
BUILDING RELATIONS WITH FIRST NATIONS: A Handbook for Local Governments

**A Compendium of Agreements between First Nations
and Local Governments**

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Union of BC Municipalities

Ste. 60-10551 Shellbridge Way, Richmond, B.C., Canada V6X 2W9

Tel (604) 270-8226 Fax (604) 270-9116

Web: www.civicnet.bc.ca

Contacts: Alison McNeil, Senior Policy Analyst

Joanne Gauci, Policy Analyst

Lower Mainland Treaty Advisory Committee

4th floor, 4330 Kingsway, Burnaby, B.C., Canada V5H 4G8

Tel (604) 451-6179 Fax (604) 436-6860

Web: www.lmtac.bc.ca

Contacts: Kirstie Pirie, Manager

Regan Schlecker, Aboriginal Affairs Analyst

*For other agreements signed after publication of this document,
see the UBCM website.*

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* Additional signatories – please see agreements.

1.0 INTRODUCTION

1.1 *Background: Changing Relationships*

Relationships between BC First Nations and local governments have been developing over the last 100 years and more. In recent years these relationships have been changing, in many cases for the better, and improvements are due to a number of contributing factors.

Among these catalysts for change are the increasing powers and authorities First Nations are gaining as a result of legislative and policy change at the provincial and federal government levels. For example, the federal *First Nations Land Management Act* provides increased land management powers to currently 36 First Nations across Canada with 16 of these in BC. In some areas, there is also increased development on Indian Reserve lands, often leading to more service agreements between neighbouring First Nations and local governments. These changes spark a new interest on the part of First Nations and local government neighbours in improving communication and coordinating their activities.

Another catalyst for change is the treaty process. First Nations and local governments realize that with treaty settlements will come a new era, and they wish to take a new look at their relationship in preparation for the post-treaty environment they will face.

Perhaps the most powerful factor driving change is political will. The desire by many First Nations and local government leaders to end a “two solitudes” co-existence has led to the conscious pursuit of a more fulsome intergovernmental relationship. This desire stems from an understanding of the benefits that better communication and coordination can bring, such as: joint economic development strategies, tackling resource and environmental problems that span boundaries, and coordinating land use planning and development so that the interests of the neighbouring community are taken into account.

As part of this effort to strengthen their intergovernmental relationship, an increasing number of neighbouring First Nations and local governments are signing formal agreements. The benefits of Protocols, Memorandums of Understanding and other formal agreements between First Nations and local governments include:

- Creating a new level of understanding between First Nations and local governments in areas of governance;
- Allowing for coordinated communication and cooperation;
- Encouraging strategic thinking for joint economic opportunities;
- Providing a degree of certainty for First Nations and local government aspirations;
- Avoiding controversy / conflict before it happens; and
- Assisting in the development of a sustainable relationship based on mutual regard for each other’s culture, history, values, interests, perspectives, operating environments and vision.¹

¹ Source: Steve Gallagher, Intergovernmental Relations, Sliammon First Nation.

1.2 *Why a Second Edition?*

Since the first edition of the *Building Relations Handbook* was published in September 2003, many new formal agreements between First Nations and local governments have been created across British Columbia. The Union of BC Municipalities (UBCM) and the Lower Mainland Treaty Advisory Committee (LMTAC)² felt that a second edition of the *Handbook* was warranted, given that their offices continue to receive requests from their members for information on drafting formal agreements and relationship building between First Nation and local governments.

This second edition of the *Handbook* builds upon the 2003 edition by:

- Adding to and further categorizing the list of agreements;
- Broadening the audience for the *Handbook* to all local governments in BC; and
- Incorporating an analysis of the compiled agreements.

1.3 *Purpose and Objectives*

The purpose of the *Building Relations Handbook* is to provide a compendium and concise summary of formal government-to-government agreements, illustrating the new and innovative approaches being taken to build relations.

The specific objectives of the *Handbook* include:

- Sharing examples of positive First Nation–local government relationship building activities;
- Promoting the benefits of open communication between First Nations and local governments to build better relationships; and
- Assisting members in the development of more effective working relationships with First Nations.

1.4 *Methodology*

In total, the *Building Relations Handbook* includes 29 agreements, including 14 new agreements that were not presented in the previous edition. These agreements are primarily political in nature, and legal contracts such as servicing agreements have not been included³.

The diversity of the agreements found in this *Handbook* underscores the complexity of the issues facing neighbouring governments. The UBCM and LMTAC have categorized the agreements and provided an overview of each category, followed by a summary of each agreement. The observations and opinions that are offered in these summaries are solely those of the authors. Readers who would like further information on the process leading to the signing of the agreements, or implementation activities following the signing, should contact the local governments or First Nations involved directly.

² Author of the first edition

³ Examples of servicing agreements between First Nations and local governments can be found on the Civicinfo website: www.civicinfo.bc.ca.

1.5 How to Use This Handbook

Overviews of the agreements are presented by category in the body of the document. All of the agreements are listed alphabetically in Appendix B by the local government involved. For ease of reference the agreements have been categorized as follows:

- Cooperation and Communication Agreements
- Parks and Recreation Agreements
- Economic Development and Land Use Agreements
- Capacity Development Partnership Agreements
- Resource Management Agreements

Additional resources on the subject of intergovernmental relations between First Nations and local governments are listed in Appendix A. The agreements themselves are found in Appendix B; where possible, signed copies have been included.

1.6 Ideas for Establishing and Building Relations with First Nations

Good working relationships between Aboriginal and non-Aboriginal partners – or any group of partners – are defined by some common characteristics, including:

- **Mutual awareness and understanding:** Where awareness and understanding exist, partner actions are based on knowledge in contrast to assumptions of one another's interests, perspectives, motivating factors and values.
- **Communication:** Awareness and understanding are products of relationships where there is open and honest dialogue.
- **Respect:** Partners in effective working relationships consider the impact of their actions on each other and work to ensure that their actions demonstrate respect for different interests, perspectives and values.
- **Trust:** Partners in effective working relationships trust one another.

Establishing and maintaining constructive working relationships between First Nations and non-Aboriginal interests are often built upon the following three key factors⁴:

- First Nations involvement from inception;
- An accessible and established conflict resolution process; and
- Regular communication.

Local governments must also be mindful that when working with First Nation communities they must recognize each community is unique in its history, culture and traditions.

⁴ Source: Fraser Basin Council (2000). *Aboriginal/Non Aboriginal Partnerships: Fraser Basin Council Special Report* (available at http://www.fraserbasin.bc.ca/publications/fbc_reports.html).

2.0 COOPERATION AND COMMUNICATION AGREEMENTS

2.1 *Category Overview*

Agreements in this category address general relationship building between First Nations and local government organizations.

The purpose for most of these agreements is to establish guidelines or principles for improving communication and dialogue between the Parties and by extension, their constituents. The level of detail regarding the actions flowing from the agreements varies greatly. While a few agreements outline specific roles for both elected and staff officials, and may even include a formal meeting schedule, others focus on the benefits of working together without detailing exact plans.

Several of the agreements focus on job creation, enhancing business opportunities, improving community health and well-being, and recognizing Aboriginal rights and culture.

Three of the 16 agreements involve organizations representing more than one First Nation or local government entity. The agreements involving multiple First Nations are the most comprehensive in describing the relationship between the Parties, the process to be followed, the actions to be taken and steps to evaluate the success of the agreement.

