

Hul'qumi'num Treaty Group Status of Negotiations

*Annual Report to the British Columbia Treaty
Commission*



5 June 2006

Prepared for British Columbia Treaty Commission

Hul'qumi'num Treaty Group Negotiations Status

During the 2005-6 fiscal year (April 1st, 2005 to March 31st, 2006), we have had an intense focus in negotiating various chapters at the treaty table. We have negotiated over 33 separate main table sessions and another 4 session of technical working groups on the the following topics:

Land & Resource Chapters	Governance Chapters	Process Chapters	Fiscal Chapters
Access (1.5 days) Land (1 day) Water (2.5 days) BC Parks (6 days)	Governance (5 days) Eligibility & Enrolment (7)	Dispute Resolution (1 day) Implementation (1 day) <i>Indian Act</i> Transition (0.5 day) Ratification (3 days) Approval (0.5 day) Amendment (0.5 day)	Capital Transfer (0.5 day) Fiscal Relations (2 days) Tax (1 day)
*Fish Technical (2)	*Local Government (2)		
*technical working group or side-table discussion			

During these sessions at the table with Canada and British Columbia, HTG has articulated a vision of a treaty relationship that is respectful to the vision of the future that we have discussed with the Chiefs, Elders and communities.

We have made some important progress in these negotiations, particularly with respect to the so-called 'process chapters'. We have worked out much of the processes for how the treaty will be ratified by the community, and much of the mechanics that the treaty will operate under once it is passed. We are also modestly pleased with the fulsome discussion we have had on Capital Transfer, Fiscal Relations and Provincial Parks. We have built agreement about how the treaty settlement dollars will be transferred to the Hul'qumi'num people. We have developed the outline of the relationship that Hul'qumi'num people will have with BC Parks. This work builds on the work of previous years where we have focussed on land and resource issues. We believe that our 2005 talks on water, access and governance were somewhat less productive, hampered by deferring substantive approaches to the topics.

In spite of our efforts at the table, there are still significant gaps which must be resolved prior to reaching our goal of a comprehensive Agreement-in-Principle. These gaps are not only around deal-breaker issues like the location and size of treaty settlement land, the amount of cash in the settlement, and the powers Hul'qumi'num people over lands and resources throughout their traditional territory. We also have not yet been able to reach agreement on a number of important legal principles that underlie what we believe constitutes a full recognition of the inherent right of Hul'qumi'num people to govern themselves.

Looking In at the Table: The Workings of the HTG Negotiating Table in 2005-6

The process the three parties had agreed to in 2004 for increasing efficiencies on cornerstone chapters – streamlined Tripartite working group meetings, effective technical working groups, and regular Chief Negotiators meetings – has largely not been set in motion. The forum of the Tripartite Working Group, with typically 12-15 people at the table (plus spectators) focussed on all aspects of draft chapter language, has lent itself to a narrow focus on specific language and issues, which has taken away the

Chapter	# of Clauses Tabled	# of Clauses Agreed	(% agreement)
Amendment	13	0	(0%)
Heritage Sites & Repatriation	40	17	(43%)
Cultural Landscapes	14	0	(0%)
Dispute Resolution	47	47	(100%)
Dispute Resolution Apdx. 1-6	306	304	(99%)
Fiscal Relations	23	4	(17%)
Capital Transfer	21	19	(90%)
Taxation	16	0	(0%)
Fisheries		under 'concepts' development	
Forestry	39	4	(10%)
Governance	85	21	(25%)
Law-Making Provisions	93	26	(28%)
Self-Government Agreement	64	0	(0%)
Eligibility & Enrolment	69	57	(83%)
Implementation	10	8	(80%)
<i>Indian Act</i> Transition	12	10	(83%)
Land	77	30	(39%)
Access	33	8	(24%)
Subsurface	45	1	(2%)
Land Use Planning	87	1	(1%)
Provincial Parks	33	11	(33%)
Federal Parks	30	27	(90%)
Ratification	11	0	(0%)
Approval	5	0	(0%)
Reconciliation	16	0	(0%)
Water	62	0	(0%)
Wildlife	88	10	(12%)
Migratory Birds	57	16	(28%)

possibility of stepping back to view the broader objective of a treaty. Our commitment to carrying through with legal drafting sessions outside our Tripartite Working Group session (such as those done as part of the dispute resolution chapter negotiations) have been too few. The Tripartite Working Group meetings frequently fill this role, with a large group of negotiators, community members, assistants and legal counsels engaging detailed debate about what frequently amounts to either the ability of the specific drafting to adequately express the interests and views of the Parties, or to review and debate legal arguments which form part of the basis of the issues.

