

UPDATE BULLETIN

*"Coordinating and Representing the Interests of Local Governments and their Constituents
in Lower Mainland Area Treaty Negotiations"*

Volume 1, Issue 4

Reporting on LMTAC Activities October 1998 -- January 1999

February 1999

Key Items of Business

Lower Mainland Treaty Advisory Committee (LMTAC)

UBCM Joint TAC MEETING: NOVEMBER 19-20, 1998

The November Joint TAC meeting hosted by the Union of B.C. Municipalities (UBCM) gave TAC members from across the province an opportunity to review and discuss the Nisga'a Final Agreement. The Nisga'a discussion set the stage for an examination of treaty tables throughout B.C.

Breakout sessions were particularly useful in vetting common TAC issues. Key topics included: 1) Public education of treaty issues 2). Interim measures 3) Building of local government / First Nations relations, and 4) Provincial accountability to municipal concerns.

TAC representatives communicated common concerns over the potential off-loading of responsibility for public education of treaty issues from the province to the shoulders of local government. It was noted that public education was not the sole mandate of Treaty Advisory Committees.

Local governments also expressed concerns over interim measures being external to usual public and municipal consultation processes and to the apparent "fast-tracking" of some treaty negotiations.

This Bulletin provides a general overview of recent activities and major issues dealt with by LMTAC representatives. It is not intended, nor should it be relied upon, to reflect all of the issues before the Committee or its representatives. Any opinions expressed herein are solely of the LMTAC.

For more information on LMTAC activities, please contact:

David Didluck, Policy and Aboriginal Affairs Analyst

4th Floor, 4330 Kingsway,

Burnaby British Columbia, V5H 4G8.

Tel: (604) 451-6179 Fax: (604) 436-6860

E-mail: lmtac@gvrd.bc.ca.

October 28, 1998

The October 28th meeting of the full LMTAC membership featured an update and question/answer period from Provincial Chief Negotiator for Team South, Tom Isaac. Isaac discussed local governments relationships within the provincial "team". Highlights included an announcement that the Tsleil-Waututh negotiations might result in the first urban treaty in British Columbia. LMTAC's role in this process was deemed by Isaac as essential, especially within the urban context. LMTAC and Mr. Isaac discussed the possibility of organizing joint presentations to the Lower Mainland Municipal Councils. In addition, Isaac stressed the importance of producing municipal Interest Inventories. ❖

November 25, 1998

The Full Committee had a special presentation of LMTAC's new web site. Debate arose over the portrayal of treaty negotiations within media, which led to discussion regarding the inclusion of media material on the web site.

The web site address is:

<http://www.gvrd.bc.ca/LMTACO/lmtac.html> .

An LMTAC policy retreat was also considered and approved.

January 27, 1999

The Chief negotiators to the Tsleil-Waututh table: Tom Isaac (British Columbia); Vince Collins (Canada); and Marilyn Van Bibber (Tsleil-Waututh, acting) provided LMTAC members with a table status update at their public meeting in January.

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Isaac and Collins reassured LMTAC members that the incorporation of Local Government's interests would be a key component of the (Tsleil-Waututh) agreement. It was also iterated that be it would be inappropriate to finalize an agreement with any First Nation in the Lower Mainland without input from all stakeholders. Ms. Van Bibber disclosed that the "land/cash" negotiation model does not address urban First Nations' needs. Van Bibber also advised LMTAC that overlapping traditional territory issues are currently being addressed by Tsleil-Waututh as well as other Lower Mainland First Nations.

Negotiation Updates

Regional and Table Specific

REGIONAL

Activity at Lower Mainland treaty tables regained vitality as the fall season advanced. While conferences, discussions and lectures continue to take place in order to fully understand the implications of the Supreme Court of Canada's December 1997 decision in Delgamuukw, member activity has largely focused on the Tsleil-Waututh negotiations and on the need for Lower Mainland local governments to undertake a comprehensive interest identification process.

LMTAC members continue to work on a number of critical issues affecting the Lower Mainland. These issues include:

- establishment of provincial policy on interim measures agreements;
- post-Delgamuukw consultation issues;
- treaty process revitalization;
- Bill 31 Municipal Act reform;
- Bill C-49 Land Management Act;
- enhancing First Nation / local government relations;
- developing an urban treaty issues paper;
- continuing the Lower Mainland council tour;
- supporting the development of municipal Interest Inventories. ❖

TABLE SPECIFIC

Katzie First Nation (Stage 3)

The Chief Negotiators signed the Katzie Procedural Protocol at a Main Table meeting on October 20, 1998, completing the readiness requirements of Stage 2 of the British Columbia Treaty Commission process. The British

Columbia Treaty Commission has declared the table ready for Stage 3. Chief Negotiators have shown support for the newly formed Local Advisory Group (known as the Katzie LAG). This support will be included in Main Table record of decision. In the coming months, it can be anticipated that the parties will begin Stage 3 negotiations.

