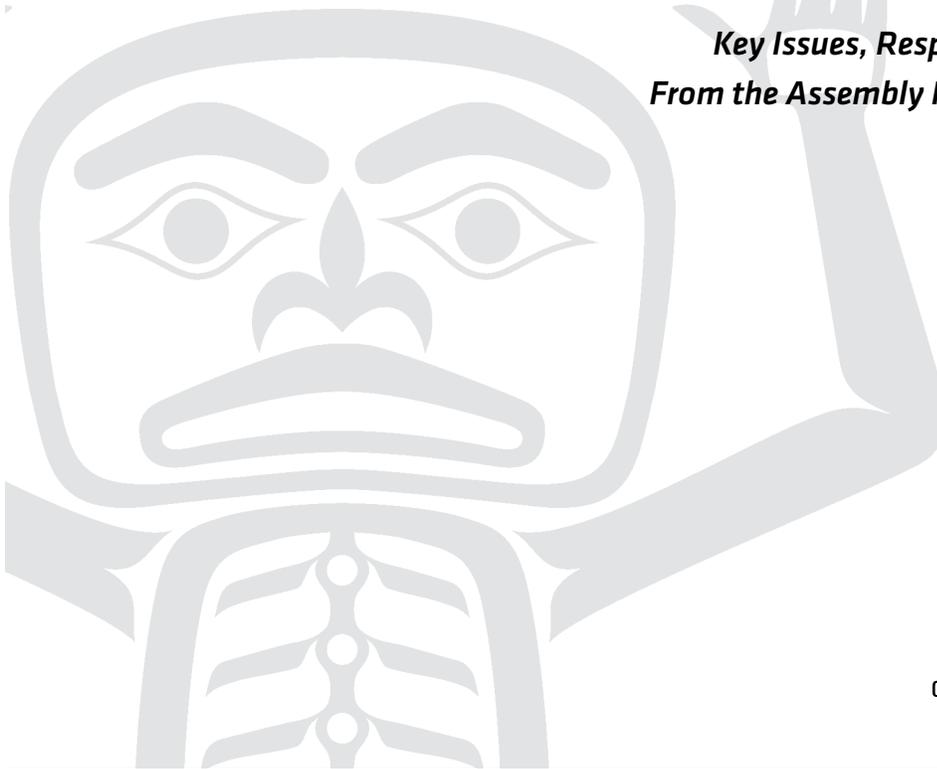




# Nisga'a Nation

## Special Assembly Summary Report

*Key Issues, Responses & Action Items  
From the Assembly Record of Proceedings*



**Sayt-K'ilim-Goot**  
one heart, one path, one nation

MAY 2-5, 2016 / GITLAᖃT'AAMIKS

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# Introduction

Special Assemblies of the Nisga'a Nation are provided for by the Nisga'a Constitution.

In May 2016, the Nisga'a Nation gathered for a Special Assembly in Gitlaxt'aamiks for several days to discuss central issues facing the Nation.

In respect of that Assembly, this report summarizes and identifies:

- the key issues that were articulated by Nisga'a citizens;
- the responses by NLG in relation to the issues identified; and
- the particular actions items that were, from the record of proceedings, items which respondents indicated that Nisga'a citizens could expect to see some form of follow up.

Where possible, the report has attempted to incorporate the language of the speaker, (i.e., to use their words and expressions). Minor edits have been made for clarity, and some duplicated questions and responses omitted. Where there may appear to be ungrammatical expressions, this is often due to notes which attempt to capture the actual speaking style of the speaker or which occasionally capture comments in point form.

It is hoped that this report will provide:

- a review of some of the key issues that arose from the conference to ensure that the comments of Nisga'a citizens are afforded an opportunity to be heard;
- information in response to these questions and comments; and
- identify any actions items to ensure that any such topics are identified and followed-up on.

Questions inconsistent with the rules of the Special Assembly are omitted. In some instances, following the Special Assembly, additional information has been included to provide further details in response.

# Executive Panel

## Question & Answer Session

**REFERENCE DOCUMENT / EXECUTIVE PANEL REPORT**

**SUMMARY /** DURING THIS SESSION, CITIZENS WERE GIVEN THE OPPORTUNITY TO ADDRESS THEIR COMMENTS AND CONCERNS ON A WIDE RANGE OF TOPICS TO THE EXECUTIVE PANEL. THESE INCLUDED, BUT WERE NOT LIMITED TO: BC HYDRO RATES, ELECTIONS, ELDERS, HEALTH, LANGUAGE AND CULTURE, NISGA'A CHILD AND FAMILY SERVICES (NCFS), THE SPORTS FUND, THE NORTHWEST TRANSMISSION LINE (NTL), THE LIQUID NATURAL GAS (LNG) LINE, AND STRATEGIC PLANNING.

### Comments

- BC Hydro rates: The Nisga'a government needs to negotiate that geographical area. This issue was raised two years ago and it was going to be looked into, but today, nothing has been done. We don't benefit from the Treaty. We need you to negotiate with BC Hydro to get those lower rates.

### Response

- I know you follow the news. Before the new infrastructure project – the NTL to service industry in our geographical location, there was a merger with two entities – BC Hydro and BCTC. Three weeks ago, if you watched the question period within the provincial legislature you would have seen that there was a gross mismanagement by the Crown corporation BC Hydro, which reports to the provincial legislation to the cabinet. They merged the two companies, which has a drastic effect on everyone living in the north. Instead of having an open debate in the cabinet, they had a cabinet sub-committee deal with it. As a result of that gross mismanagement, BC Hydro has to go and borrow money to pay its dividends to pay its shareholders. You and I got a four percent hydro increase this year on April 1st. There was an announcement by Energy and Mines from Minister Bennett that it would be 20% (unconfirmed), that's coming. All this is going to mean a 28% Hydro increase over five years, that started April 1st. We have been very direct in addressing BC Hydro, they do not pay taxes because they are a crown corporation. They give grants in lieu of taxes. In order to get money out of them, we talked about removing BC Hydro from the tax route.

## Subject / Prescribed Debt

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### Comments

- Definition of prescribed debt: Will that include all debt, i.e. housing, taxes whether or not there are land taxes?

### Response

- Currently there are thirteen pieces of legislation being reviewed. The priority for Nisga'a Elections is high; the end for completion is summer 2016; adding unpaid property tax as a prescribed debt; we just recently have a taxation authority – still waiting for legal opinion – as of May 2016; the targeted date for completion is before the July 2016 sitting of Wilp Si'ayuuḱhl Nisga'a (WSN).
- Question referred to general counsel. We do not have jurisdiction over housing dollars, as it flows through village governments.
- The issue of unpaid taxes has been referred to general counsel. We do have a long list of issues to consider and unpaid taxes is a priority.

## Subject / All Native Basketball Tournament (ANBT) Funds

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### Comments

- I have concerns regarding funds given for ANBT: \$80,000 over a three year period. I see that these dollars could be used elsewhere in the communities. It seems the teams do not want to fundraise. It seems our teams are not hungry enough for the championship, just a trip. \$5,000 given to each team.

### Response

- This issue has been raised by the Nisga'a Finance Committee in response to several issues brought forward. We have had discussions with our CFO about drafting Terms of Reference for teams to apply for funds that are available. The funds are to support teams that are facing challenges. We have talked about considering a matching contribution, but teams must show fundraising efforts. It is an issue of importance.

## Subject / Elections

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### Comments

- Matthew Moore was refused to run in the Vancouver election because of his residency in Nanaimo. Why is that? He was born in Old Aiyansh. He wanted to run and help the Vancouver Nisga'a Ts'amiks Society. I don't think this is right. You have the right to run no matter where you reside.
- Comment: It's time we practice unity with urban Nisga'a and people on Nisga'a Lands. How many people live off lands and why?
- Electoral boundaries have to be clarified, 60% of citizens live off lands. Who will be running for positions in the elections?

### Response

- The Nisga'a Elections Officer (NEO) is at arms length, it is an independent office. Someone living in the Nass cannot run for office in the Greater Vancouver district. There are catchment areas in the *Elections Act*, the *Act* is a piece of law, created before the effective date of the Treaty. Catchment areas have requirements.
- The Senior Management Team has taken notes and will pose them to the NEO.
- Cannot speak to the NEO office as it will be construed as political interference.
- There is an elections review that will be provided to the NEO.

## Subject / Council of Elders (CoE), Language & Culture

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### Comments

- I'm representing those who are worried about the Council of Elders.
- This concern was raised many years ago and it is gaining momentum. Who is given the authority to transcend that knowledge from elders to the youth? Today it is not working.

### Response

- What we envision is a language authority made up of fluent speakers, people that are familiar with the language, people who are comfortable in our cultural practices, people who are ensuring our language stays alive. There is gate keeping that is happening.

## Subject / Nasoga Gulf, Mining, Nisga'a Language, Privacy

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### Comments

- Nasoga Gulf: Purchased or leased? Where do you get the dollars and how do you get to passing the resolution? The money we are talking about belongs to the Nation not the government. You hold that money in Trust. When we asked about it we get no response as it is in-camera.
- What is going to happen with tailings from mining activity?
- Nisga'a language: Four levels of language, explain that to me.
- Owing money: This is a privacy issue. The provincial government doesn't go into your privacy. Are you a collection agency or a government? No one has a right to look into my private business.

