



Kwikwasut'inuxw Haxwa'mis

February 2017 Newsletter

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Report by Chief Councillor Bob Chamberlin - Community Update Report

INTRODUCTION

I am happy to provide this update report on my activities as the elected Chief Councilor. It has been some time since I have been able to provide this update but be assured that I continue to advance the Kwikwasutinuxw Haxwa'mis First Nation at every opportunity.

This update will also cover off activities I am participating with Regionally and Nationally as Vice President of the Union of BC Indian Chiefs (UBCIC).

1. Band Council

This current Band Council continues to operate as it has since our very first meeting. That is to say that the Council has ensured that I have no vote in decision making as elected chief councilor, unless there is a tie and then I have a vote. Quorum is 3 Councillors and a majority decision is 2 out of 3 supporting a decision.

My role has been limited to providing guidance on topics and presenting options when appropriate. This is a significant change but one that KHFN Band Members need to be fully aware of. As routine items such as community meetings and so on are not mine to decide, but to only provide information as requested.

I have adjusted to this new approach and continually provide our Band Council with many emails containing information that I have felt important and represent opportunities to advance the KHFN. The information provided has been very broad encompassing legal developments and processes and meetings for each Council members portfolio.

I do this willingly to ensure our Council members have the opportunity to develop their individual and collective capacity to see opportunities and approach them with a base level understanding of current aboriginal case law to form a basis in which to pursue portfolio'

2. Specific Claims Settlement Funds

There continues to be communication from Band Members expressing concern over the spending of the Specific Claim money. This Council has already provided a number of updates by way of letters posted to our KHFN website and our KHFN Facebook page.

The previous Band Council made a set of initial decisions for the expenditure of portions of the Specific Claims funds. The current Band Council reviewed these decisions and overturned only one of the decisions. And this was related to legal fees.

All of the previous Band Council members emailed the law firm that was hired instructing them to return these funds to the KHFN. Of the \$25,000 that provided as a legal retainer, \$6,000 (approx.) was used for work completed. This left a balance of \$19,000 (approx.) to be returned to KHFN. The balance of the initial money has been returned to the KHFN.

The used portion of the money will be listed as Accounts Receivable of the KHFN and will be sought to be reimbursed back to the KHFN. This will be accomplished, consistent with the approach the KHFN has taken with the many other band members who also are listed on Accounts Receivable and as a result are indebted to

the KHFN.

When this was discussed during the audit presentation, the auditor spoke of these monies allocated for as Contingent Liability, and saw nothing offside from an audit perspective of the initial decision and putting forth of the legal retainer. If there was something “off side” of this budget allocation it would have been commented on in the Auditors report.

My agreement to repay a portion of this money back is by no means an acknowledgment of a wrong doing on my behalf or the previous council members. I have communicated to Jeneen Hunt a re-payment schedule already.

3. KHFN Traditional Territories Overlap

We have some exciting news in terms of our neighboring First Nations overlapping maps of our traditional territories. The Mamalilikulla FN (MFN) and the Namgis FN (NFN), have both removed KHFN territory from their map and within processes with Government and Industry.

This is a very significant development and I wish to recognize the new leadership of the Mamalilikulla FN for their part and also the engagement of Musgamagw-Dzawadaenuxw & Namgis Hereditary Chiefs to help guide the Namgis political leadership. A joint letter from the KHFN and the MFN has already been sent to the Province of BC informing them of the most recent developments that affect how and whom the government engages with for decisions that relate to our First Nations territory.

3.1 Related Provincial Government Discussions

We as KHFN are now engaging with the Provincial Government about implications of KHFN traditional territories and the removal of the overlapping claims with the NFN and the MFN. This has impacts to various government processes such as the Great Bear Rain Forest Land Use Plan (GBRFLUP), Marine Use Planning, Conservancy Management Planning and so on. Given that the provincial government no longer has neighboring First Nations signature on processes over our territories, this creates an awkward position for them and creates opportunity for KHFN.

To this end we recently met with Minister Thomson of Forests Lands and Natural Resource Operations to discuss how a proper Land Use Planning Process for the KHFN can be accomplished. We made several “asks” to negotiate at this meeting and they are as follows;

- a. Commitment to a Land Use Planning process with appropriate funding
- b. Referrals related to the Great Bear Rainforest Land Use Plan and our Traditional Territories be put on hold pending the answer to “A”
- c. Access to the Provincial component of the Coast Opportunity Fund (COF)
- d. Access to Carbon Tax Credits
- e. Guardian Program funds

We as KHFN Council met with FLNRO staff in early December to discuss the re-alignment of the Timber Supply Areas (TSA’s) into a GBRFLUP North and a South Timber Supply Area.

Though this meeting was intended to be specific to this one referral the discussion became very broad and included discussions around the asks put in front of Minister Thomson.

The BC Government offered the following features at this meeting and through a follow up letter;

1. SLUPA: with \$50,000 Signing Bonus (I believe this can be negotiated much higher)
2. SLUPA: Approx. 6,700 M3 of Renewable Forest License for 20 years renewable at 10 years Bonus (I believe this can be negotiated much higher)
3. SLUPA: access to Provincial Coast Opportunity Funds for Ec/Dev- \$350,000
4. Forestry Development Envelope: \$70,000 to Negotiate Industry Partnerships or Identify Sacred Sites
5. Forest Consultation & Resource Sharing Agreement (FCRSA): formula based revenue sharing

We are now waiting for the Provincial Governments response to our letter and negotiations will hopefully continue. SLUPA is in greater detail below

3.2 Timber Supply Area Re-Alignment

The North & South Great Bear Rainforest TSA's are a redrawing of lines for available timber harvest for the Great Bear Rainforest land Use Plan. The North TSA has a significantly smaller Annual Allowable Cut (AAC) than the Southern Great Bear TSA (AAC). Even though there is an overall reduction of AAC in the Southern TSA, it still has the affect of increased logging pressure in this TSA and includes the KHFN Traditional territories.

The AAC is set at approx. 800,000 m3 per year in the GBRF Southern TSA and approximately 300,00 m3 from the KHFN Territory per year for 10 years.

The KHFN responded with a strong letter putting the government on notice that any licenses or cutting permits issued would be considered illegal in our view. We also continue to gather information and develop a strategy to not only reduce the AAC, but to safeguard old growth stands in the KHFN. There will be significant reporting on this issue as the discussions continue and unfold between KHFN and BC Government.

3.3 KHFN Replaceable Forest License

The KHFN also is working to secure a renewable forestry license so the KHFN can be actively involved in the Human Benefit components of the Great Bear Rainforest Land Use Plan.

This will provide much needed employment opportunity, but also an own source revenue stream to continue with housing needs now and the future as well as Economic Development Opportunities that are being explored and developed.

4. Strategic Land Use Plan (SLUPA)

In late Fall 2016 the KHFN explored the option to enter into a SLUPA with the Province of BC. A SLUPA sets out how the government will engage with the KHFN beyond the Consultation and Accommodation process they are legally obliged to conduct when they make decisions or issue licenses or permits in our Traditional Territories.

KHFN had the Bands lawyer develop a legal analysis of the implications of signing one and also had Andrea Lyall provide one from her perspective as a Registered Professional Forester (RPF). Both memos' suggested

there was little to lose at this point in the implementation of the Great Bear Rain Forest Land Use Plan and certain useful benefits that could help the KHFN with pursuing Ec/Dev goals etc.

The Band Council all agreed to host a meeting with as many Kwikwasutinuxw and Haxwa'mis Hereditary Chiefs as could attend to discuss this opportunity and review the memo's I just mentioned. It is important in my mind that you as Band Members understand **that all 4 Council Members made the decision to host this meeting.**

At the meeting, two of our Hereditary Chiefs stated that they had received phone calls from someone encouraging them not to attend "Bob Chamberlin's meeting about SLUPA". I do not know who made these calls but what was stated was categorically wrong.