Though the work of technical working groups has been identified as important for progress at the table, they have been infrequently called. Detailed work by the land technical working group has gone largely unused by the parties, and land selection goals have been unilaterally pushed back from 2005 resolution to 2007. The fish technical working group has been largely inactive, with the late 2003 tripartite workplan largely unimplemented. We have renewed our commitments to the Fish Technical Working Group in late 2005, and have a single tripartite meeting accepted and scheduled for 2006.

Importantly, there have been no opportunities for Chief Negotiators to meet to engage the broad issues which cross-cut many of the chapter-and-clause specific issues discussed at the Tripartite Working Group. HTG sees Chief Negotiator meetings as an appropriate forum for discussions of land-cash-certainty mandates, as well as to provide overall direction to the negotiation table on the principles on which the detailed chapter negotiations need to be based. In the past, it had also been hoped that the Chief Negotiators meetings would provide a forum for more directly accessing the Parties mandates in terms of the give-and-take needed to provide solutions which satisfy the unique configuration of the Hul'qumi'num table. An agenda for 'big-ticket' issues for the Chief Negotiators have been outstanding since late 2003, however no such meetings have taken place in 2005.

As we move back into chapter work on cornerstone chapters, including the review of new chapters, HTG strongly desires to adopt a new way to increase the effectiveness of our talks. As in 2004, HTG continues to believe that efficiencies can be brought to bear on the use of our resources in reaching a comprehensive Agreement-in-Principle. Key to these will be an increased reliance of legal-drafting side-tables, an active Chief Negotiators group, and a steady and ambitious schedule of work for the Tripartite Working Group. Our goal for the 2006-7 fiscal year is to conclude our comprehensive review of the entire AiP and set about efficient negotiation processes to close the gaps.

Looking Out from the Table: HTG Treaty Negotiations in the Political Fabric of BC and Canada

While we have been able to agree on much of the framework of the treaty and many of the substantive rights that will be guaranteed within it, we are still at odds on important principles. To address these concerns our team – and especially our Chief Negotiator – has focussed our energies on the political and bureaucratic processes in government which influence the mandates that the negotiators bring to the table. We believe that processes like the "New Relationship" with Gordon Campbells BC government, our work with the UN and other international bodies, and the coalitions with other like-minded tables of First Nations communities will be the key pressure points to breakthrough to final treaty deals.

In the meantime, we have been able to test-drive some of our successes. We have formed a new management and planning committee with Parks Canada to deal with consultation issues in the Gulf Islands National Park Reserve. We have concluded negotiations with the Archaeology Branch to improve how Hul'qumi'num people will have input and involvement in the archaeological permitting process. We are working with local governments to conclude a political accord to better plan for and communicate

about protecting heritage sites.

This is going to be an important summer and fall period for the work we have done at the treaty table. We hope to complete the first complete pass of negotiations for all chapters of the Agreement-in-Principle, and to be fully engaged in the political processes which we hope will result in the changes needed in government mandates for the Chiefs. Elders and community members vision of an HTG treaty to be reached. Working together, we hope this goal may be in sight.

Hul'qumi'num Treaty Group Negotiations Activities

Significant projects were undertaken in 2005-6 to prepare for substantially engaging the issues at the table and to seek community opinion on the options being developed. The following section outlines the specific activities undertaken by the HTG staff.

Chief Negotiator

In addition to the work leading the tripartite negotiations at the HTG treaty table, the Chief Negotiator has played a leadership role in coordinating efforts between other First Nations on treaty mandate issues and through participating in talks with "Principles" of government.

The Chief Negotiator has been an active participant at the First Nations Summit, which meets on a quarterly basis for 3 days (plus occasional special sessions) to gather and share information and develop political strategy. Through the Summit, he was elected chair of the Chief Negotiators Forum. In this role, he leads quarterly technical meetings to develop negotiation strategy and share specific information.