### Response

- When TransCanada first came to the Nisga'a to get access we told them we couldn't speak to them until we spoke to our people. How people say they don't know what's going on is beyond me. We had 26 community meetings, today is 27. In July, 2013 there were no Council of Elders members allowed to speak until the president called for a suspension of the rules.
- On October 30th, 2013 a meeting was held in this facility in Gitlaxt'aamiks. There were numerous open houses. Prince Rupert Gas Transmission (PRGT) had seven open houses to share information with Nisga'a citizens.
- The Trust allows us to borrow from the Trust as per the loan documents.
- Nasoga Gulf: When this project first started, in those community sessions we told the Nisga'a Nation it is not just the pipeline we want, it is all the resources that are found in that area. When things settle, that land will be ours, we will take that land back. If they want to come through we need access to capacity. We got access to capacity on a closed pipeline. If you want this development to go forward you must fulfill the NFA and avoid the tax route. That land must become ours. It was traditionally ours in the past, and will become ours again.

## Subject / NEST

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### Comments

- The training dollars through NEST: Which communities benefit from that?

### Response

- Representatives of NEST will be prepared to respond to the question, NEST will be doing a report.

## Subject / Guide Outfitting

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### Comments

- I used to be a guide outfitter out of Terrace. I tried to put a proposal in for guide outfitting up here but was told I was not able to. Why wasn't I allowed to start this up? I'm trying to help youth and teach them how to survive.

### Response

- Just recently, the Nisga'a Nation became an owner of a 10,000 square mile hunting and guiding license area.
- We will speak to the Executive Director and Fish and Wildlife regarding that license.

## Subject / Northwest Transmission Line (NTL)

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### Comments

- NTL: Explain to our Nation hydraulic gas fracking.

### Response

- There is a proposed pipeline coming through our area, from 900 km away from us. There are no impacts of fracking on the pipeline, the impact is coming from the source of the gas.

## Subject / Elders

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### Comments

- Elders group took quite a hit in this village. Is there any help mandated for our village when elders are floundering? Elders are our national treasurers, if we don't take care of them we are lost. What are you going to do as Chair to get our elders moving in every village?

### Response

- I hear you. Yes, we sometimes are way down. I have been asked to go to different communities to help. I do know that two groups require moral support.
- Another suggestion is that we, as an elder's group, rotate our meetings in each of the communities.
- The issue of funding is beyond my reach. Unless the next budget process considers a budget line item where we can help out elder's groups.
- Health services: We have recently become a taxation authority. Whenever arrangements are made in industry, those finances require providing access to health services, education services, policing services. We have an appointed member, Eva Clayton, who sits on the Northwest Regional Hospital District (NWRHD), we will have access to capital funding.
- Elder's package: We are charged with your trust. We have not held anything formal, we have had discussions but have not dealt with it directly. There are countless ideas.

## Subject / Health Services

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### Comments

- Health services keep going down, it needs an overhaul.
- Waiting for public institutions will be too late, how many people will pass before changes come? There is a problem with medical services; Gitlaxt'aamiks resolution to WSN, using same process when WSN stepped in with the Terrace Nisga'a Society; As citizens we demand change for the benefit of the Nisga'a Nation. This has been dragging on for two years. You have people on income assistance that can't afford to go to doctor or specialist. In reference to the Treaty, we have an opportunity to Nisga'anize health services.
- Tele-health doctors cannot prescribe. Why have doctors if they can't prescribe medication?
- Nisga'a Valley Health Authority (NVHA): I heard that a doctor was imported from China and doesn't have Canadian papers.
- Live care: Should be removed to maintain that strength with an in-person doctor.

### Response

- Personal experiences have been coming forward from citizens, this is why we are looking at public institutions to improve the services.
- This is why we are doing an investigation as per the WSN resolution. We don't want to interrupt services. We are beginning the work now and retaining health consultants to assist in that review.

## Subject / Liquid Natural Gas Line

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### Comments

- I worked with these LNG companies two years ago, talked to them, asked them why are they going underneath the creeks. This is going to affect the creek habitat.

### Response

- We cannot bypass or circumvent provisions in the Treaty that all activities abide to the Treaty, that is protection. We do have experts for doing environmental assessments who assist. The route for the pipeline is now finalized. The environmental assessment has addressed all the issues identified by ourselves in protecting fish and wildlife habitat.

## Subject / Programs & Services, NCFS

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### Comments

- Question: How was the supervisor for Nisga'a Child and Family Services chosen?

### Response

- We can't speak to employment appointments.
- C6 delegation will give more control.

## Subject / Treatment Centre

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### Comments

- There is a need for a treatment centre, are we going to be building one?

### Response

- Looking forward to future needs is a part of the public institution investigation.
- For building a treatment centre: That is a capital investment and the authority to make such an investment lies with the government and Executive.

## Subject / Health, Education, Language & Culture

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### Comments

- Health, education, language and culture: We are in year 16 of our Treaty and we are hearing the same concerns from year one of the Treaty.

### Response

- Noted issues of concern: Those areas are being addressed.
- The health restructuring is in progress.

## Subject / Strategic Planning

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### Comments

- We fully understand self-government but we need to change our focus and look at an overall strategic plan for where we are going and the need to self-sustain our self-government.

### Response

- There have been requests for strategic planning, however given our recently passed Provisional Budget, we do not currently have resources for that. If any projects move forward, we may be able to consider strategic planning.

## Subject / Encouragement

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### Comments

- I encourage the panel for doing a good job.

### Response

- Statement: No response required.

# Finance

## Question & Answer Session

**REFERENCE DOCUMENT / FINANCE REPORT**

**SUMMARY /** IN THIS SESSION CITIZENS VOICED THEIR CONCERNS AND QUESTIONS ABOUT PROPERTY TAX, THE COMMERCIAL FISHER'S FUND, BANKING, SALARIES FOR ELECTED MEMBERS AND ADMINISTRATION, PROPERTY TAX, THE NLG BUDGET, THE SPORTS FUND, ELDER'S PACKAGE, NVHA AND SUPPORT FOR THE HOMELESS.

## Subject / Commercial Fisher's Fund

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### Comments

- Accessing the fisheries fund for upgrading: Fishermen met with previous CFO and were told that there is no fund. How did it go in 1998 from a fisheries fund to a trust fund? 37 fisherman got \$30,000. Today we have no idea who got this fund. Today we are told there are no more funds. Who received these funds?

### Response

- The fisheries fund program has ended. Same question was asked two years ago.
- I can get back to you on the history and where we are.

## Subject / Banking

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### Comments

- Will we have a bank in our communities?
- Why did NLG move to TD Bank?

### Response

- The bank is in attendance here today. Maybe you can ask them to see if that would be possible. My point here is to maintain good relationships with the banks so that when major capital projects are looked at, we can request funds through them. Banks manage our daily cash flow.
- The move to TD isn't appropriate for discussion here. We needed to look at operating costs.

## Subject / Salaries for Elected Members and Administration

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### Comments

- Why are there no public documents on what our elected members and administrative salaries are?

### Response

- Put forward to HR tomorrow.

## Subject / NVHA

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### Comments

- At what point does an employee or elected member bring out concerns regarding an entity whose services are not addressing the needs of the Nisga'a citizens? At what point do the operating costs get looked at when the state of citizen's services are going down? When does NLG step in?

### Response

- I can't comment on the NVHA, they are a society. The president spoke about that and the process of turning it into a Nisga'a Public Institution.

## Subject / Budget

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### Comments

- Budget: How much do we use each year? How much do we go over?
- Why aren't we doing zero-based budgeting?
- What is the hydroelectric plan? How much revenue will that produce?

### Response

- Breakdown of revenue and expenses: \$90m coming in, \$40m in government expenses.
- Allocations are recommended by the finance committee and passed by the Executive and WSN.
- Surpluses are generated from the Settlement Trust. Detailed financial statements are in the Special Assembly booklet and audited financial statements are on the website.
- Revenues haven't gone up, but the needs of the Nation have gone up. Through the budget process, we needed to cut expenditures due to revenues being short.
- Hydroelectric related comments and questions referred to Mansell.

## Subject / Elder's Package, Elder's Home

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### Comments

- What was the purpose of the Elder's Package? People turn 60 and they spend it right away.
- We should change the age limit for the Elder's Package.
- Elder's Package: Youth turning 19 should get \$5000 for post-secondary and the rest at 60. And if you die before 60, the family should receive the monies for funeral expenses, etc.
- I suggest that we have an information session for those who turn 60.
- I would like to see an elder's home in our local villages. We need support services for our aging Nisga'a Citizens.

### Response

- The Elder's Package was set-up and is still running today.
- The Elder's Package is the topic of the Executive.
- Our spend rate is followed so we will maintain the value of the Trust. Money will not disappear if you stop the Elder's Package, the monies will be reallocated.

## Subject / Property Tax

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### Comments

- Do we have a five or ten year plan for the taxation revenue to work for us?

