

B.C. WATER FUNDERS MEETING

- Lunch 'n Learn Webinar Series -

First Nations, Freshwater & Philanthropy #2 - Place Based Approaches to Watershed Governance



January 21, 2015
12:00 – 1:00pm PST

Weblink: <http://polis.adobeconnect.com/p1yy3s1kznp/>

Password: WaterFunders (case sensitive)

INTRODUCTION

The new *Water Sustainability Act* opens the door for delegated or shared responsibilities with local communities that have formed regional watershed entities and developed Water Sustainability Plans. The Cowichan Watershed Board is often cited as the most obvious candidate for a pilot project for delegated authority and is widely recognized for the successful shared governance initiatives between the Cowichan Tribes and local municipalities. Looking beyond Cowichan, this webinar looks more specifically at First Nations` experiences and approaches to local watershed planning and governance initiatives. The goal of this webinar is to develop a better understanding of the opportunities and challenges that exist with respect to Indigenous watershed planning with the recognition that Indigenous watershed planning is a critical first step to supporting collaborative governance initiatives between First Nations, local municipalities, and regional districts.

PRESENTATIONS



KATE CAVE

Project Manager/Research Associate, Centre for Indigenous Environmental Resources

First Nations Integrated Watershed Planning Tool

PowerPoint presentation attached.

<http://www.yourcier.org/first-nations-integrated-watershed-planning-guidebooks-2011.html>

Introduction to CIER

- CIER is a First Nation directed national non-profit that was founded by First Nation leaders in 1994.
- Works with clients to implement sustainable solutions that affect First Nation lands. The work is focused on First Nations needs as they define them.
- Since 1994 CIER has worked on over 450 environmental focused projects with over 300 communities across Canada.

The Opportunity for Indigenous Watershed Plans in British Columbia

With the new Water Sustainability Act, and a move towards watershed governance, First Nations and their perspectives should be involved in decisions that affect their lands and that affect their rights. Indigenous Watershed plans are increasingly important to guide community actions & decisions and ensure their rights and priorities are being reflected in broader watershed governance and decision-making.

First Nations Integrated Watershed Planning Tool

Three years ago, CIER received funding from RBC Blue Water Project to develop Watershed Planning Guidebooks to guide First Nations in water management strategies that are unique to their communities, rights and needs. These guidebooks can assist communities in three ways:

- 1) Creating a plan to protect rivers or lakes in their community
- 2) Getting involved in existing watershed planning processes; or
- 3) Leading a new watershed planning process

CIER created the guidebooks because: 1) Water plays vital role in our lives and survival 2) First Nations have a unique perspective and connection to fresh water; 3) Watershed planning is taking more precedence across Canada but most of this planning is moving ahead without First Nations involvement and may impact First Nations rights and plans; and 4) There is a myth that water is abundant in Canada.

So CIER wanted to develop a tool to assist First Nations in being involved in regional planning. The approach is different from other watershed planning because of First Nations views and relationship with water. Water is not just a source for all living things. Water is alive and has spirit. That view changes

the nature of process. The goal is not about management of a resource but about protection and use of another spirit and life.

- The toolkit includes a framework, a series of user-friendly guidebooks, and training that can be done in person or through webinar. It has been developed through partnership with a number of First Nations across Canada.
- CIER has held indigenous watershed planning workshops in Nova Scotia, Manitoba and is working with a Tribe in Chilliwack on a watershed planning process.
- Currently, confirming funds for workshops in New Brunswick, Ontario and Vancouver Island. There is a desire and need across Canada.
- Recently attended a First Nations water forum by First Nations Fisheries Council and several communities indicated interest in partnering with CIER on indigenous watershed planning.
- There are 5 key elements to the framework and each element of the process has a guidebook. For example, there is a guidebook on Building Partnerships and Collaborative Relationships. In planning work, the process is just as important as the final product.
- CIER delivers workshops using guidebooks. We review each of the guidebooks through different interactive processes. We also deliver a webinar version of the workshop. Process is tailored to the

needs of the First Nations. The workshop is the first step in building a relationship and hopefully partnerships.

Although First Nations are the primary audience for the tool, we hope that others will use it as well to gain an understanding of First Nations perspectives on water and planning. Working together is the only way to achieve water and community sustainability.

Five Key Elements to the Framework:

1. Describing Your Approach: Know Yourself
2. Building Partnerships
3. Knowing Your Watershed
4. Achieving Consensus on the Plan
5. Bringing the Plan to Life

Sustainable First Nations and a Healthy Environment

Why funders should support indigenous watershed planning:

- 1) To protect BC's watersheds
- 2) To help First Nations be proactive instead of being reactive to development or changes in policy.
- 3) To join a new movement and be part of a new innovative approach to watershed governance. Funders can help address a number of winning conditions for watershed governance by working with and supporting First Nation communities in developing plans.
- 4) To support building of relationships between First Nations and other interested stakeholders critical to successful watershed planning.



