

BC Media Monitor First Nations Edition

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Twice monthly summary of all the news events reported on First Nations, Aboriginal communities, and rights & title issues throughout British Columbia.

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AROUND THE PROVINCE

First Nation Agrees to Manage Interchange Project

The Westbank First Nation (WFN) has signed an agreement with the provincial government to manage the construction of the new Campbell Road, Highway 97 interchange project. The project will significantly affect the value of, access to, and the residents living on WFN land, and Chief Robert Louie wants to make sure the improvements are made with this in mind. Emil Anderson Construction Ltd. has been contracted to design, which will start immediately, and then build the interchange, which is expected to begin in April 2008 and will employ a minimum of 10 WFN members. Westbank has hired a project manager to act as a liaison between the band and the contractor. Through the agreement, about 1.6 hectares of WFN land will initially be leased to the province, and then turned over in exchange for another piece of land of equal size and value.
(Okanagan Sunday, April 1; Journal of Commerce, April 9)

Skeetchestn Chief Challenges ALC Decision

Ron Ignace, new chief of the Skeetchestn Indian Band, is seeking legal counsel in his opposition to the proposed Tranquille resort community development, which he says will impact the band's Aboriginal rights. Ignace claims the Agricultural Land Commission (ALC) did not consult with the band before it approved developer Russ Cundari's application to exclude the land from the Agricultural Land Reserve, and he dismisses the ALC's argument that they are not obligated to consult because the "subject lands are fee simple lands held by third parties." Cundari said he and his partners consulted with the band under former chief Ed Jules and received no objections at that time.
(Kamloops This Week, April 8)

New Process to Streamline Oil and Gas Consultation

The Oil and Gas Commission (OGC) has developed a new process aimed at streamlining the First Nations consultation process on oil and gas applications. An Implementation Committee, co-chaired by a representative from the Collective Treaty 8 Chiefs and the OGC, have begun the process with the implementation of a new cover letter for applications that identifies the level of required First Nations consultation and response. It includes three categories; Complex, which includes areas of exploration located in special zones, protected areas, major river corridors, or larger than two hectares; areas outside these parameters are considered Standard; and Notification, which must be forwarded to the appropriate First Nations for information and then to the OGC for a final decision. The new procedure is designed to address land concerns before applications are processed.

(Alaska Highway News, April 20)

Aboriginal Financial Agencies Gather in Prince Rupert

The National Aboriginal Capital Corporation Association's (NACCA) annual general meeting this June in Prince Rupert will include a gathering of 150 experts in Aboriginal economic development. The event will be hosted by NACCA member Tricorp, which provides loans and support for Northwest Aboriginals. NACCA is

dedicated to promoting economic growth access to Aboriginal communities and represents about 53 Aboriginal financial institutions in the country, but have invited representatives from all of the agencies across Canada to attend.

(Prince Rupert Daily News, April 23)

First Nations Action Plan Formed

The B.C. First Nations Energy Action Plan is the result of the B.C. First Nations Energy Summit, a three-day strategic session held in Vancouver in April. The summit was organized by the First Nations Leadership Council and attended by the B.C. Assembly of First Nations, the First Nations Summit and the Union of B.C. Indian Chiefs. Once ratified by the participating organizations, scheduled for June, the action plan will be released to the public.

(North Shore News, April 11)

Resource Agreement Would Help Gitksan Participation

The Environmental Review Panel intends to hold additional hearings to acquire further information from First Nations regarding Northgate Minerals proposed Kemess North mine project, which is currently under reviewed. The Gitksan House of Nii Kyap received \$25,000 to participate in the initial round of hearings but do not have the resources to respond in a meaningful manner to the new hearings. However, Gordon Sebastian, hereditary chief and Gitksan treaty office executive director, says that if the provincial and

federal governments had negotiated a revenue-sharing agreement with them, they would have the means to respond to the Joint Review Panel for the project without depending on "government handouts."

(Prince Rupert Daily News, April 16)

Shuswap Bands Want a Say on Municipal Status

With the support of the Shuswap Nation Tribal Council and the Union of B.C. Indian Chiefs, the Neskonlith, Little Shuswap and Adams Lake Indian Bands are pressuring the province to halt the municipalization application by the Sun Peaks Resort. The bands are seeking "full and complete consultation and accommodation of rights and title of the people of the Shuswap," and say their concerns so far have been ignored. A local committee will make the recommendation on whether to hold a referendum on the proposed municipal status at Sun Peaks. The committee does not include First Nations interests, but has invited them to participate. Some members of the Neskonlith and Adams Lake bands have long opposed and demonstrated against the Sun Peaks Resort, however some Shuswap bands have active business and partnerships with the resort.

