

HUL'QUMI'NUM
TREATY GROUP

SPECIAL
POINTS OF
INTEREST:

- Ray Harris elected as First Nations Summit Co-Chair.
- Common Table
- OAS Petition
- New Summit Task Group Members
- Win a Treaty Board Game

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TREATY TALK

VOLUME 15 ISSUE 1



SUMMER 2008

Chief Peter Cecil John Seymour



Born December 28, 1949 passed away June 4, 2008

The leaders and staff of the Hul'qumi'num Treaty Group would like to take this opportunity to pay their respects to the Chemainus First Nations Chief Peter Seymour.

The Chief was a strong

voice for the culture of our people and a leader who was very much respected in a very wide circle of First Nation organizations. Chief Peter was the Vice-President of the Hul'qumi'num Treaty Group Society and was very active at

the negotiation table. Although he will be greatly missed we know that his family will carry on his work in the areas of sports and culture. All our best to his wonderful wife Gertrude and his loving family.

Chief Negotiator Report



Report on the Common Table

By Robert Morales,
Chief Negotiator

I want to start by extending my very best wishes to all our Hul'qumi'num Mustimuhw families. I hope you are having an enjoyable summer. We continue to be extremely busy in our treaty work. The HTG has been working at getting a Common Table established for the past couple of years. We finally were able to convince government to participate and the table was established in January. After initial meetings we were able to commence the hard work of the actual negotiations in April.

The Common Table

met for 13 days of negotiations in Vancouver during the months of April, May, and June. Three spokespersons were selected to speak for the 60 plus First Nations participating, those being Chief Robert Louie (Westbank), Bev Percival (Gitksan), and Robert Morales (HTG). First Nations identified six issues that we put forward as key issues that we have been unable to get government to move off their predetermined positions. The six issues negotiated at the Common Table were:

1. Recognition & Certainty
2. Status of Lands
3. Shared Decision-Making
4. Governance
5. Fiscal
6. Fish

I will briefly discuss each of these six issues that were negotiated at the Common Table.

The first is recognition/certainty, which is meant to deal with the history of denial of aboriginal title and

rights in British Columbia.

Recognition/certainty

We proposed that there must be recognition of aboriginal title and rights stated in the body of the treaty. This recognition must reflect a legal and constitutional commitment by the Government of Canada and British Columbia.

We proposed that aboriginal title and rights will continue to exist following the conclusion and implementation of a treaty, that there must be no modification or extinguishment of these rights.

We proposed that the treaty will set out how rights will be exercised

Constitutional status of lands

The second issue that we dealt with at the Common Table was what is referred to as the constitutional status of lands.

We put forward the following four options.

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We proposed that aboriginal title and rights will continue to exist following the conclusion and implementation of a treaty

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Option 1: Treaty settlement lands within provincial jurisdiction under section 92 of the *Constitution Act, 1867*.

Option 2: Treaty settlement lands within section 35 of the *Constitution Act, 1982* (recognition of aboriginal rights including title) establishing a third ‘First Nation’ order of title.

Option 3: a) Treaty settlement lands within federal jurisdiction in trust under section 91(24) of the *Constitution Act, 1867*.

Option 4: Treaty settlement lands within concurrent First Nation and federal jurisdiction, under section 35 of the *Constitution Act, 1982* and section 91(24) of the *Constitution Act, 1867*.

Joint decision-making

The third area that we negotiated was the role of First Nations within their traditional territory. This is sometimes referred to as co-management or joint decision-making.

We proposed that Treaty will recognize the right to participate in joint decision-making within our traditional territories.

Governance

A fourth area that we dealt with at the Common Table was the issue of governance. The federal and provincial governments have proposed a model that is referred to as the concurrent law model. Basically, this means that all federal and provincial laws would apply on First Nations land. First Nations may also pass laws but all these laws would apply at the same time.

We proposed that where concurrent jurisdiction applies that First Nations’ laws must have priority when dealing with issues that are key to our cultural and community interests.

We proposed that there must be recognition of the right to self-government and self-determination.