Councillor Candace Gordon is the LMTAC representative to the Katzie negotiations.

Musqueam First Nation (Stage 3)

Current Chief Gail Sparrow was succeeded by incoming Chief, Ernie Campbell, who took office January 4, 1999. On June 26, 1998 negotiations on the Musqueam Framework Agreement were complete and all Parties to the negotiations had initialed the Agreement.

The Musqueam First Nation have delayed a decision on whether or not to sign the framework agreement pending an evaluation of the provincial and federal positions on whether or not "compensation" will be explicitly discussed during the financial component of Agreement in Principle negotiations. The province has provided its position. A statement from Canada is pending. No negotiations, or Agreement in Principle workplanning, are scheduled pending Musqueam's evaluation of the ministers' responses.

Councillor Nancy A. Chiavario is the LMTAC representative to the Musqueam negotiations.

Squamish Nation (Stage 3)

No activity has occurred at the Squamish table since February 1998 when LMTAC provided provincial negotiators with comments on a draft of the Framework Agreement. At present, federal and provincial negotiators have the authority to initial the agreement, but minor textual changes and editing may continue to occur. Once these changes are complete, it can be anticipated that the Framework will be initialed by the Parties and Stage 4 wokplanning will commence. No further meetings are scheduled at this time. The Squamish First Nation is a participant in the provisions of the First Nation's Land Management Act.

Mayor Corinne Lonsdale is the LMTAC representative to the Squamish negotiations.

Tsawwassen First Nation (Stage 4)

Tsawwassen began Stage 4 Agreement-in-Principle negotiations in August 1997 with the development of an Agreement in principle workplan. In December 1998, the parties agreed to have the federal and provincial governments make interest presentations at a public Main Table in March 1999. Topics will include approaches to: taxation, constitutional status of lands, self government, relationship of laws, and certainty. It is anticipated that the Tsawwassen First Nation will then respond to these presentations at a public Main Table scheduled for July 1999. By October or November 1999, the parties hope to gauge the scope of expected progress of the negotiations.

Councillor Vicki Huntington is the LMTAC representative to the Tsawwassen negotiations.

Tsleil-Waututh First Nation (Stage 4)

The Tsleil-Waututh table commenced Stage 4 negotiations in May 1997. The process of gathering Tsleil-Waututh's interests on key substantive issues began in October 1998. This information gathering process is well under way and is expected to be completed by the Spring of 1999. Once Tsleil Waututh's interests are well understood, federal and provincial negotiators will be able to determine whether the main elements of a treaty "deal" exist. They hope to be able to bring their perspective to the tripartite table in fall, 1999 in order to allow tripartite consideration of next steps

Meetings in January 1999 explored the Tsleil-Waututh First Nation interests in the four categories of the "Variable Interest Model," including Parks and Protected Areas, Special Management Areas, Special Interest areas and FN Lands. As part of Tsleil-Waututh's wish to explore various partnerships, a Parks workshop was held, including federal provincial, regional and local representatives. An Indian River watershed conference occurred on February 3-4, 1999. Preliminary exploration of Tsleil-Waututh First Nation's interests in governance has also begun.

Mayor Don Bell is the LMTAC representative to the Tsleil-Waututh negotiations. ❖

UPCOMING LMTAC MEETINGS

Feb. 24	Executive Full LMTAC	4 pm - 7pm 7 pm - 9pm	GVRD Bldg GVRD Bldg
Mar 10	Executive CSC	9 am - 11am Noon - 2pm	GVRD Bldg GVRD Bldg
Mar 24	Executive Full LMTAC	4 pm - 7pm 7 pm - 9pm	GVRD Bldg GVRD Bldg
Apr. 14	Executive	9am - 11am	GVRD Bldg

(The CSC is LMTAC's Communications Sub-Committee. Future meeting times and dates are to be announced)

NEXT PUBLIC LMTAC MEETING:
Wednesday, February 24, 1999

PRIORITY NEWS

LMTAC COUNCIL TOUR SCHEDULE

Upcoming LMTAC presentations to Lower Mainland area city councils include:

City of West Vancouver	Feb. 22	8:30pm
North Vancouver District	Mar. 1	7:00pm
City of Langley	Mar. 8	7:00pm
City of Coquitlam	Mar. 15	7:30pm
Port Coquitlam	Mar. 22	TBA
Port Moody		TBA
Langley Township		TBA

COUNCIL TOUR UPDATE

LMTAC continued its 1998 Council Tour with presentations to Squamish City Council on October 27, 1998. In November, LMTAC presented to City of North Vancouver, Richmond, and to a joint meeting of Maple Ridge and Pitt Meadows Councils. The tour continued into December with a joint presentation to the Village Councils of Anmore and Belcarra. All presentations were open to the public and attended by various media organizations. The tour is gaining momentum and is providing councils and the public with a synopsis of current treaty issues.

