

**Keepers of the Water – Canada Water Agency
Community Engagement on Fresh Water Sustainable
Management Project Report**



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1. Acknowledgments to Contributors

Keepers of the Water would like to take this opportunity to acknowledge the traditional territories of the Indigenous Peoples of Treaties 6, 7 and 8 that participated in this study. We thank the Louis Bull Tribe and the Cold Lake First Nation (CLFN) of Treaty 6, the Piikani Nation of the Blackfoot Confederacy of Treaty 7, the Athabasca Chipewyan First Nation (ACFN) and Mikisew Cree First Nation (MCFN) of Treaty 8 for your time and sharing your knowledge of freshwater.

We would like to extend our thanks to the community contacts that assisted in coordination of the workshops and interviews. The expertise of Melanie Daniels-Anderson (Louis Bull Tribe), Adam North Peigan (Piikani Nation), Lawrence LaMouche (Woodland Cree First Nation) and the individual Denesuline and Cree Voices from CLFN, ACFN and MCFN who helped to complete this study.

Our Board Members were key in the review and completion of this report, we acknowledge their contributions and expertise. We also want to extend our gratitude to the Executive Director, Jesse Cardinal (Kikino Metis Settlement) and Treasurer, Bruce Jackson, for their support through the workshop/interview stages and assisting with the community honorariums.

Keepers of the Water would like to thank our Co-Researchers, Crystal Stamp-Cardinal (Saddle Lake Cree Nation) and Alvin Manitopyes (Muskowekwan First Nation) for their coordination and collaboration on the workshops, interviews and final report writing.

In closing, we want to acknowledge WATER, NIPIY (cree), TU (dene), AOHKÍÍ (blackfoot) and the life it gives to all on Mother Earth. Keepers of the Water speaks for the voices that cannot be heard, which includes the rivers, creeks, watersheds, and all those that depend on it for life. We will continue to protect our water, air and land to ensure the survival of all living beings for generations to come.

Ayhay, Mussi cho, Thank you

2. NIPIY (cree) TU (dene) AOHKÍÍ (blackfoot)

Water is a sacred precious gift from creator. We, human beings are blessed with water to give us life and to cleanse us. our physical bodies are made up mostly of water. water cleared the passage for every new-born baby to enter this world. Water flows with life giving feminine energy to give life to the trees and plant life, to the two legged, to the crawlers, to the four legged, and to the winged ones. water holds memory of the great love Indigenous people have for it. We hold deep respect for every drop of water and thus water should not be wasted nor

taken for granted. Water is free and should not be sold or used as a commodity. since ancient times. We have always thanked the spirit of water for doing its duty. Water as a living entity has to be kept clean and free of pollution. Water is the sacred blood of mother earth. Water is Life!

3. Introduction and Summary of the Project

Keepers of the Water is an Indigenous led organization that is comprised of First Nations, Metis, and Inuit peoples; environmental groups; concerned citizens; and communities working together for the protection of water, air and land - and thus, for all living things today and tomorrow.

“Keepers of the Water works with Indigenous communities who are working to instill Indigenous water governance, with policy, legislation, natural law, traditional knowledge and also looking at ways bodies of water are being managed, this in turn provides the solutions to ensuring water is kept safe now and for future generations.”¹

Keepers of the Water learned that the Government of Canada is starting a Canada Water Agency and we feel it is important to be involved in this process, to have oversight and provide Indigenous input and ensure our voices are included from the beginning. Recognizing there has been decades of work done already, we look at the current state of the Waters and see there is still a lot of work to be done.

(KOW) was provided funding from ECCC for research and moderation of four (4) workshops on freshwater to be held with four (4) Indigenous communities. The information collected from the Freshwater Workshops will inform a report to the Government of Canada and a booklet that will go to the communities.

An online survey was conducted to help us understand Indigenous Peoples’ needs and concerns when it comes to Fresh Water, with the intention of helping to create change that will help protect fresh water for now and future generations. The responses will help to inform Keepers of the Waters’ consultation with the Government of Canada in the development of a Canada Water Agency.

Keepers of the Water will braid our knowledge and expertise into the report and booklet along with the information provided from communities and surveys to give an outlook of Indigenous Water Governance, water needs, water uses, concerns and solutions.

4. Interview Questions

- i. Workshop and phone interviews.
 - (a) Do you know the local freshwater sources in or near your community?

¹Water Governance Keepers of the Water 2021, retrieved from: <https://keepersofthewater.ca/water-governance/>

(local water source is rivers, streams, lakes, reservoirs, springs, and groundwater that provide water to public drinking water supplies and private wells)

- (b) Do you have concerns with your local water source? How often, or is there a time of year you have these concerns?
 - (c) Are you able to get drinking water or use the water directly from these freshwater sources without the water needing chemical treatment? If not, why?
 - (d) Who does the Water Quality testing in your community?
 - (e) Have you ever been provided a report indicating the quality of your water?
If so, do you understand the information provided or has anyone explained it to you?
 - (f) In talking about your drinking water, and freshwater that you use for other means, have you ever had any health concerns for you or members of your family?
 - (g) What would you like to know about your local water sources?
 - (h) What is your understanding of Indigenous Water Rights? What is your understanding of the Indigenous Right to Harvest fish?
 - (i) What are ways that you use freshwater that keeps you connected to your Indigenous culture and way of life?
 - (j) What are some positive examples of freshwater protection or stewardship in your community?
 - (k) The Government of Canada is forming a new Canada Water Agency, what do you think should be the priorities for Indigenous Peoples?
- ii. Online Questions
- (a) What First Nation, Metis settlement, or community are you from?
 - (b) Do you currently reside in a city, town, rural community, First Nation or Metis settlement?
 - (c) Do you know the local water source of your drinking water?
 - (d) If yes, what is the name of the freshwater source (River/Lake/Stream/Reservoir, Spring, Groundwater)?
 - (e) Do you have concerns with your local water source? (local water source is rivers, streams, lakes, reservoirs, springs, and groundwater that provide water to public drinking water supplies and private wells).
 - (f) If you have concerns with your local water source, what are your concerns, how often or what time of year do you have these concerns?
 - (g) Has your community First Nation, Metis settlement, Inuit community, rural location, city or town, ever been on a boil water advisory?
 - (h) Is your First Nation, Metis settlement, Inuit community, rural location, city or town, currently under a boil water advisory? Yes or No or unsure, If Yes How long?
 - (i) Have you ever been provided with a report indicating the quality of your water? Yes or No or Unsure
 - (j) Does your First Nation, Metis settlement, Inuit community, rural location, city or town have a water treatment plant? If so, how old is it?

- (k) What is your understanding of Indigenous water rights and the Indigenous inherent right to harvest fish?
- (l) What are ways that you use freshwater that keeps you connected to your Indigenous culture and way of life?
- (m) The Government of Canada is forming a new Canada Water Agency, what do you think should be the priorities for Indigenous peoples?

5. Community Voices Workshops and Interviews

Workshops and phone interviews were conducted from March 4th to April 6th, 2021 with members of the Louis Bull Tribe, Piikani of the Blackfoot Confederacy, Woodland Cree First Nation, Saddle Lake Cree Nation, Cold Lake First Nation, Mikisew Cree Nation and Athabasca Chipewyan First Nation. These communities are located within Treaties 6, 7 and 8, which extends from B.C to Saskatchewan, however we acknowledge that Indigenous traditional territories extend beyond the constructed colonial borders. Languages spoken with these communities include Cree, Blackfoot, Michif and Dene.