Of the 16 agreements:

- Nine reference dispute avoidance and/or resolution (although mainly in very general terms);
- 14 include specific actions flowing from the agreement; and
- All (except for two) are signed by elected officials .

The agreements are listed in alphabetical order by local government involved.

2.2 Agreement Summaries

Name of Agreement: The Alert Bay Accord Between the Village of Alert Bay and the 'Namgis First Nation (see p. 49)

Overview

The stated purpose of the *Accord* is to assist in developing the community of Alert Bay through coordinated efforts. Principle objectives are to revitalize the economy; to obtain community support and provincial and federal assistance for priorities listed in the *Accord*; and to preserve the environment, heritage and other qualities of Alert Bay, which are important to the community.

The Parties are noted to have historically worked together to promote a better standard of living for Cormorant Island residents – focusing on initiatives around education, training, housing and health. Both Parties pledge to work toward attaining the *Accord* objectives, while acknowledging that they have limited financial and other resources and that the *Accord* does not impose a financial commitment or liability on either Party.

Actions

- Undertake efforts to harness Alert Bay's tourism potential, including expanding the U'mista Cultural Center, improving signage, expanding tourism marketing and visitor accommodation, restoring cultural landmarks, and establishing new marine enterprises.
- Repair and re-use the BC Packers Cannery and other vintage buildings and wharves.
- Incorporate a jointly-owned Historic Alert Bay Corporation with powers to borrow monies and enter into agreements, contracts and partnerships in the interest of forwarding the initiatives noted in the *Accord*.
- Establish an Alert Bay Revitalization Committee, with equal representation from both Parties, to undertake the actions identified in the *Accord*.

Date Signed: September 20, 1999

Signatories/Witnesses

Signed by: Mayor, Village of Alert Bay
Chief, 'Namgis First Nation

Name of Agreement: Statement of Political Relationship Between the Westbank First Nation and the Regional District of Central Okanagan (see p. 51)

Overview

The *Statement* declares the Parties' intention to pursue a lasting relationship based on mutual respect and honour. It explains that the Okanagan people of Westbank have lived in the Okanagan territory since time immemorial and in recent years have experienced a resurgence in their population and culture. In respect for the lawful inherent rights of the Okanagan people, the descendents of the first settlers now insist that their governments deal justly, honourably and fairly with all Aboriginal peoples on the basis of equality. The relationship between the Parties is renewed through a commitment to meet regularly to discuss issues of mutual concern and work toward achieving mutual goals.

Actions

- At least twice each year, the Chief and Council of the First Nation and the Chairperson and Directors of the Regional District will hold a meeting to discuss matters of mutual concern.
- The respective administration of the First Nation and the Regional District will be directed to undertake tasks required to fulfill mutual decisions reached at these meetings, and to facilitate the ongoing agenda and goals of the *Statement*.

Date Signed: January 19, 1999

Signatories/Witnesses

Signed by: Directors, Regional District of Central Okanagan
Chief and Council, Westbank First Nation

Name of Agreement: Protocol Respecting A Regional Accord Between the Xwémalhkwu (Homalco) First Nation and the Regional District of Comox-Strathcona (see p. 53)

Overview

The *Protocol* acknowledges the power and authority of the Regional District and the Xwémalhkwu and supports the Parties in enhancing their working relationship. Aboriginal rights and title are recognized by the Regional District, including the inherent right to self-government as affirmed in the Constitution of Canada. Respect and appreciation for each other's diverse backgrounds is stressed, as are each Party's powers, rights and obligations to act in the best interests of their respective constituents. The Regional District supports the resolution and reconciliation of Xwémalhkwu Aboriginal title and rights interests through the negotiation of a Treaty and through working with local and regional governments.

Actions

- The Parties agree to advise each other of long-term plans and specific land use matters that may be of mutual interest through regular communication and periodic meetings.
- In three years' time, the *Protocol* must be reviewed and either renegotiated, extended, or allowed to expire.

Date Signed: June 2004

Signatories/Witnesses

Signed by: Chief and Council, Xwémalhkwu First Nation
Chair, Regional District of Comox-Strathcona

Name of Agreement: Statement of Relationship Between the Fort Nelson First Nation and the Town of Fort Nelson and Northern Rockies Regional District (see p. 57)

Overview

The *Statement* outlines the Parties' intention to pursue a renewed and lasting relationship based upon mutual respect and honour and formalizes future communication efforts.

Actions

- The elected officials of the First Nation, the Town and the Regional District will hold a joint meeting at least twice per year to discuss matters of mutual concern and identify opportunities for cooperative action.
- Each Party's respective administrators will undertake all tasks required to fulfill mutual decisions reached at these meetings and to facilitate the ongoing agenda and goals of the *Statement of Relationship*.

Date Signed: October 6, 2003

Signatories/Witnesses

Signed by: Mayor, Town of Fort Nelson
Chair, Northern Rockies Regional District
Chief, Fort Nelson First Nation

Name of Agreement: Protocol on Treaty 8 Severalty Lands Between the Regional District of Fraser-Fort George and the McLeod Lake Indian Band (see p. 59)

Overview

The *Protocol* encourages a coordinated, cooperative effort to ensure that the process for completing the Treaty No. 8 severalty land selection is open and fair. The rights of those involved in the land selection as well as the powers and responsibilities of the signing Parties are recognized. A strong, committed, and fair working relationship between local government and First Nations is acknowledged as a means of achieving mutual benefit and furthering the rights of all individuals in the region.

Actions

- The Parties commit to sharing information, technology and staff resources to encourage a coordinated, efficient and effective process that will benefit Treaty No. 8 severalty land selections in the region.

Date Signed: December 3, 2003

Signatories/Witnesses

Signed by: Chairperson, Regional District of Fraser-Fort George
Chief, McLeod Lake Indian Band

Witnessed by: CAO, Regional District of Fraser-Fort George
Executive Assistant, McLeod Lake Indian Band

Name of Agreements: Protocol and Memorandum of Understanding on Cooperation and Communication Between the Regional District of Fraser-Fort George and the Lheidli T'enneh First Nation (see p. 61)

Overview

The *Protocol* outlines the Parties' commitment to share information and resources and to work together in a cooperative manner. The Parties recognize the importance of a strong and committed working relationship and acknowledge that open communication and dialogue are the foundations for a strong and mutually beneficial relationship.

The *MOU* outlines the Parties' commitment to work together to promote intergovernmental cooperation and relationship building. The successful and timely conclusion of treaties is acknowledged to be of mutual benefit and respect for each other's mandates, policies and jurisdiction is stressed. Collaborative action in the development and implementation of projects of mutual interest is a central principle of the *MOU* and communication around relationship building, economic development, natural resource management, service delivery and land use planning is noted as a mutual objective. The promotion of effective methods of dispute resolution is encouraged.

Actions

Protocol: The Parties agree to share information, technology and staff resources.

MOU:

- The Parties agree to participate in each other's events when appropriate and to provide opportunities for dialogue between community leaders on key issues.
- The Parties agree to support the existing Joint Action Committee, which will review joint initiatives, projects and progress on stated goals and objectives.