2005 has seen an important new political direction from the Province in the form of the "New Relationship" policy. The HTG Chief Negotiator participated in the First Nations Leadership Council/BC Deputy Minister forum to discuss ways to move the treaty process forward. These meetings have been held on a monthly basis for one week. He has also met with government ministers and senior officials to lobby for issues that are significant to the Hul'qumi'num Mustimuhw

There are outstanding negotiations issues common to many of the tables on Vancouver Island. To facilitate securing positive changes to government mandates in respect of these issues, the Chief Negotiator has worked in 2005-6 with the Vancouver Island tables to organize towards a common table to deal with common issues.

While the negotiations drag on, the Crown and third parties have continued to alienate land and resources from Hul'qumi'num traditional territory. The Chief Negotiator has participated in many consultation and accommodation sessions with both levels of government. These meetings are meant to establish the Hul'qumi'num Mustimuhw jurisdiction over the land and to ensure that our interests are being met.

Senior Negotiation Support and Negotiations Projects Assistant

The core duties for Senior Negotiations Support were centred around chapter development, including coordinating, researching, engaging communities and developing negotiation strategies for the chapters discussed at the table. This year, HTG Senior Negotiations Support staff acted as lead negotiator for Provincial Parks talks, as well as for sessions on Eligibility and Enrolment and Governance law-making. An analysis of the current gaps at the HTG treaty table was prepared and discussed at length between the

Chief Negotiator and the HTG Chiefs, in the context of developing strategies to move the negotiations forward. Senior Negotiation Support staff duties related to the table also included being the HTG representative on the tripartite work planning group, and the tripartite land technical working group.

During the 2005-6 fiscal year, HTG Senior Negotiations Support staff played a lead or significant role in negotiations for the Gulf Islands National Parks Reserve consultation agreement, a protocol with the Archaeology Branch for heritage site consultation and communications, and a political accord concerning the protection of heritage sites with Islands Trust, Municipality of North Cowichan, Cowichan Valley Regional District, Town of Ladysmith, Town of Duncan, Town of Lake Cowichan, Capital Regional District.

The 2005-6 fiscal year also saw a dramatic increase in HTG presence in the local, regional and national newspaper, radio and TV media. A communications consultant was hired and worked closely with HTG staff to develop important relationships with media outlets and assist in focussing on communicating important treaty information to the broader public. A related initiative, following the specific direction of the chiefs, was the establishment of two highway billboards with the message “Hul’qumi’num Territory, Achieving Reconciliation.” The billboards have been a positive flashpoint for discussions with the wider community and are reported to be a source of pride and identity for Hul’qumi’num Treaty Group members.

Community consultations on treaty chapters was another core function of HTG Senior Negotiation Support and Negotiation Project Assistant staff. Internal working groups (special mandate development groups comprised of Chief and Council appointed representatives from each First Nation) were held on chapters related to tax (x2), ‘process’ chapters (x3) (including *Indian Act* Transition, ratification, approval, and dispute resolution), water (x2), heritage sites, land, eligibility and enrolment (x3) and environmental management (x2). Additional special emphasis was given to community consultations on eligibility and enrolment, with special meetings held with elders, the Cowichan Treaty Committee, and a well-attended community-wide forum held at the Quw’utsun’ Cultural Centre.

In addition to the chapter-development and negotiations work, the Senior Negotiations Support at HTG also coordinated and participated in a number of major projects which have been developed as a part of the overall HTG strategic plan:

- co-chair of Parks Canada-HTG Advisory committee, with coordination and support by Negotiations Project Coordinator
- project supervisor for *Cultural Land Selection Study* to document culturally significant sites for the treaty settlement land selection, with research led by Negotiations Project Coordinator
- project oversight and strategic planning for Shared Decision-Making project
- coordinated publication of the HTG referral/consultation policy
- participant in intergovernmental relationship development processes with Islands Trust

Communications duties for HTG Senior Negotiations Support in 2005-6 included providing briefings to community treaty offices, and reporting to and attending two multi-day retreats with the Chiefs to discuss gaps at the table and clarify specific details of the HTG negotiating mandate.

Administrative duties included work planning and overall project management of negotiations support team, supervision of staff and consultants on the negotiation team, initiating an internal organizational development review of HTG, annual report preparation and providing oversight for HTG computer network systems.

