

Fraser Valley Treaty Advisory Committee First Nations Media Monitor - Excerpts To January 25, 2008, 2007

*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.bc.ca/FVRD/About+the+FVRD/0_Fraser+Valley+Treaty+Advisory+Committee/4_Reports.htm

AROUND THE PROVINCE

Urban Aboriginal Populations Growing

Statistics Canada's 2006 population census rates Canada's Aboriginal population at 3.8 per cent, ranking second in the world to New Zealand's 15 per cent, and shows that more Aboriginals across Canada are living off reserves. The census counts the Aboriginal population who identify themselves as First Nations, Métis, or Inuit, or who report as being a "Registered Indian," or a member of an Indian Band or First Nation. However, 22 First Nations communities, including Canada's largest Mohawk community, who question how the statistics are being used, shunned the census process. In British Columbia, 60 per cent of the Aboriginal population live in urban areas, with only 26 per cent living on reserves. There are 40,310 Aboriginals living in the Greater Vancouver region, the third largest aboriginal population in Canadian urban centres. Overall B.C.'s Aboriginal population has grown by 15 per cent between 2001 and 2006, which is three times the rate of non-Aboriginal Canadians, and the second largest in Canada after Ontario. In general, the Aboriginal population has a median age of 28, whereas the average age of the non-Aboriginal population is 41 years. The census also shows that nation-wide 11 per cent of Aboriginals live in crowded homes, which is down from 17 per cent in 1996, but in B.C. the numbers are currently six per cent for Aboriginals and four per cent for non-Aboriginals. First Nations advocates say the statistics indicate that government policies need to shift to include urban Aboriginals in agreements and service arrangements.

*(The Province, January 16; Vancouver 14 Hours, January 16;
Prince George Citizen, January 18; B.C. Stats Infoline, January 18)*

Tzeachten Make Bond Preparations

The First Nations Finance Authority (FNFA), one of four national institutions created under the First Nations Fiscal and Statistical Management Act, achieved an A bond rating in its last review. FNFA's goal is to have more than 30 First Nations governments ready for the first bond issue. The Tzeachten First Nation has been conducting an analysis and overview of its administration, management and bylaws in order to prepare to become one of the first certified borrowers. FNFA offers a method of affordable public debt financing capital to First Nations by pooling the debt of participating First Nations.

(Chilliwack Progress, January 8)

Officials dump idea of landfills, upsetting first nations chief, but can't agree on the next step

A first nations leader who helped steer Metro Vancouver away from burying its garbage in landfills blamed the provincial government Friday for forcing Metro into a corner by failing to deal with aboriginal title. That uncertainty over aboriginal title led Metro directors Friday to vote to develop large-scale composting and waste-to-energy plants rather than a new landfill to deal with Metro's garbage in future. Chief Bob Pasco of the Nlaka'pamux Nation Tribal Council appeared to regret the loss of economic activity a landfill would bring to the western Interior. "The thing is, the fact that the province hasn't dealt with our title and rights, forced us into that position [against landfills]," he told the Metro board, adding

that he had hoped there would be more discussion. Pasco had said earlier that "the era of our nation being the transportation corridor and dumping ground for Vancouver's garbage is now over." The province, fearing a legal challenge by first nations could lead to a ruling opening privately owned land to aboriginal land claims, in 2005 shut down Metro's environmental approval process for a new landfill. Pasco told the Metro board meeting: "I don't want to be responsible for what happened here, but we as a [first nations] government have our title."

But Metro firmly shut the door on landfills. "First nations have problems with the provincial government and unfortunately we're caught between the two," said Metro waste-committee chairman Marvin Hunt. "Meanwhile, time marches on and we have a landfill that is filling up." Regional waste commissioner and chief Metro bureaucrat Johnny Carline endorsed the new direction. "It's always been the best direction," he said. "We really want to put all our efforts into the front end of the [garbage] chain." This means recycling, reducing waste and expanded composting, Carline said, adding that too much debate has focused on "residual waste."