Date Signed: July 16, 2002

Signatories/Witnesses

Protocol:

Signed by: Chairperson, Regional District of Fraser-Fort George
Chief, Lheidli T'enneh Band

Witnessed by: Administrator, Regional District of Fraser-Fort George

MOU:

Signed by: Chairperson, Regional District of Fraser-Fort George
Chief, Lheidli T'enneh Band

Witnessed by: Administrator, Regional District of Fraser-Fort George
Councillor, Lheidli T'enneh First Nation

Name of Agreement: Protocol for Cooperation between the Islands Trust Council and the Lyackson First Nation (see p. 63)

Overview

The *Protocol* recognizes the Parties' mutual interests and promotes a spirit of cooperation. The authorities and responsibilities related to each Party's land use issues are outlined, as are shared values and principles for interagency relations. Values encompass environmental protection, celebration of culture and tradition, sustainability and enhancement of quality of life. Principles include relationship building, respect for jurisdictional authority and interests, information sharing and collaboration. Areas identified for cooperation include information sharing, the development of consultation processes, encouraging understanding, cooperation and problem solving, and coordinating interagency activities around areas of mutual interest.

Actions

- Notice of land use planning processes will be provided.
- Land use planning or land use change documents or contents will be referred with opportunities for discussion.
- Notice in writing will be provided for initiatives to establish agreements or projects with other levels of government.
- Meetings will be arranged as required to discuss issues of mutual concern.
- Notice of initiatives related to the acquisition of Crown lands will be provided.
- The Executive Director of the Islands Trust will schedule an annual meeting to review the terms of the *Protocol*, discuss issues of mutual interest and identify opportunities for cooperation.

Date Signed: Islands Trust Council adopted by bylaw December 8, 2000

Signatories/Witnesses

Not available

Name of Agreement: Statement of Political Relationship Between the Kamloops Indian Band and the City of Kamloops
(see p. 69)

Overview

The *Statement* outlines the Parties' mutual intentions to pursue a renewed and lasting relationship based on trust, respect and honour. The history of the Shuswap area, its inhabitants and the relationship between the Shuswap people and non-Aboriginal settlers to Kamloops is described. A commitment is made to respect each other's jurisdiction and history and to work together on issues of mutual concern in a spirit of cooperation.

Actions

- The Parties' respective councils will meet at least two times per year to discuss issues of mutual concern and cooperative efforts to address these issues.
- The Parties' respective administrators will undertake tasks and duties required to fulfill mutual decisions reached at these meetings.

Date Signed: December 1991

Signatories/Witnesses

Signed by: Elected officials from the City of Kamloops
Elected officials from the Kamloops Indian Band

Name of Agreement: Protocol Agreement Between the North Central Municipal Association (NCMA) and the Northwest Tribal Treaty Nations (NWTT) (see p. 71)

Overview

The purpose of this *Protocol* is to ensure that the NCMA and the NWTT are aware of the work being done by each Association and to develop joint lobby initiatives where appropriate. It recognizes that the economic and social well being of northern BC is of mutual concern to the NCMA and NWTT. Issues such as economic development, healthcare and education are identified as crucial to the health of municipalities, regional districts and First Nations communities.

Actions

- The NCMA and NWTT will meet twice yearly to ensure that each Association is aware of the work of the other, and to identify issues of mutual concern.
- The Parties will collaborate on education initiatives, such as panel sessions and workshops.
- The Parties will consider joint lobby initiatives on issue of mutual concern.
- The Parties will review the *Protocol* within one year of its adoption and the lead contacts for administering the *Protocol* will be the Executive Coordinator of the NCMA and the Executive Director of the NWTT.

Date Signed: May 2, 2003

Signatories/Witnesses

Signed by: President, North Central Municipal Association
Co-Chairs, Northwest Tribal Treaty Nations

Name of Agreement: Protocol for Regional Cooperation Respecting a Local Government to Government Working Relationship Between the Penticton Indian Band and the Corporation of the City of Penticton (see p. 73)

Overview

The *Protocol* confirms the intention of the Band and City to enter more formal arrangements with respect to developing and maintaining a long-term cooperative working relationship. It acknowledges the Parties' recognition of the others' respective responsibilities and governance authority and the need to collaborate on regional matters. There is an emphasis on embarking on future communications and cooperation founded on trust, honesty and mutual respect. The *Protocol* sets out the Parties' intention to seek areas of mutual interest for cooperative actions, and acknowledges that economic prosperity flows from vibrant interdependent economies in the region. Actions are intended to build understanding about the Okanagan people and showcase how the Penticton Indian Band and the neighbouring communities can work together. The Band Manager and City Administrator are designated the initial principal representatives for administration of the *Protocol*.

Actions

- The Parties shall each appoint a principal representative to coordinate communications.
- The Parties will cooperate in making public statements regarding mutual interests.
- The Parties will try to maintain continuous dialogue; encourage collaborative communications between the community leaders on areas of common interest; share information affecting one another; and identify areas of mutual interest for sharing of staff resources and technology.
- The Parties will encourage and promote effective methods of dispute resolution.

Date Signed: January 22, 2004

Signatories/Witnesses

Signed by: Elected officials from the Corporation of the City of Penticton
Elected officials from the Penticton Indian Band

Witnessed by: Deputy Clerk, Corporation of the City of Penticton
Staff Representative, Penticton Indian Band

Name of Agreement: Community Accord Between the Corporation of the District of Powell River and Sliammon First Nation (see p. 75)

Overview

The *Accord* acknowledges that the interests of all persons living in the two communities are best served by working together and affirms that recognition, understanding and reconciliation are the foundation for their communities' common good. Through the *Accord*, each Party recognizes the other Parties' distinct culture, beliefs and values; mutual respect and recognition are identified as principles of cooperation, as is reciprocal consideration of common ground and common interests in all dealings between the communities. The *Accord* identifies a general process for dispute resolution and acknowledges that it is a living document that will be subject to change as agreed upon by the Parties.

Actions

- The Parties will form working groups to explore and initiate activities designed to facilitate economic diversification, to protect cultural heritage resources, to promote community growth, to increase investment and to generate employment.
- Chief and Council and Mayor and Council will meet regularly to promote and encourage open and constructive dialogue.

Date Signed: May 10, 2003

Signatories/Witnesses

Signed by: Corporation of the District of Powell River Signatories
Sliammon First Nation Signatories

Name of Agreements: Protocol and Memorandum of Understanding on Cooperation and Communication Between the City of Prince George and the Lheidli T'enneh First Nation (see p. 77)

Overview

The *Protocol* recognizes the importance of a strong and committed working relationship and commits the two Parties to sharing resources and engaging in open communication and dialogue to achieve this strong and continued relationship. It also acknowledges that mutual benefits can be derived from the two Parties working in a cooperative manner.

The *MOU* acknowledges that the Parties have common interests in the successful and timely completion of treaties and intergovernmental relations and commits them to working together to promote cooperative relationship building. The *MOUs* objectives focus on promoting understanding of each other's interests, providing opportunities for relationship building (e.g., through Community to Community forums, resource management, cooperative service delivery and land use planning) and encouraging and promoting effective dispute resolution. The *MOU* is based on the principles of mutual respect, cooperation, collaborative action and good relations between neighbours.

Actions

Protocol: The Parties will share information, technology and staff resources to encourage the coordinated and efficient provision of services to members of the Band and residents of the City.

