

**Fraser Valley Treaty Advisory Committee
First Nations Media Monitor - Excerpts
April 4, 2008**

*Summary of news events reported on First Nations, Aboriginal communities, and rights & title issues.
This report can also be found on the FVTAC website at the following link:*

<http://www.fvrd.com/About%20the%20FVRD/FraserValleyTreatyAdvisoryCommittee/Pages/Reports.aspx>

AROUND THE PROVINCE

Katzie Elect New Chief

Members of the Katzie First Nation from Pitt Meadows, Indian Reservation 3 on Barnston Island, and Indian Reservation 2 in Langley voted for Mike Leon as the new chief. Of the 320 eligible voters, 183 voted in the election. Leon received more than three times the votes of the incumbent Chief Diane Bailey. Band councillors Jay Bailey and Donna Leon were re-elected and will be joined by newcomer Gail Florence. The new chief and three band council members began their two-year term on April 1. This year services agencies that deal with the band, such as Fraser Health, the school board and RCMP, were invited to attend the traditional swearing in ceremony to help improve relationships between the band and the public.

(Maple Ridge-Pitt Meadows Times, March 4; Maple Ridge News, March 19)

TREATIES

Sto:lo Nation Hopes to Clear Up Treaty Confusion

Chief Joe Hall, Sto:lo Nation president and treaty negotiator, said an upcoming public meeting on the Sto:lo's renewed treaty talks is designed to help clear up some of the confusion in both Aboriginal and non-Aboriginal communities. Part of the confusion stems from the fact that there are now two Sto:lo political groups. In 2004, treaty talks were suspended when the Sto:lo government split into the Sto:lo Nation, consisting of 11 bands, and the Sto:lo Tribal Council, whose nine bands have not returned to the treaty table. About two years ago, seven of the Sto:lo Nation bands decided to resume treaty talks and the Sto:lo Xwexwilmexw Treaty Association was created to handle the negotiations.

(Chilliwack Progress, March 25)

Treaty Board Game Designed to Help Understand Terms

Joey Caro, communications manager for the Hul'qumi'num Treaty Group, has created the Treaty Board Game, designed to help people understand the terms use during treaty talks with a little Aboriginal history as well. The board uses names of traditional Hul'qumi'num villages, some of which are unfamiliar even to members of the Cowichan, Chemainus, Penelakut, Lyackson, Halalt and Lake Cowichan First Nations. The six First Nations that make up the treaty group entered into the treaty process in 1993 and have been stuck in stage four, the agreement-in-principle stage. The game cost \$20,000 to develop, which was provided by several non-government sources, and so far 500 copies have been produced and will be distributed to various Aboriginal and non-Aboriginal groups.

(Vancouver Sun, March 25)

FOREST

Okanagan Band Denied Use of Aboriginal Title in Logging Case

The B.C. Court of Appeal has ruled that the Okanagan Indian Band cannot include Aboriginal title in a case involving First Nations logging on Crown lands. In 1999, the Okanagan, Adams Lake, Neskonlith, and Splotsin bands illegally logged on Crown land to test their Aboriginal rights. The Ministry of Forest then issued a stop-work order and commenced legal action. Last year, the province requested to discontinue the cases. The B.C. Supreme Court refused, but ruled that only the Okanagan case should proceed and later ruled that Aboriginal title should be severed from the case, which the band appealed.

(Kamloops Daily News, March 18; Vernon Morning Star, March 21)

First Nation Forest Company Gets Passing Audit

A Forest Practices Board's audit has found that Yun Ka Whu'ten Holdings Ltd., a resource company owned by the Ulkatcho First Nation, is demonstrating sound forest practices and that the environmental standards are over and above the minimum requirements. The limited scope audit examined harvesting practices, road activities, and associated planning that took place between October 1, 2006 and October 11, 2007. Yun Ka Whu'ten has a non-replaceable forest licence to harvest 150,000 cubic metres per year of pine beetle timber in the Chilcotin Forest District. The Forest Practices Board is an independent public watchdog that monitors compliance with the Forest and Range Practices Act.