In the end the decision was made not to sign a SLUPA. The bare bones of it is this, if we signed the SLUPA we would be agreeing to the Great Bear Rainforest Land Use Plan, which we as the KHFN were never funded to participate in the development of nor were we provided the necessary space to be politically involved.

There were opportunities that come along with the SLUPA, including \$350,000 Provincial allocation from Coast Opportunity Fund (COF) for economic development proposals. The KHFN has already had access to the Federal allocation of \$350,000 and have accessed some of this to assist in purchasing the Hali'wud. The Provincial allocation will not wait forever as the BoD's of the COF have extended the availability each time we have communicated the possibility of signing SLUPA.

There was a similar amount that we could have negotiated for capacity to develop internal processes for Provincial engagement and Land Use Planning. The decision was to not sign a SLUPA. Regardless of if we sign the SLUPA or not, the outcomes of the Great Bear Rainforest Land Use Plan will continue to apply to our territories.

5. Fish Farm: Evictions & Protests

There have been a number of developments over the past stretch of time that relates to the KHFN & MDTC struggle to rid our territories of the Fish Farm Industry. I will provide what details I can of the Eviction/Protest.

5.1 Eviction Notice & Protests

As many of you are aware the Dzawadaenuxw FN took steps to evict a Fish Farm as well as stage several public protests occupations of other Fish Farms.

The KHFN Council made the decision to step back and allow the Hereditary Chiefs to take the lead on this set of activities. I of course fully respected Councils decision and as a result did not attend the protests on the fish farms.

I did spend many hours on the phone briefing all key players involved and giving guidance on messaging that I felt could be useful to advance our goal of getting the fish farms out of our territories.

The eviction notice and protests did not accomplish the goal of having Fish Farms removed from our territories. I cannot report to you what the over all strategy was, as I was not involved or notified until about 9:30 pm the night before the eviction notice was served.

I spent a good number of hours preparing a briefing note which I had circulated to band members describing the political work I have been methodically accomplishing especially over the past 18 months but this follows similar work in the years previous. I will provide copies of this briefing note to the Band Office for your interest.

5.2 Eviction/Protest: Outcomes

Following the eviction notice and protests. Alexandra “Gwa’yam’dzi” Morton, was sued by Marine Harvest for trespass. Also named in the court documents were “John & Jane Doe.” Now we know that John and Jane are our peoples and Hereditary Chiefs.

One of the potential outcomes for the KHFN and its members, is that a positive outcome for Marine Harvest, could affect our ability to protest in the future at the Fish farms. It also could allow the company to have in its pocket a legal ruling to enact against “John & Jane Doe”, and seek a court injunction to remove any of our peoples in the future.

This is unacceptable as we are the proper Title holders to our territories and having an unwelcome company be able to do this is simply wrong. There are other arguments that relate to this situation but fulsome explanation would be a very lengthy document all on its own.

The KHFN are examining potential court action as a response and are set to discuss the options from a lawyer at the time I write this report.

6. Fish Farm Government Process

I have been involved in numerous processes over the years to ensure the KHFN & MDTC views are heard wherever it could be. I continue this today and have made myself available for a variety of processes and coordinated strategic political support to advance our concerns.

6.1 First Nation Wild Salmon Alliance (FNWSA)

I have been working very hard for the past 2.5 years to organize the FNWSA as a strong cohesive voice for the protection of Wild Salmon across BC. This has included travelling across the Province and attending many meetings with virtually all First Nation groups up and down the Fraser River and the North Coast as well.

In this work I have been explaining the threats that Fish Farms present to our migrating wild salmon smolts and the real opportunity of these little salmon dying when they come into contact with Fish Farms. This understanding was supported by the Cohen Commission and also spoke of the need for further science to guide government.

The FNWSA hosted a very well attended Wild Salmon Strategic Dialogue Session in Spring of this year and have been advancing the Final report with the DFO. I have included this Final report along with this update report.

6.2 New Federal Government & Various Processes

There have been a number of Government lead processes that I have been present in. Each of them in one-way or another has presented a path forward for expansion of the Fish Farm industry. Each of them also were not properly Consulted with First Nations.

This is very important as the new Liberal Government made commitments before and after the federal election to revisit any and all works of the Harper Government that were not properly consulted and accommodated with First Nations. SO a big piece of the work I have presented to DFO is categorically outlining this shortcoming and the need to re-engage with BC First Nations.

The processes are as follows;

- A. Pacific Aquaculture Regulations (PAR)
- B. Integrated Aquaculture Management Plan (IMAP)
- C. Aquaculture Activity Regulation (AAR)
- D. National Aquaculture Strategic Action Plan Initiative (NASAPI)
- E. National Aquaculture Economic Development: INAC Strategic Partnership Initiative funded
- F. National Aboriginal Fisheries Forum (I & II & III)
- G. AFN National Aquaculture Working Group (NAWG)
- H. DFO Minister meetings

Each of these have taken up a fair amount of my time over the past 6 years but presenting KHFN views on this complicated topic must be consistent and politically strategic. Nobody else will do this for us.

The briefing note on Fish Farms that accompanies this report will describe each of these in greater detail. A-E are the ones I have been communicating to DFO need to be re-engaged with all BC First Nations and not just the ones that have Fish Farms in their territories.

As the affect to out migrating wild salmon smolts represents a potential to infringe on many First Nations Aboriginal Rights and triggers the duty to consult and accommodate. This is better understood amongst First Nations now as a result of the Cohen Commission Report and the work of the FNWSA

6.3 First Nation Leadership Council (FNLC) Support

The FNLC is made up of the UBCIC Executive (3), First Nation Summit Political Task Group (3) and the BCAFN Regional Chief (1), Totaling 7 members. I am a member of the FNLC as a result of being the Vice President.

The FNLC now understands at a greater level the depth of our peoples struggle with the Fish Farm Industry as well as the shortcomings of the Stephen Harper Government to live up to current Case Law of its duty to Consult and Accommodate with First Nations.

The FNLC requested a Briefing Note on these shortcomings from the First Nation Fisheries Council (FNFC), which categorically acknowledged the failings to First Nations about every aspect of Fish Farm Regulations and Management Practices. This is important, as the Justin Trudeau Liberal Government has committed to re-engaging (Consulting) First Nations in just such a case as this. I have been bringing the DFO Ministers office and staff up to speed on this situation and continue to push for another crack at Regulations and Management practices.

This is important as the Cohen Commission Report comments on potential impacts to Fraser River Sockeye so a new round of Consultation will potentially draw in many more First Nations to Oppose Fish Farms to safeguard Wild Salmon.

7. BC Capacity Initiative: BCCI

We are pleased that Andrea Lyall has been selected to take on the BCCI work for this year. This years project is a continuance of last years project and we have every confidence that Andrea will advance this complex work related to organizing the Hereditary Chief table in a good way for the KHFN. We are also very pleased that Edna Dawson has returned to this years project as well.

It must be stated that the balance of last years BCCI team made the choice not to participate for this years project with the KHFN. I am unclear if the research they hold will be made available to inform the work plan for this years project.

8. New Band Office/Health Clinic

The KHFN received an initial allocation of funds from the First Nation Health Authority (FNHA) to complete the design phase of a new band office / health clinic. The outcome of the design work is quite impressive and will be a great addition to Gwa-yas-dums when it is built.

In our discussions following the completion of design, we realized that what the FNHA offered in terms of funds and building size was not adequate. The allotment of funds was to replace the existing square footage of health building and we learned the level of funding was considerably lower than small community allocation.

