



Notice of Meeting and Meeting Agenda First Nations Relations Committee

Wednesday, February 22, 2023

1:30 PM

6th Floor Boardroom
625 Fisgard St.
Victoria, BC V8W 1R7

M. Tait (Chair), R. Windsor (Vice Chair), M. Alto, P. Brent, B. Desjardins, S. Goodmanson, M. Little, K. Murdoch, K. Williams, C. Plant (Board Chair, ex-officio)

The Capital Regional District strives to be a place where inclusion is paramount and all people are treated with dignity. We pledge to make our meetings a place where all feel welcome and respected.

1. Territorial Acknowledgement

2. Approval of Agenda

3. Adoption of Minutes

3.1. [23-157](#) Minutes of the September 7, 2022 First Nations Relations Committee Meeting

Recommendation: That the minutes of the First Nations Relations Committee meeting of September 7, 2022 be adopted as circulated.

Attachments: [Minutes - September 7, 2022](#)

4. Chair's Remarks

5. Presentations/Delegations

The public are welcome to attend CRD Board meetings in-person.

Delegations will have the option to participate electronically. Please complete the online application at www.crd.bc.ca/address no later than 4:30 pm two days before the meeting and staff will respond with details.

Alternatively, you may email your comments on an agenda item to the CRD Board at crdboard@crd.bc.ca.

6. Committee Business

6.1. [23-155](#) 2023 First Nations Relations Committee Terms of Reference

Recommendation: There is no recommendation. This report is for information only.

Attachments: [Staff Report: 2023 First Nations Relations Committee Terms of Reference](#)
[Appendix A: 2023 First Nations Relations Committee Terms of Reference](#)

6.2. [23-170](#) First Nations Relations Operational Update

Recommendation: There is no recommendation. This report is for information only.

Attachments: [Staff Report: First Nations Relations Operational Update](#)
 [Appendix A: Working with Indigenous Elders](#)

7. Notice(s) of Motion**8. New Business****9. Motion to Close the Meeting****9.1.** [23-158](#) Motion to Close the Meeting

Recommendation: 1. That the meeting be closed for Intergovernmental Negotiations in accordance with Section 90(2)(b) of the Community Charter. [1 item]
2. That such disclosures could reasonably be expected to harm the interests of the Regional District. [1 Item]

10. Adjournment

Next Meeting is April 26, 2023

To ensure quorum, please advise Sharon Orr (sorr@crd.bc.ca) if you or your alternate are unable to attend.

Meeting Minutes

First Nations Relations Committee

Wednesday, September 7, 2022

9:30 AM

6th Floor Boardroom
625 Fisgard St.
Victoria, BC V8W 1R7

Special Meeting

PRESENT

Directors: M. Tait (Chair), B. Desjardins (Vice Chair) (EP), K. Harper (for F. Haynes) (EP), B. Isitt (EP), K. Murdoch, J. Ranns, K. Williams (EP)

Staff: K. Morley, Acting Chief Administrative Officer; C. Vernon, Manager, First Nations Relations; M. Lagoa, Deputy Corporate Officer; S. Orr, Senior Committee Clerk (Recorder)

EP – Electronic Participation

Regrets: Directors P. Brent, F. Haynes, G. Orr, C. Plant, L. Seaton

The meeting was called to order at 9:30 am

1. Territorial Acknowledgement

Chair Tait provided the Territorial Acknowledgement.

2. Approval of Agenda

MOVED by Director Murdoch, **SECONDED** by Director Ranns,
That the agenda for the September 7, 2022 First Nations Relations Committee meeting be approved.

CARRIED

3. Presentations/Delegations

There were no presentations or delegations.

4. Special Meeting Matters

4.1. [22-519](#) Indigenous Intercultural Skills Training for Board Directors

K. Morley spoke to Item 4.1.

Discussion ensued regarding:

- orientation primer on legislation at the provincial level
- essential training vs mandatory training
- selection of training consultants
- training opportunities for alternate directors
- content of training series
- business protocol training
- grants available for meeting with nations on their territories

**MOVED by Director Murdoch, SECONDED by Director Ranns,
The First Nations Relations Committee recommends to the Capital Regional
District Board:**

**That staff be directed to offer Directors a series of Indigenous intercultural
training, learning and coaching opportunities in 2023.**

CARRIED

4.2. [22-521](#) First Nations Relations Operational Update

C. Vernon spoke to Item 4.2.

Discussion ensued regarding:

- capacity building with local First Nations
- funding opportunities

Director Isitt left the meeting at 9:56 am.

