



Sayt-K'ilim-Goot

one heart, one path, one nation

President's Message // // // //

Berger, Gosnell and Wright Address Nisga'a Legislature

We had a very interesting sitting of the most recent legislature this October when three special guests addressed the Wilp Si'ayuuqhl Nisga'a, each of whom had something to share on the topic of natural resource development in the Nass Area.

The first was retired BC Supreme Court Justice Thomas Berger, who was our legal counsel on the historic Calder decision, and has served as legal counsel to us on other key court actions we have faced as a Nation. Not only

has Berger's work benefited the Nisga'a Nation, but other aboriginal peoples in Canada as well. Berger spoke about his work as a commissioner of the McKenzie Pipeline inquiry. That inquiry set the standard for how such inquiries into large development projects should proceed, and looked at the impact of such a proposed pipeline on aboriginal peoples in the north. His remarks were recorded and are available on our website www.nisgaanation.ca/news/nisgaa-counsel-thomas-berger-addresses-nisgaa-legislature.

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Chairperson McKay's speaking points at the 1763 Royal Proclamation Symposium

On behalf of the Land Claims Agreement Coalition, I welcome you to our symposium *Creating Canada: from the Royal Proclamation of 1763 to Modern Treaties*. Today, October 7th marks the 250th anniversary of The Royal Proclamation of 1763.

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The original Royal Proclamation of 1763 on display at the October 7 Symposium.

If you listen, you'll note how Berger compares the present situation of Nisga'a Nation with that of the aboriginal peoples in the north in the 1970s. At that time, those peoples had no Treaty to secure their land ownership and rights, no mechanism to protect the environment, and had little capacity to ensure they shared in the benefits of the development.

By comparison, Berger observes that Nisga'a Nation has had a treaty for over a decade which constitutionally guarantees our rights and interests on Nisga'a Lands and throughout the Nass Area. We have an environmental protection chapter in our Treaty setting out mechanisms to protect our interests. Finally, we have the capacity to successfully negotiate Impact Benefit Agreements, and we've done so with BC Hydro. With these tools, Berger notes that if we decide to proceed, we have an unprecedented opportunity to secure our interests and achieve lasting benefits for ourselves that aboriginal peoples did not have in the 1970s.

Berger closed by sharing how he cherishes his relationship with the Nisga'a Nation and is still, after these many years, deeply honoured at having been adopted into the Nation and given a Nisga'a name.

Our next guest speaker, Dr. Joseph Gosnell, retired President of Nisga'a Nation, then addressed the legislature

in thanking and honouring Berger by saying that Berger was in many ways like a Sim'oogit of the highest order for what he has done for the Nisga'a people. "It was as if Berger was guided to us by an unseen hand to help us," said Dr. Gosnell, "in having our rights recognized." Dr. Gosnell shared that we are still on our journey which began many years ago, and whatever happens, we will ensure that we achieve long lasting benefits from any developments that take place in the Nass Area.

Finally, our last guest speaker Edmond Wright, former Secretary-Treasurer, gave his comments. Edmond thanked Thomas Berger and spoke about the history of the land question from the Calder decision to the present. He recounted our experience at negotiations, and how we made sure the people were informed about progress at the negotiation table. Edmond then indicated that May 11, 2014 will be the last day we receive the capital transfers of \$22 million which we will have to replace. He encouraged taking strong positions at the Fiscal Financing Agreement negotiation table and to be ready to deal with any attempts by Canada to claw back these amounts.

Certainly, it is through the work of individuals such as Justice Berger, Dr. Joseph Gosnell, and Edmond Wright, along with that generation of Nisga'a leadership, that we have these opportunities today. For their contributions to the Nisga'a people, we will be forever grateful.

At this gathering, we acknowledge the history of this important constitutional document which is still significant to Canadians and aboriginal peoples today.

SIGNIFICANCE TO ABORIGINAL PEOPLE

Not only is the Proclamation a historic document in the formation and development of Canada, but it laid down fundamental principles which continue to guide Crown-aboriginal relations today. The Proclamation provides that it was just, reasonable and essential that the "Nations or Tribes of Indians" be protected by the Crown and be unmolested and undisturbed in their traditional lands. The Proclamation recognized that Canada's first peoples were nations. It also recognized that aboriginal peoples had title and governance that predated European assertions of sovereignty.

The Proclamation formalized the obligation of treaty-making throughout Canada. Its concepts were imported into the *Constitution Act, 1982*.

SIGNIFICANCE TO NISGA'A NATION / PETITION

As one illustration of its significance, the Royal Proclamation has made its appearance on two important occasions in the history of the Nisga'a Nation's struggle to resolve the Nisga'a Land Question.

First, in 1913, after our ancestors on the Nisga'a Land Committee lobbied provincial and federal officials in Canada to enter into a treaty with Nisga'a Nation without success, our elders bypassed the federal and provincial governments,

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and petitioned the Privy Council in England directly. In that 1913 Nisga'a Petition, our leaders specifically referred to the Royal Proclamation when they declared:

...the Crown has by Proclamation and otherwise recognized the right of the said Nation or Tribe so to possess, occupy and use the said territory, and, in particular, by the Proclamation of His Majesty King George the Third issued on the 7th day of October 1763, having the force and effect of a Statute of the Parliament of Great Britain..."

The 1913 Nisga'a Petition goes on to explicitly incorporate the language of the Royal Proclamation into the Petition.

CALDER

The Proclamation made its second appearance in 1973, as part of the lawsuit launched by Nisga'a Nation for recognition of our aboriginal title in the Calder decision. Our case went all the way to the Supreme Court of Canada, and established that aboriginal title existed in Canada as a matter of law. As part of the Calder decision, Justice Emmet Hall made the following comments about the Royal Proclamation:

"Its force as a statute is analogous to the status of Magna Carta which has always been considered to be the law throughout the Empire. It was a law which followed the flag as England assumed jurisdiction over newly-discovered or acquired lands or territories."

