



Corporate Report

NO: R168

COUNCIL DATE: July 24, 2006

REGULAR COUNCIL

TO: Mayor & Council DATE: July 17, 2006

FROM: Staff Representative to LMTAC on behalf of Councillor Steele FILE: 0450-20 (LMTAC)
0440-01 (First Nations)

SUBJECT: Lower Mainland Treaty Advisory Committee - Lower Mainland Treaty Table Updates

RECOMMENDATION

It is recommended that Council receive the Lower Mainland Treaty Table Updates for information.

INTENT

To provide Council with an update on the status and developments relating to ongoing Treaty Negotiations occurring within the Lower Mainland.

DISCUSSION

The following updates reflect all First Nations located within the Lower Mainland that are presently engaged in the British Columbia Treaty Process. Please refer to **Appendix A** for an outline of this six-stage process.

Katzie (Stage 4: Agreement-in-Principle)

Katzie First Nation has a population of approximately 460 members. Katzie traditionally occupied and used the land and water around Pitt Lake, Pitt River, Surrey, Langley, New Westminster and Vancouver.

In fall 2006, the Katzie First Nation will be presenting before the GVRD Aboriginal Relations Committee to discuss their interests in the region. Details will be circulated by the GVRD when available. The table has initiated a Treaty Related Measure on land selection to further develop the Agreement in Principle (AIP) Lands Chapter. Parties continue to meet an average of 2-3 days each month and are progressing on the development of AIP Chapters related to: Tax, Fiscal, Fish and Lands. Upcoming meetings are scheduled for July 18-20. All meetings are open to the public and are usually held at the Katzie Band Office in Pitt Meadows.

Township of Langley Councillor Mel Kositsky is the LMTAC representative to the Katzie negotiations. The Katzie's Statement of Intent is illustrated in **Appendix B** of this report.

Tsawwassen (Stage 5: Negotiation of Final Agreement)

Tsawwassen First Nation, with a total population of 270 members, traditionally occupied and used the land and water around Pitt Lake and the Fraser River delta to Point Roberts and Saltspring Island.

Following the signing of an Agreement-in-Principle in 2004, the table continues with Final Agreement negotiations. In an effort to reinvigorate negotiations, Parties are currently exploring ways to address outstanding issues involving lands, resources, fiscal/tax, governance, servicing and general provisions. Parties continue to work towards a tripartite goal of reaching a Final Agreement by the end of 2006. Parties hosted a second Public Information Meeting in Tsawwassen on May 31, 2006 to release and discuss the five draft Final Agreement chapters with members of the public.

City of Richmond Councillor Harold Steves is the LMTAC representative to the Tsawwassen negotiations. Tsawwassen's Statement of Intent is illustrated in **Appendix C** of this report.

Musqueam (Stage 4: Agreement-in-Principle)

The Musqueam Indian Band has a population of approximately 1,080 members, with a traditional territory spanning the Greater Vancouver region.

On April 4, 2005, a Framework Agreement was officially ratified by Parties during a special ceremony at the Musqueam Reserve; effectively moving the table into stage 4 "Agreement in Principle" (AIP) negotiations. The table is currently negotiating a confidentiality protocol and developing an AIP workplan.

City of West Vancouver Councillor Jean Ferguson is the LMTAC representative to the Musqueam negotiations. Musqueam's Statement of Intent is illustrated in **Appendix D** of this report.

Squamish (Stage 3: Framework Agreement)

Squamish Nation's traditional territory ranges from the Lower Mainland to Howe Sound and the Squamish valley watershed, measuring 6,732 square miles. The First Nation has approximately 3,230 members, 2,000 of whom live on Squamish Nation's 23 Indian Reserves (3 of which are located in Greater Vancouver).

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.

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, co-hosting a Community-to-Community forum with the District of Squamish, and activities related to the 2010 Winter Olympic Games. In addition, the Squamish nation are pursuing the purchase of a tree farming license for 218,000 hectares; representing approximately one-third of its traditional territory.

District of Squamish Councillor Corinne Lonsdale is the LMTAC representative to the Squamish negotiations. The Squamish Statement of Intent is illustrated in **Appendix E** of this report.

Tsleil-Waututh (Stage 4: Agreement-in-Principle)

Tsleil-Waututh Nation, with a population of 380 members, traditionally occupied and used the land and waters around North Vancouver and the Lower Mainland.

