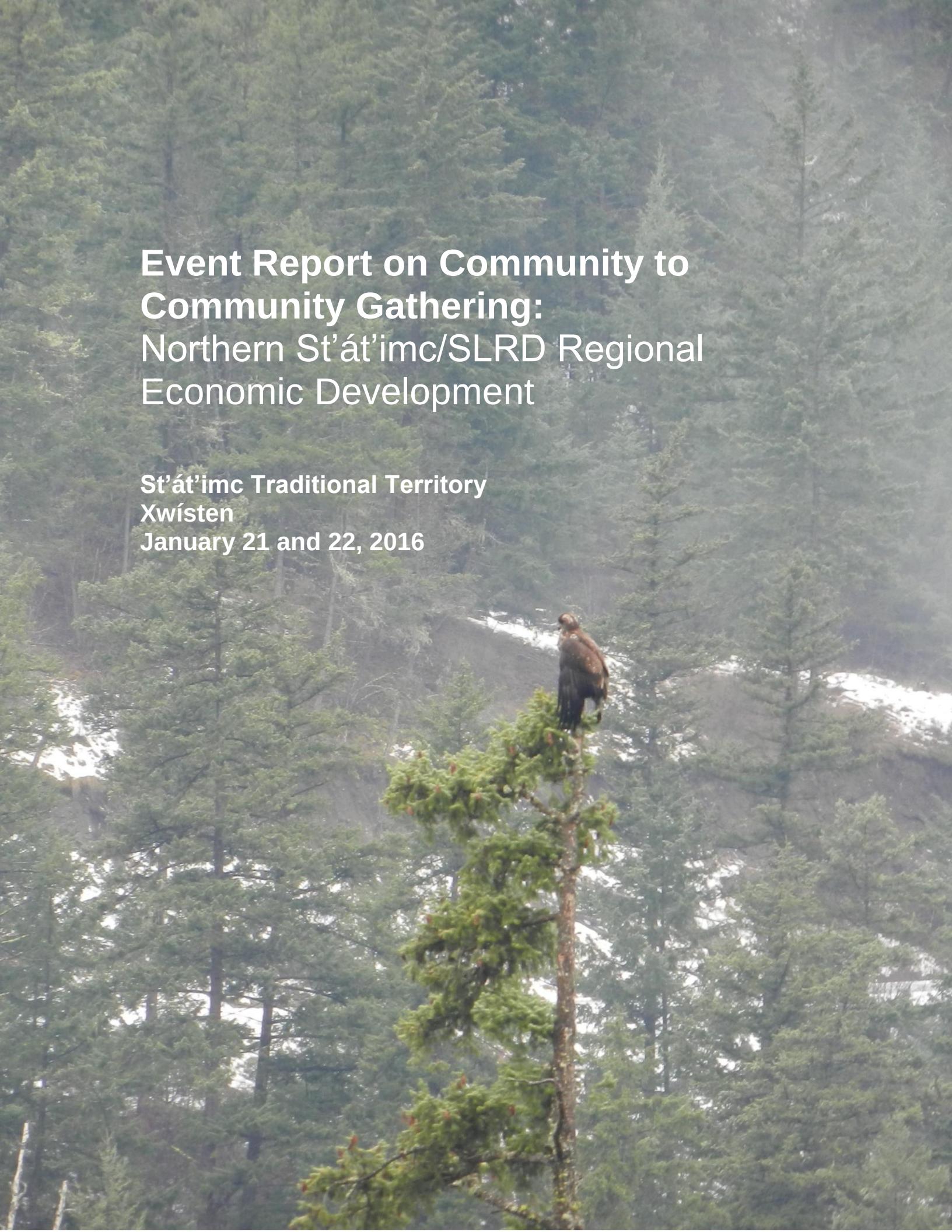




Event Report on Community to Community Gathering: Northern St'át'imc/SLRD Regional Economic Development

St'át'imc Traditional Territory
Xwísten
January 21 and 22, 2016

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Cover photo: Juvenile Bald eagle
outside the forum venue on the
second day of the event.

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Figure: A break-out group discussing next steps.

Summary

On January 21st and 22nd 2016, a Community-to Community (C2C) Forum was held with participation from elected officials and staff from the Northern St'át'imc Communities, the Squamish-Lillooet Regional District (SLRD) and the District of Lillooet (DoL).

The forum was part of a larger process to improve understanding and relationships between the organizations to pave the way for joint economic development initiatives at the regional level. The forum was convened to explore the following question:

How can we come together and build the trust and understanding needed to create a thriving and resilient future together for residents of the northern SLRD, Lillooet and the northern St'át'imc Territory?

The forum was facilitated by William Trousdale of EcoPlan, with presentations and break-out sessions led by representatives of many of the participating organizations. These activities and presentations included the following:

Thursday Evening, January 21, 2016

- Opening Prayer
- Welcoming:
 - Chief Susan James (Xwísten-Host Community)
 - Chief Michelle Edwards (Lillooet Tribal Council)
 - Chair Jack Crompton (SLRD Board)
- EcoPlan Presentations – Event Overview
- Key Note Address: Cathy Narcisse, *Reconciliation – Where are we now and how did we get here?*
- Feedback Forum: Delegates opportunity to offer thoughts and expectations

Friday, January 22, 2016

Relationship baseline and Group Surveys

- Break-out Session #1 - Regional Development Foundational Issues:
 - The Tsilhqot'in decision (Chief Shelley Leech, Shannon Squire)
 - The Doctrine of Discovery (Cathy Narcisse)
 - St'át'imc Government Services – Implementing the BC Hydro Agreement (Jim McArthur, Bradley Jack)
 - Residential School Impacts (Chief Darrell Bob)
 - Current Business Development (Chief Larry Casper Jr.)
- Presentation: SLRD Governance, Services, and Revenue Allocations; Economic Development Initiatives
 - Lynda Flynn, SLRD CAO
 - Jeannette Nadon, SLRD Communications and Grants Coordinator
- Presentation: LIRN Event Overview
 - Donnell Sellars, Fraser Basin Council
 - Toby Mueller, Lillooet Learning Communities Society
- Break-out Session #2 –Next Steps: Where do we go from here?
- Feedback and Reflection
- Closing Remarks & Prayer

The following representatives attended the forum for one or both days (listed by communities in alphabetical order):

District of Lillooet

Marg Lampman, Mayor (SLRD Director)
Kevin Aitken, Councillor
John Courchesne, Councillor
Laurie Hopfl, Councillor
Barbara Wiebe, Councillor
Marg Hohner

Sekw'el'was

Chief Michelle Edwards
Jessica Hopkins, Councillor

Squamish-Lillooet Regional District

Jack Crompton, Board Chair, Councillor for the Resort Municipality of Whistler
Debbie Demare, Director, Electoral Area A
Russell Mack, Director, Electoral Area C
Mickey Macri, Director, Electoral Area B
Tony Rainbow, Director, Electoral Area D
Lynda Flynn, Chief Administrative Officer
Graham Haywood, Project Coordinator & Research Analyst
Jeannette Nadon, Communications & Grants Coordinator

T'it'q'et

Chief Shelley Leech, P'egp'ig'lha Council
Chief Kevin Whitney

Sarah Moberg, Councillor
Marilyn Napoleon, Councillor
Sid Scotchman, Councillor
Shannon Squire, Governance Advisor, P'egp'ig'lha Council
Keely Weget-Whitney, P'egp'ig'lha Youth Council
Matthew Davidson
Robert Leech

Tsal'alh

Chief Larry Casper Jr.
Clifford Casper, Councillor
Randy James, Councillor
Phyllis Peters, Councillor
Garry John, Tsal'alh Development Corporation

Ts'kw'aylaxw

Chief Francis Alec
Gary Harry, Councillor
Dolores McDonald, Councillor

Xaxli'p

Chief Darrell Bob Sr.
Larry Narcisse

Xwísten (Host Community)

Chief Susan James
Brenda Frank, Councillor
Gerald Michel, Councillor
Harold James, Councillor
Ina Williams, Councillor
Bradley Jack, Administrator
Allison James

Other organizations and contributors

Vivian Adolph, Lillooet Tribal Council
Jim MacArthur, Governance Advisor, Lillooet Tribal Council
Matt Manuel, Lillooet Tribal Council
Toby Mueller, Lillooet Area Library Association
Cathy Narcisse, Keynote Presenter
Donnella Sellars, Fraser Basin Council

Facilitation & forum support: EcoPlan International

William Trousdale, President
Paul Siggers, Planning Associate

A full agenda and day-by-attendance list are included in the appendices.

Presentations

Key Note Address: Cathy Narcisse, Reconciliation – Where are we now and how did we get here?

Cathy Narcisse is currently pursuing a PhD in Anthropology at the University of British Columbia. Her presentation drew on her expertise to provide a brief history of some of the legal context and mechanisms of colonial oppression in order to provide context for contemporary discussions of reconciliation and related court proceedings.

Her presentation was framed by questions from the St'át'imc perspective regarding Aboriginal Rights and Title and requirements established by the Canadian legal system. For example:

- Why is it called 'Native land claims'? If we [First Nations] have been here for thousands of years, why are we claiming the land?
- How did it get to this point that we [First Nations] have to 'prove' our 'land claims' in the settler courts?

Throughout the forum, many participants noted how these questions and Ms. Narcisse's overall presentation provided an important frame for the small group discussions and their general understanding of the legal struggles over Aboriginal Rights and Title.



Cathy Narcisse – Key Note Presenter

frame
general

SLRD Governance, Services, and Revenue Allocations

Lynda Flynn, Chief Administrative Officer (CAO) of the SLRD, provided a brief presentation on governance, cost centres/services, and revenue allocations of the regional district.

Some of the following topics elicited further discussion from the group:

- BC Hydro PILT (Payment in lieu of tax) funds and their allocation
- The SLRD's 87 costs centres/services
- Representation and elections, including clarification that all residents of SLRD, including on-reserve First Nations, are eligible to run for the SLRD board and to vote in SLRD elections

Instant Survey data

During overview presentations by EcoPlan, participants were asked a series of questions about how they assessed the quality of relationships among the participating indigenous / non-indigenous communities and governments. By asking the same questions at the beginning and end of the event, some idea of the progress made during the forum could be tracked.