### Response

- Property Tax will generate about \$300K, half would be a grant in-lieu and half of the tax is still outstanding.
- Right now the property tax revenue is not covering the expenditures. Eventually, the revenues will go back to the villages.

## Subject / Sports Fund

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### Comments

- Sports funds provided to teams going to All-Native Basketball Tournament: They should have more than enough time to fundraise. The monies could be used for better things.
- The sports funds takes (away) the responsibility from Executive and parents to fundraise. The players work less.
- Sports fund: A wonderful fund. We have many Ceremonial Dance groups and when we apply we get denied.

### Response

- Sports funding goes through the budget process. The secretary-treasurer requested that we start to put together a process.

## Subject / Support for Homeless in Vancouver & Terrace

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### Comments

- The majority of the homeless people in Terrace are Nisga'a. I would like to see a recovery home in every Nisga'a community and Urban Local.
- I would like to see support in Vancouver. There are a lot of homeless people.
- I would like to see the Vancouver Nisga'a involved with more sports.
- I would like support for them to work with Nisga'a children put into care.

### Response

- Items are done through the Executive and your elected members. New capital will be in the agenda for the finance committee.

## **Subject / Cancer Relay Support & Funding**

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### **Comments**

- Is there any funding support for those that participate in the cancer relay?

### **Response**

## **Subject / Investing for Nisga'a Children**

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### **Comments**

- I suggest that money be invested for Nisga'a children that are born for future expenditures like buying a home.

### **Response**

- Statement: No response required.

# Lands & Resources

## Question & Answer Session

**REFERENCE DOCUMENT / LANDS & RESOURCES REPORT**

**SUMMARY /** IN THIS SESSION, A NUMBER OF QUESTIONS AND CONCERNS WERE RAISED ABOUT THE MONITORING AND ENFORCEMENT OF NISGA'A LANDS AND RESOURCES. IN ADDITION, CONCERNS WERE VOICED ABOUT GARBAGE ON NISGA'A LANDS, FORESTRY CONTRACTS, TIMBER HARVESTING, THE TERRACE GIS OFFICE, AND FEE SIMPLE LANDS.

## Subject / Lands & Resources, Monitoring & Enforcement

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### Comments

- Enforcement officers: What kind authority do they have? Do they have the same kind authority as the conservation officers?
- Why aren't their pickup trucks equipped with emergency lights, such as someone doing illegal hunting?
- Suggestion: Have some kind of enforcement within our waters, outside waters, over the harvesting of halibut and crab by non-Nisga'a who use those foods for sale and profit.
- We Nisga'a citizens get harassed when we try go to Rupert areas, yet on our waters and lands it is easy for non-Nisga'a to harvest our traditional foods for sale.
- We need more people that look after our property and land, not only villages, but all over our territory.
- Have seen people come in on weekends, and leave with boats full of sea life, anything you can imagine. It gets out of hand, they don't have permits. Monitors should be out there 24/7.
- People from other tribes have been seen coming into our territory and hunting. When asked why they are there, they take off and don't say anything.
- We need something done about this, this is our land. We live off this land and need to take care of it, to sustain it for our kids and grandkids.

### Response

- The jurisdiction of our enforcement officers is currently limited to the *Nisga'a Fisheries and Wildlife Act* and the *Nisga'a Forest Act*. Each has different levels of authority and jurisdiction. Fisheries and Wildlife jurisdiction is limited to the enforcement of laws that pertain to Nisga'a Nation allocations. The *Nisga'a Forest Act* grants much more authority, but is limited to Nisga'a Lands in most cases. We do not have the same level of jurisdiction as conservation officers, we do not pull over vehicles. If we did have lights on vehicles it would be for safety reasons on Nisga'a Lands. Where jurisdiction is limited, the Fisheries offices – Iceberg Bay, Nass Bay, we need to rely on federal fisheries officers to enforce this area in terms of non-Nisga'a activities. We don't have the jurisdiction.
- Enforcement officers work weekends and try to ensure maximum chronological coverage of areas. Visibility and presence is key, people don't break laws if they see an enforcement officer's truck on side of the road.

## Subject / Lands & Resources, Monitoring & Enforcement

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### Comments

- Hunters and fishermen come into our valley with boats and take our traditional food. You have enforcement officers but they cannot enforce anything.
- A guy from Alberta had 20 undersized hali-but and undersized female crabs, he said they would report him. He went back and the guy returned everything back to water.
- At Ross Dock, you have to sign in, you have DFO down there. We need to start doing this as it is done in Rupert to ensure we protect our seafood. If we don't and we wait too long, there will be nothing left for our people, it will be cleaned out.
- This goes for hunting too. A bear carcass was found with parts taken for trophy only – I knew this wasn't Nisga'a.
- We need to pay more attention to non-Nisga'a, rather than focusing on our own people.

### Response

- This is a Fisheries and Wildlife matter.

## Subject / Fisheries Enforcement

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### Comments

- I am a fisheries officer and work with the DFO Enforcement Department.
- We need to stop depending on DFO, we have to start training our own enforcement officers as same level as CO or fisheries officers, so we can enforce our own legislation within BC and Canada.
- DFO has their own priorities, and their priorities and our own priorities are not the same. We need to take the lead, not count on someone else to do the job for us.
- We need take this step forward to ensure our lands are taken care of.

### Response

- You are a fisheries officer, we need to be clear, what you can and can't do.
- You have jurisdiction, our staff are trained, and they are out there regularly.
- Nisga'a citizens have to follow our legislation, we don't have to get a federal fisheries permit, we need to get a Nisga'a permit.
- Everyone else, particularly non-Nisga'a, have to get a federal fishing permit.
- We can train our staff to do a million things, but not to have the jurisdiction of a federal fisheries officer.
- You have a responsibility as a fisheries officer. If you see someone breaking the law, tell them, but don't stop there, inform NLG.

## Subject / Forestry Contractors

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### Comments

- Forestry: Are you guys open to contractors? Why were there out-of-town contractors on our land, doing work that our people should be doing? Our certified people are able to do the work.
- Thank you for your presentation.

### Response

- We play an exclusively governmental role, we are not active in commercial logging operations. We provide strategic guidance, and policy to enable Nisga'a Pacific Ventures Limited Partnership (NPVLP) to implement plans. Lisims Forest Resources (LFR), at this time directs the vast majority of harvest operations, under the NPLL which is approved by the Executive. The selection of contractors is the responsibility of LFR (the licensee).

## Subject / Timber Harvesting Profits

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### Comments

- We were married at Treaty Creek 15 years ago, and the next year they made it a heritage place. We've been together 27 years, and live in New Aiyansh.
- Speaking of the same area just mentioned by the last speaker: Kincolith Convention – the motion that no more cedar trees should be cut down in our area. Is this being logged? If so we have breached this motion of our nation.
- The Treaty said that any resource that is taken off our land for profit was supposed to be given up to the four villages.
- How much profit did you make in the 15 years you logged? Every time we hold the Special Assembly that never comes up. First year Government tried to log, \$2.5 million in the red and former premier Harcourt, Mr. Chairman. When you lose money like that, you shouldn't be running a business. Would like to know the true figures of the profit made in the last 15 years.

### Response

- The details of revenues received by NLG from timber harvesting are available in the financial records. NPVLP (LFR) has run business operations since 2005 and the revenues received through royalties and stumpage are outlined in licence documents.
- We don't have information pertaining to actual revenues. Off the top of the head, \$1.5-2 million in the last 11 years. Those revenues, when received, go into governance within NLG.

## Subject / Terrace Geographic Information System (GIS) Department

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### Comments

- Maps being made in Terrace: Do we not have GIS in our community? If so, with all the cutbacks, why are we still renting offices in Terrace?

### Response

- Our GIS department is located in Terrace, we have a hard time keeping staff. The decision was made in support of technological advancements.
- A pilot project (was done) in the fall and winter: The results are that we will extend GIS to Terrace for another year. All indicators suggest it works effectively. For maintaining highly trained staff members, doing so in Terrace is the best option. The office is in the NLG Terrace office, there is no additional office space, no rental fees
- The department is running very smoothly, and will continue to do so for another year.

## Subject / Fee Simple Lands, Village Entitlements

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### Comments

- How many people have transferred to fee simple? Have we lost any land?

### Response

- Thirty grants and zero have been lost.

## Subject / Garbage on Nisga'a Lands

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### Comments

- Six to eight years ago in Kincolith, men were hired to patrol mushroom areas, but they still look like garbage dumps. Why do they still look like this? We have pride in our land.
- Trash is common along the auto tours, and there is also a lack of washrooms along the way.
- Hlgu Isgwit, a major visiting spot, should have a garbage bin and washroom.
- People go there for medical reasons.
- I've seen beer bottles, garbage, underwear hanging off trees – we need to take better care of our land.

### Response

- Garbage on Nisga'a lands is a problem that is not going to go away. Our fire crew cleans up garbage. Enforcement Officers, forest, and land officers out there have to catch people in the act, and find evidence of who is responsible.
- Staff picks up the garbage, and they observe, record and report disposal of garbage through Nisga'a Lands.
- Garbage happens even in places that seem very inaccessible.
- If you see it, please report it and we will follow up with it.
- Regarding trash on the highway and the need for washrooms, we share your concern.
- We work with highways and parks to try to maintain and improve services where we can.
- For example, Hlgu Isgwit is a site near and dear, it is under a Land Use Plan (LUP) designation as a heritage preservation zone. We are obligated to zone this, and determine how we manage access to the site and garbage removal.
- We are working on a management plan along with other NLG departments. Need to adopt this management plan.

