

UPDATE BULLETIN

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

Volume 2, Issue 1

Reporting on LMTAC Activities May - June 2000

July 2000

Key Items of Business

Lower Mainland Treaty Advisory Committee (LMTAC)

June 28, 2000

The LMTAC meeting on June 28 commenced with a Tsawwassen Chapter planning discussion between LMTAC and BC South on Land Use Planning and Management. Following, the full board reviewed in detail the comments received from LMTAC member councils/ boards regarding the eight additional or amended principles. LMTAC members recommended that the newly approved principles, the original 35 LMTAC *First Principles* and the Interest Paper be integrated to create one main LMTAC policy document. This new document, the *Considerations Paper*, will be used by table representatives as a tool to outline LMTAC interests in treaty negotiations. The draft version of the *Considerations Paper* will be presented to the Full LMTAC for their review in July.

May 24, 2000

At the full LMTAC meeting on May 24, Jim Abram, Chair of the UBCM Aboriginal Affairs Committee, and Alison McNeil, UBCM Senior Analyst, reviewed the role and mandate of the UBCM Aboriginal Affairs Committee and answered questions regarding the objectives of the Treaty Negotiations Advisory Committee (TNAC) and its relation to the UBCM. LMTAC members requested an opportunity to host a treaty forum during the UBCM fall convention.

Also during this meeting, members from the BC South Team and LMTAC explored their interests surrounding Culture and Heritage and Environmental Planning and Assessment in relation to the Tsawwassen treaty negotiations.

In addition, the LMTAC membership approved dispute resolution mechanisms for resolving differences between the LMTAC and BC and between the LMTAC and individual member jurisdictions. In an effort to respond more effectively to information requests from the Province and to better understand the

data sharing policies of the province, LMTAC staff presented the committee with an information report summarizing data-sharing and cost-sharing practices of all 26 LMTAC members.

Upcoming: July 26, 2000

The next LMTAC meeting will feature a special delegation by Michael deJong, BC Liberal Opposition MLA, Aboriginal Affairs Critic. Further to an invitation made by Chair Don Bell at the UBCM Aboriginal Issues Conference in April 2000, members of TACs throughout BC are welcome to attend.

As this is the last meeting before the summer break, the meeting will offer a full agenda and include such items as reviewing the first draft of the updated integrated *Considerations Paper*, examining Mayor Hal Weinberg's proposal for direct discussions with First Nations, and reviewing LMTAC information project initiatives.

UPCOMING PUBLIC MEETINGS:

Wednesday, July 26, 2000

Wednesday, September 27, 2000

Please note that there will be no Full LMTAC meeting in August due to the Summer Break

A complete meeting schedule is available from the LMTAC Web Site at: www.gvrd.bc.ca/lmtac.

(Details outlining our updated and soon-to-be-implemented web site will be sent to you soon)

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Negotiation Updates

REGIONAL ROUNDUP

Tsawwassen Public Information Session

A Chief Negotiators' Information Workshop on Environmental Management on June 8, 2000 in Delta. This workshop combined two previously separate meetings (Chief Negotiators Information Workshop and Public Information Session) in order to allow both the Chief Negotiators and the public to hear presentations on the roles and responsibilities of their respective departments relating to Environmental Management. The presentations were followed by questions from the Chief Negotiator and the public.

TABLE SPECIFIC

Katzie First Nation (Stage 3)

In May 2000, Katzie forwarded a draft Framework Agreement for consideration by the parties. The Katzie First Nation has proposed that the table begin Stage 3 negotiations and has tabled a draft Framework Agreement. Negotiation meetings are scheduled through September.

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

Musqueam First Nation (Stage 3)

On June 26, 1998 negotiations on the Musqueam Framework Agreement were completed and all Parties to the negotiations had initialed the Agreement. Further table work is on hold pending Musqueam consideration of issues related to the negotiation of compensation and ratification of the Framework Agreement. No further negotiation meetings or activities have been scheduled.

