



Sayt-K'ílim-Goot

one heart, one path, one nation



Nisga'a Lisims Government

July / August 2012

President's Message /

I recently attended the Assembly of First Nations (AFN) gathering in Toronto to observe the elections for National Chief. Shawn A-in-chut Atleo was re-elected as National Chief after a three ballot vote. This is his second term as National Chief. I hope Mr. Atleo will be a stronger advocate for our rights and goals as First Nations citizens – it is imperative that we progress in our relationship(s) with our Federal and Provincial counterparts.

On the financial side, we have just been through our audit and have again come out with a clean audit. In the past four years the Nisga'a Lisims Trust has doubled in size. This is very positive when one considers the volatility throughout global markets over the same time period. We are a product of our own success, but we

follow our mandate to manage our financial expectations with care and due diligence. We are continuing to press the property taxation issue with the Province and are pursuing follow up discussions from our recent meetings in Victoria – we will keep everyone updated as we work towards resolving this issue.

Our ancestors created great wealth by sustainably managing the abundant resources found in our territory and through their great skill sets. In line with this and our economic development goals – NLG has established Nass Area Enterprises LTD., to seek out commercial opportunities available to the Nisga'a people. In this report we refer to a video that has been produced by NAE.

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British Columbia Supreme Court Rules in Favor of the Nisga'a Nation on Costs

The British Columbia Supreme Court has ruled that the plaintiffs James Robinson and Mercy Thomas must pay two-thirds of the Nisga'a Nation's costs of the proceedings to date in the Robinson case.

In October 2011 the Court ruled in favour of the Nisga'a Nation and the governments of Canada and British Columbia, and dismissed the plaintiffs' challenge

to the constitutional validity of the Nisga'a Treaty. The usual rule in British Columbia is that the unsuccessful party must reimburse the successful party for a portion of its expenses in conducting the litigation. Accordingly, and in light of the nature of the challenge, the conduct of the litigation by the plaintiffs, and the expense of defending the Treaty, the Nisga'a Nation relied on the usual rule and

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"In respect of fisheries, we will monitor access to the Nisga'a share of licenses at Northern Native Fishing Corporation (NNFC) to ensure that Nisga'a fishers continue to have the opportunity to access those licenses." Also, on the fisheries side, I had a productive meeting with the Federal Deputy Minister of Fisheries and Oceans to discuss changes to the *Fisheries Act*. All changes to the Act are carefully monitored by Nisga'a Fisheries and if need be, we express opinion on them to Fisheries and Oceans Canada.

I attended the 12th annual Independent Power Producers (IPP) meeting regarding the Northern Transmission Line

Impacts Benefit Agreement (NTL IBA). Attending these meetings allows us to make sure our agreement with BC Hydro is working well and allows us to keep abreast of any new developments in this important area.

I hope everyone is taking the time to get outdoors and enjoy some of this nice summer weather. The sun is always a welcome relief, and it allows us to recharge our batteries so to speak – so get recharged, it's going to be a busy fall.

Sim'oogit K'aw'een
H. Mitchell Stevens
President

Supreme Court decision continued from page 1

sought its costs. BC and Canada chose not to seek costs against the plaintiffs.

The plaintiffs then applied for an order that they not be required to pay the Nisga'a Nation's costs on the basis that, as the Court had ruled they had public interest standing, they should not have to pay the costs of the successful parties. They pointed to recent cases in which courts have held that some public interest litigants were not required to pay costs, especially as against governments.

In considering the plaintiffs' argument, Madam Justice Smith agreed that the constitutionality of the Nisga'a Final Agreement was a matter of public importance, and she acknowledged, as did the Nisga'a Nation, that as between the Nisga'a Nation and the individual plaintiffs, the Nisga'a Nation had a greater capacity to bear the costs of the legal proceedings. However the Court also noted the role played by the Calgary-based Canadian Constitution Foundation ("CCF") in financially supporting the plaintiffs' litigation. The CCF had publicly portrayed the Robinson case as the CCF's own litigation.

Madam Justice Smith said at paragraph 101 of her Reasons for Decision that even if the plaintiffs have not entered into any agreement that will indemnify them as to costs "... there is no evidence from the CCF that it has determined to withdraw from this litigation or that it will

refuse to assist the plaintiffs in meeting a costs judgment". She said at paragraph 102 that she reaches "... no conclusion as to the likelihood that the plaintiffs will be left on their own to pay a costs award."

Justice Smith also ruled that while there was no question that the Nisga'a Nation is a government, its resources are not similar to those of British Columbia or Canada.