(Kamloops Daily News, April 14)

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Blueberry Band and B.C. Sign Several Agreements

The Blueberry River First Nation has signed four agreements with the provincial government. The agreements include three 13-year deals regarding land management of oil and gas and mining practices, and a five-year pact which provides access to 1,000 cubic metres of timber in the Fort St. John Timber Supply Area. Blueberry River and the provincial negotiators have been working on the agreements for the past year, along with four to six other deals that are expected to be signed in the next 18 months.

(Alaska Highway News, April 18)

Snuneymuxw Still Waiting for Federal Negotiators

Chief Viola Wyse of the Snuneymuxw First Nation (SFN) says the federal government is wasting millions of dollars by continuing to delay negotiations to determine compensation for downtown Nanaimo land the band claims as their traditional territory. One of the 12 land sites at issue used to be reserve land that was supposed to be protected under the Douglas Treaty of 1854. Although the federal government has admitted the claim is valid, they have yet to reach an agreement on the amount of the settlement and postponed the last arranged meeting without rescheduling a new date. SFN spokesman David Mannix says the involvement of the province in a recent similar land claim issue in Victoria with the Esquimalt

and Songhees First Nations was pivotal to its quick success. The federal negotiation team say they have “limited availability” for these negotiations, which are part of a specific claims process and separate from the treaty process.

*(Harbour City Star, April 7;
Nanaimo Daily News, April 19)*

Coast Tsimshian Have Strategy to Stop Container Terminal

In a press release, the Lax Kw’alaams and Metlakatla Bands said they have “developed a strategy” to stop the construction of phase one of the Prince Rupert Fairview Container Terminal, which is currently underway, until they are properly consulted and compensated. The Coast Tsimshian bands are also calling on the federal government to stop all plans for phase two of the project on traditional territory until the phase one issues have been resolved. The two bands’ previous injunction appeal against the Ministry of Transportation to stop the approval of the port was dismissed in September. However, a second judicial review of the consultation process is still before the Federal Court of Canada and Metlakatla Chief Harold Leighton said the issue should have been resolved before any work on the port commenced. Prince Rupert Port Authority responded with a press release that noted consultation with First Nations began in 2004 and an offer of \$7.65-million in compensation was offered in 2006.

(Prince George Free Press, April 27)



ACROSS THE NATION

Canada’s Treatment of Aboriginal Children a Disgrace

Concern about Aboriginal children is a key issue in a report on the federal government’s failure to comply with an international treaty on children’s rights recently issued by a Senate committee. Canada rated in the top five countries on the United Nations’ human development index, but the Canadian Aboriginal population ranked in 78th place. Half of the 22,000 Canadian children waiting to be adopted are Aboriginal. The United Nations Convention on the Rights of the Child was ratified by Canada 15 years ago, but Canada’s treatment of Aboriginal children is “a national total disgrace,” said Senator Romeo Dallaire.

(Times Colonist, April 27)

First Nations Protests Growing in Ontario

The Bay of Quinte Mohawks set up a blockade disrupting Via Rail service to Toronto, Ottawa and Montreal as part of ongoing land claim disputes in Deseronto, Ontario. In March, Mohawk protesters set up roadblocks at a quarry on land near the Tyendinaga Mohawk Territory. The quarry hasn’t been operating since the roadblock but the Ontario government says they have no authority to officially shut it down. There is also a continuing protest over a planned subdivision development on privately owned

land within traditional territory. CN Rail, owners of the property where the rail blockade is taking place, obtained an interim injunction ordering the protesters to cease their illegal occupation. The court order was served but has so far been ignored by several of the protestors. However, communication with the group is ongoing and CN and the Ontario Provincial Police are still reviewing their options.
*(Vancouver Sun, April 21;
 CBC News, April 23)*