MOU:

- The Parties will participate in each other's events wherever appropriate.
- The Parties will continue to support the existing Joint Action Committee, which will be responsible for reviewing joint initiatives and projects and evaluating progress on goals and objectives.

Date Signed: July 16, 2002

Signatories/Witnesses

Protocol and MOU:

Signed by: Mayor, City of Prince George
Chief, Lheidli T'enneh Band

Witnessed by: City Manager, City of Prince George
Councillor, Lheidli T'enneh Band (MOU only)

Name of Agreement: Protocol on Working Relationship Between the District of Tumbler Ridge and the McLeod Lake Indian Band (see p. 79)

Overview

The purpose of this *Protocol* is to establish common business and employment opportunities for members of the McLeod Lake Indian Band and the citizens of the District of Tumbler Ridge. The *Protocol* recognizes the importance of creating strong working relationships to encourage mutually beneficial economic development. It also recognizes that by working cooperatively business can be conducted in a fair and equitable manner and self-sufficiency and economic growth for both Parties can be realized.

Actions

- The Parties will share information and business contacts for the purpose of establishing common business and employment opportunities for members of the McLeod Lake Indian Band and citizens of the District of Tumbler Ridge.

Date Signed: November 14, 2003

Signatories/Witnesses

Signed by: Mayor, District of Tumbler Ridge
Chief, McLeod Lake Indian Band

Name of Agreement: Government to Government Agreement Between the Tulalip Indian Tribes and the City of Seattle (see p. 81)

Overview

The purpose of the *Agreement* is to improve communication and mutual understanding so that all people are better served by decisions made by these governments. The *Agreement* also endeavours to be the foundation for subsequent agreements between the Parties to address more specific issues.

A set of guiding principles are outlined and there is a focus on promoting respect for different cultures, linking people to their heritage, fostering a sense of place, deepening community pride, encouraging civility, fostering empathy, and offering hope for the future. The *Agreement* outlines the responsibilities, authorities and vital interests of each Party, but also identifies disclaimers to define the scope of the *Agreement* and the responsibilities of the Parties involved.

The *Agreement* outlines a dispute resolution mechanism as part of a detailed implementation plan that establishes general guidelines for committee formation, meeting schedules, scope of issues, decision-making, notification, and amendment procedures. The implementation plan focuses on establishing a process to allow for better communication, resolution of specific issues and continued education to promote understanding of the government-to-government relationship with the respective organizations and the public.

Actions

- The Parties will form an Intergovernmental Committee (within the first 60 days) that will be the primary forum for discussion and resolution of issues flowing from the *Agreement*.
- The Intergovernmental Committee (IC) will meet once annually and subcommittees on specific technical issues will also be formed as needed (and decided by the IC).
- The *Agreement* may be amended by mutual written agreement of the Parties and the Parties may terminate the *Agreement* upon 120 days written notice.

Date Signed: Not available

Signatories/Witnesses

Signed by: Mayor, City of Seattle
Chairperson, Tulalip Indian Tribes

Name of Agreement: Union of BC Municipalities (UBCM) and First Nations Summit Protocol on Cooperation and Communication (see p. 87)

Overview

The purpose of this *Protocol* is to work together to promote cooperative local government-First Nations relationships. The *Protocol* outlines the Parties' common interests in the successful and timely conclusion of treaties and cooperative intergovernmental relationships before and after treaty. It also recognizes that a cooperative relationship between governments, which is built on effective communication and trust, can contribute directly to the well-being of communities. The *Protocol* identifies mutual respect, cooperation, collaborative action, and acknowledgement of the benefits that can be derived from good relations as guiding principles.

Actions

- The Parties will establish a joint working group to further the objectives stated in this agreement, review joint initiatives and projects, and evaluate general progress.
- The Parties can amend or terminate the agreement at any time; the term of the *Protocol*, unless otherwise amended, is two years from the date of signing.

Date Signed: September 2001

Signatories/Witnesses

Signed by: President and Aboriginal Affairs Committee Chair, UBCM
Task Group Members, First Nations Summit

Name of Agreement: Centennial Accord Between the Federally Recognized Indian Tribes in Washington State and the State of Washington
Centennial Accord (see p. 89)

Overview

The purpose of this *Accord* is for the Parties to achieve mutual goals through an improved relationship between their sovereign governments, thereby improving service delivery for all. The *Accord* includes a detailed explanation of each Party's organizational structure, the importance of accountability and how each Party will maintain procedures to implement a government-to-government relationship.

The *Accord* recognizes that each Party has respect for the sovereignty of the other and that each federally recognized tribe provides paramount authority for that Party to exist and to govern. The *Accord* does not waive rights, immunities or jurisdiction from any Party, nor does it diminish any rights afforded other Aboriginal persons under law. Each Party maintains the right to elevate an issue of importance to any decision-making authority of another Party.

Actions

- The Parties commit to using an annual general meeting as the primary mechanism to develop joint strategies, pursue additional agreements and evaluate progress.
- The Parties will table a management report to review and evaluate progress on the government-to-government relationships arising from the *Accord*.
- Immediately and periodically, the Parties will to establish goals for improved services, as well as identify obstacles to the achievement of those goals.

Date Signed: August 4, 1989

Signatories/Witnesses

Signed by: Not available

3.0 PARKS AND RECREATION AGREEMENTS

3.1 *Category Overview*

Agreements in this category address joint First Nation-local government concerns around recreational land use or park management.

The *Cates Park/Whey-ah-Wichen Protocol/Cultural Agreement* and the *Grant Narrows Regional Park Letter of Understanding* focus on cooperative park development and acknowledge Aboriginal rights and interests in the land. The cultural, historical, spiritual and recreational significance of the parks is noted and a commitment is made to communicate this information to park users. Both agreements outline specific actions related to this information sharing process and a more general commitment to work together in cooperative park management. *The Cates Park Agreement* includes the establishment of a Joint Committee for this purpose and sets out a clear timeline for completing a four-part Joint Management Plan.

The *Memorandum of Understanding between the City of Abbotsford and the Matsqui First Nation* is slightly different in that it addresses both servicing and recreational issues. The *Memorandum* ensures access to reserve land for the specific purpose of operating a dyke and wilderness trail. Operating conditions are set out, as are legal requirements for notification and indemnification. The *Memorandum* also includes a clause ensuring that the Matsqui First Nation receives first opportunity to employ Band members if necessary in the development or maintenance of the dyke or trail.

3.2 Agreement Summaries

Name of Agreement: Memorandum of Understanding Between the Matsqui First Nation and the City of Abbotsford (see p. 93)

Overview

The *Memorandum* permits the City of Abbotsford to use and occupy a portion of Matsqui Indian Reserve No. 2 for the purpose of operating a dyke and wilderness trail. Conditions of access to the portion of the Matsqui Indian Reserve specified in the agreement are set out. The *Memorandum* covers the usage of reserve land only for certain purposes and certain conditions. If the terms and conditions set out in the *Memorandum* are not met, or if the dyke is at any point no longer required, the Band can revoke the permitted usage of the land. A sub-agreement between the City of Abbotsford, the Matsqui First Nation and the Greater Vancouver Regional District follows and assigns responsibility for the trail permit portion of the *Memorandum* to the Greater Vancouver Regional District.

