

**LOWER MAINLAND TREATY ADVISORY COMMITTEE
BOARD
REGULAR MEETING**

April 23, 2003

Minutes of the Regular Meeting of the **Lower Mainland Treaty Advisory Committee (LMTAC) Board** scheduled Wednesday, April 23, 2003, from 7:00 p.m. to 8:30 p.m. in the 2nd floor Board/Committee Room, GVRD Offices, 4330 Kingsway, Burnaby, B.C.

ATTENDANCE:		
JURISDICTION:	LMTAC ELECTED REPRESENTATIVE:	LMTAC STAFF REPRESENTATIVE:
Greater Vancouver RD	Director Ralph Drew, Chair	Marino Piombini
North Vancouver, District of	Mayor Don Bell, Vice Chair	Steve Hardy
Anmore, Village of	Councillor Ken Juvik	
Belcarra, Village of	Councillor Colin Richardson (arrived 7:23 p.m.)	
Bowen Island, Municipality of	Mayor Lisa Barrett	
Burnaby, City of		Kimberley Flick
Coquitlam, City of	Councillor Louella Hollington	
Langley, City of	Councillor Ted Schaffer	
Langley, Township of	Councillor Bob Long	Frank Clark-Jones
Lions Bay, Village of	Councillor Lisa Turpin (arrived 7:23 p.m.)	
Maple Ridge, District of	Councillor Candace Gordon	
New Westminster, City of	Councillor Bob Osterman	
Pitt Meadows, District of	Councillor Debra Eisel	
Port Coquitlam, City of	Councillor Mike Forrest	
Port Moody, City of		Gerry vanderWolf
Richmond, City of	Councillor Harold Steves	
Squamish, District of	Councillor Corinne Lonsdale	
Sunshine Coast RD	Director Barry Janyk (departed 8:46 p.m.)	
Surrey, City of		Robert Costanzo
City of Vancouver	Councillor Ellen Woodsworth	Rhys Williams (departed 8:29 p.m.)
West Vancouver, District of	Councillor Jean Ferguson (arrived 7:23 p.m.)	Rick Beauchamp
City of White Rock	Councillor Mary-Wade Anderson	
OBSERVERS		
Director Gary Gibson, Electoral Area A		
LMTAC STAFF ATTENDANCE:		
Kirstie Pirie, Manager		
Regan Schlecker, Aboriginal Affairs Analyst		
GUESTS:		
Katherine Gordon, Chief Negotiator, Provincial Treaty Negotiation Office (departed 7:56 p.m.)		
Cory Herrera, Negotiator, Provincial Treaty Negotiation Office (departed 7:56 p.m.)		
PREPARATION OF MEETING MINUTES:		
Rae Ratslef, President, Raincoast Ventures		

CALL TO ORDER

Chair Drew confirmed a quorum was in attendance and called the meeting to order at 7:18 p.m.

1. **AGENDA FOR ADOPTION**

It was MOVED and SECONDED

THAT the Agenda for the Regular Meeting of the LMTAC Board scheduled April 23, 2003, be adopted as circulated.

CARRIED UNANIMOUSLY

2. **MINUTES FOR ADOPTION**

MINUTES FOR INFORMATION

It was MOVED and SECONDED

THAT the Minutes of the Regular Meeting of the LMTAC Board held March 26, 2003, be adopted as circulated, and that the Minutes of the LMTAC Executive Committee regular meeting held April 9, 2003 be received for information.

CARRIED UNANIMOUSLY

7:23 p.m.

Councillors Jean Ferguson, Colin Richardson and Lisa Turpin arrived at the meeting.

3. **DELEGATION**

Provincial Update on Tsawwassen Treaty Negotiations

Katherine Gordon, Chief Negotiator, Provincial Treaty Negotiations Office (PTNO), provided an update on the status of discussions at the TFN treaty table, noting that a series of intensive meetings had been held over a two week period to determine whether it would be possible to reach AIP by March 31, 2003. Members were advised that, while it had not been possible to reach an AIP by the self-imposed deadline, the meetings had allowed for many significant issues to be addressed and for versions of draft chapters to be prepared.