Soldiers Not Welcomed by Dehcho Chief

Grand Chief Herb Norwegian of the Dehcho First Nation said “we’re being treated with total disrespect” and has declared approximately 300 Canadian Forces and RCMP personnel, who arrived in the Northwest Territories for simulation exercises, unwelcome. Norwegian believes the military presence is an attempt to intimidate the Dehcho, the only band that still opposes the proposed Mackenzie Valley Pipeline. Brig.-General Chris Whitecross, head of the Joint Task Force North, said planning for the exercises began two years ago at which time the military consulted with communities, including the Dehcho, and a spokesperson for Operation Narwhal rejected Norwegian’s claim that the exercise has anything to do with the pipeline.
(CBC News, April 16)

Aboriginal Suppliers Dollars Increasing

The Canadian Aboriginal and Minority Supplier Council

(CAMSC) hosted the third annual Aboriginal and Minority Supplier Procurement Fair in Toronto. The fair brings corporations and Aboriginal and minority suppliers together to share information and build opportunities. Included in the forum was a cross-border workshop on best practices, corporate exhibits, networking sessions, and a series of roundtable discussion on corporate procurement. CAMSC reported an increase in member procurement dollars from \$16-million in 2005 to \$27-million in 2006. In a 2006 report, CAMSC recommended federal policies that would require companies doing business with federal and crown corporations to report purchases from Aboriginal and minority suppliers.
(CNW Group, April 9)

First Nations Reach Diamond Mine Agreement

Following a community ratification process held on April 23, the Lutsel K’e and Kache Dene First Nations have agreed on the terms of an Impact Benefit Agreement (IBA) with De Beers Canada for the Snap Lake diamond mine in the Northwest Territories. The agreement is a formal framework for a long-term relationship and outlines the way the parties will work together to mitigate the projects possible impacts to the area. Through the agreement the First Nations confirm their support for the Snap Lake Mine and De Beers will provide training, education, employment, business opportunities, and financial compensation.
(IDEX Online, April 30)



TREATIES

Commission Plans to Assess Lheidli T’enneh Vote

The B.C. Treaty Commission is proposing an independent assessment to explore why the Lheidli T’enneh First Nation community rejected the treaty agreement. The aim is to discover what the communities preparation for the vote included and to see if more time and information would have made a difference in the outcome. “If there were...questions that remained unanswered, then there may be an opportunity to address them,” said chief commissioner Steven Point. There appeared to be confusion among community members as to the content of the treaty and the commission wants to know why so many members didn’t vote. The Lheidli T’enneh has reviewed the proposal and Chief Dominic Fredericks said it has been agreed with.
(Prince George Citizen, April 18)

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Tribal Council Concerned About Land Taken off Treaty Table

The province is planning to sell off unceded Aboriginal title land and the Carrier Sekani Tribal Council (CSTC) is concerned because the land will no longer be available for negotiations on the treaty table. Six plots, comprising approximately 2,000 hectares of cleared pine beetle forest land, will be converted into agricultural land and sold to farmers if the program proceeds. However, once the land becomes privately owned it cannot be expropriated in treaty settlements, which the CSTC says “is a sign of bad faith in the treaty negotiation process.” Minister of Agriculture and Lands Pat Bell said First Nations will be consulted and their views considered before proceeding.

(Prince George Free Press, April 6)

Treaty Process “Rigged”

Arthur Manual, of the Indigenous Network on Economics and Trade, recently gave a presentation at the Hupacasath House of Gathering encouraging First Nations to step back from treaty tables. Manual told attendees that treaty negotiations are a “rigged game” and that international pressure will soon force the federal and provincial governments to “realign the division of political powers” to include Aboriginal people. First Nations can negotiate from a position of strength by creating economic uncertainty that will bring Canadian business to a standstill, said Manual. Although

Hupacasath Chief Councillor Judith Sayers disagreed with Manual’s message, she said it was important for the community to hear all opinions and make an informed decision. Sayers demanded a disclaimer be included noting the opinions expressed did not reflect the Hupacasath’s policy on treaty negotiations. Tom Happynook, chief treaty negotiator for the Huu-ay-aht First Nation, said Manual made some interesting points, but he thought some of his ideas were “twisted and manipulated to produce an outcome.” Happynook said the band has a “real negotiation at our table” and does not believe having the “international community shame Canada” is the proper route to take.

(Alberni Valley Times, April 17)

Treaty Process Undermined

David Dennis, vice-president of the United Native Nations, said the fact that none of the Four Host Nations of the 2010 Winter Olympics, the Musqueam, Squamish, Lil’wat and Tsleil-Waututh First Nations, are anywhere near a land claims settlement demonstrates how the province is undermining the treaty process. Temporary economic packages, such as the ones the Four Host Nations have, entice people away from treaty negotiations, said Dennis. However, Premier Gordon Campbell said treaties are not the only answer and if First Nations don’t want to have treaties, “then we’ll work to build positive relationships in other ways.”