# Fisheries & Wildlife

## Question & Answer Session

**REFERENCE DOCUMENT / FISHERIES & WILDLIFE REPORT**

**SUMMARY /** IN THIS SESSION, QUESTIONS AND CONCERNS WERE RAISED COVERING A RANGE OF TOPICS INCLUDING FISHERIES MONITORING, THE CRAB BOUNDARY, MOOSE HARVEST, FISHERIES JOBS AND TRAINING, NISGA'A FISHERIES AND POLITICS, POACHERS, SPORT FISHING, THE SALE OF FOOD, MARKETING NISGA'A FISH PRODUCTS, TRADE AND BARTER, AND TEST FISHING.

## Subject / Grease Harbour

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### Comments

- Can something be done to mark Grease Harbour? It's hard to see at night when we go up there. It is a historic site. I fish and camp there.

### Response

- Thank you for the suggestion, we will take it to our government.

## Subject / Fisheries Monitoring

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### Comments

- Observation: I'm very proud of the work you all have done concerning our fish and wild-life. When I was a little kid, my grandfather put a life preserver on me and we went to Grease Harbour. He taught me to take just what I needed. The teaching from our elders from the history to the present I think is important information to have.
- I want to ask about your escapement formulas. In that formula do we account for what our neighbors are taking out of the river? Who monitors all of that?

### Response

- Thank you. We work with Fisheries and Oceans and also BC. The monitoring by Fisheries and Oceans has gotten better over the years towards us.

## Subject / Moose Harvest

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### Comments

- In regards to the moose harvest, I suggest you move the hunting season to be up earlier in the rut. It's easier to call the moose during the rut, not after, because the moose aren't thinking right during that short time period. Right now, you have our hunting period for after the rut ends. This is just a suggestion to have moose hunting happening during the rut.

### Response

- When you look at the Nisga'a harvest wheel, it does show the correct times to harvest. I hear you and the committee hears you, and I am sure it will be taken into consideration.

## Subject / Crab Boundary

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### Comments

- Nasoga Gulf: Concerning the crab boundary, will it finally be moved to protect our crabs?

### Response

- Concerning your question on Nasoga Gulf, it will be answered on the last day of the Assembly by the Executive if you will be here that day.

## Subject / Fisheries Jobs & Training

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### Comments

- Fisheries jobs: I think that the problem with most of the training certificates is that there are no practical jobs associated with them. Are there any practical jobs or work here for someone like me who holds these certificates?

### Response

- Thank you for your question. We did have a fisheries technician posting just recently for this season but it did close not too long ago. I do encourage everyone to please watch out for the media releases concerning employment opportunities.

## Subject / Nisga'a Fisheries & Politics

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### Comments

- On October 4th, 2015 there was a protest on the waters outside Kincolith in regards to the commercial crab fishery. I will read the resolution that came from that day. Over the past 16 years, Nisga'a Fish does not get involved with commercial/political efforts. We need to work on this.
- Congratulations on the past 25 years! I am looking forward to the next 25 years.

### Response

- Thank you, good points. I was there during that meeting last year. The Joint Technical Committee (JTC) is meeting on May 18th and I will direct your questions and suggestions to them then.
- Your political questions will be answered by the Executive.

## Subject / Protection of Traditional Foods

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### Comments

- I was a part of the protest last year. It's sad that we're not trying harder to protect our traditional foods. I want everyone to raise their hands that enjoy our crab. We've been looking into it for so many years. It's sad that it keeps getting passed back and forth from Nisga'a Fish to DFO. I've been feeding our people a lot with our traditional foods such as crab. I've been keeping track of the number, I had 95 pots of crab out in beginning of March just to feed our people. The big DFO guy that was in Kincolith last year, we asked him if he knew where our crab spawn. He didn't know, he had no answer for us. We told him they spawn right in front of our community of Kincolith. I am not going to quit fighting for our food.

### Response

- Thank you for your questions. We do support that, we do support our resources. We do get funding every year just for that reason. We are doing this again this year as we do share your concerns.

## Subject / Poachers

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### Comments

- Is it possible for poachers to track moose like biologists?

### Response

- That is a concern. There is an online site now where they share information. There are some scientists that don't have any morals and poachers could have access to those sites. It would be up to the individuals to not post all of their information on those sites. Fortunately, we do not tag the Nass moose.
- Concerning data taken by drones, it can be disturbing as some hunters can get access to the same type of drones and use them for hunting to track them on the spot.

## Subject / Marketing Nisga'a Fish Products

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### Comments

- They say we have the best fish in the world, so why aren't we marketing our smoked fish and k'yuuks? Almost all of our women make these and I am one of these women. I have friends in Dawson and they thought our k'yuuks was dried moose meat. I told them it was salmon.

### Response

- Thanks for that. There was that happening some years back, but Health Canada came into the picture and stopped it. They said that the smoke houses had to pass food safety regulations. It never went further from that. Health issues are large. It's a good item for discussion, but at the end of the day Health Canada wanted to streamline how the smoke houses are built, including my own smoke house as it didn't pass their regulations.

## Subject / Sport Fishing, Internet

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### Comments

- Kincolith receives thousands of Albertans in their community who pillage the salmon there with sport fishing. They rip the hooks right out of the fish mouths, and that is a dead fish right there. They say they are going to Dundas, but they are not going there first, they are going to Kincolith to dock there as it's easier for them. They are running back and forth at \$1500 a day and no one is monitoring them, they are hunting and fishing on our land. This needs to stop. We need to fish and provide for our people.
- It bothers me that we are discussing these things on the Internet for all of the Gitksan and Gitanyow to hear and observe our meetings when they won't allow any Nisga'a into their meetings. This really needs to be reevaluated immediately. Thank you.

### Response

- Lisims Government has given authority concerning monitoring of the valley. In the early days when we did the consultations, there were more elders present. If you are caught poaching and breaking regulations, we're going to take your boat, your gun and your truck.
- Concerning the Internet question, I cannot answer at this time.

## Subject / Hunting & Fishing by Non-Nisga'a

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### Comments

- I reside in Greenville and have been there for the last 20 years. Greenville is beautiful with the mountains and valley but not as beautiful as my hometown of Kitsalas. That is where I learned to respect the fish and wildlife. I am a teacher. I would like to know if I can fish and bring that to my smoke house.
- It states in the Treaty that non-Nisga'a cannot get a permit to hunt or fish on Nisga'a Lands. Once people leave the Nisga'a band, they should no longer have that privilege of getting permits on our lands because they chose to leave the Nisga'a. Last year I didn't get a permit as this was after the draw was done. I had another opportunity to hunt. We were stopped by a CO from Terrace and asked us if we could hunt here. I told them that we hunted on my dad's traditional trap line. Then Zane came over to give us the third degree. We had a big argument over it. I told Zane that he knows nothing about the Nisga'a Nation or culture and you can't tell me what to do on my dad's trap line.

### Response

- Concerning non-Nisga'a citizens, we will have to cut you off on questions. Fish and Wildlife does have a booth and you can take your questions there. Thank you.
- I'm sorry but we have to stop you, we've got the gist of your questions but we're going to go over the time line.

## Subject / Sale of Food, Sport Fishing

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### Comments

- I agree with everything that Andrew has said. Do those Alberta guys and the guys from Germany, other Europeans etc., get licenses to fish on our lands? They are posing their catches of halibut too and I'm sure they are taller than them on the side of the road. We approached one of them and they said it is all for up the line. There are some Kincolith people going up the line for the big bingo with jars of t'ibin and flippers to sell. They are not bringing them up there to trade. I saw two guys on the highway wearing camouflage with big guns and I think they were hunting for bears there.
- I always see our surrounding neighbors hunting on our lands. I think we all should go and hunt on their lands. We always have to have permits to hunt and fish on our own land. We have boundary lines from Tahltan down over to Gitanyow. They should be following those lines and have permits as well.

### Response

- Regarding the sale of food, we have been in the process of trying to stop that. We have a treaty of what we can do on our lands. It was voted on and we have to respect that in regards to use of permits and collection of data.
- On the topic of sport fishing: You are right that it has grown as an industry, and some of our own people are trying to start that up as well. Our president has gone to the previous and present Fisheries Ministers of Canada on that issue. I am on the Northern Panel for that commission and that is how that body operates.
- Thanks everyone for the questions and comments today.

## Subject / Old Aiyansh Road

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### Comments

- I want to comment on the fishers of this area. They phone me to report their catches, even during my days off work. I want to thank them all for the good job that they do. This is going to be my sixteenth year with the program. So now I have to make it to 25 years. Please don't ask me how old I am.
- I have been hollered at until blue in the face concerning the Old Aiyansh village road, to have it slashed back. You know, some little cars don't have radio phones to call back, so that they can say that they are on the road. One of these days someone is going to have a really bad accident on that road if it's left how it is right now.