MODERN TREATY-MAKING

Finally, the treaty-making requirement in the Royal Proclamation has evolved into the modern comprehensive claims process. Collectively, modern-day treaties have had a significant impact on the political and economic landscape of Canada. Taken collectively, modern treaties affect nearly half of Canada's land, waters and resources. Modern treaties have removed the *Indian Act* from the daily lives of those First Nations, and recognized the inherent right of Aboriginal title and governance. These agreements have fundamentally changed the relationship between Aboriginal peoples and the Crown, and launched those peoples onto the road towards sustainability. Modern treaties are a demonstrated success, but are not without their challenges. Canada has failed to fully implement these agreements. In some instances, modern treaties are heading down the road of historic treaties in Canada: non-fulfillment and breach. In some cases, this is leading to litigation.



As Co-Chair of the Land Claims Agreement Coalition and representing the Nisga'a Nation, Chairperson Kevin McKay delivered the following address in Ottawa at the Symposium commemorating the 250th anniversary of the Royal Proclamation of 1763.

COALITION

Both Inuit and First Nations who have entered into modern-day comprehensive claims have formed the Land Claims Agreements Coalition to press the government of Canada to put in place an effective modern treaty implementation

policy. While challenges remain, the Coalition is optimistic that these agreements will be fully implemented to the benefit of all Canadians.

Once we have a federal policy that ensures that modern-day treaties will be fully lived up to and implemented, we will then be taking significant strides towards realizing the original intent of the Royal Proclamation.

Watch Chairperson Kevin McKay's and Jim Aldrige's presentation at Oct 7 Symposium

The video links and proceedings from our highly successful Creating Canada symposium are now available, and can be viewed at www.landclaim-coalition.ca/creating-canada-symposium/

It includes opening comments by Executive Chairperson Kevin McKay on the significance of the Royal Proclamation to aboriginal peoples in Canada and to the Nisga'a Nation in particular.

As well, there is an illuminating presentation by our long time legal counsel Jim Aldridge.

This is a great way to catch up on sessions that you want to see or hear again, or if you were not able to attend. Happy viewing everyone.

Nisga'a entrepreneur supported by Nisga'a Business Development Fund



Bert Mercer (left), NLG's Economic Development Manager and Steven Doolan.

The Nisga'a Lisims Government under the Nisga'a Business Development Fund initiative has recently funded Doolan Trucking for 31.48 % of the actual business costs of the project. The new business venture is a logging truck business operating out of the Nisga'a Village of Gingolx.

Steven Doolan is the owner/operator and has been in the trucking and heavy equipment operation business for 10 years. He started his first haul on Monday morning September 30th, 2013.

Nisga'a Lisims Government wishes Steven all the success on his new business venture.

For further information on the Nisga'a Business Development Fund program, follow the link to our website: www.nisgaanation.ca/economic-development-department

Hear Nisga'a Counsel Thomas Berger address Nisga'a Legislature

Long time legal counsel, Thomas Berger, addressed the Wilp Si'ayuuḡhl Nisga'a during the most recent sitting of the Nisga'a legislature.

Mr. Berger spoke to the legislature about the Calder decision, the Nisga'a Treaty, and unprecedented opportunity available to Nisga'a Nation to set a precedent for securing opportunities if the Nation decides to proceed with development.

Thomas Berger was long time legal counsel to the Nisga'a Nation and took the Calder case all the way to the Supreme Court of Canada in 1973. Mr. Berger is a former justice of the BC Supreme Court and one of the most respected aboriginal and human rights advocates in Canada. He is also well know for his precedent setting approach on the McKenzie Pipeline Inquiry

To hear his presentation, click on the following link. <http://nisgaanation.ca/mr-thomas-bergers-october-2013-wsn-address>

Nisga'a appointed as Regional Director First Nations Health Authority

Policy Planning and Strategic Services for the First Nations Health Authority is pleased to announce the selection of Nicole Cross as the Regional Director for the Northern Region. Nicole has been an asset to the Community Engagement team during her time as a Regional Health Liaison for the North Central/Northeast and we look forward to taking on this new responsibility. Nicole (Nii Txaplxum Yaans) belongs to the Killerwhale Clan

and the House of Niisyuus, and was raised in the Nisga'a community of Laxḡalts'ap.

Read the full article: www.nisgaanation.ca/sites/default/files/Announcing%20Nicole%20Cross%20as%20the%20Regional%20Director%20for%20the%20Northern%20Region.pdf

Quality of Life Strategy

The Nisga'a Nation Quality of Life Strategy will:

1. Engage Nisga'a citizens and resources through a Quality of Life Summit
2. Align Governance, Administration, Programs & Services with a quality of life approach
3. Develop a life-long quality of life policy
4. Document, measure and prove changes in quality of life

See the Nisga'a Nation Quality of Life informational video www.youtube.com/watch?v=cSj5L2pt2vo

Provide your input into the Quality of Life strategy by completing the online guided survey at www.nisgaanation.ca/qol/survey

Shakeout BC 2013



NLG Finance employee Teniel Angus participates in Shakeout BC.

The occurrence of an earthquake in our remote corner of the world may have seemed far-fetched to some, however it became a startling reality on October 27, 2012 when we felt the 7.7 magnitude quake off the coast of Haida Gwaii and a 7.5 magnitude quake off the coast of Alaska on January 5, 2013.

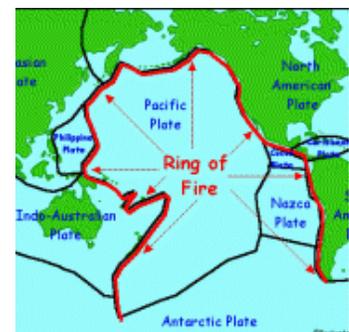
The "Ring of Fire" as it is commonly known to scientists and seismologists, is an area in the Pacific basin where a large number of earthquake and volcanic eruptions occur, and of which we are a part of. So when Granny or Ye'e

say to us, "the big one is coming", they may not be far from the truth.

