

**'N̓amgis First Nation Council Meeting**  
**January 5, 2022                      9:30am                      Learning Centre**

**Council:** Don Svanvik; Stanley Hunt, Vickie Brotchie; Joseph Isaac; Jessica Barudin; Ivy Peers; Ernest Alfred  
**Zoom:** Gloria Hunt; Matthew Ambers; Kelly Speck  
**Staff:** Senior Administrator Jamie Hill; Assistant Administrator Jeff Munroe  
Recording Secretary – Gina Wadhams

<b>Prayer</b>	<b>9:30am – Don Svanvik</b>																																							
<b>Portfolios</b>	<p>Assignments distributed</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;"><b>Aboriginal Title &amp; Rights</b></th> <th style="text-align: left;"><b>Forestry/Parks/Protected Areas</b></th> <th style="text-align: left;"><b>Public Works</b></th> </tr> </thead> <tbody> <tr> <td>All Council</td> <td>Kelly Speck</td> <td>Stanley Hunt</td> </tr> <tr> <td><b>Housing</b></td> <td>Joseph Isaac</td> <td>Ernest Alfred</td> </tr> <tr> <td>Ernest Alfred</td> <td><b>Education</b></td> <td><b>Health &amp; Social Services</b></td> </tr> <tr> <td>Ivy Peers</td> <td>Gloria Hunt</td> <td>Kelly Speck, Chair</td> </tr> <tr> <td><b>Community Justice</b></td> <td>Vickie Brotchie</td> <td>Jessica Barudin (Social Services lead)</td> </tr> <tr> <td>Matthew Ambers</td> <td><b>Finance Committee</b></td> <td><b>Recreation</b></td> </tr> <tr> <td>Kelly Speck</td> <td>Joseph Isaac, Chair</td> <td>Gloria Hunt</td> </tr> <tr> <td><b>Aquatic Resources (Fisheries)</b></td> <td>Jessica Barudin</td> <td>Vickie Brotchie</td> </tr> <tr> <td>Stanley Hunt</td> <td><b>Governance Committee</b></td> <td><b>Language &amp; Culture</b></td> </tr> <tr> <td>Ernest Alfred</td> <td>Joseph Isaac</td> <td>Stanley Hunt</td> </tr> <tr> <td>Matthew Ambers</td> <td>Kelly Speck</td> <td>Gloria Hunt</td> </tr> <tr> <td></td> <td>Vickie Brotchie</td> <td>Matthew Ambers</td> </tr> </tbody> </table>	<b>Aboriginal Title &amp; Rights</b>	<b>Forestry/Parks/Protected Areas</b>	<b>Public Works</b>	All Council	Kelly Speck	Stanley Hunt	<b>Housing</b>	Joseph Isaac	Ernest Alfred	Ernest Alfred	<b>Education</b>	<b>Health &amp; Social Services</b>	Ivy Peers	Gloria Hunt	Kelly Speck, Chair	<b>Community Justice</b>	Vickie Brotchie	Jessica Barudin (Social Services lead)	Matthew Ambers	<b>Finance Committee</b>	<b>Recreation</b>	Kelly Speck	Joseph Isaac, Chair	Gloria Hunt	<b>Aquatic Resources (Fisheries)</b>	Jessica Barudin	Vickie Brotchie	Stanley Hunt	<b>Governance Committee</b>	<b>Language &amp; Culture</b>	Ernest Alfred	Joseph Isaac	Stanley Hunt	Matthew Ambers	Kelly Speck	Gloria Hunt		Vickie Brotchie	Matthew Ambers
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<b>Agenda Approval</b>	<p><b>2022-Jan-05 (01): STANLEY HUNT/JESSICA BARUDIN</b>  That we approve the agenda with additions: WFP Agreement; School Letter; Oceans Initiative Contracts/BATI; Public Works. <span style="float: right;">CARRIED</span></p>																																							
<p><b>Minutes Approval</b>  December 15, 2021</p> <p><i>Business Arising</i>  Research Policy</p> <p>Election/Appeal</p>	<p><b>2022-Jan-05 (02): JOSEPH ISAAC/ERNEST ALFRED</b>  That we approve the Regular Council minutes of December 15, 2021. <span style="float: right;">CARRIED</span></p> <p>Councillor requests copy – <i>Administration will forward to Council</i></p> <p>End date for appeals: January 10<sup>th</sup>/11<sup>th</sup>, 2022. Expect correspondence from One Feather soon.</p>																																							
<b>Oceans Management CA/BATI</b>	<p><b>2022-Jan-05 (03): ERNEST ALFRED/JOSEPH ISAAC</b>  That we approve signing the Oceans Management Contribution Agreement in the amount of \$269,940 – designing a Marine Protected Area Network in 'N̓amgis First Nation and Kwikwasut'inuxw Haxwa'mis First Nation's territories. <span style="float: right;">CARRIED</span></p>																																							
<p><b>Forestry</b>  Sean</p> <p>Kelly</p>	<p>10:30am – Lawyer Sean Jones VIA Zoom. Introductions of new Council members  Working with NFN since 2017. Started with fish farms. Now working around forestry. Lawyer who specializes in Indigenous Regulatory and Environmental Law. Lots of work around 'duty to consult'. Before law school, worked in communications. Have been a lawyer for 10/11 years now.  Sean was originally recommended to us to begin working out mapping out a forestry strategy for us. Then providing us legal advice and then representing us through litigation regarding fish farms in the Broughton. As a result of the government-to-government process, we were able to initiate with our two neighboring nations that led to the BATI (Broughton Aquaculture Transition Initiative). Sean Jones and Brenda Gartner have been with us as part of the support team.</p>																																							

