



FIRST NATIONS ADVISORY COMMITTEE ON SAFE DRINKING WATER

MINUTES OF A MEETING OF THE FIRST NATIONS ADVISORY COMMITTEE (the “Committee”)

(18 March 2024 – TD TOWER, 66 WELLINGTON STREET WEST, T’KARONTO)

1Reference: CHAIR

Chief Emily Whetung acted as chair of the meeting. John P. Brown (“**Executive Director**”) acted as secretary for the meeting.

2Reference: MEETING PROPERLY CONSTITUTED

A quorum of the Members of the Committee was present in person or virtually as set out in Schedule A.

3Reference: BUSINESS CONDUCTED

The Committee considered and addressed the matters set out in the Agenda attached as Schedule B.

4Reference: APPROVAL OF MINUTES OF 18 DECEMBER 2023 MEETING

ON A MOTION DULY MADE, seconded and carried:

BE IT RESOLVED THAT the minutes of the 18 December 2023 meeting be and are hereby approved.

5Reference: INFORMING, SUPPORTING, CONNECTING AND PROTECTING

ON A MOTION DULY MADE, seconded and carried:

BE IT RESOLVED THAT the FNAC be guided by the recommendations and principles outlined in the Memorandum dated 8 March 2024 to it from the Executive Director in order to focus on ensuring the new Funding Request Process is properly implemented for the benefit of First Nations by:

1. **Informing** First Nations how to access funding for water and wastewater infrastructure under the Clean Water Class Action Settlement;

2. **Supporting** First Nations in accessing this funding;
3. **Connecting** First Nations with appropriate experts to assist in the funding process, and with ISC to submit funding requests; and
4. **Protecting** First Nations' rights to actual cost funding of infrastructure that delivers water that meets specified quality and quantity standards.

Necessary steps will include, but not be limited to:

- a) making it a strategic priority to ensure that ISC and its regional offices are fully educated regarding the requirements of the new Funding Request Process under the Clean Water Class Action Settlement (e.g. actual cost funding and quantity and quality of water standards that are to be met);
- b) co-developing educational materials with ISC for the above purposes;
- c) meeting regularly with ISC for the above purposes;
- d) attending with ISC at regional offices for the above purposes; and
- e) inviting RDGs to attend meetings of the FNAC.

6Reference: COMMITMENT DISPUTE RESOLUTION PROCESS

ON A MOTION DULY MADE, seconded and carried:

BE IT RESOLVED THAT the FNAC identify First Nations who are seeking funding for water and wastewater infrastructure and to provide these First Nations with guidance, support and financial assistance in order that they may access and engage in (a) the new Funding Request Process, and (b) if required, to access and engage in the Commitment Dispute Resolution Process under the Clean Water Class Action Settlement.

7Reference: WATER GOVERNANCE FUND

BE IT RESOLVED THAT;

- (a) the FNAC require that any request by a First Nation for funding from the Water Governance Fund be accompanied by formal approval of the request from the Chief and Band Council of that First Nation;
- (b) the FNAC create a data base of the requests it receives for funding from the Water Governance Fund; and,
- (c) the chairpersons of the FNAC write to the Government of Ontario requesting that it cease any current programs that relate to or overlap with the purposes and objectives of the Water Governance Fund under the Clean Water Class Action Settlement.

8Reference: ISC PROGRAM WITH SHERRI LONGBOAT

ON A MOTION DULY MADE, seconded and carried:

BE IT RESOLVED THAT members of the FNAC (i.e. Maggie Stothart and Kathleen Padulo) and the Consultant to the FNAC (i.e. Kerry Black) jointly write an open letter to (a) the Honorable Patty Hajdu, Minister of Indigenous Services Canada; (b) Gina Wilson, the Deputy Minister of Indigenous Services Canada; (c) Nelson Barbosa, Director, Indigenous Services Canada; and (d) Catherine Moore, the solicitor for the Ministry of Indigenous Services Canada:

- 8.1.1. requesting that all references to the Clean Water Class Action Settlement be removed from any materials that are being used in relation to the “Initial Fact-Finding for Individual Wells, Cisterns & Septic Systems in First Nations Communities” program;
- 8.1.2. emphasizing that the court-ordered mandate of the FNAC covers the issues that the above program purports to address;
- 8.1.3. clearly stating that the purpose and intent of the Clean Water Class Action Settlement is to centralise water and waste water infrastructure; and,
- 8.1.4. addressing any other issues relating to these subjects as is deemed necessary.

9Reference: ADJOURNMENT

There being no further business, the meeting then adjourned.

Schedule A

Members of the First Nations Advisory Committee (“FNAC”)		
Name	Email	Community
Chief Emerita Emily Whetung (present)	emilieee.whetung@gmail.com	Curve Lake First Nation Southern Ontario
Councilor Doreen Spence (present)	doreenspence@tataskweyak.com	Tataskweyak First Nation Northern Manitoba
Chief Chris Moonias (absent)	chris.moonias@neskantaga.com	Neskantaga First Nation Northern Ontario
Richard Inkster (present)	rinkster@kitsumkalum.com	Kitsumkalum Band Council British Columbia
Wesley Bova (present)	wesbova@shaw.ca	Akwesasne First Nation Ontario
Kathleen Padulo (present)	kathleen.padulo@coo.org	Oneida Nation of the Thames Ontario
Michael McKay (absent)	mmckay@nan.ca	Nishnawbe Aski Nation Northern Ontario
Maggie Stothart, P. Eng., FEC (present)	maggiestothart@nsmdc.com	New Brunswick

Schedule B

Agenda		
	Time	Description
1	8:00 to 8:30	Breakfast
2	8:30 to 8:45	Opening
3	8:45 to 9:00	Introductions
4	9:00 to 9:10	Approval of Meeting Minutes of 11 December 2023
5	9:10 to 9:20	Follow Up Items from Meeting of 11 Dec. 2023
6	9:20 to 10:00	Proposal re Next Steps for the FNAC
7	10:00 to 10:15	Health Break
8	10:15 to 10:30	Draft Sitemap for the FNAC Website
9	10:30 to 11:00	Draft Template re Commitment Dispute Resolution Process Proposed by Canada and the SIC
10	11:00 to 11:30	Draft Water Governance Fund Criteria Proposed by Canada
11	11:30 to 11:45	New Clean Water Technical Committee Created by Canada
12	11:45 to 12:00	Status of Bill C-61 - re Access to Clean Drinking Water Act
13	12:00 to 12:15	Health Break and Lunch Pick-up
14	12:15 to 13:15	Working Lunch and Discussion of Draft Template re Applying for Funding
15	13:15 to 13:30	Closing

Tab 3

Follow Up of Items from Meeting of 18 March 2024

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- 12.1.3. clearly stating that the purpose and intent of the Clean Water Class Action Settlement is to centralise water and waste water infrastructure; and,
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