



Making a difference...together

## REPORT TO FIRST NATIONS RELATIONS COMMITTEE MEETING OF WEDNESDAY, SEPTEMBER 30, 2020

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**SUBJECT** 2019-2022 First Nations Relations Service Planning

### **ISSUE SUMMARY**

To provide the First Nations Relations Committee with an overview of relevant initiatives undertaken by First Nations Relations division in 2020 and planned for 2021 to deliver on approved Board Priorities and the Corporate Plan.

### **BACKGROUND**

The CRD Board completed its strategic planning early in 2019 and approved the CRD Board Strategic Priorities 2019-2022.

The four priorities are:

1. Community Wellbeing – Transportation & Housing;
2. Climate Action & Environmental Stewardship;
3. First Nations Reconciliation; and
4. Advocacy, Governance & Accountability.

The priorities were confirmed at the annual check-in on May 13, 2020.

The 2019-2022 CRD Corporate Plan is aligned to the Board direction. It highlights the initiatives the CRD needs to deliver over the Board's four-year term to address the region's most important needs. The Corporate Plan identified six initiatives under First Nations Relations, which fall under the First Nations Relations Committee's mandate.

Appendix A *Community Need Summary - First Nations Relations 2021* is a summary of the planned activities for 2021. It contains details about core service levels, new initiatives proposed and performance metrics.

Appendix B *First Nations Relations - Initiatives Progress Report* provides insights into what has been delivered through the five delivery initiatives approved last year, for delivery in 2020.

Appendix C Presentation - First Nations Relations Mandate Refresher provides an overview of past CRD efforts to support better First Nations relations and outlines how these efforts have helped to shape the current and planned activities related to Reconciliation with First Nations.

The Service Planning process gathered information necessary to assemble a provisional budget for Committee and Board review. The purpose of this report is to explain how the First Nations Relations divisional program of work connects to the Board Priorities, Corporate Plan and provisional budget.

### **ALTERNATIVES**

*Alternative 1*

The First Nations Relations Committee recommends to the Capital Regional District Board: That Appendix A Community Need Summary - First Nations Relations be approved as presented and advanced to the October 28, 2020 provisional budget review process.

*Alternative 2*

The First Nations Relations Committee recommends to the Capital Regional District Board: That Appendix A Community Need Summary - First Nations Relations be approved as amended and advanced to the October 28, 2020 provisional budget review process.

**IMPLICATIONS**

*Financial Implications*

Initiatives identified in the Corporate Plan (including Board Priorities) cannot be undertaken without resourcing. The Board determines resourcing through its annual review and approval of financial plans. To support the Board's decision-making, staff, through the service planning process, provide recommendations on funding, timing and service levels.

During this years' service planning process, staff have been mindful of the fiscal challenges facing the region in the month ahead. To that end, any budget increase or other impacts have been mitigated, as much as possible.

For 2021, the First Nations Relations Division will advance three distinct initiatives that will be absorbed into core funding. This will ensure that for 2021, all efforts have been made to minimize impacts on the CRD's overall budget.

*Service Delivery Implications*

The Community Need Summary provides an overview of all work that needs to be undertaken in order to meet our regulatory requirements, satisfy Board direction and meet the needs of the communities we serve.

*Alignment with Board & Corporate Priorities*

Staff have identified three new initiatives for 2021 (Table 1).

Table 1: Community Needs Summary - First Nations Relations, Delivery Initiatives

#	Initiative	Description	Year(s)	FTE impacts in 2021	Budget Impacts in 2021
3a-2.1	Indigenous Intern Leadership Program	CRD participation in an established Indigenous internship program	2021	None	Included in Provisional Budget

3a-2.2	First Nations Economic Opportunity Portal Social Value Procurement	Advance shared prosperity through portal to complement CRD Business Opportunities register	2021	None	Included in Provisional Budget
3a-5	Cultural Confidence Program Development & Implementation	Multi-module training program for current and future CRD staff, consistent with best practices	2021	None	Included in Provisional Budget

Blue highlighted areas are initiatives that directly address a Board Priority.