DIANE ABEL

Director of Administration, Treaty 8 Tribal Association

Treaty 8 Tribal Association Water Leadership

PowerPoint presentation attached.

Introduction to Treaty 8

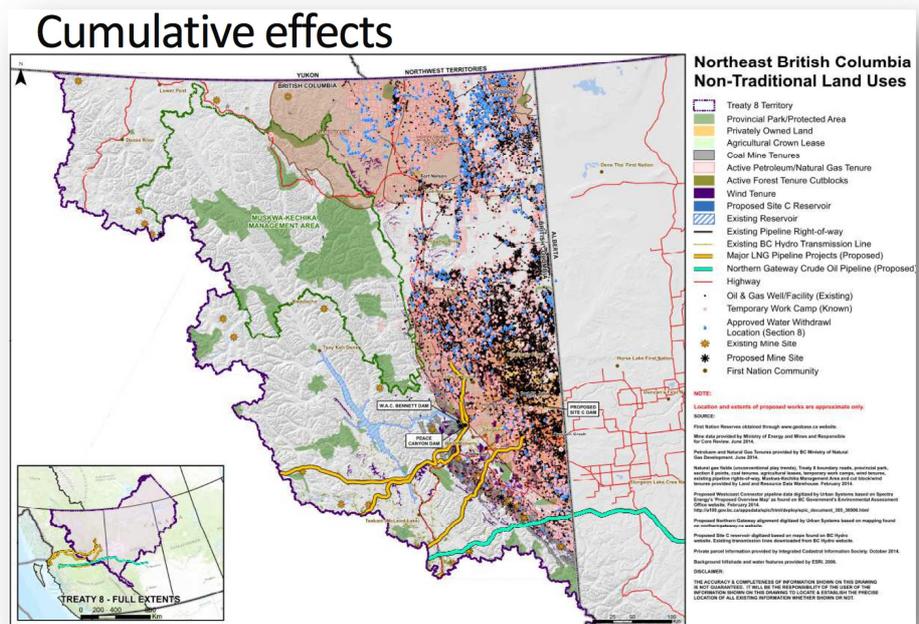
Treaty 8 is situated in Northeastern British Columbia. Land and water go hand in hand. We traditionally used land to feed us, to sustain us and provide our livelihoods. Treaty 8 asserts treaty rights to use these lands to support these uses and to maintain a balance.



There are abundant resources in our territory that have created economic development opportunities. The environmental threats that come with that development presents the challenge, which is how to create the balance? Currently, we are inundated with LNG proposals. Folks want to come in and develop the resources and don't always think of the environmental threats that the development causes.

Threats

- **Agricultural and domestic demands.**
- **Mining** – many mines and several more being proposed. Significant footprint and potential impacts to water quality. Also use a lot of water. Want to avoid the Mount Polley situation.
- **Oil and gas development** – has a big footprint. One of biggest concerns is the hydraulic fracking that uses high quantity of water and a real threat to our environment. Several studies with wildlife – some animals drowned in some of the pits.
- **Cumulative Effects** - big concern over the cumulative effects of all these different types of development in our territory



Current Water Governance and Management

	Existing	Proposed Improvements	Significant Gaps
Law	<i>Water Act</i> (and others)	<i>Water Sustainability Act</i> and regulations	<ul style="list-style-type: none"> Does not acknowledge Aboriginal and Treaty rights and title Unclear involvement of First Nations in regulations
Strategy	None	Northeast BC Water Strategy (under development) and Water Working Group (WWG) to oversee revisions and implementation	<ul style="list-style-type: none"> Primarily developed by the Province Limited resources for First Nations in WWG
Information	Northeast Water Tool (NEWT)	Northeast BC Enhanced Water Monitoring System (WMS)	<ul style="list-style-type: none"> NEWT and WMS data managed by the Oil and Gas Commission Does not (yet) factor in traditional knowledge Data gaps Cumulative effects not (yet) monitored or considered
Decision Making Authority	Province	Water Working Group → Regional water authority?	<ul style="list-style-type: none"> Co-governance with First Nations

What we see for our land and waters

So we're really looking for a stronger decision-making authority. We don't want to be considered just a stakeholder. We are a government and want to be treated as such so we are working with the province to ensure that our interests concerning water are honoured. This means:

- **Balance** between the environment, economy and our communities
- **Co-governance** with Aboriginals
- **Certainty** that our land and waters our safe
- **Aboriginal leadership** in carrying out watershed work and responsible resource development

We are not opposed to development; we just want it to be done responsibly.

