

NEWSLETTER OF THE NANWAKOLAS COUNCIL

# AWEENAK'OLA



## SHARING OUR STORIES

### AUGUST 2013 ISSUE 1

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(and a Bit About What We Do)

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Nanwakolas Referrals Office

It is my pleasure to launch this first issue of "Aweenak'ola," a newsletter about the Nanwakolas Council. We want to keep you up to date on a regular basis about our activities and the work Nanwakolas Council does on behalf of our member First Nations.

We know that not everyone will be familiar with the story of the Nanwakolas Council and what we do. So, in this issue, we've included a short summary of our history (page 2). We have also profiled the work of the Nanwakolas Referrals Office (page 5). In future issues, we'll tell you about our land use and marine planning services and what we do to support economic development activities by the member First Nations.

We want to share our collective successes and achievements, as well as our progress and plans, but we also want to provide a way for you to share your stories with us and with the other communities. Submissions of story ideas, photos, short notes on community activities, and news items will be welcomed for every issue. Please don't hesitate to let us know how you like "Aweenak'ola," and what else we could do with it to make it more informative, interesting and useful to you. If you have ideas on where else we should distribute the newsletter, or you would like us to email it to you whenever it comes out, please contact us at [info@nanwakolas.com](mailto:info@nanwakolas.com) or call Coral Duncan at 250.286.7200.

In the meantime we hope you enjoy this issue, and wish everyone a warm and happy summer out in Aweenak'ola, "the land we are on."

Dallas W. Smith, President, Nanwakolas Council



## FIRST, A BIT OF HISTORY (AND A BIT ABOUT WHAT WE DO)

The N̄nwaḱolas Council has been around since 2007, supporting its member First Nations in dealing with land use and resource issues in their territories, and working to help them protect their Aboriginal rights and title. (The current member First Nations are the Mamalilikulla Qwe’Qwa’Sot’Em First Nation, the ‘Namgis First Nation, the Tlowitsis Nation, the Da’naxda’xw Awaetlatla First Nation, the Gwa’sala-’Nakwaxda’xw First Nations, the Kwiakah First Nation, and the K’ómoks First Nation.)

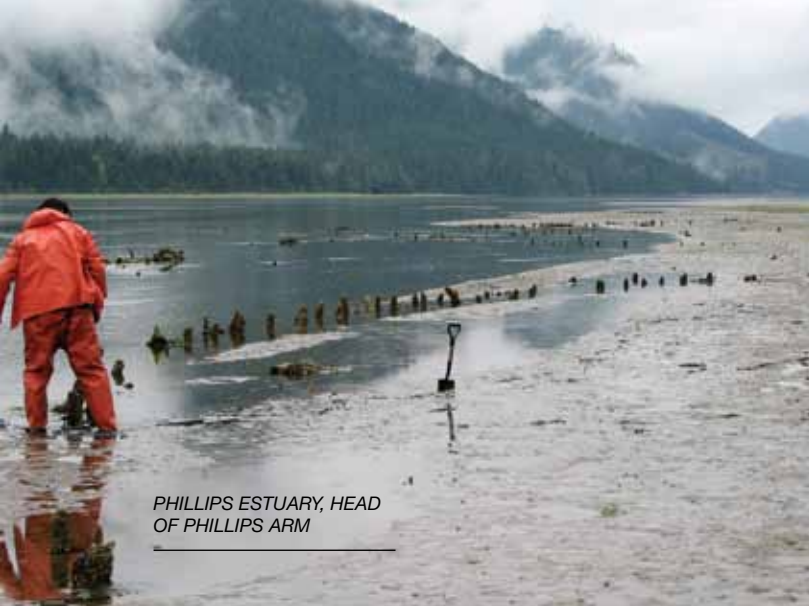
But the roots of N̄nwaḱolas can be traced much further back than just six years ago. Since time immemorial, each of the member First Nations has been responsible for taking care of the Aweenak’ola (which means “the land we are on”). They have always done so in a way that sustains their people, using a traditional collaborative approach.

That responsibility and collaborative approach is just as important today as it has always been. If anything, it is even more important than ever to work together to take care of the Aweenak’ola, in light of increasing competition from industry and other groups for control of lands and resources, and the requirement to deal with both the federal and provincial governments in relation to these matters.

