

Update Bulletin

Reporting on recent
LMTAC Activities

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Upcoming Public Meeting:

April 28, 2004

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**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

Tsawwassen Agreement in Principle Signing Ceremony

On March 15th, the Tsawwassen table became the first in the Lower Mainland to move into Final Agreement negotiations and stage 5 of the BC Treaty Process. Tsawwassen First Nation hosted the ceremony and welcomed the public into their long house. See page 2 for more details on Tsawwassen negotiations.



Tsawwassen Agreement in Principle Signing Ceremony, March 15, 2004

L-R bottom row: Minister Andrew Mitchell, Department of Indian and Northern Affairs, Chief Kim Baird, Tsawwassen First Nation, Minister Geoff Plant, BC Treaty Negotiations Office.

L-R top row: Robin Dodson, Federal Chief Negotiator, Laura Cassidy, Tsawwassen Negotiator, Lorne Brownsey, Deputy Minister, BC Treaty Negotiations Office.

LMTAC BOARD MEETING HIGHLIGHTS

January 26th – Inaugural 2004 Meeting and Elections

LMTAC members acclaimed Mayor Ralph Drew as LMTAC Chair who has sat as LMTAC Vice Chair for the previous two years. Councillor Candace Gordon was acclaimed as Vice-Chair of the committee. For full election results, see page 4.

Lorne Brownsey, Deputy Minister for the BC Treaty Negotiations Office, provided an update to members and announced that LMTAC would receive funding from BC to support LMTAC's continued participation in area treaty negotiations.

February 25th

The three Chief Negotiators at the Tsawwassen treaty attended and provided a status report on the issues being discussed as the Parties move into Final Agreement negotiations.

March 24th

In addition to discussing updates at treaty tables with provincial negotiators, members initiated a review of LMTAC's key policy papers and requested that another special meeting be held to further discuss this issue.

NEGOTIATION UPDATES

Katzie Table (Stage 4)

Parties at the Katzie table are steadily working on Agreement in Principle negotiations. Since September 2003, the treaty table has committed to meet for two days each month.

The table has concentrated efforts on drafting joint principles, interest checklists and comparison charts on the following four Agreement-in-Principle chapters to be concluded by the end of 2004: environmental management; culture & heritage; wildlife & migratory birds; and parks & protected areas. Katzie is also collaboratively considering Treaty Related Measures relative to Culture and Heritage with local government and the table is also considering Federal and Provincial funding possibilities for forestry and tourism proposals.

Katzie anticipates entering discussions on governance in the near future and have expressed interest in participating in discussions for establishing intergovernmental relations between First Nations and the GVRD. Katzie is also developing interest papers on the topics of Forest Resources and Fisheries due to be released by the end of July 2004.

Main Table Working Group meetings are scheduled for: April 28-29, May 27-28, June 24-25, and July 22-23. All meetings are open to the public and are usually held at the Katzie Band Office in Pitt Meadows.

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

Musqueam Table (Stage 3)

The Musqueam Nation has focused on non-treaty issues over the past year. The BC Treaty Commission facilitated several meetings among the Parties at the Musqueam table to explore options for resuming negotiations, which had been stalled over the issue of compensation. Since January 2003, the Parties met monthly towards concluding a Framework Agreement and agreed to add the wording on compensation to the draft. The Agreement was subsequently supported by the Musqueam community members and ratified on November 18, 2003.

The Parties subsequently initialled the Framework Agreement on December 17, 2003, and wait official signing of the agreement prior to commencing Agreement in Principle (AIP) negotiations. The Parties have committed to begin AIP negotiations by addressing urban land issues.

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

Squamish Table (Stage 3)

In 2000, treaty negotiators at the Squamish table recommended a draft Framework Agreement for approval by their Principals. Since that time, no further negotiation activity has occurred. In the BC Treaty Commission's 2003 Annual Report, it was noted that Squamish Nation was one of two First Nations showing no interest in actively pursuing treaty negotiations at this time.

Meanwhile, the Squamish Nation has been focused on initiatives outside the treaty process, including various commercial activities, an agreement with BC Rail and BC to co-manage the Squamish River Estuary, development and endorsement of the Squamish Nation Land Use Plan and co-hosting a Community-to-Community forum with the District of Squamish.