The Tsleil-Waututh Nation recently entered into a Partnership Agreement with the provincial Integrated Land Management Bureau to develop an Integrated Land and Resource Management Plan for the Indian River Watershed. Through this agreement, the First Nation and B.C. wish to create a showcase of sustainable land use and natural resource management in the Indian River Watershed for the 2010 Olympics. The negotiation teams met in late March to discuss a framework through which the table could reach an Agreement-in-Principle..

District of North Vancouver Councillor Alan Nixon is the LMTAC representative to the Tsleil-Waututh negotiations. The Tsleil-Waututh Nation Statement of Intent is illustrated in **Appendix F** of this report.

CONCLUSION

This report provides a brief update on developments occurring at the five separate Treaty negotiations tables taking place within the Lower Mainland. A further update will be provided to Council in the Fall of 2006.

Rob Costanzo,
Staff Representative to LMTAC on behalf of
Councillor Steele

RAC/

Attachment

APPENDIX A

THE BRITISH COLUMBIA TREATY COMMISSION'S SIX STAGE TREATY PROCESS

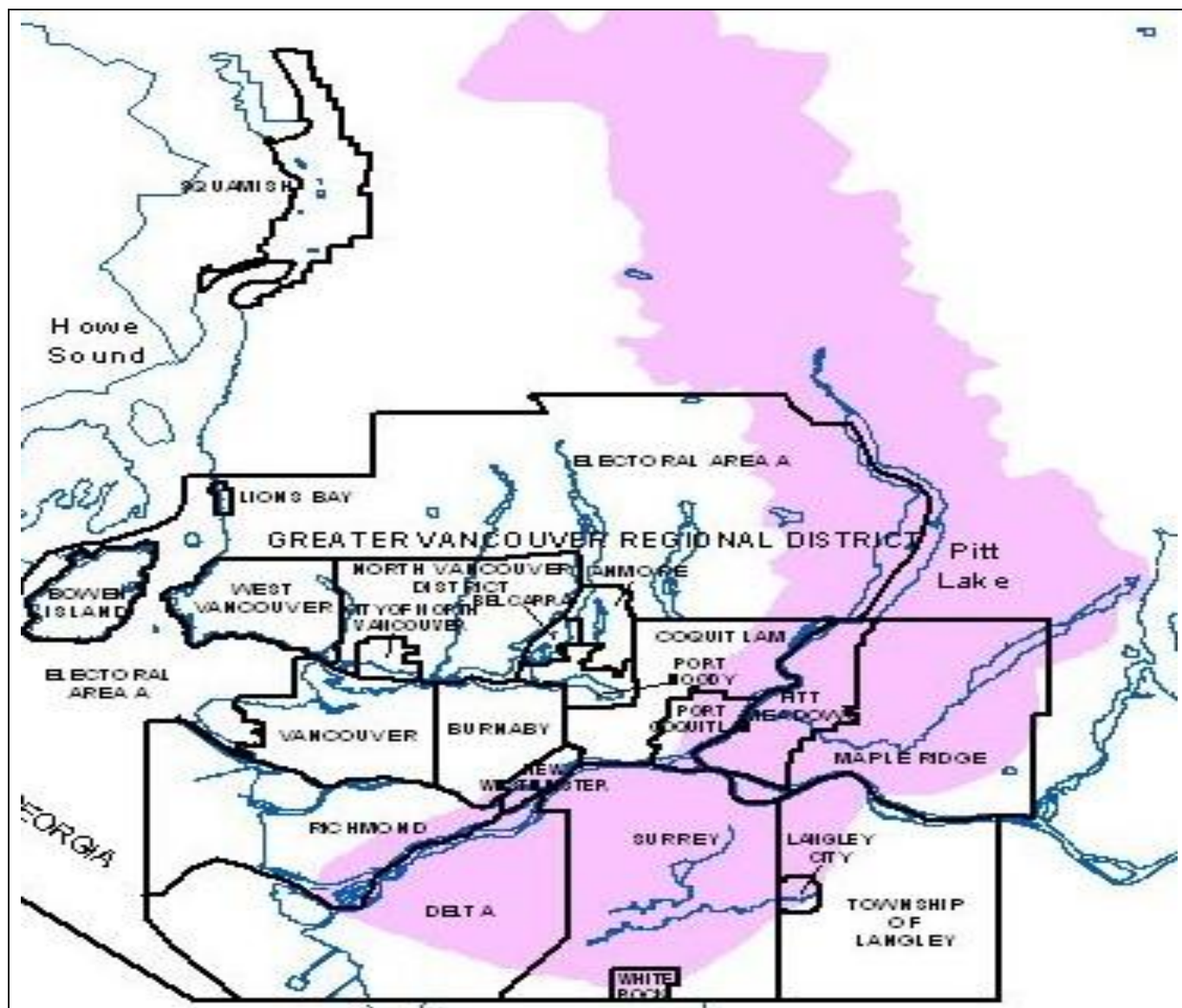
The Treaty Commission is the independent and neutral body responsible for facilitating treaty negotiations among the governments of Canada (Federal), BC (Provincial) and First Nations in British Columbia. The Treaty Commission does not negotiate treaties—that is done by the three parties at each negotiation table.