The decision means that more of Metro Vancouver's garbage will be buried in the short run in the Vancouver landfill in Delta -- next door to environmentally sensitive Burns Bog -- or in a commercial Washington state landfill, or both, buying time to establish a large-scale regional composting program and build controversial waste-to-energy plants for the long term. Many board members voiced sharp objections to shipping garbage to the U.S., something that is still under discussion. Others questioned using the Vancouver landfill for environmental reasons. Vancouver Coun. Peter Ladner led a drive to delay the decision for 60 days, but was outvoted by directors who argued the situation is too urgent to stall. "The clock has run out," said Belcarra Mayor Ralph Drew.

Mayors of communities like Cache Creek and Logan Lake, which wanted the jobs associated with a landfill, were disappointed. Logan Lake Mayor Ella Brown said a new landfill near her community would create about 180 new jobs, worth more than \$16 million to the area. "That Metro Vancouver is prepared to export its solid waste along with these jobs and economic benefits to Washington state is shocking," she wrote in a letter distributed to the board.

Cache Creek mayor John Ranta, whose community is next to the old Metro landfill, pointed out that the trucks that transport garbage to the dump do not return empty. Instead, they collect mushroom compost, aggregate and wood chips.

Abbotsford deputy mayor Patricia Ross, was concerned that waste-to-energy plants in Metro will harm air quality in the area.

Richmond Coun. Harold Steves, a Metro director who owns a ranch near Cache Creek, said he was relieved by the board's decision. "Those of us in the ranch community, we've been putting up with this garbage for the last 20 years and we've suffered silently," said Steves. "I'm so relieved it's finally going to be over." But a new debate -- about exactly how to deal with the region's mountains of garbage without using landfills -- is just beginning.

(The Vancouver Sun, January 26, 2008)

TREATIES

In-SHUCK-ch Member Questions Treaty Loans

One of the topics discussed at a recent general membership meeting held by the Samahquam First Nation was the B.C. Treaty process. Samahquam is part of the In-SHUCK-ch, along with the Skatin and Douglas First Nations, which currently has accumulated over \$10-million in treaty loans. One

Samahquam member has asked for confirmation that her band has voted in favour of accepting treaty loans, but has been given no response to date. Unlike many other significant moves taken by a band council, the B.C. Treaty Commission loan request forms do not require authorization by an electorate majority; funding can also be approved by band council resolution. In-SHUCK-ch loan forms were signed by all three band chiefs and councils. However, according to Hereditary Chief Clark Smith, in 1994 the Samahquam members voted against the loan agreement. A motion to have the community vote on treaty funding at the next Samahquam General Assembly was called and carried. However, if they vote against borrowing more money, it could end their participation in the treaty.

(St'at'imc Runner, January 2008)

Gitxaala Internal Conflict Gets Court Okay

The B.C. Supreme Court has given the Gitxaala National Council (GNC) permission to go forward with its lawsuit against the Gitxaala Treaty Society (GTS), only if it can prove its authority to represent the members of the Gitxaala Nation in treaty negotiations. The internal dispute began in 2004 when the Tsimshian Tribal Council dissolved and the Gitxaala Band Council consented to the incorporation of the GTS. However the band council allege that it was intended for the GNC to remain in control of the Treaty Society. Since the dissolution of the Tribal Council, Gitxaala is the only Tsimshian community that has not reentered the treaty negotiations. The GTS has not been able to obtain the authority to represent the Gitxaala Nation and has been unable to receive government treaty funding. GNC alleges that GTS implemented a constitution that “purports to remove responsibility for Gitxaala Nation Aboriginal rights and their related negotiations” from the National Council’s control and has “intentionally interfered” with the Gitxaala Nation’s economic relations with third parties.

