

# UPDATE BULLETIN

*"Coordinating and Representing the Interests of Local Governments and their Constituents in Lower Mainland Area Treaty Negotiations"*

Volume 1, Issue 8

Reporting on LMTAC Activities Aug 1999 - Sept. 1999

October 1999

## Key Items of Business

*Lower Mainland Treaty Advisory Committee (LMTAC)*

### Sept 22, 1999

The September 22 LMTAC meeting was used as an opportunity to have a joint workshop session with the BC South Negotiating Team. The topic of the workshop was Intergovernmental Relations as they relate to treaty making in the Lower Mainland. Local Government colleagues from the Fraser Valley and the Sunshine Coast presented their experiences regarding Local Government consultation on governance issues in the ongoing In-SHUCK-ch N'Quat'qua negotiations and in the Sechelt Agreement-in-Principle. LMTAC members gained a better understanding of their expected role once chapters are being developed in treaty negotiations. Again members articulated a concern about negotiations moving along without a clear mandate on intergovernmental relations in relation to the urban setting. In addition, Jose Villa Arce, Executive Director for BC Negotiations Mandates Branch, provided members with an outline of a concept paper being produced regarding self-government in treaty negotiations. Although the joint session on Intergovernmental Relations was circumvented by general questions from LMTAC members, the discussion was considered useful by both BC South team and LMTAC in the process of building trust and good relations.

*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. Any opinions expressed herein are solely of the LMTAC.*

**For additional information on LMTAC activities, please contact: Lower Mainland Treaty Advisory Committee, 4<sup>th</sup> Floor, 4330 Kingsway, Burnaby, British Columbia, V5H 4G8.**

**Tel: (604) 451-6179 Fax: (604) 436-6860**

**E-mail: [lmtac@gvrd.bc.ca](mailto:lmtac@gvrd.bc.ca)**

### UBCM Sept 28, 1999

During the Annual UBCM Convention, various LMTAC members met with the Minister of Municipal Affairs (Sept. 28) and the Minister of Aboriginal Affairs (Sept.30). Discussions with the Deputy Minister of Municipal Affairs included: *Municipal Act* reform; the need for joint development of urban governance models; and concerns about the *Delgamuukw* decision as it relates to local government. During the meeting with Dale Lovick, Minister of Aboriginal Affairs, concerns were articulated regarding, non-member representation post-treaty; the proposed treaty-related measures; LMTAC/UBCM relationship; the provincial draft concept paper on self-governance; and the lack of funding for Aboriginal Affairs.

Many LMTAC members participated in the pre-convention workshop examining intergovernmental issues. During the session, small working groups analyzed a discussion guide based on the UBCM initiated draft paper titled *Approaches and Options for Treaties in Urban Areas*. Results of this workshop are to be integrated into the final paper, which UBCM will be producing and sending out to all participants in the project. As soon as the final paper is received, copies will be sent to LMTAC members.

### UPCOMING PUBLIC MEETINGS:

Wednesday, October 27, 1999

Wednesday, November 24, 1999

### INSIDE THIS ISSUE

- 1 Key Items of Business / Upcoming Meetings
- 2 Negotiation Updates
- 3 Priority News / Lower Mainland Advisory Groups
- 4 LMTAC Biz / Communications Update

# Negotiation Updates

## *Regional and Table Specific*

### REGIONAL ROUNDUP

**UBCM Annual Convention.** The upcoming municipal elections were at the forefront of the 1999 Convention, while treaty-related matters were relatively sparse. On the Aboriginal issues front, Theresa Dust, a solicitor for the City of Saskatoon, gave both a general presentation as well as a private meeting with LMTAC members. Although treaties have long since been settled in the rest of Canada, Saskatoon is dealing with small urban parcels being purchased by First Nations and having their jurisdiction transferred as an urban reserve under the Federal Additions to Reserve legislation. Dust emphasized the importance for local governments to unilaterally come to agreements with First Nations and build trusting relationships. For a complete report, or more information on the Saskatoon situation, please contact LMTAC office, (604) 451-6179.

**Tsawwassen Public Information Session.** A public information session for the Tsawwassen negotiations was hosted by the tripartite negotiators at the Best Western Hotel in Tsawwassen on Thursday September 16. Those in attendance included: members from the local farming community, the Musqueam Lease holders group, and members from the Friends of Fishermen Coalition. Strong opinions were voiced but the meeting did allow the dissemination of information and open dialogue between the public and third party interests.