Discussions continue with the FNHA to see a sizable increase in Capital funds. Indigenous and Northern Affairs Canada will also be pursued for a portion of the funds as we learned that they have a base amount of \$220,000 for Band Office portion of the building. This money needs to be “Money Managed”, which means the KHFN will need to spend this amount of our own money and have it reimbursed after construction. This is the INAC process.

In order for the KHFN to see the planned/designed building built in Gwa-yas-dums, we will need to contribute funds from our own resources. This is in addition to the INAC portion and will not be reimbursed. The amount needed will not be known until negotiations are completed with the FNHA.

At a recent FNHA Vancouver Island Health Caucus, I discussed this situation in the meeting and FNHA in attendance committed to have this issue be dealt with at the highest staff levels in FNHA. I am now establishing a high level meeting within the FNHA to push for a much more significant allotment of Capital Funding for our proposed building.

In terms of location for the new Band Office/Health Clinic, the one within the current Comprehensive Community Plan Site Plan, was abandoned by Council. The decision was such that a number of fundamental principles of the CCP were also significantly modified. This was decided prior to the following section of this report.

9. Comprehensive Community Plan CCP

EcoPlan International has been hired to do a review of our award winning CCP. They have conducted telephone interviews with Council. The CCP has guided all decision making thus far in the development of our village and KHFN in general. The decision to not locate the new Band Office/Health Clinic consistent with the CCP has essentially re-characterized fundamental pieces of the CCP without enough consultation with the village and KHFN members.

The location takes away the opportunity to place economic development visions of the original CCP such as restaurant and gift gallery which was to be a destination of other ec/dev ideas such as eco-tourism.

As you are aware, EcoPlan International is continuing to engage KHFN about the CCP so hopefully a better understanding of this decision implications will be understood and a community based decision will further guide future developments.

10. BC Government & First Nation & Commitment Document

Following the Tsilhqotin Nation Supreme Court of Canada ruling which granted Title to a portion of their lands, the Chiefs of BC came together September 9th-10th, 2014 and developed Four Principles, which are:

- 1) Acknowledgement that all our relationships are based on recognition and implementation of the existence of indigenous peoples inherent title and rights, and pre-confederation, historic and modern treaties, throughout British Columbia.
- 2) Acknowledgement that Indigenous systems of governance and laws are essential to the regulation of lands and resources throughout British Columbia.
- 3) Acknowledgement of the mutual responsibility that all of our government systems shall shift to relationships, negotiations and agreements based on recognition.
- 4) We immediately must move to consent based decision-making and title based fiscal relations, including revenue sharing, in our relationships, negotiations and agreements.

These Four Principles were embraced at the BC Government Caucus / First Nation meeting September 11, 2014. During the year following, the First nation Leadership Council, which I am part being the UBCIC Vice President, worked with the Province to chart a course forward on these Four Principles.

At the September 2015 BC Caucus / First Nation meeting, a “Commitment Document” was presented as a means to advance the Four Principles. This was embraced by both BC and First Nation leaders and lead to another round of work to develop a vision, mission, guiding principles and structures to affect fundamental change within BC Government processes to incorporate the Four Principles into action.

September 2016, a draft of this work was presented and BC deferred decision on a few key points of the Commitment Document that is now almost to the point of completion and work to establish a fundamental change will commence this year.

Fundamental change as is described in the Commitment Document has far reaching implications for the BC Government and First Nations, and as a result will take some heavy lifting at a regional level. I will be a participant in this work as a member of the UBCIC Executive.

11. Health

Health and Health Services continues to be in a state of evolution. I have attended a number of Vancouver Island Health Caucus over the past year. And what I have witnessed being developed has me quite troubled.

Historically our concerns have been with Programs and Services we receive from ITHA, where we are part of a Small Band Health Transfer made up of 8 smaller First Nation members of ITHA. The ITHA once received its funding from First Nation Inuit Health Branch (FNIHB), but now receives its funding from the First Nation Health Authority (FNHA) which is the service arm of the Tri-Partite Health Transfer accomplished by the First Nation Health Council (FNHC).

The Tri-partite Health Transfer, which we as KHFN supported, had a large focus on the additional funding that was to come, which were to lead to improved services and access, as well as more authority to design these programs and services for our community.

Within this Tripartite Health Transfer, there was mention of Healthy & Vibrant Healthy Families and addressing Social Determinants of Health. The “Social Determinants of Health” is what I find quite alarming. It appears to me that virtually everything to do with First Nations existence is a Social Determinant of Health. From Lands Management, Housing, Ec/Dev, Education, Justice, Family and Children.

This is a considerable expansion of focus for the First Nation Health Councils primary goal of improving Health Services for First Nation. I, as well as many other First Nation leaders, are not supportive of this incredibly wide mandate and the pursuit of these other topics.

I spoke of this at the recent Vancouver Island Health Caucus that occurred the evening before the Gathering Wisdom Health Forum. Virtually all in the Caucus agreed with my comments. When I spoke of these same concerns at the Gathering Wisdom Forum, I was rudely cut off from speaking. And I learned that I was the only First Nation Leader who was not allowed to complete their comments.

I am deeply troubled that at the only Province wide gathering concerning Health and Health Services that a First Nation was not allowed to fully express concerns. Especially when at the Vancouver Island Health Caucus held about 6 weeks ago, we were informed by the First Nation Health Council Chairman Doug Kelly, that the Gathering Wisdom Health Forum would include a Political dialogue.

12. Family & Children

The current situation in BC is that the Ministry of Children and Families (MCFD) continues with their independently developed system that continues to fail our children. And in doing so, there are far too many First Nation Children “In Care”.

Progress to affect change to this system has been long, difficult, complicated and frustrating. The only options available to First Nations is either through a Delegated Agency or an Indigenous Approach such as Sasamans Society which KHFN is part of.

Delegated Agencies have been around for some time now and largely reflect MCFD Legislation and Policy and are often criticized for this. It was the only option for many years and there are 23 Delegated Agencies around

the Province at various levels of Delegation. First Nations that have been part of these have always pushed for more in terms of what they can do to help but have had limited success and MCFD Status Quo continues.

Indigenous Approaches such as Sasamans Society had their funding cut very significantly as a result of political shenanigans between First Nations and MCFD. The FNLC has developed a Tri-partite Working Group which includes the Federal Government and the Provincial as well as political and technical representatives from the FNLC. To support this work there is also a FNLC Technical Working Group which has had members from FNLC Political/Technical. Both Governments, Delegated Agencies, Indigenous Approaches and members of the First Nation Health Council.

This Technical Working Group produced an Action Plan Framework and this draft was presented to FN Chiefs at the BC Government Caucus/ First Nation Gathering in September 2016 as well being passed by resolution at the UBCIC, FNS and BCAFN.

Comment was sought from First Nations on this draft Action Plan giving each First Nation the opportunity to bring its ideas and solutions to be included going forward. I am happy to report that there was considerable feedback from BC First Nations. I have sent Councilor Tamara Alfred a copy of this Framework so she could offer comment on the Draft on behalf of the KHFN. I look forward to her report describing what she put forward for KHFN.

14. DFO: Consultation

DFO has been consulting with First Nations on renewal of the Fisheries Act and the Wild Salmon Policy. I have provided KHFN Councilor Rick Johnson with Legal Briefing Notes to assist in formulating what he presented on behalf of the KHFN. I look forward to his report to let you know what was presented on behalf of the KHFN.

15. United Nations Declaration on The Rights of Indigenous Peoples (UNDRIP)

The UNDRIP has been embraced by the new Federal Government. The UNDRIP represents an International minimum standard for Indigenous Peoples rights around the world, including Canada.

