

# **Identification of Treaty Interests**

## **A Guide to Local Government Interests in the Te'mexw Treaty Negotiations**

*The Te'mexw TAC coordinates and represents the interests of most Lower Vancouver Island local governments within the Capital Regional District, and through them their local constituents, representing their needs to the Te'mexw Treaty Negotiations as a member of the Provincial Negotiating Team.*

Version: June 2010

## **Te'mexw Treaty Advisory Committee**

2nd Floor - 877 Goldstream Avenue Langford, British Columbia V9B 2X8 Canada

## INTRODUCTION

The Interest Paper, initially written in December 2006, has been reviewed by the TAC and rewritten for this report because the negotiations are moving into a critical phase, particularly with respect to the relationship between local government and the Te'mexw First Nations Members. The TAC wants to ensure that our communities and others involved in the negotiations beside the provincial government have knowledge of Te'mexw TAC's local government interests.

The Te'mexw Treaty Association has been in treaty negotiations with the Province of B.C. and the Government of Canada for over a decade. In recent months provincial and Te'mexw negotiators have expressed cautious optimism regarding their progress. As other treaty tables such as the Maa-nulth First Nation and Tsawwassen First Nation proceed into the ratification process, Te'mexw representatives are hopeful that they will be identified by B.C. and Canada as one of the next priority negotiating tables.

This would mean that additional resources and mandates would be provided to the negotiators and opportunities for speeding up the process would be enhanced. With the emerging progress of the Te'mexw negotiations, the Association of Vancouver Island Coastal Communities recognizes that the local governments potentially impacted by the treaty need to become more aware and involved in the treaty process.

As an "order of government within their jurisdiction that is democratically elected, autonomous, responsible and accountable" (2004 Community Charter), local governments have an interest and a responsibility to their constituents in participating in treaty negotiations. Typically, local governments who may be impacted by treaties participate in Treaty Advisory Councils or TAC's. The TAC coordinates and represents the collective interests of local governments, and through them, their constituents, in defining and building relationships between First Nations and local government.

Each local government appoints an elected representative who participates in the TAC. The TAC then designates an individual to be responsible for reporting back to the TAC on the status, progress and issues arising at the negotiation table. This TAC representative is also responsible for ensuring that the TAC's interests are heard and ideally, reflected by provincial negotiators during treaty negotiation sessions.

The Te'mexw TAC is a committee of elected officials, staff and observers who represent local government jurisdictions within the Capital Regional District which may be impacted by the Te'mexw treaty negotiations. Specifically, the Te'mexw TAC represents:

- Langford
- Colwood
- Esquimalt
- View Royal
- Metchosin
- Highlands
- Sooke;
- Saanich

Saanich and the Highlands joined TAC in early 2008.

For the TAC representative to effectively represent the interests of its membership (the eight municipalities and the electoral area) it is essential that the local governments have a clear sense of their treaty interests. The Te'mexw TAC wishes to be proactive by providing their TAC representative and provincial government negotiators with their local government interests so that the province will consider these interests in their mandates, interest papers and negotiations with First Nations.

Through funding provided by the Association of Vancouver Island Coastal Communities it was therefore decided to schedule interest identification workshops in November and December 2006. John Kafka of Cornerstone Planning Group facilitated the workshops. To prepare for the workshops, each TAC representative received a copy of the Union of B.C. Municipalities *Interest Development Template*, as well as other background information. In advance of the workshops, the facilitator, based on reviewing documents prepared by other TAC's and the Union of B.C. Municipalities forwarded to the participants a table of issues to consider as concerns and interests.

TAC representatives participated in a work session on November 6<sup>th</sup>, 2006 and based on their comments a draft interest paper was prepared and circulated to the TAC membership. The TAC was invited to provide comments and a second workshop was convened on November 29<sup>th</sup>, to discuss and refine the draft. The draft was refined following the second workshop and forwarded to the TAC for a second review. A third workshop was held on December 14, 2006 to finalize the document.