We also proposed that there must be issues that First Nations have exclusive jurisdiction.

Fiscal Relations

The fifth area that we dealt with was fiscal relations. The issues discussed were primarily own source revenue and the tax exemption. Own source revenue can be defined as the policy by government that First Nations must contribute to their own programs and services. What is proposed is that government

would claw-back transfer dollars where First Nations raise revenues.

The options proposed were that First Nations be able to raise revenue from various sources including taxation jurisdictions (i.e. property tax, income tax, sales taxes, fees and licensing, commercial activities, transfers from other governments, and revenue sharing over several areas).

We also proposed that options be developed on how and when own source revenue would be implemented following completion of a treaty.

Tax exemption

A number of options were put forward to deal with the issue of First Nations tax exemption.

We proposed an option where the *Indian Act* section 87 applies where First Nations lands are still considered reserves under the meaning of the *Indian Act* for the purpose of the continued application of section 87.

We also proposed a new idea, where treaties would have an “Indians not taxed” clause, providing a broadened exemption (i.e. First Nation citizen owned corporations).

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We proposed that there must be recognition of the right to self-government and self-determination

Future of BC Treaty Process



The Future of the BC Treaty Process is at the Common Table

Brian Thom, Senior Negotiations Support

For the future of the BC treaty process, the talks at the Common Table are the most important place to be right now. First Nations communities across the province have identified six big issues – governance, status of lands, recognition & certainty, shared decision-making, fisheries, tax & fiscal relations - which have come to be deal breakers in the treaty process.

At our local treaty tables, government negotiators have insisted on positions like eliminating the tax exemption, converting Indian Reserves into fee simple

land, limiting First Nations governance powers by introducing the broad application of provincial law to First Nations lands.

Government negotiators have been given strict instructions on these issues – called ‘mandates’ - from political offices in Ottawa and Victoria. They are instructions that the negotiators have not been able to vary from at any First Nations negotiation table to date.

With over 60 First Nations saying “if we don’t get changes then you have no chance of reaching treaty”, we have been able to get governments attention.

The Common Table has provided the very first opportunity for First Nations and government representatives to have free and open discussions about the political rationale behind governments position on these six topics, and to talk about First Nations visions of how to resolve these issues and settle treaties.

Top negotiators were

sent from Ottawa and Victoria to meet with First Nations representatives over 13 days of talks from late-April to mid-July.

These individuals have decades of experience, and have direct lines to decision-makers in government. The First Nations at the Common Table pooled their expertise, with lawyers, chiefs, and advisors working together in a ‘think tank’ environment to help ensure that the First Nations spokesperson were able to accurately and articulately reflect the views of the participating First Nations.

As First Nations spokesperson forcefully explained why these things are deal breakers for the communities, the response from Canada and BC was surprising. The negotiators seemed genuinely surprised that First Nations didn’t like what they were bringing to treaty tables, particularly because other First Nations had already accepted these issues.

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The First Nations at the Common Table pooled their expertise, with lawyers, chiefs, and advisors working together in a ‘think tank’ environment

Continued from page 4

The federal and provincial negotiators spent considerable time explaining why they thought their positions were good ones.

They asked First Nations to explain in detail what the problems were with issues like the province having governance on First Nations lands, why First Nations don't want to give up the tax exemption, or why First Nations don't want to have their aboriginal rights modified and released into oblivion in exchange for highly defined, static treaty rights.

At the end of these sessions, the parties identified a list of issues that they felt they could go back into their respective policy and political systems with and discuss alternate solutions for. Essentially, Canada and BC said "we'll discuss what you said to us internally and get back to you."

The BC Treaty Commission has been very supportive of these talks. They realize negotiations are at a stalemate for many First Nations. They have worked hard to make sure that something concrete comes of the Common Ta-

ble. They are preparing an independent report to submit to the chiefs and to the federal and provincial ministers, with their observations on what the deal breaker issues seem to be, and where, based on the talks at the Common Table, there might be room for movement.

