

Update Bulletin

Reporting on LMTAC Activities
December 2001 – February 2002

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Upcoming Public Meetings:

March 27, 2002

April 24, 2002

Did you know that you can access both meeting information and policy documents on the LMTAC web site?

Visit us at:

www.lmtac.bc.ca

**LOWER
MAINLAND
TREATY
ADVISORY
COMMITTEE**

LMTAC coordinates and represents the collective interests of local government, and through them their constituents, in defining and building relationships between First nations and other orders of government.

HIGHLIGHTS

LMTAC Elections – January 23 LMTAC Meeting

“The provincial government’s funding cuts and related statements in the media by the Minister have raised questions about how public consultation with the public and local governments will occur in future. This makes the role of Local Governments in general, and LMTAC specifically for the Lower Mainland area, increasingly important for treaty negotiations and Aboriginal issues in the coming months”, said Mayor Don Bell following his re-election as LMTAC Chair. The annual elections took place during the January LMTAC meeting and also resulted in Mayor Ralph Drew being re-elected as the Vice-Chair to the largest Treaty Advisory Committee in the Province. (See page 4 for full election results).

January 31 Board Development

To ease the transition of becoming a new LMTAC member, LMTAC staff held an orientation session on January 31 for new and interested elected and staff representatives to LMTAC. Following Chair Bell’s welcoming comments, LMTAC staff provided an overview of LMTAC’s mission statement and structure, the BC Treaty Process and individual member roles on the committee. For further clarity, GVRD staff offered a summary of GVRD involvement in and contributions to LMTAC activities.

Any interested members who were not able to attend this session are welcome to contact the LMTAC office to set up an informational meeting.

February 20 LMTAC Meeting

Following an offer to meet with LMTAC, Robin Dodson, Federal Chief Negotiator at the Tsawwassen treaty table, provided members with a presentation on Canada’s vision for fisheries negotiations. Ensuing discussion focused on commercial harvest allocations and conservation interests. In conclusion Mr. Dodson commented that the importance of fisheries to constituents and councils was understood and that the negotiators would communicate with their principals, the points of view shared at the meeting.

Technical Workshop on Servicing Agreements

On February 21, 2002, LMTAC hosted a technical workshop to further examine service agreements in relation to treaty negotiations. The workshop included presentations on legal considerations and the involvement of federal and provincial departments. Approximately 30 local government staff and elected officials attended. Participant feedback outlined a keen interest for a subsequent workshop that would include broader participation and First Nation perspectives.

NEGOTIATION UPDATES

Regional Update

On January 17, 2002, the Provincial government announced a three-year restructuring program, which also directly impacts treaty negotiations. Within the Ministry of the Attorney General, the Treaty Negotiation Office (TNO) is expected to shift its focus away from complex, comprehensive treaties to an approach where treaties are built over time through the negotiation of land, resource and governance arrangements that respect the diverse interest of First Nations.

As part of this strategic shift, TNO will discontinue funding as of April 1, 2002 to the Treaty Negotiation Advisory Committee, Regional Advisory Committees, and Treaty Advisory Committees. TNO will move from four regional negotiating teams to one negotiating unit. TNO has also specified that negotiations will proceed on a results-oriented basis of reaching a final settlement. Provincial negotiators will shift to focused consultation at the local level and TNO will explore ways to ensure that local government representatives continue to be involved in negotiations as members of the provincial team.

Katzie Table (Stage 4)

Tripartite negotiations and working groups are underway at this table to discuss fish, land management and intergovernmental relations. The Workplan for 2002 addresses four key topics: environmental management, wildlife, parks and protected areas, and culture and heritage.

The Katzie have recently become fee-simple landowners when they purchased Camp Lakewood at the end of 2001. This property will remain under the jurisdiction of Maple Ridge. The Katzie First Nation hosted the grand opening of Camp Lakewood on February 7, 2002.

Additionally, the Intergovernmental Working Group has continued with a series of tours into area municipalities as well as the GVRD. This initiative allows the three principal parties an opportunity to explore the roles and responsibilities of Local Governments.

Furthermore, Katzie signed a governance development agreement with Canada and BC, which includes research, community consultation and job shadowing projects. The Final Report on Governance Treaty Related Measure (TRM) is to be completed April 30, 2002.