### Response

- The responsibility would lie with the Aiyansh Village Government to look after the Old Aiyansh road, and they have heard your question.

## Subject / Test Fishing

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### Comments

- About the test fishing: We always say this every time we have a gathering. We should go back to gill netting and not use the fish wheels anymore. I want to thank all the staff that you have and thank you for your report. I hope that you will listen this time to the direction that I have given.

### Response

- On the issue of test fishing, our fishwheels have been very successful. Our professional biologists have decided that our fishwheels are right on the mark. The net fisheries is 20% off and our fishwheels are 2% off. We encourage them to be used elsewhere. Our staff are very experienced and have travelled elsewhere to assemble them.

## Subject / IS Fishery & Taxes

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### Comments

- My question is on the tax percent that is being taken off our fish during IS fishing each year. The tax office is making mistakes on the amount of taxes being taken off there. The Métis people are status now, so does that make us non-taxable? Thank you.

### Response

- On taxes: I will have to leave that to the tax man, sorry.

## Subject / Trade & Barter

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### Comments

- We should have nation to nation bartering concerning things that we can't grow or hunt or fish. Tahltan are strong on moose and in the Prince George area, the First Nations there are strong with beef and the Okanagan area have always been strong on fruit. Is there anything that we can do to exchange our salmon as a product that we are strong on?

### Response

- On trade and barter: You are correct. I had a call to my office from the Fraser River valley, he wanted to bring a stand of fruit and vegetables in exchange for 500 sock-eye. We didn't know how to respond to that but, what it boils down to is that we have to take care of what we have here for our people first. On a small scale yes, we can trade and barter. But we really have to be careful about that.

# Communications & Intergovernmental Relations

## Question & Answer Session

**REFERENCE DOCUMENT** / COMMUNICATIONS & INTERGOVERNMENTAL RELATIONS REPORT

**SUMMARY** / IN THIS SESSION NISGA'A CITIZENS VOICED QUESTIONS AND CONCERNS ABOUT EMERGENCY PREPAREDNESS, SPECIFICALLY RELATING TO EARTHQUAKES, TSUNAMIS, AND HAZARDOUS MATERIALS, SUCH AS FUEL SPILLS. ADDITIONAL TOPICS DISCUSSED INCLUDED EMERGENCY EQUIPMENT, AS WELL AS SEARCH AND RESCUE CAPABILITIES, AND AVALANCHE TRAINING.

## Subject / Earthquake Emergency Preparedness

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### Comments

- I am concerned about earthquakes and if the buildings are equipped for this.
- What about the hospital? Is it ready? Who will look after us in an earthquake?
- As a former construction worker I have experience with the construction of a hospital and school and at the time there were no earthquake restraints.

### Response

- The probability of an earthquake is very real.
- Something that we consider is the building safety, and we have discussed this with the Capital Works manager.
- Each one of us should be able to survive for 72 hours on our own regarding personal emergency preparedness.

## Subject / Tsunami Emergency Preparedness

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### Comments

- It takes an earthquake 7.5 or higher on the Richter scale to cause a Tsunami. How prepared is NLG?
- The reality is that Gingolx and Laxgalts'ap will have nowhere to go for safety, so where do they go?
- A tidal wave would come in two minutes.
- Gitwinksihlkw is not safe either.

### Response

- It's great to see that people are concerned and reflecting on the idea of an emergency event.
- Consider going to high ground instead of waiting to be advised to do so, this is the message from the province.
- Gingolx has had experience in 2012 and 2013 with the two earthquakes and has developed an Emergency Evacuation Plan.
- Emergency Management BC (EMBC) has an impressive response plan.

## Subject / Hazardous Materials, Emergency Preparedness

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### Comments

- How prepared are we for a fuel spill?
- There is a lack of emergency equipment.

### Response

- The existing Emergency Plan has a section on Hazardous Materials with respect to a fuel spill.
- NLG's role is to coordinate site support.
- We have met with TransCanada once and they gave a brief description of what they would do in the event of a spill.

## Subject / Emergency Equipment: Jaws of Life & Generators

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### Comments

- How prepared are we for using the jaws of life with our four fire departments in the Nass?
- Laxgalts'ap has a jaws of life within the Fire Department and is well prepared for emergency situations.
- Is there any funding for generators for the auditorium and other public buildings?

### Response

- Incidents that occur along the highway would be the responsibility of the highway under their jurisdiction.

## Subject / Search & Rescue

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### Comments

- Are we prepared to do search and rescue within the Nass Valley?
- We have no experience guiding on local waters for search and rescue.

### Response

- There is no search and rescue in the Nass Valley but there is a possibility for it.

## Subject / Funds for Avalanche Training

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### Comments

- Are there any funds designated for avalanche training?

### Response

- There are currently no federal or provincial funding initiatives. There used to be a program called the Joint Emergency Preparedness Program (JEPP) but the Harper government cut it.

# Programs & Services

## Question & Answer Session

**REFERENCE DOCUMENT /** PROGRAMS & SERVICES REPORT

**SUMMARY /** IN THIS SESSION PARTICIPANTS EXPRESSED CONCERNS ABOUT THE NEED TO DO MORE TO PRESERVE AND PROMOTE NISGA'A LANGUAGE AND CULTURE. COMMENTATORS HIGHLIGHTED THE NEED FOR BETTER AND MORE ACCESSIBLE PROGRAMS AND SERVICES TO FACILITATE LEARNING. QUESTIONS WERE ALSO RAISED ABOUT NISGA'A VALLEY HEALTH AUTHORITY (NVHA), SERVICES FOR CHILDREN IN CARE, CHILD SAFETY, YOUTH, AND AMBULANCE SERVICES.

**Comments**

- Following up on questions brought forward yesterday.

**Response**

- I have consulted with my colleagues at NVHA and the NLG Executive Director and want to take this opportunity to respond to your comments and queries regarding health and non-insured health benefits.
- The Nisga'a National Health Plan is the Nisga'a health plan – your health plan, created after consulting with the communities. NVHA also met with community leaders, at executive and community consultations for feedback. This feedback was drafted into the Nisga'a Nation Health Plan.
- NVHA responded to your needs. In fact, in the context of a BC provincial model or a First Nations Health Authority (FNHA) model, NVHA exceeded or over-subscribed their budget for Non-Insured Health Benefits (NIHB) in a lenient manner not found in an operational plan elsewhere. Moving forward, NIHB is not cutting services or health benefits but they are, and will continue to align the services and benefits within NVHA, NIHB policy, and budget.
- International Medical Graduates (IMG) assists with telemedicine services. This doctor is a training doctor. He is registered and certified by Doctors of BC to work under the attending physician at NVHA. NVHA is happy to hear about and know that the doctor is carrying out the function of his licensing level and seeking support and guidance.

**Comments**

**Response**

- The privacy and confidentiality of a patient's case-files are protected by NVHA and they will not confirm or deny any patient specific issues discussed in a public forum. As a general comment, issues such as a tele-medicine misdiagnosis or wrong medical doses were not submitted to NVHA administration as a complaint.
- Telemedicine supports physician on-the-ground services. All physicians that work with NVHA are registered and licensed with Doctors of BC. If NVHA did not have telemedicine to support our physicians' on-the-ground services, they would be facing physician burnout, or we might end up with no physicians, as other communities have been facing and continue to face today.
- An ICBC claim is a third party claim, and as such is excluded from NIHB policy. NVHA is on a cost-recovery (reimbursed) basis. The Nisga'a Nation has handicapped Nisga'a Health service delivery under a non-profit model that no longer fits Nisga'a health care needs.
- Health care service will constantly change as our Nisga'a population characteristics change over time. What works today may not be applicable in five years.
- For greater clarity, we are not investigating any administrative body, we are reviewing and identifying a public institution health model and its required transition plan to ensure a continuity of existing service and methodical hand-off to the pending new model.

## Subject / Child Safety

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### Comments

- Can any of the Nisga'a entities' front-line workers refer children to the Suspected Child Abuse and Neglect (SCAN) clinic in Prince George that would help families with moving forward?

### Response

- We can refer to Prince George by process of referral. For most children it is a long process and review.

## Subject / Sexual Exploitation & Safety Project, Drug & Alcohol Addiction

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### Comments

- I commend the women on the panel, and the violence against women project.
- I work in the downtown eastside in Vancouver. Our own people there suffer from alcohol and drug addictions. I recommend something to help these women through our Urban Locals. Reminder of connection to Nisga'a Ts'amiks.
- I support the suggestion of posting "abusers" names publicly so our children remain safe.
- Pedophiles: We have a right to know who these people are to protect our children.

### Response

- What you shared is the reason for the sexual exploitation project. When women leave the community, they don't know what sex exploitation looks like. They don't name it or address it to say it's happening. We'll be bringing this to the community and presenting it to the public, and especially to the youth, including examples of what it looks like.
- Nisga'a Child and Family Services (NCFS) offers lots of support. We are in the process of addressing child safety in the valley. In the meantime we can offer various supports, including Terrace and Prince Rupert offices. We are trying to get services in place, there are a few hurdles but we are working through them.

