



Hul'qumi'num Treaty Group Status of Negotiations

*Annual Report to the British
Columbia Treaty
Commission*

**HUL'QUMI'NUM
TREATY GROUP**

24 May 2007

Prepared for British Columbia
Treaty Commission

Hul'qumi'num Treaty Group Negotiations Status

Activities of the Tripartite Working Group

During the 2006-7 fiscal year (April 1st, 2006 to March 31st, 2007), we have had an intense focus on negotiating land, resource and governance chapters at the treaty table. We have negotiated over 36 separate main table sessions and another six sessions of technical working groups.

Land & Resource Chapters	Governance Chapters	Process Chapters	Fiscal Chapters
Land (provincial expropriation) (1 day) Land Use Planning (2 days) Culture & Heritage (7 days) Forestry (2 days) *Fish Technical (1 day) *Land Technical (5 days)	Governance (18 days) including law-making for: - child & family - education - health - buildings - business licencing - emergency prep. - adoption - public works - elections - management & administration of govt - divorce - wills & estates		Tax (1 day)
Eligibility & Enrolment (2 days)			

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. Significantly, the table came to consensus regarding Crown Lands. In a report of the tripartite land technical work, adopted by consensus of all parties at the table, we agreed on the foundation for which lands would be considered in an offer. The report was supported by detailed land use projections undertaken by HTG, including identifying lands for community purposes, economic development (commercial, forestry, etc), and cultural or ecological protection. Though BC still has significant elements to declare in relationship to these lands, this consensus has allowed us to renew the Hill 60 Treaty Related Measure which protects the land at Hw'teshutsun for another two years. Land selection discussions are now poised to focus on issues of quantum, which we anticipate to have in relation to an offer.

We have also reached substantive agreement on the on-Treaty Settlement Lands elements of the chapters on culture and heritage, land use planning, forestry, and to a lesser degree water. The parties were able to find a significant level of agreement in many of the elements of law-making and intergovernmental relationships that surround these on-Treaty Settlement Lands issues. For water, there are still significant gaps in relation to treaty provisions for ground water.

Chapter	# of Clauses Tabled	# of Clauses Agreed	(% agreement)
Amendment	13	0	(0%)
Heritage Sites & Repatriation	36	21	(58%)
Environmental Assessment & Protection	22	7	(31%)
Dispute Resolution	47	47	(100%)
Dispute Resolution Apdx. 1-6	306	304	(99%)
Fiscal Relations	23	4	(17%)
Capital Transfer	21	19	(90%)
Taxation	27	0	(0%)
Fisheries	under 'concepts' development		
Forestry	51	19	(37%)
Governance	84	42	(50%)
Law-Making Provisions* (see next pg.)	164	44	(27%)
Eligibility & Enrolment	75	60	(80%)
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	55	5	(10%)
Provincial Parks	33	11	(33%)
Federal Parks	30	27	(90%)
Ratification	21	18	(85%)
Approval	5	0	(0%)
Reconciliation	16	0	(0%)
Water	48	24	(50%)
Wildlife	88	10	(12%)
Migratory Birds	57	16	(28%)

Law-Making Provisions	# of Clauses Tabled	# of Clauses Agreed	(% agreement)
Education	33	2	(6%)
Health	20	0	(0%)
Child and Family	20	10	(50%)
Adoption	9	6	(67%)
Marriage	3	3	(100%)
Emergency Measures	5	4	(80%)
Traffic & Transportation	5	0	(0%)
Buildings & Structures	6	1	(17%)
Public Works	2	2	(100%)
Business Licencing	5	4	(80%)
Elections & Referenda	4	4	(100%)
Administration & Management of Hul'qumi'num Government	16	3	(19%)
Social Services (other than Child & Family)	11	5	(46%)
Wills & Estates	10	0	(0%)
Family Breakdown	15	0	(0%)

Though a great deal of time was spent negotiating the law-making provisions of the governance chapter, few law-making issues were brought to a conclusion. Central to the disagreement is a difference in vision of the nature and extent of governance powers. Also at odds are persistent issues around the legal mechanisms by which law-making powers should be reflected in the agreements, and in particular differences in understanding about the operation of the concurrent law model.

The parties also consistently expressed disagreement about the extent of authority, influence and power a post-treaty self-government would have over lands and resources off-TSL. Issues of shared decision-making, co-management, delegated authorities, and off-TSL harvest rights and governance were largely unresolved.

Chief Negotiators Agree to Show Progress by Steering Negotiations around ‘major gap’ issues

At the only meeting of the Chief Negotiators held in the 2006-7 fiscal year, Canada provided its annual assessment of progress at the table. At this meeting, it was observed that the table had been largely unable to conclude chapters other than process chapters. Canada expressed clear needs to be able to “measure output” in the audit of numbers of chapters that the table has been able to close. HTG acknowledged that for a great many of the chapters, HTG’s comprehensive and integrated approach to the off-Hul’qumi’num

Lands issue has been the point of disagreement between the parties, preventing the table from concluding many chapters.