The BCTC report on the Common Table will come out at the end of July, and the governments are expected to respond to it by mid-fall 2008. After this, HTG and other First Nations at the Common Table will need to look to the communities and leadership to ask if, based on the response, treaties will be possible.

From my assessment of the talks so far, we are in a good position for a significant new direction from government in the areas of fish and shared decision-making. Canada and BC have heard First Nations concerns, they appear to 'get it', and seem to be willing to make changes.

On status of lands, and certainty and recognition, I believe that government has some willingness to consider other options, but they are concerned that the

devil is in the details, particularly in highly legalistic issues such as these. I would expect that the lawyers will have to do a lot of creative, technical work to find solutions to these problems that everyone can live with. Hopefully this can be done collaboratively with First Nations, rather than being hatched in isolation by government lawyers in Victoria and Ottawa.

For issues around governance, tax, and fiscal relations, I heard fewer clear openings for significant change, with governments seeming willing to only tweak their existing approaches.

These appear to be difficult issues for governments who are balancing political expectations and bureaucratic constraints, against First Nations desires for a measure of sovereignty in their territories. Political will, as much as creative negotiated solutions, will be key to solving these problems.

Treaty is still a crystal ball that we can't see into. However, I am hopeful that when the big picture of the concerns the First Nations have presented about the stalemates at their tables that Governments will come back in the fall and provide some direction for positive changes.

I believe that government has some willingness to consider other options, but they are concerned that the devil is in the details, particularly in highly legalistic issues such as these.





HTG Chief Negotiator Robert Morales with newly elected First Nations Summit Task Group member Doug Kelly.

We proposed that the food, social and ceremonial (FSC) fishery be recognized in the treaty as having top priority.

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Exemption phased out based on achieving levels of social, economic well-being (using indicators to be determined) to encourage economic development/growth, phased out over a longer period than in current treaties.

Fish

The sixth issue that was dealt with at the Common Table was the issue of fish.

We proposed that the right recognized in the treaty is the right to fish and to manage fishing

The scope of the right must include the aboriginal perspective of the practices, customs and traditions of the First Nations, including traditional harvesting methods while recognizing the room for evolution (i.e. not frozen)

We proposed that the food, social and ceremo-

nial (FSC) fishery be recognized in the treaty as having top priority.

We proposed that one option to explore was a *Boldt* type approach. In the US the First Nations are entitled to 50 percent of the fishery.

We proposed that there be a number of options available for First Nations to deal with the issue of an allocation.

We proposed that co-management of fisheries be included in the treaty.

We also proposed that there be options with respect to recognizing the right of First Nations to participate in economic opportunities in the fishery.

Next Steps

These are the major areas where we hope to make progress at the Common Table. The presentations and proposals by First Nations will now be taken back

to the federal and provincial governments' systems for them to consider where they are prepared to make changes to their policies and mandates.

I want to thank all those who participated and assisted at the Common Table. It was a very rewarding and satisfying experience to work with so many nations and to have the support of our communities as we took a major role at the Common Table. The HTG staff did a fantastic job in getting me ready for the negotiations, recording the minutes, reporting to the membership, and making a very demanding process much easier.

Huy ch qu to all.



First Nations delegation to Common Table April – July, 2008

Organization of American States



Precautionary Measures and Reply to Canada's Inadmissibility of the HTG Petition

Renee Racette,
HTG Legal Counsel

Our tenacious team of lawyers in Arizona, along with support from HTG, just completed two major arguments in support of our Petition to the Organization of American States Inter-American Human Rights Commission.

We argued in our Petition to this international human rights organization that Canada has violated the human rights of the Hul'qumi'num Mustimuhw. We argued that the Crown in the past, and today, continue to grant the traditional lands of the Hul'qumi'num people to third parties and they have failed to provide

restitution or redress. This has been a particular problem because of the 1884 E&N Railway Grant, which made most of Hul'qumi'num Territory into private lands.

The recent work was a major undertaking and as such I must especially thank our Arizona legal team, Rob Williams Jr. and Seanna Howard and also our HTG staff support. We now wait patiently to see whether the Commission will invite us to hear the plight of the Hul'qumi'num Mustimuhw.