The Treaty Commission and the treaty process were established in 1992 by agreement among Canada, BC and the First Nations Summit. The Treaty Commission and the six-stage treaty process were designed to advance negotiations and facilitate fair and durable treaties.

The Treaty Commission's primary role is to oversee the negotiation process to make sure that the parties are being effective and making progress in negotiations. In carrying out the recommendations of the BC Claims Task Force, the Treaty Commission has three roles—facilitation, funding and public information and education.

<p>STAGE ONE <i>Statement of Intent</i></p>	<p>First Nations choosing to enter into the treaty process must submit a Statement of Intent (SOI) to the BCTC. The SOI identifies the traditional territory, overlapping First Nations and included background information on the First Nation. Upon submission, the BCTC either accepts or rejects the SOI.</p>
<p>STAGE TWO <i>Readiness</i></p>	<p>This is the first opportunity for representatives from the First Nation, BC and Canada to formally meet and declare their interests in treaty making, identify issues of concerns and to exchange information.</p>
<p>STAGE THREE <i>Framework Agreement</i></p>	<p>The First Nation, Provincial and Federal governments negotiate procedural matter through the Framework Agreement, which includes identification of substantive issues, establishment of a timeframe, initiation of the public information process and identification of meeting procedures.</p>
<p>STAGE FOUR <i>Agreement-in-Principle</i></p>	<p>This is the stage at which the parties begin substantive negotiations. The goal is to reach the major agreements that will form the basis of the treaty. During this stage, the parties examine in detail the elements of the Framework Agreement. The Agreement in Principle will confirm the ratification process for each party and lay the groundwork for an implementation plan.</p> <p>The ratification process allows the parties to review the emerging agreement and to approve, reject or seek amendments to it. British Columbia has announced that Agreements in Principle will be subject to public review before ratification. The process also gives the negotiators a mandate to conclude a treaty.</p>
<p>STAGE FIVE <i>Negotiation of Final Agreement</i></p>	<p>The treaty will formalize the new relationship among the parties and embody the agreements reached in the Agreement in Principle. Technical and legal issues will be resolved at this stage, but issues already settled will not be reopened. The treaty will be signed and formally ratified at the conclusion of this stage.</p>
<p>STAGE SIX <i>Implementation</i></p>	<p>Once the treaty has been signed, a substantial amount of work is still required. Above all, the execution of long-term implementation plans and the commitment of good will and effort are the goal of the final stage of the process.</p>