(Williams Lake Weekender, March 21)

FISHERIES

Chief Suggests Fishing Moratorium

Chief Joe Hall, of the Tzeachten First Nation, said he raised the idea of a four-year moratorium on salmon fishing during a recent meeting with Department of Fisheries and Oceans (DFO) officers, but noted that no definite offer was made and that he was not speaking for all of the Sto:lo people. The scenario was suggested in response to the decreasing salmon returns to the Fraser River, declining fish habitat, and increases in First Nations fishery closures due to conservation concerns. Squiala First Nation Chief Sam Jimmie expressed his opposition to a complete shutdown for four years, however would not be against a partial moratorium, but only after consulting band members. Jimmie sent a letter to the DFO notifying them that his band does not support Hall's moratorium suggestion, but a spokesman from DFO said that there have been no formal recommendations made on the matter.

(Chilliwack Progress, March 14)

LOCAL GOVERNMENT

Metro Vancouver Won't Wait for Local Landfill

Despite last minute appeals by Chief Mike Retasket of the Bonaparte Indian Band and Cache Creek Mayor John Ranta, Metro Vancouver's mayors and councillors voted to export trash to the U.S. In January the Metro board, citing Aboriginal opposition to a landfill at the Ashcroft Ranch, said they were planning to send garbage to U.S. dumpsites as an "interim solution". However, Retasket said that decision has been based on misinformation that local First Nations are opposed to a landfill, but was unable to persuade the board to wait any longer for a B.C. landfill solution.

(Vancouver Sun, March 29)

Local Governments Want Role in New Relationship

The Union of British Columbia Municipalities (UBCM) is advocating that local government's be consulted on agreements being negotiated by the provincial government with First Nations outside the treaty process that have potential for impact to local government jurisdiction. UBCM is seeking to expand its 2003 Memorandum of Understanding (MOU) on local government participation in treaty negotiations with the province with a new MOU that will include a role in activities related to B.C.'s New Relationship.

(UBCM News, March 2008)

Musqueam Act Could Set Precedent

Metro Vancouver (legally known as Greater Vancouver Regional District) politicians are upset by a new provincial law, created for a deal with the Musqueam First Nation and passed by the provincial legislature, which allows the province to expropriate Pacific Spirit regional park lands without compensation. The Musqueam Reconciliation, Settlement and Benefits Implementation Act declares "no compensation is payable to the Greater Vancouver Regional District" and Metro is prohibited from filing any legal proceedings against the province. Local politicians are worried that this could be a precedent that could lead to more "land grabs."

(Vancouver Sun, March 29)

EDITORIAL EDITS

Globe and Mail, March 14 – Mike Harcourt wrote, in part:

"Like all relationships, the New Relationship between Aboriginal and non-Aboriginal British Columbians has recently hit a rough patch. The Old Relationship is too painful, particularly for Aboriginal people, to continue. The New Relationship is just that, new. Starting with the September 1992 establishment of the historic B.C. treaty process, we in B.C. have started down an irreversible path. However, the treaty process, troubled but not in trouble, and the New Relationship, Canada, B.C. and First Nations all need to make some changes, based on mutual respect and recognition of each other's rights – and title. B.C.'s Aboriginal communities need to make many changes to disengage from being Indian Act communities. They need to establish long-term comprehensive community plans and visions. Self-government structures need to replace band councils and tribal councils, which aren't governments. British Columbia doesn't have a way of 'consulting, engaging and accommodating' First Nations title and rights. So more than \$1-billion of investment a year doesn't come to B.C. Lawsuits continue. Aboriginal frustration builds. Canada has no plan to dismantle its bureaucracy in B.C., as First Nations become self-governing and more self-sufficient. Plus Canada's policy of clawing back revenue, called the 'own source revenues' policy, creates too much of a disincentive for many First Nations to conclude treaties."