	<p>Forestry for NFN has been a focus for a long time. Some of the earliest agreements with BC for us to get some allocation dates to 2005/2006. MoU is how it was phrased with WFP as well as TimberWest (now called Mosaic). We've been expressing for 15-16 years for our nation to benefit economically. We've participated in the VILUP project which started in the mid-90s. NFN has been pressing for a long time to have our rights and title recognized as well as we wanted economic benefit from the resources in our territory. We are currently benefitting from the revenue sharing agreements with BC. There's been strategy trying to pursue all avenue to which we can start to have a more constructive dialogue with companies as well as BC. Most of our focus with industry has been with WFP. Their TFL covers about 85% of our traditional territories. They have been a primary focus. Over the past four years, we've engaged in a whole series of discussions and agreements. In January 2019, we reached an agreement with WFP – MOU for negotiations. We got WFP to agree – we changed how we were going to work together. We wanted our right to establish how harvesting would happen in our territory. By agreement, they agreed to engage with us, to look at how planning was done in the territory. First version of the agreement was signed in 2019 and renewed in 2021.</p>
Don	<p>Archaeological/CMT crew – been successful. Oldest site we have – 13,000 years old. Bear DNA found was 5,000 years old.</p>
Kelly	<p>Benefits – effective tool when working with WFP. Huge contribution to negotiating framework agreement.</p>
Stanley	<p>Negotiations about the land, the Hereditary Chiefs must be involved. There needs to be a clear answer for that. If they are not going to be included, we need to sit with them and the people and tell them that they are going to be included. It was agreed to before and we cannot start excluding it here.</p>
Don	<p>Meeting held on the 17<sup>th</sup> of December; two Hereditary Chiefs sat in on that meeting. That discussion will take place at the next forum.</p>
Kelly	<p>Every one of our agreements have gone to the forum for their review. The Hereditary Chiefs supported them before they were signed.</p>
Stanley	<p>New Councillors need to understand that the Hereditary Chiefs need be involved, why they are sitting with us. Council technically cannot deal with land – it's the Hereditary Chiefs that deal with it.</p>
Jessica	<p>Look at agreement strategically. It's very short term – 5 to 15 years is not very long. Find ways to work with as a nation.</p>
Ivy	<p>Traditional hunting and harvesting grounds. What are we doing to protect that? No one on the island to be protecting that. Where are we at in protecting this resource? We must get an elk tag and cannot get food fish. People are extracting them. By the time our people get to there when called, they have already taken from the territory. Can we look for funds? Pilot project? Hire someone who is knowledgeable of our territory to navigate areas.</p>
Don	<p>We do not have money for that. We don't have anyone to do this.</p>
Kelly	<p>Area of concern. Have crew who when they are out there, check campgrounds etc. BATI crew are out there, focusing on salmon restoration, they are observing and documenting what is going on. All these issues have yet to be addressed. Squatters is a problem in the north island. Squatters have</p>