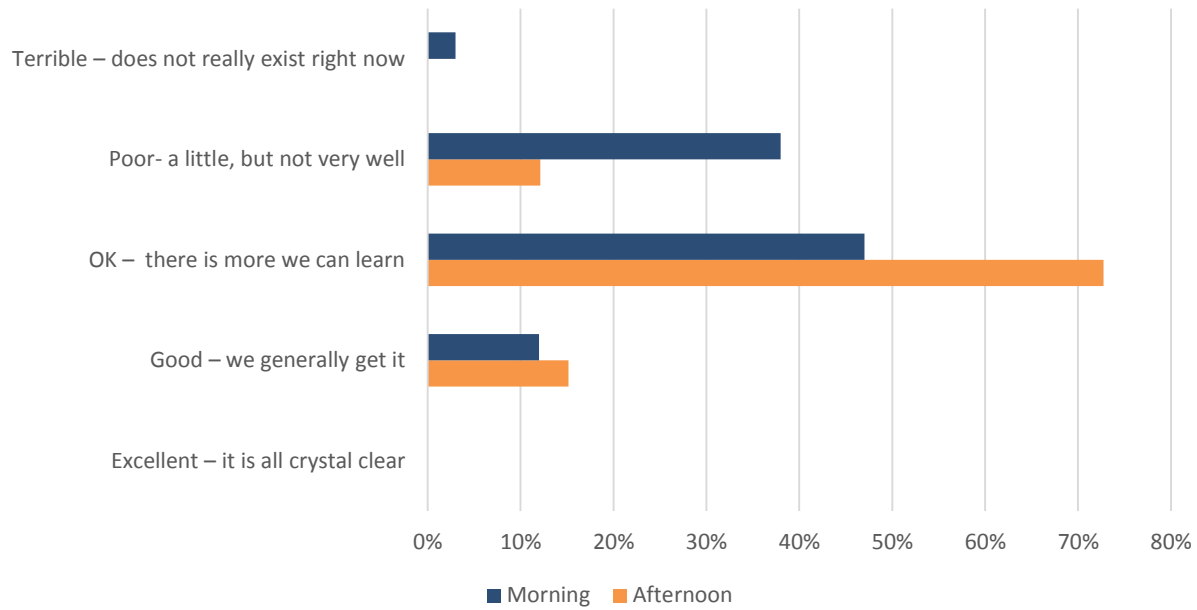


Figure: Forum participants using hand-held 'clickers' to respond to instant polling questions

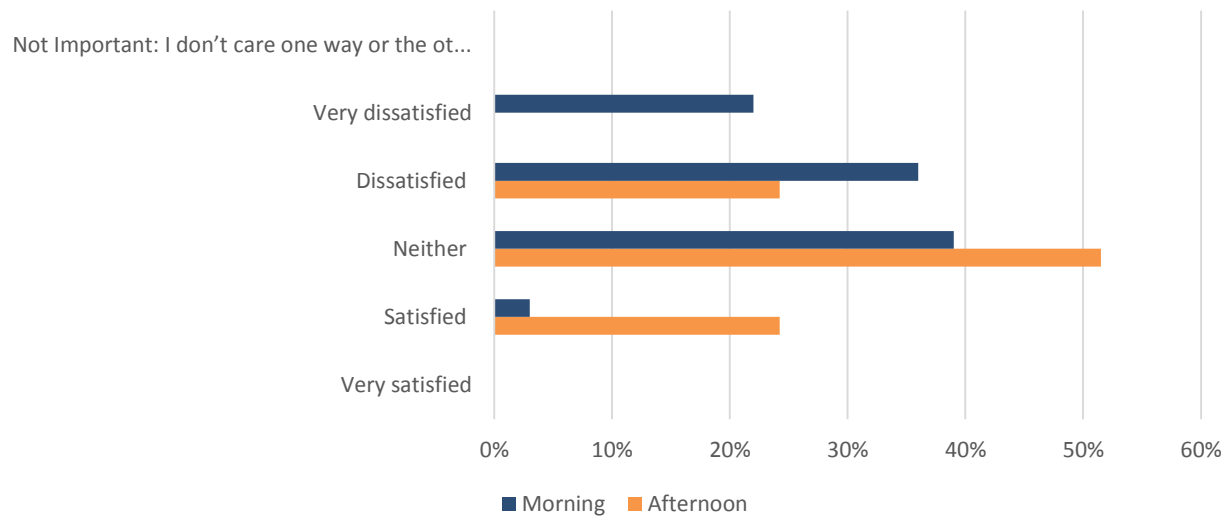
For all three questions, results indicate that the forum participants, as a group, registered in a significant 20-40% shift toward increased understanding and improved relationships with neighbouring organisations.

The following charts summarize the results. Full presentations are provided in the Appendix.

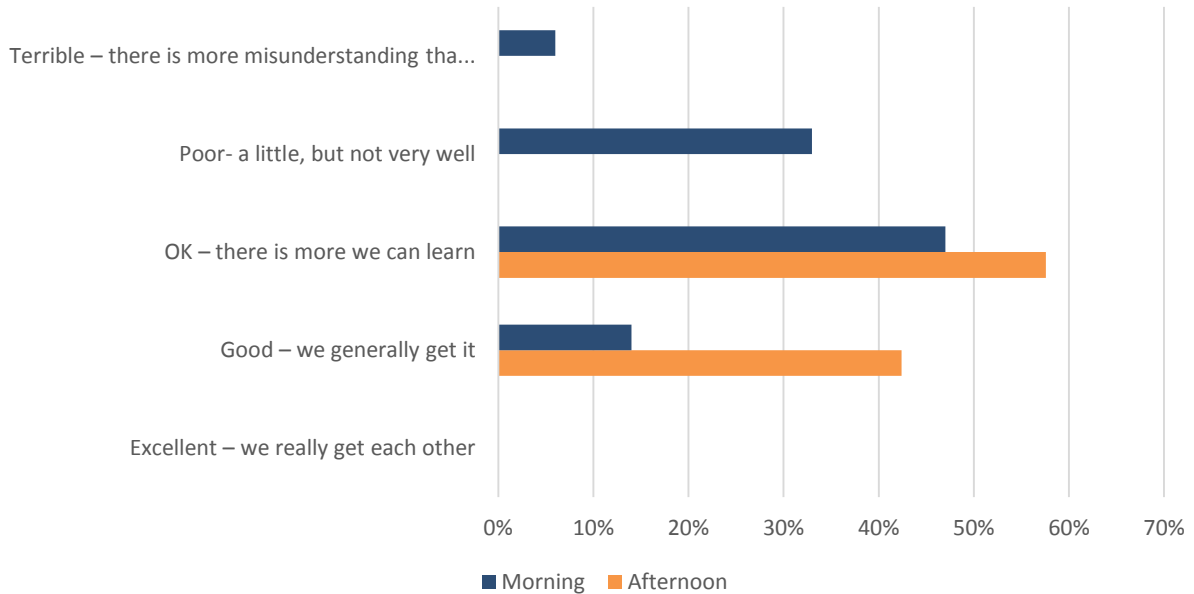
How would you describe your understanding of each other's governance systems?



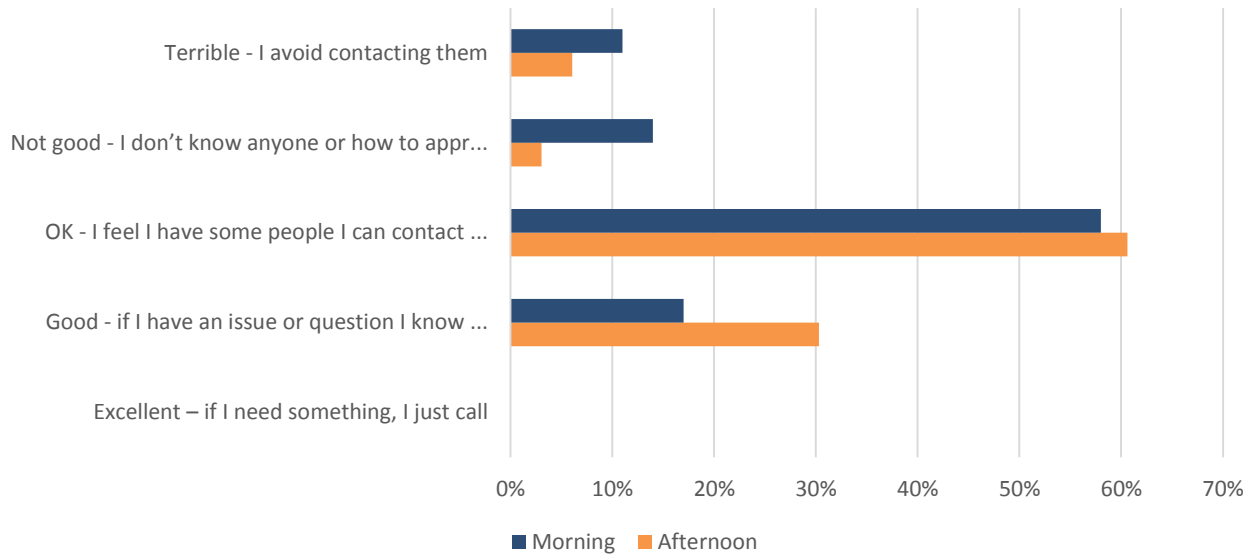
In general, how satisfied are you with the St'at'imc and non-St'at'imc government relationship?



How well do you feel you understand each other as people?



How would you rate your personal relationships with people in St'át'imc governance organizations if non- St'át'imc or visa versa?



Break-out Session #1 – Regional Development Foundational Issues

The following notes summarize discussion of issues at the small-group Dialogue Sessions. Each session was held four times over the course of two hours, allowing forum participants to circulate and learn about multiple topics. The following are the direct notes taken by the reporters at these tables.

Table 1: Tsilhqot'in Decision

Presenters: Chief Shelley Leech, P'egp'ig'lha Council (T'it'q'et); Shannon Squire, Governance Advisor, P'egp'ig'lha Council

- The presenters referred to a PowerPoint; a PDF of the presentation is attached as a separate document.
- June 26, 2014 the Supreme Court of Canada (SCC) rendered historic judgement in the Tsilhqot'in Nations Aboriginal title case
- SCC declared Aboriginal Title
- Aboriginal title gives the Tsilhqot'in the right to control and manage the lands according to Tsilhqot'in laws
- Right to economic benefit from the land
- Right to choose how the lands will be used
- Right to possess the land
- Right to enjoy and occupy the lands
 - What is the meaning of postage stamp? It is the recognition of title lands not just in small bits but the whole use of the area. The court confirmed the territorial nature of title (i.e. Court rejected "postage stamp" view of aboriginal title once and for all)
- How does the Tsilhqot'in Decision help other First Nations?
 - The case helped to define the pertinent issues: who is the title holder, areas of responsibility, confirming processes for governance, management and consent, addressing shared areas...
- Can the Tsilhqot'in be retroactively applicable?
 - "If the Crown begins a project without consent prior to aboriginal title being established, it may be required to cancel the project upon establishment of the title if continuation of the project would be unjustifiably infringing. Similarly, if legislation was validly enacted before title was established, such legislation may be rendered inapplicable going forward to the extent that is unjustifiably infringes aboriginal title" (Tsilhqot'in, at para 92)
- Are there other First Nations trying to prove Title in court?
 - Not sure – assume so.
- How do you get to a place without courts and treaties?
 - Building relationships, protocols, revenue sharing agreements

- "Governments and individuals proposing to use or exploit land, whether before or after a declaration of Aboriginal title can avoid a charge of infringement or failure to adequately consult by obtaining the consent of the interested Aboriginal group"
- What is the meaning of "accommodation" from the Province?
 - Following the Forum, Shannon Squire contacted the province to request an answer to this question. The answer she received is included below:

The following definition and description of accommodation is from the BC Ministry of Aboriginal Relations and Reconciliation-produced Accommodation guide (for internal government use):

"Courts described accommodation broadly as adapting, harmonizing, or reconciling Aboriginal and Crown interests –making an adjustment or adaptation to suit a special or different purpose than originally planned.

Accommodation was also described as an attempt to harmonize or balance conflicting interests and to move further down the path of reconciliation. Where accommodation may be required, the Crown must balance the potential impact of the decision on Aboriginal Interests and with other public interests. It is important that government be responsive during consultation and accommodation. Consultation should be approached with a willingness to amend proposals in light of information received and provide feedback including explanations for why proposed accommodation measures, whether introduced by government or the First Nation, are considered appropriate or inappropriate.

Accommodation measures can take a variety of forms, the most common of which is modifying plans for a proposed decision or activity, or imposing terms and conditions on the operation of the project or activity. These measures may include avoidance or minimization measures.