Both the Squamish Nation and Lil'wat First Nation will be active participants in the upcoming 2010 Winter Olympics. The Provincial and Federal governments also committed \$7.7 million towards a \$15 million Cultural Centre.

Currently, the Squamish Nation leadership is seeking the community's endorsement of a multi-year activity plan for all their business and community activities, including treaty negotiations.

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

Tsawwassen Table (Stage 4)

Parties to the Tsawwassen treaty negotiations announced on July 28th, 2003 that a draft Agreement in Principle (AIP) had been initialled by Chief Negotiators on July 9th, 2003. On December 10th, 2003, the Tsawwassen community voted in favour of the draft AIP. The Provincial government approved the Tsawwassen AIP during an open cabinet meeting held February 27, 2004, to mark the fourth AIP approved by the Provincial government over the past eight months.

The AIP was ratified by all three Principals during a public signing ceremony on March 15, 2004. The Parties have now effectively moved into Stage 5 negotiations towards a Final Agreement (or Treaty). The Parties have expressed a tripartite goal of reaching a draft Final Agreement by the end of December 2004.

Tsawwassen continues to express that access to services remains a critical issue. The Parties have committed to support development of intergovernmental relationships through a Governance Treaty Related Measure and by establishing a Tsawwassen Intergovernmental Relations Technical Working Group (IGRTWG) to address First Nation/local government matters. The inaugural meeting of the IGRTWG proceeded on February 25, 2004. In addition to the

Parties at the Tsawwassen table, invited participants included representatives from the GVRD, the Corporation of Delta and LMTAC. Parties committed to participate in future workshop sessions through the end of June 2004 that are intended to exchange information on the following four topics areas: Planning and Land Use Regulation, Service Provision & Boundary Adjustments, Financing Of Services, and First Nation Relationship With Local Government.

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

Tsleil-Waututh Table (Stage 4)

Following a period of slow progress marked by divergent visions of a treaty, the Parties resumed Stage 4 Agreement in Principle negotiations in January 2003 and committed to achieving an Agreement-in Principle.

In so doing, the Parties adopted the following Tsleil-Waututh Nation (TWN) proposals:

- that TWN would not use its Variable Interest Model for treaty negotiations;
- that the Parties set aside two days per month for negotiations; and
- that the Parties review the agreements already in the public domain and, if those chapters or provisions in chapters address the needs of TWN, then the table would start to include those chapters, in whole or in part, as draft TWN chapters.

In January 2004, the Province introduced a new negotiator to sit at the table. Discussions since then have focused on TWN urban and rural land interests, that are considered key to a negotiated treaty settlement, as well as, general forestry interests and particular interests pertaining to the Indian Arm Watershed. TWN has also expressed interests related to aquaculture opportunities, small hydro-electric projects, and a back-country recreational tenure.

Councillor Jean Ferguson is the LMTAC representative to the Tsleil-Waututh negotiations.

Provincial Update

Other AIPs Reached in BC

Lheidli T'enneh Table (Stage 5)

On July 26th, 2003, Canada, British Columbia and the Lheidli T'enneh First Nation (located near Prince George), signed the first Agreement-in-Principle under the current BC Government. Ratification of this AIP effectively moves the table into Final Agreement negotiations or stage 5 of the BC Treaty Process. Included in the agreement is 4,027 hectares of land,

\$12.8 million, governance provisions and rights to wildlife, fish and timber.

Maa Nulth Table (Stage 5)

The Maa Nulth First Nation, a group of five First Nations located on the west coast of Vancouver Island, initialled an Agreement -in-Principle on May 29th, 2003. Provincial and federal negotiators attended a ceremony in Bamfield on October 3, 2003 during which Maa-nulth First Nations Chiefs signed the AIP. The Premier and federal Minister of Indian and Northern Affairs, Robert Nault, have also signed the AIP on behalf of their governments. A final agreement is expected to take one to two years to complete.

The AIP proposes transfer of \$62.5 million to the five bands and more than 20,000 hectares of land, in addition to the area #150 reserve comprised of 2,105 hectares of land.