Substantively Complete (80-100% of clauses)	Significant Agreement (50-80% of clauses)	Significant Disagreement (10-49% of clauses)	No Agreement (0-10% of clauses)
Dispute Resolution	On-TSL Heritage Sites	Fiscal Relations	off-TSL Heritage Sites
Capital Transfer	ON-TSL Forestry	Fisheries	off-TSL Forestry
Implementation	On-TSL Land Planning	Land Chapter	off-TSL Land Planning
Indian Act Transition	Governance Chapter	Access	Taxation
Federal Parks	Eligibility / Enrolment	Provincial Parks	Subsurface
Ratification	Water	Wildlife	Approval
Marriage	Child & Family	Migratory Birds	Reconciliation
Emergency Measures	Adoption	Environmental	Education
Public Works	Social Services	Management	Health
Business Licencing		Administration of Govt	Traffic & Transportn.
Elections & Referenda			Building & Structures
			Wills & Estates
			Family Breakdown

To respond to the need to show more progress on completing chapters and establish a more solid foundation of agreement upon which to resolve the outstanding gaps, the Parties agreed to spend the remaining time in the 2006-7 negotiation calendar to conclude the on-Treaty Settlement Lands elements of the treaty chapters.

On October 28, 2006, HTG became a founding member of the Unity Protocol, an agreement amongst First Nations that six of the major issues which treaty tables are working on must be negotiated at a higher-level with Governments. The six issues include (1) constitutional status of treaty settlement lands, (2) nature and operation of the concurrent law-model, (3) co-management and shared decision making, (4) own-source revenue and taxation, (5) certainty and extinguishment, (6) fish rights, allocation and management. At the next HTG tripartite working group meeting in November 2006, HTG tabled this same list of ‘big-picture’ issues as topics which would not be further engaged by HTG in chapter-language discussions until higher ‘mandate’ level discussions with governments had concluded through the work of the Unity Protocol.

Prioritizing HTG efforts to meet the challenges presented by the ‘major gaps’

HTG is committed to vigorously pursuing our goal of a comprehensive Agreement-in-Principle. Acknowledging the major gaps that have been identified in the chapter drafting exercise, we have re-configured our efforts to apply ourselves in ways that will efficiently reach this goal. We have taken a leadership role in the Unity Protocol process, which is seeking more effective ways to engage Federal and Provincial mandates on the major gap issues. We have put significant energy into policy development to build the link between the New Relationship policy and the treaty talks in areas of shared decision-making which, we hope, will provide the substantive basis for resolution of many if not most of the off-Treaty Settlement Lands issues in treaty. We are investing important internal time and resources to find creative solutions for the resolution of outstanding issues arising from privatization of most of HTG territory in

1884 for the E&N railway. We have worked on developing the governance capacity of the member First Nations through the implementation of a shared-decision making board, a referrals technical working group, on-going joint participation in the management and planning of the Gulf Islands National Parks Reserve, and the development of computerized archaeological potential mapping. We have undertaken comprehensive community consultation processes regarding eligibility and enrollment, land selection and a Hul'qumi'num Government constitution. These activities have helped put HTG in a good position to overcome the major gaps presented at the treaty table, and to continue to implement the principles of self-government.

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 HTG staff.

Chief Negotiator

Chief Negotiator Robert Morales has continued his central role in leading the tripartite negotiations. He has conducted strategic legal analysis, in concert with the negotiation staff and managers, of positions being taken at the treaty table. He has also continued to personally participate to a high degree in community consultations, including regularly meeting with:

- chiefs and councils,
- the HTG Board of Directors,
- HTG Elders Advisory Board,
- member First Nations Elders Advisory Committees,
- HTG women's caucus,
- general community meetings, and
- youth forums.

He has exercised leadership in providing strategic direction on the negotiations and related activities to the HTG managers and executive director.

In addition to the work related to the chapter negotiations at the treaty table and community consultations, HTG's chief negotiator has been involved with consultation meetings with DFO regarding the Fraser River fishery, the BC First Nations Fish Forum, and the AFS program. He has worked with the shared territory coordinator and natural resources manager to implement the HTG fisheries protocol with Musqueam and Tsawwassen. He has also been involved in consultations about the proposed impacts of a National Marine Conservation Area, and the expansion of the Deltaport terminal.

