

# Update Bulletin

Reporting on recent  
LMTAC Activities

## INSIDE THIS ISSUE

<b>Policy and Event Highlights</b>	<b>1</b>
<b>Board Meeting Highlights</b>	<b>2</b>
<b>Negotiation Updates</b>	<b>2</b>
<b>LMTAC Business</b>	<b>2</b>

### Upcoming Public Board Meetings:

May 24, 2006  
June 28, 2006 (tentative)  
July 26, 2006

Looking for LMTAC materials or documents?

Visit us at:

[www.lmtac.bc.ca](http://www.lmtac.bc.ca)

**LOWER  
MAINLAND  
TREATY  
ADVISORY  
COMMITTEE**

***LMTAC coordinates and represents the collective interests of local government, and through them their constituents, in defining and building relationships between First Nations and other orders of government.***

## HIGHLIGHTS

### LMTAC to Present to Lower Mainland Municipal Association

The Chair of LMTAC will be presenting to the *Lower Mainland Municipal Association* at its Annual General Meeting on May 11. A presentation will also be provided by the Chair of the Fraser Valley TAC. The update on First Nation treaty activity in the region is timely given the recent signing of the Yale First Nation Agreement-in-Principle (AIP), the In-SHUCK-ch AIP counter-offer, and the increased pace of negotiations at Tsawwassen as Parties aim to reach a Final Agreement by year end.

### Tsawwassen Treaty Table Hosts Public Meeting

Chief Negotiators from Canada, British Columbia, and the Tsawwassen First Nation hosted a public meeting in Delta on May 2 to update area residents on the status of treaty negotiations. Many of those in attendance were leaseholders from the Tsatsu Shores and Stahaken developments.

During the meeting, negotiators indicated that while Parties are working towards a treaty by year end, it was not to be considered a firm deadline. Negotiators then provided an overview on some of the challenging issues being addressed at the table including: land title registry, additions to Treaty Settlement Lands and non-member representation. Following the update there was a Q&A session and a meet-and-greet with negotiators.

### Lower Mainland Roundtable on First Nation – Local Government Relations

On April 4, 2006, the BC Treaty Commission (BCTC) facilitated and hosted the first steering committee meeting to further explore a *Lower Mainland Roundtable on First Nation – Local Government Relations*; a forum proposed by LMTAC last July. In addition to LMTAC, representatives were in attendance from the Squamish, Tsawwassen and Katzie First Nations, as well as staff from the GVRD, the Ministry of Aboriginal Relations and Reconciliation, and Indian and Northern Affairs Canada.

The meeting was chaired by BC Treaty Commissioner Mike Harcourt. Discussion topics included: economic development, regional land use planning and servicing, relationship building, and regional governance issues. The BCTC is in the process of scheduling a follow up meeting in June.

### New Ruling Impacts Duty to Consult on Private Lands

On December 6, 2005, the Supreme Court of BC ruled in *Hupacasath v. British Columbia*. This case involved a challenge by the Hupacasath First Nation against the Province's removal of private lands from the jurisdiction of Tree Farm Licence 44. The Hupacasath alleged that the removal occurred without adequate consultation.

The Court agreed that a duty to consult with the Hupacasath did exist, as the case involved the transfer of the private lands into, and then out of, a publicly funded government program. The extensive involvement of the Province in the management of the private lands was the primary factor triggering the duty to consult. An information report providing further details on *Hupacasath* will be made available at the May 24 LMTAC Board meeting.

## LMTAC BOARD MEETING HIGHLIGHTS

**April 26<sup>th</sup>, 2006**

Members received an update from the Managing Director on the status of the 2006 LMTAC Workplan, and were informed that 75% of the activities were ongoing or complete. It was noted that upcoming Workplan items of interest included a discussion paper and workshop on First Nation service agreements, and an update to *Building Relations with First Nations: A Handbook for Local Government*.

Further, members received clarification from the Provincial negotiator at the Yale Treaty Table on aspects of the recent *Yale First Nation Agreement-in-Principle* and provisions related to parks and fisheries.

## NEGOTIATION UPDATES

### Katzie Table (Stage 4)

On May 19, the Katzie First Nation will be presenting before the GVRD *Aboriginal Relations Committee* to discuss their interests in the region. All interested individuals are welcome to attend.

The table continues to meet an average of 2-3 days each month and is progressing on the development of AIP Chapters related to: Tax, Fiscal, Fish and Lands.

Upcoming meetings are scheduled for May 23-25. All meetings are open to the public and are usually held at the Katzie Band Office in Pitt Meadows.

***Councillor Mel Kositsky is the LMTAC representative to the Katzie negotiations.***

### Tsawwassen Table (Stage 5)

Following the signing of an Agreement-in-Principle in 2004, the table continues with Final Agreement negotiations. In an effort to reinvigorate negotiations, Parties are currently exploring ways to address outstanding issues involving lands, resources, fiscal/tax, governance, servicing and general provisions. Parties continue to work towards a tripartite goal of reaching a Final Agreement by the end of 2006.

Further to the May 2 Public Information Meeting in Tsawwassen, Parties anticipate a subsequent session the week of May 29.

***Councillor Harold Steves is the LMTAC representative to the Tsawwassen negotiations.***

## Tsleil-Waututh Table (Stage 4)

The Tsleil-Waututh Nation recently entered into a Partnership Agreement with the provincial Integrated Land Management Bureau to develop an *Integrated Land and Resource Management Plan for the Indian River Watershed*. Through the agreement, the First Nation and B.C. wish to create a showcase of sustainable land use and natural resource management in the Indian River Watershed for the 2010 Olympics.

The negotiation teams met in late March to discuss a framework through which the table could reach an Agreement-in-Principle. The next meeting is scheduled for June 9 in Victoria.

***Councillor Alan Nixon is the LMTAC representative to the Tsleil-Waututh negotiations.***

## LMTAC BUSINESS

### Finance and Administration Sub-Committee (FASC)

LMTAC is pleased to announce that it is the recipient of a provincial grant to assist direct local government participation at area treaty tables, as well as continued development of related policy work.

### Technical and Strategic Working Group (TSWG)

On behalf of TSWG, LMTAC and GVRD staff presented a copy of the final draft discussion paper *Towards a Model Local Government Service Agreement with Lower Mainland First Nations* to the GVRD *Regional Administrators Advisory Committee* (RAAC) for its review and consideration on April 5 and May 3, 2006. RAAC members commended TSWG members for their research and preparation of the paper.

Following this technical staff review, the final draft will be presented to the LMTAC Board in May for preliminary discussion and endorsement in-principle in preparation of a servicing workshop on June 28, 2006; intended to assist members in furthering positive First Nation – Local Government relations through service arrangements.

This Bulletin provides a general overview of recent activities and major issues dealt with by LMTAC representatives. It is not intended to reflect all of the issues before the Committee. Any opinions expressed herein are solely of LMTAC.

**For more information on the Lower Mainland Treaty Advisory Committee, please contact LMTAC at:**  
4<sup>th</sup> Floor, 4330 Kingsway, Burnaby, BC, V5H 4G8  
Tel: (604) 451-6179 Fax: (604) 436-6860  
E-mail: [lmtac.lmtac@gvr.bc.ca](mailto:lmtac.lmtac@gvr.bc.ca)