



Board Meeting Date: September 23, 2005

To: GVRD Board of Directors

From: Corporate and Intergovernmental Committee

Date: September 6, 2005

Subject: **First Nations Strategy**

Recommendation:

That the GVRD Board:

1. Adopt a First Nations strategy which is directed towards the pursuit of GVRD/GVWD/GVSDD interests in the context of the evolving interpretation of First Nations rights by:
 - a) developing better relationships with First Nations through offering ambassador, liaison committee and Community-to-Community Forum initiatives to selected First Nations as pilot programs;
 - b) developing better informational exchange networks with other governments through pursuing sub-regional and regional MP/MLA/GVRD caucuses and regular briefing sessions at the Ministerial and Deputy Ministerial levels;
 - c) developing communications materials to assist in creating a better understanding GVRD/GVWD/GVSDD interests by First Nations, other governments, and the community as appropriate to particular circumstances;
 - d) continuing the efforts to reach pragmatic resolutions of specific pressing issues; and
 - e) emphasizing the importance of a global servicing approach.
 2. Authorize the Chair and CAO to pursue meetings, establish committees, and take such other actions necessary to pilot this strategy with respect to the Musqueam, Tsawwassen and Katzie First Nations and request that they report progress back through the Corporate and Intergovernmental Committee at appropriate intervals.
 3. Request the CAO bring forward a budget related to GVRD - First Nations relationship at the 2006 budget process.
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At its meeting on September 2, 2005, the Corporate and Intergovernmental Committee discussed the importance of emphasizing a global servicing approach, which includes not only the “hard” or utility services, such as sewer and water, but also “soft” services, such as regional parks and strategic planning. The Committee emphasized the importance of using the “global services” terminology in all related communications and, accordingly, added recommendation 2(e) above.

The Committee's discussion also centered on how the work of the Lower Mainland Treaty Advisory Committee – an advisory body representing the collective local government (i.e. municipal and regional) interests in the treaty negotiations process – differs and is separate from the proposed First Nations Strategy, which is a GVRD approach exclusively focussed on Regional District interests with respect to First Nations issues.

Attachment:

Report to the Corporate and Intergovernmental Committee dated August 17, 2005, titled "First Nations Strategy."

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Committee Meeting Date: September 2, 2005

Board Meeting Date: September 23, 2005

To: Corporate and Intergovernmental Committee

From: Johnny Carline, Chief Administrative Officer

Date: August 17, 2005

Subject: **First Nations Strategy**

Recommendation:

That the GVRD Board:

1. Adopt a First Nations strategy which is directed towards the pursuit of GVRD/GVWD/GVSDD interests in the context of the evolving interpretation of First Nations rights by:
 - a) developing better relationships with First Nations through offering ambassador, liaison committee and Community-to-Community Forum initiatives to selected First Nations as pilot programs;
 - b) developing better informational exchange networks with other governments through pursuing sub-regional and regional MP/MLA/GVRD caucuses and regular briefing sessions at the Ministerial and Deputy Ministerial levels;
 - c) developing communications materials to assist in creating a better understanding of GVRD/GVWD/GVSDD interests by First Nations, other governments, and the community as appropriate to particular circumstances; and
 - d) continuing the efforts to reach pragmatic resolutions of specific pressing issues.
 2. Authorize the Chair and CAO to pursue meetings, establish committees, and take such other actions necessary to pilot this strategy with respect to the Musqueam, Tsawwassen and Katzie First Nations and request that they report progress back through the Corporate and Intergovernmental Committee at appropriate intervals.
 3. Request the CAO bring forward a budget related to GVRD - First Nations relationship at the 2006 budget process.
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1. PURPOSE

To propose, for the Board's consideration, a strategy for furthering the GVRD/GVWD/GVSDD's interests in the context of the evolving interpretation of First Nations rights.

2. CONTEXT

The GVRD Board has conducted a number of workshops and received reports from staff and LMTAC regarding various issues in which the evolving interpretation of First Nations rights has become increasingly relevant. Based on those discussions, the following strategy is proposed for the Board's consideration.

Proposed Strategy:

a) **Develop Better Relationships with First Nations**

In the long term relationships between First Nations and municipalities and the communities they represent can only be politically and socially sustainable if some level of mutual understanding is reached. This will not be achieved by endless conflict, whether in courts or some other arena.