The level of accommodation will need to be proportionate to the degree of potential impact on Aboriginal Interests, as well as the strength of claim to asserted rights/title or scope of established rights. If the strength of claim is lower or the proposed project will not have serious impacts on the exercise of Aboriginal Interests, accommodation may not be required or minor accommodation measures may be all that is needed. Equally, where a consultation process has revealed potential serious impacts and strength of claim is moderate or high, accommodation may include significant mitigation or other measures.

Table 2: Residential Schools

Presenter: Chief Darrell Bob Sr., Xaxl'ip

- Chief Bob shared his personal experience at the Kamloops Residential School.
- He described violence between students, abuse by adults in positions of authority, and alienation from family and community.
- Indian Residential Schools (IRS) were designed to "kill the Indian in the child".
- The IRS system resulted in "cultural genocide".
- Families were broken apart.
- The result is multi-generational trauma that many families still struggle with.
- The Kamloops Residential School closed in 1977.

- Now people need to find ways to shift out of the cycle of violence.
- It is important to link this healing to traditional teachings and processes.
- First Nations families need to rebuild traditional family systems.
- Over 80,000 submissions were heard by the Truth and Reconciliation Commission (TRC).
- There are 94 specific recommendations that came out of the TRC.
- The entire TRC report is available at the Lillooet Public Library.
- There are more First Nations children in care today than were ever in the IRS system.
- This presentation should be made to front-line workers who work with First Nations children and families.

Table 3: Business Development

Presenters: Chief Michelle Edwards, Sekw'el'was; Chief Larry Casper Jr., Tsal'alh; Garry John, Tsal'alh Development Corporation

- The presenters referred to the document- How to do business with St'át'imc (included as separate document)
- Communicate our diverse interests in Economic Development
- Communication and engagement early in process
- Set-up an introduction meeting with Chief and Council at beginning
- Engagement Process for different levels of impacts
- Engagement process Matrix
- Interest in having documents shared with town & SLRD
- Forestry interest in communities
- Developing a Northern Forestry Plan
- St'át'imc Eco-Resources
- Development Corporations in communities
- Discussions around Forestry and Economic Development
 - e.g. Hotel, BC Hydro, Tourism and the planning processes
- Land Use Plans in Place
- Number of business opportunities that are spin-offs from BC Hydro agreement
- Shared information on the businesses that the St'át'imc Communities have
- Need a session on tax base in SLRD area. Look at the facts, share information, PILT (money comes through BC Hydro in lieu of taxes etc.)
- Raise awareness of recognition to the changing Economic Landscape in St'át'imc Territory
- Raise local capital
- Investment Co-op (idea)

Table 4: Doctrine of Discovery

Presenter: Cathy Narcisse, PhD (Candidate), UBC

- Cathy Narcisse explained the context of her academic research which seeks to understand the Indigenous land issue from the indigenous perspective.
- She defines the Indigenous land issue by explaining the historical context and events of how it came about. Much of this has to do with the Doctrine of Discovery during the Age of Discovery, but she has extended her research as far back as the High Middle Ages.
- The Doctrine of Discovery examines the roll of the European 'Papal Bulls' of the 15th century which gave Christian explorers the right to claim lands they "discovered" and allowed them to lay claim to those lands for their Christian Monarchs under the political system and culture of Christendom. Any land that was not inhabited by Christians was available to be "discovered", claimed and exploited. If the "pagan" or Indigenous inhabitants could be converted, they might be spared. If not, they could be enslaved or killed.
- Under the Doctrine, title to newly discovered lands lay with the government whose subjects discovered new territory. The doctrine has primarily been used to support decisions invalidating or ignoring indigenous possession of land in favor of colonial or post-colonial governments. This is the root of the Indigenous Land Issue.
- Following the Age of Discovery, the European world entered the Age of European colonialism and imperialism, within which indigenous populations were further subjugated or eradicated. This is where and when the Indigenous land issue began its evolution into the complex system or issue it is today.
- Through interviewing the St'át'imc and its elders, Cathy has attempted to define and establish a new perspective for what happened through the age of discovery and colonialism/imperialism. This perspective flips the European account on its head, and looks at the development of North America through the eyes of its first inhabitants.
- What she has found lends itself to the concept of Aboriginal title based on the use, occupation and inhabitancy of the St'át'imc territory prior to European contact and colonization, and validates that the indigenous people of the St'át'imc territory were in fact the 'First Nation' to exist there.

REFERENCES

- Native America, Discovered and conquered Thomas Jefferson, Lewis and Clark, and Manifest Destiny. Author: Robert J. Miller
- Pagans in the Promise Land: Decoding the Doctrine of Christian Discovery. Author: Steven T. Newcomb
- Discovering Indigenous Lands: The Doctrine of Discovery in the English Colonies. Author: Robert J. Miller. Jacinta Ruru, Larissa Behrendt, and Tracy Lindberg.

Table 5: St'át'imc Government Services – Implementing the BC Hydro Agreement

Presenters: Jim MacArthur, Governance Advisor, Lillooet Tribal Council; Bradley Jack, Administrator, Xwísten

How it started:

- In 1989 BC Hydro wanted to upgrade a transmission line, and so began engagement with some St'át'imc communities. Eventually, discussions extended to all communities and turned into a negotiation process that would take 20 years and resulted in the BC Hydro Agreement (BCHA)
- However, St'át'imc Chief's Council, the group that conducted negotiations, was not a legal entity. A legal entity was needed to:
 - Receive payments from BC Hydro, and
 - Administer BCHA alongside BC Hydro during 50 year lifespan of agreement
- The St'át'imc Government Services (SGS) was established to administer BCHA once negotiations concluded

St'át'imc Government Services (SGS):

- Implements BCHA and manages funds
- A “tribal corporation” in the sense of “crown corporation”
- Provides nation-wide services:
 - In-house Archeology team
 - GIS
 - Skills and training strategy
 - Scholarship fund
 - Establishes some nation-wide priorities
- Has about 25 employees
- Has own board; no members can be community Chiefs
- While SGS started out for BCHA related activities, some discussion about expanding beyond that
 - E.g., if a Forestry company (e.g. Tolko) needs arch assessment for road building in an area, why contract an archeological team from Vancouver when SGS has an in-house team?

The BC Hydro Agreement (BCHA):

- Finalized in 2011
- involves 10 communities (i.e. all St'át'imc except for Lil'wat, who negotiated their own agreement)
- BCHA is not a one-time compensation payment – seen as a living document by St'át'imc, an ongoing partnership for addressing impacts, training and working together

- A 50-year agreement with a number of planning elements and other agreements:
 - 5-year Archaeological Impact Assessment (including retroactive review of past impacts before Archeological Standards established).
 - 5-year funding for development of a 20-year Education and Training Plan (with a focus on getting St'át'imc members employed by BC Hydro)
 - Relationship agreement
 - Certainty agreement
 - Separate agreements for individual communities
 - Vegetation management contracts
 - Includes ongoing funding for SGS admin services
 - Includes a formula for working together- a Relationship Agreement- for future impact assessments
 - Revenue sharing with BC Hydro is not part of agreement
 - Procurement is part of agreement, though it is one of the areas that BC Hydro has not yet fulfilled;; challenges around BC Hydro bureaucratic 'silos': Procurement department still using old processes, do not know to adhere to BCHA.
 - Part of Agreement was to connect southern communities to grid (Skatin, Xa'xtsa, Samahquam)

- Trust: As planning winds down, communities start having access to trust fund:
 - BC Hydro makes annual contributions to Trust for 99 years.
 - 17% of Trust allocated for nation-wide projects (e.g. St'át'imc Nation Building Activities, governance initiatives, etc.).
 - 83% allocated for use by 10 communities:
 - Allocated to communities based on formula depending on level of impact from BC Hydro operations
 - Eligible for work under one of four pillars: Economic Development, Governance, Social, Infrastructure
 - Four pillars general enough to allow fund to be used for broad range of activities (e.g. Xwisten has done a Comprehensive Community Plan, fuel management projects, economic development planning, education and skills training)
 - Funds provided by application assuming certain base requirements met (i.e., not a restrictive application process)

Between sessions, participants at the forum were invited to read and interact with a timeline of historic events that have taken place in the St'át'imc territory, including the *Royal Proclamation (1763)*, the *Indian Act (1876)*, the *Declaration of the Lillooet Tribe (1911)* and important legislative developments and court decisions. The full list of events is included in the appendix.

Break-out Session #2 – Next Steps: Where do we go from here?

The following notes are from three break-out groups and are the direct notes taken by the reporters at these tables and then organized under headings.

Continue Organizational Relationship Building activities and improve inter-organizational communications

- Work together on Memorandum of Understanding- can be built over time
 - Begin with staff
 - Government to government
 - Protocol Agreement – acknowledgment + respect
 - Regular staff level updates which get reported back to leadership
 - CAOs – Protocol Agreement
- At the political/senior staff level
 - Perhaps annual Council to Council meetings
 - SLRD- need to continue to make effort to connect, be welcoming and cooperative
 - Political commitments
 - These meetings need to continue
 - Regular meetings?
 - Every 6 months to start
 - Shorter meetings would be good.
 - Should set short and mid-term goals
 - Are we ready to commit to staff-level meetings? (as a parallel process to leadership meetings)
 - Bridge River Trust – dust it off. *(This trust was proposed in 1998 and was suggested then that revenue from B.C. Hydro's power generation projects in the Bridge River-Lillooet area be used to establish the trust as compensation for the environmental damage inflicted by the power projects. Similar trusts had already been established in the Columbia Basin, Peace River and Nechako areas. The Bridge River Lillooet Trust never became a reality.)*
 - The SLRD participates in regional CAO meetings – Can the St'át'imc community administrators join these periodically for information exchange.
 - For example, Xwísten is a member of the SLRD Area B; but where is the opportunity to participate in Area B planning (e.g. for solid waste management) – let's explore the mechanics of being involved in planning. Roles and Opportunities – who does what, how to share information etc.
- Sharing community plans (CCPs, OCPs, RGS) so as to be aware of each other's priority initiatives
 - It seems everyone is working on recycling, can we collaborate?

- Information/education sessions:
 - Several chiefs stated they would like to know more about the SLRD financial structure – cost centres, the PILT funds, (esp. w/r/t how money is distributed- North versus South PILT)
 - Presentation by District of Lillooet on their system
- Staff and Board-level cultural training and History:
 - E.g., Doctrine of discovery
 - May 10- big celebration to mark the anniversary of the Declaration of the Lillooet Tribe
- Reconciliation Framework
 - Define reconciliation (reconciliation means different things to different people), what will be reconciled?
 - Land use protection and development
 - Reconcile St'át'imc Land Use Plan and Regional Plans
- Common concerns
 - Northern Shuswap Treaty
- Keys to building better relationships
 - Regular conversations with area representatives- SLRD, District of Lillooet
 - Members on-reserve to get involved in SLRD planning
 - Invite St'át'imc to speak at Board (Council) meetings
 - Invite St'át'imc to learn about plans before they go to the Public
 - St'át'imc attending meetings when it pertains to lands etc.

