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# **LOWER MAINLAND GOVERNANCE SYMPOSIUM FINAL REPORT**

Thursday, June 7, 2001  
North Vancouver, British Columbia

*Hosted by the Lower Mainland Treaty Advisory Committee (LMTAC)*

Sponsors:

Union of BC Municipalities

Government of Canada, Federal Treaty Negotiation Office  
Province of British Columbia, Ministry of Aboriginal Affairs

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## SYMPOSIUM PURPOSE AND OBJECTIVES

This symposium was intended as an opportunity for participants to better understand the regional and intergovernmental linkages between First Nations and regional governments, an issue being explored at all active treaty tables in the Lower Mainland.

The Symposium's objectives were to:

- Facilitate understanding of the how regional and First Nations governments currently operate;
- Encourage dialogue on governance related issues between the participants;
- Discuss experiences in governance from a community-based perspective; and
- Develop a summary of considerations for a future governance session later in 2001.

## INVITED PARTICIPANTS

All LMTAC members and their Council/Board members, Lower Mainland area First Nations, the Union of BC Municipalities, Provincial Government, Federal Government, Fraser Basin Council, Vancouver Aboriginal Council and the BC Treaty Commission were invited to participate in the Symposium.

## ACKNOWLEDGMENTS

Special thanks is extended to the Union of BC Municipalities for their generous support of the Symposium through the Community-to-Community Forum initiative.

Thanks is also extended to the Government of Canada, Federal Treaty Negotiation Office, and to the Province of British Columbia, Ministry of Aboriginal Affairs, for their contributions to this event.

## SYMPOSIUM FORMAT

The Symposium included the advance circulation of some BC examples (i.e. case studies) of linkages that already exist between First Nations and Local Governments in the regional setting and the following question to participants to assist them in focusing their thoughts on the Symposium's discussion:

*Drawing from your experiences in local and community decision-making processes, what are some of the issues facing First Nations and Local Governments in the regional setting now and in the next 10 years?*

Once underway, the Symposium itself included an introduction and welcome from Mayor Don Bell, District of North Vancouver and Chair of the Lower Mainland Treaty Advisory Committee, followed by Panel presentations offering comments on the issue of governance from the perspective of First Nation, regional district and academic representatives. Symposium participants were then asked to reflect their personal viewpoints on a worksheet distributed at the event. Following a health break, the Symposium resumed with participants divided into eight workgroups of seven to eight people to share their thoughts on the above noted questions and to prioritize their top four answers as a group. In the plenary session that followed, participants came to a consensus regarding the key issues facing First Nations and Local Governments in the regional setting now and in the next 10 years.

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## INTRODUCTION TO GOVERNANCE

Mayor Don Bell, District of North Vancouver, and Lower Mainland Treaty Advisory Committee Chair, welcomed participants to the Symposium and discussed the day's objectives. Chair Bell offered comments on the history of treaty advisory committees in British Columbia and concerning the federal initiative affecting all First Nations that are still bound under the *Indian Act*. Information was also provided on changes in the provincial government that now see First Nation's issues coming under the portfolios of the Attorney General and the newly formed Ministry of Community, Aboriginal and Women's Issues.

David Didluck, Lower Mainland Treaty Advisory Committee Executive Director and Symposium facilitator, discussed the Symposium's purpose and format and reflected on the following question circulated to participants for their consideration in advance of the Symposium:

*Drawing from your experiences in local and community decision-making process, what are some of the key issues facing First Nations and Local Governments in the regional setting now and in the next 10 years?*

## CONTEXT SETTING: CURRENT FUNCTIONS OF FIRST NATIONS AND REGIONAL GOVERNMENTS

Mr. Didluck offered contextual information for participants reference pertaining to aspects of governance relating to the key issues of legitimacy, power and resources that may need to be addressed thinking about the regional context in the next 10 years.

### **Chief Kim Baird, Tsawwassen First Nation**

Chief Baird begin her presentation with historical information regarding the Tsawwassen First Nation's governance system, including details concerning the determination of its political constitution and membership requirements, and management of the creation and distribution of its wealth, based on the Nation's relationship with its traditional resources.

Chief Baird also commented concerning First Nation's abilities under the *Indian Act*, and regarding the *Act's* placement of the matters pertaining to Indians and Indian lands under the jurisdiction of the federal government. Additionally, comments were offered concerning the *Act's* lack of clarity concerning First Nations governance and associated issues relating to Aboriginal people living both on and off Reserve and to non-Aboriginal people living on Reserve.