### **Delivery Initiatives**

#### 3a-2.1 – Indigenous Intern Leadership Program

First Nations have identified systemic barriers to employment and have called on the CRD, as an act of Reconciliation and mutual benefit, to create positions that would directly and intentionally hire community members.

This initiative will work towards the CRD becoming a corporate participant in an established Indigenous Internship Program to advance the First Nation Reconciliation Board Priority by attracting, growing and retaining future indigenous leaders. It also builds on the ongoing corporate work relating to diversity and inclusion. The objectives of the initiative are to (1) create meaningful employment opportunities for Indigenous graduates from a range of backgrounds, (2) foster corporate culture change through greater inclusion of Indigenous Peoples and knowledge into CRD operations, and (3) to establish foundational information to aid the future development of an Indigenous Employment Strategy.

Strategic exploration work is planned to take place in 2021, including engagement with key stakeholders and development of an Indigenous intern employment opportunity selection process. Launch of the first set of employment opportunities is expected by early 2022. There are no budget impacts resulting from this initiative and the additional workload will be absorbed within the existing First Nations Relations division staffing capacity, with support from colleagues across the organization.

#### 3a-2.2 – First Nations Economic Opportunity Portal Social Value Procurement

Shared prosperity is an essential component of the CRD’s path to Reconciliation. This initiative will advance the First Nation Reconciliation Board Priority by drawing out connections between First Nations, First Nations’ businesses and CRD procurement.

The objective of initiative is to establish a First Nations Economic Opportunity Portal, an entry point to the CRD Business Opportunities registry that is tailored for First Nations and First Nations businesses. It will also build additional structures in the CRD Procurement Policy that emphasizes Social Procurement Values. Finally, the initiative will form as the foundation for the CRD to build a First Nations’ Skills Index and Service Database. As First Nations continue to develop their business interests and capacity, they will be able to register their businesses with the CRD so that staff can begin to draw from established First Nations businesses when looking to procure goods or services.

The new Opportunities Portal is estimated to go live on the First Nations Relations website by summer 2021. There are no budget impacts resulting from this initiative and the additional workload will be absorbed within the existing First Nations Relations division staffing capacity, with support from colleagues across the organization.

**3a-5 – Cultural Confidence Program Development & Implementation**

The work of Reconciliation falls to all divisions and staff at the CRD. A sound, common level of understanding among staff regarding Indigenous-settler relations and responsibilities is needed to move forward meaningfully with actions that support the CRD's commitment to Reconciliation. In 2017, Blanket Exercises successfully were delivered to over 300 staff along with an introduction to working with Indigenous Peoples for Managers and CRD Directors.

In order to continue deepening staff Indigenous cultural awareness and understanding, this initiative proposes to develop a multi-module training program for CRD staff and Directors, building on similar programs that have been delivered in other organizations, to ensure consistency with best practices. It is hoped that will program will directly support the success of other Reconciliation initiatives across the CRD. The training program will be developed with a consultant, funded through the existing First Nations Relations budget, with roll out to staff expected in Q2 2021.

**CONCLUSION**

Staff have been progressing initiatives and actions identified in the Corporate Plan, including Board Priorities. The Board determines resourcing through its annual review and approval of financial plans. As per previous years, to support the Board's decision-making, staff are providing recommendations on funding, timing and service levels through the service and financial planning processes.

**RECOMMENDATION**

The First Nations Relations Committee recommends to the Capital Regional District Board: That Appendix A Community Need Summary - First Nations Relations be approved as presented and advanced to the October 28, 2020 provisional budget review process.

Submitted by:	Don Elliott, MUP, Manager, First Nations Relations Division
Concurrence:	Kristen Morley, J.D., General Manager, Corporate Services & Corporate Officer
Concurrence:	Robert Lapham, MCIP, RPP, Chief Administrative Officer

**ATTACHMENT(S)**

- Appendix A: Community Need Summary - First Nations Relations
- Appendix B: First Nations Relations - Initiatives Progress Report
- Appendix C: Presentation - First Nations Relations Mandate Refresher

# First Nations Relations

## Strategy

### Target Outcome

We envision strong relationships with First Nations based on truth and mutual respect, partnerships and working together on shared goals.