Find a small, staff-level project to accomplish jointly for a “quick win”

- There are a number of initiatives that would benefit from either joint submissions or collaboration. For example,
 - Emergency Planning (there was quite a bit of discussion on this topic)
 - SLRD can do mapping during an emergency,
 - Determining *Who* can declare an emergency, and what happens (is supposed to happen) once they do?
 - Who can provide what types of help (on and off reserve) during an emergency
 - There are Ham radio operators and satellite phone operators in remote areas – list of who they are.
 - 911 issue – need civic address system in place on reserve in order to implement 911 system. Largely, we believe the civic address system is in place, the stage may be set for implementation of 911. Let's identify what else we need to make this move forward in 6 northern communities. Also, does Ts'kw'aylaxw already have 911 in place? Let's confirm.
 - 911- Emergency Preparedness- District of Lillooet mandate, Darren Oike coordinator

- Volunteer fire department
- Emergency services
- Email notices
- Tsal'alh Fire Smart Coordinator
- Pandemic?
 - Communities have plans
 - Interior Health- Lillooet Hospital
 - FN Health Authority
- Transportation
 - Highway safety
 - Advocacy for improved roads
- Signage about St'át'imc History
 - Make sure it is accurate
- Are there services available via SLRD that would help a St'át'imc person who is moving off reserve; can the administrators identify these and how to access them?

Economic Development opportunities

- Regional Economic Development - need to find common interests/needs, i.e. accessing capital
- Forestry – Visual Quality Objectives for Buck Creek
- Global positioning mapping – How does Xwísten (or any community) get Xwísten data into the GPS database?
- Agriculture – There are two parallel processes occurring (the Lillooet Agriculture & Food Society – which is a new not-for-profit organization established to implement the SLRD / Lillooet / St'át'imc Agriculture Plan & the T'it'q'et Food Security Project). Let's endeavour to coordinate these two initiatives where feasible.

Bring to the Community-level

- Engagement, engagement strategy
- Recreation Committee – shared goals- youth
 - More youth councils- involve youth in “adult” events and meetings
- Knowledge of the Elders, connecting youth and Elders
- Capturing the survivor spirit
- Tell traditional stories to build understanding
- Get more St'át'imc members involved in SLRD planning/elections, etc.

OTHER COMMENTS:

- Check assumptions
- Seton Lake Beach –resolve question

Evaluation Form Results

At the end of the workshop, participants were asked to fill out a short evaluation to help organizers learn from their experience at the forum, and better plan future meetings. The following table summarizes the responses.

1. What worked for you? What did you like?	
• Breaking up into smaller groups was more informative. • Clicker process. • The breakout group topics. • The presentation by Cathy Narcisse. • I like the format. • Good days. • Like structure- small groups good. • Liked the interactive voting- kept people engaged. • Good facilitation. • Small groups. • The presentation's open communication. • It all worked out.	• Working groups were good. • History was good. • Exchange information. • The design of the event with great facilitation. • The voting device was very useful. • The participants. • Learning other perspectives, the facilitators keeping focus. • Knowledge enhancement. • Planning for a future working relationship. • Liked breakout groups. • Good broad cross section from ALL communities
2. What did you not like? What would you change?	
• Nothing. • The quick overview of the SLRD, I suggest that the small groups happen before the presentation of the SLRD, also an overview of District of Lillooet. • All good, perhaps the next meeting could be done in 1 day. • Nothing.	• Still not sure if there is a cross understanding of non-St'át'imc history and reasons for being here. • Couldn't hear everyone; encourage everyone to use microphone. • Nothing. • Nothing. • Table presenters need to shorten up their briefs and let the dialogue flow amongst participants • Long.
3. What would you like to see in future meetings?	
• More interaction. • Youth perspective. • Continued relationship building. • Shorter meetings/alternate. • More info on each other's governance structure. • Ongoing, consistent communication. • How would the youth become more involved with the S.L.R.D, District of Lillooet, and the St'át'imc Nation? • Another meeting in 6 months. • Keep it going for all our thoughts and endeavours are similar.	• Obviously different working group topics. • Issues we can work on. • Bit more of cross-cultural activity/event/sharing. • Use of microphone. • More interactive small group sessions. • A plan that takes place and an outline to make it happen. • More on First Nations culture and expectations. • Next time make it a community forum. Be it Regional, geographical but NO MORE C2C.

Appendix 1:C2C Forum Agenda

Northern St'át'imc / SLRD Regional Economic Development

Learning and Planning Together: Building Respectful and Effective Aboriginal/Non-Aboriginal Relationships

Community to Community (C2C) Gathering January 21 and 22, 2016

We would like to recognize that this meeting is being held on St'át'imc Territory. We thank the St'át'imc, and in particular, the community of Xwísten, for welcoming us.

This gathering is an opportunity to explore the following question:

How can we come together and build the trust and understanding needed to create a thriving and resilient future together for residents of the northern SLRD, Lillooet and the northern St'át'imc Territory?

Facilitator:

- William Trousdale, EcoPlan

Attendees:

- Chiefs and Councils of the six Northern St'át'imc communities
 - *Support staff from each Northern St'át'imc community*
- Mayor and Council of District of Lillooet
 - *Support staff from DOL*
- SLRD Board
 - *Support staff from SLRD*

Day 1: January 21, 2016 (6:00pm-9:00 pm)

EVENING

- Opening Prayer and Welcome
- Agenda and Objectives
- Key Note Address: Cathy Narcisse
 - *Reconciliation – Where are we now and how did we get here?*

DINNER

- Feedback Forum: Delegates opportunity to offer thoughts and expectations
- Closing remarks

Day 2 January 22, 2016 (8:30am-4:30pm)

MORNING

- Welcome and Agenda Review
- Knowledge Calibration Warm-Up (Interactive Q&A)
- Regional Development Foundational Issues: Dialogue Session - Concurrent Working Tables
 1. The Tsilhqot'in decision (Lawyer Ray Philipps)
 2. The Doctrine of Discovery (Cathy Narcisse)
 3. St'át'imc Government Services – Implementing the BC Hydro Agreement (Earnest Armann)
 4. Residential School Impacts (Chief Darrell Bob)
 5. Current Business Development (Chief Michelle Edwards)
- Open Forum: Opportunity for Reflection

LUNCH

AFTERNOON

- SLRD – Presentation
 - Lynda Flynn, SLRD
 - Jeannette Nadon, SLRD
- Q&A Session

BREAK

- Relationship and Regional Collaboration Revisited
- LIRN Event Overview
 - Donnella Sellars
 - Toby Mueller
- Next Steps: Where do we go from here?
 - Delegates Discuss Ideas and Issues / Challenges and Opportunities
- Feedback and Reflection
- Closing Remarks & Prayer

Appendix 2: Forum Attendance

Squamish-Lillooet Regional District Community to Community Forum, January 21 and 22, 2016

	Delegate Name	Community / Organization Name	Initials (Jan. 21)	Initials (Jan. 22)
1	Andrea Leech			
2	Barbara Wiebe	Councillor, District of Lillooet	BW	BW
3	Bradley Jack	Administrator, Xwisten	BJ	"
4	Brenda Frank	Councillor, Xwisten	BF	
5	Cathy Narcisse		CN	CN
6	Chief Darrell Bob Sr.	Xaxli'p	DB	DB
7	Chief Kevin Whitney	T'it'q'et	KW	KW
8	Chief Larry Casper Jr.	Tsal'alh	LC	LC
9	Chief Michelle Edwards	Sekw'el'was	ME	ME
10	Chief Shelley Leech	P'egp'ig'lha Council (T'it'q'et)	SL	"
11	Chief Susan James	Xwisten	SJ	SJ
12	Clifford Casper	Councillor, Tsal'alh	CC	CC
13	Crystal Branget	Administrator, Tsal'alh		
14	Debbie Demare	Director, Electoral Area A, Squamish-Lillooet Regional District	DD	DD
15	Dolores McDonald	Councillor, Ts'kw'aylaxw	DM	"
16	Donnella Sellars	Fraser Basin Council	DS	DS
17	Elizabeth (Liz) Prosser	Executive Assistant, Tsal'alh		
18	Ernest Armann			
19	Gary Harry	Councillor, Ts'kw'aylaxw	GH	GH
20	Gerald Michel	Councillor, Xwisten	GM	GM
21	Graham Haywood	Squamish-Lillooet Regional District	GH	"
22	Harold James	Councillor, Xwisten	HJ	
23	Ida Mary Peters	Councillor, Tsal'alh		
24	Ina Williams	Councillor, Xwisten		
25	Jack Crompton	Board Chair, Squamish-Lillooet Regional District (Councillor, Resort Municipality of Whistler)	JC	JC
26	Jeannette Nadon	Squamish-Lillooet Regional District	JN	JN
27	Jessica Hopkins	Councillor, Sekw'el'was	JH	
28	Jim MacArthur	Governance Advisor, Lillooet Tribal Council	JM	"
29	John Courchesne	Councillor, District of Lillooet	JC	JC
30	Keely Weget-Whitney	P'egp'ig'lha Youth Council (T'it'q'et)	KW	KW
31	Kevin Aitken	Councillor, District of Lillooet	KA	KA

Squamish-Lillooet Regional District
Community to Community Forum, January 21 and 22, 2016

	Delegate Name	Community / Organization Name	Initials (Jan. 21)	Initials (Jan. 22)
32	Lacey Larochelle	Admin. Assistant / Referral Clerk, P'egg'ig'lha Council (T'it'q'et)		
33	Laurie Hopfl	Councillor, District of Lillooet	RL	LL
34	Lynda Flynn	Chief Administrative Officer, Squamish- Lillooet Regional District	WF	LF
35	Marg Hohner	District of Lillooet	MH	HH
36	Marg Lampman	Mayor, District of Lillooet (Director, Squamish-Lillooet Regional District)	ML	"
37	Marilyn Napoleon	Councillor, T'it'q'et	MN	
38	Mickey Macri	Director, Electoral Area B, Squamish- Lillooet Regional District	MM	"
39	Mike Richman	Director, Squamish-Lillooet Regional District (Mayor, Village of Pemberton)		
40	Paul Siggers	EcoPlan International	PS	KS
41	Perry Redan	Councillor, Sekw'el'was		
42	Phyllis Peters	Councillor, Tsal'alh	PP	PP
43	Randy James	Councillor, Tsal'alh	RJ	
44	Ray Phillips			
45	Russell Mack	Director, Electoral Area C, Squamish- Lillooet Regional District	RM	RM
46	Sarah Moberg	Councillor, T'it'q'et	SM	
47	Shannon Squire	Governance Advisor, P'egg'ig'lha Council (T'it'q'et)	SS	SS
48	Sid Scotchman	Councillor, T'it'q'et	SS	"
49	Toby Mueller	Lillooet Learning Communities Society	TM	"
50	Tony Rainbow	Director, Electoral Area D, Squamish- Lillooet Regional District	TR	TR
51	Vivian Adolph			VA
52	William Trousdale	EcoPlan International	WT	"
53	Matthew Davidson	T'it'q'et	MD	
54	Robert Leech	T'it'q'et	RL	
55	Allison James	Xwisten	AJ	
56	Ina Williams	Xwisten ina-w-472@yahoo.ca		
57	Matt Manuel		MM	MM
58	Garry John	Seten	GJ	
59	Larry Narcisse	Xaxli'p.		LN
60	Francis Alec	Chief, Ts'kw'aylaxw		FA

Appendix 3: Timeline

Time

immemorial:	St'át'imc people sustainably use and occupy their traditional territory
1763:	Royal Proclamation -explicitly recognized the continuing rights of Aboriginal people relationship to the land; Aboriginal land ownership and authority are recognized by the Crown as continuing under British sovereignty. States that only the Crown could acquire lands from First Nations and only by treaty.
1778:	Captain Cook landed on the Coast of BC and claimed the land for Britain.
1808:	Simon Fraser arrives at the village of Sat (now Lillooet) and meets with St'át'imc Chiefs.
1858:	Mainland of British Columbia is declared a colony of Britain. Gold rush brings thousands of miners to the Lillooet area.
1859	Hundreds of St'át'imc die of starvation due to two years of poor salmon runs and lack of access to traditional harvesting areas due to the influx of miners.
1862:	Smallpox epidemic kills one in every three Aboriginal people, 40 – 60% of the Upper St'át'imc people.
1864:	Joseph Trutch, Commissioner of Land and Works, denies Aboriginal title.
1871-2:	Pasture leases, some huge, are extended only to white settlers. First Nations people were not allowed to buy land or get free land grants after this date.
1872	BC strips First Nations people of the right to vote in provincial elections.
1876:	The Indian Act was created.
1880:	Church-run residential schools are started.
1884:	Potlatch ceremonies banned under the Indian Act.
1888:	Fishery regulations passed allowing First Nations to fish for food, but not for profit or trade.
1911:	Declaration of the Lillooet Tribe.
1914-1918	World War I
1914	Pioneer Gold Mine opens in Bralorne
1927:	Indian Act amended to make it illegal for First Nations to raise money or retain a lawyer to advance land claims.