The Workshops were held via online Zoom meetings and individual phone interviews were conducted, all due to the COVID pandemic. This raised some challenges for the research team, as there is a preference to hold in-person meetings and interviews. It's KOW's preference to create a respectful relationship with the people first before you begin to ask them questions on a very personal level regarding issues like access to freshwater for drinking, the exercising of our Treaty Rights to hunt, fish and trap, human health, water pollution and impacts by industry. Having a personal connection with any participants of a study that includes Indigenous Peoples must be recognized. Be aware that discussions can take time, a researcher needs to build a relationship of trust before one starts asking for information. Spending the time with the people is important to allow us to get a deeper understanding of their concerns, as individuals and a community. Online Zoom meetings and phone interviews are less personal with many of our people being shy to speak with strangers, or just not being able to include ceremony together, eating together and body language, facial expressions and other forms of communication that are all important in relationship building.

This engagement project was done in the short time frame of 3 months. KOW was not able to send out referrals to all First Nations to campaign for their interest in being a part the project. It was through the personal networks/contacts of the Executive Director, the Board and Co-researchers that allowed for the project to proceed in the timeframe provided.

The Workshop and Interview questions were asked to highlight; Local water sources and Concerns, Water Quality and Reporting, Human Health, Indigenous Water Rights and the Right to Harvest Fish. We also asked about positive examples of community stewardship, as it is also at the grassroots level where change will be made to protect our freshwater. These are

learnings and examples that can be shared to help other communities in the protection of water.

5.1 Louis Bull Tribe - Treaty 6

Local Freshwater Sources:

Battle River

Pigeon Lake

Buck Lake

Twin Lake

Local aquifer/spring

This community is adjacent to the County of Wetaskiwin located 20 km SW of the City of Wetaskiwin. The Louis Bull Consultation Office was contacted to ask them to coordinate a community engagement workshop. On March 10th, a workshop was conducted with seven (7) community participants. The remainder of the interviews were conducted by phone.

Concerns regarding the local water sources included impacts by land use. There is agriculture in the area and the uses of herbicides and pesticides are impacting the small creeks and tributaries. Increases in deforestation have been observed as there is an increase in the clearing of treed areas, it is viewed that with Covid restrictions people are staying home doing home renovations and upgrades. Members are noticing adjacent landowners around the reserve are cutting down their trees. These clearings have impacts to surface water and groundwaters. This also reduces wildlife populations in and around the community for hunting and trapping. It is important to talk about the trees as they are filters of water for Mother Earth.

Canada take note, they are destroying habitats that must be considered under the Migratory Birds Convention Act. Efforts to protect these resources should be a priority as well, these all have impacts on our ability to exercise our Treaty Rights and traditional uses.

Seepage of any releases into the environment creates a concern for groundwater sources. Groundwater is the main source for drinking and household use by on-reserve members. Their homes receive trucked water to individual cisterns. The Tribe has no direct connection to the local municipal water lines. All the participants indicate they purchase bottled drinking water out of their own pockets from commercial sources.

There is no access to freshwater sources without some kind chemical treatment. Traditional knowledge keepers are starting to use bottled water for ceremonies as local sources are not safe for use. Drinking water is treated and tested at individual homes by Maskwacis Health Center. No members reported having received a report on their water quality. Although, they will receive boil water advisories as required. There is a lack of communication between the band and its citizens. Human health is a concern with cases of skin irritations and rashes noted by members and their families.

Canada take note, they still use shoot-outs on-reserve for home sewage treatment. These are considered illegal by Health Canada, but this is still the practice in First Nation communities. These have direct impacts to freshwater and human health. Children are playing outside and coming in direct contact with the effluent. There is also the potential to have direct impacts on wildlife, livestock and domestic animals. We want to see resources to address this issue to ensure safer handling of effluent, as opposed to a decrease in Health Canada standards.

Education is key when trying to make change to how we see and use our environment. Water is not a commodity for sale and must be treated with respect. Communities need programs to protect water systems to help with sustainable resource management planning and implementation including adequate funding needs to be available for the lifecycle of the project.

We have a Treaty Right to water and to harvest fish. In the Treaty 6 area, the people can fish on Crown land and the reservation. We can fish freely, but our teachings are to only take what is needed. Through the treaty agreements, First Nations have the right to livelihood, to fish, hunt and trap. It is also under these agreements, that the future needs to be protected collectively as on the prairies we are all treaty people.

Water is used in ceremonies and is an integral part in Sweat Lodge ceremonies and Feasts. At every gathering water is used by families for prayer and to express thanks to the Creator. The water is used in a lot of our cultural purposes to keep us healthy. The local freshwater sources are also used for swimming, camping and recreational use.

Medicines are gathered along the waterways. Members have noticed a decline in health of riparian areas to gather plants, this also local berry populations like saskatoon, chokecherry and blueberries. Not only are berries consumed, but they are also important in ceremonies.

Some freshwater protection measures are currently underway. The Tribe is working on a Source Water Protection Plan which includes on-reserve and land they own. Louis Bull Tribe is one of the largest land holders in Wetaskiwin County. The plan is looking at the potential threats to water, to health of water, potential contamination sources, and plans to address these threats. Locally, there is the Battle River Watershed Alliance that they are also a member of.

When asked what the priorities were for Indigenous Peoples, the need to protect water quality and quantity was paramount. They want to protect the water for their children, their grandchildren, and for the future generations. Safety and abundance are priorities.

When forming a Canada Water Agency, while it would be good to have Elders on a committee, it is also important to include the youth. They have a different perspective that can add value to future discussions.

The remediation of abandoned wells and pipelines to prevent any damage from seepage to surface and groundwater should be a priority.

5.2 Piikani Nation which is part of the Blackfoot Confederacy - Treaty 7

Local Freshwater Sources

Old Man River and Dam

Bow River (there are dams from the headwaters through Calgary and down to the Bassano Dam near the Siksika Nation)

Belly River

Milk River

Livingstone River

St. Mary's River and Dam

The Traditional territory of the Blackfoot Confederacy is roughly the southern half of Alberta and Saskatchewan, and the northern portion of Montana. With the western boundary of the rocky mountains and east to the Great Sand Hills of eastern Saskatchewan. Headwaters flow through their territory from the Eastern Slopes all the way to the Great Lakes. The Blackfoot Confederacy in Alberta include the Nations of, the Piikani, Kainai and Siksika. On March 23rd, a workshop was conducted with six (6) participants. The remainder of the interviews were conducted by phone.

When the discussion began about local water concerns a clear message was heard for the need for headwater and source water protection. The water is over allocated in southern Alberta. There is not enough water for all the licenses that have been issued by the Provincial government over the last century. It was described as a discriminatory system that recognizes what the province refers to as FITFIR ("first in time, first in right") for water allocations. This ideal of FITFIR is not recognized by Indigenous peoples as "We" were here first since time immemorial. So how is it that First Nations have the highest risk allocations in Southern Alberta and an irrigation district has more water security than we do? The way the province has managed, or say mismanaged, the water has put the Nations in the southern Alberta in a bad situation. Where in times of drought due to their more 'junior' licenses under the provincial regime there may not be enough water for them to access in the future. They are concerned there will be a lack of water for the future generations as water scarcity has become a reality in Southern Alberta.

Agriculture surrounds the communities and there are irrigation canals spread across the south. These Irrigation Districts provide a large portion of water for agriculture and farming, A direct effect is runoff from use of herbicides and pesticides, also the livestock grazing into local small tributaries. Livestock create diversions along and through the water from where they walk and graze. The animals will go where their owners put them, so it is the Grazing Lease holder who is responsible for the impacts created by the cattle. These grazing leases are issued by the provincial government, but it is the grazing lease holder who needs to be held more accountable for their agricultural practices.

Aquatic species at risk is a concern with conservation efforts underway with Bull and Westslope Cutthroat trout, these are threatened species under the Species at Risk Act. Rehabilitation projects have begun in the eastern slopes where there are multiple creeks with at risk trout

species. There was work beginning in the US on Bull trout recovery with the South Blackfoot Nation in Montana but is now on hold due to covid restrictions.

