

Fraser Valley Treaty Advisory Committee First Nations Media Monitor - Excerpts October 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>

ACROSS THE NATION

Party Leaders' Aboriginal Platforms

Jack Layton and the **New Democratic Party** will “support the development of strong Aboriginal communities” by:

- Investing \$5-billion over 5 years to improve health services, housing, water and infrastructure in First Nations, Métis and Inuit communities;
- Implementing new efforts in education and training;
- Addressing the needs of urban Aboriginals;
- Helping to develop community economies;
- Implementing the Jordan's Principle that guarantees children come first in jurisdictional disputes;
- Creating restorative justice and healing approaches;
- Ensuring those left out of the residential school survivors agreement are fairly compensated; and
- Establishing a relationship with First Nations, Métis and Inuit governments that includes respect of the inherent right to self-government and legally recognizes the legitimacy and jurisdiction of indigenous governments, ratifying the UN Declaration on the Rights of Indigenous Peoples, develop a comprehensive land claims policy, ensure equitable Aboriginal participation in Canada's stewardship of the environment and resources, and support the efforts to renew indigenous languages.

(www.ndp.ca)

Stéphane Dion says the **Liberal Party** will focus on quality of life issues, addressing Aboriginal poverty, and renewing relations between the government and the First Nations, Métis and Inuit people of Canada. Dion was calling for Aboriginal issues to be included as a topic in the leaders' debate.

(www.liberal.ca)

Prime Minister Stephen Harper lists what the **Conservative Party** has done to improve the lives of Aboriginal Canadians to date.

- Made the Residential Schools apology;
- Cleaned up drinking water on reserves and cut the number of “high-risk” communities in half;
- Created the Specific Claims Tribunal to help settle long-standing land claims disputes;
- Amended the Human Rights Act to ensure Aboriginals living on reserves have the same rights as other Canadians;
- Introduced matrimonial property rights; and
- Invested \$300-million in on reserve housing in the First Nations Market Housing Fund.

(www.conservative.ca)

TREATIES

B.C. Treaties Not an Election Issue

David Mannix, spokesman for the Snuneymuxw First Nation, is not optimistic that the stalled treaty negotiations with B.C. First Nations will be a major issue in the upcoming federal election or that there will be any movement in the negotiations regardless of who forms the next government. The First Nations Unity Protocol (FNUP) held talks with senior government representatives last spring designed to spur the stalled treaty negotiations and the government negotiators brought their findings back to Ottawa and Victoria with the goal of returning with strategies to break the impasse. However, the election call has delayed the process and Robert Morales, chief negotiator for FNUP, said he isn't expecting much of a policy change from the federal government.

(Nanaimo Daily News, September 19)

Treaty Land Dispute Continues

The dispute between the Sto:lo Tribal Council (STC) and the Yale First Nation (YFN) over land and fishing sites in the Fraser Canyon noted in the YFN treaty agreement have escalated. STC alleges that members of YFN removed human remains from the Kuthlath reserve near Yale, an area the government agreed to transfer to Yale but the STC claim rights to. STC president Clarence Pennier said the disinterment is part of the two groups ongoing land battle and that the Yale band has created a fence around the Kuthlath site and removed memorial plaques of the Shxw'ow'hamel ancestors buried there. Chief Robert Hope of the Yale First Nation dismissed the allegations and said he is waiting for a decision from Indian Affairs on who owns the land.

(Campbell River Mirror Daily, September 16)

Residents Concerned Forest Included in Treaty

Residents of the Merville community are concerned that the Williams Beach Forest in the Comox Valley Regional District Area C could potentially be included in the K'omoks First Nation treaty offer. A group of over 150 people attended a public information meeting to talk about their concerns and desire to keep the 500-hectare forest as public Crown land, which is valued for its recreational use and biodiversity. Meeting organizers will summarize the comments and submit them to the negotiating team. Provincial negotiator Trevor Proverbs said that there isn't much Crown land available in the area to offer, but that at this point, no decision has been made. The K'omoks recently entered into Stage 4 of the treaty process. If the property is given to the band any development plans will be subject to rules that would harmonize them to the area, said Proverbs.

(Comox Valley Echo, September 12; Courtenay Comox Valley Record, September 17)

FOREST

First Nation's Forestry Updates Management Plan

MaMook-Coulson TFL54 Ltd., a partnership between First Nations-owned MaMook Natural Resources Ltd. and Coulson Forest Products, is changing its management plan for the Clayoquot Sound Tree Farm Licence 54. The company "inherited" the previous management plan from International Forest Products when they bought the licence in 2007. The new plan better reflects the goals and values of MaMook-Coulson and will help them to work towards an ecologically, economically, socially and culturally workable forestry operation. On September 4, the Ministry of Forests and Range approved the new plan that includes an area-based Annual Allowable Cut (AAC) of 320 hectares for the next five years. Area-based AAC determinations are part of the ministry's trial program testing ways to improve public understanding of harvest regulations and are consistent with the 1995 Clayoquot Sound 173989-1

Scientific Panel Report's recommendations. MaMook-Coulson's plans to log a previously untouched watershed came under fire from environmentalists this summer, but board member Larry Baird said the Scientific Panel protects the old growth eco-system and the company's plan will improve on that level of protection by ensuring connectivity between the watersheds and rigorous examinations of issues related to rotation age.