This has elevated First Nation Leaderships expectations in Canada, especially when the UNDRIP is thought of in tandem with the Liberal Governments commitments to First Nations during & after the Federal election. I have heard and seen much discussion concerning the “Free, Prior & Informed Consent” (FPIC) component of the UNDRIP, which is wanted within First nation Traditional Territories.

I have heard a want expressed by First Nations that Canada embrace the UNDRIP into Canadian Law by passing Legislation. I have also read that if this was to happen it would create Legal and Political chaos in Canada. There are many other aspects to this discussion which continue to play out across Canada and in BC.

Of note, is Justice Minister Jody Wilson-Rayboulds comments at the September 2016 BC Cabinet Caucus/First Nation meeting in Vancouver. Where Jody spoke of Canada seeking to engage at First Nation level about which components of the UNDRIP a First Nation is prepared to negotiate into affect.

She spoke of a First Nations readiness to do so and this leads me to believe that the Federal Crown will evaluate a First Nations governance structure to choose to engage with those organized to do so. I provide Jody’s speech in the appendices of this report for your consideration.

The Provincial government has signaled through the Commitment Document development discussed earlier in

this report, that they are awaiting the Federal Governments lead on implementing the UNDRIP. This is important to understand as the division of powers Federally and Provincially in Canada, leaves resource decisions “on the land” primarily in the Provincial governments hands.

Given this situation, I wish we had more success last year in organizing the Hereditary Chief table. It remains largely un-described to membership and unorganized. This is why the KHFN chose to support the continued use of this year BCCI funds to further the work along. As mentioned earlier in this report, a significant component of last years BCCI project chose not to be involved and it is unclear to me at this point of their research will be made available to assist the working together... or not.

Report Submitted by Councillor Tamara Alfred

Greetings Family and Friends!

I hope you are well and that 2017 you and I can make things happen! I am Tamara Alfred (nee Scheck, Scow, Nelson, Johnson) and I have been elected to be your councillor. And thanks for electing me; it's been an amazing journey, and eye opener, a huge learning curve. But thank you for trusting me to be your council. I'm just going to share a little bit with you about what I've been up to and learning. If you have any questions for me, please don't hesitate to contact me.

I have been appointed the Child and Family Services Portfolio when I became council for our Band. After this I was joined in on the Sasamans Council Board. The Sasamans working group is a unique society. There are many programs that are offered to our people.

The Sasamans Family Services support children, families, and other vulnerable members of the community. Sasamans inhabits programs and services such as Aboriginal Youth Navigator, Aboriginal Outreach Family Navigator, Cultural Connections Worker, Aboriginal Harmony Circle Of Elders, and Aboriginal Elders Outreach Navigator. All these are available to our band and so many others on the North Island, from Courteney to Port Hardy, which is servicing our North Island.

Our band can access any of these programs at any time. These programs are amazing to state the least and I have had the privilege of learning about what Sasamans means to a lot of people. Having said this, I know that Children are among the most vulnerable people in our society. These programs have safeguarded the welfare of children at risk by protecting them from physical harm, neglect, and other forms of abuse, and by ensuring that their needs for shelter, food, and support are met. As a result of Sasamans I have found that they are ensuring that the programs

and services effectively serve these needs.

Having myself learning and navigating this new territory has been an eye opener. I hope that you will reach out to these services if you or someone else is in need. You can look up their page on the Internet or contact them by phone. I urge you to take the time to talk to our youth whenever possible. Our youth are at risk with all the everyday trials and tribulations that they have to face. We need to come together; our nations need to come together. I want to send out my deepest condolences to all our families that have been affected by the ongoing passing of our loved ones due to alcohol and drugs. Too many young ones have gone. It is a scary world that we live in today and I want us adults, guiders, parents, and families to look at what is going on around us and to work together to stop it. Lets come together and make a difference for our youth, they need us. We don't hear their cries due to them not expressing it. So we need to start creating the connections to let them be heard, to let them speak, to let them breathe. My hope for the near future is to have us come together and lift up our youth, empower them, and to let them know we do care. Actions speak louder than words, so lets do the work and love the work. On our Gilford Island sites I have been posting ideas. I hope that you will join in on the brainstorming and then lets call these ideas to action!

During my lifetime of my career I have been in the education system for 14 years. It plays a major role in my life, as the importance of education is and has always been a priority. I have always sought out to help empower our youth with education and strive to do so. Our youth are our future! And I am humbled knowing that we all believe this. I have been appointed with the Education portfolio. Education plays a major role for our people and our society at large. I joined the First Nations Education School Board Council and was nominated in by the board to be the Vice President, 2 years running. I was honoured to have had this opportunity. During this time, I attended gatherings and functions here on our North Island to support our youth, and also to support the parents. I have had the honour in witnessing many triumphs of our youth, i.e.; Play Potlatch's, Assembly's, and visiting First Nation Schools on the North Island. I have also attended a few education seminars, which I am happy to say the education system today is changing. It is changing to incorporate our ways in the everyday education curriculum. I also have found that many non-first nations students are joining in on our culture! Our culture is a beauty and we are surely blessed.

So with that, this past summer was our very 1st Play Potlatch! Wow, what an experience for all ages! I want to thank everyone for their help and their continued support! This Play Potlatch weekend was created to empower our youth. It was designed for the soul purpose of getting us and our children to just simply get to know one another, get to know who they are and where they come from, and how strong our culture is! It was a great success! I watched this young man who wasn't sure at first, so I watched him through the weekend. Through out this time, he started joining in on everything, came right out of his shell and wore the Indian blanket to the bitter end! All the youth through out the weekend played hard, dined like kings and queens, and danced till they're legs wouldn't let them! Having this weekend will help empower our youth forever! Help them to know how special and unique they are to us! And to show them how powerful our culture is when we come together and when we are alone. There is a great pride in knowing you come from a beautiful village called Gwayasdums and if your smiling right now, you know what that pride is to you. I look forward to this coming year and I look forward to seeing all of you! Much love and respect.

Gilakasla My Family!

END OF REPORT SUBMITTED BY COUNCILLOR TAMARA ALFRED

Report by Councillor Robert Scow

Happy New Year to all our Kwikwasut'inuxw Haxwa'mis members and to our Musgamagw Dzawadaneux family, since being elected in May 2015, I over see the following, Great Bear Rainforest, Grizzly Bear Hunt, Forestry, Tourism, Health and Hereditary Leadership table. These portfolios are all connected in one-way or another. I will summarize the events and where we used to be, where we are, and where we could possibly end up.

Prior to being elected as a Councillor for our nation, I spent many hours with our Chief Bob Chamberlin; he guided me through our process and gave me a thorough education in Health, Children and Families, Forestry, Great Bear Rainforest and Fisheries.

With Bob's assistance in these topics, it added to my growing personal library of knowledge I had on these topics. For many years, I had discussions with family and members, and the commonality was, we all want better for our members. In this determination it was believed by many that we lack capacity, in many departments in our membership and governance. It would be of great assistance to all of us, if we had individuals who were well schooled and understood as much as they could, about the previously mentioned subjects, as it has direct impacts on our membership and family.

In our very first term as a three council team plus the Chief Councillor, we have had some adjustments. Working as a team of four with our Chief Councillor being unable to vote on anything is concerning, after all, who votes a Chief Councillor into office with the expectation that he has no power to have a voice or a say on any given situation.