Information was provided to participants regarding particulars of the Tsawwassen First Nation administration and the responsibilities of its Chief and Council pertaining to generating revenue, inter-governmental relationship building, and negotiating treaties. Chief Baird noted that all activities are directed to improving the quality of life of the Tsawwassen First Nation residents and commented concerning accountability measures in place.

Chief Baird, in her concluding remarks, commented on key issues affecting First Nations in the regional setting, including the question of how to reconcile vast cultural needs and perspectives and to foster better government relations when jurisdictional issues are so unclear. Barriers to discussion were mentioned and it was noted that improvements would only happen when there is a system that is modern, accountable and autonomous.

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### **Ken Cameron, Greater Vancouver Regional District**

Mr. Cameron made a slide presentation titled “Regional Districts in British Columbia”, a personal perspective on regional governments based on his experiences in British Columbia and elsewhere. The presentation included historical contextual information relating to the establishment of the regional district system with the two purposes of enabling municipalities throughout the province to delegate authority to an entity to provide a service on their behalf and to provide rural local government.

He outlined the retooling of regional districts for growth management in the 1990’s, including the development of the regional district development services, *Creating Our Future, Livable Region Strategic Plan (LRSP)*, *Growth Strategies Act*, *Greater Vancouver Transportation Authority Act* and the *Local Government Act*. The cornerstones of GVRD planning are the LRSP objectives: to protect the Green Zone, build complete communities, achieve a compact metropolitan area, and increase transportation choice.

In discussing the Greater Vancouver Regional District’s (GVRD) present structure, Mr. Cameron noted that the structure is a municipal federation/partnership that assists the municipalities in providing services to their constituents. The GVRD and its members constitute one system of local government with political accountability through municipalities. The GVRD also has consultative, consensus building, and decision-making processes.

Mr. Cameron commented concerning issues and options to consider for the relationship between First Nations and regional district. First Nations could be receivers of services through member municipalities, through contracts with the consent of member municipalities, or as member municipalities or electoral areas which would require the consent of the members and legislative changes. We suggested an approach that would define the needs, relationships, and work out the legalities based on those first two steps.

### **Professor Paul Tennant, University of British Columbia**

Professor Tennant discussed fundamental goals and issues for the next decade and century relating to the issues facing First Nations and local governments in the regional setting, including the need for reconciliation of the values and perceptions between First Nations and mainstream society; redefining the relationship of local communities within regions, the province and Nations; and redefining what it means to be a British Columbian.

Professor Tennant commented on the need for a fundamental respect for local communities and discussed co-equality of First Nations and local governments. The principal of diplomacy was also discussed as the guide to relationships between First Nations and municipalities. Professor Tennant also referenced the underlying principle of the Honour of the Crown, noting that the Crown has agreed to a treaty process to resolve outstanding issues in British Columbia and that it binds all future governments.

The challenges of meeting previously noted goals of reconciliation and honouring principles was discussed and included traditional mainstream thinking and perceptions and traditional First Nations thinking and perceptions, and denial of the legitimacy of the Crown.

In terms of methods for First Nations and local governments, and those in charge of them to proceed, it was suggested that individuals begin to think in “community” terms, including recognition that municipal governments are the only entity that can speak in a broad way for local communities; that each adjacent First Nation and local government should have the primary goal of gaining and maintaining the understanding and support of each other; and for both to practice the art of diplomacy in their discussions.

## **QUESTIONS AND ANSWERS**

Following the Panel presentations, a question and answer session took place during which Panelists responded to questions concerning whether there is a better method than the present negotiation process for coming to agreement on treaties, whether present initiatives underway are placing unfairly high expectations on First Nations in terms of governance responsibilities, regarding a process for First Nations and local governments to come together to discuss linkages and jurisdictional issues, and concerning anticipated changes to the *Local Government Act*.

## **IDENTIFICATION OF KEY ISSUES FACING FIRST NATIONS AND LOCAL GOVERNMENTS IN A REGIONAL SETTING**

David Didluck, LMTAC Executive Director, reminded participants of the key objective of the Symposium to identify key issues facing First Nations and local governments in the regional setting now and in the next 10 years, and to identify issues of importance to individual participants, relating to hopes, desires, needs, challenges, concerns and fears, that can be procedural, structural, substantive, financial and relational, and are not limited to the treaty process.