Perhaps most importantly, the Court agreed with the Nisga'a Nation that the manner in which the plaintiffs conducted the case weighed against their application to be relieved from the usual obligation to pay costs. Specifically she said:

[107] I have reviewed the record, and must conclude that, whatever the plaintiffs' intentions, the effect of their conduct of the litigation was to create inordinate delay, expense and frustration for the defendants. It is apparent that a contributing factor to the disorderliness of the proceedings may have been some dissonance between the plaintiffs' and the CCF's objectives in the litigation.

After giving a number of examples of the plaintiffs' conduct of the litigation, Madam Justice Smith wrote:

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[110] The plaintiffs bear the burden of showing that they deserve exceptional treatment with respect to costs because they have performed a public service in bringing forward a matter requiring judicial determination. Important policy considerations about access to justice underlie the principles developed by the courts regarding public interest costs. Those policies are served when responsible public interest litigants are afforded relief from the usual costs rules. However, those policy considerations are not served if public interest litigants who abuse the courts' processes are permitted to take shelter under the same umbrella.

[111] In my opinion, the plaintiffs in this case have not always conducted the litigation in the way that a responsible litigant would, and the record shows

examples of conduct that can fairly be described as abusive or vexatious. [Emphasis added]

Noting these and other factors, Madam Justice Smith concluded that the Nisga'a Nation was entitled to two-thirds of its costs in its successful defence of the Nisga'a Treaty.

The appeal in the case will be argued in the British Columbia Court of Appeal in late September, 2012. A link to the Court's entire reasons for decision is set out below

<http://www.courts.gov.bc.ca/jdb-txt/SC/12/11/2012BCSC1152.htm>

Nass Area Enterprises Ltd. /

GENERAL PARTNER OF NASS AREA ENTERPRISES LIMITED PARTNERSHIP

Nisga'a Lisims Government has established Nass Area Enterprises Ltd. to advance Nisga'a Nation commercial interests and provide employment opportunities to Nisga'a citizens.

"Its pretty good to actually work in Nisga'a Lands ...this is our own Lands and I feel kinda proud about it.

— Corey Bolton, Transportation,
Gitwinksihlkw

A video has been created to promote the new venture, you can view it online at <http://youtu.be/QH821VbPag8>



Avanti Kitsault Mine Project / Community Information Meetings

Under the Nisga'a Final Agreement, all environmental assessment processes referred to in the Agreement must assess the effects of the project on:

- Nisga'a citizens, Nisga'a Lands and Nisga'a Interests under the Treaty and,
- The existing and future economic, social and cultural well-being of Nisga'a citizens, in addition to the requirements of applicable environmental assessment legislation.

In this regard, Nisga'a citizens that attended the four community meetings in Gingolx, Laxgalts'ap, Gitwinksihlkw and Gitlaxt'aamiks had an opportunity to listen and ask questions after presentations from the Canadian Environmental Agency, BC Environmental Assessment

Office and the mine proponent Avanti. They provided a joint presentation on the environmental assessment process for the proposed Avanti Kitsault Mine project. The meetings took place between July 9 and July 17, 2012.

As part of the overall process Avanti Kitsault Mine LTD. had to further provide a presentation on the Project's Environmental Assessment Application and the economic, social and cultural impact study of this project through a presentation of their report.

Since the Environmental Assessment (EA) is still in process, it would be premature for Nisga'a Lisims Government to have an official position on this project without that process being complete. Therefore, NLG does not have an official position at this time.

Gathering Strength 2012

On August 3, 2012 – four Nisga'a canoes from three Nisga'a communities (Gitmaxmak'ay, Gingolx, and Gitlaxt'aamiks) embarked for Gitgaat (Hartley Bay) to participate in the 8th annual Gathering Strength Canoe Journey.

In total the Nisga'a contingent is estimated to be 60 participants, mainly youth with support from elders and the canoe leaders Malena Joseph (Gitmaxmak'ay), John Moore (Gingolx), Gerald Robinson and Leonard Guno (Gitlaxt'aamiks). Three gill net support boats and one tender speed boat will accompany the contingent as the canoes trek along the seven day journey.

As Gerald Robinson shares, "Being on the water is a place to connect to the land, travelling in a canoe allows you to release your challenges in life to the water, embrace the opportunity to come out of your comfort zone, enjoy the opportunity to meet new people from other First Nations and organizations".

The four Nisga'a canoes will be joined by Heiltsuk, Haisla and Gitgaat Nations along with Department of Fisheries and Oceans (DFO) and RCMP canoes. It is estimated that there are 155 pullers in nine canoes in this year's flotilla.

Gathering Strength Canoe Journey began on August 5, 2012 in Gitgaat and will be completed on August 12, 2012 in Metlakatla BC.