During the 1990s, the provincial government began development of a land and resource management plan for the Central Coast. First Nations in the region supported responsible, coordinated planning efforts, but also wanted to ensure that everyone

*THE SUN IS SETTING*





PHILLIPS ESTUARY, HEAD  
OF PHILLIPS ARM

involved in the planning process recognized and respected their rights, roles and responsibilities in taking care of the Aweenak'ola.

Government-to-government discussions between the member First Nations and the provincial government resulted in the signing of a land use agreement-in-principle in 2006. With annual operating funds to be provided by the provincial government, the Nanwakolas Council was established by the member First Nations to implement the commitments set out in the agreement (a copy of the full agreement is on the Nanwakolas Council website, [www.nanwakolas.com](http://www.nanwakolas.com)).

The name Nanwakolas was chosen because it means “a place we go to find agreement” in the Kwak'waka language, and honours the traditional collaborative decision-making approach of the member First Nations.

Having a central organization in place to manage land use planning has proved to be both cost-effective and time-saving for the individual First Nations. Today they use Nanwakolas Council to provide a wide range of services including:

- **Management of referrals:** Nanwakolas staff research provincial resource development applications that have been referred to a member First Nation, work with the First Nation to help them develop a response, and facilitate the resolution of any concerns they raise with the applications.
- **Economic Development/Community Wellbeing:** The economic development focus of Nanwakolas is regional coordination of and provision of support for the business and economic activities of the member First Nations. Non-economic development

*The Nanwakolas Council provides information, technical support, facilitation, and advice.*

measures are also being explored to improve the community wellbeing of member First Nations.

- **Land Use Management:** Nanwakolas coordinates implementation of land use understandings between the member First Nations and the provincial government.
- **Marine Planning:** Nanwakolas is working with the member First Nations to develop marine plans for each of their territories, as well as a regional First Nation marine plan, called the Ha-ma-yas Marine Plan, that combines the various First Nation plans into a single regional plan. Nanwakolas is also coordinating efforts to develop a joint marine plan with the provincial government for its member First Nations' territories.

The Nanwakolas Council is a service organization. It provides information, technical support, facilitation, advice and help as otherwise needed in each of the above areas. Each member First Nation retains full autonomy and makes its own decisions regarding what it wants to do about specific land and resource issues affecting it, and directs Nanwakolas as to what it needs in terms of support.

The member First Nations also work collaboratively through the Nanwakolas Council, making decisions together on matters of common interest. Using a collective voice on these matters is a powerful way to communicate with governments, industry and stakeholder groups, and to protect and promote respect for Aboriginal rights and title.

Nanwakolas Council member First Nations welcome other Kwawaka'wakw First Nations to join the Council at any time, or to work with Nanwakolas in any way that works best for them. Members can pick and choose which Nanwakolas services they wish to use.

There is more information about what we do on our website ([www.nanwakolas.com](http://www.nanwakolas.com)), or you can always call any of our staff with your questions. The names and roles of the staff and their contact information are also on our website.

# BOARD OF DIRECTORS AND MANAGEMENT

The work and affairs of the N̄nwaḱolas Council are overseen by a Board of Directors. The Board, which has eight members, does not deal with any substantive issues which may potentially affect the territory or Aboriginal rights of a member First Nation. These issues are dealt with by the member First Nations themselves.

Each of the seven member First Nations appoint their own representative to the N̄nwaḱolas Board. Generally speaking, the Chief or Chief's representative is appointed to the Board, thereby providing a direct link between the affairs of the N̄nwaḱolas Council and the governing body of each member First Nation. The seven appointed Directors then elect an individual to serve as the N̄nwaḱolas Council President, who is responsible for political and strategic engagement with member First Nations, the provincial and federal governments, and third parties. The election of the President is undertaken on an annual basis.

Managing the day-to-day affairs of the N̄nwaḱolas Council and ensuring the strategic direction of the Board is implemented is the responsibility of the Executive Director, who reports to the Board. The Executive Director oversees a staff of fifteen.

The current Directors of N̄nwaḱolas Council are: left, top to bottom:

- Dallas W. Smith**, President
- Chief Harold Sewid**, Mamalilikulla-Qwe'Qwa'Sot'Em First Nation
- Chief Bill Cranmer**, 'Namgis First Nation
- Chief John Smith**, Tlowitsis First Nation
- Chief Paddy Walkus**, Gwa'sala-Nakwaxda'xw First Nations,

centre, top to bottom:

- Chief Steven Dick**, Kwiakah First Nation
- Chief Robert Everson**, K'ómoks First Nation

right, top to bottom:

**William Glendale**, Da'naxda'xw/Awaetlala First Nation.

The current Executive Director is **Merv Child** (Dzawada'enuxw).



