



File No.: SA-6500-20 First Nations  
Relationship Building

DATE OF MEETING: May 15, 2020  
TO: Saturna Island Local Trust Committee  
FROM: Brad Smith, Island Planner  
Southern Team  
COPY: Robert Kojima, Regional Planning Manager  
Lisa Wilcox, Senior Intergovernmental Policy Advisor  
SUBJECT: First Nations Relationship Building – Draft wording for potential inclusion in OCP

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## RECOMMENDATION

- 1. That the Saturna Island Local Trust Committee direct staff to draft OCP bylaw amendments in acknowledgement and reconciliation of First Nations place, context and inherent rights.**
- 2. That the Saturna Island Local Trust Committee direct staff to update the First Nations Relationship Building project charter with revised timelines.**

## REPORT SUMMARY

The purpose of this staff report is to update the Saturna Island Local Trust Committee (LTC) on progress to date with the First Nations Relationship Building project, to introduce draft wording for inclusion in the Saturna Island Official Community Plan No. 70, 2001 (OCP), and to seek direction on next steps.

The recommendations above are supported as:

- The recognition and acknowledgement of First Nations place, context and inherent rights within the OCP is consistent with the reconciliation objectives of the Islands Trust and the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP); as well as Bill 41 Declaration on the Rights of Indigenous Peoples Act;
- First Nations have been contacted and at this time have not responded with issues or concerns with the proposed bylaw amendments have been identified;
- The draft bylaw will help to clarify First Nations and local community perspectives with the proposed amendments; and,
- The project charter timelines are out of date and need to be updated.

## BACKGROUND

The First Nations Relationship Building Project began in 2017. At the July 18, 2019 regular LTC meeting staff presented a revised project charter for LTC endorsement. The LTC passed the following resolution:

**SA-2019-044**

**It was Moved and Seconded,**

that the Saturna Island Local Trust Committee endorse the project charter, dated July 10, 2019, regarding the preparation of OCP amendments to reflect First Nations presence on Saturna Island.

**Carried**

The endorsed [project charter](#) includes the following key tasks:

- Research First Nations wording in other OCPs
- Prepare draft OCP First Nations Language for review
- Prepare report, recommended OCP amendments, and referrals to First Nations
- Schedule a CIM
- Prepare draft OCP amendment bylaw and final staff report for LTCs consideration
- Public hearing for OCP amendment bylaw

The first two tasks have been completed. This staff report provides recommended OCP bylaw amendments for LTC consideration. Bylaw referrals will take place following 1<sup>st</sup> reading (if LTC chooses to proceed with the bylaw amendments).

Project charter timelines need to be updated.

Additional project information, including previous staff reports, is located here:

<http://www.islandstrust.bc.ca/islands/local-trust-areas/saturna/projects-initiatives/first-nations-relationship-building/>

## **ANALYSIS**

### **Proposed OCP Wording**

The following wording is proposed for inclusion within the introductory statements of the OCP:

*Coast Salish Peoples, including the WSÁNEĆ, have lived and resided on or near Saturna Island since time immemorial.*

*The history of Coast Salish Peoples is sustained in the language, place names, village sites, cultural and sacred sites that encompass the whole of the Islands Trust Area. Coast Salish Peoples have seen and lived the transformation of their lands and waters since contact. This tide of change has greatly impacted the eco-system that sustained them, and the cultural heritage of the first peoples of the Salish Sea. Coast Salish Peoples have and will continue to be a thriving people, government, and community, connected to the lands and waters through spiritual, cultural, and traditional knowledge for generations to come.*

*The WSÁNEĆ Peoples speak a language called SENĆOŦEN, and have a rich and vibrant economic, social, cultural, and spiritual life that is connected to these lands and waters. The lands and waters of the WSÁNEĆ Peoples is enriched with history, placenames, village sites, cultural sites, and sacred sites and the island and waters form the basis of their language, culture, and spiritual life within the Salish Sea.*

*Saturna Island is the location of the SXÁUTW (Tsayout) First Nation and WSIKEM (Tseycum) First Nation reserve #7. The importance and inherent rights and jurisdiction that this area holds to the WSÁNEĆ Peoples continues now and into the future and the stewardship of these lands and waters for their children's children endures.*

## **Regulatory**

### ***Islands Trust Policy Statement***

The proposed bylaw amendment is consistent with the policy directives of the Policy Statement. If LTC decides to proceed with drafting a bylaw, staff will include the Policy Statement Directives Checklist in a subsequent staff report for LTC endorsement.

### ***Official Community Plan***

The proposed wording would be included within the introductory sections of the OCP. The specific location within these sections is not yet determined.

### ***Land Use Bylaw***

There are no specific impacts of the proposed OCP bylaw amendment on Saturna Island Land Use Bylaw No. 119, 2018 and no consequential amendments are required.

### ***Islands Trust Reconciliation Action Plan***

The proposed OCP amendment is consistent with the goals and objectives of the Islands Trust Reconciliation Action Plan 2019-2022; and is consistent with legislative objectives of the Declaration on the Rights of Indigenous Peoples Act Province of British Columbia.

## **Consultation**

### ***Statutory Requirements***

In accordance with regular statutory requirements, a public hearing is required for any bylaw amendment and it is normal practice to hold a Community Information Meeting (CIM) prior to that.

Staff will schedule a CIM after 1<sup>st</sup> reading of the bylaw should LTC decide to proceed.

If the proposed changes advance to public hearing following the CIM, the public hearing notice would be posted as per statutory and bylaw requirements in advance of the public hearing.

### ***First Nations***

Draft wording for potential inclusion within the OCP was provided to the following First Nations:

- BOKÉĆEN (Pauquachin) First Nation
- MÁLEXEŁ (Malahat) Nation
- Scia'new (Beecher Bay) First Nation
- SEMYOME (Semiahmoo) First Nation
- SĀÁUTŪ (Tsawout) First Nation
- Tsawwassen First Nation
- T'Sou-ke Nation
- WJOLEŁP (Tsartlip) First Nation
- WSIKEM (Tseycum) First Nation

At this time the Nations did not respond with any concerns or issues with the proposed wording. These First Nations will be notified again as part of the bylaw referral process should LTC decide to proceed with 1st reading.

## Rationale for Recommendation

Based on the foregoing, the recommendation on page 1 is supported as:

- The recognition and acknowledgement of First Nations place, context and inherent rights within the OCP is consistent with the reconciliation objectives of the Islands Trust and the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP); as well as Bill 41 Declaration on the Rights of Indigenous Peoples Act;
- First Nations have been contacted and at this time have not responded with issues or concerns with the proposed bylaw amendments have been identified;
- The draft bylaw will help to clarify First Nations and local community perspectives with the proposed amendments; and,
- The project charter timelines are out of date and need to be updated.

## ALTERNATIVES

### 1. Request further information

The LTC may request further information prior to directing staff to draft an OCP bylaw amendment. If selecting this alternative, the LTC should describe the specific information needed and the rationale for this request.

Resolution:

*That the Saturna Island Local Trust Committee request that staff provide the following additional information:\_\_\_\_\_.*

### 2. Receive for information

The LTC may receive the report for information.

## NEXT STEPS

Based on direction from the LTC, staff will:

- Draft OCP bylaw amendment for consideration by LTC
- Update the project charter with revised dates
- Seek direction for scheduling a CIM

Submitted By:	Brad Smith, Island Planner	May 5, 2020
Concurrence:	Robert Kojima, Regional Planning Manager	May 5, 2020