Our Approach

- **Build Open and Meaningful Partnerships** - we want to implement strategies that will create new relationships with partners and we want to be equal partners. Our approach is to build open and meaningful partnerships with local government (have been meeting with the Peace River Regional District) and senior government.

- **Create a Regional Water Authority** – this is really important for us and we are looking for it to be done in collaboration and coordination. We want to be part of decision-making when it comes to water.
- **Strategic Environmental Risk Assessment** - we've been talking about some different processes including a strategic environmental risk assessment.
- **Lead a Pilot Watershed Assessment and Response Plan** - to re-define how watershed assessments are done and focus on traditional values, interests and knowledge. So we are looking at land-use planning based on watersheds.
- **Invest in Our People** - we want to promote Aboriginal employment opportunities and leadership in businesses that use responsible industrial technologies for environmental improvement.

Capacity gaps

The challenge for us is that there is so much going on but we do not have the resources or staff to fully focus on water and things like the NE Water Strategy. We have limited ability to react quickly and effectively to such fast-paced development. We would like to hire people to just focus on water.

How are we Overcoming the Gaps?

- Building new partnerships
- Continuing to educate and invest in our people, and build our capacity
- Seeking ways to achieve financial sustainability
- Developing tools to streamline our responses to development referrals, and connect them to our values

SARAH ALEXIS (in place for Tessa Terbasket)

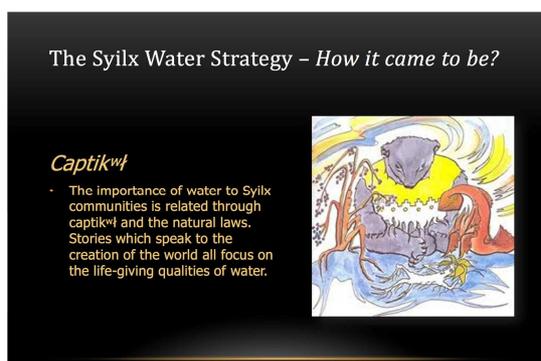
Okanagan Nation Alliance, Natural Resources Department

“Our Syilx Water”

PowerPoint Presentation attached

The Syilx Water Strategy is funded by RBC Blue Water Project and is in the second year of a 4 year plan.

How it Came to Be?



- The strategy comes from our stories, which provides the structure of Syilx society. Stories teach responsibility to animals, land and water. These stories teach us our responsibilities toward water and have inherent responsibility to speak for those with no voices
- The Strategy is place-based and driven by the community that are the real leaders. It is being

developed through a bottom-up methodology by the people and created for the people.

Why Do We Need It?

- **Syilx Worldview** - current water management approaches are based on different values to the Syilx worldview. Western ideals and values are different. For example, 20% of water used in Okanagan is allocated to lawns. This is very different to the Syilx worldview.
- **To Build Relationships** - relationships are a vital component to building this strategy and carrying it forward to future generations. Relationships and collaboration is key to finding the middle ground. We need to think of sustainable practices embedded in long-term goals.

The Syilx Water Action Plan

- We have created an action plan as part of the strategy, which keeps the strategy alive and is the process through which we build relationships and share knowledge.

Successes and Challenges

A Story of Capacity...

<p>The Success:</p> <ul style="list-style-type: none">• Community Engagement and Buy-In• Awakening of our youth• Shift in Political Balance• Living Document	<p>The Challenges:</p> <ul style="list-style-type: none">• Buy-in and Integration from Municipal, Regional and Provincial Governments• High Water Pressure in the Okanagan with continued Growing Population
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We have been able to engage the community and recognize the significance of the groups within our society such as women and youth that have an intrinsic relationship with water. At ONA, we have brought the return of the salmon through ceremonies over a number of years – this has been shift from traditional knowledge into politics and to water management that has created a success.

We have challenges not so much with a lack of capacity but a lack of funding. There are so many people in our communities that are really valued for their experience and knowledge on water.

Question & Answer Period

How many indigenous groups have water management plans and how are other governments in Canada working to support those plans?

Kate - CIER is in the process of looking for some funding for a systematic review in BC and working with BC First Nations Fisheries Council to do this. Across Canada, some communities have used guidebooks but we don't have a clear sense of how many groups have plans. There could be benefit in doing a national review similar to a project CIER is doing on a systematic review of indigenous knowledge.

Has the fact that CIER's guidebooks are not free been a barrier to use of the guidebooks?

It was a decision based on the perception that value is greater if something is not free. CIER does not make money from its guidebooks. Through RBC funds, we printed 100 copies that we were able to distribute at events and conferences. For some, it might have been a barrier but we know that a number of communities have downloaded the guidebooks off the website. When CIER works with a community to do a workshop we include the price of the guidebooks in the proposals when we look for funds and ensure that the community has enough copies.