(Vancouver 24 Hours, April 13)

Tribal Council Votes to Abandon Treaty Process

During a recent Carrier Sekani Tribal Council (CSTC) Treaty Forum on the Nak’azdli Reserve attendees voted unanimously to abandon the B.C. Treaty Commission. However, four chiefs were absent during the vote, including Chief Leonard Thomas of Nak’azdli, Chief Thomas Alexis of Tla’azt’en, and Chief Robert Charlie of Ts’il Kaz Koh, and some are upset with the decision. The forum was intended to inform and discuss and not to make major decisions, said Thomas, who does not recommend that his band leave the treaty process. The final decision on whether to go along with CSTC’s vote will be up to the community members.

(Caledonia Courier, April 4)

Treaties Historically Difficult

The former chief of the Lake Babine Nation (LBN), Wilf Adam, says historically, treaty-making with governments has always been difficult. Although dealings with the province have improved recently, the federal government still refuses to acknowledge a treaty with the LBN that was negotiated in 1906, says Adam. The Barricades Treaty was negotiated in Ottawa following a two-year dispute about weir fishing in Prince Rupert. Twenty years ago Adam passed the treaty information on to Supreme Court justice Thomas Berger, who later issued a report stating that in his opinion, there was a treaty. However, the federal Department of Fisheries and Oceans still refute

its existence and Adam says that if they continue to refuse negotiation the band may take legal action.
(*Lake District News, March 28*)

Hul'qumi'num Youth Learn About Treaty Issues

About 30 Hul'qumi'num teens attended a Hul'qumi'num Youth Treaty Forum that included a keynote speech on treaty negotiations. Anthropologist Brian Thom also delivered a speech and the Vancouver-based Aboriginal group M'Girl performed during the day-long event. The goal of the forum was to raise awareness of several First Nations' issues among Aboriginal youth.
(*Ladysmith-Chemainus Chronicle, March 27*)



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FISHERIES

Tla'Amin Aim to Stop Geoduck Farms

The Tla'Amin First Nation (TFN) are seeking an injunction through the B.C. Supreme Court to stop work and reverse the provincial governments decision to award three geoduck farm licences near Savary and Hernando islands. TFN claim the Ministry of Agriculture did not properly consult them prior to the granting of a licence to Underwater Harvesters Association in January. Chief Walter Paul sent a letter to the ministry in February warning that legal action could take place if they did not enter into meaningful negotiations. Agriculture Minister Pat Bell responded by saying extensive consultation on the geoduck farm plans had taken place, which consisted of two letters, two phone calls and one meeting according to a ministry official.
(*Times Colonist, April 26*)

First Nation Settles Fish Farm Dispute

The Xwemalkwu (Homalco) First Nation has reached an agreement with Marine Harvest to remove the Atlantic salmon from the Church House fish farm, a subject of contention for the band for the last three years, said band councillor Fay Blaney. Homalco has been opposed to fish farming in their traditional territory for years and were particularly concerned with the introduction of Atlantic salmon to the Church House farm in 2004.

In late 2004, the band was granted an injunction to halt the loading of Atlantics into the site by the B.C. Supreme Court, which found they had not been properly consulted, but still left existing Atlantics in the fish farm. Details of the recent agreement have not been release yet, but appear to have "broken the stalemate" between the two parties.
(*Campbell River Courier-Islander, April 11*)

No Fish Farms Campaign Launched

Friends of Wild Salmon, a coalition of First Nations, community groups, and sport and commercial fishermen, have initiated a "No Fish Farms" newspaper ad campaign across British Columbia in an effort to pressure the provincial government to not allow further development of fish farms in the Northwest. The program will be launched at the coalition's Salmon Summit 2 in Terrace and coincides with the Kitasoo First Nation's request for additional sites for their existing aquaculture projects. The Kitasoo, along with the Kitkatla, are looking to bring more economic development to their villages, but acknowledge that other First Nations in the area do not share their view of fish farming. Kitasoo band councillor Percy Starr said expanding production would improve crop rotation and provide the capacity to support Ecosystem Based Management.
(*Prince Rupert Daily News, April 17*)