The first document we prepared was a second draft of the Precautionary Measures application. At international law this is similar to an injunction application. Injunctions are applications made to court to prevent the harm with respect of the subject matter of the case.

Litigation can go on for a long period of time, sometimes resulting in a meaningless outcome if the opposing party proceeds to do harm. Thus, First Nations have often applied to court for an injunction to prevent resources, like forest lands, from being clear

cut. In 1985, the Nuu-chah-nulth were successful in getting a court injunction to stop logging on Meares Island until their land claim was settled.

We requested in our Precautionary Measures application for a consultation process to ensure that local government, namely CVRD and North Cowichan, consult with HTG First Nations before it grants subdivisions and rezoning.

We argued that Hul'qumi'num Mustimuhw must have a meaningful say in the permitting and licensing activities in the Hul'qumi'num Traditional lands and resources. These decisions vastly affect the First Nations ability to practice culture and attain a just land settlement.

We also made argument that the Commission should hear our complaint. Canada argued that the Commission should not hear this matter because we have not gone to court to litigate the E & N claim or aboriginal rights/title claim and because we are in the BC Treaty Negotiation Process.

Hul'qumi'num Mustimuhw must have a meaningful say in the permitting and licensing activities in the Hul'qumi'num Traditional lands and resources.



New First Nations Summit Task Group Member
Dan Smith

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77% of the Hul'qumi'num Mustimuhw lands were granted to the Esquimalt and Nanaimo railway Company in the 1880's.

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We anticipated Canada would take this position. That said, we argued that the BCTC has failed to provide an available, adequate and effective remedy that recognizes the Hul'qumi'num indigenous peoples' property rights, and rights to restitution in the form of "fair compensation."

We argued that the violations are ongoing and other groups like the Tsilhqot'in Nation have used these courts, received court decisions, but remain in virtually the same position as the

Hul'qumi'num Mustimuhw. After millions of dollars and many, many years the Tsilhqot'in Nation remain in conflict over their lands and are subject to the Crown's unilateral efforts to grant third party rights on the disputed lands.

The HTG and Canada make several arguments as to why the Commission should, and should not, hear the Petition. The arguments, of course, are somewhat more complicated than I share with you today. However, they are ultimately based on the

long standing dispute the Hul'qumi'num Mustimuhw have had with the Crown since 77 percent of the Hul'qumi'num Mustimuhw lands were granted to the Esquimalt and Nanaimo railway Company in the 1880's.

These outstanding issues have major adverse ramifications for Hul'qumi'num Mustimuhw survival and cultural sustenance, making this case a very important case indeed.

The HTG would like to say congratulations to Ray Harris on his recent appointment as a co-chair for the First Nations Summit.

Ray is pictured here with the other co-chair Chief Leah George-Wilson.

Congratulations Ray.



Common Table Fisheries Report

Cheri Ayers, Natural Resource Manager



This report outlines the current ‘roadblocks’ in the negotiation of a Fish Chapter for a Hul’qumi’num Treaty. It provides information on the key mandate issues being discussed at the Common Table with respect to fish and then summarizes how the Common Table process is working to find solutions.

For a number of years the Hul’qumi’num treaty discussion with the government on fisheries have been stalled. The governments’ mandates for negotiating fish and fisheries in Treaty were at odds with the Hul’qumi’num mandate. The main mandates at issue were:

- 1) No recognition of the aboriginal right to fish as it is currently stated in the Constitution of Canada or any statements regarding the priority of that right. The government required the aboriginal fisheries right to be defined in the Treaty. This definition is in the form of an allocation or defined amount of salmon and a few other commercially fished species. Hul’qumi’num’s mandate is to

secure a Treaty right to the full range of fish and aquatic species based on the needs of the community and that this need would fluctuate yearly between species reflecting the natural cycling of fish and shellfish populations. HTG’s mandate also includes finding solutions to meeting the needs of the future Hul’qumi’num population as it grows over time.