Actions

- The City can access the dyke area for routine maintenance work and in emergency situations, but must notify the Band in the case of major maintenance work or alterations to the landscape.
- The City will indemnify the Band for any loss or injury to users of the wilderness trail and will post signs indicating this indemnification and proper usage of the trail.
- The City will erect a boundary fence around the trail, will maintain the trail at its own cost, will take out insurance for the trail, and will not commit or permit spoilage of the area.
- If employment opportunities arise in the development or maintenance of the dyke or trail, the Band must be given first opportunity to employ Band members for this purpose.

Date Signed: June 13, 1996

Signatories/Witnesses

Signed by: Mayor and City Clerk of Abbotsford
Chief and two Councillors of the Matsqui First Nation

Witnessed by: Commissioner for Taking Affidavits
Secretary for the Matsqui First Nation

Name of Agreement: Grant Narrows Regional Park Letter of Understanding Between the Katzie First Nation and the Greater Vancouver Regional District (see p. 103)

Overview

The *Letter* sets out the principles and understandings that will guide the development of a cooperative working relationship in the redevelopment and management of the Grant Narrows Regional Park by the Greater Vancouver Regional District and the Katzie First Nation. Under the *Letter*, the rights of both Parties are recognized. The Regional District is to inform itself of the nature and extent of the Aboriginal rights and interests affected by the redevelopment of the park and to proceed in a spirit of cooperation with the Katzie First Nation. Measures to avoid, mitigate or remedy impacts to Katzie rights and interests must be discussed and respect must be shown to archaeological sites that have been identified. Park usage is to be monitored and visitors are to be made aware of Katzie presence on site. The Parties agree to work cooperatively to resolve issues arising from changing needs over time and also agree to involve other stakeholders in addressing recreation issues related to the Pitt Lake watershed. A commitment is made to ongoing consultation and to developing a long-term relationship between the signing Parties.

Actions

- The Regional District will assign a staff representative to participate on a proposed Steering Committee to coordinate the planning and management of recreational use of the Pitt Lake area and on other task forces.
- Information on park usage gathered by the Regional District will be shared.
- The Regional District will convey the spirit of the *Letter* to other government agencies.

Date Signed: December 10, 1997

Signatories/Witnesses

Signed by: Chief of the Katzie First Nation
Chair of the GVRD Board of Directors

Witnessed by: Chair of the GVRD Park Committee
Councillor of the Katzie First Nation

Name of Agreement: Cates Park/Whey-ah-Wichen Protocol/Cultural Agreement Between the District of North Vancouver and the Tsleil Waututh First Nation (see p. 105)

Overview

The *Agreement* describes and commences a new relationship between the Parties regarding their respective interests in Cates Park/Whey-ah-Wichen and acknowledges a wish to cooperate with one another concerning the planning, management and protection of the park. The *Agreement* recognizes that the park is a place of cultural, historical, spiritual and recreational significance to both Parties and must be cooperatively protected for the enjoyment of present and future generations. The culture and heritage of the Tsleil Waututh in the park is to be identified, conserved and communicated to visitors, and public understanding of both the Aboriginal and non-Aboriginal history of the park must be promoted. A set of clear objectives for the protection and management of the park and a timeline for the accomplishment of various goals related to promotion of the park are established.

Actions

- A timeline for joint management of the Park is set out and divided into four phases: 1) Cultural Interpretation Plan; 2) Joint Master Plan; 3) Specific Economic and Tourism Opportunities; 4) Sign/Display Replacement and Restoration.
- A Joint Committee consisting of two representatives appointed by each Party will be established to accomplish the objectives of the agreement.
- Negotiation, conciliation or mediation will be employed to resolve any disputes between the Parties.
- The *Agreement* is to be reviewed annually to ensure that the stated objectives continue to be met. It remains in effect until December 31, 2005 or until it is replaced by both Parties with a successor agreement.

Date Signed: March 30, 2001

Signatories/Witnesses

Signed by: Mayor of the District of North Vancouver
Chief of the Tsleil Waututh First Nation

4.0 ECONOMIC DEVELOPMENT AND LAND USE AGREEMENTS

4.1 *Category Overview*

Agreements in this category pertain to joint economic diversification and development initiatives and to cooperative land use planning.

The *Thompson Rivers Economic Accord* is a general statement of cooperation between the signing Parties on the promotion of a regional economic development strategy. The importance of cultural and social issues in this pursuit is acknowledged and open communication among the Parties is stressed.

The *Protocol Agreement on Culture, Heritage and Economic Development* between Powell River and the Tla'amin First Nation is also intended to facilitate regional economic development, but is more detailed in terms of its acknowledgement of Aboriginal title, rights, culture and heritage and its inclusion of a consultation and permitting process for proposed developments.

The *Master Agreement* between the Westbank First Nation and neighbouring local governments arises out of a federal government request to see the Parties address concerns around the proposed transfer of the Gallagher Canyon Lands to Indian Reserve Status. The *Agreement* extends beyond servicing to land use planning issues on these and adjacent lands. General rights and obligations are outlined and specific covenants are set out with regard to rights-of-way, land use, water, servicing, roads, taxation, etc. As in the *Powell River/Tla'amin Protocol*, a consultation and dispute resolution process is built into the *Agreement*.

As was the case with the cooperation and communication agreements with multiple Parties, the *Memorandum of Understanding* between the Swinomish Indian Tribal Community and Skagit County represents a comprehensive detailing of the relationship between the Parties. The *Memorandum* is preceded by the adoption of joint and separate comprehensive land use plans and establishes a Joint Swinomish Planning and Advisory Board to settle disagreements regarding land use.

4.2 Agreement Summaries

Name of Agreement: Master Agreement Among the Westbank First Nation, Regional District of Central Okanagan, the Corporation of the City of Kelowna, the Black Mountain Irrigation District, and the South East Kelowna Irrigation District (see p. 115)

Overview

The *Master Agreement* arises from a federal government request to see the Westbank First Nation and neighbouring local governments address concerns around the proposed transfer of the Gallagher Canyon Lands to Indian Reserve status. The *Master Agreement* is intended to record the Parties' mutual understanding, rights and obligations with respect to the Gallagher Canyon lands and goes beyond servicing to address a wide range of issues fundamental to the relationship between the Parties. General rights and obligations as well as specific actions are set out, and a consultation and dispute resolution process is built into the *Agreement* to address possible controversy arising during the cooperative management of the lands in question. Issues of mutual interest in the transfer of the lands as well as harmonizing uses and activities on First Nations lands with those on adjacent lands are addressed.

Actions

- A joint consultation process will be established to address land use planning on the Gallagher Canyon Lands and adjacent lands.
- A dispute resolution process and timeline is identified in the case of any controversy or disagreement on land use arising between the Parties.
- Specific covenants are set out for each of the signing Parties addressing issues related to rights-of-way, land use, water, servicing, roads, taxation, etc.

Date Signed: July 28, 2000

Signatories/ Witnesses

Signed by: Full Council of the Westbank First Nation
One elected and one staff representative from each local government Party

Name of Agreement: Protocol Agreement on Culture, Heritage and Economic Development Between the Corporation of the District of Powell River and the Tla'amin (Sliammon) First Nation (see p. 139)

Overview

The *Protocol Agreement* is intended to facilitate economic diversification, protect cultural and heritage resources, promote community growth, increase investment and generate employment within the two communities. Tla'amin Aboriginal title, rights, culture and heritage are recognized by the *Agreement*, as are the rights of the citizens of Powell River. A consultation and permitting process for proposed developments is established to ensure the protection and enhancement of cultural heritage sites. The development of the *Protocol Agreement* follows the signing of a *Community Accord* in May of 2003, which helped to open and maintain the lines of communication between the District of Powell River and the Tla'amin First Nation. The *Protocol Agreement* is considered to be a living document and may be subject to change from time to time by mutual consent.