### Strategic Context

#### Strategies

- [Special Task Force on First Nations Relations](#)
- [Statement of Reconciliation](#)
- [Regional Climate Action Strategy](#)
- [Regional Food & Agricultural Strategy](#)
- [Regional Growth Strategy](#)
- [Regional Housing Affordability Strategy](#)
- [Regional Parks Strategic Plan](#)
- [Regional Water Supply Strategic Plan](#)
- [Organizational Development Plan](#)
- [Corporate Asset Management Strategy](#)

#### Trends, risks and issues

- Increasing interest in collaborative process on plans and projects between various First Nations and the CRD
- Moving toward more inclusive governance creating opportunities for shared decision-making
- Increased desire to see Indigenous cultural knowledge and practice within corporate processes
- First Nations increasingly identifying economic reconciliation as an area of interest
- Ongoing risks related to undertaking land-altering works and inclusion of cultural practices and monitoring
- As corporate and region-wide efforts to support reconciliation with First Nations continue, additional capacity within the CRD and/or within First Nations will likely be required to support continued efforts
- Unclear how the ongoing implementation of the *Declaration on the Rights of Indigenous Peoples Act* will impact the delivery of region, sub-regional and local services by the CRD
- Ongoing treaty negotiations between First Nations and the provincial and federal government increasingly touch on items that intersect with CRD services/interests
- With the pending conclusion of the Core Area Wastewater Project it is expected that resources available though that project currently supporting capacity in five First Nations will cease and this will impact the CRD's ability to dialogue on a range of matters

## Services

Core Services Levels	
Service	Levels
<p><b>Leadership Vision</b></p> <p>Support the Board Priority through facilitating opportunities to build political relationships among the Board Chair, Directors, First Nations Chiefs and Councils.</p>	<ul style="list-style-type: none"> <li>• <b>10%</b></li> <li>• Advance inclusive governance across CRD</li> <li>• Identify opportunities for gatherings or events</li> <li>• Provide updates to committee on the progress of various items related to Board Priority</li> <li>• Support implementation of First Nations component of the Board Remuneration and Travel Reimbursement policy</li> </ul>
<p><b>Internal Departmental Support</b></p> <p>Support CRD Departments through consistent and ongoing outreach to explore and improve internal approaches, processes and protocols for working with First Nations though looking at augmenting divisional work plans.</p>	<ul style="list-style-type: none"> <li>• <b>40%</b></li> <li>• Develop and implement training on protection and conservation of heritage sites</li> <li>• Provide support to CRD division looking to engage First Nations on activities and initiatives</li> <li>• Develop Cultural Confidence Program (3a-5) and Indigenous Internship Leadership Program (3a-2.1)</li> <li>• Arrange materials and facilitate First Nations liaison meetings</li> <li>• Manage the CRD's Standing Offer List for Archaeological Services</li> <li>• Participate in and/or negotiate various agreements with First Nations</li> </ul>
<p><b>Emergent Issues &amp; Opportunities</b></p> <p>Explore, develop, and action areas of common interest with First Nations through seeking Board direction while working closely with First Nations and affected CRD Divisions.</p>	<ul style="list-style-type: none"> <li>• <b>27%</b></li> <li>• Respond to and work to help coordinate activities related to correspondence from First Nations</li> <li>• Participate in Treaty and Reconciliation Agreement processes</li> <li>• Liaise with provincial and/or federal staff to discuss items and areas of opportunity</li> <li>• Support the development of an Indigenous Economic Development Partnership Model including:               <ul style="list-style-type: none"> <li>• First Nations Economic Opportunity Portal (3a-2.2)</li> <li>• Advance updates to Procurement Policy</li> <li>• Support a review of First Nations' water rates</li> <li>• Develop a First Nations Initiative Endorsement Policy</li> </ul> </li> </ul>

