

UPDATE BULLETIN

"Coordinating and Representing the Interests of Local Governments and their constituents in Lower Mainland area treaty negotiations"

Volume 1, Issue 2

Reporting on LMTAC Activities for May - August 1998

August 1998

Major Items of Business

Lower Mainland Treaty Advisory Committee (LMTAC)

MAY 27, 1998

The LMTAC met on May 27, 1998 to receive updates from UBCM and provincial officials. Meeting activities also included reports from the Communications Subcommittee and from LMTAC representatives to Lower Mainland area treaty negotiations. Highlights of the meeting included an oral briefing on treaty process revitalization from Director Jim Abram, Chair of UBCM's Aboriginal Affairs Committee, and Alison McNeil, UBCM's Policy Analyst. Director Abram also circulated a briefing package to all members. (Extra copies are available from the LMTAC office.)

The LMTAC also received a presentation from Mr. Graham Dragushan, from the Ministry of Municipal Affairs, on *Municipal Act* Reform and its implications for First Nation-local government relationships in the post treaty environment. Mr. Dragushan presented an overview of the reform process but did not link the revision of the Act to treaty-making. He also suggested that *Municipal Act* Reform had few links to the treaty process and that, at this time, it was not prudent to look at posttreaty issues. Several LMTAC members pointed out that local governments will, as a result of treaty-making, require new and flexible mechanisms to building lasting relationships with neighbouring self-governing First Nations in the post treaty environment. Mr. Dragushan's presentation left many questions unanswered on this issue.

JUNE 24, 1998

The LMTAC met on June 24, 1998 to receive updates on a number of outstanding agenda items including: *Municipal Act* Reform, Interim Measures, and Council of Councils Workplanning. Oral updates from LMTAC representatives to Lower Mainland area treaty negotiations were also received. The Chair, Councillor Nancy A. Chiavario,

announced that a discussion document on Interim Measures had been circulated to federal and provincial

officials. The Chair also noted that a discussion document on the UBCM-LMTAC relationship was provided to Director Jim Abram for review and consideration. The LMTAC wishes to discuss ways in which UBCM's relationship to all provincial TAC's can be improved.

The Policy and Aboriginal Affairs Analyst, David L. Didluck, also reported that an LMTAC briefing paper had been developed on *Municipal Act* Reform and its implications for local governments involved in the treaty process. Copies of the paper were circulated to UBCM and the Ministries of Municipal Affairs and Aboriginal Affairs. No responses from UBCM or from either Ministry have been received to date. (Copies of the above document are available from LMTAC.)

Announcing New Meeting Dates & Times!

Executive	Aug. 27	Noon-2pm	Burnaby
Executive	Sept. 9	9am-11am	Burnaby
Executive	Sept. 24	7am-8:30am	Penticton
Full LMTAC	Sept. 30	7pm-9pm	Burnaby

The LMTAC holds regular public meetings of its entire membership on the 4th Wednesday of each month. Some date changes will occur during July-Sept 1998.

The LMTAC Executive Committee meets on the 2nd and 4th Wednesday of each month. Other meetings are also held throughout the year.

**NEXT PUBLIC LMTAC MEETING:
Wednesday, September 30, 1998**

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JULY/AUGUST

There will be no meetings of the full LMTAC during the months of July and August 1998 due to the large number of members and treaty officials taking Summer vacation. ❖

Negotiation Updates

Regional and Table Specific

REGIONAL

Activity on the Lower Mainland area tables has continued at a slow pace in recent weeks largely as a result of the Supreme Court of Canada's December 1997 decision in *Delgamuukw* and because of continuing discussions by the three Principles (Canada, British Columbia, and the First Nations Summit) on treaty process revitalization.

Since April 1998, the Principles have engaged in senior level discussions to explore ways in which to deal with increasing demands by First Nations for the 'fast tracking' of land and resource issues in the treaty process. While most First Nations continue to support the existing process, frustration is mounting. Aboriginal communities are looking to negotiate interim agreements (also called 'interim measures') on lands and resources that they view as critical to their communities and to the treaty process.

Federal and provincial governments are responding by circulating proposals to revitalize the treaty process; to enable First Nations to more quickly sign interim agreements on lands and resources within their traditional territories under claim. While such a process would enable Lower Mainland area First Nations to access important economic and community development opportunities before final treaties are signed, local governments are concerned how this process will be implemented if, at present, federal and provincial negotiators still have no formal process for dealing with Interim Measures. It should also be noted that although local governments are full members of the provincial negotiating team, they have not been involved in these senior levels discussions on treaty process revitalization.

Over the past month, LMTAC members have been calling on federal and provincial officials for much needed direction on the issue of Interim Measures. A discussion document

entitled "A New Approach to Interim Measures" (June 3, 1998) was circulated to UBCM, the Federal Treaty Negotiation Office, the BC Treaty Commission, provincial line ministries, the Regional Caucus, and to members of the province-wide Treaty Negotiation Advisory Committee (TNAC). All Lower Mainland area local governments are encouraged to discuss the issues raised by this document with their respective Councils, and be eagerly awaiting responses from senior governments on this issue.