Legal Counsel

In the 2005-6 fiscal year HTG legal counsel researched and drafted provisions for each of the treaty chapters discussed at the main table. The legal counsel participated in the community consultation effort that HTG conducts prior to bringing draft chapter text to the table, including a significant role in eligibility and enrolment consultation. HTG counsel was also involved in the review of the shared decision-making (co-management) model that HTG will introduce at the table in the 2006-7 fiscal year, and in providing advice on drafting of shared territory agreements and the Gulf Islands National Park Reserve consultation agreement.

HTG legal counsel was involved in developing a consultation policy, which was adopted by the Hul'qumi'num Treaty Group and member First Nations. This policy, an interim step in governance-building, was published in a booklet for distribution to Crown and third parties. A generic version of the text was also submitted to the First Nations Summit Chief Negotiators for discussion and review.

The consultation requirements of the Crown resulted in the HTG legal counsel being involved with providing legal advice and drafting, research and vetting correspondence with referrals received by the HTG and its' member First Nations. As the referral files that Kathleen Johnny manages have many legal aspects, she worked with Kathleen to help address legal issues and prepare correspondence.

There are additional administrative duties provided by HTG legal counsel, including providing support in reviewing and drafting agreements, drafting consultant and employment contracts, and the lease agreement. She assisted the HTG Policy Committee by participating in meetings and helping them draft a protocol for information sharing. She also provides general day-to-day research for various HTG employees.

HTG legal counsel has also provided occasional legal support for community members. This occasional work has dealt with hunting offences, marital breakdown, criminal matters, and wills and estates.

The HTG Chief Negotiator also took on an articling student – Carrie Humchitt – in October 2005. Her initial tasks were to do legal research to support the drafting of chapter language. Also she has continued to do general legal research. She supports the technical "fish" work and assists community members with various legal questions. She has presented information to the greater Hul'qumi'num community on matters such as recent case law and the recent residential school settlement. The focus of her work shifted after Christmas and she presently provides support to the Chief Negotiator, Robert Morales on a broad range of legal matters.

Natural Resource Department

In the 2005-6 fiscal year, the Natural Resource Manager completed a variety of tasks related to furthering work on the wildlife and migratory birds, forestry and fisheries chapters. In preparing for these negotiations HTG undertook the following projects:

- Conducting a review of the allocation modelling for food, social and ceremonial needs for fish and marine resources in relation to the addition of Hwlitsum First Nation to the HTG.
- An analysis of the Fraser River fisheries stocks and management with a specific focus on current stock status, species of concern and processes used to govern the management of the Fraser River salmon stocks.

- An update of the State of Marine Resources Project to include Fraser River and estuary species.
- A business plan for Hul'qumi'num commercial interests in fisheries to support the negotiations

Further policy work was conducted through BC Capacity initiative funding to develop a Shared Decision Making (SDM) Model for natural resources within the Provincial jurisdiction. This included information sessions with community members and member First Nations to inform the model development (see SDM section of the report).

An analysis of economic and land suitability and options for the Forestry Chapter was conducted. This included a review and update of previous HTG commissioned reports and the establishment of a framework for accessing cultural wood.

Throughout the year, the Natural Resource Manager participated in a number of pre-treaty initiatives, including the BC Aboriginal Fisheries Commission meetings, workshops and facilitating the discussion with Fisheries and Oceans Canada on Hul'qumi'num rights and title in the Fraser River, and meetings to discuss opportunities for our member First Nations to fish on the Fraser River. The Aboriginal Fisheries Strategy agreements were also reviewed and amendments provided to our member First Nations. Meetings with the Province of BC were facilitated to discuss access to and harvest of Vancouver Island elk for food, social and ceremonial purposes. HTG has also been accepted as a full partner in the National Marine Conservation Area Feasibility Study, a project of Parks Canada. The Georgia Basin Action Plan has also been a focus for this years activities, including attending conferences, Joint Management Committee and Planning and Implementation Team meetings.

The Hul'qumi'num Treaty Group continued its involvement in the Shellfish Aquaculture Project. This included facilitating the development of a Hul'qumi'num owned company for the Hul'qumi'num member First Nations to collaborate in an economic initiative on shellfish aquaculture.

