

Fraser Valley Treaty Advisory Committee First Nations Media Monitor - Excerpts November 3, 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

Ditidaht and Tseshaht Formalize Boundaries

The Ditidaht and Tseshaht First Nations have signed a boundary agreement to formally establish where their traditional territories meet. Aboriginal leaders have long maintained that individual First Nations have exclusively defined and occupied their territories for generations, contrary to the periodic shifting and overlapping as claimed by European historians. The agreement has major political significance by recognizing that the Ditidaht and Tseshaht have each used and exclusively occupied their respective territories. The signing was done in a ceremony witnessed by the community and celebrated with song and dance in the Nuu-chah-nulth tradition and in keeping with Nuu-chah-nulth laws and customs will be recorded.

(Alberni Valley Times, October 3; Alberni Valley News, October 10)

Landfill Proposal Passes Despite Tribal Council Opposition

The Highland Valley Centre for Sustainable Waste Management's proposed new regional landfill in the southern Interior has been given approval by B.C.'s Environmental Assessment Office despite opposition from at least one local First Nation, the Nlaka'pamux Tribal Council. In 2005, similar opposition from area First Nations prompted the province to block environmental approval for Metro Vancouver's proposed landfill at its Ashcroft Ranch property. However, environment minister Barry Penner maintains that although area First Nations expressed a "variety of views" those bands closest to the site support the Highland project.

(Abbotsford News, October 9)

First Nations Leaders Support Economic Development

First Nations Summit (FNS) leaders recently met at the Squamish Nation and Tsleil Waututh recreation centre to release a resolution supporting the B.C. First Nations Economic Development Action Plan, which was developed by Aboriginal leaders from across the province. The plan outlines strategies for closing the income, employment, and quality of life gaps that exist between British Columbia's First Nations and non-First Nations. The action plan identifies the need for new partnerships to attract investment and generate wealth in Aboriginal communities and calls on the federal and provincial governments to develop industry and training initiatives to foster self-determination. Squamish Chief Bill Williams said they would like the paper to be in the hands of the government while they create their next five-year political plan. FNS, the Assembly of First Nations, and the Union of B.C. Indian Chiefs need to work with the federal and provincial governments to build Aboriginal economies, said Williams.

(Outlook, October 2)

TREATIES

Final Treaty Must Improve Quality of Life for In-SHUCK-ch

The Smahquam, Skatin, and Douglas First Nations together as the In-SHUCK-ch Nation are currently in treaty negotiations with the federal and provincial governments and could reach a final agreement by the end of the year. However, Eppa (Gerard Peters), chief negotiator for In-SHUCK-ch, warns that the treaty won't conclude unless the governments make major commitments to improve living conditions by building housing and improving infrastructure. In-SHUCK-ch was one of the first parties to file a statement of intent to join the B.C. Treaty process in 1993. They re-entered talks in 2002 and signed an agreement-in-principle in 2007. The agreement includes 14,577 hectares of land, roughly three per cent of the bands' traditional territories, \$21-million in cash, the formation of a new government with lawmaking and taxation powers, relinquishing any claims against the federal and provincial governments for past infringements, and following a transition period, the loss of tax-exemption status for band members. The In-SHUCK-ch final agreement is expected to be similar to the ones ratified by the Tsawwassen First Nation and Maa-Nulth First Nations in 2007.

(Georgia Straight, October 9)

Snuneymuxw Close to Settling Land Claim

The Snuneymuxw First Nation is halfway through the negotiations for a 79-acre waterfront parcel, one of six specific land claims with the federal government stemming from the Douglas Treaty signed in 1854. Ottawa has agreed to negotiate for five other parcels, however, due to the number of people currently living in the area, the Snuneymuxw may not ask for the return of specific lands but rather for the appropriate compensation for the land taken from them. Specific land claims are separate from those negotiated within the treaty process. Last summer, the federal government passed the Specific Claims Tribunal Act to deal with the approximately 800 outstanding claims across Canada, 400 of which are located in British Columbia.

(Nanaimo Daily News, October 4)

First Nations Want 1911 Agreement Recognized as Treaty

The Nak'azdli and Tl'azt'en First Nations of the Carrier Sekani Tribal Council have filed a lawsuit against the federal government demanding they honour the terms of, or renegotiate some other form of compensation for the Fort St. James Barricades Agreement signed in 1911. The bands submitted a 33-page document outlining the breach of treaty, which alleges began about four years after the treaty was signed and continued on after that. The federal government wanted First Nations to discontinue the use of fish traps and weirs on the Stuart, Middle and Tacha rivers and Pinche Creek. Through the treaty, the two bands agreed to stop using this method of fishing and in return for the loss of sustenance the federal government would provide each First Nation family with 200-foot nets every two years, fishing stations, seeds for cultivation, farming implements, and a local school. However, only some of the fishing stations were created, few farm implements were provided, the school was inadequate and later replaced by the Lejac residential school, and some nets were provided early on but were later subject to a "needs basis". One band elder recalled that there were years when they were only provided with twine to make their own nets. Nak'azdli Chief Fred Sam said their first goal is to have the court recognize the agreement as a treaty.

(Prince George Citizen, October 16; Prince George Free Press, October 17)

FOREST

First Nations Present Proposal for Change

About 100 representatives from the B.C. First Nations Summit met with Minister of Forests and Range Pat Bell to present him with a six-point proposal for changes to First Nations' role in forestry. The plan calls for the provincial and federal governments to acknowledge Aboriginal title and rights to the land and also includes: reforming First Nations forest tenures; changing the current per-person revenue sharing model to one based on a 50 per cent share of timber fees collected in traditional territories; creating a First Nations marketing fund; honouring the provincial commitment to spend 20 per cent of the federal mountain pine beetle funding on Aboriginal projects; and including First Nations as partners in all future calls for bioenergy projects. B.C.'s First Nations leaders said they have become increasingly frustrated and require immediate action on their proposal or things could progress into court action or blockades. Bell said some of the issues are beyond his ability to influence, such as the distribution of pine beetle funds which is a federal issue, but pledged to show some tangible results within 30 days.

(Prince George Citizen, October 7; Prince George Free Press, October 8; Nelson Daily News, October 8)

LOCAL GOVERNMENT

Whistler Approves First Nations Gas Station

The Resort Municipality of Whistler council unanimously gave first and second reading to the Squamish and Lil'wat Nations proposal for a gas station at Function Junction, on a 2.15-hectare property co-owned by the bands. Whistler currently has only one gas station and is anxious to get a second one up and running before the 2010 Olympics, said Mayor Ken Melamed. A public hearing for the proposal is expected to take place soon.

(Pique News Magazine, October 9)

Comox Residents Concerned About K'omoks Land Use

The Plateau Road Resident's Association (PRRA) from the Comox Valley is calling on the K'omoks First Nation (KFN) to engage in open dialogue about how the band intends to use the Crown land noted in their pending claim. The group is concerned about public access to areas currently used for recreational purposes. PRRA approached the B.C. Treaty Negotiation Committee in September and were told the land would be "harmonized" with the regional district's official community plan, but they want to know exactly what that will mean. KFN chief treaty negotiator Mark Stevenson said that the group's concerns are premature and right now the band is focused on getting a good land offer. Stevenson said once they know what is on the table they will then be prepared to meet and talk with the residents.

(Comox Valley Echo, October 10)