In an attempt to find solutions to break the deadlock on the 'major gap' issues at the treaty table, Robert Morales has also engaged high-level political leadership of Canada and BC. He has met with Ministers DeJong (MAAR), Penner (Environment), and Prentice (Indian Affairs); Senator St. Germain, Jack Layton, Jean Crowder, Anita Neville, Randy Kamp MP, James Lunney MP. He presented evidence before the Aboriginal Standing Committee regarding the BC Treaty Negotiations, the first such presentation ever made before that committee. He has also met with the senior bureaucracies of Canada and BC regarding

treaty issues, including Lynn Bernard, INAC Director General, Deputy Minister Julian Payne, and the provincial deputy ministers of Tourism, Sport and the Arts; Children & Families and Health.

In his role as chair of the Chief Negotiators of the First Nations Summit, and as a founding member of the Unity Protocol, Robert has also participated in numerous policy development and political forums, including the Leadership Council, FN Summit Task Group, the New Relationships working group, AFN, and the RFING Committee. He has led meetings with other Vancouver Island treaty tables, and presented to the Lheidli T'enneh membership in a pre-ratification meeting.

Robert Morales has become a sought-out personality in the media, providing critical comment on treaty issues in numerous radio interviews, newspaper articles, and local and provincial television broadcasts. He has reached out to the non-Native community through presentations to the Anglican Church, a public rally of the Western Canada Wilderness Committee, and to various university classes.

Negotiations Management, Support and Projects

This year, HTG's negotiation support staff (Brian Thom and Lea Joe) continued to focus most of their efforts on activities related to chapter development and the negotiations of the tripartite working group. As the table has met generally every two weeks for the entire year, this has involved a regular cycle of conducting research and chapter drafting, meeting with community representative to discuss the core elements of the chapters, engaging the tripartite negotiations, and doing the follow-up work required (revisions to chapters, development of new options for outstanding issues) after the negotiation session completed. We have developed efficient internal team processes to keep up with this rigorous schedule.

The Negotiation Support staff have been working on developing options and new approaches to resolve outstanding issues at the treaty table. Brian Thom has directed the research being done by HTG on engaging British Columbia on Shared Decision Making. He has worked on alternative models for land tenure in treaty, including commissioning a major legal analysis of allodial title and participated in the Westbank First Nation workshop on status of treaty settlement lands. Working with the HTG GIS department, Brian Thom also lead the work being done on land selection. This work was used in the discussions of the land tripartite technical working group, which led to the conclusion of the consensus lands discussions, resulting in the Hill 60 Treaty Related Measure to be renewed for two more years. He also has led the technical review of the Final Agreements, writing analysis of the impacts of those agreements on HTG negotiations.

Communications has been an important ongoing component of the negotiation work. Strategic communications has been the major focus of Brian Thom's work, including revisions and updates to the HTG website, being editor of a new HTG-published book on the history and impact of the E&N Railway Grant. He has been involved in maintaining HTG's media profile, being featured in local, regional and nationally published newspaper articles on treaty issues this year. Community communications efforts were also an important part of the work of Brian Thom and Lea Joe, including providing detailed presentations on the status of negotiations, land selection and eligibility and enrolment in member First Nation community workshops and forums.

HTG made some internal organizational changes this year, creating a management team on which Brian Thom was one of four members, reporting to the executive director and chief negotiator. On this management team, Brian Thom played a key role in implementing the Chief Negotiators strategic

directions, doing budgets and expenditure planning, work-planning, staff hiring and reviews, and supervision.

Legal Counsel

The primary duty of HTG legal counsel Renee Racette in 2006-2007 was chapter drafting for the Agreement in Principle. Renee researched and helped prepare treaty chapters along with editing and researching existing chapters (for example, eligibility and enrolment, scope of power - Governance). Included in her duties Renee concluded both formal and non-formal legal opinions. For example, Renee drafted opinions on contracts for the Hul'qumi'num Treaty Group (ITC computers and short legal memorandum on aspects of topics such as terms like "inconsistency"). In preparation for negotiations, Renee drafted speaking notes for Brian Thom and Robert Morales on various topics as well as assisted at the Treaty Negotiations where required.

As Legal Council, Renee's duties varied from working with technicians to research and draft treaty language (Fish, Forestry, EA/EP) to reviewing correspondence for the Treaty Group (referral work). Renee created and presented various treaty chapter topics to the community members and their institutions. This included presentations to Elders groups, youth groups, Cowichan Health Centre and Cowichan Child Welfare Centre. Renee also participated in the extended consultations with community respecting Eligibility and Enrolment criteria for the treaty. She also assisted in presentation to the Internal working Group as part of consultative duties to scrutinize the Chapter language.

Renee has also provided, on a case-by-case basis, legal advice for individual HTG community members with aboriginal rights legal questions.

Due to new parenting obligations, Renee was on maternity leave for approximately 3.5 months and then worked on a part time basis for 3 months. Merle Alexander of the Boughton law firm provided drafting and advice on Health, Education, Justice and Conflicts of Laws.