(Prince Rupert Daily News, January 10)

Brunswick Point case needs more time

Brunswick Point families will have to wait a little bit longer before learning the fate of the land they are hoping to get back from the provincial government. The four pioneer farming families were in court earlier this week fighting to have their land returned without any restrictions. The land at Brunswick Point was part of about 4,000 acres expropriated by the provincial government in 1968. A large portion was sold back to the previous owners in 1998, while another 1,000 acres was kept for treaty negotiations with the Tsawwassen First Nation. The 700 acres at Brunswick Point still belong to the province. The families have a petition before the Supreme Court of B.C. asking the land be sold back to them without any restrictions. Currently, under the TFN treaty, if the Brunswick Point lands are sold back to the families, the TFN has first right of refusal if any of the properties are sold within 80 years. The families filed the petition more than a year ago but have faced several delays since then. The hearing was scheduled for Jan. 21 and 22, but Art Swenson, whose family has owned their Brunswick Point land since the late 1800s, said that two days was not enough time. The families are scheduled to be back in court at the end of February.

(Delta Optimist, January 26, 2008)

FOREST

Huu-ay-aht Present Forestry Plans

Chief Robert Dennis of the Huu-ay-aht First Nation (HFN) gave a presentation at the recent Wood Tech 21 conference regarding the band’s efforts to break into the forest industry in a sustainable manner. More than 10 years ago the Huu-ay-aht contracted a comprehensive study on the entire forest base and they now have a comprehensive forestry infrastructure that includes planning, management, harvesting, road-building, sorting, transportation, and silviculture. The Huu-ay-aht’s timber sources currently include an annual 30,000 cubic metre agreement with Western Forest Products, short-term tenures, treaty 171979-1

settlement lands, Indian Reserve land tenures, plus a community forest licence in process. Under the Maa-nulth treaty, HFN will have 8,300 hectares of timber land that will be devoted to market logging, said Dennis.

(Alberni Valley Times, January 14)

First Nations Attend Pine Beetle Forum

A recent pine beetle forum hosted by CBC Radio brought together First Nations, community and industry leaders, politicians, and forest workers to examine the impacts on forest-dependent communities. First Nations speakers at the forum included Esketemc First Nation Chief Fred Robbins, Chief Ervin Charleyboy of Tsi Deldel, Tl'etinqox-t'in Chief Gerald Johnny, and the director of government services for the Tsilhqot'in National Government Joe Alphonse. Participants at the forum also discussed what communities were doing right now to prepare for the drop in available wood fibre and what they can expect in the future.

(Williams Lake Tribune, January 15)

LOCAL GOVERNMENT

Aboriginal Airline Seeks Agreement With Kelowna

Canadian North Airlines is seeking a formal agreement with the Kelowna city council that would allow the airline to offer once-a-week service between Kelowna and Alberta's oilpatch. Canadian North was bought by NorTerra Inc. in 1998, which is Aboriginal owned and whose legal shareholders include the Nunasi Corporation in Nunavut and the Inuvialuit Development Corporation (IDC) in the western Arctic. The charter service being presented will only be open to employees of Canadian National Resources who work in Alberta but live in the Okanagan.

(Okanagan Saturday, January 5)

EDITORIAL EDITS

Vancouver Sun, January 17 – Editorial, in part:

"This week a release of data from the 2006 census illustrated another difference between First Nations and the rest of Canada, a difference that renders even more urgent the need to close the gap.

As Canadians as a whole grow older, the average age of the descendants of our first peoples is decreasing. Half of the more than a million people who reported Aboriginal ancestry are 25 or younger. According to the latest data, just six in 10 Aboriginal children 14 and under live with two parents, compared to eight in 10 in the non-Aboriginal population. Once they grow up, they can expect to earn less than other Canadians, live in poorer housing, experience more health problems and die younger. It has not helped that the federal government has shown little interest in making First Nations issues a priority. But even if Harper were more interested in seeking solutions, they would not be easy to find. The last attempt by the Liberal government in Ottawa to revamp the deeply flawed Indian Act foundered on opposition from entrenched interests within first nations themselves. What remains certain, however, is that in a country where employers are forced to look offshore to find skilled workers, the poverty and opportunity gap between First Nations and the rest of Canada shames us all."