In continued comments, Ms. Gordon discussed the critical need to proceed with an Intergovernmental Relations Technical Working Group with representatives from LMTAC, GVRD, Delta and other expert bodies to discuss treaty related transitional issues including those in relation to: roads; cultural and heritage sites; jurisdiction; relationships between local and First Nations governments; and regional district membership.

In response to a member's question, Ms. Gordon commented that the TFN had been more focused on issues relating to fisheries and land base than governance thus far. She noted that the TFN had indicated their willingness to consider working with a model similar to BC's approach to governance and the characteristics of local government, outside Treaty. Confirmation was provided that the TFN had expressed interest in regional governance issues and that related discussions would be suited to the Working Group forum.

Ms. Gordon clarified that, assuming that there was an AIP with the TFN, the first objective of the Province was to establish the Working Group with support funding. To which various LMTAC members expressed support for the establishment of and participation in the Working Group regardless of the outcomes at the TFN table. Further encouragement to maintain the momentum achieved at the table in working towards an AIP was offered except on fisheries issues to which it was offered that Canada should not compromise its positions any further.

A question was raised regarding whether there would be consultations to engage the public in discussions relating to First Nations governance, and the impact of fisheries agreements on recreational fishers. Ms. Gordon responded that the challenge of engaging the public was long standing but that there had been a significant increase in interest at the TFN table in recent months. As well, she indicated the willingness of Provincial representatives to attend and present at local Council meetings, and encouraged members to share their suggestions for further engaging the public.

4. **REPORTS**

4.1 LMTAC Discussion Paper on Regional Governance and Governance in the Region (Draft #8)

Report dated April 10, 2003 from Kirstie Pirie, Manager and Regan Schlecker, Aboriginal Affairs Analyst, providing the most recent draft of the discussion paper – Regional Governance and Governance in the Region.

Regan Schlecker, Aboriginal Affairs Analyst, and Marino Piombini, GVRD staff representative, referencing an overhead presentation, introduced the Paper's project milestones; and provided an overview of the Paper, including amendments made as a result of feedback received throughout the consultation process.

Under Sub-Section 3.2, a member commented that urban as well as rural First Nations had interest in natural resource management, the environment, hunting, fishing, trapping and wildlife protection and that this should be reflected in the Paper.

In further comments, it was suggested that there was a need for the Paper to clarify references to "self-government" and "municipal style government". It was noted that "self-government" referred to responsibilities and authorities beyond that of municipal governments, and that these would be phased in due to capacity issues. It was clarified that First Nations and local governments would sit as equals on local government matters in a regional district forum but that First Nations would have additional responsibilities and authorities beyond that of local governments, i.e. school districts, health, culture, etc.

Mr. Piombini continued his presentation of Sections of the Discussion Paper, including a summary of issues identified by local governments, possible actions for local government in the event that a new governance model failed or led to disputes, and conclusions.

7:56 p.m.

Katherine Gordon and Cory Herrera departed the meeting.

Request for Action

Staff was requested to email electronic copies of the presentation materials to members for their use in presenting the Discussion Paper to their councils.

Ms. Schlecker provided an overview of the March 11, 2003 Workshop recommendations, and introduced possible next steps for LMTAC's consideration: to participate in and monitor the proposed Tsawwassen Intergovernmental Relations Technical Working Group; to develop a LMTAC First Principle around the issue of regional governance to become the 40th First Principle; and to officially endorse the Regional Governance and Governance in the Region Discussion Paper (Draft #8) as the backgrounder to the regional governance First Principle.

Regarding the second consideration, it was noted that the GVRD had developed its own principle in relation to regional governance. A member encouraged that the GVRD and LMTAC principles should be developed in consultation, to which it was clarified that the GVRD principle had been developed as input to the LMTAC process. It was noted that the purpose of the Paper was to set the stage for debate and discussion at various forums, including the GVRD and the Intergovernmental Technical Working Group.

It was MOVED and SECONDED

That the LMTAC Board receive Draft #8 of the Regional Governance and Governance in the Region – LMTAC Discussion Paper, revised April 2003.

CARRIED UNANIMOUSLY

It was MOVED and SECONDED

That the LMTAC Board authorize LMTAC's participation in and monitoring of the proposed Tsawwassen Intergovernmental Relations Technical Working Group.