Within our first few weeks of being elected to council, we were at a three-day governance session, in which Rick, Bob C and I attended, where we learned some vital tools and skills to use in our position of being elected council. Since that useful training session, I have attended Union of British Columbia Indian Chiefs (UBCIC), Assembly of First Nations (AFN), First Nations Summit (FNS), Health meetings, tourism meetings (in which we as KHFN have a seat on the North Vancouver Island Tourism Advisory Council, which I get to sit on) where we are given a voting authority on any related topic for tourism that would directly or indirectly affect our territory or us. I have also attended numerous Musgamagw Dzawadaneux Tribal Council meetings in which Bob C and I sit on the board of directors for the tribal council. I have also attended a few Hereditary Chief meetings, early on in my tenure as a Councillor, but since the Thanksgiving meetings in Alert Bay in 2015, which was part of the Melkwala II , I have been excluded from all the subsequent meetings since. With one of our other Councillors sitting at the Hereditary Chief table, no one has been able to provide me with an answer as to why I've since been excluded from any of those meetings, despite my family (Dad) acknowledging I will be an heir to my Dads head standing stemming from Dzawadaneuxw, and also being identified by our council as the person to hold the portfolio to oversee any joining of Hereditary Leadership and Elected leadership. I will tie in these portfolios of Hereditary Leadership, Health, Grizzly Bear Hunt, Great Bear Rainforest, Tourism and Forestry.

Direction:

In the day and times we live in, it would be helpful if we had direction, which means input from our membership and our nation. In almost every meeting I have attended, be it in Health, Education, Tourism, Forestry, Great Bear Rainforest or Hereditary Leadership / Elected Leadership table it is quite apparent we need more membership involved in these various areas. Our lack of capacity, speaks of our need for our children to get the required education to help in some of these issues. When I think of educating our youth, and also being at home in our own territories, I think we all need to participate and have an opinion on what it is we want. I would like to see a school back in our territories, what does this I look like? I am fortunate enough to have a wife who works for First Nations Education Steering Committee (FNESC) they are based here in West Vancouver. I have many friends who work at FNESC and see opportunities where we can tap into funds and programs to aid us in our education department. In many conversations with our elders / leadership in our Kwakwakawakw Nation, we always speak about capacity.

We can achieve some of our capacity through the education system, our graduation rates are incredibly low as Aboriginals and in comparison to urban centers and those aboriginal students we are low on the north island as well. FNESC keeps track of all these statistics to see where we can best be served and helped by their organization. Its known amongst most teachers that the less desirable teaching posts are the remote and isolated ones, its a difficult transition for an individual to pick up and accept a position in a remote place where you don't know anybody and the winters are cold and dark. Most people I knew who became teachers preferred to be a Teacher on Call (TOC) where they substitute in highly populated urban centres where work is based on other teachers calling sick. And waiting and waiting to fill positions by the retiring or vacating teachers who put in their time in urban centres and are willing to teach a final few years in a remote or smaller place with retirement on the horizon. Courtenay and Campbell River on the island are the last urban centres where teachers rarely want to venture more north on the island than that, so our education system is tested because we are left with only a certain amount of teachers who are willing to sacrifice and have the courage to pick up and move to these remote communities, I know my niece when she became a teacher polled her classmates while at university and of the 95 other teachers in her grad class, only

7 would consider relocating to isolated community to teach. It isn't to say we don't get some decent teachers, but when left with the small numbers who want to teach in remoteness, it can lead to our students even struggling to adjust to post secondary life as well, I know some of our MDTC students struggled at post secondary because they felt they weren't properly prepared at high schools on the north island.

In discussion with other bands across the province we are not alone, as many bands are either isolated or remote and struggle to attract the quality of teacher in comparison to private schools or well-populated schools in urban centres.

But in this day in age, there are resources out there, we can utilize with technology to help our kids who struggle in certain subjects and struggle with having to move away from home for better schooling. FNEESC has other components to it and Indigenous Adult and Higher Learning Association (or IAHLA) is one of those components, where even our adults can utilize the mandate of IAHLA, which is to ' Enhance the Quality of Education ' in our adult and post secondary learners. It has been spoken about many times in many different venues in and amongst our people, about re-training, that many of us were fisherman (including myself, I grew up on a boat from 1975 to 1995) and seen the struggle and still see the struggle of our once proud fleet who now struggle to keep a career in the industry or struggle with a career change, because they are either afraid to be retrained in another field or don't realize the opportunities are there to seek opportunities in another career . I have the education discussion almost everyday at home or with my wife's co-workers, and try to apply what I learn to see how it can fit with our membership and to a greater extent our MDTC and Kwakwakawakw family at large. I heard my whole life as a young boy, about the importance of Education, I heard it from Gordon Nelson, Abbey Scow, Glen Johnson, Albert Wilson, Archie Robertson, Lily Dick, Effrey Pearson, James Wilson (Uncle Goo), they all reiterated the same message to me, that if I didn't want to have a back breaking labour intensive job like fishing, logging or construction, than it would serve me well to hit the books. Old audio of our elders including Bill Scow, encouraged our membership to become educated so we can know what the white man is doing, this was identified 8 or 9 decades ago, that we need to become more wise in their ways and bring that knowledge back to the people in the villages so we know how best to deal with the inevitable resource theft that is occurring.

Decades later, we are now slowly getting some membership (including Musgamagw Tribal Council membership) educated, be it, law degrees, (how many people know we have a Kwikwasut'inuxw member who is currently a provincial court judge?) professional foresters, biologists, teachers, business owners, Over 90 percent of our membership is Urban, they are still our family and still our membership, I hear the yearnings of that membership when they really miss our homelands. If we can present opportunity, maybe we will be fortunate enough for some to move back home and contribute to the betterment of our village and our territories. In discussion with some of our elders, it will be a very difficult transition for some members to move back

because we are too accustomed to life in urban settings, but if we concentrate on younger generation and younger families maybe it may not be as difficult of a task to do so. A piece of that puzzle is concentrating on educating our membership right from early ages, to encourage them to carve out a career, or a path in which they are happy and can also help with the lack of capacity we currently are experiencing. Unless our capacity increases we will always have the struggle of constantly trying to play catch up and keep up with the times. With capacity we can become more organized, and have more qualified people in positions where they can excel and help our membership.

As council, we are given the task to seek opportunity, bring our information back to council and membership to seek a path forward, in the meetings I attend I have many friends I have known over the years & decades we constantly compare, discuss and brainstorm ideas all relating to gaining an upper hand in our plight as 'Bakwam'. We are left to deal with underfunding, to try and stretch a dollar as far as it can go, meanwhile dealing with cutbacks and an ever-growing poverty level that has to deal with the increased cost of living. Some of these nations deal with serious mismanagement issues and I tell them our successes about where we have come from, which was almost a lights out village in the depths of despair, they acknowledge that we have some great accomplishments to be proud of, and our staff is to be commended, we have an advantage over most nations with Jeneen Hunt as our Band Manager (Jeneen's husband Roy is the son of my Auntie Christine sister to My mother, auntie Bev, Auntie Kat, Auntie Data, Uncle Hiatal), I have watched her for some time and she handles situations with integrity, honesty and professionalism, I shudder to think where we could be, if we didn't have a band manager like her, we should all be grateful. I have utmost Respect for her, some members may take issue with her or disagree with her but I surely hope we can respect her for the job she does and how she manages our band administration on a budget full of pennies. Most nations don't have the luxury of having a trustworthy employee who has the integrity Jeneen does, completely 100 per cent trust Jeneen, and Amy Speck as well. Of the 203 first nations in this province of BC, it would be a safe bet to say that 75 percent of them, struggle with their staff and trying to stay out of the red and have negative audits, and it should be a source of pride within our village that was once in third part, and in third party for no reason after we got out of it, to present day where we continually provide clean audits.