Times Colonist, January 17 – Editorial, in part:

"Sometimes the juxtaposition of news reports on the problems we face suggest obvious common sense solutions. Take four news reports in the last week. The first confirmed the terrible literacy problems in

the Aboriginal community. The second highlighted the national failure of efforts to deal with the problem. The third report, based on census results, looked at the rapid increase in the self-identified Aboriginal population in Canada. The fourth report was the latest update on labour shortages in Canada, as the federal government expanded a program that allows foreign workers to fill jobs in every area from construction to hotel housekeeping. The labour shortage represents a challenge, but surely it can also be seen as an opportunity to address the economic and social deprivation of Aboriginal people across Canada. We no longer have ignorance as an excuse. It is clear that the current path will bring more lost generations. One critical starting point must be a national commitment to improving Aboriginal school performance. Not a commitment to incremental change, but a visionary effort to eliminate the educational gap in the next decade. There are opportunities. It must be a national priority to ensure that Aboriginal people have the chance to share them.”

National Post, January 20 – Kevin Libin wrote, in part:

“After more than a century of increasing government control, the ability of First Nations to provide for themselves has diminished to a point where today nearly all bands are heavily or, often, completely dependent on handouts to survive. ‘A lot of our people think that we are owed something because of all of the bad things that have happened,’ says Mr. [Calvin] Helin, who laid out a new vision in his book *Dances With Dependency: Indigenous Success Through Self-Reliance*.

You will hear similar calls from Patrick Brazeau, National Chief of the Congress of Aboriginal Peoples, who argues ‘the reserve system as we know it is broken and needs to be replaced,’ and the best way to fix things is ‘get rid of a lot of chiefs.’ Or Clarence Louie, Chief of the Osoyoos Indian Band in B.C.’s Okanagan region, famous for posting signs such as ‘Real Warriors Hold A Job’ around his reserve, and who spouts philosophies including, ‘Get off of welfare. Get off your butt.’

Typically, though, for a huge segment of First Nations people, getting a job isn’t as easy as simply a change in attitude, not if there are no jobs to be found in the first place, as is often the case on reserves, and not when the majority of people there lack a basic high-school education. To be sure, some of these ideas and the politically incorrect opinions of reformers such as Mr. Helin and Mr. Brazeau are frequently at odds with those of the establishment, epitomized by the Assembly of First Nations, and they remain outside the mainstream – for now. But for a number of reasons, the moment for a new movement of Aboriginal thinkers and leaders may have finally arrived.

Calvin Helin has seen what lies ahead – a vision of what he calls a ‘demographic tsunami’ and, he warns, it threatens devastation. As he sees it, there are several elements right now conspiring to present a dangerous wave of trouble for Canada when it comes to First Nations matters. For one, Aboriginals are significantly younger than the rest of the population, their birthrates significantly higher. Essentially, what that is saying is that your biggest population activity is taking place in the poorest population, in the least-educated group of people. When it comes to the 500,000 natives living on reserve alone, Ottawa spends nearly \$9-billion annually. And that may soon get a lot bigger. Despite a current federal spending cap of 2% increases yearly, the population growth of Aboriginals alone, well beyond that rate, could pressure Ottawa into expenditures several times that in the next few decades. But there are unseen bills that may yet come due. For one thing, native leaders already consider current funding levels not nearly enough, persuading, at one point, Paul Martin’s Liberal government to create the Kelowna Accord in 2005, promising another \$2-billion in annual Aboriginal spending... The congress of Aboriginal Peoples, meanwhile, is pressing for greater support for natives living off-reserve (currently the 60% of Aboriginals living in urban areas receive only 3.5% of spending). The Métis, who number nearly 400,000 according to the latest census, have succeeded in winning partial Aboriginal rights at the Supreme Court, and they are likely to seek equal funding, too. If they succeed through the courts, Mr. Helin predicts, Ottawa could one day face a doubling of total government spending on Aboriginal groups. ‘That is just completely not sustainable,’ he says.

The aboriginal population and the non-Aboriginal population are headed in two very different demographic directions. When Baby Boomers, the largest working generation, retire en masse by 2011 – living longer, consuming record levels of social and health care spending – and cease contributing to the tax base, their mounting demands on the system are fated to collide with the stark reality of a younger generation increasingly unable to provide for them.”