- 2) No recognition of a role for Hul’qumi’num in sharing management decisions for fisheries on a federal, provincial, regional or local level. The federal and provincial mandate included joint management process for Hul’qumi’num fisheries only. Hul’qumi’num are pushing for a higher level of management authority, shared decision-making, on all fisheries at a local level and recognition of this role at a regional, provincial and federal level.
- 3) No recognition of the right to earn a livelihood from fishing or the right to sell fish as a Treaty right. Hul’qumi’num’s mandate includes recognition of a moderate livelihood right to sell in the Treaty.

The Common Table Process

The First Nations involved in the Common Table have met regularly over the past two years and

identified the key issues (stated above) as ‘roadblocks’ in establishing a Fish Chapter in the Treaty. The focus of the Common Table discussion to date has been to clearly articulate these issues to the other governments and look for solutions. First Nations have put forward a number of solutions including recognition of the aboriginal right (as detailed in the Recognition and Certainty article in this newsletter); clear Treaty language that recognizes the priority of Treaty fisheries; a shared-decision (SDM) making role in fisheries management; and the right to sell. Four full days of negotiation have been held to date on fisheries at the Common Table.

Common Table Results

A number of ‘openings’ were identified in the Common Table negotiations to close the gap between the First Nations and the governments’ mandates on fish in Treaty. Firstly, Canada and BC expressed an interest in finding language for the Treaty that recognized the right to fish and provided priority to this right.

Secondly, some First Nations (particularly Douglas Treaty nations) were interested in exploring not having a Fisheries Chapter in the Treaty. BC indicated an interest in this option and Canada indicated it would be willing to

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The Boldt Decision was a 1974 US court case where the US Tribes, who were Stevens Treaty Nations (signed in the 1850's), were recognized as having a right to 50% of the salmon stocks

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explore this as one solution although they prefer full certainty on fisheries (i.e. a Fish Chapter in the Treaty).

Thirdly, First Nations put forward the option of a Fish Chapter in the Treaty that did not define a percentage of a run of fish (or a defined allocation) the First Nation would be entitled to as a Treaty right.

Instead the First Nation would have a range of options from not having an allocation to using a formula, based on need, and defining a process in the Treaty, to determine an amount of fish Treaty Nations would be entitled to.

Again BC was interested in this as an option and Canada indicated they would be willing to discuss it although this model did not provide them with the certainty they were looking for.

The parties also agreed to explore a 'Boldt type' model as a potential solution.

The *Boldt Decision* was a 1974 US court case

where the US Tribes, who were Stevens Treaty Nations (signed in the 1850's), were recognized as having a right to 50% of the salmon stocks (and later other shellfish stocks) and the right to fish in their usual and accustomed fishing places.

This decision radically changed the amount of fish US Tribes received for food and ceremonial use and commercial use and has resulted in a sharing of management authority over fisheries between the Tribes, the State of Washington and Oregon, and the US Government.

Fourthly, all parties acknowledged a Government -to - Government process, that reflects the duties under the Treaty , is needed with respect to fisheries management.

Although many management principles are shared between parties there are

various views on the nature of a SDM model for fisheries management. Further work is needed to unpack SDM for Fisheries.

Further discussion is needed on how to incorporate the economic aspects of the fishing right.

The parties discussed the importance of manageability and ensuring conservation in any commercial fishery. However, there were various opinions on how a Treaty would reflect the historical and current economic importance from commercial licences outside of Treaty, to moderate livelihood rights, to commercial rights under the Treaty.

Article submitted by:

Cheri Ayers

HTG Natural Resource Manager



HTG Elders Joe Norris, Percy Louie and August Sylvester at Day of Action.

Gulf Islands National Park Reserve



HTG Gulf Islands National Park Reserve Committee

Lea Joe, HTG Negotiations Project Coordinator

I'd like to provide you with an update on our Gulf Islands National Park Reserve (GINPR) Committee. As you may recall, our committee is made of representatives as delegated by your chief and council, as well as an elders' representative as selected by the chiefs at the board of directors' level of HTG.

