Bill 172 Written Submission
to the
Standing Committee on General Government

by

Deputy Grand Chief Derek Fox

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Committee Room 2, Main Legislative Building, Queen's Park, Toronto
Bill 172 Written Submission

Introduction of Deputy Grand Chief Derek Fox

NAN’s Mandate

Nishnawbe Aski Nation (NAN) represents 49 of the 133 First Nations in Ontario and is home to the 2\textsuperscript{nd} largest carbon sink in the world. Our territory covers two thirds of Ontario’s Geography from the Manitoba border to the James Bay Coast. NAN territory encompasses Ontario’s largest carbon sink – the boreal forest and all of its attributes.

Through treaty, NAN First Nations are co-owners and stewards of the land, which includes the boreal forest. It is this shared ownership and stewardship responsibility that must be captured in Bill 172.

Climate Change and NAN First Nations

32 of our 49 communities are remote. They do not have road access and they are not connected to the Transmission Grid. The majority are powered by expensive and high risk diesel generation. The diesel fuel is either flown in or transported by ice roads with significant cost and environmental risk.

In NAN territory, climate change is real. For years our Elders have identified the changes occurring in our land. The forest is changing. The wildlife is changing. The land has changed. The north is warming and ice roads are melting. What was once a reliable lifeline is under direct and observable threat.
Comments on Bill 172

**Point 1: Aboriginal and Treaty Rights**

Bill 172 recognizes that climate change has far reaching political, economic, social and environmental impacts – all of which are critical to NAN and the 49 First Nations it represents.

Bill 172 clearly establishes that the Act respects aboriginal and treaty rights. Ontario is acknowledged by NAN for their respect of the treaties and our inherent rights. As co-owners and stewards of the land and forests within NAN territory we must actively work together to utilize these resources to address climate change and share in the benefits that accrue from the environmental stewardship economy.

**Point 2: Defined Processes to Engage NAN and NAN First Nations**

In the preamble to Bill 172 it states that the ‘Government will continue to involve First Nations... in the ultimate goal of fostering a high-productive low carbon economy and society in Ontario’. UNDRIP provides for full engagement and input regarding policy development with regard to climate change mitigation plans. First Nations are to be involved in pre-policy discussions, laws and regulations.

For this to happen, formal processes must be established to define and guarantee NAN and NAN First Nations involvement in attaining this ultimate goal. How we are to jointly work together must be clearly set out.

**Point 3: Traditional Ecological Knowledge**

Bill 172 recognizes the special relationship that First Nations have with the environment, and that we are deeply connected both spiritually and culturally to the land and animals. It is important to note that we are also afforded economic opportunities from the land and animals, which greatly affects our social and economic well-being.

CHECK AGAINST DELIVERY
Bill 172 states that First Nations ‘may offer’ or ‘if they offer’ traditional ecological knowledge. As co-owners and stewards of the land it cannot be a question of ‘may’ or ‘if’. Utilization of traditional knowledge must be permanently embedded into the process of Bill 172 or any other related legislation – federal or provincial.

We urge you to support more collaborative and interdisciplinary approached between TEK and Western science. Stated differently, our TEK should be recognized as a separate, valid and equal knowledge system to Western science.

And, in order for traditional knowledge to be effectively utilized, permanent mechanisms must be found to capture, record and utilize this traditional knowledge in the development of policy and implementation of programs. Resources must be allocated to access and utilize this knowledge.

Given the complexity of how this would be undertaken, no specific recommendations can be made at the present time however, NAN is willing to initiate discussions on how this can be accomplished.

**Point 4: Addressing the Impacts of Climate Change on NAN First Nations and Its People**

That climate change has been impacting NAN First Nations has been recognized by our Elders for years. A September 2013 “Climate Change Impacts in Far North Ontario Communities” – specifically Eabametoong First Nation - by Dr. David Pearson, Co-Chair of Ontario's Expert Panel on Climate Change Adaptation, acknowledges that NAN First Nations are on the front lines of climate change.

Schedule 1 of Bill 172 identifies initiatives that would be funded by the Greenhouse Gas Reduction Account. Though NAN recognizes the importance of these initiatives, NAN First Nations who are acknowledged to be on the “front line of climate change” are not clearly identified as primary beneficiaries of this Account. Nor is it clearly identified how the benefits of the boreal forest and its land will be accounted for and allocated. That is, the benefits accrued by the boreal forest and the land as a carbon sink and how they will be shared by the co-
owners and stewards have not been set out and must be enshrined within legislation and processes to develop and modify legislation. This can only be done by Ontario in partnership with NAN and its member First Nations.