Presentation to New Relationship Trust

Kevin McKay, Chairperson to the Executive of Nisga'a Lisims Government, was in Terrace on July 24 to give a presentation to several communities attending an economic forum hosted by the New Relationship Trust.

Titled "Assertion of First Nations Rights for Economic Benefits", the forum was an opportunity for First Nations from the Northwest Region to share ideas and experiences on the meaning of inherent rights to economic benefits, and how First Nations can take steps to begin to implement these rights or achieve economic benefits for their Nations.

Kevin shared the experience of Nisga'a Nation, presenting some of the main benefits of the Treaty as the starting point for the discussion. Through the Treaty, we also achieved certainty for our rights and interests in Nisga'a Lands and in the 26,000 sq. km Nass Area.

Kevin then presented the elements of the Nass Area Strategy. A basic principle of the strategy is that only environmentally sound resource development projects that are consistent with Nisga'a Treaty rights will proceed. When and only when these elements are satisfied will the Nation explore the opportunity for Nisga'a economic development. These opportunities will vary by project but may include:

- Equity Ownership
- Revenue Sharing
- Royalties
- Contracting Opportunities
- Direct Employment
- Joint Venturing Opportunities

Under no circumstances will the Nation accept a tradeoff between environmental protection and economic benefits.

Kevin then commented on the benefits of this policy in the case of the Northern Transmission Line. We have received several benefits, including contracting opportunities. From our contracting opportunities, we have successfully negotiated two further work contracts for the portion of the construction work that crosses onto Nisga'a Lands.

As a result, we have employed approximately 28 Nisga'a citizens working in various positions such as: fallers, brushers, log sort crew, road construction crew, safety workers, environmental monitors, and heavy equipment operators.

We are establishing internal capacity for this work, rather than simply contracting out, so we can eventually bid on work outside of the Valley.

In closing, Kevin stated

"the Nass Area Strategy allows the Nisga'a Nation to give practical meaning to the political statement that was made on the effective date of the Treaty: that the Nisga'a Nation is open for business."

Overall, Kevin's presentation was well received.

Nisga'a Elections Office / Notice of Regular Election

In accordance with the *Nisga'a Elections Act*, the general voting day for the next regular election of the Nisga'a Government will be
**Wednesday, November 7, 2012,
8:00 am – 8:00 pm**

Notice In Accordance With Nisga'a Law

Terrace

Notice of Nomination Meeting in Terrace for 2012

Regular Election of Nisga'a Government.

Date(s) and Time(s): Wed Sep 5 6:00 pm - 8:00 pm

Take note that a nomination meeting for the 2012 regular election of Nisga'a Government will be held at the following date, time and place:

**Wednesday, September 5, 2012
from 6:00 pm to 8:00 pm**

Best Western Terrace Inn
Skeena 1 and 2
4553 Greig Avenue
Terrace, B.C.

At the above nomination meeting, nominations may be made for the following elected offices:

OFFICERS OF NISGA'A LISIMS GOVERNMENT:


- President
- Chairperson
- Secretary-Treasurer
- Chairperson of the Council of Elders

TERRACE NISGA'A URBAN LOCAL:

- Nisga'a Urban Local Representatives
(two to be elected)

At the above nomination meeting, the Nisga'a Elections Officer will receive nominations for only the above elected offices.

- Nominees for all elected offices must be Nisga'a citizens and must be at least 18 years of age.
- Nominees for Nisga'a Urban Local Representative from the Terrace Nisga'a Urban Local must ordinarily reside in the Terrace Nisga'a Urban Local Area.
- At the above nomination meeting, a Nisga'a citizen listed on the Nisga'a Voters List as ordinarily residing in the Terrace Nisga'a Urban Local Area may nominate or second the nomination of a person for any of the above elected offices.
- At the above nomination meeting, a Nisga'a citizen listed on the Nisga'a Voters List as not ordinarily residing in any voting area may nominate or second the nomination of a person for any of the elected offices of President, Chairperson, Secretary-Treasurer and Chairperson of the Council of Elders.
- Nominators and seconders must provide the Nisga'a Elections Officer with required nomination forms.
- Nominees must provide the Nisga'a Elections Officer with required acceptance forms current criminal records check, photograph and must pay a nomination deposit of \$100 (only cash, money order or certified cheque payable to the Nisga'a Nation will be accepted), and written certification from the Director of Finance that the person's name was not included on the register of prescribed debts as of the date of nomination.

 For more information
please contact:

Jean Clayton
Nisga'a Elections Officer
Telephone: 250-633-2715
E-mail: jeanc@nisgaaelections.ca

Nisga'a Elections Office / Notice of Regular Election

In accordance with the *Nisga'a Elections Act*, the general voting day for the next regular election of the Nisga'a Government will be **Wednesday, November 7, 2012, 8:00 am – 8:00 pm**

Notice In Accordance With Nisga'a Law

Prince Rupert

Notice of Nomination Meeting in Prince Rupert for 2012 Regular Election of Nisga'a Government.

