

Major Items of Business

Lower Mainland Treaty Advisory Committee (LMTAC)

David L. Didluck
Aboriginal Affairs Coordinator

FEBRUARY LMTAC MEETING

The LMTAC met on February 25, 1998. At the meeting, Mr. Jim Fralick, Manager of Aboriginal Affairs for the B.C. Ministry of Agriculture, Fisheries and Food, addressed the Committee regarding the issue of the Roberts Bank lands. Several members raised concerns that negotiations with the Tsawwassen First Nation over the lands were taking place outside of the established treaty process. Following Mr. Fralick's presentation, provincial negotiators commented on the Squamish Framework agreement and discussions surfaced on the status of the LMTAC's communications and organizational plans. Other business included the acclimation of Councillor James Coleridge, City of White Rock, to the Member at Large position on the LMTAC Executive.

MARCH LMTAC MEETING

There was no meeting of the LMTAC during the month of March due to limited activity at Lower Mainland negotiating tables as a result of the *Delgamuukw* decision.

continued on page 2

INSIDE THIS ISSUE

- 1 Major Items of Business
- 1 Negotiation Updates
- 3 Lower Mainland Advisory Groups: Update

Negotiation Updates

Regional and Table Specific

REGIONAL

Activity on the Lower Mainland tables has slowed in recent weeks largely as a result of the Supreme Court of Canada's December 11, 1997 decision in *Delgamuukw*. The release of this important judgment has raised numerous questions about the efficacy of the B.C. treaty progress. Questions raised by the decision include who holds Aboriginal title, how much land is subject to title, and how might the possibility of joint title affect negotiations where there are overlapping claims? The Supreme Court of Canada's decision in *Delgamuukw* can be found at: http://www.droit.umontreal.ca/doc/csc-ssc/en/pub/1997/vol3/html/1997scr3_1010.html.

STATUS OF NEGOTIATIONS: By Table

Stage 2 - Katzie First Nation

**Stage 3 - Musqueam First Nation
Squamish Nation**

**Stage 4 - Tsawwassen First Nation
Tseil-Waututh First Nation**

TABLE SPECIFIC

Katzie First Nation

The British Columbia Treaty Commission (BCTC) declared the Katzie Band ready to negotiate on December 1, 1996. Since then, tripartite meetings have been convened by the BCTC regarding the readiness requirements of Stage 2 negotiations. On February 25, 1998, the LMTAC provided formal comments on draft #3 of the *Katzie First Nation Negotiation Procedural Protocol*. Negotiators now await an official response from Katzie regarding the substance of

4 Information Items / Upcoming Events / Articles

continued on page 2

APRIL LMTAC MEETING

The LMTAC met on April 22, 1998. At the meeting, Ms. Viola Thomas from United Native Nations spoke on the parallel challenges facing urban, off-reserve First Nations and Lower Mainland municipal governments. Ms. Thomas recommended the LMTAC advocate for a tripartite process to examine policy vacuums impacting Aboriginal people living off-reserves. Following the presentation, the LMTAC reviewed and adopted its draft communications plan and formed a new communications sub-committee to be led by Director Richard Littlemore and Councillor James Coleridge. Other business included: a brief introduction from Mr. Thomas Issac, the new provincial negotiator for the Lower Mainland; table-specific updates from provincial negotiator Ms. Cory Herrera; and a verbal update from Mr. Jim Fralick, Manager of Aboriginal Affairs for the B.C. Ministry of Agriculture, Fisheries and Food, on the status of the Roberts Bank protocol agreement.❖

Negotiation Updates, continued from page 1

comments as well as continue to exchange information on the draft agreement. It is anticipated that the protocol will be initialed by the parties with the next 2 months. At present, no further meetings or main tables are scheduled.

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

Musqueam First Nation

Negotiations on the form and substance of the Musqueam Framework Agreement are proceeding. Since May 1997, Canada and British Columbia have tabled several sample framework agreements at working group meetings. Working group meetings to discuss drafts #4 and #5 were held on February 20 and February 27, 1998.

At present, negotiators are reviewing comments on framework draft #7 which contains a more complete list of substantive issues for Stage 4 (AIP) negotiations. A copy of draft #7 was received by the LMTAC in the first week of April. Formal comments were submitted by the LMTAC to provincial negotiators on April 16, 1998. At present, the next public main table is scheduled for May 7, 1998.