Natural Resource Department

In the 2006-2007 fiscal year, Natural Resource Manager, Cheri Ayers, took a leave of absence and a fisheries manager, Dana Haggarty, was hired to work on fisheries and oceans related issues. Over the year, several projects related to work on the fisheries and oceans chapters were completed. Four contracts were completed:

- 1) Co-management in the Fisheries and Oceans Chapters: this report outlines a strategic approach and framework for negotiating the co-management of fisheries oceans resources as well as drafting language for the chapters.
- 2) Oceans Chapter Development: this contract has two main parts, a review of existing Canadian Oceans mandates and management criteria, acts and legislation related to management of Ocean waters; and the development of a framework and draft concepts for an Oceans Chapter for the HTG AIP.
- 3) Marine Use Plan Roadmap: this project has four parts, a bibliography of in-house data relating to marine use planning; a vision for a Hul'qumi'num Marine Use Plan; an economic opportunities analysis for the marine regions of the HTG Core Traditional Territory; a map and report identifying potential conflicts

and opportunities for marine use for the HTG Core Traditional Territory;

4) Legal Analysis of Aboriginal title to the foreshore and seabed. Review the legal framework including the common law views of title to the foreshore and seabed and an analysis of how aboriginal title fits within this.

The Fisheries Manager/Natural Resource Manager also continued to work on a number of pre-treaty initiatives. HTG continued their discussions with Fisheries and Oceans Canada on the rights and title of all Hul'qum'num Member First Nation (HMFN) to the Fraser River. HTG also continued to support HMFN during their Aboriginal Fishery Strategy (AFS) negotiations. AFS negotiations at the collective level focused on the development of a consultation protocol with Fisheries and Oceans Canada, increasing economic opportunities for the HMFN, and the negotiation of fair AFS agreements. HTG has also been facilitating a capacity building proposal for the development of an AAROM (Aboriginal Aquatic Resources and Ocean Management) body. The fishery manager has also been involved in initiatives related to marine conservation including Southern Strait of Georgia National Marine Conservation Area (NMCA) Feasibility Study Project team, the NMCA Science Network, and the BC Marine Conservation Utility Analysis. HTG continues to support the signing of an MOU between Hul'qum'num (Qum'ul Seafoods) and the Province.

One Tripartite Fisheries Technical Working Group meeting was held in August of 2006. Core Concepts for the Fisheries Chapter were discussed.

Environment Consultant

Treaty Chapters - Water

Table negotiations for the Water Chapter were held in February and March, 2007. As with all other chapters, negotiations were for the most part restricted to future Hul'qum'num lands. All Hul'qum'num interests were reviewed in advance of these negotiations. An emphasis was placed on the provision of adequate water supplies for domestic, cultural and economic use for both the Communities and the Candidate Lands. Detailed demand estimates for the Candidate Lands were re-assessed and presented to the Hul'qum'num Land Technical Working Group prior to the preparation of Draft Language for the negotiations.

One of the major outstanding issues in the Water negotiations is achieving consensus on how Communities, and any potential development of the Candidate Lands, will obtain reliable amounts and sources of water into the future. The eastern section of Vancouver Island has been facing summer water shortages for some time now and it is evident to the HTG negotiators that a treaty reservation of water for the Hul'qum'num people must include a groundwater component. However, the negotiation table has yet to successfully address this issue, primarily due to the reluctance of the provincial government to engage in an area wherein they are lacking in regulatory authority (provincial water statutes do not provide regulation for the allocation and management of groundwater).

Treaty Chapters - Environmental Management

Table negotiations for the Environmental Management Chapter were not held in 2006-07 but were held in May 03-04, 2007. As with all other chapters, negotiations were for the most part restricted to future Hul'qum'num lands. Work carried out in 2006-07 in preparation for these negotiations included an updated

review of the major Hul'qumi'num interests over environmental management, presentations to the Hul'qumi'num Land Technical Working Group and the preparation of Draft Language.

The development of a model which provides for the fullest participation by future Hul'qumi'num governments in environmental assessments of proposed developments that impact Hul'qumi'num Lands and other rights will constitute the major challenge for the negotiation of this chapter.

HTG Shared Decision-Making Policy Team

This is the second year where HTG has maintained a significant and sustained effort to develop a comprehensive design of Shared Decision Making (SDM) over natural resource management. Our goal for this work is to re-establish Hul'qumi'num authority, in partnership with senior governments, over the management of the use of natural resources in the Hul'qumi'num Traditional Territory. The mandate for this work has come from the Chiefs, Elders and Community Representatives who have directed HTG to maintain a Hul'qumi'num connection to 100% of the Traditional Territory. SDM Work for this year has been carried out on two fronts - external and internal strategies.