Date(s) and Time(s): Thu Sep 6 6:00 pm - 8:00 pm

Take note that a nomination meeting for the 2012 regular election of Nisga'a Government will be held at the following date, time and place:

**Thursday, September 6, 2012
from 6:00 pm to 8:00 pm**

Prince Rupert Nisga'a Hall
860 3rd Avenue
Prince Rupert, B.C.

At the above nomination meeting, nominations may be made for the following elected offices:

OFFICERS OF NISGA'A LISIMS GOVERNMENT:

- President
- Chairperson
- Secretary-Treasurer
- Chairperson of the Council of Elders

PRINCE RUPERT/PORT EDWARD NISGA'A URBAN LOCAL:

- Nisga'a Urban Local Representatives
(two to be elected)

At the above nomination meeting, the Nisga'a Elections Officer will receive nominations for only the above elected offices.

- Nominees for all elected offices must be Nisga'a citizens and must be at least 18 years of age.
- Nominees for Nisga'a Urban Local Representative from the Prince Rupert/Port Edward Nisga'a Urban Local must ordinarily reside in the Prince Rupert/Port Edward Nisga'a Urban Local Area.
- At the above nomination meeting, a Nisga'a citizen listed on the Nisga'a Voters List as ordinarily residing in the Prince Rupert/Port Edward Nisga'a Urban Local Area may nominate or second the nomination of a person for any of the above elected offices.
- At the above nomination meeting, a Nisga'a citizen listed on the Nisga'a Voters List as not ordinarily residing in any voting area may nominate or second the nomination of a person for any of the elected offices of President, Chairperson, Secretary-Treasurer and Chairperson of the Council of Elders.
- Nominators and seconders must provide the Nisga'a Elections Officer with required nomination forms.
- Nominees must provide the Nisga'a Elections Officer with required acceptance forms current criminal records check, photograph and must pay a nomination deposit of \$100 (only cash, money order or certified cheque payable to the Nisga'a Nation will be accepted), and written certification from the Director of Finance that the person's name was not included on the register of prescribed debts as of the date of nomination.



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Nisga'a Elections Office / Notice of Regular Election

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**Wednesday, November 7, 2012,
8:00 am – 8:00 pm**

Notice In Accordance With Nisga'a Law

Laxgalts'ap

Notice of Nomination Meeting in Laxgalts'ap for 2012
Regular Election of Nisga'a Government.

Date(s) and Time(s): Wed Sep 12 6:00 pm - 8:00 pm

Take note that a nomination meeting for the 2012 regular election of Nisga'a Government will be held at the following date, time and place:

**Wednesday, September 12, 2012
from 6:00 pm to 8:00 pm**

Laxgalts'ap Community Centre
441 Church Street
Laxgalts'ap, B.C.

At the above nomination meeting, nominations may be made for the following elected offices:

OFFICERS OF NISGA'A LISIMS GOVERNMENT:

- President
- Chairperson
- Secretary-Treasurer
- Chairperson of the Council of Elders

NISGA'A VILLAGE GOVERNMENT OF LAXGALTS'AP:

- Chief Councillor
- Village Councillors [six to be elected]

At the above nomination meeting, the Nisga'a Elections Officer will receive nominations for only the above elected offices.

- Nominees for all elected offices must be Nisga'a citizens and must be at least 18 years of age.
- Nominees for Chief Councillor or Village Councillor of the Nisga'a Village Government must ordinarily reside in the Nisga'a Village of Laxgalts'ap.
- At the above nomination meeting, a Nisga'a citizen listed on the Nisga'a Voters List as ordinarily residing in the Nisga'a Village of Laxgalts'ap may nominate or second the nomination of a person for any of the above elected offices.
- At the above nomination meeting, a Nisga'a citizen listed on the Nisga'a Voters List as not ordinarily residing in any voting area may nominate or second the nomination of a person for any of the elected offices of President, Chairperson, Secretary-Treasurer and Chairperson of the Council of Elders.
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- Nominees must provide the Nisga'a Elections Officer with required acceptance forms current criminal records check, photograph and must pay a nomination deposit of \$100 (only cash, money order or certified cheque payable to the Nisga'a Nation will be accepted), and written certification from the Director of Finance that the person's name was not included on the register of prescribed debts as of the date of nomination.