<p><b>External First Nations Support</b></p> <p>Directly engage First Nations on a range of projects, initiatives, and activities to build and maintain relationships with First Nations and share information from the CRD that may align with Indigenous interests.</p>	<ul style="list-style-type: none"> <li>• 23%</li> <li>• Maintain visibility and presence in First Nations' communities</li> <li>• Draft materials and summarize documents for First Nations</li> <li>• Host and/or attend meeting with First Nations to share information on activities and processes</li> <li>• Listen to and work to understand the interests and activities of First Nations</li> </ul>
<p><b>Support Services</b></p> <p>The core services listed rely on the support of several corporate and support divisions to effectively operate on a daily basis. These services are reported on in the Accountability Community Need Summary.</p>	<ul style="list-style-type: none"> <li>• Services include Human Resources &amp; Corporate Safety, Corporate Communications, Asset Management, Financial Services, Information Technology &amp; GIS, Information Services, Legislative Services, Facility Management, Fleet Management, Legal Services, Risk &amp; Insurance and Real Estate Services.</li> </ul>

Initiatives					
Ref	Initiative	Description	Year(s)	Status	2021 impacts
3a-2.1	Indigenous Leadership Program	Corporate participation in an established Indigenous internship program with the goal of advancing Reconciliation through the attraction, growth and retention of future Indigenous leaders	2021	<b>NEW</b> Not started	Included in Provisional Budget
3a-2.2	First Nations Economic Opportunity Portal Social Value Procurement	Complement existing CRD Business Opportunities Portal by providing tailored entry point for First Nations and First Nations' businesses.	2021	<b>NEW</b> Not started	Included in Provisional Budget
3a-5	Cultural Confidence Program Development & Implementation	Develop a multi-module training programme for CRD staff and Directors to raise levels of Indigenous Cultural awareness and understanding.	2021	<b>NEW</b> Not started	Included in Provisional Budget

**Initiative approved in prior years which have now been delivered or absorbed in Core Services:**

- 3a-2 – First Nations Economic Goals – see 3a-2.1 and 3a-2.2 for follow-on initiatives
- 3a-5 – First Nations Strategic Plan
- 3a-6 – First Nations Service Plan and Budget

- 3a-3 – First Nations Collaboration

## Business Model

Funding	
<p><b>Who contributes</b></p> <ul style="list-style-type: none"> <li>• All local First Nations</li> <li>• All 13 municipalities</li> <li>• Three Electoral Areas</li> <li>• Support Services: varies per service</li> </ul>	<p><b>Funding Sources</b></p> <ul style="list-style-type: none"> <li>• Allocation/internal recovery</li> <li>• Requisition</li> </ul>

Reporting Structure
<ul style="list-style-type: none"> <li>• <a href="#">First Nations Relations Committee</a></li> </ul>

Community Need Key Performance Indicator (KPI)			
Definition and Source	2019 Actual	2020 Forecast	2021 Target
<p><b>Metric 1: Self-Determination – increase in First Nations Participation in CRD decision-making processes</b></p> <p>Total number of decision-making tables with First Nation voting representation; data from meeting committee, commission minutes.</p>	2	3	7
<p><b>Metric 2: Shared Prosperity – increase in the number of agreements/partnerships with First Nations that include, but is not limited to, provision of services and sharing of information</b></p> <p>Total number of active agreements/partnerships with First Nations; data from partnership index</p>	9	11	13
<p><b>Metric 3: Relationship with the Land and Water – increase in the number of collaborations related to taking care of the land</b></p> <p>Total number of active agreements/partnerships with First Nations; data from partnership index</p>	3	4	6

## Discussion

### Link to Target Outcome

Increasing the representation of First Nations' elected representatives around CRD tables will establish additional relationships between all participating First Nations and CRD Directors while ensuring information is shared effectively and all are working toward more collaborative process in support of reconciliation. Economic reconciliation has been identified as a critical interest of First Nations and an area of opportunity within CRD services. These relationships are often detailed through various services agreements and measuring progress using signed agreements helps to track specific steps forward in this area. Finally, First Nations have asserted a deep and reciprocal relationship to the land and water lasting since time immemorial and by looking to collaborations that involve this area the CRD can ensure that corporate activities are undertaken in a way that seeks to include Indigenous knowledge and are done collaboratively with First Nations.

### Discussion

**Metric 1:** Decision-making tables with First Nation voting representation: Saanich Peninsula Water Commission; Saanich Peninsula Wastewater Commission. For the most part, First Nations currently inform CRD decision-making through a primarily advisory role where the Nations are engaged on various projects and initiatives.