Katzie First Nation Statement Of Intent



Status: Stage 4

Chief: Diane Bailey

Band Membership: 460

Population on Reserve: 282

No. of Existing Reserves: 5

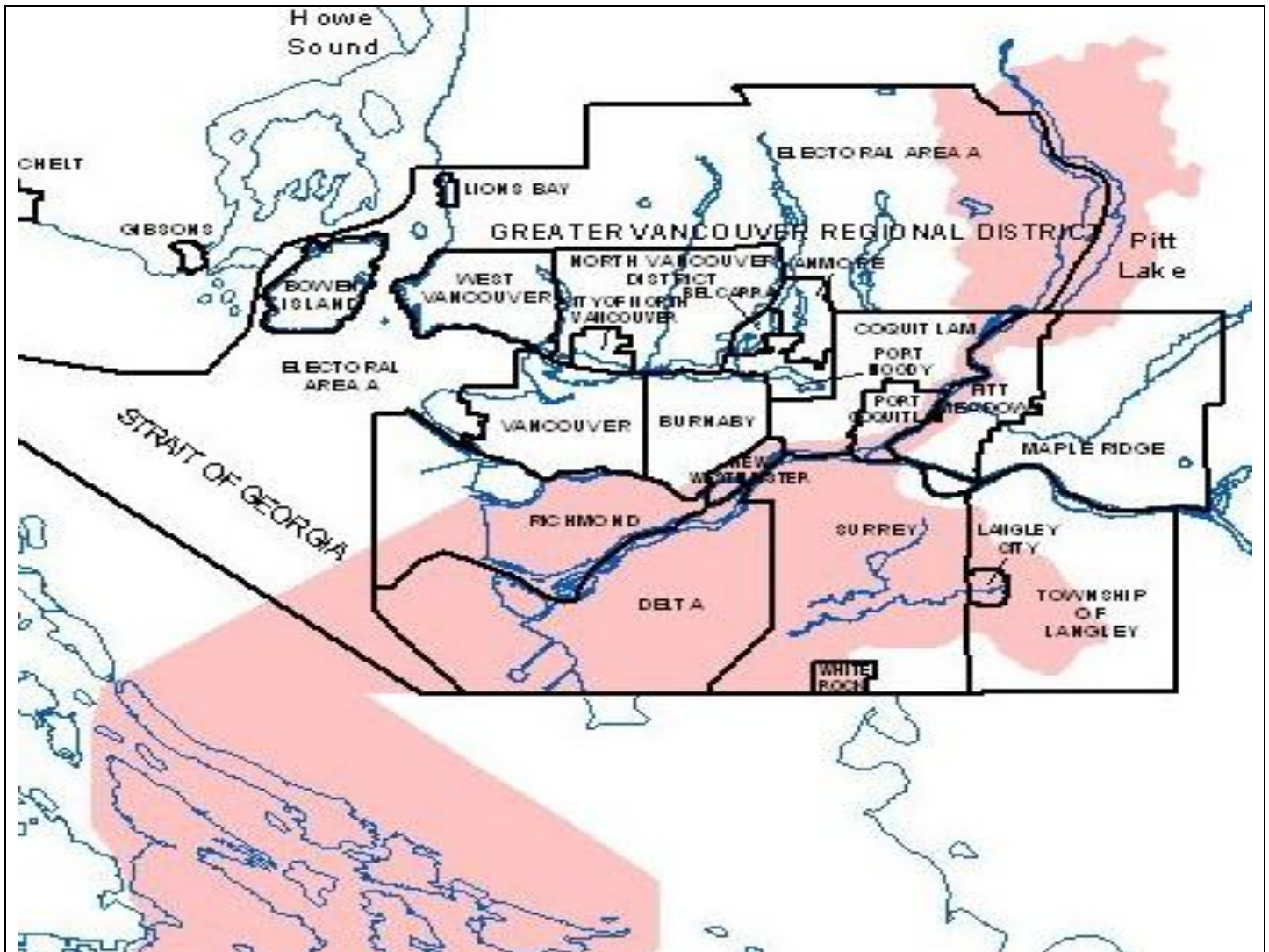
Area of Reserves: 341 Hectares

Area under Negotiation: 103,278 Hectares

LMTAC rep. to the Negotiations: Councillor Mel Kositsky, Township of Langley

A First Nation with approximately 460 members, Katzie traditionally occupied and used the land and water around Pitt Lake, Pitt River, Surrey, Langley, New Westminster and Vancouver.