Mayor Greg Halsey-Brandt 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. Federal and provincial negotiators have the authority to initial the agreement

and Squamish have indicated their willingness to sign the framework agreement. No further treaty-related meetings are scheduled at present.

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

Tsawwassen First Nation (Stage 4)

The Tsawwassen table continues to be the most active treaty negotiations in the lower mainland. The Main Table Working Group/Side Table met several times to share interests on several key issues, including Culture and Heritage, Access, Environmental Planning and Assessment. In preparation for a settlement proposal at the end of July, the Tsawwassen First Nation has advised that they will be making proposals in relation to land, fish harvest and management, and governance.

At the Main Table on May 11, 2000, the Fish Technical Working Group released to the public the information they gathered on abundance and harvest of federal fish species of interest to the Tsawwassen. (This information is available at the Kwantlen University College, Richmond campus library). The working group is expected to complete information gathering on provincial fish species by the end of July 2000. The next Main Table is planned for July 28, 2000.

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

Tsleil-Waututh First Nation (Stage 4)

On July 12, 1999 the Chief Negotiators from the federal and provincial governments made a 'scoping presentation' to negotiators from the Tsleil-Waututh Nation to provide their initial indication of how the federal and provincial governments could potentially address Tsleil-Waututh's interests. At the May 10, 2000 Chief Negotiator's meeting, Canada and BC noted policy gaps between the approaches of TWN and the public governments. At a Side Table meeting on May 31, 2000, the parties agreed to begin work on a draft workplan for Chief Negotiators' review. The aim is to begin information gathering to start more substantive discussions in the fall.

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

PRIORITY NEWS

Special Workshop to Discuss the LMTAC First Principles with BC

Due to an increase in the amount of business covered at regular meetings, LMTAC and the BC South Team met for a separate workshop on June 16 to exclusively discuss the LMTAC First Principles. The productive discussion focused on some First Principles that significantly differ from the Provincial mandates. Both parties viewed the discussion as a valuable opportunity to better understand specific complexities of each other's interests and suggested that other such workshops be held in the future. It is intended that a detailed reply will be provided from BC South regarding those First Principles that differ from provincial negotiating mandates. ❖

LMTAC Biz

TECHNICAL & STRATEGIC WORKING GROUP (TSWG)

The LMTAC Technical and Strategic Working Group (TSWG) is the staff-led body that facilitates discussion of key treaty/Aboriginal interests and makes recommendations to the LMTAC membership.

On May 18, 2000, LMTAC members received a presentation by staff from the Federal Treaty Negotiation Office (FTNO) on the Federal Inherent Right Policy. Participants also discussed the topic of governance in relation to the Federal Concurrent Law Model and the law of paramountcy. Benefits of ongoing informal treaty-related dialogue sessions with representatives of the federal and provincial negotiating teams were discussed.

The TSWG continues to identify issues unique to the urban aboriginal context of the Lower Mainland and to make suggestions on how to address these particular issues. The TSWG members look forward to meeting with the GVRD Social Issues Committee in September to further examine these issues.

Progress reports on TSWG activities are presented to the LMTAC Executive and its members as meetings are held.

BOARD DEVELOPMENT

The second BC Hydro/LMTAC Aboriginal Relations Information Session was held on May 10 for those members not able to participate in the one held in

February. Once again, participants found the session highly engaging and informative.

In an effort to improve the organization and communication of committee business and to provide guidance to members, the LMTAC staff has committed to stream-lining the agenda and meeting formats. These new formats will be implemented for the September meetings.

UNION OF BRITISH COLUMBIA MUNICIPALITIES (UBCM)

The summary report of the popular UBCM Aboriginal Issues Conference, held April 5 – 7, was distributed to participants in the June 28 Full LMTAC package.

