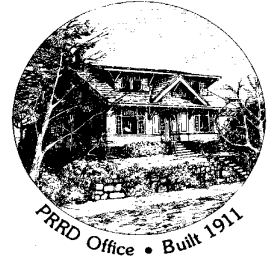




PROTOCOL AGREEMENT FOR COMMUNICATION AND COOPERATION



Building a Local Government-to-Government Relationship

This **AGREEMENT** dated for reference the 9th day of December, 2004

BETWEEN: **TLA'AMIN FIRST NATION** also known as Sliammon
6686 Sliammon Road, RR#2
Powell River, B.C. V8A 4Z3 (Tla'amin)

AND: **POWELL RIVER REGIONAL DISTRICT**
5776 Marine Drive
Powell River, B.C.
V8A 2M4 (PRRD)

(the Parties)

WHEREAS:

- A. Tla'amin and the PRRD each have distinct governance authorities and responsibilities towards their residents and members, and acknowledge that the interests of all persons living in the two communities are best served by working together in the spirit of communication and cooperation.
- B. The Parties acknowledge that much of the settlement area within the boundaries of the PRRD has been built upon lands that either form Tla'amin traditional territory, reserve lands, or treaty settlement lands.
- C. The Parties recognize that building a local government-to-government relationship now will create a level of certainty for our neighboring communities and jurisdictions and would rather begin dialogue now than await the outcome of treaty negotiations.

NOW THEREFORE the Parties enter into this Protocol Agreement with the intention and desire to establish a cooperative government-to-government relationship for the purpose of sharing information, improving communications, addressing specific concerns, and to raise an awareness and understanding of Tla'amin title and rights and the responsibilities of the PRRD under the Local Government Act.

1.0 PURPOSE

- 1.1 The Purpose of this Protocol Agreement is to enter into a more formal arrangement between Tla'amin and the Powell River Regional District with respect to establishing and maintaining a long-term cooperative government-to-government relationship through effective and adequate communications.
- 1.2 Establish a Government-to-Government Working Committee comprised of political appointments and/or staff to foster the development of 1.1.

2.0 PRINCIPLES OF COOPERATION

- 2.1 The Parties agree that Tla'amin and the PRRD will meet regularly to promote and encourage open and constructive dialogue based on mutual trust, honesty and respect.
- 2.2 Work cooperatively to ensure that the Parties have a full understanding of each others governing structures, traditions, and roles and responsibilities.
- 2.3 Respect the views and authority of each of the Parties.

3.0 SHARED VALUES

- 3.1 The Parties acknowledge the establishment of a government-to-government relationship will provide a venue to encourage discussion related to common areas of interest and responsibility such as the environment, cultural and heritage sites, and joint economic opportunities.
- 3.2 The Parties further acknowledge that this Protocol Agreement will benefit the outcome of treaty negotiations with respect to the Local and Regional Governments Relations Chapter in the 2003 Agreement in Principle.
- 3.3 Opportunities may exist for establishing cooperative action plans that will serve to benefit the Parties' communities through the establishment and maintenance of a government-to-government relationship.

4.0 KEY INTERESTS

- 4.1 The Parties agree to work together and explore the following key interests:
 - ⇒ Culture and Heritage Protection
 - ⇒ Environmental Protection
 - ⇒ Intergovernmental Coordination: improving communications with a focus on roles, responsibilities and aspirations.

- ⇒ Joint Economic Development
- ⇒ Land-Use Planning and Management: including but not limited to Official Community Plans, treaty land issues, resource management plans, provincial planning processes, park management, and other land use plans and regulations.
- ⇒ Property Taxation issues
- ⇒ Shared / Reciprocal services
- ⇒ Tla'amin / Regional District Governance Relations

5.0 COMMUNICATIONS & CONSULTATION

- 5.1 The Parties recognize the success of a government-to-government relationship will hinge upon open and transparent communications based on trust, respect and mutual understanding.
- 5.2 It is the intention of the Parties to ensure appropriate consultation practices are exercised to increase the opportunities for collaborative decision-making on common areas of interest and responsibility.
- 5.3 The Parties acknowledge and recognize that communications and information sharing for initiatives set out in 4.1 may be subject to the Freedom of Information and Protection of Privacy Act.

6.0 DISPUTE RESOLUTION

- 6.1 Where a dispute arises between the Parties, the Parties agree that the Chair of the Powell River Regional District and the Chief Councillor of Tla'amin will engage in informal communications in an attempt to resolve specific issues.
- 6.2 Where a dispute between the Parties has not been resolved by informal communications, either Party may, upon reasonable notice, call a special meeting of the Parties to discuss the dispute. Where the Parties are unable to resolve a dispute by special meeting, either Party may request a dispute resolution session.
- 6.3 Both Parties shall mutually agree upon the procedure for carrying out a dispute resolution session.
- 6.4 The Parties will share agreed upon dispute resolution costs on a 50/50 basis.

7.0 TERMS OF THE AGREEMENT

- 7.1 The Parties agree this Protocol Agreement shall take effect upon the adoption by resolution by each respective Council and Board.

- 7.2 The Parties agree this Protocol Agreement is a living document and may be subject to revision from time to time by mutual consent. The revisions must be agreed to in writing and adoption by resolution of each respective Council and Board.
- 7.3 This Protocol Agreement will remain in effect unless terminated by either of the Parties by providing sixty (60) days notice in writing, to be delivered by hand, facsimile or registered mail.

IN WITNESS OF the Parties have hereunto affixed their signatures as of the day and year first written above.

Tla'amin Signatories

Powell River Regional District Signatories

Walter Paul, Chief Councillor

Colin Palmer, Chair

Grace Adams, Councillor

Patrick Brabazon, Director

Gloria Francis, Councillor

Brenda M. DeGraag, Director

Steven Galligos, Councillor

Stan Gisborne, Director

Eugene Louie, Councillor

Myrna K. Leishman, Director

Vern Pielle, Councillor

Dave Murphy, Director

Bruce Point, Councillor

Rose Willow, Director

Tracey Timothy, Councillor

Clint Williams, Councillor

Allison Wilson, Councillor

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF

Steve Gallagher
Intergovernmental Relations
Tla'amin First Nation

Frances Ladret
Administrator
Powell River Regional District