1929-39	The Great Depression
1939-1945	World War II. All people of Japanese heritage sent to internment camps, including a camp established at Bridge River (now south Shalalth).
1946	Lillooet incorporated as a village
1946-60:	Development of the Bridge River Power Project
1949:	First Nations people in British Columbia are permitted to vote in provincial elections.
1951:	Parliament repeals Indian Act provisions of anti-potlatch and land claims activity.
1960:	First Nations people in Canada are permitted to vote in federal elections. The closure of residential schools begins
1960s:	Formation of Tribal Councils throughout the province.
1968	The Squamish-Lillooet Regional District (SLRD) is incorporated
1969:	Ottawa introduces the "White Paper" (Statement of Government of Canada on Indian Policy) which advocates Aboriginal People assimilation policies
1971:	Bralorne-Pioneer Mine closes.
1973:	Calder decision - Canadian law acknowledged that aboriginal title to land existed prior to the colonization.
1982:	Canada's Constitutional Act, Section 35, recognizes and affirms existing Aboriginal and treaty rights.
1991	Delgamuukw Decision: Government recognizes the inherent rights of the First Nations to Aboriginal title and to self-government.
1996	District of Lillooet formed
1997	Report of the Royal Commission on Aboriginal Peoples released.
2008	Prime Minister Stephen Harper offers official apology to the former students of Indian Residential Schools.
2014	Tsilhqot'in Decision –The court held that Aboriginal title constitutes a beneficial interest in the land. Rights conferred by Aboriginal title include the right to decide how the land will be used, to enjoy, occupy and possess the land, and to proactively use and manage the land, including its natural resources.
2015	Final Report of the Truth and Reconciliation Commission of Canada

SQUAMISH-LILLOOET REGIONAL DISTRICT

AN OVERVIEW

Prepared for the Community to Community Forum, January 21-22 2016

Introduction to Regional Districts

- The SLRD is one of 28 Regional Districts in BC
- Regional Districts are a form of local government
- Regional Districts are a governance structure that is unique to BC
- Regional Districts exist to meet certain local government service needs that neither municipalities nor the province are particularly well-suited to address – i.e.:
 - The provision of basic local government services to small, unincorporated communities and rural areas of the province
 - The provision of services across municipalities and unincorporated areas, throughout broader sub-regional areas or entire regions
- Regional districts, first introduced in the mid-1960s, were created specifically to address these needs

Purposes of A Regional District

- Like a municipality structure for the unincorporated (Electoral) areas
- Provide good governance for its communities
- Provide services and other things the Board considers necessary or desirable for all, or part of, its communities
- Provide stewardship of the public assets of its communities
- Foster the current and future economic, social and environmental well-being of its communities

Regional Districts

- Regional Districts provide a political and administrative framework to:
 - Provide local governance and local services to Electoral Areas
 - Enable collaboration on sub-regional services
 - Provide mandated (legislated) and non-mandated (voluntary) regional services

Regional Districts - Summary

- For Electoral Areas – the Regional District is means by which all local government services are provided
- For Member Municipalities – the Regional District is the forum to provide input into what goes on around them – regional planning, oversight, Regional Growth Strategy, etc.
- Legislated services that SLRD is mandated to provide, include:
 - General government administration
 - Electoral Area land use planning
 - Solid waste management planning
 - Act on behalf of the SLRD's member municipalities in dealing with the Municipal Finance Authority
 - Governance of regional hospital districts (as a separate role for Regional District directors)
- Additional services are provided, by bylaw, as requested by constituents and approved by the Board of Directors (e.g. funding for trails, museum, library)
- Advocacy: use its collective weight to lobby on behalf of the region on matters of local, provincial or national importance

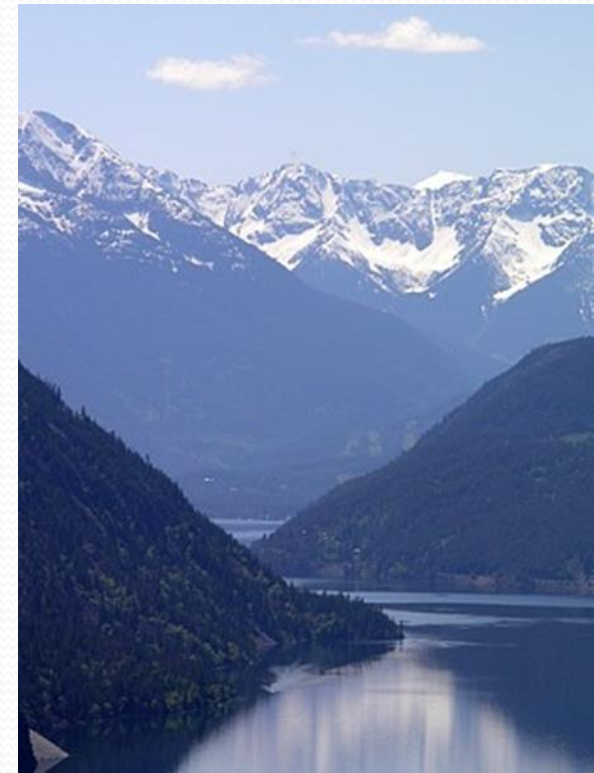
Legislation

- The Local Government Act is the major enabling legislation covering Regional Districts, setting out their main powers
- The Community Charter essentially covers off municipalities, but there are certain cross-references between each statute

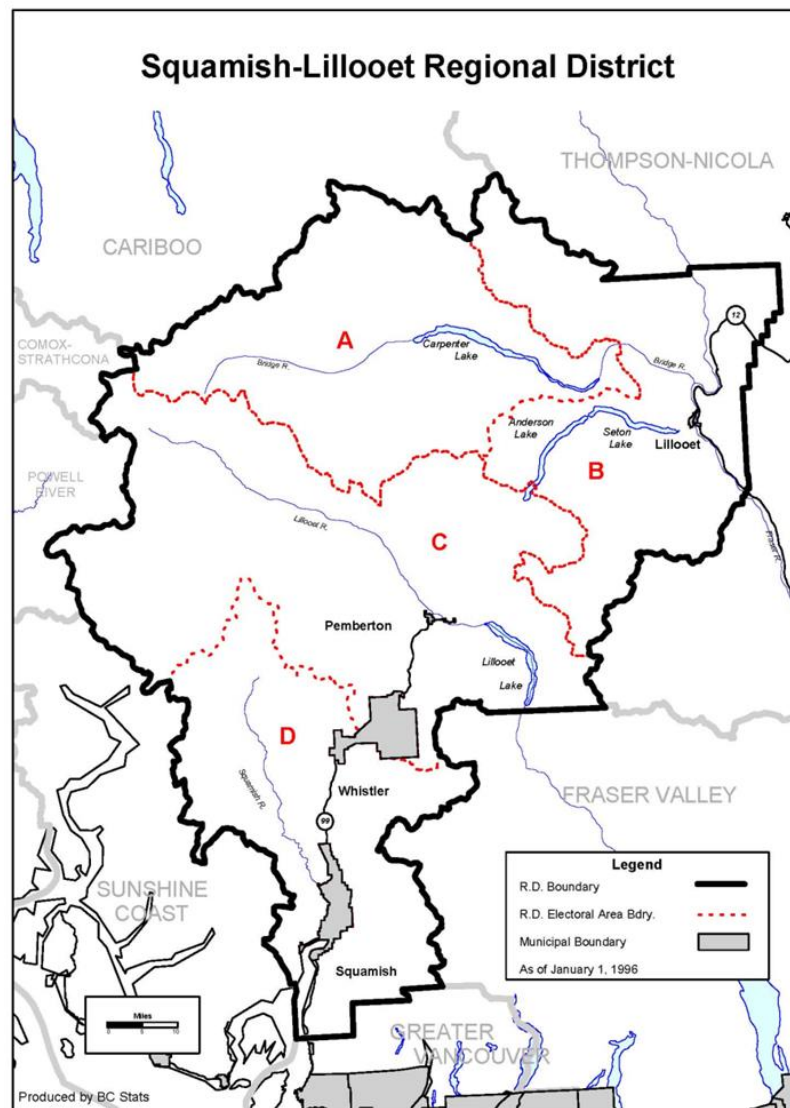


Squamish-Lillooet Regional District's Mission

To enhance the quality of life of constituents through the facilitation of regional and community services for the benefit of present and future generations



SLRD Members



SLRD Governance

Board of Directors

- 9 Board Members
 - 4 Electoral Area Directors – Elected Directly
 - 5 Municipal Directors – Appointed by Councils
 - 2 – District of Squamish
 - 1 – Resort Municipality of Whistler
 - 1 – Village of Pemberton
 - 1 – District of Lillooet
- Board Chair and Vice Chair elected each year by the Directors

SLRD Members & Governance Structure

	Population (2011 Census)*	Number of Directors	Voting Strength (Voting Unit 2,000 Pop.)
Electoral Areas:			
A	224	1	1
B	1,641	1	1
C	3,512	1	2
D	825	1	1
Municipalities:			
Lillooet	2,321	1	2
Pemberton	2,380	1	2
Squamish	17,535	2	9
Whistler	9,824	1	5
TOTALS:	38,262	9	23

* Includes First Nations

Regional District Voting Rules

- Determination of # of votes – based on the population of the jurisdiction
- Types of Votes:
 - Unweighted All Vote
 - One director, one vote
 - The “normal” vote
 - One participant services
 - Weighted All Vote
 - # of votes allocated to Director
 - Financial Plan
 - Contracts
 - Borrowing
 - Land Purchase / Disposition / Expropriation
 - Weighted Participant Vote
 - # of votes allocated to Director
 - Participants in a service
 - Other
 - Adoption of bylaw on same day, delegated authorities, Regional Growth Strategy, etc.

