



FIRST NATIONS ADVISORY COMMITTEE OK SAFE DRINKING WATER

MINUTES OF THIRD QUARTERLY MEETING of the FIRST NATIONS ADVISORY COMMITTEE (the “Committee”)

(10 September 2025 – 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 13 AUGUST 2025 MEETING

ON A MOTION DULY MADE, seconded and carried:

BE IT RESOLVED THAT the minutes of the August 13th meeting be and are hereby approved including the amendment set out below and the follow up matters from the meeting of 12 December 2024.

1. The four applications to the Water Governance Fund set out in Schedule C are approved together with the further amendment to the amounts in the application from the Ontario First Nations Technical Services Corporation as noted therein.
2. The FNAC should investigate a more focused approach to create awareness of and to deliver information relating to the FNAC website by targeting First Nations communities with water issues using Instagram and Facebook.
3. Wes Bova, Maggie Stothart and Kerry Black should reach out to local tribal councils to gather a set of criteria of the qualifications and skills experts should have to be able to assist First Nations with assessing, designing and requesting funding for water and wastewater infrastructure. These criteria will then be included on the “Resources” page of the website.
4. The FNAC should send emails to appropriate individuals in the relevant Chief’s organizations in each province advising them of the FNAC website. These names/organizations will be obtained by:

- a. John Brown sending an email to the AFN asking for a list of the provincial organizations that are members of the AFN.
 - b. Kerry Black providing John Brown with a list of suggested organizations that he can reach out to with information regarding the website.
5. Maggie Stothart will send information regarding the FNAC website by email to the regional chiefs and water operators.
6. The FNAC should write to ISC:
 - a. requesting that the capital management officer in each region compile and deliver to the FNAC the current funding requests received;
 - b. emphasizing that First Nations do not have to be in the FNIP to be eligible for funding under the Settlement Agreement;
 - c. requesting from ISC its annual reports outlining the amounts spent under the Settlement Agreement
 - d. requesting that the Attorney General review ISC's "spending" under the Settlement Agreement since June 2021;
 - e. clearly articulating the funding mechanisms that are required under the Settlement Agreement;
 - f. providing a link to the FNAC website; and
 - g. requesting dates to meet with the RDGs.
7. The FNAC should write to ISC and request/demand that the new CDRP form be added to the ISC website and sent to the RDGs with appropriate instructions on when, how and why it should be used.

5Reference: APPLICATIONS TO THE WATER GOVERNANCE FUND

ON A MOTION DULY MADE, seconded and carried:

BE IT RESOLVED THAT:

1. The draft letters to each of the applicants advising of the FNAC's decision with respect to their respective applications should be delivered to the applicants with the following amendments:
 - a. a request that each First Nation applicant confirm that it still wishes to proceed with its application at the reduced amount determined by the FNAC by returning a signed-back copy of the letter to the FNAC; and
 - b. a notice within the letter that the FNAC will not forward the First Nation's request for funding to Canada unless and until the FNAC receives a copy of the signed-back copy of the letter from the First Nation.
2. The draft letters composed for delivery to ISC relating to each of the First Nation applicants advising ISC of the FNAC's recommendations with respect to their respective applications should be finalized and sent to ISC after receiving a signed-back copy of the above noted letters from each First Nation applicant.

6Reference: ENGAGEMENT & COMMUNICATIONS COORDINATOR

ON A MOTION DULY MADE, seconded and carried:

BE IT RESOLVED THAT a one year independent contractor agreement for the position of Engagement and Communications Coordinator be offered to Samantha McLellan containing the terms and condition described in Schedule D.

OTHER BUSINESS

7Reference: AGREEMENT TO (A) AN EXTENSION OF THE TIME PERIODS SET OUT IN THE *TERMS OF REFERENCE* IN THE CLEAN WATER CLASS ACTION SETTLEMENT AGREEMENT (the “SETTLEMENT AGREEMENT”) REGARDING THE MANDATE OF THE FIRST NATIONS ADVISORY COMMITTEE ON SAFE DRINKING WATER (the “FNAC”) AND FUNDING APPLICATIONS TO THE WATER GOVERNANCE FUND, AND (B) TO A CHANGE TO THE PROCESS FOR DISTRIBUTING MONIES UNDER THE WATER GOVERNANCE FUND

ON A MOTION DULY MADE, seconded and carried by at least 75% of the Members in attendance at a duly constituted meeting of the FNAC (a “**Supermajority Approval**”):

BE IT RESOLVED THAT:

1. The “**Term**” as defined in the *Terms of Reference* in the Settlement Agreement be extended from March 31, 2026 to March 31, 2030.
2. The *Terms of Reference* in the Settlement Agreement also be amended in the manner set out below (a) to require Canada to deposit the \$9m with the FNAC (so it will have the responsibility of distributing the money); (b) to preserve Canada’s right to assess and approve the distribution of any funding; and (c) to preserve the right of the Joint Committee to contest any decisions of Canada in that regard using the Commitment Dispute Resolution Process under the Settlement Agreement:
 49. Canada shall provide nine million dollars (\$9,000,000) in funding to the First Nations Advisory Committee on Safe Drinking Water (the “FNAC”) for the purposes of the Water Governance Fund.
 50. First Nation Class Members and the First Nations of Affected Persons may apply to the FNAC for funding from the Water Governance Fund.
 51. The FNAC will recommend the allocation of the Water Governance Fund in accordance with the principles set out in Section 48 and criteria set by the Joint Committee and Canada.
 52. The FNAC Canada will administer the Water Governance Fund and make distributions informed by its recommendations of the FNAC after obtaining Canada’s agreement to the distributions.

53. If the Joint Committee disagrees with a decision by Canada on distribution, the Joint Committee may use the Dispute Resolution provisions under the Settlement Agreement to resolve the dispute.
3. The Executive Director shall take all necessary steps to have the above amendments (or similarly worded amendments that achieve the same or similar results) implemented and is duly authorized to do so.

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 (absent)	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
Mario Swampy (present)	mario_73@hotmail.com	Nipisihkopahk (Samson Cree Nation) Alberta
Maggie Stothart, P. Eng., FEC (present)	maggiestothart@nsmtc.ca	New Brunswick

Schedule B

2025 – Third Quarterly Meeting of the First Nations Advisory Committee

Agenda - 10 September 2025		
	Time	Description
1	12:00 to 12:10	Opening & Introductions
2	12:10 to 12:20	Approval of Meeting Minutes of 13 August 2025 (see Tab 2) and consideration of follow up items
3	12:20 to 12:30	Approval of Water Governance Fund letters to First Nations (see Tabs 3-6)
4	12:30 to 12:40	Approval of Water Governance Fund letters to ISC (see Tabs 7-10)
5	12:40 to 12:50	Approval of Job Offer to applicant for position of an Engagement & Communications Coordinator (see Tabs 11-13)
1 1	12:50 to 1:00	Other Business
1 2	1:00	Closing