Brian Olding has led the external strategies through policy research and the development of the approach to negotiations with the provincial government over SDM. A review of the evolution of the provincial government's mandate over land use planning and resource management was carried out through an analysis of First Nation interests in the Clayoquot Sound, Great Bear Rainforest and Haida Gwaii land use struggles. This analysis resulted in report entitled *Treaty Mandate Movement: A Strategic Approach for Negotiating Shared Decision Making with the Province of British Columbia*. The document provided conclusions and recommendations on best approaches for the negotiation of SDM.

Networking was initiated between HTG and Greenpeace, the Sierra Club, West Coast Environmental Law and the Western Canada Wilderness Committee (WCWC), culminating in a shared public rally with HTG, the Hupacasath First Nation and WCWC at the Victoria legislature buildings on September 23, 2006. The first version of the strategic path for carrying out negotiations with the provincial government for SDM over natural resource management was completed in March, 2007. This work summarizes the definition and direction of SDM.

Concurrently, Jess Rogers led an internal strategy to respond to the Hul'qumi'num people's expectations for the New Relationship and their anticipated need for an internal decision-making process capable of articulating with Provincial decision-making structures. This required designing and facilitating a process to create a structure for the six member Nations to share decisions over the management and use of natural resources within their collectively claimed territory. The process involved each member Nation appointing a representative to the Shared Decision-Making Oversight Body. Support was sought from the member Nation's Chiefs and Councils to mandate the Oversight Body to develop and reach agreement on a set of recommendations for Hul'qumi'num natural resource decision-making. Through the use of workshops and facilitated discussions that addressed key institutional design questions such as authority, participation and decision rules, the Oversight Body drafted the 'Terms of Reference for the Hul'qumi'num Shared Decision Making Body'. The TOR was forwarded to all six Chiefs and Councils for recommended ratification. Each Nation appointed a representative and the Hul'qumi'num Shared Decision Making Body was formed. Since its formation in February, the HSDMB has undergone capacity training workshops tailored to help them in their role as natural resource decision-makers.

The next steps in operationalizing the Hul'qumi'num vision of shared decision-making involve: integrating the internal and external strategies, finalizing the strategic path for carrying out negotiations with the provincial government, and the continuation of Hul'qumi'num decision-making capacity building through the HSDMB. We envision that this will lead us back to the treaty table in order to jointly create the policy and institutional links necessary to realize the goals of Shared Decision-Making.

Archaeology, Culture & Heritage

The tripartite working group revisited the culture and heritage provisions of the treaty this year to attempt resolve the heritage site management provisions for sites, artifacts and ancestral remains found on Treaty Settlement Lands. HTG staff archaeologist Eric McLay played a central role in preparing for these negotiations and providing advice to the Chief Negotiator at the table. Though the on-TSL elements of this chapter were unable to be concluded due to significant differences in views of the parties, important progress was made.

In an effort to continue building HTG's pre-treaty governance capacity, Eric McLay spent a significant amount of time reviewing and commenting on Archaeology Permit Applications, provide advice on heritage issues to HTG GINPR Parks Committee, and giving strategic input into HTG responses to referrals received from various government and private sector agencies. Many of these issues had significant media profile, for which Eric McLay was able to provide unique expert views reflecting Hul'qumi'num values and objectives. These issues have highlighted the importance of reaching an appropriate and acceptable treaty settlement with respect to off-TSL heritage sites and ancestral remains.

While the treaty table has not been able to reach off-TSL solutions for heritage sites and ancestral remains, steps were taken in an pre-treaty context to address this important issue. HTG negotiated a draft MOU with the Archaeology Branch to help improve communications and build co-management working relations on provincial heritage conservation throughout Hul'qumi'num traditional territory in a pre-treaty context. The MoU provides an avenue for HTG to have significant participation in the provincial permit process. A key part of this MoU involves HTG's development of an archaeological potential model for the SOI as a strategic tool for heritage conservation. HTG has developed and implemented this sophisticated computer model, in anticipation of the signing of this MoU with the Province.

Referral Coordination Office

As reported in the 2005-6 fiscal year, the HTG Chiefs provided HTG a mandate for handling referrals from the Crown or third parties if they meet any of the following:

1. To respond to issues that impact treaty negotiations;
2. To provide a coordination role in the Technical review of a referral that impacts more than one member First Nation, per the Board of Directors resolution; and
3. When requested by a member First Nation to assist or provide technical support in referral response.

The HTG Referral Coordination Office has worked on the following issues:

- Vancouver Island Transmission Line Replacement (VITR) in the Georgia Strait, federal and provincial environmental assessment review processes, concluded in February 2007.