SLRD Members

Electoral Area A

- **Director Debbie Demare**
- Alternate Director Norm Verner
- Representing the Upper Bridge River Valley:
 - Bralorne
 - Gold Bridge
 - Gun Lake
 - Gun Creek
 - Marshall Lake
 - Tyaughton Lake

SLRD Members

Electoral Area B

- **Director Mickey Macri**
- Alternate Director Dennis DeYagher
- Representing the Rural Lillooet Area:
 - Seton Portage
 - Pavilion Lake
 - Bridge River
 - Yalakom Valley
 - Texas Creek
 - Fountain Valley
 - Duffey Lake

SLRD Members

Electoral Area C

- **Director Russell Mack**
- **Alternate Director Jan Kennett**
- **Representing:**
 - Pemberton Valley
 - Mt. Currie
 - D'Arcy
 - Birken
 - Devine
 - Whistler-Pemberton Corridor

SLRD Members

Electoral Area D

- **Director Tony Rainbow**
- **Alternate Director Celeste Bickford**
- **Representing:**
 - Furry Creek
 - Britannia Beach
 - Porteau Cove
 - Upper Squamish/Paradise Valley
 - Upper Cheakamus
 - Pinecrest/Black Tusk Village
 - Ring Creek

SLRD Members

Member Municipalities

- District of Lillooet
 - Director (Vice Chair) Margaret Lampman (Mayor)
 - Alternate Director Barb Wiebe (Councillor)
- District of Squamish
 - Director Patricia Heintzman (Mayor)
 - Director Doug Race (Councillor)
 - First Alternate Director Ted Prior
 - Second Alternate Director Jason Blackman-Wulff (Councillor)
- Resort Municipality of Whistler
 - Director (Chair) Jack Crompton (Councillor)
 - Alternate Director Andrée Janyk (Councillor)
- Village of Pemberton
 - Director Mike Richman (Mayor)
 - Alternate Director Karen Ross (Councillor)

SLRD

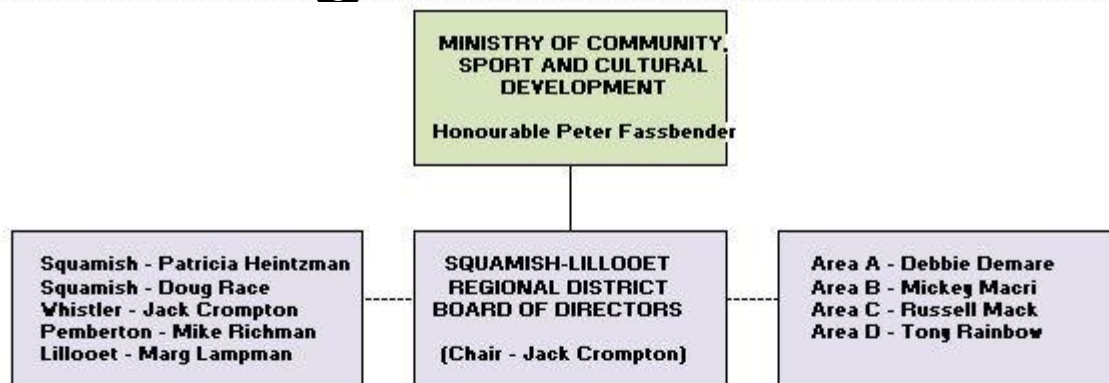
Regularly Meeting Standing Committees

- Electoral Area Directors (EAD)
 - Some delegated authorities for EAD services
 - Discuss and formulate recommendations on Electoral Area land use and service matters
- Northern Economic Development (NEDI)
 - Discuss and formulate recommendations for economic development and other initiatives in the Northern part of the SLRD (Electoral Areas A & B and District of Lillooet)
- Pemberton Valley Utilities & Services (PVUS)
 - Discuss and formulate recommendations on shared services for Electoral Area C and the Village of Pemberton

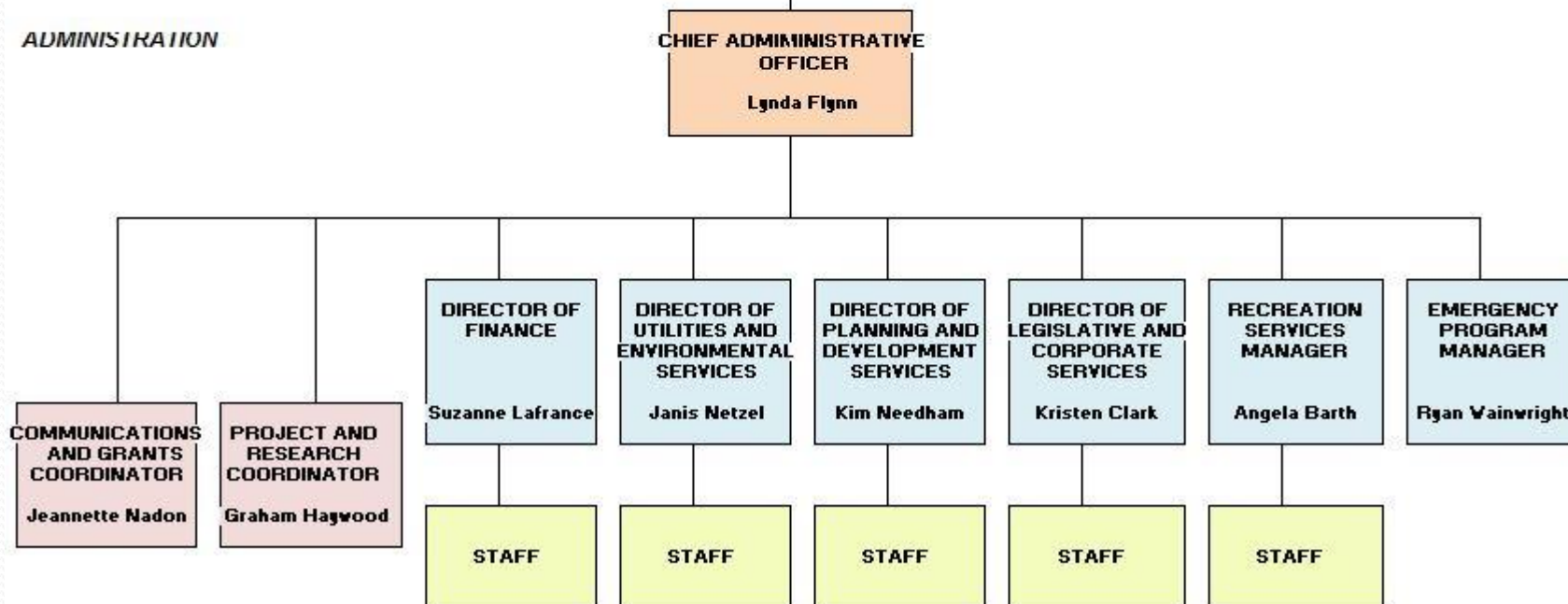
SLRD Organizational Chart



GOVERNANCE



ADMINISTRATION



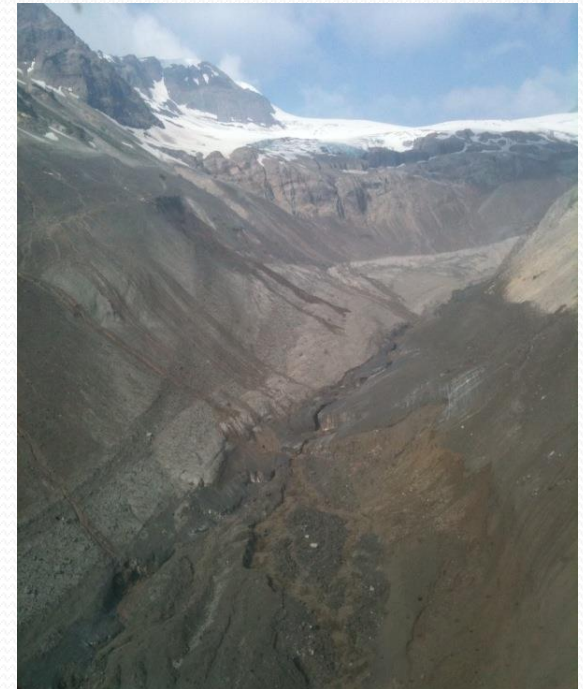
Corporate Structure

- A lean and budget-conscious organization
 - CAO and 6 senior management staff
 - 19 full-time and 2 part-time employees in the main (Pemberton) office
 - 1 full-time employee working from home in Squamish
 - 3 full-time, 2 part-time and several casual employees at the Pemberton & District Community Recreation Complex

SLRD Services

Wide range of regional, sub-regional and local services:

- Land use planning
- Solid waste management
- Building inspection
- Civic addressing
- Fire protection
- Emergency preparedness and management
- 911 services
- Recreation
- Water and sewer utilities
- Transit
- Trails, open spaces and parks
- Financial support for libraries, television rebroadcasting and similar community services



Services / Cost Centres

- Establishing bylaws are required for most services
- Establishing bylaws usually require approval of the electors, via referendum (assent), alternative approval process or petition
- Each service has: a defined set of participants (i.e. SLRD member(s)); a defined purpose and boundary; method of cost recovery; and sometimes a maximum amount to be requisitioned
- Regional Districts deliver services on a user-pay basis and only those individuals who benefit from the service pay for the service
- Complex voting structure for the various services

Services / Cost Centres

- SLRD has 87 services / cost centres
- Every service is accounted for separately using a dedicated fund - no transferring monies between funds (unlike municipalities, which are able to)
- Each service must identify its own revenues
- Costs must be allocated to, or shared by, the SLRD members that participate in the service
- Restrictions on tax increases per year
- Operating deficits are not allowed and any created must be carried forward
- 5 Year Financial Plan bylaw and amendments

SLRD Revenues

- Property Taxes
- Parcel Taxes
- User Fees & Charges:
 - Water usage charges
 - Planning fees and Permit fees
 - Tipping fees
 - Recreation admission fees
- Grants (i.e. Gas Tax Payments)
- Payments / Grants in lieu (i.e. BC Hydro, CN Rail)
- Transfers from other Governments
- Debt borrowings

2015 – 2018 Strategic Directions and Goals

1. Enhance relationships with First Nations
Goal: Collaborative, respectful relationships with aboriginal communities and First Nations
2. Improve Board Process and Understanding of Regional issues
Goal: An effective, respectful, functional Board and organization; improved decision making
3. Focusing Provincial Advocacy
Goal: Improve support from Province for regional issues and goals
4. Identifying and Implementing Mutually Beneficial Regional Projects
Goal: Achieve regional projects that deliver quick wins and long term results towards the goals identified; increase economic development (i.e. Regional Tourism Route(s))

Current Initiatives, Challenges & Opportunities

- Strategic Directions and Goals
- Regional Solid Waste Management Plan update (5-year review)
- Regional Growth Strategy update (5-year review)
- Fire Services Review
- Emergency Planning & Response Update
- Quantitative Landslide Risk Assessment follow-up
- Taicheng land development
- Aging infrastructure
- Records management / IT review
- Office space
- Friendship Trail (part of Sea to Sky Trail)



**Coming together is a beginning,
Keeping together is progress,
Working together is success.**

Henry Ford

Kùkwstumckalap

QUESTIONS
???



