



Making a difference...together

REPORT TO CAPITAL REGIONAL DISTRICT BOARD MEETING OF WEDNESDAY, DECEMBER 13, 2017

SUBJECT **Year End Report from the Special Task Force on First Nations Relations**

ISSUE

The purpose of this report is to provide the Board with an update on the activities of the Special Task Force and the First Nations Relations Division (FNRD).

BACKGROUND

The 2016 year end Task Force report laid out a series of actions to be undertaken in support of strengthening relationships with First Nations, responding to the Truth and Reconciliation's (TRC) Calls to Action and providing direction to the FNRD.

The following activities were undertaken in the third and fourth quarters of this year:

Outreach:

In June 2017, the WSANEC Leadership Committee (WLC) and CRD held its inaugural joint meeting. The meeting was a day-long session with Chiefs, Council members, elders and staff from Tsartlip, Tseycum and Tsawout First Nations and provided opportunity to discuss a variety of common interests and initiatives, such as shellfish and shoreline environmental clean-up, derelict boats, and archeology activities. The CRD also made presentations in response to topics identified by the WLC, including environmental management practices for Hartland Landfill, and an overview of the committee and commission structure of the CRD. Since that meeting, the Task Force has continued to explore governance options on the issues raised with the WLC. Copies of the meeting agendas and records of decisions are posted on the CRD First Nations Relations webpage as they become available.

Cultural Training:

Building on the series of public cultural training exercise events undertaken in partnership with the First Nations Health Authority, FNRD staff developed a similar program for delivery across the organization. The purpose of the cultural safety and humility training is two-fold:

- to action the Truth and Reconciliation (TRC's) call for cultural education amongst local government workforce (Call to Action # 57), and;
- to provide a platform for further discussion with each CRD work unit, that facilitates thoughtful and informed exploration of ways the CRD can incrementally and seamlessly integrate acts of Reconciliation into its day-to-day work program.

Other Action Items:

1. With the transition to the new Provincial government, the Task Force reached out to relevant ministries, including Municipal Affairs, Attorney General, and Indigenous Relations and Reconciliation. The Task Force has advanced requests to the Province for assistance in

addressing both long-standing and emergent issues, such as barriers to re-interment into the Beacon Hill / Migen Ancient Cemetery, the *Local Government Act* provisions regarding Board membership, and clarification on the Province's approach to Douglas Treaty rights as they relate to local government activities and land holdings.

2. The FNRD has not yet established an inter-municipal working group, however, staff provided informal practical support to municipal colleagues by way of assistance in territorial identification, Nation contact information, and options for outreach and engagement on local planning initiatives. Staff also worked closely with the local chapter of the Local Government Management Association to develop a conference agenda with a focus on First Nations relationship building.

Division Activities:

The Division's activities in the latter half of this year have built on the fledgling relationships with First Nations staff and leadership that have been fostered over the last few years. A number of successful agreements were completed, deepening the relationship and creating practical service-based connections.

The following is a summary of the third and fourth quarter activities of the Division organized by the three areas of the Division's Reporting Framework:

1. Leadership

- a. Focus on relationship building at the leadership level is primarily undertaken through the Task Force outreach activities;
- b. T'Sou-ke Nation Chief addressed the Board regarding the Sea to Sea Traditional Use Access Agreement;
- c. The CRD Chair and the Parks Chair met with Tsawout First Nation Chief and Council to discuss their concerns with the management of Island View Beach.

2. Department Support

- a. Staff have been actively supporting the Wastewater Treatment Project team with:
 - Supporting the Nation Liaisons in their work;
 - Crown consultation documentation;
 - Archeology protocols;
- b. Completion of the Draft Sea to Sea Traditional Use Access Agreement with T'Sou-ke First Nation;
- c. Resolution of the E&N Rail Trail alignment with the successful negotiation of a land use agreement with Esquimalt Nation to host a section of the trail on Nation lands;
 - i. This agreement resulted in the related resolution of a number of other long-standing issues such as the Ministry upgrade of Admirals Road and the creation of a new commercial and local traffic access for the Nation off a Town of View Royal local road.
- d. Support of the First Nations Outreach summer student position to support Environmental Services in delivering effective information and education on recycling and waste management;
- e. Support to the Derelict Boats initiative with outreach to First Nations;
- f. Development of service agreement templates for water, sewer, fire services.

3. Emerging Areas of Interest

- a. A process to establish a new Regional Parks management approach for Island View Beach in collaboration with Tsawout Nation is underway;
- b. Exploring opportunities for partnerships with First Nations on innovative housing projects;
- c. Creation of draft policies and procedures for archeological activities is underway in response to First Nations expectations for the CRD to follow highest and best practices under the *Heritage Conservation Act* in a way that demonstrates respect for local indigenous cultural and spiritual laws and protocols;
- d. Continuing to work collaboratively with WSA NEC Nations on the complex issue of shellfish closures on the Peninsula.

COMMENTS FROM THE TASK FORCE CHAIR

As the 3rd year of the Task Force’s mandate wraps up, we have learned and understand that the process for improving shared decision-making with First Nations will be an incremental and iterative process. While there is no current blueprint for establishing a framework, there are positive initiatives that signal a fundamental change in how the CRD relates to, acknowledges and incorporates First Nations’ rights, authority and attachment to the lands in the region.

Landmark agreements such as the Sea to Sea Traditional Use Access Agreement and the emerging Island View Beach (Co)-Management Plan, are examples of a true collaboration in parks management. As mutual trust builds and knowledge and understanding of our respective governance models increases, the options for more and creative approaches to shared decision-making will be revealed. The Task Force looks forward to the final year of its mandate, as we focus on a framework for collaborative regional governance that includes First Nations and reflects Indigenous principles and processes.

RECOMMENDATION

That the Capital Regional District Board receive this report for information.

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