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Nisga'a Elections Office / Notice of Regular Election

In accordance with the *Nisga'a Elections Act*, the general voting day for the next regular election of the Nisga'a Government will be **Wednesday, November 7, 2012, 8:00 am – 8:00 pm**

Notice In Accordance With Nisga'a Law

Gitwinksihlkw

Notice of Nomination Meeting in Gitwinksihlkw for 2012 Regular Election of Nisga'a Government.
Date(s) and Time(s): Tue Sep 11 6:00 pm - 8:00 pm

Take note that a nomination meeting for the 2012 regular election of Nisga'a Government will be held at the following date, time and place:

**Tuesday, September 11, 2012
from 6:00 pm to 8:00 pm**

Gitwinksihlkw Village Government Office
3004 Ts'oohl Ts'ap Avenue
Gitwinksihlkw, B.C.

At the above nomination meeting, nominations may be made for the following elected offices:

OFFICERS OF NISGA'A LISIMS GOVERNMENT:

- President
- Chairperson
- Secretary-Treasurer
- Chairperson of the Council of Elders

NISGA'A VILLAGE GOVERNMENT OF GITWINKSIHLKW:

- Chief Councillor
- Village Councillors (four to be elected)

At the above nomination meeting, the Nisga'a Elections Officer will receive nominations for only the above elected offices.

- Nominees for all elected offices must be Nisga'a citizens and must be at least 18 years of age.
- Nominees for Chief Councillor or Village Councillor of the Nisga'a Village Government of Gitwinksihlkw must ordinarily reside in the Nisga'a Village of Gitwinksihlkw.
- At the above nomination meeting, a Nisga'a citizen listed on the Nisga'a Voters List as ordinarily residing in the Nisga'a Village of Gitwinksihlkw may nominate or second the nomination of a person for any of the above elected offices.
- At the above nomination meeting, a Nisga'a citizen listed on the Nisga'a Voters List as not ordinarily residing in any voting area may nominate or second the nomination of a person for any of the elected offices of President, Chairperson, Secretary-Treasurer and Chairperson of the Council of Elders.
- Nominators and seconders must provide the Nisga'a Elections Officer with required nomination forms.
- Nominees must provide the Nisga'a Elections Officer with required acceptance forms current criminal records check, photograph and must pay a nomination deposit of \$100 (only cash, money order or certified cheque payable to the Nisga'a Nation will be accepted), and written certification from the Director of Finance that the person's name was not included on the register of prescribed debts as of the date of nomination.



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Nisga'a Elections Office / Notice of Regular Election

In accordance with the *Nisga'a Elections Act*, the general voting day for the next regular election of the Nisga'a Government will be
**Wednesday, November 7, 2012,
8:00 am – 8:00 pm**

Notice In Accordance With Nisga'a Law

Gingolx

Notice of Nomination Meeting in Gingolx for 2012
Regular Election of Nisga'a Government.
Date(s) and Time(s): Thu Sep 13 6:00 pm - 8:00 pm

Take note that a nomination meeting for the 2012 regular election of Nisga'a Government will be held at the following date, time and place:

**Thursday, September 13, 2012
from 6:00 pm to 8:00 pm**

Gingolx Church Army Hall
Gingolx, B.C.

At the above nomination meeting, nominations may be made for the following elected offices:

OFFICERS OF NISGA'A LISIMS GOVERNMENT:

- President
- Chairperson
- Secretary-Treasurer
- Chairperson of the Council of Elders

NISGA'A VILLAGE GOVERNMENT OF GINGOLX:

- Chief Councillor
- Village Councillors (five to be elected)

At the above nomination meeting, the Nisga'a Elections Officer will receive nominations for only the above elected offices.

- Nominees for all elected offices must be Nisga'a citizens and must be at least 18 years of age.
- Nominees for Chief Councillor or Village Councillor of the Nisga'a Village Government of Gingolx must ordinarily reside in the Nisga'a Village of Gingolx.
- At the above nomination meeting, a Nisga'a citizen listed on the Nisga'a Voters List as ordinarily residing in the Nisga'a Village of Gingolx may nominate or second the nomination of a person for any of the above elected offices.
- At the above nomination meeting, a Nisga'a citizen listed on the Nisga'a Voters List as not ordinarily residing in any voting area may nominate or second the nomination of a person for any of the elected offices of President, Chairperson, Secretary-Treasurer and Chairperson of the Council of Elders.
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Nisga'a Elections Office / Notice of Regular Election

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Notice In Accordance With Nisga'a Law

Gitlaxt'aamiks

Notice of Nomination Meeting in Gitlaxt'aamiks for 2012 Regular Election of Nisga'a Government.
Date(s) and Time(s): Mon Sep 10 6:00 pm - 8:00 pm

Take note that a nomination meeting for the 2012 regular election of Nisga'a Government will be held at the following date, time and place:

**Monday, September 10, 2012
from 6:00 pm to 8:00 pm**

Gitmidiik Auditorium
5216 Tait Avenue
Gitlaxt'aamiks (New Aiyansh), B.C.

