to the leased lands, including the right to receive payment of any royalties pursuant to the said leases, vest in Her Majesty the Queen in right of Canada.

6. When Canada is satisfied that the transfer of administration and control, mentioned in subsection (4) of section 3 and subsection (4) of section 4, vests clear title in Her Majesty the Queen in right of Canada, subject only to any leases granted by British Columbia pursuant to section 5, Canada will forthwith accept each transfer and thereafter administer the lands described therein as a National Park of Canada for the purposes set out in the Federal Act.

7. (1) Canada will pay to British Columbia an amount equal to one half of the cost of acquisition by British Columbia of clear title to the lands referred to in subsection (2) of section 3 and subsection (3) of section 4.

(2) In this section, "cost of acquisition" includes,

(a) where the land or interest in land is acquired by purchase,

(1) payments to independent contractors for any necessary survey or appraisal,
(11) the price paid for the land or interest in land,
(iii) legal fees, and
(iv) disbursements for title search and registration;

(b) where the land or interest in land is appropriated,

(1) payments to independent contractors for any necessary survey or appraisal,
(ii) the amount of compensation paid to any person having a compensable interest, including adjustments, and

(iii) where the expropriation is contested in the courts,
(A) legal fees,
(B) fees paid to expert witnesses, and
(C) the amount of compensation paid as the result of the court proceedings, including any adjustments;

and

(c) where the land or interest in land is acquired by means of exchange for other land or interest in land,

(i) payments to independent contractors for any necessary appraisal or survey,

(ii) the value of the land or interest in land acquired as established by British Columbia to the satisfaction of Canada,

(iii) legal fees, and

(iv) disbursements for title search and registration.

8. (1) Notwithstanding that some of the lands within the proposed National Park now form a reserve or reserves within the meaning of the INDIAN ACT, or are part of a reserve or reserves, these lands and any interest therein, if surrendered by Indians for whose use and benefit they were set apart, shall, subject to section 14, continue to be administered and controlled by Canada, for the benefit of Her Majesty the Queen in right of Canada, free of any right or interest in favour of the Province of British Columbia respecting those lands.

(2) Canada and British Columbia will take such measures as may be necessary to extinguish the interest of Indians in any of the lands within the proposed National Park and will share equally any cost thereof, consistent with provisions set out in section 7 of this agreement.
9. (1) Upon the appropriate amendments to the Federal Act, Canada will recommend to His Excellency the Governor in Council the issuance of a proclamation setting aside as a National Park of Canada the part I and part II lands and thereafter the issuance of a proclamation or proclamations adding to the National Park the part III lands, and will thereafter develop, maintain and administer the lands as a National Park of Canada for the purposes set out in the Federal Act.

(2) The transfer of administration and control of lands, mentioned in subsection (3) of section 3 and subsection (3) of section 4, and the acceptance thereof, mentioned in section 6, may take place prior to the enactment of the amendments mentioned in subsection (1).

10. Canada will not exploit nor permit the exploitation of the mines and minerals, whether precious, base, solid, liquid or gaseous, lying in, on or under the lands of the proposed National Park so long as the lands or any part thereof are required for Park purposes.

11. With respect to all persons or property being or situated within the outer boundaries of the proposed National Park, British Columbia will ensure that its legislation and regulations thereunder shall at all times hereafter be conformable to and correspond with the Federal Act and regulations thereunder so that there may at all times be uniformity, and British Columbia will not hereafter enact, maintain in force or enforce, with respect to the proposed National Park or property or persons aforesaid, any legislation or regulation which conflicts with the Federal Act or regulations thereunder.

12. British Columbia will present to the Legislative Assembly of the Province of British Columbia such legislation, and carry into effect such legislative or executive authority, as may be necessary to transfer to Canada the same authority and control over the proposed National Park and of persons or property within the outer boundaries thereof as were granted to Canada by the 1890 agreement with respect to the National Parks then in the Province of British Columbia.
13. Neither party will hereafter, in any way, temporarily or otherwise, alter the flow or impair the quality, or permit the alteration of the flow or the impairing of the quality, of the waters within or flowing through the proposed National Park, or of the off-shore waters contiguous thereto, by the construction of works or otherwise.

14. (1) In the event that any lands, the administration and control of which are transferred to Canada pursuant to this agreement, are declared by the Parliament of Canada to be no longer required for the purposes of a National Park, the administration and control of those lands, including all buildings and improvements thereon, will, subject to subsection (2), revert to British Columbia.

(2) Notwithstanding subsection (1), the reversion of administration and control, mentioned therein, shall not take place until British Columbia has paid to Canada a sum of money which bears to the total financial contribution, made by Canada pursuant to this agreement, the same proportion as the area of those lands no longer required for the purposes of a National Park bears to the total area of the National Park.

