

Update Bulletin

Reporting on recent
LMTAC Activities

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Upcoming Public Board Meetings:

September 19, 2007
October 24, 2007

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**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

Tsawwassen First Nation Ratifies Final Agreement

Members of the Tsawwassen First Nation voted in favour of the *Tsawwassen Final Agreement*, following three days of voting on July 20, 23 and 25. This is a significant milestone for the Province, marking the first modern treaty to be ratified by a First Nation under the BC Treaty Process.

Upon release of the results, LMTAC Chair Mayor Ralph Drew commented "I congratulate Chief Kim Baird and her community. Once this treaty is ratified by both the provincial and federal governments, LMTAC is eager to be part of the transitional process and to see success on the ground for this historic treaty."

Following the counting of ballots, it was announced that the Tsawwassen community had voted overwhelmingly in favour of the *Final Agreement*, with 130 votes for, and 50 votes against. Next steps in the ratification of the *Tsawwassen Final Agreement* include passage of settlement legislation by British Columbia and Canada, expected to occur in fall 2007 and spring 2008, respectively.

Details of the *Tsawwassen Final Agreement* include: 724 hectares of land, 662 hectares of which Tsawwassen will have land management authority over; a capital transfer of \$13.9 million; allocations of salmon for food, social and ceremonial purposes; a harvest agreement for an economic salmon fishery; complete phase-out of *Indian Act* tax exemptions after 12 years; and membership in the Greater Vancouver Regional District (GVRD).

LMTAC Releases *Lessons Learned and Best Practices* Document

At the June 27th LMTAC Board meeting, members endorsed its most recent policy paper *LMTAC Lessons Learned and Best Practices at the Tsawwassen Treaty Table*. The document assesses LMTAC's experience during substantive Tsawwassen treaty negotiations, from Framework Agreement to the initialling of the Final Agreement, with the intention that the findings will assist the LMTAC Board, Executive Committee, Table Representatives and staff in addressing local government interests at upcoming Agreement-in-Principle tables.

In total, the document identifies 27 best practices, 29 lessons learned, and 30 considerations for future actions. The paper is being distributed to all LMTAC member jurisdictions, provincial and federal negotiating teams, the Union of BC Municipalities, and the BC Treaty Commission. Complete copies of the *Lessons Learned and Best Practices* guide are available at www.lmtac.bc.ca.

District of North Vancouver Signs Protocol Agreement

On June 23rd representatives from the District of North Vancouver and the Tsleil-Waututh Nation gathered in Cates Park / Whey-ah-Wichen to celebrate the signing of a *Cooperation Protocol Agreement* between the two governments. The agreement builds on the strong relationship developed between the District and the First Nation and addresses opportunities for cooperation on land use planning, as well as economic, social, and cultural initiatives.

LMTAC BOARD MEETING HIGHLIGHTS

July 25th Board Meeting

At the July 25th Board meeting, members discussed and endorsed the draft 2008 budget. Further to the topic of funding, LMTAC members also considered a draft briefing note on LMTAC funding; developed as a quick reference guide in the event members receive inquiries. Updates were also provided on the activities of the Fraser Valley TAC, the Union of BC Municipalities, and area treaty tables.

June 27th Board Meeting

At the June 27th Board meeting members received an update on *Tsawwassen Final Agreement* ratification and implementation activities from provincial negotiators, as well as an update on Tsleil-Waututh Agreement-in-Principle (AIP) negotiations. Board members also endorsed for release the *Lessons Learned and Best Practices* document (see above article), and approved preliminary 2008 budget assumptions.

NEGOTIATION UPDATES

Katzie Table (Stage 4)

The Katzie Main Table Working Group (MTWG) met July 19th for discussion of draft AIP chapters on *Forest Resources* and *Culture & Heritage*.

Parties met June 21st to discuss the development of draft AIP chapters on *Water* and the post-treaty *Katzie Role Outside of Treaty Settlement Lands*.

Following the August break, the table is scheduled to meet September 11th and 12th for negotiations on several chapters, including initial discussions of the *Intergovernmental Relations* chapter. Parties also confirmed extension of Katzie's Treaty Related Measure on Land Identification until December 15, 2007.

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

Tsawwassen Table (Stage 5)

After successful ratification of the Tsawwassen Final Agreement, British Columbia must pass settlement legislation, followed by Canada, to bring the treaty into effect.

Councillor Linda Barnes is the LMTAC representative to the Tsawwassen negotiations.

Tsleil-Waututh Table (Stage 4)

Negotiations at the Tsleil-Waututh Table have been active, with Parties meeting July 17th and 18th in North Vancouver for discussions on draft AIP *Fiscal Relations*, *Capital Transfer*, and *Governance* chapters.