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

Musqueam Table (Stage 3)

The Musqueam Nation's focus over the past year has been on non-treaty issues. However, Musqueam is working on finalizing its Framework Agreements that formal negotiations may resume, as well as discussing possible Interim Measures Agreements. Compensation issues continue to stall negotiations at this table. No further negotiation meetings or activities have been scheduled.

Councillor Harold Steves is the LMTAC representative to the Musqueam negotiations.

Squamish Table (Stage 3)

No activity has occurred at the Squamish table since February 1998. Over the past year, Squamish Nation has focused on negotiations outside of the treaty process. In March 2001, Squamish and Lil'Wat Nation signed a protocol agreement committing the parties to identify issue of mutual concern within their traditional territories, explore economic opportunities and consider shared jurisdiction and co-management. The Squamish and MT. Currie First Nations have also jointly proposed the development of a Big House in Whistler.

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

Tsawwassen Table (Stage 4)

The Tsawwassen treaty table will be engaged in substantive negotiations throughout Spring and Summer of 2002. While Agreement-in-Principle negotiations continue, the Tsawwassen First Nation is moving forward with Interim Agreements. In March 2001, the Tsawwassen First Nation release a cultural heritage study which documents more than 1, 100 cultural heritage sites, many of which are within Tsawwassen's reserve land. The Tsawwassen First Nation has two additional interim agreements – a community planning study and an economic development study.

Canada and BC proposed to the Tsawwassen First Nation that the table negotiate two Treaty Related Measures (economic development and community planning) to facilitate the table's consideration of the land/cash counter-proposal. The Parties have agreed to use a "consistent land base" map that reflects land included in the Federal-Provincial land and cash proposal to facilitate reviews of issues related to land management, planning and access. This map does not imply that the Tsawwassen First Nation has no further land selection interests or that they have agreed to the proposal made by both governments. However, the Tsawwassen First Nation has stated that it understands that it is unlikely that the land-and-cash quantum will be

expanded upon by the Federal and Provincial governments.

Beginning at the October 11, 2001 Main Table, the Tsawwassen First nation suggested that the parties explore an "Incremental" or phased approach (as suggested by the BC Treaty Commission in its Annual Report) to the Tsawwassen treaty. In a series of meetings involving both Chief Negotiators and member of the Mainland Working Group, the parties have begun to brainstorm to explore what such an approach might mean. It must be emphasized that there have been preliminary discussions and do not reflect any formal decisions. The Tsawwassen First Nation has not accepted the governments' proposals, nor have the Principals agreed to adopt an incremental approach. At this time, three broad areas have been identified as priorities of exploration of an incremental approach: fisheries, land and governance. To support the direct linkage to the treaty, the parties agree that, as much as possible, work on the associated Agreement-in-Principle chapters would continue along with specific incremental agreements or initiatives.

The Federal government tabled a fisheries counter-proposal August 24, 2001 that emphasized abundance-based allocations through negotiated Harvest Agreements. Canada envisions test-driving fisheries elements through an interim measures agreement. The parties are awaiting BC's substantive response to fish-related topics.

Councillor Vicki Huntington is the LMTAC representative to the Tsawwassen negotiations.

Tsleil-Waututh Table (Stage 4)

Land issues have dominated negotiations with Tsleil-Waututh Nation over the past year. The pace of negotiations has been slow as the parties attempt to reconcile their treaty visions. At the same time, Tsleil Waututh signed a non-binding Protocol Agreement with District of North Vancouver to protect archaeological resources in Cates Park/Whye-ah-Wichen in March 2001.

The Tsleil-Waututh Nation has also recently become a fee-simple owner of land in the Indian Arm area. The property remains under municipal jurisdiction. The Tsleil Waututh intend to pursue non-treaty related economic development opportunities on this property for eco-tourism and construction for a fishing lodge and kayak centre.

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

LMTAC BIZ

New LMTAC Mission Statement and Roles

In 1993, the Memorandum of Understanding (MOU) signed between the Union of BC Municipalities and the Ministry of Aboriginal Affairs created direct membership for local government on provincial negotiating teams. Since its formation under this MOU in 1993, LMTAC has operated without a formal mission statement to guide the actions of its membership. In recent years, LMTAC initiatives have become more diverse and the committee has taken on new roles and provided a service function to the membership that goes beyond what was outlined in the original MOU. As a result, the need for a defined LMTAC mission statement was identified.