Is Treaty 8 using CIER's guidebooks?

Treaty 8 is not currently using the guidebooks but will connect with CIER to learn more.

What barriers have ONA found working with municipalities?

A lot of challenges have to do with the clash of worldviews. Our fundamental values are the same but worldviews are very different. The western worldview focuses a lot on management based on the scientific paradigm and there is a disconnect between oneself and water. Through Silyx Water Strategy, we have a different view of water that is very personal and spiritual. We see water as a relative.

Does indigenous watershed planning need to happen prior to co-governance or can they happen in parallel?

Kate - Indigenous watershed planning needs to happen before because if all parties are going to share authority there is a need to ensure that indigenous parties have a plan that is consistent with the goals of the First Nation. Without a plan a First Nation wouldn't be as well prepared to sit at the table and co-govern. However, the relationship-building could definitely start at the same time to explore how co-governance could occur. First Nations would not want to be left out of a co-governance process if other actors want to move ahead. But other actors should understand that First Nations may need to develop a plan and in the long run, that would be better for co-governance.

Diane – I think that they can happen in parallel. Most of the time the Province comes to us with something already put together and they want to have our input. We've been working through our lands office to develop a culture based resource management plan that would consider how we make decisions culturally. We have done a lot of work on water internally and that gives us the ability to work

really well now as we go through the water strategy and ensure that our input gets in. The real challenge is the difference of opinion around what we think our treaty rights are compared to what the Province thinks they are. The Province is always worried about legal implications of the treaty and don't want to agree to anything that they are unsure of. We find this hard because how can we support a plan that is not inclusive of our treaty rights and interests? It's doable but takes a lot of work.

Sarah – I think that parallel can work but I don't see it happening unless indigenous communities already have that water dialogue and plans in place.

Groundwater – to what degree do community planning processes including education and planning around groundwater and involvement in groundwater regulatory process?

Diane – we have been working with Peace River Regional District, which has a groundwater project on the go right now. We have created a relationship with some of the folks that are doing the work. There is a real interest from PRRD in us being part of the team and coming up with a good strategy for groundwater. In March, Treaty 8 will be holding a workshop focused on water and cumulative effects and what a regional environmental strategic assessment might look like. We are raising awareness and trying to get information out to communities to ensure they are educated on everything related to water, including groundwater.

Sarah – ONA has been doing a lot of workshops with youth and one of the issues that comes up a lot is the fear of contamination and pollution of groundwater. The input from youth comes to shape our strategy and action plan and creates our goals.

What one piece of advice would you give to funders?

Kate – to recognize that there is a desire and obvious movement moving towards new governance processes. To learn more by talking with the presenters and they can help connect to other communities. Funders should be part of this movement and help ensure more First Nations involvement.

Diane – right now, we are at a really important threshold when it comes to water. In the North, there is so much proposed developed and we are talking about thousands of more wells for LNG and fracking in our territory. The worry is that water will be ruined and we won't have enough for what we really need it for. This doesn't affect just North-eastern BC but affects us globally because if we waste our water and don't take care of it, what are we going to do? We need to support each other to save water and protect it in every corner of the world. In the North, if we don't come up with a plan before fracking happens, the abundant water we currently enjoy will be gone and it won't come back.

Sarah – we need to trust that we can do it and carry forward our goals and our values with water. We have the knowledge and the experience. Our youth and community members need to be educated in both worlds and this will help lead the way to a sustainable future. Timing is critical and we need to act now while we are able to.

Appendix A

Attendees

Host & Resource Guests:

- Jennifer Archer Archer Consulting
- Tim Morris Morris Consulting
- Laura Brandes Consultant

Presenters:

- Diane Abel Treaty 8 Tribal Association
- Kate Cave Centre for Indigenous Environmental Resources
- Sarah Alexis Okanagan Nation Alliance

Participants:

- Aaron Hill Watershed Watch Salmon Society
- Anna Warwick Sears Okanagan Basin Water Board
- Andrew Stegemann Mountain Equipment Co-Op
- Brittney Dawney Urban Matters
- Bruce Passmore CPAWS-BC Chapter
- David Hendrickson BC Real Estate Foundation
- Grace Fan University of British Columbia
- Ian Rogalski Environment Canada
- Kat Hartwig Living Lakes Canada
- Kim Hardy Tides Canada
- Leanne Sexsmith BC Real Estate Foundation
- Nelson Jatel Okanagan Basin Water Board
- Oliver Brandes POLIS Project, University of British Columbia
- Shayla Walker Tides Canada
- Theresa Fresco Fraser Basin Council