Tsawwassen First Nation Statement Of Intent

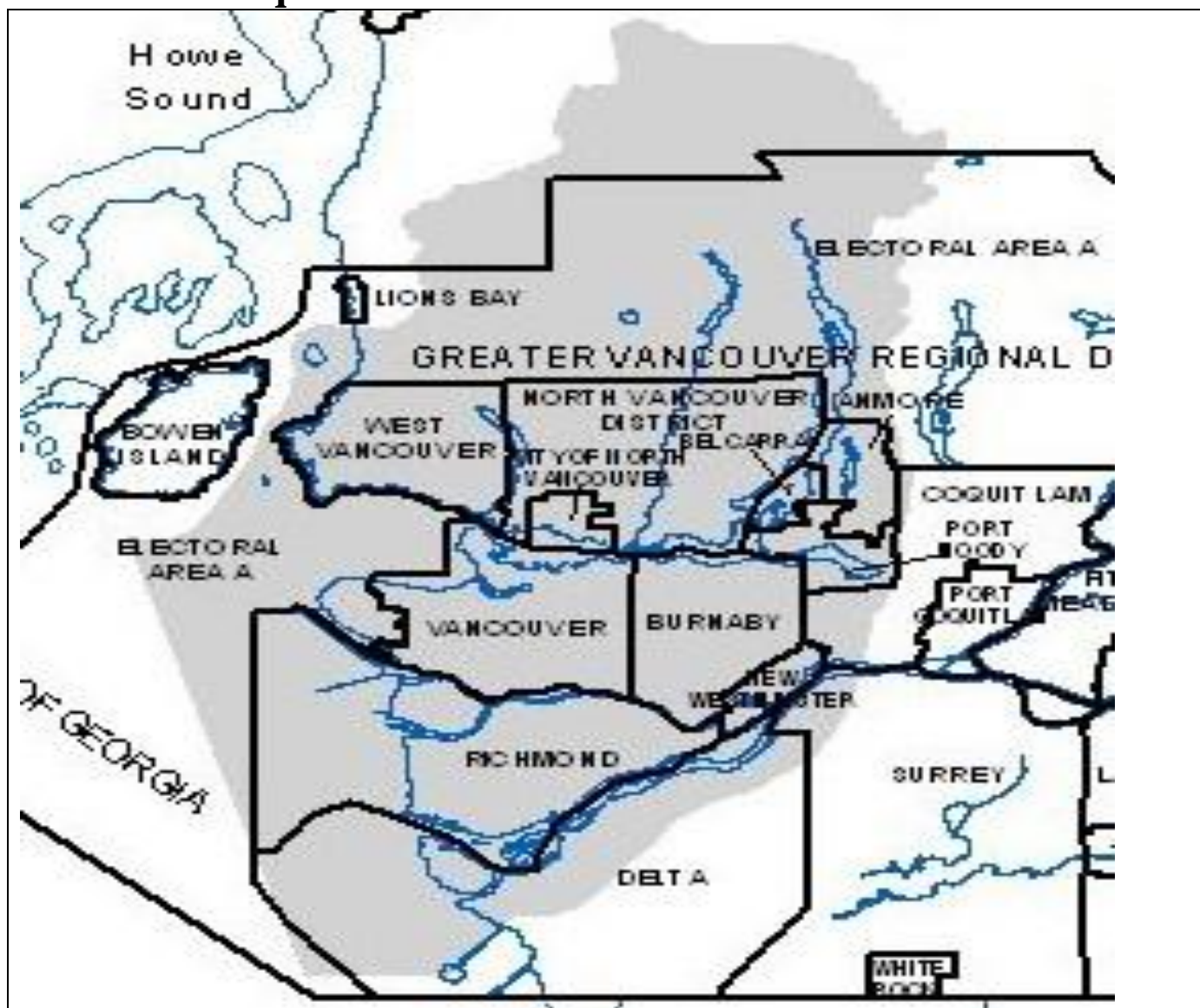


Status: Stage 5
Chief: Kim Baird
Band Membership: 233
Population on Reserve: 158
No. of Existing Reserves: 1
Area of Reserves: 273 Hectares
Area under Negotiation: 207,900 Hectares

LMTAC rep. to the Negotiations: Councillor Harold Steves, Richmond

The First Nation of approximately 270 members traditionally occupied and used the land and water around Pitt Lake and the Fraser River Delta to Point Roberts and Saltspring Island.