(Westerly News, September 11)

Band Uses Suxtem in Forestry Business

The Upper Nicola Indian Band's (UNIB) latest venture is a partnership with Monte Lake Forest Products (MLFP) Inc. for the Upper Nicola Post and Rail plant. The plant operates under the band's philosophy of "suxtem", which means taking care of business as well as the environment by utilizing thousands of cubic metres of primarily beetle-killed lodgepole pine and small diameter timber from tops or imperfect trees that are often burned in the bush as waste. UNIB financed the post and rail operation, as well as an associated scale and log yard for sorting and grading, without any government grants. The plant supplies about 20 per cent of production for MLFP, who in turn treats the product and markets it to clients in Canada and the United States. The posts are mainly used for fencing and the operation recently supplied all the posts for the sheep fence under construction along Highway 5 in Kamloops. There are currently 10 to 12 band members working at the plant with one contract employee to grade timber, which the band is looking at training a member to eventually take over this position.

(Kamloops Daily News, September 29)

FISHERIES

Sardines Supply Jobs for First Nations Fishers

Roy Alexander, fisheries advisor to the Nuu-chah-nulth First Nation, said the return of the Pacific sardine harvest is providing jobs for First Nations on the West Coast. Half of the Canadian harvest of 13,500 metric tonnes is dedicated to First Nations communities, said Alexander. Nuu-chah-nulth have been harvesting sardines for centuries, but stocks are just now recovering after being nearly wiped out by over-fishing by the commercial fishery in the mid-1920s to 1946 as well as by environmental conditions. First Nations fishermen are working with the Department of Fisheries and Oceans to determine the best way to practice selective fishing and to ensure that Chinook that are caught are released alive. The fishermen have requested that all First Nations vessels be equipped with revival tanks to improve live releases.

(North Island Gazette, September 18)

LOCAL GOVERNMENT

CRD Seeks Help for Win-Win Solution with First Nations

The Capital Regional District (CRD) is concerned that plans to construct a sewage treatment plant at Macaulay Point may cause competing interests between them and local First Nations and requested the appointment of a federal official to work directly with both parties to develop a "win-win" solution. In order for CRD's plan to go ahead, federal land from the Department of National Defence would have to be declared surplus, which would make it open to First Nations' claims. CRD chair Denise Blackwell said there isn't a lot of land left that would be available for First Nations in the CRD region and they don't want this issue to undermine the good relationship between the CRD and First Nations or have legal challenges that would delay the sewage treatment project. However, federal Indian Affairs Minister Chuck Strahl denied the request saying that the ministry doesn't have a role in the issue at this time and that it was a matter of discussion between CRD and First Nations.

(Victoria News, September 19)

EDITORIAL EDITS

Vancouver Sun, September 19 – Randy Shore wrote, in part:

“First Nations on south Vancouver Island and the Gulf Islands are on the verge of completing a first-of-its-kind agreement with local government to protect their sacred places and archaeological sites.

The Islands Trust council has approved in principle a protocol developed with the Hul’qumi’num Treaty Group that goes far beyond the protections offered in the provincial Heritage Conservation Act and could become a template for similar agreements all over B.C.

The protocol creates a consultation and dispute-resolution framework and will allow the Hul’qumi’num to designate ‘spiritual places’ not currently protected by provincial legislation.

The Heritage Conservation Act protects archaeological sites where physical evidence (artifacts) of historic use is present, but not places of spiritual importance.

Such an agreement could have prevented the destruction of the spirit caves at Bear Mountain resort on Vancouver Island.

The agreement will likely be used as a template by municipalities and First Nations across B.C.

‘We wanted to be more proactive about taking these things into account when we do land-use planning,’ said Linda Adams, chief executive officer at the Islands Trust.

‘This isn’t just about traditional archaeology sites,’ she said. ‘We are looking at ways of protecting other areas of cultural significance to First Nations that may not have a physical manifestation.’

‘An example might be a place where a person would go on a spiritual quest,’ Adams said.

‘It’s a standard land-use planning technique for areas of environmental sensitivity, riparian areas,’ she said. ‘It just hasn’t been applied to areas of cultural importance.’

Until now.”