Preparedness for unexpected natural disasters is important. Emergency Management BC hosted yet another successful The Great British Columbia Shakeout! on October 17, at 10:17am. This earthquake preparedness drill saw 690,000 British Columbians 'Drop, Cover and Hold On' at work, home and school. Read more at the Shakeout website for tips on how you can prepare you and your family.

Each Nisga'a Village has recently, or is process of adopting Village Emergency Plans that will

identify procedures for evacuation and shelter when necessary. Contact your village government offices to familiarize yourself with these local plans and also check out our Emergency Programs section of our website.



Communique to Nisga'a Citizens

Greetings to all Nisga'a Citizens

Under the Nisga'a Final Agreement, Nisga'a Lisims Government has the obligation to consider and act on behalf of the Nisga'a Nation in respect of all potential developments on Nisga'a Lands and within or adjacent to the Nass Area, whenever our people, our interests, or our treaty rights may be affected or stand to benefit.

NLG's well established policy in respect of any such proposed development is simple. First, the effects of the proposed project, including the environmental effects and effects on the social, economic, and cultural well-being of Nisga'a citizens must be thoroughly and properly assessed in accordance with our Treaty before any final decision to approve a project is made. Second, developments within our territory must provide real and substantial benefits to the Nisga'a Nation and to Nisga'a citizens. This policy is well known and it is consistently communicated to the other levels of government as well as to any and all proponents who are interested in developing projects in our territory.

Nisga'a Lisims Government is approached more and more frequently by various developers and project proponents in many resource sectors in respect of a variety of potential developments on or near our Valley. This is happening because of the vast potential of our territory. It is NLG's responsibility to hear these people out, and to ensure that our policy in respect of thoroughly assessing impacts and opportunities to achieve prosperity is well understood. It is also our responsibility to learn as much as possible about how any proposed project would affect our Nation, our citizens, and our Treaty rights. It is our duty to ensure that the Nisga'a Nation is not left on the sidelines while others take advantage of the potential for real economic benefits.

The NLG Executive has been regularly and fully apprised of all of these opportunities and issues. Once we have obtained the necessary information, proposed projects will be duly considered and the views of Nisga'a citizens about how best to deal with these opportunities, their effects on our lands, and their potential benefits to our people will be taken into account before any final deci-

sions are made. All decisions will be in accordance with the Nisga'a Treaty and Nisga'a laws.

The proposed Spectra Energy and Trans Canada Pipeline routes are public information and NLG is obtaining information in respect of each of these proposed projects. Contrary to suggestions that have been made in some quarters, NLG has not entered into any agreements in respect of any pipelines, refineries, or other hydrocarbon development in, near, or around our lands. Any allegation to the contrary is simply misinformed. We are still in the process of gathering information about potential projects in accordance with our well established policy. The Nisga'a Constitution prescribes when a referendum is required for the disposition of land.

The Enbridge Northern Gateway pipeline route is also public information, and, of course, the Enbridge pipeline route does not enter Nisga'a Lands or the Nass Area. I have no authority to speak on behalf of other Aboriginal peoples who may be affected by projects outside our Treaty area.

Nisga'a Lisims Government informs its citizens through its Executive members and also on its website at www.nisgaanation.ca. I would urge all Nisga'a citizens to frequent this website to get all factual information posted by Nisga'a Lisims Government, and not to engage in hearsay from any other First Nation leaders or organizations. The Nisga'a Nation must be careful to ensure that the efforts and the direction being carried out by the elected representatives of Nisga'a Lisims Government in accordance with the directions received at Assemblies and public meetings over many years are not jeopardized by misinformation provided by others. NLG will ensure that Nisga'a citizens will be provided information in respect of any proposed project through their elected representatives and otherwise as we learn more about these projects.

In the July 2013 WSN sitting, as President, I invited the entire Council of Elders to the Legislature and asked the House to suspend the rules so that they would be allowed to speak and give us guidance. They gave our Government the support to move forward and pursue the well-being of future generations.

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The Nisga'a Nation looks forward to the participation of all Nisga'a Citizens at the Special Assembly in Gitwinksihlkw to be held in May 2014. At that time our Nation can have a full public debate on the future direction that our Nation will take to protect our ancestral legacy while striving for economic prosperity for generations to come. In the meantime we will continue

to protect the interests of the Nisga'a Nation in accordance with our Treaty and our laws.

Yours truly,
Nisga'a Lisims Government
H. Mitchell Stevens
President

Job Posting // // // //

LOCATION Gitlaḵt'aamiks, BC

Chief Financial Officer

Canada's Nisga'a Nation is represented by Nisga'a Lisims Government (NLG) – a modern, forward-thinking government under the Nisga'a Final Agreement. Guided by Nisga'a culture and best practices, Nisga'a Lisims Government works to improve the quality of life of Nisga'a people. Based in Gitlaḵt'aamiks (New Aiyansh), British Columbia, the Nisga'a Lisims Government works in partnership with the four Nisga'a Village governments to deliver a wide range of culturally-appropriate programs and services in the areas of health, education, social development, local services and access to justice.

Working closely with the Chief Executive Officer, the Chief Financial Officer (CFO) is responsible for the provision of overall direction and guidance regarding all financial activities of the Nisga'a Lisims Government in accordance with Treaty and legislative requirements. The Chief Financial Officer is required to work in accordance with the Nisga'a Final Agreement; the Nisga'a Constitution, *Nisga'a Financial Administration Act*, Fiscal Financing Agreement and other relevant Nisga'a legislation and other statutes. As well, the Chief Financial Officer provides oversight and monitoring of the Nisga'a Nations Settlement Trust Fund.