We meet monthly, with the exception of our breaks in August and December, to discuss an array of issues, including (but not limited to): area planning, environmental assessments, communication (interpretive media, newsletters, etc), traditional uses or resources, tourism,

employment opportunities, and other important issues.

In our July meeting, we discussed an archaeology permit in which GINPR conducts an archaeology resource inventory as part of a three year project. Arthur (John) Jim of Che-mainus is the HTG representative on the archaeology crew. The crew will focus on terrestrial/shoreline/sub tidal areas on various Gulf Islands with recording of clam gardens on Russell Island as part of the basic resource inventory. The project is in the final phase/year. I'll provide another update in the next *Treaty Talk*.

Another issue we discussed was the Species at Risk initiative. Our committee feels if we want to educate our communities about the various species at risk it would be best to begin with the children. Therefore, we'll be going into the schools beginning September to speak with them about the *Species at Risk Act* and how we can make a difference.

As you may recall, we've been discussing the Aboriginal Eco Tourism Initia-

tive with Parks Canada. Our committee has brought forth an idea involving high-speed boat access from the HTG territory to the Gulf Islands. The second step would involve traditional storytelling or place names tours; the third step includes setting up shop at a few locations with goods or services to sell, such as coffee mugs, arts, or other souvenir-type merchandise.

We are merely in the planning/brainstorming phase but will be moving forward with the initiative by developing a business plan and feasibility study prior to approaching funding sources. After we've secured funding, the committee has agreed that we will hire a Hul'qumi'num person to help get the business off the ground.

“we'll be going into the schools beginning September to speak with the children about the Species at Risk Act and how we can make a difference.”

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CFN Councilor Terry Sampson & AFN Regional Vice Chief Shawn Atleo



**Penelakut Chief
Lisa Shaver at
the Aboriginal Day
of Action Victoria**

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On our June agenda we discussed the employment opportunities and organizational structure of GINPR. We requested information on this topic as there had recently been employment opportunities at the GINPR office, and we were curious to know how we could have more Hul'qumi'num' members working for GINPR. Currently, there are First Nations people working in the office, but most are from the southern nations that live in the area.

As a result of this last

topic, we will be hosting a workshop with the various education and employment officers of the six First Nations. This workshop will address topics such as which program or training one would need to be employed at a specific GINPR position. This will help students that are interested in working for Parks Canada, whether they are managerial positions or wardens, doing field work.

Finally, I'd like to conclude by stating that we are progressing smoothly with the operations of our GINPR

Committee. We continue to assert our rights and title in the Gulf Islands, and we dialogue well with our Parks Canada counterparts. On June 18, we embarked on a field visit to the Gulf Islands with our committee members, Parks Canada staff, and two elders as selected by the committee (Rennie Louie and Arvid Charlie). These elders were chosen to participate as they have extensive knowledge and history in the Gulf Islands.

**Huy'tseep'qu si em
nu siyeyu**

Referrals Report

**By Kathleen Johnnie,
Referrals Impact Assessment
Coordinator and Pre-Treaty
Manager**

This past year has been very busy for the referrals department. We have been processing referrals, meeting with Parks Canada on a regular basis, assisting in shared decision-making, and working

on numerous other projects.

We have also been working closely with several other organizations providing workshops on various treaty related subjects. The following is a summary of the various projects we have been working on.

Crofton Advisory Forum (CAF)

Pollution Prevention Sub-Committee activities

The Crofton Advisory Forum came about from a proposal to burn tires as an alternative source of energy for then Norske Pulp Mill (now Catalyst).

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Innovations in Mapping at HTG



Geographic Information Systems (GIS) Coordinator, MJ Churchill

An exciting new source for land status data will soon be available to the HTG GIS department.

The HTG just became a member of The Integrated Cadastral Information Society (ICIS), a partnership of provincial and municipal governments and utility companies with the goal of sharing geographic data for the benefit of its members.

Until recently, First Nations were not eligible to become members. However, requests from First Nations organizations, including the HTG, helped to encourage ICIS to expand its membership to include First Nations.