Many small tributaries are crossed by roads and highways and there are hanging culverts along our roadways that are causing an increase in fish kill. The fish are not able to access spawning areas and remediation of these culverts need to be addressed to ensure successful recovery of species at risk.

The Old Man River and Dam (OMD) was raised by all the participants as a local concern. One participant notably shared that the OMD, which was finished in 90's, where the water comes out is now below the thermocline (boundary where the water no longer receives light), this means the water is colder when it flows out from the base of the dam. This impacts the native trout species like bull trout and cutthroat trout, so they introduced other species like brook and rainbow trout. "The introduction of invasive species, like brook trout and rainbow trout, has dramatically impacted our native trout species... rainbow trout in the Oldman River watershed...have an unfortunate habit of hybridizing with cutthroat trout populations. The resulting offspring are hybridized "cutbows" that, again, significantly dilute the pure strain cutthroat trout population."²

Because of the Dam the water is very cold, which impacts the vegetation at the river bottom. Cottonwood Trees for Sundances and willows for Sweatlodges are getting harder to find. The chokecherries near the river have a funny taste and the people don't pick or eat the berries near the river. A local maker of ceremonial Pipes does not use the chokecherry and saskatoon branches anymore as they fall apart, the material is too brittle to use.

The Rocky Mountains and the Eastern Slopes are used by the public for recreational uses. Crown Land Campers, ATVs are causing damage to riparian areas and riverbanks are run over. Attempts by the Nations to reduce trail use is done annually by planting trees and shrubs along the trails and riverbanks, but they are vandalized and run over by users.

Impacts to the environment by coal development and mining have increased threats of water contamination. Pollution of the headwaters can have impacts that stretch to the Great Lakes, the freshwater flows into rivers that go to all 4 directions of the lands. The changes to the natural landscape by removal of the coal material and contamination caused to the water from extraction has increased substantially. Grassroots movements have begun in Alberta to organize against coal development and the Provincial government's monitoring and issuance of coal leases all across the eastern slopes. There is a feeling that it is the corporate companies that set the stage in Alberta, not the Government or the community people.

²Oldman Watershed Council, The fish that got away -competition with invasive species, retrieved from:<https://oldmanwatershed.ca/blog-posts/2016/3/29/the-fish-that-got-away>

One participant was clear, you can't replace the mountains, the Creator made them this way for a reason.

There is little to no access to freshwater sources without some kind chemical treatment. You can still find some freshwater sources in the Upper Headwaters but these areas are not easily accessible.

Members receive drinking water through community water treatment plants. Those who do not live with piped water have their water delivered by truck their homes. Water quality is tested at individual homes by the local Community Health Representative. None of the participants interviewed reported having received a report on their water quality. Although, they will receive boil water advisories as required. The water is considered hard with high mineral content and can quickly build up along sink and tub drains. Some health concerns raised were an increase in diabetes and cancers. Some households that receive the trucked water have observed skin irritations from bathing.

Indigenous peoples are natural born stewards of the water. Our ancestors had an understanding of the importance of water protection and conservation. Where we settled is surrounded by water as this was very strategic by our ancestors. When it comes to the right to water, Indigenous rights should be a priority first and recognized and enforced by the Provincial and Federal governments.

Some members still harvest fish on the reserve but off reserve you need a permit to fish. The provincial fish and wildlife officers will check hooks and equipment and storage bins. If there is a need to fish out of season you need to produce a status card.

Water is used in ceremonies and is an integral part in Sweat lodge ceremonies and Feasts. There are still water ceremonies conducted it was shared by one participant that her brother is working with youth to pass on this knowledge. We hold our water sacred but it is the non-Indigenous that see water as a commodity.

There is some good work being done on freshwater protection, the Niitsitapi Water Protectors are mobilizing grassroots initiatives to stop all proposed open-pit coal development projects. There is on-going rehabilitation work for species at risk in the headwaters along the eastern slopes.

When asked what the priorities were for Indigenous Peoples, first and foremost is access to a safe reliable source of clean water to ensure water for the next seven (7) generations. This emphasizes a need for government to shift their focus from development to headwater and source water protection. There is a need for community water needs assessments and good water management planning tools that include better education for water users and community members.

It is a must that there be Indigenous representation through the development and implementation of a Canada Water Agency. Furthermore, the Canada Water Agency needs to respect the Treaties and include Indigenous representation from across Canada

5.3 Woodland Cree First Nation – Treaty 8

Local Freshwater Sources:

Cadotte Lake

Laboucan Lake

Simon Lake

Martin Lake (also a smaller community of WLCN)

Peace River

Cadotte River

Simon River

Haig River

Martin River

The Woodland Cree First Nation is located 85 kilometers northeast of the Town of Peace River and 500km NW of Edmonton, Alberta. The Woodland Cree First Nation is made up of four reserves in northern Alberta (Cadotte Lake, Simon Lake, Golden Lake, and Marten Lake). They are signatory to Treaty Eight (8). On March 26th, a workshop was coordinated with five (5) participants. The remainder of the interviews were conducted by phone.

When we began discussions, it was clear there has been major impacts to the communities of Cadotte Lake by an in-situ plant owned and operated by Shell Canada Limited's Carmon Creek Project. A dam and weir were put on the lake in the late 1970's to provide water to the plant. The water from the lake is no longer used by the plant, but it has caused environmental damages over the decades that have now caused long term impacts the communities.

The members have indicated that the lake is not clean, they do not use it to drink nor do they eat the fish anymore. One of the youth participants shared that it was only 15 years ago she would swim in Cadotte lake, now no one goes directly in the water. Many people have observed a reduction of quantity and quality of game, fish and waterfowl in the area.

The water flows from Joker Lake to Martin Lake, then from Martin River to Cadotte Lake, to the Cadotte River where it joins the Peace River. The fish spawn from the Martin River into Cadotte Lake but the fish populations are very low. Today the lake appears stagnant, and nobody uses the lake anymore. They don't consume the fish from Cadotte Lake, as some members of the community have seen sores and mutations on the fish.

Elders shared, they used to hear the waterfowl making sounds around the lake all year round. In the mornings we would hear the birds, now we don't hear them on the lake like when we were young. In the spring, they were greeted with thousands of geese, now fewer are migrating.

The dam and weir are still in place, as some studies suggest if they remove the infrastructure the lake will be depleted even more. For many years, community members have been doing manual fish rescue using pails moving the minnows from one side of the dam to the other.

Within Woodland territory is Muskeg area. The muskeg has also been impacted. In the early 80's community members collected muskeg water to use. They would haul pails to their cabin for all their water needs. Today, muskeg water is hard to find. This impacts on the abundance of local wildlife, for example the skunk and porcupine are moving further south.

Adjacent landowners are contributing to pollution. An old sewage lagoon has been seeping into the Marten River for years. It is unknown how long it was seeping underground into the river and water table. The municipality was the operator and had to do upgrades to the lagoon to extend and move it. It is now an evaporative lagoon, and it is unknown who all uses the system.

There is little to no access to freshwater sources without some kind of chemical treatment in the area. Members receive drinking water through community water treatment plants from a waterline from the Peace River. The waterline was first put in place by Shell and is still use for the Carmon Creek Project. The community of Cadotte tie into this waterline. Those who do not live with piped water have it trucked to their homes. Water quality is tested at individual homes by the local Community Health Representative. Members shared they have not received a report on their water quality. Although, they will receive boil water advisories as required. The community would like to know what is in their water and receive regular updates. All the participants indicate they purchase bottled drinking water out of their own pockets from commercial sources.

Some human health concerns were raised, with occurrences of skin irritations and an increase in skin abscesses from bathing in the water. There was more than one participant who shared that their skin complications would reduce or heal once they were living in the Town of Peace River using the treated water there.

Water is our inherent right since time immemorial and that Indigenous Peoples have treaty rights as long as the sun shines, the grass grows and the waters flow. Water is used in ceremonies and is an integral part in Sweat Lodge ceremonies and Feasts. Medicines are harvested along these waterways.