As a member of the senior executive team, the Chief Financial Officer reports monthly to the Nisga'a Lisims Government Executive as well as the Nisga'a Lisims Government Finance Committee. The CFO also plays a significant role in implementing Nisga'a Treaty rights and obligations in respect of the Nisga'a Final Agreement.

The CFO will be charged with the provision of functional controls over all financial transactions, recommending improvements where necessary. Finally the CFO will act as a key leader in respect to NLG operations, budgets, investments as well as the annual financial audit.

The ideal candidate is a successful senior financial executive who has been responsible for overseeing the Finance and Information Technology (IT) function in a complex and progressive operation coupled with direct experience in large infrastructure projects. Superior leadership, interpersonal and communication skills and a proven entrepreneurial track record are hallmarks of a suitable candidate. The incumbent will ideally have held responsibility for liaising with government ministries and have been successful in managing financial and IT systems that provide a high level of accuracy, accountability and performance.

If you are innovative, possess strong business acumen, can develop solutions to important issues and can build a positive organizational culture, please forward your résumé, in confidence, to Esther McGregor or Allison Rzen at pfm@pfmsearch.com

PFM Executive Search / Panorama Search Partners
Suite 2020, 1055 West Hastings Street
Vancouver, BC V6E 2E9
Tel 604.689.9970
www.pfmsearch.com

Social Worker Team Lead (Child Protection)

ABOUT THE OPPORTUNITY

Currently, Nisga'a Lisims Government has an exciting new position for a Social Worker Team Lead (Child Protection) to join the group in Gitlax̓'aamiks (also known as New Aiyansh) in beautiful British Columbia.

Reporting to the Nisga'a Child and Family Services Director, your main responsibility will be to plan, develop, manage, coordinate and evaluate the delivery of services within the context of a C-6 Child Protection team. You will also ensure clinical support is effectively provided as you oversee staff training and development.

More specifically, on regular basis you will have the following responsibilities:

- Provide direction, leadership and support to staff for professional and integrated service delivery;
- Supervise staff in the assessment and investigation of allegations of abuse or neglect of children and youth;
- Assist with all aspects of risk assessment for C6 delegation;
- Supervise staff in resource and guardianship functions for C3 and C4 delegations, and assign caseloads to staff while ensuring compliance with AOPSI standards;
- Within legislative requirements, develop procedures and systems to direct the delivery of service within established budgets, and monitor and evaluate standards of practice for effectiveness, efficiency and economy;
- Liaise with other internal and external NLG personnel to ensure integration and coordination of overall services to clients where appropriate; and
- Conduct speaking engagements and liaise with other agencies to establish relationships with community partners, provincial, and federal and non-governmental agencies to enhance the delivery of services and promote public awareness of NCFSS.

We invite you to apply if you have 5 years of related experience with at least 3 years of experience in child protection, and either of the following:

- Bachelor of Social Work degree (Master preferred),
- Master of Education (Counseling), or
- Master of Psychology degree.

It is also highly preferred that you have a C6 Delegation. You will also be at an advantage if you have previous experience working within a government setting.

Sound knowledge of *Child, Family and Community Services Act* and other relevant acts and statutes is required. The successful candidate will also have a solid understanding of Aboriginal and non-Aboriginal programs and agencies, both government and community based, including referral processes.

Importantly, you will be well versed in the field of Mental Health and other issues affecting children. Crucial to your success will be the ability to work collaboratively and effectively with professional groups, program staff, agency staff, social workers and other personnel from public and private sectors.

Along with well developed interpersonal counseling and assessment skills, you are an excellent communicator, both in written and verbal situations. We invite you to apply if you are able to apply tact and diplomacy when dealing with sensitive issues, and it is crucial that you have strong supervisory, organizational and time management skills, as a large portion of your role will be overseeing and nurturing the careers of other staff members.

Lastly, you will need to be proficient with Microsoft Word, Excel, and Outlook as required, and have a valid BC Class 5 Drivers License (with current abstract) along with access to a reliable vehicle.

This is an exciting time to join NLG! Utilize your strong leadership skills with a caring organization and set a change in motion to make a lasting impact on families within the area.

To apply or for more information, please visit <http://jobs.applyfirst.ca/jobs/50982>

Information Technology Manager

ABOUT THE OPPORTUNITY

Currently, Nisga'a Lisims Government has an opportunity for an Information Technology Manager to join the group in Gitlax̓'aamiks (also known as New Aiyansh) in beautiful British Columbia.

You will draw on your proven experience to develop, implement, and maintain enterprise level systems that connect dispersed information systems. You will also be expected to evolve existing systems and keep them up to date with changes in the IT landscape. You will also develop an organization wide IT plan, across multiple systems separated both electronically and physically, to ensure the effective use of IT resources, efficient access to information system through local and mobile devices and security and redundancy in within the organization's network.

Specific technical duties will include overseeing:

- Networking - VLANs, subdomains, routing and port forwarding, VPNs, wireless encryption and authentication, content filtering;
- Servers - Hyper-V, Active Directory, group policies, Exchange, SQL Server, Windows Server Backup, file and printer sharing including access control lists;
- Development – familiarity with database systems and corporate management systems;
- Cell phones - iPhone management including Meraki mobile device management;
- Workstations - hardware and software troubleshooting, remote assistance tools, Microsoft Office, software and operating system deployment.

Along with 3 years of work experience in an IT position that includes the development or maintenance of an enterprise level system, you have a degree or diploma in a program relating to management, maintenance, or development of IT systems. Any applicable Microsoft, CompTIA, Cisco or other certifications would be highly desirable. Solid technical knowledge of the telecommunications industry is essential.

You are an approachable and team driven individual who has strong communication skills and the ability to build strong working relationships. Strong interpersonal skills are required, as is the capacity to work with various individuals at all levels.

Proficiency using the following would be an asset:

- Visual Basic scripting, PowerShell, PHP or Python programming
- Drupal, HTML/CSS or SQL
- Please note that a valid BC drivers' license is essential as you will be travelling to remote areas throughout the region.

