

UPDATE BULLETIN

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

Volume 1, Issue 6

Reporting on LMTAC Activities April 1999 - May 1999

June 1999

Key Items of Business

Lower Mainland Treaty Advisory Committee (LMTAC)

April 28, 1999

The April 28 meeting of the full LMTAC membership featured an engaging roundtable discussion with the Ministry of Aboriginal Affairs BC South Team negotiators. LMTAC members chose this venue over the “short sleeve workshop” the province had previously proposed. It was agreed that LMTAC needed to complete internal work on policy and principles via a series of LMTAC policy retreats.

Clarification at the “roundtable discussion” was sought from the BC South Team regarding:

- provincial mandates concerning municipal lands/assets;
- terminology such as “off the table”;
- “willing buyer / willing seller” arrangements

A summary of the questions and answers from the roundtable are available at the LMTAC office. ❖

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 additional information on LMTAC activities, please contact:
the Lower Mainland Treaty Advisory Committee,
4th Floor, 4330 Kingsway,
Burnaby British Columbia, V5H 4G8.
Tel: (604) 451-6179 Fax: (604) 436-6860
E-mail: lmtac@gvrd.bc.ca**

May 26, 1999

Policy Director, Jose Villa Arce, from the Ministry of Aboriginal Affairs, and Doug Caul from the Ministry of Forests were invited to the May 26 LMTAC meeting to discuss interim measures, provincial mandate development, treaty process “fast tracking,” and other Aboriginal issues. This complemented the prior round table meeting with BC South Team at the April LMTAC meeting. Mr. Villa Arce was very direct in discussing the province’s mandates, or as he put it, their “bottom lines”. The presenters spoke to a variety of issues including an expedited (or an accelerated) treaty settlement model for rural negotiations; the Sechelt Agreement in Principle (AIP); lessons learned from the provincial ratification process of the Nisga’a AIP; governance structures in the urban core; and future intergovernmental relations. Both presenters and LMTAC members communicated their willingness to return to future meetings.

NEXT PUBLIC LMTAC MEETINGS:

Wednesday, June 23, 1999

Wednesday, July 28, 1999

*A complete meeting schedule is available from the LMTAC office. Please call (604) 451-6179 to request a copy or visit our web site at:
www.gvrd.bc.ca/LMTACO/lmtac.html*

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Negotiation Updates

Regional and Table Specific

REGIONAL

There have been some recent changes to negotiator's assignments on BC South Team. Mr. Gerry Thorne is now BC negotiator for both the Musqueam and Tsawwassen files. Cory Herrera sits at the Katzie and Tsleil-Waututh tables; and Gordon Douglas sits at the Squamish table. In addition, BC South Team has a new Consultation Manager, Ms. Sandra Kilmartin. Ms. Kilmartin will be formally introduced to members at the June full LMTAC meeting. ❖

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 (BCTC) process. The BCTC has declared the table ready for Stage 3. Chief Negotiators signed Stage 3 Procedures which included Openness provisions and the role of the Local Advisory Group (known as the Katzie LAG). The tripartite working group has been asked to begin work on the Framework Agreement and to develop a Stage 3 meeting schedule. It can be anticipated that the parties will soon begin Stage 3 negotiations. No meetings are scheduled at this time.

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 complete and all Parties to the negotiations had initialled the Agreement.

The Musqueam First Nation have delayed a decision to sign the framework agreement pending an evaluation of the provincial and federal positions on "compensation". No negotiations, or Agreement in Principle workplanning sessions, are scheduled.

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. It can be anticipated that the Framework will be initialled by the Parties and Stage 4 workplanning will commence in the near future. Meetings are expected to resume shortly.

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. As scheduled, a public Main Table was held on March 16, 1999. In addition to interest presentations made by Canada and BC, a stage 4 workplan was adopted at the Main Table. It is anticipated that the Tsawwassen First Nation will respond to Canada and BC's interest presentations with a proposal at the next Main Table scheduled for July 1999. Canada and BC will then respond to the Tsawwassen proposal in the late fall of 1999, by which time the parties hope to agree on their expectations for progress in the negotiations. It is expected that a public information workplan will also be developed for the next Main Table.

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 scoping gathering process is expected to continue during the Summer of 1999. In the interim, Tsleil-Waututh negotiators are seeking initial responses from Canada and British Columbia on the interests Tsleil-Waututh have already articulated on key issues including governance and the Variable Interest Model. It is anticipated that the table will be working with these issues in the coming months.

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

PRIORITY NEWS

Bill C 49

On May 4, 1999 an LMTAC delegation including Councillor Nancy A. Chiavario, Councillor James Coleridge, and Mayor Bell, along with the Fraser Valley TAC's Mayor Les, presented a testimonial to the Senate Committee on Aboriginal Peoples in Ottawa. Amendments produced by LMTAC, UBCM, and FVTAC were proposed as means of building good neighbourly relations between First Nations and Local Governments.

On May 17, 1999, Councillor Huntington and Mayor Bell also presented to the Prime Minister's Task Force on the Four Western provinces. The task force was made up of Liberal M.P.'s and Western Senators. Due to the timing of the Task Force's visit to Vancouver, it was decided that Bill C-49 would be the focus of the presentation.

Key Local Government Concerns with Bill C-49:

1. Lack of links to the BC Treaty Process
2. Dispute Resolution and Inter-governmental Relations
3. Expropriation
4. Notification and Voting

In past weeks, Mayors Bell and Les and Councillor Coleridge have been working to implement a national strategy on *Bill C-49*. Their actions include working with the Federation of Canadian Municipalities and UBCM to distribute letters, faxes and petitions in favour of amendments to Bill C-49.