LOCAL GOVERNMENT

Delta Seeks Pre-Treaty Agreement with Tsawwassen

Delta Councillor George Hawksworth wants an agreement made between the Tsawwassen First Nation (TFN) and the municipality before the TFN treaty is ratified. Hawksworth is looking to establish a “springboard to negotiations” regarding service agreements and a means of effective communication on issues of mutual concern. Delta recently asked the B.C. Ministry of Aboriginal Affairs for a dispute resolution process, but minister Michael de Jong said it belongs outside the treaty and encouraged Delta to continue their own negotiations for a comprehensive master agreement with TFN. *(Delta Optimist, April 4)*

Band Frustrated by “Done Deal”

The Penticton Indian Band’s frustration is growing over the lack of response to their concerns on the proposed Summerland Hills Golf Resort development. Grand Chief Stewart Phillip is upset about public announcements indicating the project is a “done deal” and about the District of Summerland council’s decision in March to tentatively approve the sale of 122 hectares to the developer. Phillip warns of “serious consequences” if meaningful consultation between the band, the district and the provincial

government does not take place soon. Mayor David Gregory agrees that more consultation is needed, but said the project, which has been on the books for 20 years, still has “tough hoops” to go through before a final decision is made. *(Penticton Herald, April 20)*

Close to an Agreement for Delta Police on Tsawwassen Reserve

A draft agreement between the Tsawwassen First Nation, the Corporation of Delta, and the provincial and federal governments to enhance the police services to the band is close to being finalized. Currently a Surrey RCMP officer is the only police service for three First Nation communities in the area. The agreement will provide a Delta police officer dedicated to the Tsawwassen band. TFN, the province and Ottawa are still negotiating the cost of the services, which cannot be funded through Delta taxpayers, said the Delta chief administrator. Delta police chief Jim Cessford will present the cost formula to the police board for permission to take it to the Delta council for final approval. *(Delta Optimist, March 28)*

Report Says WFN Development Will Not Impact City

“Growth on Westbank First Nation (WFN) lands will have no significant impact on municipal infrastructure outside of their lands,” says a report to the Kelowna city council. During previous discussions on the possible

inclusion of the Westside within city limits, concern was voiced about the rapid pace of development on WFN land and how it would impact services in the area. The report states that most people accessing the new developments will use the highway and therefore the city would not be responsible for any upgrades to other non-reserve roads and agreements with the band are already in place for services such as sewer, parks and other municipal related services. *(Okanagan Sunday, April 1)*

HEALTH & EDUCATION

First Aboriginal Food Guide Released

As a companion to the 2007 Canada’s Food Guide, the federal government has released the first ever national food guide for First Nations, Inuit and Métis, Eating Well with Canada’s Food Guide - First Nations, Inuit and Métis. The guide is tailored toward the unique values and traditions of Canada’s Aboriginal population and recognizes “country food” choices such as caribou, Arctic Char, seal, whale, walrus, musk ox and many traditional plants. National Aboriginal Organizations and nutrition professionals were involved in all stages of the development of the food guide and more than 400 people were consulted over the past two years. *(Kahtou, April 2007)*

Child Care Services Transferred to First Nation Agency

All services for the Ktunaxa and Shuswap people, on and off reserve, formerly handled by the Ministry of Children and Family Development have been transferred to the Akisqnuq Division of the Ktunaxa Kinbasket Child and Family Services Society (KKCFS). KKCFS Cranbrook head office and satellite offices in Creston and Invermere will now be responsible for administering kinship and guardianship care, child protection, reconnection, family support, and counseling services. (*Valley Echo, March 28*)

Aboriginal Internal Solutions Needed on Mental Health Issues

Mary Simon, president of the national Inuit Tapiriit Kanatami, told participants at the 2nd International Meeting on Indigenous Child Health, Canada's Aboriginal people need to develop internal support systems to deal with mental health issues. The conference focused on solutions such as the suggestion by pediatrician Dr. Kent Saylor, chair of the Canadian Paediatric Society's First Nations and Inuit Health Committee, for increased funding and community involvement in partnership with the provincial and federal governments. A survey conducted by Ekos Research Associates submitted to Health Canada in March, shows that the governments existing suicide prevention materials are not working. Survey participants indicated a preference for multimedia

kits rather than the pamphlet issued by Health Canada, which were generally dismissed as culturally irrelevant, lacking in solutions, and inappropriately worded. (*CBC News, April 23 and 30*)