ABOUT THE BENEFITS

In appreciation of all your hard work and determination, you will be rewarded with a competitive salary depending on qualifications and experience.

You can also look forward to fantastic benefits including:

- Relocation assistance to the right candidate
- 28 days off (10 vacation + 18 elective leave)
- Travel Reimbursement
- Extended Health and Dental
- Short and Long Term Disability
- Group Life Insurance
- Professional Development
- Group Pension Plan
- Employee & Family Assistance Program (EFAP) which provides confidential counseling services to assist employees with a variety of life's challenges

Nisga'a Lisims Government strives to maintain its position as an employer of choice. We operate with respect for one another in the workplace and we value the contribution of all of our employees. We encourage transparency and open communication within our organization throughout all of our departments.

To apply or for more information, please visit <http://jobs.applyfirst.ca/jobs/51033>

HED: BC AMTA Graduates Eight from Heavy Equipment Operator Training Program

DEK: First program for Terrace/
Nass Valley region

By April Duthail

The British Columbia Aboriginal Mine Training Association's first Heavy Equipment Operator (HEO) Training Program in B.C.'s northwest successfully graduates eight BC AMTA candidates.

"I wouldn't be where I am right now if it wasn't for BC AMTA," says Carmen Stephens, BC AMTA candidate, Nisga'a Nation. For Carmen Stephens, it's been her dream to work with heavy equipment. "I've always wanted to get into what they call 'a man's industry' just to prove to myself that I can do it," she says.

The HEO training program took place in New Aiyansh and Terrace, and provided candidates with foundational and hands-on knowledge for working on a variety of job sites requiring heavy equipment. This was the first BC AMTA HEO program for the northwest region.

BC AMTA celebrated the completion of the program in New Aiyansh, where local First Nations, BC AMTA staff, candidates and their family were in attendance.

"I'm very happy with myself and what I've accomplished," Charles Hopkins, BC AMTA candidate, Heiltsuk Nation. For Charles, this was his first time working with heavy equipment. He says that using the equipment simulators prepared him for the practical component. "The practical was my favourite part of the course. I enjoyed the machines...using the simulator made it easier...I had a feel of what to expect."

BC AMTA and partner, Northwest Community College (NWCC) ensured that candidates had access to the support and services to successfully complete the program, including access to housing in New Aiyansh and Terrace. BC AMTA is now working with candidates to develop their resumes and connect with future employers.



"BC AMTA gave me a lot of confidence in myself...I can do what I want to do if I put my mind to it," says Carmen.

With a new office in Terrace, BC AMTA has a number of new training opportunities in the works, including a camp cook program, a certification program for experienced heavy equipment operations, and human resources training.

"The future is looking bright, we're at a very unique time right now," says Alishia Benson, Program Coach, Northwest, BC AMTA, "Our service region reaches throughout the northwest, as far as the Smithers area to Haida Gwaii and the Nass Valley. We want to do the north proud in terms of delivering services."

For more information about BC AMTA's programming in the northwest region, contact Cindy Clayton, Program Coordinator, BC AMTA at 250 633 2972 or cclayton@bcamta.ca. To hire a BC AMTA candidate, contact Jeff White, Employment Coordinator, BC AMTA at 250 314 9959 or jwhite@bcamta.ca.

If you have questions, comments or a story to share, please contact: April Duthail, Brand Journalist, Communications, BC Aboriginal Mine Training Association aduthail@bcamta.ca / 604.612.0845

Highlights from NLG Executive Meeting October 23-24, 2013

The following is a summary, and for certain resolutions an excerpt, of NLG resolutions from the most recent meeting of the NLG Executive.

Resolution / Adopted October 23, 2013

Finance

CONSIDERING THAT pursuant to Executive resolution 2013/88 Mr. Jason Chan was appointed to the position of Acting Chief Financial Officer of Nisga'a Lisims Government for an initial three month term commencing July 30, 2013; and CONSIDERING FURTHER THAT the office of Chief Financial Officer has not yet been permanently filled; MOVED THAT the Nisga'a Lisims Government Executive renew Mr. Chan's appointment as Acting Chief Financial Officer for a second term of three months from October 30 to January 30, 2014.

Resolution / Adopted October 23, 2013

Confidentiality

CONSIDERING THAT entering into a form of confidentiality agreement and a funding agreement is considered a precursor to any proponent providing confidential information to the Nisga'a Nation and to the Nisga'a Nation reviewing information provided by the proponent;

AND CONSIDERING THAT it is in the best interests of the Nisga'a Nation to have a mutual confidentiality agreement and a funding agreement in place to better enable the Nisga'a Lisims Government Executive (the "Executive") and Nisga'a Lisims Government to assess projects and facilitate the negotiation of benefits agreements;

MOVED THAT the Executive authorize the Chief Executive Officer of Nisga'a Lisims Government, for and on behalf of the Nisga'a Nation, to enter into confidentiality agreements and funding agreements as a matter of course, without the need for Executive approval for each individual confidentiality agreement and funding agreement, provided that the confidentiality agreement is substantially in the form attached to this motion as Appendix "A" and the funding agreement is substantially in the form attached to this motion as Appendix "B", or with such modifications as may be determined appropriate by the Chief Executive Officer in consultation with legal counsel.

Resolution / Adopted October 23, 2013

Draft Final Budget

CONSIDERING THAT:

the Nisga'a Finance Committee considered the draft Final Budget (version 4) of the Nisga'a Nation for the 2013/2014 fiscal year (the "Draft Final Budget 2013/2014") and recommended that the Nisga'a Lisims Government Executive (the "Executive") approve the Draft Final Budget 2013/2014 and forward it to Wilp Si'ayuukhl Nisga'a for its review and approval;

MOVED THAT the Executive

- (1) approve, and
- (2) recommend that Wilp Si'ayuukhl Nisga'a consider and adopt, the Draft Final Budget 2013/2014, substantially in the form attached to this motion.