The Community has been monitoring and doing grassroots remediation. They conduct canoe trips along the lake and rivers to remove log jams or the remediation of beaver dams to allow for better flow. It is so important to monitor everything they can in their lakes and surrounding traditional territory. They are currently working to gather baseline data in order to see which waterways are thriving and how this can assist Cadotte Lake. It is important to include the youth along with our knowledge holders on these projects. One Elder was sad that the youth don't want to listen to them anymore and really need someone to be an example for the young people in the community.

When asked what the priorities were for Indigenous People, to be able to trust and drink the water again, participants mentioned the impacts from the dam and other local environmental damage have increased pollution. They want to know what the government is willing to do to help in remediating and

rehabilitating the area. A good start in this area would be to provide funding to assist in the monitoring of their lakes and rivers.

There is a need for education on freshwater protection for all, especially the youth populations. There was interest by a youth participant for getting a better understanding of Indigenous rights to water and Treaty rights to hunt, fish and trap.

5.4 Denesuline and Cree Voices from Fort Chipewyan (Treaty 8) and Cold Lake First Nation (Treaty 6)

Local Freshwater Sources:

Cold Lake
Ethel Lake
Primrose Lake
Crane Lake
Little Bear Lake
Fork Lake
Wolf Lake
Martineau Lake
Tucker Lake
Marie Lake
Little Sardine Lake
May Lake
Slave Lake

Dehcho Watershed

Athabasca River
Firebag River
Peace River
Slave River
Beaver River
Cold River
Sand River
Rita River
Primrose River
Local Spring

Denesuline and Cree voices from members of the Cold Lake First Nation (CLFN), the Athabasca Chipewyan First Nation (ACFN) and the Mikisew Cree First Nation (MCFN/Fort Chipewyan) were included in our studies.

Cold Lake First Nation is made up of five (5) reserves and is located 300 km east of Edmonton and 20 km south of the City of Cold Lake. The people occupy territory around the City of Cold Lake in Alberta and east to Saskatchewan. They are the only Denesuline community who are signatory to Treaty Six (6).

The Athabasca Chipewyan First Nation is made up of eight (8) reserves and The Mikisew Cree First Nation is made up of nine (9) reserves and they are located 600 km northeast of Edmonton and 230 km north of Fort McMurray. The access to the communities and area are only available either by fly-in, boat, or winter ice roads. They are signatories to Treaty Eight (8).

The two main reserves for both the CLFN and ACFN/MCFN are approximately 475km apart heading north to south in northeastern Alberta.

When we began discussions with participants from the different communities, they all raised concerns with impacts from the legacy of the oil and gas industry and pulp and paper production in the area. Also, with tar sands, in-situ projects and pipelines running all throughout their territory there is a long history of issues with tailings ponds, depositions, brackish water, groundwater and surface water contamination. The mining of wetlands, fens and bogs is impacting the natural filtration systems provided by Mother Earth. Pulp and paper concerns include wastewater discharges, deforestation and the amount to paper waste that is returned to landfills.

In ACFN and MFCN, they know that the tar sands and in-situ projects require an enormous amount of water to develop, and the amount being withdrawn is not being replaced. The province continues to issue huge water licenses to industry for extraction and production. Certain times of year, water is low and has been low since water withdrawals began for industry. In the fall, which coincides with hunting and harvesting time, community members use the waterways for navigation to access traditional hunting grounds, traplines and fishing sites. Some areas are no longer accessible due to the low flows.

For CLFN members, there are noticeable impacts to the lakes from recreational use. There are many non-Indigenous people who are out on the lakes and there is a lack of understanding and respect for the water by some boat users. Nation members are concerned with boating practices and potential releases to the environment. They are disruptive to the fish and local waterfowl populations. Effluent releases are causing harm to the water quality and riparian areas that have been accumulating over decades.

The Cold Lake First Nation members raised concerns regarding the Cold Lake Air Weapons Range within their traditional territory with impacts cause by noise and water pollution. They have had concerns for over 40 years about the Canadian Air Weapons range dumping jet fuel into the surrounding lakes.

There have been many impacts to the quality of the water available from Cold Lake that members have seen over time. Elders have shared they used to drink water directly from all water sources in the area, even the sloughs were good to drink. Today, no one will drink directly from these sources there is a sheen to it, its green and not clear. If the waters are not safe for human consumption, how is it safe for domestic pets and wildlife to drink?

There is little to no access to freshwater sources without some kind chemical treatment. Cold Lake members who live on the main reserve, which is 20 km south of the lake, receive water through a waterline from the lake to their community water treatment plant. Those who do not live with piped water have it trucked to their homes. A Cold Lake Elder who lives in the reserve, English Bay along the lake, shared she doesn't understand why the people who live in town have treated piped water but they have to get the water delivered to them. There is no waterline into the English Bay reserve which is adjacent to the City of Cold Lake. The run-off from the streets of the City of Cold Lake also flows directly into the lake adding to the accumulating pollution. A regional water line was built from the City of Cold Lake to the Town of Bonnyville passing by the main reserve with no tie in built for the main community.

In the community of Fort Chip there are two (2) water treatment plants. One in the hamlet of Fort Chip run by the municipality and one on the reserve. Those who do not live with piped water have it trucked to their homes. You see a drastic difference in the water quality between these plants; the municipality is top of the line and the reserve one is of poor quality.

Off reserve water treatment plants are run by the Municipalities and they do the testing for water quality. On reserve, water quality is tested at individual homes by the local Community Health Representative. Those who do not live with piped water have it trucked to their homes.

Participants shared that have not received a report on their water quality. Although, they will receive boil water advisories as required. The community would like to know what is in their water and receive regular updates. Participants indicated they purchase bottled drinking water out of their own pockets if they live on the reserve.

Some human health concerns were raised, with occurrences of skin irritations and eczema from the high chlorine content. There are also those who experience regular stomach aches, joint aches, fatigue and headaches. People are also limited to the number of fish they can consume each week.

Medicines are harvested along the riparian areas, but it requires travelling long distance to reach traditional land use areas not impacted by resource development. One participant indicated it isn't until you are in the Richardson Wildland Provincial Park and the Wood Buffalo National Park that you find clean water, healthy fish and plant life.

Water is our inherent right since time immemorial and that Indigenous Peoples have treaty rights to hunt, trap and fish. We are able to harvest and practice our rights anywhere and anytime in our treaty territories. What it comes down to is we are still the owners of this land.

We use water in the Sweat Lodge ceremony, praying with it and for it. We acknowledge water in most of our ceremonies and it is respected as sacred part of life. It is hard to translate this to government, as Indigenous Peoples have a different value system when it comes to freshwater protection. The 'minimum' standard is not enough.

When we asked what the priorities are for Indigenous People, the resounding answer was access to clean water for the people on reserves and for those who live in our remote communities. It is an unfair

system that has treated piped water to a hamlet or a city that is adjacent to reserve land. Why is the reserve not connected to the better treatment system as there is a major difference with the treatment and testing by the Municipalities than is available to the First Nations. There are waterlines that either are adjacent or passing near the reserve land that is not being tied into. These are jurisdictional issues that need to be resolved with different levels of governments and who's mandate is it to protect Indigenous Rights? Treaties Six and Eight stretch into BC, Saskatchewan, and the North West Territories and include transboundary issues. Can the Canada Water Agency bring this all together?

For the Water Agency to be inclusive and respect reconciliation there must be representation by Indigenous people from the start. First Nations are the first stewards of land and water and, we must be there contributing towards the creation and implementation of a water agency.

Support is essential for community-based monitoring and testing of the quality of water and the fish populations. The ACFN and MCFN have recently been working to identify thresholds for water withdrawals by Industry according to community needs and have set what they call the "Aboriginal Base Flow". There is more work to be done and there should be support to all First Nations to do this for their waterways.