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

Squamish Nation

Following from the signing of the Openness Protocol on October 27, 1995, working group meetings have been convened to resolve outstanding issues surrounding the Squamish Nation Framework Agreement. On January 25, 1998, a draft of the framework was officially circulated to advisory bodies for comment. In February 1998, LMTAC provided provincial representatives with comments on the framework. At present, federal negotiators are reviewing the document internally. It is anticipated that a main table to initial the framework and begin Stage 4 (AIP) work planning will be scheduled shortly.

Mayor Corinne Lonsdale is the LMTAC representative to these negotiations.

Tsawwassen First Nation

On August 2, 1997, the Tsawwassen First Nation Framework Agreement and tripartite Stage 4 Workplan was signed and approved by the parties. Since then, the parties have been preparing and presenting interest papers on the workplan and proceeding with Stage 4 (AIP) negotiations. On February 3, 1998, the Tsawwassen First Nation publicly released a revised draft of its Ratification, Amendment and Dispute Resolution interest paper.

On a related note, concerns have been raised regarding the recent negotiation of a protocol agreement between the Province and the First Nation. Under the terms of the protocol, which is currently under negotiation outside of the B.C. treaty process, the Tsawwassen First Nation is being asked by provincial negotiators to clarify which Roberts Bank lands may be of central interest to their community in future treaty negotiations. LMTAC views such a protocol as an interim measures agreement and is communicating with provincial negotiators to ensure such an agreement follows the procedural and consultation requirements set out by the B.C. Treaty Commission.

Councillor Vicki Huntington is the LMTAC representative to these negotiations.

Tsleil-Waututh First Nation

At a public main table in November 1997, the Tsleil-Waututh First Nation formally presented its interest paper on

Lands and Resources. This highly detailed presentation included numerous maps of the Tsleil-Waututh traditional territory and identified, from a bioregional perspective, proposed community and economic development activities. Termed a 'variable interest model', Tsleil-Waututh is seeking a broad range of governance powers from co-management to exclusive ownership over their entire traditional territory. A formal response to the presentation has not been tabled by federal or provincial negotiators. A date for the next main table has not been scheduled.

On a related note, on January 16, 1998, the Tsleil-Waututh First Nation and the Province of British Columbia signed a co-management agreement for Indian Arm provincial park. The First Nation and the Province will each appoint two representatives to a management board to guide the park's development. Plans for the park include educational facilities and an ecotourism program.

Mayor Don Bell is the LMTAC representative to the negotiations. ❖

Tsleiliwaututh is the Halkomelem name of an early Native village at the mouth of Seymour River and is translated as "people of the inlet." The Tsleil-Waututh are part of the Halkomelem linguistic group of the Central Coast Salish.

The role of the Lower Mainland Treaty Advisory Committee (LMTAC) is to coordinate and represent the interests of local government jurisdictions and their constituents in Lower Mainland area treaties presently under negotiation.

This bulletin is intended to provide 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.

For additional information on LMTAC activities, please contact: Mr. David Didluck, LMTAC Aboriginal Affairs Coordinator, 451-6179 (tel), 436-6860 (fax), or ddidluck@gvrd.bc.ca (e-mail).

Lower Mainland Advisory Groups: Update continued on page 3

REGIONAL CAUCUS (LMRC)

The Regional Caucus was again communicating by electronic mail over the past weeks. The most recent meeting of LMRC occurred on February 5, 1998. The highlight of the meeting was a detailed Lands and Resources presentation by members of the Tsleil-Waututh Nation; the same presentation made at the Tsleil-Waututh main table in December 1997. At the next meeting of the LMRC, the LMTAC wishes to discuss the negotiation of interim measures agreements with reference to *Delgamuukw*.

The LMRC is a source of information on the activities of provincial line ministries and crown corporations as it relates to Aboriginal groups. A date for the next meeting has not been scheduled.

REGIONAL ADVISORY COMMITTEE (LMRAC)

The March 5 and May 7, 1998 meetings were canceled by provincial and federal representatives. As a result, the deadline to provide comments on the Squamish Framework Agreement was extended from March 5th to March 16th. At the most recent meeting held on April 2, 1998, members received table updates from federal and provincial negotiators and had the opportunity to address Musqueam negotiators on the substance of their Framework Agreement.