This Informational Report was received for information.

5. Adjournment

**MOVED by Director Murdoch, SECONDED by Director Ranns,
That the September 7, 2022 First Nations Relations Committee meeting be
adjourned at 9:59 am.**

CARRIED

CHAIR

RECORDER



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**REPORT TO FIRST NATIONS RELATIONS COMMITTEE
MEETING OF WEDNESDAY, FEBRUARY 22, 2023**

SUBJECT 2023 First Nations Relations Committee Terms of Reference

ISSUE SUMMARY

This report is to provide the 2023 First Nations Relations Committee Terms of Reference for the Committee’s review.

BACKGROUND

Under the *Local Government Act* and the CRD Board Procedures Bylaw, the CRD Board Chair has the authority to establish standing committees and appoint members to provide advice and recommendations to the Board.

On December 14, 2022, the Regional Board approved the 2023 Terms of Reference for standing committees. Terms of Reference (TOR) serve to clarify the mandate, responsibilities and procedures of standing committees and provide a point of reference and guidance for the Committees and members.

This year there were no changes to the defined purpose of the Committee’s TOR, attached as Appendix A.

The TOR are being provided for review by the Committee. Any proposed revisions to the TOR will require ratification by the Board.

CONCLUSION

Terms of Reference serve to clarify the mandate, responsibilities and procedures of committees and provide a point of reference and guidance for the committees and their members.

RECOMMENDATION

There is no recommendation. This report is for information only.

Submitted by:	Marlene Lagoa, MPA, Manager, Legislative Services & Deputy Corporate Officer
Concurrence:	Kristen Morley, J.D., General Manager, Corporate Services & Corporate Officer
Concurrence:	Ted Robbins, B. Sc., C. Tech., Chief Administrative Officer

ATTACHMENT(S)

Appendix A: 2023 First Nations Relations Committee Terms of Reference

Terms of Reference

The logo for the Capital Regional District (CRD), consisting of the letters 'CRD' in a stylized, bold font.

FIRST NATIONS RELATIONS COMMITTEE

PREAMBLE

The Capital Regional District (CRD) spans the traditional territories of over 20 First Nations, of which 11 have Reserve lands and 9 of those are populated. The First Nations Relations Committee is a standing committee established by the CRD Board to provide support to the Board in building strong government-to-government relationships with First Nations, and to provide advice and direction to the Board on matters that directly or indirectly affect those relationships.

The Committee's official name is to be:

First Nations Relations Standing Committee

1.0 PURPOSE

- a) The mandate of the Committee includes providing advice and making recommendations to the Board regarding the following functions relating to First Nation governments:
 - i. Advise on programs and activities that strengthen relationships between the CRD and First Nations within the region;
 - ii. Understand and provide advice to the Board on the implications of the BC Treaty process where it intersects with local government interests;
 - iii. Provide guidance on the coordination of regional events such as a Forum of all Councils;
 - iv. Make recommendations to the Board on the initiatives identified in the First Nations Task Force Final Report; and
 - v. Review progress on Reconciliation with First Nations and make recommendations to support continued efforts.

2.0 ESTABLISHMENT AND AUTHORITY

- a) The Committee will make recommendations to the Board; and
- b) The Board Chair will appoint the Committee Chair, Vice Chair and Committee members annually.

3.0 COMPOSITION

- a) Committee members will be appointed CRD Board Members;
- b) All Board members are permitted to participate in standing committee meetings, but not to vote, in accordance with the CRD Board Procedures Bylaw; and
- c) First Nation members are permitted to participate in standing committee meetings at their pleasure, in accordance with the CRD Procedures Bylaw, where the Nation has an interest in matters being considered by the committee.