*There is now First Nations' representation on the Solid Waste Advisory Committee, an area of increasing interest. Going forward, the CRD is developing a model of more inclusive governance at the Board Standing, Select and Advisory Committees as well as Commissions, which could be transformative in how First Nations' elected representatives are included across the CRD.*

**Metric 2:** Active agreements (excl. those specific to the relationship to the land and water) with First Nations: water/wastewater (6); fire protection/emergency response (2); other (1).

*Efforts are underway to develop additional agreements but capacity challenges continue to impact progress. It takes a great deal of time to work through the specifics on any agreement. This remains an important metric and staff will continue to consider First Nations' capacity and interests when engaging in these processes.*

**Metric 3:** Three parks/camping active agreements with First Nations touching on the relationships to the land and water.

*Staff, primarily in Regional Parks, continue to work alongside the First Nations Relations Division staff to explore and determine opportunities for agreements that fit into this category. There have been some positive engagements, but similar to the agreements identified above, progress can be slow.*

## First Nations Relations

Initiatives approved in 2020 Budget		
Ref	Initiative	Progress to date
3a-1	First Nations Regional Planning	<ul style="list-style-type: none"> <li>Proposed amendments to CRD Procedures Bylaw to include First Nations at CRD Committees.</li> <li>Proposed Terms of Reference updates to various CRD Standing Committees in support of Procedures Bylaw amendments.</li> </ul>
3a-2	First Nations Economic Goals	<ul style="list-style-type: none"> <li>Completed the Feasibility Study of a First Nations Economic Development Partnership Model.</li> <li>Identified three Initiative Business Cases (IBCs) related to reconciliation through economic development to advance in 2021.</li> </ul>
3a-3	First Nations Collaboration	<ul style="list-style-type: none"> <li>Developed a draft MOU for Information Sharing on land-altering activities with the WSANEC Leadership Council Society to support greater collaboration on planning and implementing various activities.</li> <li>Engagement and Consultation with First Nation on a number of items including parks management planning, water and wastewater servicing, heritage conservation and emergency management planning.</li> </ul>
3a-5	First Nations Strategic Plan	<ul style="list-style-type: none"> <li>Expected to be completed in November 2020</li> </ul>
3a-6	First Nations Service Plan and Budget	<ul style="list-style-type: none"> <li>Completed in 2019.</li> </ul>