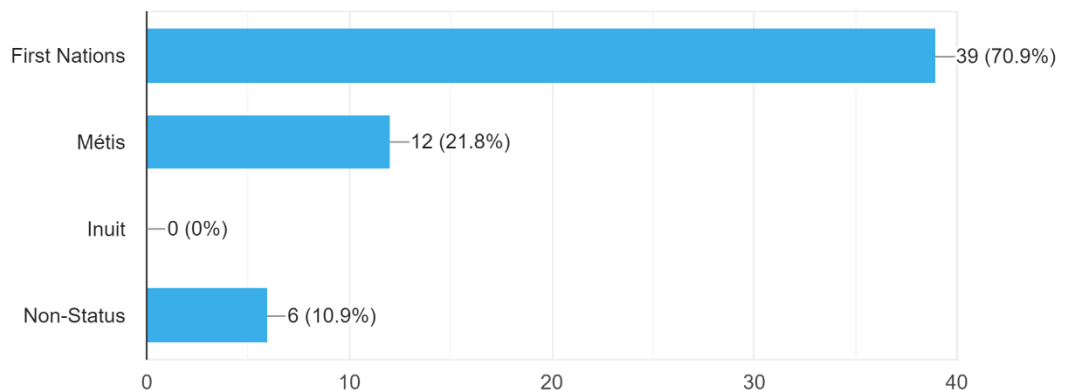
6. Keepers of the Water – Online Survey – Summary of Results

An online survey was conducted from Feb 11th to March 27th, it was in invitation for any Indigenous individual 18 years of age or older and a resident of Canada to participate in this study.

Research Methods consisted of a series of 20 questions and the use of a survey using Google Forms.

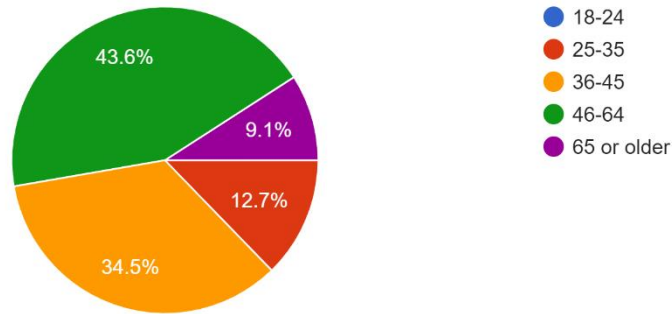
Are you First Nations, Métis, Inuit or Non-Status?

55 responses



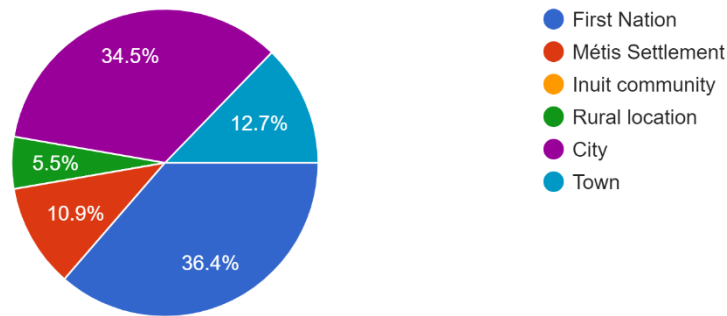
What is your age group? 18-24, 25-35, 36-45, 46-64, 65 or older?

55 responses



Do you currently reside in a First Nation, Métis settlement, Inuit community, rural location, city or town?

55 responses



Communities Represented in the Survey

TREATY 6 - Little Pine First Nation SK, Onion Lake First Nation SK, Saddle Lake Cree Nation AB, Muskwacis AB, Louis Bull Tribe AB, Enoch Cree Nation AB, Cold Lake First Nation AB, Goodfish Lake First Nation AB, Beaver Lake Cree Nation AB

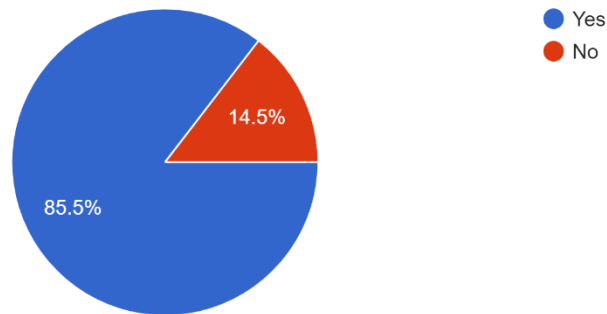
TREATY 7 - Piikani Nation AB, Siksika Nation AB

TREATY 8 - Athabasca Chipewyan First Nation (Fort Chipewyan) AB, Bigstone Cree Nation AB, Whitefish Lake First Nation AB, Fort McMurray First Nation AB

METIS VOICES - Lac La Ronge Indian Band SK (Woodland Cree), Paddle Prairie Metis Settlement AB, Kikino Metis Settlement AB, East Prairie Metis Settlement AB, Buffalo Lake Metis Settlement AB, Metis Nation region 4 (East central AB)

NATIONS FROM ACROSS CANADA – Mohawk Council of Kahnawake QB, Mohawks of the Bay of Quinte ON, Mi'kmaq voices, LiidliiKue First Nation Dehcho, NWT (Treaty 11), Wood Mountain Lakota First Nation SK (Did not enter Treaty. Only Lakota in Canada), Michel Band AB

Do you have concerns with your local water source? (local water sources are rivers, streams, lakes, reservoirs, springs, and groundwater that provide w... public drinking water supplies and private wells)
55 responses



CONTAMINATION - Pollution from Cities and Towns up and downstream of communities.

HUMAN POLLUTION – medicine: antibiotics, hormones

WATER QUANTITY - Low water levels, over allocation, Groundwater/wells that have been used by households for decades are now depleted.

OIL AND GAS ACTIVITIES – Fracking activity in proximity of their water well. Industrial Plants around the lakes.

MINING- Northern communities and impact to hunting grounds.

RECREATION – Boating, sewage and impacts from resorts.

AGRICULTURE - Farming and runoff – berry farms and impacts to Groundwater. Herbicides and Pesticide use, Livestock grazing in and near small water bodies.

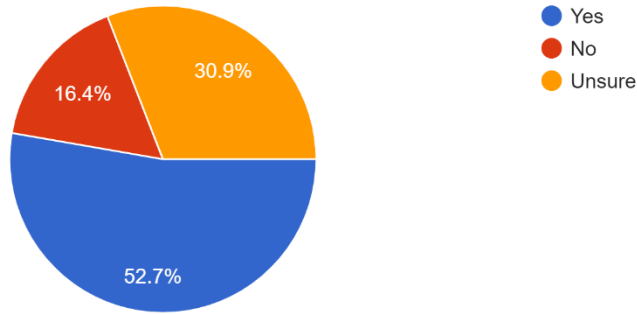
WATER QUALITY – Chlorine, Fluoride being added to the drinking water.

HOUSEHOLD USE - Cisterns are dirty. No one maintains the tanks. Rodents, snakes get into the tanks, no covers.

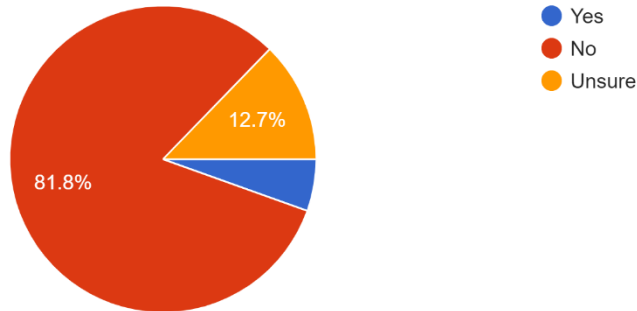
WATER QUALITY – Bad taste and smell of the tap water. Purchase bottled water for drinking.