Actions

- The Parties will form a Joint Culture and Heritage Committee within two months of signing the *Protocol*.
- Potential Options to Protect Cultural and Heritage Sites identified in appendix B (p. 151).
- The Parties will establish a Joint Economic Development Working Committee.
- An eight step consultation and permitting process for proposed developments is detailed in appendix A (p.149).
- The Parties will hold not less than six government-to-government meetings per year.
- The Parties agree to dispute resolution measures.

Date Signed: June 26, 2004

Signatories/Witnesses

Signed by: Full Tla'amin (Sliammon) First Nation Council
Full District of Powell River Council

Witnessed by: One Tla'amin staff representative
One Powell River staff representative

Name of Agreement: Thompson Rivers Economic Accord – A Statement of Cooperation (see p. 149)

Overview

The Parties recognize the need to work with each other and with other stakeholders in the interest of bringing economic benefit to all residents of the Thompson-Nicola Regional District and, through the *Accord*, agree to jointly promote the benefits of an inclusive regional economic strategy. Cooperation with other stakeholders in economic development pursuits is encouraged, as is the efficient use of regional infrastructure and human resources. Open communication is stressed and the fundamental importance of cultural and social issues is recognized. Regular meetings between the Parties are required under the *Accord*.

Actions

- The Parties will meet not less than biannually to further the aims of the *Accord*.
- Those signing the *Accord* agree to rotate as Chair of these meetings.

Date Signed: February 15, 2002

Signatories/Witnesses

Signed by: Mayor of Kamloops
Chief of the Kamloops Indian Band
MLA for Kamloops
MLA for Kamloops-North Thompson
MP for Kamloops, Thompson and Highland Valleys
Chair of the Thompson-Nicola Regional District

Name of Agreement: Memorandum of Understanding for Establishing Procedures for the Administration of a Cooperative Land Use Planning Program Between the Swinomish Indian Tribal Community and Skagit County (see p. 151)

Overview

The *Memorandum* details the establishment of a Joint Swinomish Planning Advisory Board made up of five members (two appointed by the Tribe, two by the County and one jointly) who will settle disagreements regarding land use by means of cooperative problem-solving and consensus-based negotiations. The *Memorandum* follows the development of a Joint Comprehensive Land Use Plan for the Swinomish Indian Reservation, the Tribe's adoption of a Land Use Comprehensive Plan and the County's adoption of the Skagit County Comprehensive Plan. It acknowledges that both Parties agree it is in their interest to cooperatively manage growth, administer associated land use regulations and build on the established government-to-government relationship between them.

Actions

- A five-member Swinomish Planning Advisory Board will be established.
- Permit review processing will be administered in a unified fashion to reduce unnecessary duplication and associated costs.
- An established process for consultation on land use planning will provide a procedural mechanism for voicing concerns, identifying problems and exploring solutions during the early stages of the permit process.
- The Advisory Board will seek to bring about mutually acceptable resolutions through conciliation, mediation and fact-finding in the event of disputes between the Parties.
- The Advisory Board will report to both governments after one year and biannually thereafter regarding its activities. A joint review of the cooperative planning process is to be conducted after two years. The joint process may then be refined as needed.

Date Signed: Not dated

Signatories/Witnesses

Not signed

5.0 CAPACITY DEVELOPMENT PARTNERSHIP AGREEMENTS

5.1 *Category Overview*

Although the two agreements included in this category are different in focus, both represent partnerships intended to develop capacity within First Nations communities.

The *Partnership Agreement* between the City of Dawson Creek, the Metis Provincial Council of BC, the Province of BC and CUPE Local 2403 is designed to develop and promote employment opportunities for Aboriginal people. It is quite general in nature and, while priority areas are outlined, no specific action items are identified.

The *Proposed Partnership* between the Ditidaht Nation and Ladysmith focuses on developing capacity for self-government. The *Agreement* commits both Parties to a detailed series of activities and it is an example of one way in which local governments and First Nations can approach working together on mentorship programs.

Neither document in this category makes reference to dispute resolution mechanisms, set meeting schedules, the identification of staff representatives as liaisons, or agreement expiry dates.

5.2 Agreement Summaries

Name of Agreement: Partnership Agreement Between the City of Dawson Creek, the Metis Provincial Council of British Columbia, the Province of British Columbia, and CUPE Local 2403 (see p. 157)

Overview

The *Partnership Agreement* addresses cooperation and relationship building and acknowledges individual and joint rights, responsibilities and authorities. Fairness and equity, consistency, mutual respect and dignity, open communication and trust are the principles set out to guide the Aboriginal community, unions and employees in developing and promoting employment opportunities for Aboriginal people. The *Partnership Agreement* sets out basic principles to improve relations between the Parties as well as initiatives that will generate employment. Joint monitoring of the progress and results of the *Agreement* is proposed.

Actions

- Programs to improve cultural relations will be developed.
- Programs to promote employment opportunities for Aboriginal people will be developed.
- The Parties will undertake business development initiatives of mutual benefit.
- Short- and long-term strategies will be developed and the progress and results of the *Agreement* will be monitored.

Date Signed: November 1, 2002

Signatories/Witnesses

Signed by: One representative of the City of Dawson Creek
One representative of the Province of British Columbia
One representative of CUPE Local 2403
One representative of Aboriginal Employment Partnership Initiative

Name of Agreement: Ditidaht/Pacheedaht – Proposed Partnership Between the Ditidaht Nation and Ladysmith – Developing Capacity for Self-Government (see p. 159)

Overview

In response to a request for services on behalf of the Ditidaht Nation, the Town of Ladysmith proposed a working partnership with the Ditidaht to help them meet the challenge of self-government and an *Agreement in Principle* was reached to enter into a contract for that purpose. At the time of the *Proposed Partnership*, the Ditidaht people were at stage four of the treaty process and had advertised for the services of an experienced and professional local government administrator to help them develop their own system of government and train their own people for the jobs required in the post-treaty environment. A natural partnership emerged between the Ditidaht and the Town of Ladysmith for this purpose and the document sets out objectives and identifies necessary changes in Band Administration.

Actions

- Ladysmith will make its staff available to help in the transition to the post-treaty environment and to help create proper government structures, systems and procedures.
- Ladysmith will help identify human resource needs and provide training.
- A work plan and schedule will be established to enable the Ditidaht to have an initial level of self-government in operation within three years.
- Ditidaht people will have an opportunity to fill some jobs immediately and to undertake further training if interested in a career within First Nations governance.

Date Signed: February 1999

Signatories/Witnesses

Not signed

6.0 RESOURCE MANAGEMENT AGREEMENTS

6.1 *Category Overview*

Four Agreements are included in this category: two agreements focus on the joint management of water resources and two address issues related to broader environmental management. In general, the agreements in this category outline quite detailed consultation processes, which in most cases include provisions for dispute resolution, agreement renewal, implementation and meeting schedules.