- VITR Environmental Management Planning review processes began in March 2007 and are ongoing into the new fiscal.
- Two Hul'qumi'num member First Nations have signed agreements with BC Hydro, the other four are currently in negotiations with BC Hydro.
- Deltaport Third Berth Expansion DP3 federal/provincial environmental assessment review processes concluded in September 2006, federal permitting processes concluded in December 2006.
- Dock legalization requests, continually coming in and ongoing; a concept to address Dock Legalization requests is to work with Natural Resources/Fisheries in a Marine Use Planning exercise.
- Crown Land Sales, referrals are continually coming in.
- Private Land Developments and Local Government Referrals, specifically with regard to the Salt Spring Island Official Community Plan, ongoing into the new fiscal.
- Legislative and Policy reviews coordinated include the provincial Ministry of Environment, Integrated Pest Management Act and Proponents Consultation Guidelines; anticipated in the new year, the Federal Fisheries Act, the Provincial Wildlife Act.

Our role in processing referrals is to act as a resource and support body for the Hul'qumi'num member First Nations. If requested or directed, we can also facilitate a consultation process. To promote effective consultation, the Hul'qumi'num Consultation Policy publication is distributed to proponents and government at every opportunity.

The Referrals Technical Working Group (RTWG), made up of representatives from each of the member First Nations has established a regularly scheduled meeting date on the fourth Wednesday of each month. Guests include government and/or proponents to speak to or introduce their proposals at a technical level. Up to seven projects are reviewed at each meeting.

The Referrals Coordinator worked closely with the Natural Resources Project Coordinator on the Shared Decision Making - Phase Two (SDM) project. The SDM project was identified as being a fundamental component in referrals response as the SDM body provides a mechanism for decisions to be made and this provides a conclusion for referrals research. It is envisioned the RTWG will provide technical insight to the decisions of the SDM Body.

Geographic Information System Team

The Geographic Information Systems team supports the various endeavours of the Hul'qumi'num Treaty Group. Maps, graphics, and statistics produced through the GIS have been used for reference, analysis, and presentation, which has facilitated the significant progress of the HTG. Additionally the GIS team has been involved in the examination of policies, agreements, and models for spatial and resource management to enable effective decision making by the HTG on these matters.

The products of the HTG GIS team have been extensively used 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. The following list of the GIS department activities and accomplishments in the 2006 - 2007 fiscal year illustrates some of the ways in which the GIS team has provided this support:

- Improved geographic visualisation, eg. enhanced hill-shading, colour orthophotos

- Land selection process strategic workflow plan
- Land status & Valuation analyses, Land technical working group submissions
- Crown Land Review Atlas, Field reconnaissance of potential TSL using GIS framework.
- Tabled Fraser River (*Tl'uq̓tinus*) Land Interests Presentation.
- Development of Crown Land Consensus Package/Report to meet Hill 60 TRM Renewal Deadline
- Land Selection Presentation to Elders Forum and Youth Forum
- BC Timbersales mapping & analysis
- Completed Phase 2 TUS QC; ongoing development of reporting and display capability
- VITR TUS GIS management.
- Investigated 'rediscovered' 1996 TUS
- BC Archives historical mapping and records research & acquisition.
- E&N historical map, E&N book maps, and specific claims research;
- Shared Territory maps, Tsawwassen, Maa Nulth
- Internal boundaries research
- Investigate BC Online and Gator account setup
- Referrals response: eg. private moorage, paldi village, Laramide mine claim, Nanaimo Lakes elk hunt
- GIS data compilation & liaison: Marine Use Planning; Shellfish Safety project; Forestry Consultants GIS data compilation; CFN Reserves base mapping; Penelakut Tent Island planning
- Evaluation of Archaeological Potential Model Results, data acquisition for improvements incl. shorezone & LIDAR.
- Supplied maps for hunting study
- Coast Salish Conference Poster design
- Attend GIAC CGDI workshop and ERUC
- Upgrade to ArcView 9.2, add Autodesk WMF Mapping Capability
- Continual update & improvement of metadata and intuitive file structures; evaluate Global Mapper; write map rack index; acquire LUCO coastal resource and shorezone unit data

Governance and Policy Department

In 2006 a Hul'qumi'num Leadership Council was established. This council is comprised of the Elected Chiefs and Councils and Hereditary Chiefs of the Hul'qumi'num Communities. They sit together to discuss issues they share in common as it relates to nation building and Treaty making. The leadership met on a monthly basis with leadership forums held quarterly. The leadership forums were for provisional/leadership development. The leadership would spend a few days together away from their home communities, in order to develop ideas and work on the future governance models for the Hul'qumi'num people.

The HTG formed a Constitution Development Technical Committee comprised of Hul'qumi'num experts (community members with post-graduate degrees) throughout the Hul'qumi'num communities. The committee met on a weekly basis during the last quarter of the fiscal year. These community experts from a variety of different educational and experiential backgrounds would meet to discuss draft clauses for the Hul'qumi'num Constitution and would make recommendations on Constitution Language.