One Tripartite Fisheries Technical Working Group meeting was held in this fiscal year. At this meeting the parties developed a work plan and new approach for negotiating the fisheries chapter.

Environment Consultant

Treaty Chapters - Water

Water issues affecting Hul'qumi'num interests have been researched in detail, including population demand analysis. This work has provided background information for the preparation of relevant briefing notes, meetings with the Hul'qumi'num Land Technical Working Group, a Water Interest Paper, Table presentations, Table speaking notes and Draft Language.

Water negotiations were held June 3, July 14, September 22-23, 2005. Little progress, however, has been made in the Water chapter primarily due to three issues. First, the Provincial government has been unable to revise their method of recording who has a right to water. Hul'qumi'num pre-settlement water rights have not been reconciled. Secondly, the Province has refused to engage the substantive issue of a supply - demand analysis for the water bodies within the Hul'qumi'num Territory. This analysis is critical to identifying available flows, storage requirements, and the assurance of available water pursuant to land transfers to the Hul'qumi'num communities. Thirdly, the Province has not responded to tabled shared Decision-Making language over water resource management across the Hul'qumi'num Territory.

Treaty Chapters - Environmental Management

The Environmental Management Interest Paper was substantially revised and reviewed by the Land Technical Working Group during the past year in order to provide for the concurrently developing work on Shared Decision-Making. The Interest Paper now fully engages this discussion and provided the background for the preparation of shared decision making text for environmental management issues across the Hul'qumi'num Territory within the draft chapter. Environmental negotiations have been postponed and will be resumed in the coming year. The negotiation of the Shared Decision-Making model within this chapter will provide an important marker in these negotiations.

Getting to 100% - the Co-Management Issue

This project provided an opportunity for the six Hul'qumi'num member First Nations to work collectively to understand how they will share decisions with the Provincial government on land and resource issues. Some of this work has been discussed in a preliminary manner in the treaty negotiation chapters. It is expected that once we have completed the community consultations including a full review of the proposed model that Shared Decision-Making over natural resource management will be fully engaged at the treaty negotiation table.

An in-depth analysis of Shared Decision-Making opportunities allowed a full scoping of issues and approaches for a Government-Government relationship. Funding from Canada's Capacity Initiative was secured by HTG which enabled the Hul'qumi'num Shared Decision-Making steering committee to significantly advance its work. In August an analysis of the Central Coast Land and Resource Management Planning (CCLRMP) process (*Learning about Shared Decision Making from the Central Coast Land and Resource Management Process: A report to the Hul'qumi'num Treaty Group*) was undertaken to rigorously evaluate the direction the Provincial government was moving towards in Shared Decision-Making (SDM). The result of this report indicated that while advances were being made in the CCLRMP, they were well below the threshold of the Hul'qumi'num Shared Decision-Making Vision Statement (below).

A second contract was commissioned to describe the actual current state of provincial government decision-making for natural resources located within the Hul'qumi'num Traditional Territory (*Gap Analysis of the Hul'qumi'num Vision and Prevailing Governmental Practices of Natural Resource Management*). This has provided valuable perspective for determining the specific arrangements required and as well points in the direction of required capacity building.

One of the impacts from this project included the integration of the community in the Shared Decision-Making Model development. The community engagement process was challenging and required more time than was available. A key learning result from this project was the importance of providing sufficient time to gather community input. The Senior Project Leader and SDM Project Assistant were responsible for planning and delivering community consultation on the nature and progress of the SDM work being carried out. Meetings were held with technical representative and community members from each of the six Hul'qumi'num member First Nations. A series of four meetings were held specifically with the Hul'qumi'num Elders Advisory Board to gather feedback and direction on the model. Chief and councils were also included in a series of meetings to review and give guidance on the proposed model.

Interviews with Elders were conducted to prepare the *Hul'qumi'num Traditional Resource Management and Decision Making Report*, which was vetted through a Knowledge Keepers focus group. This and the preceding work provided the basis for The Hul'qumi'num Draft Vision Statement prepared by the

Hul'qumi'num Shared Decision Making steering committee:

'The Hul'qumi'num communities have full participation and significant influence over all decision making affecting the sustainable management of natural resources across the traditional territory.'