With the aim of increasing understanding and improving overall relations between Local Governments and First Nations, the Union of BC Municipalities will hold a series of Community-to-Community forums, which will be jointly organized by Local Governments and First Nation leaders. LMTAC is working with the Tsleil-Waututh First Nation and the Lower Mainland Municipal Association (LMMA) to coordinate details for a Community-to-Community forum to be held this September in the lower mainland. The forums build upon the success of a province-wide forum organized by UBCM and the First Nations Summit in 1997. Details coming soon. ❖

Communications Update

The LMTAC is in the process of finalizing a workplan for council/regional district presentations on treaty table updates; these are follow up to the introductory presentations made to all member councils and boards in 1998/99. The Communications Sub-Committee has also begun discussions on public information projects for the fall. Details outlining our updated web site will be distributed soon.

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 the LMTAC.

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Lower Mainland Advisory Groups: Update

REGIONAL CAUCUS (LMRC)

On June 14, Regional Caucus met to discuss Land Selection and Access in relation to the Tsawwassen treaty negotiations. Thus far, meeting locations have alternated between Victoria and Vancouver. The meetings are attended by representatives from the Lower Mainland TAC, the Fraser Valley TAC, various BC line ministries, Crown Corporations, and the BC South Team.

The LMRC was created as a forum for provincial line ministries, Crown Corporations, and local governments to discuss key treaty and Aboriginal issues.

REGIONAL ADVISORY COMMITTEE (LMRAC)

The next Lower Mainland Regional Advisory Committee meeting is planned for September. No LMRAC meetings have been planned over the summer months due to limited substantive activity at the Lower Mainland tables and to insufficient amounts of material to warrant a consultation meeting. Consultation Groups (CG) have met in place of the LMRAC to consult *specifically* on the Tsawwassen and Tsleil-Waututh negotiations.

The Tsawwassen Consultation Group (TCG) met on May 11 and June 8. The May 11 meeting focused on the discussion of Federal Interest papers on Culture & Heritage, Environmental Management, and Environmental Protection and Assessment. At the June 8 meeting, members reviewed interest papers presented at the previous meeting and one on Access. In addition, a representative from the Federal Department of Justice delivered a presentation on the Federal Government's fiduciary relationship to First Nations and the relationship of laws and paramountcy. Both meetings were held at the Delta Town & Country Inn. The next TCG is planned for July 13. ❖

FRASER VALLEY TREATY ADVISORY COMMITTEE (FVTAC)

The Fraser Valley Treaty Advisory Committee represents Local Governments in the Fraser Valley in treaty negotiations at the Yale, Sto:lo and In-SHUCK-ch N'Quat'qua tables. FVTAC is pleased to see negotiations renewed with the Sto:lo and Yale First Nations over the last month. On May 26 there was a Sto:lo Maintable at which BC and Canada presented their vision for a Sto:lo treaty, based on their public

mandates and interests established provincially. The Sto:lo Nation responded with a review of their history as it related to Aboriginal rights issues and some discussion of their culture. The Sto:lo Chief Negotiator David Joe emphasized the treaty as "like a living tree"- a social contract to evolve over time, whereas BC and Canada considered it more to be a package of rights and obligations.

The Yale table is engaging in negotiations over the summer, with a Maintable expected in the fall and a tour of the traditional territory of the First Nation for members of the negotiating teams in the summer. Fisheries and the challenges of governance in a small First Nation will be central topics.

The In-SHUCK-ch N'Quat'qua table has not had a change in status since the spring, however in a recent community referenda N'Quat'qua, the most northerly group, indicated a desire to withdraw from negotiations. It is expected that the southern three bands will continue, but there is no official word yet.

FVTAC is continuing to define its interests and communicate its Guiding Principles to BC Team South, and is looking forward to a workshop on Servicing Agreements in July to provide BC with an opportunity to learn more about the practical aspects of First Nations-Local Government relations. FVTAC members also appreciated a recent visit by representatives from FTNO and Department of Fisheries and Oceans for a very profitable discussion on fisheries management pre and post-treaty. As the fall approaches, and negotiations progress, the FVTAC is considering its role in communications and public information. More detailed monthly updates on FVTAC activities and the status of the negotiating tables are available on the FVTAC web site at www.fvrd.bc.ca/tac/home or by contacting Chair Mayor Clint Hames or Tamara Little at 1.800.528.0061. ❖

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 Update Bulletin, please fax or e-mail your material to
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