We have 300 or so members, many have never been to the village, or have access to get to the village, this should concern us all, with members living in Victoria or Vancouver and the cost of living, and expense to travel. It would be great to create opportunity for them to see where they come from, I say this, because we don't even get half our population out to vote, if people want change or have their say, we should encourage our family to participate and vote, because this elected system is what we have, and have had for over 5 decades. To switch systems, would require a lot of time Effort and organization. We all enjoy the lineage of where we come from, a proud, flourishing nation once upon a time, but many families are not involved, whether its in the elected system or whether its visiting home or attending our cultural functions. It should be incumbent upon us all to know not just our own family tree and heritage but to a greater extent know our 4 tribes kinship, which was a confederacy. We were all united once upon a time, and those days may never be recaptured but we can begin with simply knowing each other once again and realizing when we hurt our membership or family with words or actions, that it has an effect on us all. The 1995 Melkwela in Kingcome was a great example to me, I listen to the 20 plus hours of audio of that event, with our elders at that time and to hear the disdain and severe disappointment in our elders at the lateral violence and lack of unity within our people was so hurtful to them all. (20 plus years later this still exists and in even greater frequency)

They all witnessed the days of pre 1938 and how things used to be, that we enjoyed the tightness and kinship of our membership. Our family ties and knowledge are all in disrepair, it is going to take an immense amount of work to try assemble it back together, which will require capacity in that effort as well. We see the questions amongst our people all the time, about who is who in the zoo, who are the real family leaders, the heads of the families, what types of different chiefs were there? We see the evidence in pictures, in 1938 we didn't have dozens of chiefs, we had the head chiefs up front and centre in those photographs. It is apparent to many of us, there are way more questions than answers in regards to our Hereditary Leadership, I'm of the opinion most of us want to see the proper and accurate chiefs to be visible and acknowledged as the true heirs to that position validated by other

heirs of similar rank or stature. Many membership are not comfortable with some of the individuals who lay claim to being a Hereditary, therefore requiring definition of what is a Hereditary Chief and what is the definition of what is a holder of a seat or position? To change governance structure would require all these things to take place and answered, as I have heard many members voice concern over switching to a Hereditary system and it is even voiced in the audio of 1995 Melkwela by elders of that day.

It was reiterated back then, that we may not like certain family members or individuals, but we should surely respect them, to be disrespectful was frowned upon by most in attendance at Melkwela 1995.

The health of our people both mentally and physically is reaching epidemic proportions, we may be the fastest growing demographic in the country of Canada, meaning we are having the most kids or babies, but at the same time, we have the shortest life expectancy. I think our woman live 8 - 10 years less than the national average for woman and our men live 10-12 years less than the national average. Figuring out our health is paramount to helping us be more self-sustaining. I have attended several health meetings with our fellow kwakwakawakw members at regional meetings in Campbell River and also Island wide health meetings in Nanaimo and Parksville and figuring out how we can best fit in as KHFN and MDTC is vital, as we are remote and isolated and with our funds now being doled out by First Nations Health Authority (FNHA) and it seems we are getting same service or even poorer service with this transition, we need to make this heard and others aware that we are receiving sub standard service , or worse service than when we were with 1st Nations Inuit and Health Branch (FNIHB) Service monies we are entitled to we cannot use like most nations, because we don't have daily access to chiropractor or physic therapy , and our travel dollars for out patients is no better or the same as it was before . At the health meetings as well as Assembly of First Nations (AFN), First Nations Summit or Union of BC Indian Chiefs (UBCIC), we have an elected chief who strongly advocates for our band, first and foremost, everywhere I have attended he strongly advocates on all our behalf, the depth that our current chief has on the dynamics and moving parts of the health accord and so many other issues is truly remarkable, I raise my hands up in Respect for Chief Bob Chamberlin, he has garnered much respect from many other nations, both within our Kwakwakawakw nation and other island Nations but province wide, I hear the chatter of those in attendance at their support and agreement with the words Chief Chamberlin speaks to in these venues.

I rarely sit with Bob or rarely let people know him and I are from the same nation, because I want to come away with an understanding of how other nations feel about the content of those meetings, it is after discussing with them about concerns with the issues that are being discussed that I than make them aware that Bob is the elected chief of my village. At many of these meetings, I can safely say, many chiefs don't say too much, or voice concerns of their village, or if they do say or mention problems, they don't raise much awareness of it or do it vociferously, therefore, sometimes it just gets lost in the minutes. But Bob C continually brings up issues that directly effect us, especially concerning fish farms, at every single meeting I have been at he raises the huge concern we have with fish farms in our territory and he has done tremendous work that is often not acknowledged by our membership, except for Chief Charlie Williams, who always makes sure to mention and thank Bob for his continual effort in being one of our only Musgamagw or Kwakwakawakw Chief to raise concern over the fish farms. Bob was a big part in organizing a Wild Salmon Alliance in spring of 2016 and we barely had any other kwakwakawakw nations their in support but we had a lot of support in attendance from scientists, many nations from up and down the Fraser river as well as our neighbouring nations north of us. Difficult position to be the only beacon shedding light on our struggle with Cermac and Marine Harvest. Our council decided when the protest occurred during the summer that our Hereditary Leadership would take the lead, we obeyed that direction, and it was

often asked of me, why did we not participate, but I know I shared what information I had and I know Bob Chamberlin did as well; he spent quite a bit of time-sharing his vast knowledge of information with those that were at the forefront of the protest.

Great Bear Rainforest, Grizzly Bear Hunt, and Tourism have intricate ties and some of those ties are to Forestry. We have updated in regards to our part of lack of part in the Great Bear Rainforest (GBR), we were not consulted but we are part of the outcome, that's a done deal, we have to adjust to the hand we were dealt in this regard, we have had this discussion at both the tribal council level and the band level. There will be changes or adjustments to do with the Great Bear Rainforest in 4 years time, it would serve us best if we are both prepared and well versed as well as educated in what we live with in terms of the current agreement with the Great Bear Rainforest, in which we are the very southern part of it.

A significant part of the Annual Allowable Cut (AAC) is taken from our territories of the southern part of the GBR, it is likely our territories cannot sustain this, and 35-40 percent ratio in which we would provide as our portion of the GBR is simply unacceptable. To access the timber and the amount and value of it, we have hired a consulting company to do so. A more comprehensive report will be made once this analysis is complete, its cost were negotiated and covered by Interfor, for this work to be accomplished. Once we understand the data and get detailed explanations from the professionals we hired, we can than properly let our membership know plans or ideas moving forward. In the meantime we are working on a temporary agreement, which has yet to take place and some outline of this has been discussed, but nothing is set in stone in regards to an temporary agreement. This agreement will have some of the elements that can be transferred over to a Memorandum of Understanding (MoU)

Myself and Andrea Lyall have had discussion with membership about what they would like to see in an MoU and those pieces are all on the table in regards to what can eventually become our MoU, even the MoU itself is up for debate as to the length we want it to be. Once we finalize the information and data from the work being done in regards to assessing our territories, we can than have a more refined update to our membership and leadership.

Grizzly Bear Hunting is occurring in our territories, in and around Wakeman, I have been in constant contact with non profit organizations like Rain Coast who purchase these licenses distributed to guide outfitters who are the ones taking high paying trophy hunters out into territories to hunt grizzlies and

bears just for sport. We are continually strengthening our relationship with those that are of the same belief as us and hold value in seeing the bears live in our midst as they have always done.

Which leads me to tourism, we have economic opportunity to have watch towers in Wakeman, we have neighbours up and down the coast who make fairly decent economy out of bringing viewers into these areas to watch grizzlies in their natural habitat. In our community meeting in June of 2016, I recall our community members being very excited and enthused at the discussion of tourism, its a broad discussion and requires a lot of moving parts in which we require organization and funds to make some of these ideas into a reality.

The reoccurring theme is economy, we hear our membership and people are tired of bring broke, therefore needing jobs, we need to strategize as to where we want to go, where we are, and where we once were, this will help with plans to move forward and develop. Our CCP is part of configuring a structure that will allow us to be more part of having a sustainable economy for many generations.