Sean	<p>incredible rights. We now have BC at the table. We need to work on the content of what we want to achieve.</p> <p>Agreement with WFP and FFA: a little bit about the context there, and at the other end of the chart with Forest Reconciliation Agreement. The agreements at the beginning, were in the context of treaty. The treaty model was cede, release and surrender – you sign a treaty, you cede, release and surrender title to your territory and in exchange, you get back a sliver of the land base. What was on the table in treaty was these lands that were offered treaty settlement offer lands. Those became the basis for the agreement with WFP and the agreement with the province. The agreement with WFP was about the harvesting Danyas - a commercial arrangement, Forest Fund Agreement was a revenue sharing with the government. NFN getting some of the stumpage. You didn't have a lot of say in jurisdiction – in terms of how these lands were harvested. If you would have gone through a treaty, you would have got the treaty settlement offer lands that would have only been a portion of your territory, then now you would have had jurisdiction. In the time that NFN rejected the AIP to now, there's been a shift in the way the governments are negotiating and what governments are willing to negotiate. That's the significant difference between the starting point and the end point that NFN is aiming at now with the Forest Reconciliation Agreement. BC is willing to negotiate much more with respect to forestry than it would have under treaty. It's willing to negotiate, not just how forest would operate in TSL lands, but the entire territory. Engage with NFN as a government in a way it would implement aboriginal title. The Canadian courts have confirmed that two main incidents of aboriginal title are jurisdiction decision making as well as to benefit economically. That's what the Forest Reconciliation Agreement negotiations are aimed at. Not just governance over a small portion of your territory but governance over your entire territory where you are making decisions jointly with government but as well the right to have the economic benefit from the use of those resources whether that's as a government through stumpage and taxation or through economic development through commercial entity or most likely a combination of both. Other key differences between treaty and negotiations that NFN is embarking on now is that with treaty, government came to the nations and said, "here's the treaty model, how do you react to that?" Now, governments are saying, "we want to have a collaboration with you on what this agreement will look like." That means that NFN has to define the mandate and define the shape and topics of those negotiations. The key difference is, with treaty, it was about surrendering aboriginal title. Reconciliation Agreement is about implementing aboriginal title. It's not about giving it up. It's about how do you make that aboriginal title real through agreements with government. One of the provisions to the LOI is that the Reconciliation Agreement may become a first chapter in a larger agreement that may address some of these other issues and expand that relationship between NFN and the province so that aboriginal title is recognized and implemented in other sectors.</p> <p>Will get into agreements in more detail as we go along. Wanted to provide this context about how the negotiations you're embarking on now are fundamentally different than where the province was 7-10 years ago. This is about recognizing and implementing aboriginal title in a way that NFN will define themselves not as a reaction to a government from an offer from Crown Governments.</p>
<b>Election</b>	Government announced possible deferrals of elections for one year because of COVID. 'Namgis agreed to defer the election in 2020.
<b>Noon</b>	<b>Lunch Break</b>
<b>12:55pm</b>	<b>Meeting resumes</b>
<b>Upper 'Namgis/Ninalk'inuxw Big House</b>	<b>2022-Jan-05 (04): KELLY SPECK/JOSEPH ISAAC</b> That we approve signing the lease application for Upper 'Namgis/Ninalk'inuxw Bighouse Centre (File No. 1414081) purposes, replacing License No. 905960. <span style="float: right;">CARRIED</span>
<b>T'lisalagi'lakw School</b>	Principal looking for direction regarding communicable disease prevention plan.