The TAC has undertaken this review (June, 2010) to ensure that the Interest Paper is consistent with current developments in the Treaty Negotiations because the negotiations are expected to result in an Agreement in Principle in the next six to twelve months and potentially, a Final Treaty in the next eighteen to twenty-four months. In doing this review, the TAC wants to ensure that it is a useful reference for all who have an interest in the Te'mexw Treaty Negotiations.

Although there are a number of common elements in each Treaty, in the end, each Treaty has to be unique because the circumstances of the Bands and Local Governments involved are themselves unique. In general, Treaties are about establishing certainty with respect to governance, land and other resources that support the First Nations Members becoming economically self-sufficient and recognizing their historical rights. Certainly, the Te'mexw Treaty negotiations involving some Bands on southern Vancouver Island are very complex because, for the most part, the desirable land in the area has already been developed or lies in close proximity to land that has already been developed. With the exception of limited Crown Land, land within our municipal boundaries is already subject to the land use bylaws of the municipality.

## OBJECTIVES

This paper was developed to assist the membership of Te'mexw TAC in:

- identifying various social, economic, and policy issues of interest to CRD area local governments involved in treaty negotiations;
- linking general local government interests to specific substantive issues arising in Stage 4 Agreement-in-Principle (AIP) and Final Agreement negotiations;
- expressing principles which Te'mexw TAC member local governments believe should be integrated into treaties with First Nations;
- developing a framework to assist member local governments in effectively responding to issue-specific questions arising from Stage 4 AIP and Final Agreement negotiations.

**There are four key audiences for this paper:**

- **Te'mexw TAC Members** – *use this paper as a “guide” to help understand and communicate CRD area and area local government interests in treaty negotiations to senior governments, Councils, Boards and the public. This paper is of particular interest to Te'mexw TAC representatives at specific treaty tables because they use this paper as a summary of local government interests as expressed by the full membership of Te'mexw TAC (not just one specific jurisdiction).*
- **Provincial Negotiators** – *this paper will assist Provincial negotiators in understanding the key interests of CRD area local governments and in communicating these interests to the other parties at the treaty table (Canada and First Nations). Use this paper to also understand the nature and scope of public policy issues with which local governments have expertise.*
- **Other Parties in the Treaty Process or Involved with Aboriginal Issues** – *use this paper to help understand the breadth of functions performed by local governments in the CRD area and the nature and scope of public policy issues with which local governments have expertise. Local governments are important public institutions that can play a key role in building lasting intergovernmental relationships and in negotiating and implementing successful treaties in urban and rural settings.*
- **Public At-large** – *this paper will be a comprehensive summary of local government interests in treaty-making as expressed by members of Te'mexw TAC.*

## **ROLE FOR LOCAL GOVERNMENTS**

A review of Framework Agreements (Stage 3) across British Columbia reveals that many of the issues of interest to First Nations involved in treaty negotiations are also the responsibility and/or interest of local governments. There is a practical necessity for ensuring that local governments are an integral part of treaty negotiations and post-treaty implementation.

In British Columbia, local governments are recognized as an independent, responsible and accountable order of government. Local governments are also the most accessible level of government, closest to its constituents and often staffed by local citizens. The importance of the role of the public, and of public processes, is a central defining characteristic of local government.

Local governments are also the implementing arm of government, dealing with both hard (e.g. water treatment, transportation infrastructure) and soft (e.g. community centres, planning) service delivery issues. As such, local governments tend to be pragmatic and practical organizations that seek to develop and implement “on-the-ground” solutions to important community issues. Members of Te’mexw TAC strongly believe that senior levels of government need to recognize that treaties will be implemented at the local level and that day-to-day relationships in the post treaty environment will be between neighbouring Aboriginal and non-Aboriginal communities.

The successful implementation of treaties – particularly in the urban setting where intergovernmental relationships are most important – is therefore inextricably tied to the direct participation of local governments in treaty negotiations and to the recognition that local governments are an important community-based form of public government, not a private, third-party interest.

To this end the Union of BC Municipalities signed a Memorandum of Understanding with the Provincial government on September 2008 that enshrined the Provinces commitment to consult with local government regarding all issues of implication to local government.