### TABLE SPECIFIC

#### **Katzie First Nation** (Stage 3)

The BCTC has declared the table ready for Stage 3. Chief Negotiators signed Stage 3 Procedures that included Openness provisions and the role of the Local Advisory Group (known as the Katzie LAG). No meetings are scheduled at this time.

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

#### **Musqueam First Nation** (Stage 3)

On June 26, 1998 negotiations on the Musqueam Framework Agreement were completed and all Parties to the negotiations had initialed the Agreement. Delays are due to differing opinions about the inclusion of the term "compensation".

No negotiations, or Agreement in Principle workplanning sessions, are scheduled.

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

#### **Squamish Nation** (Stage 3)

No activity has occurred at the Squamish table since February 1998 when LMTAC provided provincial negotiators with comments on a draft of the Framework Agreement. Federal and provincial negotiators have the authority to initial the agreement and Squamish have indicated their willingness to sign the framework agreement. No further treaty-related meetings are scheduled at present.

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

#### **Tsawwassen First Nation** (Stage 4)

At a public Main Table meeting held on July 30, 1999 the Tsawwassen First Nation formally responded to Canada and BC's interest presentations of March 1999 with a comprehensive treaty proposal. It is important to note that the presentation was received by provincial and federal officials as a proposal only. The land proposal included parcels of Crown lands within the boundaries of New Westminster, Surrey, Delta and Richmond. Lands identified by Tsawwassen may not be part of final land selection.

BC and Canada will respond on October 21 to the interests the Tsawwassen First Nation articulated at the July Main Table. A variety of side table and working group meeting have been scheduled over the next few months.

*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 July 12, 1999 the Chief Negotiators from the federal and provincial governments made a 'scoping presentation' to negotiators from the Tsleil-Waututh Nation to provide their initial indication of how the federal and provincial governments could potentially address Tsleil-Waututh's interests. It is anticipated that the Tsleil-Waututh Nation will respond to the presentation shortly.

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

# PRIORITY NEWS

## *First Principles*

**Expecting responses from Councils by the end of October** LMTAC have begun receiving member municipality's input. The draft First Principles were distributed over the summer with the expectation that member municipalities would review and submit comment this Fall. To date, approximately 50 percent of members have submitted their jurisdiction's response.

### *FIRST PRINCIPLES BRIEFINGS*

A series of Council briefings have occurred during the month of September in order to collect input and to seek endorsement from LMTAC member municipalities. Belcarra, Port Moody, Coquitlam, Richmond, Port Coquitlam, and New Westminster all requested the attendance of a member of LMTAC Executive to Council meetings discussing the LMTAC draft First Principles document. It is anticipated that all comments would be included into the final document by the end of October. ❖

## Lower Mainland Advisory Groups: Update

### REGIONAL CAUCUS (LMRC)

**On September 16, 1999** . . . The Regional Caucus meeting was held in Victoria, at the Ministry of the Attorney General's office. Thus far, meeting locations have alternated between Vancouver to Victoria. The meeting was attended by representatives from the Lower Mainland TAC, the Fraser Valley TAC, various BC line ministries, Crown Corporations, and the BC South Team. Negotiator, Cory Herrera, presented a verbal outline of the provincial presentation responding to the July 30 proposal from the Tsawwassen First Nation. Negotiation table updates were provided along with project updates involving Caucus members with Lower Mainland First Nations. The next Lower Mainland Regional Caucus meeting is scheduled for January 12, 2000 in Vancouver. For more information please contact the LMTAC office.

***The LMRC was created as a forum for provincial line ministries, Crown Corporations, and local governments to discuss key treaty and Aboriginal issues.***

### REGIONAL ADVISORY COMMITTEE (LMRAC)

**Tsawwassen.** . . The LMRAC has now formed a

Tsawwassen Consultation Group to examine particular Tsawwassen negotiation issues and to collect consultation on those issues from community and industry. The first Tsawwassen RAC Focus Group met On September 9, 1999 and the second on October 7, 1999. Both meetings were held at the Best Western Hotel in Tsawwassen.

The next LMRAC **North Shore Focus** meeting is anticipated in October or November after the Tsleil-Waututh response to the joint government presentation over the summer. ***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)

The FVTAC was pleased to receive a Provincial grant of \$40,000 to assist with the consultation of local government by BC. It is a significant increase over last year, reflecting the increased activity at the In-SHUCK-ch N'Quat'qua table, as well as the upcoming increase at the Yale and Sto:lo tables. The majority of FVTAC funding, however, continues to come from its local government members.

