

Virtual Session Summary — Land Code Amendments

Namgis Nation | September 10, 2026 | 5:52 PM – 7:35 PM PT

9

Participants

1 h 43
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Duration

6

Key Concerns

6

Follow-Up Items

Purpose & Overview

This virtual session was the first public consultation opportunity for Namgis Nation members to learn about and discuss proposed amendments to the Namgis Land Code, originally approved in 2019. The session was led by **Samantha Webster**, Director of Lands and Infrastructure, with presentations from **Erica Louie** (Lands Advisory Board Resource Center) and **Holly Vear** (legal counsel working on the land code updates).

The proposed amendments aim to streamline land governance processes, provide more secure residential land interests for members through a new allotment system, and create greater flexibility around housing and home ownership. Key changes include replacing the current certificate of home ownership with an allotment system, restructuring how land laws are made with clearer separation between the land code and implementing laws, and clarifying which land decisions require member approval.

Presentations

First Nations Land Governance Framework (Erica Louie)

Erica provided an overview of the First Nations Land Governance Framework Agreement, established 30 years ago with 13 original signatories. Today, over 230 nations across Canada have land codes, including more than 100 in British Columbia. She outlined the benefits of developing a land code—taking back jurisdiction over community lands, making decisions at the nation's pace, and

allowing for community input in law development. She also described supports available through the Resource Center, including survey advisors, a new land registry system, land use planning teams, and professional development opportunities.

Proposed Amendments (Holly Vear)

Holly explained that the 2019 land code was too detailed and complex, making it difficult to implement effectively. The proposed amendments would streamline administrative procedures and create a new allotment system providing members with greater security and flexibility compared to the current certificate of home ownership. She also introduced life estates as a mechanism to protect non-member spouses' rights to remain in homes, with council approval required for grants over 15 years. Additionally, Holly reviewed the member engagement requirements, explaining which areas require consultation versus member votes under both the current and proposed land code.

Key Concerns & Feedback from Participants

Several members actively engaged in discussion. The following captures the major concerns and feedback raised during the session.

1. Expropriation of Member Lands

Raised by: Community member

A member expressed strong opposition to expropriation powers in the land code. They argued that in a small reserve like Namgis, where everyone is related, expropriating any member's house would face significant resistance and create major family conflicts. They stated that if expropriation ever becomes necessary, the community must discuss accommodation for affected families—whether that means building a new house elsewhere or other compensation. This cannot be a simple "we need your land" situation.

Response: Holly acknowledged the legitimate concerns and explained that while the Framework Agreement grants expropriation power, the community needs to determine how such decisions would be made responsibly. She provided an example of narrow application (expropriating a small easement strip for infrastructure like water or telecommunications lines with compensation) and agreed that further discussion on safeguards and member engagement processes is needed.

2. Smart Meter Installation Without Member Consent

Raised by: Community member

A member raised serious concerns about smart meters being installed on Namgis lands without proper member authorization. Smart meters were reportedly installed on members' homes without their knowledge or permission while they were away. The member personally refused three installation attempts, noting that they own their house outright and the installers were trespassing. They reported that since refusing the smart meter, their hydro costs remain at \$120/month, while other members' costs increased to \$400–\$450/month after installation. They emphasized that if Namgis is to control its lands, members must know who is accessing their land and what is being done to their properties.

Response: Holly acknowledged the concern and offered to provide her PowerPoint materials for further review and follow-up.

Follow-Up from Holly: I am not familiar with how 'Namgis authorized BC Hydro to access properties when the work was initially done. But, looking forward, if a Member holds an Allotment, an Allotment Law would set out that holder's rights to authorize access and whether 'Namgis could access their lot to provide services, and for other instances, like in an emergency.

3. Property Tax Powers & Member Decision-Making

Raised by: Community member

A member raised concerns about whether property taxes could be applied to allotments and whether such taxation would require a membership decision rather than just Chief and Council approval. They noted that other First Nations with land codes have begun taxing their own members.

Follow-Up from Holly: While the Framework Agreement on First Nations Land Management authorizes imposing royalties and fees associated with land use, property taxation can be authorized through a bylaw under section 83 of the Indian Act or a law enacted under the First Nations Fiscal Management Act and approved by the First Nations Tax Commission. The ability to impose property taxes is available to all First Nations through these two options, and not just First Nations with a Land Code.