IN WITNESS WHEREOF the Minister of Indian Affairs and Northern Development of Canada and the Minister of Recreation and Conservation of British Columbia have executed this agreement on behalf of their respective governments.

SIGNED AND DELIVERED by
the Honourable Jean Chretien,
in the presence of

[Signatures]

and by the Honourable Kenneth Kiernan,
in the presence of

[Signatures]
Part I Lands

Commencing at the northeast corner of Wya Indian Reserve No. 7, Clayoquot District; thence westerly along the northerly boundary of said Wya Indian Reserve No. 7 and the westerly production thereof to a point on the high-water mark of the Pacific Ocean on the westerly shore of Vancouver Island, south of Florencia Bay; thence west 1.5 miles; thence N 40° W 7 miles; thence west 4.8 miles; thence N 40° W 2.6 miles; thence north 1.4 miles more or less to a point due west of the southwest corner of Lot 258; thence east to said corner; thence easterly along the northerly boundaries of Lots 1360 and 256 to the northwest corner of the northeast ¼ of Lot 256; thence southerly and easterly along the westerly and southerly boundaries of the said northeast ¼ of Lot 256 to the westerly boundary of Lot 255; thence southerly and easterly along the westerly and southerly boundaries of said Lot 255 to the southeast corner thereof; thence easterly and northerly along the southerly and easterly boundaries of Lot 254 to the high-water mark of an unnamed creek on the right bank thereof, said creek flowing in a northwesterly direction through said Lot 254 into Mud Bay; thence northwesterly along the high-water mark of said unnamed creek and Mud Bay to the northerly boundary of said Lot 254; thence easterly along the northerly boundaries of Lots 254 and 253 to the westerly boundary of Lot 250; thence northerly, 10 chains more or less along the said westerly boundary of Lot 250 to the high-water mark of an unnamed arm of Browning Passage; thence in a general easterly direction along the said high-water mark, being the northerly boundary of Lots 250, 249, 251 and 252 to the northeast corner of said Lot 252; thence in a general northwesterly direction along the high-water mark of the said unnamed arm of Browning Passage on the easterly shore thereof to the most westerly southwest corner of Lot 734; thence westerly, northerly and easterly along the high-water mark of Browning Passage, being the westerly and northerly boundary of Lot 734, to a point...
Lying 14 chains more or less due west of the most westerly point of Lot 1431; thence N 45° E 11 chains more or less to a point due west of the most northerly point of Dinner Island, being part of Lot 233; thence east 49 chains more or less to said point; thence east 5 chains; thence S 45° E 27 chains more or less to a point on the high-water mark of Browning Passage, being the northeast cornerly boundary of Lot 233, said point lying 30 chains east and 35 chains north of the most westerly southwest corner of said Lot 233; thence southeasterly along the said high-water mark of Browning Passage a distance of 23 chains; thence northeastly in a straight line to a point on the westerly boundary of Lot 647, being a point on the high-water mark of Tofino Inlet, said point lying 22.5 chains north and 63 chains west of the northwest corner of Lot 1660, Indian Island Indian Reserve No. 30; thence easterly and southerly along the said high-water mark of Tofino Inlet, being the northerly and easterly boundary of Lot 647 and the easterly boundary of Lot 1660, Indian Island Indian Reserve No. 30 to a point lying 11 chains south and 5 chains east of the northeast corner of said Lot 1660, Indian Island Indian Reserve No. 30; thence S 45° W 30 chains more or less to a point on the northerly boundary of S.T.L. 10733P, being a point on the high-water mark of Tofino Inlet; thence S 45° E to the northerly boundary of the watershed of Grice Bay; thence easterly along the said northerly boundary of the watershed of Grice Bay to the westerly boundary of Lot 1473; thence southerly along the westerly boundaries of Lots 1473 and 1472 to the southwest corner of said Lot 1472; thence due south to the northerly boundary of Lot 434; thence easterly and southerly along the northerly and easterly boundaries of Lots 404 and 437A to the southeast corner of said Lot 437A; thence easterly along the northerly boundaries of Lots 433 and 403 to the northwest corner of Lot 404; thence southerly and easterly along the westerly and southerly boundaries of said Lot 404 to the northwest corner of Lot 1335; thence easterly