The HTG will now have access to updated property data that previously was not available or had to be acquired from each municipality individually, often for a price.

Learning about ICIS was the focus of a July 16 workshop hosted by the HTG GIS department. Barry Logan, ICIS' General Manager, and Ken Rigler, ICIS' GIS Training Coordinator, presented information about ICIS in the morning and led a

hands-on training session in the afternoon.

The topic may sound dry, but ICIS provides a great tool to assist with mapping for treaty negotiations and referrals. For example, their website allows you to quickly find a particular parcel of land and identify if it is private or crown.

If you're interested, you can check out ICIS' website (www.icisociety.ca) and click on 'Launch Map'. The website allows users to view and query property information for most of the province.

As a member, the HTG will also have the ability to download data from the site and view additional information not available to the public.

The website allows users to view and query property information for most of the province



Chemainus First Nation Council Members Charlotte Elliott and Francis Harris with National Chief Phil Fontaine at First Nations Summit Meeting June, 2008

HTG provided a First Nations perspective on Land Use planning and official community plans to the North Cowichan Municipal District.

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Norske decided to abandon their proposal, but the forum continued to look at the pulp mill's operations. Subsequently a sub-committee was struck to review pollution prevention opportunities. The sub-committee reported their findings to-date in the Spring of 08, and it is anticipated some of their recommendations to Catalyst and government will result in pollution prevention projects.

National Marine Conservation Area Reserve (NMCAR)

Parks Canada has been meeting with the Hul'qumi'num Referrals Technical Working Group over the last year. Since the HTG referral's office has been participating in the Parks Canada NMCAR Project Team meetings, Parks has been providing updates on the information supplied to the Project Team. HTG also provided funding to have ESSA Technologies provide an overview of the NMCAR feasibility studies. This overview is intended to assist our communities under-

standing of what they will need to know to participate effectively in the NMCAR review.

A Special Edition Treaty Talk on the NMCAR was issued and articles were contributed by Lea Joe, Brian Thom, Jess Rogers and Kathleen Johnnie. We also introduced the Parks Canada contacts responsible for the NMCAR process, Bill Henwood and Shanna Fiddler.

North Cowichan Municipal District

HTG provided a First Nations perspective on Land Use planning and official community plans to the North Cowichan Municipal District.

Integrated Land Management Bureau – Fireside Chat

The Integrated Land Management Bureau (ILMB) arranged a workshop for ILMB staff and requested HTG to participate so that provincial staff could hear about consultation from a First Nations perspective. A presentation was developed in response to a

series of questions from ILMB and HTG staff participated in the workshop in January 2008.

Islands Trust Archaeology Workshop

The Islands Trust (IT) requested a workshop be developed for IT staff. The workshop had two objections. One was to identify readily available tools and the other was to introduce the importance of First Nations archaeological sites to Islands Trust staff. As a result, a workshop was designed and the agenda focused on meeting the various interests for the Islands Trust staff. The workshop was delivered at the Quwu'tsun Cultural Centre in February 2008.

Brian Thom and Eric McLay provided significant advice in the development of the topics to be discussed and presented at the workshop. Allison Geddes provided the administrative support and the participation by

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several Cowichan Elders with their cultural expertise added an appropriate First Nations perspective.

Gulf Islands National Parks Reserve (GINPR) Environmental Assessments 07-08

Our department reports to the HTG-GINPR Parks Committee reviewing Environmental Assessments of specific projects or undertakings in the GINPR. This work is meant to identify means of avoiding impact to the Hul'qumi'num First Nations and to identify when a consultation may be required.

Hul'qumi'num Shared Decision-Making Body – April – May 2007

Training programs were designed, developed and delivered on decision-making in referrals response. In addition, we fully participated and assisted Jess Rogers in other training programs for the Hul'qumi'num Shared Decision-Making Body.

Environmental Assessment (EA) Treaty Negotiations – May – June 2007

We were very busy participating in the Environmental Assessment treaty negotiations which took

place in May and June.