Resolution / Adopted October 23, 2013

Village Appointments

MOVED THAT the Executive of Nisga'a Lisims Government recognize the following changes to appointments by the Nisga'a Villages to the Nisga'a Finance Committee:

- (1) that Willard Martin replace Craig McKay as the primary representative to the Finance Committee from the Village of Laxgalts'ap
- (2) that Brian Tait replace Gerald Robinson as the alternate representative on the Finance Committee from the Village of Gitlaxt'aamiks

Resolution / Adopted October 23, 2013

Capital Asset Disposal Policy

MOVED THAT the Executive approve and adopt the Nisga'a Lisims Government Capital Asset Disposal Policy, attached to this motion as Appendix "A."

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Resolution / Adopted October 23, 2013
Nisga'a Museum Advisory Committee

CONSIDERING THAT pursuant to Executive resolution 2013/95 the Executive of Nisga'a Lisims Government (the "Executive") approved and adopted the Nisga'a Museum Advisory Committee Terms of Reference; CONSIDERING FURTHER THAT an amendment has been proposed to the Nisga'a Museum Advisory Committee Terms of Reference to provide that the President, Chairperson and Secretary-Treasurer of Nisga'a Lisims Government serve as ex officio members of the Nisga'a Museum Advisory Committee; MOVED THAT the Executive approve and adopt the Nisga'a Museum Advisory Committee Terms of Reference, as revised, attached to this motion as Appendix "A".

Resolution / Adopted October 23, 2013
Appointment of Four Members of the Nisga'a Museum Advisory Committee

CONSIDERING THAT pursuant to Executive resolution 2013/95 the Executive of Nisga'a Lisims Government (the "Executive") approved and adopted the Nisga'a Museum Advisory Committee Terms of Reference; CONSIDERING FURTHER THAT a recommendation has been made to the Executive for the appointment of four members of the Nisga'a Museum Advisory Committee; MOVED THAT the Executive appoint to the Nisga'a Museum Advisory Committee Ms. Zora McMillan, Ms. Janice Stephens, Mr. Harry Nyce Sr. and Ms. Roberta Stewart as the two members at large and the two Nisga'a Lisims Government senior management representatives respectively.

Resolution / Adopted October 24, 2013
BC Hydro Transmission Line Benefits Agreement

CONSIDERING THAT the British Columbia Hydro and Power Authority ("BC Hydro") is constructing a 287 kV AC transmission line between its Skeena Substation near Terrace, B.C. and the area of Bob Quinn Lake (the "Northwest Transmission Line") and has applied for and been granted a statutory right of way for road access and the portions of the transmission line on Nisga'a Lands by the Nisga'a Lisims Executive in 2011;

AND CONSIDERING THAT the Nisga'a Nation entered into a benefits agreement with BC Hydro in 2011 (the "Benefits Agreement") and one of the benefits outlined pursuant to section 6 of the Benefits Agreement is the title to fibre strands which run between a drop off point located at Nass Camp and a substation located in Gitlaxt'aamiks (the "Nisga'a Fibre"), as well as, the exclusive right to use certain fibres which are located along the Northwest Transmission Line;

CONSIDERING FURTHER THAT British Columbia has requested under paragraph 2 of Chapter 7 of the Nisga'a Final Agreement that the Nisga'a Nation grant rights of way on Nisga'a Lands to BC Hydro for the purposes of the Northwest Transmission Line and road access to the Northwest Transmission Line;

CONSIDERING FURTHER THAT BC Hydro has applied under section 17(1) of the *Nisga'a Land Act* for a statutory right of way for the portion of the Northwest Transmission Line passing through Nisga'a Lands as are required for the Nisga'a Fibre (the "Nisga'a Fibre Right of Way");

CONSIDERING FURTHER THAT under section 6(2)(e) of the *Nisga'a Land Act*, the Nisga'a Lisims Government Executive (the "Executive") may grant a statutory right of way to an applicant;

MOVED THAT:

The Executive, on behalf of the Nisga'a Nation:

- (1) grant the Nisga'a Fibre Right of Way to BC Hydro under section 6(2)(e) of the *Nisga'a Land Act*; and
- (2) authorize the Director of Lands and Resources to execute and deliver the Nisga'a Fibre Right of Way to BC Hydro, for execution by BC Hydro and return for recording in the Lisims land registry.

Resolution / Adopted October 24, 2013
BC Hydro Transmission Line Right of Way

CONSIDERING THAT the British Columbia Hydro and Power Authority ("BC Hydro") is constructing a 287 kV AC transmission line between its Skeena Substation near Terrace, B.C. and the area of Bob Quinn Lake (the "Northwest Transmission Line") and has applied for and been granted a statutory right of way for road access

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and the portions of the transmission line on Nisga'a Lands by the Nisga'a Lisims Executive in 2011;

CONSIDERING FURTHER THAT BC Hydro applied for and was granted by the Nisga'a Lisims Executive (the "Executive") under section 17(1) of the *Nisga'a Land Act* for a statutory right of way for the portion of the Northwest Transmission Line passing through Nisga'a Lands (the "Nisga'a Right of Way");

AND CONSIDERING THAT a portion of a fee simple property, registered in the British Columbia land title system, and owned by the Nisga'a Nation located near Vetter Falls Lodge is also located along the Northwest Transmission Line and would have been approved at the same time as the Nisga'a Right of Way;

CONSIDERING FURTHER THAT the Nisga'a Nation and BC Hydro have entered into a benefits agreement that, among other things, provides financial benefits and economic opportunities to the Nisga'a Nation with respect to the Northwest Transmission Line (the "Benefits Agreement");

CONSIDERING FURTHER THAT the Executive, as the legal representative of the Nisga'a Nation, and registered owner of the Vetter Falls Lodge property may execute a Form C under section 233 of the *Land Title Act* (British Columbia) (the "Form C") and grant a statutory right of way to BC Hydro;

MOVED THAT:

The Executive, on behalf of the Nisga'a Nation, authorize the President to execute and deliver the Form C to BC Hydro for registration in the provincial land title office.