The FVTAC began a comprehensive presentation tour on October 5 to all 9 member jurisdictions. This tour will focus on the role of FVTAC; FVTAC's current activities as part of the Provincial Team; the consultation process, as well as an overview of FVTAC's Guiding Principles in Treaty Making. The tour provides an opportunity to seek feedback on the Guiding Principles from the full councils. Provincial Negotiators will also be presenting updates on the In-SHUCK-ch N'Quat'qua, Sto:lo and Yale treaty tables.

The FVTAC is looking forward to hearing the Provincial response to the FVTAC Interests in Treaty Making interest paper on October 5, 1999 at 3 pm. The FVTAC anticipates considerable discussion on outstanding issues of concern for the FVTAC, including the nature of ALR land, non-member representation, and assurances for a zero net cost to local governments resulting from treaty making. The FVTAC is also anticipating a chance to review a land and cash offer to the In-SHUCK-ch N'Quat'qua in the next weeks. This offer, made jointly by BC and Canada, will be made later this month, and publicized soon thereafter. The initialing of an Agreement in Principle for this treaty is planned for November 26. Ten chapters have been already initialed, and more have been made public for consultation.

The Yale table will likely begin substantive negotiation this fall, with fisheries being a key issue. The Sto:lo have now appointed a new Chief Negotiator, and also hope to renew negotiations in the fall. The FVTAC has a number of public information documents available detailing its activity, including a NEW FVTAC Update newsletter, produced every two months, and an updated website at [www.fvrd.bc.ca/TAC/tac](http://www.fvrd.bc.ca/TAC/tac), which include stable updates and current events.

For additional information on FVTAC activities, contact FVTAC's Aboriginal Affairs Coordinator, Tamara Little at 1.800.528.0061 or [tlittle@fvrd.bc.ca](mailto:tlittle@fvrd.bc.ca).

---

## LMTAC Biz

### TECHNICAL & STRATEGIC WORKING GROUP (TSWG)

Members of the LMTAC Technical and Strategic Working Group (TSWG) are currently working on a matrix which lays out local government interests regarding land and land use in the pre and post treaty environment. During an October 5 meeting, a report on the definition of Fee Simple land was discussed, which will be forwarded to the larger membership.

In addition, the Tsawwassen First Nation's Presentation from the July 30 Main Table meeting was reviewed and analyzed. Tsawwassen's land proposal was of particular interest. Recommendations from the TSWG meeting will be forwarded to the Executive Committee's review. Progress reports on TSWG activities will be presented to the LMTAC Executive and its members as meetings are held.

### URBAN GOVERNANCE WORKING GROUP

The working group was formed to assist in the development of models by which to examine urban Aboriginal and treaty issues. The outcome was a report called *Approaches and Options for Treaties In Urban Areas* and is intended to be of broad use for all participants. An annotated version of the draft report was discussed at the UBCM Convention. Input from the UBCM session is anticipated to be integrated into the larger paper and distributed to participating members.

## BOARD ORIENTATION & DEVELOPMENT

LMTAC staff is currently planning a comprehensive briefing and orientation for new and returning LMTAC members following the municipal elections in November 1999. It is intended that **the orientation will occur at the first full TAC meeting on January 26, 2000**. As well, additional "Board Development Sessions" will be offered throughout the new year, including: video viewing, discussion groups, and guest lectures. Any suggestions should be forwarded to Shannon Kaplun, LMTAC's Project and Communications Coordinator.

---

## Communications Update

The CSC is developing a public meeting strategy kit. This project acknowledges the importance of local governments' public consultation process. The public meeting strategy is based on LMTAC experience with presentations to the public about treaty issues. It will articulate the necessary components for communicating clear factual information and suggest ways to allow public input into local negotiations through local government. Completion of the kit will be relative to the messaging in the LMTAC First Principles final version.

The LMTAC Communications Plan 2000 is currently being developed. It is expected that final LMTAC First Principles will be the source of broad messaging for the new millennium.

### ***Meeting Schedule Reminder***

*Are you planning your time? Want to know when LMTAC meetings are scheduled for new year? A draft version of the LMTAC meeting schedule for the year 2000 is now available from the LMTAC office. Final copies will be distributed following the municipal elections in later November/early December.*

### ***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: LMTAC  
Fax: (604) 436-6860;  
E-mail: [lmtac@gvrd.bc.ca](mailto:lmtac@gvrd.bc.ca).*