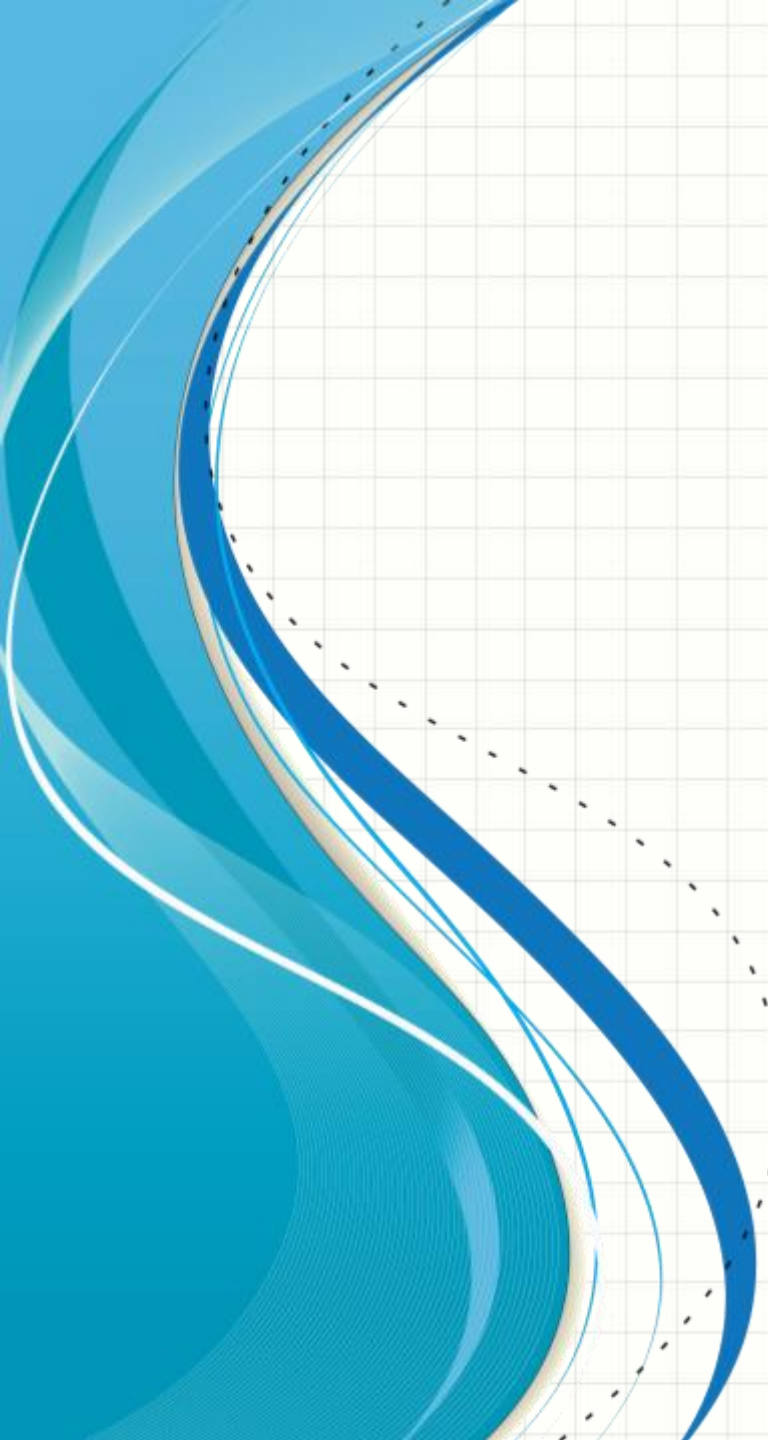
COMMUNITY TO COMMUNITY FORUM

**NORTHERN ST'ÁT'IMC COMMUNITIES, DISTRICT OF LILLOOET AND
THE SQUAMISH LILLOOET REGIONAL DISTRICT**

Chief Shelley Leech
Jan. 21 and 22 2016

Aboriginal Title – Modern Context

- Section 25 of the Canadian Constitution enshrines the intent of dealing with Aboriginals as Nation partners
- Charter of Rights and Freedoms guarantees that nothing can terminate or diminish the Aboriginal rights as outlined in the Proclamation



COURT CASES

Aboriginal Title

- Many legal cases define the duty of consultation and accommodation:
 - Sparrow
 - Van der Peet
 - Delgamuukw
 - Haida Nation
 - Taku River
 - Tsilhqot'in

Sparrow - 1990

Mr. Sparrow was prosecuted for fishing with a larger drift net than permitted under his Band's food fishing license. He claimed that the restriction of the license conflicted with his Aboriginal rights under the Constitution Act.

Findings – Sparrow

- A test was established by the Supreme Court of Canada to determine whether a right has been infringed and whether an infringement is justifiable
- It was also found that aboriginal rights can be exercised in their modern form and are not limited to how they were before European contact (can use a rifle to hunt for example)

Van Der Peet- 1996

Dorothy Van Der Peet, a member of the Stó:lō FN was charged and convicted of selling fish without a proper license. The defendant stated that her right to sell fish was protected under Section 35 of the Constitution Act

Findings – Van Der Peet

- A test was established to prove the existence of protected Aboriginal rights. It was found that an Aboriginal right must be “an element of a practice, custom, or tradition integral to the distinctive culture of the aboriginal group claiming the right”
- Test included consideration for: need to account for the perspective of FN, custom must be of central significance. Aboriginal rights must be adjudicated on a specific rather than general basis
- Courts must take into account both the relationship of FN to the land and the distinctive societies and cultures of aboriginal peoples

Delgamuukw - 1997

Gitksan and Wet'suwet'en hereditary chiefs claimed aboriginal title and right to self govern over 58,000 square kilometers of BC. The government counter claimed that the land should not be ceded.

Findings - Delgamuukw

- First case dealing with the nature of aboriginal title
- Aboriginal rights were found to include the exclusive occupation of land for a variety of purposes, but not limited to traditional uses. It was decided that land could not be used in a way that might destroy the Aboriginal group's connection with the land
- Aboriginal title gave the FN the right to choose the way that their land may be used and to benefit economically from it

Haida – 2004

- The Haida people have claimed title to all the lands of the Haida Gwaii and waters surrounding it, but that title had not yet been legally recognized
- The Province of BC renewed and transferred a Tree Farm License to Weyerhaeuser, granting it exclusive rights to harvest timber over an area where the Haida claimed aboriginal title and rights
- The community sought judicial review of the decision to allow the license transfer
- Case considers the obligation that the Province and private interests have towards consulting with FN

Findings - Haida

- Supreme Court affirmed a constitutional duty for the Crown to consult before approving developments such as logging, mining on contested public lands that was subject to lands that had not yet been proven
- It was the first time that the court recognized the “honour of the Crown” extended to negotiating with First Nations if they could be negatively impacted by the resource development in question

Finding – Haida Part 2

- Depth of consultation depends on 2 factors:
 - 1) strength of case supporting title and rights
 - 2) potential for adverse effects upon the affected people

Taku - 2004

The Taku Tlingit FN challenged a mining company planning to build a road through the Band's traditional territory. The FN had gone through the environmental assessment process for the mine, but did not agree with the project

Findings - Taku

- The process under the Environmental Assessment Act was determined as meeting the Crown's requirements to consult and accommodate.
- The Crown is not under duty to reach agreement with First Nations. The failure to reach agreement does not violate the duty of good faith consultations

Tsilhqot'in - 2014

Six Bands objected to the BC government granting a commercial logging license in their traditional territory. This case touches on the issue of whether regular occupation of the land is required for claims of Aboriginal land title. The Supreme Court of Canada granted Aboriginal Title to the Tsilhqot'in Nations

Tsilhqot'in Decision – June 26 2014

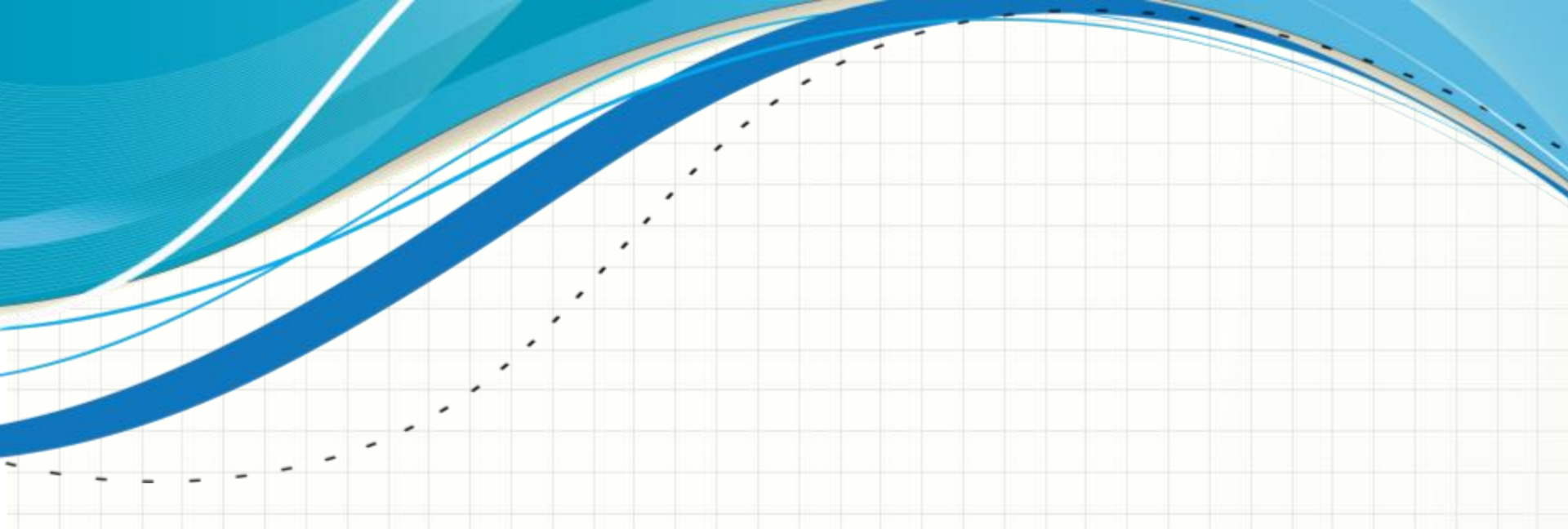
- SCC declared Aboriginal title
- Court rejected “postage stamp” view of aboriginal Title once and for all
- Aboriginal title gives the Tsilhqot'in the right to control and manage the lands according to Tsilhqot'in laws
- Right to economic benefit from the land
- Right to choose how the lands will be used
- Right to possess the land
- Right to enjoy and occupy the lands



“The right to control the land conferred by
Aboriginal Title means that governments and
others seeking to use the land must obtain the
consent of the Aboriginal Title holders”

(Tsilhqot’in at para 76)

- 
- Aboriginal title lands cannot be developed in a way that deprives future generations of the control and benefit of lands
 - Tsilhqot'in will control their title lands
 - Tsilhqot'in consent is required before major projects proceed



GENERAL CONCLUSIONS

Why does the Crown consult?

For both good governance and legal reasons

Good governance:

- Make informed and appropriate decisions
- Improve and create working relations with all those affected
- Legal risk management

Legal reasons

- Statutory reasons,
- contractual requirements, and
- common law requirements (s35., honour of the Crown)

Scope and Duty to Consult

- Good faith on both sides is required
- In all cases, the honour of the Crown required that the Crown Act in good faith to provide meaningful consultation
- Meaningful consultation may obligate the Crown to accommodate Aboriginal concerns
- Responsiveness is a key requirement of both consultation and accommodation

When does the duty arise?

