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## IMPLEMENTING DELGAMUUK'W

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Biography of Peter Di Gangi

*Research Director, Algonquin Nations Secretariat*

*Peter Di Gangi graduated from Trent University in 1980m with Honours BA in Native Studies/Anthropology. He began working on land claims research in 1980 for the Union of Ontario Indians. Since then, he has continued to work in the research field – land claims and policy. This included 5 years at the Assembly of First Nations as Director of the Centre for Treaty Advocacy and extensive work for the Royal Commission on Aboriginal Peoples in the area of Treaties and Lands. He has also worked for the Union of Nova Scotia Indians, the Union of BC Indian Chiefs, the Native Womens Association of Canada, and a variety of individual First nations and Tribal Councils. He is currently Director of the Algonquin Nation Secretariat, and is responsible for coordinating the preparation of evidence regarding aboriginal title.*

Well what I wanted to do to follow up on Russ [Diabo] and Terry's [Tobias] presentations, was to give you a bit more background on some of this. As Russ mentioned, Barriere Lake initially started to do research under the comprehensive claims policy. They took it to a certain point and then they realized that they had to have more direct influence over resource management within the territory, and that's when they started to begin to focus more on getting the trilateral agreement into place and so on. At the same time, though, we still have to continue with the other kinds of research that are required, to ultimately have the evidence gathered to prove title. So we're continuing with the process of collecting the documentary evidence from archival sources, mission records, Hudson's Bay Company records, and so on to put together with the other parts of the database to get the full box of what we need to prove title. And in that respect there is one thing I want to mention that Russ mentioned: the trilateral agreement area is about 10,000 square kilometers, that does not represent the full traditional territory of the Barriere Lake Algonquins. In fact, their current use area has shrunk compared to how big their traditional territory was. I think that in most parts of the country, certainly all of the communities I have worked with, this is one of the things that you are going to find as a researcher when you do the current land use. You might have a line on a map that represents the traditional territory of the community or the nation, but the current use area is only going to be a portion of that because there has been so much dispossession and so on.

So how do you address that? And it's important to address that because the way Canada approaches these issues is, essentially, wherever you have current use they'll say, "well, let's talk about title," but the areas outside of current use where you haven't been able to maintain current use for whatever reasons, they don't really want to deal with that. What we have done is to use the documentary record, archival sources and otherwise, to demonstrate why the territory of current use has shrunk over the years. In legal terms, essentially what you want is to provide the evidence to show that it wasn't what they call "willful abandonment" of the territory. This connects with Delgamuuk'w because, essentially, what you are doing in that phase of the research is to go through all of the infringements that have happened over time. Document each of those infringements. When did they start handing out land patents? When did they start handing out timber licenses? When did they start handing out commercial fishing licenses? When did the highways go through, hydro lines? What were these pressures and the actual events that led to a shrinkage in the current use area? So at this point in time now we're completing that part of the research, again so you get the full picture. I do think that Barriere Lake is a pretty good example of all the different elements of research that you need to do to get the full box. Basically the way I have explained it is, you know, you're going into battle and what you want is a good arsenal full of all the tools and all weapons you're going to need to fight the other side, because that is what it comes down to. It is adversarial and the documentary research compliments the current use, traditional, economic, ecological knowledge, and so on.

Now I know Russ had indicated, and Terry made some comments as well, about the cost of all this work. I mean, with the negotiations and the research together for Barriere, it's been, I think, \$5 million over the past, what, since 1991, 1992? That seems like a lot, okay, but let's look at in another way. Keeping in mind Delgamuuk'w, the fact that if you have title and you have exclusive use and the right to choose what the uses to which the resources are put, within just the area of the trilateral agreement on an annual basis the timber industry pulls out \$33.3 million worth of timber. Tourism takes in \$4.5 million, recreation \$15 million. When you add it all together it is about \$56.5 million a year that is taken out of their traditional territory. And, as you could see from one of the charts that Russ showed on one of the slides, there's zero Barriere Lake Algonquins employed in any of those sectors. So my response would be well, if the feds and the province have only paid \$5 million over the past eight years to fund this process, they're getting off damn easy, given the fact they're taking out \$56 million a year from that territory. I want to emphasize that because, again coming from the east, you know my own personal view is that nations in B.C. are getting ripped-off because the province and the feds are making you do all this on eighty percent loans. It's outrageous. I think in terms of an equitable treatment of the issues that it is only right and fair and equitable that nations in B.C. should have this kind of work covered on contributions a hundred percent. And

really people might think it sounds like a lot of money, but when you start to compare those costs to the value of the resources they are taking out of each of your territories, it really is a drop in the bucket to do research up to standard.

There is only two other comments I'd like to make. One is that, as you can imagine, there is a number of disparate kinds of data now that have been gathered for Barriere Lake. We have genealogical information on one software program that was done by one consultant -- there was about 5,000 names on there going back to the 1760s -- there is the sensitive area studies, there is the traditional ecological knowledge, there is the GIS [Geographic Information System] materials. As well, we have about 6,000 documents on the document database of historical documents. But each of them have been done by different contractor and in most cases using different software. At this point we're at the stage where we're having to take a very serious look about how we integrate these different databases so we could search across databases to get information on a particular lake. For instance, say there's a forestry operation is going to affect possibly a lake, you want to be able to punch in the name of the lake, get genealogical information on which families are there, and who has been there through time, with the time depth. You want the sensitive area information to know if there is critical habitat that is in that particular location. You want to be able to get documentary sources to see what references there might be in the documentary record to that particular site. So at this stage we're now just starting to take a look at, well, what moves do we have to make next to consolidate this information so you could search across the databases? How do we store it all together and, particularly, how do you make it available to a variety of users who have a variety of different purposes? For instance, there's a school at Rapid Lake and the people who teach at the school are very interested in accessing some of this material for curriculum development, making it accessible to students so they could use it in projects. The people who are involved in the negotiation of the integrated resources management plan want access to this material so they can begin to have direct access to make management decisions. The consultants who are on the research team want to be able to access it to do their own analysis in their particular sector of activity, but also to be able to update and upload their portions of the work. So this is something now, that it has gone this far where the stage is now figuring what is the best way to integrate this material to make it accessible to a number of users for a variety of purposes. That is sort of the stage we're at with respect to taking this to the next level. But with that I'll end for today. Thanks.