Resolution / Adopted October 24, 2013
Office Building Needs

MOVED THAT the Executive of Nisga'a Lisims Government endorse the recommendation of the Fish & Wildlife Committee that the Capital Commission be instructed to research office building needs for Nisga'a Lisims Government field staff including storage building requirements for government assets and laboratory facilities.

Resolution / Adopted October 24, 2013
Nisga'a Miscellaneous Statutes Amendment Act

MOVED THAT the Executive recommend to Wilp Si'ayuuḱhl Nisga'a the *Nisga'a Miscellaneous Statutes Amendment Act*, 2013, substantially in the form of the draft legislation attached to this motion as Appendix "A" or with such modifications as may be determined appropriate by the Chief Executive Officer in consultation with legal counsel.

Resolution / Adopted October 24, 2013
Audit of Post Secondary Education Funding

CONSIDERING THAT the Programs and Services Committee has recommended that the Nisga'a Lisims Government Executive (the "Executive") direct the Programs and Services Director and Chief Financial Officer to undertake immediately an audit of post secondary education funding under section 23 of the *Nisga'a Programs and Services Delivery Act* (the "Act"), and that the audit encompass the following:

- a. a review of the current state of, and implementation of, post-secondary education funding policies of Nisga'a Lisims Government and the Village Governments,
- b. a review of any associated reporting templates for post-secondary education funding, and
- c. compliance with all aspects of section 23(1)(c) of the Act, (together, an "Evaluation Audit for Post-Secondary Funding");

MOVED THAT the Executive direct the Programs and Services Director and Chief Financial Officer to undertake an Evaluation Audit for Post-Secondary Funding and report the results to Executive by the end of March, 2014.

Resolution / Adopted October 24, 2013
Education Steering Subcommittee

CONSIDERING THAT the Programs and Services Committee has recommended that the Executive of Nisga'a Lisims Government (the "Executive") authorize the Programs and Services Committee to convene an education steering subcommittee that will

- a. be composed of three members of the Programs and

- Services Committee together with the Director of Programs and Services and her resource and support staff as required;
- b. meet regularly prior to Programs and Services Committee meetings until the end of the 2013-2014 fiscal year;
 - c. make recommendations on all aspects of education policy in the Nisga'a Nation; and
 - d. report the education steering subcommittee's findings and discussions to the Programs and Services Committee.

MOVED THAT the Executive authorize the establishment of an education steering subcommittee as recommended by the Programs and Services Committee.

Resolution / Adopted October 24, 2013
Strategic Plan to Address Domestic Violence

MOVED THAT Executive of Nisga'a Lisims Government endorse the initiative brought forward by the Public Order, Peace and Safety Committee to develop a strategic plan to address domestic violence as set out in the briefing note prepared by the Director of Programs and Services and attached to this motion as Appendix "A."

Resolution / Adopted October 24, 2013
Nisga'a History and Nisga'a Treaty Curricula

MOVED THAT Executive of Nisga'a Lisims Government endorse the initiative brought forward by the Programs and Services Committee to develop Nisga'a history and Nisga'a Treaty curricula for elementary and high school, in collaboration with the Council of Elders and School District No. 92 (Nisga'a).

Resolution / Adopted October 24, 2013
Pathways To Technology Project

CONSIDERING THAT All Nations Trust Company ("ANTCO") is providing funding and project management on behalf of the Pathways To Technology project, with a goal of ensuring all 203 First Nations in BC have high-speed broadband;
Considering FURTHER THAT the Nisga'a Nation currently is under connected and is exploring sustainable

connections into the Nisga'a communities and "last mile" solutions which will distribute the internet throughout the Nisga'a communities, as well to connect the Nisga'a Village of Laxgalts'ap to the Nisga'a Village of Gingolx by way of cost-efficient technology;

CONSIDERING FURTHER THAT the Nisga'a Nation agrees to work cooperatively with ANTCO to determine the amount of funding that can be allocated through the Pathways to Technology Project;

CONSIDERING FURTHER THAT an Internet Service Provider (ISP) will be required, in order to provide Internet access to all subscribers in the community who wish to purchase services;

CONSIDERING FURTHER THAT ANTCO may offer experience or the ability to identify qualified individuals or companies for the purpose of procuring, installing and configuring 'Last Mile' and backhaul technology;

AND CONSIDERING FINALLY THAT ANTCO recognizes that neither the Nisga'a Nation nor Nisga'a Lisims Government ("NLG"), is a band but, rather, the Nisga'a Nation is a modern treaty nation and NLG is duly authorized to act as the representative of the Nisga'a Nation pursuant to the terms of the Nisga'a Final Agreement and Nisga'a laws which have been enacted since the date of the Nisga'a Final Agreement. Accordingly, proceedings of the Nisga'a Nation are authorized by the Nisga'a Lisims Government Executive (the "Executive") and resolutions passed by the Executive and not band council resolutions.

MOVED THAT:

1. the Nisga'a Lisims Government Executive as the duly authorized representative of the Nisga'a Nation endorses the work of the Pathways To Technology Project and wishes to acquire high-speed broadband connectivity for the communities;
2. the Nisga'a Nation as represented by the Nisga'a Lisims Government or a subsidiary company will have the option of assuming ownership and operation of the last mile network infrastructure and will make this decision prior to project completion.
3. the Nisga'a Nation and NLG will work cooperatively with ANTCO or ANTCO designates to 1) facilitate the

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required construction and equipment installation and testing; and 2) assist ANTCO or third party contractors in acquiring all required permits, licenses or other forms of permission within the communities which may be necessary in order for contractors to perform the connectivity work.