4.0 PROCEDURES

- a) The Committee shall meet quarterly and hold special meetings as required;
- b) The agenda shall be finalized in consultation between staff and the Committee Chair and any Committee member may request that a matter be placed on the agenda through the Notice of Motion process;
- c) With the approval of the Committee Chair and the Board Chair, Committee matters of an urgent or time sensitive nature may be forwarded directly to the Board for considerations;
- d) A quorum is a majority of the Committee membership and is required to conduct Committee business; and
- e) The above procedures may be relaxed or suspended by majority vote of the Committee in order to facilitate unstructured discussions and consensus-based outcomes.

5.0 RESOURCES AND SUPPORT

- a) The General Manager of Corporate Services with support from the Manager of First Nations Relations will provide strategic support and act as liaison to the committee; and,
- b) Minutes and agendas are prepared and distributed by Corporate Services.

Approved by CRD Board December 14, 2022



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REPORT TO FIRST NATIONS RELATIONS COMMITTEE MEETING OF WEDNESDAY, FEBRUARY 22, 2023

SUBJECT **First Nations Relations Operational Update**

ISSUE SUMMARY

To provide an update on recent initiatives underway in support of the Board priority of advancing strong relationships with First Nations.

BACKGROUND

Working with Indigenous Elders

The First Nations Relations Division has produced a Working with Indigenous Elders guidance document for CRD staff (Appendix A). Indigenous elders hold vast knowledge and experience and are highly regarded and carefully cared for within their communities. As the CRD works to respectfully collaborate with and learn from First Nations, showing respect to their elders is of the utmost importance. When elders choose to share their knowledge, it is a gift to be carefully received. We can reciprocate by caring for them, listening attentively, and learning from what they share with us so we can incorporate their teachings and knowledge into our work.

The guidelines provide key etiquette considerations that are intended to support staff when elders collaborate on initiatives with the CRD. These guidelines were developed in collaboration with elders and knowledge keepers on whose territory the CRD operates. This is a living document, and will be updated over time as we learn more.

Conservation and Protection of Heritage Sites

The First Nations Relations Division is continuing to build relationships with First Nation leadership and staff in the region regarding archaeological and Indigenous cultural heritage management and conservation. Regular meeting series are underway with the Songhees Nation, T'Sou-ke Nation, and the W̱SĀNEĆ Leadership Council on behalf of W̱ JOŁEŁP (Tsartlip) and W̱ SIKEM (Tseycum) First Nations. Lines of communication have also been established with S̱ĀUTW̱ (Tsawout) First Nation and the x̱w̱sepsəm (Esquimalt) Nation.

Related work includes:

- Training and supporting CRD staff to implement the *Conservation and Protection of Heritage Sites Policy* and Archaeological Chance Find Guidelines, and to recognize and respect heritage sites.
- Collaborating with Regional Parks staff, Electoral Area staff and Southern Gulf Islands Parks and Recreation Commissions to engage First Nations regarding infrastructure developments, management plans and mitigation measures for archaeological and Indigenous cultural heritage sites in Regional Parks and EA community parks.
- Providing technical archaeological support, oversight and training for CRD capital projects, ranging from the Goldstream Watermain Replacement to the Mayne Island Regional Trail.
- Participating in the provincial *Heritage Conservation Act* (HCA) Transformation Project to provide local government operational context as the HCA is brought into alignment with the UN Declaration on the Rights of Indigenous Peoples.

- Responding and providing technical support when archaeological chance finds are made by First Nations, staff and contractors.

First Nations Relations Metrics

In July of 2022, the First Nations Relations Division began tracking metrics related to requests, meetings and various forms of engagement with First Nations. Tracking and sharing these metrics will enable the CRD Board and staff to assess the scope and types of engagement and any changes over time.

The following information is shared with the important caveat that the data for 2022 is incomplete. Tracking started part-way through the year, and doesn't include First Nations engagement that has been led by other CRD divisions, with the exception of the Regional Parks engagement on their Interim Strategic Plan. The data also doesn't include more informal communications such as text messages and phone calls, which are often an indication of a closer working relationship.

In Q3 and Q4 of 2022, the First Nations Relations Division received over 130 internal requests for strategic advice and/or technical support. The Division also received over 84 external requests, including 45 from First Nations and 39 from other organizations or individuals.