In August 2001, a formal mission statement and set of priority roles were endorsed by LMTAC that reflects the broad range of roles in and outside of the treaty process.

The new mission statement is as follows:

LMTAC coordinates and represents the collective interests of local government, and through them their constituents, in defining and building relationships between First Nations and other orders of government.

LMTAC Priority Roles:

In order to effectively act on its mission statement, the Lower Mainland Treaty Advisory Committee has established the following priority roles. To:

1. Communicate the collective interests of local government, in area treaty processes, to provincial, federal and First Nation's governments;
2. Advise and educate about local government and First Nations roles and interests in area treaty processes;
3. Monitor and, where necessary, respond to non-treaty aboriginal issues that may impact the collective local government interest; and
4. Facilitate the development of effective working relationships between local governments and First Nations.

First Principles & Policy Work

Over the past year, LMTAC has endorsed background discussion papers for the below First Principles - all of which are publicly available:

- First Principle #23 – Protect Fish Stocks
- First Principle #30 – Dispute Resolution Models
- First Principle #32 – Local Governments & Urban Aboriginal Issues
- First Principle #35 – Service Agreements

LMTAC Updates to Member Regional District Boards

In November and December, LMTAC Chair, Mayor Don Bell, accompanied by the LMTAC Manager, presented to all three regional district funding partners (Greater Vancouver, Squamish-Lillooet, and Sunshine Coast regional districts) to thank them for their participation and contribution to LMTAC. In addition, Chairman Bell overviewed LMTAC's 2001 activities and highlighted the priorities for 2002. These delegations were part of the ongoing communication between LMTAC and its member jurisdictions.

Technical and Strategic Working Group (TSWG)

The LMTAC Technical and Strategic Working Group (TSWG) is the staff-led body that facilitates discussion of key treaty/Aboriginal interests and makes recommendations to the LMTAC membership. Recent topics discussed by TSWG include private land discussions, servicing agreements and specific treaty table support.

A letter sent recently to member mayors and chairs highlights the benefits to municipalities and regional districts that may be derived from their staffs' participation on TSWG, including opportunities for Local Government staff to influence policy and practices, expanding inter-jurisdictional contacts, and broadening experience and skills.

BCTC Interactive Display

The BC Treaty Commission has developed an interactive display using touch screen technology that helps to answer six basic questions about treaty negotiations from a number of different perspectives. Several LMTAC member municipalities have hosted the display already, including West Vancouver, City of North Vancouver and Surrey. If your community would be interested in hosting this display in a high-traffic location, such as a municipal hall or recreation centre, please contact the LMTAC office at (604) 451-6160 for more information.

This Bulletin provides a general overview of recent activities and major issues dealt with by LMTAC representatives. It is not intended to reflect all of the issues before the Committee. Any opinions expressed herein are solely of LMTAC.

Special thanks to GVRD staff for assisting with some information preparation for this edition.

2002 LMTAC Election Results

Executive Committee

LMTAC Chair: Mayor Don Bell
LMTAC Vice Chair: Director Ralph Drew

Musqueam Table Representative:
Councillor Harold Steves
Tsawwassen Table Representative:
Councillor Vicki Huntington

Squamish Table Representative:
Mayor Corrine Lonsdale

Tsleil-Waututh Table Representative:
Mayor Don Bell

Katzie Table Representative:
Councillor Candace Gordon

At Large Members:
Councillor Louella Hollington
Councillor Peter Stevenson

Regional District Representatives:
Greater Vancouver: Mayor Ralph Drew
Squamish-Lillooet: Director Pam Tattersfield
Sunshine Coast: Director Lee Turnbull

Finance and Organizational Sub-Committee:

Chair: Councillor Candace Gordon
Vice Chair: Councillor Peter Stevenson At Large
Member: Councillor Vicki Huntington

Communications Sub-Committee:

Chair: Councillor Louella Hollington
Vice Chair: Councillor Peter Stevenson
At Large Members:
Councillor Mary-Wade Anderson
Councillor Bob Long

LMTAC Observer to Fraser Valley TAC

Councillor Candace Gordon

For more information on the
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