## **FOCUSING ON TAC INTERESTS**

This report provides guidance to provincial and federal negotiators as they negotiate issues that impact local governments. It should be recognized that the interests identified in this report are part of an ongoing process. Treaty negotiations have progressed to a stage where local governments can respond in detail to the potential impact of treaties. Once land selection, revenue and taxation, governance and jurisdiction and other issues are being discussed in greater detail it is possible for the TAC to provide negotiators with clearer instructions on local government interests and re-define and identify more specific interests. This is one of the reasons for reviewing the Interest Paper at this time.

The TAC believes that the interests expressed in this document will lead to an easier transition between the CRD Area local governments and the Te'mexw First Nations Members during implementation of the Final Treaty.

The interests identified by the TAC are articulated in this report under each of the six local government themes used in the Union of B.C. Municipalities (UBCM) *Interest Development Template*. All TAC representatives agreed upon the interests identified in this document. The TAC also declared their support for a treaty settlement that will foster:

- Enhanced relationships and co-operation between local and First Nations governments and communities; and
- Opportunities for First Nations to become economically self-sufficient so that they can pursue their goals.

The TAC representatives acknowledge individual local governments may have their own special or unique concerns that they may wish to see addressed through the treaty process. Therefore, this document is intended to provide an overview of local government interests and is not intended to constrain local governments from identifying issues and opportunities beyond those described below.

## **STANDARDS AND REGULATIONS**

The UBCM interest statement on standards and regulations in the *Interest Development Template* states that:

*"Local governments are required to maintain safety, environmental and public health standards. Local governments also have an interest in ensuring that standards on treaty settlement lands (TSL) are harmonized with existing federal, provincial and local standards and regulations."*

Local government representatives agree that the fundamental interest of local government is to ensure public safety and promote cost efficiencies in general, and in particular, in areas of environmental and health protection. To this end, local governments identified the need for compatible standards and regulations on all lands including Treaty Settlement Lands, which would have the effect of creating "seamless" boundaries between settlement and non-settlement lands.



TAC Interest	Rationale
<p><b>BUILDING INSPECTION</b></p> <p>Adherence to Building Code, sprinkler bylaws, fire protection standards, and first responder procedures</p>	<p>This is critical for the protection of all people including TSL residents and firefighters where local governments have entered into service agreements with neighbouring First Nations. Building inspections will ensure accepted standards are in place. All buildings need to be subject to normal Building Inspection.</p> <p>It is important for the safety of all persons working or recreating in all jurisdictions.</p>
<p><b>FIRE PROTECTION</b></p> <p>Firefighting service agreements must cover all TSL</p>	<p>Many local governments have a fire protection service contract with neighbouring First Nation communities, but they do not cover all reserve lands. With the provision of additional lands to First Nations, it is critical that fire protection mechanisms are in place for all jurisdictions.</p>
<p><b>FEES FOR FIRE PROTECTION</b></p> <p>Fees should reflect the real costs of providing fire protection on TSL lands</p>	<p>Equitable compensation for all services provided by local government on TSL requires a standard approach to costing that includes all hard and soft costs.</p>
<p><b>BUSINESS REGULATIONS</b></p> <p>Fairness and balance of local standards</p>	<p>Te' mexw TAC representatives wish to ensure a seamless regulation on and off TSL for the sale of goods where there are public health and safety considerations.</p> <p>Competitive pricing of goods and services should exist on and off TSL so that no one jurisdiction has an advantage over the other in attracting business and customers.</p>

<p><b>ASSISTANCE TO BUSINESS</b></p> <p>All businesses should be subject to a level playing field regardless of jurisdiction</p>	<p>Need to ensure that business regulation regimes on and off TSL are compatible in order to avoid negative cross-boundary impacts. The practices of either government should bring no harm to the other community.</p>
<p><b>EMERGENCY PREPAREDNESS</b></p> <p>Regulations, standards and coordination</p>	<p>Emergencies do not recognize jurisdictional boundaries. Coordination and communication is critical to adequately respond to emergencies. Basic emergency planning and response requirements need to be specified and coordinated with local and First Nations governments including emergency preparedness and first responder activities (including but not limited to British Columbia Emergency Response Management System). It is important that these are in place as soon as possible because local governments already contract for services with each other and local bands and will increasingly contract with local bands for services on TSL post Treaty. Standards must be in place to ensure the safety of all who live and work on or off TSL.</p>