Housing Pilot Project on the Horizon

The Shuswap Nation Tribal Council has been working with the federal government to develop an open-market housing project for aboriginals on the Kamloops Indian reserve. SNTC has a goal of starting the pilot project by the end of this year and is hoping to receive funding from the recently announced First Nations Market Housing Fund of \$300-million. The tribal council conducted a marketing survey on the viability of the project and identified 30 willing buyers in 10 communities. (*Kamloops Daily News, April 24*)

Aboriginal Post-Secondary Education Strategy Launched

In an effort to increase the number of Aboriginal students seeking and succeeding in post-secondary education, the province has launched a \$65-million Aboriginal post-secondary strategy. The strategy includes: a one-time \$10.3-million scholarship endowment fund; \$14.9-million to create a three-year service plan that identifies interests and educational needs of Aboriginal students; \$12.1-million for culturally appropriate programs; \$1.2-million to develop a language curriculum; \$12.8-million toward an initiative that will help students transition

from high school; and \$15-million to create cultural gathering places at public post-secondary institutions. (*Office of the Premier, Ministry of Advanced Education – News Release, April 24; Times Colonist, April 25*)

Vancouver Considers Separate Aboriginal Schools

The Vancouver School Board (VSB) is considering a proposal by the Ministry of Education to set up separate "model" schools for Aboriginal students who are struggling in the public school system. VSB trustees voted unanimously to ask the province for more details about the plan. The Vancouver Aboriginal community has been discussing separate schools for some time, said the executive director of the Vancouver Native Health Society, but say it won't work unless First Nations are involved in process. (*Courier – East Side, April 11*)

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Alberta Scholarships for B.C. Aboriginal Students

British Columbia's Aboriginal students will receive 25 Alberta scholarships worth \$2,005 each. The Alberta government is providing the scholarships to each province as part of their centennial year celebrations. The B.C. government has chosen to give them to Aboriginal students and will add one more of their own so that each public institution in B.C. will receive one. Students must be First Nations, Inuit, or Métis to be eligible for a scholarship and the winners will be selected by the British Columbia First Nations Coordinators Committee.

(Kahtou, April 2007;

Prince Rupert Daily News, April 12)



CULTURE

Murals Deemed Inappropriate for Legislature

A motion introduced by Aboriginal Relations Minister Michael de Jong to remove four murals that are historically questionable and offensive to many First Nations people from the B.C. legislature was supported by the house MLA's. Six years ago a panel recommended removing the murals, which were painted in the 1930s by George Southwell, because they contain "demeaning and degrading" stereotypes of First Nations people. Chief Robert Sam of the Songhees First Nation

said he has no problem with them being relocated to a museum or art gallery but they and have no place in the legislature. A legislative management committee will decide how to preserve the murals, which are painted directly onto plaster walls in the legislative rotunda. (*Times Colonist, April 25; Peninsula News Review, April 27*)

Pentlatch Descendent Not Included in Dig

Hereditary chief of the Qualicum First Nation (QFN), Mark Recalma is upset about the removal of 16 sets of human remains from an excavation site at the Qualicum Beach Memorial Golf Course. Although the excavation had a permit and approval by the chief and council of the QFN, and was overseen by an archaeologist and a representative from the band, Recalma says he or his representative should have been involved because the graves were from his ancestors, the Pentlatch people. Recalma sent a letter to the archaeology branch last year requesting inclusion in any projects in Pentlatch territory that uncover artifacts or remains. Qualicum Beach Mayor Teunis Westbroek intended no disrespect and noted that a band member was paid to oversee the work, and Westbroek believed he would report back to the respective First Nations.

(*Parksville Qualicum News, April 17*)

Company Receives Fine for Disturbing First Nations Remains

Bedwell Harbour Hotel Ltd. has been fined \$50,000 after pleading guilty to knowingly disturbing a site inhabited prior to 1846 during their construction of Poet's Cove Resort and Spa on South Pender Island. It is the largest ever fine levied for a violation of the B.C. Heritage Conservation Act but far from the \$1-million maximum. In 2002 and 2003, crews disturbed the site of an ancient Aboriginal village and subsequently spread the material, which contained bones, shells and other artifacts, out as road surface. Resort developers knew about the site and hired an archaeologist to conduct a survey, but paid "little attention" to the information. Esquimalt-Metchosin MLA Maurine Karagianis said this happens with many developers who would rather "bury the evidence" than risk a fine or slow down of work. The Conservation Act is vague and does not necessarily protect First Nations sites and is set up so that cost and responsibility rests on the landowner, said Karagianis. Karagianis has drafted a motion asking the province to better protect First Nations cultural and historical sites.

