

**DATE:** January 7, 2021**FILE:** 0400-70**TO:** Chair and Directors  
Regional District Board**FROM:** Russell Dyson  
Chief Administrative OfficerSupported by Russell Dyson  
Chief Administrative Officer**R. Dyson****RE: Indigenous Relations 2021****Purpose**

To update the Comox Valley Regional District (CVRD) Board on activities planned for 2021 through the Indigenous Relations Framework and to recommend the Board adopt a statement of reconciliation to continue guiding the CVRD's work with Indigenous peoples.

**Recommendations from the Chief Administrative Officer:**

1. THAT the Comox Valley Regional District (CVRD) Board adopt the Statement of Reconciliation attached as Appendix A to the staff report dated January 7, 2021, recognizing that, in part, the CVRD is committed to Reconciliation with Indigenous Peoples and acknowledging that a commitment alone is not enough and that action is needed to show that the CVRD is taking measurable steps towards a better relationship with Indigenous Peoples.
2. THAT the activities planned for 2021 through the Indigenous Relations Framework, as described in the staff report dated January 7, 2021 be approved.
3. THAT the Comox Valley Regional District encourage the Federal Government to follow through with adopting Bill C-15, *United Nations Declaration on the Rights of Indigenous Peoples Act*.

**Executive Summary**

- The CVRD supports Indigenous Relations as a Board strategic driver.
- A Board resolution in December 2020 requested a report on implementation measures related to the United Nations Declaration on the Rights of Indigenous Peoples. This report provides some background information on activities undertaken in 2020 (appendix B) as well as proposed activities for 2021 (appendix C). This report also describes a Statement of Reconciliation and one recommendation that advocates for the Federal government to follow through with adopting Bill C-15, *United Nations Declaration on the Rights of Indigenous Peoples Act*. Bill C-15 was introduced in December 2020 and if passed by Parliament will provide a roadmap for the Government and Indigenous peoples to work together to fully implement the Declaration (<https://www.justice.gc.ca/eng/declaration/index.html>).
- A Statement of Reconciliation demonstrates the commitment and actions towards a better relationship with Indigenous Peoples. The CVRD Board is recommended to approve the statement in Appendix A, which builds upon the CVRD's [Indigenous Relations Framework](#) and emphasizes the ongoing efforts towards reconciliation.

Prepared by:

***J. Warren***

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James Warren  
Deputy Chief Administrative  
Officer

**Government Partners and Stakeholder Distribution (Upon Agenda Publication)**

City of Courtenay	✓
Town of Comox	✓
Village of Cumberland	✓
K'ómoks First Nation	✓
Wachiay Friendship Centre	✓

Attachments: Appendix A – “Proposed Comox Valley Regional District Statement of  
Reconciliation with Indigenous Peoples”  
Appendix B – “Summary of activities undertaken in 2020”  
Appendix C – “Proposed Indigenous Relations Work Plan 2021”

## Comox Valley Regional District Statement of Reconciliation with Indigenous Peoples

### Preamble

The work of Reconciliation falls to all segments of Canadian society. The Comox Valley Regional District (CVRD) is committed to Reconciliation with Indigenous Peoples. Supporting Indigenous relations is a CVRD Board strategic driver. It is understood that a commitment alone is not enough and that action is needed to show that the CVRD is taking measurable steps towards a better relationship with Indigenous Peoples.

This Statement of Reconciliation can guide decision making for the organization for many years to come. It is understood that Reconciliation is a long term goal with no defined end point. The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) is the reference framework for the CVRD's commitment to Reconciliation, which builds from the CVRD's [Indigenous Relations Framework](#) and aims to address activities within the scope of the CVRD's authority. This statement is a work in progress, which acknowledges that mistakes will be made and provides for adjustments to accommodate emergent practices.

### Statement

The CVRD's boundaries span the Traditional Territories of many First Nations, whose ancestors have been taking care of the land since time immemorial. The CVRD believes that a positive working relationship with First Nations is good for the whole region. For the CVRD to have a positive relationship with First Nations, we need to acknowledge, respect and work with their Indigenous laws, customs and systems of governance. The CVRD is part of a national movement towards Reconciliation with Canada's Indigenous peoples, informed by:

- The Truth and Reconciliation Commission's Calls to Action
- The United Nations Declaration on the Rights of Indigenous Peoples
- Sec. 35 of the *Canadian Constitution Act, 1982*
- The Douglas Treaties and the BC Modern Treaty process
- The BC Government's *Declaration on the Rights of Indigenous Peoples Act*
- The Federal Government's Bill C-15, *United Nations Declaration on the Rights of Indigenous Peoples Act* (not yet adopted)

The CVRD's path to Reconciliation focuses on four recurring themes:

#### 1. Self-Determination

The CVRD acknowledges the fundamental right of self-determination to Indigenous Peoples. In the spirit and intent of inclusivity, the CVRD is committed to working with First Nations through the governance systems they choose. When First Nations wish to participate in our decision-making process, then we will support them. The CVRD will look to First Nations for leadership in understanding how to create new decision-making systems together on their Traditional Territories.