WATER TREATMENT PLANTS - Delivery and trucking of water has costs to environment. No Operator or no trained operator.

Has your community First Nation, Métis settlement, Inuit community, rural location, city or town, ever been on a boil water advisory?
55 responses

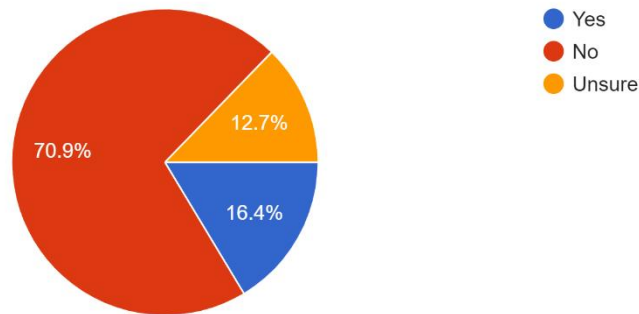


Is your First Nation, Métis settlement, Inuit community, rural location, city or town, currently under a boil water advisory?
55 responses



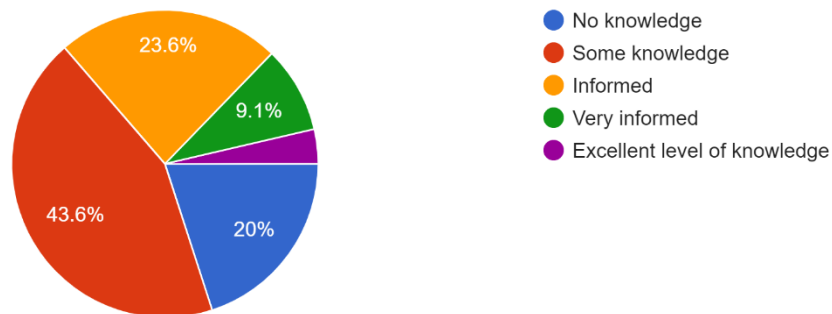
Have you ever been provided with a report indicating the quality of your water?

55 responses



What is your understanding of Indigenous water rights and the Indigenous inherent right to harvest fish?

55 responses



CEREMONIAL USE - Prayer to Water, Full Moon Ceremony. Sweats

GARDENING – collect rain barrels.

HEALTH of the WILDLIFE – need good water to keep animals healthy, we eat them.

MEDICINE HARVESTING - Camping, fishing, picking berries and medicines was passed down from their Grandfathers.

TRANSPORTATION – Canoeing. Transportation to cabins and remote locations for hunting and gathering medicines. Access to Fort Chipewyan (ACFN/MCFN) on frozen water for ice roads is important for travel and having access to being on the land.

THE GOVERNMENT OF CANADA IS FORMING A NEW CANADA WATER AGENCY, WHAT DO YOU THINK SHOULD BE THE PRIORITIES FOR INDIGENOUS PEOPLES?

RESPECT THE INHERENT RIGHTS OF INDIGENOUS PEOPLE- Indigenous people have always respected water and see the spiritual value aspect of the water spirit. Ensuring accessibility for Indigenous peoples to their sacred spaces including changes in land use policies

CLEAN DRINKING WATER FOR ALL - Many of large metropolitan areas have the luxury of clean water, and hydro at the expense of displaced First Nation communities. Good water infrastructure that suits the environment of that region.

PROTECTING MUSKEGS - peat moss which are carbon banks and contain medicines.

HEADWATER AND SOURCE WATER PROTECTION - Long term viability of the Bow Glacier as source of the supply, the glacier is shrinking. Stop coal development in the Eastern Slopes, it is contaminating our aquatic ecosystems from the headwater to the Great Lakes.

WATER and WASTEWATER TREATMENT: Appropriate levels of training for water treatment staff. Comprehensive Wastewater Management systems.

STRONGER ENVIRONMENTAL LEGISLATION PROTECTION

GIVING MANAGEMENT OF RESOURCE RESPONSIBILITY TO LOCAL INDIGENOUS PEOPLES - I believe that Indigenous Peoples should be the main ones stating what happens to the waters. How we protect them, treat them, should be totally up to Indigenous Peoples as this is Turtle Island (our motherland). We took care of our land and weren't greedy, we only took what we needed, and nothing went to waste.

INDIGENOUS PEOPLE MUST HAVE REPRESENTATION ON THE BOARD - Representation on the board of directors and consultation before the agency is created.

RECOGNIZE OUR WATER RIGHTS - The Natural Resources Transfer Act needs to be revised. The province of Alberta does not manage natural resources, including water, in light of Indigenous rights and uses. It is not right that there are rights to water for corporations that are above the rights to clean potable water in communities. No one person or corporation can own the water.

“The rivers in Canada need to have personhood status as part of the Canada Water Agency mandate.”

“It’s up to the grassroots people to push our leadership to get a fair chair and decisions about our water and natural resources so we can stand and protect what is left.”

7. Keepers of the Water’s Review of the Canada Water Agency Discussion Paper

Keepers of the Water came into existence as a need for Indigenous/Bush knowledge to be heard, understood, treated with respect and utilized as a critical solution to deal with the water crisis we are

now finding ourselves in. Prior to colonization, Indigenous Peoples managed the lands and waters, but colonization led to a decline in the quantity and quality of water everywhere. This continues to have drastic negative impacts and not only affects Indigenous Peoples, but everyone. Keepers of the Water looks to working with Indigenous communities who are striving to instill Indigenous water governance and management with policy, legislation, natural law, traditional knowledge.

The Federal Government has confirmed through the Minister of Indigenous Services mandate letter³ and the Speech from the Throne⁴ that eliminating long-term drinking water advisories on reserves is a priority. The Fall 2020 Economic Statement committed the Government of Canada⁵ to accelerate work to lift all long-term drinking water advisories and stabilize funding for water and wastewater infrastructure, including operation and maintenance costs, in First Nations communities. Given this pre-existing commitment, the topic of drinking water on reserves is not discussed in this Paper. However, federal officials will share any input received on this topic directly with Indigenous Services Canada. The whole process of creating a water agency needs to highlight the issue of water advisories on reserves. A drinking water advisory becomes long-term when it has been in place for more than a year. Between November 2015 and April 9, 2021, 106 long-term advisories affecting public systems on reserves were lifted. 52 remain in effect in 33 communities⁶. Government is saying they will not deal with this further at the current time because of the pre-commitment in the 2020 Economic Statement but this issue has to be addressed with the new water agency as a high priority.

Canada is taking the position that Crown-Indigenous Relations and Northern Affairs is the main department responsible for the Indigenous Peoples, so this limits Indigenous issues and concerns to be fully addressed by other federal departmental jurisdictions and federal and provincial negotiating tables. This position will reduce Indigenous communities in assuring they receive adequate funding to address water issues for their communities. Canada is using negotiations to state the responsibility for freshwater management and administration is already occurring but only goes as far as saying the water issues may be part of these discussions. Therefore, the mandate of this dialogue falls short in reaffirming the inherent rights of Indigenous people to adequate and clean water sources, which should be included in a major national policy development. The result will be a narrow definition of the nature and scope of exactly what are the Treaty and Aboriginal rights when it comes to water issues. Indigenous communities can't protect and/or manage water resources unless it is done in conjunction with management of natural resources which may be jointly managed with external jurisdictions.