At the above nomination meeting, nominations may be made for the following elected offices:

OFFICERS OF NISGA'A LISIMS GOVERNMENT:

- President
- Chairperson
- Secretary-Treasurer
- Chairperson of the Council of Elders

NISGA'A VILLAGE GOVERNMENT OF GITLAXT'AAMIKS:

- Chief Councillor
- Village Councillors (seven to be elected)

At the above nomination meeting, the Nisga'a Elections Officer will receive nominations for only the above elected offices.

- Nominees for all elected offices must be Nisga'a citizens and must be at least 18 years of age.
- Nominees for Chief Councillor or Village Councillor of the Nisga'a Village Government of Gitlaxt'aamiks must ordinarily reside in the Nisga'a Village of Gitlaxt'aamiks.
- At the above nomination meeting, a Nisga'a citizen listed on the Nisga'a Voters List as ordinarily residing in the Nisga'a Village of Gitlaxt'aamiks may nominate or second the nomination of a person for any of the above elected offices.
- At the above nomination meeting, a Nisga'a citizen listed on the Nisga'a Voters List as not ordinarily residing in any voting area may nominate or second the nomination of a person for any of the elected offices of President, Chairperson, Secretary-Treasurer and Chairperson of the Council of Elders.
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Nisga'a Elections Office / Notice of Regular Election

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**Wednesday, November 7, 2012,
8:00 am – 8:00 pm**

Notice In Accordance With Nisga'a Law

Vancouver

Notice of Nomination Meeting in Vancouver for 2012
Regular Election of Nisga'a Government.
Date(s) and Time(s): Sat Sep 8 2:00 pm - 4:00 pm

Take note that a nomination meeting for the 2012 regular election of Nisga'a Government will be held at the following date, time and place:

**Saturday, September 8, 2012
from 2:00 pm to 4:00 pm**

Vancouver Aboriginal Friendship Society /
Chief Simon Baker Room
1607 East Hastings Street
Vancouver, B.C.

At the above nomination meeting, nominations may be made for the following elected offices:

OFFICERS OF NISGA'A LISIMS GOVERNMENT:

- President
- Chairperson
- Secretary-Treasurer
- Chairperson of the Council of Elders

VANCOUVER NISGA'A URBAN LOCAL:

- Nisga'a Urban Local Representatives
(two to be elected)

At the above nomination meeting, the Nisga'a Elections Officer will receive nominations for only the above elected offices.

- Nominees for all elected offices must be Nisga'a citizens and must be at least 18 years of age.
- Nominees for Nisga'a Urban Local Representative from the Vancouver Nisga'a Urban Local must ordinarily reside in the Vancouver Nisga'a Urban Local Area.
- At the above nomination meeting, a Nisga'a citizen listed on the Nisga'a Voters List as ordinarily residing in the Vancouver Nisga'a Urban Local Area may nominate or second the nomination of a person for any of the above elected offices.
- At the above nomination meeting, a Nisga'a citizen listed on the Nisga'a Voters List as not ordinarily residing in any voting area may nominate or second the nomination of a person for any of the elected offices of President, Chairperson, Secretary-Treasurer and Chairperson of the Council of Elders.
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E-mail: jeanc@nisgaaelections.ca

Notice / Lands & Resources

Nechako North Coast has plans to start base repairs along Hwy 113 between Gingolx and Laxgalts'ap within the next two weeks and estimates that it will take approximately two weeks to complete. The maintenance contractor will have single lane alternating traffic control in place during the repairs and is not anticipating any road closures. Work should be completed well in advance of school starting.



Special Assembly Report Available

The 2012 Special Assembly of the Nisga'a Nation Report is available online at www.nnkn.ca/content/2012-special-assembly-nisgaa-nation-report and will be distributed to our locals. It is a recommended read for any of our citizens who could not attend this year's Assembly and for people who were there. Special assemblies of the Nisga'a Nation are provided for by the Nisga'a Constitution.

BACKGROUND

In May 2012, the Nisga'a Nation gathered for a Special Assembly in Gingolx for several days to discuss central issues facing the Nation.

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

1. The key issues that were articulated by Nisga'a citizens,
2. The responses by NLG in relation to the issues identified, and
3. 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/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,
- Provide 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.

Students From All Over The World Visit Nisga'a Nation

During the most recent sitting of the WSN, we had some guests briefly drop in to observe the proceedings who were participating in the Round Square program.