The *Grand River Agreement* details an extensive notification process to improve information sharing and consultation among all Parties on economic development, land use and environmental matters.

The *Agreement* between the T'Sou-ke Nation and the Capital Regional District outlines a detailed consultation plan to address the T'Sou-ke's concern with the management, scheduling and monitoring of water releases to the Sooke River from the Sooke Reservoir. The Capital Regional District commits to a very detailed consultation process in return for a commitment from the T'Sou-ke that they will not take legal action to enjoin or stop the raising of the Sooke Reservoir.

The *Watershed Accord* between the Sechelt Indian Band and the Sunshine Coast Regional District outlines the Parties' joint responsibility and authority for managing the regional potable water supply. It is less detailed than the other agreements in this category, but stipulates the development of a shared management framework within 90 days. Aboriginal treaty rights as well as the powers, duties and functions of the Regional District are recognized.

Under the *Intergovernmental Agreement* between the Confederated Tribes of the Chehalis Reservation and the Washington State Department of Ecology, the Parties commit to organizing, planning and implementing an intergovernmental partnership on environmental regulation and management of air and water resources and hazardous waste.

6.2 Agreement Summaries

Name of Agreement: Grand River Notification Agreement Renewal (see p. 163)

Overview

The *Grand River Notification Agreement* was originally signed in October 1996 and was renewed in 1998. It addresses notification requirements around actions that may affect the environment within the specified notification area. The *Agreement* is between the Six Nations of the Grand River, the Mississaugas of the New Credit, the City of Brantford, the Township of Brantford, the County of Brant, the Town of Dunnville, the Town of Haldimand, the Regional Municipality of Haldimand-Norfolk, the Township of Onondaga, the Town of Paris, the Township of South Dumfries, the Grand River Conservation Authority, the Ministry of Indian Affairs and Northern Development Canada and the Ministry of Native Affairs Ontario.

The *Agreement* acknowledges the legal rights and obligations of each Party and establishes a notification protocol to facilitate information sharing, consultation and cooperation on economic development, land use and environmental matters within the area in question.

Actions

- Activities for which notification will be given are set out in the *Agreement*.
- The contents and timing of notification is specified, as is the manner in which notification will be given.
- The *Agreement* remains in effect for five years unless terminated by the Parties and must be reviewed twice each year so that Parties may share their views and concerns regarding its implementation.

Date Signed: October 3, 1998

Signatories/Witnesses

Signed by: One representative from each of the Parties

Name of Agreement: Agreement Between Capital Regional District, the T'Souke Nation, Her Majesty the Queen in Right of Canada as represented by the Department of Fisheries and Oceans Canada and Her Majesty the Queen in Right of British Columbia as represented by the Minister of Water, Land and Air Protection (see p. 175)

Overview

The Parties acknowledge the T'Souke Nation's special interest and Aboriginal rights in the waters of the Sooke River as well as the importance of the Sooke Reservoir to the water supply infrastructure of the Capital Regional District. Fish populations and habitat in the Sooke River are acknowledged to be affected by the expansion of the Sooke Reservoir and the management, scheduling, assessment and monitoring of water releases to the Sooke River are set out in the interest of mitigating the impact on fish populations and T'Souke heritage while accommodating the infrastructure needs of the Regional District. The *Agreement* fulfills the Regional District's obligation under the *Constitution Act* to consult with the T'Souke on this particular issue. Unless otherwise agreed by the Parties, the *Agreement* will terminate on September 30, 2007 or on the adoption by the Capital Regional District of a mutually agreed upon Water Management Plan.

Actions

- A funding formula to facilitate the T'Souke Nation's participation in carrying out the *Agreement* is specified.
- A schedule for water release and a full Water Management Plan is set out.
- The T'Souke Nation will not undertake any legal proceedings related to the raising of the Sooke Reservoir as long as the Capital Regional District respects its obligations under the *Agreement*.
- Water levels are to be monitored – with T'Souke involvement if desired.
- Obligations of the Department of Fisheries and Oceans and the Ministry of Water Land and Air Protection are specified.

Date Signed: October 15, 2002

Signatories/Witnesses

Signed by: Two Councillors from the T'Souke Nation
Chair and Corporate Secretary of the Capital Regional District
Minister and Area Director of Fisheries and Oceans Canada
Minister and Assistant Deputy Minister of Water, Land and Air Protection

Name of Agreement: Watershed Accord Between Sechelt Indian Band and Sunshine Coast Regional District (see p. 185)

Overview

The Chapman and Grey Creek Watersheds are situated within the traditional territory of the Sechelt Indian Band and are also situated within the Sunshine Coast Regional District, which has authority to provide potable water to residents of the Regional District. The *Accord* states that the Sechelt Indian Band and the Sunshine Coast Regional District jointly assume responsibility and authority for attaining and maintaining the highest possible safety and quality standards for the potable water supply of the region. The *Accord* was signed at a 2003 Community to Community Forum event attended by both Parties. A 90-day limitation on the development of a subsequent Watershed Management Agreement is imposed under the terms of the *Accord*. Aboriginal and treaty rights of the Band and powers, duties and functions of the Sunshine Coast Regional District are recognized and not affected by the *Accord*.

Actions

- Within 90 days, the Parties will negotiate the terms of an agreement for sharing responsibility and decision-making with regard to the management of the watersheds, as well as the costs, expenses and liabilities arising from this shared management.
- Upon completion of the agreement, the Parties will petition the Province of BC for the assumption by the Parties of a shared management framework.

Date Signed: September 18, 2003

Signatories/Witnesses

Signed by: Full Council of the Sechelt Indian Band
Full Board of the Sunshine Coast Regional District

Name of Agreement: Intergovernmental Agreement Between the Confederated Tribes of the Chehalis Reservation and the Washington State Department of Ecology (see p. 189)

Overview

The purpose of the *Agreement* is to provide a framework to organize, plan and implement an intergovernmental partnership among the Parties to assure the protection of human health and the environment and to provide for consistent, efficient, and effective environmental regulation and management. The 1989 Centennial Accord between federally recognized Indian Tribes in Washington State and the State of Washington commits the Parties to a government-to-government approach in dealing with issues of mutual concern. The Parties agree to coordinate and cooperate on environmental regulation and management of air and water resources and the management, disposal and cleanup of hazardous wastes within the Chehalis Reservation and the Chehalis Tribe's Aboriginal area. Three key communication goals of early notification, information sharing and timely consultations are included in the *Agreement*. The separate laws and powers of the Parties are acknowledged.

Actions

- The Parties will meet twice annually to review the *Agreement*, discuss actions and decisions taken under the *Agreement* and set out future priorities.
- Decisions of the Parties in carrying out the *Agreement* will be made by consensus.
- An official dispute resolution process is specified in the case of disagreement.
- The *Agreement* can be unilaterally terminated by any of the Parties, but otherwise continues in effect from the date of signing.

Date Signed: Not dated

Signatories/Witnesses

Signed by: Chair of the Chehalis Business Committee
Director of the Washington State Department of Ecology

7.0 CONCLUSIONS

Local governments and First Nations share much in common ... both have limited resources relative to their responsibilities and both are close to the ground and in constant dialogue with the communities that they serve. In this context, local government/First Nations relationships represent a significant opportunity to redefine the way in which aboriginal and non-aboriginal people can partner with one another⁵.