\* New - Initiatives not in the 2019-2022 Corporate Plan



First Nations Relations

*a division of the Capital Regional District*

# FIRST NATIONS RELATIONS MANDATE REFRESHER

September 30, 2020

**CRD**

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# PURPOSE

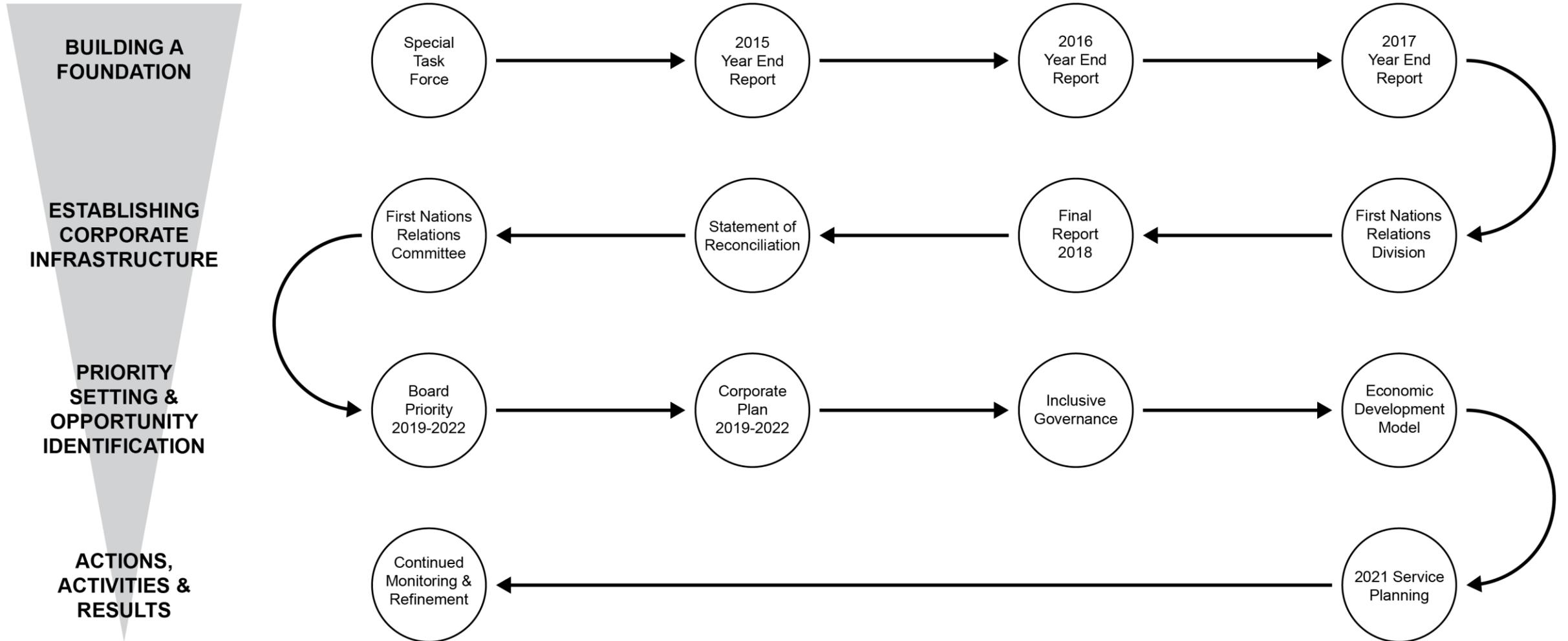
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To provide an overview of past CRD efforts to support better First Nations relations and outline how these efforts have helped to shape the current and planned activities related to First Nations Reconciliation.

Focus on:

- Special Task Force on First Nations Relations
    - 2015 Year End Report
    - 2016 Year End Report
    - 2017 Year End Report
  - Final Report (2018)
  - Statement of Reconciliation (2018)
  - CRD 2019-2022 Board Priorities
  - CRD 2019-2022 Corporate Plan
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# FIRST NATIONS RELATIONS TIMELINE



# SPECIAL TASK FORCE (2015 – 2017)

Established in January 2015, initially with a one-year time-frame and the purpose to:

- Meet with the Chiefs and Councils of each First Nation with Reserve Lands in the CRD to hold discussions about how First Nations might want to participate in the CRD governance framework;
- Report out on these conversations with recommendations to the CRD Board through the Governance Committee; and,
- Have conversations about governance and does not extend to other CRD programs or services.

<b>2015</b>	Met with seven First Nations to establish foundational relationships and explore matters of interest including: participation in regional discussions and decision-making, economic development, ecological restoration to allow for a renewed connection to the land and water for food, medicine and culture.
<b>2016</b>	Extended the term of the Task Force, hosted indigenous cultural training and made a number of key recommendations including committee and commissions membership, advocating for changes to the LGA, sharing of information, include First Nations in a COW meeting, and identify resources to accommodate greater participation, engagement and Reconciliation
<b>2017</b>	Worked in support of the WWTP with First Nation Liaisons, Crown consultation, archaeological protocols, completed the Sea to Sea Traditional Use Access Agreement with T'Sou-ke Nation and the E&N Rail Trail Agreement with Esquimalt Nation and developed service agreement templates for water, sewer and fire protection.

# SPECIAL TASK FORCE FINAL REPORT (2018)

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The Final Report summarized the Task Force’s governance and Reconciliation findings and recommendations, documented successes and some of the lessons learned and proposed a CRD Board committee structure to guide future relationship building.

Importantly, the Report introduced “Reconciliation through Economic Development” as a mutually beneficial framework for building partnerships with First Nations governments.