(*Times Colonist, April 21 and 22*)



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EDITORIALS

Business in Vancouver, March 6-12 – Keith Clark wrote, in part:

“The honeymoon may be over for the ‘new relationship.’ As observed by [Union of B.C. Indian Chiefs Grand Chief Stewart] Phillip, to date there has been no discernable development on either of the two issues that are key for the business community and the Aboriginal people, and that were heralded as ‘action plans’ in the new relationships document. These are: the development of an effective procedure for consultation; and a policy concerning revenue sharing of resources. The failure of the province to provide certainty in these areas is already resulting in significant additional costs and delay for those carrying on, or wishing to carry on, business in this province. The recent postponement of Enbridge’s multi-million dollar Gateway pipeline project in that face of uncertainties relating to opposition from Aboriginal groups in B.C. may be a notable example of this. Decisions on whether a commercially viable project should go ahead in this province should be made by the government – or the government and Aboriginal people acting together – based on appropriate environmental and societal considerations. Projects should not be lost by default because of delays resulting from the lack of a proper consultation process, or uncertainty resulting from the lack of

an agreement on how the resources of the province should be shared. Whether the new relationship will prove to be a catalyst for positive change, or will be seen as having created ultimately unachievable expectations that resulted in further discontent and uncertainty, remains an open question at this time.”

Prince George Citizen, April 6 – Craig Stanchfield wrote, in part:

“It would seem there is a great deal of disappointment regarding the decision for Lheidli T’enneh’s decision to turn down the proposed treaty. As my band, the Salt River First Nation in the Northwest Territories, negotiated and accepted the treaty it was offered I had the opportunity to sit in on some First Nations informational meetings first hand. In my band, there was a handful of headstrong people with loud voices who hollered and yelled how they were being cheated and things weren’t fair. These voices were the minority and the tactics these people used were obtuse; then there were the people who are trying to get by, pay bills, have families and progress in life, whether on the reservation or off. I fell in to the latter category. I am grateful that the government settled with my band, though the numbers were of little consequence as the money went into trust. The band has helped out with my college education and occasionally send me a return on the investment of the trust account. From a personal standpoint, I am very happy I am getting a boost up.

What about the Lheidli T’enneh? They are cutting themselves out of a deal. Even if it might not be the best deal, they don’t have one. They were offered a sum of money that they could be using to make their lives better, to invest, to get better education, to use to develop, to create. Tomorrow, instead of opening a new business, they can continue negotiations. Instead of building a summer camp for their children, they can negotiate. Instead of founding an education fund, they can negotiate. Instead of helping their elderly people with home care, they can negotiate. Instead of building a future, they can negotiate. As forme, my band settled. There was some internal strife of members of the band becoming selfish and monies being unaccounted for. However, that dark chapter appears to be over. Negotiation is a concession on both sides. Our band members made concessions as did the Canadian government, and now the band is prospering and moving forward with initiatives, education and the betterment of all the band members. It is by no means perfect, but the deal is done and we are living with the effects.”

CORNERSTONE Planning Group DISCLAIMER

The BC Media Monitor relays what is being reported in newspapers throughout BC and is compiled directly from those news articles. Cornerstone makes no editorial judgment on the articles summarized in the BC Media Monitor and is not responsible for the content of the original articles.

Penticton Herald, April 6 – editorial, in part:

“Where Penticton Grand Chief Stewart Phillip sees storm clouds on the horizon, Assembly of First Nations national chief Phil Fontaine is appealing for calmer summer weather. As president of the Union of B.C. Indian Chiefs, Phillip was highly critical of the Tory budget, and rightly so. But Phillip chose to evoke the memories of past violent uprisings. In comparing today’s situation with the frustrations of the 1980s that led to the Oka uprising, Phillip might have helped lay the groundwork for a return to a troubled time. By contrast, in an address Thursday Fontaine chose to appeal for calm. Peaceful protests will gain converts. Blockades and violent demonstrations will achieve the exact opposite of their objective. While Fontaine is a national leader, the national assembly he leads does not have a party whip to help impose discipline. Instead, his strategy may be to try to convince the more militant leaders blockades are no solution. He may well find himself starting that process in Penticton.”