TABLE SPECIFIC

Katzie First Nation (Stage 2)

On February 25, 1998, the LMTAC provided formal comments on draft #3 of the *Katzie First Nation Negotiation Procedural Protocol*. The Parties to the negotiations last met on June 3, 1998 to finalize the protocol agreement and expected to complete Stage 2 by mid-July. However, recent delays at Katzie table have resulted from conflicting interpretations of what role a local treaty advisory group, (known as the Katzie LAG) will play in the treaty process. Provincial officials report, however, that the Katzie LAG is not part of the formal treaty advisory process, but rather is a separate community initiative sponsored by the Katzie First Nation that seeks to better inform interested community members about the status of negotiations.

Over the past months, rumors have again surfaced that the Coquitlam Band may be joining the Katzie treaty team. To date, no official correspondence has been released by Katzie confirming this fact.

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

Musqueam First Nation (Stage 3)

Negotiations on the Musqueam Framework Agreement are largely complete and, as of June 26, 1998, all Parties to the negotiations have initialed the agreement. Drafts of the agreements were reviewed by LMTAC members and comments were submitted to provincial negotiators in May and June. Correspondence between the parties continue on whether a formal public ceremony will be held to sign the Framework. The next public main table, or a date for the signing ceremony, has not been set. In the interim, it is anticipated that working group meetings may be convened to discuss Stage 4 workplanning.

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

Squamish Nation (Stage 3)

On January 25, 1998, a draft of the Squamish Framework Agreement was officially circulated to advisory bodies for comment. In February 1998, LMTAC provided provincial representatives with comments. At present, federal and provincial negotiators have the authority to initial the agreement, but minor textual changes and editing continue to occur. Once these changes are complete, the Framework will likely be initialed by the Parties and Stage 4 workplanning will commence.

Mayor Corinne Lonsdale is the LMTAC representative to the Squamish negotiations.

Tsawwassen First Nation (Stage 4)

Tsawwassen began Stage 4 (AIP) negotiations in August 1997. Since then a Stage 4 workplan has been developed and the table is beginning to draft chapters (or sub-agreements as they are often called) on: treaty amendment, dispute resolution, ratification, eligibility and enrollment. These sub-agreements, once finalized, will likely form part of Tsawwassen's Agreement-In-Principle.

On February 3, 1998, the Tsawwassen First Nation released a revised draft of a sub-agreement on Ratification, Amendment and Dispute Resolution. With the release of Draft #2 of this document, provincial negotiators and LMTAC representatives continue to circulate their comments. It is anticipated that the sub-agreement may be initialed in Fall 1998.

On a related note, at a meeting on July 2, 1998, members of the Lower Mainland Regional Advisory Committee (LMRAC) received an update from the BC Ministry of Agriculture and Food on the Roberts Bank Backup Lands. The Ministry reported that a draft of the protocol Agreement on Roberts Bank would be provided to the Corporation of Delta, local stakeholders, and to LMTAC. The Agreement includes a precedent-setting \$1 million dollar cash settlement for the Tsawwassen First Nation. In the coming weeks, LMTAC will be reviewing the protocol Agreement and providing comments to the Province.

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. On June 29, 1998, the three chief negotiators met to assess the status of the negotiations, discuss governance issues, and develop a common approach to Stage 4 (AIP) negotiations. Planning for future



Governance and Lands and Resource side tables is currently underway and general Lands and Resource Terms of Reference have been already developed. The Parties have also drafted principles on the topics of amendment and dispute resolution for review at the next main table. Full status reports on these documents will be provided by the LMTAC representatives to Tsleil-Waututh in July and August.

In addition, in June 1998, Mayor Don Bell from the District of North Vancouver met with BC negotiators to discuss municipal interests and four strategic sites of interest to local government. *Mayor Don Bell is the LMTAC representative to the Tsleil-Waututh negotiations.* ❖

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.

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

PRIORITY NEWS

NISGA'A AGREEMENT INITIALED

An agreement was concluded between the Nisga'a Tribal Council, Canada, and BC on Wednesday July 15, 1998. Although details of the agreement were scheduled to be released on August 4th, Liberal members of the House leaked the document to the media and legislature. The Ministry of Aboriginal Affairs plans to mail a summary of the agreement to every household in BC as well as have complete copies of the text available by early to mid-August. In the interim, you can also view draft chapters on the web at: <http://www.aaf.gov.bc.ca/aaf/treaty>. In the coming weeks LMTAC will be reviewing the Nisga'a agreement for implications on Lower Mainland area negotiations. ❖

FALL COUNCIL TOUR

LMTAC will be visiting your Council in Fall 1998!!