## LAND-USE PLANNING AND SERVICING

The UBCM interest statement on land-use planning in the *Interest Development Template* states that:

*"It is important for local governments to facilitate the planning of healthy communities. Local governments have an interest in ensuring that land-uses on settlement lands are compatible or harmonized with established or planned land-uses beside or near settlement lands."*

The Te'mexw TAC supports concepts of compatible land-use planning, and recommends that existing planning processes such as Official Community Plans, the Regional Growth Strategy and other by-laws be coordinated with those of First Nations. The TAC also supports ensuring that local governments coordinate with First Nations on issues related to shared boundaries and that local governments and First Nation Member governments have a duty to consult with each other in decisions regarding the transfer of fee simple lands into TSL's; and are not burdened with additional operating costs for servicing TSL's.

Local government requires that guidelines agreed to throughout the CRD region such as the Growth Strategy are committed to by First Nations Members participating in the CRD or having TSL within the CRD.

The TAC also supports ensuring that local governments coordinate with First Nations on issues related to shared boundaries and are included in decisions regarding the transfer of fee simple lands into TSL.

TAC Interest	Rationale
<p><b>COOPERATION WITH RESPECT TO PLANNING, ZONING, OCP, AND RELEVANT BY-LAWS</b></p> <p>Need effective input, notification and co-ordination in land-use planning and decision-making</p> <p>Dispute Resolution</p>	<p>Compatible land uses on adjacent lands is important to local governments. Land use and servicing are linked. For local governments to plan and provide services, community land use objectives and future plans on TSL must be shared.</p> <p>The potential for local government and First Nation Member conflict over land use decisions requires the establishment of resolution processes before conflict arises.</p>

TAC Interest	Rationale
<p><b>BOUNDARY ROADS AND DEVELOPMENT APPROVALS</b></p> <p>Mechanisms to coordinate, maintain, plan and approve development on current and future shared boundary roads need to be established</p>	<p>A number of "boundary roads" exist between reserves and local governments, and it is unclear in some instances where the demarcation is between jurisdictions. The creation of TSL will potentially create more of these shared boundaries. Concerns regarding boundary roads include standards, process for approval of access, traffic impacts and cost sharing. For instance, a First Nation or local government approving a subdivision or development might not be the body with the responsibility for road access, intersections and traffic flows.</p> <p>The Community Charter states that boundary roads are joint jurisdiction of the adjacent governments and require consensus decisions.</p>
<p><b>OPERATING COSTS OF COMMON SERVICING</b></p> <p>Local governments must not be forced to bear increased infrastructure costs resulting from development on TSL</p>	<p>Numerous servicing agreements are in place between local governments and First Nations. The creation of TSL's may create increased housing and commercial development and increased demands on infrastructure services provided by local governments. Increased operational costs should be borne by the users. Where these costs cannot or will not be absorbed by the users, the senior governments must ensure that local governments do not shoulder the costs.</p>

TAC Interest	Rationale
<p><b>FEE SIMPLE LANDS PURCHASED POST-TREATY</b></p> <p>Transfer of private lands to TSL must require local government approval</p> <p>Local governments must be compensated on an on-going basis for any loss of tax base through transfer of private or federal lands</p>	<p>The TAC has an interest in ensuring that lands purchased post effective date should not result in a patchwork of First Nations jurisdictions within local government boundaries.</p> <p>First Nations purchasing existing fee simple lands and designating the lands as TSL would result in the removal of the land and tax base of local governments/ and impact on local government's ability to provide services.</p>
<p><b>SCHOOLS, RECREATIONAL SERVICES, HOSPITAL SERVICES, REGIONAL PARKS, E-911, POLICE SERVICES, CAPITAL REGION EMERGENCY SERVICE, TELECOMMUNICATIONS, LIBRARIES AND ALL OTHER SHARED SERVICES</b></p> <p>Individuals on TSL must contribute their equitable share of taxes in support of community services</p>	<p>First Nation governments must contribute their equitable share to these services and treaties must ensure that First Nations are provided the resources required to become economically self-sufficient so that they can pay for the services they require.</p> <p>For example, the RCMP, as a result of federal funding currently provides policing on First Nation's reserves, but this arrangement may end with the settlement of a treaty.</p>