- A duty to consult arises when 3 elements of the trigger are present:
 - “when the **Crown has knowledge**, real or constructive, of the potential existence of the Aboriginal right or title and **contemplates conduct that adversely affects it**”
 - “knowledge of a credible but unproven claim suffices to trigger a duty to consult and accommodate”

Accommodation

- Consultation may reveal a duty to accommodate
- Accommodations means:
 - Seeking compromise in an attempt to harmonize conflicting interests and move further down the path to reconciliation
 - Requires good faith efforts to understand each others concerns and move to address them
 - Addressing Aboriginal concerns may require taking steps to avoid irreparable harm or to minimize the effects of infringement, pending final resolution of the underlying claim
 - May obligate the Crown to make changes to its proposed action based on information obtained through consultations

Practical Implications

- Companies interested in development assume responsibility for negotiating with FN through the development process.
- Most project proponents are not content to leave their fate in the hands of the Crown and hope that the Crown will discharge the duty



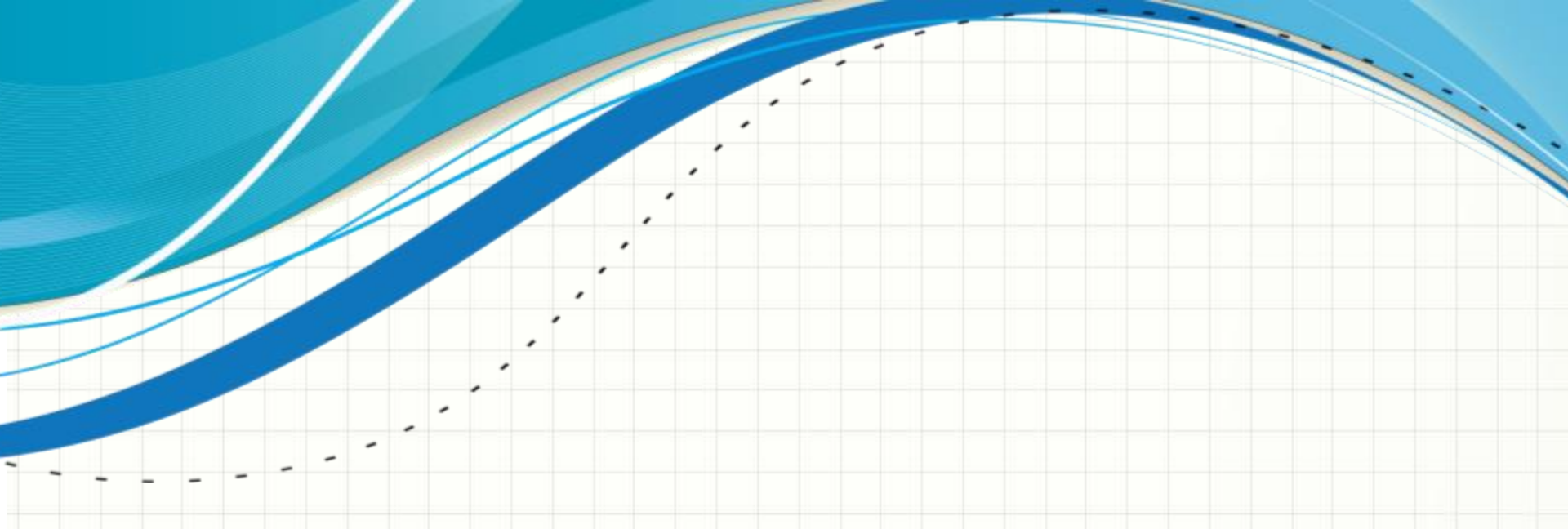
“Most proponents want to control their own destiny to a greater extent, to control their own projects, and build those relationships themselves because if you are going to have a successful project , you need to have a successful relationships with your neighbours, or in some senses, your hosts”

Keith Berger, lawyer

- 
- There is law, and there are best practices, and they are not necessarily the same thing
 - “The good proponents don’t just speak in terms of doing consultation, getting an approval, and then going away, most proponents have ongoing relationships with the aboriginal communities they consult with and that’s for very practical reasons”

Moving Forward – Opportunities

- Relying on the improved clarity in law provided in *Tsilhqot'in*, the St'át'imc, Crown governments and Third parties have the unique opportunity to effect required change that provides improved clarity and certainty for existing and future projects.



QUESTIONS?



How to do Business with St'át'imc

St'át'imc Emerging Economic Development Summit
June 19 – 21, 2-13

Introduction

St'át'imc are the original inhabitants of their territory which extends north to Churn Creek and to South French Bar; northwest to the headwaters of Bridge River; north and east toward Hat Creek Valley; east to the Big Slide; south to the island on Harrison Lake and west of the Fraser River to the headwaters of Lillooet River, Ryan River and Black Tusk.

St'át'imc lands have been overlapped with the boundaries of the Squamish Lillooet Regional District, the Lillooet District, the Cariboo Chilcotin Region, the Thompson Rivers College Region and the Mainland/Southwest Development Region. At the southern most part of the St'át'imc territory other boundaries include the Fraser Valley Regional District at Harrison Lake. These boundaries represent interests that are often different that those that St'át'imc hold. Regardless of what arbitrary and changing boundaries are imposed St'át'imc will continue to be the keepers of their territory as we they been for thousands of years.



Introduction

St'át'imc are ucwalmicw (the people of the land) and hold Title, rights and ownership to their territorial lands and resources. The St'át'imc way of life is inseparably connected to the land. As holders of one of the richest fisheries along the Fraser River, St'át'imc have been accustomed to managing and sustainably utilizing resources to support a complex and vibrant sustainable economy since time immemorial.

St'át'imc communities and the Nation are now investing into development to once again become partners in the development of their territory to sustainability build an economy for current and future generations.

This workshop is intended to outline St'át'imc history, and provide some key principles, values, and interests that the St'át'imc have. Hopefully this information will serve as a resource that allows business and industry to better understand, respect, and appreciate who St'át'imc are and what valuable partners St'át'imc will be into the 21st century.



St'át'imc History

St'át'imc are the caretakers of the land in their territory, and as such have strong stewardship values. Also, St'át'imc like many indigenous peoples are motivated by collectivism, rather than individualism and have strong family and community centered values. In summary the focus of St'át'imc values are centered around taking care of the land and each other.

St'át'imc values affect how business is undertaken today, and in the future.



*Wa7 tu7 qwézenem ta tmicwkálha lhwat
kultsam, kúlem ku melaomén múta7 kúlem ku
sɣlaw kwelhkálh máwal lhkúnsa ku sqit tu
tatáka tu7.*

*We continue to use our land to make our food
and medicines, and to make money in order to
keep on living from today and always.*

St'át'imc History

Like all Aboriginal peoples in Canada St'át'imc were subject to the horrific injustices that were a part of colonization efforts, and are still wrestling to overcome the effects of intergenerational residential school syndrome, and the associated impacts of poverty.

Today, St'át'imc have a young and growing labour supply, and improving outcomes in education and training. The BC Hydro St'at'imc Committee is working as partners to develop an Education & Training Program that will further strengthen outcomes for future generations.



St'át'imc Business Organizations

St'át'imc Community Businesses

St'át'imc Eco-Resources

*Nation Level Economic
Development
Opportunities, supported
by SGS*

St'át'imc Government
Services

St'át'imc Chiefs
Council

Lillooet Tribal Council
/ Lower St'át'imc
Tribal Council

St'át'imc Partnership Driven

The Business Case



St'át'imc Partnership Driven

There are many reasons that St'át'imc are partnership driven including:

- History as partners in the development of Canada (Royal Proclamation, Canadian Constitution);
- Current federal and provincial recognition and respect as partners to be consulted with;
- What we have to offer:
 - Large young and growing population that has the potential to fill the skills gap
 - St'át'imc resource rich territory that has been strongly protected;
 - Knowledge of the land and capacity to meaningfully participate as stewards in resource development projects;
 - Interest in regional economic diversification and new opportunities in clean energy, agriculture, health, and the unique opportunities – for example forest products.

How to Partner with St'át'imc

Each organization's values, and how it does business, are uniquely defined by the members' collective values, the St'át'imc are seeking partnerships with organizations who share the following values:

- Stewardship - St'át'imc are one with the land and care for it for future generations.
- Strategic orientation – All potential projects must be thoroughly researched, well structured, resourced and sustainable, and incorporate wealth creation as a principle.
- Transparency & Accountability – All projects must build in fourth bottom line outcomes, provide frequent and effective reporting, and be open and honest.
- Equity – All projects must be well structured to support meaningful partnerships, equity in outcomes, equity in access to opportunities arising from projects, and equity in community benefits.
- Communication and Engagement – All projects must invest into early and frequent communication and engagement to ensure acceptance and assure sustainability.
- Integrity and Resilience* – All projects must operate with integrity to align with the above values at all levels of the organization, and demonstrate resiliency over time.

Partnership Operations

In practice these values are demonstrated through respect for all peoples, the land and future generations with a strong commitment to family and community for the St'át'imc now and for future generations. There is also an understanding that this commitment to the community and future generations includes building capacity. The communication principles that are expected of potential partners include:

- Early engagement with St'át'imc parties;
- Clear, open minded, and respectful methods of communication; and
- Building towards Wealth Creation*.

Management must also include strategies for regular and on-going collaborative planning and engagement, a more horizontal structure, well developed issue resolution policies/ practices, and emphasis on respect and equity – recommended practices associated with collectivist values.

St'at'imc Engagement Process

The following is a recommended checklist of how to initiate engagement with St'at'imc communities or organizations:

- *When to engage:*
 - Early – where possible, engage at the conceptual stages of a business; or
 - During the design phase of developing a new business opportunity within an established business.
- *How to engage:*
 - Be proactive – engaging First Nations when you are doing business in their territory is a progressive and respectful practice
 - Learn about St'at'imc – our communities welcome the opportunity to share information about their culture, values, land stewardship role, and business interests;
 - Invite St'at'imc to learn about you – share information about your corporate culture, business history and practices, and interest in operating in the territory;
 - Meet in person – face-to-face meetings with First Nations is a preferred method of communication, especially in the early stages of a relationship
 - Allocate an appropriate amount of time – good engagement requires time for all parties to develop the relationship, share and understand information, and assess the opportunity prior to making an informed decision.



Engagement

Increasing Level of Engagement

INFORM	CONSULT	INVOLVE	COLLABORATE	DECIDE
Objective	Objective	Objective	Objective	Objective
St'at'imc receive balanced and objective information to assist them in understanding the business and any potential impacts on St'at'imc interests.	St'at'imc provide businesses with feedback on business alternatives or decisions.	Businesses work directly with St'at'imc to ensure their concerns are consistently understood and considered.	St'at'imc are partners in business decisions, including the development of options and identification of the preferred solution.	St'at'imc have final decision making authority.
Involvement	Involvement	Involvement	Involvement	Involvement
St'at'imc are informed	St'at'imc are informed and listened to. Their concerns are acknowledged. Where St'at'imc provide feedback, the business lets St'at'imc know how their input influenced the business decision.	Businesses work with St'at'imc to ensure their concerns are directly reflected in the business alternatives developed, and feedback is provided on how the St'at'imc input influenced the business decision.	St'at'imc collaborate with their business partners, providing advice and innovation in formulating business solutions. St'at'imc input is incorporated into business decisions to the maximum extent possible.	St'at'imc have final decision-making authority.
Situation	Situation	Situation	Situation	Situation
St'at'imc are not a holder in the business, and the business has no known impacts on St'at'imc interests. However, St'at'imc receive information about the business to assess any changes in the above status.	St'at'imc are not a holder in the business, but the business has a low impact on St'at'imc interests	St'at'imc are not a holder in the business, but the business has a moderate impact on St'at'imc interests	St'at'imc are minority holders in the business OR St'at'imc are not a holder in the business, but the business has a moderate impact on St'at'imc interests	St'at'imc are majority holders in the business



Questions & Answers