AND FURTHER MOVED THAT:

1. the Nisga'a Lisims Government Executive as the duly authorized representative of the Nisga'a Nation endorses the work of the Pathways To Technology Project and wishes to acquire high-speed broadband connectivity for the communities;
2. the Nisga'a Nation as represented by the Nisga'a Lisims Government or a subsidiary company will have the option of assuming ownership and operation of the last mile network infrastructure and will make this decision prior to project completion;
3. the Nisga'a Nation and NLG will work cooperatively with ANTCO or ANTCO designates to 1) facilitate the required construction and equipment installation and testing; and 2) assist ANTCO or third party contractors in acquiring all required permits, licenses or other forms of permission within the communities which may be necessary in order for contractors to perform the connectivity work.
4. Executive authorizes the Executive Director of Nisga'a Lisims Government, with advice from legal counsel, to continue discussion with ANTCO to pursue opportunities through the Pathways To Technology Project and other funding opportunities presented by ANTCO.

Resolution / Adopted October 24, 2013
Village Emergency Plans

CONSIDERING THAT section 6(2) of the *Nisga'a Emergency Program Act* (the "Act") requires each Nisga'a Village to prepare an emergency plan (a "Village Emergency Plan") that sets out the general direction and framework for emergency management in respect of the applicable Village;

CONSIDERING FURTHER THAT the Nisga'a Village Government of Gitlaxt'aamiks, with the support of Nisga'a Lisims Government, has engaged in the Nisga'a Village

Plans Project and has recently completed and approved its Village Emergency Plan;

AND CONSIDERING FURTHER THAT section 6(4) of the Act provides that a Village Emergency Plan comes into effect when it is approved by the Nisga'a Village Government and the NLG Executive;

MOVED THAT the Executive approve the Gitlaxt'aamiks Village Emergency Plan attached to this motion as Appendix "A."

Resolution / Adopted October 24, 2013
Special Assembly Every Two Years

CONSIDERING THAT Wilp Si'ayuukhl Nisga'a passed Resolution 2004/03, directing the Nisga'a Nation to consider establishing an annual budget allocation to hold a Special Assembly every two years;

CONSIDERING FURTHER THAT the last Special Assembly was held in Gingolx in May of 2012;

AND CONSIDERING FURTHER THAT under section 62 of the *Nisga'a Government Act* the Nisga'a Lisims Government Executive (the "Executive")

- (a) may call a Special Assembly by passing a motion with the support of at least two-thirds of its members;
- (b) must determine the date, duration and location of the Special Assembly if so called;

MOVED THAT the Executive:

- (1) call a Special Assembly of the Nisga'a Nation to take place in the Nisga'a Village of Gitwinksihlkw from Monday, May 5 to Friday, May 9, 2014; and
- (2) direct the Director of Communications and Intergovernmental Relations to coordinate the preliminary planning for the Special Assembly and provide periodic reports to the Executive, as requested.

In addition to the items referenced above, regular business carried out by the Executive of Nisga'a Lisims Government includes opening prayer, adoption of agenda, minutes and financial statements.

Highlights from Wilp Si'yayuukhl Nisga'a, October 29–30, 2013

The following is a summary, and for certain resolutions an excerpt, of Wilp Si'yayuukhl Nisga'a (WSN) resolutions from the most recent meeting of the WSN.

Resolution / Adopted October 29, 2013

MOVED THAT Wilp Si'yayuukhl Nisga'a hereby change the order of the items on the agenda adopted as Resolution 2013/20 for the present sitting in order to accommodate the wish of Wilp Si'yayuukhl Nisga'a to hear an address by visiting dignitary Mr. Thomas Berger in consideration of Mr. Berger's schedule.

Resolution / Adopted October 29, 2013

MOVED THAT the Speaker invite visiting dignitary Mr. Thomas R. Berger, OC, OBC, QC to address Wilp Si'yayuukhl Nisga'a at a time convenient to Mr. Berger during this sitting, and

FURTHER MOVED THAT following the address from Mr. Berger, the Speaker invite Dr. Joseph Gosnell Sr. and Mr. Edmond Wright to address Wilp Si'yayuukhl Nisga'a.

Resolution / Adopted October 30, 2013

CONSIDERING THAT pursuant to Section 32 of the *Nisga'a Financial Administration Act*, the Wilp Si'yayuukhl Nisga'a must adopt a final budget for the Nisga'a Nation for the current fiscal year; and

CONSIDERING FURTHER THAT the Executive has adopted and recommended for adoption by the Wilp Si'yayuukhl Nisga'a the draft final budget for the Nisga'a Nation for the 2013/2014 fiscal year;

NOW THEREFORE IT IS MOVED THAT Wilp Si'yayuukhl Nisga'a hereby adopts the final budget for the Nisga'a Nation for the 2013/2014 fiscal year, attached as Schedule "A" to this motion.

Resolution / Adopted October 30, 2013

CONSIDERING THAT it is desirable for Wilp Si'yayuukhl Nisga'a to enact certain amendments to the *Nisga'a Interpretation Act*, the *Nisga'a Business Development Fund Act*, the *Nisga'a Elections Act*, the *Nisga'a Government Act* and Members' Code of Conduct, and the *Nisga'a Financial Administration Act*;

NOW THEREFORE IT IS MOVED THAT Wilp Si'yayuukhl Nisga'a enact the *Nisga'a Miscellaneous Statutes Amendment Act*, 2013 attached to this motion as Appendix "A".

Resolution / Adopted October 30, 2013

MOVED THAT the debate on motion 2013/24 regarding the enactment of the proposed *Nisga'a Miscellaneous Statute Amendment Act*, 2013 be carried over to the agenda of the next sitting.

In addition to the items referenced above, regular business carried out by the members of Wilp Si'yayuukhl Nisga'a (WSN) includes opening prayer and adoption of agenda.



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