*“Indigenomics is a process of claiming our place at the economic table of this country. This modern claim to our existence, is facilitated as a right to an economy, a right to our modernity, a right to be consulted and is further interwoven with the establishment of legal pressure points for higher standards of stewardship and reciprocal prosperity.”*

*- Carol Anne Hilton, CEO and Founder of the Indigenomics Institute*



# STATEMENT OF RECONCILIATION

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This Statement, approved in 2018, was intended to guide decision-making for years to come. It expressed an understanding that Reconciliation is a long-term goal with no defined end point. The UN Declaration of the Rights of Indigenous Peoples is the reference framework for the CRD's commitment to Reconciliation, which aims to address activities within the scope of the CRD's authority.

- 1. Self-Determination** - The CRD acknowledges the fundamental right of self-determination to Indigenous peoples. In the spirit and intent of inclusivity, the CRD is committed to working with First Nations through the governance systems they choose. When First Nations wish to participate in our decision-making process then we will support them. The CRD will look to First Nations for leadership in understanding how to create new decision-making systems together on their Traditional Territories.
  - 2. Shared Prosperity** - The CRD recognizes the gap in wealth between First Nations and settler governments. The CRD will work towards a prosperous economic future for all of its residents and believes that improving the lives of the most vulnerable citizens creates a stronger and more resilient region for everyone. The CRD will seek partnerships, share information and deliver fair and equitable services in working with First Nations on achieving their economic goals.
  - 3. Relationship with the Land and Water** - The CRD recognizes the integral relationship First Nations have with the land; often the names for the people of the land and the land itself were one and the same. The CRD will work with First Nations on taking care of the land while providing space for cultural and ceremonial use, food and medicine harvesting, traditional management practices and reclaiming Indigenous place names.
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# 2019 – 2022 CRD BOARD PRIORITIES

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While all issues are important, limited resources require the Board to make strategic decisions. The Board carefully selected strategic priorities and associated initiatives that can be addressed within the CRD's legislative mandate, that are new, or that require more intense or urgent effort than has previously been applied.

## **FIRST NATIONS RECONCILIATION**

The CRD Board will take measurable steps toward developing respectful government-to-government relationships and partnerships with First nations to foster shared prosperity for all.

### **WHY?**

It is important to acknowledge historic harms, overcome current inequities and respect local indigenous laws and culture.

### **DESIRED OUTCOME**

We envision strong relationships with First Nations based on trust and mutual respect, partnerships and working together on shared goals.



**RECONCILIATION STATEMENT** - The CRD believes that a positive working relationship with First Nations is good for the whole region. For the CRD to have a positive relationship with First Nations we need to acknowledge, respect and complement their Indigenous laws, customs and systems of governance.

- Look to First Nations for leadership in understanding how to create new regional planning and decision-making systems together on their Traditional Territories.
  - Seek partnerships, share information and deliver fair and equitable services in working with First Nations on achieving their economic goals.
  - Work with First Nations on taking care of the land and water while providing space for cultural and ceremonial use, food and medicine harvesting, traditional management practices and reclaiming Indigenous place names.
  - Prepare an ecological asset management plan that includes natural infrastructure, First Nations guiding principles, First Nations language and place names, historical uses and invasive species management.
  - Develop, monitor and report out on a First Nations Relations Strategic Plan.
  - Present an amended First Nations Relations division service plan & budget to the Board in consideration of Task Force recommendations with financial and resource implications.
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Activities related to First Nations Reconciliation are planned in two ways:

1. Annually, the First Nations Relations Division prepares its Service Plan highlighting critical new initiatives that are intended to be undertaken that either require new resources or may impact the capacity of other CRD divisions. This process provides for an important opportunity to collaborate across the organization and is critical to advance potentially transformative initiatives, such as:
  - Developing a Cultural Confidence Program;
  - Establishing an Indigenous Internship Program; and,
  - Building a First Nations Economic Opportunities Portal
2. In addition to those projects contained within the annual service planning process, CRD staff continue to advance the recommendations contained within the Special Task Force on First Nations Relations Final Report.

As priority projects are identified, planned, and implemented, all efforts are made to work collaboratively with First Nations to **take measurable steps toward developing respectful government-to-government relationships and partnerships with First nations to foster shared prosperity for all.**



THANK YOU

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**First Nations Relations**

*a division of the Capital Regional District*