and southerly along the northerly and easterly boundaries of Lot 1385 and the west ½ of Lot 1321 to the southeast corner of the said west ½ of Lot 1321; thence easterly along the southerly boundaries of Lots 1321 and 1320 to the northwest corner of the east ½ of Lot 1314; thence southerly and easterly along the westerly and southerly boundaries of the said east ½ of Lot 1314 to the northwest corner of Lot 428; thence easterly and southerly along the northerly and easterly boundaries of said Lot 428 to the southwest corner of Lot 1313; thence easterly along the southerly boundaries of Lots 1313 and 1312 to the southeast corner of said Lot 1312; thence due east 40 chains; thence due north 30 chains; thence due east 12 chains more or less to the easterly boundary of Lot 623; thence northerly along the easterly boundary of said Lot 623 to the northeast corner thereof; thence due north to a point on the high-water mark of Kennedy Lake on the southerly shore thereof; thence northeasterly in a straight line, 200 chains more or less, to the northwest corner of Lot A of Lot 2079; thence easterly and southerly along the northerly and easterly boundary of said Lot A of Lot 2079 to the northeast corner of Lot 63; thence southerly along the easterly boundary of said Lot 63 to the northerly boundary of T.L. 2929; thence westerly and southerly along the northerly and westerly boundaries of said T.L. 2929 to a point due east of the most southerly southeast corner of Lot 63; thence west to said corner; thence westerly along the southerly boundary of said Lot 63 and the westerly production thereof to the easterly boundary of the west ½ of Lot 71, Alberni District; thence southerly along the easterly boundaries of the west halves of Lots 71 and 72, Alberni District, to a point lying due east of the most westerly southwest corner of Lot 64, Clayoquot District; thence due west to the easterly boundary of said Lot 64; thence southerly and westerly along the easterly and southerly boundaries of said Lot 64 to the most southerly southwest corner thereof; thence due west to a
point lying due north of the northeast corner of Lot 57; thence
south to said corner; thence westerly and southerly along the
northerly and westerly boundaries of said Lot 57 to the northeast
corner of Lot 63, Alberni District; thence westerly and southerly
along the northerly and westerly boundaries of said Lot 63,
Alberni District, to a point due east of the northeast corner
of Lot 44; Clayoquot District; thence west to said corner;
thence westerly and southerly along the northerly and westerly
boundaries of the east 1/4 of said Lot 44 to the southeast corner
of said east 1/4 of Lot 44; thence westerly along the southerly
boundary of said Lot 44 to the northeast corner of Block "D"
of Lot 43; thence westerly, southerly, westerly and southerly
along the northerly, westerly, northerly and westerly boundaries
of said Block B of Lot 43 to the northeast corner of Block A
of Lot 43; thence westerly along the northerly boundary of said
Block A of Lot 43 to the northeast corner thereof; thence due
west to the westerly limit of the Tofino-Ucluelet Highway Right-
of-Way; thence southerly along the said westerly limit of the
Tofino-Ucluelet Highway Right-of-Way to the northerly boundary
of Lot 43; thence westerly along the northerly boundary of
Lot 43 to the northeast corner thereof; thence southerly along
the easterly boundaries of Lots 454 and 457 to a point due east
of the aforesaid northeast corner of Vya Indian Reserve No. 7;
thence west to said corner, being the point of commencement, and
containing 33,000 acres more or less; save and except therefrom,
subject to subsection (1) subsection (2) and subsection (3) of
section 3 of the attached agreement, those parts of Lot 423 Clay-
quo District, more particularly described as follows:
"Lots 1 and 3 of Lot 423, Plan 15543; Lots A and B of Lot 423,
Plan 15549; Lots 1, 2 and 7 of Lot 423, Plan 15556; Lot 2 of
Lot 423, Plan 10157; Lots 7 and 11 of Lot 423, Plan 15624; Lots
1 and 2 of Lot 423, Plan 15152; Lot 4 of Lot 423, Plan 17557;
Lot A of Lot 423, Plan 17543, and Lots C and D of Lot 423,
Plan 10133."
Part II Lands

All those parcels or tracts of land and all that foreshore and land covered by water, situated in Barclay District and lying within the following described boundary:

"Commencing at centre of "Sail Rock" being a small islet west of Benson Island, Lot 43, Barclay District; thence north 1.7 miles; thence N 38° E 5.0 miles; thence S 64° 30' E 5.8 miles; thence S 37° W 7.7 miles; thence N 4° W 4.1 miles more or less to a point due south of the aforesaid centre of Sail Rock; thence northerly 1.2 miles more or less to the said centre of Sail Rock, being the point of commencement."
INFORMATION

☐ FILE  ☑ DOCUMENT  ☐ PAGE ________________

☐ Dic # 1966/70

☐ NOT AVAILABLE AT TIME OF FILMING.

☐ DOES NOT EXIST.

☑ OVERSIZE  ☐ PLAN  ☐ POOR QUALITY
NOT SUITABLE FOR FILMING, REFER TO: ________________

☐ THE FOLLOWING DOCUMENT IS OF POOR QUALITY,
ALSO RETAINED IN HARD COPY, REFER TO: ________________

PROVINCE OF B.C.  DO NOT PHOTOCOPY/USE BLACK PEN.