On December 2nd, 1998 a special presentation was made to the GVRD's Regional Administrators Advisory

Committee (RAAC). Following the presentation, a question and answer period and discussion ensued concerning the development of a regional framework for municipal interest inventories. As a result, the GVRD and LMTAC will be working cooperatively to develop guidelines to assist municipalities in cataloguing technical information for their interest inventories.

The Council tour continues into 1999. Presentations were made to Surrey and Delta Councils on January on the 25th and 26th respectively. In February, presentations will be made to Port Moody, the District of North Vancouver, West Vancouver, City of Burnaby, and the Vancouver Board of Parks and Recreation. LMTAC plans to make presentations to all remaining Lower Mainland municipalities. Please contact the LMTAC office for a complete and up-to-date Council Tour schedule. ❖

Lower Mainland Advisory Groups: Update

REGIONAL CAUCUS (LMRC)

The LMRC was created as a forum for provincial line ministries, Crown Corporations, and local governments to discuss key treaty and Aboriginal issues. No upcoming meetings are scheduled.

REGIONAL ADVISORY COMMITTEE (LMRAC)

On November 5, 1998, LMRAC members received a presentation from Jack Ebbels (former Nisga'a Chief Provincial negotiator and Deputy Minister of Aboriginal Affairs) and the Nisga'a Senior Federal Negotiator, Jim Barkwell concerning the Nisga'a Final Agreement. A lively question/answer period took place. Tom Isaac, Cory Herrera and Deborah Wilson gave a comprehensive Tsleil-Waututh update, including a presentation of the Nation's "Land and Resource" paper.

During the January 6, 1999 LMRAC meeting, members received a presentation by the Chief negotiator for the Tsleil-Waututh First Nation, Leonard George. Also speaking on behalf of Tsleil-Waututh was consultant Chris Knight. The development of a "North Shore Focus Group" was proposed as a consultative body to the Tsleil-Waututh negotiations. Representatives from LMTAC argued that consultation should occur across the entire Lower Mainland since these negotiations could impact far reaching municipalities.

The LMRAC meets on the first Thursday of every month. LMTAC members should note that agendas and notices of

confirmation/cancellation are distributed by federal and provincial consultation officers. ❖

FRASER VALLEY TREATY ADVISORY COMMITTEE (FVTAC)

FVTAC advises three negotiations, the Sto:lo, Yale, and In-SHUCK-Ch N'Quat'qua tables, all of which are in Stage 4. The In-SHUCK-Ch N'Quat'qua table is currently preparing and reviewing draft chapters of their Agreement-in-Principle, and is the most advanced of the three tables. For additional information on FVTAC activities, contact Tamara Little at (604) 702-5000. ❖

LMTAC Biz

LMTAC RETREAT

Based on member feedback, the January 23 LMTAC Policy Retreat was a success! LMTAC members who attended the retreat engaged in both general and specific discussions about LMTAC interests and principles concerning Lower Mainland treaty negotiations. The retreat also included discussions about proposed LMTAC/provincial government workshops, and about future communications strategies. LMTAC staff wish to thank all members who participated.

NEW INFORMATION KIT FORTHCOMING

LMTAC is actively working to develop a new member/public information kit. The kit will be particularly useful to new TAC representatives who often find themselves overwhelmed with treaty information when they first join the Committee. In an effort to facilitate understanding and encourage member involvement, the new member/public information kit will provide a brief, yet detailed, background on treaty issues and LMTAC activities. Anticipated release: March 1999. ❖

Announcements

LMTAC wishes to congratulate Councillor Rob Fenger on his new position as Vice Chair of the Communications Sub-Committee. Louella Hollington and Don Buchanan also deserve congratulations as the newest members on LMTAC's Executive Committee.

Interested members wishing to join the Communications Sub-Committee should contact Councillor James

Coleridge, Communications Sub-Committee Chair.
Positions are still available.

Gordon Wilson was named Minister in charge of B.C. Ferries and Aboriginal Affairs in late January. Wilson surprised British Columbians by leaving his post as Leader and creator of the Progressive Democratic Alliance party to become a member of the New Democratic Party. LMTAC is interested to see how this change in leadership will affect treaty negotiations. Over the past 4 years, BC has had five Ministers of Aboriginal Affairs.

Suggestions? Ideas? Articles?

*If you have a suggestion, idea, or copy of an article you would like to include in an upcoming issue of the LMTAC Bulletin, please fax or e-mail your material to: the Lower Mainland Treaty Advisory Committee, Fax: (604) 436-6860;
E-mail: lmtac@gvrd.bc.ca.
If submitting an article, please send an electronic copy in Rich Text or Word 7.0 formats only.*