## INFRASTRUCTURE AND SERVICES

The UBCM interest statement on infrastructure and services in the Interest Development Template states that:

*"Local governments' provision of services to their communities includes maintenance and enhancement of the quality of life for constituents. Local governments therefore have an interest in maintaining services such as sewers, water, parks, recreation, waste management, fire protection, police protection and others. Local governments also set standards and conduct planning for future service and infrastructure development."*

Local governments have an interest in maintaining services such as sewers, water, parks, recreation, waste management, fire protection, police protection and others.

Local governments also set standards and conduct planning for future service and infrastructure development.

The Te'mexw TAC confirms the need for local governments and First Nation communities to work together to ensure that infrastructure and services can be efficiently provided at the lowest possible cost.

<b>TAC Interest</b>	<b>Rationale</b>
<p><b>STANDARDS OF INFRASTRUCTURE</b></p> <p>Consistent standards are required to promote efficiency, safety and strong environmental protection</p>	<p>Standards for infrastructure should be consistent whether they are located on local government land or on TSL.</p> <p>Benefits will accrue to local and aboriginal communities if the parties work together in providing infrastructure. This would lead to maximizing opportunities for community benefits and economies of scale.</p>
<p><b>CAPITAL COSTS OF COMMON SERVICING</b></p> <p>Increased cost due to development should be borne by users</p>	<p>The creation of TSL's may increase housing and commercial development and demands for increased infrastructure services provided by local governments. The consequential costs associated with providing these services should be borne by the users. Where these costs cannot or will not be absorbed by the users, the senior governments must ensure that local governments do not shoulder the costs.</p>
<p><b>ACCESS TO RIGHT OF WAYS</b></p> <p>Access to local government lands and assets on, between or adjacent to TSL for the purpose of infrastructure development and maintenance must continue</p>	<p>The creation of TSL should ensure continued access to rights of ways such as hydro lines, water sources, railway lines.</p>

## REVENUE AND TAXATION

The **UBCM** interest statement on revenue and taxation in the Interest Development Template states that:

*"It is important that local governments maintain budgetary stability without increasing the tax burden for individuals or property. Local governments therefore wish to ensure that they can continue to commit to the financing and service provisions expected by their constituents at a reasonable cost."*

Local governments wish to ensure that they can continue to commit to the financing and service provisions expected by their constituents at a reasonable cost. The TAC emphasizes the need to ensure that local governments maintain their current tax base. TAC representatives identified specific local concerns on a number of taxation issues.

TAC Interest	Rationale
<p><b>LOSS OF GRANTS IN LIEU OF TAXES (PILTS)</b></p> <p>Local governments must be compensated for any loss of tax revenues fully and on-going rather than as settlement compensation</p>	<p>Federal and Provincial governments including Crown corporations provide payments-in-lieu of taxes to municipalities. If lands that have been within local government boundaries become TSL, payments-in-lieu of taxes will be lost thereby significantly reducing local government revenue and its ability to provide services, and potentially severely increasing local resident and business tax rates in perpetuity.</p>
<p><b>TAXATION WITHOUT REPRESENTATION</b></p> <p>Fundamental rights of all citizens deserve protection</p>	<p>The TAC wishes to see mechanisms created to ensure that non-aboriginals who pay taxes as residents on TSL are provided opportunities to be represented in, or make representations, to First Nation governments.</p>

## COOPERATION ON GOVERNANCE

The UBCM interest statement on governance in the *Interest Development Template* states that:

*"Local governments have well defined working relationships with the federal and provincial governments and between themselves. These relationships define many aspects of local operations including jurisdiction, fiscal arrangements, powers and communications. Local governments therefore have an interest in maintaining their working relationship with other levels of government."*

The Te'mexw TAC endorses the need for a clearly defined relationship between local governments and First Nations. The key governance and jurisdictional interests that local governments wish to achieve in their relationship with First Nations included attaining predictability, consistency, long-term mutual understanding and legal accountability.