Round Square is a worldwide association of more than 80 schools on five continents sharing unique and ambitious goals. Students attending Round Square schools make a strong commitment, beyond academic excellence, to personal development and responsibility. This is achieved by participating in community service, work projects, exchange programmes and adventuring, which can, and often does, take students half way around the world.

As a result of this program, in our chamber were young people from India, USA, Canada, and France, to name a few.

We had the chance to meet one of them in person, Isabel Reed, from the state of New Jersey, USA. Isabel, a grade 11 student, says "Round Square allows you to do exchanges with other students. As a group, we come together and put ideas into action." When asked what she thought of the Nass Valley Isabel said, "beautiful, it's so different being in a rural setting compared to where I come from."

Isabel and her fellow students will eventually return to Vancouver, and on August 9, they leave Vancouver to return to their respective homes.

We wish all the students of Round Square luck in their future endeavors.

For more information on this program, go to http://www.roundsquare.org/index.php?id=who_we_are



Settlement Trust

Global markets continue to fluctuate — we are keeping a close watch on the European economy and the efforts to stabilize their financial situation. NLG actively reviews the Trust's long term investment strategy to ensure the Trust is still in a position to meet its long-term objective — to secure long term gains.

Market Value — end of month

June 2012

\$178,681,348

COST:

Capital contributed

139,545,302

Distributions to the Nisga'a Nation

(3,005,479)

Cumulative realized investment income

28,710,230

Total cost

165,250,053

Unrealized Gain (Loss)

13,431,295

Highlights from NLG Executive Meeting

July 25–26, 2012

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

Resolution 2012/60, Adopted July 25

MOVED THAT the Director of Lands and Resources in collaboration with the Director of Fisheries and Wildlife and In-House Legal Counsel continue with discussions with Conservation Officer Service (COS) towards developing a protocol agreement that facilitates a closer field working relationship and contains at least the following key elements;

- a. Recruitment and selection of Nisga'a Enforcement Officer to enter the COS training program
- b. Mentoring and Training of Nisga'a Enforcement Officers
- c. Authorities and appointments of Nisga'a Enforcement Officers that complete the training
- d. Applicable policies and supervision of Nisga'a Enforcement Officers that complete the training
- e. Cost responsibilities of both parties
- f. Anticipated mutual benefits to both Parties including commitment to continuing NLG employment by trainee
- g. Duration of the agreement

Resolution 2012/61, Adopted July 25

MOVED THAT the Director of Lands and Resources in collaboration with the Director of Fisheries and Wildlife and In-House Legal Counsel continue to work to pursue appropriate training opportunities available through the Conservation Officer Service.

Resolution 2012/62, Adopted July 25

MOVED THAT the Director of Lands and Resources (a) pursue the establishment of Nisga'a initial attack crew (re: wildfires), and (b) provide the work plan and budget estimates attached to this motion as Appendix "A" to the Chief Financial Officer and the Finance Committee to be considered for inclusion in the upcoming 2012–2013 final budget.

Resolution 2012/63, Adopted July 25

CONSIDERING THAT the Nisga'a Nation has entered into the Community Tripartite Agreement with Canada and British Columbia for the delivery of community policing services on Nisga'a Lands; the Sergeant of the RCMP Lisims/Nass Valley detachment has expressed an interest in making the RCMP building better reflect Nisga'a culture;

MOVED THAT the Nisga'a Lisims Government Executive direct the Ayuukhl Nisga'a Department to advise the Sergeant of the RCMP Lisims/Nass Valley detachment on steps that it may take to make the RCMP building better reflect Nisga'a culture;

Resolution 2012/64, Adopted July 25

MOVED THAT the Nisga'a Lisims Government Executive direct the Chief Executive to work with legal counsel to prepare a letter addressed to Canada Post

1. requesting confirmation of Nisga'a Lisims Governments understanding that the contract for the Canada Post mail outlet in Laxgalts'ap has been terminated, and
2. expressing Nisga'a Lisims Governments interest in consulting with Canada Post on the establishment of a new Canada Post mail outlet in the Nisga'a Village of Laxgalts'ap.

continued on page 16

Resolution 2012/66, Adopted July 25

CONSIDERING THAT in accordance with the Nisga'a Final Agreement, Canada, British Columbia and the Nisga'a Nation (the Parties) entered into a Nisga'a Nation Fiscal Financing Agreement dated April 1, 2009 (the FFA Agreement);

Under paragraph 98 of the FFA Agreement the Parties may amend the FFA Agreement;

The parties wish to revise the formula to calculate the Composite Population Adjustment Index set out in paragraph 1.2 of Schedule B of the FFA Agreement and also wish to address an edit in the introductory clause of Schedule B;