## Subject / Language & Culture

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### Comments

- Our biggest resource is our children and our language and culture. I learned during a language conference that there are times when our Treaty does not allow us access to funds that are available to First Nations, i.e. \$700K for language teaching by First Nations Education Steering Committee (FNEESC). We are exempt from applying for this due to the Treaty. Question: Is NLG going to replace the dollars by the Tripartite Framework Agreement (TIFA)?
- I encourage you to take a proactive role so we don't suffer due to the Treaty and are able to pursue funds for our elementary and high schools.
- How can we make School District 92 more accessible?
- How we can make Nisga'a language and culture more accessible?
- We talk a lot about learning our culture, and there is one free place where we can learn and get our language and culture back – at our feast halls. The place is full in the beginning and before it's half over, the hall is empty.

### Response

- This is a very important issue for our government officials with the federal and provincial governments when it comes to the Nisga'a Final Agreement. We acknowledge that there are general provisions where some programs are not available through the Fiscal Financing Agreement (FFA), while there are other programs that are.
- We acknowledge the need for this and for moving forward with language and culture revitalization.
- In terms of strategic planning, we are collaborating with other entities (School District 92, WWNI), and fluent speakers within the planning scope of the language authority. We will bring this forward to the stakeholders of the Nation to encourage them in the revitalization of the language and the way it is spoken and articulated. Thank you to the fluent Nisga'a speakers for promoting and protecting the language.
- We encourage citizens to access the resources we have still with us.

## Subject / Language & Culture

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### Comments

- I was called when the Nisga'a Language and Culture Authority (LC&A) was formed. There were eight of us called upon at the orientation. After the orientation, everything stopped and I don't know what happened. There was much discussion about our language and culture at the outset. It has to be discussed to find where we're lacking. That's how our elders did things, they discussed issues of concern, they didn't argue. They used their knowledge. If this committee doesn't continue, how will our children learn? I heard it said yesterday, we the elders are the foundation of this work. It's time for us all to pay attention to the elders. It's time to look into this, find what's lacking and bring it forward.
- One of our chiefs is working with us by speaking our language when fulfilling our cultural duties. Our youth enjoy singing and dancing. Suggestion: Have this happen every three months, there are lots of ways to learn.
- What ever happened to the language and culture preservation program? I was on the program when it first started and now we're hearing of another program. It's time to listen to the young people who want to learn. The same youth who stay at the feasts, memorials and weddings. Is there something in each community where we can do what we can to push forward the language culture in our communities? There are many chiefs and matriarchs in each community that can help, is this a possibility?

### Response

- Thank you and we are moving forward with strategic planning. The goals of NLG with language, culture, and revitalization are to work towards more resources and more meetings to complete the tasks brought forward by the Executive. We appreciate the commitment by elders and fluent speakers.
- We appreciate that the community provides programming with language, songs, and dancing. Acknowledging the natural way, where the Simgigat prepare to sim'alga for those coming up behind them.

## Subject / Language & Culture

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### Comments

- Our first language is Nisga'a, and language teaching begins in the home with the grandmothers. Our culture is watered down today and, as grandmothers, we need to teach our grandchildren the haw'ahlkw.
- I commend you on the great work for our people. I work with NVHA (Community Wellness Counsellor, grief, alcohol and drug addictions, and Nisga'a Crisis Response Team), and in our work I saw so much missing – our foundation. I was fortunate to have been raised by two people who didn't attend residential school and I was taught the ceremonies from the beginning of life to the end of life. We need to start using the ceremonies.
- I signed up for Nisga'a Language and I was the only one who signed up three years ago. I also asked the language teacher to send extra Nisga'a language homework home but it's not happening. I came from the SD92 table and it's going to cost \$140 for Nisga'a language.
- It's encouraging to hear a lot of people are thinking the same way. I went to various resources to learn and would encourage others to reach out as well. Take the initiative and go to them and don't wait for them to come to us. In the schools, we can do more than use computers, we can use total physical response (TPR).

### Response

- Thank you for your advice.
- Thank you.
- We appreciate the comment.
- Statement: No response required.

## Subject / Truth & Reconciliation

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### Comments

- When will we hear a report on reconciliation?

### Response

- Truth and Reconciliation (TRC): A recommendation did come back from the forums and a report provided for resources and initiatives that would address education, health, and programs and services. In terms of NLG, we haven't provided a response on how it would look for us as this too would have to provide negotiation and services we qualify for.

## Subject / Ambulance Services

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### Comments

- In the Special Assembly Report, page 59, second column, third paragraph: Ambulance service plans. It's been a long time coming. My question: How many individuals in our valley are licensed and how long until we get our ambulance services going?
- We have qualified medics, when are we going to get a paramedic vehicle for New Aiyansh?

### Response

- We are working on the ambulance services and working with BC. In terms of getting the planning completed there is a lot of conversation and we are still in the planning stages. We are planning on visiting the locations. We will be sure to be in touch with Village Government CAO's.
- This falls within capital assets. Refer your question to New Aiyansh VG.

## Subject / Nisga'a Child & Family Services, Children in Care

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### Comments

- In regards to the guidelines for children in care: I've been in care for six years and have never been contacted for these programs. I would like to know how to access them.
- Support when children are in care: What is needed? There was no help in Vancouver when I needed it. When will these services be implemented? Where do we go in the meantime?
- Our Ayuukhl deals with children in care. Why don't we implement our Constitution when it comes to children in care? It seems our Ayuukhl is over weighed by the BC legislation when it comes to children in care.
- Why aren't we doing mental assessments of children in care, especially for the ones who are aging out? Some end up taking their own lives.
- When is NCFS going to stop with taking children right to Terrace?
- Boarding Home and IRS: Thank you to the Executive Chair for bringing our Boarding Home to the Justice Minister.

### Response

- We encourage you to visit the NCFS table, and a social worker will connect with you.
- We are talking with Nisga'a Ts'amiks Vancouver Society about moving forward. We are planning on meeting to discuss this.
- The majority of our social workers are Nisga'a, and they guide the practice. They provide assurance that the team follows the Ayuuk.
- Marsha Stephens, our Family Group Conference Coordinator, holds a youth transition conference before they turn 19, and start at age 16. She meets with them, identifies family and helps them transition to a family setting.

## Subject / Youth Organizing Youth, Youth & Elders Gathering

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### Comments

- YOY: I was approached by two members regarding skateboarding and asked if I was willing to participate with a province-wide competition in July. It would be nice to strive for our kids in something other than basketball, softball, soccer. Would YOY be interested in that activity?
- Would YOY consider collaborating with the River Rafting Tour and Canoe Journey? There is a lot of cost involved with the Canoe Journey and there are challenges with fundraising.
- What are the dates of the Elders and Youth Gathering?

### Response

- YOY: Our department is open to receiving suggestions and are looking to empower youth on all levels, if there is interest we will definitely pursue that.
- The organizer of the Canoe Journey came to see me about a possible collaboration of our teams and working together with delivering this year's program.
- The last Youth and Elders Gathering was in 2014. It's currently in planning, and SD92 provides workshops every Unity Day with the elders. They are well informed and the youth choose the topics.

## Subject / Thank You & Encouragement

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### Comments

- On behalf of Minee'eskw family, thank you for the beautiful presentation of my sister (Daphne Robinson).
- Nice to see all the women sitting at the table. All women are representing and stand to provide encouragement to all of you. I commend the youth representative. I encourage the directors to use their voices. Things will improve if you use your voice. Our elders apply their knowledge and this is what we call wisdom. Keep up the good work.

### Response

- Statement: No response required.

# Economic Development / NEST

## Question & Answer Session

**REFERENCE DOCUMENT** / ECONOMIC DEVELOPMENT & NEST REPORT

**SUMMARY** / IN THIS SESSION, PARTICIPANTS RAISED QUESTIONS ABOUT THE COMMERCIAL FISHER'S GRANT AND THE HALIBUT QUOTA. IN ADDITION, CITIZENS ENQUIRED ABOUT VARIOUS ECONOMIC OPPORTUNITIES SUCH AS TOURISM CONTRACTS AND A CASINO. QUESTIONS WERE ALSO ASKED ABOUT ACCESSING JOBS AND SKILLS TRAINING, A TREATMENT CENTRE FOR DRUG AND ALCOHOL ADDICTIONS AND THE SPECIAL ASSEMBLY RULES OF PROCEDURE.

## Subject / Signage

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### Comments

- Hlgu Isquit – gu isquit: All signage up and down the river are in the wrong place.

### Response

- Noted by officers.

## Subject / Commercial Fisher's Grant, Halibut Quota, N License, Crab Fishery

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### Comments

- Not everyone received the Commercial Fisher's Grant; signed paper that if you owed money to the government you have to pay this back. When (we) met with Henry Roy in 2013, there were only 17 active fishermen from the Nisga'a Nation, here you have 56. Who are these 56 fishers and how are they funded? We had a tough time with POs. It states you must be Nisga'a to get it. Should look at maternal side of family.
- Halibut quota: I'm flabbergasted that it has been leased out for the past three years, why were we not notified? I hope to get support from each community that the halibut quota be given to each community to help their own people. It's been too long answering these questions and I've never gotten a proper answer.
- Halibut quota: Does it come with a camera required by DFO? The camera is about \$10K.
- I hope to see support on commercial crab fishery, closing the area for crab fishery.