Prince George Free Press, April 6 – Arthur Williams wrote, in part:

“The people of the Lheidli T’enneh First Nation made a difficult decision last week, but they did make the right one. Convincing 192 out of 273 people to agree on the same pizza topping would have been a challenge. Convincing 70 per cent majority

to approve something as life-altering and controversial as a treaty agreement proved nearly impossible. Defeating the final agreement will give the Lheidli T’enneh time to resolve the outstanding land issues with the Shuswap Nation before coming to the treaty table again. Second, self-governance on the scope outlined in the final agreement was never feasible with only 273 voting-aged adults. Under the treaty the Lheidli T’enneh would have had managed forest resources on treaty lands; regulated the harvesting of fish, wildlife, aquatic plants and migratory birds for food and ceremonial purposes; decided matters of culture, treaty rights and government operations; created Lheidli T’enneh school and health boards; have direct taxation authority on Lheidli T’enneh lands; and have municipal government authority over Lheidli T’enneh lands. For 273 adults spread from Prince George to Prince Rupert to the Lower Mainland, there is no practical way to ever take on the majority of those roles in any serious way. The Lheidli T’enneh final agreement would have brought \$135.3-million over 50 years in funding, 4,330 hectares of land and 107,000 cubic metres of renewable forest tenures to the First Nation. That works out to \$495,604 – or \$9,912 per year – 15.86 hectares and nearly 392 cubic meters of forest tenure per adult member. What does any of that have to do with preserving Lheidli T’enneh culture and heritage? A far simpler, better and cheaper solution would be to divide up the

677 hectares of reserve land into privately-owned plots; turn the reserve into a regular town with a regular municipal government; use some of the \$135.3-million to give each man, woman and child a \$50,000 to \$100,000 cash up-front settlement; use \$10-20-million to create scholarship funds and economic development funds similar to the Northern Development Initiative Trust to promote Lheidli T’enneh education and business opportunities in the future; and use 1,000-2,000 hectares of Crown land to create Lheidli T’enneh Provincial Park. It would cost the taxpayer less, benefit the Lheidli T’enneh more and create a cultural tourism destination in Prince George - everyone wins.”

Burnaby Now, April 11 – Keith Baldry wrote, in part:

“Circle July 25 on your calendar – that’s the day that may determine the future of B.C.’s Aboriginal treaty process. Or, more precisely, the outcome of a vote taken that day by members of the Tsawwassen Indian Band may decide whether the treaty process should continue in its present form. The so-called Nanaimo Unity Protocol, which advocates a new approach in treaty making, says the current process is ‘crumbling,’ while Union of B.C. Indian Chiefs president Stewart Phillip also says the treaty process is falling apart. It seems momentum is shifting in the Aboriginal community towards the position advocated by the Unity Protocol, which is getting more and

more bands to sign up with them. Perhaps treaties will continue to be an almost unreachable goal, and one that all sides attach less and less importance to. If living conditions for Aboriginal members improve because of deals made under the 'New Relationship,' the emphasis on treaty-making will wane. In the meantime, however, keep a close eye on what happens July 25. The Tsawwassen band members may hold the future of the current treaty-making process in their hands."

**Vancouver Sun,
May 3 – Jerry Lampert
wrote, in part:**

"Treaty commissioner Mike Harcourt makes several interesting observations. One that the Business Council of British Columbia finds particularly intriguing is 'Business has to step up its game too.' This observation may leave the impression that businesses in B.C. have not been proactive in moving forward the agenda for treaty settlements or in creating a more predictable economic climate in this province. We

would take issue with this. Polaris Minerals established a partnership with the 'Namgis First Nation for the development of the Orca Sand & Gravel Project near Port McNeil on Vancouver Island. EnCana has several joint ventures with First Nations, including a partnership with Ensign Drilling and the Fort Nelson First Nation by which the First Nation owns 50 per cent of the drilling rig currently operating in northeastern B.C. The business community has also been working hard at helping government and First Nations overcome some of the obstacle they face in developing long-term certainty and interim predictability. In 2004, the Business Council released The British Columbia Treaty Process: A Road Map for Future Progress, the result of months of research, meetings and a great deal of discussion. The response from government was, however, disappointing. The business community has been and remains a supporter of treaty-making; it knows that changes must be made in the interim to facilitate First Nations community economic and social development."



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