## **ROUNDTABLE DISCUSSIONS**

Participants divided into eight workgroups and were asked to identify four key issues in priority order; issues were presented to Mr. Didluck for presentation to the plenary session.

## **BUILDING CONSENSUS: OUTCOMES FROM SMALL GROUP DISCUSSIONS**

Individual workgroups provided Mr. Didluck with their top four issues. These were then placed on the wall and, in consultation with the entire session, were loosely grouped into relative categories as follows:

### **GROUP A**

#### **RELATIONSHIP BUILDING AND COMMUNICATION**

- Partnerships and cooperation / need to focus on relationship building – not referendums
- Relationships during and after treaties
- Respecting the right to be different
- Address fear of unfairness in the treaty process
- Unequal power – now and post-treaty / need to address perceptions of inequality between First Nations and local governments
- Build positive co-equal partnerships between First Nations and local government
- Reconciliation, mutual acceptance, understanding needs, communications
- Understanding of each other's cultures, history and issues
- Need for communication and consultation
- Recognition of Aboriginal rights and Constitutional status
- Recognition of inherent right of First Nations to self determination
- Improve long-term understanding of Aboriginal issues through professional development/enhanced education
- Acceptance of local government in the treaty process (a local government priority in their future dealings with provincial negotiators).

## **GROUP B**

### **LAND USE**

- Land use and resources planning and sharing
- Land use coordination and servicing agreements
- Natural resources – complexity, allocation, sustainability, conservation
- Common planning principles (i.e. social, economic, environmental)
- Land use, given the limited amount of land base to enter into negotiations, there needs to be a mechanism to access to lands outside of the Reserve or to share the wealth of existing lands to provide First Nations with space to accommodate growth and for economic development.

### **ECONOMIC DEVELOPMENT**

- Fiscal arrangements for servicing / laying down a fiscal relationship that lines up with equity for all levels of government
- Economic development: both regionally and at the community level..

### **GOVERNANCE STRUCTURES**

- Knowledge of existing types
- Governance spectrum – coordinated approach including First Nations, new governance framework, retool/replace the Indian Act, share resources/provision of services
- Uncertainty of jurisdiction (would TSLs and future additions to TSLs be subject to the same laws or different? Who does what in the post treaty environment in terms of jurisdiction?)
- Formal intergovernmental relationships / First Nations participate in existing structures and processes
- Non-member representation, how the governance of non-Aboriginal people living on First Nation's land will be resolved.

### **STANDARDS/REGULATIONS**

- Standards/Regulations – need for consistency, same standard of expectations and single management system

### **SUSTAINABLE COMMUNITIES AND CAPACITY BUILDING**

- Sustainable communities, socio-economic conditions, becoming more equitable, ensuring that all governments have the capacity to do the job they have to do
- Lack of resources needs to be addressed, i.e. land, money, skilled people, opportunity for training and development, need for capacity building
- Formal education, i.e. joint programs with First Nation and non-First Nation communities working together in an educational sharing, i.e. planning, land use, standards and regulations, building on the knowledge base of both communities to train future community members
- First Nation economic and social health (measurement of)
- First Nations need access to more land for sustainable development

## **CONCLUSION:**

The session unanimously agreed that, from the groupings, building relationships and communicating with each other on culture and processes (Group A) must be done concurrently with work on the specific key topics identified (Group B). Participants acknowledged that this event should be part of an ongoing series of discussions on issues of regional significance for area First Nations and Local Governments. The issues identified provide focus for the next Governance Symposium and create a common starting point for participants to discuss and explore ways to address the issues/challenges identified.

