

ACR Aboriginal Programs Project Program Template

Program Area:	4.0	Community Relations
Sub Program:	4.1	Developing Framework Agreements
Template:	4.1.2	Agreement in Principle with First Nations
Sponsor(s):	<i>Graymont Western Canada Inc. /Ts'kw'aylaxw First Nation</i>	

1. Objective

To develop a framework document that identifies opportunities and a process for achieving a sustainable long-term relationship between the Ts'kw'aylaxw First Nation (TFN) and Graymont.

2. Description

The agreement's main objective is to identify a range of measures that the parties intend to take together to improve communications between them, and to facilitate the cultural and economic well-being of the TFN community.

TFN has Aboriginal rights and title within a traditional territory located in the Upper Lillooet area of the British Columbia Plateau. TFN has reserve land within its traditional territory. TFN has approved a land code under the First Nations Land Management Act and thereby assumed management of its reserve lands under this act. Graymont is a mining company that produces quicklime and other limestone products at limestone plants in Canada and at plants in the United States through related companies.

Graymont has been operating on TFN reserve land for the past 30 years and has been and continues to be the single largest employer on the TFN reserves. Before TFN adopted management of their own lands, Graymont operated under leases with the Department of Indian Affairs. This arrangement, over the years, proved to be a hindrance to the development and maintenance of good relations between the parties, relegating TFN to observer status on all matters pertaining to the leases.

Although Graymont has always been a significant economic contributor to the TFN community, the company recognized that there were other ways for it to participate with TFN. When Graymont began negotiations on new leases in 2004, the company and TFN recognized the negotiations would provide the opportunity to build a new relationship for the future. During negotiations they agreed that, in addition to the formal lease documents, they needed to record their commitment to this new relationship in an Agreement in Principle, which they signed in April 2005.

The Agreement in Principle lays out the foundations for a collaborative approach between the parties and establishes the framework for carrying this out. It recognizes the cultural and socio-economic factors necessary for the development of the relationship between the parties.

General objectives of the agreement are:

- To develop a process for exchanging information
- To identify economic, employment and investment opportunities for TFN and its members relating to the processing plant
- To identify appropriate opportunities for Graymont to participate in the TFN community

3. Implementation

Some of the key elements for implementation and management of this program are:

- Business information of a general nature will be made available to the TFN community on product markets, volumes, capital expenditures and reclamation plans updates. Health and safety and accident information will also be made available. This information should improve communications with the band and its members because it will keep them apprised of current and future developments. Nothing is more frustrating for a community than to see industrial activity that is being carried out in their backyard operating behind a curtain of silence. With the sharing of this type of information, the band will know what to expect and any misunderstandings that may arise from a particular project or event and its intended objective are cleared up.
- The company's hiring practices and other employment and training matters will be made known along with information about subcontracting and requirements for the supply of goods and services at the Lime Plant. It is hoped that this will not only assist TFN to understand employment opportunities that may be available at the plant site but also enhance further training and education which would benefit the community and its leadership as a whole.
- Opportunities are identified for the parties to consult on new business activities and ventures in the TFN community that may give rise to economic opportunities of mutual interest. Also, TFN will communicate major events in the community, treaty developments, and changes in TFN council or administrative staff to the company. It is hoped that this will further the understanding between the parties and solidify the relationship between them.

4. Timeframe for Results

This Agreement in Principle provides for the parties to meet at least annually and to review the status of the relationship.

5. Measurable Criteria

The agreement sets out a number of commitments and best efforts for both parties, mainly:

- To provide annual information on certain business and community activities (listed above) for the previous, current and coming years
- To provide educational bursaries for TFN members and to provide funding to assist suitable TFN members to attend management training courses
- To cooperate in the development of successful and self-sustaining TFN businesses

capable of supplying goods and services by making Graymont's business expertise, time and contacts available to TFN for this purpose

- To consult in advance with respect to any proposed community bylaw, administrative, policy or other governmental matter that could potentially affect the relationship between the parties
- To hold annual meetings of the parties to discuss areas of mutual interest

6. Budget

Graymont budgets a significant amount of the revenue derived from its operations on TFN land to communication and capacity building with TFN. However, Graymont believes that it takes more than a budget to build a successful relationship. It takes helping out when a brush fire gets out of control. It takes honouring commitments so people know that they can depend on you. It takes recognizing the differences in culture and appreciating the value of those differences. It takes time and energy to continue to build your relationship. Those things may not fit nicely into budget line items, but they are essential for a sustainable relationship.

7. Partners and Sponsors

The parties involved in this agreement are TFN and Graymont. The British Columbia Ministry of Mines provided support and cooperation to TFN and Graymont during the course of negotiations.

8. Experience with the Program

Within the first six months after the new agreements became effective, the parties acknowledged a significant improvement in communications and community relations.

TFN has responded promptly and effectively to permit applications and requests for regulatory approvals.

Graymont has implemented some new measures that will facilitate employment of TFN members together with non-TFN members in its operations. These include establishing a spare board, increasing the number of summer students, and working with the local school board on the student apprenticeship program.

9. General Applicability

This agreement is part of our community relations policy in Canada and the USA. Graymont believes it needs to be a good neighbour in every community in which it operates.

10. Additional Information or Support

Contact: Peter R. Darbyshire, P.Eng., Senior Vice President, Graymont Western Canada Inc., 190, 3025-12th Street NE, Calgary, AB T2E 7J2

Phone: (403) 219-1300

Email: [:pdarbyshire@graymont.com](mailto:pdarbyshire@graymont.com)

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