While issue specific communication has been achieved on a periodic basis, it has not been regularly maintained over an extended period between the GVRD and any individual First Nation. As a result communication nearly always takes place in the context of some issue where differences exist.

Maintaining an ongoing relationship building program will take commitment of resources and time by both the regional districts and the First Nations. Both will have to understand and accept this at the outset if such an initiative is to be worthwhile.

It is therefore recommended that the region pursue this on a limited basis to begin with to ascertain whether this approach is viable.

The Katzie First Nation has already conducted a Community-to-Community Forum and Tsawwassen First Nation representatives have indicated that they would be interested in partnering with the GVRD to conduct a similar forum.

The Musqueam Indian Band has expressed an interest in an ongoing liaison committee between themselves and the GVRD similar to the one that exists between the GVRD and UBC.

While both Community-to-Community Forums and liaison committees appear to be promising initiatives, they are resource intensive. It may be useful to supplement these with an 'ambassador' strategy where one member of the Board of Directors, preferably not one from a municipality which has direct interests at stake, is appointed to serve as the GVRD ambassador to a particular First Nation. The 'ambassador' would be responsible for maintaining regular contact with the Council of the First Nation. The First Nation could be invited to designate an 'ambassador' to the GVRD and be kept informed of agendas and be invited to sit as an observer at committee meetings or Board meetings. The appointed GVRD ambassador could act as the GVRD chair of any liaison committee established for that First Nation.

b) Develop Better Informational Exchanges with Other Governments

Clearly where GVRD's interests are affected by First Nations interests, other governments, particularly those with constitutional authority and responsibilities, may have an impact on how the interplay of those interests are finally resolved. There are a number of processes by which these governments, or at least the responsible ministries, become acquainted with First Nations perspectives and the perspectives of senior governments. But the perspective of regional governance, utilities and other functions may be unfamiliar to them.

As is the case with the strategy of building better relationships with First Nations, the purpose behind a strategy of developing better informational exchanges with other governments is to build a better knowledge foundation without which it is difficult to see how a stable and reliable process of issue resolution can be established. For example, decisions have been made in the past that at best have been made in ignorance of the detailed implications for regional utilities. This is not just harmful to regional interests, it is harmful in the long run to all interested parties because it leads to adversarial and even confrontational outcomes, which become further obstacles for the search for sustainable solutions to overcome.

Specific methods to pursue this strategy would include the Chair/CAO attempting to establish regular briefing sessions with the responsible Ministers/Deputy Ministers and for broader information exchange sessions to be arranged with sub-regional and regional caucuses involving elected officials from all three levels of government.

c) Develop Communications Materials

The Lower Mainland Treaty Advisory Committee has produced a number of interest papers describing the municipal perspective and elucidating a number of important principles to which the GVRD would subscribe. These are high quality and valuable materials. However, they are generally broad in perspective and most suitable for an audience comfortable with lengthy, complex reports.

It would be useful to supplement these with materials which are:

- i) focused on specific GVRD/GVWD/GVSDD issues,
- ii) are directed towards specific audiences (e.g. a particular First Nation, MLA's/MP's, relevant cabinet ministers, the generally uninvolved community),
- iii) are of a length, tone and level of detail appropriate to the issue and the audience.

The purpose of these materials would be to facilitate understanding by the targeted audience of the issues as they specifically affect and are understood by the regional districts. They can be used in support of the first strategic component of building better relations with First Nations, the second strategic component of improving information shared with other governments and, if and when appropriate, for building broader community understanding of the regional perspective on First Nations issues.

d) Pursue Pragmatic Solutions to Specific Pressing Issues

The first three components of the strategy may bring accumulated benefits over time. But it will continue to be necessary to respond to specific pressing issues as they arise. As the other components of the strategy materialize, they may be able to shape the way these specific issues are dealt with in a constructive way.

3. ALTERNATIVES

The Board may:

- a) Adopt the strategy as recommended.
- b) Amend the strategy prior to adoption.
- c) Defer the adoption of a strategy until the 2006 Board has been elected and conducted further workshops.
- d) Not adopt a broad strategy and proceed on an issue by issue basis.

4. CONCLUSION

The Board has conducted a number of workshops on First Nations issues and requested staff to bring forward a strategy for the Board's consideration based on the discussions at those workshops. This report submits a draft strategy in response to that request.