Over this time period, the CRD made over 437 communications to 22 First Nations and Indigenous organizations. These included:

- Over 45 communications regarding regulatory referrals for 9 projects requiring formal consultation, for example the Below Deck Repairs Selkirk Trestle and the Core Area Bypass of the McLoughlin Wastewater Treatment Plant;
- Over 335 communications related to non-regulatory engagement and requests for First Nations' input and collaboration, such as election notifications, Indigenous employment scoping, archaeological outreach, and input into strategic plans: and
- Over 57 communications regarding offers or opportunities extended to the Nations, such as honoraria, firewood, gravel, contracts, opportunities for cultural monitors/field technicians to be involved with land altering works, and inclusive governance outreach.

In addition, CRD staff and leadership held over 94 meetings with First Nations. These included:

- 3 leadership-level Government-to-Government meetings involving Board Directors, with 3 Nations.
- 91 staff-level meetings, with 14 First Nations, 2 organizations representing multiple Nations, and 2 urban Indigenous organizations.

While these metrics do not capture all activities of the Division, they do help to illustrate the type and scale of First Nations engagement happening at CRD. First Nations Relations Division staff will continue to refine the tracking system to support future reporting.

Indigenous Intercultural Skills Training for Board Directors

As directed by the previous Board, staff are organizing a series of Indigenous intercultural training, learning and coaching opportunities to be offered to Board Directors in 2023. To begin, an online 2-hour Cultural Perspectives training will be delivered by Indigenous Perspectives Society on May 24th at 1:30pm. Staff are soon to distribute a Request for Proposals to find a skilled consultant who can offer optional one-on-one Indigenous Relations Coaching for Directors who would like support navigating difficult conversations or other aspects of Indigenous relations. Additional opportunities will be shared with the Board as they are made available.

Forum of All Councils

The CRD Special Task Force on First Nations Relations Final Report (2018) recommended an annual Forum of All Councils to bring together leadership from First Nations, municipalities, and electoral areas.

With pandemic restrictions now easing, the First Nations Relations Division is organizing a Forum of All Councils for a Saturday in early June, 2023, during Indigenous Peoples Month. Feedback from the 2019 Forum included the request for more sharing of case studies, so the focus for 2023 will be to hear lessons learned from First Nations and municipalities who are actively building their government-to-government relationships. There will also be opportunities for more informal networking over food. The final date and details will be shared as they are confirmed.

IMPLICATIONS

Intergovernmental Implications

Supporting CRD staff to respectfully engage with Indigenous elders and to collaborate with First Nations on the protection and conservation of heritage sites will help support respectful interactions, build trust and mitigate risks. Intercultural skills training for CRD Board Directors will support the development of respectful government-to-government relationships with First Nations and helps demonstrate a commitment to ongoing learning.

Alignment with Board Priorities, Existing Plans & Strategies

The work of the First Nations Relations Division supports the ability of the CRD across all divisions to engage with First Nations on existing and emerging plans and strategies and to implement the CRD's Statement of Reconciliation.

CONCLUSION

Recent initiatives of the First Nations Relations Division include a Working with Indigenous Elders guidance document for CRD staff, deepening collaboration with First Nations around the protection and conservation of heritage sites, tracking metrics of engagement, and planning for upcoming training and networking opportunities for Board Directors. These initiatives support the Board priority of advancing strong relationships with First Nations.

RECOMMENDATION

There is no recommendation. This report is for information only.

Submitted by:	Caitlyn Vernon, MES, Manager, First Nations Relations
Concurrence:	Kristen Morley, J.D., General Manager, Corporate Services & Corporate Officer
Concurrence:	Ted Robbins, B. Sc., C. Tech., Chief Administrative Officer

ATTACHMENT

Appendix A: Working with Indigenous Elders

Working with Indigenous Elders

Key Etiquette Considerations



Capital Regional District | First Nations Relations Division

Indigenous elders hold vast knowledge and experience and are highly regarded and carefully cared for within their own communities. Where elders are interested in collaborating with the CRD, it is critical that all staff take the utmost care to consider their needs and preferences. By working to create a respectful, trusting and safe environment we can build working relationships with Indigenous elders.