### Response

- Condition under the grant: Cover funds that are owed, it was a policy accepted by the Executive in 2013.
- Fifty-six fishers: All had Nisga'a citizenship cards and are boat owners.
- Halibut quota: There is a requirement for log books and a camera – DFO regulations.
- The Halibut quota for 2016 was leased to a Nisga'a fisher.

## Subject / Medical Benefits, Casino

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### Comments

- I'm excited about the economics being developed.
- We can't fundraise, and are having trouble with medical benefits. We really need help in these areas.
- I would like to see a casino built so we can get the benefits.

### Response

- Casino: One of our 11 actionable items is a Hotel. We encourage the four villages to work together for a hotel and casino.

## Subject / Thank You

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### Comments

- Thank you to NLG Economic Development for assisting with security business. I challenge others to see their dreams realized.

### Response

- Statement: No response required.

## Subject / Handicap Equipment Training

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### Comments

- I would like to see some training available for someone to be able to deal with handicap equipment and repair work.

### Response

- Training: This is a combined effort between NVHA and NEST for handicap equipment.

## Subject / Tourism Contracts

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### Comments

- Who is going to monitor the contract for the Nisga'a Memorial Lava Bed Park and Volcano Tours to ensure it is run to its capability?

### Response

- For the lava cone tours, the contract is under Nass Valley Tours.

## Subject / Assembly Agenda & Rules of Procedure

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### Comments

- Assembly Agenda and Rules of Procedure: When were these adopted?
- Who did the Rules of Procedure? I've formed my own opinion on the Rules of Procedures: Elected members should be able to come forward to speak.
- Not everybody can address a report at that time. Some people work and take time off to be here.

### Response

- Rules of procedure referred to the officers.
- Elected people are identified on item number eight in the rules. They have the responsibility to get information back to communities in public meetings; that is the process.

## Subject / Vetter Lodge, Treatment Centre

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### Comments

- What is going to happen to Vetter Lodge? There are issues around drug and alcohol use. I asked this in a previous assembly. Something needs to be done to take care of our people especially a safe house.
- Can the Vetter Lodge be used as a treatment centre for drug and alcohol problems?
- I admire the people that are starting to reach out and focus on healing. Our Nation is in dire need of a treatment centre.

### Response

- During the presentation this morning it was discussed how to get Vetter Lodge to a turn-key operation by the end of Summer. The decision of its use would be left with the NLG Executive.
- Vetter Lodge: Funds have been accessed. There are three funding sources. The conditions are that it be used for fishing, tours.

## Subject / Student Accommodation

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### Comments

- Student accommodation: Why do we have to apply to the government? We have our own government we can apply to.

### Response

- We want to connect with our clients, Gigi's and Ye'es. Accommodation is a challenge not unique to Nisga'a. The housing market is in high demand, especially in the Lower Mainland. We have a similar challenge with our welding cohort in Delta but they were able to work together and split costs between each other.

## Subject / Tickets

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### Comments

- Do we have to wait until those tickets expire before we can get funded?

### Response

- Our funder is very specific, we have to provide for skills/tickets that are in demand. To receive funding the ticket does have to be expired. We are planning to provide a new program called "NEST Express" where we can provide these tickets that are in demand such as OFA3.

## Subject / Services for Special Needs, Drug & Alcohol Abuse

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### Comments

- I have a special needs daughter. Getting sent to Vancouver, then coming back home; there are no resources available here. We need our representatives to speak up for us here.
- What can you do to minimize drug and alcohol abusers in the work force? I would like to see mandatory drug tests.

### Response

- NEST has funds that can target activities for the employment of individuals in this sector. Regrettably, we do not have funds to assist with care.
- Drug and alcohol abuse: The major projects operating in Nisga'a territory have a very high regard for safety. This includes being alcohol and drug free while employed. Drug and alcohol testing are an integral part of pre-employment and recruitment activities.

## Subject / Opportunities in Gingolx

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### Comments

- When can we schedule a representative to meet in Gingolx to discuss these opportunities?

### Response

- Ongoing exchange with the CAO. CAO to identify opportunities in Gingolx.

## Subject / Offices

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### Comments

- How many numbers out of each of the offices? Do we need all these offices? I believe all this funding can be provided from one office which will provide more training dollars. Targeted funds: Why aren't we seeing those?

### Response

- The targeted funds is a 30-year pot of funding that went to three Nisga'a child care centres. We tried to roll in the fourth but there were no funds available. We have to ensure we are within the guidelines and agreements. After losing the first Prince Rupert EA we considered closing the Prince Rupert office but looked at the numbers and talked with Gitmaxmak'ay and identified the hard working Nisga'a citizens in Prince Rupert. We had direct funded training, we work with the Village Government to make sure we are not overlapping the training.

## Subject / Training for Non-Nisga'a Citizens

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### Comments

- Are you going to be opening doors to non-Nisga'a citizens to provide training so they don't have to go elsewhere to get certified?

### Response

- Our contributing agreement is very specific, all individuals must reside in our service area and hold a Nisga'a citizen number.

# Reflections from the Executive Officers

Concluding Remarks

**H. MITCHELL STEVENS** / OFFICE OF THE PRESIDENT

**KEVIN MCKAY** / OFFICE OF THE EXECUTIVE CHAIRPERSON

**CORINNE MCKAY** / OFFICE OF THE SECRETARY-TREASURER

**SHIRLEY MORVEN** / OFFICE OF THE CHAIRPERSON, COUNCIL OF ELDERS

**COLLIER AZAK** / OFFICE OF THE CHIEF EXECUTIVE OFFICER

# H. Mitchell Stevens / President

Our elders have a real deep understanding and caring for all the Nisga'a people.

Thank you to everyone who made comments. I was trying to figure a way to do wrap up comments without the perception that NLG is pushing back the people.

One of the elders said to me, you must continue to push. You are not pushing back the people you are pushing them forward. Many of us want change but don't want to take that step. That is why every elected member sits in WSN to make changes for the communities and for the Nation. That made me feel good.

You deserve factual answers. When the opportunity first came to the Nation to be participants in the development, we told the Nisga'a people: It's not just the pipeline. There are certain other issues in the big picture. One of them was land. (Read out section of the NFA, page 33, paragraph 11 of the Lands Chapter). Nisga'a citizens say eight percent for our territory, but there are tools to use to bring forward into the future. This is one of those tools (NFA).

Fiscal Relations: Pages 209 - 210 refers to investments of the funds of the Trust. This is your money – this is the Nation's money. No one individual can make the decision, the decision has to be made by law through Wilp Si'ayuukhl Nisga'a, by way of a resolution. No funds will go to anyone, we are not using our own money to pay it back, we are using the corporate sector to pay it back plus the accrued interest. We are just re-acquiring our traditional land. We are not asking for it for free, it's a commercial business transaction to purchase Crown fee simple land under the provincial land title system which will convert to Nisga'a Lands.

We know that our people want details; this is why we are sharing. We have done all our work.

There are questions of the Commercial Fisheries Fund which was a two-year program which is now terminated by the Executive by resolution. This fund assisted our fishers to upgrade their vessels. This is what happens with that fund: under the fisheries chapter, the Nisga'a Nation gets a percentage of the total return to Canada. Last year the pre-season forecast was 81,000 pieces. (See the Fisheries chapter for reference.) We have Trustees that make decisions on the pieces, decisions on what the Trust can contribute to the Fisheries Program.

The Commercial Fishers Fund: Last year 40 N licenses became available. As the shareholder on behalf of the Nisga'a Nation we served notice to NNFC that no one will use the Nisga'a Nation N licenses other than Nisga'a people.

Citizenship: It is important to understand what people are saying. They are not lying when telling us on the floor, that people remove themselves as Nisga'a citizens, yet they continue to benefit from health services, fisheries, economic development, and education programs. After they receive their money they remove themselves as citizens of the Nation. The citizenship amendments are in progress and are targeted for completion in 2016 - 2017.

Legislation Review: There are 13 pieces of legislation being reviewed. Your *Nisga'a Government Act* allows you to do this. We hear you. We have to make sure legal issues are addressed so we don't trip over them.

Health Care: I have requested that the senior management team provide copies of the WSN resolution on Public Institution. Work is ongoing; its technical work. A snapshot of what happens: If those services are arbitrarily cut off, change is made without having things in place, and we will be liable. The Nation must compensate in lieu of appropriate notice.

Crab Fishing: We gather baseline data for non-salmon species then, through the Treaty we approach Canada and negotiate our allocation. There is a road map to do that.

Halibut License: This had to be registered to a Nation-owned vessel. The Executive must give direction to put that into the license bank so our fishermen can fish it.

Roads in our communities: This is where NLG has no authority. It is your village government's responsibility to fix up your roads. It's your responsibility to hold your village government accountable to that.