The agreements presented in this *Handbook* vary greatly in their structure, content and scope. The majority of these agreements seek to open up the lines of communication while others attempt to establish a more detailed working relationship on a specific issue (economic development, resource management, parks management, etc.). While there is a great deal of variety in the length and detail of the documents, some common elements emerged. Many of the documents made reference to dispute resolution mechanisms, guiding principles and an expiry date or renewal process. Specific actions also varied, but identifying meeting schedules, establishing committees and assigning staff representatives to act as liaisons were common action items.

The variety of agreements profiled in this *Handbook* illustrates the possibilities that exist for redefining and improving First Nation-local government relations. While these types of agreements do not guarantee a better working relationship, they do represent a commitment from both Parties to attempt to improve communication. This in and of itself is a step in the right direction.

Local government-First Nations relations have been going through a period of relatively rapid change and, because of this, are not yet well documented. This *Handbook* seeks to contribute to the body of literature on this topic by acting as a resource tool for local governments and First Nations. The formal agreements in this document are presented as examples for First Nations and local governments to learn from and build upon. While it was not within the scope of this project to look at implementation success or failure, this is undoubtedly an area for future research.

⁵ Source: Fraser Basin Council (2000, p. 66). *Aboriginal/Non Aboriginal Partnerships: Fraser Basin Council Special Report* (available at http://www.fraserbasin.bc.ca/publications/fbc_reports.html).

8.0 APPENDICES

APPENDIX A – OTHER RESOURCES ON LOCAL GOVERNMENT-FIRST NATIONS RELATIONS

Publications

- Union of BC Municipalities (UBCM) (2004 & 2002). *Final Workshop Report Developing Good Neighbour Relations: Local Governments and First Nations Technical Workshops*.
- UBCM and First Nations Summit (FNS) (1997, 2001, 2003). *Community to Community Joint Forum Final Reports*.
- UBCM and FNS (2003) - prepared by Nemtin Consultants Limited. *Communities in Cooperation: A Guide to Alternative Dispute Resolution for First Nations and Local Governments in British Columbia*.
- BC Treaty Commission and Simon Fraser University Centre for Dialogue (2004). *Planning for Prosperity: First Nations, Intergovernmental Cooperation and Treaties, A Leader's Forum*.
- Alberta Municipal Affairs (2002). *Report Concerning Relations Between Local Governments and First Nations Governments*. Submitted to the Provincial/Territorial Senior Officials of Local Government Committee.
- Municipal-Aboriginal Adjacent Community Cooperation Project (2002). *Partnerships in Practice Case Studies in Municipal and First Nations' Economic Development Cooperation*. Prepared for Centre for Municipal-Aboriginal Relations.
- Fraser Basin Council (2000). *Aboriginal/Non Aboriginal Partnerships: Fraser Basin Council Special Report*.
- Larbi, Patrick (1998). *A Portrait of Municipal-Aboriginal Relations in Canada*. Prepared for the Centre for Municipal-Aboriginal Relations (CMAR).

Organizations and Websites

- *UBCM and FNS* administer the *Regional Community to Community Forum Program*, which provides funding for jointly organized meetings between elected leaders from neighbouring First Nation and local governments. The application kit is available on the UBCM and FNS websites: www.civicnet.bc.ca and www.fns.bc.ca.
- *First Nations Governance Centre* supports First Nations in their efforts to implement and put into practice their jurisdictional authorities and to achieve the well-designed characteristics of good government. www.fngovernance.org/.
- *Institute on Governance* is a non-profit organization that explores, shares and promotes the idea of good governance in Canada. They produce a series of publications, workshops and projects on Aboriginal governance. www.iog.ca/.
- *Civinfo BC* posts examples of service agreements on their website (see "what's hot on CivinfoBC"). www.civinfo.bc.ca.

APPENDIX B – AGREEMENTS

Documents are attached as listed below – alphabetical by local government for each category.

COOPERATION AND COMMUNICATION			
1. Alert Bay, Village of	'Namgis FN	The Alert Bay Accord	1999
2. Central Okanagan, RD	Westbank FN	Statement of Political Relationship	1999
3. Comox-Strathcona, RD	Xwémalhkwa (Homalco) FN	Protocol Respecting a Regional Accord	2004
4. Fort Nelson, Town of *	Fort Nelson FN	Statement of Relationship	2003
5. Fraser-Fort George, RD	McLeod Lake Indian Band	Protocol on Treaty 8 Severalty Lands	2003
6. Fraser-Fort George, RD	Lheidli T'enneh FN	Protocol on Cooperation and Communication and Memorandum of Understanding on Cooperation and Communication	2002
7. Islands Trust	Lyackson FN	Protocol for Cooperation	2000
8. Kamloops, City of	Kamloops Indian Band	Statement of Political Relationship	1991
9. North Central Municipal Association	Northwest Tribal Treaty Nations	Protocol Agreement	2003
10. Penticton, City of	Penticton Indian Band	Protocol for Regional Cooperation	2004
11. Powell River, District of	Sliammon FN	Community Accord	2003
12. Prince George, City of	Lheidli T'enneh FN	Protocol on Cooperation and Communication and Memorandum of Understanding on Cooperation and Communication	2002
13. Tumbler Ridge, District of	McLeod Lake Indian Band	Protocol on Working Relationship	2003
14. Seattle, City of	Tulalip Indian Tribes	Government to Government Agreement	No date given
15. Union of BC Municipalities	First Nations Summit	Protocol on Cooperation and Communication	2001
16. Washington State	Federally Recognized Indian Tribes in Washington State	Centennial Accord	1989

PARKS AND RECREATION			
17. Abbotsford, City of *	Matsqui FN	Memorandum of Understanding	1996
18. Greater Vancouver RD	Katzie FN	Grant Narrows Regional Park Letter of Understanding	1997
19. North Vancouver, District of	Tsleil-Waututh FN	Cates Park/Whey-ah-Wichen Protocol/Cultural Agreement	2001
ECONOMIC DEVELOPMENT AND LAND USE			
20. Central Okanagan, RD*	Westbank FN	Gallagher Canyon Master Agreement	2000
21. Powell River, District of	Tla'amin (Sliammon) FN	Protocol Agreement on Culture, Heritage and Economic Development	2004
22. Thompson-Nicola, RD *	Kamloops Indian Band	Thompson Rivers Economic Accord – A Statement of Cooperation	2002
23. Skagit County	Swinomish Indian Tribal Community	Memorandum of Understanding for Establishing Procedures for the Administration of a Cooperative Land Use Planning Program	No date given
CAPACITY DEVELOPMENT PARTNERSHIP			
24. Dawson Creek, City of *	Metis Provincial Council of BC	Partnership Agreement	2002
25. Ladysmith, Town of	Ditidaht Nation	Developing Capacity for Self-government: Ditidaht/Pacheedaht Proposed Partnership	1999
RESOURCE MANAGEMENT			
26. Brantford, City of *	Mississaugas of the New Credit, Six Nations of the Grand River	Grand River Notification Agreement Renewal	1998
27. Capital, RD *	T'Sou-ke Nation	Agreement	2002
28. Sunshine Coast, RD	Sechelt Indian Band	Watershed Accord	2003
29. Washington State	Confederated Tribes of the Chehalis Reservation	Intergovernmental Agreement	2001

* Additional signatories - please see agreements