Member approval is not required for Council to adopt a property tax law under the First Nations Fiscal Management Act or an Indian Act bylaw imposing a property tax system.

4. Life Estate Limitations for Larger Families

Raised by: Community member

A member raised concerns that the proposed land code restricts life estates to two people, but their family has seven children who all need housing security. Their grandmother's will also stipulates the house should go to "any member of the family."

Response: Holly clarified that the slide oversimplified the provision. The land code actually allows multiple family members to hold the remainder interest as "tenants in common" (e.g., multiple grandchildren). She committed to updating the slide to reflect this. The situation described would be allowed under the drafted land code.

5. Member Engagement & Consultation Accessibility

Raised by: Community members

Members raised multiple concerns about engagement processes: (a) unclear what constitutes sufficient "member input"—is a small virtual session enough, or is a specific threshold required? (b) members are fatigued from pandemic-era virtual meetings and prefer in-person engagement for nation-building; (c) younger members are entering leadership roles and want to be invested in community decisions but often don't feel welcomed; (d) not all members can live on reserve; the nation needs creative housing solutions; (e) a previous creative housing initiative was "squashed" without a formal member vote.

It was also noted that previous meetings held only in Alert Bay failed to capture input from off-reserve members. Members emphasized the need for in-person meetings in multiple locations, not just Alert Bay.

Response: Holly explained that "member input" for consultation doesn't require a specific attendance threshold—it's about providing opportunities for members to hear proposals and provide feedback. For member votes, the threshold is 50% plus 1 of those who cast votes, with no quorum requirement. Samantha confirmed upcoming in-person sessions on

October 15 and 25 in Namgis will also be available virtually, and November AGM voting will be accessible virtually.

6. Accurate Representation of Member Feedback

Raised by: Community member

A member emphasized that in previous consultations, staff documented "what they thought" rather than "what they heard," leading to misrepresentation of member intentions. They requested that members be able to review summaries of their feedback before anything moves forward.

Response: Holly agreed to prepare a detailed list of feedback from this session that accurately reflects members' actual intentions. Samantha committed to creating a summary and posting it to the Namgis website and social media channels.

Additional Questions Addressed

Question	Response
Can life estates apply to non-member children or parents, not just spouses?	Yes, the provision is drafted broadly as "non-member." Minors would require a trust arrangement.
Can an adult child who already owns a home also hold a life estate in a parent's house?	Theoretically possible, but practically unlikely. If someone already owns a home, they probably wouldn't exercise a life estate right elsewhere.
Will off-reserve members be included in member votes?	Yes. All member votes are open to all eligible voters regardless of where they live.
What is the voting threshold for land code decisions?	50% plus 1 of eligible members who cast votes. No quorum requirement.

Follow-Up Action Items

Action Item	Assigned To	Status / Notes
Research and clarify property tax powers—specifically whether	Holly Vear	Flagged for further research

Action Item	Assigned To	Status / Notes
applying property tax would require a membership decision		
Flag expropriation for further community discussion, focusing on safeguards, member engagement, and accommodation for affected families	Holly Vear	To be discussed at October in-person sessions and with Council/LMAC
Update life estate slide to clarify that multiple family members can be named as remainder persons	Holly Vear	Committed to update
Email PowerPoint presentations, draft land code, comparison table, and summary memo to interested members	Holly Vear	Committed to action
Create and post session summary to Namgis website and social media; upload all resources to project page	Samantha Webster	Committed to action
Organize in-person sessions on October 15 and 25 with virtual access; ensure November AGM voting is virtually accessible	Samantha Webster & Holly Vear	Dates confirmed; virtual access details to be finalized

Next Steps

Upcoming In-Person Sessions: October 15 and October 25, 2026, in Namgis, with virtual access available. These sessions will provide further opportunities to discuss the proposed amendments, including the expropriation and property tax topics flagged during this session.

Member Vote: A vote on the proposed land code amendments is planned for the Annual General Meeting (AGM) in November 2026. Virtual voting will be available to ensure off-reserve members can participate.

Resources Available: All consultation materials—including the draft land code, comparison table, summary memo, and PowerPoint presentations—will be uploaded to the Namgis website project page. Members may also request materials by email.

This summary was prepared from the virtual session recording and transcript of September 10, 2026. For questions or to request consultation materials, please contact the Namgis Lands and Infrastructure office.