An extensive amount of time was spent meeting with the six Hul'qumi'num communities to discuss their ideas, issues, concerns, and recommendations for the Hul'qumi'num Constitution. There were meetings held in each of the six communities on a regular basis as well as collective meetings on a quarterly basis for

all Hul'qumi'num community members. In addition, presentations were conducted at the Hul'qumi'num Elders Committee meetings. The Hul'qumi'num Elders have contributed a great deal to the constitution. The HTG held an all Elders' Forum and a Youth Forum to discuss in more detail the Hul'qumi'num Governance Structure and the Draft Constitution.

Shared Territory Coordinator

The HTG Shared Territory Coordinator worked with technical staff of the tribes that have competing claims within the core Hul'qumi'num statement of intent area. These meetings follow the HTG strategic plan to hold political discussions at a technical level with neighbouring Nations. The shared territory meetings have dealt with the following issues:

- Draft was presented to the Dididaht/ Pacheedaht in an effort to resolve the shared economic interests
- Coordinating with Chemainus in discussions with Snuneymuxw on the status of treaty talks
- Fisheries Protocol agreement was signed with Tsawwassen and Musqueam, Chemainus, Lake Cowichan, Penelakut, Halalt, and Lyackson on April 12 2007.

The Shared Territory Coordinator has drafted a similar agreement with the Sliammon First Nation to deal with overlap and boundary issues, resource management, which HTG hopes to implement in the coming fiscal year.

The Coast Salish Gathering was held January 24-26 2007 in Duncan and included 75% of the Coast Salish Leadership of the Salish Sea Eco Region. The Gathering also included participation from Canadian and US federal, state and provincial offices who met to discuss environmental issues on the shared eco region.

The Coast Salish Gathering supports the collaboration between the five governments to protect the environment of the Salish Sea Eco Region. The success of the Coast Salish Gathering and the Fisheries Protocols have been valuable in unifying the Coast Salish Tribes and Bands in their efforts with the Canadian, US, BC, and Washington State governments in the common goal of protecting the environment of the Salish Sea.

Cooperative Management and Planning Agreement with Gulf Islands National Park Reserve

HTG and Parks Canada continued to collaborate on the management and planning of the Gulf Islands National Park Reserve through a new agreement signed on May 20th, 2006. This agreement provides a new framework for consultations on activities proposed by Parks Canada and a new governance model for HTG communities, where chiefs and councils delegated authority to their representatives to make decisions on Park issues. In a highly successful year, the committee met nearly 25 times, guiding the development of area plans, overseeing environmental assessments, and developing park interpretive materials. These activities have been a very valuable forum for test-driving the principles of the draft HTG National Parks treaty chapter, and for having six communities work with one voice in making decisions over land and resources in Hul'qumi'num territory.

Hwlitsum First Nation Membership

During the 2006-07 year the Hwlitsum First Nation and Hul'qumi'num Treaty Group continued exploring

options around defining the terms to facilitate Hwilitsum's request to become a full member of the Hul'qumi'num Treaty Group. A series of community consultation initiatives were undertaken which included: seven elders' meetings, eight chief & council meetings, four HTG Board of Directors meetings, one meeting with the Cowichan Tribes Treaty Committee, and one community meeting. In addition to the community consultation initiatives, Hwilitsum First Nation focussed on completing the outstanding questions that were identified at the beginning of this exploratory process. A final report was presented to the Hul'qumi'num Treaty Group Board of Directors in March.

While the Hul'qumi'num Treaty Group Elders have long acknowledged that the Hwilitsum people have ancestry with Hul'qumi'num communities, in particular Penelakut Tribe, the Board was unable to unanimously accept Hwilitsum First Nation as a full member of the Hul'qumi'num Treaty Group. It was determined at the Board meeting that the Hul'qumi'num Treaty Group would help coordinate a meeting between Penelakut Tribe Chief and Council and Hwilitsum First Nation at which time they can continue the process of working out terms of reference for Hwilitsum to possibly enter negotiations through the Penelakut Tribe.

HTG Library and Archives

The HTG Library and Archives provides information management expertise to support Treaty-related activities of the HTG. This year HTG entered into a secondment agreement with Royal Roads University, acquiring their head librarian Dana McFarland to complete the implementation of HTG's physical and electronic library. The work including:

- developing and maintain logical, intuitive, standards-based digital and physical filing systems for material in all media
- developing and maintaining controlled vocabulary (thesaurus) and classification schemes
- developing and maintaining policies and procedures related to management of reference and archival material
- developing and maintaining systems for tracking the physical location of non-electronic materials
- cataloguing material, applying library and archival standards for description
- training system users and assisting in information retrieval and management using diverse technologies and applications
- maintaining news clippings, booklist, and media coverage database on the HTG website;
- maintaining a current awareness service for researcher and negotiation staff
- maintaining the physical organization of the library and archives, including shelving of books and storage of other materials

HTG is grateful for having the substantial support and partnership of Royal Roads University in this collaborative endeavour.