Our whole belief system stems from doing things with the teachings that we don't deplete any resource for the sake of greed.

We have many areas to work on as a nation and a band, I feel some of them are definitely achievable; it would be of great assistance if we were:

- more communicative - sharing our information and presenting quarterly reports to our membership, with the information shared being 100 percent accurate, we absolutely need to pay attention to details
- unity and transparency in every aspect of leadership, communication between different levels of leadership, it must be direct communication, with no person or persons controlling the direction of communication . It can hamper progress
- how to engage membership more - both in the village and those living in urban areas
- use timelines that are visible to everyone, showing discussions on any given subject , so we don't continually have to revisit old business
- Sandy Johnson was one of the first to mention it to me and a few other people have mentioned it since, we as Councillors need to understand and grasp every portfolio, because if someone gets sick or ill and for whatever reason cannot make certain meetings or important events, one of us has to pick up the slack and I am in 100 % agreement, we cannot simply sit back and have Bob C be the one who understands all the moving parts of any given topic, we must all grasp it.

The following stems from discussions with band members about what we would like assistance with for an MoU with Interfor, please continue to think about ideas you want added, and it can be brought up in the negotiations.

- Health Building
- Grizzly Bear Watch Towers
- Second Boat
- Van
- Machinery - Cat and or Backhoe type
- Clean Energy projects - to get away from the cost of diesel and or propane. - Tidal, wind or solar energy
- Education - Bursaries and funding for students who are not in degree programs
- Jobs in the field and or in the offices around the coast
- Kitchen assistance
- Housing assistance
- GIS mapping and training opportunities
- Donations per year
- Internet
- Flora and Fauna (plant identification and medicinal)
- Cultural logs - community wood
- Lands Office
- Guardian / Watchman program
- Funds for leadership meeting (yearly or twice a year)
- Quarterly meeting with board and or leaders
- Tourism - museum, restaurant, gift shop,
- Chip Trails
- Hunting / Fishing / Gathering - food fish / deer / elk / halibut / prawns / clams/ cod / Interfor trips around territory - elders, children - educational

Fish Farm Eviction Protest
Prepared by - Robert "Owa'di" Chamberlin
Elected Chief Councilor

Gilakasla Namwyuut

I want to offer some thoughts on Dzawadaenuxw FN recent fish farm eviction notice and protests. I was happy to see that CBC & other mainstream media has picked up on this story and want to offer some suggestions of messaging that will assist in getting traction with government of Canada.

The new Liberal Government has made some pre/post election commitments to First Nations peoples and Canadians that are very useful to us. Their focus has been very high level, and the work which has occurred this past week in the protests, will do well to inform those high level commitments and bring the government to an Understanding of our concerns specifically. Which is extremely useful.

I am offering some suggestions to consider in the messaging. Think of these in terms of using the government's words and commitments spoken, and using them to move our concerns forward. Essentially using their words against them to win an argument.

I will list the "Commitments" by the Liberal Government and then flesh each out a little for ease of understanding. I will also briefly touch on various "Processes" that provide the same type of opportunity and ideas on how to engage all First Nations in BC to support us at this critical time & to inform government of our concerns and affect change.

A) Liberal Government Commitments

- 1) Minister of INAC Mandate letter: "No relationship is more important to me and to Canada than the one with Indigenous Peoples. It is time for a renewed, nation-to nation relationship with Indigenous Peoples, based on recognition of rights, respect, co-operation, and partnership."
- 2) Minister of DFO Mandate letter: "Use scientific evidence and the precautionary principle, and take into account climate change, when making decisions affecting fish stocks and ecosystem management Restore funding to support federal ocean science and monitoring programs, to protect the health of fish stocks, to monitor contaminants and pollution in the oceans"
- 3) Revisit Legislation, Regulation and Government practice that was not properly consulted and accommodated with First Nations by the Harper government
- 4) Implement the Cohen Commission recommendations
- 5) Full endorsement of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)

This is not an exhaustive list but captures the opportunities that I could see that are useful to our fight against fish farms.

B) Process Opportunities

- 1) Assembly of First Nations Executive (AFN)
- 2) AFN National Fisheries Committee
- 3) AFN National Aquaculture Working Group (AFN NAWG)
- 4) National Aboriginal Fisheries Forum III (NAFF III)
- 5) First Nation Wild Salmon Alliance (FNWSA)

- 6) Cohen Commission Implementation (Liberal Government)
- 7) First Nation Leadership Council / DFO (MoU)

(A) Liberal Government Commitments

A (1) Minister of INAC Mandate letter

The Liberal Government commitment to a renewed relationship with First Nations peoples is a key foundational opportunity. But with over 600 First Nations in Canada and 203 in BC, we have to work at every level possible to ensure that our peoples concerns as MDTC are heard, understood and acted upon. And along the way gather as many First Nations to be speaking supportively of our concerns, actions and solutions; so would do well to elevate our concerns to a Regional National level.

A (2) & (3) Minister of DFO Mandate letter & Revisit commitment

The Mandate letter speaks of Transparency in Management and improved Science based decision-making. This of course builds upon the overall Government Commitment to UNDRIP and a renewed relationship with First Nations.

The commitment to “revisit” Legislation, Regulation and Management etc.. is a key one as the development of Pacific Aquaculture Regulations (PAR), Integrated Aquaculture management Plan (IMAP), Aquaculture Activity Regulations as well as Two (2) key National Aboriginal Aquaculture Reports (covered later in this report) need to be “Revisited” here in BC as the Harper government did a piss poor job consulting First Nations & actually relied upon the Stakeholder/Interest Group Aboriginal Aquaculture Association (AAA) for First Nation Consultation.

I highlight “Revisit” rather than consult and accommodate as Consult/Accommodate is a process structure where actual decision making is entirely within government. With government embracing UNDRIP, we must develop a bi-lateral process of decision-making that fulfills Free Prior & Informed Consent (FPIC) spoken of in the UNDRIP. Push back from Canadians is “Do Indians have a veto?” but by elevating this to Regional/National level we can play a role in developing/designing how this can be. Something I know Canada has an interest in.

A (4) Cohen Commission Implementation

The Cohen Commission made numerous recommendations that include the health of Wild Salmon and impacts from the Fish Farm Industry. Industry says “No smoking gun was identified” but the precautionary principle of DFO and cautions/direction towards Discovery Channel area Fish Farms need to be expanded Coast wide. The “Principles” of these recommendations is the messaging I have been using everywhere I could with Government but more importantly, with First Nations.

The “Principles” of the recommendations is where and how we can draw in all Fraser River First Nations into a supportive role as their outward migrating wild salmon smolts could die at the fish farms of our territories, and this represent the “Potential Infringement” of their Aboriginal Rights which. Which triggers the Government’s duty to consult with affected First Nations. As stated earlier we want to see more than simple government Consultation.

There is much more in Cohen Report but I will leave that to a broader specific Discussion.

A (5) Canada's Full endorsement of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)

The UNDRIP is a document I hope that everyone takes the time to study as it is an incredibly far reaching document that reaches into virtually every level of our peoples very existence.

As mentioned earlier the Free, Prior & Informed Consent (FPIC) is a key one. Government has stated they cant or wont fold all the UNDRIP into Canadian Law and will turn to First Nations to begin the process of identifying how this can happen.

This is great opportunity!

I believe we would do well to highlight a number of key UNDRIP Articles everywhere that we can. Ones that relate to;

- Traditional Authority of Decision making in Traditional Territories
- Food Security (Traditional Foods)
- Maintaining Protecting Enhancing Culture & Traditions
- Authority over Education (Educate Youth Traditions & Culture)

These types of Articles of UNDRIP strengthen the base of our Decision Making and direction to get Fish Farms out of our waters, period.