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**APPENDIX 1**

# LOWER MAINLAND GOVERNANCE SYMPOSIUM PARTICIPANT LIST

Mayor Don Bell, District of North Vancouver,  
(LMTAC Chair)  
Director Ralph Drew, GVRD, LMTAC Vice Chair  
Doug Aberley, Tsleil-Waututh First Nation  
Michael Ames, UBC  
Kim Anema, District of Squamish  
Chief Kim Baird, Tsawwassen First Nation  
Andrew Bak, Tsawwassen First Nation  
Mayor Lisa Barrett, Municipality of Bowen Island  
Rick Beauchamp, Squamish Lillooet RD  
Tom Blackbird, Katzie First Nation  
Tom Blom, GVRD  
Harold Calla, Squamish First Nation  
Doug Caul, Province of British Columbia  
Ken Cameron, GVRD  
Iona Campagnolo, Fraser Basin Council  
Claudia Choroszewski, Corporation of Delta  
Stephen Conarroe, Federal Treaty Negotiation Office  
Tanya Corbet, Tsawwassen First Nation  
Rob Costanzo, City of Surrey  
Councillor Bill Denault, District of North Vancouver  
David Didluck, LMTAC  
Aaron Dinwoodie, UBCM  
Brian Domney, Province of British Columbia  
Gordon Douglas, Province of British Columbia  
Dave Ellenwood, Corporation of Delta  
Councillor Jeanie Ferguson, Dist. of West Vancouver  
Kim Flick, City of Burnaby  
Councillor Mike Forrest, City of Port Coquitlam  
Calvin George, Tsleil-Waututh First Nation  
Ernest George, Tsleil-Waututh First Nation  
James George, Tsleil-Waututh First Nation  
Chief Leah George-Wilson,  
Tsleil-Waututh First Nation  
Leonard George, Tsleil-Waututh First Nation  
Leslie Gilbert, City of New Westminster  
Councillor Candace Gordon, District of Maple Ridge  
Katherine Gordon, Province of British Columbia  
Joan Green, Corporation of Delta

Isabell Hadford, Municipality of Bowen Island  
Cathy Harvey, Federal Treaty Negotiation Office  
Councillor George Hawksworth, Corp. of Delta  
Cory Herrera, Province of British Columbia  
Robin Hicks, City of Coquitlam  
Councillor Louella Hollington, City of Coquitlam  
Councillor Vicki Huntington, Corporation of Delta  
Chief Peter James, Katzie First Nation  
Councillor Mel Kositsky, Township of Langley  
Tamara Little, FVTAC  
Mayor Corinne Lonsdale, District of Squamish  
Moira McGregor, Village of Belcarra  
Alison McNeil, UBCM  
Jim Maitland, City of Port Coquitlam  
Debbie Miller, Katzie First Nation  
Marino Piombini, GVRD  
Kirstie Pirie, Lower Mainland Treaty Advisory  
Committee  
Trevor Proverbs, Province of British Columbia  
Ron Riach, District of Maple Ridge  
Councillor Jamie Ross, Village of Belcarra  
Bill Seymour, Province of British Columbia  
Joy Smith, Lower Mainland Treaty Advisory  
Committee  
Councillor Peter Stevenson, Township of Langley  
Director Pam Tattersfield, Squamish Lillooet  
Regional District  
Paul Tennant, University of British Columbia  
Gerry Thorne, Province of British Columbia  
Ken Tollstam, City of North Vancouver  
Director Lee Turnbull, Sunshine Coast Regional  
District  
Mayor Hal Weinberg, Village of Anmore  
Nancy Wilkin, Province of British Columbia  
Chief Bill Williams, Squamish First Nation

## **RECORDING SERVICES:**

Rae Ratslef, Raincoast Ventures

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**APPENDIX 2**

## INSTRUCTIONS

Please complete this worksheet individually. This is designed to be a self-reflective exercise. You will have a chance to share your thoughts later with your group.

**Your Task...** on the following pages,

1. Identify what you believe are some of the issues facing First Nations and Local Governments in the regional setting now and in the next 10 years
2. Note reasons *why* you think these issues are important.
3. Rank your top 3 issues. (e.g. if you identify a total of 6 issues, identify what you believe are the key issues by placing a “1”, “2”, and “3” next to the appropriate issue).

### **What are “Issues”?**

- Issues can be hopes, desires, needs, challenges, concerns or fears.
- Issues can be procedural (e.g. voting, decision-making), structural (e.g. staffing, capacity), substantive (e.g. housing, transportation), financial (e.g. taxation, downloading), or relational (e.g. intergovernmental linkages)
- Issues do not have to be limited to the treaty process.

There are no “wrong” answers; only your creative reflections.

### **Where to “find” Issues?**

- Draw from your own your experiences in local and community decision-making processes.
- Think about the priorities and challenges facing your community.
- Reflect on the examples of the linkages that already exist between First Nations and Local Governments in the regional setting circulated in advance of the Symposium.
- Reflect on the issues raised during the morning panel discussion

Remember... after you have identified all the issues you can think of, rank your top 3. Your ranking will help us later identify our priorities.

Issue: _____ Rank: ____
Why is this important: _____

Issue: _____ Rank: ____
Why is this important: _____

Issue: _____ Rank: ____
Why is this important: _____

Issue: _____ Rank: ____
Why is this important: _____

Please use the reverse side of the page if you need more space.