Musqueam First Nation Statement Of Intent



Status: Stage 3

Chief: Ernest Campbell

Band Membership: 1,089

Population on Reserve: 522

No. of Existing Reserves: 3

Area of Reserves: 254 Hectares

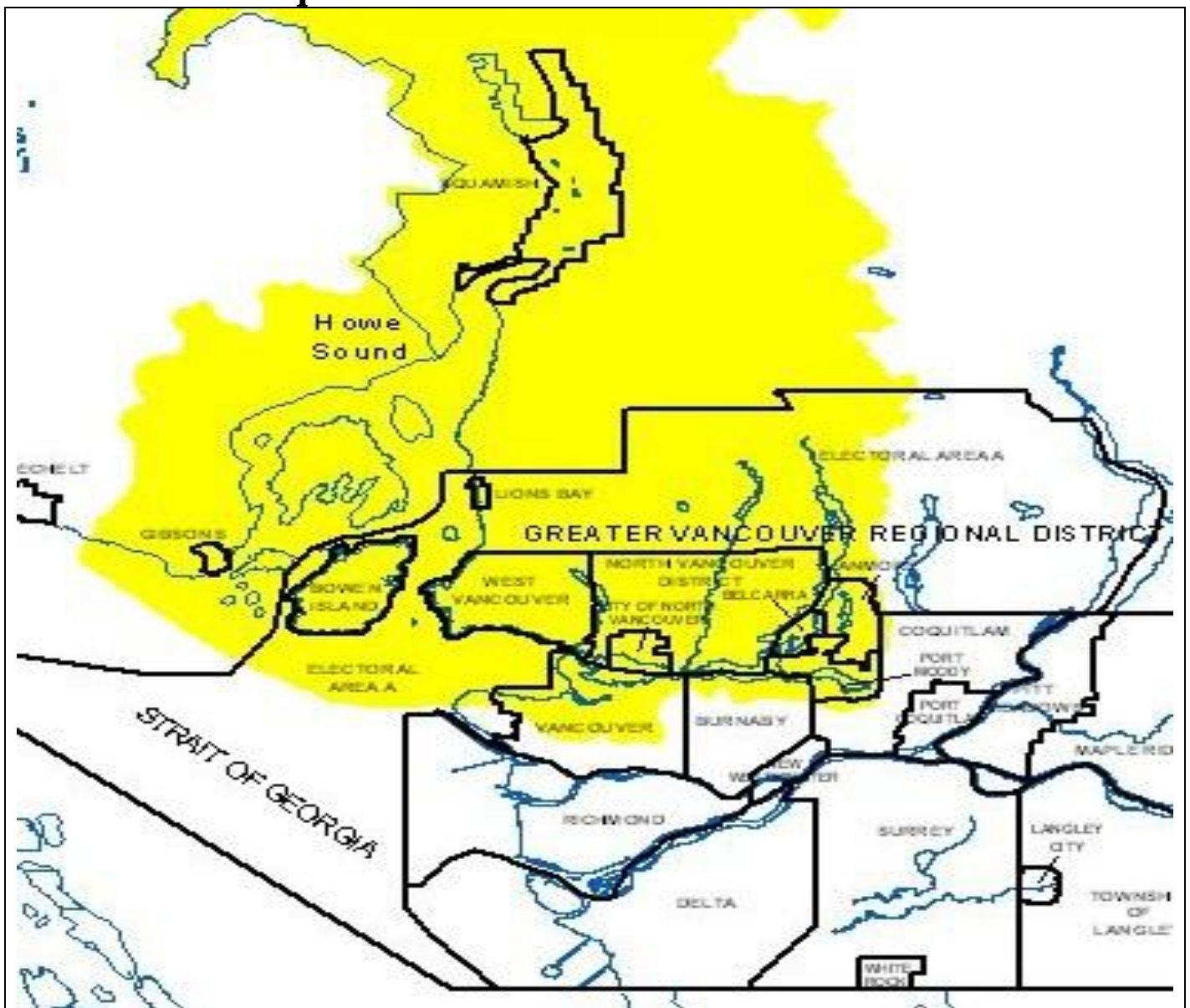
Area under Negotiation: 104,371 Hectares

LMTAC rep. to the Negotiations: Councillor Jean Ferguson, West Vancouver

The First Nation has approximately 1,080 members, with traditional territory spanning the Greater Vancouver area. Their traditional territory includes the South Westminster area of Surrey.