Referrals Workshop Prince George -- September 2007

A Referrals Workshop was held in Prince George which I participated in. The workshop was hosted by the First Nations Technology Council (FNTC) and focused on how technology (i.e. computers, GIS and internet) can assist in referrals processing. The technology being investigated by the FNTC may ease referrals response and processing workloads by making the process less paper intensive.

Organization of American States (OAS) support – November 2007

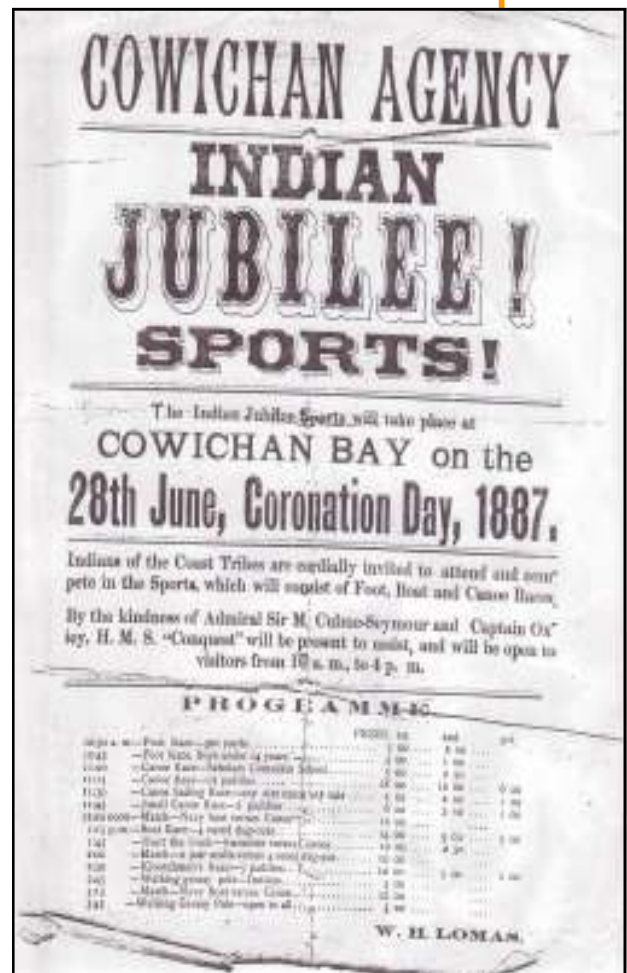
Our department provided support to the development of the OAS petition. Referrals are generated by every level of government in the area of this petition and the issues that come out of those projects are the issues that our communities are rarely able to get addressed.

Islands Trust Protocol Agreement – January 2008

I have been working with Brian Thom in the development of a protocol agreement which has two purposes. First, the agreement is to follow-up on

recommendations provided by the lands technical working group in 2005. Second, the agreement is to provide assistance in the development of appropriate archaeological protection mechanisms between the Islands Trust and the Hul'qumi'num.

If you have any questions or would like to report an issue that has not been brought to HTG's attention, please contact me (Kathleen Johnnie) at the office or drop me an email at kathleenj@hulquminum.bc.ca.



Return undeliverable mail to:

Hul'qumi'num Treaty Group

RR#1 12611B Trans Canada Highway

Ladysmith, BC V9G 1M5

WIN A TREATY BOARD GAME

We need your help to locate missing treaty members. If you can provide the address or contact information of one member that is not on our mailing list we'll enter you in a draw to win a Treaty Board Game. Chances are good that you know someone who is not on our list because we've got approximately 6,000 members and only 1,800 addresses.

To enter just call or e-mail the HTG office and provide the contact information of another member (Chemainus, Cowichan, Halalt, Lyackson, Lake Cowichan or Penelakut) and you'll be entered in the draw.



Call us toll free at: 1 888 987 3289

Or

Email: aprilm@hulquminum.bc.ca



THE INFORMATION COLLECTED WILL BE KEPT CONFIDENTIAL AND USED ONLY TO KEEP MEMBERS UPDATED ABOUT TREATY. IT WILL NOT BE SHARED OR DISTRIBUTED TO ANY THRID PARTY.