The LMRAC meets on the first Thursday of every month. The next meeting is scheduled for June 4, 1998. LMTAC members should note that an agenda and notice of confirmation will be distributed prior to the meetings. When necessary, notices of meeting cancellation are faxed directly to LMRAC members.

FRASER VALLEY TREATY ADVISORY COMMITTEE (FVTAC)

The FVTAC advises three negotiations, the Sto:lo, Yale, and In-SHUCK-Ch N'Quat'qua tables. All tables are in Stage 4 (AIP) negotiations and are progressing well with addressing substantive issues. Over the past month, the Committee has focused its efforts on conducting interest identification exercises and in improving communication with members of the Provincial negotiating team. In April, the FVTAC also hosted a series of information sharing meetings with In-SHUCK-Ch N'Quat'qua. For additional information on FVTAC, contact *Suzanne Gresham* at (604) 702-5032. ❖

INFORMATION ITEMS

UBCM DELGAMMUUKW CONFERENCE

On April 2, 1998, the Union of B.C. Municipalities (UBCM) hosted a one day conference on the *Delgamuukw* decision. Presentations were made on the decision itself and its implications for senior governments, local governments, and the B.C. treaty process. Presenters included Alex Robertson (British Columbia Treaty Commission), Robert Louie (First Nations Summit), Robert Lapper (B.C. Ministry of the Attorney General), and Denis deKeruzec (Federal Treaty Negotiation Office). The conference emphasized the far reaching implications of *Delgamuukw* and the impact Aboriginal title might have on municipal interests. Presenters also acknowledged that the decision raised new questions about the current process of negotiating interim measures agreements and of resolving the overlap issue. ❖

NEW ABORIGINAL AFFAIRS COORDINATOR

The Lower Mainland Treaty Advisory Committee welcomes Mr. David L. Didluck to the position of Aboriginal Affairs Coordinator. To the position Mr. Didluck brings a diverse background in public policy and administration, social and economic development, and government relations as well as a history of working directly with First Nations and in dealing with sensitive Aboriginal and community issues. Mr. Didluck will officially staff the LMTAC office commencing April 1, 1998. ❖

ABORIGINAL DEMOGRAPHICS

Every census year Statistics Canada compiles detailed socio-economic and demographic data on Canadian First Nations, Inuit and Metis peoples. Recent statistics from the 1996 Census include:

- Population Growth: the Status Indian population is expected to grow annually, between 1997 and 2005, at a rate of 2.3% on reserves and 2.4% off reserves, putting pressure on the funding of basic service programs.
- Young population: 50% of the Status Indian population is under age 25, raising the priority of youth programming.
- Life expectancy: First Nations face a life expectancy seven years shorter than the Canadian average.

If you are searching for Aboriginal demographic data or other

UPCOMING EVENTS

NATIONAL ABORIGINAL DAY: JUNE 21

In 1982, the National Indian Brotherhood (now the Assembly of First Nations) conducted a national campaign to have June 21 recognized as National Aboriginal Solidarity Day.

More than a decade later in 1995, participants of the Sacred Assembly in Hull, Quebec - a national meeting of Aboriginal and non-Aboriginal people organized by MP Elijah Harper - also called for a national day to recognize the contributions of Aboriginal peoples to Canada.

On June 13, 1996, June 21 was officially declared National Aboriginal Day at a ceremony hosted by the Governor General, The Right Honourable Roméo LeBlanc. Canadians marked the first annual celebration by hosting events in their communities, and 45 municipalities passed resolutions recognizing June 21 as National Aboriginal Day.

How to Get Involved

Many of the events to celebrate National Aboriginal Day on June 21 are organized at the local and regional level. Planning committees usually include both Aboriginal and non-Aboriginal people, and many of the events are supported by a wide range of organizations. You can get involved by contacting an Aboriginal community or

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 no later than the 2nd Wednesday of each month to: Lower Mainland Treaty Advisory Committee, Fax: (604) 436-6860; E-mail: ddidluck@gvrd.bc.ca.

If submitting an article, please send an electronic copy in Rich Text or Word7.0 formats only.

Please note that materials submitted become the property of the LMTAC.