B) Process Opportunities

B (1) AFN Executive

The AFN Executive can play a role in elevating the Fish Farm struggle within their engagement with the Liberal Government Nationally.

- AFN Fisheries Strategic Dialogue Session: I spoke at the AFN Fisheries Strategic Dialogue Session last December about pretty much everything I have written above and below. This meeting occurred the day prior to the AFN Special Chiefs Assembly in December 2015.
- AFN Special Chiefs Assembly: Day 2 of this meeting I spoke on the floor to all delegates about the Fish Farm issue and Liberal Government commitments. I put the AFN executive "on the spot" so to speak and had them commit to meeting with myself to brief them in greater detail, which I did in May 11th 2016, and to have myself invited to the AFN National Fisheries Committee meeting February 2016, which I did.
- When Minister Tootoo addressed the Assembly on Day 3, I stood at the front floor microphone, even though he wasn't planning on taking questions, and revisited Liberal Government commitments and the need to revisit the entire suite of Fish Farm Regulation and Management practices in BC. I also had him commit to meeting with myself, which occurred May 12th 2016

B (2) AFN Fisheries Committee

The AFN Fisheries Committee is the Committee, which gives direction to the AFN Executive for priority work to accomplish. They held a 3-day meeting in Vancouver in which I presented our concerns and how this related to Liberal Government Commitments. Minister Tootoo joined this meeting via Skype and I spoke with him of our concerns at length and ate up most of his time for questions from this Committee.

B (3) AFN National Aquaculture Working Group (AFN NAWG)

When I was presenting to AFN Executive in May, the AFN/DFO were engaged in negotiations for funding for

National Aquaculture Working Group (NAWG). This is another level of direction to the AFN Executive. I have support of a good number of AFN Regional Chiefs to be Chairman of this Working Group and have also gotten support of the UBCIC, First Nation Summit and BCAFN, collectively the First Nation Leadership Council (FNLC).

My initial idea is to focus in on the very definition of “Sustainability” of Aquaculture, where these types of economic opportunity do not affect First Nation Traditional Foods and the level of impact to the environment is defined by First Nations within their territories and not by Industry and Government. This is respecting the UNDRIP

B (4) National Aboriginal Fisheries Committee III (NAFF III)

The National Aboriginal Fisheries Forum is where the previous government and DFO have developed the rationale to advance/expand Aquaculture in Canada. I have been fortunate to attend both NAFF I & II.

AT NAFF II there was a National Aboriginal Aquaculture Report tabled for approval, this was in Nanaimo. So it is important to realize that this NAFF Vehicle continues today and is heavily influenced by the Aboriginal Aquaculture Association and the Fish Farm Industry.

Through my work engaging the DFO Ministers office since Fall 2015, I was appointed by the Ministers office to be a member of the NAFF III Steering Committee. I presented all that is covered in this report and gathered support from the rest of First nation membership of the NAFF III Steering Committee. This includes Skeena Fisheries Commission and Atlantic Policy Congress whom both have substantial space in DFO Ministers office for advice and direction. This Steering Committee last meeting included a recommendation the Minister of DFO’s office to revisit the entire suite of regulations and management practice of Fish Farms in BC consistent with the Liberal Governments pre/post election commitments.

B (5) First Nation Wild Salmon Alliance (FNWSA)

For the past two (2) years I have been developing the FNWSA. The creation was nested in resolutions of the UBCIC, First Nation Summit and BCAFN. Virtually every First Nation I have spoken with and travelled to meet have supported the FNWSA.

The list includes Tsilhqotin, Stalimc, Carrier-Sekani, Okanagan nation Alliance, Shuswap Tribal Council, Nlakapmk Tribal Council, Nisga’a, Tsimshian, Gitskan, Wetsuwaten, Heiltsuk, and many others.

The initial focus of the FNWSA work was/is Fish Farms and Cohen Commission. So all of the First Nations listed are now aware of our concerns and more importantly, having understanding of how our peoples struggle can and will infringe on their peoples Aboriginal Rights.

The FNWSA held a two (2) day Wild Salmon Strategic Dialogue Session in March and developed a Final Report which I have hand delivered to previous DFO Minister Tootoo and most recently to DFO Minister LeBlanc at the Cohen Commission announcement last week.

I met with Minister LeBlanc the evening prior to the Cohen Commission announcement and received a commitment to meet with me in September to explain specifically how the FNWSA Final report will actually assist the Liberal Government to attain their commitments.

Tentatively I will travel to Ottawa to meet September 15th. Moving Fish Farms to Closed Containment on land is also a key recommendation. The FNWSA report highlights emerging science and other works that clearly reflect the path forward within the Cohen Commission. I will cover these in the next section.

B (6) Cohen Commission (In Brief)

The Cohen Commission Report describes the need for exercising the Precautionary Principle for DFO decision making and the need for further science to be developed to inform wild salmon fish farm interaction.

At the FNWSA Strategic Dialogue Session Dr Kristi Miller-Saunders presented on her ground breaking Genome work examining the genetics of Wild Salmon and Fish Farm fish. It was clear to all in attendance that this was and will be extremely useful to inform decision-making and needs to be expanded.

The Pacific Salmon Foundation (PSF) presented on the Salish Sea project they are currently involved with. They tagged, tracked and mapped 2 runs of Fraser River salmon. This is excellent as it is the beginning of understanding the out migration of wild salmon smolts. And this data set can inform DFO government decision making to safeguard wild salmon at its most critical portion of its life, as the smolt.

Advancing First Nations to gather tagged tracked salmon smolts throughout this journey and running them through Genome science would deliver genetic science which would identify specific stressors the smolts experience. And then would be a very useful data set to inform wild salmon management. Imagine if we could expand this coast wide and how much more science could fill the holes coast wide as identified in Cohen. Of course, I envision that our Traditional territories would be an ideal location to advance this work.

B (7) First Nation Leadership Council (FNLC)

The FNLC is comprised of the Executive of the UBCIC, First nation Summit and the BCAFN.

The FNLC met with Minister LeBlanc last week and received a commitment to develop a MoU to advance the governments work and engagement path with First Nations in BC. When it comes the Fisheries related topics at the FNLC level, I essentially lead the dialogue almost all the time. At the DFO Minister meeting we advanced about 6 topics and one of them was of course wild salmon and fish farms. The topics discussed will become the Work Plan of the MoU so at this Regional/National level our MDTC concerns will be examined.

I have also received the FNLC support to Chair the National Aquaculture Working Group of the AFN/DFO.

Moving Forward

I provide this report to share with and support the current work of eviction and further public protest. The Public protests will gather more media coverage and is a great opportunity to make this a “Hot Spot” in which DFO must deal with as a priority.

Having knowledge of government commitments and informing these with our concerns would be ideal. If we could include;

- UNDRIP Articles
- Principles of Cohen Commission report (Wild Salmon Protection)
- First Nation Wild Salmon Alliance Wild Salmon Strategic Dialogue Session

Report as solution would be an awesome step. I suggest that we engage the Hereditary Leadership of Musgamagw-Dzawadaenuxw and neighboring First Nations Hereditary Leadership & Musgamagw-Dzawadaenuxw Tribal Council BoD's, to develop a cohesive and strategic plan to our efforts.

That we work together every step of the way.

A meeting with all of us in the very near future would be a great step forward in addition to further planned public protests.

The last thing I will mention is that if we would be so bold as to gather fish farm fish for Alexandra's science work, would be beautiful. This would be entirely consistent with the UNDRIP.

I hope that this Briefing Note is received in the supportive, respectful and strategic manner in which it is written and presented. If you have gotten this far I want to thank you for taking the time to read all of this Briefing Note.

END OF FISH FARM EVICTION APPENDICES REPORT – submitted by Bob Chamberlin