Be mindful of etiquette protocols

First Nations should always feel welcomed in their own territory. Treat them as respected representatives of their Indigenous governments who cared for this land long before the CRD existed.

Elders may sometimes have a knowledge keeper or a cultural advisor in attendance to assist in various works. Their participation supports opportunities for sharing, teaching and learning, and they should be cared for and respected in the same manner as the elders.

Misunderstandings or failing to show respect can damage trust and impact working relationships. If there is a misunderstanding please connect with the First Nations Relations Division to discuss next steps. If harm has been done, it will usually be up to the oldest elder to provide a way forward. It may take them some space and time (days, weeks or longer) to determine their response, so please wait patiently and don't push for answers.

Tips to foster a safe work environment for Indigenous elders

- Assume that you will be responsible for their comfort and safety and for making arrangements.
- Be mindful of the length of the session, whether in-office or on the field. Elders will need more time and breaks as they are more sensitive.
- Create a comfortable space. Provide water, seating and shade during the warmer months. During the colder months, provide shelter, seating and heating.
- Assume mobility issues. Elders and some community members may be limited in their physical abilities and it is important to anticipate and accommodate this. Identify whether your plans require mobility, and if so make alternate plans.
- Show respect by doing your research regarding which territory you are working in and what Indigenous languages are spoken. First Nations' languages vary across the region. Ensure that you are working with elders from the territory of interest.

- Never talk over an elder. First Nations, and especially elders, do not like to be cut off in speaking and may feel disrespected if they are not provided the time and space needed to convey messages, knowledge and teachings. Pauses in the middle of speaking are normal; be patient and allow space for them to continue. It is also considered rude to be having a separate conversation on the side, do not have side conversations while an elder is speaking – be present and mindful.
- Be prepared to learn cultural protocols. Listening and watching with an open mind is a way to show respect.
- Always introduce yourself and greet the elders upon arrival. Depending on the type of meeting, ask the elder whether a blessing is in order and who they think should do this. Before starting a session, always be sure introductions are taken care of. Always include acknowledgement of territory in the opening of a meeting.
- Before any meeting occurs, consider the travel expenses and honoraria that will need to be provided for the work. Expectations for honoraria can vary for each Nation so try to come to an agreement beforehand. In most cases honoraria is provided right after the work is completed, so have it ready.
- Sharing food is encouraged to support the health, mind and words for the good work being provided. Always be cautious of (and assume) diabetic needs. If you are providing food, ask in advance if there are any dietary restrictions to accommodate, and ask about when and how to bring out the food to respect cultural protocols.
- Be aware of your body language. Don't cross your arms in front of elders or Indigenous leadership. If you are invited into ceremony, it is disrespectful to get up or move around during the ceremony.
- Always ask for permission and approval before taking any pictures or videos.
- Consider giving small gifts. They are a kind gesture and are important in relationships. Something made or grown by you or a diabetic treat is always appreciated; tea and scarves are also popular.
- Recognize that some elders speak quietly and very intentionally share information in a soft way. For large rooms, consider asking them if they would be comfortable with a microphone. It is likely they would prefer not to hold a microphone or be tied to a particular spot, so a lavalier microphone might be more appropriate.
- Show respect by listening attentively. Sometimes teachings are shared in ways that don't immediately seem obvious to non-Indigenous people and may come in the form of storytelling. What might seem a tangent might in fact be their way of answering your question with a story. Listen carefully and with an open mind and heart and do not be distracted by technology, put your devices away.

Indigenous elders and knowledge keepers

Recognize that Indigenous knowledge keepers can sometimes be young, and as they are held with the same respect as elders by their community, we should follow similar protocols when working with them.

Indigenous elders hold much respect, power and authority within their communities. As the CRD works to respectfully collaborate with and learn from First Nations, showing respect to their elders is of the utmost importance. When elders choose to share their knowledge, it is a gift to be carefully received. We can reciprocate by caring for them, listening attentively, and learning from what they share with us so we can incorporate their teachings and knowledge into our work.

These guidelines were developed in collaboration with elders and knowledge keepers on whose territory the CRD operates. This is a living document and will be updated over time as we learn more.