APPENDIX E

Squamish Nation Statement Of Intent



Status: Stage 3

Chief: Bill Williams

Band Membership: 3,232

Population on Reserve: 2,082

No. of Existing Reserves: 23

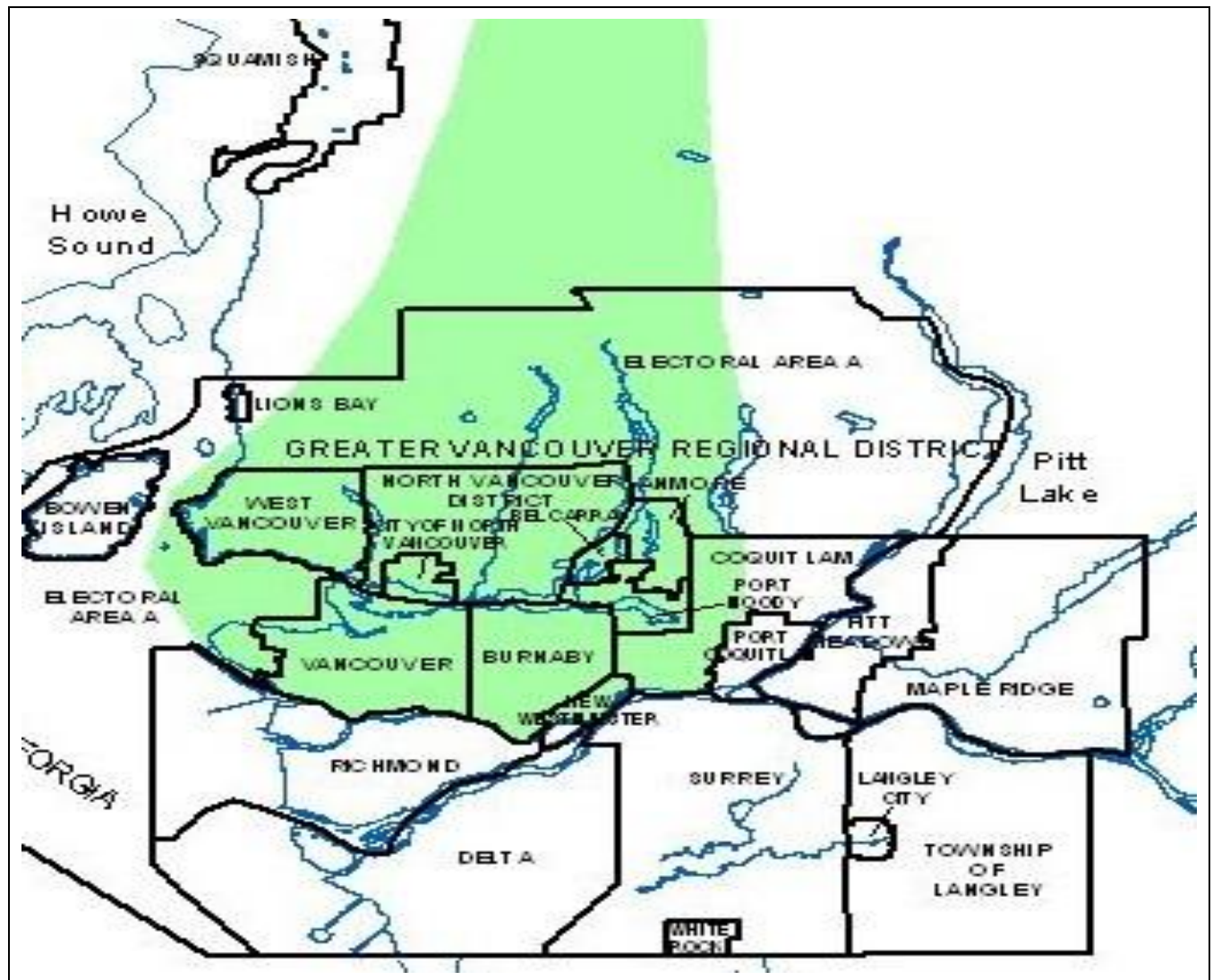
Area of Reserves: 2,116 Hectares

Area under Negotiation: 648,700 Hectares

LMTAC rep. to the Negotiations: Councillor Corinne Lonsdale, Squamish

The First Nation has approximately 3,230 members, 2,000 of whom live on Squamish Nation reserves. Squamish's traditional territory ranges from the Lower Mainland to Howe Sound and the Squamish Valley watershed, measuring 6,732 square miles.

Tsleil-Waututh Nation Statement of Intent



Status: Stage 4

Chief: Maureen Thomas

Band Membership: 379

Population on Reserve: 227

No. of Existing Reserves: 3

Area of Reserves: 110 Hectares

Area under Negotiation: 178,900 Hectares

LMTAC rep. to the Negotiations: Councillor Alan Nixon, N. Vancouver (District)

Tsleil-Waututh traditionally occupied and used the land and waters around North Vancouver and the Lower Mainland. The First Nation has approximately 380 members.