Chilliwack Times, March 14 – Editorial, in part:

"While the province is gearing up for taxpayer-funded parties across British Columbia, many local Sto:lo and First Nations groups across the region are devastated to find that after 15 years the Chilliwack Powwow has been cancelled indefinitely. On March 6 Gordon Campbell and the Ministry of Tourism, Sport and the Arts announced \$209-million 'to enhance B.C.'s arts and culture.' Spend just five minutes on the floor of a powwow as drummers beat out their traditional rhythms, singers wail their powerful songs and dancers move in magical ways. That's culture. That's art. While there is no direct or indirect connection, the cancellation of such a great cultural event while the rest of the provinces plans even bigger celebrations is just sad. In the wake of Sto:lo Tribal Council Grand Chief Doug Kelly's much-quoted comments that First Nations groups are considering 'actions' that may disrupt the province's birthday celebrations, suddenly a thread appears. Is the reaction from Kelly and other First Nations leaders related to this local powwow being cancelled while grand festivities are planned elsewhere to celebrate 150 years of provincehood? Of course not, but it should be noted the reaction to protest is not a knee-jerk reaction as some might suggest, but rather is a symptom of a system that has failed Indians time and again."

Nanaimo News Bulletin, March 18 – Editorial, in part:

“A member of the Chemainus First Nation has suggested renaming Georgia Strait the Salish Sea to recognize the Coast Salish people, occupants of the region for close to 9,000 years. While the idea has merit, it is not without fault either. The strait, a 240-kilometre strip between Vancouver Island and the mainland coast of B.C., was named after King George III by George Vancouver in 1792. We can’t just rename major waterways as if they are professional sports stadiums, selling the rights to the highest bidder or to get a signature on a treaty. It’s an empty gesture to try and correct historical wrongs by erasing or revising history. It’s also a potentially expensive move. There are better ways to show respect to our Aboriginal people.”

Valley Echo, March 19 – Editorial, in part:

“It is good to see the reaction coming out of Victoria following a suggestion last week about changing the name of the Strait of Georgia to the Salish Sea. Aboriginal Relations Minister Mike de Jong received the suggestion during a First Nations Summit in Chemainus last week. While it is understandable that many people will oppose the name change, this suggestion makes good sense and should not be considered offensive by monarchist types. We’re not saying there should be a sudden race for renaming places in honour of First Nations’ presence in regions, because that would, quite frankly, become a beast of a process and the ongoing treaty negotiations is cumbersome and time-consuming enough. But there is definitely merit to the notion of changing the names of some of B.C.’s distinctive locations. The odd fjord or island or river or mountain – go for it, if there is enough public support.”

Vancouver Sun, March 27 – Pete McMartin wrote, in part:

“On Wednesday, Johnny Carline, the chief administrative officer of Metro Vancouver, met with The Vancouver Sun editorial board to talk about that very subject -- garbage, and more specifically, where will Metro Vancouver put it? For over a decade, Metro Vancouver has been engaged in a hunt to find a replacement for the upcountry Cache Creek landfill, which is estimated to run out of room in early 2010. Let me quote a few phrases from the printed timeline that Carline supplied us with. ‘...encountered difficulties with respect to first nation issues...stakeholders...communications and consultation program...Consultant hired...an additional expenditure of \$1.7 million for the environmental assessment work...Provincial ministers delay their decision a third time...suspends the environmental assessment review...alternative sites...GVRD, First Nations, and Local Government appointees.’ Carline, in his own recounting of the Byzantine politics behind it all, described a daisy chain of fact-finding commissioning, intergovernmental buck-passing, desperate shot-in-the-dark requests for expressions of interest (with Metro Vancouver, at one point, sending out requests to all 196 of B.C.’s first nations), environmental hand-wringing, ministerial dithering, and, ultimately, a native veto from one of this province’s many pipsqueak tribal councils that finally succeeded in killing Metro Vancouver’s patience. This veto was by no means supported by all the, ahem, first nations in the area, and certainly not supported by the municipal councils there, but in a nation of first nations, where all nations are first among equals except the second-class nation actually having to pay the bills, it only takes a whiff of a land claim to stink up the joint. Which, by process of elimination, brings Metro Vancouver to the odd and somewhat shameful option of shipping our solid waste south of the border to Washington state, which has been smart enough to view garbage disposal as an opportunity, not a first nations bargaining chip. Another irony: Cache Creek is the landfill that all those first nations and municipalities upcountry use, Carline said, and they have until 2010 to find another place to dump their garbage, too. Good luck with that. Really.”