COUNCIL TOUR UPDATE

The LMTAC Council Tour presentations during April and May included New Westminster, Port Moody, White Rock, and Electoral Area A. Although LMTAC planned to complete its tour of all remaining Lower Mainland municipalities by May 1999, two final Council presentations will occur in June: the Village of Lions Bay and the Township of Langley. Please contact Shannon Kaplun, LMTAC's Project and Communications Coordinator at (604) 451-6179 for more information. ❖

Lower Mainland Advisory Groups: Update

REGIONAL CAUCUS (LMRC)

On March 5, 1999 BC Team South negotiators hosted the first in-person meeting of the Regional Caucus in

over a year. The meeting was held in Victoria and was attended by representatives from the Lower Mainland TAC, the Fraser Valley TAC, BC line ministries and Crown Corporations, and BC Team South. Chief Negotiator Tom Isaac spoke about the Tsleil-Waututh's Variable Interest Model as it relates to lands, resources and governance. The next Regional Caucus is scheduled for June 18, 1999 at the District of North Vancouver Municipal Hall.

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 LMRAC has now formed a North Shore focus group to examine particular Tsleil-Waututh negotiation issues. At the April 27 meeting, the Federal and Provincial interest papers were presented to the group in order to fully bring new members "up-to-date" on government perspectives. A presentation was made at the May 18, 1999 meeting on the History of the Coast Salish People, and dealt specifically with the Tsleil-Waututh Nation's Variable Interest Model.

The next LMRAC meeting is scheduled for June 22.

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)

The FVTAC has now produced a draft paper documenting its interests in treaty making, entitled "*Interests in Treaty Making of the Fraser Valley Regional District Local Governments.*" This document is being reviewed by the FVTAC at its meetings, and is released as a public document. This paper reflects the current interests of the FVTAC in negotiating treaties in terms of general issues, and highlights a series of Guiding Principles the FVTAC believes should govern the treaty process.

The In-SHUCK-ch N'Quat'qua treaty table is at Stage 4, Agreement in Principle stage, with substantive work done on many chapters, including 7 initialled chapters, and 7 more publicly released draft chapters. Recent side table negotiating sessions have been addressing wildlife, forestry, lands and land title, education, and health chapters. Additional initialled chapters, and more chapters were released for consultation following a May 26th Main Table.

The Provincial and Federal Governments hope to provide an initial land and cash offer in early summer. The table workplan articulates that an Agreement in Principle initialling is planned for September, making this treaty likely one of the next initialled in British Columbia. The FVTAC Table Representative, Councillor Jim Killer (Harrison Hot Springs) is an active participant on the Provincial Team, and attends most side tables. The Fraser Valley Regional District is working with the In-SHUCK-ch N'Quat'qua First Nation to better involve them in the FVRD Regional Growth Strategy.

The First Nation is now serving on the Valley Choices regional planning advisory board, and presentations were recently made to the First Nation on regional growth planning. The Regional District also recently hosted the First Nation at a day session where the In-SHUCK-ch N'Quat'qua heard about the functions of the Regional District, attended the Board and TAC meetings as a delegation and observed other committee meetings. This was a good opportunity for both groups to learn about one another, and begin considering areas of mutual interest.

There is a public information forum being held by all three parties on the evening of June 2 (call Tamara Little at 1.800.528.0061 for information). This is the most recent in a series of public sessions designed to provide information on the treaty to the public.

No substantive work has been recently undertaken at the Sto:lo and Yale Treaty Tables. Both are in stage 4. The Yale Table is beginning to undertake more substantive work over the summer.

For additional information on FVTAC activities, contact FVTAC's Aboriginal Affairs Coordinator, Tamara Little at 1.800.528.0061. ❖

LMTAC Biz

INTEREST INVENTORY DEVELOPMENT

After developing a list of questions regarding "non treaty initiatives," the LMTAC Technical and Strategic Working Group invited Provincial negotiator Cory Herrera to answer questions concerning "non-treaty initiatives" and their possible impact on local governments. Follow-up correspondence was sent to Chief Negotiator, Tom Isaac, in May 1999.

LMTAC staff is participating in a UBCM initiated working group to research and identify urban First Nation's issues. Several provincial line ministries are participating as well. The working group was formed to assist in the development of models by which to examine urban Aboriginal and treaty issues. The outcome of the working group meetings is intended to be of broad use for all participants.

BOARD DEVELOPMENT

LMTAC staff are planning an orientation for new members in Fall 1999. As well, "Board Development Sessions" will be offered including viewing video, access to additional reading material, discussion groups, and guest lecturers. Any suggestions should be forwarded to LMTAC's Project and Communications Coordinator. For further information, please contact David Didluck, LMTAC's Executive Director at 451-6179.

Communications Update

A "New Member Kit" is now available from the LMTAC office! The new member kits provide brief, yet detailed, background information on treaty issues and LMTAC activities. This kit can also be utilized as an information tool for the public, the media, organizations, or other levels of government.

The CSC is also developing a public meeting strategy kit. This project acknowledges the importance of local governments' public consultation. The public meeting strategy is based on LMTAC experience with presentations to the public about treaty issues. It will articulate the necessary components for communicating clear factual information and suggest ways to allow public input into local negotiations through local government.

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: LMTAC

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.