



VIA FACSIMILE: (250) 679-5306

November 8, 2001

File No. 45000-SUNP1

Chief Arthur Manuel
Neskonlith Indian Band
P.O. Box 744
33 Chief Neskonlith Road
East Trans Canada Highway
Chase, BC
VOE 1M0

Dear Chief Manuel:

I am writing to follow up on our meeting of Friday, November 2, and telephone conversation of Wednesday, November 7, 2001.

I am very disappointed that we have not been able to move forward in our attempts to resolve the dispute through negotiation. I believe the Province has demonstrated its commitment to work with First Nations in a way that is respectful of your beliefs and the current climate at Sun Peaks.

As you know, provincial representatives met with Chief Ron Jules of the Adams Lake Band, his Council and with representatives of the Skwelkwew'welt Protection Centre on July 12, 2001. Since that meeting, we have been attempting to work with Adams Lake and Neskonlith Bands and the Skwelkwew'welt Protection Centre to develop an agenda for addressing the issues of concern. At your request, the Province has been working with the Government of Canada to ensure that they too are prepared to participate in our attempts to resolve the issues. I agreed to your suggestion that we meet privately to discuss how we can move towards a negotiated resolution.

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Chief Manuel

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I have reiterated our willingness to try to resolve through negotiations the issues you raised in the course of our discussions. In particular, I indicated that we would attempt to:

- find a way of acknowledging Skwelkwek'welt interests in the area;
- engage the federal government in negotiation with a view to addressing issues of Aboriginal rights and title;
- work with Sun Peaks to find a way to reconcile traditional and commercial uses and values;
- find a way to involve the First Nations community in planning for the future of the region; and
- work with your communities on eco-tourism and other economic development opportunities to ensure that they benefit from the development.

The tension at Sun Peaks has escalated to the point where members of the public feel that their safety is threatened, largely as a result of the perception of increased violence and past aggressive behaviour by occupants of the protest camps. The most recent incident at McGillivray Lake involving the snowmobilers further raised the already high levels of tension. The Province believes that any progress in negotiation must be linked to the willingness of the protesters to move towards a negotiated resolution. In the interests of de-escalating tensions in the area and protecting public safety, both the Skwelkwek'welt Protection Centre and the McGillivray Lake camps must be removed in order to create a climate where negotiations are possible.

In our discussions I went to considerable lengths to offer to provide a degree of comfort that removing the camps would not put the protesters in jeopardy in terms of advancing their claim. To that end, I offered to work to develop a legal document that would ensure that removal of the camps would not abrogate any Aboriginal rights or title that may be asserted in a court of law, and would not be relied upon by the Province as evidence of abandonment of Aboriginal rights or title.

As I stated in our meeting, people at Sun Peaks need the confidence that they can go on with their lives while we continue with our discussions. This is not currently possible, as the protesters have demonstrated that their manner of asserting rights requires that others be excluded from exercising theirs.

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Chief Manuel

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Given the current climate at Sun Peaks and your community's apparent unwillingness to remove the protest camps, I am regrettably of the view that we have exhausted options to negotiate a resolution. Therefore, the Province must look to other remedies. By copy of this letter, I am advising the BC Assets and Land Corporation that efforts to find a negotiated solution have not been successful.

Again, I regret that we are not able to move forward with negotiations under the current climate. Should circumstances change, we remain open to further discussion.

Sincerely,



Geoff Plant
Attorney General
and Minister Responsible
for Treaty Negotiations

cc: Honourable Stan Hagen
Minister of Sustainable Resource Management

Minister Robert Nault
Minister of Indian Affairs and Northern Development

Chief Ron Jules
Adams Lake Indian Band

Mandell Pinder, Q.C.
Barrister and Solicitor

Janice Billy
Skwel'kwet'welt Protection Centre



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