As the Strategic Vision about how Shared Decision-Making would enable Hul'qumi'num communities to regain control over their own resources, a final work was undertaken to begin developing a draft model of how the Hul'qumi'num communities and the Provincial Government would share decision making over natural resource management. This work was sent out for rigorous academic and legal peer review and a final report to the HTG drafted, upon which our 2006-2007 community consultations will proceed.

Culture & Heritage Researcher

Key negotiation work at HTG for the Culture & Heritage chapter in 2005-2006 involved finalizing a draft Memorandum of Understanding between the HTG and the Archaeology Branch to improve communications and cooperate on heritage management issues in the pre-treaty environment, and a draft political accord with eight local governments to implement the recommendations of the HTG Intergovernmental Working Group on the protection of First Nation heritage sites. As an important part of these inter-governmental working group negotiations on Culture & Heritage, a major research project initiated by the HTG office involved the initiation of a Archaeological Overview Assessment Study of Hul'qumi'num territory, which is a strategic regional planning tool for the shared use of the provincial government, local governments and First Nations to help protect recorded and unrecorded archaeological sites in the development and land use planning process.

The Culture and Heritage Researcher participated in significant pre-treaty work this fiscal year, including participating in the HTG-Parks Canada archaeological inventory of Gulf Island National Park Reserve, reviewing the Ministry of Tourism, Sports and Arts archaeological permits in HTG territory, preparing of correspondence for Crown land and local government referrals, and communicating (both within Hul'qumi'num communities and to the broader public) on the Poets Cove court trial, and threats to other heritage sites by land development.

Referral Coordination Office

In the 2005-6 fiscal year, the HTG chiefs gave HTG a mandate for handling referrals from the Crown or third parties if they meet any of the following three reasons:

1. To respond to issues that impact treaty negotiations;
2. The Board of Directors passed a resolution that directed HTG to take the lead in coordinating the technical review of a referral that affects more than one member First Nation; and
3. When requested by a member First Nation to assist or provide technical support in referral response.

Our role in processing referrals is to act as a resource and support body for the Hul'qumi'num member First Nations. HTG co-ordinates technical reviews of referrals that impact more than one of our member First Nations. If requested or directed, we can also facilitate a consultation process.

The HTG Referral Coordination Office has to deal with the following issues:

- Vancouver Island Transmission Line Replacement (VITR) in the Georgia Strait
- Deltaport Third Berth Expansion DP3
- Dock legalization requests
- Crown Land Sales
- Private Land Developments and Local Government Referrals

To implement this mandate with respect to these referrals, HTG has developed and published a consultation policy, adopted by the HTG and the member First Nations, to guide governments to act responsibly when engaging our member First Nations in consultation, setting out the framework for an acceptable and appropriate relationship between our member First Nations and the government in consultation matters.

We have also begun a Referrals Technical Working Group, made up of representatives from each of the member First Nations. This has been a significant step in implementing interim elements of the future governance relations amongst the communities and between the Hul'qumi'num people and the Crown.

In providing logistical support in coordinating Crown consultations, it became clear that HTG needed a more sophisticated system of managing records. In 2005-6 the referral coordination office set about creating a central filing system, including a records database, a digital filing system, and installing colour-coded, end-tab bar code file shelving. This new system has dramatically improved the overall organization and management of HTG records.

Geographic Information System Team

The Geographic Information Systems department has continued to provide support for the various operations of the HTG. Support includes the production of maps, graphics, and statistics for reference or analysis, as well as the examination of policies, acts, or agreements as they apply to different spatial or resource management questions. These products have been used extensively at the table, for table-readiness preparation, to help understand and address pre-treaty issues, shared territory issues, and to help deal effectively with referrals. In the 2005-6 fiscal year, the GIS department deliverables include:

- o Potential Treaty Settlement Land valuation analysis
- o Forestry values - VRI (forest cover) data analysis, FLR classification, critical wildlife habitat
- o Analysis of BC Canada Cost Sharing Agreement Treaty Implications
- o maintain and update Chief Negotiators maps of core HTG interests
- o BC Parks negotiations interests maps
- o Shellfish Aquaculture MoU mapping, Round Island tenure application mapping
- o Cultural Land Selection Research mapping data entry and quality control checking
- o Chemainus First Nation shellfish tenure application map
- o Coordinating corrections to BCTC and MoF website maps of HTG SoI
- o Landsat imagery acquisition
- o Aquifer mapping
- o Governance relations electoral areas map
- o Te'mexw Treaty Association overlap mapping in Malahat area
- o Compilation of GIS dataset for Lower Fraser