TAC Interest	Rationale
<p><b>PARTICIPATION IN REGIONAL PLANNING</b></p> <p>First Nations Members should recognize Regional District bodies and processes</p>	<p>Treaties should provide a mechanism to ensure that planning, land use, growth management, and transportation strategies on TSL are compatible with neighbouring local government strategies, including but not limited to such things as harbour authorities, economic development commissions and regional planning processes.</p>
<p><b>INPUT INTO TREATY LANGUAGE</b></p> <p>Local government needs to be intimately involved in the development of the Local Government Relations Chapter of the Treaty</p>	<p>Local government needs to be intimately consulted as they are familiar with the opportunities and challenges associated with various participatory options. Positive working relationships between local government and First Nations government will be critical to implementation of the Treaty.</p>
<p><b>FAIRNESS AND BALANCE OF REGULATORY BYLAWS</b></p> <p>Consistent application of bylaws on and off TSL</p>	<p>Treaties should encourage the consistent application and enforcement of bylaws related to public health and safety for all people.</p>

## PARTICIPATION IN THE MANAGEMENT OF NATURAL RESOURCES

The UBCM interest statement on the management and jurisdiction of resources in the *Interest Development Template* states that:

*"Local governments have an interest in maintaining involvement and participation in resources beyond their local jurisdiction and geographic borders. Many communities depend upon access to natural resources for livelihood and recreation."*

The TAC recognizes the need to ensure aboriginals' rights are maintained on provincial and federal lands. In doing so they also wish to ensure that local governments are provided the ability to have a say in the management of the natural resources on these lands.

TAC Interest	Rationale
<p><b>ACCESS TO RECREATIONAL AREAS</b></p> <p>Public Access to recreational areas should continue</p>	<p>Treaties should not restrict public access to recreational opportunities such as provincial, regional, and municipal parks, community trails (Galloping Goose) and green spaces. Parklands should not be lost to TSL. None of the above land tenures should be affected by transfer to TSL.</p>
<p><b>PROTECTION OF WATER RESOURCES</b></p> <p>Need to ensure that water resources are protected for all citizens</p>	<p>Need to ensure protection of ground water, natural drainage systems, aquifers, watersheds, reservoirs, water licenses, water lots and shoreline from the impact of human disturbances and natural events through consistency in application of laws and controls both on and off TSL.</p>
<p><b>PROTECTION OF ALR</b></p> <p>Maintenance and protection of agricultural land is important for all citizens and therefore should be protected</p>	<p>Agricultural lands need to be protected to ensure adequate food sources and to ensure protection and maintenance of the Agricultural Land Reserve (ALR) Therefore application process for removal should follow the same procedures as other applicants.</p>

TAC Interest	Rationale
<p><b>PROTECTION OF GREENSPACE</b></p> <p>Maintenance of green spaces and open spaces</p>	<p>The TAC has an interest in how valued natural assets such as open spaces and green spaces are managed regardless of their jurisdiction on or off of TSL.</p>
<p><b>PROTECTION OF AIR QUALITY</b></p> <p>Ensure protection of air quality</p>	<p>The TAC has an interest in working with First Nations and the province to ensure that air quality standards are maintained regardless of jurisdiction.</p>

## COMMUNICATION PROTOCOLS

The Te'mexw TAC believes that local government/First Nation relations in both a pre-treaty and post-treaty environment is dependent on developing an orderly transition process that is understood and supported by all. Issues such as how local governments and First Nations engage one another, and how they coordinate and cooperate are integral to establishing workable processes.

The TAC pledges their willingness to achieve understandings with First Nations that embrace openness, transparency, positive communication and early notification. They confirm their commitment to an open, honest and trusting relationship with neighbouring First Nations.

They acknowledge that an overarching communication protocol between TAC Members and local Bands would be a good place to start. Once this is achieved, it could serve as a catalyst for the required dialogue and understandings between each individual First Nation community and their neighbouring local government. The process and requirement for communication protocols needs to be clearly written.