#### 2. Shared Prosperity

The CVRD recognizes the gap in wealth between First Nations and non-Indigenous peoples. The CVRD will respect its interest in fiscal responsibility and believes that improving the lives of the most vulnerable citizens creates a stronger and more resilient region for everyone. The CVRD will seek partnerships, share information and deliver fair and equitable services in working with First Nations on achieving their economic goals.

**3. Protecting Cultural Heritage**

The CVRD recognizes that since the arrival of settlers, indigenous cultural heritage sites have been damaged and destroyed through development, and ancestral burial places and artifacts have been looted and sold. The CVRD will work with First Nations to respect, learn from and appropriately manage indigenous cultural heritage in the Comox Valley.

**4. Relationship with the Land and Water**

The CVRD recognizes the integral relationship First Nations have with the land and water. The CVRD will work with First Nations on taking care of the land and water while providing space for cultural and ceremonial use, food and medicine harvesting, traditional management practices and reclaiming Indigenous place names.

### **Summary of Indigenous Relations Activities Undertaken in 2020**

The following describes various activities undertaken in 2020 that come from the Comox Valley Regional District's (CVRD) Indigenous Relations Framework or are in support of advancing reconciliation.

In addition to regular and ongoing discussions between the CVRD and Indigenous peoples on projects and day-to-day service delivery, such as water supply, sewage collection/treatment, recreation, transit and solid waste, several activities illustrate the progressive work to advance Indigenous interests.

**Summer Recreation Program:** The CVRD and the Wachiay Friendship Centre co-hosted Earthbound Kids, an all-day Indigenous cultural camp, on July 13-17, 2020. The camp sought to enhance the community's understanding of reconciliation by raising the awareness of Indigenous cultural identity. Through activities such as talking circles and storytelling, camp participants learned about ancestral teachings and tradition and the important connection to the land. The CVRD was awarded a \$10,000 grant through the Union of BC Municipalities' Urban Communities Partnering for Reconciliation to fund the program.

**CVRD and KFN Leadership Meetings:** The CVRD Chair and Chief Administrative Officer along with key elected officials and project managers participated in monthly Kómoks First Nation (KFN) Chief and Council meetings to review CVRD operational procedures and supporting documentation as projects were initiated and advanced. Of note, 11 meetings between KFN and CVRD leadership were held in 2020, addressing more than 30 specific projects.

**Community Benefits Agreement:** In late 2020, the CVRD and KFN ratified a Community Benefits Agreement that commits both parties to work together collaboratively on a regional solution for sewer. The partnership recognizes the existing sewer line through Indian Reserve (IR1) was expropriated without adequate consultation and provides compensation for past and future impacts of sewer infrastructure within the reserve. The agreement will provide needed upgrades for Comox and Courtenay sewer infrastructure, while supporting the growth and economic development plans of the K'ómoks community.

**South Sewer Extension Project:** An extension of sewer service into Royston and Union Bay, that will service KFN development lands, is in the early stages of assessment. This project supports progress towards provincial reconciliation and the principles of the United Nations declaration. The CVRD is currently:

- Undertaking further assessment and technical evaluation including further review of potential costs.
- In discussion with the K'ómoks First Nation and Union Bay Estates.
- Pursuing grant opportunities.

While further outreach was proposed for the fall of 2020, that timing has been revised as the CVRD awaits further information about grant opportunities. It is expected the next update will be available in early 2021.

The work supporting the south sewer extension is building upon ongoing work between the CVRD and KFN on the liquid waste management planning process, the sewer conveyance lines and the partnerships formed through the water treatment plant construction project.

**Referrals Management Program:** The CVRD, K'ómoks First Nations and other local First Nations utilize a jointly agreed upon referrals management program to facilitate dialogue on land use planning applications. The program has been in place since 2012.