Enforcement: Especially in regard to fisheries and wildlife, you also have the ability to take that over. We do not have a qualified Nisga'a person to lead that. The enforcement chapter in the NFA tells us we have the ability to negotiate with Canada to negotiate fisheries and wildlife laws but we must have qualified personnel to do it. You have to have those qualifications otherwise there will be liabilities that will come back to the Nation.

Budget: Certain things had to be cut from the budget. Those come from a series of due process, through the Nisga'a Finance Committee, Senior Management, Executive, and finally to WSN.

I commend all those who speak in our language – very important. I am encouraged to see more people on the Language and Culture authority that has been established. There was a cut in the budget on the Language and Culture authority – we must rectify that.

NEST: They are federal funds and the required service area for that pot of money of \$2m is 30,000 sq. km – that is the requirement those funds cover. We are very fortunate through our participation in the potential development we were able to access \$2.1 million for skills development to support LNG development. We were a test case; this is the reason why we got the money.

Rules of Procedure: The Rules of the Assembly are for the Nisga'a citizens. These rules were done before I became president. Elected members speak in their public meetings, Executive, and WSN. We didn't want citizens to feel that they are left out so we follow those same rules. I referred to the legislative review where those loopholes will be closed, because it is an absolute insult to Nisga'a people, and it's taking away from your grandchildren and those coming after us.

As president, I thank the community of Gitlaxt'aamiks for being such gracious hosts. I thank the CoE for continuing their unwavering support to NLG. I am not NLG, I am one individual, I hold the title of president, I have no authority, it is the Office of the President that carries out the direction of the Executive.

Elected members of WSN please stand. These are the members making decisions for your future. We shouldn't feel bad when hard questions come out, we are like everyone else, we do not always agree, when decisions are made in the House (WSN) we move forward together.

I understand the School District has engaged an individual for reviewing the curriculum. I was direct in saying none of these programs be gone to bring up the academic curriculum. Need your support. We have the ability to learn.

Change is coming, we know that we want it done right away.

Ladies and gentlemen, I am happy to hear all the concerns brought forward. We welcome you all with your comments and thank you for your concerns brought forward in the last few days.

Thank you.

# Kevin McKay / Executive Chairperson

Hereditary Chiefs, Matriarchs, respected Elders, honoured guests, ladies and gentlemen, and youth, along with the president, thank you to the host community of Gitlaxt'aamiks for their hospitality of co-host to the Special Assembly.

I offer appreciation to the Nisga'a citizens who have continued to make the special assembly and similar gatherings a priority in your busy schedules. Without you, our ability to succeed in the Special Assembly would be restricted. My reason in saying this is that I describe the NFA, the Nisga'a Treaty as a sacred document. The reason is because this sacred document represents a life sacrifice of many of our loved ones that have gone back to the Spirit world.

Those tools that the president emeritus (referred to) that are in this sacred document, may not have been as comprehensive, as effective as they are turning out to be. In tempering our expectations on the implementation of our Treaty, 16 years ago to today, the wisdom of our chiefs, matriarchs and respected elders – they tempered our expectations by cautioning us to not be unrealistic.

The sacred document is a book of opportunities, and the onus of responsibility is on the Nisga'a Nation to make those provisions, to make those work for present and future generations. The onus is on every Nisga'a citizen to contribute what they can to make the dreams and divisions in the sacred document a reality.

One of the most important provisions in the Nisga'a Treaty are the self-government provisions. It was front and centre in the 1913 petition of the Nisga'a. For it is those provisions of the Nisga'a government that enable this important process of re-empowerment of the Nisga'a Nation to once again determine our own destiny.

Nisga'a Government, like any other government, requires the evaluation and prioritization of issues that are important to the people that the government serves. Those priorities are always evolving and changing. And the reality of any government is that there will not be enough money to fund all the priorities. This prioritization is necessary to make the best use of what's available, and to make sure to give piece of mind to Nisga'a citizens that every effort was made to carefully weigh those priorities.

We heard you loud and clear about the format of the Special Assembly. Over 61 years of annual gatherings, the rules of the Special Assembly, the conduct of participants, presenters, co-chairs and delegates has evolved to where we are today. There is always room for improvement as our President reminded us. Nisga'a Government will continue to evolve over time to meet the needs of its citizens. You have to have faith in that evolution. You have to have confidence. We will consider the great suggestions about the format and rules of the Special Assembly in the future. We look at how to improve on the ways we serve the Nisga'a Nation.

In conclusion, the Special Assembly is required to be held every 24 months under the Nisga'a Constitution.

I remind you that NLG agendas are open to the public, and yes there are times, for legal reasons, a portion is conducted in-camera. We encourage Nisga'a citizens to observe Nisga'a government meetings, whether it's your village government, Urban Local, Executive or WSN.

Thank you.

# Corinne McKay / Secretary-Treasurer

I want to acknowledge those that worked behind the scenes to make this assembly happen, and the planning group. I also appreciate the volunteer efforts by the host.

This year we are preparing the Fiscal Financing Agreement (FFA) negotiations. This is my first time being involved with the working group. We have the former secretary-treasurer retained to assist us in the work for FFA. We are optimistic we can seek the additional resources to deliver all of our programs. We will make our best efforts to lobby for funding.

We have heard your concerns for a healing lodge. We can bring this back to our working group table.

(Reference made to the election of the Liberal government.)

Electoral districts: Vancouver geographical area was used. Terrace, Prince Rupert and Vancouver local societies were created by their members.

Strategic Planning: We have heard the suggestions for the planning session. We know there is a need, and we know there is a movement to consider options for our future.

Public Institution for Health: One of the suggestions we are considering is addressing the first responders/ambulance services under this. Work is beginning. We will design health services that respond to the need of our citizens. In the interim, until we have people who have met the requirements, we are going to look at a transition service that includes a provision of first responders' services.

Sports Fund: Work has begun to develop a terms of reference and reporting process for it.

Rules Committee: This has been there for all Special Assemblies. Every citizen has a right to the opportunity to speak at the Special Assembly, there is no intention to be disrespectful.

Thank you to our clergy for daily invocations.

Thank you.

# Shirley Morven / Chairperson, Council of Elders

First, I wish to honor the memory of my Uncle Reuben Munroe, who discouraged my mother from quieting me. He told her, "One day she is going to speak for our people." Over the years this has given me the courage to address issues of concern.

In response to the question about how to implement, in the workplace, "encouragement" and "respect," respect can only exist if there is self-respect. It cannot be implemented as it is not a program where there are rules. It is emulated by very small children as young as three years of age. Encouragement is readily given by self-assured individuals.

Thanks to the host community and to the co-chairs. These elected officials are the voice and the support of their community members but over these four days they have been the ones to regulate the sessions.

Thank you to the presenters for enlightening us and for answering our questions in a professional manner. If the gap between the stakeholders and the officials closes even more, everyone will have the information they need.

To the translators, thank you for suggesting you receive copies of the reports well in advance of our assemblies. You help us to keep our language alive.

The Council of Elders did not guide the work of the Language and Culture Group. When attempts were made, their purpose appeared to be interpreted to mean that power was being grabbed. Actually, their purpose was to share knowledge. Over several decades progress has amounted to the passing of resolutions. This could mean there is no political support of Nisga'a language revitalization. It could also mean no one knows how to do this work. In any case there is a need to get this Nisga'a Language and Culture Authority working.

To the delegates, thank you for honouring our request to help us conduct the sessions in an orderly manner. You have great value. Thank you for being active listeners. And thank you for the thought-provoking questions. I hear you about the two-minute time limit. It is especially challenging to meet a two-minute time limit by those of us who are what the *mismaaksgwit* call "descriptive." We tend to take longer because we find it necessary to give background information before we pose our question. There is no difference between our intellect and those whom the *mismaaksgwit* label as "analytic." We all help NLG to meet goals and objectives on our behalf.

Finally, thank you to your officers who help us to become more visible and credible all over the world. I pray you remain full of the energy and good health you need as you continue to represent the Nisga'a Nation.

# Collier Azak / Chief Executive Officer

Thank you, a lot of issues raised have been addressed by the officers.

We have addressed most of the key areas, including the presentation of key note speakers.

In each of these presentations you can measure how much time they have taken by the questions and answers. We can gauge how prepared they are in certain areas.

We will move forward. It is my hope, with the announcement made by PRGT, that we are probably not going to see a final investment decision until summer of 2017, that this gives us some time for some work to be implemented. It is my hope, that we will be embark on a number of those projects. Looking forward to reports two years from now.

I want to pay tribute to one of our senior staff – Manager of Fisheries, Edward Desson – he lost his mother this morning. Our hearts and prayers go to his family. As well, In House Legal Council (IHLC), who lost her aunt, and her mother is getting on and is sick. Hearts and prayers to IHLC.

Questions about the Commercial Fisheries Fund were raised and we would like to inform you that there is a policy in place and that the Executive can make changes. We have noted those fisher's concerns.

In conclusion: A reminder that the Quality of Life Strategy, begun a number of years ago, is now going to be addressed through administration. All are encouraged to be engaged in future discussions. Have confidence and faith in NLG managers who will be coordinating this initiative. Our goal is to prepare a document for the next Special Assembly.

Thank you to those who stepped forward to voice opinions, express concerns, and ask questions. This is what makes your government work.

Thank you.