CARRIED UNANIMOUSLY

Comment was offered that the GVRD should be encouraged to invite the Sunshine Coast Regional District (SCRD) and the Squamish Lillooet Regional District (SLRD) to participate in its Corporate and Intergovernmental Committee meeting on May 16, 2003 and at a Board Workshop to discuss the Paper. It was noted that a presentation on the Paper had been provided to the SLRD Board and that arrangements could be made for a similar presentation to the SCR.D.

Members were also informed of a September 19, 2003 Community-to-Community Forum scheduled in the SCR.D to which interested stakeholders (including Sechelt and Squamish First Nations, local government and LMTAC) would be invited.

4.2 Local Governments and Urban Aboriginal Issues – Background to First Principle #32

Report Flow Summary titled Local Governments and Urban Aboriginal Issues; Background to First Principle #32.

It was MOVED and SECONDED

That the LMTAC Board:

- a) receive the document titled “Local Governments and Urban Aboriginal Issues Background to First Principle #32”, revised Draft dated September 2002, and endorse it as the updated background to First Principle #32; and
- b) endorse the recommendation to not hold a workshop on Urban Aboriginal Issues in 2003 (pursuant to Treaty Negotiation/Policy Item #5, 2003 LMTAC Workplan: *Urban Aboriginal Issues Workshop*).

CARRIED UNANIMOUSLY

4.3 City of Nanaimo Observer Status with LMTAC

Letter dated April 8, 2003 from the Office of the Mayor, City of Nanaimo regarding “City of Nanaimo Observer Status with LMTAC”.

It was MOVED and SECONDED

That the LMTAC Board:

- a) approve official observer status to LMTAC for the City of Nanaimo as per the City’s request in its April 8, 2003 letter from the Office of the Mayor; and
- b) direct that a letter be sent to the City of Nanaimo advising of the approval and expressing appreciation for their financial contribution to LMTAC.

CARRIED UNANIMOUSLY

8:29 p.m.

Rhys Williams departed the meeting.

4.4 Distribution of LMTAC Draft Minutes to Members

Councillor Hollington introduced a recommendation regarding the circulation of draft Board meeting minutes noting that it was intended to facilitate members’ reporting to their Councils.

It was MOVED and SECONDED

That the LMTAC Board direct staff to circulate unapproved draft minutes of Board meetings electronically and within one week of holding a meeting.

CARRIED UNANIMOUSLY

4.5 LMTAC Operating Procedures – Amendment for Treaty Table Representative Alternates

Excerpt from the LMTAC Operating Procedures presenting Section 8.0, “Representation at Negotiation Tables”.

It was MOVED and SECONDED

That the LMTAC Board approve the addition of sub-section 8(f) to Section 8.0, 'Representation at Negotiation Tables' of the LMTAC Operating Procedures, as follows:

8.0 (f) In the event that a LMTAC Table Representative is unable to attend a treaty meeting, it is the Table Representative's responsibility to ensure that appropriate alternate LMTAC representation at the Treaty Table is arranged. This alternate representative may be the staff representative to LMTAC from the Table Representative's own jurisdiction, LMTAC staff or another alternate approved by the LMTAC Executive.

CARRIED UNANIMOUSLY

4.6 Islands Trust Interests in Treaty Negotiations

Report Flow Summary Islands Trust Interests in Treaty Negotiations.

It was MOVED and SECONDED

That the LMTAC Board receive for information the document titled "A Guide to Islands Trust Interests in Treaty Negotiations in the Islands Trust Area, March 2003".

CARRIED UNANIMOUSLY

4.7 Highlights on the Conference "New Duties to Consult with First Nations: A First Nations, Municipal and Corporate Roundtable

Report dated April 20, 2003, from Regan Schlecker, Aboriginal Affairs Analyst, providing a summary of highlights from the February 28, 2003 Conference on "New Duties to Consult with First Nations".

It was MOVED and SECONDED

That the LMTAC Board receive for information the report titled "Highlights on the Conference – New Duties to Consult with First Nations: A First Nations, Municipal and Corporate Roundtable – February 28, 2003", dated April 10, 2003.