Sliammon Table (Stage 5)

In June 2003, the Chief Negotiators for BC, Canada and Sliammon First Nation (located in the Powell River area) recommended approval of a re-negotiated Agreement in Principle for ratification. On October 4, 2003, Sliammon First Nations members voted 62 percent in favour of ratifying the AIP and, subsequently, on November 17, 2003, the BC Cabinet also approved the AIP. Canada had earlier given its approval.

A signing ceremony took place on December 6, 2003, in at Sliammon, where the AIP was signed by Chief Maynard Harry of the Sliammon First Nation, the Hon. Robert Nault, Minister of Indian Affairs and Northern Development for the Government of Canada, and the Hon. Geoff Plant, Attorney General and Minister Responsible for Treaty Negotiations for the Government of British Columbia.

Snuneymuxw Table (Stage 4)

Chief Negotiators at the Snuneymuxw treaty table initialled a stage 4 Draft AIP on February 19, 2003, and released it the public in April 2003. The Snuneymuxw AIP is made up of two documents: an AIP which deals with land, resources, culture, related self-government provisions and cash, and a Governance AIP which deals

with a range of governing authorities such as education, health care and policing. The AIP offers Snuneymuxw \$64 million in cash and 5,090 hectares of land. Both AIP documents are currently being reviewed by the Snuneymuxw community. A Snuneymuxw ratification vote on the draft AIP has not been scheduled at this time.

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.

LMTAC BIZ

LMTAC Web Site
www.lmtac.bc.ca

LMTAC's web site highlights the new documents added to the site. On the top of the home page, all recent documents are placed in the "New" text boxes, including *LMTAC's assessment of the Tsawwassen AIP (October 2003)*.

In addition, the following key LMTAC interest documents are now located on the "Interest Papers" page located under the "Publications" section.

LMTAC Key Interests Document:

Considerations: A Guide for Lower Mainland Area Local Government Interests in Treaty Negotiations - LMTAC Interest Paper Edition: Including LMTAC First Principles August 2001

Backgrounders to LMTAC First Principles

- Background Discussion Paper to LMTAC First Principle #27- Rights of Representation (March 2003)
- Local Government and Urban Aboriginal Issues; Backgrounder to First Principle #32- September 2002
- Dispute Resolution and Land Use: Backgrounder to LMTAC First Principle #30 (February 2002)
- Services, Service Agreements and Treaty Negotiations: Backgrounder to LMTAC First Principle #35 (January 2002)
- Local Government Fish Backgrounder Paper- First Principle #23 (October 2001)

Union of BC Municipalities (UBCM)

In January 2004, UBCM released its *Comparative Analysis of 2003 Agreements in Principle and Local Government Interests*. This analysis examines the five Agreements in Principle (AIPs) negotiated with First Nations in 2003, to determine the degree to which the general interests of local government have been met. Conclusions and recommendations are included throughout the paper. See UBCM's web site (www.civicnet.bc.ca) for the full report.

Community to Community Forums

UBCM is currently inviting local governments and First Nations to apply for Community to Community Forum funding. Applications kits are available on UBCM's web site.

LMTAC 2004 ELECTION RESULTS

Executive Committee

Chair Mayor Ralph Drew (Greater Vancouver RD)

Vice Chair Councillor Candace Gordon (Maple Ridge)

Table Representatives

Musqueam: Councillor Harold Steves (Richmond)

Tsawwassen: Councillor Harold Steves (Richmond)

Squamish: Councillor Corrine Lonsdale (Squamish)

Tsleil-Waututh: Councillor Jean Ferguson (West Vancouver)

Katzie: Councillor Candace Gordon (Maple Ridge)

At Large Members

Councillor Lee Rankin (Burnaby)

Mayor Lisa Barrett (Bowen Island)

Regional District Representatives:

Greater Vancouver Mayor Ralph Drew

Squamish Lillooet Director John Turner

Sunshine Coast Mayor Barry Janyk

Finance and Administration Sub Committee (FASC)

Chair Councillor Candace Gordon (Maple Ridge)

Vice Chair Director John Turner (Squamish Lillooet RD)

At Large Members

Councillor Lee Rankin (Burnaby)

Councillor Mary-Wade Anderson (White Rock)

Mayor Lisa Barrett (Bowen Island)

Councillor Corrine Lonsdale (Squamish)

LMTAC Observer to Fraser Valley TAC

Councillor Candace Gordon (Maple Ridge)

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