This discussion paper reflects the position that Indigenous Services Canada are only responsible for on-reserve water issues and limits Indigenous People's right to be fully involved and pro-active in water

³ Minister of Indigenous Services Mandate Letter, retrieved from: <https://pm.gc.ca/en/mandate-letters/2019/12/13/minister-indigenous-services-mandate-letter>

⁴ Speech from the Throne to open the Second Session of the Forty-Third Parliament of Canada, retrieved from: <https://www.canada.ca/en/privy-council/campaigns/speech-throne/2020/stronger-resilient-canada.html>

⁵ Government of Canada Releases Supporting Canadians and Fighting COVID-19: Fall Economic Statement 2020, retrieved from: <https://www.canada.ca/en/department-finance/news/2020/11/government-of-canada-releases-supporting-canadians-and-fighting-covid-19-fall-economic-statement-2020.html>

⁶ Indigenous Services Canada- Services aux Autochtones Canada, Ending long-term drinking water advisories, retrieved from: <https://www.sac-isc.gc.ca/eng/1506514143353/1533317130660>

issues up-stream and within their traditional territories. It is the view of Keepers of the Water that complete consultation is in order, for all freshwater sources and tributaries, including those which cross provincial and territorial boundaries.

In response to the proposed Canada Water Agency Discussion paper, Keepers of the Water would like to reference to the following government Acts, the United Nations Declaration⁷, and proposed Bill C-15⁸ legislation which should be addressed as high priorities.

Natural Resource Transfer Act (NRTA) of 1930⁹

“The Government of Canada wishes to develop a comprehensive understanding of the various freshwater interests of First Nations, Métis and Inuit to better inform the creation of the CWA. It is important to advance this conversation in order to strengthen relations, honour agreements and respect Indigenous rights, interests, knowledge systems, and cultures.”¹⁰

The above statement may sound beneficial and have good intentions, but Canada is illegally extracting resources on Indigenous Lands as they have failed to obtain consent under the Natural Resource Transfer Act, in respect to resources which were never negotiated under Treaty. In 1930 Canada passed the NRTA legislation without proper consultation. The CWA is currently approaching Indigenous groups for input, but this is not consultation. Canada is creating an illusion that they are granting rights to Indigenous Peoples. Canada can no longer manufacture Indigenous consent to justify the continued occupation of Treaty lands.

In 1930, Canada transferred control and jurisdiction of Treaty lands, water, and resources to the provinces of Alberta, Saskatchewan, and Manitoba to be exploited for the benefit of government and private interests without the free, prior, and informed consent nor without meaningful participation of the Treaty Nations. Consequently, Indigenous peoples were excluded from any meaningful sharing of the revenues, wealth, and benefits generated by development and activities carried out within the traditional territories of the Treaty First Nations. Keepers of the Water support the position the Treaty Nations have made stating the NRTA of 1930 is contrary to the spirit, intent, and terms of the international Treaty Agreements of Treaties 1-8 and 10 and that revenue sharing, benefit sharing, resource access arrangements, and economic initiatives be a condition of any government approvals of energy, water allocations, water power, water policies, mining, and resource development within the ancestral and traditional territories of Treaty Nations. Since the creation of the provincial

⁷United Nations Declaration on the Rights of Indigenous People, retrieved from: <https://www.un.org/development/desa/indigenouspeoples/declaration-on-the-rights-of-indigenous-peoples.html>

⁸House of Commons of Canada Bill C-15, An Act respecting the United Nations Declaration on the Rights of Indigenous Peoples, retrieved from: <https://parl.ca/DocumentViewer/en/43-2/bill/C-15/second-reading>

⁹Alberta Natural Resources Act, An Act respecting the transfer of the Natural Resources of Alberta, retrieved from: <https://laws-lois.justice.gc.ca/eng/acts/A-10.6/FullText.html>

¹⁰Towards the Creation of a Canada Water Agency, page 19, retrieved from: https://www.placespeak.com/uploads/6321/Canada_Water_Agency_Discussion_Paper.pdf

Governments and the NRTA from 1930 up to the present, Indigenous peoples have witnessed the pollution of freshwater sources which has adverse effects on our health and also on our livelihood of fishing. The discussion paper fails to take into consideration the harvesting of fish and respecting and affirming our inherent and Treaty right to fish as Indigenous peoples.

Under **Paragraph 12 of the NRTA (the 'livelihood clause')** provides:

12. In order to secure to the Indians of the Province the continuance of the supply of game and fish for their support and subsistence, Canada agrees that the laws respecting game in force in the Province from time to time shall apply to the Indians within the boundaries thereof, provided, however, that the said Indians shall have the right, which the Province hereby assures to them, of hunting, trapping, and fishing game and fish for food at all seasons of the year on all unoccupied land and on any lands to which the Indians may have a right to access.

Keepers of the Water references this provision to state the fact this provision is legally protected by Section 35 of the Constitution Act 1982 and recommends these rights be formally affirmed within the mandate of the Canada Water Agency.

Keepers of the Water further recognizes that Indigenous rights to water and inherent rights to fishing are closely interconnected and that such rights be duly respected and fulfilled as Treaty and Inherent obligations by the Canada Water Agency.

United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)

Key provisions that apply to state's obligations and Indigenous peoples' rights in their lands and resources including water:

Article 25

Indigenous peoples have the right to maintain and strengthen their distinctive spiritual relationship with their traditionally owned or otherwise occupied and used lands, territories, waters and coastal seas and other resources and to uphold their responsibilities to future generations in this regard.

Article 26

1. Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired.
2. Indigenous peoples have the right to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired.
3. States shall give legal recognition and protection to these lands, territories and resources. Such recognition shall be conducted with due respect to the customs, traditions and land tenure systems of the Indigenous peoples concerned.

Article 27

States shall establish and implement, in conjunction with Indigenous peoples concerned, a fair, independent, impartial, open and transparent process, giving due recognition to Indigenous peoples' laws, traditions, customs and land tenure systems, to recognize and adjudicate the rights of Indigenous peoples pertaining to their lands, territories and resources, including those which were traditionally owned or otherwise occupied or used. Indigenous peoples shall have the right to participate in this process.

Article 28

1. Indigenous peoples have the right to redress, by means that can include restitution or, when this is not possible, just, fair and equitable compensation, for the lands, territories and resources which they have traditionally owned or otherwise occupied or used, and which have been confiscated, taken, occupied, used or damaged without their free, prior and informed consent.
2. Unless otherwise freely agreed upon by the peoples concerned, compensation shall take the form of lands, territories and resources equal in quality, size and legal status or of monetary compensation or other appropriate redress.

Article 29

1. Indigenous peoples have the right to the conservation and protection of the environment and the productive capacity of their lands or territories and resources. States shall establish and implement assistance programmes for Indigenous peoples for such conservation and protection, without discrimination.
2. States shall take effective measures to ensure that no storage or disposal of hazardous materials shall take place in the lands or territories of Indigenous peoples without their free, prior and informed consent.
3. States shall also take effective measures to ensure, as needed, that programmes for monitoring, maintaining and restoring the health of Indigenous peoples, as developed and implemented by the peoples affected by such materials, are duly implemented.

House of Commons of Canada Bill C-15 -An Act respecting the United Nations Declaration on the Rights of Indigenous Peoples

Keepers of the Water supports the following position made by the Confederacy of Treaty Six First Nations in respect to Bill C-15. The current issue is that several Indigenous organizations are of the view that Bill C-15 which will make UNDRIP subordinate to and under Canadian law when our Treaties are clearly international in nature.

The Confederacy of Treaty Six First Nations is extremely disappointed to learn that the debate ended on Bill C-15 (CANDRIP). As a further insult, the Budget 2021 proposes to provide \$31.5 million allocation over two years, starting in 2021-22 to support the co-development of an Action Plan with Indigenous partners to implement this fundamentally flawed legislation that undermines the provisions under Treaty Six, our Treaty relationship and the United Declaration on the Rights of Indigenous People (UNDRIP).

Canada drafted this Bill with the assistance of the Assembly of First Nations (AFN). “As Treaty Peoples, we have never given our consent to Canada or the AFN to make decisions for our peoples. The Crown entered into Treaty with our ancestors - The Queen did not make unilateral decisions on who represented our Peoples”, said Grand Chief Vernon Watchmaker. The decision to provide funds and work exclusively through the Assembly of First Nations (AFN) violates every aspect of our Treaty relationship with the Crown. AFN does not have a mandate to undertake this work. This organization is to work under direction of the Chiefs, however, increasingly we see them working under the direction of the Government of Canada.