Communications Department

The HTG Communications Department has continued their efforts to consult with as many community members as possible in the 2006-2007 fiscal year. Our web site has been updated and is now easier to access and contains much more information than our previous web site (www.hulquminum.bc.ca). We ran a series of radio ads on Sun F.M. which featured local community member voices. In our continuing effort to reach as many members as we can we held a series of pancake breakfast meetings in each of our member

communities. In March we held a well attended youth conference at the Quw'utsun' Cultural Centre. Prior to this we held a series of four youth leadership workshops at the Hiiye'Yu Lelum Friendship Centre in Duncan. We also held a Christmas meeting with each of our member communities.

We were fortunate to be able to host a number of prominent speakers at our assorted meetings throughout the year such as retired Judge Thomas Berger, Environment Minister, Barry Penner, University of Victoria Ethno-botany Professor Dr. Nancy Turner, Assistant Deputy Minister of the Ministry of Children and Family Development Debra Foxcroft, Tsartlip member Carl Olsen who spoke on his night hunting court case, Sarah Morales who spoke on the Constitutional Status of Lands and What Happens to CP's after Treaty, the Pacific Peoples Partnership, the Saltspring Island Heritage Group, Member of Parliament Jean Crowder and BCTC Commissioner Stephen Point.

In addition to these prominent speakers various members of the HTG staff were called on to give presentations on a wide range of topics. Our Chief Negotiator provided regular negotiation updates, and other staff members reported to the community on issues including fisheries, referrals, governance provisions of the treaty chapters, archaeology, language revitalization, constitution development, land selection, cooperative management of the Gulf Islands National Park Reserve, eligibility and enrollment criteria, and shared territories.

Regular meetings of the Elders were held, including monthly meetings of the HTG Elders Advisory Board, monthly meetings of the individual Elders Advisory Committees of Chemainus, Penelakut, Cowichan and the joint Halalt/Lyackson/Lake Committee. There was an annual Elders Forum, which was a joint meeting of all the Elders Advisory Committees where land selection and governance were discussed in detail. These Elders Boards and Committees have been essential in guiding the negotiations. Our annual Christmas feast was held to thank the Elders for their important contributions.

The Aboriginal Day gathering was very successful this fiscal year attracting around 5000 local residents. This was a joint effort by the Cowichan Tribes staff and the HTG Communications Department. Our department was called on to assist in a number of local school presentations. The Chemainus First Nation has been hosting a regular schedule of different school classes that are visiting their boardroom. The communications team joined Chemainus' Treaty Advisor George Harris in sharing information relating to our work. The HTG participated in a number of school education projects, including the Chemainus Elementary School Cultural Day Celebration, presentations at the Ladysmith Secondary, Queen Margaret and John Barnsby Schools. We also hosted, with Chemainus education coordinator Charlotte Elliot, a meeting with a group of School District 68 teachers to introduce them to the Hul'qumi'num territory. We assisted the community treaty offices in their communication efforts, as well as providing support to the HTG Women's Forums.

At both the HTG Annual General Assembly and our general membership information meeting, community members expressed a desire to have some simple to understand, one page documents which explain some of the topics that we are negotiating. With the help of Uvic law school doctoral candidate Sarah Morales, we were able to produce a series of new information pamphlets covering the topics of Constitutional Status of Lands, Concurrent Law Model, Governance, Hunting, What Happens to my CP after Treaty, Education, Health, Child & Family Services, and Treaty Settlement Lands.

In our seasonal Treaty Newsletter we are making a concentrated effort to improve our mailing list and locate those members who have either moved or lost contact with the HTG.

Administration and Board Policy

The Board of Directors held its annual general meeting October 2007 and the board elected Chief Lisa Shaver as President, Chief Richard Thomas as Vice President and Chief Cyril Livingstone as Secretary Treasurer. Some of the achievements for the Board this fiscal year were focussed on changing government policy by initiating the "unity table" to achieve 100% mandate. Final approval stages of the board policy manual was held at a two day retreat in February 2007. The Finance committee was restructured which includes the executives of the board and their terms of reference being modified to adhere to the new board policy manual.

We were successful in obtaining additional contribution agreements in support of treaty initiatives from Health Canada, British Columbia Capacity Initiative, Environment Canada, Status of Women of Canada and Indian and Northern Affairs Canada.

Hul'qumi'num Treaty Group held its Annual General Assembly in November which is a requirement of the society act. Audited statements were presented to the membership and the negotiation support team created information booths for the membership to obtain specific information on projects. A power point presentation was provided by the Chief Negotiator on the current state of negotiations. The annual report and the audited financial statements were added to our web site.

Overall 2006-2007 was a successful year in meeting our short term goals and we continue to strive for greater success in the future.