

DISCUSSION PAPER SUBMITTED TO

CHIEF ROBERT LOUIE, Chairman

LANDS ADVISORY BOARD

First Nations Land Management

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20December, 2016

This submission is written from the perspective of a Non-Native who has lived and worked on Westbank First Nation Lands for approximately 20 years; and is currently the Chairman of the Westbank First Nations Advisory Council. It is prepared with the intention of promoting successful land governance and economic development of native lands throughout Canada.

The First Nations National Land Governance and Economic Development Conference held in Saskatoon in October, 2016 clearly identified a wide variety of issues. There is a desire, and a strong need to improve the overall quality of life on First Nations Reserves. Many Reserves lack development of basic infrastructure for clean water and sewers; up to date health and welfare facilities; well-constructed homes; and other supportive facilities. Many Bands are struggling with social issues; a lack of leadership and direction; and a sense of hopelessness. This in turn has led to issues with family cohesiveness, work opportunities and status within their communities. These social issues in many instances are related to the use of drugs, narcotics and liquor that exist in every type of community.

Every Reserve has the potential for positive development and a progressive future. Aside from the noted and other social concerns the conference identified a number of measures that would assist to resolve many of the noted issues. "The future will require leaders with education, leadership and dedication to land tenure, environmental management and economic skills."¹

The potential for development of businesses and industry on Reserves can be directly related to the education of its people. Community leaders, whether elected or appointed, have a mandate, and a responsibility to create the finest possible educational environment on their Reserves. In particular, the schooling of young native women and men must go well beyond grade school and high school. In doing so, many will acquire the skills; knowledge and an attitude of self-discipline and leadership so essential to be successfully involved in business and industry.

Conference attendees recognized the positive potential of being able to remove a Band from the restrictions and constraints created by the Federal Indian Act. Business and industry want certainty, specificity and assurances of commitment for their investments as they work together with Band Officials to develop and put forward a plan for economic development. They are not prepared to stand by for several years waiting for federal bureaucrats to review and approve such plans. When these delays are incurred, many simply move on to other possibilities.

In developing a positive and rewarding and successful lifestyle there's a requirement to determine what you already have and determine what you require; to achieve these goals.

¹ Chief Darcy Bear, Director of Lands, Whitecap Dakota First Nation. October, 2016

The development by community leaders of a plan of action that identifies priorities can be most helpful when addressing plans for governance and economic development. Effective planning includes certainty, commitment and accountability. Accountability should also include financial accountability to your band members and those fellow administrators you work with. These traits contribute to effective leadership and assist with problem solving needed on your Reserve. Additionally:

- Take advantage of the support and opportunities for improvement others are willing to provide on and off Reserve;
- Identify the potential resources on your Lands;
- Be willing to take advantage of industrial and corporate enterprises on your lands and work with them to establish development guidelines that are realistic, desirable, measureable and attainable;
- Recognize the potential advantages of working on and off Reserve with Non-Natives and corporate interests;
- Initiate a change from negative attitude; stop feeling sorry for yourself;
- Identify possible ventures that can be developed on your Reserve;
- Develop environmental requirements that are realistic and compatible with joint development on Native Lands; and
- Assist in creating a positive approach and work with others to further native interests.

It should be recognized that each of the foregoing points can be implemented without a change or challenge to the Native Culture.

Some Native Bands may have non-natives with businesses or homes on their lands. They have a vested interest related to the success of Band operations. While they may never take part in the election of a Chief and Council they may be able to contribute suggestions or recommendations to deal with ongoing issues. Their potential should not be discounted

The Westbank First Nation has a highly successful WFN Advisory Council. Advisory Council members are non-member residents elected to a three year term. They represent those non-native residents who pay their property tax to the Westbank First Nation but do not vote for Chief and Council. They meet formally each month and are responsible for, but not limited to:

- Reviewing proposed Westbank Laws or Amendments that directly and significantly affect non-members living on, or having an interest in Westbank Lands and providing comments to WFN Administration, Chief and Council;
- Provide input related to Local Services where non-members contribute to payment for those local services;

- Provide advice to Westbank with respect to communications and information to non-members living on or having an interest in WFN Lands that significantly and directly affect them;
- Hold information meetings, receive and consider petitions from non-members and;
- Provide feedback to the Westbank Chief and Council where appropriate and useful.²

Over the years since the WFN Advisory Council was formed; and under the guidance of Chief Robert Louie, there has been a growing trust and appreciation for the roles carried out by the Chief and Council, and the Advisory Council. They meet formally twice each year to speak and review various issues. Senior administrators often attend those meetings. The meetings display respect, courtesy and consideration by everyone in attendance. I strongly recommend this process to any Band that has non-member residents living or working on their Lands; and who pay their property taxes to the Band.

Today's environment across Canada and around the world has many well-intentioned but poorly informed people (both native and non-native) who protest against almost everything associated with our environment. This negative attitude is seriously impacting growth and development of every kind and description; particularly in relation to development of natural resources. Additionally many Bands are depriving themselves of much needed income that could be utilized to improve the standards of living and quality of life on a Reserve.

Native Bands should recognize there are many good commercial and industrial corporations wanting to work with them to increase success for all sectors of growth and development. Companies are more than willing to abide by realistic, attainable and measurable guidelines, laws and rules. The challenge is to work together to establish and maintain trusted working relations and being able to work at creating realistic goals and objectives that establish clarity and certainty for all involved.

"When First Nations take control, they succeed" is a quote from Tom Flanagan, professor emeritus of political science at the University of Calgary.³

² Westbank Advisory Council Law 2008-04, updated April, 2016

³ Taken from The Globe and Mail, Wednesday, November 2, 2016, Page A7

I believe Native Bands across Canada have the potential for much greater success and a much higher standard of living. Working with and alongside one of the most successful and resourceful Bands in Canada has been a rewarding opportunity to offer support and encouragement.

Please think about it!