TAC Interest	Rationale
<p><b>DEVELOP AN OVERARCHING COMMUNICATION PROTOCOL</b></p> <p>Local governments and First Nations should be committed to working together to achieve mutual understandings. The practises of either government should bring no harm to the other community</p> <p>Provincial communications with local government</p>	<p>Prior to creating individual protocols or understandings between local governments and First Nations, it will be beneficial to generate broad level support and commitment to work together. This will take the form of an understanding, MOU, protocol between representatives of local Bands and the communities represented by the Te'mexw TAC.</p> <p>For participation in treaty negotiations to be meaningful, local government must be consulted before provincial positions are presented to the Te'mexw.</p>
<p><b>PROVIDE FOR A COLLABORATIVE EXCHANGE OF DATA</b></p> <p>Relationships between governments are enhanced by the open exchange of information and data</p>	<p>For effective land use planning, coordination of infrastructure and services and problem solving, a collaborative exchange of baseline information is essential.</p>

## NEXT STEPS

Provided below are the steps previously taken by the Te'mexw TAC.

### Step 1: Presentation to Councils

TAC representatives provided the interest statements to their respective Councils for review in advance of a Council meeting. After allowing sufficient time for review, the Interest Paper was tabled as an agenda item and discussions were facilitated to further refine the interests. It was suggested that representatives of the Association of Vancouver Island Coastal Communities attend the discussions with the respective Councils to provide:

- The context for the document;
- An update on the Te'mexw negotiations;
- Background on Te'mexw TAC representation at the treaty table; and
- Proposed next steps for the TAC.

## **Step 2: Convene a TAC Meeting to Discuss Input Provided by Councils**

After each TAC representative reviewed the interest statements with their Councils, the TAC met to discuss the comments they received. Based on these comments, revisions were considered prior to finalizing the interest statements.

## **Step 3: Meet with Provincial Negotiators to Share Interest Paper**

Once the interest statements were finalized, the provincial government negotiating team was asked to attend a TAC meeting to share and discuss the interest statements. Discussions included representation of the Te'mexw TAC at the treaty table.

## **Step 4: Develop a Strategic Plan and Communications Plan of Further Next Steps**

TAC representatives indicated interest in developing a further strategic plan that would confirm the objectives, new next steps, available resources and responsibilities for implementation. The strategic plan would be accomplished through a work session and once completed would provide an agreed upon plan for the TAC. The strategic plan would identify how best to pursue specific tasks such as:

- Meeting with Te'mexw regarding their Intergovernmental Relations Project. This provincially funded study would explore Te'mexw's current relationships and servicing agreements with local governments and how these may transform in relation to Treaty Settlement Lands. The meeting could also provide an opportunity to share the interest statements with the Te'mexw.
- Developing an overarching Communication Protocol with the Te'mexw First Nations.
- Identifying a communication strategy that would include but not be limited to common messaging and identifying a spokesperson for the TAC.
- Identifying a strategy for communicating TAC Interests to local residents.
- Developing key communication principles for local government including:
  - How, when and where to communicate.
  - An MOU regarding confidentiality and the requirement to answer to local constituents with regard to negotiations.

## **CURRENT TE'MEXW TREATY ADVISORY COMMITTEE MEMBERS**

<b>MUNICIPALITY</b>	<b>REPRESENTATIVE</b>
Colwood	Cynthia Day, Councillor
Esquimalt	Barbara Desjardins, Mayor, Chair of TAC
Langford	Lillian Szpak, Councillor
View Royal	Graham Hill, Mayor John Rogers, Councillor
Sooke	Janet Evans, Mayor
CRD Liaison	Jack Hull, General Manager, Water Services
Metchosin	John Ranns, Mayor
Saanich	Wayne Hunter, Councillor Chris Nation, Legal Counsel
Highlands	Ken Williams, Councillor

Note: Chief Administrative Officers provide advice to TAC Representatives as required

The Te'mexw TAC wishes to acknowledge the help received from the Lower Mainland Treaty Association both through a TAC Workshop earlier this year and permission to use some of their documents in developing the Te'mexw TAC documents.