The Parties acknowledge that a few words are missing from the FFA Agreement, probably because of a technical error, and, therefore, as of April 1, 2009, they wish to confirm the words that are missing from paragraphs 54 and 92 of the FFA Agreement;

The Nisga'a Finance Committee has recommended to Wilp Si'ayuukhl Nisga'a, in accordance with the Constitution of the Nisga'a Nation, that Wilp Si'ayuukhl Nisga'a ratify the Nisga'a Nation Fiscal Financing Agreement Amending Agreement No.1 (the FFA Amending Agreement), which would amend the FFA Agreement as described above;

MOVED THAT the Nisga'a Lisims Government Executive:

1. recommend to Wilp Si'ayuukhl Nisga'a that it ratify the FFA Amending Agreement, substantially in the form attached to this motion; and
2. once the FFA Amending Agreement has been ratified by Wilp Si'ayuukhl Nisga'a, authorize the Secretary Treasurer of Nisga'a Lisims Government, on behalf of the Nisga'a Nation, to sign and deliver the FFA Amending Agreement, substantially in the form attached to this motion, and take such further steps as may be reasonably required to bring the FFA Amending Agreement into effect.

Resolution 2012/67, Adopted July 25

CONSIDERING THAT it is advisable to amend the Nisga'a Elections Regulation, NLGSR 2008/09

MOVED THAT:

1. the Nisga'a Lisims Government Executive enact, under the *Nisga'a Elections Act*, the Nisga'a Elections Amendment Regulation (No.2), 2012, attached to this motion as Appendix "A" (the Regulation);
2. the regulation come into force on the date that it is signed in accordance with this motion;
3. the Chairperson of Nisga'a Lisims Government be authorized to sign the Regulation to evidence its enactment

Resolution 2012/68, Adopted July 25

CONSIDERING THAT section 12.2(b)(i) of the Nisga'a Elections Regulation, NLGSR 2008/09 (the Regulation), contemplates adoption by the Nisga'a Lisims Government Executive (the Executive) of a policy that provides for the repayment of prescribed debts by Nisga'a citizens for the purposes of section 12.2 of the Regulation;

MOVED THAT the Executive adopt, in accordance with 12.2(b)(i) of the Regulation, the Policy Respecting Repayment of Prescribed Debts, attached to this motion as Appendix "A".

Resolution 2012/70, Adopted July 26

MOVED THAT the Nisga'a Lisims Government Executive

1. adopt the draft Nisga'a Lisims Government 2011/2012 audited Financial Statements as at march 31, 2012, attached to this motion (the "Draft Audit"), and
2. recommend to Wilp Si'ayuukhl Nisga'a that it adopt the draft audit.

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, July 30, 2012

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 2012/16

CONSIDERING THAT the Nisga'a Lisims Government Executive has adopted the draft Nisga'a Lisims Government Audited Financial Statements as at March 31, 2012 (the "Draft Audit"), and recommended by Executive resolution 2012/70, dated July 26, 2012, that Wilp Si'yayuukhl Nisga'a adopt the Draft Audit;

NOW THEREFORE IT IS MOVED THAT Wilp Si'yayuukhl Nisga'a hereby adopts and approves the Draft Audit attached as Schedule "A" to this motion.

Resolution 2012/18

CONSIDERING THAT in accordance with the Nisga'a Final Agreement, Canada, British Columbia and the Nisga'a Nation (the "Parties") entered into a Nisga'a Nation Fiscal Financing Agreement dated April 1, 2009 (the "FFA");

CONSIDERING FURTHER THAT under paragraph 98 of the FFA Agreement the Parties may amend the FFA;

CONSIDERING FURTHER THAT the Parties wish to revise the formula to calculate the Composite Population Adjustment Index set out in paragraph 1.2 of Schedule B of the FFA and also wish to address an edit in the introductory clause of Schedule B;

CONSIDERING FURTHER THAT the Parties acknowledge that a few words were missing from the FFA, probably because of a technical error, and, therefore, as of April 1, 2009, they wish to confirm the words that are missing from paragraphs 54 and 92 of the FFA;

AND CONSIDERING FURTHER THAT Wilp Si'yayuukhl Nisga'a has requested and considered a Report from the Nisga'a Finance Committee on the proposed Nisga'a nation Fiscal Financing Agreement Amending Agreement No.1, which would amend the FFA as described above (the "FFA Amending Agreement");

NOW THEREFORE IT IS MOVED THAT Wilp Si'yayuukhl Nisga'a

1. ratify, and
2. recommend that Nisga'a Lisims Government Executive, on behalf of the Nisga'a Nation enter into

the FFA Amending Agreement, substantially in the form attached to this motion as Appendix "A".

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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