Earlier in June, Parties met for four days of meetings in Victoria. Negotiations were substantive, with Parties discussing draft AIP chapters on *Lands*, post-treaty *Role Outside of Treaty Settlement Lands*, and *Governance*, as well as non-treaty Tsleil-Waututh interests in the 2010 Olympics and Indian Arm Provincial Park planning. Meetings concluded with a Chief Negotiators meeting on June 8th to consider approaches for concluding an AIP.

Provincial negotiators at the Tsleil-Waututh table met with councillors from the District of North Vancouver for a workshop to brief councillor on treaty negotiations. A joint meeting between the Councils of the District of North Vancouver and the Tsleil-Waututh Nation has been scheduled for September 13th, with a treaty update to be included on the agenda.

The next Tsleil-Waututh meetings are scheduled September 18th-21st, with further discussions on the draft AIP chapters on *Culture & Heritage*, *Resource Revenues Sharing*, and *Taxation*.

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

Musqueam Table (Stage 4)

Although the Musqueam First Nation has not been active in the BC Treaty Process since signing a Framework Agreement in 2005, both the Province and the Musqueam have confirmed ongoing negotiations regarding Musqueam's interest in the University Golf Course. The discussions remain outside the treaty process, and were prompted by a 2005 BC Court of Appeal ruling that the Province had failed to consult and accommodate with the Musqueam on a previously planned sale of the course.

Councillor Jean Ferguson is the LMTAC representative to the Tsleil-Waututh negotiations.

Squamish Table (Stage 3)

The Squamish First Nation and the Province announced on July 26th an agreement on the creation of two land conservancies as part of the *Sea-to-Sky Land and Resource Management Plan*, protecting an area nearly 30 times the size of Stanley Park. The agreement is the result of nearly two-years of negotiations between the Province and the Squamish.

The Squamish treaty table has remained inactive since 2000.

Councillor Corrine Lonsdale is the LMTAC representative to the Tsleil-Waututh negotiations.

LMTAC BUSINESS

Finance and Administration Sub-Committee (FASC)

At the July 4, 2007 FASC meeting, members recommended a draft 2008 LMTAC budget for endorsement by the Board and considered a draft briefing note on LMTAC funding. FASC members also discussed possible 2008 FASC-related Workplan items.

Following endorsement of the draft 2008 budget at the July 25th Board meeting, FASC will commence work on the annual LMTAC regional district tour this fall, updating the *Greater Vancouver, Squamish-Lillooet, and Sunshine Coast Regional Districts* on LMTAC activities. The next FASC meeting is scheduled for October 3rd.

Technical and Strategic Working Group (TSWG)

TSWG Members met on June 14, 2007 to initiate development of briefing note on LMTAC funding. Members also reviewed LMTAC's proposal for a revised Memorandum of Understanding between UBCM and the Province, which would provide for local government participation in *New Relationship* discussions. The next TSWG meeting is scheduled for September 13th to discuss anticipated policy items for the 2008 Workplan.

OTHER NEWS

Federal Government Announces Specific Claims Action Plan

Prime Minister Stephen Harper and Indian Affairs Minister Jim Prentice announced on June 12th the *Specific Claims Action Plan*. Details of the new plan include an independent tribunal to make final decisions on claims when negotiations fail, and \$250 million of funding a year for 10 years for specific claim settlement.

Specific claims occur outside of the BC Treaty process, dealing with alleged breach of historic treaties or misadministration of First Nation lands and assets under the *Indian Act*. To date, there are nearly 800 outstanding specific claims across Canada, nearly 400 of which are in British Columbia.

Union of BC Municipalities (UBCM) Convention - *Working with First Nations Study Sessions*

UBCM has announced it will be hosting a half-day study session on *Working with First Nations* September 24th during the 2007 annual convention. Session participants will be provided with an overview of a Community-to-Community Forum guide that is under development in partnership with UBCM, the First Nations Summit and the Ministry of Community Services. The session will also include a discussion of practical tools and approaches for local governments when working with First Nations.

For more information please visit the UBCM website
www.civiconet.bc.ca

Huu-ay-aht First Nations Endorse *Maa-nulth Final Agreement*

The Huu-ay-aht First Nations, one of five member Indian Bands of the Maa-nulth First Nations, approved the *Maa-nulth Final Agreement* in a community vote July 28, 2007, marking the second successful Final Agreement ratification vote under the BC Treaty Process.

A decisive 90 percent of the Huu-ay-aht community voted in favour the agreement. Ratification votes for the remaining four bands of the Maa-nulth First Nations have been scheduled for October 2007.

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.

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