CARRIED UNANIMOUSLY

4.8 Attendance of LMTAC at the LMMA

Kirstie Pirie, Manager, advised that, as follow up to a suggestion at the last Board meeting, LMTAC's Vice Chair would present on behalf of LMTAC at the Lower Mainland Municipal Association (LMMA) Annual General Meeting (AGM). As well, approval was requested for funding for LMTAC to send a staff member to the AGM and to erect a display booth.

In discussion, suggestion was offered that, the LMMA should be approached to consider waiving the fee for the LMTAC, as a fellow government body, to display at the AGM. Vice Chair Bell and Councillor Lonsdale offered to follow up in this regard.

It was MOVED and SECONDED

That the LMTAC Board authorize the expenditure of a maximum of \$650 to allow for the attendance of an LMTAC staff representative at the Lower Mainland Municipal Association Annual General Meeting (AGM), and to erect a display booth at the AGM.

CARRIED UNANIMOUSLY

5. TABLE PROGRESS REPORTS

a) Katzie

Councillor Candace Gordon, LMTAC representative to the Katzie table, reported that a Main Table Working Group meeting to discuss wildlife, culture and heritage, and fiscal relations and implementation issues, was scheduled May 7, 2003.

b) Musqueam

c) Squamish

- d) **Tsawwassen**
Context Summary regarding Tsawwassen, and attachments.

Councillor Harold Steves, LMTAC representative to the Tsawwassen Table, reported on a March 27, 2003 public meeting hosted by the Corporation of Delta. Members were informed that the next Main Table meeting was scheduled May 1, 2003.

- e) **Tsleil-Waututh**
Context Summary regarding Tsleil-Waututh, and attachments.

Vice Chair Don Bell, LMTAC representative to the Tsleil-Waututh Table, advised of a series of meetings with the Chief Negotiators, and reported that staff had been attending table meetings. It was announced that Maureen Thomas had been elected the new Chief.

- f) **Other**
No items presented.

6. SUB-COMMITTEE REPORTS

- 6.1 **Finance and Organizational Sub-Committee (FOSC)**
No items presented.

- 6.2 **Communications Sub-Committee (CSC)**
No items presented.

7. CHAIR AND STAFF REPORTS

- 7.1 **Chair's Report**
No items presented.

- 7.2 **Staff Report**
Report dated April 14, 2003 from Kirstie Pirie, Manager, titled "Manager Report – March 18, - April 14, 2003 Activities".

Regan Schlecker, Aboriginal Affairs Analyst, advised that a report would be forthcoming regarding the implications of the Tsawwassen and Tsleil-Waututh First Nations' signing on to the First Nations Land Management Act with 17 other additional signatories.

Kirstie Pirie, Manager, advised that LMTAC staff would meet with City of Nanaimo staff to discuss policy issues of mutual interest.

8:46 p.m.

Director Barry Janyk departed the meeting.

8. MISCELLANEOUS REPORTS

- 8.1 **Fraser Valley Treaty Advisory Committee (FVTAC)**
Document from FVTAC titled "Summary of Current Issues March 31, 2003".

Received for information.

- 8.2 **UBCM**
No items presented.

9. OTHER BUSINESS

9.1 Kwantlen Land Use Plan

Councillor Candace Gordon provided a brief overview of a Sto:Lo Tribal Council Kwantlen Land Use Plan initiative relating to future economic development opportunities for the Sto:Lo.

10. INFORMATION

It was MOVED and SECONDED

That the LMTAC Board receive for information the following:

- 10.1 Web Site Statistical Summary
- 10.2 Mission Statement, Roles and Project Screening Guidelines
- 10.3 Correspondence – Order in Council/Closed Meetings and Treaty Negotiations
- 10.4 Correspondence – LMTAC Background to First Principle #27
- 10.5 Correspondence – Fisheries
- 10.6 Correspondence – General
- 10.7 Schedule of Meetings for 2003
- 10.8 Honourarium and Expense Form.

CARRIED UNANIMOUSLY

11. CONCLUSION

It was MOVED and SECONDED

That the Regular Meeting of the LMTAC Board held April 23, 2003 be concluded.

CARRIED UNANIMOUSLY

(Time: 8:48 p.m.)