**Seal Bay Signage Project:** Recognizing that Seal Bay Park lies within K'ómoks First Nation (KFN) traditional territory the Comox Valley Regional District (CVRD) and KFN worked in partnership to plan signage improvements and enhance the overall park visitor experience while promoting understanding of the cultural heritage and values within the park. Seal Bay Park (referred to as 'Xwee Xwhy Luq' by KFN) contains cultural and natural values that are important to the K'ómoks First Nation. First Nations people traditionally visited the Seal Bay area for resource harvesting and to camp when traveling through the area by canoe. The new signage reflects a variety of natural park elements, animals and cultural references with emphasis on the traditional Ayajuthem language. Ayajuthem is a Coast Salish language shared between the peoples of K'ómoks, Tla'Amin, Homalco and Klahoose.  
<https://www.comoxvalleyrd.ca/projects-initiatives/past-current-projects/seal-bay-nature-park-signage>

**Community to Community Forum:** The CVRD participated in a C2C forum in November hosted by KFN and included topics related to reconciliation, the Declaration on the *Rights of Indigenous Peoples Act* and the KFN's cultural heritage policy.

**Meaningful Engagement Handbook:** The CVRD worked with KFN to develop a handbook as a resource to assist CVRD staff in building a successful engagement experience with the KFN. The handbook supports the improvement of CVRD's internal practices and provides staff with the tools needed to work with KFN, in accordance with the Nation's own procedures and decision making authority. It is intended to build on the Protocol Agreement signed in 2010 and the CVRD is very much appreciative of the guidance provided by Chief and Council in drafting this document.

### **Proposed Indigenous Relations Work Plan 2021**

Building on the Comox Valley Regional District's (CVRD) Indigenous Relations Framework and the proposed Statement of Reconciliation, several activities are anticipated for 2021. The themes that frame the Statement (self-determination, shared prosperity, protection of cultural heritage and relationship with land and water) can help identify the activities the CVRD undertakes (similar to Board strategic drivers) in order to ensure work advances on the promise to reconcile. Some projects relate to internal capacity building measures (at the Elected Official and staff levels) whereas others are more public-facing and incorporate third party interests or direct partnerships with Indigenous peoples.

#### **Activities Internal to CVRD**

- Indigenous awareness training will be offered in 2021 for Elected Officials and CVRD staff. The training will have wide-ranging benefits for the CVRD, by providing an opportunity to learn how Canada's colonial history has impacted the lives of Indigenous Peoples and to help develop a deeper understanding of the continued impacts of a wide range of Indigenous issues, some of which are specific to individual Indigenous peoples whereas others have more broad impacts. Three distinct training sessions, between three and six hours per session, are contemplated for up to 60 individuals.
- Several working groups around the province are investigating and considering process improvements for promoting Indigenous relations and reconciliation. In particular, the Planning Institute of BC and the Vancouver Parks Board are researching best practices in the public sector and understanding how those practices can be applied to local settings. CVRD staff are staying up-to-date on these findings and will look to integrate the findings into CVRD policies and practices. A fall 2021 report to the Board will record the actions and findings.
- Utilizing external supports, a 2021 goal is to develop mid to long term strategies to implement the Indigenous Relations Framework. A range of topics are noted in the framework, and expert advice will be sought to put together a plan for effective implementation. Internal consultation with branches and the Board of Directors will help to build the plan, recognizing any resource and operational constraints. Developing the plan will also incorporate the ongoing work that is underway with KFN. A report to the Board in late 2021 will present the strategy.
- The K'ómoks First Nation announced its Cultural Heritage Policy in late 2020. The CVRD will further its understanding of ways in which the policy can be integrated to CVRD policies and practices including through legislated means and staff and public education. Collaboration amongst the Comox Valley municipalities will be important to align collective interests and honour KFN's principles.

#### **Activities to Build on External Relations**

- The CVRD was successful in receiving grant funding from the Union of BC Municipalities to host a community to community forum early in 2021. The CVRD is connecting with K'ómoks First Nation (KFN) to confirm dates and topics. The theme for the event will likely relate to the application of the United Nations Declaration on the Rights of Indigenous Peoples at a local level. Additional funding for future C2C events will be sought.
- The CVRD intends to continue its regular leadership meetings with KFN, in order to continue building the relationship, sharing information, gaining perspective and finding community solutions. A minimum of ten meetings per year are expected where major projects and initiatives are presented for specific input from KFN.
- The CVRD will continue to operate under the CVRD, KFN and other local FNs referrals management program to facilitate dialogue on land use planning applications.

- Where possible, applications will be made for grant funding to support projects that advance reconciliation with Indigenous peoples and align with CVRD services, such as the summer recreation programs conducted in 2020. Further programming options in partnership with community groups such as Wachiay are also considered on a regular basis.
- A summary report on activities will be prepared for the end of 2021.

Funding to accomplish these goals will come from a combination of sources including grants and the general government administration service. Additional resources may be required, including potentially personnel in subsequent years, as the work plan evolves and in particular as the mid- to long-term strategies to implement the Indigenous Relations Framework is developed.