**Conclusion**

Recognizing that the climate change issue and associated legislation is a complex process, NAN is ready to engage in discussions regarding matters identified above and those related to the effective implementation of Bill 172. As noted above, **NAN will require resources to undertake meaningful discussions.**

Permanent processes and resources will have to be embedded within government climate change and related legislation, along with government policy formation initiatives, to preserve NAN First Nations rights as co-owners and stewards of the boreal forest and lands. How the benefits of this climate change mitigation resource can be shared is an important discussion – one that will be ongoing - to be held between government, environmental scientists and NAN, NAN member First Nations and their traditional knowledge keepers. To fulfill our joint responsibility, the necessary resources must be provided to address the impacts of the NAN First Nations and its people who are acknowledged to be on the front line of climate change.

To date, the Ontario government has not acknowledged the need to fully engage NAN, its member First Nations and its traditional knowledge keepers. In the recent Ontario budget millions of dollars were allocated for a partnership between Laurentian University and Ontario First Nations Technical Services without any consideration for the role of NAN and NAN First Nations. The position put forward by Mushkegowuk Grand Chief Jonathan Solomon to Ministers Zimmer, Murray, Gravelle and Mauro urging a more collaborative approach is fully supported by NAN.

To conclude, NAN First Nations assert that as co-owners and stewards of the boreal forest and lands, Ontario must provide NAN and NAN First Nations with
permanent methods and processes, including sufficient resources and core funding, to work collaboratively in:

- Addressing climate change, specifically well-defined processes for our direct input into climate change legislation and the environmental stewardship economy;
- Guaranteed core funding to provide and retain the expertise to gather both traditional knowledge and assess the technical and economic impacts of climate change on NAN territory, First Nations and its people;
- Managing the resources and benefits attributable to the boreal forest and land within NAN territory; and,
- Work co-operatively to effectively manage the impacts of climate change on NAN First Nations and its people.

Finally, it must be stressed that **NAN is unique in its geography and remoteness.** The majority of the carbon sink in Ontario is within NAN territory. This requires a separate negotiation table within the Provincial discussions. We can no longer afford to be impacted by an all-Ontario approach.
Map of NAN Territory

CHECK AGAINST DELIVERY
NAN – Lakehead University Research Project Receives Award

Posted 13 March 2015 by NNL Staff in Anishinaabe

NAN Grand Chief Harvey Yesno addresses a full house of enthusiastic youth

THUNDER BAY – NEWS – Nishnawbe Aski Nation (NAN) Grand Chief Harvey Yesno congratulated the researchers and participating First Nations as NAN’s joint research on climate change with Lakehead University was one of the 50+ Research Stories recognized at the Research and Innovation Week Awards Reception on Thursday afternoon.

“A two-way exchange of knowledge key to this project, with researchers sharing the latest scientific knowledge on climate change and First Nations sharing their traditional knowledge of the land,” said Grand Chief Yesno. “Through collaborative research we have brought First Nations’ perspectives into the discussion on climate change, and the bridging of Aboriginal Nation and scientific views is helping our communities in their land management decisions.”

The project, Collaborative Research on Climate Change: Forming Bridges Across the Disappearing “Blue-Ice” (Kah-oh-shah-whah-shoh-siig Mii-koom) examines the impact of climate change on NAN First Nations and explores evolving government policies being developed to address it.

Led by PhD candidate Denise Golden, researchers visited 10 of NAN’s 49 First Nations in 2011, covering an area of more 110,000 square kilometres north of the 51st parallel from the northern Manitoba border to the James Bay coast. Observations of changes in the boreal forest environment attributed to climate change were recorded as well as First Nations’ perspectives on climate change. The research was supervised by Dr. Peggy Smith, Assistant Professor, Faculty of Natural Resources Management.

Changes on the territorial landscape are affecting transportation in traditional activities such as hunting and fishing as well as the delivery of essential community supplies by winter roads such as fuel for power generation. Research findings are assisting First Nations develop climate change adaptation strategies and engage in climate change policy.

CHECK AGAINST DELIVERY
Research for the project received Lakehead’s Aboriginal Partnership Research Award in 2012. A joint publication “Blue-ice”: Framing climate change and reframing climate change adaptation from the Indigenous peoples’ perspective in the northern boreal forest of Ontario, Canada, was released in 2014.

- See more at: http://www.netnewsledger.com/2015/03/13/nan-lakehead-university-research-project-receives-award/#sthash.a0A7oNNm.dpuf