	<p>If variant is here, what is the community plan? Everyone should discourage travelling. After school and Amlilas program operations? People have become complacent. Find out what other communities are doing. Public Health announcement? Tri-Authority meeting needs to take place ASAP.</p> <p><i>Governance to meet on Thursday at 1pm (Joseph Isaac, Vickie Brotchie, Kelly Speck) Jessica Barudin included – Social Services</i></p> <p><i>Jamie Hill will contact Emergency Team to set up meeting: Village of Alert Bay, Whe-la-la-u Area Council, 'Namgis.</i></p>
<b>BATI Contract</b>	<p><b>Addition to agenda</b> <b>2022-Jan-05 (05): ERNEST ALFRED/JOSEPH ISAAC</b> That we approve signing the project 'Designing a Marine Protected Area Network in NFN and KHFN Territories'. <span style="float: right;">CARRIED</span></p>
<b>Double Bay Sanctuary Project</b>	<p><b>2022-Jan-05 (06): JOSEPH ISAAC/ERNEST ALFRED</b> To engage with full Forum to discuss merits in supporting Whale Sanctuary and negotiating a MOU and have a discussion with Michael Reppy. <span style="float: right;">CARRIED</span></p>
<b>Telus Pure Fibre</b>	<p><b>2022-Jan-05 (07): ERNEST ALFRED/JESSICA BARUDIN</b> That we provide a letter of support to Telus for Cormorant Island's need for high-speed internet access. <span style="float: right;">CARRIED</span></p> <p><i>Don Svanvik will discuss with nations.</i></p>
<b>Public Works</b>	<p>Discussion ~ roads. Priority areas should be cleared.</p> <p><i>Ernest Alfred to write list of concerns.</i></p> <p><i>Quote from Derek Perrault will be brought to Finance Committee on January 10, 2022</i></p> <p><i>Don Svanvik will talk to Derek Perrault</i></p> <p><i>If equipment is available and Finance Committee identifies funds and approves, safety precautions must be followed for staff traveling to pick up.</i></p> <p><i>If approved by Finance Committee, Administration will poll Council for approval.</i></p>
<b>Consultation Engagement</b>	<p><b>2022-Jan-05 (08): KELLY SPECK/STANLEY HUNT</b> That we authorize Don Svanvik to sign the Consultation Framework Engagement agreement signed also signed by Minister of Forests, Lands, Natural Resource Operation and Rural Development Katrine Conroy and Minister of Indigenous Relations and Reconciliation Murray Rankin. <span style="float: right;">CARRIED</span></p>
<b>Meeting: Guardians Engagement</b>	<p><b>2022-Jan-05 (09): JOSEPH ISAAC/IVY PEERS</b> That Stanley Hunt and Ernest Alfred take part in the Guardians Engagement on either January 11<sup>th</sup> or 25<sup>th</sup>, 2022. <span style="float: right;">CARRIED</span></p>
<b>Meeting: BC Cannabis Strategy</b>	<p><b>2022-Jan-05 (10): ERNEST ALFRED/VICKIE BROTCHE</b> That we approve Ivy Peers taking part in the BC First Nations Cannabis Strategy virtual meeting January 13<sup>th</sup>, 2022. <span style="float: right;">CARRIED</span></p>
<b>Meeting: Virtual Gathering Residential Schools</b>	<p><i>Jeff Munroe, Ivy Peers and Jessica Barudin will take part in this virtual meeting</i></p>

<b>Meeting: Oceans Protection Plan</b>	<b>2022-Jan-05 (11): VICKIE BROTCHE/IVY PEERS</b> That Don Svanvik, Matthew Ambers, Ernest Alfred and Stanley Hunt may take part in the Oceans Protection Plan meeting: February 1 <sup>st</sup> to 4 <sup>th</sup> , 2022. <span style="float: right;">CARRIED</span>
<b>BC Cabinet Leadership</b>	Waiting on confirmed dates for this meeting. All Council can take part virtually. <i>Documentation to all Council once received</i>
<b>RDMW</b>	<b>2022-Jan-05 (12): ERNEST ALFRED/IVY PEERS</b> That Don Svanvik and Kelly Speck will take part in the meeting with the RDMW regarding Old Growth. <span style="float: right;">CARRIED</span>
<b>Councillor Honoraria for Meeting</b>	<i>Councillor Speck may be sharing calendar with Administration, so meetings get on the agenda for prior approval.</i>
<b>FSMC, IMAWG, FNFC</b>	<i>Administration to notify organizations regarding people no longer on Council. They no longer are representing 'Namqis First Nation – do not speak for NFN.</i>

Meeting adjourned at

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Chief Don Svanvik

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Date