- o Digitizing private moorage (part of referrals process)
- o Archaeological Overview Assessment study support
- o Recent logging in Hul'qumi'num traditional territory map
- o "First Nations of the Salish Sea" map for publication
- o Cowichan Tribes data sharing compilation
- o Lake Cowichan Watershed map & area stats
- o Gulf Islands Aerial Video Survey copy & distribute
- o Placenames mapping for Georgia Strait article, Cowichan Dictionary project.
- o Traditional Use Study quality control checking

Of particular note in this work is the work done between HTG and consultant Glenn Bridges on an analysis of the 1993 Canada-BC cost-sharing MoU. This analysis describes the evidence from the 1993 Canada-BC cost-sharing MoU and other related sources which show that Canada and BC limit their land and cash offers to standardize BC treaty settlements, and that in HTG territory where land values are high and Crown land areas are limited, that the practical outcome is an inequitable potential land-cash treaty offer.

Hul'qumi'num Governance Development

Internal deliberations and community consultations continued on the issue of the form and structure of a post-treaty Hul'qumi'num Government, and in particular the relationship of the present-day Indian Bands to this post-treaty Government. Some progress was made in developing interim mechanisms for acting as a single governance body, such as the referral working group and the delegated authorities to the HTG Park Committee to deal with consultation issues in the Gulf Islands National Park Reserve. We have developed relationships with people that we think may be able to assist, such as Chief Commissioner Stephen Point and the National Centre for First Nations Governance, in the dialogue process anticipated for the 2006-7 fiscal year.

Federal-Provincial Government Relations and First Nations Collaboration

Federal-Provincial Government Relations

Hul'qumi'num Treaty Group staff have coordinated meetings with cabinet and high level officials in government to discuss the HTG vision of treaty making in areas where we have seen little progress at the table. Provincially we have held meetings with the Ministries of Aboriginal Relations and Reconciliation, Environment, and Agriculture and Land. The purpose of these meetings has been to illustrate the uniqueness of the HTG situation and to demonstrate that the pre-existing "cookie cutter" approach will not work in Hul'qumi'num territory because of our unique circumstances. Federally in 2005-6, we engaged a number of dialogues with our MP, with senior national and regional officials of Indian Affairs and Fisheries and Oceans to educate them on HTG's distinct situation.

First Nations Collaboration

Hul'qumi'num Treaty Group has invested a lot of time and energy developing positive relationships with our neighbours. This collaboration work has particularly been focussed on Vancouver Island. The HTG has hosted several meetings this fiscal year solely dedicated to developing a strategic approach on how we can work together and implementing this approach by sending jointly signed letters on a variety of cross-cutting issues to representatives of the Crown.

In the 2005-6 fiscal year HTG has also worked in collaboration with the Assembly of First Nations (AFN), having visited the national office to discuss how work done by the AFN nationally could benefit treaty making in BC, and how the work at the HTG treaty table can inform other nations in Canada.

Shared Territory Coordinator

The HTG Shared Territory Coordinator worked with technical staff of the tribes that border or overlap the Hul'qumi'num Treaty Group Statement of Intent. These meetings follow the direction given by the Chiefs and Councils and Elders groups to meet with their neighbours, and to have discussions on a technical level completed in advance.

The detailed shared territory meetings have deal with the following issues:

- Ditidaht/Pacheedaht on resolving shared economic interests
- Te'mexw Treaty Association on post-treaty relationships with Malahat First Nation
- Tsawwassen on a protocol to deal with remains and sacred objects and on land selection
- Snuneymuxw on the status of treaty talks

Over the year, the HTG Shared Territory Coordinator has also met with Sencoten Alliance, Comox, Stó:lō, Pauquachin, Campbell River Band, and Musqueam on fish, wildlife and co-management issues.

To provide a possible resolution to some of these issues, the Shared Territory Coordinator developed an MoU based on a review of all the protocol and MoU's signed between BC First Nations do date. The MoU is anticipated to undergo legal and political review by our neighbouring First Nations in the 2006-7 fiscal year.