Workplanning is currently underway to complete step 3 of a 3 stage interest identification process begun in January 1997. In Fall 1998, LMTAC will be visiting Lower Mainland Councils to brief them on the treaty process, distribute guidelines for information gathering, and to survey specific municipal interests. The purpose of the tour is to give councils direction on how to deal with treaty issues as more Lower Mainland First Nations move into Stage 4 (AIP) negotiations. Be watching for further information in September and October!❖

Lower Mainland Advisory Groups: Update

REGIONAL CAUCUS (LMRC)

The Regional Caucus was again communicating via electronic mail during the past months. On-going discussions with provincial officials reveal that no in-person meetings of the LMRC are planned at this time, although a number of substantive treaty issues (including Interim Measures and treaty process revitalization) remain outstanding. The LMTAC is currently exploring ways to improve the LMRC reporting process and to encourage provincial representatives to take full advantage of this important opportunity to create dialogue amongst provincial line ministries on broad treaty issues that affect all LMRAC members, not just local governments. ❖

The LMRC was created as a forum for provincial line ministries and crown corporations to discuss key treaty and Aboriginal issues. No upcoming meetings are scheduled.

REGIONAL ADVISORY COMMITTEE (LMRAC)

The last meeting of the LMRAC occurred on July 2, 1998. At the meeting LMRAC members received negotiation updates from federal and provincial officials and an update from the BC Ministry of Agriculture and Food on the Roberts Bank Backup Lands. ❖

The LMRAC meets on the first Thursday of every month. The next meeting is scheduled for August 6, 1998.

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)

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. Substantial activity has occurred in recent months at In-SHUCK-Ch N'Quat'qua table, and it is anticipated that this may be the first table in the BC Treaty Commission process to initial an Agreement-In-Principle (AIP) within the next 12 months. Also, on July 21, 1998, FVTAC will be hosting a workshop on various treaty issues including, taxation, land tenure, treaty process revitalization, access, forestry, water, mineral resources, and parks. For additional information on FVTAC, contact *Suzanne Gresham* at (604) 702-5032. ❖

LMTAC Biz

COUNCIL OF COUNCILS PRESENTATION

On July 11, 1998, LMTAC presented an update on treaty negotiations and key issues affecting Lower Mainland area local governments to members of the Greater Vancouver Regional District (GVRD). Presenters from LMTAC included Councillor Nancy A. Chiavario (City of Vancouver), Director Littlemore (GVRD Electoral Area C), and George Macintosh (Farris & Vaughan). Highlights of the presentation included an overview of lands under claim by area First Nations and a review of the key interests of local government. Members of the federal and provincial negotiating teams were in attendance. The presentation was successful at raising the interests of municipalities affected by treaty negotiations and at informing Councils about a series of community presentations to be led by LMTAC in Fall 1998. (Additional copies of LMTAC's Presentation Summary are available). ❖

STAFFING CHANGES

The Lower Mainland Treaty Advisory Committee completed its staffing and organizational review on June 24, 1998. **Mr. David L. Didluck**, who served in the position of Interim Aboriginal Affairs Coordinator from April-July 1998, becomes LMTAC's new *Policy and Aboriginal Affairs Analyst*. In the coming months, Mr. Didluck will be working actively to identify issues that affect Lower Mainland area local governments and to ensure that the membership is given direction on key substantive treaty issues for Fall '98. ❖

STAFF CONTACT INFORMATION

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COMMUNICATION IMPROVEMENTS

LMTAC now has its own dedicated e-mail address! Please use **lmtac@gvr.bc.ca** for all general inquiries, to reach LMTAC members who do not have e-mail, or to make generic document and information requests. All correspondence or electronic documents sent to **lmtac@gvr.bc.ca** will be

forwarded to David Didluck and Eleanor Boldt. If you wish, you can also continue to reach David and Eleanor directly. ❖

NEW GENERAL E-MAIL ADDRESS:

lmtac@gvr.bc.ca

Internal Biz

THE FOLLOWING ITEMS WERE NOT INCLUDED IN THE JUNE/AUG98 ISSUE!!!!

AT THE SUNRISE CEREMONY

On Sunday, June 21, 1998, to celebrate National Aboriginal Day and the arrival of the Summer solstice, members of the Lower Mainland Treaty Advisory Committee joined Chief Leonard George of the Tsleil-Waututh First Nation at a traditional sunrise ceremony at Vanier Park. In spite of its 5:00am start, the event drew an attendance of approximately 150 people. LMTAC members at the event included Councillor Nancy A. Chiavario (City of Vancouver), Councillor Jeanne Eddington (City of Surrey), and David L. Didluck (LMTAC Policy and Aboriginal Affairs Analyst). The ceremony was following by a bannock and wildberry tea breakfast and traditional dancing.

The Lower Mainland Treaty Advisory Committee was also the proud sponsor of National Aboriginal Day activities at the Roundhouse Community Centre. ❖

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: the Lower Mainland Treaty Advisory Committee, Fax: (604) 436-6860; E-mail: lmtac@gvr.bc.ca.

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