# DOING THE GROUND WORK: THE NANWAKOLAS REFERRALS OFFICE

Chances are that the first person you'll talk to if you call the Referrals Office at Nanwakolas Council is Erica Haunch, the referrals office assistant who sets up and monitors every single one of the hundred or so referrals that come across her desk every month.

"My job is to get them all logged into the system," says Erica. Johnny Nelson, the GIS Analyst at Nanwakolas, sends Erica all the referrals that come into the office, and Erica then does the administrative legwork to get them into the computer system and underway. "We have a commitment to get every file set up and under way in forty-eight hours. It's a huge amount of work and takes a lot of attention to detail. I can sometimes get ten new emails at the end of the day and we still have to meet that time commitment, and not miss any of the details. It's a very busy job!" laughs Erica.

But what exactly does that all mean? "I get asked that *all* the time by my friends!" says Erica. "What do you do? They don't know what a referral is, or why we do this. I tell them, we're doing the ground work to look out for their First Nation's best interests."

## SO WHAT IS A REFERRAL, ANYWAY?

Before approving any Crown tenure (such as a forestry permit or a mining lease), the provincial government must first consult with First Nations on potential impacts on their Aboriginal rights. Typically, the government "refers" all tenure applications it receives to potentially affected First Nations, asking for a response within a set time frame. These are what have become commonly known as referrals.

*Before approving any Crown tenure, the provincial government must first consult with First Nations on potential impacts.*

## WHAT'S THE BIG DEAL?

Activities like mining and forestry, and indeed any resource-related activity being carried out in the territory can have serious impacts on Aboriginal rights and title. Unless the First Nation responds to the referral, the options for a satisfactory outcome are limited.

But for many First Nations governments with huge administrative workloads and inadequate budgets, the extra work that referrals cause is an enormous burden. "I'm the only administrative person in the Band Office, so it's hard even to get all the regular work done sometimes," says K'ómoks First Nation administrator Melinda Knox. "I used to take home all the referrals and do them at night, just to try and stay on top of them."

Many First Nations simply oppose the applications because they don't have the resources needed

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SONORA ISLAND



to research potential impacts or propose ways to avoid those impacts to the government. Some don't respond at all: "In my Dad's day," observes Chief Harold Sewid of the Mamalilikulla-Qwe'Qwa'Sot'Em First Nation, "when the Nation had even fewer resources than we do now, most of the time the referral envelopes weren't even opened."

The result was that the government would typically simply make a decision based on what it considered the impacts likely would be. Most of the time, it would simply approve the tenure: "When the government doesn't get a response they just assume silence is consent," observes Melinda. "They go ahead and approve the permit. That's why it is so important to reply to the referrals."

### THAT'S WHERE NANWAKOLAS STEPS IN

The Nanwakolas Council Referrals Office was established to administer referrals on behalf of the member First Nations, at no cost to the First Nations. "It's been a godsend!" exclaims Melinda fervently. "Having Nanwakolas providing that administrative and technical support service to us has taken so much stress and expense off our shoulders."

Under an agreement between Nanwakolas, the provincial government and the Nanwakolas member First Nations, all referrals are now sent to Nanwakolas

for processing. A team headed by Referrals Office manager Art Wilson notifies the affected First Nations, enters the referrals information into a database, assesses the likely impact of the referral, undertakes research, and prepares reports for the First Nations.

That's just the beginning, says Art. "We have four referrals officers who are experts in lands and forestry issues. They will go to meet with the First Nations to see what concerns they have with the referral and find out if further research is required. The referrals officers will also help set up meetings with the applicant or with the provincial government, if that's what the First Nation feels is necessary, and facilitate discussions around impacts and actions that could be taken to mitigate or avoid those impacts."

The Referrals Office also prepares response letters for the First Nation to send back to the government. "It's their rights that are being affected, so they have to make the decision and send the response. We can't do that; we're just doing the legwork for the First Nation, or like Erica said, the ground work," explains referrals officer Curtis Wilson.