When the Standing Committee in the House of Commons set the schedule of speakers, they preferred AFN and other Indigenous Partners rather than representatives of our Nations. This is wrong. The Treaty Peoples started to organize to appear before the Committee to voice our concerns and at that time, the hearings were stopped. This process has been flawed and continues to be flawed.

“Bill-C15 will have a negative impact on our Treaty Rights” states Grand Chief Watchmaker. Canada is unilaterally attempting to change the international nature of our relationship and place us into a domesticated realm. During a time when discussions ought to be about reconciliation, respect, and sovereignty, they’ve reverted back to the government’s old assimilation and undermining tactics. We appeal to the Senate and the members to correct this injustice and not accept Bill C-15.

See Appendix 1: Mountain Child Valley Society Letter of April 20,2021

8. Summary of the Workshops, Interviews and Online Survey

Water is one of the world’s most basic needs and has been taken for granted over the past century. It is up to the current and future governments to understand Indigenous People of the lands they have occupied. To begin this relationship on the creation of a water agency to be truly inclusive the Government needs to respect reconciliation and the inherent rights of Indigenous people to adequate and clean water sources. To be able to trust and use the freshwater as was intended in our ceremonies and to harvest for our food and medicines.

Since time immemorial, Indigenous People have had a respectful, spiritual and protective relationship to the water and aquatic plants and fish species. There must be representation of Indigenous people from the start and contributing throughout the lifetime of the creation and implementation of a water agency is imperative.

Protection of the water quality and quantity for Indigenous children, their grandchildren, and for the future generations is of utmost importance. Access to clean water is our priority to ensure water for the next seven (7) generations. Conservation of water and future scarcity are a real concern. Past Provincial Governments in Alberta have been over-allocating water. This is seen clearly in the South Saskatchewan River Basin, where the Blackfoot Peoples reside. Water allocations are more than what is available within the waterways.

These are jurisdictional issues within the Province of Alberta that has created an unfair system with Municipalities having better quality systems than the adjacent First Nations reserves. Why are they not connected to the better treatment system as there is a major difference with the treatment and testing by the Municipalities than is available to the First Nations.

Treaties Six and Eight stretch into BC, Saskatchewan and the North West Territories which create transboundary issues that need to be resolved with different levels of governments and territories.

The impacts from the dams and other imposed infrastructure creates local environmental damage. What is the Government willing to do to help in remediating and rehabilitating these areas and industry impacts?

The focus of the government needs to shift from development to headwater and source water protection. Support for community-based monitoring and testing of the quality of water and the fish populations needs to occur. A start in this direction would be to provide funding to assist in the monitoring of their lakes and rivers.

There is a necessity for water needs assessments and water management planning tools for communities that should include better education for water users and community members.

9. Message to Government of Canada: Priorities for Indigenous Peoples

Keepers of the Water Board members were canvassed to share a message to government. First and foremost was that Indigenous People's input and inclusion throughout the creation of the water agency is essential. There should be grassroots Indigenous representation, too often Indigenous People are being mis-represented by those who seem to be favoured by government and provide a federal-friendly point of view. We do not need token representation on any committee or seated on the water agency board. There is an opportunity to create an Indigenous Advisory Circle that includes community and grassroots representation from across Canada.

10. Conclusion and Next Steps

A final report will be submitted to Environment and Climate Change Canada. The report and a community booklet will be provided to the four (4) communities included in the study. The community booklet will be made available on the Keepers of the Water website for educational purposes.

KOW will share the contact information of ECCC to the community contacts for further inclusion and updated information on the progress of the Canada Water Agency.

11. Appendix 1: Mountain Child Valley Society Letter of April 20,2021



MOUNTAIN CHILD VALLEY SOCIETY

“Miistakii Pookaw Awahhkooi Kanakkaasti”

April 20th, 2021

Honourable Jonathan Wilkinson
Minister of Environment and Climate Change
Government of Canada
Fontaine Building, 12th Floor
200 Sacre-Coeur Blvd
Gatineau, Quebec
K1A 0H3

via email: ec.ministre-minister.ec@canada.ca

Dear Minister Wilkinson,

RE: Grassy Mountain Coal Mining – Southern Alberta

We write to you today on behalf of the Piikani Nation “Mountain Child Valley Society” (MCVS). The MCVS is comprised of a vast number of Piikani Members that are adamantly opposed to the approval of any coal mining exploration and development, particularly the Grassy Mountain Coal Mining Project in the Southwest corner of Alberta.

The Grassy Mountain Coal Mining Project is off reserve but still within our ancestral lands as the Piikani Nation is just down stream along the Oldman River. Where the Grassy Mountain is located is traditional hunting, ceremonial and gathering places for our community. As an example of ties to the ancestral lands through ceremony, Rights of Passage of Indigenous Youth, a Cleansing and Blessing demonstration of commitment to the Creator of solidifying to its completion took place regularly.

Any approval of such desecration unjustifiably interferes with our collective s 35 rights and is inconsistent with the principles of the United Nations Declaration of the Rights of Indigenous Peoples. Section 35 is part of the Constitution Act that **recognizes and affirms Aboriginal rights**. The Canadian government did not initially plan to include Aboriginal rights within the constitution when the act was being redrafted in the early 1980's. It shows as Part II Section 35 of the Constitution Act 1982 in the following document.

<https://caid.ca/ConstAct010208.pdf>

We are aware that consultation did happen but only with our elected leadership. The minimal consultation with community members regarding the infringement of our collective held rights was flawed from the outset. We are now at a point where Piikani Nation Leadership supports Grassy Mountain with numerous Nation Members who are opposed. In addition, the Nation Members were not given the opportunity to have meaningful input into decision making through a referendum and as a result our voices were silenced. Consultation that excludes the membership that collectively holds constitutional rights cannot be taken as consent to the Project. The consultation that has taken place to date regarding Grassy Mountain is flawed and is not sufficient to properly discharge the Federal Government's duty to consult and accommodate.

In the Province of Alberta, the Government has revoked the 1976 Coal Policy and since reinstated the policy allowing for consultation with the public at large beginning March 29th, 2021. Although the Alberta Government seems to be committed to consultation the Alberta Minister of Energy, the Honourable Sonya Savage has failed to address what that consultation will look like for the First Peoples and that consultation will be a priority for the First Peoples of Alberta.

As Piikani Nation, we are stewards to the land with collective responsibility of protecting the environment for the benefit of present and future generations. We are aware of the significant environmental and other impacts that will occur for our community for many generations such as selenium waste in our drinking water, toxicity to the air we breathe from coal dust blowing through our community, destruction of the watershed, contamination to the water and the desecration of our mountains. Clean drinking water now and in the future is a human right and this is an environmental concern that is hazardous that we cannot ignore.

We are also aware that this project requires Federal approval through the Privy Council to issue permits allowing for coal mining in Alberta. Minister Wilkinson it is for these uncertainties and identified impacts listed above that the Federal Cabinet not approve the Grassy Mountain. If you are truly sincere about protecting the environment in your capacity as Minister of the Crown, then not granting approval would exemplify sound leadership in your commitment to reconciliation with the First Peoples.

The "Mountain Child Valley Society" looks forward to your response. You may direct your correspondence to MCVSpikani@gmail.com. We look forward to hearing from you soon.

Respectfully,

ADAM NORTH PEIGAN
Chairman

VANESSA ONE OWL
Vice Chair

cc MP Heather McPherson, NDP Member of Parliament, Edmonton Strathcona
Nii Sti Ta Pii Water Protectors
Government of Canada, Privy Council – Federal Cabinet
Impact Assessment Review Panel, Grassy Mountain Coal Project
Premier Jason Kenny, Alberta
Honourable Sonya Savage, Minister of Energy, Alberta