HTG has worked to develop other forums for shared territory discussions. A Coast Salish Gathering has been planned as an opportunity to press for a common front on some issues that are being dealt with individually by each Coast Salish nation. HTG has ongoing involvement in the Georgia Basin Action Plan initiative. We have also working with the Lower Fraser Aquatic Resource Management Forum on finding ways to deal with a common resource that we all share. The Shared Territory Coordinator regularly attends the First Nations Summit.

Hwlitsum Coordinator

In the 2005-6 fiscal year, the Hul'qumi'num Treaty Group has considered the potential addition of a seventh First Nation at the negotiating table. Prior to the Hwlitsum First Nation being accepted as full members of the Hul'qumi'num Treaty Group the outstanding questions that were identified by the existing Board need to be resolved. In February 2006 we brought on a full-time coordinator to start working through the outstanding issues with a view to reaching an agreeable resolution by all parties. Community consultations on outstanding issues have taken place, including eight Elders' meetings, one community meeting, one Board meeting, and three Chief & Council meetings.

To date Hwlitsum First Nation has been working on addressing some of these issues through a genealogical study, ethno-history, membership list compilation, and land selection discussions. In the meantime, Hwlitsum is sitting at the HTG Board table and an ex-officio, non-voting member.

HTG Library and Archives

Early in the 2005-6 fiscal year HTG hired a co-op student from the UBC graduate School of Library, Archives and Information Studies to begin to organize HTG's extensive collection of reference material, research reports and primary source material. A number of outcomes were achieved in this project, including:

- application of library standards to create a cataloguing manual,
- identification of structural categories for the online library,
- construction of some thesaurus files
- design of workflow to accession content into the HTG online library (housed in a Xerox DocuShare system).

In February 2006, the HTG entered into a secondment relationship with Royal Roads University for their head librarian to work at HTG as Library and Archives coordinator for a 1-year term. This has significantly advanced the work of building a robust and usable collection at HTG. Subsequent developments have included:

- design and commence implementation of a classification and filing system for online and print reference material,
- upgrade to the Xerox DocuShare system that manages HTG's online records,
- implementation of email notification to alert HTG staff to new reference material that supports their work, and
- identification and implementation of other software and standards that both support the organization of the library and improve the efficiency of information retrieval and use.

Communications Department

HTG continued to make community consultation a priority in the 2005-5 fiscal year. The communications department held a concentrated effort to get as much information to our members as possible on the chapters of our agreement in principal. The following is an overview of activities which has occurred within the communications department in the 2005-6 fiscal year.

Leadership meetings	Elders Meetings	Community meetings	Public meetings	Youth & Educational meetings	Band Staff meetings	Issues Forums
Cowichan Treaty Council	Chemainus Elders	Annual General Assembly	Local Government Relations workshop	Youth Conference	Cowichan Tirbes staff	Fisheries forum
Chiefs Meeting	Penelakut Elders	Community treaty information Meeting	Duncan Mall information booth	School Board (Duncan)	Chemainus Treaty Office	Contaminated Sites forum
Chiefs workshop	Cowichan Elders			Malaspina College public presentation		Referrals forum
Halalt Chief & Council	Halalt, Lake Cowichan & Lyackson Elders	BCTC workshop	National Aboriginal Day celebration	Ladysmith Secondary School		Culture & Heritage internal working group
	Elders Advisory Board	Penelakut community gathering		Woodland Secondary School		Aboriginal Fisheries Strategy issue forum
	Elders Forum	Hwlitsum community meeting				
		Cowichan community meeting				

The communications department held a very successful essay contest which was open to any secondary school student living in Hul'qumi'num Territory. The contest was won by a young writer from Salt Spring Island who wrote his thoughts on the importance of finalizing a treaty.

Though the focus of the communications department has been these larger meetings, they have had regular activities in arranging the agenda packages and the presentations for these meetings, publishing and mailing the newsletter, meeting with community members, filling research requests, correcting the mailing list, arranging for special speakers, arranging travel for guests, and arranging advertisements for different meetings and job openings, and school presentations in relation to the essay contest.

The communications department also worked with the negotiations staff to be current on each of the different chapter topics. They also continued to review and search out new resources that might assist our Chief Negotiator and help our members better understand what is at stake in our negotiations.