"That's right," confirms Melinda Knox. "At K'ómoks we make sure we do our own internal consultation. It's our Nation's decision what to do, but Nanwakolas gives us the information we need for our Chief and Council to make that decision."



R. SCHOOL KIDS ON SEAWEED TRIP;  
L. NEW VAN



## 2 SUCCESSFUL PROCESS

The benefits to the member First Nations of using a central clearinghouse for administering referrals have been extensive. “Technology is one aspect of that,” observes Johnny Nelson. “The computers and software required to manage the system are expensive and very complex. Because we’re centralized, this is very cost-effective and efficient way to manage all the information on behalf of the First Nations.”

After six years in business, says Curtis, the referrals team have also gained a great deal of experience, and is putting it into practice on a daily basis. “The workload is much bigger now than in 2007 but we’ve really streamlined the process. We know the history. We know when the First Nation has said yes or no before on a similar application, so consistency of response is better than it used to be, and we know where the really sensitive areas are now so can act faster to help the First Nation protect them. That’s immensely beneficial for our members. We’re also all much more familiar with the issues, and so are many of the tenure applicants, or proponents—a lot of them are renewals, or from proponents who have previously applied for other tenures, so their understanding has also greatly increased.”

That last factor is a huge asset, says forestry referrals officer Wendy Ravai. “I find that proponents are increasingly respecting the points of view of the First Nations,” she says. “Part of my job is to put things into perspective for the proponents and to help them understand what the interest is, and what they can do to satisfy the interests of the First Nations. That’s been very productive to date. We’re seeing industry

coming to the First Nations before even making an application, to try and build their interests in right from the beginning. We’ve also seen land protected from logging altogether to save old-growth cedar.”

Putting things in perspective works two ways, adds Wendy. “Not every forestry application is bad for the First Nation. Some of them represent economic opportunities for Band members, for example. Because I’m a registered professional forester, I can also help explain to the First Nations what forestry applicants are looking for. Being reasonable as much as possible and not simply opposing everything, which is what used to happen, helps build trust and credibility with the proponents and with government. Now when a First Nations says no, the government understands it really does mean no.”

The professional, consistent approach taken by the member First Nations through the Nanwakolas referrals process has also led to a better relationship with the provincial government, says Art Wilson. The government is more responsive to concerns that are raised than it was in the past, says Art: “Out of 1200-odd referrals last year, I think only two were approved despite opposition from the First Nations. That’s phenomenal success, and a complete turnaround from the past.”

One of the keys to that success, says Melinda Knox, is that the relationship between referrals office staff and the First Nations is a very good one. “They provide such a collaborative, supportive service to K’ómoks,” she says. “They are always respectful of the fact that K’ómoks makes the decisions, but they provide very helpful advice and information that helps us make the best decisions possible.” The service,

says Melinda, is always personal: “They recognize relationships are important. They always go out of their way to be friendly and go the extra mile for us.”

It’s a two-way street, she adds. “This wouldn’t work if the First Nations didn’t pay attention to the information and advice being provided. We have to work with Nanwakolas referrals staff to help them do their job effectively too. We have to communicate, and respond to what they send us. That’s our responsibility in the end just as much as making the decision on the referral.”

Since Nanwakolas started processing referrals to send to Mamalilikulla-Qwe’Qwa’Sot’Em, says Chief Sewid, every single referral has received a response. “That would never have happened in the past. We just did not have the resources to do what they do for us—the research, tracking the information and the history and preparing reports and recommendations to us.”

“I can’t imagine what we would do without the help of Nanwakolas to deal with all the referrals now, because we are getting more than ever. We’d have a really tough time protecting our rights. I am so glad we have them on our side, doing the ground work for us this way.”



## PLEASE GET IN TOUCH

Please don’t hesitate to let us know how you like “Aweenak’ola,” and what else we could do with it to make it more informative, interesting and useful to you. If you have photo or story submissions, ideas on where else we should distribute the newsletter, or you would like us to email it to you whenever it comes out, please contact us at [info@nanwakolas.com](mailto:info@nanwakolas.com) or call Coral Duncan at 250.286.7200.

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The Nanwakolas Council is comprised of seven member First Nations whose traditional territories are located in the Northern Vancouver Island and adjacent South Central Coast areas of British Columbia.

CAPE CAUTION,  
SILVESTER AND  
BURNETT BAY.



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